

**CONSTITUTION OF KENYA REVIEW COMMISSION  
(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS, RIFT VALLEY PROVINCE,  
MOSOP CONSTITUENCY, LABORET HIGH SCHOOL**

**ON**

**28<sup>TH</sup> JUNE 2002**

**RECORD OF THE PROCEEDINGS OF PUBLIC CONSTITUENCY HEARINGS, RIFT VALLEY PROVINCE,  
MOSOP CONSTITUENCY AT LABORET HIGH SCHOOL ON 28<sup>TH</sup> JUNE 2002.**

Present.

Com. Phoebe Asiyu  
Com. Pastor Ayonga

Secretariat in Attendance

Programme officer - Fatuma Njama  
Asst. programme officer - Wambeyi Makomere  
Verbatim recorder - Lydiah Moraa  
District Co-coordinator - Barno

The meeting started at 11.30 am.

Wananchi watufu nawashukuru sana kwa kuweza kufika hapa siku ya leo, ili tuweze kutoa maoni yetu kuhusu kurekebishwa kwa Katiba yetu. Sasa bila kupoteza wakati tutanza mkutano wenyewe na nitamuliza mzee atuongoze kwa maombi kabla hatujaanza, karibia mzee.

**Mzee:** Tusimame sisi sote ili tuombe; Mungu Baba tunakushukuru kwa ajili ya mkutano huu, tunakushukuru kwa maana umeleta hawa Commissioners pamoja na maofficer wote wa serekali, pamoja na wananchi wapande huu, ili tukusanyike hapa kwa jambo ambalo leo wewe mwenyewe utatungoza wakati huu. Tunakuomba ili utuongoze wakati wa majadiliano na kwa maoni ya wananchi, ili tufikie mahala ambako inakupendeza wewe. Tunaomba hawa maCommissioners, tunaomba nchi yetu tukufu, tunamweka mbeleni mwako mtukufu Rais pamoja na serikali yake, ili aendelee kutuogonza kwa amani ili tuweze kuendelea na mambo yetu hapa kueneza injili na kusaidia wananchi. Tunakuomba ili ukae nasi wakati tunaendelea na mkutano wa siku ya leo, tunaweka mioyo yetu mbeleni mwako ili utongoze, tunaomba hayo machache katika jina la Yesu aliye mkombozi wetu, Amen.

Asante sana,- *kongoi missing*.- Asante sana Siku ya leo tuna bahati sana kupata Commissioners kutoka Tume ya Kurekebisha Katiba ya Kenya, na wenyewe watajitambulisha wakati wakati wao untakapofika. Kwa wakati huu nitampa fursa mwenye kiti

wa constituency constitutional committee ili atujulishe wanakamati wake ambao wako hapa kwa ufupi tu, kisha tutaendelea na programme. Kwa hivyo bwana chairman karibu.

**Job Rukut:** Asante sana bwana co-ordinator; Kwanza Commissioners, DO, Headmaster, Wazee na akina mama, hamjambo? Hatujambo. Nafikiria mko tayari ili mtoe maoni yenu, muajua Commissioners wamekuja hapa ili mtoe maoni; Kwanza ningependa kuwambia msiwe na wasiwasi mtoe maoni ambayo mko nayo. Msiogope kuwa labda nikisema jambo labda itakuwa ni jambo ambalo litaniweka katika hali hatari. Hiyo haitawezekana;- toa maoni yenye uko nayo. Basi bila kupoteza wakati nitaita committee wa constituency hii ya Masop ili wakuje mbele halafu nitawajulishe; the committee wote wakuje hapa niwajulishe. Kwanza kwa jina mimi na itwa Job Rukut, mimi ni mkaaji wa Konsorai division, mimi ni mwenyekiti hapa Mosop wa kamitii. Basi, nina fikiria hawa ndiyo wako karibu; huy ni John Kebenei ni mkaaji wa hapa karibu nafikiria mnamjua yeye ndiye ana- represent youth, ako kwa kamiti; mwenzake ni Salina Singoe, yeye ni mmoja wa kamitii ako upande wa kina mama; wengine bado watakuja, wakifika hapa nitawajulisha, basi karibuni Commissioners.

“Kongoi”, asante sana; Kwa wakati huu pia, kama mnavyo jua wote tuko katika shule ya Laboret high school, na mwalimu mkuu yuko hapa, nitampa dakika moja pia aweze kutukaribisha, mwalimu mkuu.

**Speaker:** Makomishona ambayo wamehudhuria kikao hiki, district coordinator na wazee na mama, walimu ambao wamehudhuria hapa, bwana DO and Chief ningependa kuchukua nafasi hii kwa niaba ya mkuu wa shule hii ambaye ako kwa mkutona wa walimu wakuu kitaifa kule Kisumu, na kwa niaba ya shule ningependa kusema, karibuni. Na mjisikie mumekaribishwa na vile mumeambiwa, mkutano huu ni muhimu sana kwa jili ya kuweza kutoa maoni yako. Wengi labda hawezi kupata fursa kama hii tena, kwa hivyo mutumie nafasi hii, kutoa maoni yako; Karibuni na mujisikie nyumbani, asante sana.

Namshukuru mwalimu, naw akati huu bwana DO wa division hii ya Kipkaren yuko pamoja nasi, nampa fursa hii aweze pia kutukaribisha- bwana DO dakika moja tu.

**DO:** Asante sana mwenye programme, Commissioners pastor Ayonga, bibi Asiyo na watu wote hamjambo? Yangu ni machache, ningependa tu kuhimiza watu wangu kwamba hii ni nafasi nzuri kwako utoe maoni. Toa yale unayoyataka ifanyike Katika katiba na niko na hakika kwamba Commissioners watachukua yale yote mutakayo yasema siku ya leo. So muwe na nafasi musogope, wako hapa siku ya leo kwa ajili yako na kwa ajili ya yale yote utakayo sema, kwa hivyo ata nami sina kazi hapa ni kuona tu kuna amani, na ningependa kuwahakikishia Commissioners kwamba, kuna amani ya kutosha. So the enviroment is very condusive, so mfanye kazi mpaka mu- exhaust kabisa yale muko nayo, asante sana.

**Job Rukat:** Nakushkuru bwana DO, nimekumbuka kwamba, watu wa civic education provides hawakutambulishwa, kama

muko hapa tafadhali musimame ili muweze kuonekana. education, Wananchi hawa ndiyo wamekuwa wakitufundisha mambo ya elimu ya kiraia na tunashukuru kwa kazi yao nzuri ambao imetuwezesha kuwa hapa leo, nawashukurni sana, asante. Bila kupoteza wakati tutampa pastor Ayonga nafasi aendelee na programme, karibu sana.

**Com. Pastor Ayonga:** *Change tugul.* Ni furaha kwetu kuweza kufika hapa kwenu, tulitazamia siku hii jinsi ambavyo nayi pia mulitazamia siku hii. Tumekuja hapa ili mutupe maoni na pia kwa kutupa maoni ili turekebishe katiba yetu. Jinsi ambavyo bwana DO amesema, munatakiwa mutupe maoni yenu, jinsi ambavyo unafikiri. Na jua hapo mbeleni pengine kuna maneno fulani fulani munajua ni mabaya munataka ibadilishwe na watu wanaogopa, leo yule DO yuko kule, sasa yule sub-chief yuko kule, chief yuko kule, hawa watu nikishasema hivi jioni nina shikwa suruali huko nyuma na kuinuliwa juu juu na kupelekwa mbele, hakuna hayo leo. Leo ni siku ya kusema kabisa, yale ambaye yanakusumbua na yale ugependa ili katiba yetu ya Kenya iwe nayo. Na pia hiyo isitoshe, kwanza nitapenda ili mujue sisi wakina nani na ndipo tutawambea jinsi tutafanya mukutano wa leo. Mimi kwa jina ninaitwa pastor Zablon Ayonga, commissioner, na kando yangu kuna mama Phoebe Asiyu, commissioner, mama Phoebe Asiyu huyu muna mujua sana, kwenu wale ambaye ni wazee kwa maana alikuwa member ya parliament kwa miaka mingi, na ndiye huyu huyu tu, amekuja hapa na siku ya leo yeye atakua mwenye kiti. Yeye sasa atatujulisha wale stuff ambao tumefika na hao, na ndipo atawambia taratibu ya jinsi tutafanya mambo kwa maana kila kitu lazma kifanywe na taratibu yake. Kwanza watu wa pande hii mungu amewabariki muna udongo mzuri sana, mashamba mazuri sana, naona mahindi mazuri sana, kwa hivo tumshukuru mungu, na ile mvua ambaye ameleta na ambaye karibu itanyesha, tunatumaini kwamba tutawasaidia nanyi mutatusaidia ili tuweze kumaliza kikao hiki cha leo ili muende kuona wale ngombe pahali muliwaachia ili muwarudishe nyumbani ao kuwapa maji. Kwa hivo mama Asiyu ataendelea sasa,

**Com. Phoebe Asiyu:** Asante sana pastor Ayonga kinipa nafasi hii leo asubuhi kukalia kiti hiki cha kuzikiliza maoni ya watu wa mosop constituency. Nigependa kuwajulisha wa staff wale tuko nao, naona kama **(inaudible)** hayuko hapa karibu, tafadhali najua wana kujua lakini ebu weka uso wako pale wakuone vizuri. Huyu ndiyo kijana wetu ambaye ametusaidia sana hapa mosop, kwa district mzima kufanya hii kazi ya kurekebisha mambo ya katiba. Na taka kumba asante sana kwa kazi kubwa ambaye yeye mwenyewe amefanya bila hata malipo ya maana, bila gari na amefanya vile anajua anataka hii nchi ya Kenya ibadilike kikamili na watu wapate nguvu zaidi ya kuendelea na mambo ya maendeleo, mambo ya sheria safi na kathalika, kwa hivo na kushukuru sana kwa kazi ile ulifanya. Na pia nataka kama ingewezekana wale watu wa 3Cs kama munge simama tena mara ingine. Wale watu wanakamati ambaye walisaidia kazi hii, kama hawako na wapa asante, kwa maana hawa pia wamefanya kazi tu bila malipo yoyote, kuzunguka mosop yote nzima, kujaribu kusomesha watu na kueleza juu ya mambo haya ya katiba ya mabadiliko ya katiba na washukuru sana sana. Sasa hapa mbele tuko na hawa wawili ambao wanakaa upande huo, tafadhali musimame ndiyo muonekane vizuri, halafu mueleze majina yenu na position ndiyo nirudi upand huu kwa Moraa.

**Fatuma Njama:** Hamjambo? Kwa majina naitwa Fatuma Njama mimi ni programme officer.

**Kennedy Makomera Ombei:** Hamjamboni? Mimi naitwa Kennedy Makomera Ombei, assistant programme officer.

**Com. Phoebe Asiyo:** Asante sana tunakuja upande wa Moraa.

**Lydia Moraa:** Hamjamboni yote? Mimi na itwa Lydia Moraa, verbatim recoder.

**Com. Phoebe Asiyo:** Asante sana, wale ambao mumewaona na wamejijulisha kwenu ni wale ambao watasikiliza kwa makini sana kila jambo ambalo litatoka kwa kinyua wa kila mtu. Wata andika kwa karatasi, watandika kwa mashini na watandika kwa njia ya hunsand vile wanatumia bunge ili ata jambo moja mtu wenu amesema leo isipotee. Na mambo haya mutasema leo ya takaa katika record ya Kenya ya achive kwa miaka ata ishirini, thalathini ijayo. Kwa hivo ukiongea, uongee kikamili kwa sauti ambayo inasikika ile jamani siku ingine, wajukuu hawa wakitaka kwenda kule kuangalia research aone babu yangu alisema nini juu ya kubadilisha katiba. Kwa maana hii katiba tunabadilisha, ukisema mamba yanafaa, watu wa Kenya wakiungana wote waseme mambo mazuri haitakuwa na haja ya kubadilisha kwa miaka mingi sana, hata miaka hamusini, hata miaka mia moja, haitakuwa na haja kubadilisha kama mutaongea kwa njia ambao itasaidia kuunganisha watu wa Kenya kama watu moja, njia ambaye italeta value ya watu wa Kenya wawe zaidi sana karibu na kila mmoja wao. Kwa hivo sasa, I would like to declare the official sitting of the constitution review commission for the purposes of collecting the views of the people of Mosop constituency, I want you to know that you are protected by this act that you are operating under. That nobody can harass you, nobody can arrest you today or after giving your views. Please give all the views that you know will help to construct to build a new Kenya, because you are the right person to make the new constitution in accordance with the act that we are operating under and therefore you should be in a position to help to write a new constitution. Pastor Ayonga and myself have no views, only you have the views, only you know what constitution you want for this country. Kwa hivo tafadhali sana sana mutusaidie kujenga Kenya mpya, kwa kujenga hii katiba mpaya. Musesem kila kitu ambacho munajua inaweza kutengeneza nchi hii iwe nchi mpya, nchi safi ambayo inamapenzi, ambaye itaweka watu wa Kenya karibu waishi pamoja kama watoto wa mtu mmoja, ambaye walizaliwa na mungu na waka ambiwa waishi kwa nchi hii. Pia kama katiba hii mpya inaweza kuleta unity kati ya watu wa Kenya itakuwa ni kitu ya maana sana, na ninawasihi tafadhali mujuwe kwamba mumelindwa kabisa kabisa, ata kama bwana DO yuko hapa, ao maskari wako hapa, pia hao ni wana Kenya, wana maoni yao wanataka kutoa. Mtu hasiwe na hofu yoyote kwa maana , kwa jili act, hakuna abaye ana ruhusa kufanyia mwingine jambo lolote atakama anatoa fikira ya aina gani. Jambo ambayo na wasihi ni tuepukane na lugha ambaye haiwezi kusaidia kwa maandishi ya katiba. Lugha kama pengine ya matusi, lugha ambaye pengine kuingiliana na watu fulani, (inaudible) wanasiasa au wanasirikali, lakini mutuambie vile munataka, serekali ijayo iwe bila hofu yoyote. Asanteni sana, sasa tutanza mukutano kwa maana tumefanya maombi, tutanza na mtu ambaye ataongee atakuja akae pale, kuna microphone atashika karibu na mdomo yake vile nilivyo shika hii microphone yangu na aseme kwa kifupi, aseme tu mapendekezo sio hadithii, hadithii sisi wana Kenya tunajua, tunajua sana mambo ya Kenya, katiba tulio nayo sasa, makosa yake vile ilivyo lakini nyinyi ndiyo muna jua pendekezo lenu, juu ya kutengeneza katiba mpya, kwa hivo ukifika pale kwa dakika tano tueleze unataka katiba ibadilishwe kwa njia gani. Nitanza na bwana Josephat Tanui, saile Josephat Tanui akija , nataka kusema asante sana kwa headmaster na shule nzima hii na parents association kwa kutukubaliya kuweka kikao hiki cha kubadilisha katiba kwa shule hili ambalo tuna kalia leo, shule ya laboret

high school. Tafadhali bwana Edward , bwana Josephat Tanui, ukipenda kukaa unaweza, ukipenda kusimama unaweza kusimama lakini una dakika tano. Sijui kama uko na memorandum ambaye utatuwachia? very good kama una memorandum, I want you to just highlight the important aspects of your memorandum and then that document that you have written will now become the property of this commission immediately you complete your submission, please go ahead now.

**Josephat Tanui:** Commissioners and members of the public who are here, I would like to recommend that the new constitution, the seal of the same constitution should remain with the public and not parliament as it has been. The government must buy all maize from Kenya in surplus because maize is the staple food for our people. The government set up a remuneration commission to look into the salaries of MPs and all those who are paid from the public offers. The village elders, otherwise known as wazee wa mitaa, be paid from the government funds and be trained to be **(inaudible)** so that they may understand a few things as pertains to **(...inaudible)**. Ministers should be professionals and must be employed by a special commission set up for that purpose. Disables should have free medication and education, in all public institutions. Disables should have at least 10 per cent consideration where they qualify in all public jobs, sectors including intelligence and others. We should have supreme court in our country and also a constitutional court. Sponsors of various learning institutions in this country should only offer spiritual and material support but the management of the same institution should remain with the beneficiary community. Lastly, false promises made by politicians to electorate during election times should be penalized, or such act should be made illegal in the new constitution, thank you very much.

**Com. Phoebe Asiyo:** There is one thing that I was not very clear about, what did you say about minister point?

**Josephat Tanui:** I said that the ministers should be professionals who are appointed by a commission that should be set up under this new constitution to do that kind of job, and such ministers should not come from among the MPs.

