

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

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS,  
AMAGORO CONSTITUENCY,  
AT ALUPE HALL.**

**ON**

**2<sup>nd</sup> August 2002**

**CONSTITUENCY PUBLIC HEARINGS,**  
**AMAGORO CONSTITUENCY,**  
**HELD AT ALUPE HALL ON AUGUST 2<sup>ND</sup> 2002.**

**Present.**

Com. Pastor Zablon Ayonga

Com. Dr. Abdirizak Nunow

Com. Mutakha Kangu- chair

**Secretariat Staff Attendance:-**

Samuel Wanjohi - Programme Officer  
Hellen Namisi - Asst. Programme Officer  
Grace Gitu - Verbatim Recorder  
Charles Angedu Akisa - Distirict Co-ordinator

Meeting started at 9:40 am with Com. Mutakha Kangu.

**Charles Ekisa:** Chairman of the Constitutional Committee Teso, support team, the leaders of Teso County Council, ladies and Gentlemen, good morning. We would like to begin our session with a word of prayer. Mr. Adungo if you could lead us.

**Mr. Adungo: (prayers)**Let us bow down for prayers; in the name of the Father and the Son and the Holy Spirit Amen, Lord now we are here together for a very great purpose of this Nation. Lord, become our chairman and guide us, guide the Commissioners and guide the participants and the contributors so that whatever we are going to present should be very good for this Nation. Lord unless you are there in front of us we cannot do anything good, Lord it is all for you today and you become our Chairman, I ask all this through Christ our Lord, Amen.

**Charles Ekisa:** Asanti sana Bwana Adungo kwa majina mimi naitwa Charles Angedu the

District Co-ordinator for the CKRC in Teso. Ningependa kuchukuwa nafasi hii kukaribisha Commissioners wetu katika Wilaya ya Teso wamekua nasi tangu jana na leo hii tuna bahati kuwa katika taarafa moja ya Wilaya ya Teso, inayoitwa Chakol Division. Mjisikie muko nyumbani kabisa na kazi ilio mbele yetu kila mmoja anaelewa ya kwamba serikali yetu tukufu iliamua ya kwamba Wanakenya washirikishwe katika jambo hili la kurekebisha Katiba hii yetu. Watu wa Chakol muko na nafasi nzuri leo hapa kutoa maoni yenu kuhusiyana na mambo haya. Na kwa ukweli ni siku ya kutowa maoni sio mambo mengine, kwa sababu tumekuwa elimu ya uraia kuhusiana na jambo hili na tumefanya katika kila location, katika taarafa hii na tuna amini ya kwamba nyinyi muko tayari kabisa kuwasilisha maoni yenu kwa Commission.

Vile mlikuwa mkiingia kuna form imekuwa kule nje ya registration, tafadhali uhakikishe kwamba jina lako limewakilishwa katika hiyo form. Hiyo form ndio itatumiwa kukuita wewe hapa uweze kupeana maoni yako. Na ningeomba watu wa Chakol, watu wa Amagoro jana walifanya vizuri sana kwa sababu walikuwa wakiongea mambo yao kinaganaga na ningependa nanyi pia mfuata huo mtindo. Commissioners wetu watatupatia utaratibu tutakao fuata katika kikao cha leo. Tukifirikira ya kwamba tuko na Mungu mbele yetu atatuongoza katika mambo hayo yote na ninawaombea kikao kizuri katika wilaya ya Teso. Tuko hapa na Chairman wa Constituency Constituional Committee, ningependa kumuona yeye aseme jambo moja ili akaribishe Chairman wa County Council pia kwa sababu tuko kwake, aweze kukaribisha wageni. Karibu Chairman.

**3C's Chairman Samson Olubayi:** Commissioners wetu, Bwana DO wa Chakol division, Co-ordinator, Chairman County Council, viongozi kwa jumla ambao tuko hapa pamoja kutoka tabaka mbali mbali pamoja na sisi kwa jumla. (Teso dialect).

Kwa hivyo nimekata tu short salamu ya kinyumbani, kw hivyo kutoka hapa Commissioners ninawashukuru kwa sababu jana tumekuwa katika Wilaya hii ya Teso kama ilivyo semwa na Co-ordinator wetu kule Malaba na leo tuko hapa na imekuwa shukurani zaidi kwa sababu mumetupa sisi nafasi ya kutoa sauti zetu kufuatana na hii kazi ya Constitution ambayo inaendelea, na mjisikie mko nyumbani na mwendelee kama mpango wetu ilivyo.

Ya pili, sisi kwetu wakaaji wa nyumbani hapa Teso district kama ilivyo semwa na Co-ordinator, kitu kilichoko, tuseme yote. Mtu asiwe na tashwishi kwa mfano: Bwana DO yuko

hapa mnaweza kusema pengine tukizungumza mambo kuhusu serikali DO pengine anaweza kutuchukulia makosa. Si hivyo kwa sababu tunayo tarajia ni mpango ya kesho. Kwa hivyo mtu awe uhuru kuzungumza jinsi anavyotaka, hii Constitution ijayo iwe namna gani? Toa maoni yako kwa sababu ni nafasi yetu kutoa kama hayo.

Kwa hivyo kwa kumaliza, mimi sikujitaja. Mimi ni Councillor Samson Olubayi ambaye ni mwenye kiti wa hapa na si Mwenyekiti wa Teso County Council Bwana Councillor Emodo awa salimie halafu tuone la kufanya.

**Councillor Emodo Moses:** Mwenyekiti wa kikao cha leo, Commisisoners, Bwana DO na Co-ordinator na sisi ambao tumekuja kuwakilisha maneno yetu nasema hamujambo? Mimi ni kukaribisha wageni hawa wenye kuchukua maoni yetu na tuna bahati wamekuja leo hapa kuchukua maoni yetu. Tafadhali tusifiche chochote, tuende kama tumetosheka, yale unaona kama yanakusumbua sana, yale umesema ya Katiba ya zamani ambayo sasa ni mabaya, tengeneza leo wakati huu usije baadaye uende nje na useme ningesema namna hii, hapana. Hawa wamekuja kuchukua maoni yetu, maoni yetu ndio muhimu kwa hivyo nasema karibuni hata mimi nimekuja tutazungumza zaidi kutokana na maneno ambayo nimeandika. Asante sana.

**Charles Engedu:** Sasa ningepatia nafasi hii kwa District Officer wetu aweze kukaribisha Commissioners.

**District Officer:** Thank you very much Dr. Engedu, I would like to take this opportunity to welcome our Commissioners from the Constitution Review team to Chakol division. Just like I told you, this is the one of the divisions that make up Teso district, we have four Administrative divisions. So Chakol is the last one in the Southern part, we border Busia on this other end and we also border Uganda on this other side. I don't want to take much of our time because we are going to dig in for the whole day, I would only like to say this is landmark occasion for our country, it is a very big occasion and because we are trying to re-invent our country for future prosperity. The last time we had the Constitution writing, nafikiri wale wamesoma historia wanajua, tulichagua watu wachache waende kuturepresent kuli Lancaster in England ndio walituchorea Constitution ambayo tuko nayo saa hii. But this one is our own, we are going to invent our future and it is a home grown Constitution that will take the interest and aspirations of all the stakeholders in this country; old men, women, youth, children and the disabled.

I would like kila mtu afanye hili kile tunaita a free discourse, vile mliambiwa na Councillor Olubayi hakuna victimization. The other time nikiwapatia example, wakati watu wa Electoral Commission walikuja to get our opinion on boundaries, on the civic boundaries, we did not give them a hearing si ndivyo? Na walienda, tuliwafukuza. So these boundaries were drawn up in Nairobi and then they came and imposed them on us.

So, let us make use of this opportunity, siku ya leo so that, zile opinions tutatoa leo hapa will be part and parcel of the new Constitution. So I would like to encourage you to be free, utumie ile lugha ambayo unafikiri unaweza kutoa matamshi yako hata kama ni kiteso I think we have interpreters here. Kama ni kiswahili utumie and if you are fluent in English language utumie. So with those few remarks I would just like to welcome the Commissioners to address the gathering. I think I will hand over to Pastor Ayonga who is also the leader of the delegation, may be people would like to know your names first.

**Com. Pastor Ayonga:** Hamjambo! Mimi ninaitwa Pastor Zablon Ayonga, ni mmoja wa Commissioners na ningelipenda kuwa-introduce Commissioners wenzangu ambao tuko pamoja nao. Katika mkono wangu wa kushoto huku mwisho ni Dr. Abdirizak Nunow ambaye siku ya leo atakuwa mwenyekiti...on, nimekosea kidogo atawasalimu atatoa salamu ambazo zime toka huko North Eastern na yeye amebeba salamu za kutoka mbali sana kuzileta mpaka hapa Teso. Wakati ukifika nitampa microphone awasalimie. Hapa kati kati yeye ni jiran tena ni M-western Province huyu ni Bwana John Mutakha Kangu ambaye ata kuja kuwa salimia sijue na lugha ngapi na salamu zake zimetoka hapa karibu lakini ni nyingi.

Na pamoja nasi tuna officer watatu kutoka ofisini ambao wamekuja hapa kufanya kazi maalum. Maalum in a sense kwamba wata-keep records, watanasa maneno ambayo munayo sema na kwamba hakuna neno la mtu ambalo likakalo potea. Ili mjue jinsi ambavyo watakavyo wahudumia, kule kuna Bwana Wanjohi, simama na huyu kwa wale ambao wameleta memorandum zao hebu beba folder yako hicho ni kitu ameleta hapa hata limeandikwa jina lenu hapa . Hakuna neno lenu litakalo potea, maandishi yenu yote yataingizwa kule na pia anayo register. Unapotoa maandishi yako uta-register, utaweka sahihi kuhakikisha kwamba kila jambo limewekwa kule. Na hata wale mtakao zungumza, ambao hamna maandishi itakuwa lazima nawe ujiandikishe kule ujulikane kwamba ulitoa maoni wakati huo. Na ndipo kuna Dada

wawili hapa, hawa wawili mmoja wapo anaandika ni Helen na mwingine ni Grace, yeye Grace anafanya kazi ya kushika maneno. Hakuna neno litakalo potea, hapo mnaweza kuona pengine Dr.Nunow haandiki, Bwana Kangu haandiki na mimi pengine siandiki na unaweza kufikiri “ sasa mimi nililipa kuwa nikiongea, mbona sikuona kama wanaandika? Kumbema maneno yangu yalikuwa ya bure? Hakuna ya hiyo, mambo yote kule ndiko yanakwenda. Hebu inua hiyo mashini waone. Hiyo mashini iko hapo ni ndogo sana lakini ina maana kubwa sana, inashika kila kitu hata jinsi ninavyo sema sasa inanishika kule na sitaweza kuepukana kwamba si mimi nilisema hivyo nilipokua kule Alupe.

Kwa hivyo muwe na uhakika kwamba mambo yenu yote yatashikwa. Kwa hivyo hawa watu wanamaana sana katika kikao hiki. Bila ya kupoteza wakati nataka sasa niwaulize Commissioners wawasalimie, na baada ya kuwa salimia, Commissioner Kangu tutamuuliza atuambie taratibu ili mjuwe ni mpangilio gani uliopo kwa kutoa maoni, utayatawaje na kama kuna dakika ambazo mtu anapewa, utazitumiaje. Na kama umeleta maoni hutaki kuongea juu yake utayafanya aje? Lakini kwanza tusikie salamu zile zimetoka North Eastern.

**Com.Nunuow:** Asante sana com. Ayonga, wananchi wa Teso hasa wa Chakol division Asalaamu Aleykum!

**(Audience)** Waaleykum salaam!

**Com. Nunow:** Yogaa! Asanteni sana. Tunafuraha sana kuwa nanyi, jana kule jijini Malaba tulipata maoni mengi sana na maandishi mengi na ninatumaini leo pia itakuwa hivyo hivyo. Kwa hivyo ukipata nafasi yako zungumza yote unayo moyoni na uzungumze ikiwa hauogopi mtu yeyote, aliyefaa kuogopwa ni Mungu. Na isitoshe, kwa sababu nchi yetu pengine tulizoea uangamizi kadha na kadha na bado watu wanajiona wako kwenye jijini. Lakini hayo mafikira mtoe kwa kichwa, tunaunda Kenya mpya na inatakikana kila mtu aweze kutoa maoni yake bila uoga na upendeleo. Kwa hiyo ninawakaribisha tena na ninge waomba mtoe maoni yenu jinsi mlivyo jitayarisha na utaratibi ambao mtaelezwa na Commissioner mwenzangu. Asanteni.

