

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

BURET CONSTITUENCY, HELD AT

RORET CATHOLIC SCHOOL HALL

ON

10TH JULY 2002

**CONSTITUENCY PUBLIC HEARINGS, RIFT VALLEY PROVINCE, BURET CONSTITUENCY, HELD AT
RORET CATHOLIC SCHOOL ON 10TH JULY 2002.**

Present:

Com. Nancy Baraza
Com. Issack Hassan
Com. Mohammed Swazuri

Secretariat:

Programme Officer: - Solomon Anampiu
Assistant programme officer - Nelson Ashitira
Verbatim recorder - Ziporah Wombua

The meeting started at 9.40 am.

Phillip Kitur: Karibuni hapa, tunataka kuanza na tunakaribisha wageni wetu ma Commissioners na wasaidizi wao. Na kila mtu ambaye amefika hapa tunawakaribisha. Na tukianza tunaomba ili tunyamaze, jana ma Commissioners walikuwa waki ambia watu wanyamaze na kwa hivyo... *kor kait bik alak ongelenjin kosisige amun kiyoe recording en yuno, they are recording, so ko yeit bik komonyolu kong'alal en kwenut yono so kor on kemwochin tugul kelenjin kosisike bik so noton ne ko himisoni Commissioners en ng'alechu. Sire inne, lakini chechang' ke recordeni.*

So kobik chon kikere kele konyikisekitu metowek o encourenchen koba let yuno hasa saa nane.

Phillip Kitur: na, watu wanatumia pombe kidogo halafu wanazugumza hapa, tuwambie wanyamaze ama waende huko nyuma. Kwa hivyo tungependa kushukuru kabla hatujanza,

Phillip Kitur: Our heavenly Father we want to thank you again this morning, thank you for this day you have given to us, thank you for the Commissioners, whom you have brought here lord and we continue to pray for them that as they sit here and listen to what people from Roret division are going to present, we pray for strength, energy so that they can be able to concentrate until we finish for today. We pray this shortly in Jesus name our lord, Amen. Asanteni sana.

Com. Ahamed Hassan: Asante sana Pastor Philip Kitur, sasa tungependa kuanza lakini kabla hatujanza wacha ni wajulishe wale wageni walikuja na sisi hapa leo. Mimi naitwa Commissioner Ahmed Isaack Hassan, mwenzanuzi huyu anaitwa Dr Mohamed Swazuri, na, kwa ushoto yangu ni Nancy Baraza. Pia tuko na officer kutoka Nairobi, wa kwanza ni Solomon Anampiu, Programme officer kutoka Nairobi, Nelson Ashitiva, assistant na Ziporah Wambua, verbatim recorder. Labda watu wengi wakikuja, nitarudia masharti ya hii hearing, lakini kwa sasa mujaribu kutumia dakika tano tano, wale wako na maandishi na wale hawana maandishi. Na fikiri wale mulikuwa huko liken, muna kumbuka vile tulikuwa tunajaribu kuambia watu, wasisome maandishi yao neno kwa neno kwa sababu hiyo ni kupoteza wakati. Ni mzuri ujaribu tu, kuangaza ama ku highlight yale maneno muhimu muhimu kwa hiyo maandishi. Lakini usi some neno kwa neno Ndiyo upatie watu wengine nafasi ya pia kuongea.

Bila kupoteza wakati na ma Commissioners wana weza kuuliza wewe maswali ile tu ya kufafanua na kujaribu kufahamu wewe vizuri, muna weza kuulizwa maswali na maCommissioners. Sasa bila kupoteza wakati tuanze na Eric Ngeno, utakuja hapa kutoa maoni na uki maliza utaenda kujiandikisha hapo register, kama uko na maandishi utawacha hapo.

Kenneth Cheruiyot: *Kole bamong'o boisien Kiswahili lakini kot komi chi ne boisien kipsigis, feel free, unaweza tumia lugha yoyote. Tuko hapa na tuta translate. Sichui kama Clement Murei amefika? Hajafika. Tutafanya hiyo translation kabla afike.*

Eric Ngeno: Asante sana kwa nafasi hii nime pata. Langu ninaye tu maneno machache kuhusiana na maneno ya haki za Kimsingi. Haki kwa watoto kupata elimu ya bure, kwenye shule za msingi.

Walimu wa nursery watolewe katika wizara ya Serekali za wilaya hadi Wizara ya Elimu.

Ma Chiefu wachaguliwe moja kwa moja na wananchi.

Wakuu wa idara yaani Permanent Secretaries yale makatibu makuu PS, wachaguliwe na kamiti maalum ya bunge, Muundo wa chama. Wazee fukara, wasaidiwe, wazee wanao zidi miaka sabini, wasaidiwe na Serekali. Ni hayo tu yangu nilikuwa nayo.

Com. Ahamed Hassan: Sign kwa kitabu huko, Richard Korir,

Richard Korir: I am told I have five minutes and I have a long memorandum but I will try to summarize it. Based on the guidelines that you gave us and the questions that you asked in that particular questioner, I will try, to go through that as first as possible. To start with, I think we need a preamble in our constitution and that preamble should state very clearly that all Kenyans are equal because of the law and that every Kenyan is guaranteed freedom to pursue and enjoy civil life without any interference from the state. We need a constitution of national philosophy, with the guiding principals which respect and incorporate protection of this civil life. The democratic principal should include that the Government should have, checks and balances and have, a difined role and responsibility and that should could include, in my solution we should have an executive who will be the head of the Government and a legislature, Judiciary.

The legislature should have two houses. That means the senate and also (**inaudible**) . The senate in particular should have representatives from the regions on equal basis. My quotation on this is that every region irrespective of its population area should have equal representation and this will remove the ethnic or communities in fighting in country. This will also keep representations of all our community they will also feel represented.

The congress or the lower house, can be used to extend representation as we have at the moment in Parliament. That means it can be used population, topography or areas or any other logistic reasons which can be formulated. As for the Judiciary I think there should be two kinds, of judiciary, one for the Central Government or the Federal Government, regions should have their own courts. So there should be Supreme Courts and Federal Courts and there should be also State Courts to deal with matters that are of state or original importance.. Those are the federal will deal with matters which are Federal judicial matters.

You also asked whether the constitution be supremacy? Yes, I agree, the constitution should be supreme and should never be allowed to be changed unless we have at least $\frac{3}{4}$ members of the two houses to approve it and then at least $\frac{2}{3}$ of all the regions to approve it.

The defense on so much on security as we have at the moment I think it is adequate and I think the president should be the Commander In Chief. All armed forces should have an allegiance or take an oath of allegiance to the President he or her. The Executive should have powers to declare war, of course in consultation with the defense council.

Political parties, Political parties are fundamental to our political democratic Government, which provide avenue for people freedom of expression and articulation of policies, which will be the basis for the governors when they rule the country. The constitution should regulate the formation of parties by setting minimum requirements so that to avoid surplus and many parties

which may not be valuable to the country. It should set on the side that a party becomes registered if they can command at least 10% membership in any five of the regions or Provinces of this country. Each party should finance its self and should not be financed from the public funds. All political parties should declare the source of finances and should not receive any foreign financial assistance. Once a party has been registered and has met the layman rules and regulations of the state, the state should not interfere with its running. As I said earlier, I prefer that we adopt a federal Government in which the executive and legislature authority is split between the federal Government and distinct regional assemblies. The reasons is that the regions or provinces and the people of that area have a common culture. Some have same language and share certain norms. The constitution in protecting such liberties, should allow people in common local culture and value decides on their priorities, whether it concerns region, culture or economical activity. This allows the local committee to be able to decide on their primary functions and governance.

Areas where we think region Government will deal with include education, public works and roads, agriculture, health environment, natural resources, land and town planning, industries, local council, police and culture. Other arms of the Government like armed forces, foreign affairs, immigration, monetary policies, constitution, National security and intelligence, external trade, international treaties and any other national Importance can be handled by central Government or federal Government.

I would like to see a situation where there is legislature, the two houses confine there work completely to legislature. They can also do things like approving national budgets and constitutional appointments and Parliament also could control its procedures through the standing orders. Being a legislature that should be a full time job and should not have any kind of employment except Parliamentary committees. Should resign from running any business and should not be engaged in any other public position whatsoever. In this way they will be concentrating in law making and avoid partisan interests.

Com. Ahamed Hassan: Please try and sum up now.

Richard Korir: So I stop

Com. Ahamed Hassan: No, you summarize now

Richard Korir: Okay, here we talk about education, I think yes the language depth or education should be minimum and we recommend that O level or 12 years of education, and this should go for the Members of Parliament and also for Local Council.

Salaries, Members of Parliament or legislatures should not decide on their salaries, there should be a Commission which decides both for the President, legislatures and judiciary.

The President should be completely, be not a member of legislature and should be voted by all Kenyans citizens and should be

the head of Executive, should appoint his people who are non Members of Parliament. That means he can appoint people to assist him run the Government from any other citizen of Kenya or who are not Members of Parliament. This will separate the powers from Parliament, Executives and judiciary.

Elections, yes, we need representative elections and we should adopt simple majority rule. I would like to recommend that there should only be one election for the President and about 1/5 of the members of legislature is elected every year so that the Parliament always has new people in Parliament. There should be rotational elections.

Com. Ahamed Hassan: Your last point.

Richard Korir: Land rights, I think land should be divided between the state, regional and local councils.

Com. Ahamed Hassan: What land?

Richard Hassan: I say land, there should be land handled by the central Government, there should be land administered and adjudicated by regional Government and the local council. And it could also be land for the communities.

Com. Ahamed Hassan: Thank you, thank you very much, wale wengine watakuja kuongea tafadhali nilikuwa nime sahaio kuwaeleza mwanze na jina lenu. Anza na jina Ndiyo tuweze kushika kwa recorda, kabla ujaanza kutoa maoni. Pastor Phillip Kitur.

Pastor Phillip Kitur: Yaa , I talked yesterday representing the church, but today as an individual and also from this area.

Pastor Phillip Kitur: This is different, no no no, I represented an organization yesterday, hii leo ni yangu. Asante, jina nimetaja. Parliament to vet all Presidential appointees to public institutions before being confirmed. The President will nominate those public officers but vetted to Parliamentary confirmation. enumeration committee for Government employees to be established.

Employment of the armed forces under the regional Government should be distributed equally.

Natural resources, the communities living around the national forests etc should benefit from the revenue outside arising from the natural resources so that it could be used for building schools around those communities, dispensaries and educating the children of those communities.

Transfer of title deeds has a long process and say from the father to his children, it should be eased so that poor people can get it without selling some of their land in order to get a title deed. It is tedious; many families do not have title deeds because to get it is very very hard.

Land tribunal committee, land tribunal committee in the Districts should be confirmed so that they can continue settling land cases.

Public institutions should be given title deeds, and each District to process title deeds and not like the present, where the PS or Commissioner of Lands signs, but should be finalized at a District level.

Nominated MPs, their seats should reserved for special groups like the disabled, youths women etc. Finally, when the economy improves, Kenyan citizens above 70 years old should get pension, thank you.

Com. Ahamed Hassan: Robert Cheruiyot, why is there a Robert Cheruiyot two times? Ooh this is Robert Kulgut, Christopher Chepkwony.

Christopher Chepkwony Roret (: Asante sana, my names are Chepkwony Christopher from Roret, I am a teacher here, Roret Bishop Ndingi. School Kuchangia hapo as a teacher I will say so and teach child issues. As we have also been hearing about child misuse, we have not been emphasizing on that. Child misuse is up to high standard, so child misuse should be taken seriously by the Government. Parents should be forced to send their children to school. This corruption we have been hearing it is rooted that is why people are saying until Jesus comes Ndiyo hii ita tolewa. So corruption should be emphasized, how can we get rid of this corruption. On the side of teachers, you have been hearing of teachers , teachers who are over drinking, that is drinking until they are complaining of whatever they want. Some drink until they go to school without even shoes, which is not good and it is condoned by our leaders down there at the grass root. There should be monitoring and inspection in schools.

Last point is this one of freedom of worship, there is freedom of worship yes, but there should be a limit because some people have taken that to worship even, to start their worship of devil worship. The freedom should be limited.

The questions of fees and payment of schools, that one goes to schools. That one we cannot fully say there will be free education, but down there people are suffering. Without paying something to school, you cannot get pieces of chalk, or basic requirements in schools. God has done wonders here because we have started this, but very little is paid. Without payment, of the fees, then the schools cannot succeed. The beating of the children or correction, the reason why the teacher has changed to use a lot of corporal punishment i because the parents have let their children to the teacher, every morning go to school the

teacher knows and let on he follows you to hit you on the head again. So you see we are really suffering as teachers.

(inaudible)

Christopher Chepkwony: Corporal punishment should be regulated. We should not blame the teachers for excess punishment because the parents have no role, their only problem is to give us children then later on tell us the teacher knows, the teacher knows. The teachers suffer really from the grass root . These are few points I had, if those one are emphasized we shall do wonders, thank you.

Com. Nancy Baraza: I have a question for you sir, what do you teach?

Christopher Chepkwony? I teach Mathematics, English, C.R.E, Kiswahili,

Com. Nancy Baraza: Secondary or primary?

Christopher Chepkwony: It is an academy

Nancy Baraza: Your own academy

Christopher Chepkwony: No it is a mission school.

Com. Nancy Baraza: Now I have a question for you, you see we can not legislate in a vacuum, when you are talking about devil worship we want to know this devil, so that when we legislate on it, it is on something specific, who have seen this devil, what are people worshipping, what is it, we want to get it clear.

Christopher Chepkwony: Okay, with that one devil worshiper, I have not seen but I have heard through the radio, that is why I have been asking if this devil is there, let us try to get rid of it, but talking of devil worship we hear from the radio but I don't know how this one comes to be.

Dr M.A. Swazuri: The devil is there, what she was asking you is whether you know where there are devil worshipers?

Christopher Chepkwony: I have gained this information, from the radio.

Com. Ahamed Hassan: Robert Cheruiyot amerudi? Raphael Langat, ni wewe? Kuja.

Raphael Cheruiyot: *Ane kekuron Raphael arap lang'at ko atinye kityo kapwatutiet agenge kityo.*

Translator: I only have one view.

Raphael Cheruiyot: *Kainenyun ko Raphael arap Lang'at.*

Translator: I am Rahael Langat.

Raphael Cheruiyot: *Ko atinye kityo nebo Majimboism.*

Translator: Majimboism

Raphael Cheruiyot: *Ne leweni Jimbo age tugul President nenywan*

Translator: Whereby each jimbo will elect its own President.

Raphael Cheruiyot: *Ko tun any kiyomo tugul, kelewen agenge any nebo Central Government kong'eten Presidents ichu*

Translator: Thereafter we will have a National President.

Raphael Cheruiyot: *Kou noton.*

Translator: Thank you, that's all I had.

Com. Ahamed Hassan: Councilor Joseph Terer.

Joseph Terer: Thank you very much Commissioners and welcome to Roret, you want me to sit? Always politicians stand when they are talking. Thank you very much I am councilor Joseph Terer, Letein town council, Commissioners I want to present some few points about the President, the MPs, whole Government and the Minister of natural resources.

First, I would like this Commission to reduce the powers of the President, in the following ways,

- Just deny him the appointments of Ministers, let the Parliament do it.
- The appointment of permanent secretaries and heads of other organizations like N.H.I.F, N.S.S.F, Chief of General Staff, those ones will be left to Public Service Commission.
- The President also is not supposed to be a head of an institution, like at the present now, he is Chancellor of Universities, Chief of General Staff, so we want the future President to be only the President of the Republic of Kenya and not to be holding two posts. At the same time, we want the President to be somebody who has gone to school. Who is degree holder from recognized university.
- MP's should also be degree holders, from a recognized university.

Somebody who is going to be appointed as a Minister must be somebody who has specialized in that particular area. Let somebody who is in charge of finance, must be somebody who has dealt with finances or accounting in that department. About the nominations of the MPs and councillors, I would like to put it to this Commission in that, in future we don't want to have the nominations, of any kind because they are serving their masters. They are not serving the interest of the people.

The elected Councilors must have a minimum qualification, a set qualification and I recommend to this committee, they must be a form four leaver. They must be very fluent in Kiswahili and English. I also would like to recommend the stream lining Cap 262 of Kenya. To empower local authority to collect tax and use within their jurisdiction, without being sent to the central Government.

To empower the electorate to elect Mayor direct and chairmen of local authorities, not the Councilors to elect their Mayors and Chairmen. At the same time we would like the Councilors to have power to hire and fire their employees who are corrupt in the councils. In financial management in Cap 262 local, we would like also, the policy makers to have powers, to access the books of accounts so that they can be signatories so that wherever they have something to sign they are able to sign even the cheques for withdrawal of money.

Com. Hassan: one minute

Joseph Terer: About ministry of Natural resources, I would like to recommend this committee to empower the Ministry so that there will be no more allocation of public land to individuals or to public institutions so that we can safeguard the environment, that has been destroyed in this Government. So we would like the ministry to take stern measures to protect the springs, to protect the forests, and so many areas, which can bring rain. Thank you very much.

Com. Ahamed Hassan: Charles Chepkwony

Charles Chepkwony: My names are Charles Chepkwony from Jemasat location. I would like to propose the following,

I propose federal system of Government, I propose the establishment of the post of a Prime Minister. I propose the introduction of ceremonial President. I propose that the idle land be taxed. I suggest that the Government should provide free and compulsory education for all citizens. The constitution should establish a Supreme Court in Kenya as the highest court that deals with constitutional issues. The tribunal or Federal court be established as the lowest court in Kenya to deal with customary related issues.

I also suggest the establishment of National security Council as the top, highest organ in the Republic dealing with military organizations. I suggest that girls genital mutilation should be banned in Kenya. I suggest that colonial treaties should be

revisited to enable us to participate in such treaties. I suggest that we the people of Kenya should have protection from manipulation from people who have money. We should be guided by the constitution. The constitution should be supreme. I also suggest that people who have stolen public lands should be jailed, and people who have taken public funds should be made to return such funds. Finally I suggest that we the people of Kenya should have equal opportunities in employment, one man one job. Thank you.

Com. Ahamed Hassan: Nicolas Ruto, David Siele.

David Siele: I am David Siele, I have two reforms to mark through. In my suggestion we need a majimbo system of Government which is free from tribalism. We also need free medical services at the grass root level. Also free primary education which should be compulsory to all. Nursery school teachers to be paid by the Government.

Kenya should be a multiparty state and the parties should be funded by the Government. The position of the village elder in the society, should be recognized since it assists in settling many problems, e.g. land disputes and also the village elders should be paid by the Government. Members of the administration like DC's should not be nominated to county councils. The constitution should not allow legislature to amend laws without consent of the majority voters.

The constitution also should protect the resources or wealth of a particular people or persons. Those are the points that I have.

Com. Ahamed Hassan: Earnest Lagat

Earnest Lagat: My names are Earnest Lagat from Kaptungu A.I.C local church. I would like to present my memorandum to the sitting Commission. Thank you.

Com. Ahamed Hassan: Grace Rato.

Grace Rato: I am Mrs Grace Rato, vice secretary Buret Region Women Fellowship. I have some points to make. My suggestion is that women seats should be increased in Parliament, Councils and every where else, so that women should also feel that they are equally represented.

I would like the girl circumcision to be banned completely. These girls should be encouraged to achieve equal opportunities as boys in education. Sign language braille should be made, National language as others. Also free education should be accorded to those disabled people. They should also be given equal rights like other people. Thank you very much.

Com. Ahamed Hassan: Thank you, naona uko na memorandam, ee, please go and file it there. Joseph Tanui.

Joseph Tanui: Am Joseph Tanui. I have a list of memorandum sir, that I have written, I will present it but first I would like to highlight some important issues. I first begin with preamble, I say we need a preamble under the following short feature,

- The suffering of our people under colonialism
- Our desire for peace, prosperity for ourselves and our children.
- The sanctity of the constitution under peoples power to obtain alter or a policy Government as they deem fit.
- Ensuring our unity in diversity by promising our different cultures and languages directive of principles and state policies, it should capture the following, Government should be by consent of the people. The Government should serve the people to whom that Government is responsible. The Government shall always be the servant and the people be the masters.

Constitutional supremacy, we desire that the method of amending the constitution should be changed so that both Parliament and the people must be fully involved. Whenever there is a conflict the will of the people must be known through a referendum. Executive, under the new constitution there shall be a ceremonial President who shall not be a member of any political party and shall be the head of state and Commander of the armed forces. The President shall be elected by ballot and this is every five years only. He shall be above 40 years, he shall be of different ethnic community from that of the Prime Minister. The Vice President should not be a Member of Parliament, he should be elected direct.

Appointment of cabinet should be vetted by Parliament. The Vice President should be a member of the senate and that the new constitution provides for a National assembly, Regional assemblies and a senate to be made up of representatives of local council and Districts. The President should appoint his Ministers regardless of their political reclamation.

Parastal Chiefs should be answerable to a board appointed by the Minister, there should be an Executive Prime Minister who shall be the head of the Government and Chief Executive of the country. Last but not least I want to talk about land and property rights.

The ultimate ownership of land should be taken over from the former crown lands and be transferred from the Commissioner of lands to the local community, from which the land was capped by the British Government. In this regard as members of the Kipsigis community, we feel that the Lancaster house agreement never took into account the views and feelings of the various African communities. The Government shall compulsorily acquire private land only after conducting successful negotiations with the owners, and subject to owners accepting such a proposal and receiving adequate compensation. Getting into consideration the following the degree of laws to the owner economically. The importance of the land in the local community, the hereditary rights of the heirs of such land. The economic benefit to the Government of such lands.

The rest I will hand over, but ya mwisho, I would like to request the Government to allow this Commission, the CKRC to

continue with the work until they complete it. There have been cases where the Government of Kenya, has formed a lot of Commissions and dissolving them abruptly. We would like to request the Government to stop this business and allow the the Commission to complete it's work. The question of elections should not be brought up, I mean the elections can be done this year and if the CKRC has not completed work, they should continue until they finish.

Com. Ahamed Hassan: Thank you, Kipsang Kirui

Kipsang Kirui: Okay thank you very much Commissioners, my names are Kipsang Kirui, the Chairman Catholic Justice and Peace Commission Roret. I forward the following as the proposals to the new constitution of the Republic of Kenya.

First of all, I propose that we must have a preamble in our constitution which shall result to National reconciliation. The fact that we have had tribal clashes in the past, should actually teach us to have a National reconciliation in our preamble, so that even the findings of the inquiries of the clashes can actually be condemned in public.

It should also have a date of adoption and an enactment of the constitution , in other words the preamble must actually show when it starts being in news so that the past becomes history. I propose that it must read, for example, "in our constituency assembly this 20th July 2002 do hereby adopt and give to ourselves a constitution". The preamble should also have the welfare of Kenyan people as the top most priority. It must also recognize symbols of National unity, for example the National Anthem.

The preamble also must honor God the almighty and recognize the responsibility of citizens, shall also touch on independence sovereignty, unity and peace, liberty and vow to protect and promote justice of the people.

Touching on the Executive, I propose that elections should have separate dates for example, for the Presidential, Parliamentary and Civic so that, this will actually avoid manipulation. Public servants for example Secretaries, Permanent Secretaries, Ambassadors, Ministers, Attorney General etc, should be drawn from all sector and should not be appointed by the President for example, Chiefs at the local level should be appointed or elected by the people themselves. Foreign trips by the head of state or Prime Minister for that case should always be sanctioned by the Parliament. The officials accompanying such top officials should also be seen, or their responsibilities must actually be approved by Parliament. The President should be impeachable.

We must have a constitution, which dissolves power from the central Government to the Provincial and District level. Mayors and town chairmen to be elected by the electorate. Mechanisms should be put in place to avoid misuse of Government property for example vehicles. Make the electoral Commission as independent as possible.

Development partners and treaty signing between Kenya and other states should have peoples mandate. The President to be made by law to clear air over contradicting statements from Ministers and top Government officials.

The legislature, all issues touching on the welfare of Members of Parliament for example their salaries, they must also seek approval of the National referendum. Parliament must draw an independent timetable of its deliberations and not to leave it at the mercy of an individual. Parliamentary deliberations or debates and all proceedings to be televised.

Recall MPs who do not deliver after a year of being in Parliament, this would ensure a measurable or would require a measurable approval from the electorate. Supremacy of Parliament and Members of Parliament no one shall cancel the MPs intention to see or to mix with his or her a constituents. Right now we see a situation whereby the Provincial Commissioner, interferes with the member of Parliament is activities. This should actually come to an end and give powers to the Members of Parliament.

I recommend that civic education to be constitutionalised and made a continuous exercise. Fix bonds for foreigners wishing to be Kenyan citizens, there should be some target of a bond to be fixed so that people come to this country to stay as citizens. The Government should be deterred from selling Kenyan citizenship to foreigners and the language should be simplified at all levels of governance. African traditions to be guiding principles in drawing the new constitution.