**Com. Phoebe Asiyo:** What you are telling us, it is very important is that no member of parliament should be a minister.

**Josephat Tanui:** That is it.

**Com. Phoebe Asiyo:** Thank you very much, you can sit down. Can we now hear from Mark Kiyen, Mark Kiyen will be followed by Silvester Sawe, please sit nearby Silvester and be as a

**Mark Kiyen:** My names are Mark Kiyen, the number of political parties in Kenya should be limited to 3 only. Few parties should have a national out look. The present system of government should be done away with, we should adopt a federal system of government in which executive and **(inaudible)** is split between the federal government and possibly the local government. A member of parliament should remain a part time person. Age requirement of voting should be extended from 18 years to 24 years. Age limit for one who wants to contest for a parliamentary sit should be 35

years and above and that of the president should be 45 years and above. Language and education should be required for parliamentary election. MPs should act on the basis of conscience and conviction or instructions from their constitution and not from their parties. The concept of nominated MPs should be retained but they should be nominated from the minority group and physically handicapped and women. There shouldn't be any special measures put in place to increase women participation in parliament. They should compete in equal footing with men, after all Kenya and the rest of the world are calling for gender equality.

The new constitution should retain the present system in which the dominant political party forms the government. We shall continue with the current multi-party system in which there is leisure and one party in the executive. We should retain one chamber of parliament, instead of two. The president shouldn't have the power to dissolve the parliament, but there should be a calendar of events for the government to follow consecutively. Qualifications for the presidential candidate should be those of the Member of Parliament. Presidential tenure, two terms of five years each should be retained. The president should not be a member of parliament but should be a Kenyan citizen with qualifications of an MP and above 45 years old. Provincial administration, should be replaced with the councilors. Local government, mayors and council chairmen should be elected from the councilors. Mayors and councilor chairmen should serve for a maximum of 5 years but not 2 years. Minimum qualifications for the councilors should be form four and above. Language test for those vying for local authority seats should be done away with if the minimum educational qualification of form four will be accepted.

**Com. Phoebe Asiyo: (.....inaudible)**

**Mark Kiya:** Kenya should continue to have a representative of electoral system. We should retain the simple majority rule as a basis of winning an election. Nothing should be designed to increase participation of women in parliament and local authority instead they should compete in equal footing .

**Com. Phoebe Asiyo: (...inaudible)**

**Mark Kiya:** But they were somewhere also here,okay. May I also come for something on education side, the constitution should provide compulsory and free education for all primary school children. Sponsorship of school should be done away with, because this has brought a lot of problems in our schools. Candidates who fail to seek nominations in one party should not be allowed to switch over and seek nominations in another party. Simple majority should be the mode used to declare what constituency or presidential candidates. We should also retain the rule of 25% representation in at least five provinces for presidential elections, that one should be (inaudible). Interest groups, should have such seats through nominations to parliament and local authority. Lastly civic parliamentary and presidential elections should continue to be held simultaneously, thank you very much.

**Com. Phoebe Asiyo:** Thank you very much Mr Mark, you will be signing our register there and you will deposit that document, because now it is our property. I want to ask you one question, what system of government did you say we should have? (...inaudible)

**Mark Kieyen:** That one, I think the one which is really known is that one of majimbo system of government.

**Com. Phoebe Asiyo:** Federalism

**Mark Kieyen:** Federal system.

**Com. Phoebe Asiyo:** Okay thank you very much.

**Com: Pastor Ayonga:** You said that we abolish sponsorship of schools and schools be taken by who?

**Mark Kieyen:** You know with the sponsorship of schools where

**Com. Pastor Ayonga:** No, I do know just tell me who will take care of those schools?

**Mark Kieyen:** either the government takes care of all the schools or it is given to be managed by churches alone, thank you.

**Com. Phoebe Asiyo:** (...inaudible) system of education, you are infact telling us that (inaudible) to take care of lower schools and the central government to take care of university, that's what you are saying?

**Mark Kieyen:** sure, exactly.

**Com. Phoebe Asiyo:** I will now call upon Mr Silvestor Sawe and Mr Sawe please introduce yourself, clearly so that the machine can get it properly and then give us your memorandum (inaudible).

**Silvestor Sawe:** I am Silvestor Sawe Sarura, Nandi district. Preamble, our new constitution should have preamble, which reflects what our society stands for. In this case be, united democratic secular state. Constitution, the constitution should be interpreted, we should not allow our MPs to amend it anytime at will. We should raise the majority force needed for amendment from 65% to 75% of the total members of parliament. We should also subject it to all the local authorities for approval. In case more local government are for the amendment then the constitution will be amended. In case more local government are against the amendment then there will be no amendment even if the parliament had voted it. In this case we will be limiting the power of parliament in amending the constitution.

Citizenship, a Kenyan citizen should be that person who was in Kenya in the time of independent or any other person who was born by Kenyan parents or parents regardless of gender. Our foreigners who have stayed in Kenya for quiet sometime can be given a right to become Kenyan citizens if they do want so. The (inaudible) should not be allowed. All the citizens of Kenya should have a right to have a Kenyan passport as a prove of their citizenship. Defense and national security, the displied forces should be established by the constitution, a clear definition of their work should also be properly addressed.

**Com.Phoebe Asiyo:**

(inaudible)

**Silvester Sawe:** Okay,thank you. Now I go to political parties, the political parties should only play their role of political mobilization, nothing else. They should get their money from within and outside abroad. Structural and systems of government, we should adopt more of a mixed form of government that is high breed system. In which the presidents post exists with the prime minister. The legislator, we should retain the the single chamber of parliament, it should remain supreme in law making, it should have and keep the powers to control its own procedures through standing orders. Other than the current specific qualifications for any one to be the president under the old constitution we should add up to some few on top of that . This is

- He should be a holder of a diploma or degree from a recognized institution.
- He should not have been painted with corruption
- He should be a man of proven track record, either in public serving or private sector.

Judiciary, I believe the present structure of judiciary is adequate except that, we could make arrangements to include a constitutional force. Local government, mayors and council chairmen should be elected directly by the people. The electro system and process, we should continue to have a representative electro system, we should also continue to retain the simple majority rule as a basis of winning an election, in civic and parliamentary elections. Basic rights, I feel our present constitution provisions on fundamental rights are adequate except some parts, which need some minor changes. One of them is that, theft penalty, should abolish in order to tally with the provision that guarantees right life. Kenyan should not have right to access to information in position of the state or any other agency or organ of state if there is say information may endanger the security of the state. All the workers should have right to create union, the right of full may reform groups. I believe in our current constitution interest of women and people with disability are fully guaranteed in a way that they are free to participate in political, social and economical activities just like any other person. The children too have a right to compulsory basic education. The new constitution should not make provisions for affirmative action in favor of women and other vulnerable groups because their rights are properly taken care of even in our present constitution.

Land and property rights, the individual should be the ultimate owner of land. The government may also own land or can acquire land from the individual owner and the current market price. This acquirement should not be compulsory. The individual owner of the land should pay full economical dues of the land they own. In case they don't use to the maximum

economical use then the local authority may acquire this land at the current market price and sell it to a potential user at the same rate plus some commission. The individual owner of the land should be free to transfer or sell or leave the land they own to anybody or institution of their choice. Only that they have to make an obligation to local authorities concerning the issue and pay the relevant commission charges. Anybody could own land as much as he could make full economic full use of it that is there should be no restrictions on how much land you should own so long as you make full use it.

**Com. Pastor Ayonga:** Thank you, thank you, you have gone beyond time, and we want to be fare to everybody present. Let me just remind your, wherever people are doing something there must be a certain order that we have to follow. If we say five minutes we mean five minutes, why? Because we want everyone who have come to have a chance to say something, isn't it , so we want you to obey what we are asking. It is just a small obedience, so that we can do things orderly, thank you.

**Com. Phoebe Asiyo:** If you can just tell us, just highlight don't read because you know what you have written there. Just highlight the most important issues one or two that you have not mentioned. Because you know that document is going to go into the computer , all of it, so you don't have to worry about leaving out anything.

**Silvestor Sawe:** I think, what I have written here is not so big but if you may allow me more minutes

**Com. Phoebe Asiyo:** No more minutes, you have taken time already, give us any important , if you don't read.

**Sivestor Sawe:** No, all things are very important but I think I can

**Com. Phoebe Asiyo:** We are not going to go anywhere

**Com. Pastor Ayonga:** Lets start please

**Com. Phoebe Asiyo:** I have a question for you, you have suggested that the new constitution the president should co exists which means sharing the duties of the state, you know that is the same system of governance, it is not a very good system, it brings a lot of coalition from time to time, why don't you tell us what duties you want the president to do and what you would rather we put in the constitution for the prime minister, because in our young nation we do not want people at the top to collide in any way, help us by telling us what you think the president should do in duties and obligations and that of the prime minister.

**Silvester Sawe:** Well, infact I told you that one in short but infact I had some comments in very long consultation. The president should serve a maximum of two five year term. The functions of the president should be clearly defined by the constitution, this should include appointing the prime minister, that is leader of the majority party in parliament , appoint and fire the head of the disiplined forces that is armed forces, parliamilitary police and prisons. Appoint the chief executives of

parastatals, permanent secretaries, and ambassadors . But this particular appointments should be subject to parliamentary groups.

**Com. Phoebe Asiyo: (.....inaudible)** then that is alright, thank you very much, if you will kindly sit, sign our register and deposit that document with us now. Can we now have Paul Maru, Paul you will be followed by Paul Chumba and Ezra Cheruiyot. Just sit somewhere near so that you don't take too long coming up.

**Paul Maru:** Thank you chairlady, my name is Paul Maru. I will start with the supremacy of the constitution, it should be 75% for the members of parliament. If they secure that it should go to a referendum. In a referendum if less than 50% of the total number of voters turn up, then the constitution should not be amended. If 50% and more turn up, then 75% of those who turn up should be sufficient to plead to the amendment of the constitution, and the body responsible for organizing this referendum is a truly independent electro commission. Political parties, the constitution should make it mandatory for the registrar of societies, to register any number of political parties, so long as they do not entrench any religious or was religious fanaticism. Ideally there should be two political parties, but this ideal should be attained through evolution other than legislation. The political parties should be financed by the state, they can source funds form else where but their books of accounts must be open to scrutiny regularly. Structures of government, we should retain the presidential system of government because it is the best in the maintenance of peace and unity. It only needs a few changes to make it less dictatorial and less repressing. Some of the changes include, the election of one vice president as the president running mate during the same elections. The president must appoint members of his cabinet who must be vetted by parliament. Once they are appointed they should seize to hold any party offices. Apart from gathering 25% of the votes in at least five provinces the president and his running mate must also gain at least 50% of the total votes cast. If no candidate meets this requirements then the leading two should go for a run off, within two weeks. All ministers and their assistants must be elected members of parliament. In the event of a president or the office of the president falling vacant, the vice president should take over and continue for the rest of that term, because now the vice president is an elected vice president. This will seal any loop whole that would lead to a new struggle for power. The parliamentary inaudible system where there is a prime minister denies the people the right to vote for their leader.

**(inaudible)** can maneuver his way into power using all the handful of magniterial . The legislature, I propose that there should be two chamber legislature, the lower house and a senate, so that there is a more effective checks and balances,

remains supreme law making body and should control its own calendar and procedures. It should be parliament that determines when they sit, and what they are prolonged, it should be parliament that decides when the parliament dissolves. The prolongation and dissolution of parliament should fall under no other authority. Once an Mp is elected, he should serve his full term, because there is no fare yard stick of determining whether or not to recall an MP midstream. The only time that the voters can come together is during an election here. There is no need for nominated members of parliament. If there is need to be nominated it should be those to represent the interest of the those with disabilities and they themselves ought to be people with disabilities, one kind of disability. To enhance freedom of conscience and of speech, independent candidates must not be barred from contesting presidential parliamentary or civic elections, the current requirement that they must be members of a

political party is persist and must be repealed forthwith. The constitution must not stand in the way of the of the formation of either coalition government or a government of national unity.

The presidential tenure should be restricted to a maximum two five year term. The president should not be a member of parliament once elected president. He should also cease to hold any party office. The constituency that elected him should have a by election for election of a new MP of that particular area. Local government, mayors and deputies should be elected and county council chairman and their deputies should be elected directly by the people.

**Com. Phoebe Asiyo: (.....inaudible)**

**Paul Maru:** Five years, in fact parliamentary , presidential, civic elections should be conducted simultaneously as it is today. Last , land and property rights, land should be controlled by the local community, non citizens should not own any land, but can lease it for use over a short period. Short period in my view would be 10 years and below. The land taken by the settlers in the pre independent period should be referred to the local communities who had effective occupation of those pieces of land. So the local authority should negotiate with multi-national companies, with the assistance of the central government for individual return of that land to the people that it belongs to. Kenyans should own land only in their areas of origin because otherwise it would tend to promote in the tribal animosities, because land issues are very sensitive issues. Now on land that maybe forest land, local authorities should be in control and forest reserves maybe allocated to individuals to do farming activities and be required to do a forestation. This should be through a

**Com. Phoebe Asiyo: (.....inaudible)**

**Paul Maru:** That is the last point. So nobody, a government employee, a leader or any other person who has should get the opportunity to go into the forestland. Any who may have done so must surrender immediately, thank you.

**Com. Phoebe Asiyo: (.....inaudible)** that parliament should make an own in calendar and that they should decide on the date, including the date of election. Now in quiet a few countries of the world for example Britain, Blair the other day surprised people of Britain when he gave them one month to go to the polls because he needed another vote of confidence, tell me are you trying to tie the hands of our leader not to have those powers, when their need to (...inaudible)

**Paul Maru:** Yes, I knew this is exactly what I mean, the leader should not choose as a secret weapon to hold the nation at ransom.

**Com. Phoebe Asiyo:** You don't believe the wisdom of those old nations that have decided to give this power to the head of government or state is not really wisdom.

**Paul Maru:** It is real wisdom but wisdom must also be blended with development.

**Com. Ayanga:** I need clarification, we are talking about Kenya, one Kenya where we all say I am a Kenyan and we are fighting tribalism using all kinds of weapons, and you say in your submission that when it comes to land people should not buy land other than their tribal area, because if they buy it elsewhere this causes animosity, that is the word you used. How would we become one Kenya when we are preaching that a Kenyan can live anywhere, he can do business anywhere and feel at home, when we are restricting people to their tribal land of origin? Can you explain that a little bit?

**Paul Maru:** What I think is this, while we have been trying to build one Kenya, and we have been trying for all this 40 years that we have been independent, there is also the reality on the ground. On the ground we are different and these differences we can not force them, put them under the carpet and pretend that they do not exist because they exist, what I am saying is that we must recognize the fact that we are diverse. And that it is possible, quite possible to attain unity in diversity, we must respect the rights of every group. We must treat everybody as equal.

**Com. Ayanga:** Thank you, those are your views

**Com. Phoebe Asiyo:** (.....inaudible) what would happen for example if a man without any son, has his daughter married to an European, an Asian or a Kenyan and they decide to settle on the land of that old man who had no sons, would you rather give away that land to his clan or his children.

**Paul Maru:** (.....inaudible) Here in Nandi the property land belongs to the family. So

**Com. Phoebe Asiyo:** Kuna mtoto huyu mzee haja zaa kiume, na hawa watoto wake waschana pengine wameolewa na watu wasio wa Nandi, wameolewa na baluya, kikuyu, au mjaluo, na hawa watoto baba yao aliwachia hii shamba yao. Tutafukuza hawa wanaume watoto au tutafanya namna gani? We want just help us because we really need to know.

**Paul Maru:** (.....inaudible)

**Com. Phoebe Asiyo:** so you will allow them to settle in Nandi.

**Paul Maru:** (.....inaudible) and one of my wives does not give birth, eventually after she has passed menopause she can take on her own wife, because when it comes to dividing properties it will take care of both the wives equally. I think it is not an issue

**Com. Phoebe Asiyo: (...inaudible)**

**Paul Maru:** But if they are married and they are my children they will be with me, hopefully it does not happen.

**Com. Phoebe Asiyo:** Can we now have Mr Chumba, followed by Mr Ezra Cheruiyot and Lucina Letin in that order, so you prepare yourselves. Not Lucina, not Lucina.

