

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARING, MUKURWE - INI

CONSTITUENCY, AT MIHUTI PCEA

ON

APRIL 24TH 2002

CONSTITUTION OF KENYA REVIEW COMMISSION

CONSTITUENCY PUBLIC HEARINGS, MUKURWE –INI CONSTITUENCY AT MIHUTI PCEA ON
WEDNESDAY 24TH APRIL, 2002

Present:

Dr. Abdirizak Arale Nunow - Commissioner
Hon. Phoebe Asiyu - “
Ahmed Hassan Issack - “

Secretariat In Attendance:

Jeremiah Nyegenye - Programme Officer
Mary Kanyiha - Assistant Programme Officer
Regina Obara - Verbatim Recorder
Millcent Musyoka - Sign Language Translator

The meeting started at 10.00 a.m with Com. Phoebe Asiyo in Chair.

Com. Phoebe Asiyo: Tungependa kuwakaribisha kwa mkutano huu wa kubadilisha Katiba ya Kenya na kabla hatujafanya chochote, ningemuomba Mama Reverend wa hapa Mihuti P.C.E.A. church atuombe, aliniambia pengine atakuwa na jambo la kusema kabla hamjaomba, huu ndio wakati mzuri wa kufanya hivyo.

Rev. Ziporah Njeri Nganga: Let me thank all the Commissioners and all who have come so that we start with a word of prayer, I am going to read the word from the book of Nehemiah chapter 6:11 and 13, so that we can prepare ourselves.

Rekei ngie na ihinda riri kunyita ugeni andu aria mokiti thiinii wa guku ihindaini riri niundu wa uguo mokite, nigetha tugie na mawoni, una ngacoka ngakena ni undu wa ithui aria tukite, tuheani mawoni maitu nigetha tumenye uria twagiriirwo ni gwatho. Ithui ni ithui turi na uhuru wa kuheana na nigetha maundu macio macoke matwarwo katiba iyo icoke inyitanithio na tuheane
(inaudible).

Nguthoma ciugo nyinyi muno nyonire thiinii wa Mbuku ya Nehemiah Chapter 6. I will just mix them up so that even the Commissioners can hear the word of God, so that we will be all together and I will read in Kikuyu: Nehemiah chapter 6 verse 11 and 13, so that we are all together and I read “Na nii ngikiuga atiriri nake mundu ta nii angiura hihi, ningi-ri ni mundu uriku ungigikorwo atarii ta uu ndarii, ungigitonya hekaru-ini niguo ati e honokie? Dingigitonya kuo! Na nii ngigicoka ngiona ati, ti Ngai wahonoketie nu ni Tobiah na Sanballat makomakiti. Naguo undu uyo kiombe ni tuga kuria ahakwo nio nigethe nditigire njikere undu ucio nditigire na negetha mone undu wa gutuma mayeyane uhoro wakwa muru, niguo mone njira ya kumenitha tuhu. Icio ni ciugo iria ndirenda kwaria.

Those words according to the book of Nehemiah, Nehemiah had asked for permission from the kings where he had taken everybody so that he would come and re-build the temple, or build the city of Jerusalem. When I was thinking about these words I was comparing how our Constitution has been made many times and this is the time to rebuild the Constitution like Jeremiah. Now we the people who are giving views, you should not get worried, you should not fear, because Nehemiah had reached a similar stage; he was given some word so that he could fear and think a long, so that he could fail to build the temple, but he would say a man like me, how can I be afraid”. We are the people who are giving the views, this is the time not to fear, we should not fear our Commissioners, they are just here simply to write and hear our views, and therefore we should not fear.

Ndirenda kuga atiriri, ati Nehemiah athiite agekirwo guoya ni ita ria guthondeka bururi witu. Nehemia ahoete rutha nigetha oke acokererie ruthingo rwa Jerusalem. Na ithui uguo niguo tukite, ithuothe aria tukite giikaroini gike, ni ihinda ria gucokereria bururi witu na uhoro ucio wa guthondeka gatiba. Na gatiba ti ya thirikari, ni itu ithui andu. Na ithui ni ithui tuguthondeka tundo ithui ni ithui a kuheana uhoro uria tubataire wa gwathwo. Tukwenda gwathagwo atia? Hari mundu umwe unjirire turoka

kweheria muthungu, kutiri muthungu tureheria. Turoka guthondeka, tuhote kuga uria ithui tukwenda gwathwo ta Nehemiah. No Nehemia ni acirithagio. Nikio arauga, mundu ta nii ingitigira atia. A man like me, why should I get afraid and he was not afraid he just continued. Ndireciririe ithui na ithui tutibataire gwitigira. Nituheo Ndeto twitigire amwe no metigire kuheana maundu motho, ihinda riri ti ria gwitigira. Andu aya matiri na watho, matigatunyita, marena gwitikira. Kana mundu nioi kwandika, we niwe wi hau writing—ini or if you collect, or whether you are not to give up a paper, they are there to collect your views, either verbally or in any way you are going to give. Therefore we should not be afraid. Tutigetigire, aya matigikumakia, ona matiukite gutuhe thiina. Kwa uguo tutibataire gwitigira, tubataire guitagio, niguo bururi witu uhone, ni getha bururi witu wagirire. Na kwa uguo ukiheyana mawoni maku ndugetigire, kana ni kwandika u kwandika kana ni kwaria ukwaria, na ndukeime tondu we urenda kuga uria andu magiriirwo ni gwathwo na ngetikia na kiugo kiu Mwathani. Aturathime na atuteithieatuhoithie uria akumenya.

Prayer: Mwathani Ngai ithe witu mwene hinya wotho ni twa kuhoya na witikio witu. Nitwoka mbere yaku rucini ruru rwega, twinyihitie muno tugigucokeria ngatho ni undu wa gutukinyaniria muthenya uyu, makiria niundu (inaudible words) na ugaturaria wega na rucini wa tuhee ihinda ringi riega ona Commissioners aitu, ira turatindire na eri umuthi ni umarehire. Mwathani kwguo niwagiriire Ngai witikire kuhingura meciria maitu nigetha maundu maria tukwaria ihindaini riri matuike ni maundu makaririkanagwo matuku maria ithui tugakorwo tutari ho, no aria mari ho nimagakenaga, kuria tugakorwo. Riu athuri, atumia, anake ona airitu, makiaria maundu maria makwaria kabere, umateithie kugia na hinya, uwasaidie kuwa na utaratibu wa kusema maneno ili mambo hayo yote yatakayopatanishwa pamoja, yatakuwa ya usaidizi kwa nchi hii yetu. Asante Mungu wetu kwa Commissioners waliofika, tunakuomba utupe siku njema siku ya leo, utupe hata siku ya furaha na mapenzi ili tutakapotoa maoni yetu, yatakuwa ya baraka kwetu na hata tukiwa kwa kazi nzuri ambayo tukifanya na wananchi wa inchi hii. Mungu wetu asante kwa kuwaleta wananchi katika area hii ya Mihuti ili watoe maoni yao bila uoga ili wasiogope lolote kwasababu hakuna jambo baya litakalotokea. Tutakushukuru hapo kabla ya mwaka huu Mungu wetu, kusikia Katiba mpya imetolewa inayohusiana na maoni ya kila mmoja wetu. Hayo twaomba kwa jina la Yesu kristo aliye Bwana na mkombozi wetu. Amina.

Com. Phoebe Asiyu: Asante sana kwa maombi, kwa sasa tuko tayari kuanza kusikiliza maoni ya watu wa hapa Mihuti, na kabla hatujafanya hivyo, ningependa kuwajulisha kwa wale watu ambao tumekuja na wao pamoja, pale upande huu wa meza, kuna wale wasichana wawili mnaona pale, wao watakuwa wakifanya recording, kwa mambo haya yote ambayo tutakuwa tukiongea, mmoja atakuwa kwa tape na mmoja atakuwa akiandika. Huyu ambaye amekaa pale mnamuona, yeye atakuwa akitafsiri kwa wale mbao hawawezi kusikia, na ninajua kuna wengine hapa ambao hawawesi kusikia vile tunasema, wale viziwi wataweza kusikia yule msichana aikiwatafsiria mambo ya leo. Pale mwisho kuna Bwana Nyegenye ambaye ni advocate of the High Court lakini kwa sasa ni Programme officer wetu na yeye atatusaidia pia kusikiliza na kuweka maoni yote chini, na karibu na yeye kuna Bwana Mugo. Mugo mnamfahamu vizuri, kwa maana yeye ni District Coordinator wetu kwa mambo ya Katiba hapa kwenu, na tunamshukuru sana kwa kazi nzuri ambayo amefaya, na ametuwezesha kwenda kila mahali bila tashwishi yoyote. Hapa juu tuko na Dr.Nunow, ambaye ni Commissioner katika Commission hii yetu, na upande huu kuna Issack ambaye pia ni advocate of the High Court na pia ni Commissioner pamoja nasi.

Mimi ni mama Phoebe Asiyo pia ni Commissioner na ninafurahi kwamba tumeungana pamoja ili tuongee na tusikilize maoni yenu. Ningependa kusema kwamba kama mtu anaweza kuongea kwa Kiswahili au kwa Kizungu tutaenda haraka sana, tutachukua maoni mengi, lakini kama mtu hawezi, ongea tu kwa Kikuyu na tutafanya, kuna mtu ambaye atafanya interpretation. Either Mr. Maina or Mr Mugo watatufanyia utafsiri. Lakini tutaenda haraka kama mtaongea kwa Kiswahili au kwa Kizungu, kwa maana maoni yenu ni kwa sisi, ingekuwa vizuri kama hao wengine pia wanasikiliza lakini sisi ndio tunafaa kusikiliza kabisa maoni yenu.

Nawashukuru kwa kuingia, tayari hivi sasa tumepata majina ya watu kumi na tutaanza mara moja. Tuko na Juma Gichui, ambaye ataongea tu, hachaandika kitu, lakini Bwana James Thongoro ataongea kidogo tu maana ameandika mambo yake. Na Bwana Gathoko Gaguni pia ataongea bila maandishi, Bwana Mwangi Wabongo ataongea na Bwana Gatitu.

Gacanja Ngumo pia ataongea bila maandishi yoyote, lakini Bwana Wateshe Karuiru ameandika mambo yake kwa hivyo nitamsihi aseme tuu highlight kwa maana tuko na hiyo barua yake na itaingia kwa computer. Halafu tutakuwa na Rev. Julius Mwangi, na Bwana Steven Kibaki, David Maina na Joram Ngumo, hawa ndio ambao wame-register kwa sasa lakini najuwa, bado kuna watu wengi ambao wanakuja na tutawasajilisha wakiingia.

Na ninawasihii mfanye nafasi nzuri ili kila mtu ambaye atakuja kuongea na sisi apate nafasi ya kuongea kabla hatujachelewa sana. Kwa hivyo sasa ningependa kumualika Bwana Juma Gichuki aje hapa mbele na aongee, utakaa pale Bwana Gichuki na kama unahitaji mtu wa kutafsiri atakaa hapo karibu na wewe na ukumbuke tunaweka mambo yako yote kwa record , kwa tapes ili tutaweza kusikiliza tukifika kule. Kwa hivyo uongee vizuri kabisa ili tufahamu. Kwanza utanza na jina lako halafu uongee, kama unaongea kwa niaba yako mwenywe , au ni niaba ya wengine.

Juma Guchuki: Commissioners, fellow citizen, yangu nitaongea kwa Kizungu ndio twende haraka. Jina langu naitwa Francis Juma Gichuki.

Suggestions: Present Constitution does not have a preamble, the reviewed Constitution should therefore provide a preamble so that we Kenyans feel it is our Constitution. Present Constitution is borrowed.

Views on the type of Government we should have: Presently we have a unitary Government, we should continue to have a unitary Government, the same type of Government where we have Parliament, Judiciary, and the Executives should still exist.

I should now start with the Executive: The Executive whereby we have the President should still be as it is but we should reduce the power as they are provided for in the present Constitution, because the powers as provided in the present Constitution have made Kenya what it is. That is why it is not functioning well. Why these power have been

provided for in the present Constitution, is that the President appoints or creates all the institutions of state. These institutions should be vetted, the creation of the institutions should be vetted or discussed in our Parliament. The appointments of the head of executives to run these institutions should be also vetted through Parliament. It is not be the powers of the President. (We should discuss these system of the President appointing every other person as he wishes)

The Present Constitution provides that our President is the Commander -in- Chief of the armed forces. The President should be stripped of these position and thereby establish a defence council. This defence council will be invested with the power to declare wars, emergencies, curfew and the rest. It should not be the prerogative of the President alone. That council should also be the one to look at the welfare of the our military. Presently we hear that the President is the one who increases salary, he is the one executes everything than concerns our military. So the defence council will look at the welfare of our military. And the composition of these defence council should be, the President, the military commanders, minister in charge of defence and security, chief justice and any other person that will be deemed to help to help in the working of that council.

Presently the office term of our President is expressed as five years for two terms, he should run for a maximum of two terms, but there is loophole, because if a term does not go for five years, then the President can now assume that the five years are not over. So I should say he should be elected for two consecutive terms of not more than five years each. So even if he goes for one day, that is a term, he should go back for election.

Commissioners, I think I should go to citizenship of this country: It appears we never thought our ladies, gracious ladies will be married in Somalia or Ethiopia and there she goes gets some kids, and in a few years she is kicked back, everybody goes home, if you are kicked back out of wherever you are you go home, so if our lady comes back with these kids, these kids should be citizens of Kenya. So if you get kids outside Kenya, if you come back, if you are divorced, the kids you come with are our children. They are Kenyan children.

Ladies and Gentlemen our present Constitution has provisions for some liberties, some human rights, what we always hear human rights. We should, (because we have a lot of complaints about abuses of human rights, a buses of our liberty, by the Government) provide for an office of ombudsmanship, whereby every citizen has a right to go and express his complaints, and the office will take some steps against whoever he is complained of.

We have our Constitution that is providing for the rights of expression. We have been suppressed by the consecutive Governments we have had in Kenya, for expressing our views, our opinions. I think our new Constitution should expressly give every Kenyan an opportunity to express his views. In such way we should have something like that we have in England. I understand in England we have a Hyde park where every citizen, can go and shout at the top of his voice his voice, and nobody, even an askari, will say that he is abusing the President, he is abusing the chief, he is abusing the DO, he is abusing the cardinal, he is abusing the pope, no. Let there be a kind of Hyde park. In every administrative unit like Mukure-ini Division or a

chief's camp, something like that.

About our land tenure: There is some danger I find in future in what we call absolute ownership in land. I think the ownership of land should revert back to the state. We should not have absolute ownership to land because in the near future, either in another two hundred years, especially in these area, you find that we have free titles but the population is increasing, my family is increasing, how are we going to utilize that piece of land, that five acre of land, I think the land should now revert back to the state so that when we have a crises of the ownership, it can revert , we citizens can surrender the ownership back to the state for reorganization.

I think our Constitution does not give us rights of education and health. This should be (Bwana Commissioners, or mama Commissioner) expressly provided for in our new Constitution that every Kenyan shall have the rights to education and health. (Leave alone Employment or something like but these are the two important elements of Human rights, especially today), so our Constitution should provide as the property of Kenyans that the Government should provide these two vital things..

About public finance: It should be equitably distributed. The Constitution should also provide, expressly some kind of instilling morality within our public office. Because, what has run down Kenya is moral pigments. Every Kenyan has a problem of feeling he has no moral obligation to the country, so we should provide in our Constitution some moral obligation for especially, public offices. And with that Commissioners, I am grateful for your coming and listening to my views, thank you very much.

Com. Phoebe Asiyo: Thank you very Mr. Gichuki for the submissions go and register, we can have Mr. James Muraya, you have to summarise and take five minutes we have to observe time so that others can also get a chance.

James Muraya: My name is James Muraya Thongoro, a senior citizen in this republic, mine is a very brief note which highlights on the terms for elective posts of (that is councillor and the MP's) they should take only two terms, (consecutive terms,) maximum of five years each. Education qualification for them should be...the President must be at least be a university graduate, the MP and Councillor, the MP and the councillor should also have a minimum K.C.S.E.

The Government should provide for basic needs for the citizen of this country. Should be provided in the Constitution that the senior citizens of this country who seem to be forgotten by the Government after having worked for a long time with the Government. It is my view that whenever there is a review of terms and salaries for any Government employee, it should also come at par with the retirees of the same.

It is my view that all the people who have foreign accounts they should have their money returned to this country. The government also should provide security and health care to its citizens of this country. The Commissioners, mine was a brief note, and what I have said is contained in the small note.

Com. Phoebe Asiyo: Thank you Bwana James Muraya, I think you can present that note the programme officer. Mr. Gathogo karibu, summaries maelezo. Jaribu kuongea usipite dakika kumi, ili kila mtu ambaye amekucha leo apate kuongea.

Kagwi Gathogo: Niwega muno Bwana Commissioner,

Translator: Thanks very much Commissioners,

Kagwi Gathogo: nii njitaguo Kagwi wa Gathogo,

Translator: my name is Kagwi Gathogo,

Kagwi Gathogo: wendi wakwa ni ati mukaburu,

Translator: I would like the assistant chiefs and the chief,

Kagwi Gathogo: makandikaguo ni raiya, matige kugaga ati o mathurirwo ni thirikari.

Translator: to be employed by the public so that they do not boost that they are employed by the Government.

Kagwi Gathogo: Tundu ciogo icio rimwe ni mahuthagira riria twi mucemaniwo-ini,

Translator: Sometime they use these words when in public meetings,

Kagwi Gathogo: ati u ti ithuwi tumandikite, mandikitwo ni thirikari.

Translator: that they are employed by the Government,

Kagwi Gathogo: Tugakirigwo thirikari ni ndu ukurwo ti ithui tumwandikite.

Translator: so we are left wondering who is the Government if we are not the ones who have employed them.

Kagwi Gathogo: Uria ungi wa keru,

Translator: Second point,

Kagwi Gathogo: uhoro wa Kanjura,

Translator: concerns Councillors,

Kagwi Gathogo: uhoro wa Kanjura, ni uhoro udangaga munu nii meciriaini makwa,

Translator: this is an issue that has been disturbing me for along time,

Kagwi Gathogo: tondu ithaka iria makoragwo marugamiriire ni aria twarutite tukaiga thiinii wa gicagi.

Translator: because the trust land they are in charge of was contributed by us when we were in villages,

Kagwi Gathogo: noriria maguthii guciheana, maciheanaga na njira ya mapendeleo tondu onaingi nimagukinya kwenderia mundu, ukonaga mundu ari na iwanja igiri kana ithatu na andu aria angi matiri.

Translator: but when it comes to allocating the same, they usually do it on the basis of friendship and some end up with two or three plots.

Kagwi Gathogo: Na ungithii kumwariria akwiraga ucio ni wira wa kanju, na nii ndakimuthurire arakiria indo ciakwa riu igatwika ni ta ciake.

Translator: And when you question this, you are told that this is the work of the council and yet you are the ones who elected them to be in charge of our properties.

Kagwi Gathogo: kwa uguo ni gwona iwanja icio irugamirirwo ni local government iyo nyinyi, riria megwika maundu macio gugakurwo kuri na andu maumiti kuu itoraini riu athuri athure maigana una makumenya ni arahingia wendi wa mwingi.

Translator: So I propose that when the council is demarcating or locating these pieces of land, there should be incorporated elders from that area who will be able to see that the allocations are done fairly.

Kagwi Gathogo: Nikio tukahota kuona muiganana wa andu othe ni mahota kuigananio ni undo ucio.

Translator: So that these allocations are done equitably.

Kagwi Gathogo: Pointi ya gatatu,

Translator: My third point,

Kagwi Gathoka: ni uhoro wa Parliament.

Translator: concerns Parliament.

Kagwi Gathoka: Uhoro wa Parliament, ni u matuaga mawatho,

Translator: Parliament makes laws or enacts legislation,

Kagwi Gathogo: Na tariu bururi wagite mbia ni riu mehete mbia nyingi munu.

Translator: and at times when the economy is doing very poorly they have hiked their pay, their salaries,

Kagwi Gathoka: nu mu macira na nu u meyongagirira mucara kwa uguo woni wakwa ngona ni mabataire gukurwo kuri na kamiti ingi irihota kumenya uria makuheo micara.

Translator: the legislation and they are still their salaries, so I suggest that there should be an independent committee to look

into their terms of service,

Kagwi Gathoka: tundu angikurwo mundu niwi uraruga irio na niwe uregaira, nua agakiria munu gukira andu aria angi.

Translator: because if you are cooking you are likely to give yourself a bigger share of the food.

Kagwi Gathoga: Undu uria ungi ni uhoro ukonii uhoro wa githomo,

Translator: The other point concerns education:

Kagwi Gathoka: uhoro wa githomo hindi ya mutigairi ti Kenyatta,

Translator: during the time of the late President Kenyatta,

Kagwi Gathoka: nikwari na mubango na ni kwari na law ya tumaga ciana ithome.

Translator: there were procedures and there were laws that enabled children to learn.

Kagwi Gathoka: Nu kuma kihindaini giki, muthuri mugathe ti Moi aikariri giti uhoro ucio wa githomo niwacokeirio wanainchi, na wanainchi matiri na kindu kingi mari na kio mendaga guiteithiriria kumana kuri thirikari, riu murigo wothe ukinengerwo andu matari na hinya amwe.

Translator: But later on when President Moi took over there have been problems with the education system and people have been unable to educate their children.

Kagwi Gathoka: Ni undu ucio nii hari woni wakwa ni kubataire maundu macoko turia mari hu kabereini hindi ya Kenyatta.

Translator: And therefore I propose, we should revert to the previous systems.

Kagwi Gathoka: Undu uria ungi,

Translator: The other point,

Kagwi Gathoka: Ni uhoro ukonii uhoro wa thibitari,

Translator: is about hospitals,

Kagwi Gathoka: Uhoro wa thibitari nii hari woni wakwa ni ugite na thina muno,

Translator: I see that there are problems in hospitals,

Kagwi Gathoka: tundu uhoro wa guthii thibitari una tinu iri haha Mihuti dispensary na ni ha tutawa tunini muno, utari na shiringi igana ndugithundikerwo una mwana unawe ndunginywa ndawa.

Translator: because unless you have money like hundred shillings even in small centers like Mihuti, you cannot be attended to.

Kagwi Gathoka: Ni undu ucio ni ndingyoria nii wendi wakwa ni ndingyenda thirikari imenye ati ni batiire gututeithia na njira iyo ya dawa tundu niturutaga igoti inene muno ni undu wa indu iria tugoraga.

Translator: I therefore propose that the Government should take charge of these dispensaries and provide drugs because we pay taxes.

Kagwi Gathoka: Ndiri na kaundu kangi Bwana Commissioner ngwendaga kuga.

Translator: Thank you, that is all I have to say Commissioner.

Com. Phoebe Asiyo: Asante sana Mzee Githogo kwa maoni yako unaweza kujiandikisha pale. Bwana Mwangi Wambugu.

