

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY HEARINGS,

MOGOTIO CONTITUENCY, HELD

AT MOGOTIO SECONDARY SCHOOL

ON
5TH JULY 2002

RECORD OF THE PROCEEDINGS OF THE CONSTITUTION OF KENYA REVIEW PUBLIC HEARING
HELD AT MOGOTIO SECONDARY SCHOOL ON 5TH JULY 2002

Commissioners present:

- Com. M. Swazuri - Chair.
- Com. N. Baraza
- Com. A. I. Hassan

Secretariat in attendance:

- Fatuma Montet - Programme officer
- Anne Koros - Assistant Programme officer
- Asha Boru - Verbatim Recorder

The meeting was called to order at 10.10 am by Commissioner Swazuri and followed by a word of prayer by a local pastor.

Com. Swazuri: Ninafikiri tutaanza. Habari zenu wananchi? Karibuni katika kikao chetu cha leo, ninaomba moja wenu atumbe.

Prayers: (local pastor): Tusimameni tuombe: Baba wa binguni tunasema asante kwa sababu ni mwema, tunakushkuru kwasababu ya siku ya leo , (inaudible) kwa sababu umetulinda, na umetuongoza mpaka tume fika hapa asubuhi, tunasema ni asante kwa sababu ya mkutano huu na ndipoza tunanyenyekea mkononi mwako leo asubuhi, (inaudible) ili wakati kama huu asubuhi, (iaudible)

Ni kikao ambacho. (inaudible) Tunaomba. (inaudible). Baba utupatie hekima na maarifa hapa asubuhi ili yale yote ambao tunaenda kusema tupate kuwa ya manufaa, ilie wale wetu wamekuja hapa asubuhi hata ni wao tutakuwa na amani n akubarikiwa hapa asubuhi. Kwa hivyo tunaomba maajabu ilitikapate kutoa yale yote (inaudible) Tunaomba uongozi katika kikao hii asubuhi ili kutoka asubuhi tupate kuongoza na wewe, hata wakati tutamaliza tutapata kumalizia kwa njia nzuri. Haya tunaomba yote katika jina la Krostu tunaomba, amen.

Com. Swazuri: (Not using mike) Asante sana, tukona Commissioners hapa watatu, Nancy Baaraza, tukona Commissioner Ahmed Issa Hassan, na mimi ninitwa Mohamed Swanzuri. Tuko na Programme Fatuma Montet yuko upande ule, na Asha Boru, na Anne koross. Tukona wnakamati wa

Tutatoa maoni kwa njia tatu, maoni ikiwa imeandika memorandum hawa hawitaji kusoma, nitaambia wapitishie memorandum watuachie hapo tutaenda kusoma. Kuna wale wana memorandum lakini wanataka kupita kidogo nitawapatia dakika tano na tunawaweka wasome mapendekezo. Ile historia ya matatizo, (inaudible) kwahivy usitumie wakati mingi sana, toa tu mapendekezo . Mambo ya kusoma rasmi tutasoma wenyewe. Kuna wale watatoa maoni bila kuandika. (inaudible) manweza ku zungumuza kwa lugha yoyote. Swahili, kiingereza tugen, lugha yoyote, na tunaomba watuwote manaingia hapa wajiandikishe, wale watatoa maoni na wale hawata toa maoini. Baada ya kutoa maoni, unajiandikisha tena. Ukianza kutoa maoni lazima utaje jinlako kwa sababu tuna record maoni yako. Hapa tunataka kujua ni nani ame sungumza saa ngapi.

Halafu sheria ya Katiba imesema kwamba kikao hiki ni luhuru, unalishwa na sheira, kwa hivyo usiogope kwamba kuna watu wanawanyasya, au watataji au watafanya mahala (inaudible). Sheria imewakataza. Lakini usitumie bad language. Lugha mbaya, au lugha ya kusamnya majina wa fulani na fulani wamefanya hivi na hivi kwa hivyo sisi tutafanya hivi na hivi. Tume elewana.?

Sasa tutaanza kwanza na Committee 3cs halafu tutamuita hapa bwana D.O. atupatie neno moja halafu tunaanza. Tuna heshimu

wenyeji wa hapa.

3Cs Asante sana Commissioner Swanzuri, waziri Morogo, Commissioner Baraza, Commissioner Swanzuri, Commissioner Issa, zangu sana sana kwa Commisioers ni kuwashukuru sana kwa kututembelea siku yaleo, tulijitayarisha, na tulikiuwa tukiwangojea kwa hamu. Makomissioers, ikiwa ni moja waliofika katika wakati hii ili tushughulike na kama vile imewekwa katika contitution, tangu tuanze hiyo kazi, imeendelea vizuri, mabadiliko ya hapa na pale. Kwa wale ambao ni civic providers, walikuwa wengi we had 32 in the district, 18 in this constituency, na wengine walijiuzulu. Hata hivyo tume endelea na wale wachache waliobaki mpaka sasa tuna endelea.

Tumejaribu sana kuingiza mafundisho tangu mwanzo, tumekua tikifuata maagiza ya the Commission, tumetumia zile curriculum, na tumekuwa tunawaingize outside data. So tunaamini ya kwamba wale ambao watatoa maoniyao watakuwa wanatoa kulingana na vile wamefundishwa. Hata hivyo tatakuwa na moja hapa na pale. Inoneke wako area wakifanya mambo yao, (inaudible) lakini bwana commissioners tumefundisha na kuhakikisha kwa maana shida zetu haziko siosawa ni pahali pengine. Kwa hivyo wale watakuwa wametoa maone ya watushida zao ni tafauti. Kwa mfano tukiambiwa maneno ya kahawa, kahawa (inaudible) ndiyo ninasema hawatqshindwa sana.

Kwa kweli tumeku na husiano mzuri na administration, na wametusaidia sana. Tumekimbia hapa na pale tukisikizana tunapoenda katika contituecy. Tumepata full backing ya officers ya administration. Ni zile tu matatizo, kidogo ambayo huwezi kunung'unika, kazi vile inafanyika. Area yetu imekuwa ngumu hata kusafiri na hio lakini kazi ikafanyika. This is a life time thing, kwa hivyo yangu kwa uchache ni kusema (iaudible)

D.O. Maranga Murekwa: I just want to welcome our member of parliament, Mr. Morogo, the people who have come. As far as I am concerned we are a quorum, so that is very important. So since we are quorum, for there will be so many people coming. Mogotia is a big area, and people will come. Let us hear what Kenyans have got to say. May be I only wanted to know whether one is here has the right. I have the right? So I can air my views here. I also want to say the few of who have come, it is quite early, and the way I find people turning up as expected, that you have known, we are here normally 1.00 pm. Asante.

Com. Swazuri: We expect Kenyans to be heard, so there is no harm. There are no permanence here. Kwa hivyo tuta anza halafu tutampatia mheshimiwa nafasi, baada hawa, tutampatia mtu moja halafu tumpatie mheshimiwa atoe maoni yake ndio aelekeze kule kwa shughuli. Julius Kangogo.

Julius Kangogo: Jina langu mimi ninaitwa Julius Kangogo. Niwa Mogotia boarding, pahali tuko kwa sasa. Kwanza ninge penda kuwakaribisha, ninasema kariba hapa kwetu. Neno ambayo ningekuwa ninataka kusema ni ya kwamba ofisi ya Commissioner of Lands. Tunaona ya kwamba ofisi ya Commissioner of Lands inafanya moavu, na kwa maoni yangu mimi

ningependa (iauddible) ndiye tuweze kusaidia mawaidha kwa mambo ya mashamba. Ningependa hivyo kwa sababu tumeona ya kwamba kuna watu wengi hutumia ofisi ya Nairobi kujinyakua mashamba ya public ambazo ziko. Kuna watu kama kumewekwa kwa ita kuwa ni rahisi hasa kucontrol hii mambo yha kunyakua mashamba.

Ya pili nikona maoni yangu kuhusu mambo ya uridhi ya mashamba. Katika Kenya hi kwa sasa, mtu amekubaliwa kupata kiwango ambaye anaweza. Lakini kwa maoni yangu, kwa sababu tukona watuwengi ambao kwa sasa hawana mashamba, tungependa wale watu wako na mashamba kubwa zaidi ya helufu moja na kuendelea mbele wapeleke some parts of the land kwa serikali ili waweze kusaidia watu wengine ambao hawana shamba.

Inginge ambao ni ya mwisho ni upande yamimi kwa maoni yangu ningependa hii mambo ya..... itolewe kwa sababu ya ugawaji ya mashamba na ibaki tu kwa makao. Nimependa hivyo kwa sababu imekuwa ni taabu sana kwa wananchi Ni lazima itabidi apelikwe more than acre wainne na ama more than one-acre ndiyo aweze kubaia watoto yao shamba. Kama mtu alikuwa na acre itakuwa ni lazima apelikwe ingine ndiyo agawise hawa watoto wake shamba. Maoni yangu ni hiyo tu na ninasema asantge kwo hiyo.

Com. Zwazuri: Asantge sana, jilandikishe, na sasa Mheshimiwa Morogo, unaweza kuja hapa mbele.

Hon. William Morogo, M.P. of Mogotio: Thank you very much my name is William Morogo, I the member of parliament of Mogotio Constituency. I am join the D.O. in welcoming you to the Constituency, I hope you will enjoy your stay. Mine will be short, but I have two opinions. First is to do with the ... I feel personally that the Commission should take its time in this process. It should not be bulldozed, it should not be hurried, it should take its time because this is document that we need to propel the country. It is not an official document. It is a document that will guide the governance of this country and it will assist people to leave with their guidance. That is my first observation.

Secondly I hope the Commission has a way of protecting some views because it would appear to me that some people have a tendency of presenting the same views in Mogotio, in Ravine, in every center that the review process is being heard, so it appears to be the opinion of many Kenyans while it is the opinion of the same persons or the same group. I hope the Commission will have a way of getting those so that, that one opinion limited to one whole people.

I wish to say personally I think the best system of government that we would like to have now is 3 type government, where we have the in parliament, the lower house, we have the Senate, and we have the Local Authority. I would like to see the more powers devolved down to the Local Authority. This is because in every community we have an opportunity to concur what happened, we have an opportunity to give an opinion in the matters that happen. For instance, situation of land, which I think should now be managed by Local Authorities. The Local Authorities, therefore, will link out to business and will be able to

manage all these. When I say that, I thought of land in the province

Then this Local Authority is going to be funded through a Constitutional funds, I do not know, the experts will what it can be called. So that in the findings today we have the consolidated fund which is a constitution of funds, so that the Local Authority can manage its affairs entirely different from the Central Government, so that it ceases from bureaucracy and politics that normally go about in the area.

These funds should be managed and set by the Senate. In other words, members of parliament should approve the consolidated funds for the expenditure by the movement and in this case it will be Senate to look at it, so that it is really done. Then later on there will then a written document for these things and make sure that there is a report. I have included my contribution in that report I do not much to say, thank you very much for listening.