**Paul Chumba:** My names are Paul Chumba. Let me start directly from the citizens. Kenyans born of Kenyans are automatic citizens of Kenya. The child of a Kenyan citizen, regardless of gender is entitled to automatic citizenship. Events and national security, should be under the office of the president. Political parties, should be limited to 4. The constitution should regulate the formation and the management and control of the party. Types of government, we should adopt a parliament system of government where the prime minister will be appointed by the MPs and the president remains the head of state or head of government. Land, the individual have a very huge of ownership of land. The government has no power to acquire private land for any purpose. The owners have full power to control the use of land. No selling of land owned by individuals. Children born out of wedlock are the responsibility of the father not unless it should be also applicable of the customary law. Management and use of natural resources, the executive should not control this resources but simply be given to the county council. Environment and natural resources, the natural resources and environment should be owned by the county council, while the community is to protect from destruction, for example the forests and wild life and minerals. Now, parliament to amend constitution. The local government direct and make elections of mayor and the others. They should be given five years term. Nominated MPs and councilors should not be candidates.

**Com. Phoebe Asiyo:** Carry on please.

**Paul Chumba:** Any qualified person is nominated. That is **(inaudible)** thank you.

**Com. Phoebe Asiyo:** Thank you very much, please leave your memorandum with us, thank your very much. Now can we have Ezra Cheruyot, you will be followed by Nahashon please draw closer. You can go ahead now.

**Ezra Cheruyot:** Thank you, I am Ezra Cheruyot. On the executive I propose that the ten year of two five year term of the president still stands. I also propose that in the run up of the general election every party nominates a vice president as running mate of the presidential candidate, so that in the event when the president wins he deputizes for that same president. I propose that the president need not be necessarily be a member of parliament and he maybe removed from power due to physical or mental infirmities, abuse of human rights, economic rights and that parliament may impeach him by 65% majority vote. I also propose that the presidents power to dissolve parliament and exercise the right of mercy with regard to election offences **(...Inaudible)**

On the electro system I propose that the electro commission act be entrenched through constitution and security of teller be provided for the commissioners and their chairman. Election day should be entrenched in the constitution so that makes our lives predictable, we know that on such and such a day, every five years we are going to the polls. On governance, I propose that security of gender be given to the attorney general , solicitor general, high court judges and court of appeal judges and the public service commissioners.

**Com. Phoebe Asiyo:** (inaudible)

**Ezra Cheruiyot:** Secondly I also propose that there be created office of the ombudsman that citizens can take, lodge complains there, without going through the process of a court and the complications of courts.

**Com. Phoebe Asiyo: ( inaudible)**

**Ezra Cheruiyot:** On the bill of rights I propose that the disability should not be grounds for discrimination and that the right concise in public schools should be provided for. No students in a public school should be discriminated or even admission due to his religious obligations. And that this section, public schools should be clearly defined as those schools that are run from public funds. Thank you.

**Com. Phoebe Asiyo:** Thank you very much Mr Cheruiyot, can we now (.....Inaudible)

**Nahashon Serem:** I am talking on basic rights, on basic rights I have two proposals.

- In our new constitution, education should start form standard one to form four free.
- In our new constitution again, I would like to see the welfare of the people in healthy care because in healthy care, it is very costly now and people cannot afford today. Thank you very much.

**Com. Phoebe Asiyo:** Thank you very much Mr Nahashon Serem, now we call upon Mr. Joshua Sam, Joshua you will be followed by Paul Chela and Abdi Too. Please go ahead.

**Joshua Sam:** I am Mr Joshua Sam and I am going to speak things about the youth and youth polytechnics which are being assisted by the government, that is concerning the staff welfare section. The ministry concerned neglected the government assisted youth polytechnics for so long, that is they concentrated only in jua kali sector.

**Com. Phoebe Asiyo:** Just tell us what you think, just give us the recommendations.

**Joshua Sam:** Yes, now yaa, in future we need the terms of service for instructors of youth polytechnics. We need the salary to

be increased as per the grade of the instructor, we need a sponsorship for polytechnic instructors to meet the current technology. We need also the syllabus as per the current technology. Also the government should assist more private youth polytechnics to assist the street children and so many standard eight drop outs by providing them with tools and other things. In future also I suggest that the youth polytechnics the institutes of technology the technical trading institutes, the national polytechnics should be placed under one ministry. Finally the polytechnic leavers should be given loans in work groups to start their own businesses. Thank you very much.

**Com. Phoebe Asiyo:** Thank you very much, can you deposit that document with us if it is a memorandum and then we have Mr Joseph Ruto, Mr Paul Chela if Ruto is not there, what is your name sir? Paul Chela you will be followed by Abdi Too, bwana Abdi please sit close.

**Paul Chela:** Nimeona watu wengi wakitumia kigereza na hapa tuna wazee, mimi mwenyewe nina jua kigereza lakini yale ambaye mimi nilikuwa nikitaka sema bila kusema bila kuandika kama wako na president bila president, vice president nilikuwa ninge sema hivo. Tena mambo ya mashamba nilikuwa nimeandika hiyo, sasa nimeona kila mtu ameandika mambo ya mashamba, ameandika mambo ya foresties, kwa hivo nilikuwa nime andika yangu ile kidogo si ile ya kupatia wale lakini vile ulisema yote itandikwa mimi sitaki office ya prime minister, mimi nataka president tu alafu ibaki namna hiyo. Asante.

**Com. Phoebe Asiyo:** Asante sana bwana Chela, can we have Abdi Too.

**Com. Ayanga:** Nimesikia Paul Chela akisema kwamba anaona watu wanaongea kigereza ebu tafadhali mujue kwamba kila yoyote ana uhuru ya kuongea lugha ile ambaye anaweza. Kwa hivo kama walio tangulia wametoa maoni kwa kigereza, usije ufikiri hapa leo ni darasa la kingereza kwa hivyo you don't fit in, laa , utasema kigereza kama ndicho unataka kusema, utasema kiswahili, utasema ki nandi na tutakuwekea mtu wa kutafsiri, kwa hivo chaguo ni lako, endelea mzee.

**Abdi Too:** Mimi naitwa Abdi Too, ile nilikuwa nime andika watu wamesoma na nitaongea tu maneno mawili. Ningependa sirikali mpya ianzishe training ya jua kali through (inaudible) training. Ninge penda sirikali iandikisha watu ambaye wamemaliza course na wame qualify kam a training ya walimu. Inginge, ningependa sirikali ianzishe masipitali ya bure kwa maana uchumi

**Com. Phoebe Asiyo:** Sawa sawa tu ile medical service, kutibiwa free

**Abdi Too:** Yaa, kutibiwa free bila kulipa. Kitu ingine ningependa sirikali akichaguliwa mtu aende parliament apewe position ambaye yeye ame qualify. Kama ikiwa ni ministry of defence iwe ni mtu ambaye ni qualified kwa hiyo ministry, kuliko kuweka mtu ambaye apana qualify kwa hiyo ministry. Kitu ingine ninge penda, mtu akistaabu mshahara yake ambaye ile ana lipwa pension, ilipwe pesa ambaye inatosha yeye kuliko kupewa shilingi ya chini, ukiona sasa watu wanalipwa kama mia moja, mia

mbili ambaye haitoshi chochote.

**Com. Phoebe Asiyo:** haya, unataka tupendekeze kwamba pension iwekwe juu .

**Abdi Too:** Eee iwekwe juu kidogo shauri ya mahitaji ya leo imekua juu.

**Com. Phoebe Asiyo:** Inginge ya mwisho.

**Abdi Too:** ya mwisho nime maliza.

**Com. Phoebe Asiyo:** Sasa ningependa mama Gladys Boen, did we have somebody else Alice Boen, kama hayuko ee, yuko please come over and talk to us, you have five minutes to talk.

**Gladys Boen:** Thank you very much, my name is Gladys Boen. My point touches on, education system that we have in Kenya. Like now the 8-4-4 system the syllabus is so complicated, we have the directors and minister choosing the syllabus, I think it is more fair if the teachers can be the ones implementing the syllabus because, they know it better and they know the needs of their students back in class. So it if the teachers to implement the syllabus, then the parents can know the type of books to buy, because they are badoning the parents, the parents are buying books everyday and they are told those are not the right books and the rest. So it is better for the syllabus should be the responsibility of the teachers to get

**Com. Phoebe Asiyo:** You really want it to be policised in the education system so that all the professionals can write books ,  
(inaudible)

**Gladys Boen:** Can do it, yaa. Another one touches on human rights, like now the violence against women and children should be stopped. Things like woman battering are going on and rest, some children are getting mistreated, you find them even escaping to the streets. So we want anyone who is guilty of such an offence should be imprisoned, whether it is a man or a woman, it does not matter.

**Com. Phoebe Asiyo:** For how long? What (...Inaudible)

**Gladys Boen:** Five year and above, because it is an offence.

**Com. Phoebe Asiyo:** go to the next.

**Gladys Boen:** Another one touches on the Kenya police. The Kenya police are so proud and they feel that the law belongs

to them. They like torturing wananchi and doing all sorts of things. So the idea of the police mistreating mwananchi and beating him to death and such things should stop.

**Com. Phoebe Asiyu:** You don't (...inaudible)

**Gladys Boen:** We want the police to be sent to prison, infact some police are

**Com. Phoebe Asiyu:** (...inaudible)

**Gladys Boen:** Ya, some police are even involved in things like rape, even theft and it is not very nice. They should be the once reflecting the law properly than any one else.

**Com. Phoebe Asiyu:** What you are (.....inaudible)

**Gladys Boen:** I have only one point left. It touches on the judiciary, I feel the judiciary should come completely to the village level so that things like rape, theft and the rest, they can be dealt with in the local courts. Like now in our divisional head quarters in Kipkaren, we want a court in Kipkaren, so that the work of the chief can be reduced, so that the chief can deal primarily with administration. So that things like theft and the rest should be dealt in this local courts. So we want the kangaroo courts, right at the village, because sometimes people suffer and the courts are very far maybe in Kapsabet or Eldoret and maybe has no fare to travel there.

**Com. Phoebe Asiyu:** Your suggestions is that courts should come nearer to people , say for example (inaudible), that is what you have said.

**Gladys Boen:** and the magistrate for that court, should be somebody from very far, should not be somebody from that particular village, because he will be biased. Thank you very much.

**Com. Phoebe Asiyu:** Those were very good views, Alice, Gladys, can we now have Meshack Keben, Meshack will be followed by David Nyatich, and go straight to the point, just give us your recommendation for the new constitution.

**Meshack Keben:** I am Meshack Keben, my proposals are as follows;-

- the Kenyan constitution 2002, Kenya shall have one unitary type of government, I don't like majimbo I propose one unitary type of government.

**Com. Phoebe Asiyu:** Can you speak loud

**Meshack Keben:** Yes, the present eight provinces shall be abolished because they duplicate duties which should be done by the DC. The provinces can be triblistic in the way they are grouped.

**Com. Phoebe Asiyo:** Yaa, but what are you suggesting?

**Meshack Keben:** I am suggesting that we abolish the provinces.

**Com. Phoebe Asiyo:** So we don't have anything?

**Meshack Keben:** We have the DC and then directly to the minister.

**Com. Phoebe Asiyo:** Ooh okay, you want we abolish the position of the PC, go ahead and tell us another thing.

**Meshack Keben:** The PC yes, the set up of the administration are proposed as follows :-

- that there be a ceremonial president
- that there be an executive prime minister.
- that there be an independent judiciary
- that the parliament shall be the supreme organ in this country.
- the controller auditor general shall be made to control, to audit and to prosecute throught the justice ministry to be created.
- the attorney generals duty shall be to advice the government.

Office of the president, the president of Kenya shall be a ceremonial head of state,

**Com. Phoebe Asiyo:** You have already said that, so lets just go ahead with the new aaa

**Meshack Keben:** There is something added on that, to sign act and laws passed by the national assembly to be valid. The president shall be elected by one man one vote secret ballot throught out the republic. The president shall be an independent candidate standing on no party ticket. There shall be a second or even a third run up contest for any two near contestants, if there is no outright winner. A presidential contester shall be a holder of a recognized university degree. A presidential candidate shall be aged more than 35 years and not more than 65 years. A president shall not be an MP, a president shall be a registered voter in any one district. A president shall hold office for two five year term, there shall be a no confidence vote in parliament for a president who acts and constitutioner.

Office of the prime minister, the chairman of the winning party shall automatically become the prime minister, the president shall

ask him to form the government. All appointed ministers and head of departments shall be confirmed by parliament. This will help to eliminate and any corrupt practices by the prime minister. The prime minister shall by permission of parliament determine the number of ministries in the government. The prime minister shall be the leader of the government and he is the chief executive person in the state. The prime minister shall manage the state affairs through parliament. Constituencies, the electro commission shall decide the boundaries of the constituencies and the wards. Voter representation of highly populated areas shall be determined by the deputy and where us scarcely populated constituencies shall be determined by the size of land. Municipalities, shall be headed by mayors, county councils shall replace the districts, and the county chairmen shall administrate the districts instead of the DC.

**Com. Phoebe Asiyo:** okay thank you very much.

**Meshack Keben:** The DC shall be there in the district only to advice the chairman. Judiciary, there shall be a chief justice, high court, kadhis court and customary court which had been done away with. It used to be there but it has been done away with and the court of appeal. Finance, consolidated funds and other government funds shall be withdrawn and spent by the government if it has been approved by parliament. Corrupt government shall be voted no confidence, budgeted funds should never be used for harambee. That's it, asante sana.

**Com. Phoebe Asiyo:** Tumeshukuru sana bwana

**Com. Pastor Ayonga:** Kuna kaswali kamoja ninataka nikuulize, sikuelewa ulisema aje keben. Ulisemaje juu ya qualification, of the president? Ulisema president must be a holder of a degree from a recognized university? kwa hivo I heard you correct.

**Meshack Keben:** Yes.

**Com. Phoebe Asiyo:** But you also know that Kenya has not had a president with a university degree both Kenyatta and mzee Moi, although mzee Moi has actually got 3 ph degrees, that have been bestowed upon him. Kenyatta didn't have any

**Com. Pastor Ayonga:** nasema kabla ujajibu, mimi nataka kukuliza hivi, what magic is there in a degree, that makes one a good president? When we see parastatals around, you know mismanaged and yet we have qualified people with degrees, let me draw your attention, a little bit take you back to history. You have heard of the name of Mr Winson Chachil, an English man, a prime minister, who took hold of the British people during the second world war and got them through and yet he never saw the doors or the gates of the university. Do you know Winson Chacil had very little eduction but had something up here, that could help lead a country. There are no universities that you can go and get a degree for the president, many people would have ran for those degrees, those places. Let me draw your attention to the most recent, you know the prime minister called Major he never saw the gates of university.

**Com. Phoebe Asiyo:** He was A level, actually.

**Com. Pastor Ayonga:** I am not telling you that, what you are saying is wrong, but I just also want to remind you of what has happened elsewhere, you know people who have gone to England, and they say I come from Oxford Cambridge, you don't want to be closer to them, because you think they are so highly educated but Chachil led because he had that wisdom of leadership.

**Com. Phoebe Asiyo:** There is no problem, I just want to thank you for your observation, we will take it into account, but I was hoping that you will also add that we need a morally upright person for this laid high position and not just a university degree, because we see very many drunkards out here with PHD and they can not make very good presidents. Thank you very much can we now have, you come and sign our register, can we now have David Nyatich, followed by Nicholas Kimboi, so can we have councilor Hosea Keino.

**Hosea Keino:** Jina langu naitwa Hosea Keino, nina maneno mawili tu.

- Mambo ya mashamba, mambo ya arthi, mambo ya arthi ni kitu ya muhimu sana, na nime sikia commissioner akiuliza mwenzangu arthi lazma kila mtu awe na arthi, tuna sema arthi ni ya kila mtu, nataka nisema hivi, arthi kila mtu lazma awe na arthi. Pahali popote Kenya, lakini tunataka mpaka ya zamani, ifatiwe iwe kitu ya kudumu isiwe kama Israeli ambaye inapigana mpaka dakika hii. Tunataka watu wetu wa Kenya ata kama ni ndugu moja, ata kama sisi kama wanandi tuwe na mpaka yetu ambaye wasasi wetu, mababu zetu ya zamani ambaye waliweka mpaka kama mzee chief Kepele ambaye aliweka mpaka ya zamani. Ipatiwe ata kama mtu anakuja nunua tunaweka yeye ndani asiseme mimi ni muluhya, atakuwa sasa ni munandi. Hawezi kuwa muluhya, ataiwiwa kwa nandi hawezi kimbua huko kusem mimi ni muluhya, lazma awe munandi afuate mambo ya wanandi. Tunataka hiyo mipaka ya zamani ifuatiwe atakama miaka na miaka iwe kitu ya kufuatwa.

