

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**Verbatim Report of**

**CONSTITUENCY PUBLIC HEARINGS, EMUHAYA  
CONSTITUENCY, AT EBUNANGWE INTERIOR CHURCH**

**7 AUGUST 2002**

**CONSTITUTION OF KENYA REVIEW COMMISSION PUBLIC HEARINGS, HELD AT WESTERN PROVINCE, EMUHAYA AT EBUNANGWE INTERIOR CHURCH ON 7<sup>TH</sup> AUGUST 2002.**

**Present.**

Bishop Njoroge - Commissioner  
Ibrahim Lethome - Commissioner

**Secretariat Staff in Attendance**

Triza Apondi Programme Officer  
James Macharia Assistant programme officer  
Lydia Moraa Verbatim Recorder

**The meeting started at 9.30 a.m. with Commissioner Bishop Njoroge being on chair.**

**District Coordinator-** Agnes Ayuma

**Prayer:** Mungu baba mamulaka yote. Tuko hapa kwa shauri na kwa mapenzi ya nchi yetu kutaayarisha Katiba ambayo itatufaa na kutuendelea na Bwana tunaomba, tukianza tuwe na wewe na tuendeleo hivyo, hivyo na maoni yote ambayo tutakupa yawe itakupaliwa machoni mwako, na utuongoze natusaidie katika yote. Na ni kwa jina la Yesu Kristo Bwana wetu. Amen.

**Com. Bishop. Njoroge:** Jina langu ninaitwa Commissioner. Bishop Njoroge, na nina commissioner mwezangu ambaye pia ningependa haweze kuwasalimia na hatawapia tutafanya nini.

**Com. Lethome:** Watu wa Emuhaya, *mlembe? Mlembe bosu?* Kwa majina ninaitwa Commissioner Ibrahim Lethome Asman.

**Com. Bishop Njoroge:** Tumekuja na programme officer, na programme officer atatujulisha yeye ni nani na watu wa secretarial. Asante.

**Triza Apondi:** *Mlembe?* Mimi ninaitwa Triza Apondi, na ni programme officer katika tume ya kurkebisha katiba na tuko na James macharia, Jeff hatakuwa hanaadika maneno yale mtakua mmeongea, Lydia Moraa, Lydia anafanya recording verbatim record. Asanteni.

**Com. Bishop. Njoroge:** District coordinator na hatatoweka hapa pia hatujulishe wale wanafanya Kazi nao,

**Agnes Ayuma:** Asante sana, Bwana commissioner, mimi ni district coordinator Vihiga district na kwa majina ninaitwa Agnes

Ayuma Otubo, kwa wale ambo hamjanijua. Na tuko na wale watu wa kamati muhaya constitutional committee ambo tunafanya kazi nao mnajua wengi wao mnawajua, lakini kwa sasa niko tu na mmoja, Mr. Opanga karibu. Huyu ni Councilor Steve Opanga, ni yeye anawakilisha civic leaders kwa kamati yetu, karibu.

**Cllr Opanga:** Commissioners wale wamekuja kutoa maoni, *mlembe*. Mimi ni Councilor...Ombaka ninawakilisha civic leaders, nikiwa kama councilor wa North Bunyore. Asanteni.

**Agnes Ayuma:** Asante bwana ...na ningependa kuwajuliza kwamba, leo katika hii emuhaya Constituency tuko na panels pili. Kuna comissioners wengine wako pale, tima mission church, na ninataraji wengi wa kamati, emuhaya Constitutioncommittee wamenda kukaa na wale , na kuna wale ambao nina watarajia kufika hapa kusaidiane hapa.

Sasa nitajukua hii jukumu kwa kuwashukuru sana kwa kufika hapa na kutoa maoni yenu, kati yenu ninajua kuna wale wametoa Elimu kwa Huma, yaani civic education, pia ninawshukuru sana mulifanya kazi mzuri na watu leo watatoa maoni yao, na ningependa kuwajulisha kwamba ikiwa huwezi kuongea vizuri kwa lugha ya kimopo, na kiswahili usiwe na hofu , unaweza kuongea kwa lugha ya Kinyore, si Kinyore ni kizuri? Uongee kwa lugha ya Kinyore tutafasiri, ili comissioners waweze kujua ni nini unajaribu kuwaambia. ninataka mutoe maoni yenu bila kuogopa. Hakuna mtu ambaye atawasumbua kwa kutoa maoni yenu na mjue ya kwamba maoni yenu yatachukuliwa mahanani, kwa sababu , marudio yatarudi tu hapa. Asateni ni hayo tu.

**Com. Bishop Njoroge:** Asante sana District co-ordinator, sasa ninataka kuwaeleza vile tutakavyo endelea, tuna list hapa ambayo tumeletewa, na list hii inamajina, kuna wengine wameandika kwamba wangetaka, kutoa maoni bila maandishi, na kuna wale ambao wana maandishi. Hukitoa maoni utakuja huketi hapa, na hukisha kutoa maoni hutaenda pale kwa programme officer na jina lako litaingiswa katika kitabu, kwa hivyo, Kutoka hap ahutaenda pale.

Jambo la pili, kuna wale wanao memorandum, na hawataki kuzungumuza, hukiwa na memorandum, na hautaki kuzungumza, hataikisha katika orodha na utaiacha pale. Kila mtu hatakaye zungumsa tutampatia dakika tano, na mnajua sisi wote nui wakenya tunajua shida za nchi hii, na sio shida tuaaitaji, kitu tunaitaji ni mandekesho na tutajua ni shida gani, (not clear) tunaweza kuwa na shida ya hospittali watu wamesoma hakun amadawa, watu hawana peza ya kulipia madawa, hiyo hiko kwa kila mahali, ni kweli? Au si kweli?... hata (not clear) kila mkenya ambaye, hanajua (not clear) baada ya kutwapia hiyo shida twapie hunataka tufanye nini? Kuna wengine wametuapia, wana tuwe na matibabu ya bure hiyo ndio Constitutionhiyo nisawa, wengine wametuambia hawatki madakitali wawe na clinic yao, tafadhali mtuambie mapendekesho kuliko kutuambia shida kwa, sababu shida tunasijua na shida si vijo, kusaidia kurekebisha katiba ni mapendekesho, mumenifaamu, kwa hivyo, ninawaomba mkija, museme mapendeskesho, kun awengine wanweza kuwa na memorandum kubwa hatutaki, usome memorandum, yote kwa sababu huko Nairobi, tuna watu karibu arubaini wanongoja memorandum hizi n akuanalisi, na kuweka mahali zinaitaji, kuwekwa, mumesikia hivyo , kwa hivyo tunataka, tunataka kuhiglight, usisome yote, hili huweze kuzungumzia mambo yote sawa sawa, ukisoma yote dakika zako sitaisha kabla hauja zungumuza, don't read the whole memorandum, just highlight

because we have people in Nairobi waiting for those memorandum, to analyze them and put them in the report sawa sawa, hukisikia nimekuapia umebakisha dakika moja, hujue wakati wako huko karibu kuisha, tafadhali.

Jambo la tatu ni hili, kila mtu hana haki ya kutoa maoni yake, na mtu hakitoa maoni husizungumze huku kwa nini... hutakuja hapa tu hap akam a haokupaliani na hayo maoni, huzungumze yako, what I am sayiong is that , we must repect everybody's views, don't make noise about their views sawa,sawa, na mnajua pia tunapasa sauti zenu na (not clear). Kukiwa kelele nyi gi maoni yenu ikienda pale, itakuwa ni kelele, itakuwa nin bure, kwa sabau itakuwa imepotea. Kwa hivyo tumenawashukuru kwa jiri mumekuja, jambo ya mwisho tutaenda kama orodha ilivyo hadikwa, kawaida yetu atupendi mtu kuja na kusema nimekuja kwa sababu mimi ni mtu mzima nina heshioma nipeleke mbele, kwa hivyo tutafuata orodha. Lakini tukiwa na mwalimu amekuja hapa na tunataka arudi shule, si ni vizuri tumpatie nafasi, na tukiwa n amama mja mzito, si pia na yeye ni vizuri , kumpatia nafasi, hama tukiwa na mtu mgochwa na mbunge hakikuja tutamfanya hasikishe lakini baadaye tutampatia, kawaida tunamfanya hakae kama zaa moja na nusu hazikishe vile watu wansema. Asanteni sana. Sasa tutaanza na Ismael Mutola.

Tukitaja majina yenu vibaya mtusamehe, ni vile tu hatujui, sana juu ya .. njoo hapa mutola, njoo hapa Mutola. Ismael

**Mr.Ismael Mutola:** High commissioner yetu, na maofficer na wezangu walio kuja kuziriki hapa tusalamiane, kwa jina la Yesu, hamjambo? Maoni yangu ni hali ya husalama kwa nchi yetu, husalama wetu humesolota, na humesolotea nawatu wengi wansema wan haki ya kuishi na wengine hawan ahaki ya kuishi. Haki ya kuishi, mtu hanaweza kuwa na mahali yake ameweka ndani ya nyumba yake na watu wengine wanaenda wanafamia mali yake na kumnyanganya mali na kumua. Hakish huliwa, yule mtu aliye tenda kitendo hicho hanakamatwa, hacienda mbele , hunasikia kuna haki yeye hanachiliwa hanakaa nje, na yule mtu aliwe kufa, na haki yake kuisha, na amesikwa kaburini. Hii inaonyesha kwamba mtu ataendelea kufanya mapaya kwa sasbau ameajiliwa anakaa nche , itanfanya haendeleo kufanya mambaya akiwajiliwa hakae nje. Kwa hivyo tungeomba, ekiwezekan amtu akipatikana mtu ametanda matendo hayo hawekwe jinni ya sheria mapaka hatakapo maliza kezi yake kotini, halafu ajiliwe, ikiwa atashida haukumiwe, kwa sabau mtu hawezi kutenda mambaya, halafu anaweka peza na anaendelea kutendatu, na kuangamiza watu wengi na ni mtu mmjoja tu.

Ya pili, sissikama watu wa bunyore hawa watu we sehemu za magharibi, shida zetu ni nyingi na hasitatiliwi kwa kufuatana na umasikini ambao humetukumba, mishaada mingi haifii huku na hatujui ni kwa nini, inapotelea huku na sisi hatupati mishaada yoyote na hatujui sisi ni wanchi wa Kenya ham sisi si waKenya? Watu wa magahariobi huko. Hikiwa sisi ni wanainchi wa Kenya kwa nini mishaada hii haitepushwe mahali popote kam vile sisi ni wanainchi wa Kenya.

Ya tatu, ni jambo hapalo Tume imeongea kuhuzu hospitali, tunaitaji hospitali zetu xiwe za kutibu sisi free, kwa maana hilikuwa katiakl Katiba ya kwanza , kuopndoa hujika na magojwa, na husalama, na sasa hikiwa sisi tunalipa hospitali na hunalipa galama kubwa na unakozea sasa hutafanya nini? Kwa hivyo tunaitaji hospitali ziwe, za free, mtu hanaweza hatibiwe hakipatwa na shida. Na hizi clinic za private, ikiwezekana ziweze kufukwa kwa sababu zinakula pesa zetu nyingi.

Ya nne, ni kwamba ni hali ya mikopo katika Banki, watu wanakopa pesa kwa Banki, ni wale wanao vitu na watu wengine

wenye hawana peza hawatakupesha, hii himefanya tumejakiwa kuwa na humasikini, kwa sababu hatukupaliwe kukopa kitu, ndani ya Banki, ikiwa mtu hana shamba lake hakupaliwe kwenda kukopa mkopo, hili hafanye maendeleo ya kuchenga nchi, nafikiri yangu imefika hapo. Hayo ndio maoni yangu.

**Com. Bishop Njoroge:** Asante sana, tupate Nelson Kholi (not clear)

**Mr. Nelson Kholi:** Tusalaiane wote, hamjamba wote, yangu nitaongea juu ya mashamba, mashamba inaonekan imekuwa ghalama kubwa kwa sisi waninchi wa Kenya, Hunaweza kuwa huna shamba acre tano, na hunaona wengine, wan shamba zaidi ya elfu pili ama elfu mia moja, ningependa Katiba hiruhusiwe kurekebisha haya maneno ya kwamba mtu hakiwa acre kama hamsini ziwe zimemtosha na hizo zingine, zijukuliwe ziweze kufany watu wawe na kazi, hapapo hitakuwa na mavuno kusaidia kila mwainchi hili hajimtu maishani.

Jambo lingine, ni ngependa Kaatiba yetu hiruhuzu hivi kulikana na defense, mambo ya defense sasa, ningependa Katiba yetu sasa tuwe na mtu, ama minister, ambaye anaweza kuruhusiwa kusimamia hiyo hidha kabisa na hawe na huwezo jini ya Comissioner ama Board hapayo itakuwa na mapendekezo yake, kulikan an hutaratibu wa parliament.

Jambo lingine ni, Basic rights, Nigependelea Katiba hituruhusu sisi, tutumie haki yetu kama ni mapato hapayo tunapata, tusiweze kusubuliwa hikiwa mtu hana tengeneza kitu kama chakula na hana watu kwa boma yake watu kama kuni au ishirini, wanaendelea na maendeleo yao kulingana na utamaduni wetu na tunaingiliwa kama hauna haki ya kuishi hapo, hunaingiliwa na hunateshwa, kama hauna haki (not clear) Asante, hata kama hunatengeneza pombe ya kienyeji”busaa” na hunaona hunaigiliwa hunatoa pesa dnio huajiliwe, ningependekesha busaa iahirishwe kulikan na Constitutionyetu ya Kenya, hili, tusinyime watu wengine kazi.

Jambo lingine ambalo ningesema, ni Ugawaji wa malia yetu, ningependekeza serikali, ikiwa katiba itaweza kuiruhuzu, igawe mali, kwa kila mkoa au kwa kila sub-location hili hiyo mali hapayo inagawa watu, wajipatie kazi mahali hao, hili wasitoke hapa wakienda mahali kuingine. Na hali kadhalika, wanenda wanasheherekea huko, wakirudi huko haowezi jua ni kitu gani kinaendeale. Sasa nimefikiria kama cake ingeweza kuwanganywa, equally kwa kila mmoja, ingekuwa nin vizuri.

Ningependa upande wa kuchukuliwa watu kuandikwa katiak Army, mimi ningependekeswa hivi, katiba ituruhuzu ya kwamba kila mmoja, wa Kenya aliye na miaka kumi na nane baada ya masomo yake ya form four aingishwe katika Akazi ya Army na vyombo viote viwe kule na hajifunze kila kitu, halafu yule hatakaye patikana hanaweza kuendelea na masomo baada ya kutoka huko. Na yule anayeona hamepata experience ya kutosha vile halikuwa huko, hatangalia mambo ya kazi kwa hivyo, hili tusiruhuzu, system ambayo inatumiwa wakati huu, ambapo kila mtu rasima hutoe kitu ndio mtoto wako hajukuliwe ama huwe na God father, ndivyo iwezekane na hiyo itakuwa imenyima mwanchi haki yake. Maoni yangu ndio hayo hapayo ningependa kupendekeza kwa Comissioner katiba ya leo na nimeshukuru kukaa kwenu na ambo wameisikiza asante.

**Com. Bishop Njoroge:** Thank you very much for those views, (not clear) African Interior Church, Reverend

**Rev. Charles Anabaka:** Comisioners I have something to say, on the constitutional Review and I want to say first, and foremost we want our Constitution to have introduction where it states exactly who we are, what are our experiences and what is our destiny as a people. And if possible the introduction should state clearly than the word tribe, should be removed from all the documents. So that we know state as the people of Kenya and that is all.

Second thing, I want also to state that all our powers of government bring from the solvent will of the people and so the people should be seen to be controlling the state power through their elected representatives. The (not clear) of government should be seen to be independent and not just in theory but in practice.

Third point, I want to stress on is the constitutional supremacy. The Constitution should be a document that is not just a document that will be easily changed as the will of the people who are in parliament but it should be made difficult to change it, that is from the present 65%, we want to move that 75%, for any part of the Constitution to be changed, and we are also saying that we are proposing that we have the two chambers of the house i.e. upper house and the lower house where we this Constitution amendments should be subjected to. Some parts of the Constitution we are saying instead of being changed they should be subjected as a referendum, where the people are seen to participate directly but not just their representatives, because in most cases we are not asked for those amendments to be made.

Political parties: we are saying that political parties as a church play a very important, role in the mobilization of the public but we are saying also that, the political parties particularly the opposition parties should only not be seen to be opposing, so that all the time they are opposing even when something is good they are opposing, they should be seen to be participating in the development of the country. That means even if the ruling party gives a good motion and it is for the welfare of all Kenyans it should be supported by all, whether in opposition or in the ruling party. We are also recommending, that we don't need all those parties that we have today we only need the Constitution to make a provision for only five of them so that people are not divided into very small parties as such.

We are also saying that the political parties with good representation, the parliament should be financed by the state, from the treasury. Let me comment something on the judiciary, we are saying that the current structure of the judiciary is not adequate, it can also be improved by creating some small (not clear) courts at the divisional level. So that justice is seen to be displaced as quickly as possible. The current system where people are subjected to long traveling distances should be done away with, we are saying we need an independent judicial services commission and we are also saying that for those to be appointed as judicial officers should be people with the University Degree that is, LL.B and they at least three years experience in public or private service.

We are also saying that these people should work up to 65 years.

The appointment of those of the judges it has been seen that, some of this people from the private are appointed directly to the level of the judge, but we are saying this is causing frustration to the serving officers in the field, where as we appreciate that they are doing a good work, we feel that the level of a good principle magistrate it is very high enough and whoever is appointing should appoint them starting at that level. I think that is (not clear).

On local government, it is another area I want to comment; we are saying the local authority should be empowered, and should have very little to do with the central, in other words some of the function being done at the central government level, should be based in the local authorities so that they are seen to work and to find rule where by the mayors and the chairmen are subjected to elections after two years should be discouraged, they should serve a full five years terms and at the same time they should be elected by the people.

I want to say something on the basic rights and the saying that our, Constitution should provide for the basic rights of every Kenyan and guarantee this in the constitution. May I say something on the right to live, that should be guaranteed but, we are saying that the death penalty in our courts should not be moved but it should stay, because it acts as a talent to some people who may have go too far.

On management and use of National resources, I want to say as a church we are recommending that, there should be a fair sharing distribution and management of the National Resources. These resources should not be seen to serve a particular area, but should be seen to serve all Kenyans as a whole. I want to say the poverty level in this districts is 57% and you can see people are very poor, what we are saying is that the farmers must be protected although we cherish the idea of free market and mobilised market but we are saying we are still a young nation our farmers must be protected and we want maize cereal stores, to be put up in Emuhaya so that, the people of Emuhaya have an access to put at all times.

I want to finish by saying; cost-sharing policy in education and in health is making education in accessible by many Kenyans particularly in this particular area. Also many Kenyans are dying because of that policy and yet have dirty poor services in our hospitals and when you go there are asked for this money and a simple element like malaria or nemonia, they just kill you at the spot. That is why we are saying that the cost sharing policy should be looked into and that can be taken care of if our resources are shared properly, distributed fairly and they are managed propely and they are managed properly and corruption ig gotten lead of.

Lastly I want to say, we are recommending that we do not want any absolute power to be invested in an individual, we want this power to be shared so that we have a President who is ceremonial, then we have a prime minister who will be the leader of

government business in the parliament and at the same time who will be able to form a government that is from the party that is winning, that has the majority in the parliament and that is what I think I can say on the behalf of the church and I want to say we want people who are able, and not just people who are selected because they belong to a particular ethnic group, but people who are able administratively, politically to be given responsibilities of power. Thank you very much.

**Di. Cor:** Can we have Brown Olukusi?

**Mr. Brown Olukusi:** Commissioners ladies and gentlemen, to the result of the meeting of North Bunyore Location, opinion leaders, My names are chairman, retired senior chief Gesiko chiemo, secretary Pastor Brown Olukusi, assistant secretary, Mr. Frank Ojiondo, editor Mr. Ainea Mulima Esibila. Who did it in English, Mr. Gilbert Denta, who did it in Kiswahili? We had also councilor Gilbert speaker ombaka. (Not clear) Okay thanks you.

We need a preamble in the constitution; the government should have two languages for communication that is Kiswahili as a national language, and English as an official language. The Constitution should be made by the people; the making of the Constitution should be from the grassroots.

The Constitution of Kenya should be people driven, reflecting national unity. And all the laws of the land. Direct principles of the state policy, we need a statement in a Constitution capturing the national philosophy of love, peace and unity, as guiding principles.

The democratic principles should state clearly that the power belongs to the people and should be exercised on their behalf through the representation.

There should be equal distribution of national resources; there should be peace and justice to all Kenyans, regardless of race of tribe and ethnic. All Kenyans have very important values that should be reflected in a Constitution such as, minerals, clean water, land, education etc.

Women should be enabled to reach high levels of leadership. The principles should be enforced into law. The constitutional supremacy, The Constitution will go through many stages before being passed including public hearing, and even referendum they should therefore not be amenable to easy amendments, by the parliament this is especially, regard to gross errors that may be considered. As the core of the constitution, the people of North Bunyore location suggest that 65% be replaced by 95% majority votes before any amendments are done, even though the provision in the following areas should not be amended save for by National referendum: -

- The bill of rights
- Presidential term
- System of governance

- Transitional government
- Principle/ relationships
- Manor of electing and removing the President

A commission should be set to collect a referendum.

Citizenship: Anybody owned by a Kenyan man or woman should be regarded as an automatic citizenship

Kenyan women and man, and woman, should be able to confer citizenship to foreign husbands or wives. Any child born, by one Kenyan citizen should be granted Kenyan automatic citizenship regardless of the gender of the parent. Kenyans should have the identification card of birth certificate or passport as evidence of citizenship.

Defence and National Security: They should be established by the constitution, they should have an Armed forces, commission under the ministry of defense and discipline in the Armed forces, (not clear) personnel. The President should be a commander in chief of the Armed forces and Defense council; the executive should have power to declare war, but in conjunction with the defense council. The Constitution should allow use of extraordinary powers in emergency situations such as, war National disasters e.t.c. The executive must do this consultation with the defense council, which should be provided for in the constitution.

The parliament must have a role in effecting the emergency powers.

Political parties: They should have roles to play other than, mobilization the Constitution should regulate the formation management and conduct of political parties in terms of membership diversity.

Defections: we should have a maximum of three parties, political parties, should be financed by the government, checking balances should be put in place to have the state written in political matters.

Structures and systems of government, we should adopt a parliamentary system of government in which a prime minister, is appointed from the majority party in parliament, he should be in charge of day today, running of state, we should distribute powers of the executive to lower levels.

Most services should be given through the provinces.

The legislature, the appointment should be better by parliament are as follows:

All top government, adornment the judiciary, and ambassadors.

The function of parliament should be expanded so that it may have powers of appointing all government acts, commission's judiciary e.t.c. There are still many appointments you get at present.

The executive the Presidential candidate should be 35 years of age.

Presidential Kenya should be limited to two terms of five years age.

Functions of the President should be based on head of state commander in chief of the Armed Forces to National selection committee.

Chairing the cabinet meetings head of all state functions.

The judiciary: There should be a permanent constitutional court, to assess the rights of all Kenyans legal aids should be provided as a right of persons unable to afford services of lawyers especially in serious cases and mandatory in cases regarding to the abuse of rights. The judiciary officers should be appointed by the judiciary services commission headed by parliament.

Minimum qualification of a judiciary officer should be a degree in law the Kenya of the judicial officers should be 10-15 years.