Com. Swazuri: Thank you. Record you name in the register there.

Com. Baraza: (inaudible)

Com. Swazuri (inaudible) I know that the issue of devolving powers to the local authority is the one which will, ...but the (inaudible)

Hon. Morogo: The government is able to give some money to these local Government funds. The Local Authority to collect the rates of revenue from other aspects like the collections from the forests where they are. In every part Kenya there are not really (inaudible) I believe you know all the aspects, because I do not believe God made a place and just said it should be there, but then a method should found where all the Local Authorities would be given a certain pool of money so that they can manage in their local areas.

Com. Baraza: Mheshimiwa.....most people essentially in up around Kenyan Trust lands the so called Trust lands, are of the view that they should be satisfied with money because in line with the local Authorities now, we don't even have powers, and now they are saying that they would rather the land goes to the people. Now here you are proposing it goes to the Local Authorities, and the two of you are talking of the same thing. Are you still saying that it remains in their Local Authority or you are concurring with the people that it goes to the people like the people themselves?

Hon. Morogo: If I met one of them I would And that is why we are here. It is a problem of concern. The Local Authority is the surety of the community. So may be I have yet to understand how the community itself can own a land.

Com Baraza. You give a title to the Community?

Hon. Morogo: They are too many of them. We can soon decide how it can be done but I think it would be better managed by a Council which belongs to those people and the community will know that if these are the people we elected to represent our matter in the Council, then I think it would be rather governed at home in my view. Thank you.

Com. Swazuri: Mheshimiwa you can now register. Ezekiel Kimuge.

Ezekiel Kimuge: Mimi ninaitwa Ezekiel Kimuge. Yangu ni kwa upande wa defense and National security. I want comment only I think on succession of army, Par- military, police, prison and may be on Administration police. We have a barrier to our forces a barrier especially in the armed forces. This is the height, which I looked out of which is a human... I call it you cannot determine the state.

Interjection: Com. Swazuri: What do you propose?

Mr. Kimuge: These people should be selected in the Kenya should be 5 feet, 8 inches and they require police, prison, administration police, they require the height of five feet. But you can fill the height at least that is I can say if it could be the height to determine the intake to the armed forces, then the same should apply to other areas which the commissioners should be having their own times to be commissioned. Because the staff does not have anything to chose the height as one of the determining factors, to b admitted to the armed forces. I am saying that the admission here should be based on the area because these areas are different, they are not So our own views here are based on how we are surviving. Our source of income that is

Com. Baraza: I do not know, have you ever questioned the wisdom behind this height because there must have been their reason, and to analyze that rule, have you ever thought of it?

Mr. Kimuge: in fact there is a snag because this was the requirement which was inherited from the colonial rules. Mostly were the colonials required which was before our independence? They liked tall pole because of native arrests and whatever, which is applicable at present because it does not have the respect of the community.

Com. Swazuri: Thank you very much, record your name. Josphat Chepkurui, ndio huyu mzee? You are Josphat,

Josphat Chepkurui: Mimi ninaitwa Josphat Chepkurui. Asante Chairman, maoni yangu ni ya kuamba sisi tukiwa waaji wa upande huu, tunataka sheria inalinda sisi sote tukiwa majumbani. Ndiyo nintaka kwasababu, hapa kwetu Tarbo ni mahali ambapo hakuni inaweza kutokesha isipokuwa yale ambaye hiyo ndiyo maoni yangu. Tulikuwa na ile shria ya ukoloni ya

zamani, lakini sasa tunataka yetu ambaye tunaweza kujichunga sisi wazi wakiwa kihapa. Sikusema tusema mtu mkubwa anaondoka anafanya sheira, hapana, tunapenda kukaa sisi pamoja, hiyo ndiyo tuntaka. Hiyo niyo maoni yangu.

Com. Swazuri: Asante sana, enda pale ujianidkisha jinalako. John Iloringo

John Iloringo: My name is John Iloringo, Kenyan Prison Forces. I would like to read the views.

Com. Swazuri: I would not allow you to read word by word, but I would you to read the recommendations for every aspect only because we are going to read that memorandum. Umelewa, we want you to read the recommendations only.

John. Iloringo: This is about Land Tenure. First, forest land is used currently should be invested in the County Council in which the forest are to be checked. Local authority should be reconstructed and their capacity enhanced to be able to effect its work including forests. The new structure should cooperate the against misadministration or issues of land and should develop stable or advise provision by a national authority, to

Revenue derived from land and forestry be retained by the respective County Councils. The administration of the Land Control Act should be delegated to public in order to ensure that land constructions are taken in a manner and systems of overall land policies adopted by County Council in pursuing of their constitutional mandate. In this respect all the councils should be both responsible and retained in as Land Control Boards, which should be effectively.

Commissioners of Lands: Lands in urban centers have problems in allocations without due regards in the least of the requirements of the community from such. The commissioners should both know the requirements of the urban centers. Important components of land for the Kenyans, power to Land Control Board is to avert the requirement on the shortcomings, between recommended lands. Land rights be more specifically entrenched in the Constitution including rights of those of many which do not get their won land titles. Land administrations be decentralized by transferring the operation of lands to local authority to ensure that the local authority operate efficiently and in accordance with the law.

Com. Swazuri: Thank you, please sign your name there and hand in your memorandum. Are you Dominic? Kiptum Arap Limo?

Kiptum Arap Limo: Thank you Commissioners, mine is on the president.

Kiptum: Kiptum Arap Limo. Mine is on the president. We are proposing that the president be the head of state. The Commander in chief of the armed forces should be appointed by the Prime Minister according to the position in the Constitution. Appointment of Provincial officers, and Appointment of Ambassadors, high commissioners (inaudible). There should be the necessary approval by the legislature. The president to have the powers to propose.....

The respect should respect the rights of the people. The senate should have the powers to oversee the performance of the president, and should have powers to impeach the president should that be necessary. There should be a Vice president appointed by the president, who will attend the president performance and his functions and at the same time provide for smooth transition in the events of the president's vacant office for whatever reason that may occur. The vice president should be a member of the senate and should be the chief leader of the business in the Senate.

The prime minister, we are proposing that we have a new seat of the Prime minister. There should be a prime minister appointed by the president who will be the head of government. He should be the leader of the party that commands support from the majority in parliament. The functions of the prime minister shall include the following. To dominate the (inaudible) for appointments by the president. To preside over Cabinet and its the Prime Minister will also nominate candidates for opposition offices and allowing the opposition to the government. To check the Legislature in order and get the situations involving parliament in financial issues. To formulate authority and programmes for proof and to recommend entries that is required from time to time, in the structure of the government including the work of ministers, the deputy prime minister, that will require authority to formulate the government. The prime minister will be appointed by the president in accordance within the legislations and make sure he has the command of the majority in parliament. He will be appointed into parliament for his performance and the performance of his candidates.

Parliament will have the power to remove the prime minister according to his or her account of the office. One problem out, the entire cabinet has to resign giving the safety and security of both the leaders of the party, that is the party of the leaders (inaudible) to deal with the government leaders and kick off the affecting the stability of the nation. The president's tenure of the office will see to the stability and continuity while the checks provided by parliament both to ensure that the prime minister and the ministers are always on their course to ensure that the political rights of are adhered to.

Com. Swazuri: One minute more. You are through, thank you very much. May You may there and register please. Chielimo Litho, hayuko, Lucas Bett.

Lucas Bett: (Noise from students, poor P.A. recording) Mimi ninaitwa Lucas Bett. Kwa vile katiba ya sasa hiana utangulizi, viletunaandika utanguliza (inaudible) Kwa jina la Mungu alieumba vitu vyote sisi watu wa Kenya tumeamua kuzingatia amani, uhuru na utawala wa demokrasia katika nchi yetu hii ya Kenya. Tutaishi katika umoja nakuheshima kilam tukiwa na umoja, uhuru itakavyo, na kuwa wazi katika ulimuengu. Tukijuwa ya kwamba wale ambao wamebaki wametumia uhuru wao na nguvu ya watu haina kipimo. Lakini uwezo wakurudishia Mungu mwenezikanuni za kuongoza kwa njia bora. Tunahitaji kauli kwenye katibe inao kanuni iinazo wekwea kwenye katiba ndio ingawanya Wakenya wenye maadini muhimu yaliopatwa iwekwe kwenye Katiba kama ifwatavyo. Uhuru wa uzungumuzo, uhuru wa kutowa maoni, uhuru wa kupata nafasi, uhuru wa kuonea.....(Inaudible) lakini hayo ni lazima

Raia, mzaliwa wa Kenya atakuwa raia. Katiba iruhusu rahia.....

Uridhi na usalama wa taifa: (inaudible)..... Rais awe amri jeshi. Katiba iruhus jeshi

Bunge atakuwa na mamlaka ya mamlaka ya kuteua..... Bunge (A lot of noise from students outside – poor P.A. Recording)

Kanuni ya kuongoza Kuna idadi kauli kwene Katiba inayo ya staff Kanuniu kinzo tupatia inavyo wekwa ni ugawanyo. Wakenya wanye

Interjection: Com. Swazuri: Tulisema usisome neno kwa neno, tutaenda kusoma yote tafadhali.

Lucas Bett: Vyama vya kisiasa viwe viwili. Mayor na wenyeji wa amabaraza wachaguliwe moja kwa moja na wananchi. Muundo wa uchaguzi (inaudible) tuendeleo na mfumo ambavyo mweneye ku ndiye mshindi. Bunge ilwe kilasitku kutoka Monday mapaka Friday saa kumi na moja unusu.

Com. Swazuri: Jiandikishe huko utuachie huko basi. Tunaenda kwa Kimosop Bitok, Kemoi Victoria, hawa watu wamejiandikisha wameenda wapi, Kiprop Wesley,

Kiprop Wesley: (A lot of continuous noise and poor p.a. recording) I have a memorandum, (inaudible) Now where I belong, I know (inaudible). Now concerning the So that if anything we need to realize that the consolations should be in all levels to increase our education responses.

Concerning our local under the education we should be educated in on this areas of environmental. At least we make it part of our system. Again concerning the education to the from the location where they are, they should get free education at all levels. Concerning the (inaudible) so that we could see (inaudible).