Mwangi Wambugu: Commissioners,

Translator: Commissioner,

Mwangi Wambugu: ritwa riakwa ni Mwangi wa Wambugu,

Translator: my name is Mwangi Wambugu,

Mwangi Wambugu: na nyumite uguku Mihuti inu,

Translator: and I come from Mihuti.

Mwangi Wambugu: nii ndiri na maingi ma kwaria nu ndi na machache tuu,

Translator: I don't have much to say,

Mwangi Wambugu: kimwi ngwambiriria na Parliament.

Translator: my first point concerns Parliament.

Mwangi Wambugu: Parliament nio matutuagira mawatho,

Translator: Parliament is in charge of enacting legislation,

Mwangi Wabungu: namacoka magaikara thii magetwira mucara wao,

Translator: and they are also in charge of their pay and terms of service,

Mwangi Wambugu: riria naguku macambaini turaririo ni thiina,

Translator: when here in the rural areas we have so many problems,

Mwangi Wambugu: metherwo kamiti aria marimaheyaga micara yao,

Translator: there should be an independent committee in charge of their terms of service,

Mwangi Wambugu: utagukira haria kamiti iyo yugite.

Translator: which should not exceed what the committee decides.

Mwangi Wambugu: Uria ungi ni ati ni ma-councillors,

Translator: The other one concerns Councillors,

Mwangi Wambugu: Councillors tondu nio matwikire nio ene migunda ino yanaguku icagini,

Translator: because they are in charge of trust lands,

Mwangi Wambugu: Yatwikire ni ta yao tondu nio matwikire trustees.

Translator: these lands have become like there theirs became they are the trustees.

Mwangi Wambugu: Kwoguo ona kieya ndungiheyo utarutite kindu, kitu kidogo.

Translator: So you cannot get a plot unless you cough something small.

Mwangi Wambugu: Kiria kingi ni thibitari.

Translator: The other point is on hospitals:

Mwangi Wambugu: Thibitari mundu ndangithondekwo atari na mbeca,

Translator: You cannot get medical services without money,

Mwangi Wambugu: na taguko migundaini turi,

Translator: and in these rural areas,

Mwangi Wambugu: ni kundu gutari na mbeca,

Translator: there is no money,

Mwangi Wambugu: kuoguo andu aingi mari nakuu migundaini mari arwaru.

Translator: so there are many sick people out there who have not been medical attention.

Mwangi Wambugu: Kiake guku ithui nituri indo tuonaga mbeca nacio ta urimi wa kahua,

Translator: We have agriculture like coffee farming

Mwangi Wambugu: na iriya.

Translator: and dairy farming.

Mwangi Wambugu: Indu icio twendagia ithui ni kwendiro twendagirio,

Translator: these products are marketed by other people,

Mwangi Wambugu: nu ti ithui tugaga ikugurwo undu muna,

Translator: but we do not set their prices,

Mwangi Wambugu: kuoguo turekwo tugage tukwendia una.

Translator: so I propose that we be allowed to set the prices.

Mwangi Wambugu: urio ungi ni githomo.

Translator: The other point is on education:

Mwangi Wambugu: githomo andu mundu atari na hinya ciana ciake itirathoma,

Translator: If you are poor your children will not go to school,

Mwangi Wambugu: niundu nakio ni kiagiire guro munu makiria.

Translator: because it has become very expensive,

Mwangi Wambugu: kuguo kana ka muthini gatirathoma.

Translator: therefore children of the poor are not getting education

Mwangi Wambugu: Kiria kingi ni uhoro wa administration.

Translator: Another point concerns administration:

Mwangi Wambugu: Turi na andu athomu,

Translator: We have educated people,

Mwangi Wambugu: ta ma DO a guku gwitu,

Translator: like DO's in our areas,

Mwangi Wambugu: na mundu ta DO ni agiriirwo ni gutwarwo kwao tundu niwe uwi thina wa mundu ucio.

Translator: and DO's should serve their areas,

Mwangi Wambugu: ota uria tukoragwo twina na chief na sub chief tondu ni a itura riu, nio moi thina wakwa.

Translator: just like the way we have chiefs and assistant chiefs.

Mwangi Wambugu: Koguo ma DO acio makarehaguo kwao.

Translator: So DO's should serve in their areas, that is, where they come from,

Mwangi Wambugu: Nigetha ndatwara mathina akamenyaga ni ndiramuhe ndeto cia ma.

Translator: because they are able to appreciate the problem in those areas.

Mwangi Wambugu: Naambiwa saa yangu nakwisha.

Translator: I am being told my time is up.

Mwangi Wambugu: (inaudible word)

Translator: but I am not yet through.

Com. Phoebe Asiyo: Asante sana Mzee Wabungu.

Gatitu Gachanja Ngumo: Ritwa riakwa ni Gatitu Gacanja Ngumo.

Translator: My names are Gatitu Gacanja Ngumo.

Gatitu Gachanja Ngumo: Hari undu ungi nyambe njoke ringi, nii ni itonga kundunya indo.

Translator: I am concerned about the rich grabbing my property.

Gatitu Gachanja Ngumo: akadunya nyumba yakewa,

Translator: My house has been taken away from me,

Gatitu Gachanja Ngumo: turi andu atano.

Translator: house that belongs to five of us.

Gatitu Gachanja Ngumo: na ni andunyite ndanageria kumwitia ni aremete.

Translator: I have tried to ask him to give me back my property but that has been in vain.

Gatitu Gachanja Ngumo: na ni oigire ni arinengera,

Translator: And he has promised to give me my property,

Gatitu Gachanja Ngumo: na akiuga nikwiriha e rihaga na miaka yake ni mithiru muno.

Translator: and he said he was paying himself back but it has taken a long time.

Gatitu Gachaja Ngumo: akirwo aheyage mbecha nini tundu ni ahenagia muno.

Translator: He was instructed to be giving me some little sums of money because he has been cheating me around.

Gatitu Gachanja Ngumo: Ndetitie shiringi ngiri magana meri ma mirongo ina.

Translator: He had given me two hundred and forty thousand shillings.

Gatitu Gachanja Ngumo: Riria oigire agure ni arinengera, akirwo ni a henagia muno.

Translator: When he was told that he has been cheating me,

Gatitu Gachanja Ngumo: agikirwo anyongerere mbecha.

Translator: and was told to increase these a mount,

Gatitu Gachanja Ngumo: na ndari a nyongerera.

Translator: he has not done so.

Gatitu Gachanja Ngumo: Ni dimwititie miaka itano akarema.

Translator: He has refused to pay me for the last five years.

Gatitu Gachanja Ngumo: mwaka uria ungi wathirire mweri wa kenda nirio anjirite ahe mbecha.

Translator: Last year September,

Gatitu Gachanja Ngumo: tondu ndakwenda gucira na nii.

Translator: he had promised to give me money because he did not want any litigation with me,

Gatitu Gachanja Ngumo: akwenda gucira na andu acio angi.

Translator: he wanted to be involved with litigation with the other partners.

Gatitu Gachanja Ngumo: akinjira ngagira mweri ithano, o mweri ucio wa kenda,

Translator: He asked me to go for the money on the fifth of September,

Gatitu Gachanja Ngumo: nii ndia mucokeirie,

Translator: I didn't answer him back,

Gatitu Gachanja Ngumo: tugicoka kuonana akinjuria kai ni atia wekire? Nii ndia mwariirie tondu mbecha iria agukiriha-ri na kundaha na mbecha itari gitumi-ri, na nyumba ni ngurue irekaranga na maguta mayo-ri, ngukioya maki? Ndakindunye ta uguo andunyire.

Translator: so when we met later, I wasn't able to say anything to him, because he is grapping my property.

Gatitu Gachanja Ngumo: Riu uria ningi naguo,

Translator: The other point is,

Gatitu Gachanja Ngumo: ndukuigua ni anjirire ni akunengera mbecha?

Translator: He had promised to give me money on 5th.

Gatitu Gachanja Ngumo: na nii ndia mucokeirie.

and I didn't answer him back.

Gatitu Gachanja Ngumo: Riu tigukirigwo mbecha iria nguga ni iriko.

Translator: because the owner of the money was referred

Gatitu Gachanja Ngumo: Riu ningi naguo ni thibitari tondu tani thiaga thibitari Nyeri.

Translator: the other question is on hospital because I normally attend clinic in Nyeri,

Gatitu Gachanja Ngumo: Ndathii clinic Nyeri,

Translator: when I go for my clinic,

Gatitu Gachanja Ngumo: ni tugwitio shiringi mirongo itano,

Translator: they ask me to contribute fifty shillings, we are told that the money is for cost sharing for the card,

Gatitu Gachanja Ngumo: ikiirwo ati ni ciandikwo haria ati andu acio mathii na cio, na tutiri na mbecha. Taithui niui hatiri handu tungirimira, ati handu mundu angiona king'otore.

Translator: and people like us have no source of livelihood, where we can get some money.

Gatitu Gachanja Ngumo: Riu kuoguo-ri, riu ucio niguo nii njukite,

Translator: Therefore that is my main concern.

Gatitu Gachanja Ngumo: tondu ndikiri mbecha na ni ndiretio mbecha,

Translator: I don't have money,

Gatitu Gachanja Ngumo: na nikuhoza ndirahoya mbecha mundu ahe, tahe unengere u uria urinengera.

Translator: and they ask me to give money all the time yet I don't have money even to pay for my drugs.

Gatitu Gachanja Ngumo: Riu ni uguo.

Translator: That is all I will have to say.

Com. Phoebe Asiyo: Asante sana mzee kwa maoni yako, sasa tutasikiliza maoni ya Bwana Wathece Karuiru.

Wathece Karuiru: My name is Wathece Karuiru, I have written everything regarding pension, I would like to speak only a few words. Currently, we retired people, are getting increment after five years. As the cost of living is too high nowadays, I suggest that you Commissioners should consider revising the payment to within every three years. That is increment to be made after three years.

Currently as next of kin is being paid after the death of his wife or husband, he is paid only five years period, I would like this to be amended to reach fifteen years because the of cost of living. I have no more to add, because I have written everything here.

Thanks.

Com. Phoebe Asiyo: Asante sana, nataka kumuuliza Rev. Julius Mwangi atoe maoni, please try to highlight the important areas. We will go and read it before it is put in the computer.

Rev. Julius Mwangi: My names are Reverend Julius Mwangi, a member of the Mukurwe – ini Constituency Constitution Review Committee. My views are: -

Preamble: We need a preamble in our Constitution

Number two is contribution of supremacy: The power of Parliament should be limited especially in amending the Constitution, to avoid the first mistakes where some clauses have been tempered with to suit the individuals.

The public should be involved through referendums

On citizenship: The current one is not badly off but I feel it should be amended to allow foreigners to own shamba's in rural areas, create to jobs. Secondly of it paper citizens should be vetted thoroughly.

Defence and National Security: There should be a Commission solely responsible with the countries security. To discipline those undisciplined, there should be Martial Court to deal with those cases.

On political parties: Political parties leaders should work out possible ways to merge their parties to reduce the number of so many parties, political parties. We should minimize the political parties to about three or four, the major ones.

Structures and Systems of the Government: Kenya needs a Government of national unity comprising all political parties concerned. Two, all partie's, Presidential aspirants should be financed by the Treasury. The work of the Electoral Commission should be completely independent without any interference from any quarter.

Local Authority should be empowered to render their services from their resources without any hindrances. The President should be ceremonial.

The Legislature: An MP should serve for only two terms of five years each to give room for others. An MP should not be pensionable, since those two terms are a contract not permanent.

A Commission should be formed to determine the salaries and benefits of an MP.

There should be a worked out plan to make sure women are represented in Parliament.

Bribing MP's to defect has wasted a lot of money or resources in the country. The new Constitution should bar any defector fom being an aspirant to either party. An aspiring candidate should be over twenty years, and President not less than 30 years.

There should be a coalition of four political parties.

A change to a system that demands multiparty representation is needed. A Parliament should be dissolved by the majority votes but not the President alone.

An election date should be known just from the beginning of the Parliamentary term.

The Executive: A President should serve for only two term and the Presidential powers not be excessive. A President should

not campaign using the resources of the state.

The provincial administration: Should be from, the assistant chief who is elected by people and who is answerable to the DO and up to the District Commissioner who is in charge of the district. I don't see any need of the PC.

The President: Should be of a good conduct with moral behaviors married and respectful.

Judiciary: Judicial Service Commission should appoint judges and magistrates of high integrity, a fund should be set aside to assist poor people to hire lawyers. When a judge or magistrate retires the Constitution should be clear that no contracts should be awarded to that person. And the retiring age should be sixty years. Thank you.

Com Phoebe Asiyu: Thank you very much for the views. You can give the memorandum and also sign our register Stephen Kibaki unaweza kuendelea, si kwa muda mrefu sana ili kila mtu pia anataka kuzungumza apate nafasi.

Stephen Kibaki : My name is Stephen Kibaki and I got my views here and I will first start with: Presidential powers, I think the President should not be above the law by any means, he is a Kenyan Citizen like I am, and therefore he should be subject to the laws of the land like other people. He should not be a member of Parliament, He is supposed to be representing the whole country so he is supposed also to be concerned with national interests. He should not have power to open or close Parliament.

He should not be the Chancellor of the public universities. I think the Senate of the university should be , is the one that is supposed to sit down and come up with a chancellors and vice chancellors.

The chairman of the Electoral Commission also is not supposed to be a Presidential appointee, because he may favour the person who appointed him. Okay, about the electoral system, I think the representation on the establishment of the Constituencies, it should be based on population basis. Let's say, we can have a constituency having about, ten thousand people these one should not be divided geographically. Also the dates of the elections should be known. Also we should have a time table when the Parliament will be opened and when it will be closed.

I have also talked about the qualifications of the President and I think these ones are, he should be a Kenyan citizen, be over 35 years of age, be registered as a voter, have a stable family, be a graduate from a recognized university, be in good health, that is he must pass a medical certificate and he must have no criminal record. Also for an MP, he must be a Kenyan citizen, be registered as a voter, be a graduate also and have a stable family also, be in good health, have no criminal record and be aged 21 years and above.

Also have something about industries, I think Kenya can produce a lot of commodities but know in a current situation we find that some goods are being imported while we can produce them locally. I think they are supposed to be banned, or if they

have to be imported, then they can be taxed higher than those local goods.

About the environment, the industries should cater for the disposal of plastic bags like the industry that we are having currently, we heard they have come up with things that are not very credible, now they should be also catering for the disposal of these material if they can produce, they are also supposed to cater for the disposal.

Provision of basic human rights: Health is one and should be provided to everyone who is a Kenyan citizen and also education up to O'levels, that is up to form four.

And land ownership, I am supposed to own my piece of land to any depth, that is mine I am the one who is supposed to control it, if I decided to plant coffee there is no one who can come and interfere when I want to uproot it, it is my decision and I planted it . And also cutting of trees, it is my tree I planted it so, if I want to cut it, I cut it with a reason , but people should be sensitised on planting on may be on planting more trees, but not to be harassed and they want to use them. That is all.

Com. Phoebe Asiyo: You can present your memorandum and sign the register. We can have Bwana David Maina, try to summarise your memorandum

David Maina: My name is David Maina. Dear Commissioners, you should be a Kenyan citizen if one is married to Kenyan citizen. To have an independent body which is not under the Government to be dealing with foreign affairs and citizenship.

Kenya should be a multiparty state. But parties should be limited to two, anybody who want to vie for Presidency should say who. He will appoint as the Vice President. Councillors and MPs should be elected separately. President and vice President should be elected by people.

Votes should be counted at polling stations and Presiders to sign before they are before they are take to the regional headquarters, and each to sign a copy. We should have a committee to appoint public officers and chairmen. Anybody who want to vie for presidency must be born in Kenya, his parents to be Kenyan and grandparents to be a Kenyans.

Administration officers should be elected by people and should be born at their area of service. Court should be independent to have a committee to oversee money that comes from donors. The public should be told when the country is borrowing money. Land, it should be distributed equally not some owing acres and while others don't.

Freedom of living anywhere in Kenya by Kenyan Citizen, Education should be free from standard one to form four for all.

Health facilities should be free for all and nobody in Kenya should die because he or she has no money, the Government should

cater for those to be treated abroad free.

Kenyan citizens should be equal in all ways and they should obey the law of the land. Human rights must be observed. If one kills he must be killed. Those who misuse public money or property should be forced by the Government to pay back with interest. The Government should arrest anybody with Aids, who affect anybody else knowingly and they should be prosecuted for murder.

A Person can be a citizen of two countries if a man and wife come from different countries. Freedom of worship should be encouraged in Kenya, but offering human flesh and blood should be considered as murder.

Elsewhere, nobody should be appointed in two public offices, one man woman, one office. Employment should be done on qualification basis; money collected for harambee's should do the work stated.

Com. Phoebe Asiyo: If you can highlight, just highlight the important areas but because that issue you are reading, is going to go in our computer, so you don't need to read. Highlight the points only. If you take a lot of time we won't be able to finish.

David Maina: The Kenyan President should not be above the law and can be prosecuted while in office. Thank you.

Com. Phoebe Asiyo: Asante sana, Usisome yale umeandika, kwa maana umeyaandika kwenye memorandum. Bwana Joram Kirubi.

Joram Kirubi: My name is Joram Kirubi Ngubu, I come from Mukurwe-ini division, Giathugu Location, Higana sub-location. My views are as follows:

The country with a transparent Government should advocate multipartism without majimbo but a Central Government.

The President and his Vice President should be elected after the elections of the members of Parliament and the Councillors, and he should not be above the law. Any person who wishes to be elected as a President should first name his Vice President, so that he or she should be elected by the people.

There should be a select committee which will be monitoring those appointed by the President.

The person wishing for the President, should be born within the country and so is his father and the grandfather.

There should be a select committee which will be responsible for those people who wishes to become citizens of the country.

PC, DC, DO, chiefs and the Assistant chiefs: Be elected by the people and they should come from the area where they situated.

People should be responsible of wealth of their area. Councillors and the people of the area, the place they represent be responsible for the tax collected from the area.

Law courts: Should be free in dealing with cases without interference of the Government, there should be a select committee to be responsible for all loans that come form out side the country

Land should be shared equally simply because some people owns large farms where by others do not have even quarter an acre to built a plot. A citizen of the country should be free to say any part of the country.

Votes should be counted within the polling station and results be announced there, people of all ages be given copies of the results of there candidate to avoid irregularities. Thank you.

Com. Phoebe Asiyo: Asante sana, George Gitata.

George Gitata: My name is George Kennedy Gitata,(born again Christian,) I am very thankful for the Commission as started with the words of God. I am not going to take long. A country which fears God it stands. I will quote, I refer to the word from Mathew 6. Chapter 33. It states think concerns about everything else with the Kingdom of God and what he required of you, and he will provide you with all these other things, and then I will quote some words in Joshua 24, 19 to 20, Joshua said to the people, but you may not be able to serve the Lord, he is a holy God will and not forgive your sins. He will tolerate no rival and if you leave him to serve foreign Gods, he will turn against you and punish you, he will destroy you, even though he was good to you before. These are the words from the book of the bible. And what I will urge the Kenyans is to be consult each other, a person should see the other person like a king. We should avoid tribal clashes and shedding of blood. If you want our God to bless us, and be blessed in our country. Thanks you.

Com Phoebe Asiyo: Thank very much Mzee, for now we have Ignatius Manywa.

Ignatius Manywa: My name is Ignatius Manywa Kimaru for Mukurwe-ini, Gathuku Location, Mweru Sub location. Mine are just a few points I would like to comment or make. The President should not be above the law. The President is not supposed to be the Commander -in -Chief of the military forces, The Commander - in -chief should be chosen from the military forces.

Corruption should be stopped in the whole country. E.g, if the projects are in process, let the donors follow the process to the

end. If there is someone making the Government not to be given or to be helped by the IMF, let him be sacked from the Government.

The local Government should resume their work to strengthen the previous years of Mzee Jomo Kenyatta. Let say, like public toilets in towns should be open to everyone.

MP's should be graduates in political science so as to have consideration of their people in human rights. Parliament should be reduced to three years term to make them active, allowances should be reduced and no pension should be given.

Small-scale farmers are suffering, and the Government should reduce the imports to minimize hunger in the country, as most people are small-scale farmers. Organization should be made to collect their crops. Government should not give licences to import goods like food in the country has enough commodities for its people. Let's make rules of market for farmers, e.g., cash crop like cotton if it can't be grown in Kenya, let us stop importing mitumba, sugar, milk, e.t.c. Farmers should be given rights to sell their commodities or cash crop to whoever that need it with the agreement of payments between the two parties.

Any Kenyan, citizen should be given rights to say wherever he wants in the country, and make business if he wants.

For the disabled, the Government should help them by giving them help terms of in money on monthly basis so as to survive like the other people, as no one wants to be disabled.

Everyone should have medical care, as previous years. No one should be stopped or not be helped or being given care in the hospital as medicine is very costly, that is why people are dying.

Education should be give to everyone or anybody who need it. It should free as previous years, that is, for primary level, the Government should provide with necessities like books, change the education syllabus to previous one 7-4-2-3. The syllabus should remain constant so as the books should remain not being changed, as the Government rules change of the syllabus now and then. Teachers should be considered in salary increase, as they are the light of everything in the country. They educate and enlighten in those people who don't know anything.

For the freedom of worship, devil worshipping should be stopped in Kenya. In case of rape, dressing should be looked at, exposure of bodies attracts rapist. That is all what I have.

Phoebe Asiyu: Thank you Mr. Manywa. Kama hayuko karibu, tutaenda kwa Karanja ningependa wale wote ambao wamefika, maoni yao yapeanwe pale. Sasa tuko na Bwana James Kimemo Wanjao.

James Kimemo Wanjau: My names are James Wanjau, and I come from Mukurwe-ini- Constituency. I will be just wish to talk about three points, that is to start with the preamble.

That our Constitution needs to have a preamble. We should also have a vision to promote love, and unity and talk about our economic growth and freedom for all. We should also have a stand on our transparency and truth as values in our preamble.

Then I will go to the executives. There should be age of 35 years, and there should be a ceiling at 74 years minimum, and should not exceed 74 years. Also the President should have a running mate and they should be elected on a separate day with the MP's by the voters.

I also wish to talk about the natural resources: That our Constitution should govern the protection of our natural resources, together with that, the local people should also have power over the protection of the natural recourses in their localities.

The investors should be allowed to own land in rural areas in order to create employment through industries, and the dumping of their waste products should be governed by the Government and should be controlled.

In the electoral process, in electoral system, we should have ballot boxes which should be transparent. Counting of votes also should be done in the polling stations by the presiding officers and should be confirmed by the agency. Also the constituency's, should have at least ten thousand people as registered voters. And so with that I may say thanks.

Com. Phoebe Asiyu: Asante sana. Bwana Charles Gichuki, wewe hujaandika kitu na utaongea.

Charles Gitenga Gichuki: My name is Charles Gitaiga Gichuki, from Mukurwe-ini Constituency. Ladies and Gentlemen, majority of Kenyans are farmers. And it is my view that many Kenyan, since our most important crop is coffee, coffee should be auctioned, by those who are doing auctions straight away from the factory. This will enable the farmers not to get a big loss by transporting their produce form the factories to Nairobi.