The (not clear) should be disciplined through the judicial commission. Should have qualifications similar to those of magistrates.

The judicial service commission should appoint guards. Judicial powers of state should be based exclusively in the courts.

Local government:

**Com. Bishop Njoroge:** Can we have Dorcas, yuko? Let us have Alfred Asitiba, hatafuatwa na Susan Nchenga

**Mr. Alfred Asitiba:** Commissioners, ladies and gentlemen here is a quick look of the representation courtesy of ECJP (Economical centre for Justice Peace).

I particularly, stress on chapter three of the Constitution of Kenya election acts that is 41, there should be an independent electoral commission of Kenya vetted in by parliament.

Presidential and parliamentary and civic election should be held on separate dates, that is days. I propose the current voting system where Presidential, parliamentary and civic elections are held on the same day. This is a confusion to the voters who enter in the voting place, confusion on whether they are voting in for President, parliamentary or civic leaders, that why we propose they should be held on separate days to avoid the confusion.

All along the idea or to prolong and dissolve the parliament should not be based in the hands of one person, it should be at least debated on and made fixed to the all public.

Judiciary: It should be independent as opposed to the current one which is subjected to certain individuals.

Parliamentary: Should be elected and accountable, it should not be answerable to the President as in chapter three part three section 58 and 59 of the current Constitution of Kenya.

Executive: The President powers should be minimized as opposed to chapter two part 1,2, and 3. Section 4 to 29 of the current Constitution of Kenya.

Education: There should be a clear rule creating the duties of the school management committees and head teachers as opposed to the current education act chapter 211 sections 9 and 37. Which empowers head teachers to spend parents money willingly. paying accounting officers yet they are not the secretary to the committees , there should be an overall of the acts to stop head teachers from controlling the school funds.

Land: Various land control boards and land tribunal courts favour way to do people side running the common man, that Is matters pertaining to land should be dealt with by the ministry concern and not the provision administration.

Elections of mayors and the chairman of various local authorities should be, done directly by the public and not the direct by the councilors.

Lastly, salaries and allowances of the councilors should be controlled by the central government, and not the local authorities which some of them cannot manage the salaries and allowances hence subjecting to them to poor services to the public. Thank you.

**Mr.Geivan Ndenda:** I am going to make my presentation on local government the council chairmen and women, the council chairmen and mayors should be elected by councils and (not clear) the two years term,... ...And not clear location or local authorities. Candidates of council ship should be tested in English and Kiswahili

- They should have a clean track record.
- The people should have a right to call their councilors through the constitutional court, their should be nominated councilors that should not have contested for civic seat in the current elections
- Should be able to carter for special interest and (not clear) government.
- The President for the ministry of the local government should be able to dissolve and send the council in consultation with the e Constitutioncourt.
- The electoral system and (not clear) we should practice representative electoral system
- We should retain the simple majority votes as the justice of will and election
- The electoral courses should be designed in a such a way to increase the participation of women in parliament and local authorities election
- There should be a minimum percentage for the members of votes that in a ward, Constituency and Presidential candidate must attain in order to be declared the winners.
- Candidate who seek to nomination in one part should not be allowed to see and ( not clear information from another party).
- The defection of parties, and parties crossing the floor should be rejected, we should be (not clear). 35% representation

in at least five provinces of Presidential election.

- We should have seats for the civic vulnerable groups e.g. the disabled, we should retain the current geographical Constituency provided, they are covered under the provincial verbally acts.
- We are not satisfied with the demarcation of the Constitution and works, redundancy should be stabilized and will not come to find a special if we deny Constituency. The present (word not clear) of words should be revised on the Constituency (not clear) be split to two.
- Civic parliamentary Presidential election should be continuing to be held simultaneously.
- Our election process should be (not clear) by continuing to teach civic education or voting procedures and methods and counting of votes to be done through in the count station occurred area.
- There should be more (not clear) election sector by each candidate.
- Election date should be specified in the Constitution
- The electoral election should be conducted by the electoral.
- The electoral process of the year 2002, election should be held by secretariat can be done in both ways and announcement to be made immediately.
- The electoral commission should have a minimum of a university degree in law, be a Kenyan citizen and each candidate should be represented by at least two commissioners.
- They should be appointed by the independent constitutional judge in the Constitution court.
- Electoral commissions should be (not clear) tenure.
- The standard of the n commissioners should be timed by five years staying in the office reserve elections
- The commissioners should be removed by the offices after the preservations of the new office.
- The electoral commission should be (word not clear) by the central government through the provided time.
- Electoral commission should be appointed to (not clear) apart from the chairman.
- The number of one Constituency should be maintained after every ten years due to population increase.

Basics rights: A Constitution provincial for parliamentary rights are not adequate, (not clear)...

- Other rights should be entrenched to the constitution, e.g. political and civil rights, economic and social cultural rights and such (not clear) the right to decide the government to control over natural resources, the right to (not clear) the right of security and the right development, since the Constitution guarantees the right to life death penalty should be abolished.
- The Constitution should provide security health care water education shelter food and development as basic rights for all Kenyans
- The government should have the responsibility of surety that all Kenyans enjoy basic rights such as security, health care, water, education, food and employment. The internal and external of the security of Kenya should must be guaranteed that all (not clear) and other basic needs e.g. health care water, education, shelter food and employment should be possible for all (not clear) other Kenyans.

- The Constitution provide for compulsory and free education to all Kenyans at primary level.
- Kenyan should have a right to seek information of state or any other agency, or organ of the state
- The Constitution should guarantee, all workers the right to give their representation.

**Com. Bishop Njoroge:** (Not clear) Can we have Idmuli Hannington? Amerudi?

**Mr. Idmuli Hannington.** Mwenyekiti wa Commission Review Committee mimi nitaongea idadi kubwa ya watoto ambao ni mayatima sasa, katika area hii, ningependelea kwamba, serikali ijayo iwe na mpango kamili ya kwa angalia ni vipi tutawatunza hawa watoto, na kama tutaendelea kuwawaja hivyo, yale aneno tunayosema, security haitakuwa mzuri. Kwa maana hawa watakuwa katiak njia ya hatari, tuko na watoto mayatima wengi wamewajwa na wengi wako na wazazi ambao ni masikini, ambao hawawezi kuwa lea wasome vizuri, na waendeleo wapate nafasi yao katika serikali. Kwa hivyo jambo hili ninalionelea kama linaendelea kuwa, kikwazo hama kitu cha hatari kwa serikali yetu.

Pili, ningependa kuongea juu ya umasikini watu wetu hapa wengi ni masikini hukiangalia, hari ya mashamba, watu hapa wanishi kwa pointi au nusu acre, na kitu wanweza kufanya na wantumia kilimo ndio wapate chakula, ya kuwatosha ni vigumu. Kwa hivyo tungependa serikali iangalie watu wa hapa. Wangalie ni namna gani watafanya ndio wapate chakula, kwa maana sasa tumeapiwa hapa ya kwamba tupande chae, na tumeabiwa tutakuwa watu wanaitwa small-scale farmers, watu watapanda chae kwa kiwango kidogo sana. Lakini Hukiangalia watu wetu wameshidwa kupanda, hawana nama ya kupata mbegu, mtu ambaye ametengeneza mbegu zake anaauza, shilingi tano kumi, hiyo imewashinda watu wengi kununua hili wapande.

Mbolea, hiko juu ni shilingi elfu moja mia pili, gunia moja, kwa hivyo tunaona serikali lazima iwe na sheria ya kuwainua hawa watu wapate namna ya wataweza kujinua katika kilimo hiki.

Basi nikimalizia hapo nitaingia upande wa siasa kido, Nitasema serikali hapayo tutakuwa nayo ni lazima, ijue tuko na viama vya ubizani, na viama vya ubisani si hadui wa chama hapacho kinacho tawala, si hadui wa serikali hapayo hiko katika mamulaka. Hari hiliyo sasa vyama ambavyo viko vya ubisani vinaonekana machoni pa chama kinacho tawala kama hadui, watu hawa hawana furaha, tungependa sheria hiwekwe, ya kuwaweka wajulikane ya kwamba hawa watu ninwatu wa mtu mmoja na wote wanafanya maendeleo ya Kenya. Kwa hivyo hii ni kusema, tunaweza kuwa na mkutano mahali, Hutaona yule assistant chief anmwarika mtu wa kanu ambaye ni chairman wa kanu na mtu wa uisani hakiwa pale hatakiwi kuongea. Mambo haya yanatukela sana hapa yanaleta roho zetu kuwa na democracy hapayo tunataka katika Kenya haitakuwa, kama sheria haitawekwa ya kuwaweka hawa watu wajue kwamba vyama vya ubisani na cham kinacho tawala ni watoto wa mtu mmoja na wote wako pale kuzaidia mabo ya nchi yetu. Jambo hili ndilo ninaonelea ni mbaya sana.

Neno lingine ni kwamba yule mtu anyaye ingia kwa mamlaka ya serikali asiweke watu wao kuwa ndio ma D.O, D.C, kwa

serikali na watu wengine wanakaa bure. Jambo hili linakela watu wengine, tukihasabu watu ambao sasa wako mamulaka, tutaona watu wa kabila fulani ni wengi kushida kabila engine hiyo ni democracy gani? Tunataka sheria iwekwe commission ya public service, itoe mamlaka ya kutosha kabisa watu wachaguliwe katika nyacha ya serikali kwa njia ya haki si kwa sababu wanatoka sehemu ya mkubwa, kama hivyo Kenya ya leo hii. Mambo haya yanatukela. Htutaki mabo yaliyo tokea katika Burundi, ya tusi na utu yaingie hap amtu kulundika watu wa kabila lake katika mamlaka ya serikali na watu wengine wanatezeka, sheria hiwekwe katika sheria hijayo kama mnataka tuwe na amani, amani na upendo inatengemea mambo kama haya, husawa, ndio tunalilia tuna angalia kidogo kidogo tunjaona husawa hauko na tunataka sheria hii munatunga, hiweke husaswa, kama hastutakuqwa na husawa mtu kusema upendo na haki, hatututakuwa na haki. Asante. Sina mengine.

**Noah Engolo:** Asanteni sana comissioners kwa kuniita hapa, na commissioner na wazee wa Bunyore ninasema wote hamjambo? Hamjambo tena? Bunyore hii inaonekana watu wamesoma sana, na hawakusomea Kenya walienda kusomea huko ulaya, sasa mambo yale mimi niko nayo, sijui kama nitaingia yule mtu amesemwa, kwa sababu mimi si mzungu, mimi ni mwafrika wa Kenya ni najua kiswahili. Nitaongea hili sijui kama imeongewa na kizungu, Kenya, Katiba ya sasa tunataka Kenya ijukuze, mchanga hapana kosa Kenya, Kenya ina mchanga, kubwa sana na wale watu walikuwako mbeleni wamenyakua mchanga wetu, tukiangalia, kama Bunyore, Bunyore watu ni kwengi na hata kuna watu hawan amahali pa kujenga hata nyumba peke yake, katiba ya sasa ifikilie mambo haya.

Pili, hapa Kenya, haya maneno yamezungumswa na nikirudia nitakuwa ninamaliza nafasi, neno hili limezungumswa na mtu hapa nikasikia, ya kusema mtu akifanya makosa akipelekwa ndani ya polisi hanaenda anatolewa huko na pesa, tena harudi, ya pili ya tatu (b) ninataka mtu kama chief, sub-chief warundishwe nadani ya watu wawe wakiwachagua, kwa sababu, vile wanjukuliwa huko, wanaweza kuichagukliwa yulwe ambaye anakisai hama kama hatachaguliwa wawe wakienda mahali kuingine kulinda huko, na ya huko hanakuja kurinda za zingine, hapo itakuwa mzuri, kun asub-chief wengine wako na kisasi na wengine ndani ya mtaa, hiyo neno sijui kama imesungumswa,

(Tumeandika)

Mumeandika, haya, neno ya hiyo hiyo nina rudia hii sub-chief, na (not clear) mtu anakuja hanakufanyia makosa sana ndanii ya nyumba au kwa boma yako, saa hiyo utaenda upige report hunapiwa toa peza kadha hunatoa peza hiyo, mtu aletwe, akishaletwa tena , hapiwe toa peza , hanatoa kiasi hile ulichotoa, wanaweka hiyo psa kwa mfuko wanawapia, nendeni nyumbani mwende mkazikisane huko, sasa hiyo inaendelea kisasa, inaendelea hata watu wauane ndani ya pombe na hiyo si sheria mzuri. Ninafikiri mambo yangu ni mafupi, ni hayo tu kwa sababu mengine yamesemwa na kizungu sijui kama wameninyanganya. Asanteni sana commissioners na wazee wa Bunyore.

**Aineah Mulimah Esipilah:** My name is Linus Esitira from North Bunyore, I would like to send my right to the ConstitutionReview Comission according to the following points:-

- The right of the venerable groups e.t.c.

- The interest of women are not fully guaranteed in the constitution, the Constitution should state out clearly the channels of succession.
- The Constitution should state out clearly the channels of possession the pension should be paid on the (not clear) until death and not for the limited time only.
- The time taken to (not clear) survivor benefits, should be shortened, constitutional women should be given equal share as male citizens of Kenya.
- The interest of people with disabilities are not fully taken care of, their life is not fully protected due to unseveral infrastructure. The Constitution should guarantee them, equal share as any other person in Kenya.
- The Constitution should guarantee the mechanical employment and education and e.t.c according to the individual disability.
- The Constitution should guarantee and protect the right of students, insuring that the children's Acts 2000 is fully followed and dealt. The government being a role model.
- Other vulnerable groups, the age, the need in terms of transport food, shelter and e.t.c is not guaranteed.
- The Constitution should enable the old age assets, Basic needs and profession.
- The Constitution should guarantee the establishment homes for the old age.
- Age victims should be given free, counseling, medical care and other professions.
- Genetically, the handicrafts should be given free, medical agents and e.t.c.
- Medical cases should also be guaranteed, cared by the Constitution for their, pride has been noticeable by the family members as the risk of the community, this should be in place or attendance available to care for the disabled, in story building, and at the nearest offices possible.
- The disabled should also be guaranteed, equal employment regardless of sex.
- The Constitution should make the provisions for the formative action in the favour of women and other vulnerable groups.

#### Land and property rights:

- The Constitution should guarantee the old men ownership of land, (not clear) individual and family members.
- The family should not have power to compulsorily acquire the private land for any purpose.
- The state government local authority should not have the powers to control the use of land for the owner or occupiers.
- The issues concerning transfer and inheritance of land rights should be addressed in the Constitution that one should be affected after, neutral applied by both members of the family.
- There should be a succeeding of on land owned by an individual, for example one should own a personal land that he can only use and find effectively.
- There should be succeeding on land owned by an individual for example, there should be restrictions on ownership of land by non-citizens for example one must qualify to come a Kenyan citizen first.

- The procedures for transfer of land should be simplified.

(Not clear)

- This particular I will recommend 50 acres by an individual, so that we have equal quality in the sharing of the land issue
- Men and women should have access to land, for example where married parties are married, they should own land. Title deed jointly as a family.
- The pre-independent land tribute, and implement involving certain communities such as the Maasai, (not clear) and the coastal field, should be retained.
- Kenyans should own land, anywhere in the country; the Constitution should guarantee assets to land for every Kenyan.
- Cultural and ethnical, regional diversity and communal rights: Kenya ethnically and cultural diversities, does not contribute to the nation culture.
- Cultural and ethnic diversity should be protected and promoted in the constitution.
- Cultural and ethnic values the rights from our corrective experience should be captured in the constitution, for example, funding the region traditional brews, clothing and funerals rituals and e.t.c
- The Constitution should ensure that, our interests as a district group, are taken care of, for example the (not clear) well established and should be found under the provisional boundaries act. To bring harmony in the people concern, to avoid, leangles or hatred with other tribes or neighbors.
- Finisity should be dealt with under the emblem of Harambee, love, peace and unity. T o ensure unity, diversity and security of the person and property.
- The Constitution should provide for protection from the (not clear) aspects of the culture, we should have two languages Kiswahili a National language and nglish as an official language.
- The Constitution should recognize and promote indigenou languages.
- Management and use of Natural resources.

Can you make that to be your last point?

- The Constitution should assist in promoting social equity especially in terms of assets to natural resources including land. Kenyans should ensure that economic and social democracy are realized, therefore the constitutional law stating that all Kenyans have a right to fair the nature of resources should be guaranteed.

Environmental and Natural resources: Local pilots, be in acted within an environmental area to protect easy environments in each community.

The power to be enforced from the community level up to Nation level e.g. local elders councilors, cultural leaders, and church leaders to enforce laws to protect the government.

The locals and central government, should own land process, the local community, should be given the first priority in employment and in the leaders in the exhibition of elders.

All Natural resources should be protected by the constitution.

The local community and the central government should be responsible for the management and the protection of the natural resources.

The Constitution should have enough bodies such as, wildlife to conserve environment, (not clear) government. Thank you.

(Not clear) please if you do that the others will not have time to say their views. Catherine Inchere (not clear)

**Catherine Inchere:** Comissioneers na wanyore wote hamjambo? Kwa majina ni Catherine inchere. Mimi nitaongea kuhusu wanawake wajane, na wazee pamoja nawatoto ambo wamewajua na wazazi wao. Wanawake wajane wako na shida pali pali katika boma za, wakisha kuanjua na mabwana zao wanapata shida nyingi, kwanza, wanapaguliwa katika familia zao, pili hawana right ya kusema katika familia zao, kwa hivyo ninataka serikali eangalie kwa hiyo, kuwa wawe na right kwa kitu chochote katika familia zao na katika serikali.

Pili, wanawake ambao wamewajua hawana nafasi ya kusema mambo mengi, wanasema ya kwamba wanawake amboa hawana mabwana hawana ruhusa ya kusema. Kwa hivyo tunataka serikali ama Constitution itupatie nafasi hili wanawake nao wawe na ruhusa ya kuongea.

Tatu, Kwa wazee wakongwe na wamama wakongwe, hukienda wa barabarani, hunakutana na wazee wengine wangokwe na wamama wakongwe ambao hawajiwezi, na wengine wanakaa, tu huko hawana ya kufanya na hawana msimamo kamili, kwa hivyo ninataka constitution, ama serikali hiwape nafasi ama iwatafutie njia, hapayo hawa wazee wangokwe, wanaweza kuwazaidia.

Watoto ambo wamewajua na wazazi wa mayatima, watoto amboa wamewajua na wazazi wao mayatima, wako na shida nyingi sana, kwanza kabisa wazazi wakishakufa wote watoto hupata shida, huko nyumbani, hawana hulishi polahawana mafasi, hawana chakula, ingawa wanaweza kupata lakini ni kidogo, haiwatoshi watoto huwa na shida wanaweza kuwa wengine wakiendelea shule kidogo, wafika kiwango fulani wanakaa nyumbani kwa sababu hawana fisi. Kuna watoto wengine wanajikaza watoto hao wanaendelea lakini, wakifika kiwako ya shule ya secondary huwa ni shida kwa sababu hao walimu wa shule za secondary, hawajui ya kwamba hawa watoto ni mayatima,

**Question: Njoroje:** Hawa watoto (not clear)

**Cathrine:** Ninafikiria, ya kwamba hawa watoto wapewe masomo ya bure, tena hawa watoto wapewe health care ya bure kwa sababu, hawana mahali popote pa kutoa

**Com. Bishop Njoroje:** Mama hayo tunajua, (not clear)

**Catherine:** Asante, kwa hivyo ninaona wakiwapatia hawa free education, health care hawa watoto wataendelea vizuri. Kwa haya machache nasema Asante.

Question: Com.Lethome: Hili wajane, wanawake wajane, wa... na katiba, na wawe na haki ya mali, ungependa (not clear) hiwe, ... Mama na baba.

**Catherine:** Ndio ningetaka ikiandikwa baba na mama, baba akianga dunia mama anapaki nayo.

**Com. lethome:** (not clear)

**Catherine:** Kulikana mila zetu, kurithi mali baba kama hamekufa watoto wa kiume, ndio hufikiriwa kwanza, kwa hivyo ninasema ya kwamba, mtoto ni mtoto, wote wafikiriwe, hawe ni wa kiume au mwanamke wote wafikiriwe. Halafu tena wanawake wajane wapate pension, ikiwa mumewe likuwa anafanya kazi na serikali hapate pension mpaka siku hatakapo haga dunia. Asante.

**Com. Bishop Njoroge:** Justone Okwero Musungu na atafuatwa na Laban Muhando Muhisa, njoo hapa karibu.

**Mr. Justone Okwero Musungu:** Mimi ni Justone Okwera Musungu, mimi ni mzee wa (not clear). Mimi kwangu ninasema kwa upande wa wazee wa mtaa, tunafinywa sana na serikali ya Kenya, kwa sababu kazi nyingi inayofanyika Kenya, kwa vijiji likuru, kila 'Likuru' hukiwa mwahalifu, Polisi hawawezi kujua hata, assistant chief hawezi kujua, kwa sababu wazee wa mtaa ndio wanakaa karibu na waleo wakorofi. Kwa hivyo ninapendelea wazee wamitaa wafikiriwe sana na serikali ya Kenya wawe wakipata mishaharea, kwa sababu mimi ninweza kujukua mtu, wa pombe, hukiwa nani, hukiperleka kwa police hatatoa kitu huko na hatajiliwa na mimi nimepeleka, sipati kitu, na msahara sipati kitu, ninataka nipate msahara kulikana na hile kazi nimefanya.

Ya pili, natakawajulikane tukienda kwa serehe (not clear) polisi wanafaa uniform, chief wanafaa, assistant wanafaa, na likuru hawezi kujulikana huyu ni likuru, hanawez kusukumwa, na wewe ni mtu wa serkali.

**Com. Lethome:** Hunataka wapewe nini?

**Mr. Justone:** Nataka wapewe uniform, hiyo ni yangu.

Ya tatu, ninongea katika kimbulizo ya wasijana wale wameolewa, kwa mfano mimi mtoto wangu, hameoa kule kwa wagiriana mombasa, na haliolewa kama hana kitambulisho hakakuja kwangu na ninkatoa mali kama, mtoto wangu na hakakaa kwangu, lakini akati hanataka hapate kitambulisho watamtuma haende kwao tena, kule giriana haende alete kitambulisho ya mama yake ams baba yake, na huyo nio mtoto wangu hapa, hatapoteza pesa nyingi kwenda huko ndio halite kitambulisho cha mamayake

ndio hapate kitambulisho ya pande hii, na hicho kitambulisho ni cha Kenya mimi ninapendelea huyu mtoto ni wangu , Hakipenda kujukua kitambulisho , hachukue yangu , ni ya baba yake ndio garama hiwe kidogo, na hapate kitambulisho, hanaleta ya mama yake hachukui, mda mfupi, watasema hapandilisho jina y abwana wake tena hatatoa pesa , hiyo itakua ni garama kubwa.

**Com.Bishop Njoroge:** (not clear)

**Mr.Justone Okwero:** Yangu ni hiyo tu.(not clear)

**Com.Bishop Njoroge:** sante sana mzee, (not clear) wewe ni nani? Laban, laban nanai? Muhando. Charles Ojode hakoo wapi? Hutamfuata Laban.

**Charles Ojode:** Hamjambo wote, mimi yangu nitaongea hupande wa vichana

**Com. Bishop Njoroge:** Jina lako

**Charles Ojode:** Ninaitwa Charles Ojode. Vijan apande hii ya kwetu hawana viongozi yaani kutoka kwa serikali, natunataka hao youth leaders watoke kwa serikali na waandikwe, lakini wale youth leaders wale wako saa hizi, ni wakutoka kwa viana, vile viko saa hizi, navyo hao hakuna kitu wansaidia vijana pande hii.