Com. Swazuri: Peter Binot,

Peter Binot: Ile kitu imefikisha hapa kwa maana tunajaribu kufikia mahitaji yetu, ama ninini tunaitaji, mimi nina jambo moja mbili tatu. Kwanza shida ambaye inaitwa wakati mwingine ambaye siku sijazo ambaye yanakuja, ni jambo la kuangalia mazingira ya nchi, ni forest. Kwa sababu forst inatupatia miti, inapatia sis maji, forest inatusaidia kazi iwemzuri. Jambo linigine, ministry of Agriculture, waangalia ardhi, munyonyko wa ardhi. (inaudible)

Jambo jingine ambaye anaya bidi raia ni hali ya masomo yetu imeenda juu sana kwa sababu y aukosefu ya karo na mambo mengine. Watoto wengi ambaye wamefika kutrajia pesa nyumbani tumekosa karo. Wale wengine ambaye wanatarajia kwenda seceondary tumekosa karo, kwa sababu ya umasikini, ambaye anakaa, anapatia sisi raia. Ne nimeona hakuna mtu

ambaye ame..... leo kabidhi school fees raia.

Jambo lingine la mwisho ni kengele ya kazi. Mimi nataka kila mtu anapenda watu atawale haki yao. Mambo ya kuridhi kama kuridhi lazimani wenyeji. Kwa sababu tukiwa na watugen lazima wenyeji, waanglia mambo ya kuridhi mali yao ama kazi yao. Yangu ninasema اساسnte kw kunisikia maoni yetu.

Com: Swazuri: Mambo ya karo na shule ungetaka tufanye nini?

Mr. Binot: Nina taka serikali ambaye itakuwa aangalia tu kutoka Aone ni kitugani inastahili, hawa watu wapone, kufika mwaka sabini na tano, wengi wao hawawezi kulima. Na wawe na haki ama kufamanyua mahesabu. Kwa hivyo mimi nataka sirikali angalie sana kawababu tunaka kwa kujua kuna wenye kuuliza kkitu ama chochote inatakae kufanya, tufanye ilituokoe shida. Asante.

Com. Swazuri: Asante, jilandikishe huko. Bwana D.O. unaweza kutowa maoni.

Muranga Murekwa D.O. My names are Muranga Marekwa, D.O. I have few points to talk about. One, for one to be a candidate for either presidential, parliamentary, or civic elections, I recommend that 18 years is okay. That is the case where other Kenyans, can get an ID cards and I feel we should not be discriminated against. For election of president, and vice president. The president as it is now, is to be elected by all Kenyans. I also recommend that the vice president be directly elected as vice president. He should be running mates of the president. He should no be appointed by the president. The mayors and chairmen of the Local Authorities should be elected direct, not by a few councillors. I want to talk about cultural practices. As you are aware we have very cultures in the country, for example the removal of our teeth. Removal of our lower teeth Circumcision, and other areas of cultural practices, in my view the government should not directly interfere with such cultures. The government should not stop the people not to do cohesion or so that the case is gradual without any interference in the community..... So the government should not send the police to harass people. It is vital, people should talk, without necessary antagonizing the community.

Land. I also feel that we should develop acquisition of land, adjudication of lands and all that pertaining to land. Today the Commission of land should keep all of this at the hearing so that they give it back to the administration, that administration, and every unused land at the district level. Those are the views I have at the moment.

Com. Swazuri: Thank you bwana D.O, you can your memorandum registered. Can we have Daniel Koech, of SDA church.

Daniel Koech: Asante, mimi kwajina ni Daniel Koech,

Ya kwanza ni kwamba Freedom of worship. A believer should worship freely, taking of ones religious belief, to be quite fair and non-discrimination, (inaudible). Two (inaudible) no person should be discriminated upon on ground, religion, worship, either in society, international institutions, in work places, historic places, interactions otherwise public undertakings should be (inaudible)

Three, other people who shall not be allowed to operate private schools. Private schools be privately formed and formulated. Deaf schools should be state maintained.

Four, that there should be more official schools providing institutions on Saturdays, more than that is compulsory games, segresion, etcetera, on Saturdays.

Five, that there be an established a constitutional force, with the responsibility of interpreting the constitution and hearings constitutionally, that the constitution does not keep the role of all cases, and cases where the law in relation directly interpreted to be confliction of the Constitution, the Constitution has to prevail.

Seven, the state shall provide to give people without requiring payments from them.

Eight, levies of sales from agricultural produce to be avoided. That there should be zero fine for farms produce and machinery.

Nine, the state should put into consideration of the economical times, in And it should be an Act of parliament. Thank you.

Com. Swazuri: Thank you very much, Mr. Koech, Isaiah Chepkurui.

Isaiah Chepkurui: Asante sana: Mimi nina weza mimi kuongea kwa lugha ya wazee.

Interjection: Unataka kuongea kwa lugha gani?

Chepkurui: Lugha yangu.

Com. Swazuri: Tugen.

Chepkurui: Tugen. Ninaweza kuongea hiyo?

Com. Swazuri: Ndiyo, unaweza. Ngoja kidogo.

Chepkurui: *amwoe kongoi mising*

Translator: Ninasema asente sana,

Chepkurui *akobo betut ni kakibwa ngalek ab ngatutik chebo emet,*

Translator: (inaudible)

Chepkurui: *aweche kongoi akobo serikalini nyo nikimi nikitoretech*

Translator: Anaitwa Isaiah Chepkurui.

Chepkurui kainenyu ko Isaiah K Chepkurui,

Tanslator: Sehemu hizi ni ya arid.

Chepkurui: *amoe kongoi akobo serikalit nekikoribech,*

Translator: Kwa hivyo serikali awasaidie atuletee chakula.

Chepkurui: *amu ine kowewech kesimet,*

Tanslator: Ili tutumie kwa njaa.

Chepkurui: *achek komoruriei bai emoni nyo, kotoretech serikali amu wewech kesimet,*

Translator: Ile ambayo tuwezanaongezea,

Chepkurui: *simakiumian eng rubet,*

Tanslator: Watoto ambao wako mashule.

Chepkurui: *kie amwoe kokeny ko eng lakok che somoni,*

Translator: wale wamemaliza shule

Chepkurui: *chekatar sukul,*

Translator: wakiwa wamemaliza shule

Chepkurui: *ko yakatar sukul konyo kaa,*

Translator: Wanakuja nyumbani.

Chepkurui: *kopetchi kasit*

Translator: Wanakosa kazi.

Chepkurui: *kobo nyalilyo ak wazazi.*

Translator: Wanateseka na hawapati.

Chepkurui: *konguno asome noe komie nyaliltos lakoik,*

Translator: Kwa hivyo ninaomba sana hiyo, watoto wanateseka.

Chepkurui: *ibakenyalilye tuwai ako kiatar malik*

Translator: Wanateseka na shule, na wakimaliza bado wana teseka.

Chepkurui: *basi konget chekonget ,ko emoni nyo ko emet ne sor*

Translator: (inaudible)

Chepkurui: *marurei bai akot nda tinyeii chito eka mia moja*

Translator: Kama mtu ana acre 100,

Chepkurui: *komanyorchini kii,*

Translator: Hapati chochote kwa hii shamba.

Chepkurui: *iyoyoyoko nego ,*

Translator: Kama ni (inaudible).

Chepkurui: *kochoe chetoreti chito,*

Translator: hiyoniyo unwapatia hawa.

Chepkurui: *koatko miningit eme koek eka aeng eng taman*

Translator: Shamba ikiwa kidogo, kama acre mbili,

Chepkurui: *konyolili chicho ochei,*

Translator: (inaudible)

Chepkurui: *assome kotep mbaret kouye komee*

Translator: anomba kwamba mashamba ibaki vile ilivyo kuwa.

Chepkurui: *ngokotinyei chi eka amsini anan ko bokol*

Translator: Ikiwa ni acre hamsini ama mia,

Chepkurui: *kokaikai kotepto noe*

Translator: Afadhali ikae hivyo.

Chepkurui: *sikoto kopchechi lakoik simonyalilyo tukul ibak*

Translator: Ili baadaye aweze kugawiwa watoto wake.

Chepkurui: *aya amwoe kongoi kokeny ako boiboiyet nekitinye*

Translator: Na wazee wapate kubaki na amani.

Chepkurui: *nguno komomi ngolio netotinye ane,*

Translator: Ama zingine yakuongeza,

Chepkurui: *amwoe ngalek ab bik chekikonyor mbarenik,*

Translator: Wale wakugawa mashamba.....

Chepkurui: *komokikoch titlelishek ,*

Translator: Hawaletei title deed.

Chepkurui: *konguno konyolili chito akot ndomi mosop,*

Translator: Kwa hivyo wangependa wakigawa mashamba wapewe title deed.

Chepkurui: *komochei kokoch titlelishek bik chekikonyor mbarenik, kongoi missing.*

Translator: Asante.

Com. Swazuri: Basi uende kule ujiandikishe, kwamba umotoa maoni yako. Peter Eshwa:

Peter Eshwa: Mimi ni Peter Eshwa: Sasa yangu ninge sema nimeshukuru kwa komishona kututembalea kupoke mashida yetu yote. Hapa shida iko, wenye nchi hapa hawana plot, hawana shamba. Kwa hivyo tusaidiwe

Yapili, tunae hapa watoto mayatima, wale wazaziwao wamekeufa, yaani hana baba na hana mama, wamejaa hapa. Ni hawa watoto wamekosa usaidishi kwa kila njia yoyote. Kwa upande wa shule, malipo ni mzito, hii masomo ya wajane hiyo watoto tunaye.

Ya tatu, watoto wamekuwa wanajaribu kusoma soma, wanshidwa na school fees kwa mana wazazi yao hawana pesa. Sala hawa watoto wale wamesoma kurika seven ama eight, (iaudible) Sasa wakija ya form four, wako nyumbani. Wanakosa kazi.

Ninifikiri mambo yangu ni hivyo, na ninaomba sirikali itufikiria mambo kama hivyo.

Com. Swazuri: Asante sana jiandikishe hapo. Imam Abdirkarim

Imam Abdikarim (Mogotio): Ninge penda kutoa maoni yangu , ninawasubiri wenzangu ambao hawajafika (inaudible)

Com. Swazuri: Tutawapatia nafasi.

Imam. Okay. Maoni yangu ninge pendekeza hapa mbele yenu ile ya kwanza Katiba Itambue Mwenyezi Mungu. Maoni ya pili kama hii katibve ni ya wananchi, wananchi wote wapatie sehemu ya haki, vile vile vyamam vya upinzani, ningependa chama iwe chama tatu. Vile vile ninge penda mambo ya kipande iwe rahisi kwa watu. Mambop mengine, lugha ya kiswahili iwe lugha rasmi ya kitaifa. Kama ni kwa bunge, mtu anazungumza kizungu na kiingereza asikikwe anapo sungumza kiswahili, hata akisungumza, anaweza tumia lugha yake ya mama.

Vile vile ninapendekeza ofisi ya Kadhi iwe katika kila district. Maoni yangu ya mwisho, ningependekeza kwamba mchezo yetu kama ni wachezaji wafunze na watangulike kwenye kipawa kile kiko kwenye.... Ni hayo tu.