**Com: Kangu:** Wananchi wa Amagoro Chakol, yoga! Yoga! Sawasawa sasa mimi ninaanza kuelewa ninajua hata majibu mnasema (noi noi) ama hiyo ni ya asubuhi mapema? Wakati wowote, sawasawa. Sasa mimi vile mumeelzwa naitwa Bwana Mutakha Kangu, natoka sehemu za Butere, kwa hivyo mimi ni mtu wa Western Province na leo sio siku yangu ya

kwanza kuingia Amagoro. nimewahi kuwa upande huu kwa maneno ya civic education huko Malaba mara mbili. Tukawasiliana na wale walikuwa huko na leo tunatarajia muko tayari baada ya kujitayarisha kutoa maoni yenu vile mungependelea Katiba ya nchi yetu iwe. Na kama hatujanza vile mumeelezwa kama utaratibu tunafuata na huwa tunapendelea tuwaeleze mapema ndio kila mtu ajuwe akianza asianze kuteleza na kuenda kando.

Jambo la kwanza kuhusu utaratibu ni kwamba, huu mradi ni mradi wa Wakenya wote. Tulisema baada ya kufurugana kwa mda mrefu kwamba tunataka Katiba yenye imetayarishwa na Wakenya wenyewe kupitia njia ya kutoa maoni na kwa hivyo siku ya leo ni siku ya watu wa Amagoro Constituency ikiwa Teso district kutoa maoni. Mko na siku tatu, jana tulikuwa Malaba na leo tuko hapa na Jumatatu tutakuwa Amukura. Isipokuwa jana Mheshimiwa mbunge wenu alitusihi akiomba tungekuwa na kikao kingine karibu na wenzenu wanaoelekea upande wa Mount Elgon tukasema ajaribu kuzungumza na Secretariat, kama atafaulu basi huenda tukawa na kikao kingine huko.

Mkutano wa leo kwa watu wa Alupe, utaratibu wetu unasema mkutano unatakikana uanze saa mbili kamili na kuenda mpaka saa kumi na mbili so mtakuwa na muda wa kutosha isipokuwa naona imeshafika saa nne lakini tutajaribu tuendele. Na maoni tunachukuwa kutoka kwa watu wote, tunataka kujumisha kila mtu; wamama, wazee, vijana, wasichana, watoto, walemavu na watu aina yote.

Tunataka kila mtu apate nafasi ya kujieleza vile angependa mambo yaendeleo, na ikiwa ni mkutano wa Tume ya Kurekebisha Katiba, inafaa mjue mko uhuru. Mkimwona Bwana DO amekaa hapa msifikirie huu mkutano ni wa Bwana DO na kwa hivyo mwogope kusema yale mungependa kusema. Huu ni mkutano wa Tume ya kurekebisha Katiba na mkutano wetu tunasema kuna uhuru wa kila mtu kuzungumza yale yanayomsumbuwa rohoni. Tumesema iko shida yenye inahusu vile tutaendesha maneno ya nchi yetu ndio tukakubalilana kama Wakenya tutafute tujuwe makosa yako wapi na suluhisho litakuwa nini, ndio tukasema watu wapatiwe nafasi ya kuzungumza na ikiwa tumepeana hiyo nafasi na tena nawe uwe na uwoga ukose kutueleza wewe kuelewa kwako unaona shida iko wapi na suluhisho ni nini, hatutakuwa tunafanya yale kulisema tutafanya. Kwa hivyo msogope Bwana DO na hata kama ma- Chiefs wako, wasiogope Bwana DO, yuko hapa hata naye ako na ruhusa ya kutupatia maoni yake,

asifikirie pengine DC atasikia namna gani naye Chief asitulie DO atasikia namna gani, kila mtu akona na uhuru.

Na sisi katika hii kazi tumekuwa tukishirikiana na watu wa serikali na wamejua, wametuhakikishia wametusaikia hawaja kuja ku-interfer na vile maneno yanaenda. So wewe zungumza vile maneno yanaenda mara kwa mara. Nimeambia watu hata kama maoni yako ni kwamba kuna shida na Provincial Administration, elezea hiyo. Usifikirie sababu Bwana DO yuko hapa nikigusa hiyo nitakuwa na makosa, hakuna makosa eleza vile ungependa. Kwa hivyo kila mtu ajisikie uhuru, na ikiwa tunasema kila mtu ajisikie uhuru na tunataka maoni kutoka kwa kila mtu, pia nasi tumasema tunataka tolerance, watu waweze kuvumiliana.

Ikiwa mtu anasimama anazungumza yale wewe hukubaliani nayo, hakuna haja uanze kupiga kelele ama uanze kusema hukubaliani na yeye. Tulia, nyamaza, wacha amalize yake na wewe ukipata nafasi yako utaweza kueleza vile hukubaliani na yule mwenye alikuwa anazungumza kwa jambo, kwa fulani na wewe utuambie kuhusu hilo jambo maoni yako yangukuwa namna gani. Hivyo ndivyo tutaweza kuendelea bila shida mingi.

Na sababu ninasema hivyo ni kwamba mumelezwa tunaandika maneno mnasema na tena tuna nasa mambo hayo na mtambo wa kunasa sauti. Na hatutaki wakati mtu anazungumza mashini inasasa kelele badala ya maneno anazungumza, so patia mtu nafasi ajieleze ndio wewe utapata nafasi yako ya kujieleza.

Na kuongezea hapo tunasema hata kama mtu amesema kile kimekufurahisha sana, ikiwa tunanaza kupiga makofi mara kwa mara tena hiyo ita-interfere na recording yenye tunafanya, ufurahi tu lakini nyamaza aendele ndio the recording process iendele sawa sawa.

Na jambo lingine ni kwamba maoni tunachukuwa kwa namna tatu: namna ya kwanza ni kwamba kuna wale wako na maandishi wameandika mambo yao chini katika memorandum, written memorandum na hawana haja ya kuzungumzia hiyo memorandum ama kueleza hiyo memorandum mbele yetu wanataka kupeana tu. Hawo tunasema ikiwa unashuguli unataka kuenda mahali, hakuna haja ukae unangoja, unaweza toka pole pole uende pale utaandikisha memorandum yako hapo na utoke pole uende. Na ikiwa unataka kukaa kusikiza wengine tena unakaa na kusikiza wengine.

Namna ya pili ni kwamba kuna wale wana maandishi lakini pia wanataka kuzungumzia hayo maandishi, wanataka kuyaeleza, wanataka kufafanua mahali, Tutawapatia nafasi ya



kuzungumza. Lakini tunasema sababu maandishi huenda yakawa mrefu sana, hakuna haja uanze kusoma mambo yote mbele yetu, sababu ni kwamba tuatasoma hayo maandishi yako. Sasa tunataka ukikuja mbele kazi yako itakuwa kumulika yale mambo ya muhimu katika maandishi yako, highlight the most important points bila kutaka kusoma mambo yote. Na ukimaliza tena utapeana hiyo memorandum na utaandikisha jina pale na uweke sahihi.

Namna ya tatu ni wale watu hawana maandishi lakini wako na mambo wanataka kuzungumza ki-mdomo, oral submissions. Hawo tutawapatia pia nafasi ya kuja mbele na kuzungumza na tunaandika na tena tunanasa na hiyo mashini ya kunasa sauti na ukimaliza hata na wewe utatakikana uende uweke sahihi halafu ndio tujue ulipeana maoni yako. Kwa wale wana maandishi, na wanataka kuzungumzia maandishi mara mingi huwa tunasema tunawapatia mda wa dakika tano kwa kujaribu kumulika mambo ya muhimu kwa hayo maandishi.

Na kwa wale hawana maandishi tunawapatia mda wa dakika kumi sababu ikiwa kwamba hawa hawana kitu kingine watatuachia, ni yale wanazungumza na lazima tuweze kupata yote kutoka kwao. Lakini hata hivo tuna- discretion ya kuona kwa sababu kama saa hii naona watu hawajakuwa wengi, tunaweza kuongeza mda. Lakini watu wakianza kuwa wengi na masaa yanaanza kuyoyoma tunaweza aanza kupunguza huo mda.

Pili, tunaweza angalia tuone hata kama uko na maandishi unaweza kueleza na wewe ndio opinion leader mambo yako yamebeba mengi, tunaweza kukupatia nafasi uzungumze mengi ndio tuweze kuelewa kwa sababu unazungumza yale ya watu wengine na wewe pamoja. So hiyo discretion iko, tutaitumia halafu tuone iko namna gani na tukitumia sitaki watu waanze kuwa na wasiwasi ni namna gani, ni kwa nini wanafanya hivi? Na ukimaliza kuzungumza sisi ma-Commissioners tunaweza kuwa na swali moja, mbili kuhusu yale umezungumza, pengine kujaribu kufafanua. Tutakuuliza na ukiwa na jibu utupatie na kama ni jambo hauja fikiria tena sio lazima kujibu, unaweza kutuambia sijawahi kufikiria hilo na pengine nitaenda kufikiria na nione namna gani. So hilo ni jambo lingine inatakikana mjue.

Now, lugha vile mumelezwa tulisema kwa vile huu ni mradi tunataka tuhishe Wakenya waseme mambo yao, hatuwezi kusema tunawapatia nafasi halafu tena tunawanyanganya nafasi kwa kusema tumia lugha fulani kama ni lugha hawawezi kuelewa. Kwa hivyo hatusemi lazima utumie lugha fulani, uko uhuru wewe mwenyewe kuchagua ni lugha aina gani itakuwezesha

kuzungumza mambo yako, kujieleza bila shida. Ikiwa ni Kingereza, ikiwa ni Kiswahili ikiwa ni Kiteso, wewe mwenyewe chagua ni lugha gani unataka kuzungumza na ikiwa ni lugha ambayo mtu atatafsiri tutapata watu wenye watatueleza ni nini mnasema. Kwa hivyo mjisikie uhuru na muweze kuzungumza mambo yenu.

Mkiingia kuna orodha pale mlangoni majina yanaingizwa pale kwa hivyo kuzungumza tutaenda kuita watu tukifuata huo utaratibu ndio tuweze kujua iko namna gani. Kuna kiwango tutafika tukianza kuruka kuita watu wengine tukiwapatia priority kama wazee ama walemavu ama watoto wa shule tunataka waende, msianze kuuliza kwa nini walisema watafuata ordha na sasa tena wanaruka watu wengine. Hiyo discretion tuko nayo na tutaweza kuitumia. Kwa hivyo nafikiria wale wote wako ndani wameandikisha majina pale so that tuweze kuendelea na mkutano.

Na mwisho nataka nitambue kwamba Mayor wa Busia Municipality, Her Worship Lorna Lutta ameingia na ako na na sisi na tuna mkaribisha kwa kukuja kuandamana na sisi. Mimi nimesikia ni mtu wenu huku, so lazima mfurahi, si hiyo ni kweli? Asante. Basi salamia watu kidogo, Mayor.

**Mayor. Lorna Lutta:** Commissioners, DO, Chairman wa County Council na wote wenye wamekuja kwa mkutano wa leo, Hamjambo! Mimi nitasema tu karibuni sana hapa kwetu Alupe na sisi wengine wetu vile tulikuwa na nyinyi kwa Municipal ya Busia, tuko Councillors wa nne tunatoka sehemu ya Amagoro district ambayo inaungana na Municipality. Kwa hivyo nawakaribisha sana na naomba ya kwamba bado asubuhi ni na pia kulikuwa na baridi mingi na tarajia watu watajaa hii hall na wawape nyinyi mawaidha yao kwa uhuru unaowezekana. Kwa hivyo tukianza tusikuwe na shaka ya kwamba watu ni wachache lakini tunawatarajia, wataingia pole pole. Asanteni.

**Com: Kangu:** Asante. Basi tutataka kuanza na tukiita jina lako utakuja hapa mbele na kuzungumza uanze na kutaja jina lako sababu tunataka hata jina lako linaswe kwa mtambo ndio baadaye tukianza kusikiza mambo tujue ni fulani alikuwa anazungumza na vile nimesema ukimaliza hapa unaenda pale kuweka sahihi kwa register. So tuanze na mtu anaitwa Wenseslaus Adungo.

**Wenseslaus Adungo:** Mr. Chairman of this sitting, the Commissioners, my name is Wenseslaus Adungo I was one of the educationist. I have got a short written memorandum, which after reading I will just highlight, the points and then I will submit there.

Sir Chairman I would like to submit a few proposals about the President.

Kenya should have a President aged about 35 years; he should be partyless and should not have a Constituency to represent. The President should serve for 2 terms of 5 years each and retire on pension so that he doesn't come back kung'ang'ania.

Some of the work of the President; he should be Head of State and not Government, He should appoint the Prime Minister and other Cabinet Ministers, who should all be ratified by Parliament. There should a Prime Minister who heads Government.

Constitution supremacy: the Constitution should not be abused by people in power like assonance of decrees unless at the time of emergency. It should be above party politics.

Judiciary: the Judges should be independent and not interfered with by some people. The Government should give legal aid to all people especially those; who cannot pay, in all criminal cases. That one I will clarify; You know in criminal cases some people cannot pay if they are taken to court so the Government should give Advocates/lawyers who do that, but those civil cases, they should be able to pay for themselves.