Kitu engine, ya pili, ni mambo ya transfer of land title deed tungependelea hiyo mambo ya transfer ya shamba iwe free of charge, kwa sababu area ya kwetu hii iko na mashamba, iko na land title deed kutoka kwa babu yangu mpaka sasa ndio inatumika, sasa tunataka iwe free of charge, itakuwa ni hafadhali kidogo ni hayo tu.

**Com. Bishop Njoroge:** Laban Muhando Muhisa

(Not clear) Dorcas

**Laban Muhando:** Comissioners, ladies and gentlemen, my names is Laban Muhano Muhisa. My main ain of coming here, is that the President should not have more power, than parliament,

Secondly, off study imekuwa too much, na dictatershipekuwa too much. Napendekeza kwamba sheria ijukuliwe mkononi, kama hupande wa President, napendelea kwamba, President hapate mamlaka kutoka parliament.

**Com. Bishop Njoroge:** Hiyo humemaliza.

**Laban Muhando:** Napendekeza serikali hijukue hatua hapayo inaweza kuja kesho au kesho kutw, hawa watu wajukushwe, wapelekwe mahakamani.

Thirdly, court haina uhuru wa kurule kesi katika kesi zetu,

**Com.Bishop Njoroge:** Unapendekza nini?

**Laban Muhando:** Napendekeza Court iwe free na kesi zao.

Fourth, ningependelea kwamba this free education ambayo mnasema free education sisi ndio tulisema free education (not clear). Siku hizi walimu wamekua too much, off study imeaza na huko, inaingilia mpaka kwa watoto wa shule kufukuswa kila siku jiani, ningependekzh baaada ya kufukuza watoto, hao walimu wahite wazazi, waende shule, bada ya kufukuza watoto kila wakati unakutana na watoto njiani.

Ya tano, ningependelea yakwamba, kitu ambacho tunaitaji sana kwa wakati huu kama dictatorship inaendelea kwa wakati huu, niende kwa siasa, ambayo President hako na powers kuliko parliament, ningependelea hiyo itolewe, hiyo dictatorship ambayo hanarecruit watu, kama hanavyo taka, sio muri, mimi nigeonelea, hikawe na tuone ni kitu gani tunaweza kufanya Asanteni sana.

**Com.Bishop Njoroge:** Asante, Bwana Laban, (not clear)

Commissioners, na wote ambo mumefika hapa ningependa kuwasalamia, hamjambo nyote? Kwa jina ninitwa Dorcas Kasiagira. Mimi nitaongea juu ya kabila nyingi katika Kenya, na tuko Kenya uhuru, ninafikiri Kenya tuko na kabila tofauti na tumesema tuko Kenya uhuru, na Kenya uhuru yenyewe hatuko Kenya uhuru, sababu ninayosema hivyo, tuko na watoto, na wanaweza kuolewa mahali popote hanapo penda, na kuna wakati hukifika, mtoto pengine ndio wanaweza kutawanyinka. Halafu huyo mtoto anakurudia wewe, kama mzazi, kwa hivyo tuna kabila zingine, ikiwamtoto wako hameolewa huko, na hazae watoto tano au sita, anakurudia wewew kwa sababu ndoa yao imefujika.

Kwa hivyo pengine huyu kijana, hakukupatia mali, na kabila zetu sisi waluhya, msichana hakicha kwa mboma na watoto, sisi tunasema ni lasima mtoto halewe na baba, a kuna kabila zingine, wanafukuza msichana pamoja na mtoto wanasema ni zawadi ya msichana, kwa hivyo sisi kaa waluhya, tunaona ni shida kwa sababu hatuna mashamba tutapatia hawa watoto. Tunataka serikali ifikirie ya kwamba baba ni chukumu, hajukue watoto wake, kama amezaa watoto na msichana wako, ni lazima baba hachukue chukumu ya kuwalea hao watoto.

Ya pili, ni kwamba nitaongea juu ya, lugha ya kiswahili, nafikiri kuna mtu aliongea lakini mimi ni kutibitisha ya kwamba, lugha ya kiswahili, hukienda mahali pengine kama, kun andugu zetu wengine, hawaelewi kiswahili sawa sawa, na hukifika mahali wengine wanaongea kizungu, kwa hivyo hukifika mahali hunapiwa ongea lugha ya taifa, na hiyo lugha ya taifa yenyewe haiko kwa katiba. kwa hivyo ninataka hiyo lugha hiwe ndani ya katiba ya kwamba ni lugha ya taifa, kwa sababu, hukienda Nairobi

hunaapiwa, hukianza kuzungumza lugha ya kiluhya hunaapiwa, zungumza lugha ya kitaifa. Na haiko katiaka Katiba.

Ya tatu, nitaongea juu ya kazi, tumesomeza watoto wetu na hawana kazi, hunaweza kupata mtu kama, mbunge ao weningeo, wamechaguliwa kutoka Constituency wameenda parliament, hakifika huko, hanajukua kama kazi nne au tano, na sisi tuko na watoto wanaotaka hizo kazi, wafanye. Kwa hivyo hafanye kazi moja. Ninafikiri hayo ndio maoni yangu ningekoma hapo. Asante sana.

**Com.Bishop Njoroge:** Thank you very much. Can we have, Archbishop Ricahrd Ong'anda?

**Archibishop Ricahrd Oganda:** Mimi ni Archbishop Ricahrd Onganda wa African Interior Church. Hapa ninawakilisha maoni yangu sasa ni ya NCKK Vihiga TTC, which I am the chairman,

**Com.Bishop Njoroge:** (not clear) highlights, kwa sababu hiyo NCKK tunaipata kila mahali. Kwa hivyo ningependa kuhiligh

**Archibishop Ricahrd Onganda:** I will highlight, Constitution yetu haina preamble, and we stress that in the new constitution, there should be a preamble.

We stress the fact that at the present, the (not clear) hama huwezo katika nchi hii hiko mkononi mwa executive, na tungependa kusema ya kwamba, huweze ama (not clear) iwe katika serikali. Iwe kwa mikono ya watu.

Talk about the constitutional supremacy, the constitutions should be free and no body in power should (not clear) should direct the Constitution at his or her way, and if the Constitution is to be changed we should tighten it and we have 75% of members of parliament voting for it and with certain incidents should be given an opportunity to hold their views through, maoni yao.

When it comes to citizenship, we feel that all people should not be discriminated, if a woman is a Kenyan and a man is a foreigner, he is not given citizenship, if a man is a Kenya, and a woman is a foreigner the woman gets citizenship. We comment that all of them should have citizenship.

Whether a woman or a man should be given citizenship or not, it should be clear that a woman or a man should be given citizenship.

Kwa political parties, we emphasize that they should be given equal rights and enabling environment to grow and operate without any discrimination, because we have accepted them in our laws.

When we come to the government we feel that we have, complete procedure of power between the executive, the legislature, and the judiciary. This will be very clear and as of now they (not clear) boundaries between the three terms of the

government.

I'm just summarizing because we, saying that when it comes to the election of the President he must, garner 51% and above of the electorate, we are not for this minority, simple majority day. The President must, if they are five candidates for presidency and no one, gets (not clear) then the guests too must have a (not clear). So that we have someone with clear majority to become a President of the country.

We're also saying that we should allow the government for more than one parties, in a constitution.

Coalition government where no party majority we should allow, In our Constitution government to run the country.

When after the election, the results must be declared at the polling station immediately. The boxes should not be carried to central places, many kilometers away to be counted, so that, we avoid cheating, and so on.

When we have done election, we recommend this on the succession: -

- a) We recommend that the speaker of the national assemble of the chief justice
- b) In church, of the executive powers due to Presidential elections. In the other words when you go into the election the President should not be in control party. One of these officers should be in charge.
- c) The Presidential election results as we have said, should be counted on the every polling station and the result released.
- d) The incoming President should assume office in four weeks time, following the election.
- e) The chief Justice should assure the incoming President in the National stadium like Nyayo National Stadium not in where we all don't see.
- f) The out going President, should hand in the instrument of power immediately after the sued in of the incoming President.
- g) The mode of transfer, of the (not clear) power, should be as I have said early public and ceremonial.
- h) The Constitution should make sufficient provision, for a former President who has retired so that he has security, and his welfare should be taken of. We find that the should be no immunity from late of process of an out going President.

**Com. Bishop Njoroge:** Not clear na hatafuatwa na colonel Mukobe hako wapi?

**Gaska Okemo:** My names are Gaska Okemo; I would like to talk about, Kenya women, children people with the disability and other venerable groups. I have been (not clear) in most cases we need them to have a hear say to the government. We can (not clear) say that baptism that obtains the organize marginalized the groups named, and cheated them as second hand or citizens.

This groups have contributed much to the government yet not only are they, non (not clear) in their countries government structure, they have not yet seen what independence has brought to them as crops, we therefore recommend the following to be taken in the new constitution:-

1. Equality for all level.
2. Respect for men and women
3. Agent sensitivity government that promotes the principles of the enclussive for women.
4. A society that respect the dignity and human rights of all the said groups to protect women, violence by public and private actors.
5. Ensure access of this groups to productive resources
6. Assisting fully, committed a balancing the skills, so that all the e groups equal can share in the (not clear) in steps of National dealing.
7. Freedom of assembly as principles of need, association, expression and development, freedom of radio and T.V. and any other organization to operate nationally without interference. In this case when we have some matters around here especially for Emuhaya it is never, civilized it is hear reported in the news papers, it is ever even read in the radio, we want this to be opened for all people to know want is happening in locally.
8. The principles of a formative action, be given policy legal and constitutional recognition under, the new constitution
9. Enabling disadvantages schools of our society to participate fully in governance in all process of National development.
10. To be given chance of election and nomination in national assembly local councilors and other opinion marking position.
11. Awarding: (NOT CLEAR) retired with companionable care after they have committed services to their beloved country should be one. they should be:-
  1. Given good pension.
  2. Renewing the pension, and their salaries after five years.
  3. Bringing payment nearer to the people so that the pensioners should not be walking far distance to get their meek salaries.

Building homes for the elderly and maintaining them in those particular homes.

Widows and widowers, next of kin belonging to their deceased to their deceased pension and if they die so that the five-year period which had been put in the Constitution should be remove.

Paying them their pension should be immediately as by known their pension should be known when it is paid.

Internal relations: The legislature should be involved in order to adopt, who are enable with the internal affairs.

Parliamentary select committee on foreign policies should be appoint ambassadors foreign affairs minister examiners adopt them self's in the international laws, through referendum when economy allows the minister in charge of the ministry in which foreigners affairs are concerned should take place in stead of the President.

Constitutional commissioners, we need the above commissioners and they should do the following:-

Constitutional commissions to look into matters concerning the Constitution Electoral commissioner should be independent.

Public service commissioner should be responsible for supervisory, disipline employment, reviewing civil service, salaries.

Parliamentary service commission should be in terms of services of parliamentary, discipline of parliamentarians, supervision activities of the parliament where the speaker of the house, should be a member.

Judiciary: Protect human rights look into the gender, ensure human rights and practices, oversee the state of prisons in the country and the anti-corruption commission, look into the activities in the corruption parastatals and institutions, advise the Attorney General to prosecute or a quite land commissioners.

Appoint land Control Board members and tribunal Board, members who are competent and who are knowledgeable to the matters concern.

Deal with the issues in the state of provincial administration, we need to introduce the office of (not clear), because it is independent it will oversee, justice is done in the event of some one having sued authority of the government.

Succession: The attorney General and the chief justice should be in charge of the executive powers during the Presidential election

All Presidential candidates should present and sign a acceptable results, or the chairmen of the electoral commissioner should announce the results immediately after they have signed themselves.

The Chief justice should sure in the incoming President.

The out going President should transfer the instrumental power for the incoming President within the seven days.

The Constitution should provide for a former President in terms of a security welfare and humility from legal projectors.

**Com.bishop Njoroge:** Thank you very much, (not clear) Timothy Opanga hako?.

**Timothy Opanga:** Hamjambo nyote, kwa majina inaitwa Colonel Mukobe, nitazungumza mambo mawili pekee yake, jambo la kwansa ni President mimi ninataka, a President who is elected, and a President should have all the executive powers.

The judicial powers should be independent completely.

The legislature powers should be extended completely

Provincial administration should be abolished, instead we can have, strictly district administration. So that, the D.C (not clear)

District focus on development, so the D.C should be in charge of the District (not clear)

(Not clear) the chiefs, the magistrate, the chiefs should represent, within the admission not transfer. (Not clear)

Assistant chiefs should rotate within a location, at the intervals of (not clear) This will make them at (not clear) the public area has a chance to feel welcomed.

You have talked the local government to be given more powers, here you saying, from experience we have seen of late councilors locking up the mayors from the office, councilors locking out the town clerk from the office from the office and so forth, such stress can not bring a good government, therefore, (not clear) should have more powers, that should control by central government.

To ensure that during the (not clear) should measure up and we should have no (not clear) Freedom: The freedom of worship,

freedom of pension, freedom of work those freedom are okay but, freedom of worship should be controlled. Not just taken like that I just, (not clear) from experience I am going to say this that freedom of worship should be controlled, in not, then according to the (not clear) groups like devil worshipper, groups like akina, (not clear) we have some people who to some people's home they shout the whole night, disturbing every body that they are preaching, that wanakesha.. So I think we should have some order and be controlled by the state. I think on that note I should stop there.

**Com. Bishop Njoroge:** Thank you very much, can we have Timothy Opanga. Nelson obonyo, hako utaingia hapa. Allan kwatamba, karibu hapa. Mtafuatana hivyo.

**Timothy Opanga:** Kwa majina ni Timothy Opanga, ninaaza na majudge, hapo zamani hapa Emuhaya kulikuwa na court, tunataka court zirudishwe katika Constituency, sio Vihiga kule tunapoenda. Na sheria ya Kenya tungependelea, ianye kazi kwea Kenya yote, kwa sababu kama hizi sasa tunaongea hapa, hizi sheria Hutapata Bunyore ndio zinalasimishwa kazi sana. Na sehemu zingine hutaenda hukute hizo sheria haziko namna hiyo, hapa mtu haliongea juu ya busaa, hukienda Nairobi hutapata, kuna clubs ya Busaa, na hapa hukipatikana hunauza ngombe.

Nikiongea juu ya elimu, ningependelea sheria, iwe kama ni Nairobi, pia mwanaichi wa kawaida hawe na starehe, asinyimwe, sitarehe kwa sababu hawezi hakanyimwa, ifanye kazi kwa watu wote.

Elimu: Upande wa elimu kutoka standard one mpaka form four hiwe free, kwa sababu ikiwa vile ilivyo, matajiri ndio watasomeza watoto pekee yao. Na upande wa walimu, walimu kama asha chaguliwa katika chama cha Knut, hawe full time kwa office. Sio hawe hanafundisha munaenda katika shule munapata ameenda kaxci ingine wakati watangusha yeye arudi hafundishe.

Hospitali: watu wanakufa kwa sababu hakuna pesa ya kwenda hospitali sasa hjospitali serikali iangalie sana, kuna ugochwa imekuja inataka iwe bure, kwa sabaabu watu wana katwa, (not clear) nini, sinafaaa siwe free. Nimependekeza, ee.

Kitu kingine, ni ya upande wa uchanguzi, kuchagua mtu kama.. Ningetaka kuzungumuzia juu ya viama. Hizi viama via kisiasa ndivyo vinaleta ukabila Kenya. Vinafaa vipukuswe, viwe kamm aviama tano Kenya maima, kwa sabaabu sikiwa mengi, kila kabila ina chama chake, ukabila inshidi hapa. Ni hayo tu. Asante sana.

**Com. Bishop Njoroge:** Tumefurahia maoni yaklo, ya kwamba maoni (not clwear) humesema moja kwa moja. Tuambie jina lako

**Nelson Obonyo:** Kwa jina ni Nelson Obonyo, nitaanza on political parties, (not clear) ningesema, political parties siwe rejoiced to pray.

The play political parties should be financed by the treasury according to the representation in parliament.

Three political parties, when you go to the legislature, the appointment such as public service commission auditor general, Parastatal heads, should be vetted by parliament.

Voting and contesting, of parliamentarians and councillors should be the age of 18 and above. They should be academically, O level and above.

People should have a no confidence in their MP, wakiona mbunge ni mbaya wamuite nyumbani na apige kura kura na kumkataa na wachangue, mwengine

Tuwe na coalition government: sio chama kile kimeshinda kiwe cha kuuunda serikali.

Provincial commissioner office should be abolished. Tuwe na district commissioner ambaye atareport directly to the permanent secretary.

From the grassroots, the chief should report to the D.C directly.

Upande wa President ningependekesa tuwe na rais na miaka ya mtu kutafuta urais hawe na miaka 30 and above na hawe na record mzuri, na hawe ni mtu amesoma and least university and above.

There should be no vote of confidence on the President.

Mayors and chairmen should be voted by councillors.

Two year terms for the mayors and chairmen's is adequate.

Councillors should be O level and above. And no language tests should be done. Instead they should represent their academic qualifications for nomination.

Minister in charge for local government should not have powers to dissolve councillors.

Election should be conducted after five years, and the winner should have a simple majority win.

We should retain, 25% of the representation in at least 5 provinces to determine Presidential winner.

Presidential; election should be conducted by citizens, law secret ballots.

Constitution provincial for fundamental rights is not adequate, other rights be retrenched at least; I think we should have right to live, right to employment, shelter water and all this should be provided by the government.

We should have free education; in most cases children's whose parents have died, have come out to be not educated.

And their right should be strictly taken, by the government.

Loans should be given to youths who have completed schools in order to start life with.

Lands: The government should control lands to make sure that they are used. All lands that have stayed for two years should be taxed and given to citizens to use free of charge.

The transfer of land should be given to all.

Husbands and wives should have one title deed registered in both names and wives.

Retired officers should be paid the pensions on time and pension offices moved cross to the.

Thank you

**Com.Bishop Njoroge:** Thank you very much (not clear) Karibu (not clear) twambie jina lako, Jinus Achachi? Niko, Stephen

Ndela? ...

**Lascar Nakoche:** Thank you Mr. commission my names are lascar Nakoche, Mr. comisioner I being for a granted right to present views in my way, not in others way. In the way I represent should be my way. (Not clear) saying is that commissioner both the late President Kenyatta and President Moi, they are way which the Constitutionthat prepared Kenyans foe indepenence.

The new Constitutiondoes not discredit the old Constitutionor rather the old Constitutionis leading to the writing of the Constitutionit should wipe our appetite to fulfill in this (not clear).

The first Constitutionhad its place, but it is being (not clear) ...

**Com. Bishop Njoro:** (Not Clear) r what you are saying, (not clear)

**Mr. Lascar Nakoche:** Thank you Mr. chairman, the requirements of the new constitution:

Preamble: We are all Kenyans we are not part of the republican tool, there is a need a (not clear) guard, gives our identity national vision that maintain order, keep stability, and laws that are common to all people. Such as:-

We people of the nation of Kenya, in order to maintain a more united nation of democratic government, which will leave its commitment establish justice, ensure domestic peace, provide common defense, promote general welfare, secure goals blessing of stability, progress, and for security do ordain and establish this confusion for the republic of Kenya.

**Mr. Lascar Nakoche:** Wacha niseme kidogo (not clear)

Thank you Mr.chairman, principles of state policy, the democratic principles to be included in the Constitutionare: -

**Com.Lethome:** Use the highlights and the main points, already you have spent your four minutes one you have one, (not clear) highlights, highlilghts, kama preamble humesema, direct ... humesema, (not clear)

**Lascar Nakoche:** The principles of democratic (not clear) should continue as it is today from the executive being the role to the provinces, districts, D.O's and chiefs.

Constitutional supremacy: It is to be notice that, in our earlier constitution, supremacy of people was not legalized, it is perfect clear that it is usually the people who need the Constitutionnot the Constitutionneeds people. Supremacy of people is needed to be made accepted in number of each involvement of the constitution.

The structure system, of the government, there is a confusion that t God is with us to write the good constitution, even inn most strangers coming to Kenya say few (not clear) government. We therefore recommend that, we retain the Presidential system of government and adopt a parliametal system of government in which the prime minister is appointed from the majories ruling party in parliament.

Once the President remains ceremonial, with powers assigned to legislative, executive, total committed to the people.

Every province, district with local authority, is (not clear) arms of the government.

As usual the powers of the President, should be as follows: -

1. Commander in chief of the Armed Forces, opening of parliament at the beginning of the session and also granting, the solution of parliament.

**Com.Lethome:** You (not clear)

**Lascar Nakoche:** When there was demand for change, people needed new things, new leaders, young leaders, this succession show, the Presidential candidate should be a young rising circumcised humble, honest, loyal responsible nationalist who is above tribal politics.

With the heart on his fire burning, for Peace, Love, stability, progress and Unity.

**Com.Lethome:** Can you repeat again, mzee and that should be your last point?

The executive when there was a demand of change people needed changes, new things, therefore we propose that the Presidential candidate, to become a President according to succession, should be: - a young rising circumcised humble, honest, loyal responsible, nationalists who is above tribal politics, with his heart on fire for Peace, love, stability, progress and Unity. That is the person who has the following

**Com. Lethome:** All of them (not clear) we will read the entire memorandum. Thank you very much for (not clear) I can assure you that we are going to read your memorandum.

**Mr.Lascar Nakoche:** Thank you Mr.commissioner

**Com.Lethome: Question:** Okay (not clear) but you the law should not allow us (not clear) so that if the person is circumcised or not circumcised (not clear) why did you say that?

**Mr.Lascar Nakoche:** Mr.Comissioner, I met reference to policies needed for a man who can lead (not clear).

**Com.Lethome:** What is not with somebody who is not somebody who is not circumcised?

**Mr.Lascar Nakoche:** It is not (not clear) from the beginning Mr. Commissioner.(not clear)

**Com. Lethome:** But you know that the Lou's circumcised (not clear)

**Mr. Lascar Nakoche:** Mr. commissioner, it is one out of (not clear)the majority it is(not clear). Thank you.

**Com.Lethome:** Thank you very much, let has have Frank, tunyamaze tafadhali. ( not clear) Highlight your points don't read everything. Okay, I will read a few.

**Frank Ojodo:** Thank you very much, I am Frank Ojodo and have little to say, we should have, three political parties to avoid tribalism, because it can be... The MPs should be dropped down, from parliament by the electoral commission from his Constituency that means we should have a commission in a Constituency top look for that. If he fails to perform his duties properly, found guilty in his behaviour, not progressive and so on. The same to the councilor.

Administration assistant chief and chiefs should be elected by the people because for five years to ten, they can lead people and not progressing and stay longer as they do which is very bad.

Inheritance: Land should be shared to the old parents who are not able to assist themselves, to avoid conveniences we should have 25,000 people to a constituencies. This means the Emuhaya, we should be divided, the wards should go according to the locations, because we have development committees of chiefs whereby a councilor, should seat together, with the chief and his committee, this will enable them to plan properly for their locations in a Constituency at the same time.

We should have health Centres, around let us say, a health center by a sub-location, because nowadays, sub-locations serve very many people, and all roads to lead to the trading center, and so forth.