Lastly, the Government should set up emergency service department to deal with disasters for example acts of terrorism.

Com. Ahamed Hassan: Thank you.

Com. Nancy Baraza: Iko swali, ulisema, appointment kama ya PS, kama ya Attorney General, kama ya Chief Justice isifanywe na President. Unataka ifanywe na nani?

Kipsang Kirui: I propose a panel to be set up so that such work could actually be done by that kind of panel or Commission.

Com. Ahamed Hassan: Okay, thank you, we want to recognize the Member of Parliament for Bureti, honorable Sang, welcome. When you want to give your views you will let us know. Ismail Chesimet.

Ismail Chesimet: Thank you very much Commissioners, my names are Ismail Chesimet, from Bureti.

I propose, that the President be elected by the people and Powers to be separated. I also propose the federal system of Government which is majimbo.

When we go to land and property, I propose names of Mr and Mrs, it means the names of, if I say Mr it means John and Mrs is Mary to be included in one title deed. Because at times the father may sell the farm or the mother when I propose that one it

means also the children will come in to take care of incase father and mother agree, to sell the farm the children will come in.

I propose the unmarried both girls and boys should use their fathers farm for development only. I also propose , to own a farm as much as one can afford so long as he or she is in his or his geographical and historical area. I also propose the illegal transfer of land be discouraged.

I propose Chief to be elected by the people. I propose that the village elders to be paid salaries.

When we go to the elections, I propose the system of 25% representation, in at least five provinces be maintained. I propose counting of votes should be done in the polling stations, so us not to encourage rigging. In political parties, the number should be limited to 3. I propose political parties should not be financed by the public funds and that is all. Thank you.

Com. Ahamed Hassan: John Rono:

John Rono: Commissioners, I have got a memorandum but I see a point of going through, my name is John Rono, secretary AIC Chemoiyua, Roret division. I have a memorandum here but I want to highlight.

The system of Government I have three points. The new region to follow the current provisional boundaries but Rift Valley can be split into two because it is large. Majimboism should be encouraged to organize the different cultures and societies. Therefore it is very suitable for Kenyans. Majimbo is not to expel others but to live together in harmony under the federal state. The legislature, MPs and Councillors who do not deliver to be recalled.

Executives, the President should not be an MP and the President should be above the law. The President to should appoint experts to head different Ministries. In the Judiciary, the village court should be introduced in the new constitution. The electoral system and voting, counting of votes to be done at the polling stations, ballot boxes to be transparent. Another one is, the aspirant for the Presidency should have at least 25% support from at least five provinces.

Land and property rights; the local community is the ultimate owner of the land. Men and women, and mother, should have equal rights of the land. Transfer of power, enough time to be given to the new President to hand over, at least 60 days.

Last one, the retired President to be given adequate security welfare and few staff, pension and gratuity. This is to promote peace because if he gets problems, he may create more problems for the people. Thank you very much.

Com. Ahamed Hassan: Thank you, Sammy .K. Lelgo.

Sammy .K. Lelgo: Sammy Lelgo from Kibweti location, Roret division. I would like to present the following proposals to this Commission:-

- The regional government, which is majimbo should be introduced.
- The minimum educational qualification for any Councilor contesting a seat, should have a minimum qualification of form 4. The outgoing President should be given the responsibility to swear in, the incoming President.
- The disabled, especially the cripples should be given first priority in Government and parastatal offices, to work in the offices.

That is the much I could present to the Commission. Thank you.

Com. Ahamed Hassan: Thank you very much, please sign your name in the register. Silvester Turieni.

Silvestor Kipkemboi Arap Turieni: I have got a few, points my name is Silvester Kipkemboi arap Turieni, from Roret. Sir the first one starts with the 8 days of absenteeism from Parliament in consecutive sittings by an MP, with no expulsion should be reduced to 5 days, consecutive sittings non-expulsion. The reason is that the communication nowadays is far better than the time before independence and immediately after independence.

Electorate should be empowered to pass a vote of no confidence on their elected MPs and demand by election on expiry of 24 months, two years after general election or by election incase their MPs is deemed incompetent in affected constituency. Any MP to qualify for pension should have completed 2 five-year terms consecutive, that is ten years as a prove of his or her efficiency or ability by the electorate. Police, magistrates or judges and senior court officials on committing an economic crime in corruption should be court mataial. To avoid their conspiracy to defeat justice, bench of three judges should be appointed to hear their case;

- Any civil servant or whoever is in the pay roll of the Government or the parastatal and politicians inclusive that is MPs and Councilors, should be sentenced to a period of not less than 3 years with no option of fine and while the case is process no bond or bail should be given to them but the ordinary member of the public, who is a tax payer, tax employer should be sentenced for not more than 3 months by 3 judges or magistrates in order to go back and continue paying taxes for the incompetent civil servant.
- Education and health facilities should be provided free of charge or shouldered by the Government.
- The President should be empowered to release and advertise the new scale for the incoming Parliamentarians or the next Parliament within 90 days (three months) prior to the next general election and such salaries should not be increased by more than 10% during the life of the said Parliament. This will be done in conjunction with the ministry of finance avoid self centeredness of the incumben Members of Parliament.
- Presidential candidates, there will be no aspirant who has been holding a party post or having been an MP or elected person through another political party in existence, unless it has been dissolved, be permitted to or allowed to contest for the post of the Presidency in another political party before completing five years after his or her defection to the

party he is intending to contest on, thank you.

Com. Ahamed Hassan: William Rotich, please go and sign your name there. William Rotich from KNUT.

William Rotich: Thank you very much honorable Commissioners, I am going to present the following proposals to this Commission and I believe that if one or two points are misplaced, you know how best to fit because you are specialized in the field of law. However, I will start first by saying that there is going to be a preamble for this constitution and I suggest that the following be included in the preamble, because we have just spent a lot of massive resources going round to collect views from members of the public. We have spent financial resources trying to collect views from members of the public, we hope to come out with a constitution that seeks to guarantee peace, National unity and integrate the republic, safe guarding the well being of the people. We also should come out with the law that seeks to tell us that the constitution is supreme.

We should also have a decent and democratic society based on language, dress and behavior. Along side that there are quiet also a number of proposals that I wish that the Commission will adopt. Because the constitution is supreme, every aspect of it should be adhered to the letter. We have registration of voters that should be a continuous process, a common voters register be maintained.

Elections should always be held as per schedule and as it is required by law, no extension of term of any Parliament should be allowed. Under corruption we normally have to use accountability and transparency and good governance as yardsticks of any sober governing authority.

Any amendment of the law should always be done through a National referendum. This referendum should be made up of the clergy, the professional bodies and non Governmental organizations. Under defense therefore we have the disciplinary forces, which should be established by the constitution and whenever a case that arises as a result of the misbehavior of the errant members of the force, a court martial should be under the umbrella of the Judiciary Service Commission.

Under the state of emergency this can only be declared when there is a crisis but subject to approval by the Government.

Under political parties, Kenya being a multi-party state, political parties should be in existence to ensure that democratic forces are put into place. Political parties should be registered as long as they have a genuine National outlook. These political parties are free to sell their policies anywhere in the republic. So this idea of talking about political zones should not exist.

Under Structure and systems of the Government, the office of the Prime Minister should be created and that office should be elective. Also the Presidents office will be ceremonial but more power is vested on the Prime Minister. Both of these offices are elective.

Appointment to public offices, under such appointments the Ministers be proposed and be vetted by Parliament but should not be appointees of the President. Permanent secretary should also be proposed and be vetted by Parliament. Ambassadors the same, high court judges and the Attorney General, and all parastatal Chiefs should be vetted by Parliament. I propose the age limit for all contestants to Parliamentary seats to be 30 years and above. Voters who should be voting I propose, that they should be 20 years and above. Presidential contestants and Prime Ministers should have an age limit of 45 years and they should be of sound moral characters. They must be literate and have at least attained form four standard of education and above.

Any MP who is non performing can be recalled, but subject to a referendum of the constituency. Because some MPs may be deterred from performing by the provincial administration. MPs have got the moral obligation to act on conscience and conviction, there being in Parliament is not acting to their political parties heads. They can differ in opinion with their political parties.

Under nomination of MPs, this nomination system if not scrapped, should be reserved to represent special interest groups such as disabled, professionals. Their appointment to the office should be vetted by the professionals themselves e.g if the teachers want an MP of their own, well it is them to give that person.

Any incompetent Executive should be voted out by passing through a vote of no confidence, any high office that has been seen to be corrupt be impeached through a tribunal court.

Presidential elections, should take place when Parliament has been dissolved, as it is required by law. The President will dissolve Parliament as the constitution requires him or her to , after the expiry of the term of office of that Parliament.

Com. Ahamed Hassan: (Inaudible)

William Rotich: Alright, under basic rights, there should be freedom of speech, freedom of association including a right to belong to a trade union. Trade unions should be seen to be very very active and representative of the people who they represent. Kenyans have a right to protection from state against external aggression and internal thuggery.

There should be free medical care, we should also be allowed free education from standard 1 to standard 8 and affordable secondary and university education. Three quarters of the cost being funded by the Government. We should have a sound food security, police to carter for the systems of that country. The cane has been removed from schools, we want a law to be created, to save guard against unruly behaviors that the children may practice while they are in school. For that matter a court should be set up to ensure that children who have unruly behaviors be dealt with by that court. Honorable Commissioners, I

would have just presented more or highlighted more but I have got this information .

Com. Ahamed Hassan: Thank you very much, please sign the register and remit that document. It is not necessary or a must for you to actually read your document here because at the end of the day you are going to sign there and leave the document there. In terms of data analysis if you read all of it on this microphone and you are going to remit it there you are doing the same thing, because you are reading the same document and you are giving it there, so it is only that you have done it twice, and it is not going to help much. It is better that you even submit it and even add some more points that you may have forgotten in that document or try and highlight some main points which are there, other than reading it .

I think you will save a lot of time and you will more use of your time if you can even spell it otherwise or even give those who don't have written documents to even talk more, because then you have more data coming from Buret. Than one person spending 10 minutes reading the same document. Sijui kama tunafahamiana hapa, kama uko na document ambaye umeandikisha ni vizuri uipatiana, halafu ujaribu kusema maneno yale mengine ambayo umesahau kuiandika. Ama unataka kuisitiza, badala ya kuisoma neno kwa neno kwa sababu baada ya kuisoma neno kwa neno hapa kwa microphone pia utapeyana hapo. Kwa hivo unafanya kazi bure ukisomea tu hapa, afadhali ungejaribu kuharakisha upatie wale wengine ambaye hawaja andika wakati wa kuongea sana kwa sababu saa hiyo ille information itakuwa imetoka Buret itakuwa mingi.

Sijui kama tunafahamiana, kwa hivo tafadhali mjaribu kufupisha maneno yale ambayo mna soma kwa maandishi. Wacha tumpatie nafasi bwana Richard Rotich wa Security Guards, patia nafasi aende kazi yeye. Ruben Kosgei, thank you very much ee, Elijah Tare, it is oral.

Speaker: *Kotom konam ko kaogas ole yon itinye memorandum imuche ikoite kityo direct si mokiwesten wakati kou yukonye en Litein. Mwa kainet.*

Elijah arap Tare: *Kikureno Elijah arap Tarei*

Translator: My name is Elijah Arap Tare.

Elijah Arap Tare: *Amenye Kapitungu, a kandoindet en kanisa.*

Translator: I live in Kapchungu, I am church leader.

Elijah Arap Tare: *Ko kit ne kimoche ko Majimbo.*

Translator: What we want is majimbo

Elijah Arap Tare: *Amun kong'eten kingomi Kiplelacheke emoni*

Translator: This is because even from the time when the white men were here

Elijah Arap Tare: *ko kibois kot goit kandoik che kikonam bounatet*

Translator:

ko noton ko ne tonone amun emet

Translator:

ko kot ko mami kirwogik amami President ko matonone emet. Ko noton ne kimoche, kebe kou noton.

Translator:

Momi tuguk alak che kiwolo woli, kisibi kou noton.

Translator: We will follow like that

Kongoi, motinye ng'alek chechang'.

Thank you so much.

Kenneth Cheruiyot: *Chi tugul, ye kaitar I presenteni en yu ko kawaida kebendi yun direct. Chi tugul ko yun direct ak on kechokyin kou bamong'o non. Kot itinye memorandum, directly.*

Com. Ahamed Hassan: Chepkwony Kirui.

Chepkwony Kirui: *Alen kit ne kimwoe ko Majimbo oldo tugul. Chepkwony arap Kirui.*

Translator: My name is Chepkwony Arap Kirui,

Chepkwony: *Ko kit ne o kobure emet kou noton, kou ye kimi.*

Translator: The great thing is the country should stay the way it was.

Chepkwony: *Ko kotko mami chito ne o, ogot kirwogindet ko ng'o ne ribe igo che mengech?*

Translator: If there is no Chief who will take care of the wananchi.

Chepkwony: *Kou kele kou noton. Kibwote kele agot en Parliament kot ko mami president ko ribe ng'o MPs chemengechen.*

Translator: Even Parliament without the President who will take care of the country.

Chepkwony: *Ko emet kobure kou noton komi Majimbo orit.*

Translator: The country should stay the way it was with majimbo system.

Nancy Baraza: (inaudible)

Chepkwony: Yeye hapana kwenda iko, wewe na jua ilifanya kutoka Lancaster house, kwa sasa ata mungu alikuwa amegawa inchi namna hiyo. Hapana iko, kila watu wako na nafasi yao. Hapana kutembea humu humu ata kiatu yangu mtu mwingine ana weza kuvaa. Ee anaweza kuvaa kweli? Bas na haiwezekani, kwa sasa kwa sababu sisi tunataka kutoboa kila kitu. Majimbo ikae namna hiyo, kutoka Lancaster house mpaka leo.

Wewe unajua kama hakuna President katika Parliament nani atachunga wengine? Kama iko mtu mkubwa bas ana chungu wale wadogo. Bas na kazi ya majimbo inakaa namna hiyo. Na kitu ichungwe sasa watu wa army wanatakiwa, mwenye kuchunga watu wa army ni mwenye alitoka kwa army atakama yuko kwa Parliament. Halafu unajua kitu gani ina sumbuu, na kwa sasa iko, mtu namna hii wewe unaona nina vaa kila kitu, kama mtoto wangu anaingia lazma kuandikwa, apana kusema ati kimbia, na kimbia nini na nilikuwa mimi si kimbie.

Mimi naendesha jeshi kutoka Kenya mpaka Longoon, halafu nina rudi nyumbani. Lakini sasa nchi ina kaa namna hiyo kwa sababu Mungu aligawa kila kabla wako na mahali yao. Apana kusema iko hapa iko hapa, apana iko namna hiyo, hiyo ni kufuruga nchi, nataka kukaa kwa amani, kwa nyumbani na watoto na nini na kaa namna hiyo. Apana weka mtu aliye apana enda kwa jeshi ana kuja kuongoza, atajua aje? Hawezi kujua, ana weza kusema kwenda hapa na ilikuwa siyo hivo.

Kama alikuwa yuko watu wale wako kabisa special ilikuwa pahali anasema ana kunyua chai saa tatu Nairobi, lakini apana kunyua. Kwa sababu ilikuwa hivo kabisa. Sasa kazi inakaa namna hiyo, majimbo inakaa namna hiyo. Chief kama hakuna Chief mkubwa nana atachunga hawa wadogo wako hapa nyuma? Iko mtu atawachunga? Basi hiyo maneno ni hiyo.

Nancy Baraza: (Inaudible)

Chepkwony: Nili kuwa niko Sirilanka mwaka wa arubaini na tatu

Nancy Baraza: (inaudible)

Chepkwony: Sisi tulipigana na Japan. Kupitia Longur, wewe apana ona ile kitu nime vaa?

Nancy Baraza: (inaudible)

Chepkwony: Aaa, nilipita Mombasa halafu nikaenda Burma kupita India.

Nancy Baraza: (inaudible)

Chepkwony: Tulimaliza mwezi moja, mwezi wa nane mwezi wa tisa sisi tukavuka ngambo kwa mwaka arubaini

Nancy Baraza:(inaudible)

Chepkwony: eee, namna hiyo kwa kwenda mzuri kwa sababu nyinyi kijana wa mtosia na kazi yenyu hii, apana taka , kama nilikuwa sina mkubwa nani angechuga mimi kwa Burma huko,

Com. Ahamed Hassan: Hakuna

Chepkwony: nilikuwa iko.

Com. Ahamed Hassan. Vincent Butuk, kama hayuko Daniel

Vincent Mutai Butuk: Jina yangu Vincent Mutai Butuk, catholic hapa Roret.

Vincent Mutai: *Mogutikyuk ko ichechu, chomoche keyai*

Translator: My proposals are as follows

Vincent Mutai: *Village elders ko nyolu kwam rabisiek ak kikochi uniforms.*

Translator: Village elders should earn a salary and they should also be given uniforms.

Vincent Mutai: *Kirwogik ak assistant Chief ko nyolu ko lewen bik.*

Translator: Chiefs and their assistants should be elected by people.

Vincent Mutai: *Agobo sugulisiek.*

Translator: About school fees,

Vincent Mutai: *Nyolu kosich lagok buch free education kong'eten kilasit agenge agoi taman ak aeng.*

Translator: All children should get free education up to form four.

Vincent Mutai: *Ak kebosyi chebo University kora.*

Translator: University fees should also be reduced.

Vincent Mutai: *Ago bo lagok che maimuchege,*

Translator: About people with disabilities

Vincent Mutai: *nyolu kerib serkali lagochoton ak kosir kora en boisionik kou lagok iko, ko sikyi boisionik en ofisisiek.*

Translator: The Government should take care of them and provide them with employment.

Vincent Mutai: *Agobo Bunge anan ko MPs.*

Translator: About Parliament

Vincent Mutai: *Nyolu kelewen bik MPs ak kora kot ko mayai boisetab...*

Translator: the people should elect MPs

Vincent Mutai: *kot ko mayai boisetab bik kora ko nyolu keisto kotobot kenyisiechuto mut ak kelewen age.*

Translator: If an MP is not working well he should be recalled

Vincent Mutai: *Agobo churches kora, kanisosik.*

Translator:

Vincent Mutai: *Ko nyolu kwamda che amdoi kora ama komwa kanisosiek igo.*

Translator: Those who preach should not preach against other churches.

Vincent Mutai: *Forest, ko nyolu kora en forestisiek che mi emetab chi kou Rift Valley anan ko Kericho ko tun kobo kebutito kebutyi bikab yoton.*

Translator: about forests, forests should be for the local community.

Vincent Mutai: Thank you.

Com. Ahamed Hassan: Daniel Kosgei, I can see you have a written memorandum, please try and highlight the main points.

Daniel Kosgei: Thank you very much the Commissioners, I will just outline my important points in my long memorandum. First I would like to make some general observation regarding our country. Kenya is lacking a good constitution that binds people and their leaders. The same constitution should also bind people themselves. So we should make a good constitution.

This even created another problem because the three former constitutions, I mean the colonial constitution, the independent constitution and the current constitution were there but they were hidden. They were not given to the people. I hope what we are going to make in this process will be availed to the people. The implementation part of it is also very important.

Straight to my contribution I would like to propose that the new constitution should establish a federal system of Government composed of sovereign central Government and regional autonomous Government. Both must be democratically elected by on the basis of multi-partism. Of course there will be two Parliaments, regional and central.

We want MPs to concentrate on making laws only. They should remain the watch dogs of the wananchi. They should not be appointed as Ministers. Of course that will create very good separation of powers. The same MPs should have the powers to vet the president on various matters.

Nominated members should be strictly for special interest groups. The MPs who are lazy should be recalled and before they are sworn in by the Speaker, the MPs must provide the Speaker with the five year development plan for his constituency. The new constitution should open constituency offices where they can maintain contact with the wananchi.

Executive, we still need to vest all the Executive authority in the President who is elected directly by the people. We need somebody who is answerable, the ultimate person should be there. The president should get 25% votes in at least more than half of the regions. The President should also be under the law and should be recalled through the Parliament.

In Kenya I think we need Ministers who are experts. The Provincial Administration also should remain, we need the three arms of the Government at the grass root level. If we scrap the Provincial Administration one arm is gone. Other functions of the President, to avoid misunderstanding should be defined in the constitution.

In the Judiciary I would propose that we have a supreme court, we should also bring back the former village tribunal which was very useful. Court also I propose that the court should work over the weekend, to speed up justice. People are arrested on Friday, will spend more than 48 hours because the courts are not operating over the weekend. I think we should have courts operating over the weekend to speed up justice.

There should be a preamble, where there should be the Supremacy of the citizenship highlighted. We also want to emphasize equality. The constitution should be supreme law of the land and should be altered by citizens only through referendum. We want the constituencies to be reviewed to suit the federal system. Voter education is very necessary before any election is held.

The local community are the ultimate owners of the land, because the local communities were there even before the colonial Government. They were also there before this Government. They should be the ultimate owner of the land, there should not be

any land limit set on individuals. We want also the local community to make use of local natural resources. We have forests, there natural beehives, we are not even allowed to go and harvest the honey, it is very interesting.

The retired President should be taken care of through maybe provision of pension and little salary, some adequate security, he should be given immunity from legal process. The immunity should not extend to the sitting President, otherwise we will impeach him through the Parliament. There should be also directive principals of state policy the experts can formulate that and lastly we say long live Kenya, long live our new constitution, thank you.

Com. Ahamed Hassan: Angelina Bett, hayuko? Somebody translate.

Angelina Bett: *Mising i? Awekyini Kongoi Jehova ne kakoribech kot ko ngunon kemi ireyu. Kit ne miten kelen ongerib kalyet komie amun kalyet komuche kotoret chi age tugul ne miten.*

Translator: We should take care of peace because without peace we can not survive together.

Angelina Bett: *Ngunon ko kit ne amwae, agot ak ogere kit age tugul, otoretech kou lagokab sugul, kosoman buch.*

Translator: School children should be given free education

Angelina Bett: *Kong'eten kilasit aeng' ak kilasit somok. Ko kararan yoton inne. Ko kolen ale si otoret lagokab sugul, kong'eten kilasit somok ak kilasit aeng.*

Translator: Free education should be given to school children up to standard 3.

Angelina Bett: *Ko kit ne kimwoe kora kora ko alen otoretech chi en ng'alekab kou Tulwet, ehek kibo tulwet yoniton yono, so torettech kora keboisen kora amun kigere kele wui kasit. Wui nebo iman.*

Translator: You should help us people from Tulwet.

Angelina Bett: *Agot ndonyon ketekwech in kou in factory, kelenen kararan.*

Translator: because life is difficult especially our factories.

Angelina Bett: *U noniton.*

Translator: *Kongoi mising. Ongetokyinke ng'alek che... ma MP.*

Com. Ahamed Hassan: Kiptalan Sang, Ndiyo huyo? Is he the one?

Kiptalan sang: Mimi jina langu ni Kiptalan Sang,

Kiptalan Sang: *Kongoi mising. Ng'olyondenyun ne amwae en yu*

Translator: My proposal is this,

Kiptalan Sang: *ko ng'olyot ne amwae ko kingomi Wakoloni*

Translator: When the colonists were here

Kiptalan Sang: *ko kimiten boisiech che kibo Africa courts.*

Translator: There were elders of the African courts.

Kiptalan Sang: *Ko kingakesich iman bounatet,*

Translator: But after independence,

Kiptalan Sang: *kisto boisiechoton.*

Translator: they were removed

Kiptalan Sang: *Ko ndab ko kakeistokokonb taabu taabu ngeba kotini.*

Translator: There are now problems when you go to court.

Kiptalan Sang: *Ko ngeba kotini kenyoru ng'alekalak che manamege ak...*

Translator: When you go to court you find other things.

Speaker: *Imoche nee ngunon?*

Kiptalam Sang: *Kimoche kewek bichoton kora.*

Translator: The African court should be reintroduced.

Kiptalan Sang: *Ko ng'olyot age ko mi bik chebo elders, chebo kokwotinwek, kiptainik,*

Translator: Another thing, village elders

Kiptalan Sang: *Ko bik che kikobois buch.*

Translator: they are working without any pay.

Kiptalan Sang: *Kasit ne yoe kosire agot nebo Chief ak nebo assistant Chiefs ak nebo assistant Chief.*

Translator: The work they do is more than what the Chief or the Assistant Chief does.

Kiptalan Sang: *Ikere ile inendet ne kiime mising ago inendet ingenyor kora kwendi en oret bichon yoe msako ko momi kit ne iboru kole elder chichi.*

Translator: But he has no identification card even to prove his work.