Defence and National Security: Our borders should be protected properly day and night.

The officers including police should be paid well to avoid bribery so as to protect the country and the Wananchi properly.

Land inheritance: It has been quite difficult to inherit land from the deceased parents. The case goes to court, a lot of expenses are incurred and some people cannot pay all these expenses and will not be able to get the land. This should be verified by the local elders and Chiefs to ascertain the land is his property.

Ethnic minorities: There should be a clause in the Constitution which guarantees that the minority also get a share of the national cake especially when the time of sharing such like

when it comes to voting. You know if it is put if dispute in votes, the minority may not get that one especially in job opportunities, national schools opportunities, representation in the Government and Parastatal bodies. That is all I would like to submit, thank you Sir.

**Com: Kangu:** Thank you Bwana Adungo. Tupate Moses Emodo.

**Moses Emodo:** Mwenye kiti wa kikao cha leo, wana-Commissioners wote, Bwana DO na wananchi ambao wamekuja kuhudhuria, hata sijasahau Mayor ambaye amekuja na sema nataka nianze ili saa isinipite sana.

Mimi naitwa Moses Emodo. Kwanza Katiba yetu ya zamani ni mzuri sana kwani imetuongoza tangu uhuru.

Utangulizi: Ni muhimu kuwa na utangulizi katika Katiba yetu, sisi raia ya Kenya tunataka serikali ambayo inaheshimiwa kumcha Mungu na kuleta mwelekeo mwema wa uongozi, kuelekeza raia kuwa watu wa kutegemea kazi.

Kupangia elimu ya msingi na ya juu bila ubaguzi na mali na kazi kwa wote.

Kulinda maisha ya raia wake.

Kuzingatia sheriya za umoja wa Mataifa za Africa mataifa, za nchi za ma- dollar.

Mwisho, nataka itambuliwe kwamba wenzetu walio pigania uhuru wetu wakumbukwe.

Executive powers: Kenya ni vizuri tuwe na serikali ya mseto ambayo Rais anagawanya mamlaka na Waziri mkuu. Na serikali hii iwe kama ifuatavyo:

- Waziri mkuu awe na kazi ya kuendesha serikali.
- Tuwe na Rais, Makamu wa Rais, tuwe na Waziri mkuu, tuwe na District Commissioners, tuwe na Chiefs na Ass. Chiefs na nafasi ya “Likuru” village elder ibuniwe na awe akilipwa na serikali.
- Ofisi ya Provincial Commissioners isiwekwe na ofisi zozote chini yake, kazi yake inagongana na kazi ya DC. Nafasi ya DC pia isiweko, kazi hiyo inafanywa na machifu vizuri sana.
- Rais achaguliwe na watu, awe Mbunge wa pahali pake. Rais wa nchi awe na miaka arubaini au zaidi na awe ameo. Awe namasomo ya juu ya ziada. Tena ujuzu wa miaka tano kwa serikali na awe na utu, uzalendo. Rais aongoze kwa vipindi viwili viwili vya

miaka tano tano. Rais agawanye mamlaka na Waziri mkuu.

- Local Government: Serikali ya wilaya, hii ni serikali muhimu ambayo ni ya msingi na ya mashinani. Serikali ya Wilaya ipewe uwezo kamili wa kuendesha mabaraza ya wilaya. Mabaraza ya miji zipewe uwezo wa kuajiri na kufuta wafanyi kazi wake. Mayor na mwenye kiti wa mabaraza wachaguliwe na wananchi wote. Vipindi vya miaka tano ndio inafaa kwa Mayor na mwenye kiti kwa kutumikia. Uchaguzi wa Mayor na wenye viti ambao nimetaja juu ugharamiwe na chama saa ya campaign ya kuchaguwa Mayor ama mwenye kiti.
- Wananchi wapewe ruhusa ya kufuta au kurudisha Diwani wao nyumbani akiwa na makosa.
- Mabaraza yasiendele kuwa chini ya Wizara ya serikali za wilaya.
- Diwani awe amesoma mpaka darasa la nane.
- Tume ichaguliwe kuangalia mshahara na marupurupu ya Madiwani na Wajumbe.
- Kuteuliwa kuwoko lakini kwa vikundi maalum kama walemavu, vijana na wanawake.
- Uraia: Kuandikisha kupata kipande kurahisishwe. Mtoto anapozaliwa apate cheti cha kuzaliwa. Mtoto akitimiza miaka kumi na nane cheti hicho kitumiwe na wazazi wa mtoto huyo kupata kipande kuliko kwenda vetting kwenda kwa Chief, hiyo inaharibu na inagharamu pesa mingi. Mtu yeyote ambaye alizaliwa Kenya kabla ya mwaka wa Elfu moja sitini na tatu awe raia kamili. Bibi ya mtu ambaye ni raia wa Kenya na ameolewa na mwanakenya aandikishwe na baada ya miaka kumi apate kipande na awe akipiga kura. Wanakenya wanatakiwa wawe na kipande na passports. Kupata passport pia kuwe rahisi, wakitumia cheti cha kuzaliwa mtu akitaka kusafiri nchi za ng'ambo.
- Polisi wa usalama: Vikosi vyote vya usalama yaani majeshi, AP, GSU, askari wa jela vinundwe kawa Katiba lakini kikosi cha polisi kigawane mamlaka na ma-Chiefs. Kikosi cha polisi kimechukuwa mamlaka mbae sio yake, sheria isiruhusu polisi kufanya masako katika nyumba yako, anatoa uchafu wako wote nje halafu anakubandikia wewe kesi. Polisi wafanye kazi na ma-Chief kuleta uhusiano mwema kati ya polisi na raia. Polisi wa AP wasiruhusiwe kukamata watu kwa sababu hawajasomea sheria ya kushtaki na kukamata mtu.
- Political parties: Vyama vya siasa ni vya muhimu sana kwa kuunganisha raia, vyama zaidi visiandikishwe, viwe tatu peke.
- Njia ipatikane kuongeza uwakilishi wa Wanawake katika Bunge na mabaraza.

- Yeyote akishinda kupata uteuzi kwa chama kimoja aruhusiwe kuhama kwa chama kingine. Lakini mtu akihama akiingia cha kingine kwanza ajiuzulu na aende kupata idhini kwa wananchi.
- Viti vitengwe kwa walemavu, vijana na wanawake.
- Tuwe na uwakilishi wa uwingi wa watu kuliko ukubwa wa sehemu. Kwa mfano; hapa Teso tuna idadi ya watu wengi sana lakini sisi tuna Mjumbe mmoja badala tuwe na Wajumbe wa tatu wa nne kwa sababu tuko wengi na ukifuata njia ya jiogafia ukubwa wa nchi, hatuwezi kuwakilishwa vizuri. Ndio nina decide hapo tuwe na uwingi wa watu, hapo tutapata watu wanao tuongoza vizuri.
- Sehemu za wakilishi ziongezwe kutoka kwa idadi ya mia mbili na kumi hadi mia tatu.
- Uchaguzi wa Rais na Wabunge na Madiwani ziwe siku tofauti, kwa sababu katika nchi zingine uchaguzi wa Madiwani ndio unaanza kwanza ndio chama ambaye ina tawala au ambacho kinaenda kufaulu kinapata nguvu yake kwamba sisi namna gani? Tutafanya campaign namna gani? Kwa uchaguzi wa Madiwani chama kikishinda, chama hicho kitajua pia President wake atakuwa ameshinda.
- Kura zote zihesabiwe pale pale zinapigwa na ushindi utangazwe. Hii imetuletea hasira sana kwa sababu baada ya uchaguzi tunaenda kwa headquarters na tuna kaa karibu wiki moja kura zinaweza kuhesabiwa wiki moja, kabla hamja pata matokeo na halafu pengine kura zingine zinaletwa kwa ujanja, zingine zinatupwa kwa msitu, zingine zinapita kwa njia ingine. Kwa hivyo hiyo itamaliza rigging sana. Siku ya uchaguzi itambuliwe katika Katiba.
- Utamaduni na mila ya Wateso: Wateso wana utamaduni na mila nzuri sana, tumeishi nazo tangu zamani, zingine zimepuuzwa na serikali. Kumbuka asiyependa mila na utamaduni ya kabila yake ni mtumwa. Hatuwezi kuiga mila, tabia, chakula, vinywaji, pombe na nini bila sisi wenyewe kukubali. Katika mila zetu za ki-Africa hakuna sheria inafanywa bila kukula, kukunywa na kucheza. Wizara iangalie ubora wa chakula ikiwa ina wezekana. Mila zetu za utamaduni ambaye nataka zikaguliwe kabisa ni Ektaye( community working together) Epunyas( funeral rites and burials) Akinumunun ( eating new food) Ayare( planting) Ekomrake( marriage and ceremony) Anakimakror( giving a new born child a name) Akisuku( celebrating the new birth). Mwisho Mwenyekiti uniruhusu sasa nisemo ya mwisho.
- Ya mwisho ni forced harambees. Kwetu sisi, neno hili harambee ni neno nzuri sana lakini

watu wamepuuza maana ya neno harambe, harambee imekuwa sasa ni ya nguvu. Tunajua machifuwameambiwa asisanye pesa lakini bado harambee inachukuliwa na kama DC na DO, wanakuja ku-force watu kutoa. Hata ma-Chief wenyewe they are being forced to pay for harambees which are not for them.

- Na kazi, kama ni kiwanda, kama ni factory, ziletwe katika district ili watu waandikwe kazi katika area yao na hii itapunguza ukosefu wa kazi. Na sema asante, ni hayo tu.

**Com: Ayonga:** Bwana Emodo umesema juu ya freedom fighters, wakumbukwe. Unajua kukumbuka utakumbuka, hata sasa tunakumbuka kuna freedom fighters ama there were freedom fighters, lakini hiyo inasaidia nini? Tungelipenda utuambie unataka wakumbukwe namna gani? Kukumbukwa kwa vitendo ndio nafikiri pengine ulikuwa unafikiria?

**Mr. Emodo:** Kwa vitendo.

**Com: Ayonga:** Na vitendo kama vipi?

**Mr. Emodo:** Vitendo kama watambuliwe, wasaidiwe kwa njia nyingine kwa sababu walipigania uhuru, wengine hawana mashamba, wapewe mashamba, wengine wapewe pesa fulani za kujisaidia. Lakini katika maandishi haya ya Katiba, watambuliwe ili watoto wale watakuja, wajukuu wajue uhuru hatukupata bure, walipigania.

**Com: Ayonga:** Asante.

**Mr. Emodo:** Asante pia.

**Com: Kangu:** Asante basi Bwana Emodo. Tupate Donald A. Orkit.

**Donald Orkit:** Kwa majina ni Donald Orkit. Commissioners wetu, DO na wananchi wote wa Chakol division ambao leo wamekuja hapa kwa huu mpango wa utaratibu wetu wa Commission, yangu ambaye naenda kuwakilisha hapa ni juu ya muundo na utaratibu wa uchaguzi. Mfumo ambao unafaa ni ule wa kuchagua Rais kwanza na baadaye uchaguzi wa Bunge na baraza la serikali za wilaya, Councillors wafuate nyuma.

Pia kura ambazo zimepigwa katika kila kituo zihesabiwe hapo papo ili kuzuia kuiba kwa kura, rigging na kisha itangazwe hadharani. Tuendeleo na mfumo kuwa mwenye kura mingi ndiye mshindi, utaratibu huo jinsi ambavyo ulivyokuwa kwa sababu haukuwa ukizuia wanawake kijiunga na siasa. Wale ambao walitaka wame wahi kufanya, kwa hivyo ni wazi kama wanataka, sio lazima kama hawako tayari. Kwa mfano Bi. Ogot na Julia Ojrambo wamewahi

kuonyesha ari yao na wakachaguliwa na wananchi.

Kulingana na asilimia za kura Rais lazima apate asilimia ishirini na tano kutoka kwa miko wa sita ya nchi. Hii itaonyesha amependwa na wengi kuliko hapo awali ambako miko wa tano tu ndizo zilizotambuliwa.

**Com: Ayago:** Endelea kijana.

**Donald Orkit:** Tusiendeele na mfumo wa maeneo ya jiografia ya wakilishi; hatutosheki na ugawaji huo kwa sababu wilaya zingine zinawakishi mmoja Bungeni ilihali zingine zina watu kumi kwa wilaya moja na hata idadi ya watu katika eneo zao ni haba tu.

Bwana Commissioners wetu, hayo ndio nilikuwa nayo. Asanteni.

**Com: Kangu:** Haya tupate Gilbert M. Maase.

**Gilbert M. Maase:** Good morning to you all! I appreciate your presence here the Commissioners. Mine I classified them as oral presentation, I am Gilbert Maase Nengo.