Com: Swazuri: Asante jiandikishe hapo. Komen, ako wapi? Lisori Komoi:

Lisori Komoi: My names are Lisori Komoi. I want to comment on a few things about our administration, I want to begin with the parliament. I wanted to comment that our members of parliament are being unpatriotic and partial. Because we realize that we are taking people who will talk about our people for their own good... (inaudible) on the side of the party

Com. Swazuri: Asante, jiandikishe hapo. Kimochok, kuna mwingine yoyote ambaye anataka kutoa maoni? Njoo. Anzia na jina lako

Isaac Koech Chemchok: Mimi kwa majina ninaitwa Isaac Koech Chemchok. Mimi ninasema asanti kwa kunipaia nafasi nitoe maoni yangu kuhusu ukosefu wa kasi. Ingawa watuwengi wamesema nanika jiingiza kwa kuwa mimi ni moja wao ambaye ninasikia uchungu sana. Wanafunzi kutoka kidacho cha kwanza mpaka university, akimaliza apate kazi. Ninataka Katiba iunde idara ya hawafanyi kazi, yaani tuseme waorganize employment kwa kuwa kila (inaudible). Mwanafunzi ambaye alimaliza anambiwa arudi (inaudible). Ninauliza wale wanahusika waangalie hio maneno sana. Hii imekuwa maneno kwangu. Asante sana.

Com. Swazuri: Unasema n yimwa mpaka degree. Unataka

Chemchok: (inaudible)

Com. Swazuri: Unamjua aje?

Chemchok: Sikujua mzuri, sijakuwa na mamlaka...

Com. Swazuri: Would you know were they from here?

Answer: (inaudible)

Com. Swazuri: Mwingine ambaye anataka kutoa maoni? Huyo mzee apate kujiandikisha.

Ronald Kibet: My name is Ronald Kibet; first is about land. Those people who have acquired land they should not more than 100, because there are some people who do not have..... leave alone some acres.

Second one is about those who are moving around, they are those who press the president so much that they misuse power and do not do their work according to the code of regulations.

Another one is about culture, the country is composed of many tribes, like the Tugens, like the Marakwet, Luke Kikuyus, like Luos, Luhias, and one thing which identifies that they belong is that culture, like circumcision, like removing of teeth by some people. Actually culture is supposed to determine the people's understanding. This is the foundation, and should not be penalized like the FGM. So I think culture should stay. We should not force people to do what they think is not good to their culture.

Com. Baraza: As civil servant, I wonder whether you are aware of the complications of circumcisions. People are talking against the culture like FGM because of the health implications, because it is now medically established that it is a real hazard. I do not know how you see it. Then also I wasn't the truth on whether kalenjins cut it or not. As in Bukusu, they used to cut FGM, I think my late grandmother who died at the age of almost a hundred, were all circumcised, but it stopped, it just stopped. I do not know whether you use it in Kalenjin.

Mr. Kibet: What I was saying customs (inaudible) but now as I was saying earlier, is let the people themselves come to understand, and as the understand they believe and they will change.

Com. Swazuri: Does it include the (inaudible) that if they go out they are liable for?

Mr. Kibet: Actually what I am saying is that people should not be This is 18 years and below. The date of contact in law is 18 years and above. But below that one there is no contact. Actually in that FGM I want to believe that it will change.

Com. Hassan Issa: (inaudible) there are some views which say id should not be done. So when the time comes it will just die like that.

Mr. Kibet: Even now it is not there as before.

Com. Swazuri: Thank you very much, you have given us. John Ngetich.

John Ngetich. My name is John Ngetich, former specialist, unfortunately I have prepared my own presentation but it is incomplete. First I will talk about the powers of the president. For the president I recommend that the powers of the president be reduced and devolved. President has to power to give out land, within his jurisdiction so that by the end of the day..... My proposal is that those powers be reduced and I say tat it is our turn to live. He has been given a lot of powers so that he can be (inaudible) it is not good. So next the president. ...(a lot of noise)

(END OF TAPE 1)

TAPE NO.2

Ronald Kibet: There are such difficulties because they believe the endorsement with the President for merger is internal does not rule their war upon the board of regulations. Then intimidation and(inaudible). Another one is about (inaudible). The country where the people there is one thing which makes them identify themselves. Like the Tugens, like the Maasai, like Luos, like Luhyas at least there is one thing which makes them identify to be known to that present time. Like even the Constitution, like the removal of (inaudible) by another some other people and they should not be penalized in terms of (inaudible). People understand the value of (inaudible) people will learn to have done (inaudible) but its good to serialize like the FGM. So I think that one (inaudible) should (inaudible). We should not be able to do what they think it is in not good with their culture. It is what they exercise people by doing that.

Com. Swazuri: There is a question.

Com. Baraza: Are you aware of educationalism. How do you, people are talking against the cultural identity, yes because of the health education because it is now medically established that it is a health hazard. I don't know how you think. I want your

views on whether (inaudible) or (inaudible). I come from Luhya land a place called Bukusu and they used to start with FGM I think my late grandmother who died at the age of almost a 100 and all her they were all (inaudible) but she stopped. She just stopped.

Ronald Kibet: That is why I was saying, culture as we understand like FGM(inaudible) that the Government is not good. But now as I said earlier, that it (inaudible) changes and people themselves come to understand and as they understand the (inaudible) they will change likewise.

Com. Swazuri: So you agree with the current(inaudible). You said that the (inaudible). You think that (inaudible).

Ronald Kibet: Actually, what I am saying is that people should not be (inaudible). They as that as if it is senior and below that (inaudible) 18 years, the date of in law is 18 years and above. But below there is no point. So actually be left FGM (inaudible). I also believe that there is something which is ... correct it will change.

Interceptions:

Com. Swazuri: As you said culture will change. There are some things which should be done and now we can only think of the time will come when we it will just die like that.

Ronald Kibet: Even now the FGM it is not there. Thank you very much.

Com. Swazuri: John Ngetich former specialist (inaudible).

John Ngetich: Co-ordinator I give my own presentation but it is incomplete and I shall highlight only on a few points. First I will talk on the President: On the President I recommend that powers of the President should be reduced and devolve to others. What we get now right from since independence, the President has the powers to give to employ to do this and that, so that at the end of the day he (inaudible) and I want to say this I think we are going to review this problem with our country. It is our country, I know we have quite (inaudible). It's just that the President has been given a lot of powers (inaudible) like DCs and PC even when (inaudible). The President (inaudible) of the people. The next point on the President is that he should be a degree holder and should not be less than 35 years and no more than 75 years. The other area, let me put this issue of the legislature, the executive and Parliament. I think we should – we hear from time to time about the (inaudible). They should be separated, if one can function on its own and I think (inaudible) and then Members of Parliament. I know their profession (inaudible) they are people who are properly educated and have a diploma an above and (inaudible) and nomination, when we talk of nomination

..... (inaudible) otherwise you feel that we should have members(inaudible). I would like to say that (inaudible)..... (inaudible) and then the council want finance and I thought with some of the (inaudible) with other developments. So please ... this small could be now with the council. This is the work of the council and they should be financed, strongly financed by the Ministry. So that they can work, what they are doing now is a of roles. (inaudible).

Com. Swazuri: Okay, another point.

John Ngetich: I recommend form four level of qualification to the council. That is the (inaudible) and a lot of people will say there are some areas where we don't have, I would like to say in Kenya (inaudible) is located(inaudible) in every village, every area in (inaudible). Therefore, from the issue of (inaudible) they don't have. (inaudible) and yet now they (inaudible) in fact they are not going. So if they want to go and come back (inaudible). Nomination again (inaudible) I think is necessary and should be the link (inaudible) that should not be more than five and again what they are beginning to attend that (inaudible). That they don't have people nominate before they supported this is because they woke up and go. If has to stop (inaudible)

Com. Swazuri: One minute more.

John Ngetich: A type of Government and Unitary Government. I don't believe in multi-party government frankly speaking but I believe the people of certain areas will have the power to decide for their own sake if it is a policy here the people of such area should make a decision of that point. Nobody else (inaudible). If it is the people equally and time for regional and(inaudible) and from Presidency and be given to (inaudible). What of those who are having (inaudible) to advertise. People are (inaudible) and then they were given (inaudible) by the way of doing things. I feel (inaudible) that we woke up with that kind of thing. (inaudible) there should be an automatic way of (inaudible) and the last one is this nation, we are talking about (inaudible). This nation has suffered and (inaudible) and in this old corruption and it is this one that (inaudible) everything (inaudible) have even gone. And (inaudible) it starts from the top (inaudible) any person it becomes very criminal. If you make a mistake (inaudible) the fact that ingia ndani. (inaudible).

Com. Swazuri: Thank you very much mzee wangu. Sasa ni Jeremia Chirchir.

Jeremia Chirchir: Yangu yatakuwa mafupi sana. Jina langu ni Jeremia Chirchir na ningetaka kujua tu.

Com. Swazuri: Weka microphone karibu.

Jeremia Chirchir: Ningetake kutoa maoni fupi sana (inaudible). Ni kwamba ningetaka iwe ni lazima haki ya walevi wa Kenya iwe (Inaudible) kwa sababu kulingana na sheria ile tunataka ninaona haitii ile mtu huwa anaadhiriwa anapo vyombo kama hivyo. Unaweza kuta mtu ameua mtu na hakuna sheria ya we utaanguka na labda (inaudible) watu wanakaa kwa muda hatua ingine kwa haraka na atakaposhikwa utakuta haki huko kotini usiseme hii haki ya (inaudible) ili kwamba una (inaudible) ama leo alifungwa na kufungo ambacho haishi na mtu ambaye (inaudible) kuua kwa maksudi kabisa. Anafungwa kama miaka miwili kulingana na maoni yangu kwamba (inaudible) wengine ambao labda wanaona hii kitu cha maana sana kama huyu amefungwa miaka mingi sana. Mtu huyu ameua amefanya kitendo cha kuua pengine ni chini ya miaka kumi na nne. Unakuta (inaudible) sehemu zingine hata kama aliiba mbuzi anapigwa kama ameua mbuzi. So nilikuwa ninaonelea ama kwamba mtu yule ameua ama sivyo ama wale wanaopiga (inaudible). Yetu ilikuwa mtu akiua ilikuwa (inaudible) ambayo watu wale walipoteza mtu yao walikuwa na (inaudible) na walikuwa wanalipwa hata kama ni ng'ombe mia moja, mia mbili na pigia tu na kama serikali yetu inavyoti sheria ya (inaudible) kupitia kwa ambaye inajulikana ng'ombe mia moja na group ya pili.

Com. Swazuri: Hiyo tumeelewa.

Jeremia Chirchir: Na amini ni kwamba (inaudible) na wale ambao wangechukua hatua ya wanajua na tena ameenda na kurudi. Kama ni yeye pia sikusikia na mtu ambaye aliumbwa ambaye ako hapa labda (inaudible) kwa sababu (inaudible).

Com. Swazuri: Inginge.

Jeremia Chirchir: Inginge moja niliandika nitapeana baadaye. Thank you very much.