Kiptalan Sang: *Kerat chichigan kora ak kiit kotini agor ko mami makosa ak kebore kandoindetab kokwet.*

Translator: he can even be arrested.

Kiptalan Sang: *Ko kit ne amache ko kikochi agot kiy.*

Translator: They should be given a salary.

Kiptalan Sang: *Anan agot kilokyi agot ingor ne uniform si kenaen kele village elders* **Translator:** and uniform.

Kiptalan Sang: *Ko ng'alekchun chon, matinye chechang.*

Translator: I think that is all I had.

Com. Ahamed Hassan: Thank you very much, Phillip Koech.

Phillip Koech: Jina langu ni Phillip Koech, ya kwanza, mimi nataka ma -Chief na Assistant Chief wa chaguliwe na wananchi. Kitu ya pili, kuna wasichana wetu, unona saa yote, saa ingine kijana anaweka yeye mimba, na watu wanaona wakisumbua tu. Sasa tunataka huyo kijana, alazimishwe aoe ama afundisha huyo mtoto mpaka awe mkubwa, ni hiyo tu. Asante.

Com. Ahamed Hassan: Asante sana, nenda pale uandikishe majina. Tutakua na Martin Cheruiyot, Martin uko na memo, Martin Cheruiyot will you present the memo or will you read. You want to present, okay fine, just briefly please.

Martin Cheruiyot: My names are Martin Cheruiyot. In the preamble I want to seek court guidance. Another point that I would like to make is the interests of people with disabilities should be fully taken care of in terms of education also other assistance such as artificial legs and arms. The Government should make sure that disabled are also given job opportunities. We should have provision of affirmative action in favor of disabled children.

In land and property, the land should be for an individual, the constitution should guarantee us real land to destitute children and the poor. Constitution should ensure free education to children from primary and secondary schools. In environmental and natural resources, should be owned by the public and it should be ensured that it is not exploited. We should have a constitutional Commission, institute and officers in order to supervise the exercise of the constitutional function. Other

constitutional Commissions, that should be staffed, are human right Commission, disabled Commission , gender Commission and anti-corruption, land Commission and basic health Commission. Disabled children should also be considered in those Commissions.

Participatory governance, referendum should be put in place to ensure maximum participation in Government. By persons with disabilities youth, women, majority group and elders. We should also attract competent Kenyans to work in public finance. Government resources should be distributed equitably, thank you.

Com. Ahamed Hassan: Okay thank you, Mathew Rono, Charles Kiptanui Kosgei

Charles Kiptanui Arap Kosgey: *Kainenyun kekurenon Charles Kiptanui arap Kosgei.*

Translator: My name is Charles Kiptanui Arap Kosgey.

Charles Kiptanui: *Kit ne katokyinige anan kit ne amwae*

Translator:

Charles Kiptanui: *ko ribetab emet anan kokwe.*

Translator: The security of the villages.

Charles Kiptanui: *Nyolu en kiptainik koyob ng'atutiet ne yobu kokwet kot koit kirwogindet. Monyolu chito kong'et kwo kirwogindet kotomo kiptaiyatab kokwet.*

Translator: No one should be a Chief before he becomes an assistant Chief.

Charles Kiptani: *Amun tetutik tugul che tinyege ak kirwogik koyobu kiptaiyat ab kokwet ak boisiek.*

Translator: because everything to do with the Chiefs and the Assistants comes from the elders.

Charles Kiptanui: *Ne rube den yon ko nyolu keker kiptaiyat ab kokwet anan kiptainik ab kokwet kotok ko temetab serkali en serkali bichoto. Eutab serkali age.*

Translator: Village Elders should be seen as a very important arm of the Government.

Charles Kiptanui: *Amin mami kit ne iboru, ndo ngonon koit boryet anan anan kiy age tugul anan chon kichute kokwet,*

Translator: because if there is any difficulty,

Ko nyolu kotinye kou kologutik kou ingoroik che tinyege ak serkali, anan ko nyolu kosich melekto agine amun yobu

boisionik che chang.

they should even have uniforms, they should even get a salary because they do a lot of work.

Charles Kiptanui: *Ko kit ingo ko konetikab nursery. Konetikab nasaret koseretos. Nyolu koker serkali ak korobchi rabinik.*

Translator: Nursery teachers should be properly remunerated.

Charles Kiptanui: *Ko notoren ko ng'alekab Majimbo. Mache kotonon majimbo.*

Translator: Finally my last proposal is Majimbo

Charles Kiptanui: *Kongoi mising.*

Translator: thank you.

Com. Ahamed Hassan: Zakayo Chelugaet, kama hayuko Richard Rotich, huyo ametoa maoni, Linus Libei,

Speaker: all my proposals are in this my memorandums and I want to hand it in.

Speaker: *Ane kekurenon Gornelius Mibei ako tuguk che komoche ko kaasir en kitabuni. Ko kakileyon kiibe koba yun anan oldage.*

Translator: *All my proposals are in this memorandum and I want to hand it overover.*

Com. Ahamed Hassan: these students, how many of you want to give views all of you? Yaa, lets start with you, just come.

Robert Rogut: My names are Robert Rogut, Bishop Ndingi Roret Academy, Standard 7.

Girls who have aborted should be given counseling. Early marriage should be avoided and the Government should give proper punishment to those involved. Subjects given to pupils should meet the goals of education and care of the people. Corruption in schools should be discouraged. Teachers offer enough knowledge to the pupils. Parents should ensure that children are taken to school.

Robert Cheruiyot My names are Robert Cheruiyot. The first point is parents should provide all the basic needs to the children. Children should be given free and good education. Parents and teachers should give the children proper punishment, when they do wrong, emphasize on guidance and counseling. Thank you.

Gabriel Kiptoo: My names are Gabriel Kiptoo, I am in standard 8. The children should receive free education from 0 years

to 18 years hence the Government should assist the families who are unable to provide to the age in question. The children who refuse to go to school should be taken to approved schools to help reform them. Private schools should be given the same priority with the Government schools because they do better e.g during awarding the trophies in most cases they overlook private schools despite their good work and something should be done here, thank you.

Hillary Ruto: My names are Hillary Ruto in standard eight. Teachers should be treated just like other profession as since they do a lot of work for the Government. The Government should pay them good salaries because they are the ones who give the knowledge to the pupils so they may become the future Presidents. The Government officials should be treated like other Kenyan citizens especially when an MP smuggling drugs this even affects, the students in schools, and other forms of corruptions like misusing Government money, thank you.

Com. Ahamed Hassan: Mathayo Morisin

Mathayo Morisin: *Kainenyun ko Mathayo arap Marisin.*

Majina yangu ni Mathayo Morisin,

Ko in boisiet ne kokibwone agobo Katiba ko

Translator: Tumekuja hapa siku ya leo kwa minaji ya marekebisho ya Katiba.

Mathayo Morisin: *Ko olekimoktoi,*

Trnaslator: vile tunavyo taka sisi

Mathayo: *en echek chu soiyotin*

Translator: sisi wazee tuliokomaa

Mathayo: *ko kimoche komi kou ye kiu kiwotoshek en bororiot age tugul.*

Translator: ni mpaka iwe vile ilivyo kuwa hapo hawali kulingana na makabila mbali mbali.

Mathayo: *Ko kemoche kou noton amun ngemi tugul ak bik tugul en orinyon*

Trnaslator: tunataka hivyo, tuwe na watu ambao wamejumuika nasi tuki ishi pamoja.

Mathayo: *kemoche chomyet en kalyet ne kararan.*

Translator: tuwe tukiishi kwa amani.

Mathayo: *Ko en yoniton kemoche kou noniton any.*

Translator: tunataka hivyo hivyo katika katiba.

Mathayo: *Ko boisionito tugul , en Kenya komugul agot en gaa ko kocham kindochini kokwotinwechuchok*

Translator: (inaudible) kama vile tunavyo jua, tume kuwa tu kiongoza katika kijiji vyetu.

Mathayo: *koboch agot ingeyoei survey imbaretab chito age tugul*

Translator: tangu tulipo kuwa tukifanya usurveyor.

Mathayo: *ko kikiyochini age tugul koboch kiwotenyin.*

Translator: kila mtu alikuwa na mpaka wake.

Mathayo: *Ko kosir en neu noniton ko boisionichon tugul keboisie kou noniton kemoche kalyet en bikab bororiosiek tugul en kibagenge.*

Translator: hii Ndiyo italeta amani tukishi pamoja na ma kabila mbali mbali.

Mathayo: *Amun Choniton tugul ko chechok ago bororiot agenge en Afrika ko echek tugul komoche komo kalyet.*

Translator: naona sisi sote tuko pamoja katika Africa.

Mathayo: *Ko kikanai Mungu agot akine koyoe kutuswek, kobestos ko kemoche ngemi yoton, ngemi komosin kisibi ng' alekab komosaton akechek.*

Translator: Ndiyo unaona Mungu alijua alipoumba watu kulingana na makabila mbali mbali.

Mathayo: *Ko kit ne noniton tugul kingen kele kabilosiek artam ak aeng' en Kenya*

Translator: kuna ma kabila arubaini na mbili katika Kenya

Mathayo; *kemoche kekosyinen tugul keikun agenge.*

Translator: tuwe tukiishi na amani

Mathayo: *Ko ngunon kemoche agot en gaa oli kemoche kou ni*

Translator: hapa kwetu tunataka hivi

Mathayo: *kimoche kemi tugul en kalyet ak serkalit komugul en jumula*

Translator: tuwe tukishikana mikono pamoja na Serekali kwa jumla kwa kuhimiza amani.

Mathayo: *kou ye kocham kemi tugul keyomdoi matiny kokoki raia kou niton ko kokitoretu serkali koboch yoniton tugul.*

Translator: vile ambavyo tumekuwa tukifanya, pamoja na Serekali tuki himiza amani.

Mathayo: *Ko noniton ne kimoche kisiboten ak keyai kou noniton koboch kirwogik anyun kemoche kemi tugul.*

Translator: Pamoja na viongozi wa Serekali kama Chief tuna hitajika tuwe pamoja.

Mathayo: *Mami age ne o kosir age.*

Translator: Hakuna aliye mkubwa kuliko mwingine.

Mathayo: *Mami age ne o kosir age. Agot Councilaek kemoche kemi tugul. Agot chebo Legco kemoche kemi tugul.*

Translator: tuna hitaji tuwe pamoja, pamoja na mawafisa wetu ambao tume wachagua kama Councilors na wabunge.

Mathayo: *Kemoche kou noniton a mun non ko ma maisha ne koi amun wabunge kebire en kenysisiek tutukin agoi oin ko amani ne bo raia tugul ko bo kipkoi.*

Translator: Amani ni ya muda mrefu

Mathayo: *Mi bik che toretisie any en kokwet kou kiptainikab kokwet,*

Translator: wazee wa mitaa,

Mathayo: *koyoe kasit ne o si kokoito komanda konyor kirwogik chebo Katiba chechang che ongozoni koret ko yobu bik tutugin chebo kokwet ago motogu bichoton.*

Translator: wana fanya kazi muhimu

Mathayo: *Kiptainikab kokwet.*

Translator: hao wazee wa mitaa

Mathayo: *Kimoche choton yon miten kiy ne kimuche kesich*

Translator: kama kuna chochote ambacho kina weza kupatikana

Mathayo: *kimuche kosich akichek.*

Translator: na walipwe kitu kidogo.

Mathayo: *Ko amun yon masiche kipkoi ago kasit ne o ko mayae kasinyin, boisiechin emet kityo.*

Translator: hawawezi kufanya kazi vizuri wasipo patiwa angalao mshahara.

Mathayo: *Ago bichu yechen tugul ko kotoret si kotagen ichegen rabini ichegen.*

Translator: maana Chief na Assistant Chief ni watu ambao wanapokea mshahara, hivo basi huyo asipopokea nafkiri hakuta kuwa na mawasiliano kati ya hao watu vizuri.

Mathayo: *Ago yachin kasit ne mie any akichek.*

Translator: na hao wanatenda vizuri.

Mathayo: *Ko noniton ne kimoche kou noniton. Ko kemoche kou noniton any en katiba, ko mokilotu chi ago makiyachini chi ne ya koik kityo chi to ne twolu en emet age akonyo koyai che yach ko mokimoche ehek.*

Translator: hatutaki watu ambao wanatutendea mabaya,

Mathayo: *Che yobu nje.*

Translator: ambao wana toka inje.

Mathayo: *Ko ngunon kelenen kongoi ingunon en cheteno choniton tugul.*

Translator: asante

Com. Ahamed Hassan: Weka sahihi hapo, Alex Cheruiyot

Alex Cheruiyot: *Alen kit ne amwae, kwa jina langu ni Alex Cheruiyot.*

Translator: majina yake ni Alex Cheruiyot.

Alex Cheruiyot: *Ane kit ne amwae*

Translator: anapo nuia kusema

Alex Cheruiyot: *Mkenya ko nyolu kibwat kobo maana mising*

Translator: sisi tukiwa wa Kenya tuna hitajika kuonekana wenye maana zaidi.

Alex Cheruiyot: *amun kwa hivyo konyolu keyochi bik kou ye nyolundo en bik tugul.*

Translator: na wafanyiwe haki

Alex Cheruiyot: *Alen kong'eten barak, kong'eten president agoi chini*

Translator: kutoka kiongozi wetu President mpaka nzazi ya chini.

Alex Cheruiyot: *kemoche kobwa ng'otutik agoi bik che mi ng'weny.*

Translator: Katiba iwahusishe wote.

Alex Cheruiyot: *Amun kikere kele bik che mi ng'weny ko kokinyanyasan mising.*

Translator: watu ambao wako hapa chini wana nyanyaswa

Alex Cheruiyot: *Ko u noton kemoche kechop kit ne imuche koyai bik kkoik agenge bik tugul.*

Translator: katiba itengenezwe ile ambaye haiwezi kubagua.mtu yoyote.

Alex Cheruiyot: *Kit kora ne amache amwa kora ko en komostab Executives.*

Translator: The Executives, the arm of the Executive.

Alex Cheruiyot: *Ko nyolu koleweni bik icheket ko nyolu komiten icheget komostanywan en postit age tugul.*

Translator: they should be elected by the people and each person should be doing his work.

Alex Cheruiyot: *Mokimoche chito ne wendi komostage ak komostage.*

Translator: somebody else should not cross the border and do work that belongs to somebody else.

Alex Cheruiyot: *Kou excellency ko nyolu komi komostanyin*

Translator: like the head of state he should just stick to his head of state work.

Alex Cheruiyot: *mokimoche ngomi oldage koloboti olinbo kotini eng komoswek ak komoswek.*

Translator: he should not interfere with either of the offices like the high court

Alex Cheruiyot: *Komokimoche kong'eten members chebo public anan wabunge*

Translator: the Members of Parliament

Alex Cheruiyot: *ko makimoche kong'et wabunge chebo ng'weny koipchi ng'alek the head che monomege ak wananchi kong'eten ng'weny.*

Translator: some of them should not be visiting the head of state and gossip because of being the head of state.

Alex Cheruiyot: *Ko noton ne yoe bik koik agenge bik tugul.*

Translator: there should be work.

Alex Cheruiyot: *Ko komostab sipitalisiek*

Translator: the other side is health facilities.

Alex Cheruiyot: *komogemoche sipitalisiek ko mokinyoru.*

Translator: there should be adequate treatment from the Government hospitals.

Alex Cheruiyot: *Amun en kerichek ko kubit chorset, mi corruption.*

Translator: it appears that when the medicines is brought swindled out of the premises by maybe the personnel, working in those premises.

Alex Cheruiyot: *Ko u noton ko chito age tugul ne kakinam en makosaisiek ko nyolu kinde ko.*

Translator: anybody who is therefore caught having taken away medicine should be dealt with.

Alex Cheruiyot:

Translator: anybody has adjusts anything from the Government should just return also.

Alex Cheruiyot:

Translator: thank you very much.

Com. Ahamed Hassan: Richard Sigei

Richard Sigei: asante sana Commissioners, yangu ni kutoa mapendekezo kuhusiana na mambo ya katiba hii. I am Richard Arap Sigei. Mapendekezo ambazo ninazo nikama zifuatazo.

Kwanza, ningependelea tuwe na Serekali ya federal Government, majimbo, Ndiyo inapendekeza. Ningetaka sana tuwe na post ya Prime Minister kwa Kenya hii. Ya kuchunguza na kupendekeza mshahara ya ya wabunge. Ni kuhusu wabunge wetu, tukiona mbunge haweze kutoshelesha kazi yake kwa mbunge; tuna taka sheria fulani ambao tunaweza kumuita yeye nyumbani halafu tuone kama tunaweza kupigia yeye kura ama tumwage yeye inje. Hii mambo ya parties, tunaona parties hapa Kenya ziko zaidi ya arubaini, lakini wangu napendekeza kwamba tuwe na parties chache kama zile zingine, kama ile ya Americani, ama ya Israeli ambao tunaweza kuwa na party tatu ama inne.

Powers ya President mimi nataka ipunguzwe na tuwe na Prime Minister ambao ni Executive ambao atakuwa akiongoza activities ya Serekali. Kwa hayo machache nina sema asante sana.

Com. Ahamed Hassan: Sammy Sigei

Sammy Sigei: *En kainenyun kekurenon Sammy Kipyegon Arap Sigei.*

Translator: Kwa majina yangu mimi ni Sammy Kibiegon Sigei

Sammy Sigei: *Tuguk che okoitoi en ireyu ko*

Translator: Yafuatayo ni mambo ambayo ningependa kuwasitiza.

Sammy Sigei: *kasir ole kingeto kanetisietab bik che echen*

Translator: tangu elimu ya ngumbaru ilipoanzishwa

Sammy Sigei: *ko togu kele kiwo ng'weny mising*

Translator: ilienda chini

Sammy Sigei: *amun makilibonchi konetik che inetisie rabisiek che yome,*

Translator: kwa sababu walimu ambao walikuwa wakifundisha watu wazima, hawakulipwa mshahara mzuri.

Sammy Sigei: *ago mayamat kora konetichoton.*

Translator: hata hivyo walimu wenyewe hawakutosha.

Sammy Sigei: *Ko komoche ketesyi sugulit age tugul nebo primary kotindo Mwalimu agenge nebo bik che echen.*

Translator: Every primary school should have one adult education teacher

Sammy Sigei: *Ak kanisosiek kora,*

Translator: and in the churches

Sammy Sigei: *ak komoswek alak che imuchi koloen sugulisiek ak kanisosiek ketesyi kora konetik.*

Translator: In other areas where churches and schools are far apart they should also be an adult education literate center.

Sammy Sigei: *Asi kobit konyor chitugul konetisioni kimwoe.*

Translator: so that everybody will become literate.

Sammy Sigei: *Togu kora kele chang' bik che tomo konai kosir.*

Translator: It appears their very most of the people are abt literate although this facility has been given by the Government.

Sammy Sigei: *Komoche kora en Primary schools koik konetisietab buch.*

Translator: In primary schools, there should be free primary education.

Sammy Sigei: *Ak en kora Secondary schools kemoche bursaries konyor lakwet ne nin.*

Translator: In secondary schools, bursaries should be given to the needy.

Sammy Sigei: *Komoche angun kong'et kiptainik ab kokwet ko ich eget ne ikoitoi lakwet ne nyolu ketoret en Secondary School.*

Translator: The village elders should ear mark the needy students from within his or her village.

Sammy Sigei: *Amun kikong'et corruption ko makoitu lagok che kimoche. Ng'ete bik che yechen koneten lagokwak rabinik che kobo bik che terteren.*

Translator: It is only through corruptions that this facility has been misused, so that the big people have just used the facility to educate their children.

Sammy Sigei: *Kora ko kasir ale en sipitalisiek ko nyolu konyor kerich ek mising ko en mianwek che kabit en kasarta ne nin.*

Translator: In Government hospitals there should be enough drugs especially when there is an outbreak of a certain disease, such as malaria.

Sammy Sigei: *Kora ko rarunotin dakitari ek en dispensaries. Nyolu kotinye kotinye dispensary age tugul daktari ek aeng'anan ko somok.*

Translator: There should also be enough personnel to man these health centers and hospitals.

Sammy Sigei: *Angot komi kora lakwa kokwet ne kikonetge agobo daktari konyolu koker bikab community asi kosir lakwanaton kotoretge ak daktari ek.*

Translator: If there is any health worker who has undergone training he should just be rebuked and be employed by the community to serve, if there is a shortage.

Sammy Sigei: *Kasir kora en ireyu ale nyolu kolewen bik kirwogindet nebo kokwenywan.*

Translator: the people should elect the Chiefs.

Sammy Sigei: *Kora ko kasir ale konetikab nursery konyolu kolibonchi rabisiek serkali asikonetak lagok en nursery*

Translator: Nursery school teachers should be remunerated by the Government, so that they can give better services.

Sammy Sigei: *Togu kele chang' lagok che mi kaa kosibge ak rabinik che liboni sigik en nursery school.*

Translator: because most parents are not able to pay the fees required for the nursery pupils, most children are still at home.

Sammy Sigei: *Kasir en yu kora ale kiptainik ab kokwotinwek ko nyolu konyor akichek tongiloiyon asi kobit kobois komie ak kosich che toreten korikwak.*

Translator: The village elders should be remunerated to make them motivated to do their work.

Sammy Sigei: *Icheket ko yoe boisiet kong'eten asubuhi kwo koimen ama siche kiy agot kitigin. Konyone bolet kora en korikwak ak kobutok konywan.*

Translator: because if they are not remunerated definitely there is going to be a breakdown in the home steads, thank you.

Sammy Sigei: *Kora raini kora ko kasir ale nyolu kokosyin kanisosiek anan kandoikab kanisosiek ak serkali asi ngosoe kosoe ne toreti bik.*

Translator: All church leaders should walk hand in hand with the Government.

Sammy Sigei: *Yoniton any ye kobochit.*

Speaker/Translator: *Ko karatar en yotiton.*

Translation:

Sammy Sigei: *Kongoi mising.*

Translation: Thank you.

Com. Ahamed Hassan: *(.....inaudible)*, I want to make one thing very clear, although I know that there are some who don't understand English or Swahili, they only understand their mother tongue, but this is not a baraza. We have come here today to collect the views of the people of this location, it is for them to talk to us in a language that they understand. If it is Swahili they can talk to us, if English same thing, if Kipsigis or Kalenjin they can talk to us. But people should not come here and talk in their mother tongue so that the people who are sitting here can understand because the people who are seated here today did not come to collect their views, it is us who came to collect the views. We are going to ask, because you are going to save time, if you do translation from one language to another you will spend more time on that, we will save more time if you can talk in English or Swahili, please do so because we will take your notes very fast and you can give somebody else a chance to talk. Thank you

Translator: *Ka kosyige, kakile ngot ko kesir memorandum ko inyone kityo ak imwochi bichu ak ikoite en ireyuno ak isainen. Ko kot ko mesir kiy age tugul inyon taa ireyu, ng'alal en kutit ne ikose mising. Kole si kong'alal bik che chang'*

. *Monyololunot kor kele kang'alal bik sobini en bik che koitito mara ko Mia tatu. Asante.*

Com. Ahamed Hassan: We also want to request those who have mobile phones, please try and put them off because they will interfere with the recording of the peoples views, put them off.

Translator: *Kaogas kit ne kakimwa en bik che tindo mobile phones machamdaat en ko ireyu, kale bi komosta ne kechile en mobile phones si marir amun iime recording. Kongoi mising.*

Com. Ahamed Hassan: If you have a written document, a written memorandum like the one that you are holding, I know some of you are holding because I have it here, whether it is kina Elijah Beriun, Patrick Bosuba, Simon Chirchir, Catherine Kigen, William Koech, Erick Ngetich, Juliana Misoi, Titus Rotich, Easter Kinduiyo, Alex Tanui, Pastor Cosmas Tanui, Alvin Keter, Simon Chepkwony, Joel Mitei, Richard Kesedani and Mathew Kirui. These are people who have written submissions and we are going to ask you, please when you come to give your views don't try and read the document what or what. Because really you are going to spend a lot of time and you will be doing the same thing if you read it word for word on this microphone and then you take it to that file you are doing double work. It is really unnecessary because if you simply went and gave your document their and maybe just gave some points which you think you left out of that document, or you want to highlight some very key issues, that is a very good way of giving the others who don't have a document the time to give their views, maybe you can explain that;

Translator: *Kao kosyige kou nonioton. Okwek chon kakemwa kainutikwak en ireyu oibu tuguchonito ak oib koba yun lakini kot komite kit ne kemoche imwochi bichu kokas, pointit agenge ana ko aeng' so itindoi chamchinet lakini matisoman kiigan.*

Com. Ahamed Hassan: No, no let them understand this, we are not telling them to go away completely and give their views, if they think there is something they really want to really emphasize very important, they can still give their views.