**Com. Phoebe Asiyo:** Na kama ni mitaliano awe munandi tu?

**Hosea Keino:** aaha, muzungu ni tofauti, lakini muafrika kwa muafrika. Na muchanga ya inchi zozote tunataka isimamiwe na county council. Isisimamiwe na sirikali, tuna taka county council isimamiwe mchanga ya district yoyote. Kwa sababu hawa wana jua mpaka ya zamani.

Tunataka kazi, kazi moja kwa mtu moja kwa Kenya nzima,

**Com. Phoebe Asiyo:** sawa

**Hosea Keino:** Hatutaki watoto wetu namaliza university na mtu moja ana hold kazi tano. Ya mwisho, Power ya president isiwe na nguvu sana, tunataka power ya president akikosa wananchi wana haki kustaki president. Hiyo tu,

**Com: Phoebe Asiyo:** Asante sana, can we now have Mr Tembat Lelei, bwana Lelei yuko?

**Speaker:** (.....inaudible)

**Com: Phoebe Asiyo:** Asante sana, bwana Paul Koril. Mr Amos Magut, kuja ukae kijana tuongee.

**Amos Magut:** Thanks for giving me this chance, this is my

**Com. Pastor Ayonga:** sema majina kwanza.

**Amos Magut:** mimi ni Amos Magut, the attorney general description powers concerning prosecution must be removed. This must be taken over by a national prosecution service which must be set up to ensure that correct procedures are followed in prosecution and they have to analyse between those issues that have to be taken into consideration when prosecuting anybody.

The police should not have the powers to prosecute because you find that this is an (inaudible) to them to torture people.

**Com. Phoebe Asiyo:** Just tell me who do you want to prosecute?

**Amos Magut:** A national prosecution service to be set up.

**Com. Phoebe Asiyo:** ooh you want a complete

**Amos Magut:** an independent

**Com. Phoebe Asiyo:** okay, so who will do the rest

**Amos Magut:** The rest, is the police and then hand over to the prosecution service to ensure that to consider those issues. Then also, a criminal compensation scheme be created to pay victims of crime. Limit be set up to capture tendencies of Kenya MPs being so individualistic that of late you find that they have vigorously increased their personal moliment at the expense of the Kenyan people.

**Com. Phoebe Asiyo:** don't give us the historical (inaudible) of the Kenyan people, simply give us

your recommendations for a new constitution.

**Amos Magut:** Okay, and then the number of constituencies to be fixed in the constitution.

**Com. Phoebe Asiyo:** No no, you know if we did that and the population is increased, it is very dangerous, (.....inaudible), you don't want, tafadhali tumpe huyu kijana nafasi tumsikilize kwa maana tuko na machine hapa inashika mambo yote, hatutaki tukienda kule juu isemeke kwamba kule mosop ni watu walikuwa wanazugumza kikwao ndiyo walisikika kwa machini na sio mwenye kutoa habari, tumpe huyu kijana nafasi atueleze tafadhali.

**Amos Magut:** Kenya should have a university councillor who is not the president in order to ensure executive running of the university. Provincial administration administration be scrapped and only for solving minor disputes. Chief should be elected to carry out that task. The president, executive power to be retained and be elected directly by the people as it is now. In order to ensure that MPs take house section seriously the maximum number of sittings that an MP can skip in order for his sit to be declared vacant should be 3 only. Maximum acreage of land that one can own should be fixed at 1000 acres.

**Com: Phoebe Asiyo:** 1000 acres maximum

**Amos Magut:** yaa

**Com. Phoebe Asiyo:** Thank you very much, many people have told us no maximum, others have said 5, so we will take your, if you can please go and sign the, please I want to appeal to you once again, nataka kuwajulisha tafadhali, kwa mkutano huu ni mkutano wa maana sana, ya kutengeneza sheria kuu za Kenya mpya. Itakuwa ni bahati mbaya sana kama sauti ya watu wana ongea na sisi haiwezi kutoka kwa machini, hatuwezi kuandika vizuri kwa jili ya wale wana ongea peke yao huko chini. Tafadhali sana sana, mtu akitaka kuongea na mwenzake au kumuuliza jambo wanyemelee nje pole pole wazugumze, halafu warudi hapa ndani. Ndiyo machini na sisi tuandike mambo ya kweli tafadhali sana. Sasa nigependa kuuliza bwana Paul Tanui, Paul wewe umekuwa na maandishi, kwa hivo utasema kichache sana, halafu utatuachia your memorandum which will after your presentation become the property of this committee.

**Paul Tanui:** I have two proposals, one is the currencies of the country should be one design not for many designs. The president should be charged when she or he when is still in the power, when he misuses the resources. The woman status should be quoted properly for instance, rapping of under age, 10 years should be punished for more than 10 years. And above 10 years of age should have a life sentence. Also the president should not be above the law in the judicial section.

**Com. Pastor Ayonga:** Asanti, (...inaudible) ujiandikishe Next, nataka kubadilisha mutindo, njia ya kubadilisha mutindo iko namna hivi, ingawa tumekuwa toka asubuhi tuna fuata hii list jinsi mulivyo kuja, kuna kitu, hii machini inakuwa namna gani?

**Com. Phoebe Asiyo:** (.....inaudible) it will be recorded.

**Com. Pastor Ayonga:** eee ingawa tumekuwa tukifuata hii orotha jinsi mulivyo kuja tunaita mtu accordingly, kuna wakati ambayo inatulazimisha kuwacha hii order na kufuata order ingine ya kienyeji, ya kienyeji namna gani? Katikati yetu hapa tuna watu amboa ni wazee, kuna watu ambao ni wa mama, tunaweza kuwa na watu ambo ni wagonjwa na hali wamekuja hapa. Tunaweza kuwa na mtoto wa shule anataka aseme kitu arudi darasani, kwa maana ya hivyo, from time to time nitakua nikibadilisha hii orotha. Kwa hivo ninapo badilisha usifikirie na huyu nime muona saa hii hii, mbona ameniruka, tumeelewana. Haswa nataka kumuita mzee mmoja, na kama kuna mwingine pia nita mwita, nita mwita mama mzee, nita mwita baba mzee, nita mwita asiye jiweza, nita mwita aliye mgonjwa, kwa hivo ebu tubadilishe kidogo. Kuna mzee hapa abaye anaitwa Stephen Kirwa, kuna jina hilo, mzee yuko, ao ametoka nje? Ooh mzee yuko hapa, mzee kuja uchukue kiti. Je kuna mzee mwingine hapo katikati? Kuna mgonjwa yoyote hapo ndani kati ya kikundi hiki? Eee. Basi wewe mzee njoo ukae karibu hapa, lakini ulijiandikisha nkitafuta jina nitalipata, tuta elewana badaye. Mzee Kirwa nafasi ni yako, sema majina yako ili ya weza kuingia kwa ile kanda yetu. Na tafadhali mzee anapoongea tunataka ukimie ili maneno ni yake tu tunataka.

**Stephen Kibor Arap Kirwa:** Jina langu ni Stephen Kibor Arap Kirwa, kutoka Mosop division. Nime kuja hapa mbele yako mwenye kiti kwa kutaja tu jambo fulani, ile na fikiria. Zamani za kale wazungu walipo ingia waliharakisha, lakini wengine walichaguliwa, kama watu kuishi chereangani wanaita (inaudible) wengine wnaaitwa hokom, wengine wanaitwa thok, wanao ishi milima elgon. Na walipitia majibu tu kusema tunatengeneza njia moja ya mawasiliano ya raiya, kutambua serekali wanaitaji nini, wakasema ee sheria moja tu ya (inaudible) act. Watu wengine walinyanganya bunduki, ikabaki bunduki ya chui pekee. Bunduki ishirini na sita ilibaki katika district hii, hiyo ndiyo walikusa ma chief kufuatana na malocation, kutoka moja mpaka ishirini na sita. Kwa hivo ombi langu ni kuwa ya siharakishwe kama ile ya wakati ule. Hii ni katiba ya kutengeneza na uhuru ya Kenya. Isiharakishwe ili ipangwe vizuri, mpaka kila njambo itendeke au iwezekane kupanga na mambo za Kenya. Wakati ule watu walijulikana ,makabila arubaini na mbili na walipopitia machief wakuu kama mumia, kipelez wanandi, na abon kutoka Turkana na kinyanjui au waiyaki kutoka central na mikoa ilikuwa inne tu wakati huo. Na tulikuwa tukitwa mukoa wa kavirondo mashariki. Sisi na watu wa Kericho, lakini watu wengine walienda sehemu wa kaskazini. Hiyo ndiyo ilisumbua wengine bwana mwenye kiti, haikutambulika kuna wazee wetu ndugu za babu zetu walishi forest, watu wawili majina yao ni haya, Ragita na Jakulesh. Waliishi forest wakifikira ni sehemu yao, na kumbe huko serekali ya Kenya ilikuwa imepangwa kwa mazingira ya Kenya nzima. Wakipatiwa wambiwa muje mupate scheme kidogo, wakasema tunadanganywa bona district ya nandi wana district yao. Mbona Baringo wan yao, Kericho wana yao, wanatudanganya kupatia sisi kando ya shamba letu. Hao walikuwa wakila matunda ya forest, wanyama wa forest, Asante, chakula chao ndicho hicho.

**Com. Pastor Ayonga:** Kwa hivo unataka aje?

**Arap Kirwa:** Mpaka hivi sasa wako porini wana hama hama, hawana itadhi yao kiasi fulani, wengine waliingia Kericho, wengine waliingia Baringo, wengine waliingia ata Samburu, ili kuwa hivo. Ndiyo na sema isiharakishwe, mpaka mugunduwe vizuru sana ni nani yuko inje ya mpago yetu, kwa nini tuna harakishwa na tukiwa uhuru.

**Com. Anyone:** needle

**Arap Kirwa:** Jambo ligitine kwa wakati huu tume tawanyika kwa muda mrefu, wengine wa kihamia sehemu ya watu wengine, wafuate desturi ya mahali ulihamia. Nikienda Kisumu niwe mukisumu, ni siende kupanga mpango ingine impya. Wengine wanakuja kupigaga vitu vyao vingine na kusema hii inafukuza mashetani, upande huu. Mashetani ya wengine walihamia nchi ya wengine. Basi kwa hivo, utaheri wakitoka mahali wana kuja kukaa kama wanandi wakija nandi. Niki enda nchi ya kiluhya, nikae kama desturi ya muluhya. Nisiende kupanga mambo yangu ingine sawa sawa mimi na tega yeye. Hiyo ndiyo ina kosesha maendeleo au masikizano, tunachelewa, tunachelewesha maendeleo. Hiyo ndiyo mamba nilikuwa nikisema mwenye

**Com. Pastor Ayonga:** Tumeshukuru sana mzee, na mumesikia kiswahili safi cha mzee, safi sana, safi sana, na mzee mungu akubariki, umetupa maoni mazuri na akuogeze miaka ili uendelee kutu shauri, haraka haraka haina baraka. Njoo ujiandikishe na uweke kidole huku.

**Arap Kirwa:** Asanti na mshukuru mungu

**Com. Pastor Ayonga:** Sasa mzee anaye fuata ni, mzee keti hapo, sema majina yako.

**Japhet Sawe Cheluget:** Jina langu naitwa Japhet Sawe Cheluget,

**Com. Pastor Ayonga:** Endelea mzee

**Japhet Sawe Cheluget:** Mimi nina needle maneno kidogo si mingi, sababu tulisikia kwa masikio yangu maneno hii iko mawili, iko mpaka ya babu yetu na sehemu ingine kabla ingine. Na iko mpaka ya wazungu, kama wazungu wamekuisha ingia hapa. Lakini

**Com. Pastor Ayonga:** Ongea karibu na hiyo machini.

**Japhet Sawe Cheluget:** Lakini kuongea mpaka ya yetu ya babu yetu waligawa kama wazungu naingia, wenyewe kugawa walikuwa babu yetu mbili, Arap Keino, (inaudible), wakati hao na gawa na wazungu, na uliza watu wa kalenjin mpaka yetu ni wapi, aliandika mpaka imetoka mlima inaitwa kapsebet, na kuja mulima na itwa jebelejuko na

kwenda mpaka Elgon. Hiyo na nyorokana sana. Na pita pande ya Webuye, inanyorokana kabisa, wakati hiyo senior chief ya nandi tulikuwa moja, anaitwa Arap Keti, lakini sababu wanandi walikuwa kidogo kushinda kipsigis, bas maneno hiyo , kipsigisi, wanandi, na olkerio mpaka sepei ni kitu moja apana tafauti, kalenjin yote, maneno yangu hiyo tu.

**Com. Pastor Ayonga:** sasa unataka aje kwa mipaka hiyo?

**Japhet Sawe Cheluget:** Nataka hivi, kitu ina haribu dunia, kila mtu wakati kisomo inakuisha kuja, bas kila mtu nakuja sema mimi ni mnandi, sababu wakati wazungu na kuja inchi hii na changanya watu. Mtu mwingine anakuja kazi kama anandikwa, anazaa watoto, na ongea kalenjin na wakati wazungu na kwenda, watoto wanasema sisi wanandi, hawajui ni kabla gani, hata DO alisema sisi maploti kwa hapa zamani iko watu wanasema, wewe nchi yako ni wapi? Hapa mahali ya wazungu, na mahali ya babu yangu ana sema apana jua. Basi DO huyo anamwambia bona mimi ni tugen, mimi najua kwa mahali natoka mama ni Kipsigis, halafu namna gani, sasa kitu hii na haribu dunia hii kila mtu na sema sawa sawa uwezo wake, apana jua uwezo ya dunia hii, mbinadamu yote ni ya mungu.

**Com. Pastor Ayonga:** Asante

**Japhet Sawe:** Kitu na haribu dunia hii, wazungu na changanya watu.

**Com. Pastor Ayonga:** Hiyo tuna jua na hatutaki tuendeleo kuchanganywa.

**Japhet Sawe:** Na sasa hii apana soma, na sema maneno ya kinyumbani mimi apana jua elimu, bas na sasa mimi tulikuja hapa kama hatujui nyiyi takuja nini. Mimi nasema nakwenda sikia maneno watu nazugumzia halafu mimi na pata kitu ya kujibu. Rongo mtu na sema hiyo ni Kipsigis, hiyo ni Ogeyo, hiyo ni tugen, kabla moja yote, nandi yote.

**Com. Pastor Ayonga:** Hawa watu wote tumejua watugeni wako hapa, wakigsigis iko na wanandi wako, wote watu moja. Tena unaongeza

**Japhet Sawe:** ndiyo, kitu inazaa wa kipsigis na tugen, ni njia ya railway, wakati railway inakwenda Kisumu, wakalenjin na fungua njia ya kwenda Kisumu

**Japhet Sawe:** *Kingobwa chumbek kobatu oretab Kisumu, kobarge Nandiek ak chumbek koet oret, oretab Kisumu.*

**Com. Pastor Ayonga:** Asante mzee, sasa kwenda huko uandike jina huko. Tafadhali peleka mzee hapa aweke kidole na kabla mzee huyu wa pili kuanza kusema majina yake, nigelipenda kuwajulisha kwamba hapa sasa kando yangu mkono wa kulia, tuna mweshimiwa John Sambu. Tumekuwa na mweshimiwa jana the whole day, tulikuwa na mkutano mzuri na ebuni

mwambie na ebu ni mwambie mweshimiwa tume anza hapa pia na mkutano mzuri. Nime ona ni heri ni ite wazee kwa maana saa inakwenda, wazee wana weza rudi nyumbani wakaone ile ngombe pahali waliachia na ile maziwa ya kibuyu halafu wanavuta kwenda ndani, halafu maisha inaendelea. Kwa maana lazma tutunze wazee, ingao vijana muna anza kufikiri tufukuze wazee sijui wazee tutaenda wapi. Na kila moja atakua mzee na kuwa mzee ni baraka ukipewa na mwenyezi mungu. Kwa hivyo mweshimiwa, salimia watu wako.

**John Sambu:** Commissioner Zablon Ayonga ndiyo wetu wa hapa ndiyo wetu wa hapa Kipkaren division, wapi mama leo?

**Com. Pastor Ayonga:** Wewe needle salimia watu.

**John Sambu:** Wafanyi kazi wengine wa constitutional review commission of Kenya, wananchi wa Kipkaren division, hamjambo?

Audience: Hatujambo.

**John Sambu:** *Change tugul bororioni.*

**Audience:** *Change.*

**John Sambu:** *Ngo koitititu e kalya? Ochomege.* Sina maneno mengi, mimi nilisema nije nipatie watu nafasi kwa sababu nikisema mapema, hao watu vile wamekueleza ndiyo maoni yao. Sisi hatuna matata hapa tunasema vile uliona Kapiget na vile utaona hapa, watu wanataka katiba mzuri, ama sivyo? Karibuni sana, karibu sana bwana commissioner muendeleo, badaye nita sema.