Two, MPs are getting a very huge amount of money: It is disappointing to see an MP who has not even reached an education level of form four getting more than three hundred thousand shillings. It is view that, it should be minimized to at least one hundred thousand shillings, so that many of our young men would like to continue with their education.

Three, it is my view, that teachers and doctors are earning very little amount of money, in our present Kenya, the Kenya we want should provide teachers and doctors with very big salaries, because the MPs and the rest of Kenyans were educated by the teachers.

The other thing is that, National Social Security Fund, which has been a problem to the Government should be given to an employee as soon as she retires or resigns. If you resign from employment, it is true that you will not get any other money, so the money which has been kept by the National Social Security Fund should be paid to you straight even if you have not reached at the age of 50 or 55.

Last, there is devil worshipping in Kenya, our Government or our Constitution should be very strict not to give a chance to the devil worshipers. This is because, they are fighting with Mungiki and the rest. But the devil worshipping in our Country, which has caused a lot of problem should be dealt with strongly by the Constitution in the Kenya we want.

Lastly trade: Many of our traders have offered such very exorbitant prices to the local man. It is the duty of the Government, and this should be put in our Constitution that, price check- up should be strict so that our the common man can buy things in the correct price so that he/she should not be exploited. Thank you very much.

Com. Phoebe Asiyo: Thank you very much Bwana Gichuki. Tafadhali jilandikishe pale kwa register uweke sahihi yako, sasa tuko na Bwana Cyrus.

Cyrus Mugwe: Ritwa riakwa njitaguo Cyrus Mugwe

Translator: I am called Cyrus Mugwe.

Cyrus Mugwe: na ndi wa Mururwe-ini Constituency,

Translator: I am from Mukurwe-ini Constituency,

Cyrus Mugwe: Gathugu Location,

Translator: Gathuku Location

Cyrus Mugwe: Mweru Sub-location.

Translator: and Mweru Sub-location.

Cyrus Mugwe: Woni wakwa kana meciria makwa makunjira ati,

Translator: My contribution is that,

Cyrus Mugwe: uria ingiigua niguu ingienda, watho uria ingikienda.

Translator: what I feel I need is

Cyrus Mugwe: Kugie na ciana nyingi thiniini wa bururi uyo witu,

Translator: we should have many political parties

Cyrus Mugwe: na githurano gia president, na vice president, cikoraguo thutha wa gucaguruo Councilors na MP.

Translator: and Presidential elections should be done after the local Government elections.

Cyrus Mugwe: Mundu uria urikuraguo akirugamirira giti-ini kia Vice President kana President na vice wake, agatangathaguo mbere.

Translator: One vying for President and the Vice Presidency vying should be announced a day earlier.

Cyrus Mugwe: Gukuraguo kuri na miti ya guthuthurania andu aria marikoraguo makirugamirira ithurano ici cia Vice President.

Translator: There should be a committee to see to it who are to be presiding officers for the elections.

Cyrus Mugwe: mundu uria ungikienda gucagurwo giti-ini gia presidency akoruo we ari umwe wa mbere gukurwo aciari ake, ona gukawe wao aciariirwo bururini uyu.

Translator: One vying for the presidency should have his or her grandfather born in this country.

Cyrus Mugwe: PC ona DO na assistant chief ona chief macaguraguo ni mwingi uria makurutira wira.

Translator: The provincial administration to be elected by the local people whom they are going to work with.

Cyrus Mugwe: Muingi uheo hinya wakurugamagirira utonga uria wi maturaini mao.

Translator: The local people should have power to protect the natural resources in their localities.

Cyrus Mugwe: Thirikari ya kanju iheo hinya wa kurugamagirira utonga uria wi thiinii wa ng'ongoini icio.

Translator: The local Government to be given power to be in charge of wealth in their locality.

Cyrus Mugwe: Gukuraguo na khamiti ya kurugamagirira. Utonga mbecha iria ciumaga njaa ya bururi uyo.

Translator: There should be a committee to oversee the money that is kept in the foreign bank.

Cyrus Mugwe: Andu amwe matige gukorwo mari na utonga muingi wa migunda riria amwe matari urona hando ha gwaka.

Translator: Minority people should not own more land while there are people who are landless.

Cyrus Mugwe: Kura itaragirwo haria ho iracaguranirwo ni igatangathwo o hindi iyo.

Translator: Votes should be counted on the polling stations and should be pronounced after the counting.

Cyrus Mugwe: Ni ndanina uhoro ucio.

Translator: I have finished.

Com. Phoebe Asiyo: Asante Mzee Cyrus, sasa unaweza kwenda pale uweke sahihi kwenye register, nitamuuliza, John Githinji sasa.

John Githinji: I am John Githinji Wacharia from Gathuku Location, Mweru sub-location.

The President should be elected with majority votes of not less than 51% of the cast votes. In case no candidate gets 51% the leading two candidates should have a run off in an election.

There should be a coalition Government where the President appoints the cabinet ministers from various political parties. The Cabinet Ministers should be endorsed by the Parliament and the power to sack minister should be left with the Parliament. Permanent Secretaries, Judges, Ambassadors should be endorsed by Parliament. The President should also appoint Commander -in- Chiefs of Armed Forces, Army and Navy who should be endorsed by Parliament.

Constituencies: Constituencies should not have less than ten thousand voters and not more than fifty thousand voters. Elections should be supervised by church officials, counting of votes should be done at the polling stations by the election officials.

And lastly, there should be free health services for all Kenyans in all Government hospitals. Thank you.

Com. Phoebe Asiyo: Thank you very much Bwana John. Ibrahim Mureithi:

Ibrahim Mureithi: Mimi nitazungumza lugha ya mama. Ritwa riakwa njitagu Ibrahim Mureithi,

Translator: I am called Ibrahim Mureithi,

Ibrahim Mureithi: Njiariirwo Mukurwe-ini na ndi waguko Mukurwe-ini.

Translator: I was born here in Mukurwe-ini and I belong to Mukurwe-ini Constituency,

Ibrahim Mureithi: Ndi wa Gathugu location,

Translator: Gathugu Location,

Ibrahim Mureithi: Sub-location ya Mihuti,

Translator: Mihuti sub-location,

Ibrahim Mureithi: na ndimu Christiano muhonoku,

Translator: and I am a born again Christian.

Ibrahim Mureithi: Nii wakwa ngwambirira na thirikari nini ya mwenaini wa assistant chiefs.

Translator: I would start with the assistant chief:

Ibrahim Mureithi: Twagiriirwo gukorwo tugithura assistant chief,

Translator: We should elect the assistant chief,

Ibrahim Mureithi: na makorwo mena githomo gitanyihire form four.

Translator: and should have a minimum of O - level standard of education,

Ibrahim Mureithi: na akorwo ni mundu wina mucii murugamu wega.

Translator: and should have a stable family.

Ibrahim Mureithi: Kuma hau tuthii kuri DO,

Translator: From there the DO,

Ibrahim Mureithi: onake akorwo ari mundu wina githomo kia administration.

Translator: should have education on administration,

Ibrahim Mureithi: na akorwo ari mundu wina stable family,.

Translator: should also have a stable family,

Ibrahim Mureithi: Na akorwo ni mundu unghota kuruta wira mwega thini wa bururi.

Translator: and can do a good job in the country.

Ibrahim Mureithi: tuthii hari mundu witaguo councilor,

Translator: I am going to the councillor,

Ebrahim Mureithi: councilor tumuthure,

Translator: we should elect the councillor,

Ebrahim Mureithi: na kurwo ari mundu wina githomo gitanyihire form four.

and should hold an O-level standard of education,

Ebrahim Mureithi: kana akorwo ari githomo kia university,

Translator: or should have a university degree,

Ebrahim Mureithi: nu ningi ndagakorwo ari mundu utangihota kuiguithania andu a itura,

Translator: and should be a person who can make the local people to be united,

Ebrahim Mureithi: na mundu wina mucii mwega.

Translator: should also have a stable family.

Ebrahim Mureithi: Tuthii kuri MP.

Translator: On the members of Parliament:

Ebrahim Mureithi: Tukurwo twi na mundu wina githomo gitanyihiire university.

Translator: Should hold a degree,

Ibrahim Mureithi: na arikia gukurwo ari na digiri, akorwo agiikara kuu miaka ikumi tu, ndagathii terms makiria ya igiri.

Translator: and should go for two terms of five years each.

Ibrahim Mureithi: Tundu athii makiria ya two terms akuonania tari wi mwene bururi, tagutari mundu ungi.

Translator: If he exists more than two terms he shall seem as if he is the owner of the nation.

Ibrahim Mureithi: Tuthii kuri President riu.

Translator: On the presidency:

Ibrahim Mureithi: igienda President akurwo ari mundu wina family njega,

Translator: I would wish that the President have a stable family,

Ibrahim Mureithi: na akurwo ari mundu wina githomo githanyihiire university.

Translator: and should have a degree.

Ibrahim Mureithi: na akurwo ni mundu utanyihiire ukuro wa miaka 45.

Translator: and have an age from forty-five years,

Ibrahim Mureithi: na ndagakirii miaka mirongo mugwanja.

Translator: and not exceed seventy years of age.

Ibrahim Mureithi: Na ndagiriirwo ni guthurwo makiria ya maita meri,

Translator: Should not be elected more than two times,

Ibrahim Mureithi: Na ndagakurwo ari na electoral yake, ndagakurwo ari muthure thiinii wa constituency akurwo ari mundu wa bururi.

Translator: and not be a member of Parliament,

Ibrahim Mureithi: kuguo constituency yake ithurirwo mundu ungi.

Translator: in his/ her constituency there should be an MP.

Ibrahim Mureithi: Na ndagakurwo ari above the law.

Translator: The President should not be above the law.

Ibrahim Mureithi: Akurwo ni mundu unghota kurio kyoria,

Translator: Should be somebody who can be questioned,

Ibrahim Mureithi: Kungigia hindi iria kungikinya uguo.

Translator: if there should be such circumstances.

Ibrahim Mureithi: na akurwo ari munene wa majeshi, nu akurwo atari na hinya wa ku-rule uro rimwi andu numathii mahurwo.

Translator: He should have power over the armed forces but should not have power to declare war.

Ibrahim Mureithi: Ucio ni President.

Translator: That is the President.

Ibrahim Mureithi: Aruti a wira mwana wa uturuini, nitukwenda migunda iria itari na andu, iria menene ya andu na matiramihuthir,

Translator: Those having large acreage of land,

Ibrahim Mureithi: Itheo andu aria mangihota guthondeka,

Translator: and the land is laying idle it should be given to the people,

Ibrahim Mureithi: Nigetha bururi witu uthii na mbere na urimi.

Translator: who can make it productive so that our land could have a lot of produce.

Ibrahim Mureithi: Na indo iria turakuria guku bururi-ini, tutikareherwo indo kuma njaa ta icio.

Translator: The goods that we are producing in our country, there should be no goods like that being imported from outside.

Ibrahim Mureithi: Tondo cukari witu uthukagira guku ni undu wagutwika gwi cukari urauma jaa.

Translator: Our sugar is destroyed here because there is a lot of sugar being imported.

Ibrahim Mureithi: Kwa uguo ingienda indo iria turakuria guku tukorwo ni ithui turacihuthira na ni iratuguna.

Translator: So I wish that the things that we are producing in our nation, we use and they be useful to us.

Ibrahim Mureithi: Tondu nowone mucere umite kundu ta Pakistan na mucere witu urathukira haha Mwea.

Translator: Because we can see rice coming from Pakistan while our rice is being destroyed down here at Mwea.

Ibrahim Mureithi: Macio nomo nyuma namo.

Translator: That is all I have.

Ibrahim Mureithi: Thank you very much.

Translator: Thank you.

Com. Phoebe Asiyo: Asante sana Mzee Githinji.

Henry Gititho: Commissioners, my names are Henry Gititho, Box 202 Mukurwe-ini, there are many things that we need to address ourselves in but I will just highlight very few of them.

First I will start with defence and national security: The President should not be the Commander in chief of the armed forces. The commander in chief should be an appointee of Public Service Commission and these should be done on merit.

The political parties should be financed equally by Government. And that is from public funds but not one party taking everything on its own.

The system of Government: Our new Constitution should adopt a Parliamentary system of Government with a Prime Minister

and a President with limited powers. The power to dissolve Parliament should be left to a Parliamentary committee, which will be composed of MPs from all political parties. But not only an individual.

Judiciary: Judicial officers and top public service employees should be appointed by Public Service Commission, but not by President.

Local Government: Mayors, council chairmen should be elected directly by people and these will stop the division of Councillors. Councillors should be holders of form four certificates. And power to dissolve councils should be left to a Parliamentary committee, which will be chaired by minister for local Government.

The electoral System: For one to be declared a President, he or she must attain at least 50% of the votes cast. The Electoral Commissioners should be appointed by a Parliamentary committee and not by President.

As concerning land: Nobody should own more than fifty acres of land in Kenya, because there are others who are owning more than a thousand acres, whereas there are others without even a piece of land. And land grabbed before this Constitution should be taken back to the Government when we set the new Constitution.

Freedom of Worship: There is freedom of worship, but this one should only be limited to God fearing people and not to devil worshipers.

Public Finance: Be shared equally to all public service employees but not to give people, for example we have cases where by MPs are given a lot of money, judges have been given an increment of more than a hundred percent or four hundred and we have nurses and teachers, who are crying for their increment and they are told, there is no money, they will be paid when economy improves. So by this I mean money from public funds should be used equally to benefit all the public employees.

Asante

Com. Phoebe Asiyo: Asante sana Bwana Gititho, sasa Paul Kariuki kama yuko tayari aweza kuja hapa mbele na ameandika na atasoma. Bwana Kariuki kama hayuko, tafadhali Bwana Paul Minyoto, atafwatwa na Bwana John Kariuki.

Paul Kanyotu: Haritwa njitagu Paul Ngure Kanyotu,

Translator: I am called Paul Ngure Kanyotu,

Paul Kanyotu: Gwitu ni sub-location ino ya Mihuti,

Translator: I come from Mukurwe-ini Constituency, Gathugu location,

Paul Kanyotu: Mbere itanamba kwaria kiria gwenda kwaria kiugo kinini,

Translator: What I would say is,

Paul Kanyotu: Ningugweta ciugo ithatu, imuririkanie ciugo ciaririo ni hayati Mzee Jomo Kenyatta.

Translator: I will talk about three words spoken by the late Jomo Kenyatta.

Paul Kanyotu: Hindi imwe raisi Kenyatta ni augire,

Translator: One time he said,

Paul Kanyotu: bururi ungikagia na maundu matatu,

Translator: if the nation has three issues,

Paul Kanyotu: wage kumenyererwo niwathira.

Translator: if it is not properly managed it can be finished.

Paul Kanyotu: Maundu macio matatu nimo maya,

Translator: The three things are these,

Paul Kanyotu: wambere ni uici,

Translator: that is robbery,

Paul Kanyotu: wakiri ni mahaki,

Translator: bribery,

Paul Kanyotu: wagatatu ni magendo.

Translator: and the third is corruption.

Paul Kanyotu: maundu macio matatu mangiaga kumenyererwo thiinii wa bururi nu uthire.

Translator: If the three issues are not looked upon then our nation can be destroyed.

Paul Kanyotu: Thiinii wa bururi uyu witu-ri,

Translator: In our nation,

Paul Kanyotu: ni bururi mutongu,

Translator: it is a rich country,

Paul Kanyotu: na munu uwi wega uguo ni muthungu.

Translator: and the one who knows that well is the white man.

Paul Kanyotu: Nu kwa mahitia,

Translator: But by mistake,

Paul Kanyotu: ageni aitu twagiire nao guku ahindi,

Translator: our visitors the Indians,

Paul Kanyotu: ni matunyaririte gicunji kiigana una na mbeca.

Translator: have destroyed us to some extent with money.

Paul Kanyotu: Nikuri gicunji kia mbeca ciao, makoraguo mathamitie thiinii wa bururi wa Kenya, makarutaga na tumwi tunini.

Translator: There is a percentage of their money they have taken to their countries and they are using a little percentage in their jobs.

Paul Kanyotu: Nu tutikamene u ahindi tondu ati ti a muhiriga witu,

Translator: We should not the hate the Indians became they are not of our tribe,

Paul Kanyotu: una andu aitu airu aria mari mbiya,

Translator: even our black people who have money,

Paul Kanyotu: unao nimathamitie mbeca thiinii wa bururi uyo magacitwara na njaa kundu ta Australia, America kana ruraya.

Translator: they have deposited the money in outside countries.

Paul Kanyotu: Matwariti mbeca icio na jaa nigetha riria gugathuka,

Translator: They have deposited that money outside because when our nation shall have troubles,

Paul Kanyotu: tundu matuwaga, kana meciragia nu gukagii mbara thiinii wa Kenya ihinda rimwe.

Translator: because they think one time in Kenya there will be a war,

Paul Kanyotu: magithamagia mbecha icio nigetha riria gugathuka, maga-cirumirira ithii imateithie marekuu matwarire.

Translator: they have deposited that money so that when there would be troubles in our nation they shall go and they will use the money.

Paul Kanyotu: Na mtukufu Raisi muthenya ungi,

Translator: Our President the other day,

Paul Kanyotu: ni erigite kugweta ciugo nini iguru ria mbecha icio itwaragwo na jaa.

Translator: spoke some few word on that money deposited outside.

Paul Kanyotu: akiuga andu acio matwaraga mbecha ciao na njaa tundu riria gwathuka guku nigetha igathii imateithie-ri,

Translator: He said that those people depositing their money outside, that when we shall have trouble they will be helped by the money

Paul Kanyotu: magirire ni kureka mbecha ciao cikare u guku.

Translator: should let their money to be in our country

Paul Kanyotu: meke wega nigetha mature macitumagira mari u guku.

Translator: and it will be good so that our country has money that can be used.

Paul Kanyotu: negetha matigathukie ati nigetha ikamateithia riria gugathuka, mathii na jaa macirumirire.

Translator: They should not destroy the system so that they go out to follow their money.

Paul Kanyotu: Riu gwakwa kurwo nu njurio,

Translator: So I would propose,

Paul Kanyotu: nu junge andu acio matwarite mbecha icio na jaa cia bururi uyu tugatiguo na thiina,

Translator: those that have deposited their money outside and have left our country in problems,

Paul Kanyotu: merumirwo kini na hinya piu turia kwa hoteka,

Translator: should be followed

Paul Kanyotu: mbecha icio macokie bururi uyu tundu ni cia bururi uyu na ni itumite tuthine ni undu wa gucitwara na jaa tugatigwo tutari na cio.

Translator: and should return their money to this country so that we may have a good time.

Paul Kanyotu: Riu ngwiciria ciugo ciakwa igukinyaga hau,

Translator: I will end there,

Paul Kanyotu: ndiri na undu ungi ngwongerera.

Translator: I am not going to add.

Com. Phoebe Asiyo: Asante sana Mzee Minyoto. Tafadhali kuja mzee uweke sahihi hapo kwa register. Itatufaa sana kama unaweza kutueleza maoni vile unataka Katiba iandikwe kuliko kusema yale ambayo yote yameatendeka kwa maana hiyo haitakuwa, haitatupatia kitu, Tupatie mawaidha na utupatie recommendation vile unavyotaka Katiba mpya iandikwe.

Kamae Muriuki: Wmbere ngwenda guga ati njitaguo Kamae Muriuki wa Gathu.

Translator: My name is Kamau Muriuki Gathu,

Kamae Muriuki: Ndi wa Mukurwe-ini,

Translator: I am from Mukurwe-ini Constituency,

Kame Muriuki: location ya Giathugu.

Translator: Gathuku location, Mihuti sub-location.

Kamae Muriuki: maria nyonaga mahitanite ndi bururi-ini,

Translator: What I see it as not good in our country,

Kamae Muriuki: Mamwe ni kuona mbeba, jiguaga ati andu aria magia na mbeba nyingi, mathamagia makaruta guku magatwara bururi ungi. Bururi ugacoka ugetwo muthini ati nu makombeirwo.

Translator: I hear that those who have a lot of money deposit in other countries and leave this country a poor country.

Kamae Muriuki: Uria ungi nikuona tariu hurite ng'ombe yakwa ngimitwara munanda ingikurwo ni mundu uri na ngari, amihure nduagwo nu nii ndina mahitia na ng'ombe iri na hakiri, na nii ndina hakiri na mutwari wa ngari auma na hakiri, uguo ngona ni kuhatiriro, hatirirwo ni watho ucio.

Translator: I see when I am taking my cow to the cattle deep and it is hit by a vehicle, I am considered to be guilty and punished for that.

Kame Muriuki: Tundu gutiri bara ya andu aria matari ngari na bara ya aria mari na cio.

Translator: Because there are no special roads for those with vehicle and those without.

Kamae Muriuki: Wona ndarikia kuhanda miti, na handite kuringana na uria nguona ingihota kundeithia na indo iria handite nini itikore, ingienda kutema, ndingitikirio ndeme nu riria ndiamba kuhoya rutha, na ngihanda miti ndiahoire rutha.

Translator: When I have planted trees in the small shamba that I want to grow other crops, when I want to cut, I to get a permits, and when planting I didn't go for a permit.

Kamae Muriuki: Aria nao makuraguo mandikitwo mari a thirikari nini, nao tundu chiefs ti ithui tumandikite na tikumacagura tumacagurite, nao gutiri undu unumwe ingimera duike tari nii ndamwira, tundu anduite mundu wa tuhu, tundu tini ndimwandikite, andkikitwo ni thirikari.

Translator: I don't have powers to say concerning the chiefs and the assistant chiefs because I am not the one who have employed them.

Kame Muriuki: Ngona kurwo ni nii ndi mthurite, ni angihyaga gitiyo ni undu ni ui ni nii munene wake, tundu kura yakwa niyo yamuheire giti kiu enakyo.

Translator: If I had elected the chiefs and the assistant chiefs, they would respect me because I have given them that seat.

Kamae Muriuki: Riria ndathii thibitari, ndingithondekwo itari na mbeca, ngona ucio ni thiina munene, tundu una ngurwarira mucii, ngarwara makiria uhakuhi gukwa tondu nderetio igoti gukira uria hinya wakwa wiigana.

Translator: When I go to hospitals, I am made to contribute a lot of money which I don't have and so it seems as if I will die at home.

Kamae Muriuki: Kuirwo ati thirikari ni haru nu iteithiriirwo ni raiya, hau ngona ni thiina mukiru tondu thigiriri ndingihota kuhe ng'ombe thakame.

Translator: On being told that the Government is bankrupt, it seems as if that is a difficult situation because the weak cannot give the strong help.

Kamae Muriuki: Andu aingi ni mararwarira micii na matingithii thibirari, tondu matiri na mbeca. Na marikia gukua magwitio igoti, nginya riria mari akuo.

Translator: Many sick people are lying at home because they cannot afford to go for health services because they don't have money and when they go for the health service they will die in hospitals and their families will not be able to cater for the bills.