**Com.Lethome:** Thank you very much Mr.Frank (not clear)

**Jirus Achachi:** Asante sana Chairman, I am Jirus Achachi. Nilikuwa mmoja wa kutengeneza Katiba North Bunyore, na ilikuwa ikisomwa, nikizikiza kwa makini, wamesoma kwa makini, wamesoma vizuri sana vile (not clear) nitaongezea y akwamba, tuwe na njia ya kupunguza humasikini kwa wazazi ambao wamesomeza watoto kwa sabaabu watoto wengine watoto wengine tabia yakusahau wazazi wao, wazazi wao walipoteza mahali nyingi kwa kuwasomesha, wakishapata kazi wanasau wazazi wa, hasa sana sana (not clear) kwa hivyo serikali hiwe na m[pasngo ya kuona ya kwamba wazazi wanaweza kufanya naman gani y awatoto, hikiwa, wanaweza kuwasitaki, ikiwa ni peza ikatwe percentage fulani, wapatiwe. Kama sio hivyo waungane watoto walio soma, wawe na vulnerable jobs.

Upande wa watoto, mimi ninaona inasumbua displine kwa watoto wanao soma, wasijabwe viboko, ni vizuri lakini depline kwa watoto, ni lasima hiwekwe, kama hiko, ya kumpa yeye punishment ya kufanya kazi kodogo, hinayo weza kuwezana na huweza, kuwezana na huwezo wa mtoto, umri wake wafanye hivyo kuliko kujapwa viboko.

Wafungwa wa nje: Ninapendelea wafungwa wa nje tuelewe, wanafanya nini ikiwa wamefungua, kama wanaweza kupewa kazi kwa mashule, kukata nyansi au kulimia shule, Kazi ya shule ni nyingi sana, badala ya watoto, waache kusoma na kulima. aning na health centers namna hiyo. Asante.  
Njia, kama Rural roads, wawe wakifanya cle

**Com. Lethome:** Thank you very much (not clear) Stephen Ndeta, Jirus, ndio hatafuata, na Philip Makhanga utafuata yeye, (ot clear).

**Stephen Ndeta:** Comissiners wetu kwa majina mimi niatitwa stephen Ndeta, Maoni yangu ya kwanza ningependa, mamlaka ya Rais yapunguswe, tuwe na cheo cha Wasiri mkuu, na mahali hapapo, Rais ni Army commander Ichukuliwe na wasiri wa ulinzi.

Wanainchi wakuwe na huwezo wakungoa, mbunge kama afanyi kazi, katika area yao vile walivyo mchagua. Rais ikiwa hatapatikana na makosa, kama huyu wetu anaenda, Akipatikana na makosa ikiwa ni mbaya, Hakuwe na huwezo wa kuchukuliwa, mahakamani sio Rais hawe juu ya Sheria. Tena hakiwa Rais aliye mamlakani, hatapatikana haendeshi serkali vizuri, mbunge na wanianchi wako na huwezo wa kumfuta na uchaguzi urudiwe tena.

President wa Uzaa wa labour: President wa Uzaaa wa labour, wakati wa kuajiliwa wa watu, kwenye sambamba na umri watu. Usiende sembamba na uchache wa watu, katika area. Kwa mfano uwezi kujukua wadorobo million mia moja na uende kwa wachaluo uhukwe ishirini, unawajili kazi hao wote pamoja. Uchumi hautazambazwa, bila system.

Wadorobo, wataenda juu wa wachaluo waenda chini.

Swala la pili. Wale ambao hawachajiliwa kazi, tuseme wale hawa na kazi , tuwe na kiwango fulani, ambacho serikali inaweza kufikiria, hiwe inafikiria, iwe itawapatia, hili nao waendelesha katika maisha. Tena, utuguaji wa mamanager ama wakurungezi katika makambuni, mtu ateuliwe ambaye anayeitimu hiyi kazi, ihasichaguliwe kwa maana, vile anavyomjua na mtu ambaye hajui hiyo azi anapatiwa kuwa manager, anapatiwa kuwa engineer na hajui hiyo kazi. Basi hayo maoni yangu.

**Com. Lethome:** Thank you very much. (Not clear)

**Juirus Lusuli:** Good morning everybody, my names are Juirus Lusuli, I am representing my self to the judiciary; the present restrucuture of the ejudiciary, Is not adequate we need, a judicial service commission to respencitivley.

We need a constitutional court because at a moment we do not have a constitutional vote existing us an institution in this

country.

Judicial officers should be appointed to the office by the judicial service commission exclusively.

LL.B from a recognized University, plus experience, (not clear) in an Office should criteria to appoint as judicial officer.

The judicial service commission should say the term and conditions of service for the judicial officers. Us opposed to the present way of (not clear) anybody picking anybody and dismissing anybody as his wills.

The new service commission should set clearly its mechanism, for disciplining the judicial officer.

The chief guard and the guards work, should be determined by the judiciary service commission whose powers are as i said exclusive.

The judicial power, powers of state should be based exclusively in the court.

The Constitution can assume all the people that have an access to court by bringing court, closer to the people, for instance, Leo courts return as plots as plots as (not clear) level so that everybody, will be assured of legal, service.

People, with the disabilities, and those who are poor should have the right to legal Aid, there should be provision for the judicial review of laws made by the legislature today, ones the law that is made by the legislature even if when they are not good nobody will question them. That is why this country has a problem. Thank you sir.

**Com. Bishop Njoroge:** Thank you very much for the views, (not clear) Francis... Erustus Mulima, Manoah Imbeba

**Philip Makhanga:** Honourable, comisioner ladies and gentlemen, good morning, I have got a few points to put across. My names are Philip Makhanga. The few points I have they are as follows:-

It will be my opinion to be included in the eon going ConstitutionReview that the; MPs term of the office should be limited to two terms, that is to say what is there as for know they get pension after serving continuously for ten year.

1. So I would recommend that it should be mandatory to determine to them as well.
2. An MP should be a permanent resident of his or her Constituency so that he can able to attend the problems of disadvantages of his people, at any time they need him.
3. We have got national Universities, they have got syllabus and I seem to think that type of syllabus should be put under one umbrella such that we have an examining body, which can be able to set the exams, for all this Universities and a body as well to mark that one will be able to give us a fair pledge to our students. Because several cases, whereby the students happen to follow the victims of the circumstances by actually not able to get what they deserve. Just because

maybe they have not agreed with the demands of the Lectures.

4. The Constitution should also come up with an alternative method of dealing with indifferent dealing with cases of foods and other institution in learning, here we find that, the corporal punishment is abolished and this has spread deep and wide in children and they have reached a place where by this as is not going to be continued. So I recommend that corporal punishment should be abolished, let us come up with another alternative way, which can actually assist.

**Com. Lethome:** (not clear)

**Philip Makhanga:** Well this one here I don't have as specific, but that one can be replaced corporal punishment.

We have got people in public office, in most cases they are found either imposed or having involved in corruption they are sacked and left alone, so I recommend that instead of sacking such like public figures they should be put before the court of laws and if found guilty, they should be made to pay back, the public funds so that they can assist in other people who are in demand.

Corruption body, to be pensioned so that, they can be all over the country and be able to be supervised (not clear).

Sasa ya mwisho ni, we have got free structures, in secondary schools, we have school structures, and this one here becomes a problem most of us parents. I would recommend that in the Constitution the free structure should be vetted according to the categories of the schools, we have in the country, and after vetting we can come up with proper one for the categories and then there should be an independent bodies which should make a follow up to ensure justice is done. Up to (not clear)

**Com. Lethome:** question; (not clear) when does this man or woman, ... to parliament

**Philip:** What I meant to say in that case, when he has come for example after retirement, he is supposed to come to his Constituency.

**Com. Lehtome:** (not clear) where does he meet this people, Is it in his house or does he have an office.

**Philip:** There suppose to be an office

**Com. Lethome:** I you recommending that there should be an office in the ...

**Philip Makhanga:** There should be an office in the Constituency whereby the MPs are regular and do this job.

**Com. Lethome:** (not clear) Erastus... manoha imbeba, kepha Kayu, yuko, Eliakim Eyamo, Erastus Mulima, karibu, wapendwa niliwaambia, katika kitbau cha Katiba haturuhusiwe kuwa na kelele hata kidogo, hukitaka kuzungumza na

mwezako, ninakuomba huende pale nje uhimaliz aunarudi sawa, sawa, tuheshimu yule anye zungumza.

Commissioners, ladies and gentlemen Hamjambo. Jina langu ni Manoah Imbeba

1. Land successions: The Constitution should be clear with land successions in Kenyans for example, if one is inheriting a piece of land from his dead father, the procedure that follow in the present is long and expensive. I suggest that a person inheriting from his fathers land should be identified by the following:-
  - a. The village elder
  - b. An assistant chief
  - c. Chiefs and the D.O after this, they represent his papers to the land office, and title deed should be prepared as a small thing of a thousand shillings.

Death by accident, at the moment if someone commits suicide, or drown by bad luck, knocked down by a running car, police, usually come and get the body for postmortem, after this they usually dump the body, at the mortuary many kilometers away. I suggest that these policemen, should bring back the body to the believed relatives for burial. Because this are....

**Com. Lethome:** Do the police (not clear)

**Mr. Manoah Imbeba:** Thank you. Police department: Police force should be retrained and law should be clear on how this policemen carry on their duties. Normally this policeman arrest the innocent people and take them to court, with false accusations. For example ones can be arrested on his way home but when he refuses to bribe officers he is locked up. Police officers should not investigate themselves when they commit mistakes, an independent body be formed within the Attorney General Chambers to deal with the police cases.

Employment: The Constitution should be clear on employment, the present system is full of corruption all jobs must be advertised, and qualified person only be employed, but not the rich and those from certain tribes.

Defense and National Security: The existing forces, the military, parliamentary police and prisons should be established by the constitution.

A forces commission which we build with all matters pertaining military forces like staff appointment, promotions among officers and salaries should go to along with the district voted.

The disciplinary measures in the Armed forces should be clearly defined in the Constitution to see any possible look hole, which sometimes used by junior officers to attempt to overthrowing the undemocratically elected government.

National Unity and Security: The President in power should be commander in chief of the Armed Forces.

The department of Defense should be up graded to a full minister of defense, and internal security.

C.I.D department be deployed and in the office of the Attorney General to speed up in the presence and stop delaying cases in the law courts.

The executive in conservation, with the defense council, and parliament should declare a war.

Political parties: Should play a roles other than mobilizing the public like, checks and balances of government powers, public extending and auditors general.

The Constitution should regulate the commission, management and conduct of the political parties to avoid chaos, hence upheld the rule of law.

Political parties, numbers should be limited to three major ones, that is the ruling party and the party that wins, the opposition party and for those who are non-participant.

The political parties should finance themselves.

I think that is all. Thank you

**Com. Bishop Njoroge:** Thank you very much (not clear)

**Eliakim Oyamo:** Yes Commissioner Sir, my name is Eliakim Oyamo Kopnda, nin afuraia sana siku ya leo kwa sababau ni siku ihipaskwa tuongee maneno kuhusu Kenya yetu, ao katika Bunyore yetu, kwa hivyo neneo langu au swali langu ni hili' ninngpendea kusema hivi, tunakaaa katika Bunyore yetu ya Emyhaya Constituency, na tuko na taabu ya njia, barabara yetu kutoka Mhuombe, mpaka tingiri ipagwe vile inaweza kua.

Ya pili ni hili, tunauliza serkali yetu kama inaweza kufikiria kutupa sisi, mlapwe sub-loction tuwe na location ingine tuwe sublocation pili, nimaoni yangu,

**Com. Bishop :** Unajua siataki kutumia mamla yangu. Tafaadhali musifanye kelele. Mwacheni huyu aseme, kama ni sublocation anataka, ...(Inaudible). Haya, anza tena.

**Eliakim:** Kwa hivyo tunauliza serikali kama iko na pesa intuongeze sublocation tuwe na sub-location pili.

Katika sehemu yetu ya North East Bunyore, maneno yamesemwa kwa sababu ya mashamba ni hali ya juu, shamba nazo katika East Bunyore hii mashamba yantusumbua sana, namba ziko mbaya sana. Ninaomba serikali ifikirie vile, invyo kuwa au watu waelekebishe, wangelie namna shamba itakuaje. Wamama hawajui maneno ya mashamba vile wanawweza kugangwa, ni jukumu ya wazee kusaidia wamama hili waelewe vile ya kugangwa shamba, wangali wako hai. Point ya mwisho ninasema ya kwamba katika constitutency yetu hii, nataka tuwe na Constituency pili katika Emuhaya, Asanteni.

**Com. Bishop Njoroge:** Erastus Mulima

**Erastus Mulima:** Comissioners na wengine hamjambo, yangu ni machache, jina Erastus Mulima, ninataka kuongea juu ya Sheria, mtu anaweza kuja nyumbani kwako hakunyanganye mali yako na hakikamatwa, kwa muda kidogo hunamuona hamerudi, ninataka huyo mtu kama hamekamatwa inafaa hauwawe. Kwa maana yeye ni mualifu mbaya sana.

Watoto kutoka kwa familia ya maskini wapewe, elimu ya kutosha, tena hiwe ni lasima, na ya bure.

Unajinsi tunaweza kusikia mtu mzima anashika mtoto wa miaka mitano,

**Com. Lethome:** unataka afanyiwe nini,

**Erastus:** Auwawe, ili hiwe funzo kwa wengine, wanao endelea kufanya jambo kama hilo, waogope. Kila mara mimi ninasikia Kenya hiko uhuru, kuna maua, watu wengine wana mahamba ya acre plot, na kuna wengine hawana mahali pa kujenga nyumba hiyo tena iangaliwe sawa sawa. Yangu ni hayo, sina mambo mengi.

**Com. Bishop Njoroge:** Njoo ujiandikishe pale, Manoaah Mwanche, Edward Atamba Njoo hapa, peter Opanga, Janet Imbeba utamfuata, Edward.

**Edward Atamba:** *Lio khuranga, nza khulloma oluluyia.*

**Translator:** Anasema ya ataongea kwa kiluhya,

**Edward Atamba:** *khulwa khubera mwakhalomakho luswaili no olusungu, nasi llomekho luluyia.*

**Translator:** Ninawesa kuongea kwa kiluhya kwa muda mzuri kuliko kiswahili

**Edward Atamba:** *Lio khuranga, ndakhekomba mbu, Ekatiba ya Kenya ekalukhanibwe, lio khuranga ebe kabisa eiyakanga khulloma, ebola mbu*

**Translator:** Anasema angependelea katiba ya Kenya hilekebishwe, kwansa kabisa vile iko mwanzo, mwanzo chapter one section one A, the republic of Kenya shall be a multiparty democracy state.

**Edward Atamba:** *Ndakhekomba ebe mbu,*

**Translator:** Ningependela hivi

**Edward Atamba:** *ifwe abandu ba Kenya,*

**Translator:** We Kenyans,

**Edward Atamba:** *Khuchake nende abandu, sichila babu- mu kola Mukatiba ya Kenya shi...(Inaudible) tawe.*

**Translator:** The Constitution of Kenya should start with the people because, people are not mentioned in the current constitutions.

**Com. Lethome :** We have gotten that.

**Edward Atamba:** *Lia kahabili, ndakhekomba ling'ana ufishadi,*

**Translator:** We get corruption,

**Edward Atamba:** *Ufishadi bukhuba shinga mbu, omundu yesi nanyoekhane nende ufishadi, achie mukoti, ekoti imuyale, akhalachilwe nali omukiali nali omutuu, alekhe khukhola eksi yosi yosi muserikali tawe.*

**Translator:** Regardless of one's financial status if got in corruption should not take this course regardless, of his poverty or region.

**Edward Atamba:** *Miandu kye kya yanyola mubufishadi miene kiala, chibukulwe nende Serikali, chichye khukhonya ekasi ya Serikali.*

**Translator:** Whatever they should obtain through that corruption should be go back to the government.

**Edward Atamba:** *Emikunda!*

**Translator:** Land.

**Edward Atamba:** *Emikunda chino, land controlling board, nende Tribunal courts, chichukulwe nende raia bene.*

**Translator:** Non-tribunal courts and large production boards should be taken by the citizens

**Edward Atamba:** *Chilekhe okhuchaklulwa muofisi yo omundu, nombamba omundu okhuchakula tawe.*

**Translator:** But not in somebody's office or personal (not clear)

**Edward Atamba:** *President oliho,*

**Translator:** The current President

**Edward Atamba:** *President oliho atiiye miika chirano,*

**Translator:** The President should be office for five years

**Edward Atamba:** *khandi party ye nemuyanza khali imwe chirano*

**Translator:** If (not clear) of his party also for another term of five years

**Edward Atamba:** *Ne bachye pamoja, akhabe indebe yene eyo halala nende Vice President uwe.*

**Translator:** Should be co-currently elected together with his vice-president

**Edward Atamba:** *Ne niakhabilwa mukoti nga na rule muofisi, khandi akhabukulakho ekasi yosi yosi mu Serikali tawe.*

**Translator:** After the retirement that is two terms of services should not be also appointed in other government services.

**Edward Atamba:** *Kata musiasa khandi akhausika tawe.*

**Translator:** Even in (not clear)

**Edward Atamba:** *Councillors.*

**Translator:** Councilors

**Edward Atamba:** *Councillors bano beluenje, inyuma we councillor okhuelwa, alatsia khuianila muofisi yabwe ila muchiofisi tawe.*

**Translator:** Councilors should be elected directly, by public officers

**Edward Atamba:** *Bakheelwa, mayor nende Chairman babe ... (Inaudible).*

**Translator:** That is mayors, and chairmen with the largest councilors

**Edward Atamba:** *Beelwe direct okhurula mubandi, okhurula ingo ino okhuchie bene ingo ii.*

**Translator:** Should be elected directly with the public not the councilors

**Edward Atamba:** *Buchesi,*

**Translator:** Education

**Edward Atamba:** *Obuchesi, school Committees chibe no obuweso, bwo khumaneja bikuli biabwe.*

**Translator:** School committees and school Board of governors should have a responsibility of managing tibunial schools

**Edward Atamba:** *Ne Secretary uba nalikho shinga headmaster, abe tsa omukarani.*

**Translator:** The head teachers or the principles in rural areas shuld just be specifically to the committee

**Edward Atamba:** *Alabakho no bunyali bwosi bwosi bwo khuchesia amapesa ke skulu tawe.*

**Translator:** Should not have power to control powers to control th efinacnes of the school

**Edward Atamba:** *Niko yako mbwo.*

**Translator:** Thank you

Com. Lethome: Haya, asante sana. that was Edward Atamba. Now we have Peter Kanga.

**Peter Kanga:** My names are Peter Kanga, and I wish to comment th efollowing for the lasst 40 years kenyans have been, dynied the freedom to participate fully in the sense of the sense of th ecountry, and therefore I recommend that: -

1. we have a referendum so that Kenyans will havwe a right to tparticipate in service, insiting certain issues affecting the country
2. I recommend that, all the heads of the parastatals, police the Atrmed Forces, Ministers, judges and Chief Justice be vetted by the parliament beforer they take office and the should have a spirit of tenure so that, they perform their duties independently without any interference, from other sources, and heads

of parastals should be answerable to parliament.

3. I recommend that parties should not use government property in their activities, particularly in campaigning, because we are not able to differentiate, for example today whether within the party and the government. Campaign money should be limited only to, (not clear) transportation of campaigning material, it should not be used to bribe the electors because they end up bribing leaders broking their way to parliament.
- The President should be like of impeachments whether in the office or after office this will help us to overcome misuse of power by the head of the state
4. I recommend the commissioners, we have a corruption, the government should come up with a commission which will deal with corruption, this commission should have a security of tenure, and should be in every district such that we should have what we normally call as the ombudsman. So that all the corrupt cases, people within that district can report their cases and action taken and those who commit economic crimes, should go to jail for a maximum of one hundred years. The economic crimes affect the common man, the way we are because of the economic crimes, Kenyas are not supposed to be poor, as the one we have after 40 years.
5. I also recommend that the National Broadcasting Corporation should serve all Kenyans, all political parties, we should just have one political party being given the lime light why other political parties are not involved, because we all pay tax, and we have a right to get the information about our leaders and other things.

Lastly when it comes to education will look at schools, I recommend that, we do away with BOG but instead we have parents managing schools because, what we have come to realize is that many BOG, members, have children in those schools and yet they manage the affairs of the school. Such that at the end of the day it is the parents who suffer why? Their children will not actually suffer. With those few remarks, I should thank you very much.

**Com. Iethome:** Thank you very much Peter. But before you go to seat, there are some ladies who had gone out to prepare tea for us, I would like to give them the opportunity, akina mama walikuwa wamenda nje kututengeneza chai, ninataka kuwaita waje hapa, Dorcas Sitambale, Lydia Omondi, Jane, Doris osita kabla ya hawa watu hawajakuja, Janet Imbeba.

**Janet Imbeba:** Kwa majina ninaitwa Janet Imbeba, Commissioners na wote ambao mumefika hapa ninawasalimu, mimi yangu ni upande wa wamama, na upande wa utamaduni wetu ambao tunaona sisi wamama ni kama tunafinywa, hatuweze takakoa kidogo, kwa sababu tumefinywa na utamaduni, na huo utamaduni hunakuja tuseme kama, kuna property ambayo ni ya bwana na bibi pamoja na watoto, wao, inafika mahali unapata ya kwamba hiyo property ni bwana asio bibi, ikiwa bibi hako, itakuwa hako tu nusu lakini yote ni bwana. Tunataka huo utamaduni ambao unasema ya kwamba watoto tanao zaa haza vijana ndio wanatabuliwa, lakini kam akuna mali ya baba na mama, wasichan hawawezi kutambuliwa, ikiwa ni shamba vijana ndio hupewa lakini wasichan hawezi wakapewa shamba ya baba. Kwa hivyo tunataka kule kufinywa kwa wamama, watoto wetu wasichana

nao wajisikie ni viumbe vya mungu pia.

Tukikuja upande wa mashamba, utakuta mama hana sauti ya kuuza shamba, au mali yoyote ya bwana yote nijuu ya bwana. Kufinywa kwa hakina mama, unakuta kuna vitu vyingine kama mbegu ya kupanda kasma hii miti miti fulani bibi hawezi hakapanda, ndizi fulani bibi hawezi hakanda hiyo yote ni mzee, sasa ninauliza tutakuwa tukifinywa sisi akin amamam mpaka lini? Hatuwezi tukakuwa uhuru kwa mambo kama haya.

Tena kuna, utamaduni ngine hau mila ambayo inafinywa sisi wamama, hiyo mila intokana na kutailishwa, tunajua ya kwamba, kutailiwa ni kwa wanaume sio wasichana, au wamama, lakini unapata wamama au wasichan wale wanao olewa katika, kabila ambayo wanataiili wanambiwa ya kwamba ni lasima wataiilishwe ndio, waisabike, kuwa mmoja wa wale wametaiili, kwa hivyo tunaona sisi akina mama hatutaki tufinywe na hilo jambo la kutaiili wamama. Hilo liondolewe. Hili wasichan wetu wakienda kwa hiyo kabila ambayo inataiili, wasilasimishwe kutaiilishwa tunaona si vizuri. Kitu kingine, ambacho ni cha utamaduni, ambacho kiko kwa upande wa mabwana, bwana hanaweza kuwa ma mabibi (polygamist) akiwa na bibi wengi hunakuta huyu bwana hanapendelea upande mmoja na upande mwingine wanaumia, huo upande ambao bibi, ana watoto wale watoto wa mama pengine ni yule mkubwa watoto watasau, huduma zote hawezi hakasitimisha hanasau hiyo nyumba ya mama mkubwa, hanataka hili nyumba ya mamam mdogo ambayo kama ni elimu, watoto hawawezi kupata elimu vizuri, ikiwa ni mavasi, hawezi hakawaudumia kwa njia hiliyo nzuri, kwa hivyo tunataka wamama tusifinywe na hiyo sheria ya mabwana tunataka tuwe uhuru. Kwa hivyo, sitaendelea na mengi ni hali tu ya wamama tusifinywe na mabwana. Tuwe uhuru. Ni mimi Janet Manoah Imbeba.