**Com. Pastor Ayonga:** sasa mzee nataka useme majina yako, na ndipo na kupa zile dakika tatu ya kusema, moja mbili ya points ambavo umekuja nazo kutoka nyumbani. Mzee unaweza kusema sasa.

**Joel Kiptoo:** Jina langu ni Joel Kiptoo Ng'eno. *Ng,alek che amwae kouni*

**Translator:** What I am going to say is this

**Joel Kiptoo:** *Kingomite emet kotomo kenyor Uhuru, kokikibesytin*

**Translator:** Before we were independent we were different.

**Joel Kiptoo:** *Kimitei kimasta nin bo Western ak komi nebo Nyanza ak komi nebo Central ak nebo Eastern.*

**Translator:** There was Western, Nyanza, Central and Eastern..

**Joel Kiptoo:** *Ko kolyot ne omoche, amache kou notok amun amache kebounen emet Majimbo. Jimbo nebo Rift Valley kobo Rift Valley.*

**Translator:** So I propose we have a federal system of government.

**Joel Kiptoo:** *Amoche kou notok amun ki eng yotok ko kikitebye ago kingen chi emenyi agonget yebochin*

**Translator:** I wanted so, because at that time everybody knew well in the law and how far they extended.

**Joel Kiptoo:** *Kikiterchine, Kimakonyone chito nebo Nyanza nyokobounenech atebenywan nebo Nyanza*

**Translator:** At that time, no one from Nyanza would come and impose their wish on us.

**Joel Kiptoo:** *Ko kou noton nebo Western*

**Translator:** nor did anyone come from western

**Joel Kiptoo:** *Kou noton agine nebo Centra*

**Translator:** Nor did anyone from Central.

**Joel Kiptoo:** *Amoche kou noton.*

**Translator:** So that is how I want.

**Joel Kiptoo:** *Ng'olyot nebo aeng' amoche ngekwai wabunge chechok koba Parliament kotore kenysisiek mut korar wakati nenyinet komomite pension. Chichon kobo contract, mami tun kakonyo gaa konyokwam mushara.*

**Translator:** What I want is that when we have elected our members of parliament they go for their five year term, and if they are not re-elected, they come back, they should not be pension able.

**Joel Kiptoo:** *Chichoto kobo Contract*

**Translator:** He is working on contract.

**Joel Kiptoo:** *Makisir en serkali*

**Translator:** He is not a government employee.

**Joel Kiptoo:** *Kobek ng'alekyuk.*

**Translator:** that's all

**Com. Pastor Ayonga;** Asante mzee, asante, munaona wazee husema machache lakini mazito. Asante weka kidola huko. Mbona sioni, hakuna mama mzee hapa? Karibu baada ya huyo mzee nitanza sasa wa mama ili warudi nyumbani kupikia watoto lunch. Na sasa baada ya hawa wawili hakuna mzee mwingine tutachukua wazee tena badaye. Sasa sema majina yako na una dakika tatu.

**Manoah Korir:** Thank you, my name is Manoah Korir, I am from Mosop. Before I get my 3 minutes will I make a request that before you the commissioners and our MP Mr Sambu, before you leave today to tell us when you intend to finish the constitution , because you are here we don't want to read from the newspapers, so my request is that you address us and tell us when you expect to finish the constitution so that we don't be in the dark.

**Com. Pastor Ayonga.** I think you came here to give us your views, and as soon as you give us your views we will go to work with your views, then we will let you know. For now read the papers.

**Manoah Korir:** Thank you, okay we get your point, anyway we hope that the new constitution that we intend to write should be in the supreme governing principal . The kind of principal to develop this country and that constitution should only be changed through a referendum. That referendum shall be done in accordance with the parliamentary board calling for a referndum. At the end it can only be changed if we have achieved 65% majority vote in that referendum. That left aside I want to go to the issue of citizenship and I propose that those who want to be the citizens of Kenya shall be people and persons born

in this country. Regardless of their parental ancestry or national origin of their parents. That we also make recommendations that Keyans be allowed to have dual citizenship, because it might be more beneficial to the people of this country if we have dual citizenship. The parliamentary life should be limited to a five year period which cannot be changed, and that date should be set in accordance to the constituion. The system of government that we propose, is that the president continue to be the leader of the country and not the prime minister. So we should have the parliamentary system of government and a presidential system. The local government should be free local authorities, not ran by a local government ministry but they should be independent government as proposed that they be the supreme governing body within the districts. And they should be governing the issue of land, the welfare of the people, the police, the infra structure and resources that are within the district. The local government should also control local and national elections. There should be two separate elections for local officials and for national elections, and all of them should be controlled by the local government. I propose that we have a bill of rights in the new constitution and in that constitution we have basic rights. This rights shall not be limited to the freedom of speech, freedom of the press, but also the freedom of conscious to think and speak as you wish. Those rights should be enshrined in the constitution and no law of parliament should surpass those rights. No person shall be imprisoned for speaking, writing, or doing anything that is determined to be a mater of personal conscious . We the citizens should be free to assemble, to discuss issues without consulting with government officials. Thank you

**Com. Pastor Ayonga:** You can sign your name there and leave to us any memorandum, now just a moment, I am going to follow my last orders. I was calling names and I am going back to names, when I called for those wazees ambao wengine hawajisikii vizuri, na thani hiyo sasa imekuisha, nitafuata list according to the way it was, that is the best way. Nili uliza tu wakati ule kwa maana kuna wengine walikuwa hawajiskie vizuri. Na sasa ambavyo nilimaliza ya wale ambao hawa jiskie, sasa naenda back to what it was. Mzee unaweza kusema kiswahili?

**Kulgat:** nitasema kinandi.

**Com. Pastor Ayonga:** Lakini hiyo unanijibu nayo sio kinandi.

**Kulgat:** wacha niseme kiswahili

**Com. Pastor Ayonga:** ndiyo sema kiswahili tu, we sema tu, sema majina yako kwanza , na baada ya huyu tafadhali yoyote asije mpaka nime muita.

**Malakwen .K. Kulgat.** Mimi naitwa Malakwen .k. Kulgat. Mimi na sema hivi, kufuatana na mpaka yetu ya wanandi, mimi na sema sitaki maneno ya 1992, nataka kumwambia katiba afuate laini yetu iwe haki. Sitaki maneno ingine kama ya 1992

**Com. Pastor Ayonga:** 92 ilikuwa nini?

**Malakwen .K. Kulgat:** 92 watu ile nakuja ndani hataki kuitika mwitu ya wa nandi, na wanandi naenda mpaka pahali ingine, hawataki kuitika maneno ya wale wengine. Kwa hivyo kila mtu iko njia ya mtu ingine afuate wimbo ya pande hiyo. Hiyo mimi nasema hiyo, kusema kweli naomba katiba afuate maneno vile wananchi wanasema, ile maneno mzuri ikae namna hiyo kwa sababu sisi wanandi tulikuwa na katiba. Sisi waluhya tuko naye saa hii hapa, Kipgsigis iko hapa, jaluo sisi iko naye, hatuna maneno lakini maneno hii ni maneno ya mami ndiyo na kuja koroga. Kwa hivo sisi nataka mpaka ikae kwa haki ile yetu ya zamani za mababu zetu. Yangu nitasema moja ingine, mimi nasema kwa katiba, mimi naomba quarter katika Kenya, kwa kuandika watoto ya **(inaudible)** tupatiwe quarter, kila nyumba ipatiwe quarter, apana andika watoto wa mahali moja na watoto wetu wana kaa, apana, Kenya iendelee kwa quarter, kama nataka watu elfu kumi, apee kila nyumba yao, halafu na andika watoto kutoka nyumbani. Apana sema ati huyu bado soma, iko watu wame soma lakini hakuna kazi, kwa hivo patia sisi quarter. Imetosha.

**Com. Pastor Ayonga:** Hee mzee kwenda pande hiyo, sasa nina anza tena, huyu alikuwa Paul Tanui, Paul Tanui ameshaongea, iko na bwana Manoah Koril, huyo ameshaongea, halafu kuna Naftal, apana huyo hakutaka kuongea. Halafu kuna canon Jacob Tuwei, kuna jina na mna hiyo, halafu huyu mwingine alikuwa haongei, Wilson Bett, na anaefuata Wilson, wewe utaendelea kuketi, Christine Tororeine, mwalimu, needle.

**Wilson Bett:** My names are Wilson Bett, I will start somewhere from the legislator, parliament should set appointments of ministers and their assistants. Permanent secretaries, ambassadors, high commissioners, senior judicial officers including the chief justice, chief executives of parastatals, commissioner of police, attorney general, parliament should remain supreme in law making. It should have unlimited powers to control its own calendar. The current requirements are adequate and should remain, and so should the current language requirement. There should be an independent body to determine the salaries and benefits of members of parliament. The executives, there should be 3 qualifications for pin audible) residential candidates contained in the current constitution, should be retained. The **(inaudible)** tenure should be restricted to a maximum of two terms of five years each. The constitution should provide for the removal of the president, for misconduct while in office, through impeachment by parliament. Judiciary, the judiciary must not only be seen, but it must be seen to be free from executive control. Appointment of judges including the chief justice, must be recommended by an independent judiciary service commission. The judiciary officers should be law graduates with substantial experience in the legal practice. Local government , mayors and their deputies together with county council chairmen and their deputies also must be elected directly by the people, councilors should have a minimum of standard eight education and the current languages required.

**Com. Pastor Ayonga:** ya mwisho

**Wilson Bett:** Bado mzee

**Com. Pastor Ayonga:** Saa imekwenda na watu ni wengi.

**Wilson Bett:** Thank you

**Com. Pastor Ayonga:** Kama unaweza kujiandikisha kule na uwache memorandum. Christine Torolei, mama ninaona una written memorandum, kitu ambacho utatufanyia nikutupa tu insight, summary of the main points in your memorandum. Dakika tatu.

**Christine Torolei:** The chairman, and the commissioners, here I have a brief memorandum which I wish to present to you. This memorandum addresses all issues in general and other issues specific to women welfare in Kenya. My name is Christine Torolei, I would like to read the contents which is inside here.

**Com. Pastor Ayonga:** summarise.

**Christine Torolei:** Citizenship, basic rights, rights of (inaudible), land and property rights. Legislature local government, constitutional commission, political parties, legislature and judiciary. The electro system the participatory governance, sir I would like to touch a bit of the citizenship. Anybody born in Kenya is automatically a Kenyan citizen. Spouses of Kenyan citizens regardless of sex be entitled to automatic citizenship unless they choose otherwise. Child born of Kenyan parents, regardless of sex should be entitled to automatic citizenship. All citizens regardless of sex have equal rights, privileges and benefits of citizenship in all fairness equity in duties and responsibility of citizenship. The documents they should have national identity card, birth certificates, Kenyan passports, immigration permits, identities for foreigners. I would also like to touch basic rights, the constitution should provide for compulsory and free education. Pre marital status should be upheld by the constitution. Constitution to protect basic rights which include security, health care, water, shelter, food and employment. Thank you.

**Com. Pastor Ayonga:** Mama nigelipenda kukuliza kaswali kamoja. Ulisema anybody born in Kenya is automatically a Kenyan?

**Christine Torolei:** ooh yes.

**Com. Pastor Ayonga:** Now je itakuwaje kama kuna mtanzania mama mjamzito alikuwa yuko safarini anaelekea Uganda na mambo ya kafika hapa njiani, amezaliwa hapa Kenya, amezaliwa hapa Kisumu, na yeye safari yake alikuwa anaenda Kampala, sasa huyo ana kuwa mu Kenya.

**Christine Torolei:** No

**Com. Pastor Ayonga:** No, then tell us what you mean, kwa maana kama ni kuzaliwa tu, watu huzaliwa ata wakiwa safarini mtu huzaliwa.

**Christine Torolei:** Thank you, what I meant is that if a child is registered here in Kenya, is automatically a Kenyan.

**Com. Pastor Ayonga:** Asante mama, weka maandishi yako huko na (inaudible), nina gojea Silvestor, yuko na yeye huyu, Silvestor yuko? Hayuko, Daniel Kogo, aaa Daniel Kogo alikuwa haongei, Thomas Rotich, hayuko. Nini wewe una represent yeye Thomas Rotich, sasa Eunice Bitoch, aa alikua haongei, she attended , she was just attendant. Norman Bor, sema majina yako,

**Norman Bor:** Mimi naitwa Norman Bor, yangu nitahusiana tu, hii juu ya katiba ya Kenya hii. Kwanza isiharakishwe ifuate kama vile maoni imetokea. Na nikiwa hapa katika Mosop constituency, Lugari division, tuna mambo mengi inahusiana na elimu na arthi na kila kitu. Lakini yote ya fuatwe kuligana na matakwa ya wananchi ili pendekezo zote zifuatwe hasa ni kiguzia tu kwa Kipkaren division hii, Kipkaren (inaudible) education zamani ilikuwa chini ya wazungu, na ilipewa lease at least kwa wazunzu halafu ikapewa kwa county council. Na hapo ilipo rudishwa kwa county council, county council ikawapa wanandi ambao wako sasa. Na ilipowapa namna hivo ilikuako advisory committee.

**Com. Pastor Ayonga:** Na sasa unataka aje?

**Norman Bor:** Hii advisory committee imeunekana kwamba haifuati katika katiba hii ya wakati huu nataka ingizwe halafu tuendelea. Kwa sababu watu wanapozidi mambo inakuwa mengine. Ni hayo tu, asante.

**Com. Pastor Ayonga:** Asante mzee, unaweza kujiandikisha kule, mwingine ni mwalimu ambaye anaitwa Kosgey Albert, alikuwa na written memorandum, ameitoa? Mwalimu hakutoa au haijulikani, Willy Ruto, anayemfuata willy atakua Elisha Murogo, Elisha Murogo yuko. Willy sema majina yako na

**Willy Ruto Mosok:** My name is Willy Ruto Mosok, I have got a few proposals, first set up of government. We should adopt parliamentary type of government where we have prime minister elected by all members of parliament.

Local authority, Mayors and chairmen must be elected directly by the people. Minimum qualification of a councilor must be form four. The ratio plan, grasslands must be controlled by the local authority or local community. Land must be marked the original boundary, example in Nandi, the original boundary of Nandi must be marked. I think that's what I have, thank you.

**Com. Pastor Ayonga:** Ebu nikulize, unaweza sema Prime minister awe elected by all MPs, unataka kumanisha kwamba ile

party iliyo pata kura nyingi haitakuwa na maana, lakini parliamentarians wakikaa pekee yao wote huko kwa bunge wa viama vyote ndiyo wachague Prime minister?

**Willy Ruto Mosok:** that's it.

**Com. Pastor Ayonga:** That's what you meant, mbona husemi hivyo?

**Willy Ruto Mosok:** I think I was very clear, I said that all members of parliament and not a winning party must elect a Prime minister.

**Com. Pastor Ayonga:** Thank you, (...inaudible), next atakua yule Elisha Morogo hakuonekana? William Melly, Stephen Ngeo, hayuko, David Sum, David Sum una dakika tatu, sema majina yako kwanza.

**David Kipchumba Arap Sum:** My full names are David Kipchumba Arap Sum, what I am proposing is the 8-4-4 system of education should be scrapped and be replaced with the old system of education that is standard 7, form 4 and university. The education should be free absolutely free payment from standard 1 to form 4. In the administration side I propose that the administration police should be scrapped and they should be transferred to police force, they should not be left alone and they will be thuggery because they are well trained. The chiefs act, the chiefs should be given powers so that, because they are near to the wananchi I think they should carry wananchi.

**Com. Pastor Ayonga:** Are you telling us that we get back to (inaudible)

**David Sum:** Yes the old. The councilors, the local authority I think the councillors the aspirant should be form four leavers and they have a pass. Free market, on free market on the farmers I think it has to be determined by the government, the prices of their commodities. That's enough.

**Com. Pastor Ayonga:** Asante sana, unaweza kujiadikisha, Willy Ngirisay hakuna? Hayuko. Halafu kuna Stanley Kibenei, ndiyo wakati yeye anakuja kuna, Simon aaa huyu Simon ni observer. Stanley chukua mike na toa majina yako na una dakika tatu.