Kamae Muriuki: ndiri na maingi gwaria macio nimo nyuma namo.

Traslator: I don't have much, that is all that I have.

Com. Phoebe Asiyo: Asante sana Bwana Muriuki kwa maoni yako unaweza kuweka sahihi yako kwenye register. Sasa Bwana John Kariuki., kama uko pale wewe umeandika kwa hivyo hakuna haja ya kuongea sana utapeana tu pale kwa vile programme officer wale wasichana wamekaa pale, kwa hivyo umeandika hakuna haja ya kuongea. Kila kitu ambacho umeandika kitawekwa kwa computer.

John Kariuki: People who are assembled here, I am John Kariuki, and I have few thing to recommend to the Government, whereby I do feel that they should be amended.

The issue of citizenship: Those who should be regarded as automatic citizens of Kenya are, all people born in Kenya or parents who are born of Kenyan citizens. All children born outside Kenya of parents who are both Kenyan citizens. Spouses of Kenyan citizens regardless of the gender must be entitled to a automatic citizenship even when they are citizen of there own country.

Also on the issue of structure and systems of Government: Kenya should adopt a Parliamentary system of Government in which a minister, prime minister is appointed from the majority party in the Parliament. The Prime Minister should be in charge of daily running of the Government affairs and should directly accountable to the Parliament

Also the issue of local Government, local authorities are the most basic level of the Government. If we mix them it confuses the people, these I would like, I recommend that mayor be elected directly by the people The term of service for the mayor be increased from current two years term to five years term. The Constitution should empower the electorate to recall the councillor. It should be done through the collection of at least five hundred signatures of the electorate who registered their dissatisfaction of the performance of the Councillors.

Also on the basic rights: Our new Constitution must make provision for social economic cultural and ethic rights. It should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans. The Constitution should guarantee citizen's rights to access information in the process of the state or any other agency or organ of the state.

Also on the issue of land and property rights: The Government should have the power to compulsory acquire private land for purpose of development of social amenities like roads, hospitals and schools or for extraction of minerals for the purpose of the country.

Also the management and use of national resources: To enhance the law controller, the auditor general in checking the Government, handling of the finance. This office should be completely independent and have security of tenure. He or she should have the power to prosecute all those who misuse public funds.

Also in the issue of environment and natural resources: The new Constitution must adopt very fundamental environmental protection issues e.g. such as, to cohabitation and further caring of the remaining natural forests. Strict protection of water catchment areas, proper management of large lakes, proper environmental, study on environmental effects should be done before implementation of any development projects. Insuring continuous camping by the Government and other saving societies on environmental protection, on the danger of environmental pollution and degradation.

Also the issue of Constitution Review: If the Constitution is made by Kenyans and belong to them, then they should know and understand it. The Constitution must be written in a clear, plain and straightforward language as apposed to the legal language. The Constitution should state that it must become part of the school curriculum so that Kenyan should know this Constitution. The Constitution must commit any Government in powered to continuously offer civic education to its citizens. Thank you.

Com. Phoebe Asiyo: Thank you very much John, you have read everything. I had asked you not to read. Bwana Dickson Maina, ulikua umeandika, kama umepeana ni sawa, na sasa tuko na hawa wengine, Isaac Kanduru Mbaru, pia ameandika kwa hivyo hana haja ya kuongea sana. Tukienda kuchapa haitakuwa na shida.

Isaac Nduru Mbaru: I am Isaac Nduru Mabaruru from Mihuti village, and Mihuti sub location of Mukurwe-ini Constituency, I want to make just a few contributions towards the proposals on Constitution review.

I will start with Presidential office. Candidates should be educated to degree level, President to serve a two five year term. The Presidential powers to be trimmed to avoid misuse of powers, all the Presidential nominees to be vetted by the Parliament. Presidential candidates to have their running mates in the election. The President must gather at least 51% of the votes cast in an election. The 25% votes from every province must be abolished as this encourages tribalism and sectionalism

Constitutional supremacy: This should be retained with help of the public if necessary. On political parties, political parties should be limited to three or four. This will prevent the public from been divided into small tribal parties. The parties must draw their membership from every tribe in Kenya. The parties should be financed from the public funds, this will be determined by the number of members they have managed to enter in Parliament.

On national calamities: e.g, war, famine or any other disaster or political parties must be involved in policy decisions.

Government Systems: There should be a Parliamentary system of Government with a Prime Minister and there should be a room or allowance for a coalition.

Legislature: The present system of single chief registrar to remain. A appointment of judges, army chief and commissioners, head of Parastatals must be vetted by the Parliament. Parliament should have a clear calendar of the of events and should not

be prolonged by the President at will.

Judiciary: The Judiciary should be independent from the Executive, Judges to be appointed by Parliament and Magistrates should be educated to degree level. There should be Constitutional right to legal aid for those who cannot afford to hire advocates. Posts of Provincial Administration, PC's, should be abolished as it serves no purpose. Chiefs and their assistant should be elected by the public. Free education for all children up to form four, free medical services for all and the Government to regulate fees for private hospitals.

On agriculture: Government should subsidize farm inputs to farmers to promote cash crop farming, the Government should also revive ACC loans to farmers. Kenyan citizen's can own land anywhere in the republic of Kenya.

Mayors, Chairmen and their Deputies, should be elected by the public. Chief officers in the Local Government should be under the mayors or chairmen. Ballot boxes should be transparent and votes should be counted at the polling stations and the results announced.

The Constitution should regulate the registration of religious sects in the country and finally, there should be an office where people can air their grievances. That is all.

Com. Phoebe Asiyo: Asante sana, Mr.Mbaru, sasa tungepata mama mmoja, Lucy Mwangi, utakuja hapa uongee, kama kuna wamama wengine wanaotaka kuongea, maoni yenu ni ya muhimu sana

Lucy Mwangi: My names are Lucy Wanjiru Mwangi, I am from Mihuti Village, Gathugu sub location, Mukurwe-ini Constituency.

The points I want to say are education: The Government should eliminate cost sharing in primary school education in order to help the poor children access education.

Number two: The Government should avoid frequent striking of teachers by having a considerable dialogue with the KNUT, in order to show how genuine it is in their salary increment. Thus parents should as well have confidence in Government and teachers.

The other point is on health: Government should stop cost sharing of public hospitals and ensure that there are well managed and adequate services are available. And at the same time, the doctors who are in charge of those public hospital should not be allowed to have his or her own clinic as he might not attend the public hospital. He is in charge effectively.

The other point is on agriculture: Some goods are imported in our country, and therefore the goods that we produce in our country are damped in industries, Therefore the citizens are not allowed to have employment in the local industry and therefore we are not eradicating poverty.

The other one is on election: Election of the President should be done separately in order to avoid confusion of members during the election.

Com. Phoebe Asiyu: Asante sana Lucy. Kuna mama mwingine anayetaka kuongea? Okay Bwana Samwel Nyota, umeandika maoni yako kwa hivyo utaongea tu kidogo halafu utapeana karatasi yako au umepeana tayari, asante sana, endelea.

Samuel Nyota: My names are Samweli Nyota, from Kithu Location, Kiaru Sub-location. I would like to speak on one point especially, the pension. The present system of giving people pension is very poor. One being, there is no annual increment and sometimes you will find that some wazee's who have made the country stand, are getting even less than five hundred shillings. So I would like the Government to think about these people very highly and give them at least five thousand shillings as the minimum and annual increment.

I will go to Presidential powers: These people seem to be above the law and in fact, nobody should be above the law. Only God and these people usually defend the people who even take our money. Who are these that are defended by the President?

On administration: I would suggest that the chiefs and the sub-chiefs be elected by members of the public and have at least five years, or two terms, as the MP's.

Thirdly: The MP's pay themselves very high salaries and allowances, that make the country very poor.

Then, I would like to speak about those who steal Government property or money. Some of them even take them to other countries. They hide their money there leave us starving here and, they even start wars because they know they have somewhere to go. I have finished. Thank you.

Com Phoebe Asiyu: Asante sana mwenzangu Nyota, Sasa nitamwita Wambugu, wewe hujaandika kitu, lakini utaongea.

Gichuki Wambugu: Hari ritwa riakwa njitagu Gichuki Wambugu,

Translator: My name is Gichuki Wambugu,

Gichuki Wambugu: Na kwitu ni Mukurwe-ini,

Translator: I come from Mukurwe-ini,

Gichuki Wambugu: guku Giathugu location,

Translator: Gathuku location,

Gichuki Wambugu: Mihiti.

Translator: Mihuti.

Gichuki Wambugu: Nii uria ndirenda kuga,

Translator: What I want to say is that,

Gichuki Wambugu: Nii nihari undu umwe uri shinda.

Translator: there is an issue I have a problem with,

Gichuki Wambugu: ni undu wa mundu uria waneneha,

Translator: people who get into power,

Gichuki Wambugu: atuika ni President,

Translator: when they become Presidents,

Gichuki Wambugu: akahurwo mbica mbecha-ini ciake,

Translator: their portraits appear on the national currency.

Gichuki Wambugu: ahurwo mbica,

Translator: When this happens

Gichuki Wambugu: nake uria acoka aneneha,

Translator: and we have a different President,

Gichuki Wambugu: akahurwo u mbica pia,

Translator: the portrait also changes on the national currency,

Gichuki Wambugu: niu guku bururi ugatuika tari wake,

Translator: so the country appears as if it belongs to that person.

Gichuki Wambugu: Kuoguo mbecha ciagiriirwo ni gukurwo ni gukurwo ciri cia mundu uria wa ruwiriire wiyathi,

Translator: I, propose that we should retain the portrait of the person who fought for our independence,

Gichuki Wambugu: Kenyatta,

Translator: like the late President Kenyatta,

Gichuki Wambugu: tundu niwe mwene mbeca.

Translator: because we owned the money.

Gichuki Wambugu: ningi mundu uria waneneha, agathii kwambiriria kwaka iwanja kwake cia ndege.

Translator: There is also a problem with people who get to power and then they begin to construct airports in their homes.

Gichuki Wambugu: na mbeca icio nu irute wira ungi wa guthomithia ciana,

Translator: While that money would have been used to educate children,

Gichuki Wambugu: tundu kiwanja kiu athii kuhuthira mbeca nyingi munu,

Translator: because such constructions take huge amounts of money,

Gichuki Wambugu: na bururi ukeraguo nu muthiini,

Translator: And yet, we are being told the county is poor.

Gichuki Wambugu: na bururi ti muthinu,

Translator: The country is not poor,

Gichuki Wambugu: tundu iwanja ingigia mirongo, riu hari ki haria hetaguo Kiganjo, Nanyuki.

Translator: we have so many airstrips like the one at Nanyuki

Gichuki Wambugu: hari kiu kingi kirathire kugia kuria gugwitwo Eloret.

Translator: and another one at Eldoret.

Gichuki Wambugu: Riu kuoguo iwanja ta icio u mundu akiuma arauma ari na indo ciake.

Translator: So that when they leave power, each one of them leaves with something.

Gichuki Wambugu: Mbeca ta icio ciagiriirwo ni kuguraguo ithondeka barabara ta yaguthii Mombasa, ikorwo barabara iri igiri ni undu wa wiingi wa mitokaa.

Translator: Such money should be used on projects like the Mombasa - Nairobi highway because of the volume of traffic.

Gichuki Wambugu: Iria ingi igakurwo ikirura mwena wa Nyiri.

Translator: The others can be used in Nyeri.

Gichuki Wambugu: Kuoguo mbecha ni irahuthirwo na jira itari njega,

Translator: The money is being misused,

Gichuki Wambugu: ciana na cio igakoraguo itari na githomo.

Translator: while our children are not able to get education.

Gichuki Wambugu: Cikarage mucii ni undu wa mbecha kwaga.

Translator: They are forced to stay at home because of lack of money.

Gichuki Wambugu: Kwa uguo korwo nu kurio,

Translator: So, I propose that such projects should be within the public domain.

Gichuki Wambugu: Maundu ta macio magiriirwo ni gukurwo mari ma muingi, matiagiriirwo ni gukurwo mari ma mundu binafsi ari wiki.

Translator: That is all I have to say.

Com. Phoebe Asiyu: Asante sana Bwana Gichuki. Sasa tuko na Peter Ngure, na kwa maana maoni yako, au umepeana maoni yako, Haron Waithaka pia ameandika. Stephen Ndegwa, Stephen hajaandika maoni yake. Kuja uongee sasa.

Stephen Ndegwa: I am Stephen Ndegwa, I came from these Constituency of Mukurwe-ini and a I am born again.

My contribution is concerning the President: The President should have a minimum age of forty years and seventy years as the maximum, should be a university graduate and should be a member of Parliament. He should be married and with a stable family.

Another Contribution is on education: Education should be free in primary schools and be compulsory. Concerning the secondary schools. Secondary schools fees should be constant, should be constant that is for all secondary schools. Therefore we should not have some charging high fees and others low, school fees should be constant.

The building funds primary schools and secondary schools should be abolished, and if there is any constructions, or any kind of development, the Government should provide the funds. The coaching fees should be abolished in each and every school,

because some schools are asking for coaching fees, this making schools even more expensive. Therefore, the Ministry of Education be strict in their policy and the circular should be strictly followed, so that this kind of regulation is provided to both secondary and primary schools.

My last point is on Agriculture: Agriculture is the backborn of Kenya, and the farmers should be fully protected, concerning their inputs. That is my contribution. That is all, thank you.

Com. Phoebe Asiyo: Thank you very much, Stephen. Sign the register. Can we have Munene Nderitu?

Munene Nderitu: Commission Personnel, translator, ladies and gentlemen, good afternoon. My names are Munene Nderitu, from Mukurwe-ini Constituency.

I would like to focus my views on a Constitution that lays down the foundation of a country and determine how the citizens are going to be governed. It should be concerned with creation, legitimization, distribution, exercise and limitation of power in a society.

The Constitution as a contract or agreement, which spells out the relationship between the rulers and the citizens. A Constitution that set out the basic human rights of the people, the basic human rights that each individual is entitled to have naturally and not a privilege of those in power.

The ever amended Constitution, gives the President of this land complete power over everything and everyone, including the power of lease of private individual. For example, the President exercises many Constitutional and extra legal power, like he is the head of the state and the Government, Commander of the Armed Forces, President of KANU, ultimate controller of civil service, ultimate controller of the police force, appointing and dismissal of ministers, assistant ministers, and senior civil servants, including the Vice President. Appointing all judges and other legal officers like the magistrates, appointing all heads of Parastatals, can detain any person without trial, can declare war on emergency at any time, summon, prolong and dissolve Parliament, sign foreign treaties etc. Chancellor of all public universities and lastly, has power to control in many matters including elections. We urgently require these powers cut down to size, to enable him or her deliver efficiently.

The Executive, Judiciary and the Legislature: Should have their powers separately and adequately defined. This separation of power, ensures that the three institutions work freely and independently. The Executive power especially must be limited and reduced to avoid Presidential despotic tendencies.

The citizen: That is, the voter opinion and will should be supreme and sovereign. The people's decision should not be manipulated in any respect at all, especially though the ballot boxes.

The protection of human rights: Should be promoted and enhanced, freedom of assembly and association especially, should be respected. Any interference through the Public Order Act (POA) or other oppressive laws, like Chief's Authority Acts, preservation of public security act, Society Act, etc. should either be removed or amended accordingly.

The mwananchi should be allowed free and equal access to knowledge, the element voter and civic education should be enhanced by the state and not interfered with. The air waves, for example radio and television, should be freed to all, to allow for other political opinions to be broadcasted.

On Security: Security needs are critical and must be addressed. Resettlement of the victims of ethnic theory, should be done. The civil service including the security forces, such as the police force and the courts need to be separated from the ruling party, reconciliation mechanism to heal entirely, the wounds created by the ethnic cleansing need to be created.

The electoral process should be reformed to pave way for an impartial and independent electoral Commission. The constituency boundaries should be re-drawn to be more representative of the people. I think here the number of the people should matter, that one should matter.

Briefly, let me go to Judiciary, and specifically the police force. I would recommend that the number of days a suspect is in police custody before being judged in court be reduced from one weeks or so many week, to strictly one day, because these long detention exposes the person in custody to torture.

Number two: The issue of public notices, that is, order of the wanted, dead or live, be discouraged as this encourages killing of innocent people.

Number three: The so called, P3 should be made available in hospitals and not in police posts, to avoid uncalled for deaths and complications due to waste of time.

I wish to end there, although I had so many points to make.

Com. Phoebe Asiyo: Thank you very much, for your views. Patrick Wanjigiri

Patrick Wanjigiri: I am Patrick Wanjigiri, from Mukurwe-ini Constituency, Kathuku Location, Igana Sub-location. The following are my points to the Constitutional Review Commission.

First, I want to dwell on education and the current 8-4-4 system, in my opinion it needs to be bolished and replaced by the old

system of 7-4-2-3. The second proposal is that the education in primary level should be made free and cost sharing in secondary and university level, be financed by the Government and the parents.

Secondly, I want to get to the Executive. In my opinion I see that there is no need for a minimum age, required, in order for one to vie for the Presidential post.

Presidential powers must be reduced, such as the appointment of the Judiciary, This role should be given to Parliamentarians, because they are the representatives of the citizens. Nobody should be above the law. Election days should be strict and no powers should allow the President to dissolve Parliament at will. For one to be President, one must attain at least 51% of all the vote cast.

There should be a Minister of youth and sports. The act stating that any meeting, of between three or two people should have a licence, should be abolished, instead, civil groups must be encouraged.

Parliament days must be extended from three days to five days per week. Ballot boxes must be transparent, counting of votes should be done in the polling station. IDs must be abolished and be replaced by passports. Constituency boundaries should be reconstructed and named equally according to the number of voters, to encourage equal representation in Parliament

Medical service in Government hospital, clinics and dispensaries must be free. No body should be detained without trial and the trial must be made within 24 hours. All tax and duty must be compensated by the Government. Law breaking such as theft, rape and murder e.t.c must be compensated by the Government so that it can take responsibility seriously.

Electoral Commission should be elected by Parliament and not appointed by the Executive. The minutes collected in every station by the Constitutional Review Commission should be duplicated for the relevant citizens for future reference. Constitution should be drafted in such a way that is understood by the common mwananchi, contrary to the current, which only lawyers and judges can understand.

The number of political parties should have not be limited: Elected President must take up his duties immediately after winning the election. Street children must be looked at as far as basic necessities are concerned. Formation of institutions to dwell on country resources should be constructed for regular distribution of resources. That is all I have, thank you.

Com. Phoebe Asiyo: Asante sana, can we have Michael Macharia?

Michael Macharia: My name is Michael Macharia Gitaiga, I come from Mukurwe-ini division, I have some views I need to present to the Constitutional Review Commission of Kenya. My views are as follow,

1. The new Constitution need to have a preamble which contains a powerful way of defining the people's vision of their country and how it should be governed.
2. Presidential powers be reduced in appointment of senior civil servants to be vetted by Parliament
3. President must be elected by at least 50% of the cast vote and has to have a running mate.
4. Scrap provincial administration
5. The new Constitution should have to ensure politicians and senior civil servants should have leaderships code and all senior leaders are required to vote
6. Recognition of the fact that power belongs to the people
7. Respect for human life and freedom
8. Social Justice and fundamental rights of the individual be unstoppable.
9. Equality before the law: The rich and citizens in power should not overstep the law due their capability in position of work.
10. Respect for the rule of the law and equal opportunity for all genders, no one should be treated differently due to his or her gender.
11. Citizens need to feel that they are the true owner of their country and elected leaders are their servants.
12. Citizen revenue must be managed effectively and spent honestly and fairly.
13. Renewal of driving licences be scrapped.
14. Land inheritance is a very complicated thing with the landlords and this issue need to be addressed and overhanced
15. Education be free for primary schools and the current system of 8-4-4 be replaced by the old system of 7-4-2-3 so as to reduce the burden of text books to the parents and the students.

16. Broadcasting stations be allowed to air all over the country so that we do not depend on monopoly of one station propaganda.

And last, the new Constitution need to be written in a language every citizen have to understand, e.g in mother tongue. Thank you for listening to me.

Com. Phoebe Asiyo: Thank you very much Mr. Macharia.

Wanjohi Kamau: Jina langu ni George Wanjohi Kamau

Com. Phoebe Asiyo: Jina lako ni nani?

Wanjohi Kamau: George Wanjohi Kamau

Com. Phoebe Asiyo: Joseph kama haita kuwa mzuri kupita watu waliojiandikisha saa hii na wale waliokuja asubuhi tumewaandika, kwa maana umesimama hapo uongee, lakini yule mwingine hajaongea, endelea tu.

George Wanjohi Kamau: Mimi nitaongea kwa Kiswahili, kwamba mimi nitaongea juu ya upande wa sheria za nchi hii. Sheria nilikuwa naomba Commission Review iangalie sheria ya upande wa kuwa na silaha katika manyumbani. Tuko na shida manyumbani. Kwa hivyo tungekubaliwa tuwe na silaha ya aina yoyote bila kuambiwa hii ni baya au hii ni nzuri. Mara wakati huu tuko na mapanga, na mikuki lakini sasa mambo yamekuwa tunaweza kuwa na bunduki kama tukikubaliwa. Kwa hivyo kusiwe na sheria ya kusema sheria hii ama sheria fulani, tusiwe nayo. Kwa sababu katika upande wa watchman, mtu akiwa watchman anakubaliwa tu kwenda na rungu na yeye anangojea watu ambao wakuja armed, kwa hivyo ikubaliwe kwamba mtu akiwa na uwezo kama ni kuwa na arms za aina yoyote ile, awe akinunua.

Kwa sheria tu hapo, nitarudi kwa upande wa kushitakiwa kwamba mtu amelewa na amekuwa disorderly. Sasa kumekuwa na sheria ya kupelekwa Mpaka kotini, na hiyo sheria kulewa pia si hatari, si kutu ya kufanya mtu amepelekwe kotini kwasababu amelewa, hiyo ingeondolewa kwa maana imejaa polisi station. Ukienda police station, mtu ameshikwa makosa fulani ndogo na ameaandikiwa ile ya drunk and disorderly. Sasa hiyo inakua ndiyo inajaza police station, hiyo iondolewe maana kulewa si makosa.

Upande mwingine, ni upande wa kuchaguana. Tukubaliwe tuwe tukichagua wale watu ambao watatuongoza, maana sisi hatutaki kutawaliwa, tunataka kuongozwa. Na katika mtindo ulioko sasa kuwa na administrator ama watu ambao wana rule si kwamba tumewachagua, wana rule vile wanavyotaka. Kwa hivyo tungetaka ama kwa maoni yangu, tuwe tunaongozwa katika

kufanya kazi. Nafikiri nitaachia hapo.

Com. Phoebe Asiyu: Asante sana, Mzee Wanjohi umekua na bahati. Okay, sasa Bwana Johnstone Gijia, amepotea? Charles Gicheru, mambo yako umeandika yote, kwa hivyo utaongea tu kidogo halafu upeane hiyo memorandum, siyo? Haya endelea.

Charles Gicheru: My names are Charles Gicheru, from Karuri sub-location, first I would like to talk about human rights protection.