Com., Swazuri: Wale Wapokot wanaita (inaudible).

Jeremia Chirchir: Yes, (inaudible) tunaita amet. Ni kama ((inaudible)). Thank you very much.

Com. Swazuri: Jina yako. Sema kwa majina. Daudi Kimining Cheptarus.

Daudi Kimining Cheptarus: Mimi ninasema kwamba asante sana kwa kunisikiliza maneno hii. Mimi maneno yangu ni kidogo tu, ni kidogo sana kwa sababu pengine unashida au unafanya nini. Mimi nataka iishe. Mimi naomba amani ya kwanza nataka jina amani. Kwa sababu amani ni (inaudible) kutafuta sheria kwa njia mzuri, ili ile ambao unatengeneza (inaudible) anapigana. Wananchi mgeni wetu ni (inaudible) ile mimi nataka ni hii. Mimi nataka (inaudible) utukufu

halafu na tena au watu. Mimi (inaudible) hii Kenya tuko na vitu vyote lakini (inaudible). Hii si ya (inaudible) si ya nini maana watu hawasikizani. Hivyo (inaudible) na mimi apana andikia namna hii. Kila (inaudible) tunataka tuaandike na kushika (inaudible) na kuchoka kabisa na (inaudible). Binadamu ni (inaudible) binadamu ni, binadamu ni utajiri ni Kama hakuna ni bure. Ya tatu (inaudible) iko sababu watu wengine lakini mwao anakataa kuwa (inaudible). Tunataka kila kitu tunataka kwa area yetu, I think (inaudible) tunataka watoto wasome lakini watoto wanashindwa, watoto husoma (inaudible). Nafikiri (inaudible) ninataka serikali ipewe kila school kwa Kenya nzima ipewe mtihani. Kama unataka kusaidiwa (inaudible) ama unataka kusaidiwa na ... (inaudible) ama unataka kusaidiwa na wananchi (inaudible) atengeneze njia ya kupeana (inaudible) mguu kusaidiwa. Hata (inaudible) hata nyinyi hamna ambaye ni maskini ati watu iko ingine hakuna. Wewe (inaudible) na kuomba kama wewe hunisaidii kwa nini mimi napenda kuomba. Basi kwa hivyo kitu mimi ninaomba serikali ni ile ya (inaudible). Halafu watu kotini polisi wanakuwa (inaudible) badala ya kusema tutafute nje au wapi (inaudible) kusaidia maisha ya watu. Ningetaka watu tusaidie –

Com. Swazuri: Twaambie kitu.

Daudi Kimining Cheptarus: Haya, mambo ya kuandika tunataka watu ili (inaudible). Kwa hivyo tunataka (inaudible) aweke ya maana halafu anachungulia haki yao sababu watu inategemea ukiona ile watu wanasikia (inaudible) alikuwa anapiga ... kidogo. Maana mtu mkubwa hiyo, mtu ni mkubwa huko mkubwa tunasema napenda kila kitu. Mavitu ile hakuna mkubwa ufanikie mwingine ... (inaudible) basi kwa hivi kama nyinyi mnasema(inaudible) kabisa. Kama nyinyi mnasema (inaudible) kabisa kuchungulia wazi. Hata ikiwa naona kuna meeting (inaudible). Rudia, rudia kama (inaudible). Haya ya pili, mimi hata kama nimekuwa wapi (inaudible) nakuwa kama (inaudible) yangu iko hapa duniani. Kwa sababu hii ni mali ya watu, sio ya mtu. Hata kama ni kiumbe iwe kama ni foot tatu na yeye aseme kwa na Mungu inaudible. Hivyo mimi itakuwa naingia kama ni councillor nafanya nayeye anasema(inaudible). Basi hivyo mimi nasema (inaudible) hata (inaudible). Kila siku mtu sehemu yake, kila community apate sehemu yake. Hapa and the way they are (inaudible) mimi nakuawambia hapana tuchunge nchi kila mtu kila nchi (inaudible). Thank you.

Com. Swazuri: Haya mwingine ambaye hajaandikishwa na yuko tayari. Sasa Samuel Kapeto.

Samuel Kapeto: Mimi kwa majina ni Samuel Kapeto. (inaudible). Niko na ya kwanza (inaudible). Ninasema ya kwamba mimi nataka kurudisha shukrani (inability) maanake vile unaona watu wengine, vile security imetuletea kwa sababu ya hiyo, mara namna hii, namna hii. Kwa hivyo mwingine (inaudible), mwingine ana (inaudible). Ya pili ni (inaudible) nafikiri mambo ya mashamba itabaki mengine maanake ikiwa sheria bado inasema ya kwamba willing seller, willing buyer. Kwa hivyo (inaudible) itafanya Mambo ya FGM: Kulingana na

councilors ambaye wanasema ya kwamba kazi iwepo lakini kazi ya kufunza sio kazi ya kisasa. (inaudible) lakini mambo ya (inaudible) hiyo ikae. Hiyo, mambo ya ukimwi na kadhalika na (inaudible;) serikali.

Good environment: Kama ni ... (inaudible) environment na ikiwa tunakosa vile inatakikana tusiwe tukapata mashamba ... (inaudible) mpaka. Mambo ya ... (inaudible). Ya tano, mambo ya irrigation – hii mambo ya irrigation hakuna nini ... (inaudible) tuko na (inaudible) tuwe na (inaudible) hizi dams zitumiwe kwa irrigation. Nasikia kwamba inasaidia watu wengi sana. Na wale watu wako hawajakuwa na irrigation kama hiyo hawa ndio watakuwa na (inaudible). Kwa sababu (inaudible) wako bure badala ya kutumia kwa mimea. Imepelekwa mahali mingi na hii maji ninge (inaudible) kwa hivyo natoa shukrani kwa hii mambo ikiwa itaandikwa katika Katiba ya kwamba ni mambo ya muhimu ni irrigation.

Com. Swazuri: Inginge.

Samuel Kapeto: Nimemaliza

Com. Swazuri: Umemaliza. Asante sana, neenda uandike halafu mzee njoo.

Michael Chepkier: Kwa majina ni Michael Chepkier. Nina mambo matatu tu ambao ningependa kutoa mbele zenu. Kwanza ni elimu. Mambo ya elimu isipoangaliwa vizuri watu wengine ambao wangukuwa darasa la (inaudible) wanaitwa professor. Na ningependa serikali iangalie vizuri.

Com. Swazuri: Ifanye nini?

Michael Chepkier: Kwa sababu kuna elimu (inaudible) kama ya secondary ama ya university na mtu au mkulima wa kawaida hata wengine hawana kazi wanaangaika na (inaudible) nyumbani. Watu wangu ambao (inaudible). Pili, ni dawa. Kwa maana ukienda hata kama ni hospitali ya private kuona mgonjwa au hakuna kazi au (inaudible). Na ningependa serikali pia iangalie mambo kama haya kwa sababu unaweza (inaudible) watu ama mambo kama haya. Kwa sababu tunaweza (inaudible) ambao wamekuwa. Ya tatu kuna watu ambao walichaguliwa au wakiwa nji viongozi wakisema kuna taabu fulani ambayo tunaweza kusaidia wananchi tunaunga mkono watoto wanasema hapa kuna kitu ambacho tunaweza kuwa naye. Atayekwisha guza mali yetu au kujikakamua (inaudible) anaweza kwenda mara kumi au ishirini bila kufungia na (inaudible) namna hii au namna hii. Na ningependa sheria ili mambo kama haya wasiwe na mabadiliko ya mwananchi wa kawaida. Kwa sababu mwananchi wa kawaida anaweza kunyanyaswa na (inaudible) na akisema hakuna mahali ambao anaweza tokea kwa hivyo serikali iangalie yeye kabisa. Ili mtu (inaudible) mambo kama hayo afuatiliwe kabisa na apate (inaudible) au riziki ya kutosha ili asiendelee kunyanyasa watu wengine. Kwa hivyo hayo ndio mambo yangu ambayo ningetaka kutoa kwa Commission ya leo.

Interceptions:

Reuben Cheploeng: My names are Reuben Cheploeng. I want to recommend something on free the first one is education and on education I want to say that there must be free education for all from class 1 to 8. Also, along with that all Kenyans should be taught and a law for the rights of the child. Where the child is being his rights are being (inaudible) everything is good even away from school. Destitute children. The Government should come first with strong special schools to cater for these children. So that they will grow normally as other children. Also, (inaudible) many schools for that and also many teachers who are skilful for that. (inaudible) This is on circumcision for girls I want to say that this female mutilation should be stopped. For boys (inaudible) there are ways for fighting them all we have traditional ways and there are religious ways. I want to say these has brought a lot of enmity (inaudible) where someone takes a (inaudible) the other one goes to attack the body of one another. I want to say the boy has the right to go where he feels he is suffering.

Interceptions:

Reuben Cheploeng: No, you see (inaudible). I am saying some of corruption has changed our country, although he (inaudible) he must pay something so that he gets employed. We don't say we don't have people who are not qualified. It has created a lot of employment because for production. We have (inaudible) you go to hospital you must pay something because the hospital we heard that the services are very slow. You don't get any service so if you are (inaudible).

David Kiplagat Changwony: Sasa nasema asante sana kwa kuja hapa kufanya mashauri na wananchi hawa, kwa sababu yale tunasikia tu hivyo ambaye itakuja na wakati huu tuko tayari kutoa maoni yetu. Mimi naitwa David Kiplagat Changwony.

Com. Swazuri: Haya endelea.

David Kiplagat Changwony: Mimi mkaaji wa hapa. Mbeleni nilikuwa kotini (inaudible). Na (inaudible) ya land control board wakati huu. Kuna kitu mimi nataka kusema wakati tarehe tisa mwezi wa pili, 62 nilichaguliwa kwenda Eldoret kufanya mipaka ambayo ilikuwa (inaudible) . Hii ilikuwa mchanganyiko upande wa Keiyo na Baringo na nilipewa mashamba ambayo ilikuwa nalingana na ile sehemu Wazungu wanachukua. Na wakati huo Wazungu (inaudible) siku hiyo walikuwa wanasema ile mashamba ambaye iko katika ramani kama Wazungu napenda hiyo ramani itakaa ambavyo wananchi itakuwa iko mambo kutoka sehemu yote. Isipokuwa kama watu nakushaa nunua hata kama natoka kila mahali mbeleni hakuna kitu ya kuondoa. Lakini hii ni (inaudible) ambayo Wazungu waliwacha ilikuwa namba mbili. Tuseme hii sehemu yenu

Com. Swazuri: Sasa unataka tufanye nini kwa saa hii?