Translator: *Kamwa kou noton.*

Com. Ahamed Hassan: I have not finished, because I think once we agree on this I think we are going to move faster. In terms of data collection, collecting data from the people of Buret, it will even be better and more useful if those who have documents which are written gave in their documents and they highlighted very key points and gave those who don't have written documents more time to talk, because there you will collect more information and data from the people of Buret, than if you spend 10 minutes reading the same document.

Translator: *Kokile asi kor kochang'a bik che kang'alal ko si kochi boroindo chito ne kakosir information en kartasit igochi ingo ne masir kiy, asi kor kekere ko chang bik che kabatisibeten yani che kayai boisioniton. Yekoite imwa ng'al aeng somok en kit ne kesirm, konyo chitage ne kamasir agine konyo komwa, ko kor kiite bichono ko kachang'a. Ngot keib dakikaisiek taman chito ne kasir information, ne kesir is kiyoton ago miten chito ne masir kiy ne komoche konyo ko ng'alal ko tor kikochi boroindo. Ngobar kiyoniton, u yon kakikuiyege.*

Elijah Belion: *Ane ko Elija arap Belion.*

Translator: Majina ni Elijah Belion.

Elijah Belion: *Ko nomwoe nganda kaasir ko kiwotosiek che bo kabilet age tugul ko tebye kou noniton.*

Translator: What I can say although I have just written down, tribal boundaries remain the way they are.

Elijah Belion: *Ko yetononen ko kikanai Mungu is ngokochin chi tugul ole menye.*

Translator: Just because God knew when each and everyone of us was placed on the Kenyan map.

Elijah Belion: *Ko yon katononso kiwotesyek kou non ko moib majimbo.*

Translator: When those boundaries stay like that, it means we are in a majimbo system of Government.

Elijah Belion: *Ko non bo kirwogik ko nyolu kelewen, mat kolewen chichok.*

Translator: Chiefs should be elected.

Elijah Belion: *Konyon any olebo kutit olebo Kipsigis.*

Translator: I have come here on behalf of the Kipsigis

Elijah Belion: *Mi tuguk chechang en Kipsigis, tebye chito ak lakwetab chito kosich lagok mut amatun.*

Translator: just because in our Kipsigis traditional customary law, somebody can stay with somebodys daughter for as long as, want give birth to five children without getting proper marriage.

Elijah Belion: *Ko tuguchoniton kemoche Commission ne nyo keng'ololi en kutit kemwochini ng'alekyok chebo kipsigis.*

Translator: We want a traditional Commission, that will just come and discuss with us

Elijah Belion: *Kemoche kechobwech Katiba nebo tuguk che nyolu kisib en gaa.*

Translator: so that we shall tell the Commission what we require to follow as a Kipsigis people.

Elijah Belion: *Ko u noton.*

Translator: Just that way thank you.

Com. Ahamed Hassan: S. Rotich, yuko? Kama hayuko, Juliana Misoi.

Juliana Misoi: *Kit agenge ne amache amwae kainenyun Juliana Misoi.*

Translator: Mimi kwa majina ni Juliana Misoi.

Juliana Misoi: *Ko kit ne kamache amwa kityo agenge*

Translator: Jambo ambalo ningependa kusema

Juliana Misoi: *amache kokerkeit chepto ak werit.*

Translator: Watoto wote wawe sawa mbeleni mwa wazazi wao.

Julaiana Misoi: *Noton kityo ne katinye.*

Translator: Yani wavulana kwa wasichana, asanti.

Com. Ahamed Hassan: Titus Rotich

Titus Rotich: I am happy at this time and also understand the time factor but I have to use it. I will have to take about 2 minutes only to summarize this one, because if I just present it there alone, others who they have taken advantage of hearing my views will say. Let me just take two minutes only.

I hope something that is very important here is this one of the structure and system of the Government. We know that the system of Government has made us suffer so much that I have become motivated to write this one.

We should adopt a federal system because it is common knowledge that everyone, to start to make this area developed, like in the case now, Baringo District with less resources have longer length of tar marked road and service in the District. Actually has several times endorsed with resources. We took also areas like Keiyo and this areas like Kiambu, why do we have this common knowledge? Because Heads of State have come from there all the time, so there is what we call discrimination factor and the power to bull doze things there, right!

In this areas also we find that unemployment radio there is very low while here in Buret is very high, for every 50 people who complete school only one or none gets employment. If we do not go for majimbo system it means another President who will come from, Nyanza, Western or where, over and bull doze the resources there once more so others suffer.

We go to political parties, they should not only marshal/disciples into their party, but should carry out National development harambee and, employ their so many jobless youths.

They should motivate their citizens to love their country and to believe in working to earn a living rather than wait for an ever strange Government without any foreign aid. The law of the land, the constitution should not regulate the formation, management and conduct of political parties, since they are well covered for by the law of the land and they are morally good to woo more followers.

They are also cared for by the citizen who will not join a misleading party even if they join initially they will soon decamp from it realizing the activities are not for peace and development.

Political parties and the state should coordinate for good of the citizens not as it is now. Where a party and the state are like a cat and a mouse, that is witch hunting. That is parties conduct themselves to have solutions to the permanent problems in existence in this country.

In this country leaders have a perception that citizens of other tribes are enemies and that they will be overthrown and such they loot the economy, settle it in other countries with the hope of going to live there, when they are finally overthrown. That is why they don't develop.

Com. Ahamed Hassan: Thank you, Stanley Cheruiyot

Stanley Cheruiyot: Thank you very much, my names are Stanley Cheruiyot and I have a few proposals to make. There should be a Unitary Government with the President, Vice President and the cabinet. The Vice President should be directly elected and there should be no time that, that office is vacant. The vacancy of that office should not be a pleasure of the President. The Proerogative of mercy should not be there because it is going to abuse and forcing power against the power less.

Electoral Commission of Kenya, the Chairman and the Commissioners should be hired collectively by all political parties to ensure fair play. All the political parties in Kenya must be funded by the exchequer.

The power to hire the Chief Justice, the high court and other judges should not be left with the President, an independent body should be set up to oversee this exercise. Retirement age for judges should be reduced to 55 years like other civil servants.

Chiefs, there is a lot of corruption in the appointment of this personnel and I am suggesting that this people are interviewed by the District Commissioners. The results should be released at the same day and the officers recruited there and then, thank you very much.

Com. Ahamed Hassan; Thank you Stanley, John Chepkwony, Michael Chumu.

Michael Chumo: *Kongoi mising. Kit ne amwae en ireyu... Kikurenon Michael Chumo.*

Translator: Kwa majina mimi ni Michael Chumu.

Michael Chumo: *Kit ne amwae en ireyu ko agobo aisurut, agere ketilenech aisurut ama kikere kit ne kiyoen.*

Translator: What I can say is that tax payers money is not being utilized nicely.

Michael Chumo: *To nyolu komi kerichek sipitalisiek.*

Translator: That is why there should be enough drugs in hospitals.

Michael Chumo: *Ngunon ko kichang'a mionwogik, kokoterterat bik mionwogik sababu momi kerichek sipitalisiek.*

Translator: Owing to lack of medicines in hospitals people have died in numbers.

Michael Chumo: *Ole kibendi ko privatisiek kityo ko mamuche bik.*

Translator: We go to private hospitals where we can not afford to pay the fee.

Michael Chuma: *Ng'olyot age ne isibu ko kamache kikochi kimnatet kiptainik amun indendet komuche lagochon kikong'et en gaa.*

Translator: The village elders should be empowered so that they deal with cases within their locality.

Michael Chuma: *Kit age ko nyolu kongen Kiptainik chi ne kalel en gaa yon amun monyolu kelabaten, kai keker ko kabo kebir en olin.*

Translator: The village elders should know who are the errand members of the society in which he heads.

Michael Chuma: *Nyolu kenai korok en gaa. Kongoi mising.*

Translator: Asante

Com. Ahamed Hassan: Patrick Basben

Patrick Basben: I am Patrick Basben. The preamble, the vision should acknowledge Gods people and their rights, country, Parliament, Executive, and Judiciary in that order. The constitution/supremacy amendments of the law of the constitution by the Parliament should involve the citizens. Political parties, they should be few and should be assigned some roles to play rather than concentrate on political mobilization. Structures and Systems of the Government, the Government should be a democratic and centralize, but there should be solution of powers.

The legislature, appointment of independent body heads should be transferred from the president to the legislature. For example the service Commission, judicial service Commission, electro Commission, Attorney General, Auditor general, and Central Bank

Company. The speaker of the Parliament should be the one to adjourn or to summon the Parliament. The Parliament should have the power to discuss the expenditure from the consolidated firms that is involving people on what to be done with that money. The head of the three arms of the Government should be chosen by the Parliament.

The Executive, the maximum term of a President should be two with five years each, that is maximum of 10 years. Qualifications of a President, he or she should be literate. A procedure on how the President chooses his or her Ministers should be clear and be based on qualifications. The President should concentrate on the Executive and not to tamper with any other arm of the Government, that is separation of powers. The case if assistant Chiefs should be done away with and the powers to be extended to village elders who should be paid by the Government. This elders should be elected by the people.

The judiciary, the Chief justice should take the Presidential powers upon dissolution of the Parliament for the period/meantime. The judiciary should come up with an office of ombudsman. The village elders court, should be recognized and who should deal with the issues like illicit brews and others and capable of forwarding law breakers to the courts.

The local Government, the town mayor should be elected by the people and not the Councilors. Licensing of the firms, that is factories and other organizations should be fair and just. Public land should be taken care of by the people around it, this is the land and the property rights. The local community is the total owner of the land and other properties within the community. Undeveloped land should be taxed by the Government, otherwise it will enhance everybody to work on his or her farm. The growers of the cash crops should be the complete owner and they can sell the crop to anywhere. Thank you.

Com. Ahamed Hassan: Richard Kurgat, Simon Chir, you are Richard Kurgat.

Richard Kurgat: My name is Richard Kugat. I have some few points here, according to the court I need cases should be heard at locality witnessed fully with the village elders and his or her evidence. Chiefs must be transferred to another location.

Village elders need to be paid as the Chief. Primary and secondary schools must be either publicly or privatized into one policy. Loans to be given to women, why not men? Thank you. Both of them, not women only.

Com. Ahamed Hassan: Okay thank you, Simon Chirchir, he also has a memorandum, he will give us I hope, okay. Paul Chumo I think he gave his,

Paul Chumo: *Kainenyun ko Paulo arap Chumo.*

Translator: Majina yangu ni Paul Chuma.

Paul Chuma: *Kit ne amwae kemoche katiba ketelelen majimbo, kimoche kiwotosiek chu kibo boisiek.*

Translator: We expect to have a constitution based on majimbo system of Government.

Paul Chumo: *Amun makilenen kewal bik komengyin bik ago kikanai Jehova ngopche.*

Translator: because we do not want to mingle with other people, breaking the boundaries created by God.

Paul Chumo: *Nebo aeng ko tomo kikuiye ge kenai kele ngwany kiptainik ko metit ab Kenya amun kiptainik ko chetienge emoni tugul si kor komanda boisionik.*

Translator: Village elders are actually people who work very much who are being depended on right from the base.

Paul Chumo: *Amun ingouit kit age tugul en barak kele oba gaa.*

Translator: because anything that becomes so much of a problem maybe in the law courts, it is normally referred to the village elders.

Paul Chuma: *Ko kilyan makisirchi agine lupchanik tuten*

Translator: Therefore why don't we give the village elder some salary?

Paul Chuma: *asikobit kokilge ak korib bik komie.*

Translator: So that he can as well work without getting tired.

Paul Chuma: *Alen matinye ng'alek chechang amun kakomwa bik chechang' kou non.*

Translator: I do not have much I am for majimbo.

Com. Ahamed Hassan: Christopher Langat, kama hayuko Wesley Chepkwony.

Christopher Langat: *Alen kit ne amwae kekurenon Christopher Lang'at.*

Translator: My names Christopher Langat

Christopher Langat: *Ko kit ne amwae amache majimbo.*

Translator: I am for the majimbo system of Government.

Christopher Langat: *Kit ne amwae kora agere ko kikoimech ng'alekab sipitali ago konu serkali kerichak lakini mi corruption ng'alekap sipitali.*

Translator: There is corruption in Government hospitals

Christopher Langat: *Nyolu en sipitali ko nyolu komi Committee che tononchin kerichék.*

Translator: There should be a committee formed to look after the activities going on in the hospital.

Christopher Langat: *Ago monyolu kobur daktari en yoton for ten years anan ko...nyolu kobur two years.*

Translator: The doctor should not stay for too long within a given station

Christopher Langat: *Kit ne amwae kora agobo sugul ko nyolu kikochi lagokab sugul free education kong'eten standard seven mpaka nursery.*

Translator: There should be free primary education starting from Nursery up to standard eight.

Christopher Langat: *Ko kit ne amwae kora ko monyolu kobur kora Mwalimu for twenty years en sugul, nyolu kwo transfer*

Translator: The teachers should also be transferred, they should move from a station from time to time, he could stay for as long as four years.

Christopher Langat: *Alen ko matinye chetyan.*

Translator: That is enough, I had

Wesley Chepkwony: *Alen kainenyun ko Wesley Chepkwony.*

Translator: My names are Wesley Chepkwony

Wesley Chepkwony: *Ko kit ne amwae ko nyolu kirwogik ko leweni bik.*

Translator: The Chief should be elected by the people.

Wesley Chepkwony: *Ng'olyot age ko agobo ng'alekab sibitali ko nyolu ko ng'alekab kerichék kikoito buch.*

Translator: There should be free medical treatment, not even a cent should be paid.

Wesley Chepkwony: *Ago nyolu kora ko kiptaiyat ab kokwet ko nyolu keropchi rabisiek.*

Translator: The village elder should be paid a salary

Com. Ahamed Hassan: John Koech

Andrew Korir: *Kainet ko Andrea arap Korir.*

Translator: *Bik che tindo memorandum okoite. Iya ngot itindoi ng'olyon ne moche imwa itestyi memoradum inoto imuche kityo imong'unen yuno ak inye igonu. Kole imuchi ikoite memorandum ing'ung' kwo yuno lakini kot itindoi ng'olyon ne kose ile temwa kotinyge ak memorandum inoto iteng'etu si kekonin nafasi. Kongoi.*

Andrew Korir: *Kainet ko Andrea arap Korir.*

Translator: My names are Andrew Korir.

Andrew Korir: *Komoche ates yon agobo ng'atutiet.*

Translator: I want to add something as far as the constitution is concerned.

Andrew Korir: *Kamwae agobo imbaranik.*

Translator: My view is on the land issue

Andrew Korir: *Miten chito ne tindo ekarisiek millionit agenge amami kit ne yoen.*

Translator: Somebody could be having as many as one million acres but he is not utilizing the land.

Andrew Korir: *Ago mi chito ne matindo agot pointit.*

Translator: Yet there are people who don't have even a 1/8 of an acre.

Andrew Korir: *Ko moche si kesuen yoton.*

Translator: We should look into that issue.

Translator: *Kakile imoche kelyan.*

Andrew Korir: *Kimoche is kesua ole kikosikto imbaranaton millionit agenge komite chito ne...*

Translator: He would like to know how that person got that massive land.

Translator: *Kelyan any kor ye kakenai ole kisikto.*

Andrew Korir: *Keker ngo kakikochin agine chichin sereti.*

Translator: He would like to have something hived from him and given to the needy

Translator: *Kakile itinye ibwoti ile ekarisiek che to tyan che nyolu kotindo chito.*

Andrew Korir: *Nyolu kotindo ekarisiek konom yon kachang'a.*

Translator: He would like to see somebody having as many as 50 acres being the highest.

Andrew Korir: *Kit ingo ko kamache atiny agobo Chief ak assistant Chief*

Translator: My point is on Chiefs and Assistant Chiefs

Andrew Korir: *Komoche kiisto inne assistant Chief asikobois kiptaiyatab kokwet.*

Translator: The Assistant Chief should be removed and his place taken over by the village elder.

Andrew Korir: *Konng'et chie.*

Translator: and the position of Chief should remain

Andrew Korir: *ak kolewen wananchi.*

Translator: The Chief should be assisted by the people.

Andrew Korir: *Kou noton.*

Translator: Thank you

Com. Ahmed Hassan: Richard Kirai, kama hayuko, John Cherutu, William Koech

William Koech: Thank you very much, my name is William Koech. I want to start by reading the following things.

Those people who are earning big salaries should have the salaries reduced. Land should be divided among landless people, because you may find other people have so many acres. Those people who have worked in the Government for more than 20 years should be exchanged among those who are staying at home.

Voting cards should not be for sale, during the time or elections. The terms of elections should be changeable, the reason is you may find MP or President neglecting his duty and so the elections should be called before the fixed date. Chiefs should be transferred like any other civil servant. The Chief should be elected by wananchi. The Government must give employment to those who have completed university, because it is useless to educate our children and then they come and stay at home with us. The brewing of changaa should be licensed, like other brews, because you cannot differentiate the drunkard if he took beer or changaa.

Com. Ahamed Hassan: Geoffrey Tanui

Geoffrey Tanui: *Kainenyun ko Geoffrey Tonui.*

Translator: My names are Geoffrey Tanui

Geofrey Tanui: *Kit ne asome serkali ko Chief ak assistant Chiefs ko nyolu koleweni bik.*

Translator: The Chiefs and Assistant Chief should be elected by the people.

Geofrey Tanui: *Lagokab primary school ko nyolu kosoman buch.*

Translator: Primary school education should be free.

Geofrey Tanui: *Ak ng'alekab sipitali kora ko nan koko kerichek serkali ko maboisien bichu kou ye nyolundo.*

Translator: Corruption should be curbed in hospitals

Geofrey Tanui: *Ak konetikab nursery kora ko nyolu kolibonchi serkali rabisiek.*

Translator: The Pre-primary school teachers should be paid by the Government.

Geofrey Tanui: *Olen ten chon chechuk.*

Translator: Thank you

Com. Ahamed Hassan: Paul Korir

Paul Korir: Kwa majina yangu nina itwa Paul Korir. Ningependelea upande wa officer wa Serekali watekeleze wajibu wao bila kuhongwa. Kwa kuwa wakipendelea hongo na mapendeleo hongo raiya wa kawaida hatapata usalama unao kaa. Pia wengi hawata shugulikiwa. Mbunge yoyote akihusika na ufisadi wowote ana paswa kutolewa katika kazi yake haraka iwezekanavyo, kwa kuwa ina uchumi wa nchi na kudhuru wananchi, asanti.

Com. Ahamed Hassan: Helena Maritim.

Helena Maritim: *Kainenyun ko Hellena Maritim.*

Translator: I am called Helena Maritim

Helena Maritim: *Ng'olyot ne amache keisto en waletab ng'otutuk ko magendo.*

Translator: Corruption should be cut at all levels.

Helena Maritim: *Ko ng'olyot nebo aeng ko keisto maiywek amun maiywek ko tuguk che kikoumisan Kenyaninyon mising en lagokyok.*

Translator: All forms of drunkardness or rather all brews should be removed.

Helena Maritim: *Kora ko ng'olyot ne ang'ololen ko konyor lagokyok kasit, boisionik, kesir akichek kotienge sired ne kosir lakwet amun kitinye lagok chechang, che kisir agobure buch en gaa, nyolu kosich kasit.*

-Translator: All those who have been to school and have passed should be employed.

Helena Maritim: *Ng'olyot age ko nyolu kesich kerichek en sipitalisiek ab serkali amun choton che toretech mising en mionwogik amun kokoik kali keriche betusiechu ko nyolu kobwa kerichek sipitalisiekab serkali saidi. Kongoi.*

Translator: Government hospitals should be having enough drugs to contain various diseases that are breaking wananchi.

Com. Ahamed Hassan: Nicolas kimboi,

Nicholas Kimboi: My names are Kimboi Nicholas from (.....inaudible) form three. I want to amend on two things, this concerns the students learning and schools. You may see that there are some students who qualify in standard eight but they can not continue with their education simply because they don't have money and the Government should consider them even though they have parents. Their parents are unable to pay the money.

Equality of education to poor and rich students, you may see people who are going to the university are mostly rich people and maybe even they are failed but they pay for parallel and they continue with education. Maybe I have passed and I don't go there, the rich students will go there. The last, the teachers salaries, you see time will be wasted when teachers will go on strike.

Time is a very rare facility, and according to the Government the future leaders of the Government are the students who are in school. The Government should think twice about the teachers salaries and should maybe even give them more. Doctors are not there without teachers, professors are not there without teachers, everybody who is at the top came from the teachers, thank you.

Com.Ahamed Hassan: Samson Malel, I hope you can still exercise but don't read it, highlight.

Samsom Malel: I am not reading I will only touch on the main points.

Com. Ahmed Hassan: Your main points, thank you

Samson Malel: My name is Samson Malel and for today in my views I want a constitution which does not allow the president to be above the law. Reason being, take for example myself if I am the president and I am above the law, my wife, my children, my brothers, my friends will all be above the law and this are the people who are very dangerous to the economy of the state, very dangerous to the well being of the people because they can steal and there is no law that can chase them. Therefore if we have the president this time who is under the law, even corruption we are talking about will not be there. Because if you see those who are engaged in corruption are the people who can not be touched. This people do not allow the

judiciary to be independent as it is expected. Kenyas judiciary at the present is not independent because of such people who are illegally above the law, because of their status.

MPs, the recent award of salaries to MPs have been very frustrating to people like medical doctors, teachers in primary and secondary schools, lecturers in university, because you may find an MP who is illiterate is earning so much money which a doctor cannot even dream of despite of his education. Therefore if it is hard for this salaries to be reversed we want the minimum education of an MP to be Masters degree or PHD, this is what we want in the present constitution. Because it is frustrating for illiterate to earn 460,000/=, when a medical doctor who can save a life of a person is earning 18,000/= or 20,000/= or 30,000/= .

Health care and education, at present 90% of Kenyans are suffering in terms of health care and education and only 10% are well taken care of. You may go to secondary schools and find that, children of the poor are no longer there, because the 90% the poor are not able to pay the school fees in secondary schools or university. We want free education to begin from secondary school to university level, so that it gives equality to children of the well connected and the poor alike.

The last point, parties, we find that in Kenya today there are so many parties. This many parties are useless, we want only 3 or 4. A ruling party should be given three terms of five years each to rule because from experience we have seen that a ruling party can use Government resources to keep itself in power for even forever and ever if it can. Therefore there must be a limit of three terms of five years each for any party ruling. Whether it is good or not good, it should end up after 15 years.

Development land and individual Kenyan, we find that Kenya, God created Kenya and there is no part in Kenya where we called it arid or useless area. Every area in Kenya is quiet potential except, Kenya Government has not made a proper feasibility in those areas to see what people of the same area or that area can do for themselves to up lift their standards. Take for example Baringo, it is as good as Israel, oranges can be grown in Baringo District as a whole for export, and that one will give the poor man of Baringo a good earning than anybody even in Kericho here. The proposal is that we want a constitution that forces the Government to initiate development even in arid areas. To propose a proper development for that particular area, like Kericho here we are planting tea because the weather is good, so in Baringo they should plant oranges because the weather there is good for oranges. Turkana also must plant other crops because their weather is good for those crops, but up to now there is no such thing in those areas.

Com. Ahamed Hassan: Thank you

Samson Malel: the last thing here

Com. Ahamed Hassan: No, no,no

Samson Malel: Agriculture please, we have this agricultural instructor doing nothing completely idle, we want a constitution that forces everybody at the village level to plant whatever crop they can plant. This agriculture people, supervisors, this one will bring an income to the poor person, because there is a lot of idle land everywhere in Kenya because of poor planning. We want a constitution that enforces the Government to do proper planning for every individual in the places that individual is. Thank you very much.

Com. Ahamed Hassan; Kipkirui Langat

Kipkirui Langat: My name is Kipkirui Langat. My suggestions are, in our constitution God should come first, people and their rights should follow. All citizens must be equal before the law. Freedom of worship should be limited and every citizen should pray to one God.

There should be vote of no confidence in our leaders so that the same can elect and remove those who are not accountable to them. All the leaders should be elected by the people including village elders must be given salaries. Village Elders courts should be recognized by the Government. Customary law should be given power to finish internal affairs of each community.

Employment of public servants should be clearly so, and publicly advertised. Selection and shifting of Ministers should be done by Parliament and each Ministry to a qualified personnel e.g art should be having relevant knowledge in art. Public resources should be equally distributed.

Primary education should be completely free and compulsory. Ombudsman office should be constitutionally established. Any amendment to the constitution should be done by all citizens. Thank you.

Com. Ahamed Hassan: Rona Rono, Rebecca Simwaga, Erick Ngetich

Erick Ngetich: My names are Erick Ngetich, I am representing Kipsamet clan in Eldoret District. I will just highlight some few points since I have a memorandum.