I will start on education. Since we all consider Agriculture as the backbone of our economy, I will say it today that education is the backbone of the economy and on education review some of the things I will prefer to be implemented or to be reflected in our future law are as follows:

- I wish education in primary school to be free. When it comes to colleges and universities, they always charge non refundable fees which I consider should be reported in our law that, it is an illegal activity because we shall have the students from poor families being systematically eliminated from the education process.
- On the parallel degree issue: currently we have seen a situation whereby parallel degree programme is being offered to rich families or people who have other connections. I wish to have the parallel degree programme issue being accommodative of the poor students thus I refer to them being be offered some loans by the Government and that should be part of our law should see to it that the students from all walks of life have access to education. If that is not going to be the case, I recommend that it should be abolished.
- Provincial Administration: I wish to have the DO s and the Chiefs being given full responsibilities or major responsibilities, to be answerable to education status in of any given area. Because we have a very reluctant administration on the part of education and



there is no country that we are going to build if we relax on education. We should put it a priority, the Chiefs to be monitoring who are going to school, which kids are staying at home answers should be obtained from their parents and even the DO should be more concerned with education than any other activity in which we understand they are very much involved.

- Parliamentary issues: Members of Parliament being faced with a vote of no confidence including our Councillors if the voters or the electorate feel that we have picked somebody who is not the right man or woman he or she should be faced with the vote of no confidence and that should be after being forwarded to the Electoral Commission and should be implemented immediately.
- Another issue is on police arrest, we have heard in the past some cases where people are being arrested and there is no information being communicated to the families back home. These people are being held, nobody knows where they are. So we need our law in future to have the police being responsible of the communication issue.
- We need to have as people of Kenya viewing Kenya, as their personal asset. By this I mean we need to have standard moral conducts on all the people. We should have a law that will make sure that we observe our moral standards and we respect Kenya and we have it at our individual level as our personal assets.
- On the banks issue, I will prefer if the banks are not going to make huge profits at the expense of the citizens of this country because currently we have all the banks, according to their reports, doing a very lucrative business which in relation to the people of this country, it does not really reflect that the people of Kenya have economic resources that warrant such successful financial institution prosperity. So we need the borrowing rate to have a minimum range of 2 to a maximum range of 5%.
- The Ministers should be people who have excelled in professional and business fields. We need people like accountants, economist, lawyers, engineers and technicians to be given responsibilities to run the Government ministries and the Cabinet Ministers should not be Members of Parliament. The President should be a professional just like any other Minister who has excelled in politics, management, economics and accounting professions. He should not have absolute powers when appointing Commissions of inquiries. Any who vices for the presidential seats should have a minimum age of 30years.
- Local Administration: We should have a local administration that has clear cut focus on its

activities, they should now venture into revenue or projects that can enable them to generate their own income instead of relying so much on the people or tax payers since we know that poverty line is around 56-56, these people are poor and we need the County Council, the local Government, the Town Councils and the Municipalities to think or to look for professionals who can find out the way forward in future.

**Com: Kangu:** Last point.

**Gilbert M. Maase:** Thank you very much, that is all I had for now.

**Com: Kangu:** Thank you Mr. Maase. Can we have Edson Ng'ang'a?

**Edson Nganga:** Thank you very much. I am Edson Ng'ang'a I'm a teacher by profession and I'm representing Chakol high school community, teachers and students views. I will just give a summary of what I have all the items are on a diskette and I hope you will be able to look at it. But in summary, the community have a feeling that:

- The Government should provide free primary education up to standard 8.
- They feel the current system of education is too tasking and therefore the opinion is that we should revert to the old system of education where we have primary up to standard 7, then secondary education up to form six (6) before you proceed to university.
- The teachers have a feeling that 85% intake during form one selection should be abolished because it is a bit discriminative. All Kenyan students have a right to learn in any secondary school in any part of the country and not to be restricted to their districts.
- Parliament: we feel that any Government that is corrupt, the Members of Parliament should have the powers to impeach it out in case there is misuse of office. We also feel that Members of Parliament should not just be passing bills in Parliament before they consult the views of the Constituents they should come down to the grass root level before they pass any bill.
- On Tax: Kenyans are highly taxed and therefore we feel that the Government should come up with a mode of tax where we are only taxed once, just like our neighbors in Uganda. They use a system known as "Omusolo" I don't know, it is poll tax, something like that. Whereby the Government should be able to asses, individuals, their wealth and taxed them accordingly not being taxed everywhere. In fact the VAT should be abolished.
- We also feel that the President should not have powers to appoint individuals to hold certain

posts but their appointments should be approved by the Parliament or the MPs should vet their appointments. Not only the President, this includes Ministers, Judges and others. Also, any member or any person who has been appointed to a senior Government post or in a Government department he should declare his wealth before he goes into that office because it encourages corruption.

- Road blocks: In this country there are so many, the Government should come up with a mode of trying to minimize these road blocks. They encourage corruption among the police force.
- Lastly, this is a view from students that the issue of rape cases and sexual harassment are very high, those people who are found or who do them should be seriously dealt with.

**Com: Anyonga:** What is the seriousness?

**Edson Nganga:** The law should come up very clearly and define the punishment.

**Com: Anyonga:** But you have to recommend the punishment.

**Edson Nganga:** I think they should be given life sentences because they spoil the lives of those students or those children. And lastly, MPs should not be allowed to decide on their salaries. That there should be a Committee, which should harmonize the salaries of Kenyans. I think those are the few items, there are about 35 items in this diskette. Thank you very much.

**Com: Nunow:** Did you indicate on the diskette the programme that was used to type it?

**Edson Nganga:** Ms word.

**Com: Nunow:** Is it indicated?

**Edson Nganga:** No.

**Com: Nunow:** Please write on it Ms word, it easier the work there as somebody straight goes to the programme straight away.

**Com: Kangu:** Thank you. Can we have Sylvester Ongarapasa Ebu.

**Sylvester Ongarapasa:** Asante sana Commissioners, yangu mimi nimemaliza kuandika zingine lakini nataka kuongeza machache. Jina langu naitwa Sylvester Ongarapasa Ebu.

Yale nataka kuongeza upande wa uchaguzi ya Kenya ili inaendelea saa hii endelea vizuri lakini nataka ibadilishwe Rais awe na siku yake, MP wachaguliwe siku yao. Councilor na siku yake peke yake na wengine pia. Sababu yake, kuna watu ambao wanajipanga kando ya President eti ni wazuri kumbe wao ni kukuja kufuruga wananchi na ndio sababu nataka kila mtu achaguliwe siku yake peke yake.

Halafu ingine, wafungwa pia ni wananchi wa Kenya, nataka pia wapige kura. Tena wagonjwa wale wako hospitali kuna wale wanaweza kutembea na wanaweza kufuhamu pia wapige kura. Sababu kura nyingi zina potea kwa sababu ya kunyima hawa kupiga kura.

Ya tatu kwa upande ya utamaduni wetu tumenyimwa. Naomba serikali ijayo ituwachie utamaduni wetu. Sababu yake sisi Wateso tuko na utamaduni wetu wazee Wateso zamani walikuwa wakikusanyika pamoja na watoto wakielezana 'huyo ndio baba yako, huyo ndio fulani yako'. Sasa wakati huu wamekosa kukusanyika pamoja kwa sababu ya viongozi kukatasa sisi tukae pamoja wakipatikana wazee wakiishi pamoja kuongea maneno ya kimila yao, wanakamatwa na polisi. Na hiyo naomba serikali kidogo ibadilishe ituwachie utamaduni wetu. Nafikiri yangu ni hayo machache yanatosha.

**Com: Kangu:** Asante Bwana Ebu, tupate Pancras Otwani.

**Pancrus Otwani:** Thank you Chairman, my name is Pancrus Otwani and I was a member of Parliament in this area, an Assistant Minister and before that I was a headmaster in one of the biggest schools in the district and then I ended up being a Principal lecturer in teachers college. Well, having been in touch with people, my other views have been expressed and I will not repeat them so I will just touch on few areas that I haven't heard wananchi touch directly.

I will start with the area of Commissions, institutions and offices. My view is that we should adequate Commissions institutions and offices for example, CKRC should stay to guide

whenever amendments are necessary in future because it is inevitable, as we develop, there will be amendments of the Constitution. The Electoral Commission is there, we should have Employment and Ethical Commissions like the Teachers Service Commission that we have, the Public Service Commission and the Parliamentary Service Commission. We should also have the Local Government Service Commission.

Another necessary Commission, in my view, is the lands and boundaries Commission Kenya still has very many touchy issues concerning land and boundaries, so we need such a Commission.

Another Commission, for the promotion and protection of the rights of cultural linguistic and religious communities. And the last one is Human Rights Commission. It is important that these Commissions are free and independent of Executive control and their decisions and recommendations should be fault prove and supreme. Some of them should have the function of setting up codes and regulations for the relevant professions that they serve. Now on that, I would like to suggest strongly that whenever a Commission releases a report, such a report should be implemented immediately because so far we have so many rotting in the archives and wananchi still want to hear what decisions came up on devil worshiping, the tribal clashes the other day, people want to know what happened. The Koech educational report has not yet been released in full. So it is important that those reports are released immediately so that if there is some provision in future to ensure that then the Commissions will have meaning.

- There is one office that I personally think Kenya should establish this time round that is the office of the Ombudsman; call it the public protector like the South Africans do. There Mr. Chairman you will agree with me that the abuse of office in the civil service, parastatals and others is obvious. So far we are dependent on the Parliamentary Public Account Commission to detect some of these issues and suggest necessary action. But they come to the Parliamentary Account Commission too late and I'm very hopeful the officers who are at fault, some of them maybe found dead already, others will manoeuvre their ways. But we need corrections while they are in the office and not when the mistakes have been made and we cannot rectify them any more.
- The tendency of civil servant actually becoming civil masters, that one also Kenyans have cried about it. So these days you will go into an office, what you will be asked is "what can you do for me?" instead of, "what can I do for you?" So, in other words, the fellow wants to be served, he doesn't want to serve. If we had a public protector, an Ombudsman, we

would have control some of these things early enough. Well, we could also consider officers like Anti-corruption for illegal trade because our economic predicament now is due to economic sabotage. So if we had an office to monitor illegal trade, it will be good.

- Our cry on drugs; if we had an office of Anti-drug trafficking, it would help.
- I would like to express one view on traditional leadership and traditional houses. Well, around us and within Kenya itself we ethnic groups that have already have systems of traditional leadership and the old Constitution could not consider them for obvious reasons. But since they have stayed up to today, I think the new Constitution should recognize them. In Teso for instance, we have what we call Emolmore. Yesterday at Malaba, Chairman (Kenya chapter) was there, then we have the Meru's Njuri Nchege, the Kikuyus still have their Mtongeria and there are many others and the Luo's have Council of elders in their own system. So these institutions are there and I think this time round we better recognize them, because they sort out issues that are very touchy at the local level. So if the National and local Legislations can provide for them, it will be better than waiting until we have problems in future, we better accommodate them.
- Councils of elders who will be related to such houses will solve a lot of problems like village disputes land, marriages, Property ownership, those can be handled at the level very well so long as there is adequate legislation. It will also relieve congestion in the courts because many of these cases go to court where as they can be sorted out at the village level.
- I have one or two views on land and property rights: I wish to say that ancestral land should belong to the clan and not to the individuals. Public reserves belong to the state. Then there are certain public facilities and lands, which should belong to local authorities. So in that case therefore, clan elders should determine change of land ownership. This will control individuals who may want to sell lands under desperation; financial problems. It will also control individuals who may have a lot of money and they end up buying off land from individuals who are desperate.
- Then on successions at the moment we have this practice of accusing the grave in order to succeed the land. And the whole thing of standing there and accusing your dead father or grandfather sounds very silly. The clan elders know who is the rightful successor, so there is no need to go to the high court to accuse the grave in such a matters. Therefore when we talk about land elders, DCs and Dos should be dispensed from land change, most of them are controlled by land grabbers from certain villages.