**Com.Lethome:** Thank you Janet, Dorcas Sitambale.

**Dorcas Sitambale:** Kwa majina ninaitwa Dorcas Sitambale, mimi ni co-ordinator maendeleo ya wanawake, Vihiga District, na nina maoni yangu, lakini nimeyaandika kwa kingereza, kwa hivyo mtaniruhuzu nitaendelea kea hii lugha, mimi haza sana ninahisika na Vulnerable groups, hivi ni vikundi, vya watu ambao wanaweza huduriwa bila kutetewa na vikundi hivi, ni kitu kwa akina wamama, watoto, the rich ones, elderly, retirees, ponda ponda's, disabled, local (not clear), street children, HIV/AIDS, orphans, widow and widowers, Nitatangulia na wamama kwa sababu mimi ni mteteo wa wamama.

The interest and needs for women are not fully guaranteed at the present Constitution and we recommend the following to be taken carefully by the new constitution. A formative action should be put into practice at every level of government and ministry should continue to make sure it is done.

Equality and equity to be realized in every place of work, all departments such as from village level to National Level. Civic education should be continuously exercised for both women and men to ensure that every one is concerned with the constitution in order to ensure that every one (not clear) level. We need at least 50% representation of women ladies in every area of decision making, that is kama ni Board members wawe kumi na wanawake wawe kumi, ama in each institution. This should be

comfortable qualified women for intended position, men, women, girls and boys to be treated equally according to their human and basically in all places of need.

Interest education cultures and employment: Cultures that are negative on women e.g. for example in our districts, the tiriki women in vihiga district to believe that, The Tiriki community believe that women they are not allowed to work as professional administrators, should be done away with.

Value against women should be fully be addressed in the Constitution and it must provide for monetary to ensure the (not clear) are brought back to hope and a propriety punishment awarded, this should be done through the gender commission which I recommend should be formed.

During rape incident, women police should attend to the victims and not men, because when the men attend to this cases, they ask silly questions to the women and the women becomes shy to answer them, so we what to ensure that the races are brought to boo and the right punishment is taken up. Preferably, frustrated.

Tunataka hawa wazee wanaoshika wamama na watoto wasichana na kuwanajinsi wapewe punishment ya muda hama wapukuswe nguvu.

Women work hard and (not clear) of this economy of this country but they realize very little benefits from all that they work upon, They should be allowed by the Constitution to leave atleast 50% of their income (not clear) at funding level. This is where women go to the eshamba wanapalilia majani lakini wakati wa kufuna pesa zinawekwa kwa mifuko ya mabwana. Tunataka hata wamama waweke hizo peza kwa miguko.

During campaign period of which we are going to camp, I snaring to come, the Constitution should provide for a level playing ground free of violence. Intimidation, excessive use of corrupt money by some (not clear) to ensure women that they have a able time in their campaign activities, if the President is a man, then we want the Vice President to be a woman, I am going to be sensitive issue that is land and property like, which is very sensitive in our district on in our division, location. We want the inheritance of lands to be for all daughters and sons even women.

There should be ceiling on land, preferable 100 acres by an individual and not more than that, Because we get some people who grab land over 500 acres and we have squatters in their own country of which we don't want.

Foreigners should be restricted on land use. They should be allowed to let only.

Government should only acquire land from a previous owner, on agreement of being given another land.

Transfer of land should be free

Women to inherit land from the distribute force without many complications, we get when a man dies, when you want to succeed your land you go through so many processes and they are very expensive.

The process of transferring land to be simplifies especially to women.

Men and women to have equally accesss to land.

Every Kenyan including, street families to be guranteed access to land.

Land with title deed should be given fleely, tunausiwa, title deed na mashamba ni yetu, hatutaki tuuziwe title deed, tunataka tupewe bure.

Land Title Deed to own the names for, spouses, hapa ninamaanisha, bibi na bwana majina

**Com. Lethome:** (not clear)

**Dorcas:** The stamp duties should be made but the fee should be abolished.

**Com. Lethome:** (not clear)

**Dorcas:** I am about to finish, (not clear) woen are not more so, you give us time. A man who owns more than one wive

**Com. Lethome:** Owns, you meant own

**Dorcas:** The own

**Com. Lethome:** Okay

**Dorcas:** They think we are their properties, no we don't want, okay let me put it, th eman who marries moret han one wife should give them each her own piece of land and their Title Deeds. If you want to marry women, you should have hundred shambas to provide to your wives.

I talk on the judiciary shallowly, the judiciary should be independent, we need a constitutional courts, to deal with matters ya concerning judiciary.

Appointment of the officers to be done by, judicial comissin and (not clear) by parliament.

Legal Aid to be mandatory to every Kenyan.

Qualification of the officers to be determined by the judiciary commission. I think that is the end of my views and I will hand over the memorandum.

**Com. Lethome:** Thankyou very much. Lydia Angote, Dorothy, Jane midebabu, Catherine makanga, Elisha Ekubi, Robert Akoyo

**Robert Akoyo:** Yangu ni machache ya kwanza ni masomo, Robert Mulundi Akoyo. ya kwanza ni masomo ningependelea yawe ya bure, kwa Kenya,

Ya pili, Kenya Equipment scheme, hile ilikuwa zamani ya kuprovide stationeries kwa mashule irudishwe.

Hospitali ziwe za bure ikiwa mtu atakuuzia na ni kenyan, kwa hospitali ya serkali, hakipelekwa mojaury hiyo bill, iwe ni written on.

Nitaongea juu ya tradition, sisis waluhya kitu kama, busaa, mbombe ya busaa ni ya tradition yetu, ukienda mahali pengine wako na bombe yao y akienyeji, kwa hivyo tumependeleatupate two to three, clubs of busaa in evry sub-location. Asanteni

**Com. Lethome:** Thank you very muchSister chenda, Benard Nakaya, Benard Nakaya, Donald Akhayi, tafadhali karibu

**Donald Akhanyi:** Hamujambo comisioner wetu, tumefurahishwa na sitakuwa na(not clear). Kwa jina ni Donald Akhayi, mkaaji wa Bunyore, in luhya land, kwanza nitaanza na English.

Government is supposed to advance us with some loans, I mean people are able who comes up, th egovenment should be able to advance us with some money or funds so that we expand some business, this businesses should be able, some people can be used to employ other Kenyans who are tarmacking, because you get some given business managements established business as a market and employ Kenyans and t this is eradicate poverty, instead of relaying on the UN or ( not clear)so that we (not clear) we learn to appreciate poverty because of lack of education, an dthis is because of universities, universities are centred in Nairobi and Central

**Com. Lethome:** (Not clear)

**Donald Akhanyi:** Universities here in Kakamega, so that we luhyas can go there. Another thing it is exercutive powers of the President and exercutive powers of party leader should be equal, so that Prime Minister, is elected by parliament and President

by the wanainchi

Secondly, another thing the P.C should not come outside we have learned people in our province because a passenger in province can not (not clear)

**Com. Lethome:** (not clear)

**Donald Akhanyi:** Parties, two parties or three parties should be formed only to the U.S.A, where by only this two parties on (not clear) so that makoza yanalekebishwa (not clear).

Another point, ministers in the office of the President should be not there because, kazi yao ni kualibu office ya President must be distributed, (not clear) and other areas.

Equal and (not clear), of Resources, we discover that many industries who (not clear), is put in thika and in Nairobi, ones who (not clear) why do luyas go to (not clear) Nakuru for lift valley and Garrisa for Somalis.

Another point is (not clear) through presidential (not clear) a resident should not impose a need on us that part should, is avct to realize kenyans (not clear)

Mayors, elctions should be decide by the town resident or city resident, because councilotrs may use their means to elect her mayor in (not clear) mayors lies in th ehands of resident.

Campaing: during campaing no public funds should be used, if you want to become a President you know your (not clear) you should use your own resources to vote topower. Because when you use governments money, you are leading (not clear)

Another point, (not clear) Money I have discovered that incase it is uhuru Kenya who is standing to lead us, we (not clear) corruption money, so if it is kenyatta it should ber kenyatta whether we have hundred peples to come, it is in kenyuatta image or potray or moi's potray not judging kenyatta, mudavadi or the rest.

Not clear

My last point is AIDS or disease in this coutry we Kenyans I think that it is good to be realistic, we discovered Aids, it I s spread because of birth, so I think that you can view that, birth should be eradicated, government is working in th e(not clear) to erradicted so that a bar is like a show, you go and buy beer and take iot to your home, you (not clear) th ewive, she is not taking , you take alone because,Aids is spread by th epeople in the bar, Tanhk you very much

**Com. Lethome:** What about busaa, should not be eradicate (not clear) this are things that are very good (not clear) and not

lucky. People go to the bar to waste time, but not working hard for the Kenyans

**Com.Lethome:** Jacob Echinojane Ambukuse, Florence (not clear)

Kwa majina mimi ninaitwa, scholastica Naliaka Ndale, Kwa upande wangu ninauliza je katib aya Kenya mbona inatengeneswa safari moja na haipaswi? Wakati wataongea, tumetengenesa katiba ya Kenya inaishia tu hapo, hapo hiyo siku, mbona inafanywa hivyo?

**Com. Lethome:** Wewe ungependekesha nini?

Mimi ninapendekesha katiba ya Kenya ikitengeneswa hiwe inaendelewa ten sifuatwe hivyo hivyo, si inafanywa siku moja halafu inaishia hapo.

Nitasema hupande wa mama wajane, mbona sisi wamama wajane tukifiwa na mabwana wetu mbona haturuhusiwi kupewa land Title deed bure na sometime tumefiwa au bwana wangu amekufa na ukimwi nitatoa wakp pesa na nimewajiwa watoto, nitawatuza na nini?

Ya tatu maneno ya(not clear) ifanywe na akina mama, isifanywe na akina baba pekee yao kwa sababu wanatunyanyaza, hapo tena pia Tubunal courts, wanataka pesa na mimi ni mjane watoto wangu hawasomi? Nitatoa wapi pesa ndio nilipe? Na mnasema tuko pamoja, au uhuru na upendo na umoja? Mimi ninaolnelewa huo si umoja, mimi ninaona iko corruption, kwa hivyo ninaona Tubunalcourt inafaa wamama wawe watano na wababa wawe watano, halafu sikuwa wakati walitoa hayo maoni ninatoa yangu. Sipendi kutoa motion kwa ya mwingine, mimi ninataka nitoe motion yangu.

Kwa hivyo ya nne ningependa, watu ambao ni wanasiasa, wenye wapop kwa viti hawafai kuenda kukalia tribunal court, wanenda delication Nairobi, tena wanakuja wana nyanyaza wamama, atakipilia mtu ambaye ana pesa, anatoa pesa, na unanyanganywa shamb aya bwan wako, kwa hivyo tunafinywa sana, na katiba yua Kenya hawali tulikaa Emyhaya, wakatundanganya tukae tutoe maoni, na hayo maoni sijasikia Butere, Emuhay, Kakamega, wanasema wao wametoa maoni hivi na hivi, inaonekana kama ni kitu ya kurudia, ninaomba yakwamba haya maoni, na hii katiba munayo tunga iwe ya kudumu, isiwe ya kubakia hapa, ikiwa haifiki kwa radio, kwani tunaandika , tunauliswa, kunakusanyika tuna fanya nini, Vihiga,Kakamega Butere hasikiki kwa radio na kitu kizuri inafaa ikipendekeshwa inafaa itakaswe kwa radio watu wasigize na sisi wamama hatujui kusoma ndio tuelewe, kwa sababu wamejukua, kama Emuhaya Tribunal court, wamejukua mtu wa staff wanamweka hapo, kama wa kwenda concert, wanatakikana watu hapao wanapeleka nini, weanajukua watu ambao hawana, .. ni kila siku hao ndio wanaenda, sasa huwa wanaenda nini huko wanaenda kutunga katiba? Sasa mimi ninaona tusifanye maudio.

Ya tano y akumalizia, sisi tungependa utawala hiwe kama y atazania hatutaki mtu , aemwe tu ni huyu anapewa utawala, hiwe ni wa watu wawili, huyu akitoka huyu aingie sio ya watu wawili. Asanteni.

**Com.Lethome:** Mama mwingine,

**Catherine Asila:** I am Catherine Asila Makhanga Assistant, (not clear) of lambwe sub-location, mimi nitatoa maoni kuhusu the electrol vitctim system, the system should be changed

**Com. Lethome:** (not clear) Tunyamaze tusikize maoni yake

**Catherine Asila:** Should be changed to increase women participation, in parliament by doing the following: -

- a) Ensuring that the pasty have 35% of women in the leadership and in the key Kenya leadership partneship.
- b) To reserve 35% seats in parliament for women
- c) Candidates who feel to seek nomination inone party shold not be allowed to seeek nomnation in the other parties.
- d) Amember who defect from a party and has crossed the floor should loss his votes inparliament
- e) Council, th epartry should plan and replace them
- f) Constitutionshould ensure that every public electrol office should retain 35% seats for women
- g) Establishing reginal councils and committees where 35% of leadershiop are women
- h) Othergroups that should have representation, in parliament include young people and diferrent disabilities.
- i) The demacation of the Constitutionand work should be demarcated further, because some are too large areas and others are too thiny
- j) There should be limit in election pending, it should be enforced by the electrol commission and it should be done threught the declaration of problems of funding.
- k) It should be mandatory for parties to seek 35% candidates for election, to be women

Hayo ndiyo maoni yangu, kuhuzu wanawake.

**Com. Lethome:** Thank you very much, (not clear) Question, (not clear)

**Scholarstica Naliaka Ndale:** They should continue being appointed because, there are some, wale ambao wamesoma na wengine hawachasoma, kwea hivyo hatuwesi kusema wachukuliwe kitu kama mlolongo, Pengine hukijukua na mlolongo hutajukua mtu ambaye hajasoma.

**Com. Lethome:** (not clear) transfer

**Scholarstica:** For ladies, assistant You are ruling those people from the grass root so I think you know those people that you are ruling, you know each and every one very well.chiefs should not be transferred, because assistant chief hunakaa mahali unaelewa hao watu.

**Jane Mideva Madebabu:** Kwa majina ni Jane mideva Midebabu, kutoka North East Bunyore, nitaongea juu ya elderly,

the elderly because of their age they are not well protected especial on th efollowing traveling, feeding, health care income and (not clear)

The Constitution should ensure that they are addresssed in thei, numeral problems in makijg fromtheir age so that thye amy have the following for them:-

- I. Homes for the elederly
- II. Health servioce
- III. NGO which should be able to take care of them
- IV. Human treatment , during traveling

Thank you

**Com.Lethome:** Thank you very much Jane, (Not clear)

**Reverend Jacob Bunjiro:** Honourable commissioners and ladies and gentlemen I want to .... Good afternoon, I want to talk about the local Government, we didi thing as a group and I am going to represent what we discussed as a group.

- Mayors and councilor chairman should be not be directed directly by the people.
- The current two year two year term of mayors and councilor chairman is not adequate, they should serve a five year term, th ecouncil should continue to operate under the central government, however there is a need to creat the office of the commission of the local authorities, to determine how power should be shared between the councilors and chief officers.
- The minimum qualifications for councilors should be at least form four that is ordinaly level, of common school going
- The language test when vying for the local authoprity seats is not sufficient, the minimum education says as the ordinaly level addresses the issue.
- There should be moral and ethical qualifications for local authority seats
- People should not have the right to recall their councilorbecaus, this is going to creat anaque and some other problemsd of administration
- An independent local authority be created by th eact of parliament to determine, th erenumeration of councilors, we should not be retain the nominated councilors bcause, they don't serve the interest of the people.
- The local authority comisdsion should set up a court of warder the councilors.
- The presient and th eminister in charge of local government , should not defende the powers to dissolve the councilors and local authority commission.
- To dissolve councilors, but this should be left to the local autority commission
- The commission should determine the circumstances in which to dissolve the councilors. Thankyou very much.

**Com. Lethome:** Samuel Naboto, Lydia Angote, Doris Osita. Haya endelea mze, jina lako

**Samuel Naboto:** Jina langu ni Stanley, Mimi nina mtu mmoja ni jilani yangu, na sisi tumepakana naye, (not clear) siku moja halijukua (not clear) hakachakanya na yake, na yeye alinuizia (not clear) na huyu tajiri kama anaona mimi nataka kwenda (not clear) kwa shamba langu hilo yeye hana(not clear) Na mimi niko na watoto, mimi niko na familia nitapeleka wapi? Na hiyo ni shamba moja pekee yake, na huyo tajiri, anachokesha mimi kwa shamba yangu, sasa anatoka kwa hukoo hanakuja kwa (not clear) sasa nitakwenda wapi na familia yangu?

**Com. Lethome:** Umemjulisha chief?

**Translayor:** *Wabollakho Chief nende sub-chief?*

**Stanley:** Chief anajua, hata subchief anajua, hata D.O anajua, hata D.C, mimi niko na taabu, na sasa mimi nahanginga, na wale wote ni marafiki wa hao Chief. Wanaweza kutoa mimi kama kuku.

**Com. Lethome:** Asante tumesikia

Kwa majina, Doris Osita, ningependa kuongea juu ya wamama wanao piga watoto waso, wamama wanapo potesha wanaume wao wanapaki n awatoto wanashidwa vile wanavyo saidia watotot na kuwasomesha, ningeomba serkali iwasomeshe watoto kutoka darasa la kweanza mpka form four.

Upande wa viwete, kuna viwete wengi, vilema vipofu, viziwi, ningependa kuwaeleza ya kwamba viwete wanakoza uwezovile watakavyo soma wawe kama watoto wengine. Kukosa hii wanakosa (not clear) vile wanavyo tembea bila magari,

**Com. Lethome:** Kwa hivyo?

**Doris:** Wakisaidiwa na hiyo ni hafadhali, hayo ni..

Mimi ninaitwa Samuel Naboto, niko hapo, mimi nitasema kiswahili kwa sababu sikusoma san, maoni yangu ya kwanza kwa serkali yetu , mimi number one nitasungumzia juu ya Kiti Rais, Kiti cha Rais tunapata shida wakati mtu anajaguliwa anaeda anafanya hicho kiti , anatumikia watu wengine na hanawacha wengine. Ninaonelea ya kwamba haya mamlaka ya ulahizi yapunguswe kidogo. Hasiwe juu ya sheria ninamanisha hivyo.

Pili ninaonelea kwamba political party, hivi vyama ya kisiasa, vyendelee kuweko na tuwe na njia ya mzuri ya kuendesha kwa maana utapata mtu amechanguliwa kwa vyama fulani kesho anasungumza vipanya kwa hivyo inaonekana ameama kwa hicho chama lakini hiyo nafasi inaend ambugeni tu kwa hicho chama, sisis tunaona ya kwamba huyo mtu akitangaza ya kwamba mimi

nimehama kwa hiki chama na nimeongana na kingine tuwe na ujaguzi tafadhali

Hospitali zetu, watu wengine ni masikini hawawesi kujiweza kwa pesa za hospitali, siku hiki kunahumaskini mwingi kwa watu na pesa za kununula madawa hakuna, sasa, mimi ninaona tuwwe na free hospital yaani hii gharama ya matibabu hiwe ya bure kwa mwanainchi

Nitasungumzia juu ya President, ambaye amejaguliwa, aew anaweza kuuda seerkali, ambayo tunaita ya mzeto. Hii itaweza kusaidia wanainchi wetu kwa maana, akikua kwa chama chake atasahau sehemu zingine zawakilishi mbugeni. Nimesikika.

Hawa wanasheeria wetu, wasifinywe na mtu fulani hata hwe Raisi hawe nanai, wa endeshe kazi yao vizuri bila kuingiliwa na mtu yoyote, ajudge, wasiwe chini ya mtu, fulani wanaweza kuendeleza kazi vipaya wakiwa chini ya mtu, lakini wakiwa pekee yao watafanya vizuri

Free education, iwepo, tuwe na free education, kwa maana kama mtu, ni maskini hawezi kusomesha mtoto hata kufika darasa la nane, ... Na mengine yatasemwa na wengine waja niwajie hapa

**Com. Lethome:** Abriel Musumba

Kwa majina mimi ni Lukas Wala Maoni yangu ni machache tu, jambo la kwanza nitazungumsia kwa watu wa makuru ' amakuru' ndio mwazilishi wa jin ala serkali, na inatakiwa amakuru hawe akitoa, malupulupu, fulani kutokana upande wa mshahara, kwa sababu sub-chief awezi kujua watu wapanya katika kijiji bila 'likuru' hapana, hiyo ni vita

Hii katiba ya sasa ambayo tunatoa maon, hiwe ikifundishwa katika shule za primary na za upili, kuzui watoto wetu waelewe katiba ni nini? Wakijua katiba ambayo tunayo wakati huu, ilitengenezwa huko uengereze, na ilipo kuja sisi wengi tunasikia tu jina, lakini hatuelewi, maana yake ni nini,

Mbuga kama wa Emuhaya Constituency, hakichaguliwa hawe hanapewa home work wa mwaka mmoja, kama, hatumishi vile watu wanataka harudishwe hapa tuchague mwingine. Ni hayo tu.

**Com.Lethome:** Asante sana, Abriel Musumba

**Abriel Musumba:** Asante sana mwenye kiti, Yangu sitaenda pali sana, upande wangu nitasungumzia upande wa office ya rais ina makosa mengi, katika office hiyo rules ziko nyingi, na hiyo (not clear) tafadhali kama ni ninyi commissioners, hiyo(not clear) ikomeswe katika office hiyo. Office ya Rais imesijukulia mamlaka ya judiciary, mamlaka ya judiciary iwe katika yake (not clear)

Engine Rais haki (not clear) ya corruption hachunguswe hata baada ya kutoka achuguzue, na neno ingine ambayo inatushutua sisi Raia ambayo inasemekana mtu akitoka hapewe pension, hiyo pesion haijukuswe halafu ndio pension yake itolewe la si hicvyo

mambo mengine, yas kuchengewa nyumba room kumi na pili room sita hiyo haitakiwi ni kualibu mali ya humu. Ni hayo tu machache

**Com.Lethome:** Mary Ombati, Kwa majina ni Mary Ombati natoka North Buyore Sub -Location, mimi nitaongea juu ya wale watu wanastaafu wengi wao huwa wananyanyaswa kwa njia hii, mtu hanastaafu nahamekuwa mzee na anaenda ahataka pension zake na (not clear) hapo mzee hana chochote na hizo vitu zimekuwa ofisini miaka miwili na hana chochote, hakisha maliza hayo, kama hametoka wwestern province, aeenda Nairobi na hana mahali pakulal, hananyanyaswa sana, nikiongea tena huyo mzee haikustaafu alikuwa anafanyia serkali kazi na walimwona hakiwa mching akazini pali lakini anapowajua pale akuna hata akienda ofisini ama hakifuatilia nyinyi hakuna chochote , he is not recognized, or she is not recognized, tangu tu hawaje kazi inaiisha hivyo.

Hata kama kuna kazi huko nyumbani ya nini, na nini, wao wawe mstari wa mbele kuonyesha wale wadogo wao , walifanya kazi na wan uchuzi.