Constitution supremacy; the constitution of Kenya must clearly define, Kenyas territory extent and surface area. All elections must be conducted by electro Commission of Kenya. The change and amendments of constitution must be fully informed, wherever there is conflict the will of wananchi should be addressed to.

Structure and System of Kenyan Government, the present Government of Unitary should be discarded and done away with for the sake of federal Government.

Com. Ahamed Hassan: Jamaa tuja ribu kunyamaza tunapiga kelele sana huko nyuma. Kama muko na kitu ya kuongea, mtoke inje mumaliza halafu murudi tena, lakini tafadhali munyamaze.

Erick Ngetich: For which the eight provinces will be converted to regions whereby there will be Governors called Senators, who will control those particular regions and their matters.

Lastly, about community customary law; the land issue, land tenant be individual under the community of each region. If the owner wants to lease his or her land, there should be standard periods set under the local community.

Divorce, in customarily law a man and woman can divorce one another when they have misunderstanding. In this case the children will go with the woman, each can remarry. The dowry paid by the man will be returned and the elders of the community should discipline men who take other persons daughters for weeks, months and chase away.

Compensation, especially road accidents. The compensation should go through the insurance and the two parties must settle, thank you.

Com. Ahamed Hassan: Lucas Tumoi

Lucas Tumoi: I wanted to be registered there and then I don't want all this people to hear. My names are Lucas Tanui, I represent Kenya Union of Post Primary Education Teachers here in Buret District. I have also represented through a secondary school.

In your booklet there are very many issues which we can not have enough time to discuss. What I have only come here to propose is the requirements of a new constitution.

We want a new constitution that will give people of Kenya the will to determine their future. The constitution should bring about a Government based on the will of the people. A constitution that we want for this land, is also a constitution that will bring about an organizational plan of Government which must up hold the following ideas;

Limited Government, I am not a constitutional lawyer but you are qualified yourself and think about a Government that will be limited. I propose a Government that will be having a limited Government and consisting of checks and balances.

Separation of powers, the powers of the Government must be separated between three areas, the Executive, which will also retain veto power, Parliamentary should also be having the majority votes. The powers of the Legislative the Judicial branches the Executive should be distinct and must not overlap each other.

On the Judiciary, the judiciary should be strong and independent. There should be supreme court, constitutional court and other diversified forms of judicial, institutions which are diversified enough to carter for the varied judicial matters in accordance with traditions, cultures and levels of Government. To ensure that the interpretation of laws are proper and peculiar province of the law courts, people should have legal aid in order to get access to the courts.

The doctrine of the federal system; if it will not be expensive the federal system of Government is recommended for this land. The powers between the National Government and the regional Government should be shared in a manner that it cannot also break up the country, or the country into minor groups.

The doctrine of the separation of church and state. The two institutions should not conflict, they should be in agreement, so church and state should be separate, but sometimes also they should co-exist, for the benefit of the country.

The system of individualism: Individualism in the form of self Government should be continued, so that there is individual freedom for people to be initiative and also personal liberty for people to enjoy economic freedom. There should also be equality of opportunity for all citizens as much as their qualifications will allow. There will not be enough time to give you the reasons why I propose a Federal Government but I will use this chance so that you can collect the reasons that I have given.

Finally, the creation of a Prime Minister office; I propose a structure and a system of Government which will have Executive authority shared between a Presidential system and a Prime Minister.

The constitution also should be Supreme, so that it should not be changed any howly, it should have the best of time, but should be amended overtime also, gradually. I propose that the Commission which is now dealing with the review, should be trimmed after some time after finalizing this time, it should be trimmed down so that we have a Commission which will carter for frequent review over time. It should not be dissolved after this job has been done.

The directive principles should be clearly indicated, for example, philosophies of Nyayo and Harambee should be included in the directive principles of the constitution. Unity, Peace, Love, cohesiveness and accountability and such live values should be clear in the constitution. Democratic principles must also be there.

I think that is all.

Com. Ahamed Hassan: Wesley Koech, kama hayuko, Lili Cheryot, wewe ni Wesley aaa,

Alex Kipkemoi: Mine is only to touch on the issue of Members of Parliament who are disowned by their parties. My names are Alex Kipkemoi, there are those members who are rejected by the members of the community, I hope we the electorates are given the mandate to fire them through the electoral Commission, so that we can call the by elections, then the Parliament

itself to suspend them.

Speaker: (.....inaudible)

Alex Kipkemoi: The Members of Parliament also they should introduce whereby the youth are represented through the civil ward and up to the Parliamentary sit. Right away from the constituency.

Free education, we are told, we are given free education but you find that a child can be sent away from school, when he only lacks only school uniform. I think they should be allowed to go to school even without school uniforms.

Another issue is about the Chiefs, the Chief here are appointed by the Government of which I think the members of public should be given the mandate to elect the Chief themselves and to

Com. Ahamed Hassan: Thank you very much, you were coming to give us this now you should go there and sign our book. Wesley Koech hayuko, Lili Cheruiyot, Esther Kenduiyo, Anthony Langat, Pastor Cosmus Tanui.

Pastor Cosmus Tanui: Thank you very much, there are a few points that I would like to say here, about land ownership. Title deeds are what we have been given, the title deed that we have been given, shows that we have been allowed only to work on the land, and not to be one of your assets. The ownership certificate should be given to the proprietor that allows him or her to be his or her real property not for the state. Another thing I would like to say, anything that is put on or in your land should be paid for monthly e.g electrical posts that are placed on our lands are not paid for and electricity is not even given to you.

Another thing about minerals, when minerals are found in your land, you are not allowed to sell them the way you want you are only given a little amount.

Another thing about sponsorship, denomination sponsorship in schools should be removed and transfed BOG. When public or the community of the area want to use the premises they are not allowed.

Church registration; it should be limited because there has been so many, that only there names are different, but the way they serve God is the same. It has become a business to those who are unemployed.

Another thing we should have a majimbo Government. Circumcision for girls should be stopped completely. Elephant taxes that are captured by police should be valued and sold e.g elephant tasks that was burnt, for me I think it should be sold and pay school for the orphans, rather than burn them. That is my last point, thank you very much.

Com. Ahamed Hassan: Thank you very much Pastor, David Sigei, kama hayuko, Alvin Keter, Peter Mutai, you are who? Did I call you? Peter Mutai, Nathan Cheruiyot.

Sasa ni saa saba, tungependa kuchukuwa fursa kidogo, saa saba na nusu tutafunga, saa saba na nusu ikifika tunachukua break ya nusu saa, turudi tena saa nane tuanze kazi.

Nathan Cheruiyot: My names are Nathan Cheruiyot, I am very grateful for this opportunity I have been given to present my views. I would like to be very short and clear, I would like to point out my views in three major categories.

I would like to start with the Presidential Election or the Presidential position, which is actually the highest in this country so far. You find that in the election of the President, he not be a member of Parliament. This idea of a President being a member of Parliament have brought more harm than good in the sense that you find a particular community which might have a privilege for the Head of state to come from that particular community, will use all the resources to advance his or to expand his political empire in that particular constituency. A President should be Nationally elected.

Another point which I would like to address as far as presidential election is concerned is that a president must have gathered more than 50% of the total votes casted in that particular general election. Failure for a particular candidate to attain that percentage, electoral Commission should carry out what we call runners up election. The three best candidates to contest for the presidential post for the second time so that he or she who will be the President must be ruling with the majority. Here is a case where you find some of the Presidential candidates are ruling with the minority.

Another issue is the independent electoral Commission. Here is a case whereby electoral Commission is appointed by the ruling Government, whereby the ruling Government will act as the referee and then as a player in the same pitch. Electoral Commission should be independent in a way that it should be by the members of the Parliament. Parliament should be given powers to appoint an independent electro Commission.

Another thing that I can see is a major set back in our Nation is this idea of civil servants asking for salary increment without producing. Salary increment should be given only to those civil servants who have excelled in their particular professional field. Here is a case you find teachers striking for salary increment, have they produced what they are supposed to produce. You find private schools doing much better than the public schools. Salary increment should be given only to teachers on merit basis or on performance basis.

I would like also to point out an issue as far as education is concerned, incase of primary or secondary school, powers should be given to the board members or BOG members or the committee members to run their school. If they find that the performance of the school is declining, they should have powers to transfer all the teachers in that particular school, in order to improve the performance.

When it comes to the cabinet, it should not be changed from time to time. Either case, you find the ministry or the reshuffle change more than three times in one year. This will be a costly and this one does not reflect or it will not encourage the cabinet Ministers to work in that particular ministry or to sturdy the loop hole which must be existing in that particular ministry. This idea of transferring cabinet Ministers before appointing of the last, let me dwell on the last point which will involve the Provincial Administration.

In the Provincial Administration, is the political tool for the ruling party. We don't have a political administration which is popular with the community. The position of an Assistant Chief should be struck completely. The position of a Provincial Commissioner should also be removed, because if it is a political tool, and be replaced by a senator, this will bring in the Federal Government where we shall have regional Parliament to approve on the expenditures on the economic issues of a particular province. I think those are my views.

Com. Ahamed Hassan: Lakini wengine munapiga kelele sana bwana, sasa munataka nini leo.

Nancy Baraza: (.....inaudible)

Com. Ahamed Hassan: Kama unataka kuongea tafadhali toka inje uongee huko inje, kwani unatoka kwako unakuja mpaka hii unapiga mguu mpaka hapa kuja kupiga tu kelele. Si afadhali ungekaa kwako ama utoke nje kama unataka kupiga mdomo wacha tafadhali watu wengine watoe maoni na tuwasikize mzuri. Hatutaki kuchukua kelele kutoka hapa Loret. Nathan Kirui, Richard Kesendani, Joel Mitei, Nicholas Kemoiya, Josiah Segem, Simon Chepkwony,

Translator: Here is the area of the constitution where I want it changed,

Simon Chepkwony: *Agobo kandoinatet ko nyolu kondo mureno kou en tai amun kikochin komuktaindet.*

Translator: As per the Bible it is required that a man leads as it is written in the bible.

Simon Chepkwony: *Kou ye mwoe en epeso kurgat mut koitet tiptem ak aeng' agoi tiptem ak mut.*

Translator: The book of Ephesians 5:33-28 , right,

Simon Chepkwony: *Ak komwa kora en taunet kurgat somok kaitet agenge.*

Translator: This is also contained in Genesis 6:1-4

Simon Chepkwony: *Ko kit ne u kora lagok, amache kotekis sigikwak kou ye sirat en Kolosaik kurgat somok kaitet taman ak sisit.*

Translator: Another area is the book of Colosians 3;18

Simon Chepkwony: *Ng'olyot age ko ni, kong'eten kingeisto Chiefs Authoriy Act kochang'a ingelelik ak chorik.*

Translator: There have been many cases of thuggery and Chiefs when the Chiefs Act was removed

Simon Chepkwony: *Amache kikochi kimnatet Chief asi komuch konam choric ak ingelelik.*

Translator: The office of the Chief should be empowered to arrest those who erred in the community.

Simon Chepkwony: *Nyolu keropchi kiptainik rabisiek.*

Translator: The village elders should be paid a salary

Simon Chepkwony: *Chepto ne kasich lakwet en gaa komuti chito nebo lakwet kotun koik kwondonyin.*

Translator: One's daughter who becomes pregnant and gives birth within the home stead, should have the child taken care by the father..

Simon Chepkwony: *Kongoi mising.*

Translator: Thank you.

Grace Tare: *Nebo tai achame awekyi Jehova kongoi amun miendanyin ak chamyenyin ne komi kobotok. Ko ne isibi noton kekurenon Grace nebo arap Tare.*

Translator: I am by name Grace Tare

Grace Tare: *Amenye Kapitungu.*

Translator: I live at Kapitungu village

Grace Tare: *Ko ne isibi noton ko komoche Jehovah inendet kondo en boisioni miten en kai anan emoni komugul, ko Jehovah ne komoche obwot kityo anan amwa ale nyolu kondo Jehovah en ng'alchu tugul asikobit komugak.*

Translator: She would like that God to be paramount in work, as we review the constitution.

Grace Tare: *Ak ne isibi kemoche majimbo.*

Translator: We want a majimbo form of Government

Com. Ahamed Hassan: Richard Musonik, huyu ndugu yake Commissioner Arap Mosonik ama nani? Okay Richard Mosonik yuko, kama hayuko, Paul Cheruiyot S.D.A church.

Paul Cheruiyot: *Alen netai kwekyini Jehovah kongoi amun inendet ko ne ribech.*

Translator: First of all I would like to thank God

Paul Cheruiyot: *Ane ko Paul arap Cheruiyot.*

Translator: Mimi kwa majina ni Paul Cheruiyot.

Paul Cheruiyot: *Ko kit ne amwae, ko netai ko kiptaiyat iman ko yoe kasit ko ngoyae kasit ko Marmiten mushara ago kagometo boisiyenin ago inendet ko nemiten milet age tugul. Kou inye chito agot ini mi kong'ung' mureno ko milet age tugul ko inye, ko kit ne u kiptaiyat.*

Translator: The office of the village elder is a very important one in that the person staying it actually needs some of this work within the homesteads and go goes to work for the public members.

Paul Cheruiyot: *Agot ingunon kwekyini kongoi icheget kiptainik amun yoe, kirwogik akichek lakini kiptainik ko kesirchi rabinik. Moche kesikchi melekto kiten agot ne mweten ingoryet.*

Translator: The village elders should be paid a salary.

Paul Cheruiyot: *Amun sait age owe ko naitite ngo karobon ropta, aini kakekalge ak chito anan kaba mbar tuga, kotor komole ngatatek aMarmite kit ne mweten ingoroik. Ko ingunon kit ne kimoche ko kou kiwotosiek komoche kotelelen yu kimi kou ye kikamwa boisiek chetai. Kou majimbo is, kotelelen alak tugul ole mi.*

Translator: He is for the majimbo system of Government.

Paul Cheruiyot: *Ko ingunon kokeny kekere mite rabinik che kibore kikonu rabinik che kitoreten bik. Ko ngunon ngobwa rabinichoton ko miten bik che monyoru ago to ngobwa rabinik ko ngot komite kibagenge... rabinik chu kitoreten is bik.*

Translator: Any fond for the aid that is sent here should reach the people who are very needy.

Paul Cheruiyot: *Amun ingobwa konyoko nome bik alak kipng'omoi agor chichi kami ngweny kabisa ko monome. Ko to kimoche ye kakobwa rabinik kou non kemwochi kirwogindet, kowek kirwogindet komwochi kiptaiyat ak kekur general tugul. Keng'alalen kwo kele to yome kikochi anum.*

Translator: The Chief should be involved in the disbursement of this aid by involving also the Assistant Chief and the village elder.

Paul Cheruiyot: *Amun ingobwa kou non komiten bik alak che mokose kabisa ago bononi. Ko en iman ko kit ne u noni, bwone iman rabinik en ole kikostoi anan kou oret, oratinwek, ko bonondos bik ne bo iman. Miten oratinwek che kikobalak ak kelenen kibwa rabinik che to kiyoen oret ago mayae chi.*

Translator: All the communication infrastructure should be allocated funds and should be seen to have reached that destination.

Paul Cheruiyot: *Ko to kimoche kemwochi kou Councillor kele kakobwa rabinik konyo Councillor kolenji kirwogindet til general asi kobit konyo kemwoche bik kelenji kobwa rabinik nan keyoiwok oret.*

Translator: All this disbursement of funds should also include the councilor, working in liason with the Chief and the Assistant Chief, the village elder and should make it known that this funds have reached the locality.

Paul Cheruiyot: *Amun ingunon ko miten bik che bonondos kabisa che kin keregistan konyo title deed ko moromoche chito kota konyokobun imbarenyun. Ndotindoi agot ekarisiek konom anan bogol ko momoche konyokobun chito, amache asungugan nekit maelit agenge ak kele maketinye ireyu. Ago ka barabara ireyu ko komoche anyon is awo yuton. Kele acha asungugan ole loo nea ago kamiten tuguk che to katotoretan gee.*

Translator: Some infrastructure so few and as such he would liked that infrastructures be created within a piece of land that is very very large.

Paul Cheruiyot: *Sait age komiten soket iyeyu, kor kokonon transport ne oo.*

Translator: as I have just said he is still talking on the same point

Paul Cheruiyot: *Ko ago ng'alek tugul che tos kimoche kemwa ko ngot ketindoi ak chito kirwoget anan nee ko nee ko to moe konam kiptaiyat kokochi kirwogindet, ko ng'alek che kakomwa gaa, ko komoche ngot awe ngunon ale kaasir amun kikere tuguchu ko songoech bik alak.*

Translator: all cases should start from the village elders going upwards and they should not surpass any office.

Paul Cheruiyot: *Amun chichino ko yae biashara ko kor ko ko mamaken kiy ine ngo ka manit anan ko ma imanit. Ko bichu kobo kokwet anan kirwogindet ko mwoe haki. Kekere noton kele kokoyait ko kikirebenge tuguk.*

Translator: He thinks that the village elder is paramount in dealing with all the cases that

Paul Cheruiyot: *Alen Kongoi mising. Alen teno choton.*

Com. Ahamed Hassan: Alex Tanui, or he was there

Alex Tanui: My name is Alex Tanui, my views are this on Preamble, Kenya should be a multi-party supreme democratic oriented state. Elections should be held in Kenya every five years and the President should hold office for two terms of five years each. Kenyans has important values such as to find the right candidate to be elected to hold office or such times. There should be no corruption and bribery all sectors. The state should make sure that all Kenyan enjoy basic rights such as security, health care, water, education, shelter, food and employment. Kenyans should have the rights to access information, on the

position of state.

There should be registration of land ownership in Kenya among different communities. Lastly, the constitution should guarantee land ownership for every Kenyan, thank you.

Com. Ahamed Hassan: Tume karibia saa hii sasa saba na nusu, kwa hivyo tutamsikiza mtu wa mwisho kwa hii kiwango ya afternoon section, kabla hatujarudi saa nane. Wa mwisho atakuwa ni Benson Ngao, kama hayuko Joseph Cheruiyot , Christopher Chepkwony, Patrick Koros, Beatrice Kurget, Peter Mwabai, okay then.

Peter Cheruiyot Mwabai: Jina langu ni Peter Cheruiyot Mwabai, ningependa niseme tu nimeandika kwa memorandum hapa halafu nitagusa moja moja tu kwa sababu ya muda.

Kwanza kabisa vile tumesema ni kwamba tunataka Serekali ya majimbo. Tuwe na Serekali ya majimbo ambaye tutakuwa na creation of a Prime Minister. Pia tutakuwa na Parliament mbili. Regional Parliament na National Parliament na the Prime Minister atakuwa above the law. Wengine wana sema hawezi kuwa above the law, apana mimi maoni yangu ni kwamba awe juu ya sheria kwa sababu, ni kama mungu wa pili atakuwa akinena mambo mengi. In my views is that when he should he should be limited, maybe some things will be going wrong and he will not have any power to say anything. For example when somebody is been accused before, any criminal, maybe he will not say I will not sign this, that is maybe the reason I am proposing, the Prime Minister should be above the law, so that he can be having all the power.

The office of the Prime Minister should have people from regional province whereby I am proposing that we should have deputies Prime Ministers, 9-chambers from every region. In my proposal here I propose that we have nine jimbo. Going by those provisional in the right now, known as Rift Valley, those you know. I am proposing that maybe Rift Valley should be divided into two. South Rift Valley and not Rift Valley, I am saying that because of when we followed the censuses which was taken last year, it was said that Rift Valley has more people than any other region.

When I go to the economy of the country, naonelea ya kwamba tukiwa na mafuta, mineral, yoyote ambaye tukonaye, hizo minerals lazima zitachimbwa, kwa mfano oil, tunaweza kuchemba tuwe na copper, gold even salt, whereby I think we have that one from Magadi.

Na pia tutakuwa na President, na reference yake itakuwa ya kwamba kuwa Chief commander. Atakuwa akisimamia majeshi. Na majeshi pia itakuwa National, itakuwa ya National. Ita base kwa every region, itakuwa National, should be controlled by the National guard which is the President.

Pia tuwe na police and AP's itakuwa under regional. Pia nikiongea kuhusu economy of the country, tutauliza serikali sheria

ambayo itakuja kwamba kampuni sote ambao itakuwa share holders ni zaidi ya watu mia moja, iwe ikisimamiwa na serikali. Kwa sababu wakati huu tumeiona serikali pia inaanza kuza uza ma shares. After all Parastatai bodies, na tumeiona ya kwamba inaleta shida nyingi, watu watakuwa wanapoteza kazi, pia wakulima watakuwa wameandikwa bei ya chini. So I am proposing the Government should reverse the privatization of companies.

And maybe, if when I talk of madeni ambayo macompany kubwa kubwa ambaye hawana share wengi, kwa mfano K.C.C, na propose ya kwamba serikali itupilie mbali ndeni zote ambaye inadaiwa wakulima, K.C.C, ya sukari, coffee, pyrethrum na zingine zote. Sababu hiyo inemea that is the special crop, serikali ni lazima iagalie sana, ili isaidie maisha ya watu wetu.

Nimeandika kwa memorandum hapa, ni kwamba tukiongea kuhusu multi-party ambaye tuko naye saa hii, tunaona ya kwamba watu hawajui haki zao. Parties wamekuwa wakipingana kwa muda mrefu, ata baada ya election. Tuna sema ya kwamba sheria itakuwako ya kulinda hizi maparty zote zikiwa zikipikana wakati baada ya uchaguzi. Sheria itakuwa ya kusema ya kwamba hakuna sasa maneno ya siasa. Sasa baada ya uchaguzi kuisha tutakuwa tu na maendeleo.

MPs wowote ambaye watakuwa wame defect kwa chama chao, party ambayo walipitia kwenda Parliament watakaa chini na kuandika barua kwa National Assembly, huyo mtu ku declare his position, halafu by elections zifanywe.

Com. Ahamed Hassan: Usisome, kama uko na memorandum peleka huko, hakuna haja ya kusoma. Linus Langat, ni wewe,

Linus Langat: *Kainenyun kekuron mut Lenus Lang'at.*

Translator: My names are Linus Langat

Linus Langat: *Ko kit netai namwae en ireyu amache kiptainik kikochi rabisiek.*

Translator: The village elders should be paid a salary

Linus Langat: *Ko nerube ko mi bik che kiba Bunge kotinye mbarenik che echen ago mi bik alak che seretos.*

Translator: Those who have been elected have got massive pieces of land

Linus Langat: *Ago kikileweni bichoton.*

Translator: And especially those MPs whom we elected. *Kokile kilyonen, imoche kelyan?*

Linus Langat: *Kimoche kobochit indomukaksei kemoche kobochit ekaisiek konom chi ne lo.*

Translator: He would like a minimum of 50 acres to be wiped out of this pieces and given to the people who don't have the pieces.

Com. Ahamed Hassan: Asanteni sana sasa turudi saa nane kwa hivo tuna break for lunch half and hour (30 minutes) turudi saa nane hapa.

Com. Ahamed Hassan: Masaa a jioni, hapa Loret catholic church, na tunaanza na Nelson Lagat, kama hayuko, Joseph Kimutai Ndibim, Sammy Nyamweya, Evans Mausi, Hillary Rotich, Kipkoech Lagat, William Ngeno, Ebu tuingie wale wako inje tafadhali muingie ndani tuanze kazi ile. Nitarudia tena hiyo list. Henry Njuguna , Josea Korir, Solomon Tarer, Francis Bett, Chelegat Alex, J.K. Cheruiyot, Richard Milgo, Joel Kosgei, hawa watu wote wamenda wapi, Paul Rotich, Justus Koros, Robert Sang, Geoffrey Keino, ni wewe

Geoffrey Keino: *En ng'otutikab Kenya... En kainet ko Geoffrey Keino abunu Chomisia.*

Translator: My names are Geoffrey Keino

Geoffrey Keino: *En ng'atutikab Kenya komi kou ni, nan inyoru en kiboitinikab serkali kotindo chito agenge boisionik zaidi ya three.*

Translator: Any Government servant should not have more than one job opportunity

Geoffrey Keino: *Komiten bik che kisomoso ago mi gaa, matindo agot boisiet agot agenge. Ko nebo aeng' ko nan konam serkali chito agonyalil kimakosa ak korun kele monoton ko nyolu keliban fain.*

Translator: A case of mistaken identity should be addressed more so, if somebody is arrested and he is found not to have committed the act, I think a law should be created whereby a case of mistaken identity should not occur.

Geoffrey Keino: *Ne letyin. Ko kora amache serkalitab majimbo amun majimbo ko kit nebo maana en echeck. Thank you.*

Translator: I like the federal system of Government, thank you.