So my first point I would like to say that, there should be promotion in human rights. For example in academic freedom, access to medical care while in prison and rights to a lawyer at the public expense.

On my second point: There should be an establishment of an independent human rights Commission. These should investigate human rights violations and carry out programmes to educate citizens on human rights. The Commission must be independent from pressure by the Government of the day.

Then I would like to talk about the repeal of oppressive laws. Many of the oppressive laws restrict the enjoyment of the fundamental human rights, and the first is preservation of Public Security Act. Which allows the Government to detain its critics without trial. This law is similar to what law that was there in operation before independence, therefore, it shows that there is difference our in country, and after independence.

The second the one is Public Order Act which limits the right to assemble, by requiring that all public meetings be licenced. Licensing authorities give licences to Government supporters and deny licenses to Government critics and Opposition members of Parliament.

Then, I would like to talk about the powers of the President. The President has powers to dismiss a civil servant, at will, without following the rules of natural justice. It would be my request, for the dismissal and disciplining of civil servant to be left to Public Service Commission, and the removal of the Constitution amendments to removal the security of tenure for judges and Attorney General, let say the civil servant, whereby, the dismissal of the Attorney General is done by the President which is weakening the principle of the judicial independence.

Then, I would like to talk about the power of the President to dissolve, or determine the sitting of the Parliament and calling upon secret election. Parliament should have a fixed term and develop its calendar.

Then, I would like to talk about the creation and abolition of ministries, public offices, districts and provinces by the President.

These should be made subject to Parliamentary approval. Also appointing and dismissing without consultation with anybody, minister and assistant minister, should be approved by Parliament. That is all I have.

Com. Phoebe Asiyo: Asante sana Charles na ulete hiyo karatasi ya memorandum. Bwana Leonardo Kazugu, ameandika na pia amepeana, halafu John Mbaru pia ameandika, Rev. Njaga ataogea tu bila maandishi.

Rev. Zipporah Njeri Njaga: My names are Reverend Njeri Njaga, I am the parish minister, Mihuti Parish, I work with the Presybeterian Church.

According to my views, I would first of all start with the powers of the President. The President has the Constitution or as know as we see how the President works, he has been given a lot of powers and means that he is over laws of the country, and these powers make him that he is somebody who remains untouchable because of the powers which he is having. Those powers should be reduced, he should not be he one who is doing everything. The President being a big man, he should have some jurisdiction of where he can be doing the work but know we see even when there is pass out of police even in colleges, he is there, that is not the work for the President, the President is a big man and he should be seen somebody doing what he is supposed to do.

Also, according to the people who are the relatives and even his family, they should not be given powers. They should be seen as citizens not as the President because, they are not the President, therefore they should be charged, they should not be above the law and when they have done any mistake they should be taken to court so that they are accused like other people. When we are reviewing the Constitution, the Presidential powers should be reduced.

When it comes to the appointment of Government official. This one should be done by the necessary body and the people who are given those position, they should be people who have the know how, For example, when we come to the Medical Department, the Minister for Health should have knowledge of medicine or even the permanent secretaries should have the knowledge on medicine so that when he is dealing with the work, he has the knowledge. When we come to the education, the same, or other parts even if we are given people for the ministry, when they are given to the members of the Parliament, they should be given to the people who have the knowledge so that our country should get a kind of promotion.

For example when we come to agriculture, that ministry should be given to somebody who has got knowledge of agriculture. If it is commerce, somebody with knowledge of transporting of things and importation of things. Therefore according to the departmental heads, they should be given to the people who have the know how.

Then have we come to the, the economy of the country: As we are seeing now, the gap of the rich and the poor is becoming alarming. Therefore, the Constitution should look into how the common man will be receiving daily basic needs, because these

people they are the one who are oppressed. For example, come to the coffee farmers, they work day and night in their farms and they are not the ones who say or who charge for the marketing of their coffee, tea or sugar. Therefore the farmers should be given an opportunity to sell or an opportunity in the marketing of their goods. And this will reduce the gap between rich and the poor.

Also the children, when we come to the gap of the rich and the poor: The children of the poor people or not getting adequate education. When we come to education these should be looked according to the ability of the people not the money. Because now it seems that when we come to education, the education is there for those who can afford the education. But among these children who come from rich families, they have all the rights, some are even more knowledgeable and intelligent but the intelligence is just not noted because they have no facilities.

When we come to the nomination of the candidates to the Parliament. This should not be done by the President. It should be done by the interested parties, for example, if we want a youth, they should be elected by youth, for women it should be elected by the women leaders so that they can see somebody who can adhere or who can take their interests very well in Parliament. Even when we come to those who are disabled or disadvantaged. They should also be given a chance to choose people who can take their views properly.

Then we come to the training of people: The Government training colleges which we have, the main ones are the Teaching and the Medical. The Government is using or utilising a lot of money in these training colleges, for example, in the teaching profession. Yet these people are not being employed and I wonder why they are not employed because we look in the statistics in schools, the schools have got shortages, and it is very very pathetic because, if I look in Mukurwe-ini, we have got shortages of some schools and the parents are forced to employ teachers. We say that the education is free, while the parents, the poor parents want their children to be educated but the teachers are not well staffed. Therefore the Government should look and see that all the Kenyans have an advantage, being trained they should be employed.

The same case applies to the hospitals. If you go to the hospitals, you see the hospitals are under staffed, and when they are understaffed, still we have people who are trained but they are not employed. The same case applies to our university graduates. They finish their education, they are taken and they end up being desperate.

Then we come to the rape cases. The Government should have a Constitution or a law which is taking care of the rape cases, because it seems these people who rape are not really punished properly. There should be proper punishment for rape cases. This also occurs also in drugs.

When we come to the drugs, in Kenya, although we have some of the plants which are like bhang and others, some of the drugs are imported. What is the Government doing? Because they pass through the irrelevant places and then they are still being sold.

And there are people who are dealing with the drugs. They are people who are very high in the Government, others are the rich people who are exploiting our youth. And we can see that the drugs in our country now has as affected many of our youth.

The Government should take care of that. Therefore with that, I say thank you.

Com. Phoebe Asiyo: Thank you Reverend kwa maoni yako ningependa kuwaeleza kwamba hapa kuna wanawake na pili bado tuko na watu wengi sana ambao hawajaandikisha majina yao, Kwa hivyo tutakuwa, nataka niwaite ili msitoroke, Cyrus Wambuke, Jeremaya, Martin Weru, wale wote wameandika maoni yao, Joseph Mwangi.

(Interjection)

Com. Phoebe Asiyo: Kuna mtu analo swali lolote tafadhali, kabla hatujapata break kidogo? basi tutatoka kidogo halafu tutarudi. Tungependa pia tuendelee na wale ambao wameandika majina yao, kama kuna wengine ambao wanazidi kukuja, tafadhali wajiandikishe majina, ili tuendelee na maoni ya kurekebisha Katiba.

Com. Dr. Nuwon: Tuko na watu wengi ambao hawajazungumza tafadhali kama ningewaomba tena wale wako na maandishi ambao wana memorandum ambayo wameandika, tafadhali kama kuna kitu kwenye hiyo memorandum ambacho unaona ni lasima usisitize zaidi, heri upeane na uache kuzungumza, kwani utayazungumzia yale yale yaliyo katika hiyo maandishi na yote yatarudiwa kikamilifu bila kuruka neno lolote. Kuzudi wale hawajaandika waweze kuzungumza. Nataka kufwata hii orodha. Mtu wa kwanza ni Harrison Ngumi, uko? Harrison uko na maandishi tafadhali fupisha halafu, kama una kitu ambacho unataka ku- emphasize, it is Okay.

Harrison Ngunyi: Njitagwo Harrison Ngunyi,

Translator: I am Harrison Nyunyi

Harrison Ngunyi: Na njiariirwo kuria Kirerema.

Translator: Born in Kirerema

Harrison Ngunyi: Na nii ndi wa New Apostolic Church.

Translator: I am in new apostolic church

Harrison Ngunyi: Na ndirenda kuga uu.

Translator: These are my contributions

Harrison Ngunyi: Watho wa Kenya, mundu agiriire kubanga ena hakiri njega.

Translator: The law of Kenya should be planned in sound mind

Harrison Ngunyi: Na undu wothe ungitikirwo ni muingi.

Translator: and in a manner presentable to the people.

Harrison Ngunyi: Ningawaria uhoro wa andu aria moi watho.

Translator: I will speak about those who are law experts

Harrison Ngunyi: Tondū aria megwitwo majudge.

Translator: like the judges, and the advocates

Harrison Ngunyi: Na mawakiri.

Translator: our country is in a mess because of these people

Harrison Ngunyi: Bururi uyu witu uthukitio ni andu acio.

Translator: Because they receive bribery,

Harrison Ngunyi: Tondū nao nimetikagira ihaki.

Translator: If they don't receive bribes

Harrison Ngunyi: Na korwo matiitikagira kuhakwa.

Translator: Our country will be good

Harrison Ngunyi: Bururi uyu witu ungiri mweka.

Translator: My contribution,

Harrison Ngunyi: Nii maoni makwa tondū ni andu moi watho muno.

Translator: because they know the law very well,

Harrison Ngunyi: Judge kana wakiri anginyitwo arikitie kuhakwa.

Translator: If a magistrate or a lawyers is caught being bribed

Harrison Ngunyi: Agirirwo kuohwo kana kuragwo.

Translator: should be jailed or imprisoned prisoned to death.

Harrison Ngunyi: Kana oragirwo mbere ya muingi.

Translator:

Harrison Ngunyi: President kana muthamaki wa Kenya.

Translator: The President of Kenya

Harrison Ngunyi: Niagiriirwo gukorwo ari rungu rua watho.

Translator: should be under the law,

Harrison Ngunyi: Na President wa Kenya ndagiirirwo gucagura mundu uteri muthure ni muingi.

Translator: should not appoint somebody who is not elected by voters

Harrison Ngunyi: Kiama o giothe kingiuga ati nikianyitana na kiama kiria kingi.

Translator: Any political party that merges with another

Harrison Ngunyi: Ni kiagiriirwo ni kuharurukia bendera yakio na gutuikie ni kiama kimwe kirarikia guathana.

Translator: should move its flag and should become a single party.

Harrison Ngunyi: Mundu uguirwo Councilor uria tuthuraga.

Translator: Councillors that we elect

Harrison Ngunyi: Niagiriirwo ni gukorwo ena wabichi yake.

Translator: should have his own office

Harrison Ngunyi: Tondu ndagiirirwo gukorwo kwa muka.

Translator: because he should not be in the wires house.

Harrison Ngunyi: Assistant chiefs...

Translator: The assistant chiefs

Harrison Ngunyi: Kana Chiefs

Translator: or the chiefs

Harrison Ngunyi: Nimagiirirwo guthurwo ni muingi.

Translator: should be elected by the voters

Harrison Ngunyi: Nigetha makamenyana wega.

Translator: So that they may know them very well

Harrison Ngunyi: Asante

Translator: Thank you

Com. Dr. Nuwon: Asante sana Bwana Ngunyi. Next is Chiira wa Mukami.

Translator: I am called Chiira wa Mukami

Chiira wa Mukami: Na gwitu ni Mukuruweini.

Translator: I come from Mukure-ini

Chiira wa Mukami: Sub-location ya Gathugu.

Translator: Gathugu Sub-location

Chiira wa Mukami: Tondu njukite haha. Uria utumite njuke haha.

Translator: What has brought me here,

Chiira wa Mukami: Niundu wa Katiba.

Translator: is because of the Constitution

Chiira wa Mukami: Niundu nindirenda atiriri.

Translator: This is what I want

Chiira wa Mukami: Katiba ya Kenya. Nii ndirenda to ni njiguaga igithukia ithondekwo ta ya America.

Translator: I wish that the Kenyan Constitution be made like the American Constitution.

Chiira wa Mukami: Niundu wa miaka itano. Na aruta wira wega, rais, ri tumuongerere ingi ina gwikwo githuranwo.

Translator: The President should have a five years term and if he delivers very well he should have another extra four years term

Chiira wa Mukami: Ningi ni ndirenda. Ta riu ri gwi githurano twetereire tuguthurana. Na riu ri twathuranari, andu aria

tuguthura ri kana turithuraga ri ndakae gukoima kiama kiu kibindi kiu gitathirite kia miaka itano.

Translator: Now we are expecting an elections, I would say that those we elect should not leave their political parties unless five years are over

Chiira wa Mukami: Ningi guku ri. Tuthinikite muno. Guku kwina athini aingi muno muno.

Translator: We hear that there is a lot of poverty

Chiira wa Mukami: Na tiguthina tuthinite, ni mundu umwe ukuite mbecha agathamia bururi uyu agatuara bururi ungi akoigaga ni guthinwo guthinitwo.

Translator: We are not poor but some people have taken money to other countries.

Chiira wa Mukami: Riu tondu ndira turaga Nairoberi, na ndi muthuri riu ii.

Translator: Since, I was living in Nairobi and now I am an elderly man

Chiira wa Mukami: Na riu njukite guku ri na ngihanda kahawa ri. Riu ngona ati kahawa kau gatirandeithia ni wiici uria wi guku. Tondu nduri handu ungitwara uritu ucio waku wa thiina waku ungitwara guku.

Translator: Since, I have planted coffee and now I am here , it is not giving me any returns, because of misappropriation of the coffee money.

Chiira wa Mukami: Tariu ningi tukona thina muno. Ta riu ndina ciira wa mugunda.

Translator: Now I have a case concerning land

Chiira wa Mukami: Na ciira uciio wi na miaka ikumi na inana. Tondu ndawambiriirie kuuma 1984 na umuthi ciira ucio nduri wathira. Ngakiuria okorwo ni majudge ni kuri. Ni ki ciira ucio wiigagwo magotini uguo na tutingiciira.

Translator: The case has taken 18 years and if there are not enough qualified judges, why is the case taking too long

Chiira wa Mukami: Tondu guku kurerwo kwina thina ndiroiga uguo niundu uria wakwa wi Nairobi, Gutiri thina no mundu uria urehete thina ri ni thirikari irehete thina niundu wa kuaga mawira tondu anake matingiona wira. Mundu akiruta wira nokunyitwo uteri na gitumi.

Translator: Kenyan people are impoverished and yet we are hearing that there are problems, but it is the Government had brought the problems.

Chiira wa Mukami: Ngukinyia hau.

Translator: I will end there.

Com. Dr. Nunow: Asante sana Mzee Chiira, tafadhali andikisha kwa hiyo register. Uweke kidole kuthitibisha. Nahaman Kibuchia, Martin Weru, una memorandum haya endelee.

Martin Weru: My names are Martin Weru, I have these for the new Constitution here and number one, apart from fundamental rights that are provided for in the current Constitution, chapter five, the new one should include the following. Right to employment, right to land ownership, right to do business, Right to warfare and social security services, Right to causal activities, Rights to environmental protection, freedom from an unfair debt and unfair trade, rights from discrimination on basis of health status for example physically handicapped people and those living with HIV AIDS, Right of elderly people to be free from discrimination and to carry on working if they wish, Right for orphans, those below those 18 years to be provided with both basic needs, and Rights by the Government, unconditionally.

There should be freedom of press: Freedom of press should be protected, press should be granted the rights of the media to prevent the Government and publish information on the public interests. There should be provision in guaranteeing citizens, the Right to access information held by the Government, for example, findings of the commissions set up by the Government, Dedan Kimathi letters.

On land issues: Every Kenyan should have a Constitutional rights to land, to ensure this, their should be a maximum amount of land that every individual, or family can hold and here I quote not more than 60 hectares to an individual, and 100 acres for the family.

On powers and privileges of the President: Should be clearly defined by the Constitution. There should be an impeachment procedure in the Constitution, should he/she overstep those privileges and powers. The President should not have any rights to with discontinue any prosecutions before the court of law, the President should appoint ministers from inside and outside the Parliament but with approval of Parliament. And this should also happen to assistant ministers.

Appointment of Chief Justice, Judges, magistrates and attorney general should be made by professional bodies, for example Law Society of Kenya, Certified Public Accountants, etc but with approval of Parliament. Independent candidates should be permitted. Citizens should have powers to remove non-performing MPs and Councillors without having to wait for the next elections. In such cases MP's and Councillors should be impeached by a referendum majority votes.

There should be a Constitution protected to allow any citizen to address Parliament on important national issues. Constitution should have a provisional procedure having power after elections. Voters should directly elect Mayors and chairperson of cities and town council for term of five years.

Religious sector should be made to contribute towards national growth to maintain churches. They should as well be subjected

to public scrutiny in order to cover religious cults and sects The Constitution should also guarantee married women, their rights to maintain their parental names. Thank you.

Com. Dr. Nunow: Okay thank you Martin. Please register and give out the memorandum there. Joseph Mwangi. Unamaandshi, tutakupa dakika tano,

Joseph Mwangi: Just a draft, I have not written it properly in the way that is needed

Com. Dr. Nuwon: You have a draft, you can write later and give it to the co-ordinator to send to Nairobi. Endelea.

Joseph Mwangi Maina: I am Joseph Mwangi Maina, citizen of Mihuti and Gathuku Location.

I will start with the President. The powers of the President. The President must be of between 45 – 80 years of age, must be married with an active home.

President must have a degree of education. President must be elected by the public, but not on the same day with the other party members of the Parliament and should not be above the law.

President should not be allowed to appoint the vice President, Attorney General or Chief Justice, or Chief Judge, there should be a committee to do that.

President should not be out of the country all the time, unless approved by a certain committee set in the country.

The President must be in power for five years and at most ten years.

The registrar, the members of Parliament

1. Should be elected by the public from their areas.
2. They should be all married
3. They should not decide on their salary
4. Education qualification should be as from form four and above

I come to the local Government. Mayors and Council Chairmen should be elected by the people, should have a term of five years and be of form four above. The President or the minister has the right to dissolve their contracts.

The land and property rights: The land should be of individuals, the state, Government, local authority have no powers to

control the land. Non-citizens should not allowed to have land. The transfer of the land should be simplified and large areas owned by some people should be divided to among the landless people.

I come to the side of education: Teachers must be trained from the teachers colleges. No one from the forces should be taken as a teacher, that is, I make it simpler, that if you are a policeman, you have been there for three months and you come out, you have something not to be allowed to be a teacher or to go to a teaching college to be trained as a teacher.

Agriculture: Still on education should. This be done in primary schools, secondary and University. 8-4-4 systems should be abolished and we have 7-4-2-3 system to take over. The Government to supply the school equipment .

I come to PC, DC and DO: All of them should be married and start working at the age of 25 years of age. They should have a degree (the three of them) they can work in any part of the country.

Chief should be of the age 30 years to 55 age. They should be married, elected by the public and they should be of form four.

Assistant chiefs: Their ages should be as from 30 years to 55 years of retirement, they should be married and Elected by people. Education of assistant chief should be as from standard eight to form four.

I come to agriculture: cash crops should be paid for promptly to the farmers and cash crops to be under the Government control. Those are the points that I am having.

Com. Dr. Nuwon: Thank you very much Mr Mwangi please go and register. Daniel Karanja, Timothy Thiongo

Timothy Thiongo: Ha ritwa njitaguo Timothy Thiongo,

Translator: I am called Timothy Thiongo,

Timothy Thiongo: A farmer.

Translator: I am a farmer.

Timothy Thiongo: maundi maria ndingienda macenjio maria marakorwo magithiini andu naguku maturaini,

Translator: What I would like is that,

Timothy Thiongo: maundu maya ma urimi nu nyende mathii magie na change.

Translator: in agriculture there should be changes,.

Timothy Thiongo: Andu makurwo nio mareyathira indu ciao cia urimi uria marimaga,

Translator: people should have power over their produce,

Timothy Thiongo: akorwo ni kahuwa kana ni igwa, ni urimi wa cukari, una mbembe, andu magakoraguo makimenya uria magwika.

Translator: be it coffee, sugar, or any other produce, they should have power over what they are producing.

Timothy Thiongo: Nituhi wega akorwo ni bururi uyu, uturagio ni urimi.

Translator: We know very well that a country depends on agriculture.

Timothy Thiongo: Na bururi ndungituro ni urimi nake murimi age gukurwo agitura.

Translator: The nation cannot depend on Agriculture if agriculture, is finished, the people cannot survive.

Timothy Thiongo: Ni undu uciu murimi niakubatara agakinyagirio mbeba iria akoretwo arimiti, arie indo ciake.

Translator: So, farmers, should get their share of what they have produced.

Timothy Thiongo: Wakiri kiria ndingienda kuga,

Translator: What I would also like to say,

Timothy Thiongo: Hindi yakinya ongorwo ni ya ithurano,

Translator: when election comes,

Timothy Thiongo: President ni ithui twagiriirwo nigukurwo tugithurira, ithui turi raiya,

Translator: we should elect the President,

Timothy Thiongo: na President twarikia kumuthura agathii kipindi kia miaka itano itano.

Translator: and the President should have two terms of five years.

Timothy Thiongo: Uria ungi ni ati nitukoraguo twi na ma chief.

Translator: Also we have the chiefs.

Timothy Thiongo: Machibu twagiriirwo nigukurwo tugithurira,

Translator: We should be electing chief's,

Timothy Thiongo: na assistant ao,

Translator: and their assistants’,

Timothy Thiongo: nigetha tugakorwo tukirutithania wira nao na njira iria yagiriire.

Translator: so that we may be have a good working relationship.

Timothy Thiongo: Uria ongi nu nyingire mwena wa agriculture,

Translator: Also on agriculture,

Timoty Thiongo: girigaca nimagiriirwo gokorwo magituteithiriria ithomo iria makoraguo mathomithitio ni thirikari na mbecha iria tukoragwo turutite.

Translator: agricultural officers should assist the farmers using what they have learned through tax payers money.

Timothy Thiongo: Ni turuna mathina ma mai hindi iria gwa kurwo kuri na riowa.

Translator: We are having water shortages when there it is sunny,

Timothy Thiongo: riu undu ucio nu twenda ithima iria ikoretwo iri kuo ikimenyererwo,

Translator: we would like that the boreholes that are already existing, to be protected,

Timothy Thiongo: agakorwo aria makuhiriirie tuthima tuu matagututhukia na njira ya kurima.

Translator: so, those farming around the springs should protect them springs, without destroying them with the kind of farming they are doing.

Timothy Thiongo: Undu uria ungi migunda ni turi nayo ya muingi,

Translator: We have public land,

Timothy Thiongo: migunda iyo diagiriirwo ni gukorwo ikihuthirwo ni andu aria makoretwo me na hinya thirakarini.

Translator: that should not be misused by those in power.

Timothy Thiongo: tungienda ikorwo ikihuthika ni muingi na mawira maria makoretwo mekuo maria mangirutwo ni muingi.

Translator: This land should be used by the people do work they should be having.

Timothy Thiongo: ni undu ucio migonda iheyanguo na ikundi cia andu ni undu wa itumi iria itumi iria igutuma hakorwo hena development.

Translator: Land should be sub-divided using groups.