Tukisema hamefariki huyo mama, mwenye amewachwa mjane anatakikana hapate hizo peza za mzee, si kwa miaka mitano, juu hakipatiwa miaka mitano atakula hizo mitano hangali hako hai, hatapata watu keundelea hizo miaka hizo anaishi. Kwa hivyo ninaonelea ya kwamba mzee hakikufa mama aendelee tu kupata tu pesa zake mpaka hatakapo kufa na yeye.

Upande wa corruption, ninataka hawa watu wako maofisini,kaa tunaweza kuwa na njia mtu akikuambia, kuinua mgogngo , tufanye kama kwa banki watu wawwe na majina, mtu akikuambia toa kitu kidogo, unaandika jina lake ana hunapeleka kwa mkubwa na mkubwa hakijua hivyo anajukua action si kumwajilia.

Kwa upande wa watoto kwa hawa watu wanastahafu, ninataka mama kama hawezi abisa kazi na hana ujuzi wa mahali popote, kama kuna mtoto wake na ha ujuzi amesoma , na baba amestahafu,hata hakipatiwa kama subordiant staff pale pale itakuwa vizuri kwa sababu hatajua baba alikuwa akifanya hapa na pia mimi nimepata kazi na niatendelea kufanya.. Sio tu waajiliwe hivyo na baba hamekufa, na mtotot amesoma na hana mahali pakwenda, kama mama hana uwezo na ana ujuzi, pia hanaweza chukuliwa. Pale.

Corruption pia ninaonelea hiyo pension mzee hanayo pata ninataka eendelee vile nilisema hapo mbeleni, tuwe na uzaidizi kidogo kwa mama ambaye amewajua, sio tu mama akae pale na watotopale, halafu anakaa sio mtu anaeshimika hapo hawali, kwa ajili tunachukua huwezo wote tunaweka kwa Rais, kwa maministers, na wadogo wao ndio wanafanya dogs work na wanasaulika pale, na kazi nyingi ni wao wanafanya. Mimi ninaonelea kazi nyingi isipewe watu ambao si wa juu. Wa jini waangaliwe pia.

Na pia mama alikuwa anapata mshahara kidogo kwa maana pia anaenda sasa wanakuwa kama watoto wale disabled, kwa ajili hawana popote wataangalia ndio ninasema ya kwamba huyo mototo mwemuo akikuwa na achukuliwa pengine angalau anaweza inua wale wengine wamebaki pale.

Ya mwisho nitaongea juu ya wamama katika bunge, katika bunge ningependelea kwamba tupatiwe nafasi 35% wamama tuwe

pale tusiwe tu ama hiwe 50 – 50 tusiwache nyuma hawa tunafinyiliwa jikoni sana, sitaki tufinyiliwe jikoni sana tupatiwe hiyo nafasi na pia tupewe pesa sa kufanya campaign sio ati wao peke yao ama wanapatiwa nyingi ha mama wanaangaliwa wanapewa kidogo hapana na pia upande wa macouncillors unpata councillor anawalikisha sub-locations nana hiyo sana nataka hiyo ikawe divided ndio kasi ipatikane kwa ajili akiwa nazo nane, kwa ajili akiiva nazo nane hivyo atatachuwa namna gani na wodi zile zinaendelea hivyo wodi inaendelea vizuri kwa hivyo ningependelea kwona ya kwamba tuone kila councillor awe na wodi na na nne tano na mwingine pia achukulie pale sio kumi na uishi pale anasahau kutengeneza sehemu zingine na (inaudible).

**Lydia:** Mimi kwa majina naitwa Lydia maoni yangu nitatoa kwa street children yaani (chookara) these has become a problem which seems to be running out of hand to everyone in the country and must be address by Constitution because it has become a stage threats to people to peace and yet these is part of Kenya population we therefore recommend the following grown up people in the street should dealt and given lunch to settle.

i) The children who don't have parents should be removed from the streets and given spaces in schools, forms to rehabilitate their characters and subjected to free to primary and secondary education be trained for skills be employed to be useful Kenyans. Nikiongezea hiyo chokora wako wengi sana na hawa watoto ambao wengine ni yatima (orphans) ambao wasazi wao wamekufa wote na wamebaki ha grandmothers na wengine ambao wanazaliwa ndani ya ndoa hao ni wengi sana. Wengi wana anja kusoma lanini hawana namna sasa hao tunamuomba kwa Constitution wapatiwe pakukaa na pakusoma asante.

**Ann Maxmila:** Kwa majina naitwa Ann Maxmila nafanya biashara. Mimi langu ningependelea musema ya kuwa sisi kama wanawake tumechukiwa sana katika maboma zetu, kwa hivyo nimekuwasihi kama mwanamke apewi uhuru ya kujiendeleza mwenyewe akae kama mwana mume. Sisi wanawake yenyewe tuna taabu sana. Yenyewe tumesoma lakini kazi kupata sisi wanawake ni shida (objections) ngoja kwanza ambapoulizema wanawake wanataka uhuru be specific Uhuru uhuru wa kufanya vile sisi hatuna uhuru wa kifedha (unapendekeza nini. Mimi ningependekeza msaada ipewe kwa wanawake ili wafanyia biashara ili nao wapate kuwa na fedha katika mifuko yao kwa maana unaweza kuitaji vitu mingi huwe hazo lakini upande wa kifidha unashidwa vile utafanya (na hutaki kumutegemea bwana) bwana hako kwa maana yeye yenyewe tunajiwa lakini mahitaji yenyewe sisi wanawake tunayehitaji tuwenaye yenyewe hatuyapati kwa urahisi tunapata kwa shida kidogo kwa maana ukosefu kaw sisi tukonayo sana. Kzi mimi nikewaomba ni kazi pengine kuna wale ambao wamesoma saidi na wale ambao hawana elimu sana sasa kwa wale hawana nawale ambao wamesoma kidogo ningependelea ya kwamba tusaidiwe kwa njia ya kupewa kazi kama shule kama nurseary, na kazi kidogo kuna (kazi zingine mwanamke hafai kufanya) kuna zile ambazo mwanamke hafai kufanya kama bar (mwanamke ameolewa. Chief kaw hivyo anaweza kuwa kiongozi ndio. Tena nekependa wale, yaani wale ambao kupigana ili tupate uhuru wetu inatakikana waangaliwe sana, inatakikana wapewe kitu kidogo kama pension kwa hivyo ningependa watu tuwaishi na hawangaliwa masilahi yao wale walifariki walihaja watu nyuma, watu wao wanasema walikuwa na wato huienda kupigana wakafariki.

Tena ingine sisi wazazi wale ambao tuna watoto, watoto wetu wanafanya vizuri katika masomo na hawa school fees imetushida

sisi wazizi unapendekeza nini. Napendekeza ya kwa watoe msaada kwa watu wale hanajiweza kuwasomeza watoto wenyewe ni werevu hawana vile wanaweza kusoma kumalisia kusema tunataka msaada.

**Christine Muyoma:** Mimi kwa majina naitwa Christine Muyoma natoka katika Southern Bunyore. Mimi kwa maoni nitasema juu ya wafanyikasi wa barna hoteli, kwa hivyo nitasema bar and hotels have become industries which accomodates many people including bar and hotels honours and mishandles these people at their own measure. Therefore we recommend that Constitution provides for a commission which will reluctant service to bar and hotel honours. Train and make sure those people are comfortable they displine force for the employed and the employees . Kwa hivyo nikingezea ya kwa tafadhali mungaliei.

Tutasema juu ya watoto wanasoma, wazazi wanaokosa pesa ya kuwaedeleza naomba serikali yetu ya Kenya ingalie hiyo ndio wazazi wasiweze kujikakamua wasomeze watoto wakae nyumbani pila kufanya chochote ni hayo tu asante.

**Rose Nyangila:** Kwa majina ni Rose Nyakira nitaongea juu ya walimu, mashamba na watoto. Tunapata ya kwamba walimu wengine hawana hidhumu wanajaribu wana wanaharibu watoto wetu wakisoma mwalimuakipatikana na hatia ya kuharibu mototo achukuliwe hatua, na ajaizwe kazi . Wanaharibu watoto namna gani. Wanafanya watoto wanawake wao, anaacha mtoto anahumia halafu yeye anaendelea na kazi.

? Mashamba: yamekuwa ya wazee, ukifanya maendeleo kwa shamba ya mzeebila idhini yake ukitoa kitu uende ulipie mtoto karo ama ufanyie kitu yoyote , unaambiwa hakutoka na shamba kwenu serikali itusaidie shamba iwe ya mama na baba.

? Watoto: watoto wetu ndio wamefinywa , wafanyikazi kwa hawa mabosses kwa ma town ningependelea serikali hijukue hatua tupewe watoto wetu wa mama, watoto wapewe elimu ya bure , watoto wote wa huku Bunyore ndio wanafanya kazi kwa matown sana, ndio sababu elimu hapa Bunyore imekuwa chini sana ukiangalia masomo ya town yako tofauti na huku nyumbani, kwa sababu watoto wetu ndio waanjiriwa town na hayo nimesema asante.

**Kennedy O:** My views are as follows:-

? The elected President to attain 51% of the total votes, 25% should be removed.

? The President should not be an MP

? The President should not have two Constituency .

? The President should have ceremonial power and should have a Prime Minister who should have the executive power he should also have a vice President and vice Prime minister who should have the executive powers.

? He should also have vice President and vice Prime minister in the next government legislature MPs

? The MPs and the councillors to serve for only two consecutive terms and then they retire.

? Health: I would like every Kenyan to have free health care .

? Kenyans should not be allowed to Bank money outside the country because these affects the economy of the country and it encourages theft and corruption.

- ? The powers of the President to be reduced the President should not be allowed to appointing the senior civil servants like PCs , DCs, Attorney general etc., a commission should be set to be dealing with such cases.
- ? The President should not be allowed to be using public funds to campaign or sponsor a candidate for Presidential.
- ? I believe we should have two political parties, the one that forms the government and the opposition these will enable to avoid having parties that are formed on tribal basis.
- ? Defectors after election should not be allowed , the MPs councillors, should only be allowed to defect when parliament has been dissolved.
- ? Recruitment of security officers those working in the armed forces and the police should be done at locational level to ensure that all areas are represented.
- ? Tradition I believe the local alcohol should be legalized, alcohol like busaa, changaa is very important . It is used in laboratories and other hospitals.
- ? Employment of civil servants- I would like the retirement age to be reduced to 50 years and after a civil servant has retired he should not be appointed when other Kenyans are lacking employment
- ? After retirement they are supposed to be given their pension within three months not taking long time.
- ? On the other side of education I would like the government to ensure that it provides free education from primary level because parents are poor they cannot afford to pay.
- ? The government should employ those teachers and be on payroll and they should be pensionable.
- ? Free education should to an extent government providing text books, writing materials like exercise books , instead of saying free education and yet the parents remain with the burden of buying those things for their children.
- ? To provide also physical facilities in schools
- ? The government should remove the death sentence in the Constitution of Kenya, I feel it should be replaced by life sentence if a person has committed a serious offence.
- ? Inheritance of property – women should be allowed to inherit the property of their husband if they are legally married and the distribution should be as follows;
- i) If the woman has stayed with the husband for ten years she should only get 20% of the property.
  - ii) If she has stayed their for 20 years she should get 45% of the property.
  - iii) If she has stayed their over 20 years she get 50% because they are young women when the husband dies they take all the properties and they leave the children sufferings.
  - iv) National resources should be equally distributed in the country you find that some provinces are having things like Airports, very many Universities and National schools, colleges while other provinces are not having. I will suggest that every province should have at least two Universities, two colleges, two national schools and other important facilities instead of heaping them in one province.
  - v) Also I am suggesting that the government should set a fund, these fund should be given to non employed Kenyans to enable them start business then it will enable them earn a living and these will help to reduce poverty.
  - vi) Prostitution should be made illegal

- vii) The government should set a fund to help those children who are left behind by the victims of HIV and those people who die in accidents .
- viii) The government should be able to assist those people who die in accidents like those who die in towns and they are unable to meet the transport expenses the government should help them, and it will depend on the culture of the people the government should give government vehicle so that those people should be transported to areas where they come from (mother tongue).

**Thomas M:** If an assistant chief is criminalized should be accused.

- ? If a chief is criminalised should be accused especially in corruption, the people distrusting these world especially Bunyore these people have been (inaudible) the bill has taken to the courts (inaudible) they change their commandship to another person, and those who have committed the criminal offences especially corruption are here especially chiefs and sub-chiefs, they should be taken to court charged.

**Kabetitumbieni:** Provincial administration: I should like the provincial administration at the level of the chief and asst. chief to be elected and transferable.

- ? The Constitution should be taught right from upper primary and all other institution of learning.
- ? Presidential should be reduced and invested in various parliamentary committee.
- ? The Constitution should cater for the working conditions and salary implements of the Teachers.
- ? Voter should be able tried in court if they don't exercise voting rights.
- ? The aids and aids campaigns funds should be used correctly also their should be professionalism where the right person with the right knowledge has to get the right job, their should be restructuring of our education already in place . We should have a small but professionalised force the large one we are having is telling a lot of large earned foreign income.
- ? Security: the security already enforced should change the improved arms from neighbouring countries.
- ? Political parties: they should be equal forum and liberty to all parties .
- ? Land controllers members should be elected and not appointed as a reward for the support to the party already in power
- ? They should be discipline in schools as per the canning is concern but we should have to check on that, thank you.

**Fred K:** On the executive the President should be allowed to serve a maximum of two terms but he should be only be allowed to go for the second term if the performance of economy was positive.

- ? The President should only be allowed to get a retirement package if the growth rate of the economy was two figures rather than the population growth otherwise he should only be allowed to get half of that package.
- ? Civil servants: they should be employed on performance and productivity any civil servant found accused on corrupt deals should be sacked and should not be allowed to serve any other office.
- ? Education: the government should provide free primary education at high school schemes should be laid down to ensure that the children who cannot pay fees can go to school free without being harassed.

- ? They should be schemes to provide for loans for education in for those students who are at colleges.
- ? Professionals who have technical schools should be given a loan to enable them learn their business.
- ? Business: Individuals who learn business and those who maintain positive balances for over five years they should be given to non-interest loans up to a maximum of their capital. Business who maintain profits for over five years should be given half of their running capital (rewarded) thanking you.

**Tom Alwala:** I would like to bring you to attention if the following points.

- ? There should be a clear distribution between the three arms of the government:
  - i) Judiciary
  - ii) Executive
  - iii) Legislature
- ? Mayors should be elected by the public
- ? There should be a law to govern the various inquiries because commissions are set to do inquiries whose results are not made public.
- ? Anti corruption bodies should be set up to the governors level even members of the public should be included an MP should have an office in his Constituency where he can consult the electorate.
- ? Giving out money to get votes should be illegal.
- ? The President should not be the commander in chief of the armed forces because not all the President are trained in military, matters we should just have military officer who is well trained to be commander in chief.
- ? The winning party should have something slightly above 50% bearing in mind we are a democratic multi party state.
- ? There should be strict laws to protect our resources from grabbers.
- ? The Constitution of Kenya should be asensible to all Kenyans and if possible be translated to the local languages. The proffessional language in it should be simplified for the common more to understand.
- ? The judiciary should organise for the public to be aware for their Constitution through civic education because some people know about the law, they have been broken when being charged in court thank you.

**Mila ingabu:** I would like futher to ask the comissioners to legalise arbortion in Kenya, reasons are we have had preganancies which are very abnormal we want to get rid of them

- ? Political parties: I recommend that we have limited political parties in our government three of them and these sponsored by the state funds, about the MPs salary I support it should be determined by every (inaudible) commission which knows the economy state of the country.
- ? Election done in three days and three categories. First category and first day should be for the MPs and the third should be for the President.

- ? The new Constitution should approve limited ministers and these ministers being to the state and not the government in power.
- ? Utility of land: we realise that many people in the government have a lot of grabbed land which is not utilised we call upon the Constitution to emphasize that any land that is not utilized let it be subjected or given to mid people who can actually utilize it.
- ? The power of the President to be reduced in terms of appointments, in terms of promotions and higher these should be by the commission. Let the new Constitution approve the certificates of land ownership, be disclosed by the chief or the asst. chiefs office other than going to Nairobi or other far areas.
- ? The new Constitution should do away with provincial administration, instead transforms the provincial administration to be a productive factor for example let the chiefs, asst. chiefs be taught agriculture skills because they are rich people and they can impact these people rather than the trade extension officer who sometimes you can have an extension from the Luo land.

**Com. Lethome:** (not clear)

**Mila Ingabu:** Side Block bars, hotels workers, HIV AIDS orphans, street children widows and widowers. Ninangulia na wamama kwa sababu ni tatetea akina wamama.

- ? The hindrance and needs of women are not fully guaranteed in the present Constitution and I recommend the following areas to be carefully addressed by the new constitution.
- ? Affirmative action to be put into action at level of government and monitoring to be continued to make sure it is done.
- ? Equality to be realized at every place of work organ department starting from village level to national level, civic education to be a continuous exercise for both women and men to ensure everyone is comfortable with the new constitution.
- ? We need at least 56% representation of women in every area decision making there should be qualified women for intended position, men women, girls and boys to be treated equally, according to their human and basic rights in all places of men interest education, culture, that are negative women e.g. In our district the community in Vihiga district believe that women cannot be allowed to work as provincial administrations should be done away with.
- ? Violence against women should be fully be addressed in the new Constitution and it must provide for monitoring to ensure the rapists are brought back to book and appropriate punishment awarded these should be done through the gender commission which I recommend should be formed.
- ? During rape incidence women police should attend to the victims and not men because when men attend to these cases they ask silly questions to the women and the women becomes shy to answer them. So we want to ensure that the rapists are brought to book and right punishment is taken.
- ? Preferably castrated tunataka hawa wazee wenye wanashika wamama na watoto wasichana na kuwanajisi wapewe punishment ya muda ama wapunguzwe nguvu.
- ? Family level these is where women go the shamba wanapalilia, majani lakini wakati wa kuvuna pesa zinawekwa kwa mifuko ya mabwana tunataka pia hizo pesa siwekwe katika mifuko ya akina mama.

- ? During campaign period which is near to come the Constitution should provide for a level playground free of violence intimidation, excessive use of codraft money by violence. To ensure women have humble time in their campaign activities. If the President is a man then we want the vice President to be a woman.
- ? Land property rights- we want inheritance of land to be for all daughters and sons even women, on land an individual should have at least 100 acres because they are some who have more than 500 acres and we have squatters.
- ? Foreigners should be restricted on land use they should be allowed to rent only. Government should only acquire land from a private on agreement of being given another land.
- ? Transfer of land should be free
- ? Women to inherit land from the husband without many complications to indicate when a man dies you want to succeed your land you go through so many process and they are expensive. The process of transferring land to be simplified especially to women. Men and women to have equal accesses to land. Every Kenyan including street families to be guaranteed access to land. Land title deed should be given freely (tunauziwa title deed na mashamba ni yetu hatutaki tuuziwe title deed.
- ? Land title deed to own the names of both men and women.
- ? A man who marries more than one wife should give them each her piece of land and title deed.
- ? Judiciary : the judiciary should be independent, we need a constitutional court to deal with matters concerning the Judiciary, appointments of the officers to be done by the judicial commissioners .

**Robert A:** Masomo- Masomo nengependelea iwe bure kwa wanakenya

- ? Kenya equipment skills to provide stationaries in schools.
- ? Hospitali siwe za bure bill ya hospitali na mortuary ilipwe na government.
- ? Tradition – sisi waluhya kitu kama busaa ni ya tradition yetu, kwa hivyo ningependelea tuwe na two or three clubs every sub location asanteni.

(Name)

- ? Government should be able to advance us with some money so that we expand able to employ other kenyan who are poor.
- ? Universities – the universities to be expanded to rural areas.
- ? The executive powers of the President and executive powers of the prime minister should be equal so that the prime minister is elected by parliament and the President by the wananchi.
- ? PC should not come from out side the province we have got learned people in every province. President should be able to elect a PC from that province.
- ? Parties – two parties of three should be formed like US the labour and the republic part where by many parties bring in tribalism.

- ? Minister in the office of the President should not be there because kazi yao haina haribu office of the President
- ? Equal distribution of resources from the, you discover that many industries from the us is put in Thika and Nairobi.
- ? Grassroots election for every Presidential aspirant, a President should not impose he is politically fix to lead Kenyans.
- ? Mayors election should be decided by the town residents.
- ? Campaign – during campaign no public fund should be used if you want to become a President you know your financial fitness you should use your own resources.
- ? Printing of money- this changing of the notes should be done if it is for postage
- ? Aids – it is good to be realistic but should be eradicated because they encourage prostitution and bar maids, bars should be like shops thank you.

### **Scholarstica Naliaka Ndale**

- ? Wajane – mbona sisi wamama wakati tumefiwa wanamume mbona huturusiwi kupewa ma land title deed bure na some time bwanaangu amekufa na ukimwi nami nitatoa wapi pesa na nimeachiwa pesa mtawachunga namna gani.
- ? An independent local authority to be created by the act of parliament to determine the regulation of councillors we should not retain nominated councillors because they do not serve interest of their people.
- ? The local authority commissions should set up a conduct for councillors , the President and the ministers in charge for the local government should devote the powers to dissolve councillors but will left to local authority commission. The commission should determine the circumstances in which to dissolve the councillors thank you.

**Doris Ositu:** Wamama wanapoteza wanaume wanabaki na watoto ningependa serikali iwasomeze watoto kuanzia darasa la kwansa mpaka la form four.

Upande wa viwete- kuna viwete wengi, vilema , vibofu, visiwi, napenda kusema, viwete hikiwa kuna uwezo waweze kusoma wawe kama hawa watoto wengine. Ningependelea wapewe magari.

### **Samwel Naboto**

- ? Maoni yangu ni juu ya rais. Rais anatumikia watu fulani anachacha wengine ningependelea hii mamlaka ya rais ipunguzwe kidogo, asiwe juu ta sheria.
- ? Naonelea hizi vyama vya siasa vyendelee kuwekwe uwe na uongozi kwa kiama moja kwenda kingine.
- ? Hospitali zetu –ghalamu ya matibabu iwe ya bure kwa maana watu hawa pesa.
- ? Huyu President kama amechaguliwa aweze kuunda serikali tunaita ya mseto hii itaweza kusaidia wanainchi kwa maana akichagua kwa chama chake peke yake atasahau sehemu zingine za wakilishi bungeni.
- ? Nimeona hawa wanasheria wasifinywe na mtu yahani awe rais awe nani wahendeze kazi yao bila kuendeleza na mtu yeyote
- ? Free education

## **Lucas Wala:**

- Hii katiba ya sasa iwe ikifunshwa katika shule za msingi na za upili, kusudi watoto wetu waelewe katiba ni nini.
- Mbunge ingakaliwa kwa mwaka mmoja kama ayati kutoka hapo tunachagua mwingine
- Ofisi ya rais Ina makosa mengi, tunataka ikomezwe.
- Ofisi ya rais mamlaka ya Judicial iwe katika juu ya attorney general.
- Rais akistafu achunguzwe akiwa hana makosa yoyote ashitakiwe.

Retirement packages – achunguzwe ndio apewe hiyo package.

## **Mary Obati**

- Watu wanaostaafu wengi wao wananyanyazwa , unapata amestaafu na anataka pensions he is not recognised after retirement.
- Mzee amestaafu na amefariki huyo mjane anatakikana apewe pesa za mzee. Mama anaenda kupata pesa zake mpaka atakapokufa na yeye.
- Napendekeza wanasisa hawafai kukulia tribunal court wanaenda direct Nairobi wananyanyasa wajane.
- Sisi tungependa utawala hiwe kama ya Tanzania hiyo akitota huyu aingie asante.