Com. Ahamed Hassan: Joseph Chepkwony, na hii jina Chepkwony

Joseph Arap Chepkwony: *Kongoi mising. En kainutikyuk kekurennon Joseph arap Chepkwony.*

Translator: My names are Joseph Chepkwony

Joseph Arap Chepkwony: *Ko en ng'atutichu kichobe ko ole agertoi ko amache Prime Minister kelewen.*

Translator: I would like the position of a Prime Minister to be created.

Joseph Arap Chepkwony: *Ak koik inendet above law.*

Translator: The Prime Minister should be above the law

Joseph Arap Chepkwony: *Ko nerube kokeny ko agobo majimbo. Ko majimbo ko kotebn alak tugul komostanywan.*

Translator: I like the majimbo system of Government where each person will be living within his own Jimbo.

Joseph Arap Chepkwony: *Ko nerube ko tugukab chi anan ko malik ab chi konyolu kobunji nebo inne mat kereben.*

Translator: Somebody who owns property should be the legal owner of that property and should the Government.

Joseph Arap Chepkwony: *Ko nebo somok ko skulisiek. Ko en sugulisiek komi sponsors ko ole agerto ko ta nom sponsor ak kondochi sugulinywan.*

Translator: The sponsors should continue or should be made in full control of the schools

Joseph Arap Chepkwony: *Nerube kokeny ko agobo lewenetab Kirwogik ko nyolu kolewen bik che indochin.*

Translator: The Chief should be elected by the people in whose area the Chief is going to work.

Joseph Arap Chepkwony: *Agobo lagok che kikitun ago nile ko kokewon kobwa gaq, ko chu kikuren kaillet, yaani kobesyoko kabisa ko akimite ale monyolu komi besyet en bik che kiya kotunge.*

Translator: Those who are married should not be separated by whatever means.

Joseph Arap Chepkwony: *Ak kokeny en yoton ko nyolu kopchei malikab chichi kai asikobit kotoretan lagokyik.*

Translator: Should there be a case of separation, the person who had married this woman before should give part of the property to that woman, so that she can use for the upkeep of the children.

Joseph Arap Chepkwony: *Kokeny agobo kiptaiyatab kokwet ko nyolu kelibonji* **Translator:** The village elder should be paid

Joseph Arap Chepkwony: *ak kosich kora uniform ne iboru kole Kiptaiyatab Kokwet.*

Translator: He should also be given a uniform so as to identify him from amongst the mass

Joseph Arap Chepkwony: *Public lands kou tulong ak tirikwek ko nyolu kora kobunji the community living around.*

Translator: All should belong to the community in which those (inaudible) are found. Public interest, just like milima na maeneo tambarare

Joseph Arap Chepkwony: *Mi kosisiek kora che ibe lagok ago ni korile ko katar ago mi gaa lagochu ko nyolu yetar course kesir.*

Translator: All those who have undergone various courses maybe medical, teaching should be employed on completion of the courses.

Joseph Arap Chepkwony: Asante

Com.Nancy Baraza: Ulisema hii majimbo ambaye unataka watu wanakaa kwao hawaendi kwingine?

Joseph Arap Chepkwony: Yes

Com. Nancy Baraza: Na kama tuko na watu huku kwenu mutawafanya aje.

Translator: (Kipsigis dialect) inaudible

Joseph Chepkwony: *Kotebi en yoton.*

Translator: He proposes that they will stay within that locality.

Com. Ahamed Hassan: Asante sana hapo, Lisa Chevole, Chepkwony alikuwa na memorandum na amepeyana, Councilor Conelius Bii, you also have a memorandum

Councilor Conelius Bii: My name is Councilor Conelius Bii, I represent county council of Bureti, mimi nitanza na land and property rights. The basis of the economy development in Kenya should be owned and managed in a sustainable way by the individual under the umbrella of the local community and the Government. For example, any sale of land without consulting the family, relatives and the community is null and void. The Government have the power to convert acquired priceless land for any purposes, under the recommendation to the local development of the community acquiring from that land. The local authority have the power to control the use of land by the owners or occupied under the umbrella of the Government. The families, relatives, community have a major role concerning the transfer and inheritance of land rights, hence the local authority within the area. This needs special address in the constitution. Title deeds as before should remain with individual. Men and women have equal access, for example through buying, and sharing among the family members.

Constitutional Commission in institutions and offices, our Government should have Commissions, institutions and offices, classified the exercise of constitutional functions. For example, human right Commission, gender Commission, anti-corruption Commissions, land Commissions, co-operative societies Commissions and industrial Commissions and Government institutions and offices Commission etc. Such Commissions are empowered by the constitutional law and order to prosecute anybody found misusing or misleading the institution or offices concerned.

Village elders deserve recognition by the Government and are therefore payable as civil servants of our Government. This people also be given identification, for example I/Ds and uniforms. Since nursery schools are part and parcel of the ministry of education, then nursery teachers should be paid directly by the Ministry of education their monthly salary.

Retirement issue, of all civil servants be reduced from 35 years in services to 20 years, to allow the current impact of employment in various ministries. Retirement also benefits of any retiree officers of Government should be paid forthwith and directly within their District headquarters. Any retired officer is not expected to hold any Government offices or have any extension of services after his or her retirement, else loses entirely his or her own benefits.

Corruption of all kinds should be abolished and anybody found to be guilty should be punished accordingly.

Nominated Councilors and MPs should be abolished because this people are not people representatives and they will undermine the elected leader not to perform his or her duties properly.

All the Government tenders should be satisfied fully and accordingly. Employment is a right and not privilege. The issue of teachers salaries should not be attached to any string. Hence should always be enacted as per agreement negotiated, thank you very much.

Com. Ahamed Hassan: Joseph N'geno, Andrew Keter, John Kimeto, Richard Ruto, John Cheruiyot, this are the guys with memorandum, Stephen Langat, Richard Kirui, Kenneth Siratei, Benjamin Langat, Charles Rono,.Benard Mutai, Awet Chirchir,

Benard Mutai: My first suggested proposal is we want in our country Kenya to be a partyless state. In our constitution again we want a Preamble. In our constitution there should be a clear separation of powers of Government organs. For example in legislature, Executive and judiciary. Also it should be free and independent. We also want one man one job. In our constitution again there should be equality before the law, all people should be equal. There is nobody who is above the law.

The President in our constitution should be a Commander In Chief of the armed forces. In our constitution there should be establishment of ombudsman's office, that is for complains. In our constitution there should be a vote of no confidence in elected leaders, especially those who make false promises. We want again in our constitution a Government which is democratic. There should be governor of central bank, which should be independent. Our constitution, it would have to be written in official languages and local languages. The powers of President should be reduced and its civil servants. There should be God laws, civic laws and customary laws. There should be a body, which is formed to control NGOs. The people who are within that area should own the trustland.

Concerning the citizenship, a person should be a citizen by birth and also registration. In our constitution the Parliament should

amend any part of the constitution and should give referendum to the people. The referendum should be by the people.

The tenure of oath for the President, it should be a two five year terms. In our constitution the President must be a Kenyan citizen, 35-65 years and somebody who is able to speak English or Kiswahili. He should God fearing.

Village elders should be given salary and must be elected by the people. Cases should be served by the village elders before other courts, thank you.

Com. Ahamed Hassan: Lucy Kitur, Peter Chonoi, Peter, you are giving the....., Nancy Mutai, George .K. Kwindwa.

George Kimetei Kidwiga: Jina langu ni George Kimetei Kidwiga, nina kaa hapa Loret, kule Monoru. Ninaanza kwa hapa Mungu alitengeneza watu kwa dunia na akatupea tukae kwa dunia. Sasa watu wakazidi Mungu akaachia kila mtu mahali pake pakukaa. Watu wa America wanakaa America, British wanakaa huko Britain. Hapa Kenya watu wa Kipsigis wanakaa hapa Kipsigis, Kiambu wanakaa Kiambu, Ndiyo sasa tunataka majimbo, kila mtu akae nyumba yake. Nairobi sisi tunaenda kila mahali lakini kila mtu akae kwao.

Watoto ambao tunazaa, kuna sheria ya kufuata, sisi tulikuwa tunafuata sheria kama hii, kama ni msichana anakaa mpaka siku ya kuotewa ndiyo anakubaliwa kuzaa mtoto. Siku hizi watoto wanazaa kwa nyumbani, sasa wako na mama na hawana baba, lakini yuko na baba hauwezi kuzaa peke yake. Sasa tunataka wasichana kama mtu amempa msichana mtoto, ni lazima aoe huyo msichana. Kwa sababu kabila zingine kama Maragoli ahawataki kuowa msichana kama amekuja na mtoto. Yule mtu alikuwa amezaa mtoto anachukua mtoto wake. Saa zingine tutafuata namna hiyo, kama maragoli wanatupa. Sasa tukifuata watu namna hiyo, watoto wengi watakuja kaa bila baba na wako na mama. Weka sheria hata mtu ameshakuisha kuo na kutongoza mwingine halafu azae mtoto, achukuwe huyo mtoto, kama anataka wakuwe watano shauri yake, hiyo ni sheria. Kwa zamani sisi kama mtoto alikuwa amezaa kabla kuolewa, huyo mtoto saa ya kuzaa anauliwa. Lakini missionary walipoingia wakachunga nchi ya kuokota hao watoto na kwenda kuwafunga. Siku hizi tumewacha hivyo.

Kazi na Masomo: tunataka habari ya masomo watoto wasome wote. Wakishamaliza shule wagawanye kazi kwa watoto wote. Kama wanafuata ile inasema wale wamepata A na wale wamepata B, halafu wanawacha ya C, watu wengi watakosa kazi. Kama maasai saa zingine wanapita chini, utaweza kupata wapi Masaai, na hukuna yule anaenda Nairobi kufanya kazi, kwa maana masomo yao iko chini. Kwenda kama Kivugo chini, masomo yao iko chini. Nataka sasa watoto wakipita tunafuata sheria iyo, halafu tunaweza mia moja watoto wanasoma huku, ata huko Kiambu mia moja. Lakini kusema kama A au B mtaona hapa yote watu wale watakuja kufanya kazi ni wa kabla kidogo, wengine watakaa bure. Kama Sawe anasema anaandika wale wa njeshi anataka C na B sasa, watoto wengi hawapati nafasi.

Nataka President awe mkubwa wa watu wote, halafu ndiyo mwenye kutoa sheria. Atakuwa President na atakuwa mkubwa

wa majeshi, wale wana saidia yeye halafu anakaa vizuri. Sasa nafuata PC, DC mpaka DO, Chief afuate sheria kwanza. Nataka apewe mamlaka, yaani atimize watu sheria, kama mtu akikosa apewe punishment, kama asipopewa punishment tutasema tuangojea police, watu wengi watakua wagaidi kwa maana hapa si mahali ya kuanza. Lazima kufika hapa , kufika huko kama yeye anataka kwenda kotini, watu wadogo sana wamefanya ingine kufika hapa , halafu waende nyumbani. Ata watoto wakisoma bila Headmaster kufika, utaona wakora wengi watoka hapo. Wacha ni malizie hapo.

Com. Nancy Baraza: Hawa wasichana, siku hizi nini imefanyika nyumbani wanapata tu mimba.

George Kimitei: Wacha mimi nasema

Com. Nancy Baraza: Nyinyi wazazi nini imefanyika

George Kimitei: Kitu ambao ilifanyika ni hii, tulipochagua watu bunge huko, hata hawa walitongoza wasichana, sasa wakapata mimba, siku ile unataka kuweka sheria , sheria inakamata yeye, wakaanza kutoa sheria kubwa inasema wacha. Walikuwa wanatoa watu wale wakubwa, lakini tulikuwa na sheria hapa nyumbani, sasa wakaregesha sheria kwa mzungu.

Com. Nancy Baraza: Na kuliza mimba zenyewe, tabia ya wasichana imeenda wapi?

.....inaudible)

George Kimitei: Nitasema, sasa habari ya wasichana, zamani tulikuwa na desturi yetu Kipsigis, mimi sijui mambo ya watu wengine. Kulikuwa na sheria, kama mtu anataka kuwa mtu mkubwa, sasa wanawake wanakuja kwa kumwambia yeye ,....., iko (inaudible) wanawake wanakuja, wasichana wote wanasema huyu sasa yeye si virgin. Halafu iko kitu ya kufanya na pia yule mtu alikuwa anakutana na yeye, tunaweka fine, alete ndume kubwa, ichinjwe, halafu sasa inakuwa aibu, sasa wasichana walikuwa wana chungana. Lakini sasa mission alipoingia tukachanganya ya mission, na ile ya Serekali, utakuta wale wasichana wa hapa wengi wako na watoto watatu, wawili, na wako nyumbani kwa baba kama mimi. Sasa mimi nitafanya je hakuna baba ya watoto, kuna baba lakini walifichana, kwanini Chief asifuate yeye? Kama hatufanyi hivyo utakuta hao wanakaa hivyo desturi ya watu wote, na tutakuwa watu wabaya sana, huwezi kuchunga.

Com. Ahamed Hassan: Elizabeth Maina, Peter Langat, wewe

Peter Langat: Asante sana, maoni yangu ni hii, Serikali itupatie dawa ya bure kwa health centres yani ma hospitali ya Serikali. Madaktari tena wasiibe dawa, sababu tumesumbuka sana, tunaambiwa kuna dawa tunatibiwa leo, kesho, kesho kutwa tunaambiwa hakuna dawa, naimetwa kwa wingi. Kwa nini waibe dawa?

Chiefs na ma Assitant Chiefs, elections ifanywe, yani raia wachague hao. Members of Parliament na Councilors waongezewe

mshahara, halafu wasaidie wasiojiweza. Yaani wagawanye hiyo pesa halafu wasaidie wasio jiweza na wengine. Ingingine mambo ya Land Board imetusumbua, ukihitaji title deed, unaambiwa leta shilingi ishirini, elfu thalathini ama elfu hamsini na title deed moja, hiyo tunasumbuka sana.

Ingingine, Paramount Chief, MPs na Nominated MPs, Nominated Councilors itupiliwe mbali, wana kula pesa ya Serekali bure. Tena waalimu waongezewe pesa halafu wafurahie mafundisho yao, watoto wetu wapate elimu vizuri. Wasikataliwe kuongezewa mshahara yao. Ya mwisho ni mtu akifanya makosa, ukienda kumstaki yeye saa hiyo anashikwa, kufika nyumbani kesho asubuhi unastuka yeye yuko nyumbani, Huyu ametoka wapi? Na alikuwa amewekwa ndani, inaonekana iko watu wanaenda kupeyana pesa halafu mtu atoke kwa mahali amewekwa kama cell, ama kwe DO ama kwa wapi. Hiyo tuna sumbuka sana. Sasa uhalifu unongezeka sababu mtu anafanya makosa na anajua kesho nitatoka, hiyo tunaona tunasumbuka. Asante.

Com. Ahamed Hassan: David Rono, Simon Rono

Simon Rono: Mimi ninaitwa Simon Rono, many are educated but job opportunities are limited. I am proposing that working period be 10 years only. As far as health is concerned, drugs should be given free of charge in public hospitals. Needy students should be given free education, for example chokoras. In addition those who cause strikes should be expelled from duty especially civil servants. Some strike while educated people are unemployed.

Majimbo Government should be introduced in Kenya. For land registration it should be such that only those living within an area should be allowed to purchase a piece of land, in that area, thank you.

Solomon Arap Tare: *Ane ko Solomon arap Tare, amenye Kapitungu..*

Translator: My name is Solomon Tare from Kabutungu

Solomon Arap Tare: *Ko kit ne amache ko majimbo.*

Translator: I want a majimbo form of government

Solomon Arap Tare: *Asi kobwa tuguchoton chebo ngochunu ngosakya en emonoton.*

Translator: So that whatever resources are in the area are used within that locality or that jimbo

Solomon Arap Tare: *Ne rube ko tebye boiyot en ng'echeret kou yon ko mi.*

Translator: He proposes that the President stays in power.

Solomon Arap Tare: *Ak ne rube kokeny ko kemoche ng'alechu kibo keny en kirwogik, kirwoch kou ye kimi kirwoget*

ne kibo boisiek che kibo keny. Kikonam kirwogik che mengech ak koib kirwoget kwo timin.

Translator: All the form of settling cases be reintroduced as it was in the past.

Solomon Arap Tare: *Kou noniton.*

Translator: Asante.

Com. Ahamed Hassan: Pricillah Sang, Michael Kmumbi, Lazarus Kirui, John .K. Kimeto, Alexander Terer, Richard Koech,

Kipkurui Tumu

Kipkurui Tum: *Kainenyun ko Kipkurui arap Tum.*

Translator: My name is Kipkurui Tum

Kipkurui Tum: *Amwae ng'alekab imbarenik, the land Act.*

Translator: As far as the constitution is concerned, I want to touch on land issues

Kipturui Tumu: *Imbaret kemoche kesirchi family.*

Translator: A parcel of land should have the members of the family being the legal owners

Kipturui Tumu: *Makimoche kepchei imbaret kotai koming'init makeboisien.*

Translator: The piece should not be subdivided until it has become small parcels so that it cannot be used.

Kipturui Tumu: Ogot ingo a hundred acres anan ko one thousand.

Translator: Even if it is 1000 or 100 acres

Kipturui Tumu: *Ko nyolu kotononchi chito agenge en family inoton en one title.*

Translator: It should still be under one person within that family and a single title deed.

Kipturui Tumu: Large farms like tea estates lazima iwe.. *large farms ko nyolu kwal bikab yoton en society.*

Translator: He is talking about, let us say tea estates such as this ones we have in Kericho. I propose that this ones to be

owned by the people within that locality or the members of that community using a co-operative form of purchase.

Kipturui Tumu: *Majimbo si kusema ya kwamba tunafuguza watu, hapana.*

Translator: In majimbo form of Government, it is not that people should be expelled out of a certain jimbo if they do not come from within that locality.

Kipturui Tumu: *Kit ne kimoche ko rasilmali yaani, tuguk che mi yoton malik ko boisien bikab yoton.*

Translator: What is only required is that the natural resources within that jimbo should be used by the people of that jimbo.

Kipturui Tumu: *Whether you are Kikuyu anan ko I lemindet ak itinye imbaret en yoton imi yoton, makitwain.*

Translator: Even if you are from whatever community, let us say the Kikuyu or the Kissii's or maybe the Luo's and you are within that jimbo you will still benefit from the proceeds of the natural resources of that jimbo

Kipturui Tumu: *The commander in Chief of the armed forces, ko inonon ko mokimoche koyai president.*

Translator: The President should not be the Commander In Chief of the Armed Forces.

Kipturui Tumu: *Kimoche retired general.*

Translator: A retired general should be given that post. *Kimoche imwa ile amune.*

Kipturui Tumu: *Kwa sababu hiyo kazi ni ya British kwa tunafuata sheria ya Britain. So we need a retired general kwa sababu anaelewa mambo ya kijeshi.*

Translator: A retired general understands more about the activities of the forces

Com. Ahamed Hassan: Please sign the register, hiyo utawacha hapo. Vincent Langat, ni wewe? Kama munaweza kuongea kingereza ama Kiswahili bwana, muongee tu kiswahili ama kingereza kwa sababu ukianza kuongea Kipsigis na huyu afanye translation itachukua muda mrefu sana. Kama unaweza kuongea tu tafadhali fanya hivyo.

Vincent Langat: My name is Vincent Langat, I would like to read to you some few points concerning the leadership. My proposal is that the President should be elected by the people and must score 80% of voters from every constituency and should be responsible to serve all Kenyans. He should be the Head of the Kenya Armed Forces and the Commander In Chief. He should be incharge of administration from the grassroot level of Assistant Chief to his boss. He should introduce advisory committee from the grass root level.

The appointment of Vice President, should be under the recommendation of 80% of MPs. He should be the leader of Government business and should be sacked under the same percentage of the voters of MPs if he is not responsible in his

work.

The Minister and Assistant Minister should be elected from each District by the District committee and should be sacked under the District committee board if he is not responsible to his service. The MPs should be elected by the people within their constituency and should be sacked by his people if he does not participate on his service.

The Permanent Secretaries should be appointed by the Ministers and assistant Ministers to the proposals of MPs within each District. The PC, DC,DO and Assistant Chief should be elected by the people and should be sacked by the people if they are not responsible to their service.

Every Kenyan above 18 years is supposed to get a piece of land not less than 2 acres of land and not exceeding 100 acres if he is the richest person. So as to eradicate the poverty in Kenya.

Education should be free in primary school. For Health Services, drugs, charges and hospital bills should be under control of Government budget which can enable the poorest Kenyan to pay even if it means a private sector.

In order to eradicate, poverty, make sure that the bursary funds and the existing funds of the district is distributed through the trustee committee of the church.

I propose every unemployed Kenyan above eighteen years to get wages from the Government not less than 1000/= per month in order to cater for basic needs.

Com. Ahamed Hassan: You don't have to read it word by word just highlight the main points and give us the document please. I think you are reading it so slowly.

Vincent Langat: High court and Court of Appeal we propose that the court of the richest people to pay more on taxes and also the court of the poorest people should be free of charge. Thank you very much.

Com Ahamed Hassan: But you see now what you have done, ngoja ngoja kuja kuja, nataka nikuonyeshe kitu moja, umesoma hii kwa micro phone, umingia kwa tape, hiyo ni tape moja, halafu hii barua ukipeleka huko pia ni kama umefanya kazi moja tu. Afadhali unge highlight kidogo alafu upeleke huko. Naomba wale wengine pia munakuja nyuma yake tafadhali musifanye hivyo tena, kwa sababu ukisoma hii neno kwa neno inaingia kwa tape, na huku unapeleka kwa file, hiyo barua yako. Sasa unaona ni kama unafanya kazi mbili mara moja.

Speaker: *Kosome Commissioner kole kotitinye memorandum ibir kityo barak barak barak, ikonu kityo maoni chon*

igere ile muhimu muhimu. Ibir barak, ngo kemwoe section agenge imwa kitu moja mbili, chon igere ile bo muhimu, ak iwe ingo ak ingo kot iit mwisho. Matisoman ng'olyot ingo kotor iwe ingo kotor iwe ingo, kwendi time ago chang bichu mache kokon maoni. Ko noton ne kosome. Kan kole highlight ko kole ibir barak imwa tuguk che muhimu ak ibagach. Kole kor kakiba Nairobi kora ko kakiduplicaten, kikosin en tape imwoe ng'alek che mi memorandum ako kor kora komi memorandum neng'ung ne kerecordeni kora en yon. Ko kot itinye memorandum ko kaigai imwa kityo tuguk che mesir en memorandum, mara ko ko kautun ak inyon ibwat en yu anan ko tuguk che igere ile muhimu, barak barak buch ak ile inokoito mara moja. Ko anibuch inne komi memorandum ko recorded ak komi kora yu ko kor ko keyai mara mbile. So so is?

Com. Ahamed Hassan: Mary Langat

Mary Langat: *Kainenyun ko Mary Lang'at, Kapcherombut, Roret*

Translator: Jina langu ni Mary Langat, Kapcherambut Roret sublocation.

Mary Langat: *Ng'alek chechuk che atinye tuten, maoni nenyun ko in ng'alek che kaakekas ine ko ng'olyot netai kemoche majimbo.*

Translator: I support majimbo type of govenment

Mary Langat: *Nebo aeng komi tuguk che kikoimech che ngekere kelen ngwany mi ng'otutik anan momiten kou inan iitu ko kakomut chito kenyisiek aeng' kenyisiek somok ak kobo kowek ak lagok. Ko nyolu kindewech ng'otutik kele ngot kotar arowek somok ko koaiker kotosha ile koramut ko monyolu kotakewech.*

Translator: Anybody who elopes somebody's daughter and has stayed with that daughter for a period of 3 months should possess that daughter as his wife

Mary Langat: *Nebo aeng' ko chepto agine yon kokwo kakitun ak komanda kityo en kot arowek somok ko makomi nafas kotakowek angot ko mawek kotom kobek arowek somoku.*

Translator: If I have also a daughter who happens to go out and stays out for 3 months with a man she has no opportunity to come back again to my piece of land

Mary Langat: *Ko ng'olyot age ko ng'alekap imbarenik en chepyosok che mosogosiek. Ko nyolu ketoret keribchi tuguk. Kikobit tuguk che inan yon kakong'et chepyoset kityo ak lagok komuche koit bik alak ak konyabanen tuguk koreben, kou malik, imbarenik, che u yon kakisastaen, ko nyolu komi ng'atutiet ne keribe.*

Translator: A law should be entrenched in the constitution that protects the rights of all widows. As far as property is concerned

Mary Langat: *Ak kebos ng'alekab kap lands yon kichengchin imbarenik chebo bik che mo komi amun en kasarwechu kekere ko kikouit nea. Ngot ot kwo chito ne matinye kakuiyet ko momong'u, masiche title deed. Ui nebo iman.*

Translator: Change of title deed from a deceased person to the widow should be made a bit easy because it is currently very tedious.