Timothy Thiongo: Riu kia muico,

Translator: Lastly,

Timothy Thiongo: Uria ndingienda kuga,

Translator: I would say,

Timothy Thiongo: okorwo ni muthemba oyu wa mahaki kiria gitumaga moneke

Translator: if it is bribery, what causes it,

Timothy Thiongo: Kiria gitomaga mahaki guku munu moneke nii nyonete,

Translator: What I have observed,

Timothy Thiongo: Igoti ni rihuthagia mundu ucio wa kawaida, nirihuthagia andu aya nini andu aria matari na umenyo hari kumenya laws uria ithiaga.

Translator: the Judiciary ignores those people who don't know about the law.

Timothy Thiongo: Ta riu akorwo ringi ni mundu ni anyua akorwo ringi ni gacohi kana kiria kingi, athii Igotini, arerwo itikire kana arege,

Translator: If a person is arrested being drunk and he or she appears in court, he is told to either plead guilty or innocent,

Timothy Thiongo: mundu ucio angirega agatwirwo mbeba nyingi ta shiringi ngiri ni igoti.

Translator: if he pleads innocent, he is fined about a thousand shillings by the court.

Timothy Thiongo: Uguo mundu uyu akona ni kaba aheyane shiringi magana meri haria borithi, nikiyo mahaki maingihite.

Translator: so, this drunk person decides just to give two hundred shillings as a bribe to the police, instead of being tortured of a thousand shillings.

Timothy Thiongo: Riu niko nu nyende undu ucio wa igoti thirikari iturorere, igoti rigakurwo rikirora mundu ucio wa kawaida,

Translator: So I would wish that the Government observes the management of the Judiciary. If that is done,

Timothy Thiongo: na kungikwo uguo una mahaki nu mathire.

Translator: bribing should come to an end.

Timoty Thiongo: Undu ucio ngutigira haha.

Translatro: That is what I wish to say.

Com. Dr. Nunow: Thank you very much, Timothy, tafadhali jiandikishe huko. Peter Wahome, Wahome, you have a memorandum you have given out, please take a few minutes and give highlights of what you wish to say.

Peter Wahome: My names are Peter Wahome, I from Garundu, Gathuku location, Mukurwe-ini Constituency. Here I am presenting my views to the Review Commission of Kenya.

1. My first point is that any Kenyan should stay anywhere in the country, despite the tribal differences which have divided the country geographically to date.
2. The public resources, for example, forests and playgrounds should be guarded by the local people surrounding the resources.
3. Elections: Votes should be counted at the respective polling stations.
4. Any person vying for presidency should be a Kenyan by birth including kids or her grandparents.
5. On global pollution: The Constitution should form a commission of global governance which should take care of environmental pollution.
6. The rights to freedom of worship should be limited to avoid misuse of peace through devil worship, hampering development in the country.
7. The provincial administration, like the DO's and the DC 's should be elected by the local people, for they would have known how to live with the local people in the geographical areas which they administer. Thank you.

Com. Dr Nuwon: Thank you Wahome. Patrick Wachira, I hope you also have a memorandum, is it ? Please take as little time as possible

Patrick Wachira: I am Patrick Wachira, I come from Mukurwe-ini Constituency, Gathuku Location, Mihuti Sub-Location.

I would like to suggest, the qualities, or the qualifications of the President. My suggestion about the President is that, his powers be trimmed and some of the Executive powers be given to the Legislature.

In addition, he/she should be of the following qualifications, he must be a person of sound mind, a graduate from a recognized university, or an equivalent institution, with a degree or diploma and must possess a history of proper management skills.

He should be from an established religion, be having one third of the voters in every Constituency, all over the country, as his signatories.

He or she must be potentially incorruptible, with a history of being corruption free during his lifetime and should be married, with a stable family.

He/she be of the age bracket 35 to 65 years. Then I come to the members of Parliament.

An MP should be a secondary certificate holder with an aggregate grade, which is acceptable and he/she should be of a sound mind and an age bracket of a minimum of 30 years and a maximum of 60 years, should possess good communication skills. Then I would like to touch on some issues on public institutions.

There must be a competent body, for example, an association, department, or ministry to harmonize the welfare of public employees. This particularly pertains to public institutions, where the staff concerned are not absorbed in the Government sector. Many employers in those institutions fail to provide appointment letters, which brings intimidation and unplanned roles of employment and underpayment. Many employers ignore labour ministry guidelines, at the expense of employees and most affected areas are the sub-ordinate staff and non-teaching staff in public universities, schools and hospitals, in addition, teachers and doctors should be well paid to enable them perform their duties, properly and efficiently. The job requirements in various ministries, or corporation's must be advertised and the applicants should be scrutinized, or interviews and payers recruitment must be termed as corruption and individuals concerned be dealt with accordingly. That is all.

Com. Dr. Nunow: Thank you very much, Patrick Wachira. Kwanza ningependa kuwajulisha ya kwamba mbunge wangu amekuja na nafikiri mnamjua nyote. Baadaye nitampatia fursa ya kuwasalamia na kutoa maoni. Lakini kwa sasa James Watanga. Mzee James umeaandika chochote? Karibu, tafadhali.

James Watanga: My name is James Watanga from Gathuku location, I would like the Constitution to address the following:

The Government should be regional, with a Central Government whose President should have very much trimmed powers. The regions should collect taxes, should give a certain percentage to the Central Government, and the regions should be should

be in charge of their own development.

Acquisition of property: Each citizen of Kenya should be free to have property in any region in Kenya and he should never be considered an outsider in any region.

Land cases should be dealt with by a court of law like all other cases. It should not be left to elders, who might be discriminative against the people, whom, they might consider outsiders.

Forests should have properly demarcated boundaries and these boundaries should not, should never be altered except on very special cases in which case, should be debated by Parliament.

Cash crop: Farmers should be left alone by the Government to elect their own leaders, who would fulfill their wishes. There should not be any appointed people by the Government to lead either coffee or tea or any other cash crop. Thank you

Com. Dr. Nunow: Thank you very much Mr. Watanga, kwa hayo maoni, Newton Wachira, pia wewe umeandika, Okay, tupatie highlights.

Newton Wachira: My name is Newton Weru Wachira. This is how I would like the Constitution of be drafted. According to, I would like to see that money collected through taxes to be gazzeted once every month in the official Kenya gazette or any other gazette considered by the Government.

The second point is that the administration especially the Kenya police, AP should be banned from drinking beer in public bars, that is where they are found in bribery and some bad things which annoy the people who are consumers.

Third, I would like to attack is the Kenya Bureau of Standards: I would like the Kenya bureaus of standard to be recognized by the Government as a body, because some drinks are not up to the standard level for the consumers of this country and once something is put in to the market, I would like to see that, that thing is given respect even by the Government. But not reproducing sub-standard drinks and once in the market, police have got the work of arresting the drunker considering that drinking is illegal. How was it illegal while the Government has allowed it?

I would like the Kenya Government to consider Kenya as a God fearing country and discriminate all other religion except Christianity, Islamic and the people who still practice in Kenya traditional worship to carry ahead with their tradition.

For the President: I would like to see that a President is elected form the provinces, he should have atleast two-third majority of the votes cast.

Com. Dr. Nuwon: Thank you very much Mr. Wachira, I would like to call upon Githinji Chege, una maandishi? Haya, endelea

Githinji Chege: Jina langu ni Githinji Chege. Mimi ni mtu wa hapa Mihuti, Gathuku location. Nataka kuongea mambo ambayo ningetaka yaendelee.

Jambo la kwanza: Kuna sheria ambazo sinahusu ma-society ya nchi yetu ya Kenya. Ma-society yanayoongozwa kwa njia mbaya, kwani kumewekwa sheria ambayo mtu akifanya makosa, akiiba, yeye huondolewa tu, na mali ya umma inapotea. Kwa hivyo mimi ningependelea kuwekwa sheria ambayo, mtu akiiba ama akitumia mali ya uma kwa njia mbaya, asitakiwe na mali yake ichukuliwe, iuzwe, pesa za umma zirudi kwa wenyewe na walipwe, na ikiwezekana kama serikali itaona ni vizuri, afungwe, hiyo itategemea vile wataona ni vizuri.

Kuna jambo lingine upande wa elimu: Wazazi wanafinywa sana, kwani kila kitu chochote, tunaambiwa elimu ya primary ni ya bure, lakini wazazi wanalipa hata kuliko vile wangeambiwa lipeni shilingi elfu fulani, kwani kila kitu hata ile choka ile inaandika, hata kalamu ya mwalimu, wazazi ndio wananunua, kwa hivyo hapo, ningependelea serikali ichukue jukumu, kwani wazazi hapo wanaumia sana.

Jambo la tatu: Kuna wale watu wa biashara, au hawa watu wakubwa wanaweka pesa zao nje, nchi ikiharibika, atatorokea ile nchi aliyoweka pesa, sisi tuwachwe tukiumia. Mimi ningependelea serikali ichukue jukumu hizo pesa ambazo zimewekwa nje, sirudishwe hapa.

Waweke sheria kwamba, isipokua sababu maalum, hakuna mtu aliye na ruhusa ya kuweka pesa zake nje. Na hii ndiyo imefanya serikali ya Kenya ikakosa pesa.

Nigependelea, kwa vile sasa nchi imekua haina pesa na magonjwa nayo ndio hayo yamezidi sana, watu wamefanya harambee mpaka wamechoka ya kulipa mahospitali na hata watu wengine wamekufia njiani, ningependelea hospitali ziwe za bure.

Jambo la tano ni mambo yanayohusu kesi za mashamba: Mimi kwa maoni yangu, ningependelea case za mashamba zifanywe na wale ambao wanajua wako karibu na lile shamba na wanjua hili shamba ni la nani. Kwa hivyo likipelekwa mbali na hawa, yule mtu atatoa uamuzi kulingana na maneno amepewe na wengine wataenda watoe porojo au wengine waongee, halafu shamba litapewa yule ambaye hastahili aliyesitahili. Kwa hivyo, wale watu wa ukoo wa wale watu wanofanya kesi ya shamba, ndio wanafaa kufanya uamuzi.

Jambo lingine ni lile kwa wakati huu tuna mawaziri: Lakini mimi kwa maoni yangu, naona mawaziri, hawana uwezo au uamuzi

wa kutoa katika wizara ile amepewa, kwani uamuzi zaidi na uwezo, huwa huko kwa Rais. Kwa hivyo mimi ningependelea, ikiwa huyo waziri amepewa kazi, apewe pia na uwezo wa kutoa uamuzi na mapendekezo ya wizara yake bila kuingiliwa na ikiwa atakuwa na nguvu, yeye mwenyewe ndiye apeleke mambo yake kwa mkubwa wake kusema ameshindwa, lakini kama hajashindwa, yeye awachiwe afanye. Na pia mawaziri wapewe hiyo kazi, kila waziri kazi ile anapewa, awe anajulikana ana ujuzi wa hiyo kazi. Kama kwa mfano ni daktari, huyo mtu ambaye anakua ndiye waziri wa afya, awe ana ujuzi wa Udaktari. Yule atapewa wizara nyingine, pia awe anajua ana ujuzi wa ile kazi.

Jambo la mwisho ni usalama wa nchi: Kwa hivi sasa, nchi yetu kwa kusema ukweli haina usalama, sijui kama ni askari hawafanyi kazi vizuri au nini, kwani hata saa mbili ya jioni, au saa moja kwa barabara utabigwa, kwa hivyo, ningependelea kuwekwe ulinzi wa kutosha katika barabara zetu, matown yetu, pahali popote wananchi walipo, kwani tunakaa bila usalama, hata wengine wanahamama majumba yao, wakienda mahali ambapo wanaona ndio kuna usalama, kwa vile ambavyo ulinzi wa kulinda wananchi hauko sawasawa. Asante.

Com. Dr. Nunow: Okay asante kwa hiyo, tutakuwa na Eunice Wanjira

Eunice Wanjira: Wambere nii njitagu Eunice Wanjira,

Translator: I am called Eunice Wanjira,

Eunice Wanjira: wa guku Giathugu location

Translator: from here Giathugu location.

Eunice Wanjira: Na undu uria ngwambirira ni wa mbeca.

Translator: First I would talk about money.

Eunice Wanjira: Mbeca cia Kenya ni itige kucurwo mundu.

Translator: Kenyan currency should not have any portrait.

Eunice Wanjira: Mbeca cia Kenya, ithui turi ahoi Ngai,

Translator: We the people of Kenya are God fearing people,

Eunice Wanjira: uguo nu njuria mbeca cia Kenya ciandikwo, God bless Kenya.

Translator: so I would wish that Kenyan currency be written, God bless Kenya.

Eunice Wanjira: Hinya wa President naguo unyiha nyihe,

Reanslator: The powers of the President to be limited,

Eunice Wanjira: atige gutwika niwe uramenya nginya uhoro wa armed forces.

Translator: so that he should not be the overall boss over the armed forces.

Eunice Wanjira: Wa gatatu ni assistant chief.

Translator: The assistant chief

Eunice Wanjira: Assistant chief na chief,

Translator: and, the chiefs:

Eunice Wanjira: mabatii gukorwo mari muthuri uhikanitie, uri na ciana,

Translator: They should be married men with children, that is have a stable family,

Eunice Wanjira: niundu nutuhitanirie nake nakuu njaa, acoke aringe mwana wakwa uru, na ndari mwana,

Translator: because a case many arise, in which the assistant chief or the chief and he could beat my child yet and he does not have one.

Eunice Wanjira: Ningi ngacoka hari assistant chief,

Translator: In addition, assistant chiefs,

Eunice Wanjira: atige kuingirira micamano ya aciari cukuru.

Translator: should not interfere with parents meetings in schools.

Eunice Wanjira: Uhoro wa thibitari ni waritio muno,

About hospitals much has been said,

Eunice Wanjira: ni uhoro wa maa andu ni marakua ni undu wa kwaga mbeba.

Translator: people are dying due to lack of funds,

Eunice Wanjira: Niundu ucio nu njurie thirikari,

Translator: so I would request the Government-

Eunice Wanjira: thibitari ikorwo iri cia tuhu.

Translator: to ensure that medical care in hospitals is free medical care.

Eunice Wanjira: Another point-

Translator: Also,

Eunice Wanjira: no nyende muthenya wa guthurana

Translator: I would wish that on day of elections

Eunice Wanjira: tugatarira miti o haria turaikiria

Translator: that the votes cast be counted at the polling stations,

Eunice Wanjira: ni undu twatarira guku na kuria kungi gutarwo

Translator: because if they are counted in different stations,

Eunice Wanjira: tugithii division no ithabu ihuthu.

Translator: by the time we get to the divisional headquarters, counting will be over and it will be easy to determine the number of votes cast.

Eunice Wanjira: Uhoro wa medical-

Translator: On medical care

Eunice Wanjira: -ithui Kenyans tugithii bururi wa kunene

Translator: When we as Kenyans go abroad,

Eunice Wanjira: nituthimagwo ni getha tuthii nginya na medical certificate,

Translator: we are examined and are required to have medical certificates,

Eunice Wanjira: no aria moimaga na nja matithimagwo.

Translator: but those people coming from other countries are not medically checked.

Eunice Wanjira: Kwa uguo nio marehire muingo.

Translator: So they are the people that brought Aids to our country.

Eunice Wanjira: Undu uria ungi

Translator: Also,

Eunice Wanjira: uhoro wa uciari

Translator: on population:

Eunice Wanjira: ni tutige kugia ciana itari na maithe,

Translator: we should not have children without fathers

Eunice Wanjira: tuhane ta USA

Translator: we should be like in the U.S.A,

Eunice Wanjira: wagia mwana na mairitu,

Translator: when a man gets a child with a lady,

Eunice Wanjira: akimugia akamwandikithia ni waku.

Translator: after the child is born, it should be registered under the father's name.

Eunice Wanjira: Ungirega, mwana ucio no athimwo

Translator: If you refuse that kid, it should be examined,

Eunice Wanjira: na ithe no athimwo

Translator: and the father should also be examined.

Eunice Wanjira: Mwana ucio ubatii kumuoya, umurere miaka ikumi na inana.

Translator: If it is determined that the child belongs to you, he should bring up the kid until 18 years

Eunice Wanjira: na niguu population inyahanyihe.

Translator: and that will reduce the problem of population growth.

Eunice Wanjira: Riu ningi ha uhoro wa President,

Translator: On the presidency,

Eunice Wanjira: ndabatii guthii bururi wa kunene

Translator: he should not be going abroad,

Eunice Wanjira: atatigite temporary president

Translator: without appointing somebody to stand in for him.

Eunice Wanjira: Uhoro naguo wa leaders,

Translator: On leaders,

Eunice Wanjira: nimabatii mangiria indo cia muingi

Translator: if they misappropriate public funds,

Eunice Wanjira: nimabatii kumwo thutha,

Translator: they should be followed,

Eunice Wanjira: indo ciao inyitwo

Translator: and their property attached

Eunice Wanjira: na icokerio ene.

Translator: and returned to the owners.

Eunice Wanjira: Ni uguo.

Translator: That is all.

Com. Dr. Nunow: Asante sana Eunice, tafadhali enda uka-sign register. Naona nitampatia nafasi hii Hon. Mutahi.

Hon. David Mwihika Mutahi: My name is Hon. David Mwihika Mutahi, I am a member of Parliament Mukwere-ini Constituency. I have been honored to represent this Constituency for two consecutive terms and I am also proud to say that, before I became the member of Parliament, I was elected by the same people and especially where we stand, or where are seated today. I happened to be the area councillor for five years.

After saying that, I have got a few points to make, after making my point, I will give my presentation in writing, I have the document to give out and would like to start with what is currently being called the extension of the life of Parliament and the life of the Commission.

I wouldn't want to eat my words, because in the opposition, since 1997 and before the election of 1997, we have been talking of, if there is not going to be any comprehensive Constitutional review, we are not going to go in to election and to some extreme extent, some people never took the votes, because they didn't want to participate in the elections which were held in 1997. I was one of those who was claiming, that without the comprehensive Constitutional review, we would not participate. Although in my party we later agreed and went ahead with the elections. So, there is no way I would have said that without a

new Constitution, no elections and today again I am eating my word by saying I am going for election, without the new Constitution, by saying that I don't demand for any extension of Parliament, but all what I am saying is that, if the review, if the Constitutional Review was through, I would be happy to go to the elections with a new Constitution. It does not also mean that I am fearing the election, because that is the notion, that is what people are thinking when a member of Parliament says there could be need for the extension the of life Parliament and the Constitutional Review Process. What I am saying is that even if the election were called yesterday, I would have been more than comfortable, meaning that I am ready for elections any time. The only thing I am saying is that, if the Constitution was in place, we would be better off.

After saying, that I want to confine myself to the local needs and what I would want to be incorporated in the current Constitution. Starting from my Constituency, that is from the location, and from the sub-location, I would like to congratulate whoever made these plan of the Commissioners coming down, or stooping as low as sub-location levels, or Constituency levels, because before a document, before a policy becomes a national policy, or before it becomes international policy, it has to start somewhere, and if it is not going to be made at the national level, it means that it is all inclusive, by all inclusive I mean that, it is time to involve even the very local person. So, that has why I am saying, I would like to confine myself mostly to what I would need in the Constitution and that which is a daily effect, it is something that affects my people on a daily basis.

That is why under the sub-heading of agriculture, because I have got so many sub-headings, have the security, electoral process, unemployment, Judiciary, health, education and all that, I would like to dwell mostly on agriculture, because agriculture in this region, or my Constituency, is life. Without agriculture in the area, there is no life. It is like air and life, I would like to compare it with air, also agriculture, it has a wide meaning, it touches so many things.

If you want to talk about economy, you must start with agriculture in this area. If you talk about good health, you must mention agriculture, if you want to talk about good education, it has to touch agriculture. If you talk about human rights, it also touches it. When we talk about education, which is a human right, it will have to be supported by the income that we get from agriculture.

Before I enter into that, I would like to talk about the concentration of powers in the presidency. Because it is that office that appoints the Chief Justice, it is the same office that appoints the PS, it is the same office that has the powers to nominate and appoint PC's, DC's, assistant chiefs, chiefs and also the police commissioners and it also appoints directors and executive chairmen of Parastatals, those powers are too much, vested upon one office. In addition, with very few words, I would say, all those areas and all those appointments could be very important, but we should design a method of the appointment of those very important officers. And there is no two-way, because these people are entirely answerable to one person, and that is the man the person who sacks them in his wife's house, if he had any wife and sort of somebody, then the following day he quotes that name not to anybody but to the press media and the electronic media. It is at one o'clock news that we shall be told so and so has been demoted and so and so has been promoted. There are so many reasons of somebody giving himself those powers of appointing firing and hiring of those officers.

One is it the financial support that office the presidency would like to have. It is a way of soliciting. I will say these one, it is a way of soliciting funds. When you became a PS and you are the person who is accountable to that ministry. Accountability means that all the funds which goes out and all the funds that comes in that ministry must be accounted by the PS. If there is anything, if there is to be made any out let, any unlawful, any an official outlet, to have these funds out, definitely, there would be a share to the person who appointed the office and there will also be a share to the person who did the donkey work. That is the PS, PC whoever it is, that is one.

Secondly in the appointment of the PS's, appointment of administration line from the PC, although it continues from the PS, because we have the PS in the Office of the President to the very humble person, may who doesn't even know what happens and doesn't even realise what happens in those big offices. In support, a PC is there just to support and propagate the needs, the requirements of that office that appointed him. It is a personal office. It has been appointed, it is like we have so many special branch men in this country, maybe like the population of Mukurwe – ini constituency, all the special branch in the country could be that populated, and they are paid by tax payers money and work that they do, if you think, if you sat yourself alone and think what a special branch does, in Mihuti sub-location or in Giathugu location, you would have no cause to having that person.

So what happens is that those administration offices are used during the election. That are the supporting offices. They have been given powers. They have been given funds, offices, and communication equipments. If you wanted to ask the office of the President what happens in Mihuti on Sunday, and if there was a meeting by the chief, because there is always a meeting every week chief's meet the assistant chief's, to report whatever propaganda, development, what people are talking about Moi, sorry, sorry about that office I am sorry I withdraw Moi because I am not discussing personalities but we are discussing an office. If they were to meet on Monday by Tuesday the chief's are know supposed to meet to have a meetings in DO's office, and from DO's office, there is another day, which is reserved for the DO's to meet the DC's and from there I think the communication is direct. There is no proxies of message going to the high office to say what is happening in Mihuti.

That office now knows that we are here. So what I am saying is that through that line through that chain, it enables that office to retain the powers and the office. There is a lot of money being used, there is lot of your tax money used to maintain and to retain those offices.

So what I am saying is that, my suggestion is that, such offices should be, even if they are going to be proposed by the high office, that is the President's office, they must be vetted, and the CV's must be brought, like now I would say brought, because I am in Parliament, I am including myself by saying that they should be brought in to Parliament for vetting. To scrutinise who these PS's that the high office wants to take these job, who these DO is, who these executive officer of ICDC or whatever is.