## **Catherine**

- ? Election system, the system should be changed to increase women participation in parliament by doing the following.
  - ? Ensuring the parties have 35% seat for women in parliament
  - ? Three candidates who full to seek nomination in one party should be allowed to seek nomination in the other party.
  - ? A number who defects from a part to another to loose his seat in parliament, the party should try and replace him.
- Constitutionshould ensure that every public elective office retains 35% seat retained for women
- ? Other groups with representation in parliament include young people with disabilities.
  - ? Chiefs and ass chiefs should be appointed.

## **Jane**

The elderly because of their age they are not well-protected especailly on the following travelling, feeding, health care and etc.

The Constitutionshould addressed with their numorous problems because of their age, we may have the following for them home for the elderly, health service free NGOs should be able to take care.

I want to talk about local government.

- Mayors and councils chairmen should be elected directly by the people. The curent two years term for mayors and council chairmen is not adequate they should serve a five year term the council should continue to operate under the central government however there is need to create the office of the commission of the local authorities to determine

how power should be shared between councillors and chief officers.

- The maximum qualifications for councillors should be at least form four ordinary level.
- There should be moral qualifications for local authority seats people should not have a right because councillors these is giving to what anarchy and some other of administration.

**Tape 4 side A: Com.Lethome:** The work, which is being done by the D.C, D.O, what should be done tothem?

**Jane:** ...Exactly we do not need them

**Com. Lethome:** You don't need those services?

We don't need those services

**Com. Lethome:** Okay

Let the Constitution provide the internal security , call it the Police Force and other internal securities why, the presence administration of the police Force which is at the hands of the government it has been used by big politicians and why there is the large corruption within their sector. If it can go private we are sure of the accountability, of a lot of things which are caused by them and they are not accountable. So a call about total, provision of internal security , provide police Force.

Let the new constitution provide completely free primary education , we have been cheated at many times there is free primary education, where actually in practice, this is we are calling about the President to consider the new constitution to actually, to emphasis , we want free education and its facilities

Let the new constitution provide one man one job, not the idea of (not clear), there are several opinions here, which we need to work, (not clear).

Let the Constitution provide free services, I put it clearly categories it, former speakers put it verbally but I want to categories this, these services should be limited to health centres where a common poor man can reach. But services that we actually go to district hospital we can build them. But medical come up to the health centre we want them totally free.

Let the new constitution, be clearly made a clear boundary within the state resources, and the government I power, right now we are confused we don't know our President, our current President is in Garissa we don't know whether he is using the states money or he is using the government power , the same time we are all of us through the (not clear), political party , so we want the new constitution to press, the total down that my (not clear) state and the power which is on.

Lastly, the new constitution should be written as the majority have said at many times, should be written in simple language and

made available in all constitutions . Thank you sir.

**Com. Lethome:** Raphael Shitukho

**Raphael:** My names are Raphael Shitukho, Kulikana na mkutano wa leo, ningependa kushugulikia jambo juu ya vijana, unapata ya kwamba kuna wakubwa fulani ambao wanasisikiza huu msemo unasema hati, vijana ndio viongozi wa kesho na unapata ya kwamba serikali yenyewe ndio inayo chngia huu waalifu na umaskini, kwa nini ninasema hivyo, unapata ya kwamba kijana amelimishwa, ameenda shule na amemaliza na tena ametimu, na amepata grade sawa , lakini hunapata mzee ambaye amefanya kazi kwa miaka 60 amestaafishwa na tena anarudishwa kazi hili hali huyu kijana mdogo na mwenye elimu hako nyumbai na hana kenye anafanya huko,

**Com. Lethome:** Unapendekeza aje?

**Raphael Shitukho:** Ninapendekeza tuwe na kiwango cha kufanya kazi kama ni miaka 45 au 50 iwe ni hiyo na pekee.

**Com.Lethome:** Raphel, umesema ya kwamba (not clear)

**Raphael Shitukho:** Yaani, tuseme mika kufikia 30 hivi

**Com.Lethome:** Okay, kila mtu akifikisha miaka 30 anatoka (not clear)

**Raphael Shitukho:** Ya anatoka... Kwa upande wa mishaada unapata ya kwamba, kuna sehemu serkali inaikisha misaada kwa wengi, na unapata hiyo misaada inaenda kwa wale watu ambo wanajiweza na sio kwa wale ambao hawajiwezi, serkali inafaa misaada ikitolewa, ipewe wale ambao hawajiwezi, na wale hawana kazi

Kuongesea kwa point ya pili, ni mesikia wengi wakisema kwamba wanawake, ama wasichana wame wekwa kipagwa mbele, unapata ya kwamba kwa mfano, mahakama, au serkali yetu ya Kenya mwanamke anafikishwa mahakamani au msichana, mnaingia kule mbele, utakuta serkali inachukulia msichana, kusema ya ukweli yale yote anayosema ni ya ukweli bila kufanya uchunguzi wa kutosha.

**Com Lethome:** Wanapendelea upande gani? Kwa hivyo unapendelea nini?

**Raphael:** Wanapendelea upande wa msichana, uchuguzi ufanywe,

**ComLethome:** Waache kupendelea wanawake,

**Raphael:** Kwa sabaau kuna gender equalit, mwanamke na mwanaume ni sawa sasa wawe sawa.

Kwa upande wa idhala ya aPolice na wanjeshi, ningependa, ipinafisisiwe hili, tuwe na usalama a kutosha, kwa sababu Polisi ni wa serkali na jeshi ni la serkali, usalama utatoka wapi? Sasa labda tukiwa na sector fulani ambayo imetengwa, tutaweza kuwa na usalama, serkali if it says to do its work na wengine nao wanatokeshea, anauliza ni nini ambacho kinaendelea, Halafu point ingine ningependa kuzungumzia juu ya mahakama yetu ambayo ningependa hifanye kazi yake kwa haki, sio kifungo amabcho tunaweza kukomesha ualifu, ningependa kwa kutumia neno haki ningependa mtu akifanya tuseme akikata mwengine, sikio, muguu , mkono, mahakama isimuhumu kifungo, mahakahama, hata yenye hakatwe mkono ndio hajue uchungu, sio hahukumiwe miaka kumi au maisha, akatwe ndio hasikie uchugnu jinsi hanaumiza mwenzake

**Com.Lethome:** (not clear) kwa makosa yoyote

**Raphael:** Sio yote, tuseme ukiuwa hilo ni koza kubwa kabisa unawawa pia, ukizizi, kwa sababau unafanyika sana sana, kwa upande wa wanawake na wanaume, ukimjukua mtu wa mtu, serikali ijukue hatua ya kumjukua huyo bibi na imbe huyo mwanaume hawe wake na wake naye abelekwe kwa huyo mwingine, sio hati hana.....

**Com.Lethome:** Kwa mfano mtu hakijukua mke wako, wewe hukijukua mke wangu,, serkali ijukue mke wako inipatie,

**Raphael:** yea

**Com.Lethome:** Na kama simtaki mke wako,

**Raphael:** Si wewe ndiwe umemtamani,

**Com.Lethome:** Halafu, no, no

**Raphael:** Mimi nilimtamani wako, sasa kama haumtamani wangu sasa ni kuelewana, lakini..

**Com.Lethome:** Hauoni hapa tunamwahalibu mtu ambaye hana makosa, na analasimishwa kuingia katika makosa?

**Raphael:** Haya ni maoni yangu, lakini hakizidi na uzizi hauwawe, haya halafu,

**Com.Lethome:** Na wale wanarape? Mtu akirape afanyiwe nini?

**Raphael:** Kurape? Yea hakirape kulingana....

**Com.Lethome:** Na yeye harapiwe

**Raphael:** Hapana, hahukumiwe kulikan na sheria hambayo itaweza kutolewa.

Kwa upande wa kazi mtu mmoja kazi oja, hasiwe mtu ni chairman , ni treasurer, ni headmaster, sijui ni nini... ee, watu waajie wengine nafasi.

Com.Lethome: Haya asante sana Raphael. Benard Aibo, kuna akina mama ambao (not clear) Jane Amunabi,

Benard Aibo are my names and I have the following: -

1. Let the new constitution stop the registration of religious sets grown on tribal basis like, the “mungiki”
2. Second point, let the new Constitution approve free education in primary schools thus, giving out, the required facilities in the school
3. Let the new constitution check on the independent, of Kenyans, this means that Kenya know is not independent it is half way independent, because we know allow the colonial powers like the British, that we are supposed to follow the British, achieves then we are allowed to do what we are supposed to do, know that means we are half way independent.

**Com.Lethome:** Why can't you comment because you have two minutes left?

**Benard:** Know we should be self reliant, know about security, The new constitution should discourage the use of security personal but the security should save all the Kenyans this means that when the certain clan or a certain tribe, engages a war with another one the powers in the government should not face the one tribe, if it is punishment or the tribes should be punishment not only one tribe.

Next, Civil service, the cheifa and the Assistant chiefs should be elected by the people in the area whereby now we have illiterate people, who spreads money and given the work that they are not supposed to do on their grades

**Com.Lethome:** What do (not clear) for assistant chiefs

**Benard:** They should be able to qualified in their certificates and also...

**Com.Lethome:** In what levels

**Benard:** The standard level should be from four level, Assistant chief and Chiefs, about resources the items, from the factories are graded in three to four categories whereby know grade one, like let us give example in Mumias, we have three grades of sugar in division grade one, grade two, is being exported, that one we are satisfying, other wanainchi in other countries and but

not us and this...

**Com.Lethome:** What do you recommend?

**Benard:** I recommend that all these grades should be used by the mwanainchi, who is a Kenyan citizen, because these are our factories we should use these grades. Know the government should not focus on foreigners.

Another one, like the investments, those people who invest, their businesses here like the Asians, you are going to see that Hindusim have invested here they have businesses and whereby they are frightened, the mwanainchi resources, the investors should not frighten the mwanainchi where by the government should act on those people.

**Com.Lethome:** What do you mean by frightening?

**Benard:** Frightening, this means that, like know they may come and purchase our lamps in Bunyore and here we, for example we give them 400 thousand, and know when the products come you find that the mwanainchi is being sold at the high prices and they are now developing their country outside and they are in Kenya, so this means that they are undermining our resources, the government should take care of them, and that is all.

**Com. Lethome:** Jane Amunabi, hafuatwe na Jane (not clear) yuko, okay

**Jane Amunabi:** My name is Jane Amunabo, kutoka North East Bunyore, I am going to talk about the executive.

- Presidential cabinet should be 40 years to 70 years
- Presidential term should be 2 terms or 5 years each
- A President should have at least clean track record and must be transparent
- (not clear) on the President should be head of Jeshi Commander in chief of the Armed Forces
- Conjunction with the parliamentarians elective committee
- Chairing of the cabinet
- Head of the corruption
- Democracy of the President on the (not clear) by corruption (not clear)
- (Not clear) the President should not be an MP
- There should be devolution of power to reduce the power of the President.

Asante.

**Com.Lethome:** Asante, (not clear) Jane Ambukuje, she is not here? Okay can we have David ominde, Harzon Opiayo, Noah Kusinda, hakuje hapa mbele, afuatwe na Fred Ebogha, Hezron Orutinya yuko? Niko, okay (not clear) aanza na jina

**Noah Kusinda:** My names are Noah Kusinda Mbale; I have got this to say Bwana commissioner

1. Nominated members should not be there, MP or Councilor
2. law of preachings and disorderly should be scrapped off, done away with
3. Corruption, coming to the OCS something should be done, anybody who corruptin the government, who takes money for his own use, the property should be conjucted, should e taken away from him and sold to the public, so that the money is refundable.
4. Ministers should not be appointe by the President this should be done by the judicial department
5. (Not clear) office of the President should not be on our money

**Com.Lethome:** What should (not clear)

Noah Kusinda: should be our animals, elephants, lions,

(Not clear) councilors and MPs in Emuhaya is too large, as councilors should be as before and MP should have to MPs, because we have two divisions, with enough wanainchi. That is want I had to say , thank you

**Com. Lethome:** Thank you very much, Noah, We hae Hezron Opiayo

Comissioners, I have little to say about, my names are Hezron Osina Opiayo; I have something too say about in th einheritance, of marriage spouces,

1. It is my feeling that, and I recommend that the spouces should not, and I mean not have aoutomatically inheritence of the property belonging to the diceased young husband who passed aay when they were staying together. The parents of the husband should have a say in the inheritence of the deceased sons property, succession before certificates are issued
2. The provision should discourage the young widows from running away from homes, this simply encourages habitation in the disregard of thje welfare of the husbands parents

**Com.Lethome:** Can you erraborate that? Not clear) according to your recommendations

**Hezron Opiayo:** According to my recommendation a widow should be, if emplyed well and good but if she is not employe, she should be able to stay with the parents according to the will of the parents,

**Com.Lethome:** For how long?

**Hezron Opiayo:** For a period that husband is... Her husband is dead as long as,

**Com.Lethome:** The husband is dead forever,

**Hezron:** Yes a know

**Com.Lethome:** So for how long should she be expected to remain with the parents Law?

**Benard:** Normally when the husband is buried the girls married in the home to support to stay there

**Com.Lethome:** So she belongs there,

**Benard Opiayo:** So she belongs to the family, she is the member of the family of the deceased husband

**Com.Lethome:** suppose she says she wants to be married again, does she have that (not clear)

**Benard:** If she remarries then she will lose whatever share she is supposed to get

**Com.Lethome:** So she must choose between get married or the property. One of the two, okay

**Benard:** this provision seems to encourage prostitution and negligence to the welfare of the property, parents home, and the family of the matrimonial, it is good to spend that such young parents girls never regret or have sympathy over their loss of their husbands.

Parents who previously depended on their sons, have loosened, sons who have been employed and got deceased, (not clear) instead commit themselves in family, they got off the girl homes committing themselves in enjoyment and cohabitation. I think I recommend the inheritance be dealt with respect be looked in.

**Com. Lethome:** Thank you very much, Hezron, Abel, Morrison, Wilson, (not clear) Fr. Ed Chibuko, Karibia, Flora, Amaliki yuko, Thomas Apamo, hay mtafutana hivyo, kama kuna mamam yoyote ambaye ajazungumza mtazungumza, kuna mama yoyote anataka kuzungumza, ndio kuja hapa mama tutapata hiyo njia, (not clear). Your names

**Abel:** My names are Abel... From (not clear) I am going total about the preamble,

We need the preamble in this country, in the Constitution of Kenya

We need an elective government, which is unitary and held by the elected president

Parliament should enforce laws that are effective

The presidency should be subject to parliament

Direct principles of state policy, we need statements in our Constitution capturing the national philosophy and guiding principles

The democratic principles of peace love and unity should be included in the constitution

Culture social, judicial are some of the important values that should be reflected in our constitution

These principles should be enforced by law

Constitutional supremacy, the current Constitution allows parliament to amend any part of the Constitution by 65% majority votes, we should obtain this procedure

Parliament's power to amend the constitution, should be limited

Any part of the Constitution should not be beyond the amending power of the parliament

**Com. Lethome:** Should not have or...

**Abel:** Should have not have powers to..

**Com. Lethome:** any, any

**Abel:** any part of the constitution

**Com Lethome:** So how do we (not clear)

**Abel:** The public should be involved through a referendum in amending the constitution

The referendum should be conducted by a permanent and independent commission

Citizenship: All those born in Kenya by right should be regarded by the automatic citizens of Kenya. Other citizenship can be acquired by legislation and regularization

Spouses of Kenyan citizens regardless of gender should not be entitled to automatic citizenship

A child born of one Kenyan parent regardless of the parents' gender should be entitled to automatic citizenship

Rights of association speech expression movement conscience, workshop assembly property are some of the basic rights, others are life and security, civil and political, social and political, social and economic education and health service rights.

A Kenyan citizen has the obligation not to treat people differently in case of Race, tribe gender, ethnic, or disability.

Rights and obligation of citizens should not depend on which the manner in which a citizenship is acquired

The constitution should not allow (not clear)

Kenyan should be guided, Identity Card, Birth certificates or passports as evidence of citizenship

Courts should be brought to divisional level. Because some old people do not have money to go or for transport to go to the courts which are far from their area.

Changaa is a dangerous for human consumption, I recommend that instead of having changaa, here it should be made illegal, we should have some busaa's to be brought in the area, so that those opnes who can not..

**Com.Lethome:** (not clear) it is there it is just legalizing

**Abel:** It is there but it has not been legalized

**Com.Lethome:** So you need it to be legalized

**Abel:** Yeah, we need it to be legalised so that, the people who can not afford beer can also socialize on busaa, and I recommend they should be 2 busaa clubs in each location

**Com.Lethome:** Should be there... (not clear)

**Abel:** The time limit should be as from 2 as it was used to be in early

**Com.Lethome:** Up to?

**Abel:** Up to 6

**Com.Lethome:** Four hours is enough

**Abel:** When advocates stand in for (not clear) the compensation money should not be taken by their advocates, it should be directly to the victim so that the victims can also pay to the actual deceased.

On the side of the chiefs, play a very role in the country, I recommend they should be retained but they should be transparent within a location or within a division, because any chief group belongs to this area is able to have knowledge in East Bunyore or central Bunyore.

I recommend also that the cheifa authority act CHAP .128 should be (not clear) to give the chiefs powers to search in case of somebody has stolen something and has hidden it in his house, instead of waiting to go to court to get a warrant of search the cheif should be empowered to search and arrest. Because by the time, somebody goes to court to enquire something this particular victim, .. Actual given the equipment in (not clear)

Therefore the chief's authority acts CHAP.128 should be scrapped and they should be empowered properly

We should retain, provincial administration, because without that one, the country cannot be a country

I hope that one is what I had.

**Com. Lethome:** Thank you, can we have now (not clear)

**Mary Ayuma:** *Ndabola mulunyole. Melia Ayuma Makhatsa Mbande.*

**Translation:** I will speak in Kinyore.

**Mary Ayuma:** *Milembe boshi?Ise ndi hano nnya ...(Inaudible) mang'ana ka Katiba, endi omundu musiere.*

**Translator:** I am here and I want to witness this constitutional Review Commission I am an old woman.

**Mary Ayuma:** *Mbuliye Katiba eli ano, nifuchilila nimbola endi omundu musiele, khullilekho hano.*

**Translator:** I heard on this function and I decided to come and visit you

**Mary Ayuma:** *na makhuwa kalimwo, akandi amalahi, akandi ammbi.*

**Translator:** We have different suggestions some good and some bad

**Mary Ayuma:** *Ne amakhuba matititi muno, abakhulundu, abasakhulu, sibailanga abasiele bulayi ta.*

**Translator:** The old mum says the old wazee's are not beating the mum's well.

**Mary Ayuma:** *Singa kallomibwe ake mikunda, abasakhulu ballilanga basiele.*

**Translator:** Especially the issue of the land, wazee's do not respect the wamama's

**Mary Ayuma:** *Sebabaechanga obweango taye.*

**Translator:** They are not given a chance

**Mary Ayuma:** *Abasiere khwanyakhana khusira.*

**Translator:** The old mama's say that, they are in trouble for (not clear)

**Mary Ayuma:** *Toto, khwanyola bana batsia khubikulu, ma khandi banyola amakoso.*

**Translator:** We understand that we have sons and daughters who went to school and they come out with some problems

**Mary Ayuma:** *Abandi banyolangayo abana.*

**Translator:** some of them have come out with the out growers especially ladies.

**Mary Ayuma:** *abakhu... nende ... (Inaudible)*

**Translator:** We have no preference for those out growers born out of wedlock

**Mary Ayuma:** *Ma khandi khula .....*

**Com.Lethome:** Just a minute what are out growers? ... out growers, sugar cane out growers? not clear.

**Translator:** Out growers are those kids who are born out of wedlock

**Com.Lethome:** Oh, okay. Specify so that people would know what you are talking about.

**Translator:** Thank you very much

**Mary Ayuma:** *Khukosannakho na abasakhulu ni bakhubolla ni ... (Inaudible) abana batsie khuibura.*

**Translator:** The old mama says they always defer with their old wazee's (not clear)

**Mary Ayuma:** *Ne sekhwaruma bana tawe.*

**Translator:** and they dint send them.

**Mary Ayuma:** *khulwa yako, abana bene abo khuli ne miakano nnabo.*

**Translator:** The old mama says, they have a problem with those kids born out of wedlock

**Mary Ayuma:** *Kho aba mwitsire, mwakhuengelakhwo obubwoni mwalola khwakhukhola khuriena bana yabo, maa khuli nnabo.*

**Translator:** They should be taken care of , as partining the issue of those kinds born out of wedlock

**Com. Lethome:** Who is to take care of those kids?

**Translator:** *Abola ni wina ouwenyekhana abakhonye?*

**Mary Ayuma:** *Abana ba bana bakhana.*

**Translator:** *Wenya wina abakhonye?*

**Mary Ayuma:** *Kho Serikali neba neyanilekhwo elfu moja khwo khwa...(Inaudible) tsibe.*

**Translator:** She says the Constitution should provide a section whereby it will cater for those kids born out of wedlock especially with the ladies

**Com.Lethome:** What about, the fathers, those who are responsible for those children? Because they must have been fathered by a human being.

**Translator:** *Bareba, ne basamwana bana bene abo batsia ena balamanyuikhana?*

**Mary Ayuma:** *Sindali khubalolakho tawe.*

**Translator:** She says they have never been identified.

**Mary Ayuma:** *Na ewse ndi omundu musiere, sindi luno ne amani ye khukhola ikasi ta.*

**Translator:** She claims she cannot work for those kids; feed and educate them.

**Mary Ayuma:** *Milimo chie ndakholakho ne chweya ne khukholakho, khu luno njicha khuupwa.*

**Translator:** She is old and she can not cater for the expenses for those kids

**Mary Ayuma:** *Mbara akanje ni matititi, njire khusesie mukanda kwa abandu kho ya aba Katiba. Kho, amang'ana kabwe, abandu mukabukule bulayi, khukhonyane singana bwa khulanya khumenya.*

**Translator:** She is grateful and she says we welcome to this issue of the Constitutional Review Commission so that we can establish her recognition as a nation

**Mary Ayuma:** *Embwo muno.*

**Translator:** Thank you very much

**Com.Lethome:** Haya, asante sana mama. Haya tuendeleo na ...affirmative, affirmative. nilikuwa nimeita mzee mwingine ... (inaudible). Huyu mzee mwenye kofia ya yellow anaitwaje? Jina lako ni nani? Grem Lubuko? After him. After.

**Thomas Apamo Osale:** Asante sana kwa kuingia hapa na kuona, office kama amekaa. Jina mimi ni Thomas Apamo Osale, Asante kwa kuja kwa katiba mpya tunasikia tu wanimba Katiba Mpya, na hatujui Katiba mpya ni kitu gani leo tutapiwa vile wao wanasema, na tutaendelea leo ikiwa Katiba mpya imeingia hapa Vhiga District, ni asante sana, kwa vile kila mtu anatoa maoni yake hata kama ni mbaya au mzuri, hiendeleo tu.