Mary Langat: *Kikochang'a ng'alekab osoya, choton che kikobar bik. Inan iitu age ko komong' title deed en ten thousand, komong' age en twenty thousand komong' age en thirty thousand ko mokenoe kele ano lain.*

Translator: More so, we have just seen cases of corruption where people have to pay as much as 10,000/=, 20,000/= or 40,000/= for the purpose of securing the title deed.

Mary Langat: *Ko nyolu korib serkali laininoniton.*

Translator: The Government should take charge of that.

Mary Langat: *Ng'alekap sugulisiek ko tuguk che kikoimendh en Kenya che nguni ko bik ko kikoyet bananda kotienge sugulisiek ko meko tekotin amekomuche sigik kotech. Kan kor kotech ko mami assist ne tot koyai serkali ne to nyolu. To nyolu ketoret bik kora en ng'alekab sugul, kasomesanet ab lagok kong'eten Primary.*

Translator: Children should be educated in primary school, and assistance should be given as far as their requisition of physical facility is concerned.

Mary Langat: *Amun inguni kekere kochan lagok che mi gaa che mengech che mamuche sigik koba sugul amun ingoyokto ak keteb rabisiek kewegu amun mami rabinik, ko chang bik che ma somoni.*

Translator: It has been seen that maybe primary school education is not really very free because most children drop out of school whenever they are asked for this small levies.

Mary Langat: *Ngalekab sibitalisiek, kerichek. Ko en iman ko kikotech sipitalisiek ako ngebokeker ko ma buch. Ko nyolu kosib serkali kou noton iman kou ot kosorwek alak komi malaria kou nguni ko niitu kelenen kowo chito sibitalit nebo serkali lakini tor kesirchin kartasit nebo kwole kerichek che ite elfut ko kot ko motinye chito elfut komee chito ago kotokinyoe.*

Translator: There should be free medical treatment in all Government hospitals because some other times somebody can go their very sick but medicines is prescribed for that person to go and buy from a private practitioner.

Mary Langat: *Ng'akekab kirwogik, kong'eten assistant Chiefs, Chiefs ko nyolu kolewen raia.*

Translator: Chiefs and Assistant Chiefs should be elected by the people

Mary Langat: *Ng'alekap kiptainikab Kokwet ko indomukokse keib kora ng'alechoton nyolu ko kakisir kiptaiyatab kokwet amun chito ne tai ne sibkonoe taabu mebo kokwotinke kotomo kokas assistant Chief ko amune si maam mushara agot tuten.*

Translator: The village elders be given a salary so as to motivate them, carry out their duties very effectively.

Mary Langat: *Ng'olyot age kora ko kimi kelenen ko sheria ng'alekab chito ne kabar chito kimakusudi, yaani ko kobore inne kokwetchin. Ko niitu momikirwoche chu kimi...ngot ko kimi sheria ne kikokichp kele kirwokchin chito ne kabar chito ak kelyonchi ko makekere en kaforswechu kirwoche. Bore chito chito ak en kasarta ne matyan inyoru chito ne mi gaa ago kikobar chito amatakirwoch, kikitwo.*

Translator: Anybody who commits murder should actually be charged for having committed murder and be sentenced, rather

than having that same person released.

Mary Langat: *Nyolu angobar chito chito kebar agine, komi kesit ne kilenet... Kongoi mising.*

Translator: Part of the constitution should say anybody that commits murder should also be hanged.

Com. Ahamed Hassan: That was Mary Langat, Rahael Ngeno, Jane Korir

Jane Korir: *Kainenyun ko Jane Korir, Kapkishara.*

Translator: My names are Jane Korir form Kapsiara

Jane Korir: *Ng'atutiet ne tai ko majimbo.*

Translator: I want a majimbo form of Government

Jane Korir: *Nebo aeng kemoceh kirwogik kolewen raia icheget.*

Translator: The Chiefs be elected by the people

Jane Korir: *Che kete kenyisiek mut, kot ko maimuch kewirtoi.*

Translator: Anybody who performs within a period of five years and is seen very ineffective should be removed.

Jane Korir: *Kiptaiyat ab kokwet kora keleweni ago kimoche keker kele kasich kiy kidogo.*

Translator: The village elders should also be elected and be given a remuneration.

Jane Korir: *Lagok, kimwoe kele kikoimech sugul en Kenya. Kimoche lagok kosomoso buch kong'eten kilasit agenge agoi kilasit sisit.*

Translator: We want our children to be given free education starting from standard 1 up to standard eight.

Jane Korir: *Kerichok en sibalisisiek; kiketech iman ago kikekonech serkali lakini kerichok ko kitokekonech buch en kasarta ni kibo tai lakini nguni keseretosi nebo iman. Kibendi sipitali kong'eten asubuhi mpaka lang'at ago mami kerichok ago kor yon ko kesich kikoite rabinichoto kekonin aspirin inegen ak kelechin ui chemist.*

Translator: We should be given free adequate treatment.

Jane Korir: *Iwe any isir kerichok chebo agot elfusiek ata ametinye rabinik ko monyolu kou noton. Ne rube ko lagok che tibik; amwae lagok che tibik ale kikoseretech kabisa. Kikosich lagok en gaa amami kwanisiek.*

Translator: Our girls or our daughters have given help with their children at home.

Jane Korir: *Nyolu bichoton kang'al chepto*

Translator: Those who are responsible for having impregnated our girls

Jane Korir: *Kinde kora ng'atutiet si kotun lakwanaton kerge komi kasit neo kwo ketururu ango matun.*

Translator: Should be forced to marry that same girl

Jane Korir: *Kitururu chichoton en kasit kot ko mamut lakwanaton, kerge komi kilasit lo anan kilasit sisit ago kiitar University, ak imi agot iyoe kasit ne lyanat ko lazima imut cheboton.*

Translator: If he fails he should also be removed from employment.

Com. Ahamed Hassan: Asante sana Jane, Pricillah Korir, hayuko, Julius Kimeto, si umetoa memorandum mzee, nimetoa memorandum.

Speaker: *Ng'olyot ko in majimbo ne kimite.*

Translator: I support the jimbo form of Government

Speaker: *Ko makimoche konyokorebenech chi imbarenyon, chitugul.*

Translator: Nobody from outside should come and maybe settle with us for the purpose of acquiring land.

Speaker: *Komatinye ng'alek chechang.*

Translator: Thank you.

Com. Ahamed Hassan: Richard Kimeto, John Kaptich, Elizabeth Kosgey,

Elizabeth Kosgei: My names are Elizabeth Kosgey. First proposals women should have their names indicated in their husbands title deed to have a say if it is to be sold.

- Unmarried daughters should get a share of land at parents homes as equal as sons.
- Divorce or separated wives should have equal share of husbands property
- Childrens rights should be met by both parents if they are both alive.
- Married daughters should get their share at husbands and not at home.
- Women/wife beating should stop dialogue used or other measures.
- Women should be given right in decision making and not undermined.
- Women should be voted in or nominated in a good number to Parliament.
- There should be equality in gender issues as far as job employment is concerned.
- Rape cases should be dealt with seriously as far as punishment or imprisonment is concerned, mainly life time

imprisonment.

- Women should have rights to sell family property on emergency issues if essential.
- Women should have freedom of mobility and speech without harassment from men sex.
- Widow should have full right to inherit the late husbands properties without hiderance from relatives or Government.
- Female circumcison should be stopped, thank you.

Phillip Chepkwony: My names are Phillip Chepkwony, I have a memorandum from Kaptum Welfare and Development Group which consists of 40 members so I will just use maybe a minute or two to highlight.

On the Local Authority; There should be devolution of powers to Local Authority. Local resources within a Local Authority be used to develop that particular area and small percentage be remitted to Central Government.

On the types of Government we supported the Federal system of Government whereby the current provinces be converted into regions and each region be headed by a governor. This governor should be elected every five years to take the roll of PCs in the current Provincial Administration.

The Government should have three independent arms of Government. The Legislature should be composed of two chambers, the first chamber should be the upper house, which deals with the National issues. The lower house deals with regional issues. The Constitution should be amended through a referendum. Parliament should veto the appointment of Ministers, Auditor Generals, Attorney General, Governor to Central Bank, and Parastatals Chiefs based on Professionalism.

MPs salaries should be regulated by Public Service remuneration Commission along side those of other civil servants. Parliamentary service Commission be formed to draw up Government calendar. MPs should declare their wealth prior to being elected to Parliament.

On the side of the Executive, we say that the leader of Government should be the Prime Minister and he should be impeached for misconduct and face the law. Opinion halls should be conducted every three years, to quatify Governments performance. If it reflects negatively, he should resign to pave way for the formation of a new Government and vise vasa.

We should also have a ceremonial President who should be incharge of ceremonial duties, within and outside the country.

On the side of the judiciary, Judges should be appointed by the Judicial Service Commission based on their education and approved by Parliament. We should have supreme court to be the highest court in the land and village tribunal should handle the petty issues at the village level.

Finally on the issue of Land and Property rights, we say that leases processed before independent be renegotiated by the communities involved and the leasee or the beneficiary of those lands. Local community be given ultimate land ownership. Girls should not be given land rights except in special cases e.g if they are not marriageable and that where they will be considered using the customary laws. Tax be levied on huge lands and idle lands, thank you.

Com. Nancy Baraza: If they are not marriageable or if they are not married

Phillip Chepkwony: You know there are some girls who may not be marriageable because of one reason or another. I have in mind a case whereby maybe there is a girl who has given birth to very many children before being married, and then there is nobody who is willing to take that girl to marry. Those ones will be considered and be given a small piece.

Com. Ahamed Hassan: Paul Keter, I think he has given a memorandum, Francis Keria, also, Elizabeht Soi, Kiprotich Siongok, who are you? Keter

Kiprotich Arap Siongok: *Ane ko Kiprotich Arap Siongok, Kabartegan.*

Translator: My name is Kiprotich Siongok

Kiprotich Arap Siongok: *Ng'olyot netai ko majimbo.*

Translator: I want a majimbo form of Government

Kiprotich Arap Siongok: *Ak ng'alekab en emet ko ng'alekab county council kemoche rabinik che ng'eten county council kebchechi serkali, kopchei serkali*

Translator: The Central Government should finance to finance the local authority

Kiprotich Arap Siongok: *Namba one, chekile. Kong'etyi lagokab emoni rabinik nusu kosomanen.*

Translator: The local authority should collect funds, forward to the Central Government and the rest should remain within that Local Government for the purpose of education of children within that locality.

Kiprotich Arap Siongok: *Ng'olyot nebo aeng ko ng'alekab kirwogik kemoche kesir kolewen emet.*

Translator: The Chief should be elected by the people

Kiprotich Arap Siongok: *Ak kelewen kotienge bik che kirwoche kong'eten.*

Translator: The people who used to be Chiefs, sometimes in the past should hand over the power to their next of kin.

Kiprotich Arap Siongok: *Agot ingunon en lewenet ne nyone en bichueb Legco., kemoche kelewen chito nebo emoni ko*

chichoto ne kileweni. Kipsigisindet nebo emoni.

Translator: Whoever is going to be elected to be member of Parliament should be somebody within this locality.

Kiprotich Arap Siongok: *Ne kinoe kele kipsigisindet ma chito age.*

Translator: He should be a Kipsigis not anybody else from outside.

Kiprotich Arap Siongok: *Kemoche komwa chichoton oret nebo.*

Translator: He should of course tell the electorate the clan in which he hails from.

Kiprotich Arap Siongok: *Kokobek ng'akekyuk.*

Translator: Asante.

Paul Keter: My names are Paul Keter. The Executive, qualifications for Presidential candidate. One must be literate, must have studied law, and at least attain 25% in five Province at the elections. Must be one who is fair to all Kenyans and must have been elected or won election at his or her Constituency. Must also be the one who can handle the state or Government properly incase of emergencies e.g war, corruption, poverty. The “Presidential tenure” supposed to be fixed 5 years, maximum 2 terms each of five years but through winning elections.

Functions of President should be defined. Protection of public interests should be the one to see to it that protection is done properly; Public utility used properly, peace maintenance, corruption poverty. Introduce new technologies, he should be the one introducing new technologies to the country. Constitution should set limit for Presidential power as opertains the nominations of individual e.g MPs, DC, PS, director of companies, Judges, Army commander. The removal of the President for misconduct in office. When he fails to attend the Parliament, without any apology. He must be removed through the high court of Kenya, through Parliament. Parliament should be supreme, the President has power to control the Parliament. We need DCs only, PS to work on behalf of the DC.

Land and Property rights; land should be owned by the local community but must be compensated when the Government or the state decides to utilize the land. All balances should be official in writing also village elders and children. No limit provided according to this pertaining the limit of the land owned by the individual there should not be any limit provided it was obtained rightfully.

Public land should not be bought. Transfer should be simplified but must be through village elders, parents, children and the members of the clan and the Chief to witness. Men and women should not have equal access to land, because it gets complicated after divorce. Modern land boundaries should be put in place and not those used during independence. Own land only in your home province. Those without land should buy from their province.

Com. Ahamed Hassan: Umemaliza kusoma?

Paul Keter: I think I can put in a word of Federal Government.

Com. Nancy Baraza: There is no land in Maragoli so what happens to such people who's land is not available to buy?

Paul Keter: In that case, even you know the mzee is not selfish, so each and every person should celebrate on her own grounds.

Com. Ahamed Hassan: James Mutai, nyinyi watu ambaye muko na written document, tafadhalini mjaribu ku summerise na ku highlight the main points, nikikuwa nikisema hivi kutoka leo asubui, na nitaendelea kusema hivi mpaka mfahamu. Wewe umefahamu kwanza, nataka ufanye highlighting, don't read word to word please.

Johannes Kiplagat Mutai: I am Johannes Kiplagat Mutai from Chemosot, I am an aspirant. Structure and System of Government;

Speaker: whad do you mean?

Johannes Kiplagat Mutai: No, councilor in waiting. Structure and System of Government, Federal system of Government, Majimbo. There should be a Preamble, village court, tribunal to be established.

Free primary education and secondary to university. Local community are the ultimate owners of land. Government land to be given back to local communities. International companies to give the land back to the local communities. The pre- colonial treaties be discarded. No land limit should be fixed.

MPs and Councilors to be recalled. Free Health Care must be given in Kenya. The Presidents under law should be recalled by Parliament. Ministers should be experts and should not be MPs. Retired President to be taken care of by the Government like giving some salaries, allowances, security, and immunity from legal process for the time he was in office. Constitution education to be given in schools. No political age limit.

Administration, Chiefs to be elected by people and a village elder must earn salary through Local Government. No case should be rushed to court before it is approved by village elders. Land cases to take place at home.

Rights of children; a child must be strictly taken care of. Education must be given to every child in the republic of Kenya. To

ease child abuse, there must be free education in Kenya as of now a child right in education.

Com. Ahamed Hassan: Now you are reading you see, when you started you were doing very well. Now your reading, I don't want you to do that, read your last point.

Johannes Kiplagat Mutai: My last point is, but I don't know how to go about it. The Government should allocate some money per pupil to cater for child education, as the school can not run without funds in participatory or in school curriculum activity e.g music festivals, athletics, drama, ball games and other expenses to be incurred in the day to day running of a school. Top teaching materials and others, the present way of running of schools have caused confusion to the parents and teachers at the expense of the pupil. The Government should address this issue seriously for the smooth running of our schools.

Com. Ahamed Hassan: Prisillah Mbogeni, Alice Koros, hiyo ni memorandum umebeba

Alice Koros: My names are Alice Koros;

- The constitution should put input in developing women, minimum agenda
- Women should be given the same love, respect as men
- Women are optimistic, their issues will be reflected in the new constitution
- The constitution should provide for a proportional representation to have at least 1/3 or more total number being women in the composition. All institutional offices, organs and structures.
- The constitution should provide a referendum, for all citizens, women, children, men and to exercise their full rights of expressing their opinion.
- The gender Commission should be established as constitutional office.
- The constitution should provide protection of children abused and neglected.
- The constitution should have a clear mission of child right
- The problems of women in Kenya, they are not allowed to inherit any wealth before husbands dies.
- The constitution should institutionalise the right to access information on children, parents of human rights to all women, men, boys and girls.
- The constitution should provide family environmental and alternative care to all children in Kenya.
- The constitution should institutionalize a land Commission that has 50% representation of women and men.
- The constitution should achieve development; it is critically that women are self productively resources as well as become a custodians of the family, well through inheritance both as wife, daughters or sisters.
- All women and children should be given free medical care since they are the family care takers.
- There should be free education from the school to the highest standard of learning in the country.
- Pre-school teachers should be paid by Government and other teachers in the country because they are the foundation of education system.

- Women should be given a right to have their lawyers in Kenya constitution to look into their affairs, thank you.

Speaker: (kipsigis dialect)

Translator:

Com. Ahamed Hassan: All those who have memorandum come and let me read the names here. Benjamin Lagat, Charles Cheriuyot, Francis Rono, I am reading out the names of those who have written, I want you to go there and give out the document. Charles Korir, John Sang, Edwin Marmitch, Henry Lagat, Andrew Lagat, Julius Chepkwony and Agnes Kimeto, please register your memorandum of the programme officer there.

Speaker: he says he has this much information only.

Speaker: Asante sana kwa hii makao, memorandum ninaye lakini nina machache,

Com. Ahamed Hassan: I want you to register the memorandum but I will still call you out if you have other points to add you

can add.

Benjamin Lagat: Mimi ninaitwa Benjamin Lagat ninataka Serekali ya majimbo vile ilipitishwa Lancaster.

- Nataka local community to be given back Government land, hiyo ni P.I land Irudishiwe community.
- Big companies to return land to local communities. Sijui kama tunaelewa kuna ma company wana kamata shamba kubwa na hakuna maana ni vizuri kurudishia wenyewe.
- No land limit in Kenya, hakuna haja kupimia mtu shamba.
- President who retires to be taken care of by the Government.
- President should be under the law, hakuna President atakuja kusema yuko above the law, thank you

Com. Ahamed Hassan: Richard Cheruiyot, where is Richard, I have called you so that you can give out your memorandum, just give it out right now.

Charles Cheruiyot: I think I am going to be very brief and very fast. I am Charles Cheruiyot, first I am for Federal system of government. The constitution that we require this time round should be seen to be practicing democracy guided by multi-partyism.

- There should be no discrimination and there should be no form of corruption.
- Anybody found practicing corruption should be charged and if found guilty should be imprisoned, for not less than 5 years. Anybody running or incharge of Government parastals, public property, Government enterprises and he runs it down, he should be charged in the court of law and if found guilty his property should be attached for compensation.
- The Constitution should be made known to every Kenyan citizen.
- The Town Councils should be used instead of counties.
- The village elders should be provided with devine powers and pay.
- Vote of no confidence for an MP or President should be backed by 2/3 majority of registered voters.
- The salaries and benefits of MP's should be determined by a body set by an act of Parliament. The Parliament solution should be passed by 2/3 majority voters.
- The appointees of electoral Commission should be done in Parliament. The election Commission should only be determined by the electorate, thank you.

Com. Ahamed Hassan: Richard Cheruiyot, kama hayuko Kipkirui Langat, David Sieles, Alfred Maritim, na huyo, si mutika bwana nikita jina zenu, Ndiyo nijue kwamba wewe uko. Sasa wewe anza.

Kipkirui Lagat: *Koinutik chechuget ko Kipkurui Lang'at, ameng'unen Kapkisiara. Netai ko as a President ko nyolu*

kelewen for upto two terms.

President should be elected for two terms.

Another thing ko President kora ko nyolu ko holdeni one post.

Translator: The President should hold only one post. When it comes to Government properties, there should be special vehicles like this one should be eliminated, they use a lot of money.

This should be used to develop the country, like this one, they should be eliminated.

Another thing this case of eliminating students to be or counseled that way should not be allowed. Students should be canned accordingly.

When it comes to Chiefs and Assistant Chiefs, they should be elected by the people.

Last point, majimbo should be the forming Government.

Alfred Marisin: *Kainenyun ko Alfred Marisin.*

Translator: My names are Alfred Marisin

Alfred Marisin: *Koyob Roret Mission.*

Translator: from Loret mission

Alfred Marisin: *Netai amache Majimbo.*

Translator: I want a Federal system of Government.

Alfred Marisin: *Nebo aeng ko assistant Chiefs ak Chiefs ko nyolu kolewen wananchi.*

Translator: Assistant Chief and Chiefs should be elected by the people

Alfred Marisin: *Village elders , kiptainik ab kokwet ko nyolu kerobchi mushara amun wo boisiet ne yoe icheget.*

Translator: The village elder should be paid because they do a lot of work

Alfred Marisin: *Somanet ko nyolu kosoman lagok kong'eten kilasit agenge kot goit taman ak aeng ko mami libanet.*

Translator: There should be free education for all children starting from standard 1 up to form four.

Alfred Marisin: *Alen karatar en yoton.*

Translator: Asante

Com. Ahamed Hassan: Ismail Sang, kama hayuko, Paul Koros, nani wewe

Paul Koros: My name is Paul Koros from Rolet division.

- Auditor generals should be appointed by Parliament.
- Attorney General should be appointed by Parliament.
- DCs should be appointed by Parliament
- Permanent Secretaries should be appointed by Parliament
- Chiefs and Assistant Chiefs should be reduced or elected.
- Managing directors should be appointed by Parliament.
- Cases should be taken direct to court without passing through the police, this is to reduce corruption.
- Nobody is above the law
- Every child should go to school
- No selling of land without notice of neighbours or elders, thank you.

Com. Ahamed Hassan: Francis Rono, you have not given out your memorandum, please try and be brief with it.

Francis Rono; Thank you very much, I would like to air my views on Preamble. My name is Francis Rono Kesendai. Our constitution does not have any Preamble and it is my suggestion that it should have one. I suggest that the vision to be contained in the Preamble should be the ultimate goal of our constitution is to main Love, Peace and Unity in regard to the diverse social and cultural status of all Kenyans, as contained in the constitution. I also find that in Kenya, we experience quiet a lot in our freedom of worship, freedom of association and our education. I think this one should be reflected in the Preamble and it should also reflect the right to properties and its protection.

Concerning the directive principles of state policy; in our constitution I think we need a constitution that is capturing national philosophy and guiding our principals. Such principles should state that the the constitution is for the people by the people and the existing Government of the day should be seen to be safe guarding that principal. We have quiet a number of important values in our society and I feel that since independent there has been peace in our country. At the social and cultural level I feel this one should be stressed in the new Constitution. If any visas are seen to be jeopardizing such peace they should be rooted out ruthlessly using the lawful constitution.

Concerning the constitutional supremacy; I feel that this system of Parliament passing laws any howly with the vote of 65%, should be done away with, instead it should be raised to 90%. Where 90% cannot actually be achieved then the Constitution should not be changed. However there are some laws which are actually very sensitive like this case touching on supremacy, cases touching on the legislature, the structure of system of Government and the Executive, this ones should be referred to the public by form of referendum.

Concerning citizenship; I feel that Kenyans should acquire that by registration.

If someone applies to be registered than it can be considered. Furthermore if someone has been registered if he bears a child, then that child is automatically a Kenyan. There is this spouses idea which comes in, I feel that if one chooses a spouse from anywhere in the world that spouse should automatically become a Kenyan citizen so long as he denounces the previous citizenship. Any child born by a Kenyan should also be considered a citizen. As far as rights and obligation of citizens should be protected by the Government of the day at all levels.

There should also be a sense of protection of Kenya itself by the people and Kenyans should be ready to develop our country, that is our obligation. I feel that there should be no citizens dependent on such things like maybe buying this citizenship; they should just be given for free. I feel citizens should carry I/Ds, passports or birth certificate if they need to prove their citizenship, thank you very much.

Com. Ahamed Hassan: Philomon Lagat, he is a student I think he has left. Wilson Lagat.

Wilson Lagat: Thank you Commissioners, the mayor and chairmen to county council should be elected directly by the people. Ministers should always be attending Parliamentary proceedings. Presidential powers should be trimmed. Laws on land should be very clear and infact no particular land should be having two title deeds.

Majimboism type of Government; I am opposed to that, if it should be subject to thorough scrutiny from all the stake holders.

Zoning of areas, like opposition zones, Kanu zones, that one should not exist , an MP should be given that “freedom to meet the people” in whichever part of the country.

Com. Ahamed Hassan: Mr Lagat just hold on, Samuel Mutai, yuko? Kipkorir Kosgey, David .K. Kirui, Julius Chepkwony, Ngeno Kipkurui and Liz Cheruiyot, please try and register your memorandum with the coordinator.

Wilson Lagat: The judiciary should strictly independent. The president should be impeached if found in corrupt deals. Regional owners of land like land being leased to the multinational company should directly benefit the local people. There should be a fair way of recruiting people to various places i.e, Police forces, Armed forces and administration police. Lastly, land tax should be introduced to encourage hard work, thank you.