- Public utilities land that the Government may not need any more and where we are sitting is a very good example. We have thousands of acres in Alupe here owned by KETRI, KARI, KEMRI and Lake basin. Of late I would like to say Mr. Chairman that some wananchi have been a bit concerned to hear that offices are trying to sell parts of that land. So, public land that is no longer used by the Government should be given to the locals themselves, the priority should be to the locals if it is necessary, to buy the land and it should not just dissolved by any DC or any DO or any officer in charge of whatever parastatal.
- We also have in this Municipality of Busia another area called no mans land, security land at the border, People have settled there and the former owners have been removed. Those former owners should have been allowed to settle there and not outsiders. So, ancestral land, in my view, in Kenya, should be that land that people settled in ethnic groups settled in, when the colonial Government stopped immigration. In our case, we were stopped in movement in 1895, so wherever we settle then is Teso land and where we are is Teso land, we are not in Luhya land as some people are making us to believe.
- Finally on land, I would like say that title deeds, Mr. Chairman, the cost of title deeds has become forbidding. Many owners of land cannot have title deeds, cannot purchase them and therefore cannot use their title deeds for loans and other things, which other people do. So in my view the cost of title deeds should be reduced to the cost of other documents necessary and no more than that, because at the moment to get a title deed you need at least 6,000 shillings. This area of ours and most people here have forgotten about taking there title deeds and that contribute to poverty in some places.
- On Ethnicity; I have a view that it with it is here with us, we did not make Luos , we didn't make Luhyas we didn't make Kikuyu, we found them we found ourselves Kenyans with all these tribes. So in my view it is God given and Constitution should provide for the existence of various tribes. And they are all distinct, we Teso are very distinct in Kenya. We are not Bantu, we are Nilo-herinites and we are very distinct, as other view providers have indicated in culture and so forth. So we simply to be guided to fit in a Kenyan community like others. But attempts have been made to kill ethnicity through manoeuvres, coercion and propaganda we are seeing is not working. Because those who shout tribalism most are those who practice tribalism quietly and when others try to follow suit and they have no voice or they have no big people in the offices, they are told that is tribal. But they

themselves are practicing quietly in their own way. So the best thing is to accommodate it. And we can accommodate it in terms of recognizing the cultural values of all the tribes. Take an example of Kenya rhythm that the Ministry of education has developed that is a beautiful contribution of all the tribes.

- Leadership: leadership should also be negotiated. Every community, when the Government is being formed like we are looking forward to, should know what is going to get in that Government, what role it is going to play in that Government in a negotiated manner. But if we go to those who have the money and those who have the power and authority, then of course a point will reach when a certain community will be put aside because we can do without them. Then there are certain ethnic traits we know that in Kenya we have people with very good business and acumen, we have people who are very good entertainers, who are very good in languages, good in linguistic proficiency, some are very loyal and very hard working like we Teso who have their own system of tilling their land even without money.
- We know we have got what we call ... (Teso dialect). So long as an old man or woman can make a little brew and call the youth, they will till the land whether they have the money or not and produce food. When we used to do that, there was no hunger in Teso land, but since decrees came to abolish local brew many women are unable to till their land and you can see bushes as you drive along. So we are saying that there are certain traits, including games and sports as we know them, which can be considered. So the Constitution should provide for the tapping of such traits rather than attempts to kill ethnicity.
- Then allow me to say something small on basic rights particularly those to do with education, health and food. In my view, the next Government that will be covered by this Constitution we are making should have an obligation and responsibility to provide adequate education, free at most levels particularly primary and university should provide health without question and should enable those who are hungry to feed. Because really, the Government is like a parent, like a father. So if you cannot educate your children, you can't feed them, you can't treat them when they are sick, you have no responsibility being a mother or a father. So the Government is our father and any Government worth its own salt should be able to educate, give free medical care and be able to feed those who cannot feed themselves. So, our next Constitution should be such that any Government that fails in these areas should be voted out without question or should resign.



**Com: Kangu:** Jaribu kumaliza.

**Pancrus Otwani:** The last one, a little one-language tests. Many presenters have said that education standards are enough, but I would like to note that there are certain MPs and Councillors who are illiterate or semi illiterate half illiterate because they cannot read documents necessary for Parliamentary proceedings, they cannot read documents necessary for Council discussions, maybe they reached class 8 or whatever level on because they have not been reading and writing. There should be a system of checking on whether they are illiterate so that all together we don't just say there should not be no language tests. You should check whether they have a lapse in literacy or not. And very finally Mr. Chairman, I would like to say that;

- In terms of systems of Government, Central Government let it be there. But our next Constitution should provide for strong local Government. Strong district based Governments so that from the central Government we go directly to the people. The district focus was a very good idea but you will recall that it was abused in a way by people coming from far, from foreign districts are not bothering to know what the interests of wananchi in that district were and just misusing the money and killing projects. But if we have district-based Government, the money will come from the central Government to district level and people themselves control the money, give the power to the people at the local level. Even the idea of Provincial Government or regionalism is not necessary. If the people down here can be given the power then the cake will be spread very fairly. Thank you Mr. Chairman.

**Com: Kangu:** Now Mheshimiwa, I have some questions for you, you have talked about land and boundaries Commission. I want you to elaborate on the issue of boundaries, the boundaries that that Commission will be dealing with. We have in our country disputes arising out of land boundaries between an individual and another individual, we have problems of internal administrative boundaries and then we have the problem of International boundaries just on the other side the Samias are crying about the neglect of the Government on the issue of International boundary or the lake Victoria. So the lands and boundaries Commission that you are talking about, which boundaries will it be dealing with? Will it encompass all these or just certain boundaries?

And then two, you talked about Anti- corruption and illegal trade Commission. I also want you

to emphasize on that because I agree with you that the biggest problem we have in our country is economic sabotage is total mismanagement of the economy. In fact I think total ignorance of what the role of the Government is in terms of the economy, business and so on. We have stripped our economy naked and we are being raped left and right by some stupid foreign policies about liberalization and so on. So can you tell us more about illegal trade and so on?

**Pancrus Otwani:** Thank you Mr. Chairman you have assisted me by indicating the areas.

On the International boundaries I will not venture to suggest much because there is very little an internal Kenyan Commission can do about International boundaries. But within Kenya itself, we have had districts, divisions, locations that have been hired out without considering the wishes of the people who are living in those areas. The tendency has been for certain leaders to decide who falls into which boundary for various reasons; political, social and so on. But if we had an independent body then they will hear the views of all people and I believe they will be able to suggest more accurately where the people should belong. I foresee that we are going to have more districts, obviously we are going to continue having more Constituencies and the boundaries of those Constituencies are likely to be administrative boundaries.

And they should have been determine earlier by a Commission that is independent and fair, then as you have indicated we have many problems on land boundaries, individual boundaries land, owned by individuals in the village. We have surveyors who are help of but if there was a way of putting these people together, uniformly throughout the country through such a Commission, so that incase people are not happy with these people, then the Commission will really assist. Then we would quarrel knowing that there will be a solution, somebody will guide us, most of those except International boundaries which we can do anything about.

Then on Anti- corruption and illegal trade our people have been allowed to hold offices in the civil service, parastatal and others but they have also been allowed to do business, make as much money as possible besides their salaries. So there have been a tendency to use these offices not just to earn salary at the end of the month but to earn as much more as possible in other corrupt ways. In fact those old civil servants like us who are very sincere and honest were called fools because you are not corrupt enough to make use of your office, so Anti- corruption would help to control the activities of certain officers that misuse their offices. Because if the Constitution and the laws subsequent can control the activities of the people then the idea of

declaring wealth will not be necessary because we shall then load at the all wealth will have been acquired correctly.

Illegal trade: at the moment we have so many International foreigner moving along the border here and else-where, they are the ones involved in “magendo” and that kind of thing, and have taught our people. Some economist say that there is really no magendo, that it is un-licensed trade. Does people who came with that kind of belief and have trained our people and we will continue to train our people, so unless our laws control them they will continue to do so.

**Com: Kangu:** Can we have Samson Olubai? Okey, fine, then Caroly Omuse.

**Caroly Omuse:** Asante sana Commissioners wetu, asante sana Co-ordinator wetu Bwana Angedu. Haya ni maoni yangu sababu mimi ni mlemavu, mimi nalia sana kwa Katiba mpya ambayo itakayo kuja ishughulikie pia walemavu kikamilifu kama watu wengine. Kwa sababu ulemavu huu sio kupenda kwetu, in hali Mungu alileta. Lakini nasema hivi: mimi mwenyewe nimeshughulika sana katika social services kutafuta usaidizi lakini mimi nimedanganywa, nimepatiwa ma-form kujaza mara kwa mara, sioni chochote amabacho serikali hii imetupatia. Sasa kama ni hivyo, kwa nini hizo mafomu zinaletwa za kutudanganya sisi?

Mimi naomba Katiba mpya ambayo ina-kuja ipatie sisi walemavu Mbunge wetu ambaye anaweza kuwakilisha sisi na anaweza kuangalia sisi katika shida zetu. Yule mlemavu ambaye amekuwa Bunge anaweza kujua shida ya walemavu wengine ambayo wako nchini kuliko kusanya pamoja Wabunge wale wazuri wazuri ambao hawana haja ya kuangalia walemavu.

Ya pili, walemavu kama sisi tuletewe zawadi ili sisi pia tuweze kujitegemea. Kama ni pesa tunaweza kugawiwa sisi ili tufanye biashara. Kama mlemavu mmoja anaweza kupata hata elfu ishirini au elfu thalathini ili aweze kujitegemea. Sisi walemavu tuna watoto ambao tunawasomesha na hakuna namna yoyote tunaweza, watoto wanabaki nyumbani kwa sababu hatuna namna ya kupata pesa sisi.

Upande wa Defence katika Administration mimi maoni yangu nasema hivi; hata Ligurus wa area, pia serikali iwa-shughulikie wapate mshahara, kwa sababu wao ndio chanzo cha serikali kupata maelezo. Hao ndio wanaanza kazi ya serikali chini kwa chini ndipo kazi itaenda kwa Assistant Chief mpaka kwa Chief.

Pili, mimi naomba Assistant Chiefs na ma-Chiefs wafanyiwe uchaguzi hapa nyumbani jinsi vile wanafanywa watu wengine kama Councillor, Wabunge mpaka kwa President. Hawa pia wachaguliwe hapa nyumbani kwa mlolongo wa wananchi, Chiefs na sub-Chiefs na ma-DO wote wachaguliwe hapa na raia.

Ya nne kurithi ardhi ya baba: Sisi hapa tumenyanyaswa sana katika upande wa kirithi ardhi ya baba kwa kupaswa kushtaki mzee, mzee yule ambaye amekupatia shamba kwa uzuri na amekufa. Lakini kuna namna ya kama unaenda kutafuta title deed, wana-kuambia kwenda kwanza kotini kisha baada ya kotini maneno yako itaenda kwa Attorney General ikiisha certificate italetwa. Na hiyo ni pesa mingi umetumia, karibu elfu kumi na hii ni shamba ya baba na baba hajaiba shamba na wewe pia ni mtoto wake. Kwa nini wewe unamshtaki baba yako, amekosa nini? Hiyo maneno tunaomba Katiba mpya iondowe kando. Hii mambo survey, survivors wanapata mshahara na hali ya akija kukupatia wewe title deed au ku-survey shamba, anataka pesa mingi karibu elfu tano, elfu kumi na sisi hapa hakuna namna ya kupata hizo pesa. Shamba hii ya baba wewe unarithi, motor car unachukuwa, nyumba unachukuwa mali yote kwa boma unachukuwa, lakini shamba kwa nini washtaki? Hiyo yote ni mali ya mzee, lazima apeane bure.

Upande wa Administration: Mimi huyu nimeteseka sana katika hali ya serikali ya sasa, mimi nimekamatwa mara kwa mara kwa sababu nikikaa kwa nyumba kupumzika kutoka kwa shamba, nikikuja kivuli cha mti kupumzika naona polisi wanakuja, “mzee unafanya nini?” Na mimi ninapumzika tu, hakuna maneno yoyote, sijafika station ya polisi kutukana polisi Eti, “twende.” Wanakuja kutafutia mimi makosa nyumbani, kunifunga pingu na kunipeleka kwa cell bure tu. Na pengine mimi nakunywa uji wangu ule mama ametengeneza na maarifa yake si ya mtu, hatujafanya makosa. Huu uji wa zamani wazee wanasema wakitoka kwa shamba wanakuja kupumzika nayo kidogo ili kuburudika vile wewe unaburudika kwa bar. Sasa mimi nanyanyaswa kule, natafutiwa makosa. Sasa mimi sijui kama serikali mpya inaweza kuondoa hiyo maneno ya kuja kurandaranda kwa maboma ya watu kutafutia watu makosa ya bure, hiyo isiweko. Mimi nalazimshwa bure kwenda kotini kujibu mashtaka na mimi nashindwa mashtaka gani. Mimi nitasema sasa makosa gani nimefanya? Mimi naomba serikali ijayo iondee hiyo kama itawezekana.

Hii pombe ya kitamaduni, ya zamani zakale zilizopita, karibu miaka elfu mbili na pombe zote zilianza hivyo na hii pombe ambayo wanasema ya bar hii, bia yote ni pombe pamoja na ile ambaye tunatengeneza nyumbani, ni pombe moja. Lakini kwa nini wanakubali ya bar na wanatukataza sisi yetu ya kitamaduni, ya nyumbani ? Sasa inaonekana sisi wakenya hatujapata uhuru kamili sababu tunaingiza pombe ile ya kigeni kama bia tunawacha yetu ya utamaduni. Na sisi wale ambao tuko nyumbani hapa, walemavu kama mimi naweza kupata wapi shilingi hamsini au sitini kwenda kunywa bia kwa bar na mimi nanyimwa haki yangu? Naomba hiyo Katiba mpya Commissioner fikisha mlilio huo kwa Bunge ujadiliwe.