**Stanley Kibenei:** Thank you Mr chairman, my name is Stanley Kitarbei Kebenei from Kipkaren division, Kipkaren location. Sir I have a few suggestions pertaining our constitution, bwana chairman sir our constitution should remain supreme. By so saying I mean parliament should not interfere with our constitution, whatsoever. In our constitution sir I would like, we need a prime minister as head of the government and the Prime minister be elected by all members of parliament regardless of their political background or political party. I also propose that we have a ceremonial President and a Vice president. The President

be given a maximum of two terms of 5 years each term, totaling ten years. President to appoint his chief justice, Attorney general but on merit. Prime minister to appoint cabinet ministers and their assistance, judiciary to be as free as possible so as to be fair in giving judgment. County councils to have more powers and more say over native land.

Land ownership, should be individualist, should be owned by individuals that is what I mean. Inheritance of land and property, be purely based on customary law. Parliament to remain sole body to authorize the raising and appropriation of public funds, thank you sir.

**Com. Pastor Ayonga:** Asante sana bwana Kebenei, sasa ni Paul Lagat, Paul Lagat yuko?

**Paul Lagat:** Kwa majina naitwa Paul Lagat, kwanza kabisa ni uongozi. Rais asiwe na mamlaka kupita kiasi kama kuwa mkuu wa ma jeshi, mkuu wa university, kuamwa mambo pekee bila kupeleka mbungeni.

**Com. Pastor Ayonga:** Kwa hivyo unataka aje?

**Paul Lagat:** Kwa hiyo nataka Rais awe ni Rais peke yake.

**Com. Pastor Ayonga:** Rais peke yake

(inaudible)

**Paul Lagat:** Kuwa Rais peke yake ni kusimamia inchi na awe na mawaziri, watakao kuwa kujadiliana sio kuamua mambo peke yake. Rais aendeleo kuwa Rais bora awe amechaguliwa kwa njia nzuri. Ina manisha asiwe Rais wa muda wa vipindi viwili tu. Awe Rais bora amechaguliwa kwa njia inayofaa. Mambo ya kazi, nafkiri tumeelewana kwa Rais. Kwa vile niliona akiwa Rais wa vipindi viwili, kipindi cha mwisho ataamua kunyakua mara ya mwisho, ni heri kifo amuyakulie tu, asinyakue. Kazi, mtu asiwe na kazi mbili au kuzidi mbili, mtu awe na kazi moja. Wizara, kama wizara kusiwe na wenye viti directors, wawe na managers peke yao. Mtu akisha stuff asipewe kazi nyingine ata kama ni viwandani. Tatu, wanawake wapewe kazi wasipewe kazi za wanaume.

**Com. Pastor Ayonga:** Sikuelewa, una maanisha nini?

**Paul Lagat:** Maana yangu ni kwamba, ziko kazi abazo wanawake hawa ziwezi, kwa hivo wata haribu hizo kazi.

**Com. Pastor Ayonga:** Kama

**Paul Lagat:** Kama vile ujenzi, nyumba za magorofa, wanajeshi na mambo mengi, mambo magumu magumu, yanayo faa wanaume.

**Com. Pastor Ayonga:** Asante, asante sana, unaweza kujiandikisha, lakini kabla hujatoka ebu ni kuambie, majeshi ya Israel yalipo kuwa hapa zamani, sijui siku hizi, lakini shart shooters wana wanawake. Tena kujenga gorofa, ni lipo kaa kule baraini kw masoma, wanawake nili waona huko gorofani ndiyo wana enda na hizo karai, kokoto na nini na nini, wanawake usiwatharao.

**Paul Lagat:** Nina chungu katiba ya Kenya.

**Com. Pastor Ayonga:** Unaichungu katiba ya Kenya, asante

**Paul Lagat:** Mwisho, ya mwisho.

**Com. Pastor Ayonga:** aaa, nini?

**Paul Lagat:** Majimbo, mimi nina pendekeza majimbo ili wanandi wawe wakijiamulia peke yao, kuchagua machief na maneibu wao. Kufanya tohara wanawake hawa pasi. Kua mua kuwa watakuwa sawa na wanawake apana.

**Com. Pastor Ayonga:** Kwa hivo kitu unataka katika majimbo ni majimbo ya kikabila, (laughter). Thank you, next person, huyo alikuwa Paul, tena kuna Paul Korir, kuna Paul mwingine lakini yeye ni Korir, ni wewe, hakuna. Peter Rotich, nathani tulikuwa na Rotich aliye mpa na fasi, ooh ni wewe, okay chukua kiti.

**Peter Rotich:** My names are Peter Rotich, my proposals are as follows;-

The president should be first elected as a parliamentary from the sit he comes from. Another issue is about the judiciary, the judiciary section should have the right to elect or appoint the Attorney general. The Prime minister is also supposed to be elected by the people that is the majority. The minister should be appointed by the president but according to qualifications, if he is the minister for ministry of defense as one has said, he must be a minister to that section. Also the minister should be elected by the President and then be re-elected by the parliamentary and (inaudible) and by vote, that is the majority. The president should not have any powers just to fire out the minister, because he might fire because of their own issues or their problems or individual differences. I think also the MP and the President should have an exercise whereby in case of any mismanagement, then the people or those people who elected them should have the assessment, that is kura ya maoni. The parliamentarian if they have any way to back up a law or anything, they should have at least or a percentage of 75% members at the parliament, or at least  $\frac{3}{4}$  of the members at the parliament.

**Com. Pastor Ayonga:** Members present or all members of parliament.

**Peter Rotich:** all members of parliament.

**Com. Pastor Ayonga:** 75 or (inaudible) you can tell,

**Peter Rotich:** Alright

**Com. Pastor Ayonga:** Thank you, sign your name and leave us whatever with us. Malakwen Kurgat, ooh, kuna Francis sijui ni Ruto au ni Roto, Ruto, Francis Ruto, Okay, Joel Magi – laa huyo hakuna. Ann Kosgei, mama Ann Kosgei, ameenda? Sasa kama huyo ameenda kuna councillor Pau Kerich, aa ndiyo wewe, councillor sasa tupe summary ya maandishi uliyo fanya.

**Paul Kerich:** Chairman my names are Paul Kerich, I am a residence of Nandi and I would like to give my brief view or views to the constitutional review. Bwana chairman my views, the supremacy of the constitution should be protected and when I go straight to Parliament of parliamentary, Parliament should amend the constitution. It is the only institution actually that is, have the duty of making the laws and changing the laws, it is economical and it has the lawyers, it takes shorter time and they are the representatives of the people, so parliament should be the sole constitutional changing body.

**Com. Pastor Ayonga:** Do you have any percentage that should be there?

**Paul Kerich:** The percentage that should be there is 65% .

**Com. Pastor Ayonga:** of

**Paul Kerich:** of the members

**Com. Pastor Ayonga:** present

**Paul Kerich:** of the members of the house.

**Com. Pastor Ayonga:** of all the members

**Com. Pastor Ayonga:** of the members present. Parliament can also change, amend the constitution when it seems necessary. We can not give parliament time because if we recommend that it be given 20 years there can be an issue that concerns our country. On citizenship bwana chairman the issuance of identity card should be taken to the lowest level, it should be indicated in the constitution that all the necessary documentation should be provided. The minimumly, like now bwana chairman it is not

supposed, for National registration people to send documents to Nairobi. The furthest should be the district level, all the necessary documentation should be provided at the district level. Bwana chairman on defense and National security the office of the president they should still, in my view, should be under the office of the President. On political parties Mr chairman, on record the number of parties without necessarily naming them are almost representing every tribe. So, the minimum of parties in this country should be four, so that we have quality parties for peace for representation. Mr chairman, the political parties should be financed from public funds, all the parties should be financed. And any donor

**Com. Pastor Ayonga:** Before you go any further, that financing, funding the political parties, are you talking of 4 or your talking of the 50.

**Paul Kerich:** I am talking of four parties only to be indicated in the prosecution.

**Com. Pastor Ayonga:** Okay, just wanted to be sure.

**Paul Kerich:** On the provincial administration Mr chairman, the provincial administration should be maintained, it is part of employment for our young men. The only thing I would like to mention on provincial administration, and Nandi as a community bwana chairman, is that the Nandi as a community has been having chief and assistant chief, as men. My view is, the responsibility of the chief and an assistant chief in the community of Nandi as far as my views is concerned should be the responsibility of men. Mr chairman, on land, all land that is in Nandi, land belongs to individuals, every piece of land belongs to a particular individual and Mr chairman I don't want to waste time on that, on land when it comes to tribunal, I think the constitution should include the land tribunal, the elders in the panel. This tribunal should be the final decision on land disputes. The lowest level for land matters or rather where transactions should not be carried out, at the divisional level.

**Com: Ayonga:** Thank you bwana councilor, kwa maoni yako

**Paul Kerich:** Mr chairman let me finish on agriculture bwana chairman,. National resources bwana chairman are dumped, the management of National resources mr chairman, should be equitably distributed at on the cabinet, I think I suppose the government of the Prime minister. On agriculture Mr chairman, give me one second, Mr chairman the constitution should protect the interests of the farmers. What I am saying is Mr chairman, we the constitution should indicate that the farmers are protected on their (.....inaudible) , Mr chairman finally

**Com.Ayonga:** No, you cannot take us round like that, you say this is final and then you add another and then you are going to add another. Look behind you the people who are seated.

**Paul Kerich:** On health bwana chairman, on health and education I will combine them, bwana chairman. In the constitution it

should be universal education and health for all, because at the moment bwana chairman, let me mention that, if you go to a health facility, you pay for professional services and a doctors fee. I don't understand in vocabulary or English, the difference between the doctors fee and the professional fee. So this is exactly the position in the country now, thank you very much.

**Com. Pastor Ayonga:** They mean one and the same thing.

**Paul Kerich:** But they are charging differently, bwana chairman, thank you very much.

**Com. Pastor Ayonga:** Heeh, don't go. (laughter) is that what you do in the council? Another thing let me remind you one other thing, bwana councilor I thought you were going to speak about the council.

**Paul Kerich:** (.....inaudible)

**Com. Pastor Ayonga:** No, no, no the choice was your priority, now thank you, thank you, others have said about it, and since it is in your writing we will take it , thank you so much. Where is John chirchir. Na tumaini utachukua dakika zako tatu, na tafadhali uwe brief to the point, na tena kama point imeshasemwa na wengine ingawa ulieandika, na thani tungelipenda kusikia manano mapya kuliko lile linalo rudiwa, rudiwa. Sema majina yako, ya ingie kwa tape.

**John Chirchir:** My name is John Chirchir, I will start with the political parties. Political parties should be limited to 3, this is to provide for a good few competent contesters for the president. It reduces the tribal and ethnic occurrence during the elections. The three political parties should be financed through the public fund. Parties may form a coalition government when they get almost the same votes or seats. Like when another party got 47% and another 53%, they should form a coalition government instead of starting another government again, they should form a coalition government. When they are three parties which have come to almost the same, like when they have 34%, 30% and 35% or 36%, they should also form the same, one government of coalition. There is a word opposition, in Kenya , in parliament I think there should be nothing like opposition, we don't oppose one another but we just oppose to agree, therefore I propose that instead of opposition we say,

(inaudible) or

(inaudible)

**Com. Pastor Ayonga:** Does that make any difference.

**John Chirchir:** Yes it makes.

**Com. Pastor Ayonga:** It is using one (.....inaudible) but they all mean the same. Tell us something else

**John Chirchir:** Okay, system of government, I propose the parliamentary system. Prime minister to be elected by members of parliament and that Prime minister comes from the party which won elections. The Prime minister should not be above the law

and the loyalty pledge should be to the people and the republic of Kenya and to the constitution. There will be no action taken from what he has said or commanded before the parliament confirm. The President is the administrator, he is in charge of all the administration in the government. Land and property rights, the Kenyan land belongs to the Kenyans, therefore it is owned by the state who knows its boundary, hectares and the National resources, in this case the local authority has powers to control the use of land by the occupiers. Here I mean that the land should not be owned by the individual, it should be a National land whereby we as the citizens we are only the occupiers.

**Com. Pastor Ayonga:** In other words you are telling us that if I want to come and dig in this kiwanja, I can come and do it like that.

**John Chirchir:** No, no,

**Com. Ayongo:** but the land belongs to the state.

**John Chirchir:** Yes it belongs, but what I mean is if the people, local authority like now the Nandi they had a boundary, those boundaries the people within the boundary of Nandi, the land belongs to those people inside the boundaries, therefore, like now we are having a title deed whereby the title deed means that you own a land, but I need that title deed to be title of occupation and not title of ownership

**Com. Pastor Ayonga:** Thank you

**John Chirchir:** Imetosha ama niendelea

**Com. Pastor Ayonga:** Imetosha umepitisha muda na tutaenda kusoma hii, na computer hii itasoma sawa sawa. Kwa hivyo jilandikishe kule na mpe huyo maandishi hiyo yako. Sasa kuna Josephat Kurget, atakaye mfuata Josephat atakuwa Sammy Keter, Sammy Keter yuko, Sammy Keter kama yuko akae karibu. Una dakika tatu tafadhali needle.

**Josephat Kurgat:** Asanti sana bwana commissioner, kile nige omba kidogo yangu itakuwa tafauti maana singetaka mbunge afike kule nawe (inaudible). Bali ninge taka mbunge anapofika kule awe mbunge. Yaah abaki parliament yake tu ni kwenda pale mbunge na abaki bunge. Lakini si kupigania (inaudible). Naye waziri tutapata hivi, waziri watatengenezwa na yule tuna mwita Prime minister, na mawaziri watakuwa wana fanya application zao kusudi wawe mawaziri kupitia Prime minister, na itakwenda katika Parliament, wawe vetted. Parliament ndiyo ita vet mawaziri.

**Com. Pastor Ayonga:** Wana apply kwa nani?

**Josephat Kurgat:** Wana apply through the Prime minister. Mimi nikitaka kua kama minister wa agriculture ni yule Prime minister anapeleka makaratasi zangu kule parliament, na parliament wataipitia kuona kama mimi nilikuwa mwizi hapo, awali, ama nilikuwa corrupt, ama natosheleza ama sitoshelezi, itakuwa kazi ya Parliament. Basi wakini pitisha mimi watarudisha makaratasi kwenye yule yule mtu ambaye tunamwita Prime minister. Lakini hapo awali nilitaka kusema kwamba President ambaye hatakuwa ana preside, anaitwa head of state, kuonyehsa yeye yule ni yule ambaye tuna muheshimu, head of state ni kidogo ni kama ako juu ya siasa, above politics.

**Com. Pastor Ayonga:** Okay.

**Josephat Kurgat:** Na kazi ya huyu President itakuwa ni kusack Parliament, ni kusack Judiciary na kusack executive, ambaye anasimamia executive ni Prime minster, na chief justice ana simamia judiciary, na Parliament ni speaker. Waki kosea kazi ya President ni ku wa sack, individual groups, hao wote watu katika system. Ile separation ambaye, unaenda kupata kama mjumbe, mjumbe anakwend akule kwa sababu yeye ndiyo mwenye kutengeneza sheria, anaenda ana mwambia mwenzake katika ministry tufanye uhalifu fulani, wanarudi, hiyo mahala tunge taka tuwa gawiye. Kazi ya huyu huyu President pia tutakuwa na provision administrator ambaye watakuwa under the head of state. Hiyo channel yeye atakuwa na stock yake na auditor general wako ambaye ata audit government, kwa sahizi tuna auditor general ambaye sijui kama na audit president kweli ama ana ogopa. Kwa sababu (.....inaudible)

**Com. Pastor Ayonga:** (inaudible)

**Josephat Kurgat:** Sasa pale ndiyo nilitaka tuonyeshe wazi wazi ya kwamba, kwa mfano Attorney general ni yule mtu ambaye yuko serikalini na yuko inje ana simamia mwanchi. Miguu yake mawili, yako ndani yako inje. Nilitaka kweli tuwe na yule prosecutor wa mwanachi, na yule advisor wa serekali, awe advisor wa serekali atakama atakuwa kule kuingine. Na thani huyu head of state pia atakuwa na all armed forces wakiwa chini yake, kusudi aweze kuexecute ile mawazo ambaye anafikiria. Pale pale yule head of state atakaye kuwa ni yule ambaye atakaa 10 years, one term ya 10 years. Na ikishafika aende nyumbani tuwe na mwingine. Na katika hii constitution hii ambaye tunatengeneza, hakutakubadilishwa tu hivi hivi, si simple majority ama munaita  $\frac{3}{4}$ , tutaiweka iwe 90% of MPs, 90% of cabinet ministers, ambaye wako under the prime minister, 90% of high court judges. So the three arms watakuwa wame combine effort ya kuweza ku change constitution, na sio referendum kwa sababu naona watu wengi. Referendum watu wanaweza kununuliwa.