Vetting of such Parliament: If Parliament thinks that, that person is not fit then he is given a red card, he is told no, these one we cannot take. Because those people now will be answerable. They will have the tenure of office, the security of the office, not that one appointee would sack him, would threaten to sack him during the one o'clock news. He will have to go the same process. It is for the Parliament now if we recommend thing that person is not good, he will have to bring those recommendations. He has to bring whatever grievances in Parliament for the Parliament to scrutinize and give a go ahead of sacking. We have so many PS's who have been reported in the Public Investment Committee that is a committee in Parliament, which looks in to corruption, misappropriation of the Government funds.

There is PAC, which is Public Accounts Committee, which accounts for all the Government institutions. Most of these people you will find they have been mentioned in those committees. The figures are there as to how much when he was so and so, when he was heading a certain department of Government, a certain department of Parastatals. He screwed Government coffers over two hundred million, over thirty million. But you see, he must be paid back, this is a reciprocation, having done that, having stolen the two hundred million, and I was getting a share of the same, the only way to say thank you is by appointing you to be a PS. You can see how ridiculous it is. From that office to another office where he is also going to be accountable.

I have given points on the offices that should be vetted by Parliament and what should be done by Parliament, like creation and operation of public offices at will. Control of public resources, the President can give public land at will, without having an account of any person or any institution without involving anybody.

Provincial administration officers: Are not elected yet, they are even more powerful than those who are elected. DC, PC, DO would listen to me, I have been given that mandate by, last times, about twenty thousand people. Twenty thousand voters gave the power. This one person called the District Officer was given those powers he claims to have and which are protected by those officers, by one person. One single person. If it were voting, if it were giving vote he would be claiming of having gotten one vote. And he would not even let me talk.

Control of Parliament: Through powers of prolonging and dissolution of Parliament we have said several time we would like to have our diary, that is Parliament diary, we should not be controlled by anybody, like you as an individual have your diary. You have your resolutions in January as to what you want to do that year. What you want to change and what you want to have. So in Parliament as soon a new Parliament is elected, we should have a session where we prepare, when we are going to close, when we are going to open, when we are going start the second programme and what we are going to discuss.

Control of the civil servants: On the appointments of senior civil servants and well as the members of the public service, that one I have said.

The Electoral Commission: We have the Commission which, although the opposition were allowed to have some appointment,

we no longer have powers, because where these people get their salaries, we get the salary from the same Government. This money comes from the treasury, the money can be controlled. They also should not be answerable to the head of state.

About elections and the constituency and ward boundaries: They should be reviewed, it is unfortunate that we have two commissioners here who seem to have come from North Eastern, and you will allow me to touch on North Eastern, where I have a few members of Parliament that we are in the same Parliament, who came in that Parliament with about four thousand votes, and in the same Parliament, some members of Parliament, I would give an example of Embakasi which has a population of about a hundred thousand voters. Without about sixty thousand votes, fifty thousand votes, you cannot be called a member of Parliament for Embakasi, now you can compare the two and see the contradiction. It means if you are going to be rational, you are going to take the number of average voter, or the number of people in a Constituency. We should for example see that if a member of Parliament from one part of North Eastern can come in has about ten thousand votes, and the other one in Embakasi has hundred thousand votes, then it is common sense, very simple arithmetic, that we should have about ten Constituencies in Embakasi. Those balances should there so that we can have equal representation, although there are some other aspects to be looked into. They are, the geographical area, what area that person is covering.

On allowances: You will find the same person is getting the same allowances that member of Parliament who has been voted by twenty thousand voters is getting and whoever was elected, with only three or two thousand votes will get the same allowance. So there is no reason as to why that would happen.

About security: Security carries so many things, if you talk about security, you talk about so many things and many areas, because with insecurity, there cannot be peace and if there is no peace, there cannot be investors and if there is no investors, there is no income which can be generated in that area.

And also we are talking about tourism and investment: Human life should be taken care of. Human life is more important, it is fundamental in security. Development, economy, tourism is secondary, but human lives are more important. We are born or we are created by God to have life and to have life as long as that God that created will want to terminate the life. You will find that when you go to Mukurwe- ini, for example, to report a case of thuggery, injustice, accident, you will be told that the vehicles have no fuel. You have been beaten, robbed to the last point, and when you go to police station, and having been robbed and we know you have nothing, because the report is that I have nothing because of having been robbed, the first thing you will be told, you give out five hundred shillings or a thousand shillings for the vehicle to be fueled to come and assist you in that problem.

It contradicts when Mheshimiwa Mwihika has a meeting, like he had a meeting to sensitize to educate people about the illicit brew, hii pombe ya kienyeji. A land rover with about ten askaries led by a police woman had the fuel, the askaries to discharge those duties, to come a harass me not to educate the wananchi. You see, that is the contradiction, there is fuel for stupid things

that will not help the taxpayer. There is all the money to go and disperse a meeting of educating people. During IPPG because I was in that Parliament. We said there is no more licences for meetings and it still stands.

Although to start with as I have said, the Constitution, or even the Constitution that we had in 1963, I could see, I did a bit of the feasibility study on what I have brought, and I could see this Constitution was very good. Very good indeed. It was a good beautiful a Constitution. It is only that it has been soiled over a period of time since 1963 – 1998, through back doors. The Constitution has been messed up. There have been about thirty changes of the Constitution from 1963 to 1998. Thirty changes of the Constitution. So the Constitution was Okay, but because of the powers, I was talking about vested in that office, they have no regard of the Constitution. You can imagine an office that does not fear, does not take regard of a Constitution. So even know however beautiful the Constitution that were are going to make today, if that office still has the same powers, we are not making any Constitution and we are not going to go anywhere and we have done nil work. Because what there is, the fundamental thing is to respect the Constitution, the law. If the Constitution we are making is not going to be respected, it is going to be the same Constitution that we had in 1963.

So I am saying about security, that is what is happening. If you talk tourism and security, there a time we used to have coffee as the leading foreign earner in this country, tourism as the second largest earner of foreign currency, but because of insecurity, in our parks, in Mombasa where we have the beaches which attract the tourists, we make very little out of the tourism now. And for those who know a bit of economics, you cannot grow and there is no way you are going to grow, one, if you are not generating foreign income. In the country you must generate foreign income, if whatever was in circulation in the country was two hundred billion, which is paid every year by tax payers, you need some more money to come from foreign countries to top up whatever deposit that you would have.

On agriculture: Bwana Commissioners, we thought that, the Government was killing agriculture sector because it was mostly done in Central Province. That was notion and that is what we thought. But later on, I come to realize that is the entire Government that has no interest in agriculture that has no interest in its own people. Because the survival as I said with the Kenyans about, 85 % depend on agriculture. We used to have Cotton Board of Kenya, which is no more, it collapsed and that is through corruption and that is a firm area. Pyrethrum, we used to have a board, which is no more, and which used to generate a lot of income and now you have heard, you have read through print media that the problem with pyrethrum, every day we have complained by pyrethrum, not being paid, not being produced. We have beef farming, these one touches even the commissioners from North Eastern. We used to K.M.C, which used to do marvelous, it used to do a lot of work, used to generate a lot of income for those people who are pastoralists, who depend on life livestock, that one is dead. Maize, in fact we thought all things are going to end up in rift valley where some of these giants are born and brought up, where we thought that their clans and tribes, you know that is where they come from, but maize is one of the farming income generation of that area. Now you can see what is happening.

Having a bumper harvest, instead of them enhancing methods of how to put this maize in storage, buy it from the farmers so that they can plant again, they are waiting for these maize to rot so that they will have a chance to go abroad and import maize, which should be imported by one or two people and they will not pay duty, sales tax and they will come and sell maize to us. That is all that they want, and that is how they have spoiled the agricultural sector. They want to import these things, importing even eggs today. If you want to keep chicken, you would keep them for your own use. It is no longer commercial business. It is domestic business. Tomatoes, are full in the shelves of Naku-mart and Uchumi's from South Africa. You are generating income from South Africa and employment, we are talking about eradication of poverty, non employment and we are creating employment every day by telling South African people to produce, eggs, tomatoes, mangoes, everything, barley and sell to us.

We have learned, we have the skill, we have a Government in place. Sugar is the same, there is bumper importation of sugar in this country. You go to the stores of Nzoia, Mumias and the stores of those other companies that make sugar, they are full, while an individual person wants to enrich himself as a whole air craft or a whole ship, full of tonnes and tonnes of sugar, imported and no tax will be paid. That is what happened to barley, we used to have people in the Rift Valley growing barley. They are producing very little because they have no subsidies. Instead of the Government giving subsidies, support, getting part of the tax that they get from barley, coffee, propelling it back to those farmers to produce more, they don't do that. Coffee the same, there is no way we are going to exonerate it with the Government on what happened on coffee. There was no security. There was a fight here and ukiambia Bwana DC anasema in our area we don't produce coffee so you can do what you want with coffee. Fish the same thing happening. We would not be talking about employment. Today in Mukurwe-ini Constituency and in any other constituency, if we could only take care of the items that we have mentioned in agriculture. You would not need to go Nairobi or urban areas for employment. We have wakulima and you know we the people know it, is a small sector of dairy farming and are able to employ about sixty youth men.

Poverty eradication: This cannot be eradicated. About health, there is no medicine, it is given in some isolated areas that matters, and that is why I am recommending, to finish, but not to finish it because my time is over, that is why I am recommending we want a Government of national unity.

Like, if you want any maendeleo in your Constituency you have to join KANU. It is like maendeleo can only go to KANU areas. We want a Government of national unity that is going balance the Budget of this country. It does not matter if that person from opposition area is paying tax, in fact more than those areas that have the KANU strong hold. In central province, I don't think we can be compared by any other region on the side of collection of tax. We maintain other areas. So money should be brought back to sensitize, to say thank you, so that we can generate more. Instead of importing food to go to Northeastern or to go to Turukana, we can produce a lot, if only the roads can be opened up. There is a lot in Kinagop, they produce a lot, instead of going abroad to bring these things, you can take them to Turkana.

Education in Central Province: We don't talk about education because we have known it, we have known about education

since time in memorial, we need it, it is part of our life, and it is very very little that I can say about it.

Now, I don't to annoy our visitors, I am from Democratic the Party which is a disciplined party and I will be contradicting that, if I am told about two three times by our commissioners that my time is up. I would only like to say that I am a Christian, I love God, and Jesus Christ is my personal Saviour. Na kwa hayo machache asante sana. Thank you very much.

Com. Dr. Nunow: Thank you very much, Mheshimiwa, I would like to assure you that all that you have written will be considered. Let us now have Habiba Nyambura.

Habiba Nyambura: Hari maritwa ni Habiba Nyambura,

Translator: I am Habiba Nyambura,

Habiba Nyambura: kuma Giathugu Location.

Translator: I come from Gathuguu location,

Habiba Nyambura: Mihuti Sub-location.

Habiba Nyambura: Nii maoni makwa ndirenda kwaria iguru ria indo iria turenderio ndukaini

Translator: In my contribution, I want to talk about those goods we are getting from the shops,

Habiba Nyambura: tondu indo icio itikoragwo (?)

Translator: because these goods are underweight

Habiba Nyambura: na kwenderio goro.

Translator: and they are costly.

Habiba Nyambura: Kwoguo nihagiriirwo gukorwo na watho

Translator: There should be law to govern

Habiba Nyambura: uria thigari ciathiaga round

Translator: like when police officers used to go round

Habiba Nyambura: tutige kwenderio indo goro muno.

Translator: so that the prices of these goods are controlled.

Habiba Nyambura: Uhoro wa thibitari,

Translator: On health care

Habiba Nyambura: tutigage kurihio goro

Translator: it should not be so costly,

Habiba Nyambura: tondu athini nio marahinyiririo muno

Translator: because the poor people are the ones who are oppressed very much.

Habiba Nyambura: Mwenaini wa economy,

Translator: On economy,

Habiba Nyambura: mwenaini wa kahua

Translator: on coffee,

Habiba Nyambura: nitwagiriirwo gukorwo tukigaatha na kahua gaitu

Translator: we should have power over our coffee produce,

Habiba Nyambura: tondu nikagire mbeba.

Translator: but it does not bring in any money.

Habiba Nyambura: ona arimi nimakinyete gugate

Translator: Right now, the farmers have abandoned coffee,

Habiba Nyambura: tondu nimarona matire na umithio

Translator: because they are not getting any profit.

Habiba Nyambura: kogu thirikali niyagereiro guteithiriria athini,

Translator: So, the Government should assist the poor,

Habiba Nyambura: tundo nio marahinyiririo guku bururiini.

Translator: because they are being oppressed in our country.

Habiba nyambura: Ninguaria mwena wa MP.

Translator: On the side of the MP:

Habiba Nyambura: twamuthura miaka itano,

Translator: When we elect the MP for five years,

Habiba Nyambura: arikiya tugathura oge.

Translator: when the five years term is over we should elect another MP,

Habiba Nyambura: tukona nake ocio uria agututwarithia.

Translator: to see how the other MP will take us through. I will end there.

Habiba Nyambura: ngwiciria ngukinyia hau.

Translator: I will stop there.

Com. Dr. Nunow: Thank you mama Nyambura. Kajiandikishe huko, then we can have, Festus Thongoro.

Festus Thongoro: My name is Festus Wahome Thongoro, from Ngando Location, Gaharo sub location, Mukurwe-ini division. My contribution is only, just a few points.

Education: Proper education policies should be set not always on experimental basis as observed as from early as 1974, where we had 7-4-4-8, then now from 7-4-2-3, we go to 8-4-4 then back. So, it should be standard, it should be set and followed. The other point goes on books, the books, the education is based, they change them from one year to another, so we should have a specific period of use that not somebody coming and bringing his book, then you abandon it, and we go to another one. This is taxing the parents, the educationist, or the learners.

Agriculture: Proper agricultural policy should be defined in order for the common citizen or the common farmer to understand what he is supposed to be doing, because today, very few farmers know why they are growing their cash crops. They only grow, take to the factory or to the manufactures. From there, the farmer is left helpless. The farmer should be educated and have a proper way and management of his account. If a person mismanages that account, he should be brought to court. There should be a court where we should have that person prosecuted for that mismanagement.

There should be a proper or a defined Co-operative Act, to save the farmer or to help the farmer, a particular farmer in the country, not only particularizing crops, one particular cash crop, is for all cash crops, or all the crop a farmer is producing.

Then the other one goes to the labour: There should be proper labour laws to protect the employee from the employer, the employer milking the employee whereas the employee does a lot of work and he ends up getting very poor payment which he cannot use to educate his children or the other party. As an example of this case, where an employee is sacked and another

one is hired, there should be a proper law to guard the employee from his employer as an example, we saw about the people who were dismissed from job in Kenya Airways. We should have proper law in the Government and private sectors.

On environment: The environment should be guarded and a special body set under the act of the Parliament should be formed free from the executive, because the Executive are part of the spoilers of the environment. So there should be that body which will help to control and guard the environment. Mostly the spoilers come in the way of poaching, forest destructions, water pollutions and formally crown land grabbed need to be regained for future generation to learn from this guarded environment. Also the grabbed crown land should be regained and used properly by the area people concerned. And that ends my views.

Com. Dr. Nunow: Thank you very much Mzee Thongoro. Please sign the register and if you have a memorandum leave behind. Lawrence Maina, he is not there, let us have David Githinji, Dickson Wahome Waithaka, Gituru Kanene.

Gituru Kanene: njitagwo Gituru Kanene,

Translator: I am called Gituru Wakanene,

Gituru Kanene: na nyumite Giathugu, sub-location ya Igana

Translator: I come from Gathuku location, Ikana sub-location.

Gituru Kanene: ndigiaga kaundu igera athuri aya me haha

Translator: I can't lack something to say to the men here.

Gituru Kanene: undu uria munene niundu wa raisi gukurwa akuwete maundu maingi thaini wa mutwe wake.

Translator: The issue is on the President having too much power.

Gituru Kanene: Tundu maundu mothe niwe akoretwo ahana ta amakuwete.

Translator: He seems to be having all powers over all sectors.

Gituru Kanene: Koguo nie igieda akorwo anyiheirio uhoti ucio munene aheto,

Translator: I would like that the powers of the President be limited,

Gituru Kanene: tundu ona agikorwo ni kabuni ireda director, nowe uwi director uria unghota kuruta wira

Translator: because even when a company needs a director he appoints him.

Gituru Kanene: Koguo ma-director magirirwo gukoragwo magithururwo thiini wa bunge.

Translator: So, the directors to the companies should be appointed by the Parliament.

Gituru Kanene: ona rais dagirirwo ni guthurwo, ona munini wake, makamu wake ndagirirwo guthurwo ni raia, agirirwo ni guthurwo ni mwingi.

Translator: The vice President should not be appointed by the President but should be elected by the people.

Gituru Kanene: ona ma-chief namo, twagirirwo ni guthura uria twathuraga tene tondu tene ni tware na uhoti wa guthura chief, ona head-man niithui twethuragira nariu tutithuraga

Translator: As we used to elect the sub-chief and the chief, we should be doing the same even now.

Gituru Kanene: kogwo ona ningi mathina maria monekete, monekete niundu wa andu acio anene ta ma-minister na andu aria angi anene muno guthamia mbecha thiini wa bururi

Translator: The current problems we are having are because of the same ministers taking their money to other countries.

Gituru Kanene: Andu acio ni magiirirwo ni guthaithwo muno macokie mbecha thiini wa bururi ni getha utige gukorwo uri muthini uria uthinite matuku maya

Translator: These people should be requested to bring back the money to our country.

Gituru Kanene: na mathaithwo merwo ati macokia mbecha icio cia thiini wa bururi gutire undu megwikwo nuo metikire gucokia mbecha thiini wa bururi.

Translator: They should be told that if they bring back their money, nothing will happen to them but they should just bring back their money.

Gituru Kanene: Ninge niundu woria tuingirirwo ni thina wa thibitari, thibitari ciagirirwo ni gukorwo ci cia tuhu

Translator: Also, as we are suffering due to lack of health facilities. There should be free medical care.

Gituru Kanene: ona githomo ona kio no kiratuhinyiriria ona kio nikiagigirwo gukorwo gia tuhu

Translator: Also education should be free.

Gituru Kanene: ninge nikwagirire agorwo ni ma-minister ona o riria mari thiini wa bunge metekerio gukorwo menoohoti, tondu riu mationekaga ta mari no uhoti tondu uhoti wothe ona agikorwo ni kaundu kanini no raisi uthiaga una agorwo ni kuhingura gathibitari na kuri na uria urugamiriire mathibitari wa health, no we ithiaga kuhigura.

Translator: The opening of things like hospitals should not be done by the President but by respective minister and he should have power on such.

Gituru Kanene: Ma-minister magie na uhoti wagwika undu

Translator: The ministers should be empowered, and should be powerful to do what is in their respective portfolios.

Gituru Kanene: Ndire na undu ugi.

Translator: That is all.

Com. Dr. Nuwon: Thank you very mzee Kanene. Na sasa tutakuwa na Edward Kariru Maina.

Edward Maina Kariru: Mimi ningependelea katika mabadiliko ya Katiba. Nina mambo mengi sana ambayoningetaka kuzungumzia, upande wa ukulima ndiyo kwanza ningeshika zaidi. Jina langu ni Edward Maina Kariru, Mihuti sub-location, Gathuku Location.

Sasa katika utawala: Ningetaka kuwe na mabadiliko kulingana na hapo mbeleni. Ningeanza na upande wa ukulima. Mkulima anafinywa zaidi. Kwa vile upande wa kahawa, kama pesa inatoka, haifikii mukulima kwa njia ile inafaa, na ningependelea ile mabadiliko ningeta iwepo, ni pesa bidhaa ya kahawa ikiuzwa au bidhaa yoyote ya mkulima ikiuzwa, inatufikia mkulima direct kutoka mahali inauzwa.

Jambo la pili, ni upande wa bei ya bidhaa , tunafinywa sana kwa sababu kila kitu kinaongezwa kila wakati, na siyo yule mwenye kununua anaongezwa pesa upande anapata pesa. Tuseme upande wa mkulima, vile nilikua nasema, ni kwamba ukulima wake hauongezwi pesa, ila tu bidhaa kama ni za dukani au zile anumia, zinakuwa juu zaidi. Ningeomba kuwe na mabadiliko hali tuwe na watu wa kuangalia bei vitu vikiongezwa kama kulikuwa zamani. Kuwe price control, wale ambao wanaangalia raia wasifinywe zaidi, kwa vile unakuta leo hiki kimeongezwa, kesho kimeongezwa, na wewe pahali unafanya kazi hakuna kitu unaongezwa. Kwa hivyo hapo ningeomba serikali iangalie kabisa upande wa raia..

Ule mwingine ni ukosefu wa kazi: Tukiangalia hapa tuna watu wengi sana ambao wana macourse yao ya juu na kazi haipatikani, na ukiangalia upande mwingine, unaweza kuta kabila moja ndio inapata kazi. Kwa hivyo mimi ningeomba, kama ni upande wa kazi serikali iangalie kurekebisha, yaani kusawasisha. Pahali kazi ikitokea, inatangazwa kila pahali na watu wanaandikwa kutoka kila sehemu. Kwa vile ukiingia kwa mafactory, kwa viwanda, unakuta kuna watu karibu kabila moja. Kwa hivyo tungetaka hii katika Katiba hii, raia wote katika Kenya wawe sawa bila kuangalia huyu ametoka pahali fulani, huyu amekua namna gani.

Tena upande wa serikali: Ningeomba tuwe na mabadiliko kwa vile hapa rahia wanafinyua sana na watu wale ambao wana mataraka ya juu kwa serikali, kwa vile ukienda polisi au kwa sub-chief au kwa chief, ukitaka usaidizi lazima utoe kitu na wewe ulikuwa unataka akusaidie, na ukikosa , maneno yako hawezi kuchukua, kwa hivyo hiyo maneno tungeomba , upande wangu

ningetaka, ibadilishue kabisa, kwa vile huyo mtu ambaye anataka hongo yaani kitu kwangu, ni mtu ambaye amepewa mshahara, amejiriwa, na mimi sina kitu nimefinyua na mtu mwenye kuniajiri, ila nikienda tu anisaidie, ndiye anataka kuninyonya, kwa hivyo hiyo maneno yote tungetaka ibadilishue.

Kuna upande wa masomo, hapa kuna watoto wengi sana ambao hawasomi kwa vile wazazi wengine hawana nguvu ya kusomesha watoto, hapo tungeomba serikali, iangalie kabisa watoto na wazazi kama hao vile ambavyo wanaweza kuzaidika ili kila mtu awe anapata masomo kidogo kidogo tu ya kujizaidia baadaye. Na kwa hayo machache, asante.

Com. Dr. Nunow: Asante Bwana Kariru, tafadhali usasign register, hapo ningemwita Charity Wanjiku. Karibu Charity

Charity Wanjiru: Njitagwo Charity Wanjiru,

Translator: I am called Charity Wanjiru,

Charity Wanjiru: kuma Mihuti Sub-location,

Translator: from Mihuti Sub-location,

Charity Wanjiru: Giathugu Location.

Translator: Giathugu Location.