David Kiplagat Changwony: Saa hii mimi nataka kuuliza mipaka tu, mipaka ile yetu ambaye ilikiwa hivyo iwekwe sawa sawa. Lakini mimi nataka hii jimbo iwekwe itakuwa ili naangalia ile mambo ile inatokea kama ile serikali napata kama (inaudible) kama maneno yote tuwe na mamlaka ya kupewa hii. Kama watu napata taabu mahali ingine namna hiyo. Na hata sehemu nyingi ya Nakuru iko sehemu ambayo ilikuwa ya Baringo ya (inaudible) iko kama iko watu wa Baringo hapa Koibatek iko mpaka sisi najua nakumbuka mpaka kutoka upande wa ... (inaudible) na mtu wa kibarua halafu nafungua tena karibu ... (inaudible) halafu nakumbuka nakuja na barabara ya kuenda Rongai, halafu nakuja upande wetu (inaudible) ikuwe na primary halafu napigana na pande ya Subukia. Lakini hapana bila Subukia nakuja Rongai halafu napanda hii mpaka (inaudible). Hii ni sehemu ambaye inataka iwekwe sawa sawa.

Com. Swazuri: Sawa ingine.

David Kiplagat Changwony: Ingene ni mambo ya land kwa mambo ya mashamba pamoja na maplot katika town ile yetu ile naona wayahudi wanakuwa wengi na ... (inaudible) uko Nairobi mnakwenda Nairobi kwenda kuchukua mambo ya plot ya mtu mwingine ambapo anapewa mpaka yeye anakuja chukua hiyo plot. Pamoja na mashamba (inaudible) nataka iwe katika district halafu kila kitu (inaudible) lakini nawekwa Nairobi nakuwa mbaya, kwa sababu mambo mengi nakushatoka kunyakuliwa mashamba ile ya watu.

Com. Swazuri: Ingene.

David Kiplagat Changwony: Kitu ingine mimi nataka hii serikali iwekwe (inaudible) lakini kitu ingine mimi nasema ni mtu apate licence kama hapa kwetu Nakuru wapi, aondolewe yeye anakaa kama sheria (inaudible) inakuwa serikali ya majimbo. Lakini kabla hayo yote yawekwe pamoja sina (inaudible).

Com. Swazuri: Ingene.

David Kiplagat Changwony: Mimi nafikiri ni hayo maneno yangu ... (inaudible).

Com. Swazuri: Haya asante sana (inaudible). Halafu Willy Keter.

Willy Tuitoek Keter: Mimi naitwa Willy Tuitoek Keter(inaudible).

Com. Swazuri: Endelea.

Willy Tuitoek Keter: Nataka (inaudible) preamble. Nataka iwe na preamble. Nataka katika

Constitution, national philosophy (inaudible). Katika legislature tunataka kuwe na chamber mbili – senate na house of representatives. (inaudible) wakati nilipokuja mbeleni. (inaudible) . Katika (inaudible) nataka tu iwekwe mfano kwamba (inaudible) Kwa upande wa security, President, community (inaudible) other (inaudible). Kuhusu environment ikuche chini ya ofisi ya Rais, wakati huu ofisi ya Rais iko na na environment isikuwe pamoja na lakini hata kama zamani.

Com. Swazuri: Basi kama umemaliza neenda ujiandikishe. Ezekiel Cheruiyot.

Ezekiel Cheruiyot: Basi kwa majina mimi naitwa Ezekiel K. Cheruiyot miaka yangu ni miaka hamsini na nne na mimi ni (inaudible) na sina mengi ya kusema wakati huu. Basi nafikiria yangu ningechapisha maeno yangu katika kitabu hiki na nimeguzia elfu kumi na saba hivi kwa hivyo (inaudible) lakini kwa kukaa karibu (inaudible) nasema kwamba kufariana na yangu iwekwe katika Katiba yetu na hiyo kitu yako lazima tuone ya kwamba ya makabila yote arobaini na mbili ama whatever iwe ndani. Na ili waweze kumithi Katiba hiyo nafikiri hii ni Basi katika serikali ya wakati huu, maoni yangu nilisema tuendeleo na hii muundo ya saa hii ya uongozi. Yaani Rais moja ambaye tunafuata na huyo Rais lazima wakati anapo kuwa lazima apende country yake ambaye atafuata. Na huyo Rais lazima apate kura kabla ya uchaguzi mwenyewe lazima apate kura kutoka kila wilaya. Nafikiri (inaudible) ukiweka ingine watampigia kwa hivyo hiyo ni (inaudible) na vile vile kupunguza ala wote yeye apunguze miaka kwa ile itakuwa miaka kumi na nane. Na vile vile kazi ya Rais kuingia katika Bunge, (inaudible) na vile vile mimi naunga mkono Majimbo pengine nitatoa maoni yangu. Tukiweza serikali ya mitaa ama serikali ya wilaya hiyo inabudu community, na (inaudible) na kuweza kubadilisha ardhi au kutoka Nairobi ije katika mikoa ila itafaa kwa sababu wale watu wamehusika wa pale (inaudible) ningependa kuona ya kwamba serikali ya mitaa iwekwe nguvu na itafanya kazi zaidi ya upande wa majimbo.

Nikija katika mambo ingine ambayo ningeguzia ningesema ardhi au kutoka Nairobi iguzwe na iletwe katika mkoa. Na ikikuja katika mikoa itakuwa rahisi kwa (inaudible) ambaye angependa kupata shamba ama kupata mambo (inaudible). Nitakuja juu ya (inaudible) madogo madogo ama kitambulisho ya watoto miaka kumi na nane lazima wapate (inaudible) bila kulipa chochote, iwe free. Na iwe free kabisa. Ukifika miaka kumi na nane mtoto anaenda kupokea hiyo kitambulisho. Sababu gani, sababu atayaandika ataendelea (inaudible) kwa hivyo hiyo ni haki yake. (inaudible) iwe na vile vile (inaudible). Iwe free also wapeane .. (inaudible). Pia kwa wanyama (inaudible) idara tatu ya ulinzi yaani (inaudible) na na vile vile na (inaudible), hiyo ni kazi ya (inaudible). Inginge niende katika mkoa ili nifufue. Lazima wasafiri ambaye wanasumbua watu katika kwa matatu.

Com. Swazuri: Dakika moja yako.

Ezekiel Cheruiyot: Basi ningeegea kwamba wasafiri wale waangilia katika magari kama Katiba imesema (inaudible) Mtu binafsi ningeeonelea apate karatasi ya politics na serikali aone vitu kama(inaudible) ana compensate yeye pande ya mazingara. Tukija katika freedom of worship tungeunga freedom of worship katika Kenya (inaudible) na kila na area (inaudible).

Com. Swazuri: Ya mwisho.

Ezekiel Cheruiyot: Mwisho yangu ningetaka tu ya free education. First election ifanywe na wazee wa kijiji. Nafikiri mimi nitawachia hapo asante. (inaudible).....

Com. Swazuri: Peter Chepkwony? Paul B.A. Cheron?

Paul B.A. Cheron: Majina ni Paul Kipyator Arap Kirui. Mimi ni senior chief wa location hii mahali ambapo tuko. La kwanza lile ningetaka tu kusema ya kwamba hii mambo ya Katiba ya nchi yetu nasema kuhusu mambo ya ardhi, mambo ya title deed wananchi wanasumbuka kutafuta hizo vitu kwa njia ngumu sana. Kwa hivyo ingekuwa kwa maoni yangu ningesema tu Katiba iseme kila title deed ipatikane katika district ya maplot na hata ya mashamba na wapi kwingine.

Jambo lingine ningetaka kusema ya kwamba hii mambo ya bado tumekuwa na Uhuru miaka thelathini na sita ningetaka kusema ya kwamba Katiba ya aina hii mambo ya (inaudible) watu katika nchi hii wakasema (inaudible) watu wakae pamoja katika serikali moja ijapokuwa (inaudible) kuhusu vyama. Sababu chama (inaudible) ya uchaguzi anahaki ya kueleza (inaudible) sababu ya pamoja na ieleze kwa njia ya kuangalia raia wa nchi hii wanakaa kwa njia ya haki kwa mambo mengi. Kwamba mahospitali siku hizi imekuwa ghali sana dawa ukipata serikali ione ya kwamba dawa inapatikana kwa wananchi (inaudible). Kwa sababu mtu akiwa mgonjwa anaenda hospitali na (inaudible) atafungiwa (inaudible). Kwa hivyo nasema Katiba ikisema hivi juu ya chama ya hospitali.

Jambo lingine ni kuhusu masomo ya wanafunzi wetu. Nilikuwa naonelea kwamba masomo ya primary kutoka primary mpaka standard eight iwe free na isiwe na gharama yote ya kulipwa wananchi, ili watu wote waweze kuenda kwa skuli. Watoto wa aina mbali mbali kwa sababu katika kijiji au jiji utakuta wale watoto ambao wanatembea tembea wako katika (inaudible).

Wengine wanatoka kupita kuenda juu kwa sababu hakuna mtu anaweza kusaidia yeye (inaudible). Na watoto katika hii iwe pamoja nilikuwa naonelea ya kwamba watu kutoa fees hii (inaudible). Wale watoto wanaangaliwa katika hii wote wanachukua wamechelewa na wanaweza kuchukua watu (inaudible).

Com. Swazuri: Injine.

Paul B.A. Cheron: Injine ningetaka kusema kwa (inaudible) kuna hii mambo ya uuzaji wa pombe imetokea. Ningependa tu kuona ya kwamba katika (inaudible) vile naweza kusema mimi pia mambo ya unyuaji wa pombe (inaudible). Kwa sababu tunaweza kuona ikiwa watu wanakunywa pombe wakiwa wadogo na wanajidai ya kuwa ma muelekeo wa tabia ambayo ningehitaji katika nchi yetu.

Com. Swazuri: Umemaliza?

Paul B.A. Cheron: Kwa hivyo hilo ni jambo ninayo (inaudible).

Com. Swazuri: Nenda kule nyuma uandikishe jina lako. Samuel Keter?(inaudible) na uanze na jina lako.

Samuel Keter: Asante sana. Mimi sina maneno mingi. Mimi ni mzee na mzee (inaudible).

Com. Swazuri: Waitwa nani kwanza?

Samuel Keter: Naitwa Samuel K. Keter. Wakati sisi napata Uhuru nilikuwa (inaudible). Sasa maneno yangu sijui naweza kusema na Kiswahili shauri ya (inaudible) nitajaribu tu. Maneno yangu ni maneno kidogo. Wakati sisi tulikuwa tunapata Uhuru tulikuwa na chama mbili KANU na KADU lakini serikali ilikuwa ni KANU. Sasa ilikuwa inaitwa (inaudible) kwa mawili ili naomba sasa kama wacha serikali (inaudible) ili watu wa siasa wazungumze (inaudible). Hiyo maneno ya politics.

Ya pili, mimi nasema mapema sisi ndio tutaumia KCC, KMC hakuna. KFA hakuna, AFC ilikuwa inatupatia pesa kidogo kidogo ya ile (inaudible). Mimi naomba Katiba kama inawezekana inapatia nyinyi chakula yote (inaudible). Asante.