Nyingine, hali ya biashara kama wanawake kukoroga uji kando kando ya barabara, kupika maharagwe kujisaidia, hiyo pia wanakataza. Wanawake hapa wanafinywa kwa sababu eti inatakikana license na mama kama huyu atapata wapi pesa za kukata license na anajitafutia riziki yake? Commissioner hayo ndio malilio yangu na maoni yangu. Asante sana.

**Com: Kangu:** Asante, Na tupate James Opama.

**James Opama:** Commissioners, Mayor, DO and all who have come to present your views, I have few ideas that I would like to present.

**Interjection: speaker:** Your name first.

**James Opama:** Iam James Opama. First of all when it comes to the issue of people with disabilities; in the next Constitution we should have free education for people with disabilities so that they are educated freely both in primary and secondary school. Also, free training so that they are trained and if possible, depending on the nature of the training, they can be given facilities or if the Government can employ some of them so that they can be self-reliant.

We should have Parliamentary representatives for vulnerable groups. I know maybe for people with disabilities we have one MP but then if we could have several it would be better so that we have several representatives for vulnerable groups.

Also certain MPs who are dormant should be removed by those people who took them there, so that at least we have MPs who are very active in our Parliament.

Also in my memorandum I talked about pensions being immediate, because after working and then you retire getting your pension is not very easy, you take time and therefore there should be immediate payment and also should be reviewed now and then depending on the country's

economic performance.

Also, on Judicial Service Commission; TSC and PSC, all of these should be independent.

On dual citizenship: Though it has problems, I don't know, if it work well.

On impeachment, it should be carried out on a President who violates the Constitution and this means that no one should be above the law.

We should have independent candidates for Presidential, for civic and Parliamentary seats, all of these should be sponsored by the Government and this will be very important.

Lastly we should have the post of Prime Minister, this so be created to as to limit the powers of the President and for good leadership. Thank you.

**Com: Kangu:** Can we have Sylvia Emasa.

**Sylvia Emasa.** Thank you Commissioners and all the Officers present in the room and all those who have come to present their views. My names are Sylvia Emasa, Iam a teacher and here I have a few things to put across to the Commission.

- 1) I am going to talk about the working class women, especially the middle class looking at my own position and positions of those who are like me, I see that women who are working in the community have a lot of responsibilities. For any home to look like a home, then the woman there must really take care of it, which means she has to use all ways of making that home look like the way it should be.
- 2) The working class women are also expected to make their families better than others and in addition, the community as a whole also expects that working class woman to make them better and look a little bit better than other people in that community. That means this woman should have something extra and usually when men marry, especially in this community of ours, you find the man saying I also want to marry a working class woman, because she will be able to take care of her own children and the house. They know they will have a lesser responsibility if they marry a working class woman. Therefore I would appeal to the next Government, the one we are now preparing, to give working class women a special allowance so that they can be able to take care of their family and community as a whole.
- 3) Looking at the positions of women in the community; there this issue of land and property

ownership. Usually it is a shame for our community here and other communities that land and other property belong to the man, but in my opinion I would like there be some kind of law which will state that property can be owned also by a woman. In that, in a home when a man gets out of it, then the woman will automatically be the owner of that property. And then in a home where there is no son, there should be a law and people will automatically know that if there are no boys or they are, if a father passes away then the daughters of that man should be able to take the land that has been left behind by their father. And in this case, if the father passes away and the mother is still alive but is lousy, then we can get one responsible person may be a leader in the community to take care this property until the children of the grow up so that they can then take care of their own property. Thank you that's all I have.

**Com: Ayonga:** Mama Sylvia, I would like you to clarify. You said a working class woman be given a special allowance. Now this woman is working and I am sure she is paid at the end of the month. Why does she need this special allowance? Now, looking at it from that perspective, which is that whatever allowance you are thinking of is very special, why can't a working class man be given also some allowance?

**Sylvia Emasa:** I feel working class women should be given allowances, which men will not be getting because as I have said, they have greater responsibilities, they are the ones who make their houses look the way they are and also their family. So with this, I'm sure that they will be able to manage their families the community better.

**Com: Ayonga:** What about the salary?

**Sylvia Emasa:** The salary of course will also be useful but men also get responsibility for example you will find that in a house two people are working but the money that is used mostly in the house is that of the woman.

**Com: Kangu:** But the problem is that you were suggesting that men whose wives are working don't want to use their money to run the affairs of the family. Why should we give the woman more money instead of demanding that these men use their money to keep their families? Why shouldn't we make these men responsible by demanding that they use their money to keep their families instead of leaving the burden to women?

**Sylvia Emasa:** Men can be told to be responsible but following and looking at what really is happening, usually men know yes, it is their responsibility but they don't do it up to date. But with the small allowance that the woman will be given to the woman she will make the community better.

**Com: Ayonga:** Don't think you that if we give this woman some special allowance we are making this man become more irresponsible and even come to fight with this woman I want that money"? Don't you that you think are creating problems to yourselves? Men are the heads of the homes and men ought to be responsible about their homes now if you take some responsibility and acquire even some special allowances, you are making these men irresponsible, can't you look you for a way that of making them responsible rather than for you to get more man so that this money becomes more irresponsible? And now that the wazee's are asking to get their pombe without any police harassment, don't you think men are going to be more irresponsible?

**Ms Sylvia:....**what may be has been within the earnings. For example here we are, as I have said I am a teacher myself. All teachers men or female have house allowance. But I feel if this house allowance would be given to women or a greater percentage be given to women and not men, then it would of more use than it is. Then if this allowance cannot be given, then the government could find a way of having loans given, whereby women are given first priority so as to help themselves.

**Com Kangu:** Thank you you go and sign. I would like to say that one time Elijah Mwangale said, I have said you may not answer me but you have heard". I hope the working men have heard. You were not required to answer but please go and act. Gabriel Emodo.

**Gabriel Emodo:** Asante sana Commissioners, na district organizers wetu yote, pamoja na wageni waliokuja hapa. Mimi kwa majina naitwa Gabriel Emodo. Sasa nilikuwa na machache tu nataka kuchangia kidogo, sana ni kuhusu mahakama yetu ya Kenya. Kitu kimoja nimeona kibaya katika mahakama yetu ya Kenya, utakuta kuna huyu jamaa anayeitwa advocate. Mimi ningependelea hivi, ikiwa pengine nimezozana na tajiri naye akomboe advocate na mimi sijui sheria, mimi pia nikubaliwe nichukue advocate wa serikali aniakilishe. Kwa sababu siwezi



kupingana na mtu ambaye amesomea sheria na mimi sijui sheria. Mara kwa mara nimeona wananchi wengi wakifungwa kwa sababu ya kukosa sheria. Unakuta advocate anapingana na yule mtu hajui sheria, kwa sababu huyu jamaa amekombolewa na tajiri na utakuta ya kwamba yule masikuni hawezi kujua ile sheria. Na utakuta yule masikuni anafungwa bure. Sasa ningependa kwa hii serikali mpya ambayo inakuja, iwe at least ikikubali masikuni pia akomboe advocate wa serikali kumwakilisha.

Pili, kuna cases za mashamba. Ningependa judge ama hakimumu pia awe akitoka kwa office kuja mahali imechochelewa. Sababu utakuta ya kwamba judge huwa anapelekewa tu makaratasi ati, oh iko namna hii, iko namna hii. Na yeye mwenyewe hata hakuji kutoka kwa office kuja kuangalia pale panazozaniwa panafanana aje. Ni vizuri mwenyewe pia awe hata wakati ana hukumu anaona mwenyewe na macho mahali watu wanazozania.

Tatu, kuna hiki kitu kinaitwa bursary funds. Bursary fund kwa mapendekezo yangu, mimi ningependekeza hivi, ningetaka hizi pesa za bursary fund ziikisha changwa zipeanwa direct kwa mtoto mwenye anahusika. Kwa sababu mara kwa mara nimeona hizi pesa zikichangwa ya bursary fund, utakuta kwamba mtoto wa Chief, wa Sub Chief wa DO ndio wanasomea hizo pesa. Na yule mtoto mwenye alikuwa anatakikana atumie hizo pesa hapati hata kidogo. Na ningependa kama hiyo pesa imepatikana hapo na hapo kwa ajili ya huyo mtoto mwenyewe anayehusika apelekwe shule.

Nne, kitu kimoja nimeona sana katika serikali hii, maofisa wetu wengi sana sana wanapuuza masaa yao ya kuripoti kwa office. Utajikuta ya kwamba pengine wewe una-appointment na Bwana DO ama Bwana Chief. Kwa sababu ile haieleweki, utakuta kwamba Bwana DO pengine ako tu kwa nyumba bila sababu yoyote. Utaweza kaa ukae mpaka tuchelewe kwenda mahali ulikuwa unatakikana. Na ningependa ikiwa Bwana DO hatakuwa kwa office, aseme au aambie secretary wake kwamba, “ mimi leo sitakuwa kwa office watu wakikuja waambie mimi sitakuwako”. Hiyo vizuri kuliko kukaisha mtu, unakaa pale unangoja tu. Koti koti ndio unaona kwa kiti, Officer mwenyewe hayuko. Hiyo ni makosa Na ningependa serikali ambayo inakuja iangalie sana hayo maneno.

Pili, upande wa siasa. Upande wa uchaguzi wa Rais, mimi ningependa hivi, Rais awachie

wananchi wenyewe wachagua Rais wanazo penda. Sio Rais pengine kupendekeza mtu fulani, hapana. Kwa sababu Rais yule ako kwa office wakati ukiisha yeye aende tu awachie wananchi wenyewe kuchagua Rais wanayependa.

Sita, kuna hii maneno sana sana ya bribery katika forces sana sana polisi. Mimi ningependekeza hivi; Ikiwa imepatikana kwamba kweli mtu amepewa hongo na ni mfanyi- kazi wa serikali na anakula mshahara, afutwe kazi. Sababu hiyo ndio inafanya sasa mambo mengi hayaendi vizuri katika offices mingi kwa sababu ya hongo.

MPs na councilors. Mimi pia ningesema hivi, Councilors pia wapewe nafasi za ku-decide their salaries the way MPs do. Because utakuta ya kwamba wabunge wenyewe wanatengeneza mshahara wao. Kwa nini councilors pia hapana ruhusiwa watengeneze mshahara wao. Sasa utakuta ya kwamba councilor ndio ako karibu sana na wananchi hapa nyumbani, lakini utakuta councilors wengine hata hawana mshahara. Na hata allowance peke yake ya kutembea hakuna. So ni maoni yangu ya kwamba, councilor pia kama ni kukaa upande wa office, apewe miaka kumi na awe pensionable, Pia apate pension kama wengine. Hata MPs iwe ni miaka kumi. Na President, vile vile. Na wote wawe pensionable. Ikiwa President anapata pension, MP anapata pension, kwa nini councilor asipewe pension? Pia councilor anatakikana apewe pension.

Mengine mwenzangu wamemaliza hapa, sitaki kurudia. Hata mayor anatakikana achaguliwe na wananchi sababu mayor ni councilor. Ikiwa councilor anachaguliwa na wananchi, kwa nini mayor achaguliwe na baraza? Inatakikana mayor achaguliwe na wananchi. Upande wa magereza, sana sana watu wengi wanaumia katika serikali hii sana. Mimi nimeshuhudia, watu wengi wamekufa katika jela. Ningependa ikiwa ni makosa ndogo ndogo pengine mtu na bibi yake wanazozana na mtu anapelekwa kwa uongo kwa polisi, mtu anashikwa bure halafu unapelekwa tu kwa jela kwa sababu mtu hawezi kujitetea, makosa kama hayomtu afungwe nyumbani. Sababu akifungwa nyumbani ni juu ya Assistant Chief au Chief kumpa kazi hapo kwa kijiji kutengeneza vitu vingine.

Kuna mambo mengine kama ya bank. Bank zinatunyanyasa sana. Pengine umechukua loan ya

shilingi elfu hamsini kwa bank. Month end wakati unaenda kulipa, unapata imefikia kiwango hadi unashindwa. Mimi ninashindwa hii bank interest huwa-controlled na serikali ama najiongeza tu yenyewe huko. Sababu inafikakiwango mtu anashindwa kulipa hiyo interest. Unakuta pengine unachukua shilingi 50, 000, utajikuta unatakikana udaiwe shilingi elfu mia moja kwa muda mfupi tu.

**Com Nunow:** Tuambie ungependa nini?

**Mr Emodo:** Mimi ningependa serikali iwe ina-control interest yao. Sababu hiyo iko juu sana kwa mtu wa kawaida. Well, sina mengine isipokuwa nitachangia kwa mambo mengine nikipata nafasi. Ni hayo tu. Asante.