**Com. Pastor Ayonga:** Wewe sema yako.

**Josephat Kurgat:** Haki moja ambaye nige penda pia kusema, ni haki ya kufa. Hatuna haki ya kufa sisi, sisemi watu wafe kwa sababu mtu anataka kuamua, mbali wakati wa ugonjwa kwa mfano. Kusiwe na chama, na chama ata kimoja, tuwe Kenya na

Kenya uhuru. Yule anatusimamia head of state ndiyo anaweza kutunganisha, na kazi ya parliament ni kufanya kelele kwa niaba ya wananchi. Ndiyo maana hatutakuwa na haja ya parliament, funding yake hatutakuwa nayo, hatutakuwa na haja ya majimbo.

Tukikosa hiyo Parliament hatutakua na haja ya jimbo. Watoto ni watoto na watoto wote ni sawa, kila mtoto apate haki yake kutoka kw mzazi, kwa mfano siku hizi, na fikiri muna nielewa hapo. Basi nigeliomba uniongezee kidogo?

**Com. Pastor Ayonga: (.....inaudible)** Umeongea umejiongeza

**Josephat Kurgat:** Asante, shukrani.

**Com. Pastor Ayonga:** Ebu nikulize swali, kuna jambo ambaye sikuelewa, umesema haki ya kufa

**Josephat Kurgat:** Haki ya kufa kwa mfano, unataka kufa mwili kwa sababu ya ugonjwa, kuna ile ugonjwa imekusukuma miaka (.....inaudible), na hakuna ile haki ya kujichagulia ya kwamba mimi nife kama (.....inaudible) wacha nife. (laughter)

**Com. Pastor Ayonga:** Na itakuwa aje, kama utakuwa unconscious na kuwa un conscious na hutaweza kusema, kwa maana kama ni maumivu, wewe waweza kusema nataka kufa, na kama uko unconscious utafanya aje, umepoteza fahamu zote.

**Josephat Kurgat:** Hapo hawatakuamulia, mbali watagojea tu mpaka siku ile ambaye utapata ile ufahamu ndiyo useme, lakini ukiwa unconscious utakufa ki Mungu.

**Com. Pastor Ayonga:** Na tena jambo lingine, ulisema Parliament kazi yao ni kelele tu

**Josephat Kurgat:** Waende pale wapige kelele kwa niaba ya wananchi.

**Com. Pastor Ayonga:** Wana piga kelele?

**Josephat Kurgat:** Yaa, huwa wana piga kelele

**Com. Pastor Ayonga:** Kama ni kelele kweli tunge chagua watu kwend kupiga kelele huko, siwage kaa nyumbani.

**Josephat Kurgat:** Si manishi kelele kwa ubaya, ni kelele ya kujenga taifa

**Com. Pastor Ayonga:** (....inaudible) watu wengine wasikose kukuelewa.

**Josephat Kurgat:** ooh, Asante, kelele ya kujenga taifa , si kelele

**Com. Pastor Ayonga:** Kelele ya kujenga taifa.

**Josephat Kurgat:** Asante

**Hon. Sambu:** Kwa ki Nandi mwana siasa anaitwa *bikab bolotet*, Watu wa kelele

**Com. Pastor Ayonga:** kwa hivo ametafsiri.

**Hon. Sambu:** Ametafsiri direct

**Com. Pastor Ayonga:** Okay, Kenneth Ruto, hawa wamesha ongea, Joel Ngeno, amesha ongea, J.K. Serem, iko Serem ingine aliongea hapa, hakuna J.K, kuna Jacob Lel, ana onekana ana written memorandum, tuna taka utumulikie yale yalioko mengine utuwachie twende kusoma.

**Jacob Lel:** Majina yangu ni Jacob Lel, hii kitu ni mrefu. Mengi yamesemwa sasa nitasema tu machacha. Na sema provincial administration isi tupiliwe mbali, ikae. Wanawake kurithi shamba, once married iwe ligalised kwa sababu kuna wanawake wengi wana lia njiani bwana ame uza shamba. Na kila mtoto, ambaye awe mwamme ama mschana kwa nyumba, apatiwe property ya wazizi wake. Powers of the president should not be reduced. Na hii maneno ya Prime minister isingie, kwa sababu powers ya president ikitolewa, maneno ya vote of no confidence itaingia, na watu wata chezea serekali. Judges should be appointed from every tribe in the whole country, so we should have 42 judges, ambaye wana represent kila kabila, kwa sababu hatuelewani. Property, mtu kuwa na property nyingi, anaweza kuwa na marceez kumi, iwe ichunguzwe mtu alipata wapi mali. So that one should be looked into. Katika Nandi wanawake saa zingine hua wanaoleawa kwa bahati mbaya. Sasa saa zingine mtu anaweza peleka mtu kotini mwanamke, anataka nyanganya shamba, hasa wale ma relatives, kwa hivo mama akishaolewa, hiyo iwe legalized kama ameowa mwanamke mwingine.

Freedom fighters, ambaye walipigania uhuru, they should be looked into also by compensation. Na ya mwisho, sitaki niongeze mengi, maneno ya liberalization, should be done away with, so that we remain with our own local things.

**Com. Pastor Ayonga:** Okay, sasa nataka nikulize swali, umeseama kuwe na makanisa mawili tu katika nchi, hivi ulisema ama nilikusikia vibaya.

**Jacob Lel:** si kusema, haya mwisho

**Com. Pastor Ayonga:** ulimaliza na wewe, unasikia mbivu pia ni mwisho

**Jacob Lel:** but mwisho mimi nataka kangaroo courts iwe introduced,

**Com. Pastor Ayonga:** nini

**Jacob Lel:** Kangaroo courts, kama zile za Tanzania,

**Com. Pastor Ayonga:** Tuna weza kufungua zetu namna yetu ya Kenya, tu sifuate mtindo wa Tanzania

**Jacob Lel:** sindiyo mimi na

**Com. Pastor Ayonga:** What we are saying ni kwamba tuwe na courts ambazo ziko karibu na watu. Na zamani kulikuwa nazo. Thank you so much.

**Jacob Lel:** Okay

**Com. Pastor Ayonga:** Na nishaonywa na hii itakuwa juu yenu kuni saidia, toka jana nime kuwa nikiwambia mjumbe you people are so blessed with so much rain, na sijui kama muna nununika? Mbingu karibu zitafungua mifereji yake, na kwa hivo ningelipenda kujua ni wangapi hapa ambao kweli manenao yao hayaja semwa na wagependa kusema kuna point hii, hakuna mtu ameisema. Hebu nione mkono, wale ambaye wana maneno ambao haya jasemwa, je nina uliza nyinyi muni saidie, mutapenda niulize hao tu waseme hayo ambaye hayaja semwa au mutaka tuendeleo namna gani? Una swali? mimi sijakuita. Tafadhali tumalize hiyo point nataka kuuliza.

Nime uliza kwa maana, kuna wale ambao wana neno ambalo halijasemwa tumetaka kuingiza hapa, tumesha sikia maneno mengi na yana fanana, yana fanana, kuna yoyote kati ya wale ambao waja ongea ambaye mtu anaweza kusema nina neno hili na halijasemwa, mimi sina shida, ebu mjumbe anisaidie aseme kwa, wanasema nini?

**Hon. Sambu:** They say (inaudible) who have not presented

**Com. Ayanga:** Kama ni hivyo, nataka wale ambao wamesema wana neno geni ambalo lijasemwa waje hapa mbele. Kama munaweza kuwa wachia hizi viti vya mbele. Haya sasa wewe, ebu tumtoe mama kwanza, aende angalie maneno ya watoto, mama nakupa dakika mbili tu, utuambie hiyo memo yako imeandikwa nini, while she is doing that, ebu ni waulize wale ambao mume andika majina yenu, na muna written memorandum, unaweza ku submit your memorandum, without talking your memorandum na ukaenda. Kama una memorandum tafadhali unaweza kuisubmit. Haya mama anza dakika ni mbili.

**Ainuam Rono:** Majina yangu naitwa Ainuam Rono. Sisi wakina mama ya Nandi ni kama akina mama wengine Kenya. Yangu ya kwanza ni will, mimi na omba mabwana zetu tukumbuke sisi wakati sisi bado tunaishi kwa nyumba, akiandika will akumbuke andikie will bibi yake. Mara ya pili, sir, maneno ya single women, tunaomba serekali ione vile itasidia watoto wa single women. Kama sisi ni wa Nandi, iko customarily law:-

- Kama wewe unakuja hapa Nandi, ufuata vile wa Nandi wana fanya, si mgeni akuje halafu kesho anafanya vitu ya huko kwao, ile wa Nandi wakiona according to their customarily laws anona ni aibu. Kama wewe umeingia nchi ya Nandi ukae kama mu Nandi.
- Hawa watoto hawa bwana chairman, disabled hapo iko kazi kubwa sana, nigeomba waweke law yao, kama treatment, wakienda spitali, watolewe treatment yao free.
- Mwisho, ni wale kama sisi wakina mama, tuko na shida sana, tukitembea tembea, mwingine anaweka ku rescue wewe huko barabarani. Kwa hivo tungeomba wale wanafanya kazi ya hiyo maneno akuwe mama mwingine kwa maana anajua ni nyimbo gani alifanyika. Asamti

**Com. Ayanga:** Thank you mama, tuwachie hiyo memrandum yako. Mwingine, huyo wa kwanza

**Pastor Stephen Chumba:** My name is pastor Stephen Chumba, and there are a few things that have not been mentioned. About torturing, frustrating and beating of wives and also in vise versa, that one should be strictly avoided.

The government in the side of freedom of expression, the government should not violet freedom of expression, especially on time when campaign is coming. One should have time to talk and air his views. So on the side of worship, we should follow the bibilical principals, that is to say that we should avoid devil worship. Devil worshipers should be strictly, just if there are should be avoided.

**Com. Ayanga:** Thank you, I want to cut you short, hii mvua iki nyesha hatutasikia ningelipenda kupata neno la kila mmoja kwa hawa, tafadhali.

**Pastor Stephen Chuma:** One lastly, chief justice should be elected by judiciary board, not by the president. Thanks a lot.

**Com. Ayanga:** I want to avoid (inaudible) kupotea, sema hiyo point mtu ambaye haijasemwa.

Yangu ni mambo ya recruitmant.

**Com. Ayanga:** Sema majina yako

**Benjamin Arap Sigoei:** Jina yangu naitwa Benjamin Kipsimo Arap Sigoei

**Com. Ayanga:** Benjamin endelea, sema lile unalo taka kusema

**Benjamin Arap Sigoei:** Nilikuwa nasema kwa hii katiba, iwekwe, iagaliwe kabisa kwa pande ya recruitment ya army na police. Huwa sana inakuwa tabu wakati wa recruitment, waki recruit watu kuna watu individual wana chukuliwa. Wale watoto wetu ambao tungefikiria wako kwa (inaudible). Kuna mkubwa wa army ienda akawa ametoka Nandi districts headquarters au ametoka wapi, yeye hua akiandika kulingana na ukubwa yake. Kama tu hivi juzi

**Com. Ayanga:** Maoni gani ungelipenda (inaudible)

**Benjamin Arap Sigoei:** Nigependa iandikwe katika division, halafu kila division iwe ikipata share fulani. Mambo ingine ni mambo ya Aps, Aps wanafaa kuondolewa, hawa wakae kwa DOs office peke yake.

**Com. Ayanga:** Hiyo imeshasemwa wachanganywe na police

**Benjamin Arap Sigoei:** Yes, ingine ni ya MPs. Mps wawe na time table ya kuangalia watu wao ikiwa wanachaguliwa.

**Com. Ayanga:** Hiyo imesemwa, tafadhali wacha mwingine aseme, unasikia mbingu zinafanya aje

**Simon Rotich:** My name is Simon Rotich, one issue which has not been touched, I would like the vice president to be elected directly by the people.

**Com. Ayanga:** Hiyo imesemwa.

**Simon Rotich:** When somebody is selling his land, that land should be gazetted or advertised for the next of kin to see, thank you.

**Com. Ayanga:** asante sana, na huyo wa mwisho

**Abel Kiptanui Chirchir:** Isolate witchcraft, isolation of witchcraft, Nandis used to isolate witchcrafters, to avoid burning their houses and all that.

**Com. Ayanga:** wajengewe mahali yao.

**Kiptanui Chirchir:** Let them be given their own side.

**Com. Ayanga:** (inaudible)

**Kiptanui Chirchir:** at the moment they are people like (inaudible) they are in their own side.

Education officers should be transferable, most of them stay within for a very long time.

(inaudible) that one should go. I think that one is a colonial way of handling things. Please it should not exceed five years.

**William Kiptur Arap Saina:** Bwana chairman majina yangu ni William Kiptur Arap Saina. Jambo ambalo ningetka kusema ambaye halijasemwa ni kuhusu kimila ya ki Nandi. Kuna kimila zingine za ki Nandi ambaye zimerudisha nyuma wa Nandi. Kama vile kuowa wanawake hatumae anaondka anaenda kwa bwana mwingine, kisha anarudi tena ana demand mali kutoka kwa ile bwana ya mbeleni. Kwa hivyo ninaona hiyo ni heri iondolewe, ni hayo tu.

**Com. Ayanga:** Sema majina

**Sammuel Aramuhul:** Jina langu naitwa Sammuel Aramuhul kutoka Nandi. Kitu moja mimi nilikuwa na zungumza ni kuhusu njia ya Nandi tangu na pata uhuru bado kutengenezea inchi yote ata barara, na majaraja imekuwa, sorry ata wewe umekuja utalala hapa leo hakuna njia, sasa mimi nafikiria Nandi iko shida gani, hatulipi kodi auo namna gani? Administrative ile ya hapa imefanya sisi kama wanawake, nakuja shika mtu ati busaa, chagaa, ati uji ati nini na hakuna income yoyote inakuja hapa Nandi. Na shangaa sana hii watu nafanya nini na wajumbe hii, nyinyi munazugumza hii maneno kwa huko, ee, hawa wezi kuzugumza kusaidia watu. Kwa nini 8 million alikuwa ametenga Jomo Kenyatta 1976, ya kutengenezea barabara ya kwenda Peperua na Motoruok, mpaka Chepcheruai, imenda wapi hiyo pesa. Iko wapi na hakuna njia, you will have to sleep here today Mr

(inaudible) no way. Eee wacha ni (inaudible) wazee na fanya sawa na iba, na iba nini tell us, what are you going to do? Hii ina haribia jina kanu. Na si watu wanakula nini, afanya nini hii wako. (.....inaudible)

**William Meni:** Kwa najina naitwa William Meni, I have a few proposals to make, first, the government job should be on contract of 15 years that are pensionable but can be renewed depending on the productivity and the intellect of the individual. Women become property right and land right. I also propose that the constitution should have a preamble, which will state that Kenya, our international boundaries, the tribes which live in Kenya and the symbols of the National unity such as black. I also propose that in case parliament wants to amend the constitution it should be passed by 90% of the members of the cabinet and 75% of the members of the ordinary MPs and a 50% public referendum. I also propose that the payment of workers should be paid on machine hours of man hours such that if someone fails to attend duty, there will be no payment, he earns nothing. On parliament I would like to propose that parliament should be a full time job and that the parliamentarians should have calendar of events. The issue of parliament dissolution should be in the calendar of events and each and every MP should be aware when the parliament will be on recess and when the parliament will be dissolved. On military I would like to propose that

military be made a profession and that if possible a vacant of military should be included in the curriculum in our universities.

Thank you very much.

**Timothy Maiyo:** I am Timothy Maiyo, I have two points to make across, when it comes to the vulnerable group, I propose that they incur seats in parliament, that is 10 for the youth 10 for women and ten for disabled. I also propose that because food is a basic necessity, basic right that, I propose the government makes it a constitutional point whereby it subsidises input and implements. I think those are points I had.