Com. Swazuri: Okay. Gideon Chepng'eno.

Gideon Chepng'eno: Kwa majina naitwa Gideon Chepng'eno. Basi ninaanza na mambo a Rais. Napendekeza ama kwa maoni yangu Rais awe mtu awe na miaka kuanzia 35 mpaka 75. Elimu – degree. Kuchaguliwa kwa Rais kuwe siku tofauti na siku ambazo watu wa Parliament na (inaudible). Nikikuja kwa upande wa ma Councillors, elimu kwa maoni yangu (inaudible) darasa la nane na kuendelea. Umri (inaudible) wa Councillors waangalie wale watu special kama ni ... (inaudible) iwekwe ndani ya yaani sababu wengi wanatolewa waangaliwe kabisa ile section ambaye kama iwekwe (inaudible). Bunge iwe (inaudible). Kwa mambo ya mazingira naonelea mambo ya mazingira watu wa wilaya au watu wa eneo hiyo wapewe jukumu na kulinda hiyo. Kwa mishahara ya Councillors (inaudible) naonelea

serikali iwalipe.

Sasa nikienda kwa mambo ya elimu, elimu serikali iwape watu free education kutoka primary mpaka university. Basi kwa upande wa mambo ya administration. Kwa mambo ya administration kwa upande wa chief kwa mambo ya (inaudible) watu wa wapewe kazi baada ya hawo kuandika application wapewe wapate (inaudible). (inaudible). Kushughulika baadaye, wale wanguhulika system hii ya ku-advertise na kuandika (inaudible) tumeona hawa vijana unaweza rusha utawala hiyo unapewa (inaudible) na serikali ya (inaudible) unakuta ni na unataka aambie watu vile inatakikana, sasa kama mtu ni mpole mwenyewe ataambia watu (inaudible). Sasa kama watu wamepoa.

Com. Swazuri: Una dakika moja.

Gideon Chepng'eno: Haya mambo ingine, mambo ya mwisho kwa mambo ya elimu ya mayor na chairman watu (inaudible). Wananchi wa (inaudible).

Com. Swazuri: Mwingine ni Shaban Mikidadi.

Shaban Mikidadi: Kwa majina naitwa Shaban Mikidadi nafanya Telkom Kenya pia ni kama (inaudible) wa Waislamu nchini. Na (inaudible) kadhaa ambazo nimeweka na nitasema kwa ufupi. Maoni ya kwanza ni Waislamu wote wahukumiwe kuambatana na sheria za Kiislamu. Dalili ya kwamba Kadhi apewe uwezo wa kuhukumu Waislamu kwa jumla na apewe uwezo kama Jaji wengine pia awe na elimu ya chini na ya juu. Na hiyo Kadhi apewe court clerks waliinzi mahakamani. (Inaudible) napata mishahara kama majaji mengine. Pia idadi ya matawi iongezwe kwa mikoa na kila wilaya na hata tarafa. Ya pili, Waislamu wasibaguliwe na serikali kwa vyovyote vile kwanzia kitambulisho, passport, kazi na hata (inaudible) na wana Kenya wengine. Kwa mfano free card. Ya tatu wanafunzi wote wapite kwa Kiislamu wakubaliwe kuvaa mavazi ya Kiislamu kuanzia shule ya msingi, university na hata college. Ya nne, (inaudible) power ya uakilishi wa (inaudible) kwa vile inaonekana (inaudible) wale wako Bunge hawasaidii Waislamu wanachaguliwa katika Bunge hawatendei haki Waislamu (inaudible) kama Wabunge wamechaguliwa Nafikiri ni hayo tu.

Com. Swazuri: Asante sana Shaban neenda uandikishe jina lako. Na tuwe na Ahmed Abdi. Karibu mzee wangu.

Ahmed Abdi: Yangu ni kidogo ni kuhusu yale.

Com. Swazuri: Anza na jina lako.

Ahmed Abdi: Ahmed Abdi Dif. Kwa kuwa sisi tangu siku ile serikali ya KANU (inaudible) Sisi tuko hapa hakuna kipande. Tunasema tafuta (inaudible)..... Ya pili, sisi hapa (inaudible) sisi iko maplot lakini hakuna Kama hakuna kipande wewe toka. Ya mwisho (inaudible) tunataka watu wetu wanapata kipande na passport. Na pia (inaudible).

Com. Baraza: Asante kwa maoni yako. Na wewe (inaudible).

Ahmed Abdi: Mimi.

Com. Baraza: Wanakuuliza.

Ahmed Abdi: (inaudible).

Com. Swazuri: Wewe unaulizwa (inaudible).

Com. Baraza: Unayo iko wapi?

Ahmed Abdi: (inaudible).

Com. Baraza: Iko screen card (inaudible). Wanatembea pale au haujapatwa?

Com. Swazuri: Andikisha jina yako huko. Abdalla Juma?

Abdalla Juma: Kwa majina naitwa Abdalla Juma. Napendekeza Kadhi mkuu kwa hakika (inaudible) kuna Kadhi mkuu Nairobi, Kadhi Mombasa na Kisumu. Saa ingine kama wao hawako katika (inaudible) kwa hivyo Kadhi napendekeza awe ahukumu katika sheria ya Kiislamu na iwe (inaudible) ambayo vile vile hiyo (inaudible). (inaudible) au ile inafanya mambo ya ulinzi na (inaudible) kama jaji mwingine awe anahukumu katika ya Kiislamu. Awe mtu mwenye elimu iwe elimu ya juu, elimu ya (inaudible) that is awe mtu wa (inaudible). Vile vile jaji awe ni mtu anachaguliwa na (inaudible) wana wale wanachagua Kadhi. (inaudible) ningeonelea wafanya kazi kuhusu mavazi. Wanafunzi wa dini ya Kiislamu na hadi katika shule za msingi na shule nyingi ambazo (inaudible) mpaka watu wa serikali nchini kwa sababu ya mavazi ya sheria ya Kiislamu (inaudible). Ningetaka Katiba iwe inaruhusu mtoto wa kike Muislamu kuanzia shule za msingi, hata university ama college wawe wanaweza kuvaa mavazi hiyo ya Kiislamu kulingana na sheria ya Kiislamu. Yangu ni hayo.

Com. Swazuri: Asante sana bwana Juma. David Yegon? Jina yako.

David Yegon: Jina yangu naitwa David Yegon. Ninaomba tu mambo ya shule tusaidiwe na serikali (inaudible).
Tukienda kwa mambo ya hospitali (inaudible).

Com. Swazuri: Baada ya kuongeza hospitali.

David Yegon: Baada ya kuongeza hospitali, tuna (inaudible) ni mambo ya maji na kila mahali (inaudible).
Ukame hakuna maji. Ingingine mimi nasema hospitali kama tuna (inaudible). Yangu ni hayo tu.

Com. Swazuri: Asante sana mzee. Mwingine ni Ezra Kimuge. Haya, karibu hapa. Jina yako.

Ezra Kimuge: Mimi ni Ezra Kimuge. I would like to start on political parties. You find a lot of parties
(inaudible). Ya pili, for Kenya to have four political parties. (inaudible) 10% of registered
voters in every district in the Republic. Kenyans in this Republic should have a regular (inaudible) to avoid
corruption. It for the entire country. When I feel that every party or any party
..... (inaudible) should the Government.
..... (inaudible).

Com. Swazuri: Jacob Kiprotich.

Jacob Kiprotich Cheboiwo: I am Jacob Kiprotich Cheboiwo. What we would want in the Constitution Review Commission
is (inaudible). We people of Kenya (inaudible)
..... (inaudible). Kenya should be a
..... (inaudible). This should (inaudible). Free medical
care should be provided. All education primary and secondary education from each region (inaudible). The
employee should not be being employed. All Kenyans should be accessible to clean water for the better
..... (inaudible). All water should be well reserved (inaudible). The Constitution should be
amended and the citizens should be (inaudible) under Constitution by a
law..... (inaudible).

INAUDIBLE.

BEGINNING OF TAPE: 3

Com: Swazuri: Mwingine: (inaudible).

Chelimo Dickson: Thank you Commissioners. My name is Chelimo Dickson.

Com: Issa: Your name is?

Chelimo: Chelimo Dickson. I have my some memorandum here but (inaudible) so my views I support the idea of empowering the Local government so that the Local Government be so that all of the works will be done at the Local government. So as we look at the Local government there are some things that people require into that Local Government and they get (inaudible). But I believe that if the (inaudible) is put in place then the Local people would be able to come up with the way of sharing these resources, in the State hold government then we can have this authority of combining the central services together. So regarding that I have the following suggestions: One is that that the devolution of powers in the in the and the Constitutional Review and process should not be hurried up and the people be given more time to complete and prepare the views so that they can be sure that (inaudible) here to reach the people is not very easy. So we plead for more time to be given to that. So as we wait for that with understanding as usual that I have to(inaudible). They are elaborate and well (inaudible). The Local Government Act that is 1365, to connect the devolution of political powers of Kenya iwe stable and the framework should be entrenched in the Constitution.

Two, if the framework of the Local government Act is enacted, there will be checks in the Local Government Funds that will provide for proper financing as well as property finance management including house financing control of Local Government finance.

Three: It will also raise the standard of the Local government management and this will entail among others, raising the qualification for councillors, qualification for support staff. For this purpose the Local Staff Commission, should be commended that will be checking the qualification of Support staff to those of the members of Parliament and the Senate. Such (inaudible) some people are in place not because they are qualified. They could just be there because so and is there. But what we are looking forward is that if Kenyans support the idea of funding the Local Government, we take a position that we have a clear qualification for each and every leader in that particular area so that we can have a standard of education so that these people must create oneness for the departments which are there and ...

Com. Swazuri: Do you have the standard for these leaders?

Chelimo: Yes; the first one is the (inaudible); that they should be at least form four certificate.

Lastly I also recommend that the finance should be of security tenure, which will approve the actual estimate of its staff and

expenditure for Local Authority and even the expenditure for Local Government. If we can scrutinize the Annual Reports from the Auditor General for the Authority. It is also recommended that the Major work for Local Government portfolio in the members of the Kenyan and then the official tenure because they are sitting and deciding or talk about the issues which affect the people. So if the Local Authority could have such a Committee I suggest (inaudible) and the attainment of approval, (In audible)... thank you very much.

Com. Swazuri: Thank you Bwana Chelimo for giving us your view. Mr. David Maina? David Maina? Kimaru Charles.

Kimaru Charles: Thank you very much Commissioner. My names are Charles Kimaru. First of all I would like to give an apology might be you called my name, I have not been in. I would like to give all that I have in mind.