**Com Kangu:** Asante sana Bwana Emodo. Emodo amezungumza maneno. Na wakati nilikuwa ninakua, kulikuwa kitu huku Western Province kinaitwa 'Nyawawa'. Kiko hata huku Teso.?

**Wananchi:** Kiko huku.

**Com Kangu:** Watu wanaanza kupiga mayowe, na ilikuwa inasemekana ukinyamaza kwako, wale mashetani watakwama kwako. Na mimi nikikaa ninaangalia, ninaona watu wanapiga mayowe 'Nyawawa'. Ikijaribu kuingia kwao watasema huku kwetu hatutaki. Lakini mimi naoana watu wa Western Province wamenyamaza, itakwama huku kwenu. Mmenielewa? Iko 'Nyawawa' inaendelea. Mashetani wakipelekwa hapa, watu wanasema hatutaki. Wakipelekwa hapa watu wanasema hatutaki. Na ninyi mkinyamaza, watakwama kwenu. Msipoelewa mtoe nduru....

**Wananchi:** Tumelewa.

**Com Kangu:** Watakwama. Ni kama wakati wanyama wanafukuza kuku, unatoka unapiga nduru?. Usipopiga duru Si utapata kuku wako amekulwa?. Haya, shauri yenu. Inaitwa nyawawa, Mzee sijui mnaita na mna gani Kisii. Tupate Justine Emoit. Justine Emoit?

**Justine Emoit:** I am Justine Emoit. I have a few proposals to make. On orphans, I would like

to request the Government to give support to the orphans, both financially and on the side of security so that they can also come up as the future leaders of this country

On rape, we find that for people who rape our children, there is no law that can make them really feel that they have done a mistake; they can be taken to the police and they come back. I feel that they should be given life imprisonment that they can learn from the ones who have been given the punishment.

When it comes to the culture, our culture, especially when I look at inheritance, I would like to request that inheritance should be ruled out because when we look at the present world, we have a lot of people dying because of inheritance. If my husband died of AIDS, I will keep myself smart and beautiful and people will not look at that as AIDS. They will instead claim that my husband was killed may be because alipata kazi ama alikuwa na pesa. Instead, a law should be there to guide these people. I think we shall then be able to save many people.

On women, being a woman I would request that, a rule should be made for women to be leaders from a Luguru, assistant Chief, Chief, councilor up to the Parliament. And the rule should be there to support that a percentage of women should be in those ruling positions that we see how we can improve our country. Because I know in every home where there is a hard working woman, you will find that the home is called a home. But when there is a man alone, there will even be no route to that home.

When it comes to the property, I may have my husband with whom, started from zero. We get property, but then that property will always be put in my husbands name. I will suggest that the property should be written, in both names if my husband is called John and I am Justine. It should be called the property of John and Justine. If John gets a second wife he has also to get away to get the second wife her own property that in case of anything, I don't have to get a problem inheriting the property.

And also when it comes to the title deeds, surely the women suffer. I will suggest that the Government looks into it that women don't get problems acquiring the property of their husbands.

The last one, I feel that the local administration should be given more powers. When I look at the border here, if a person from Nairobi is told to come and look at what happens here, I don't think that person will get enough information that will help that person to give these people good security. But if the local administration is given more powers, they will be able to give the Government the right information, and the security will be maintained. That is all I had. Thank you.

**Com Kangu:** Tupate Wilfred Obakasi:

**Wilfred Obakasi:** Asante sana Ma-Commissioners kwa kuniruhusu kuwa na nafasi ya kihistoria katika maisha yangu. Mimi kwa majina naitwa Wilfred Obakasi Oyeke. Ingawa nimekuwa na point zangu nyingi, zote zimenyakuliwa lakini naziunga mikono.

**Com Nunow:** Lakini kama zimetajwa unaweza kupitia tu.

**Mr Oyeke:** Langu la kwanza, katika Kenya ambayo tutaishi na watoto wetu miaka ijayo, ningependa kabisa kuwe na matibabu ya bure. Bure kabisa kwani tumeshuhudia maisha ya watu wengi wakifa kwa sababu ya kukosa matibabu, kitu kidogo, lete shilingi tano, shilingi kumi, shilingi ngapi. Na hizo pesa huingia kwa mikono ya madaktari eti ni ya kugawana gharama. Kwa hivyo ningependekeza matibabu yawe ya bure kabisa.

Jambo la pili nitarudi kwa urais. Hiki kiti cha urais ningependa kizunguke katika kila mkoa. Ikiwa miaka tano iliopita ama kumi. inatajikana kama Rais alitoka mkoa wa Kati, inatajikana anayefuata atoke mkoa wa Mashariki ama wa Magharibi

Nikirudi kwa hongo, ningependekeza kabisakuwa ikiwa wewe ni mfanyi kazi wa serikali na umepokea hongo na raia mwema ameona, raia angepewa uwezo kwa Katiba ambayo tunaunda sasa, raia apewe uwezo wa kushika huyu mtu na kumpeleka kwa polisi na kusema nimempata alichukua hongo na anafutwa kazi kabisa. Sio kuachia kila kitu polisi halafu ukifika huko unaulizwa, “ ilikuwa aje? Uliniona aje? Ilikuwa pesa ngapi?” Maswali kama hayo hayatajikani.

Turudi kwa mahakama. Mimi ningependekeza kabisa kuwa hawa watu wanaitwa ma-advocate,

tupate ma-advocate wa serikali na walipwe na serikali. Sio advocate kufungua office yake na kuanza kupata wateja na anasema ya kwamba anatetea haki. Wengi wao hata huwa wanahongwa. Ikiwa mimi nimechukua advocate kwa shilingi elfu kumi, yule adui yangu atakuja tena alipe advocate huyo huyo shilingi elfu ishirini kwa hivyo utapata huyo advocate anahepa ukweli na anasema mambo ya uongo.

Turudi kwa mila na desturi zetu. Nitaanzia kwa mavasi. Mavasi kabisa yamepoteza utamaduni wa mwafrika. Sana sana wanawake, unapata mwanamke anavaa ile nguo ambayo haisitiri mwili wake, jambo ambalo linawacha wengi wakishangazwa. Kwa ajili huyu mama ni mama mzee, mama amenona kiasi na anavaa ile nguo ambayo imemfinya, imembana. Unapata minisikurt, sijui wamekata shit inakuja mpaka juu hata kama ulikuwa na mama yako ama nani unapata aibu. Kwa hivyo ningependekeza katika Katiba yetu tuwe na nguo maalum kama Wakenya. Ikiwa wewe ni mama, Uvae vasi ambalo linakutambua wewe ni mama, na uwe unaheshimika. Tukichukua mfano wa majirani wetu hapa Uganda, kuna ile nguo inajulikana kama 'gomes'. Hiyo nguo huwa inampatia mwanamke heshima. Hata wakati unapomuona unajua huyu ni mke wa mtu na ni mke wa heshima. Kwa hivyo ningependekeza katika Katiba yetu ya Kenya, tuwe na mavasi yanayodumisha heshima zetu kama waafrika.

Nikirudi upande wa rasilimali chache, ningependekeza sisi kama wakenya ambao ukulima ni uti wa mgongo, serikali iwe inatutafutia soko ya bidhaa zetu ambazo tunalima. Hii ndio inaweza kuondoa umasikuni ambao tunasema ya kwamba tunataka kuuondoa. Kwa ajili sisi hapa Kenya, serikali haijali kabisa vitu ambavyo tunalima. Unapata kila kitu ambacho unalima wewe mwenyewe unajitafutia soko, dakika ya mwisho unakosa kabisa. Kwa hivyo ningependekeza katika Katiba, Serikali iwe ndio inagharimia vitu vyote vya ukulima. Isipofanya hivyo ilipie hasara ambayo mkulima atapata.

Nikirudi kwa tabia zetu kama waafrika, ningependekeza kuwa wanaumme na wanawake wenye tabia ya kufanya mapenzi na wake au waume wa wenyewe, wafungwe jela miaka tano. Kwa ajili tumeshuhudia hii tabia ikiendelea kabisa katika jamii zetu. Unapata kabisa mwanamke ana bwana yake na amemchukua tena mume wa mwenyewe na wanaendelea na mapenzi tu. Labda yeye ni mtu mwenye mali, Labda ni mwenye madaraka, labda ni DO, DC na anatembea na mke wa mfanyi biashara fulani, na hiyo tabia inaendelea hivyo hivyo. Na mimi naona katika katiba

yetu, hatushughulikii jambo hilo kabisa. Hii itazuia watu kucheza na wake au waume wa wenyewe, haswa matajiri. Na hii pia itapunguza uenezaji wa ukimwi na pia tumeshuhudia talaka nyingi ambazo ni divorce, zinaendelea kwa watu wengi kwa vile nikikupata wewe na changu, mimi ni kuachana na mke wangu.

Nikiwa katika sehemu hiyo hiyo, kijana wa shule anayepatikana akifanya mapenzi na msichana wa shule afungwe jela miaka mitano. Vile vile kijana wa shule, kwani kuna tabia ya baadhi ya kina mama wanaojulikana kama sugar mummies na huwachukua vijana hao kama wapenzi wao, wao pia wapate kifungo kama hicho hicho. Nikiendelea katika sehemu hiyo hiyo, kuna hao wamama, ni ma-sugar mummies tu, unapata mama wa miaka 45, amemchukua kijana wa mtu wa miaka 22 hadi 30 kama mume wake. Jambo hili litiwe katika Katiba yetu, wamama kama hao pia walipishwe mahari kwa wazazi wa kijana huyo.

Na mahari hiyo isipungue dhamana ya shilingi elfu hamsini kwani wamama kama hao;

- ⊞ Jambo la kwanza huenda huyu mama labda bwana yake alikufa kwa ugonjwa wa ukimwi. Tayari atakuwa amemumbukiza yule kijana.
- ⊞ Pili atakuwa amempotezea kijana huyo kizazi kwa vile mama wa miaka 45 huenda hata huyu kijana hatapata mtoto hata mmoja kwake.
- ⊞ Tatu, anawapotezea hata wazazi wake matumaini. Huenda wamemsomesha wakitarajia ya kwamba atakuwa kijana mzuri, atawalinda, atawazalia watoto.
- ⊞ Pia kijana kama huyo tena hataheshimika tena na vijana wenzake.

Pale pale nikakuwa na wazo tena, kuna haya majumba yanayojulikana kama Madaguro, Lodges. Wanaopatikana wakikodishia wasichana na vijana wa shule, vyumba vya kulala walipishwe faini isiyopungua elfu mia moja. Na pia hii ifanyike kwa mabibi wa wenyewe kwani katika vyumba hivyo ndiko kuna-tendeka vitendo vya usherati, mchana na usiku. Na hii hueneza ukimwi na usherati na wanawake wa watu.

Nikimalizia, kuna kiungo kinachojulikana ati land board. Mimi ningependekeza kiungo hicho

kivunjiliwe mbali kabisa kwani kiungo hicho unapata kinapitisha mambo ya mashamba hata bila kujua kuna mzozo katika shamba hilo au la na baadaye hutokea tena mashtaka.

Jambo la mwanamke kurithi shamba la bwana yake, mimi kabisa nalipinga. Kwanza kabisa shamba kama ni la ukoo, mwanamke hana ruhusa ya kushughulikia jambo kama hilo. Tumeshuhudia visa vingi vyenye mwanamke akiwa na urithi wa shamba, hata baadaye analiua na anaishia na watoto wake. Huenda watoto ni wadogo halafu baadaye wakisha kuwa wakubwa unapata mama kama huyo tena anafukuza wale watoto warudi kwao na hali alikuwa ameuza shamba lote. Kwa hivyo mimi nalipinga kabisa jambo hilo la kusema wanawake wakuwe warithi wa mashamba. Kama ni mali nyingine wanaweza kufanya hivyo, lakini kama ni shamba, mimi hilo nalipinga kabisa. Kwa siku ya leo yangu ni hayo tu.

**Com Nunow:** Bwana Wilfred umesema. Ningependa kukuuliza kuhusu mama mzee kumuoa kijana mdogo. Ulitaja vitu vingi kwamba vinasababisha na moja yapo ni kwamba huyu mama anaweza kuwa mume yake amekufa kwa ukimwi na kwa hiyo anaweza kumuua huyo mtoto pia ambaye anamuoa. Lakini ni sababu hiyo ndio unasema alipe mahari shilingi 50,000 kwa wazazi wa kijana. Je, hiyo inafaa kama kijana anaenda kufa kwa ajili ya ukimwi?

Ya pili, hujazungumzia kuhusu wanaumme wazee miaka sitini, sabini, themanini kumuoa mtoto msichana wa mwaka ishirini na chini. Je, nao watendewe namna gani?