**Samson Kumta Shamalla:** Kwa jina mimi naitwa Samson Kumta Shamalla, kitu mimi napendelea power ya president ibaki hapo hapo tu, sitaki ibadilishwe. Halafu president akiache kazi makamu yake ashike. Lakini mambo mengine hatutaki, ata hii mambo ya multi party ime leta umaskini kabisa. Tunataka mambo iendeleo sawa na amani tu, kitu nataka tu ni amani. Sitaki ati huyu ni mulughya, mujaluo, huyu ni nini hatutaki hiyo, tunataka tuwe kitu moja katika Kenya. Mambo ya kuwajili ma assistant chief wa machief, ifuate mulolongo, hatutaki andikiwe huko kwa DC huko mbele. Sisi tuna taka hapa hapa kwa division, DO akikuwa hapo ajue alipata watu wangapi. Hayo yote na wapendelea, na sitaki kupiga mtu kwa chama mwingine, akitaka kuenda kwa chama ingine aende lakini asifuatwe. Wengine wakienda kwa chama nyingine anafuatwa, hiyo hatutaki, tuwe freedom. Asante sana

**Com. Ayanga:** enda kule

**Julius Keter:** kwa jina ninitwa Julius Keter, maoni yangu ni moja tu, na hii ni kuhusu wamama na watoto, hapo kwa Nandi zamani tulikuwa na sheria yetu ambaye ilikuwa inalinda wa mama pamoja na watoto. Utakuta ya kwamba kwa mara mingi watu uowa, labda wanawake wawili halafu labda badaye, mama moja ana fariki, na akisha fariki watoto wake uagamishwa kwa njia moja ama nyingine. Utakuta yule mama ambaye anaishi ana angamiza ile watoto wa mama ambaye amefariki ana nyanganya kama shamba ama mali nyingine. Kwa hivyo kulingana na destri ya wa Nandi zamani, tulikuwa tunakaa, wa Nandi kulingana na wanawake ambao umeowa. Kama una acre kumi na una wanawake wawili, unagawa tano tano, ingawaji yule mama mwingine amenda watoto wata tabika lakini wata pata haki yao badaye kwa ile shamba lao. Nataka ikae vile ilikuwa zamani mashamba ama mali yoyote ikae kulingana na wanawake, sio watoto. Ndiyo baadaye huyo mama atapeya mali watoto wake kulingana namna hiyo. Hiyo itafaidi wale watoto ambaye wamewachwa na yule mama. Hiyo ndiyio ninaona ni shida, ambaye imetukabili sana sana kwa watoto hao ambaye ni mayatima, asante.

**Com: Ayonga:** Nataka tu utuambie maneno makubwa iko katika hiyo maandishi. Sema majina yako.

**Alex Arap:** Jina yangu naitwa Alex Arap

(inaudible)

**Com. Pastor Ayonga:** Usisome.

**Alex Arap:** haya, kitu mimi nasema kwa hii review, ni kwamba tuna hitaji federal government kwa inchi yetu, kwa maana inchi kubwa zote za dunia kama U.S.A , (United States of America)

Britain, Germany, hata Africa yenyewe, Nigeria na Uganda wako federal government. Si punde kidogo tutaingia federal ya East Africa ata ya Africa mzima, kwa hivo tunatimia sana zaidi tuwe kwa federal government hapa Kenya.

**Com. Pastor Ayonga:** Point ingine

**Alex Arap:** ingine ni jambo la hii ya mshahara, tuliandika watu waende bunge ,wakifika huko wanajipatia pesa kwa mshara zaidi. Police wenyewe wanapata mshahara 3,000/= na hao wenyewe wanapatiana pesa 300,000/=.

**Com. Pastor Ayonga:** Sasa unataka aje?

**Alex Arap:** Sasa hiyo nataka body fulani ambaye ina represent wananchi, icide (inaudible)  
Watapatia mshahara kulingana na nguvu ya kazi yenyewe.

**Com. Pastor Ayonga:** Asante sana, point ingine.

**Alex Arap:** Kitu ingine ni kwamba mambo ya masomo, watoto wote kutoka primary, secondary ata university wapate free education, kwa maan tukisema wale hawana pesa kutoka kwa ukoa, ukiona ata wakati huu wamepatia tajiri loan kwa watoto wao, ni vizuri wapatie wote. Levy taxes ingie kila aina yoyote ya chakula ambaye Mkenya ana lipa, kama import inatoka, kama export ina kwenda, product yoyote ambaye inatoka huku Kenya, ichukuwe cost kidogo, kama mafuta kama nini ingie kwa levy ya masoma.

**Com. Pastor Ayonga:** Point ya mwisho mzee.

**Alex Arap:** Ya mwisho, ningependa hii constitution ichukuwe akaee mzuri kwa family. Family zingine mingi sana zimevunjika, shauri wazee wanaenda kuvuta bangi, na piga akina mama, wengine wana uaa. Na hii serikari apana chukua hatua mzuri kwa hii dawa inaitwa ulevia na hii bangi. Inaumiza nyumba mingi sana, na watoto

**Com. Pastor Ayonga:** Kwa hivo unataka nini mzee

**Alex Arap:** Mimi nataka serekali ichukuwe hatua kali sana kwa hiyo kitu inaharibu familia.

**Com. Pastor Ayonga:** Suambia serekali kitu unataka hiyo serekali ifanye

**Alex Arap:** Sindiyo

**Com. Pastor Ayonga:** Ifunge hao watu, ichape hao watu, ifanye nini?

**Alex Ayonga:** Si kufunga mwenye kufanya makosa, lakini itafunga yule mwenye ana panda bangi, yule anateneza dawa ya ulevia. Itolewe huko kwa mzizi mpaka yule ana kula. Si mtu yule anapatikana anakula hiyo bangi.

**Com. Pastor Ayonga:** Okay.

**Hon. Sambu:** Commissioner Pator Zablon Ayonga na wananchi wa Kipkaren division, yangu, jana nilizugumuza huko Kabiget, leo nime toa hiyo memorandum, naskia mumesema mambo ambaye mume ya sema, siku sikia mtu akitaja ya kwamba tunataka arthi iwe chini ya county council. Arthi hiyo iwe pamoja na misitu, kwa sababu katika Nandi tuna msitu tatu, North Namdi, South Nandi, na South tunje forest. Katiba ya saa hii section ya mia moja kumi na nne (114) husema kwamba lazma misitu ama grassland, iwe chini ya county council, lakini nime andika kwenye memorandum kwamba arthi yote katika Kenya mahali popote iwe chini ya county ya hapo, sio ya Nandi peke yake. Misitu na mali yake (mali kutoka misitu) iwe mali ya county hiyo. Hivi kwa mfano kama rae aou pan paper aou saw millers wakikata miti walipe ile kodi kwa county council. Ni vile tunataka, mimi nataka hii ingie kwa machine ingawa nimesema hapo, tea zones, pahali kumepandwa katika nyasi ijulikane kwamba, hata sikubadilisha katiba, katiba saa hii inasema hiyo ni grassland, hizo tea zones, tunataka ziregeshwe kutoka sirikali kuu, zipatiwe Nandi county council. Mimi sijui watu

(inaudible) pengine mulisema mbele, ilisemwa jana sana. Kuna arthi yetu, kuna watu wetu walikufa, kuna ngombe yetu tulinayaganywa kati ya mwaka 1865 na mwaka wa 1906-1907 wakati tulipigana na mkoloni, mzee mmoja alisema tulikuwa tuna kataza barabara, laa, bararara haikuwa Nandi hill ilikuwa huko chini, wazungu walikuwa wanataka arthi yetu. Mimi nime sema lazma wa Nandi walipwe (inaudible), we have to be compensated by the British government. We have to be compensated for the people who were killed, it was over 2000 people who were killed ( ilikuwa watu zaidi ya elfu mbili waliuwawa). Ngombe zaidi ya elfu kumi na sita, na mbuzi na kondoo elfu sabini yote ikijumulishwa. Na nyumba zili chomwa, tuna sema tuna taka serekali ilipe reserve. Ya kuje kuhakikisha ya kwamba ni jukumu ya serekali ya Kenya kufuatilia kwa serekali ya waigereza tulipwe reserve. Kama kuna

(inaudible) vile vile waliumia lazma walipwe reserve. Na mwisho kuhusiana na hiyo, sababu wale walipanda majani chai hatuwezi kuwatoa, lakini tunasema lazma kuwe na hisa, tuwe na sehemu yetu ya wa Nandi, sababu arthi ni yetu, Geoffrey Anderson, arthi si yake, Kakuzi arthi si yake, Eastern produce arthi si yake, arthi ni ya Nandi. Ingao kuwa fukuza ni raisi, tuki taka kuwafukuza siku moja tuna sema hakuna mtu atavuna chai, na hiyo chai itamea mpaka juu. Kwa hivo kama hawataki tufanye hivo wakubali sisi tupate share/isa, na kwa sababu wewe na mimi ni binafsi hatuwezi kwenda kuchukua share, county council ita unga trust company ambaye ita shika hiyo shares kwa niaba yetu. Halafu kila mwezi itakuwa hiyo company yetu itakuwa inapata pesa kutoka kwa hiyo tea estate. Hiyo tutatumia kulipiya watoto wetu ama tuta kuwa na special busary fund ya wa Nandi wote ata kama mu Nandi yuko, Dalsoiya and yuko Nakuru ako na haki kwa sababu babu yake naye alikuwa kule

Tinderet, kwa hivyo tunasema tunataka sehemu ya kumiliki. Sijui kama munafahamu kumiliki, tunataka sehemu ya isa ya kamuni hiyo, na isiwe chini ya nusu, 50% ownership of all the tea estates we are demanding we are not begging it is our right, because we were removed from those parts by force. That's the right of our people have, because we don't want to grab anyones property, (inaudible) but they have to give us the share. Sita sema yale mengine kwa sababu iko kwa memorandum imeandikwa, sitaki kurudia kwa hivo ninataka kushukuru commissioner Zablon Ayonga, kwa kufika hapa leo na kuchukua maoni yetu. Tunatarajia tupate katiba kabla ya uchaguzi ili tuone kwamba kuna mabadiliko fulani, asnate sana.

**Com. Pastor Ayonga:** Thank you mweshimiwa kwa maoni ambyo umetoa, sasa nataka ni shukuru watu wako kwa wengi abao waliofika hapa, they came on time na mungu kama kawaida ametoa tena ile baraka, mvua ikanyesha while I am here, na nika ishuhudia. Jana nika shuhudia mvua ingine jana ambaye ilikuwa (inaudible) nilifikiri mume ita el nino ingie kwenu. Lakini nika pata ni mvua tu, na kwa hivo leo ingine imenyeshwa na sisi wakisii, jambo likifandyika na mvua inyeshe tuna shukuru mungu. Ata mtu akifa na mvua ikanyesha anapo zikwa tuna sema, amekubalika. Asante sana na kabla sija funga nigependa bwana DO ambaye amekuja hapa kutulindia usalama, nime ambiwa usalama hapa ni tele lakini pia yeye pia ni mwana Kenya, na ambaye yuko katika administration, ebu aseme neno moja kabla tuja ita mtu wa kuomba.

**Bwana DO:** Asante sana Pastor Zablon Ayonga, kwa nafasi hii, kwa mara nyingine ninge penda kusema ni asante kwa watu ambao mulikuja kutoa maoni yenu. Ata nami nilikaa hapa sikujua mambo ya elimu imengia sana katika division yangu, mpaka mumelewa, kiini cha kutoa maoni. Nilikua nakaa nikitaraji watu wengine hawatatoa kichwa cha kuwa hapa siku ya leo. Nigependa kushukuru sana wale ambao wamepata nafasi ya kuongea na kutoa maoni. Nafikiri maoni yeto ambao mulitoa ni ya maana sana. Mulitengeneza kutoka kwa mioni mwenu na zingine ni matatizo ambazo zinapatikana katika mahali petu pa kukaa. Kwa hivo kwa muda hii yote tume tumia ninaona tumefanya kazi na watu wetu wametoa maoni. Lugha haikua shida, haijalishi kwa maana ata ile ulitoa kwa lugha ya kiswahili tulielewa. Na nina taraji haya maoni yote ambao mumetoa yataenda kutekelezwa na commissioner. Asante sana kwa kutulia, tulitulia tukakaa kama watu ambao wana ushirika na mukawachiana na nafasi bila kusumbuana. Asante sana, hiyo ni shukurani na heshima ya divison yangu. Nigependa kushukuru commissioners Phebe Asiyo ambaye aliondaka, Pastor kwa nafasi ambayo walichukua, walitulia kusikiliza kila maoni ya kila mtu, na hiyo ni shukurani. It is good to be patient, kila mtu ambaye alikuwa hapa. Yangu ni machache nigependa kusema Mungu awabariki tukitoka hapa, asante sana.

**Com. Pastor Ayonga:** Kabla sijafunga mukutana nataka kushukuru shule hii kwa kutupatia nafasi, kwa kutupa njengo hili ambalo limetusaidia. Kama tungekuwa kule inje, na thani tungekuwa tumekibia (inaudible) njia mingi kwa kuogopa mvua, lakini wame tusaidia. Na pia (inaudible). Nataka kuwashukuru hawa viogosi wa 3cs kwa kazi mzuri muliofanya, nataka kukushukuru coordinator, na jua amekimbia hapa na pale kumobilize watu si kazi raisi. Mpaka watu wazee, wamama, vijina kufika kwa mkutano kama huu na nyumba imejaa kutoka asubui si kazi rahisi. Na tena nataka kuwashukuru nyinyi wa Nandi wa upande huu, Mosop na upande hii, kwamba

mumefanya vizuri kwa kufika kwenu, nime pata very muture people, wazee, watu wa katikati, vijana, wa mama wazee, wa katikati, namna hiyo yote, mpaka watu wasema namna hii, na ingawa mumongea juu ya, kama mzee wa mwisho karibu alisema juu ya bangi na chagaa, vitu via namna hiyo. Lakini mimi nikitoka hapa mtu akiniuliza report yangu, je kule uliona nini? Nitasema sikuona mlevi ata mmoja, sikuona mvutaji sigara ata mmoja. Wa Nandi waliokuja walikuja watu ambao ni watu wazima watu timamu, watu waliojua walikuja kufanya nini. Na natumaini tumefanya kile ambacho tulitakiwa fufanye, na maoni haya tutaona ya kwamba yaliingizwa pamoja na maoni mengine ya wa Kenya. Mengi yamefanana, munapo niambia kitu hapa kuna kigine na sikia na kama ulikueko huko jana. Na yule wa jana, nina msikia kama mtu niliyemsikia last week mahali pengine.

Kwa hivyo, kazi zetu wa Kenya nyingi zinafanana, tafauti ni ndogo hapa na pale. Lakini kwa kiviote Mungu ametusaidia tumekuwa na kikao kizure na heri tumshukuru hata kwa mvua ambayo imenyeshwa, tukulipia hiyo mvua. Imetoka tu huko mbinguni imenyeshwa, ngombe watapata nyasi, tutapata chakula, tena mahindi mazuri yanaendelea na mutapata maziwa, K.C.C itatafutiwa njia ya kuamuka ndiye maana yake tunachagua watu kwenda parliament ingawa mwingine alisema alisema walienda kupiga kelele. Lakini ni kelele ya maana, ili K.C.C iamuke na uchumi wetu pia ambao umesoroteke uweze kuamushwa. Sasa bila ya kupoteza wakati ili tuende tuagalie ngombe, tuende tuagalie mashamba, wa mama waende watafute mboga na wazee waende waone mambo mengine. Ebu ni muite huyu bwana Kegemei, yuko wapi? Chukua mike, bwana kegemei atatuombea Mungu ili Mungu atusaidie tunapokwenda, sote na tusimama.

**Kegemie:** Na tuombe, baba katika jina la bwana wetu yesu kirstu tuna kushukuru kwa ulinzi wako wema, kwa ungozi wako ambao umetuongoza tangu mwanzo wa mukutano wa leo, ata sasa bwana tunafika ukingoni wa mukutano. Tuna kushukuru bwana kwa sababu hii kazi ambaye tumefanya leo kuhusu katiba ni njambo ambalo si geni kwetu, ni jambo ambalo tukifunua katika maandishi matakatifu tunaona ya kwamba bwana wewe ndiyo ulianzisha katiba hapo zamani. Kutimbia watumishi wako zamani, kuliwapa katiba, katiba bwana kama vile tunavyo elewa ni jinsi sisi watu ambao ni wana Kenya ama ni wananchi tunatoa maoni namna vile tungetaka tutawaliwe, tumpe mawazo yetu mtawala yule ambaye atatutawala kwa sasa na katika siku za usoni. Bwana tunakushukuru kwa ungozi wako ambye umeongoza wa fanyi kazi wa katiba, hawa commissioners ambaye umewaleta, na tunakuomba ili uweze kuwaongoza wanapoendelea na hii kazi bwana wawe watu wa hekima, kwa kutumainie sana ili wafanye kazi kulingana na mapenzi yako. Ata nasi wakaji wa hapa bwana tuna kushukuru, tunakushukuru kwa mvua, tunakushukuru kwa mambo mengi mazuri ambayo umetufanyia. Katika mwisho wa mukutano huu bwana tunakutarajia ili uweze kutuongoza tunapo elekea ma nyumbani mwetu na katika makazini mwetu, maana nina kuomba katika jina la bwana yetu yesu Kristu, Amen.