First of all, this document is a very important document going to collecting the opinion of all Kenyans, so that it will be that Kenya decided. This is the same document, which will create ways for the destiny of this country. Our minds are... since we are not going to waste time; my view is that we need to have Councillors who have at least a level of form four educations. We think that if we have to empower this situation, where we have Councillors any way, can work in English or Kiswahili working places, that this the Constitution of Kenya, should look at it and address this issue of Councillors so that we must have which is also equivalent to the revenue. I set these in the following points: that the Kenyan Councillors are the people who are in charge of a bigger number of people.

Com. Swazuri: What do you suggest?

Kimaru: They should be a people with (inaudible). Two is that there are people who should get the problems from the people and they are people who are supposed to be checking on the poor, the same people who are supposed to give security on all the electorate, they understand the scope of the people, and that we are also, and that we had also talked on the issue of finances.

Another second point is on the issue of poverty. The poverty level in this country is going up, and the Constitution should address ideally the move away from poverty problems. My suggestion is that we should clear points on ways like for example, (inaudible) the Constitution which covers for the disabled, in this case we have those are (inaudible) my fist feeling is disabled are to have their (inaudible) but I had talked about those who are totally disabled. We should have something like the revolving funds, which come from HELB-*Higher Education Loan Board*, which cater for the poor in the society.

The Constitution should look at ways of how we entrepreneur businesses which are going down the.... importations, be strict on certain kinds of goods so that it would help us (inaudible) and also improve the economy of Kenya.

Our third point is on the Members of Parliament. For sure we go to Parliament and I hate to have a relation with our reference to who carries the powers is in the house and not in the government office. Why I say about this is that the taxpayers whose wages are affected. I would ask the Constitution to look into the problem of the officers and..... is enough, and to see that there complaints are listened and attended to, and that if they are elected to the house, they are to have their offices at the Constituency level, and I hope that the officials (inaudible). The electorate should be given the powers to give a vote of no confidence in the cases whereby the MPs are not being productive. With those very many remarks, I say thank you very much.

Com. Swazuri: Paul Seroney

Paul Seroney: Asante sana Makomishona. Kwa majina ni Paul Seroney, (inaudible) Nikona machache nitaguzia sehemu ambao ni muhimu. Katika sehemu ambao ninaweza kuguzia kwamba tunaweza kubadili kaitiba akiwa tutatumia asilimia 75% ili iwekwe katika Katiba huo ni jambo la maana, ama ni jambo la lazima. Ikiwa si jambo la lazima, waweke Commission ile ambao ni ya haki. Jambo lingine, wananchi pia waweze kuwa na maoni iwekwe ndani ya Katiba ni kwamba mtu anatakiwa kuwa raia kwa ile njia kwamba uwe umezaliwa hapa nchini, na pia wale wazazi wote ni wa nchini. Ni lazima wafanye kama vile wanavyo pata

Mtu asiwe raia zaidi ya nchi mawili. Mtu anatakiwa awe raia wa nchi moja. Katika sehemu ingine ya ulizi ni kwamba tunaitaji majeshi ya usalama na majeshi kama Polis, Askari Jela yaundwe ya siwe na ziwe na pangilio na ziwe korti maalumu wa usalama. Iwe na squad yenye ngao ya juu, na pia tuweze tuwe na mshahara yake kiviake. Kasha jeshi yetu lazima iwe na nambari moja na pia cheo utolewe kufuatana na ya kisasa na mipango ya juu, na pia jinzi iwe na sheria zao ya kuongoza ili waweze kuongozwa kwa

President, Rais awe mku wa amiri jeshi mkuu wa majeshi wa nchi yetu, silaha zote lazima zilindwe na Jeshi. Rais awe na mamlaka ya kutangaza vita. Lazima ajulishe Bunge kwanza kabla ya kuweka sahihi. Akikimbia kwa kila pande ya Bunge..... Rais na Bunge wawe na heshima kuu kwa nchi yetu. Hiyo Bunge lazima ichukuwe jukumu hili ya kumruhusu Rais kueleza uwajibu wake. (inaudible)

Vyama vya siasa lazima ishughulikie mambo ya siasa bila kuwa na shughuli ingine kwa mambo ya siasa ni siasa. Kila chama lazima kuwe na asilimia kuma kwa kwa idadi ya katika ..

Kila chama cha kisiasa iko na watu kutoka kila wilaya, lazima tusalimie katika tarafa ya huku labda (inaudible). Kile chama kinacho shinda iunde serikali, na ishughulikie wote nchini bila kukashrisha wowote. Sasa chama itumikie kila mtu bila kubagua hii ni wa nani na huyu ni nani. Chama hicho ile ya kuunda serikali, kuwe na rais, lakini mamlake igawanywe katika sehemu wakati wa kuunda serikali.

Rais awe awe Baba wa taifa, awe na waziri mkuu, na pia aweze (inaudible) kwake.

Tatu utawala wa majimbo inaweza kufanya nchini. Vitu kama hospitali, mashule, security office katika hospitali mkuu. Lakini vitukama mashamba mali yako na kadhalika yawe katika majimbo. kwa njia ya majimbo pekeyake watu watu watatibiwa bila kuchelewa na kufikiwa na mabo kwa wakiti inao faa.

Com. Swazuri: Ya mwisho?

Seroney: Ya mwisho ni kwamba Bunge ichague viongozi kama PS, (inaudible) appointments ipitie Wabunge. Na ingine ni kwamba Rais lazima awe na miaka kutoka 35 mpaka sabini wakati anapo omba kura. Kila Mbunge lazima awe na masomo mpaka kidato cha nne ambao amepita mtihani vizuri. Lazima awe na hesabu mzuri ambaye anakuwa na watu wa kutosha.

Serikali ya mtaa, Mayor na wenye viti vya mabaraza wachaguliwe na raia moja kwa moja.(inaudible)

Elimu ya madiwani iwe kiwango cha pili ni darasa la nanne na kuendelea, niposa tunaona wale wengine kuna darasa kubwa, kila mtu hawezi kupata mascara huu. Lile lingine ni kwamba barza la madiwani wachujwe na wazee wa mitaa. Asante sana, yale sijamaliza, mtuasoma.

Com. Swazuri: Asante sana, jilandikishe, and utuwachei hiyo. Samuel Kiptanui.

Samuel Kiptanui: Asante sana. I am Mr. Samwel Kiptanui kutoka tarafa ya Mogotio, yani Mogotio location. Ninashukuru kwa nafasi hii kuongoea kuhusu sheria.

Kwanza ninaomba kama kurerkebisha ama kuchapa sheria ichapishwe kwa kila lugha, ile iamishwe kupanuka katika lugha ya Kiswahili, kiingereza, Kikuyu, Kijaluo, na lugha ambayo inapatikana. anapatikana. Tunaomba haya ichapishwe hivyo.

Ya pili, ninaomba Chief wachaguliwe na wananchi, na waendeele kwa miaka kumi. Sio miaka yote. Ya nne, Wajumba ama Macouncillors, tunaomba watumia pesa zao. Ya tano, sheria, Local Government, inaweza kaa vile ilivyo, kwa sababu unaweza pewa (inaudible) tuseme kwa miaka tano. sina mengi ni hayo machache, asante sana.

Com. Swazuri: Asante sana, jilandikishe hapo. James Shalam, (inaudible) Kennedy Ngetich.

Kennedy Ngetich: thank you very much Commissioner, (inaudible). The Constitution should be translated into all Kenyan languages so that it may be used by all citizens. (Inaudible). We want bigger portion of people to give views. (Inaudible) thank you so much.

Com. Swazuri: Talam.

Mr. Talam: Thank you so much Commissioners, my name is Ken Talam, from (noise). My view is that the government should safeguard the training centers by being first interested in what we are doing and making different (inaudible) and comprise the..... in the papers. There is equitable (inaudible) and I would appeal that the government look into it. The issue because this has turned into inadequate technicals and become (inaudible) and the in the rural areas, I would appeal that the Chiefs should be elected by the electorate so that the Chief should be elected in post for not more than ten years. The other.... To make decisions becomes a problem, for we do not have (inaudible) so that we could have the (inaudible).

Com. Swazuri: Say your name, you class and your (inaudible)

Wesley Tuitoek: Asante sana. My names are Wesley Tuitoek. My issue is I would like to say to the Constitution....

Interjection. Com. Baraza: (inaudible)

Tuitoek: The Constitution should be handled by the whole nation. The Chiefs and Councillors should be educated up to form four. Also the government should set (inaudible). This is because you go to public hospitals and you find that doctors cannot attend you.

I would also like to say that the government should (inaudible) we have seen that many people have been wanting to (inaudible). They have been wanting to and that means there is something that has..... and they cannot get time to see past papers because of (inaudible) so the government should provide for compulsory free education, impose it permanent on schools because we are looking at the school fees for the unable and the disabled. That is all I have.

Com. Swazuri: Thank you. Please go and register.

Ari Bernard Ekidor: My names are Ari Bernard Ekidor. I am in form four. I would like to give my views about the Constitution. First is about farmers.

Farmers are the indigenous about the Kenyan economy. Therefore, the government should avoid importation of food such as sugar, second hand clothes. If the government is of the opinion they need to work on the farmers activities (inaudible). The government should also give loans to farmers in order to increase production. The government should pay farmers at the right time. The second is about schools. The government should improve the lectures and state of our colleges, both in rural and urban areas, because if you introduce (inaudible) it will also bring the country a lot of money to utilize in other sectors.

The next one is about Judiciary. The Judiciary should not be interfered with from other quarters. It is the duty of the Judiciary to carry out its activities fully without interference. Thank you.

Com. Swazuri: Next please.

Lawrence Mukha: My names are Laurence Makha. My view is about the handicapped. The government should provide adequate facilities to cater for the handicapped. For example we have a teacher in our school who was (inaudible). So they should also be employed, and treated like other people. They can also be (inaudible). We also need to be treated as any such people so that they so we should be treated like any other citizen. I think that is all I have.

Com. Swazuri: Next.(Inaudible) Huyu hapa. Kuja. (noise)

Eddah Kiptanui: My names are Eddah Kiptanui.

David Kipchumba Kipkemboi: Ninaitwa Kipchumba Kipkemboi. (Inaudible-noise)

Com. Swazuri: Unataka nini?

Kipchumba: (a lot of noise-everybody talking at the same time)

Com. Swazuri: Bwana Chairman tufungie kwa maombi.

Chairman: Asante sana Commissioners, kwa mkao ambao mumetufanyia sisi ya leo, (iandible) na tumeingia idadi ambao tumefurahia. Hata hivyo mumejaribu. Ninasema kwa niaba ya wakaaji wa Mogotio, this is the day we have been expecting. We give it Na wengine ambao hamja pendelea hii, hajja isha, kuna wakati zaidi kuthibitisha pigeni kiwango. Na kumaliza, ninamuita Madam Deputy atufungie na maombi

Closing prayer-Deputy Principal: Let us pray. Heavenly Father, we want to thank you (Inaudible)