Yangu ni hii, Hapa Vihiga District, Tuko hapa kwa sababu maneno mengine ya kusema, sisi ni watu ambao walipigana mwaka wa 41 kutoka 41 mpaka 46, tuliomba mshaada, na mshaada ina ngia hapa, kwa mwaka elfu million 45 kwa mwaka, tangu tupewe, sisi tulipo kuja hapa tariani, wakondoka wakamwachia mzungu, katika nchi hii, basi hapo, ikawa ni sisi wenyewe tuchukue nchi yetu tukae nayo,

**Com.Lethome:** Sasa mzee unependekeza nini?

**Thomas Apamo:** Katiba mpya kuna maneno, ambayo inanyanyanza wanainchi,

**Com.Lethome:** Kuhusu wale walio ngangania uhuru?, ungependa Katiba mpya ifanye nini?

**Thomas Apamo:** Ninataka wajue hawa watu ndio walileta uhuru, wasinyanyaswe,

**Com.Lethome:** Inginge sasa

**Thomas Apamo:** Inginge ni, hapa Vihiga istrict tunona maneneo machafu sana, kwa sababu, wawajie wanainchi, (not clear)

**Com. Lethome:** Majuja ni nini?

**Thomas Apamo:** Ya Busaa

**Com. Lethome:** Busaa serkali iwawache wanainchi wakunywe

**Thomas:** Lakini pombe ingine hii ya mtungi inayo huwa watu, inkomeswe

**Com. Lethome:** (not clear)

**Thomas:** Na wajilie huko

**Com. Lethome:** (not clear) tuendele

**Thomas Apamo:** Sasa hapo tutasaidiwa na nani

**Com.Lethome:** Si tutapeleka hiyo katika Katiba Busaa iweko.

**Thomas:** Ndio, na ifungiwe wapi? Huko Khayega ndiko inatoka

**Com.Lethome:** Nini? Busaa? Ile ya mtugi

**Thomas Apamo:** ile ya mtungi. Ndio mahali inatoka. Sasa kama wewe ni mkubwa, na sisi tunakuambia haya maneno, uende kuonyehsa kwa maoni.

**Com. Lethome:** Tunaandika kabisa, tunaandika hiyo maneno. Haya endelea.

**Thomas Apama:** Kwa hayo, katika mambo ya kusema, hii pesa tunaomba tusaidiwe, tutasaidiwa kweli?

**Com.Lethome:** sisi tutapeleka tu maneneo huko...

**Thomas Apama:** Tuliandika forms, na zikaenda, kwa high commission, alituonyesha, kuna pesa zenu ziko zitakuja

**Com.Lethome:** Kutoka wapi?

**Thomas Apama:** Zinatoka Ng'ambo tu, tulikuwa na (not clear) halafu tukashida vita na tukaapiwa tutapewa, mpaka sasa,

officer kama wewe ni officer hulikuja hapa kuuliza haya maneno yetu, hukamate sana na uende nayo

**Com.Lethome:** Hiyo nitakamata, ingine mzee, ya mwisho

**Thomas Apama:** Kwa hayo tumekuja hapa na tumekuja kuona maneneo yako na hupeleke sawa sawa,

**Com. Lethome:** Yote nitapeleka sawa sawa,

**Thomas Apama:** Katika mashamba ninaona wazee wanagagua mashamba, hii maneneo ya ufasidi hiko hapa, mtapeleka hii kweli?

**Com. Lethome:** Tutapeleka, ukitaka tupeleke

**Thomas Apama:** Okay

**Com. Lethome:** Unataka nini kuhusu mashamba

**Thomas Apama:** Unaona ukienda kwa D.O utoe pesa, kwa D.C utoe pesa, kwa chief utoe kitu kidogo, kwa assistant chief kama unapeleka maneneo yako utoe pesa, sasa hapo ninataka hii maneneo ifupishwe, na ingine ni ya mwisho (not clear) akijaguliwa mtoto wangu huyu ndiye atakua, (not clear) Utakubali

**Com. Lethome:** Ndio nitakubali

**Thomas Apama:** Umeamini. Asante sana ukiona Wanyore wakiikua hapa, kuona wewe wanataka kusikia mienendo yako na waende nayo wapie wengine, Si unona hiyo,

**Com. Lethome:** Ndio

**Thomas Apama:** Uende na hayo maneno, kama (not clear) ndio inasema haya maneno, lakini wasinyanyaze wanainchi, unona wanakonda, sababu hawakuli majuja, lakini pombe ya changaa ifungwe. Usikuje hapa useme haikufugwa, itakuwa mbaya.

**Com.Lethome:** Mimi ni x police, ukiona ninasemahivi

**Thomas Apama:** Yakiwa ni ya uongo watakataswa wakati mwengine, yule mkubwa haliye kuja hapa bunagne halafu (not

clear) si wanarudisha wewe chini? Jua namna hiyo. Mimi ni Thomas Apamo, ni asante sana.

**Com. Lethome:** Thank you very much

**Grem Libuko:** Kwa jina Grem Libuko, nazaliwa Ebunanwe. Na nitahukumu neno la Katiba, kwa sababu neno la katiba, Rais Moi anjua neneo la Katiba ni kitu kibaya kweli, inaleta umaskini, Katiba ilitengeneswa wapi? Uingereza, nauliza hii katiba mbolezi hatuwezi kutoka leo, kabisa kimaisha, bunangwe unamwapia moi (not clear) leo katiba imekwisha.

**Com. Lethome:** Sasa tunataka, utwaambie mapendekezo yangu ni haya: -

Ninasema kama wanataka kutengenesa kazi hapa kidogo, hawawezi, na tuliambiwa mtakuwa uhuru, uhuru gani mlio nao sasa

**Com. Lethome:** sasa wewe untaka Uhuru wa kutengeneza kitu gani?

**Gerem Lubuko:** Ninaomba Ebunagwe (not clear) siwezi kubaliwa, ninamiwa hauwezi kufanya Ebubagwe(not clear) kwa nini siwezi kufanya Ebunagwe(not clear)

**Com.Lethome:** Sasa wewe unataka uhuru wa kufanyya Ebunagwe (not clear)

**Gerem Lubuko:** iwe free

**Com.Lethome:** ingine ya pili: ingine ya pili ni

**Gerem Lubuko:** Kama mimi ninpigwa nyumbani kwangu, mzee,

**Com. Lethome:** Ni nani hanakupiga?

**Gerem Lubuko:** Vijana wa Ebunagwe

**Com.Lethome:** Mtoto wako au wa nani?

**Gerem:** Mtoto wa ndugu, anakuja ananipiga, nyumbani kwangu, nyumbani kwangu, (not clear) je pesa ya kumba police nitatoa wapi, hiyo ni uhuru

**Com.Lethome:** Hapana , kwa hivyo police mabo ya kuitisha watu pesa wawaje.

**Gerem:** Ya tatu ni haya.Ni uhuru

**Com.Lethome:** Si uhuru. Unapendekeza nini?hawa watoto washikwe,

**Gerem:** kama mimi nimeshapeleka masitaka katika police station haya ndiyo ninatosha sio mimi tena. Ninataka kuuliza hivi, ninataka muniambie ukweli, kuna siku Katiba itatoka ama itaendelea?

**Com.Lethome:** Mungu akipenda itatoka

**Gerem:** Unajua nimesikia Katiba, kwa siku nyingi, kwa nini haitengeneswi, unakubali utatengeneza katiba

**Com.Lethome:** Tunataka maoni yako hili tumalize katiba

**Gerem:** Haya, sina mengi saidi lakini ninalia uhuru usio na maana, nitasema hivyo kwa maana watu (not clear) sio wafungua, hawanamtu wa kuwasaidia,

**Com.Lethome:** Kuna assistant chief hungemwapia hayo maneno, (not clear)

**Gerem:** Alikuwa anasema hapa chief ... nilipigwa sasa niaongojea kifo kwa nini..

**Com.Lethome:** Haya tumeshukuru mzee

**Gerem Lubuko:** Ninasema asante sana wazee, mwambie Moi hasau hatoe hii kichwa, na (not clear) huyu ndiye President sisi tutachangua watu na kura , ama kura zinatengeneswa (not clear).kuna watu, kama kura inatengeneswa mimi ninajukua yangu, kila mmoja ajukue yake ingine inatoka wapi? Unashidwa mtu alitengenezea wapi, basi mwambieni Moi, yeye anajua katiba hakutaka. Lakini sasa hiko (not clear) mwambie hasitujagulie mtu sisi tutachangua mtu na kura zetu.

**Com.lethome:** Asante sana.kuna mama yoyote ambaye ajazungumza?hakuna(not clear) anza kwa jina,

**Earnest Namanga:** Jina langu ni Earnest Namanga kutoka (not cleaar) sub loation nitasema maneno ambayo nimejiandikia hapa, lakini ningepomba kwansa pengine, niseme neno hapa na (not clear) haseme ni mtu fulani hachukuswe,

**Com.Lethome:** Huko na uhuru kwa kusema vile unavyo taka sheria imekuruhuzu utoe maoni yako (not clear)

Maoni yangu ni hayo tu, Bwana comissioner.

Kazi ya permanent secretary ECDC, D.O mpaka kwa Assistat chief, hikiwa kuna ufiisadi hapa ndio chanzi chake, kwa hakika, (not clear).

Kazi ndipo anapigia cheo cha permanent secretary, kw hivyo ni hafadhali, jambo hilo liwajiwe public service commissioner kuliko mtu hapew kai ya P.S leo kesho, President anasema anamtoa hata kama hajatimiza umri wa kuretire,

Kazi ya chief na wadogo wao wajiwe kwa uwezo wa D.C. na D.O na huyu mtu aweze kupata kazi hizo njia ya mlolongo itumiwe kuliko kungojea,

**Com. Lethome:** (not clear) chief hajaguliwe na watu kwa mlolongo,

Njia ya mlolongo itumike kuliko, kungujea majibu kotoka kwa office ya Rais. Ambapo

**Com. Lethome:** Zikiza mzee, tunasema chief wajaguliwe na wanainchi kwa mlololngo ,

(Not clear)

Kazi ya mwenye kiti wa public service commission, kazi hii pia isiwe katika uwezo wa Rais, ya faa majina matatu wapendekeshwe na ipelekwe kwa cimmittee ya mbunge iliyo jaguliwa hili, waone ni nanai ambaye anafaa zaidi kati ya majina hayo matatu. Ndio mmoja wao

**Com. Lethome:** Hapo tumepata majina matatu (not clear)

**Earnest Namanga:** Umilikaji wa mashamba, jambo hili mara nyingi...

**Com.lethome:** Kuna watu wanapiga kelele pale nyuma

**Earnest Namanga:** Jambo hili mara nyigi ufucha vita vya kikabla kenay. Kenya ni nchi ya wakenya sasa inakuaje mtu mmoja anamiliki mashamba, lenye acre elfu moja, na hata elfu kumi, na haoni kun amwengine hata nusu acr, hana,

**Com.Lethome:** Kwa hivyo unapendekeza, kiwako gani?

**Earnest Namanga:** Yafaa, mashamba, ikiwa mtu hatakuwa na shamba kubwa hasiwe na acre mia moja, lakini kama ni smabmba la uma, inyotumika kwa watu wengi hata hikiwa zaidi ya elfy ngapi, ni sawa, kwa sababu inaendeleza uchumi wa nchi hii.

Yafaa katika Kenya tuwe na senate na lower house. Hilisenate iwe na district exercutive, walio chaguliwa kwa kura ya raia na pia parliament wawe wakichaguliwa na raia.

P.S walio chaguliwa kwa kura hapa district representative, ya senateni mbuga na wazee na ikiwa lower house itapita sheria ya faa iend kutpitiwa katika senate mbuga al wazee, wajadhili hii sheria, inafaa wanainchi ama vipi, kwa sababau kule lower house mambo ikikomea huko, mwanainchi hana mahali hatatua shauti yake, kuteta au kupiga dunia hii.

Mhahakam za Kenya, hasifanyi kazi vilivyo kwa sababau zangu ni kwamba walio na pesa ndio wano , itikiwa zaidi, na mtu asiye na pesa na maskini hanaweza kunyanganywa, hata kile kilicho chake,. Kwa sababu ni watu walio na pesa

Wasichana kulithi mali au mashamba jambo hili liangaliwe mara ingine, mtotot ni mtotot, mschana hanaweza, kuolewa, kule ampapoameolewa kuna pia mashamba kijana hawesi kuolewa, kwa hivyo hupakia kule kwa o, ni vyema tangalie, ni msicahan gani ambaye akupata bahati kuolelwa ndiye atakaye pewa kitu kidogo, lakini kwamba msicahan aolewe, mahali ameolewa amelithi shamba tena kwao halithi shamba, hapa tunalithiza wasicahna mali

**Com.Lethome:** Mzee sasa. (Not clear)

**Earnest Namanga:** Wabunge kujiongeza msahara, hao ndio wengine wanatukela, wakenya wengi hawana kazi, na hao wambuga, (not clear) wasio na kazi, maskini, ayatimakama Kenya inalalamika kwamba kuwa uchumi wa Kenya umealipika, inakuwa aje tena wajumbe ambao wnaositaili kututetea, wanajiongesea misahara, pekee yao, hali wengine hawana hata (not clear) Nairobi. Asante Bwana comissioner.

**Com.Lethome:** (not clear)

Comissioner, na wale walioko, hamjamboni? Jina langu ni Josiah Kabala Angoka kutoka North East Bunyore, mimi ninasungumzia juu hapa, juu ya walimu, manona mambo ya walimu hapa wa district yetu hapa wanasumbua watoto kwa kuwafukuza, na mnaona lasima katiba (not clear) na mimi vile vile nikiwa namna hii, ninaweza sema tunaona, mambo hapa duniani, atu wanatezeka san kwa sababau y amasomo, wanaweza kujukua shamba lako, na hauna kitu sub-chief na (not clear) anakweda na huko, (not clear)

Tunataka katiba (not clear) na (not clear) Sisi tu (not clear) na sio (not clear) tupate kuwajua watu wakubwana pamoja n aPresident na mawasili, (not clear) kwa hivyo (not clear) na wametokea wapi (not clear) wakanunua shamba n akila kitu, sasa tunataka serkali iongoze sisi, (not clear) maana yake inaonekana kama (not clear) mawasili wanakuja (not clear) kwahivyo katiba itengenezwe (not clear) Asante sana.

**Com.Lethome:** Njoo hapa mzee

Mimi ninaitwa Hezekiah Atwoli Kusindi, Ninatoa sublocation ya North Bunyore, mimi ninashukuru leo vijana kusikia mna comitee yenu ya kuzungumsa juu ya katiba, imefika hapa Emuhaya na mimi ningependa sana, nilikuwa naingojea , nitoe argument yangu hata kama ni ya kusaidia , msaidie kwanza katika katiba yakenya iaanze Emuhaya hapa kwa vitendo, Kenya tangu tupate uhuru, kiti cha kwanza ni cha Emuhaya kwa (not clear) sasa tutongezeka mala nne mra sita kuliko mjumbe mmoja.

Tunataka viti viwe nne kwa President, (not clear) Emuhaya court ilikuwa katika mwaka wa 73 na 74, tangu Emuhaya Court ifungwe, sasa sisi tunaangainga kwenda mhali pali, ambabo unatumia pesa nyingi, uwe kama na elfu mia ... ukienda Vihiga, maseno, kakamega tunatak court Injengwe Emuhaya au irudishwe ile ya mwaka wa 74,76,

**Com.Lethome:** Tumeandika hiyo, Sasa sema ingine

**Earnest Namanga:** Tatu haki za binadamu (not clear) hafikiswe mahakani baada ya saa 24, baada ya kukaa, police station zaidi ya siku pili, au siku nne kama hili vyoko sasa, mtu (not clear).

Nne, nimhusukiwa akifikishwa mahakamani bila jduge au mwahakimu hakikishe, (not clear) au kukataa, hakuuzika na hauliswe kwanza kama hatakubali haendeakiitwa mahana, hakunauzaidi, kwanzia kesi ifike kwake au wakati huo mahakamani, au kuwekwa rumade hawajwe uhuru kwa sababu hakun ausaidishi wa kutosha,

Na ya tano mimi ninasema ya kwamba uhuru iwe na vyama vitano, isiwe hile katiba inayo julikana kwa kupendeza waninchi,(not clear) katika Kenya ya Constitution hiyo inayo semwa, moja kiti moja kikishda ujugusi kwa saidi ya kabila tano kwa mia, kimoja (not clear) viama viwili au vitatu, vikipata viti nusu, nusu, kwka kila kimoja, serkali ya mzeto kwa miaka mitatu, na uchaguzi ufanywe umpya

Zote tuuunge serkali mkono, itawale bila (not clear) ikifuja haki za (not clear) ifujwe mara moja na ingine ichaguliwe

Kamati ninayotaka itungwe, ya kujunguza serkali itukwe kwa miak 25 au 20, ikichuguz katiba inafanya kazi au la, baadaye ifanyizwe uchunguzi au eendeleo ile mnafanya (not clear)

Ukiitaji uchunguze zaidi na wale wahusika wanao, husika na ufisadi, usitakiwe mara moja na kuhukumiwa na wenye mali yao kuipiwa au ya huma irudishwe mara moja. Ni hayo tu.

**Com.Lethome:** Asante sana, Hezekiah Atwoli

Mimi ninaitwa Hezekiah Atwoli, I will talk about this, under the current Constitution, chiefs are part from the National Assembly and as a result of this,(not clear) views of parliamentarians on laws may be personalised, so (not clear) when any amendment is made, bill should be introduced in Constituency, such that we achieve the public opinion (not clear).

The patriotic (not clear) provisional giving the Presidents power to (not clear).

The provincial giving powers to (not clear) impeach and not to(not clear) either do away with it or make ,(not clear for a President to(not clear) to antional assembly

The executive; before (not clear) they should be (not clear).

They should have atleast elected as an MP in the district, (not clear) and his functions should be in the constitutions

He should not be made a member of parliament in his constitution

He should at least have a university degree

His (not clear) should be made on to the public

(not clear) political party should not be made known by the public

The government (not clear)

The condition stated down in section 35 (not clear) to be united (not clear)

We at least have a (not clear)

The (not clear) of migration should be done away with

The people, who are the (not clear) have a right to inform (not clear)

Mps should provide resources to the Constituency and not in Nairobi

Right and obligation of Citizen, the (not clear) should be done away with, to make sure that the right to (not clear and it is not (not clear)

The second (not clear) which are not so(not clear)

The system of governance, we should (not clear)parliamentary

(Not clear)

**(Hezekiel Atwoli-not clear)**

Majina ni Dickson Swaki, kutoka North East Bunyore in silori.

Yangu nitasema kwa lugha, lugha ya Kenya yafaa tujifunie kiswahili kwani ndio lugha ambayo hata wamama wanaweza sikia, na hunaweza ongea mahali popote,

**Com.Lethome: ( not clear)**

Ya pili kura hisiezapiwe na serkali,

Mtoto asiwe ni mtu wa kukawia, kwani hasikurithi, yaani baba au mzazi umrithi mtoto, sio yeye

**Com.Lethome:** Aieleweki,

**Dickson Swaki:** Yaani ninajaribu kusema hivi, yaani kama wewe ni mzee

## **Tape 5**

**Speaker:** ...our own money. Village elders who do very good work should be given some allowances. Ten, Chiefs and assistant chiefs to be given schemes of work. Eleven, The salaries paid to chiefs, assistant chiefs and Administration Police be of a good scale according to the present economy. Twelve, the training of chiefs and assistant chiefs to be immediately after appointment.

Thirteen, every health centre to have a mortuary to avoid people gathering at someone's home waiting for a boy who is in Nairobi or because they do not have a coffin. Fourteen, Provincial Administration must be retained and the Chief Authority Act Cap 128 must be retained.

Also offices to be built for chiefs and assistant chiefs so that their work can be easily done at a central place. Thank you.

**Com Bishop Njoroge:** Thank you very much. Wewe kuja upeane maoni. (?)

**Authur Indira:** Commissioners, I am Authur Indira. I am a member of the CCC, for the Constituency.

(Interjection) **Com Bishop Njoroge:** Inamaanisha nini?

**Authur Indira:** I am a member of CCC.

**Com Lethome:** Sema jina lako tena.

**Authur Indira:** Aurthur Imbira.

**Com Lethome:** Authur Imbira.

**Authur Indira:** I represent this area where we are today. It could be that all has been said here, I have been listening keenly and I beg to give my own observation on two, three points. As a teacher, I have these observations on the Ministry of Education. The curriculum or the system we are having of education right now is quite low for the standards in this country. It is my suggestion that we revert back to the old system of eight, primary education...

(Interjection) **Com Bishop Noroge:** 7-4-2-3?

**Authur Indira:** Yes, and University three years. Going to the Ministry of Health, looking at how our people are suffering and also we have deaths and all that just as somebody has cited. I feel and recommend that in areaws that are densely populated like some of the areas in Western part of the country. At least an area should have a mortuary where the dead bodies could be taken to before burial is done. Otherwise, we have observed that a lot of time is wasted when somebody dies, weeks and week as people are trying to arrange for that. And you see they are in the home and this becomes very expensive for the person who is bereved.

I have this observation, Mr Commissioner to the Ministry of Defence. It is true that when iat comes to recruiting people in our

forces, this should be done at locational level so that every area should at least be represented. Otherwise, what is being done at present is actually encouraging corruption which it at the highest level. It is done at the district level and what is done is that officers coming in only take the people they have already recruited at the headquarters. So I recommend that it should be brought to the people and if there is that quota it should be given right from the locational level.

**Com Lethome:** Do you have any other point? Is this the last one?

**Author Indira:** It is the last one Sir. This one here goes to churches. Our churches in the Republic according to the present Constitution we have got mushrooming churches. But all the same at the end of the day, all of us are talking that we are looking for a way to go to heaven. Why can't we minimize the registration of churches? Because I do not see that one which is singing a different song from the other one saying that we need to go to heaven. I think we have got so many churches that sometimes you maybe... Well, if they could be minimized. Thank you very much.

**Com Lethome:** As the member of the CCC, now that we have come to the end do you want to say something then  
(?)

**Author Indira:** Thank you Sir. I beg to talk while standing. Watu wetu hii ilikuwa ni siku yetu ya kuwa hapa leo na nimejulishwa pia ya kwamba ni siku ya leo ndio Commissioners wanamaliza kuchukua maoni katika province yetu. Nimefurahi kwa niaba yenu kwa sababu ma-Commissioners walifika mimi nilikuwa nimeondoka kidogo lakini Coordinator alikuwa hapa na pia Bwana Councillor Speke Opanga ambaye pia anaweza kujionyesha mabaya pia ni mmoja wetu alikuwa hapa na akawakaribisha wageni. Asante sana vile ulifanya Bwana Councillor.

Pia ninarudisha asante hii kwa assistant chief wa area hii Mama Catherine Moshieka, ambaye aliwakaribisha wageni kwa sababu tuko katika Nangwe Sub-location. Huyu mama, jionyeshe, ndiye assistant chief of the area. Also I have the retired Senior assistant chief who is now the Reverend in this church where we are. He comes from around, he has been very keen and in fact to that he has written he is a member of that, he has been encouraging people to come and give their views.

Wale wote ambao wamekuja siku ya leo, asante sana, hatawale ambao wameondoka kwa sababu Commissioner ameniambia ya kwamba wamefurahi sehemu yetu watu wametoa maoni vile yalitakikana. Watu walikuja kwa wingi na Commissioner hapa, this place has served three locations. We have had people from the mother location, North East Bunyore, then North Bunyore and some have even come from East, because East Bunyore is just across here. People are coming in and they have given their views today.

As we end, you as the Commissioners, I wish you the best of luck in your journey and when you produce the Constitution, we shall be very happy to see some of the points we have put down being cited in the new Constitution which we are very much