Com. Ahamed Hassan: Charles Korir

Charles Korir: Thank you very much Commissioners, my names are Charles Kibiego Arap Korir. First and foremost I will summerise my points,. Federal Government of Majimboism; we should at the moment adopt majimbo Government like other countries which have gone ahead.

President should not be above the law but should be below the law. Central and regional Parliament we should have a Parliament in the region and the central and then local community should be the ultimate owners of the land. The land for example in the tea estate should benefit directly the local man or the local people who are living in that area,that is majimboism.

Retired President should be given all the good things a human being should be given like security, pension, staff and all necessary.

The village court tribunal should be introduced like long time ago we had village court. The supreme court is required. The MPs or MP who is lazy or whose performance is below expectations should be voted out through the vote of no confidence by the electorate.

No land limit to be fixed; there should be no limit of land. Culture should be recognized, I think that is in summary of what I have.

Com. Ahamed Hassan: John Sang, Edwin Marmit.

Edwin Marmit: *Kainenyun ko Edwin Marmit.*

Translator: My name is Edwin Marmit

Edwin Marmit: *Oyobu Chemosot Location.*

Translator: I come from Chemosot location

Edwin Marmit: *Kit ne amache ko serkali nebo majimbo.*

Translator: I want a Federal form of Government

Edwin Marmit: *En jimbo age tugul komoche governor*

Translator: In every jimbo there should be a governor

Edwin Marmit: *ak police force*

Translator: and each police post

Edwin Marmit: *Ko en land amache kou ni, amache land kobunji community.*

Translator: The land should belong to the community

Edwin Marmit: *Ago amache land age tugul ne moche kyalda ko nyolu kongen community.*

Translator: The community has a say in the sale of land.

Edwin Marmit: *Ko ole kyoldoito imbarret ko matindo kele imwoe chu, wendi ole kamukta.*

Translator: Land ownership should not be regulated.

Edwin Marmit: *Ko bik che mengechen che moe title deed ko nyolu kotindo kele kinyone au jimbo inoton.*

Translator: For anybody who wants to own land, there should be a clear indication when he came to reside within that jimbo.

Edwin Marmit: *Bik che tindo imani komeny jimbo inoton ko che kikomeng'is en kenyisiek che sire bogol agenge.*

Translator: Those who have lived for nearly 100 years should be the ultimate owners of that Jimbo. Asante.

Com. Ahamed Hassan: Beatrice Chepkwony,

Beatrice Chepkwony: My names are Beatrice Chepkwony, Maendeleo ya wanawake, Sisiara location.

- We need a preamble in the new constitution
- Federal system of Government should be adopted.
- Free and compulsory education up to "O" level so that we curb child labour.
- Title deeds should have both names of husband and wife
- A spouse confirmation should be mandatory in sale of land.
- All children should inherit land.
- Indigenous ethnic language should be encouraged, recognized and promoted.
- Local community should own monarch and protect natural resources.
- Political parties should not exceed six.
- Violence against women should stop.
- Employment opportunity should be balanced for both boys and girls.
- Electoral process should be designed in such a way to increase participation of women in Parliament and local authority.
- Nominated MPs and Councilors should have , half for women, half for men, special interest groups should be considered.
- The good cultural practices should be promoted, but harmful cultural practices should be abolished e.g wife inheritance and FGM.

- Village elders should be recognized and paid a salary, thank you.

Com. Ahamed Hassan: Cheruiyot Lagat, Henry Lagat, kama hayuko, wewe nani? Tumesama Andrew ninesema Henry Lagat. Ni list tu inaenda ile ya kwanza ilikuwa Henry lakini hii 210 ni Andrew.

Andrew Kiprotich Lagat: My name is Andrew Kiprotich Lagat, according to the constitution the President of our country should be elected by all Kenyans, young and the old. He must be somebody who fears God and who respects the ordinary man, but not only his Cabinet Ministers. He must somebody who loves or attended all stages in his own church. He must be a man who loves development in any tribe.

Vice President should be elected by wananchi. He should be a respectful man. Ministers should come to their respective homes or areas at least once every month.

Chiefs and assistant Chiefs should be elected every five years, like other Parliamentary men and women. Village elders should be paid salaries like other Government workers. They should be given powers in order to do their work well. He or she must be peace making person who can look after his or her villagers well. He must be somebody who can encourage poor people to do better work Thank you very much.

Com. Ahamed Hassan: That is your opinion. Julius Chepkwony.

Julius Chepkwony: Thank you sir, I am for the Federal Government, I am Julius Chepkwony. Where we have Central Government with its specific duties and Federal states with their specific duties.

When it comes to land, Kenyans should be free to own land anywhere within the country. When it comes to the transfer of land, it should transferred under the land tribunal and with a low cost so that people cannot have problems in doing so. Thank you the Commissioner.

Com. Ahamed Hassan: Thank you mwalimu will you sign the register. Francis Murei.

Francis Murei: I am Francis Murei from Roret division.

Presidency; at the moment there is a stage where the President will be always going round issuing money and the law in the constitution should provide where the President should not be dishing out money. This disadvantaged most Presidents who are up coming and they could be good people but maybe they don't have enough money to go dishing around. The law should stipulate, state house visit should be public. Every running President that is the law should have a running mate.

Parliament; since Parliamentarians are using tax payers, the constitution should provide that the Parliament proceeding should be taking place from Monday to Friday. There should be a remuneration board to cover the situation where the Parliamentarians decides and adds their own salaries. The sitting MPs should have offices in their constituencies. There should be in the constitution a law to recall an MP when he is not performing well in his constituency and a by election be done. Amendment of laws in the Parliament, there should be a constitution where some amendments certain percentage should be given to the Parliament to amend and a certain percentage where it needs the public.

Electoral Commission; this should be appointed and approved by the Parliament. This body of the law should stipulate should be an independent body. The electo Commission should set a calendar, they should be telling us when the elections should be done. Elections of the President should be done on different days from the Parliamentarian one. The constituency elections and the local authority to be done on a different day. I am of the opinion that the President should go for two terms.

Elective posts; the MP should be educated up to form four and above. The law should stipulate that at least they should have undergone a professional training. Nominations of MPs, this should represent some interest parties like disabled, disadvantaged, professionals, marginalized, farmers and to be vetted by the Parliament, not political parties, and not the losers of the election.

Local Authority; I suggest that in the constitution the mayor should be elected and the Chairmen of the Council should be elected. We should have a Unitary Government. The three arms of Parliament should be independent. Parliament should be supreme, appointment of Ministers to be approved by the Parliament . My last point, appointees of the key posts in the Government bodies should be vetted by the Parliament and approved. Asante.

Com. Ahamed Hassan: Agnes Kimeto, kama hayuko, Jonathan Bett, Sammuel Mutahi, Kipkorir Kosgei, huyo amesema, David .K. Kirui, Joseph Ruto.

Joseph Ruto: Mimi ninaitwa Joseph Ruto kutoka Jimosot location. Kwanza mimi ninapenda Majimbo kwa maana majimbo tunaona itatuzaidia mbele tunakoenda. Kufuatana na njaa ya ukulima na mauzo ya bithaa katika kila Jimbo. Tunaona tunapouza bithaa zetu, tuseme kwa mfano kama majani chai, tunasikia pesa ikitoka jimbo fulani inaenda na pesa mingi, ama tusema District inaenda na pesa nyingi na ingine inaenda na pesa ndogo. Inafaa kila jimbo iuze mali yao.

Kuhusu uwezo katika maofisi ya marais ama Rais. Tunaona offisi ya Rais inauwezo kubwa sana. Unapata Rais kwa upande wa masoma, yeye ni mkubwa huko, upande wa jeshi, yeye ni mkubwa huko. Ukifika Parliament yeye ni mkubwa huko, ana uwezo kuangusha wengine na kuamusha mwingine vile anapenda. Kwa hivyo uwezo wake ichujwe. Na ile mali inatoka kwa watu wanauza mali yao uanasikia pesa inakuja ingine inaingia kwa ofisi ya DC, hiyo haifai. Ingie kwa wakulima direct ili

wakulima wafaidike.

Kwa upande wa maChief, uwezo ambaye maChief wako nayo, ni vizuri achaguliwe na wananchi na awe na kiwango. Kama ni five years awe na five years. Uwezo ya wazee wa mitaa, wawe na uwezo kwa maana hao wako na kazi mingi na wapate salary kama wafanyi kazi wengine wa Serekali. Wamwisho, wananchi tukiwa kama tunachagua kiongozi, tuwe na uwezo wa kuchagua na kuangalia. Kwa maana tunachagua wengine wanaenda wakifika huko wanafanya vyao na tunashindwa na hatunauwezo, tunataka tuwe na uwezo, ni hayo tu.

Com. Ahamed Hassan: Wewe ni aspirant wa wapi?

Joseph Ruto: Kimosop.

Com Ahamed Hassan: Councilor ama MP?

Joseph Ruto: (inaudible)

Com. Ahamed Hassan: Julius Chepkwony.

Julius Chepkwony: Kwa majina mimi na itwa Julius Chepkwony kutoka Roret division, Tshara location. Yangu ni ya kwanza ni;

- Land and property rights; the ultimate ownership of land shall stay with the local community.
- Church sponsorship; the sponsorship in schools should be removed, owing to the constant conflict of humorous churches coming up.
- Elective posts; civic candidate should be someone who is a form four leaver.
- Free education should be intensified in primary level and a Government should provide equipment through K.I.E, that is all.

Com. Ahamed Hassan: Ngeno Kipkirui, Leah Cheruiyot, Evans Maosi, Sammuel Nyamweya, umetoka tena. Kunamtu mwingine ambaye anataka kutoa maoni. Mmejiandikisha nyinyi. Wa kwanza wewe, huyo mzee wapili, wewe kijana wa tatu, Madam wewe Ndiyo utafunga, wa mwisho.

Nelson Lagat: *Kainenyun ko Nelson Lang'at.*

Translator: My names are Nelson Lagat

Nelson Lagat: *Kit ne amache amwa amache nguvu nebo President amache kereben nguvu ne tindo.*

Translator: The powers of the President should be reduced.

Nelson Lagat: *Nebo aeng' ko Ccounty Council, Chairman County Council ak Mayor amache kolewen raia, kolewen bik.*

Translator: The mayor and the Chairman of the County Council should be elected directly by the people.

Nelson Lang'at: *Ago mo Koyob wardit*

Translator:

Nelson Lang'at: *Amun kot koyai kou noton koibe tuguk kokesyin wardinyin.*

Translator:

Nelson Lagat: *Somok, ko amache somanetab lagok kong'eten Primary agoi University koek buch.*

Translator:

Nelson Lang'at: *Angwan ko kirwogik; assistant Chief ak Chief ak kiptainik amache ko ko kirwogindet anan ko assistant Chief anan ko kiptaiyat ko kong'eten kenysisiek tiptem ak mut ak koba barak ak kelewen.*

Translator:

Nelson Lang'at: *Ak kiptaiyat kwam rabinik kou ye robchin serkali assistant Chief.*

Translator: The village elder should be paid a salary.

Nelson Lagat: *Mut; ng'alekab imbarenik anan ko title deed.*

Translator: Land issues

Nelson Lagat: *Amache boiyot ak chepyoset kesirchi title deed amun en ng'otutiet nebo raini kesirchin boiyot inegen ago chang' lagok che kikokertat en barabara.*

Translator: Both parents should have their names written in the title deed, they should be the ultimate owners of that land.

Nelson Lagat: *Kongoi.*

Translator: Asante sana.

Joseph Cheruiyot: Kwa majina nina itwa Joseph Cheruiyot kutoka kisiera ward, Roret division. Maoni yangu kuhusu katiba, kwanza ni Local Government, iangalie mambo ya market places katika Kenya. Kwa sababu hapo Ndiyo hutoka mapato ya kuajili wafanyi kazi na kuwalipa hawa maCouncilors. Market places iangaliwe iwe mahali safi na iwe standard ya kisasa.

Telephone communication, isambaswe kutoka mashinani, katiba ambaye inatumika ilisambasa mawasiliano kwa town peke yake. Tunataka mawasiliano iwe katika village level halafu wananchi wapate mawasiliano kwa njia iliyo rahisi, kuliko wananchi wao wenyewe wanaji sambasa mawasiliano. Mawasiliano ifike kwa wananchi kule village level.

Maoni yangu ya tatu, ministry of health iteremshe dawa mpaka kwa any standard. Hakuna haja ya mwananchi ambaye hajiwezi kununua tembe la shillingi ishirini, kupigwa transfer aende District hospital ambaye inagarimu malipo ya magari na dawa. Dawa yenyewe ambaye inabidi mwananchi aweze kupona iletwe karibu naye. Dawa ishukishwe bei na iletwe kwa health centres.

Elimu iwe free kutoka primary level mpaka university. Maoni yangu ya tano, mambo ya sponsorship kanisani itengwe, kanisa na shule iwe tafauti. Kanisa ni mahali pa mahubiri na shule ni mahali pa masomo, so iwe different project.

Kuhusu mambo ya visa kwa watoto ambao wanauwezo wakuenda inchi za nje kusoma, iwe rahisi. Mambo ya birth certificate ipatikane kutoka health centres mahali watoto wanazaliwa, immediately kuliko watoto wangojee waende kwa District level.

Kuhusu mambo ya industries, zipatikane kutokana na mavuno au ukulima ambao unatoka pale. Industries zisambazwe kwa kila District na kila division ili mambo ya employment ipatikane kwa wale wetu ambao wanatoka sehemu hiyo. Na mambo ya ukulima iwe rahisi kwa mambo ya marketing.

Extension officers; maofficers wa nyanjani wapatishwe kwa katiba mpya waende kuhudumai wananch kwao nyumbani, kuliko wananch wakuje kwa offisi kupoteza wakati wa kufanya kazi kwa sababu extention officers ni kazi yao ambaye walijiriwa kufanyia kazi mwananchi, aende mahali kazi iko, sababu offisi yake iko kwa yule mkulima.

Mwisho, hii mambo ya N.H.I.F, ilipe fees ya yule mtu ambaye ni member yao kama ni mgonjwa ama ni mtoto, ao ni mtu yoyote ambaye ana husu , walipe malipo malipo yote, kuliko waseme cost sharing. Maoni yangu ni ya mwisho hiyo.

Charles Kimwena Rono: Majina yangu kamili naitwa Charles Kimwena Rono, ninwakilisha Moree youth.

- I am proposing that Kenya should have a President as well as a Prime Minister.
- In addition I propose that the youth things be removed, kabisa.
- I am proposing that as far as 8-4-4 is concerned, job opportunities be guaranteed to school leavers.
- I am proposing that land ownership be given to young people to enable fast development.

- Child labour be done away with completely in Kenya, thank you.

Beatrice Chelangat Kurgat: I am Beatrice Chelangat Kurgat, Roret division.

- The President should be elected and should stay five years in the office, two terms. The powers should be reduced.
- Primary education should be free and pre-primary education, the educational officers should consult pre-primary and teachers for pre-primary education should be paid.
- Gender issue, I am also proposing in the youth side, to give decision making on the youths side in the constitution. Also women decision making should be given chance to give decisions. Thank you.

Com. Ahamed Hassan: I think we have listened to enough people and we don't want to spend here the night. Can we have the final list of people, 1,2,3,4, that's all, I am not giving anybody else and I am closing down.

Benjamin Kiprono Lagat: My names are Benjamin Kiprono Lagat from Kimosop.

- I support Federal system of Government because it brings the Government closer to the people.
- Constitution curriculum should be established from primary schools, so that the child will grow with the constitution.
- Counting of votes should take place at the polling station during election period.
- We should establish tax payers bills of rights so that the tax payers will enable love of power, to challenge the Government in power if there is evidence that there is failure in accounting or the money paid is not being used properly.
- Also we have President should have a two terms tenure of office, five years each.
- We should not have somebody in the Government having more than one job, while there are so many people who are suffering without a job.
- We should have a committee formed by the Government which will look after the interests of youth, thank you very much.

Josea Arap Korir: *Netai ko ane kekurenon Josiah arap Korir.*

Translator: My names are Josea Arap Korir

Josea Arap Korir: *Kit netai ne amwae ko agobo majimbo.*

Translator: I want a Federal form of Government.

Josea Arap Korir: *Ak kit ne rube ko otoretech en sipitali amun kikong'et sipitalini ago betos kerichak ak kor iitite legem yu rektot kekonin tuten en meto yuniton ak ye kakekonin choton tuten kelenjin laban private yuno.*

Translator: We should be given adequate free medical treatment.

Josea Arap Korir: *Ko nerube ko kirwogik. Kimoche kirwogik kelewununen gaa.*

Translator: The Chief should be elected by the people.

Josea Arap Korir: *Ak kit ne kimoche kora ko Kiptainik ko moche konyor rabinik.*

Translator: The village elders should be paid a salary

Josea Arap Korir: *Amun icheget che nyoru kasit kibeleyet inne.*

Translator: because they do a lot of work.

Josea Arap Korir: *Ko ne agesunen ko kabwat kiten ale ng'wany ndo kibire transfer akichek kirwogichu kou ye kibire konetik ng'wany ko makosa?*

Translator: I also propose that Chiefs should be transferable.

Joseph Gatunga Maina: I have some proposals; defectors should be forced to pay a certain amount of money so that they can be discouraged from defecting from one party to another.

The Vice President should be elected by the Parliament so that he can be answerable to the Parliament.

Institution of higher learning should be headed by a principal elected by the Parliament or Parliamentarians. Pay for MPs should be reviewed through opinion poll every two years so that we can know whether to increase the salary or not. Natural resources should be distributed equitably in all areas.

Culture, it should be maintained and I think FGM should also be maintained.

Com. Ahamed Hassan: You know that it is illegal in Kenya to do that, there is the childrens act. I think you have answered my question, you said you are writing a constitution which is good because if you say you are writing can actually over turn the law which was passed.

Joseph Gatunga Maina: But we should maintain our culture. President to hold only one post and he should be patriotic and a man or woman of high integrity. He should serve two terms.

Free primary education should be adapted. Any head of parastatol found to have used the money corruptly should be made to pay the money and be sentenced not less than five years, thank you.

Com. Ahamed Hassan: Yes mzee, you are the last person.

Kirui Sima: Kwa upande wangu mimi nataka kutaja mimi ni Kirui Sima.

Kwa upande wa Rais mimi na propose namna hii, kwamba uwezo wa Rais ugawe kwa Rais na Waziri Mkuu katika Kenya hii, ili powers za Rais zigawe kwa Waziri Mkuu.

Kenya inastahili kuwa na Federal Government ili watu wakila sehemu wapate uwezo wa kuamua mambo yao.

Jambo lingine ni la shamba, watu wameteseka kwa mambo ya shamba. Mtu leo anauza shamba kesho anakataa. Ikiwezekana shamba wakati mtu anaweka sahihi ameua shamba iwe mwanzo na mwisho wa kuuza shamba, ili kesho asije akarudi nyuma.

Vijana ama wazee ambao hawatumii mashamba yao, wapatie vijana uwezo wakupata shamba ili shamba litumike vizuri.

I propose that Parliamentarians should not be given a lot of privileges. Kenya ya leo watu wanataka kuwa wabunge ili watajirike haraka. Kwa hivyo privileges ya Parliamentarian ipunguzwe ili watu ambao wanaenda mbunge ni wale wanaenda kutoa policies ya kuendesha inchi sio kutajirika.

Wakati wa campaign, mambo yakupatia watu pesa ipigwe marufuku ili mtu ambaye atachukuliwa si kwa sababu ya pesa. Wengi wako mbunge kwa sababu wamenunua. Tuchaguwe watu ambao wanastahili sio kwa sababu wako na utajiri. Ikiwa inawezekana wabunge wasifanye campaign kwa kulipa pesa.

Mwisho, ni upande wa elimu, elimu ya Kenya imetatisika kila wakati igefaa kama upande wa elimu iwe kama kuna mtu ambaye anaweza chaguliwa kusimamia upande wa elimu bila kusumbuliwa na wanasiasa kwa njia nyingi. Ni hayo machache.

Com. Ahamed Hassan: Okay tunashukuru sana bwana Kirui, please sign the register. Tunawashukuru sasa tumefika mwisho wa kazi yetu hapa leo. Nafikiri tumekuwa na maoni mazuri na mengi sana. In fact kulingana na register yetu tumechukua maoni ya watu mia moja sabini na mbili. Na hiyo kwa kweli ni recordi mzuri sana, vile tume manage time hapa na kwa sababu karibu watu sitini, walikuwa wamepeleka directly memorandum yao na watu mia moja kumi na tano waliongea. Kwa kweli tangu tumeanza hii kazi nafikiri hauja wai kusikiza watu wengi kama hivi leo na ningependa kuwashukuru wote pamoja na ma committee members na coordinator kwa yale mulifanya.

Tukirudi hapa sasa tuko Rift Valley Province, tunatarajia kumaliza kazi hapa Rift Valley tarehe kumi na saba mwezi huu. Halafu tutaenda Western province ambaye Ndiyo mwisho wa province ya Kenya ambaye tunaenda. Ikisha Western province tutkuwa tukitengenez reporti ya kitaifa (National report), na constitutional report ile ya kiconstituency kama Bureti. Kwa hivyo iyo pia itarudi kwa kila constituency ikae kwa siku sitini kulingana na sheria. Sijui kama hawa wabunge watabadilisha hiyo sheria, lakini sheria vile iko sasa inasema ikuje kwa constituency hiyo repoti, na ikae siku sitini na watu waangalie, wachambue na waone

kwamba kwa kweli yale maneno waliosema ilikuwa imechukuliwa na tuliandika hiyo report.

Halafu Ndiyo tupate kama muko na comment ya kusema tupate Ndiyo tuandike final report huko kwa Commissioner. Kwa hivo mukipata hiyo repoti itakuwa tu ni mahali kama Roret, Liten na kila mahali ambayo tumeenda kuchukua maoni itakuwa ikirudishwa tena hiyo report. Kwa hivo watu mokitwa tena mkutano, make sure muna huthuria na munajadiliana hiyo reporti na tupate habari kamili. Sasa ningependa kumpatia bwana coordinator, do you want to introduce your member here now or they are gone?

Coordinator: Thank you so much Commissioner, jana hatukuwa na committee wote, lakini leo tuko pamoja nafikiri nita wa introduce leo hata kama watu ni wachache. Naomba committee wakuje hapa mbele ili tuharakishe tuende nyumbani. Committee tafadhali, kina mama, kama wanakuja Chairman anaomba nafasi kidogo anataka kusema kitu kidogo, karibu bwana Kitur.

Pastor Kitur: Okay watu wa Roret division na Commissioners na assistants, tunashukuru sana kwa siku ya leo. Nimeona ya kwamba tumekuwa katika Lancaster ile ya wazee walienda huko Lancaster in the early sixties, natumefanya record siku ya leo, ya kwamba tumetoa maoni kuhusu mambo ya katiba, na hiyo tunashukuru mwenyezi mungu kwa nafasi kama hii ya leo. Kwa kweli mumetoa kabisa hakuna mtu ambaye alichukua nafasi kama ten minutes ndipo tumepata watu wengi. Tunawashukuru sana, nafikiri maoni yetu kuhusu constitution, I hope it will come out soon so that we will use it in our elections ama munasema nini. We want the new constitution to be used for the coming election. Na hiyo tunaomba sana itumike katika election ijayo. Nataka kushukuru wanakamati hawa kwa kutembea katika hii constituency kufanya matangazo kuhusu hii mkutana na kuarrange mambo ya mobilization wamejitahidi sana ingawa sometimes wan jitoa hiyo tuna washukuri.

Providers sijui providers wako , munaweza kusimama, hawa ni providers ambao walifanya kazi hapa Bureti wengine hawako hapa. Tulipoanzisha mambo ya mobilization ama civic education mulituambia kweli hakuna pesa na hawa walifanya bila pesa, kidogo sana, na fikiriri next time budget ifanyiwe kwa hii kazi ili watu wengi waweze kupata mafundisho.

Wengi wa maproviders hawa were independent and so at times they were unable to reach some places. But in general they have done their best. Tunashukuru kila mtu alifanya siku ya leo iwe successful, Mungu awabariki mukiendelea kwa kazi hii mpaka mwisho, asante.

Coordinator: Thank you so much Pastor Kitur I don't think I have much left, we thank everybody who has participated within the sittings. We thank the providers and I thank the committee.

Com. Ahamed Hassan: Pastor ulikuwa unasema hawa civic education providers, nafikiri hata kazi yenu baado kuisha, kwa sababu hiyo report ikitoka tutakuwa tukitaka watu wakueneza hiyo report. Wanachi wapewe hiyo repoti waelezwe inasema