Charity Wanjiru: Nii woni wakwa,

Translator: In my contribution,

Charity Wanjiru: no hoire thirikali

Translator: I am requesting the Government,

Charity Wanjiru: ikorwo igeciria uria igikorwa na igoti ria mundu, athuri aria rigi maraciarira ciana cia iriitu ciana.

Translator: to see to it that those people that are making young girls getting pregnant.

Charity Wanjiru: ciana icio ciagia ciana cia athuri mena atumia

Translator: when they get those kids from married men,

Charity Wanjiru: okana rigi kairitu kau nikagire mundu wa kumurerera mwana

Translator: you see that girl lack somebody to bring up the child,

Charity Wanjiru: rigi nake muciar akarakara, akaigata mwiritu ocio

Translator: and the parent to the young girl becomes angry and sends her away from home,

Charity Wanjiru: kugwo ukona mwiritu ocio rigi negukinya kuuraga mwana kana iurage,

Translator: and it comes to a point where the girl will either kill herself or the child,

Charity Wanjiru: kugwo ni hagiriire gukorwo hena watho,

Translator: There should be law,

Charity Wanjiru: mwiritu ocio amenya muthuri ocio niwe wamuhee mwana ocio,

Translator: when the girl knows the man who is the father the kid,

Charity Wanjiru: niagirirwo ni athitagwo na gukorwo kwina watho arere mwana ocio,

Translator: he should be prosecuted and there should be law that the man brings up that kid,

Charity Wanjiru: ginya mwana ocio agimare.

Translator: until when the child is mature.

Charity Wanjiru: Wa keru,

Translator: Secondly,

Charity Wanjiru: ni uhoro wa airitu gukorwo magi-claim indo cia maithe mao.

Translator: is about the rights of the girls to claim inheritance from their fathers.

Charity Wanjiru: Tondu rigi wahota kuona mucii uciaritwo airitu na anake,

Translator: You can see a family consisting girls and boys,

Charity Wanjiru: rigi mwiritu to nginya ahike,

Translator: incase the girl doesn't get married,

Charity Wanjiru: na rigi no agibatare gwaka

Translator: and she needs to build,

Charity Wanjiru: eciria guthii gwaka ringi akaingatwo ni anake ao

Translator: when she considers to have her own shelter in that land she is harassed by her brothers,

Charity Wanjiru: kana rigi una mwiritu arari muhiku

Translator: maybe even a girl was married,

Charity Wanjiru: magacoka makahitania na muthuriwe,

Translator: and they separate with the husband,

Charity Wanjiru: athie gwiciria uria agiakira ciana ciake,

Translator: when she considers having shelter for her children,

Charity Wanjiru: kana rigi ona hando angirima,

Translator: or even having a piece of land to be tilling,

Charity Wanjiru: akaigatwo ni anake ao na rigi makaroa.

Translator: she is just chased away by her brothers and sometimes they even fight.

Charity Wanjiru: kogwo ni haagirirwo gukorwo hena watho.

Translator: There should be a law,

Charity Wanjiru: mwiritu niagirirwe gutarwo ario o umwe agigaya mucii wao, muguda wa ithe

Translator: the girl should be protected and also she should have a right to inherit a piece of land.

Charity Wanjiru: tundo nikio ona ciana iroragwo muno,

Translator: That is why many children are being killed,

Charity Wanjiru: tondu rigi mundu niaigatirwo ni muthuriwe

Translator: because a girl is chased by her husband,

Charity Wanjiru: acoka kwao akaigatwo ni anake ao

Translator: and when she goes back to her home, she is chased away by her brothers,

Charity Wanjiru: riu akona riu no oragire ciana ciake nigetha nake ithiere kana eurage

Translator: so she sees it better killing her children so that she can be free or even kill herself.

Charity Wanjiru: kugwo hau nohoe ihoya thirikali egie na itua

Translator: It is my prayer that the Government will have a law on that

Charity Wanjiru: Wa gatatu,

Translator: Thirdly, sometimes the Government gives trouble to a citizen.

Charity Wanjiru: thirikari rege nirakinya handu igathubura mundu.

Translator: sometimes the government can trouble a citizen.

Charity Wanjiru: Ringi mudu ahota kuona athinjite mburi yake rigi ni handu mena iruga mucii.

Translator: A person can slaughter a goat for a certain occasion at home.

Charity Wanjiru: okana uguthie kugira dagitari oke amerore na niagokorehia.

Translator: When that person considers not to get the health officer to examine that goat, and he will charge you.

Charity Wanjiru: Ugoka ukanyitwo na ugathitangwo,

Translator: You are arrested and charged,

Charity Wanjiru: hau nindirona ringi raia niarahinyiriria,

Translator: there, the citizen is being oppressed,

Charity Wanjiru: tondu to ginya ukirorithie ga-mburi gaku ga kuria.

Translator: because it is not necessary that your goat must be examined.

Charity Wanjiru: Ni wega

Translator: Thank you.

Com. Dr. Nunow: Thank you very much, I will give a chance to James Maina, Mr Maina if you have a memorandum you will submit later. Unamaandishi ambayo utaacha hapo, endelea tafadhali.

James Maina: Ritwa riakwa ni James Maina,

Translator: I am called James Maina,

James Maina: kuma giathugu,

Translator: from Giathugu,

James Maina: uria ingienda kuheana,

Translator: what I would like to say,

James Maina: kuri commission ino ni uhuro wa corruption.

Translator: to this Commission is about corruption.

James Maina: na muno ni uhoro wa thigari cia traffic,

Translator: more so about the traffic police,

James Maina: tondu nio ma-cause ikuo cia accident ya gari,

Translator: because they are the cause of many deaths due road accidents,

James Maina: tondu ona gari itagithie barabara

Translator: because even un road worthy vehicle,

James Maina: wamehee igana

Translator: when you bribe them with one hundred shillings,

James Maina: niigutura barabara.

Translator: that vehicle will remain on the road.

James Maina: Undu wa ker.

Translator: Secondly.

James Maina: Wathie kuri borithi,

Translator: When you go to the police,

James Maina: wathie kureport,

Translator: to report,

James Maina: ukwirwo uke na mwira

Translator: you are told to come with a witness.

James Maina: Undu uria onge ni uhoro wa cukuru,

Translator: The other issue is about education,

James Maina: No njuge shukuru cia primary ikorwo ire free,

Translator: I would say that primary education to be free,

James Maina: nacio cia secondary,

Translator: and secondary education,

James Maina: cirenga-rengwo fees,

Translator: the fees should be a bit low,

James Maina: ikinye ta giri ithano,

Translator: to be about five thousand shillings,

James Maina: ni getha muthini,

Translator: so that the poor,

James Maina: ahote guthomithia mwana wake secondary,

Translator: should be in a position to educate,

James Maina: na akahota kugia na degree.

Translator: their children through secondary school life and up to have a degree.

James Maina: njoke kuri parliment

Translator: On Parliament:

James Maina: Njuge ati,

Translator: I would say,

James Maina: matibataire kwiongerera mishara,

Translator: they should not increase their salaries,

James Maina: mogagirirwo salary ni treasury.

Translator: the salaries should be increased by the treasury.

James Maina: Tonde kahinda gaka ni meongereire mishara minene muno,

Translator: Because right now they have increased their salaries too much,

James Maina: na nikiyo ginya uchumi wa kenya uthokite muno

Translator: and that is why the economy is going down.

James Maina: Njoke kuri chief.

Translator: On chiefs:

James Maina: No njuge chief na assistant chief magathuragwo ni mwingi

Translator: The chief and the assistant chief should be elected by the people.

James Maina: Thibirari,

Translator: On hospitals,

James Maina: ikorwo ire free.

Translator: it should be free.

James Maina: na kwa ciama, polical ciama

Translator: On political parties:

James Maina: Inyihanyihio.

Translator: They should be minimized.

James Maina: na igatigwo na majority yacio, uria iri na andu aingi

Translator: and they should be considered on their number of people.

James Maina: Nakuo kwa president.

Translator: On presidency:

James Maina: Mundu agathuragwo kuma ena miaka 45 gina 65.

Translator: One should be elected between an age group of 45 to 65 years.

James Maina: Nake mu-bunge

Translator: And the MP should have a degree

James Maina: agathuragwo ina degree

Translator: should have a degree and should be 35 to 65 years.

James Maina: no macio, ndire na mange

Translator: That is all I have.

Com. Dr Nunow: Thank you very much Mr. Maina you can go and sign the register. Andrew Maingi, Erastus Mwangi, Maina Kamau haya njoo, unamachache ya kutueleza, endelea.

Maina Kamau: jitagwo maina Kamau,

Translator: I am called maina Kamau,

Maina Kamau: kuma itura ria Mweru,

Translator: from Mweru sub- location,

Maina Kamau: Giathugu Location.

Translator: Giathugu location.

Maina Kamau: hari thirikari eno tuguthondeka, kiria nguenda ituteithie nakio muti wa bere

Translator: first point.

Maina Kamau: Ingienda tuteithio na kindu gigwitwo control price, uroruo ni thirikari iyo igukorwo irugamirire.

Translator: there should be a control on prices.

Maina Kamau: tondu control price kuma 1967 hede iria yari kwo nigwathiaga wega ginya 1970

Translator: Since 1965 when there was control of prices things were going on very well up to 1970.

Maina Kamau: nakuma hendi iria thirikari yarekereirie control price mundu akiirwo endie indo ciake, gwatwekire licence iria ciagatirwo thiini wa matuka, hau ni hatwikire tari wiici waigira hoo wa mundu gwitagia andu mbecha na hinya tondu ena licence agikwenderia

Translator: and since when the government let go of control price and people had to get a licence to sell, it became difficult because it is like stealing because you have to ask for money just because you have a licence.

Maina Kamau: tundo control price ituteithagia na njira ya thirikari, angorwo he kindu kiaogererwo, thirikiri igakorwo erutete irua riu bere agorwo yaruta hari mwaka rita rimwe

Translator: When there is control of prices the Government was giving out a document to show price increments of items.

Maina Kamau:tondu ekiogerara igoti bere yabaga gukorwo yogereire meshara ya andu tondu andu matiganiainie mishara, andu aria matara mishara minene nio ainge gukira aria mari mishara.

Translator: When the Government is increasing prices, it starts with increasing salaries of those people that are employed.

Maina Kamau: kiu nikio gitumi kimwe gitumite bururi uyu ukorwo na thina ume munene muno, ni andu gukorwo magitunywo mbecha na njira ya kuhenio ni aria angi.

Translator: That is why there are so many problems in our country because so many people are selling things so costly and the common mwanainchi is not able to pay all that money.

Maina Kamau: ondu uria onge ingienda kuongerera hau thiini wa mashukuru hende iria twero ni thirikari ati ni twehererio marehi ma shukuru,

Translator: In addition to that, when we are told by the Government that there should be free education in primary school,

Maina Kamau: arutani nao mathodekanga kaondu kao na kamiti iria ciathurwo ni aciari magathondeka ati hena undo woneka hoo wa mwako.

Translator: it seems as if the teachers make their plan against the parents.

Maina Kamau:makongerera aciari mbecha mucitari atangiona nigethat ciana icio cihane ta ciaremwo ni shukuru agetio ta ngiri imwe ya guaka.

Translator: The building money is increased and the parents are asked to pay a thousand shillings, which is a lot.

Maina Kamau:agacoka akogererwo mbecha cia watchman na akarehia o mwana shilingi baoni na ukerwo ciana icio ni utonga waku.

Translator: There is another fee concerning the watchman, and every child contributes twenty shillings on top of that.

Maina Kamau: kuma hau ukerwo mabuku ma guthoma ma ciana wee niwe ukugura na ukandikirwo buku imwe magana mana na riu ni ria mwana ume na uri na ciana ithano, mbecha icio cikaga, ciana ciaku ikainuka onaokorehete.

Translator: Then you are told to buy books and every book is costs four hundred shillings. Considering you have five children, that is so much you cannot afford and your children are suspended from school.

Maina Kamau: riu ni twagirire gukorwo thirikari iria tugothondeka kana president uria urikorwo arugamiriire hau, agerie kurumanirira na mawatho mau handu auga agatigana namo agatua niaraugire

Translator: The President in power should follow to see that whatever the decree he has given is empowered and followed.

Maina Kamau: na ndire na maingi no macio

Translator: That t is all.

Com. Dr. Nunow: Okay, asante sana Bwana Kamau. Hakikisha umesign pale. Julius Irungu, you have a written memorandum, please give us the highlights, the content of that, usisome, just mention the points.

Julius Irungu: I am Julius Irungu Mukure, and I would like the Constitution of Kenya Review Commission to address the following.

The Presidential and Parliamentary candidates should be professional, holding degrees in any of the various disciplines of learning.

And the local Authority candidates should be secondary school graduates or above and with a good performance. The Constitution should be empowered to reject a Member of Parliament through a vote of no confidence. A fact finding committee should be set to analyse whether the vote no confidence would be necessary. The appointment of judges that is High Court Judges and Chief Judges should be left to the subordinate court and other law related bodies, such as the Law Society of Kenya.

The elections of Presidential, Parliamentary and local authority candidates should be held on different polling days. One day for Parliamentary and local authority election and after fourteen days the Presidential election to be held. This would ease calculation of votes and ensure transparency and give voters enough time to analyze the candidates. After the counting of ballots, there ought to be a re-run of the election between the three leading candidates. This should be done where the margin difference of votes does not exceed one fifth of total votes cast. If the difference is about one fifth of the votes, the leading candidate should be sworn in as the President. MP's should not be paid any basic salary, instead they should be working on allowances. These would ensure that only those patriotic will vie for the Parliamentary seats.

The term of Parliament should be five years, in case the President or the Parliament dissolve after opening, before five years are over, the term should be stated as a full term.

Tax should be imposed on any value of cash money one is taking from the country to invest in other countries. The tax should be more than one fifth of the total value to discourage economic looting.

Any motion brought in Parliament should be left to the public to scrutinize and make ruling whether to be enacted or banned.

The Public Investment Committee and Public Account Committee, committee's findings should be made public. They should be

read in the public forum or in a press conference, so as to reach as many citizens as possible.

Price control and subsidies should be set by the Government on all agriculture inputs to reduce the high costs agricultural production. Any piece of land above hundred hectares and not used productively, should be subdivided among the needy citizens. Thanks.

Com. Dr. Nuwon: Thank you very much Julius, please hand in your memorandum and also sign the register, William Macharia, if he is not there we can have Erastus Mugo. Tutamaliza na Erastus Mugo ambaye anataka kuzungumza kama Mtu wa mwisho. Unless kama kuna mtu mwingine ambaye anaona lazima aongeye. Haya endelea.

Erastus Mugo: My name Erastus Mwangi Mugo, from Mwiru sub location, Giathugu location, Mukurwe-ini division these Nyeri District. I would like to air my views on the Constitution.

I would recommend the Government to restore the former educational system, that is the 7-4-2-3 system.

The Presidential powers: The President should not be above the law. The office, the Vice President should be elected to avoid molestation by the President. The ministers should be voted by the elected MP's, They should be well educated to handle their respective ministries. The office of the permanent secretary should be accorded its own powers. There should be grants distributed evenly to all districts by the Government.

Water: The Government should make use of all the rivers available to supply water to all wananchi.

Employments: Salary review should be balanced not to favour some sectors. The Employer should not ignore the warfare of the non-teaching staff in the educational institutions.

Security: The common mwanachi should be accorded proper security irrespective of whether he has money for bribery.

Freedom of worship: Freedom of worship should be reviewed to avoid the devil worship or misleading way of worship. Thank you.

Com. Dr. Nunow: Thank you very much Bwana Erastus Mugo and now we can end there. You have something to present, I will give you three minutes. Anza kwa kusema jina na location.

James Maina: Njitagwo James Maina Chege.

Translator: I am called James Maina Chege.

James Maina: nie kiria igieda,

Translator: What I would like,

James Maina: ni thirikari ihitokw katiba ina mworoto wa gukorwo imenyereire uhoro wa security.

Translator: is the Government to have Constitutional issues of security.

James Maina: ninge icoke imenye uhoro wa daktari,

Translator: it should also address the issue of doctors,

James Maina: na uhoro wa uria health, uria daktari igegia na mishara miega

Translator: also to see to it that the doctors are well paid,

James Maina: na uhoro wa bolithi uria magigia na mishara miega

Translator: the police force to be given good salaries,

James Maina: nigetha mwananchi akorwo ateithekete uria agokorwo akitugatwo ni dakitari,

Translator: so that the ordinary citizen should be well attended by the doctors,

James Maina: na akorwo akitugatwo ni muthigari.

Translator: and well attended by the police force.

James Maina: tondu nikingo kukaga uhoro wa ihaki makiigira thiini wa mwananchi, agakorwo akihakana,

Translator: This is why there is bribery where the citizens are bribing,

James Maina: niundu wa andu acio gukorwo na mishara ya kuigana

Translator: due to the fact the doctors and the police are not well paid.

James Maina: tondu magikorwo mena mishara ya kuigana

Translator: If they have good salaries,

James Maina: ni magikorwo magiteithia mwananchi na njira iria yagirire

Translator: they will be assisting the citizen in the rightful manner.

James Maina: ninge mwena na arutani nao nimagirirwo gukorwo magiciirio

Translator: Also on the issue of teachers, they should be well treated,

James Maina: tundo nio makuragwo me kiumo kia uge

Translator: because they are the source of enlightenment.

James Maina: na nikipio gutakirorwo kuna muhinyerereku wa mwana gukorwo ataguthomithio na jira iria yaagirire.

Translator: That is why there is a problem on kids not being well educated

James Maina: tondu ni maregwatia matire na micara miega.

Translator: because they have an excuse that they are not well paid.

James Maina: niho kaingi makoragwo na uhoro wa makigoma.

Translator: That is why they are always on the strike.

James Maina: niko kenya gutare na andu oge kuligana na uria kwagereire,

Translator: Kenya we are lacking very well educated people,

James Maina: tondu nimakoragwo kaingi arii mu matare na mishara miega.

Translator: because the people that are in the education institutions are not well paid.

James Maina: Mwana wa magoti no hoe.

Translator: Also on tax paying:

James Maina: Kanju ni irendia magoti me goro,

Translator: In the councils have got high taxes,

James Maina: ginya kwe mwananchi uria wena kanyamu kanini ga kwendia ta irugu.

Translator: up to the ordinary citizen who has a simple commodity to sell like bananas.

James Maina: kugwo niyagereirwo nayo irorwo,

Translator: That also should be addressed,

James Maina: nigetha ikorwo itakuhinyereria mwananchi.

Translator: so that it should not be oppressing the ordinary mwananchi.

James Maina: Tondu hau niho mwananchi akoragwo akigia na thina, okorwo niatema irigu riake,

Translator: That is where the ordinary citizen gets his problem after having harvested his banana,

James Maina: agekinya haria bara agetio shilingi ikomi.

Translator: when he arrives at the road he is asked to give ten shillings as tax.

James Maina: Kuguo nie ngehoya thirikari,

Translator: So I request the Government,

James Maina: igei na mworoto wa gukorwo igetuteithia ithue wananchi.

Translator: to see to it that it will help the ordinary citizens.

James Maina: ni getha bururi witu ukurwo wina utonga uria wa kiambiriria.

Translator: So that our country should be having a good economic trend.

James Maina: Tondu twagia na githomo kiega,

Translator: This is because when we get good education,

James Maina: ni tukuhota gukorwo twina maundu magoteithia bururi witu.

Translator: we shall be in a position to have the rightful achievement in education which will help our nation.

James Maina: Twagia na security njega,

Translator: When we get good security, we shall be having a good business environment.

James Maina: tugukorwo tukihota kuojoirithia indo ciitu na jira iria yagiriire,

Translator: In the judiciary there should be justice,

James Maina: ninge thiini was magoti gukorwo kwina urumiriri wa ma tondu onakuo nikugiite na ihaki.

Translator: because there is a lot of bribery.

James Maina: ona ungikorwo wina uhoro wa ma cira waku ndungituo na kihoto

Translator: Today when say the truth, your case does not sail through.

James Maina: kwoguo naho harorwo na njira njega.

Translator: The Government should see to it that it is considered.

James Maina: Asante.

Translator: I will end there.

Com. Dr. Nunow: Asante sana Bwana James Maina Chege kwa maoni yako. Na kwa hayo, tumefika mwisho wa kikao hiki cha leo, na ningependa kuwashukuru nyote kwa ushirikiano wenu mwema na kwa kutoa maoni yenu. Na haswa ningependa kumshukuru wanakamati wa Tume ambao wako, mwakilishi bungeni wa Mukurwe-ini, wakiwa na mwenyenji wao na co-ordinator wetu, kwani kama hatungekuwa na co-ordinator mzuri, hatungekuwa na kikao hiki na watu wachache wangetokea kama, ishirini au thelathini. Na huku tuliona Mukurwe-ini kutoka jana watu walikuwa wengi. Na shughuli ile tumewaitia, shughuli ya kuabadilisha Katiba, kwani Katiba ikirekebishwa kama hata hujatoa maoni yako, hiyo Katiba ni lazima ifwatiliwe Ipasavyo, lakini itakua vizuri zaidi kama unataka kupeana maoni yako, kwani itakuwa ni lazima kufikiriwa katika Katiba ambayo ulitengeneza. Kwa hivyo nitawashukuru wote, ningependa, kumuuliza co-dinator Mugo atufungie kwa maombi.

Johnson Nyuma Mugo: Asante sana ma-commissioner wetu, pia ningependa kuwashukuru kwa vile mumekua watulivu. Tumefurahi kuwa nanyi siku hii, mkirudi au mukienda kwenye mkoa mwingine, waambie watu wa huku tumefurahi. Vile kama mlisikia huu ndio mwisho wa kutoa maoni na kwa hivyo muambie watu ya kwamba bado tunaweza kupokea maoni yenu ikiwa imeandikwa kwenye kumbukumbu au memorandum, vilevile unaweza kutuletea maoni yako kwenye ofisi. Kwa hayo machache ningependa mama reverent atufungie kwa maombi. Asante.

Rev. Zipporah Njeri Njaga: Na mimi ninataka kuwashukuru Commissioners wetu kwa vile wamekua watulivu sana, and they were not refusing any member to participate. I wish to thank you very much, because all the members cannot give any reason that they were prevented from giving their views. You were very co-operative and we appreciate your co-operation so that if you go on like that in other provinces, the Kenya which we want will come up with a good Constitution and people will not say it is for mzungu, it is ours, we shall own it. Kwa hivyo ninashukuru.

Sasa tutaomba. Let us pray. Our heavenly father we want to thank you this evening. We want to thank you for the day's deliberation which has taken place. We want to thank you for our Commissioners, how you have been directing them, how they have been so co-operative. Also we want to thank the people who have given their views because they were very co-operative. Also we want to thank Mukurwe-ini Constituency police station for how they have taken care of us and we have no other problem.

Now Lord as we part, we want to lay the journey of our Commissioners unto your hands, to protect them as they move away from this place, be their driver, direct them so that they reach their destination peacefully. This I ask through Jesus Christ our Lord and Saviour.

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