**Mr Oyeke:** Nafikiri kwa jambo hilo, ijapokuwa nilisahau tu kulitaja lakini limekuwa katika wazo langu, wao pia wahukumiwe kifungo. Nafikiri kuna sehemu yenye nilitaja miaka mitano kwa wale wanapatikana wakichezea tuseme kama wasichana wa shule. Hiyo ikuwe tu kwa wazee wale ambao pia wana tabia ya kuwaoa watoto wadogo. Nafikiri ingekuwa jambo la maana pia wapate kifungo kama hicho.

Kwa wale mama ambao nimesema ya kwamba ni wamama wazee hao na husababishia ukimwi kwa vijana kama hao. Jambo la kwanza hata ingawa kijana atakuwa ameambukizwa ukimwi, mimi kwa upande wangu ningenelea pia kungekuwa kama kitulizo moyo kwa wazazi na ikiwe adabu kwa watu wengine kuwa kutenda hivyo sio vizuri. Kwa hivyo yule mzazi anajua mtoto wake anakufa, ni vizuri pia apate kiinua mgongo.



**Com Kangu:** Basi tupate Aserena Olubiya.

**Aserena Olubiya:** *ayalamikiti eong noi kanyun ekatiba kobu anyuni sio de ne.*

**Translator:** She is thank-ful for your coming. Even since this Government came into power, nobody has ever come here.

**Ms Aserena:** *apelemu alomata itunga asoma mamu sio kianyuti itwan ni ebuni akiro siongo de ne.*

**Translator:** Sometimes back they used to brew local beer, invite people to come and work for them. But today this brew has been stopped, therefore we have a lot of hunger.

**Ms Aserena:** *akiyalama angi ne polo adau eong amojongu ajasi ikiriangi idis kachakaki eong atabo anyarauni eong itwani abunore akorikini eong kona kona awolioto akoru ngini kajeno kangunu mama bobo alomu etenge chut*

**Translator:** She wants to have this Teso ceremony to be brought back.

**Ms Aserena:** *adaunosi idwe asokonye akidouni ikoku ne etia akou ne kebili imuchuchu abolemu elemionono emusirio asite amare akima amoti akipirite agumio akoto ipoo atapa ka ikanyimu.*

**Translator:** She is appealing to the new Constitution to have something that can help all the elderly or the aged in the form of finances.

**Ms Aserena:** *aso abala eong ebe alakara eong chut kanyanu ekatiba chut nu enerango nu enerango mamu kipuak ibore ne polo chut awoli ibore ni anyiemi eong adau eong amojong natini serikali kingarakini siong.*

**Translator:** The husband was arrested during the first world war and her ngombe was also taken. Up to today she has not been refunded and the husband has also not come back.

**Ms Aserena:** *akamario okileniangi abita la gei chut la ka kwanza la alemunio shilling salasini agwela emong ketwana kemamumu nesi esirakali akinyama paka lolo mamu eong kadumuit ibore ipede. So kenye egwaiti eong chut serikali koya akiro ngun chut.*

**Translator:** She is appealing to you, that she has all the documents belonging to the lost husband and that she want, some help from you.

**Ms Aserena:** *adaunosi idwe de peu mamu kekonyito ibore kapakec atwana okileni angi itaitai ejasi emamu ibore ni efila eong amana atwana okileni angi seki mamu eong kefilate amana enyuti moi iche agamuni ebe eh! Kokolong mta ebe adukit ne konye eraitri namangi.*

**Translator:** The husband died. The children have not got anything from the husband. The grandchildren have not got anything from the husband. She has no money to give to the children. She has no money to pay for the inheritance, please help her.

**Ms Aserena:** *alomut eong komoru kamaka ikilengi apegei edivision apegei atutubet aterait. So amonyiti eong noti kongarakisi eong kibore kokileni angi chut awoli ibore anyiemi eong sasa anyu eong adaun aso kona itunga akimanya apese idouni apese kakanya ka kanyi kape ikopaari apese mamu ijo kiyanyuni akiteng aso iyo totokeng kimanyite akituk atomon kare.*

**Translator:** In the new Constitution, she is appealing that a law be put in place concerning something to be said about marriages. Today, a girl gets married and stays for over 10, 20 years without the parents being given anything. So she is appealing that immediately the girl marries, something should be given to the parents of the girl.

**Ms Aserena:** *aso kaneni ketwana okileni kon ideuni ijo ebalai lemamu kemanyit apese koyau edia. Aso kemoso apesur akanyi ebe je koyau akiria keyauni iboro ngulu adauni emanyit mamu bobo.*

**Translator:** That those who marry from your family only contribute during the time of death. When somebody dies, that is the time the husband brings a blanket, food and other things. After that, the marriage is finished.

**Ms Aserena:** *nu etupuiti eong mamu kejasi ejasi nu epiakit eong ne.*

**Translator:** She has also put her memorandum in written.

**Ms Aserena:** *aso konye eong amonyi chut abala eong akoto bere eong akirari nuka ekiliokit kiton amana na abokinyilakina eong ainakini mamu kabala kaya bere eong kipyaki nama ka*

*serikali ngina kalosi konye eong abekununi.*

**Translator:** Her main concern is about the shamba.

**Ms Aserena:** *eututiu kec ngun.*

**Translator:** I think that is all.

**Com Kangu:** Asante mama. Basi tupate Stephen Egesa.

**Stephen Egesa:** Mwenye kiti wa Tume ya marekebisho ya Katiba, bwana DO na wenzake, Hamjambo? Kwa majina naitwa Stephen Egesa. Niko na mawili ya kuzungumzia juu ya vijana. Kwanza nitazungumzia vijana wengi sana ambao wamezaliwa hapa nchini na wamesoma katika shule za msingi na wameshindwa kusoma katika shule ya sekondari. Ningeomba serikali ya Katiba ambayo inaundwa sasa iwasaidie vijana kwa pesa kiasi fulani ili waweze kujiendeleza katika maisha yao ya baadaye. Na tena nazungumza nikisemamtoto anapozaliwa, kama angali mdogo awe na account yake. Na hizo pesa zikikuwa katika account yake, akiwa mkubwa ataweza kujiendeleza katika maisha yake bila wasi wasi wowote.

Na pia ninasema hivi, uchaguzi fulani wa vijana kama vile administration police au Airforce. ukikuja, tunataka uchaguzi wa haki na ukweli. Kwa sababu ukienda katika uchaguzi, huko wanakwambia wanataka shilingi elfu thelathini na wewe umetoka katika jamaa masikuni, hauna hata hela ya kulipa huko. Sasa tungependa Katiba ambayo inaundwa ingekubalia kila kijana bora awe na documents za shule, aweze kuandikwa kazi bila kutoa hongo.

Tukirudi katika uchaguzi wa urais, tungependa hivi, Rais anapostaafu astaafu lakini asiseme ati mimi nastaaifu na ni na wachia huyu kiti. Tungependa sisi wenyewe tukae chini na tuseme na tuchague mtu ambaye tunapenda. Hatutaki kundanganywa ati tumewachia huyu kiti na mbeleni tunapata taabu.

Zamani hapo vijana walikuwa na ushirikiano. Ushirikiano huo, unapata kijana pengine anataka kujenga nyumba na hana pesa. Anaita marafiki wake, wamsaidie kuboma hiyo nyumba, Wakimaliza kuboma hiyo nyumba, usiku wataenda nyumbani waoge na huyo kijana atawandalia chakula jioni. Na pia watakuwa na muziki wao wa kusikiliza polepole. Lakini siku

hizi ukifanya hivyo, dakika moja mnajazwa ndani ya landrover, mnaletwa hapo mnapigwa ati mnaifanya nini. Na hio ilikuwa njia moja ya kusaidia vijana katika maisha yao.

**Com Nunow:** Endelea.

**Mr Egesa:** Nikirudia tena upande wa Chief, tunaanzia kwa liguru, Chief na assistant Chief wake. Serikali ingetukubalia raia sisi wenyewe tuchague wale liguru, Chief na Assistant Chief wake, wale ambao tungependa kuwachagua. Lakini sio serikali yenyewe ndio inatuchagulia. Kwa sababu unapata mtu anapeleka huko pesa, sisi hatumpendi na anachaguliwa. Baadaye anarudi huku nyumbani kama hamsikilizani na yeye anakuja kuwanyanyasa huku nyumbani bila makosa yoyote, unapata anakupeleka ndani. Kila kitu kikitokea anataka kukupeleka ndani na siyo wewe ndio umetenda. Hiyo, Katiba ya sasa ingeangalia watu kama hao sisi wenyewe tuchague watu ambao tunapenda. Yangu ni hayo tu.

**Com Kangu:** Thank you. Sylvester Okiru?

**Sylvester Okiru:** Chairman, Commissioners, her lordship the mayor, DO, Chairman, Malaba town council, chairman Teso County Council, kwa jina naitwa Silvester Okiru. Mimi sitaongea mengi mimi nitataja tu yale ambayo pengine hayajatajwa kwa siku ya leo. kwanza nikianza na defence and security. Recruitment. Ningependelea recruitments upande wa jeshi irudi pale ambao ilikuwa wakati His Excellency the President Moi alipochukua uchukani. Hii ilikuwa kwamba watu walikuwa wanachaguliwa kwa ethnic groups. For example kama ni Teso wanasema wanataka Teso kumi, wanakuja wanachukua Wateso kumi. Ikiwa hawawezi kupata that number ya Wateso kumi, wakichukua sita the short fall inapelekwa kwa recruitment ingine wakati itakuja.

Pili, appointments of senior officers, rank ya Major General, to Chief of Staff iwe suggested na Defense Council, halafu approved by Parliament. Ya tatu ni upande wa pesa. Ningependelea kwamba picha ya President katika pesa. Iondolewe. Kwa sababu nimeona kwa uongozo wa Africa, President wa leo ikiwa picha yake imewekwa kwa pesa, akiondoka, mwingine akiingia, yeye pia anaondoa hiyo halafu anaweka yake. So kubadilisha mapicha kwa pesa mimi ninaona kama ni costly kwa nchi.

Upande wa mahospital vehicles and equipments, tumeonelea ya kwamba kila hospitali hata ukienda saa hizi utakuta kwamba magari yamejaa yale ambayo, yamekuwa kama yametupwa, hayawezi kutengenezeka hapa tena. For example kama hapa Alupe, kuna magari ambayo yaliharibika zamani, over ten years ago. Zimefanyiwa inspection, ili ziuzwe disposal instructions haijakuja au authority ya kuuza haijakuja. Wanarudi tena wanafanya inspection ya same vehicle na hakuna kitu ambacho kinatendeka. Na unakuta hospitali haina gari. Pia nauliza hayo magari yakiuzwa, mimi najua procedure au requirement ni kwamba, haya magari yakiuzwa, pesa zile ambazo zinapatikana zinarudi kwa Treasury. Lakini ningependelea kwamba hayo magari yakiuzwa hizo pesa zibaki kwa hospitali hiyo hiyo na iwekwa kwa votes ya hiyo magari, ya kurekebisha yale mengine.

Upande wa wagonjwa, kuna wananchi wengi ambao hawajiwezi kabisa kifedha ku-meet hospital expenses. Unakuta mtu ambaye ni masikuni kabisa anataka major operation lakini hawezi kujimudu, atabaki hapa aki-treat-iwa na madawa ya kienyeji mpaka anakufa. Kwa sababu anaona akienda hospitalini hawezi kabisa kutoa pesa zozote. So naonelea serikali kama inaweza ku-meet expenses au costs za operations hizo kwa wale watu masikuni

Kwa upande wa Judiciary, hasa inatokea sana upande wa korti na insurance. For example kama mimi nimefanya accident na nimepelekwa kortini, nimesimamiwa na insurance yangu, case imefanywa kwa korti na yule ambaye ana-claim damages na insurance wanakubali kwamba Insurance imulipe huyo mtu. Kwa nini tena, Korti baadaye inarudi na auctioneers kuja kuchukua vitu vyako? Already walikuwa wamekubaliana na insurance kwamba insurance italipa. Kwa nini court haiwezi fuatilia au huyu jamaa afuatilie insurance?

Upande wa agriculture, zamani tulikuwa na mtu wa agriculture. Hata ukiwa wapi, utamjua kwamba huyu ni mtu wa agriculture kwa sababu alikuwa na uniform. Na alikuwa anatembea kwa kila mji. Na siku hizi hawa hakuna. Ningependelea mtu wa agriculture arudishwe na apewe pikipiki.

Upande wa siasa, kweli hii nchi inataka mtu ambaye, amekomaa kwa kisiasa ili aweze kuendesha hii nchi. Kwa hivyo kiti cha President si kiti cha kuchezewa, ni kiti ambacho ni moto. Kwa sababu kitu kidogo kikiharibika, nchi yote imeharibika. Kwa hivyo tunataka mtu ambaye amekomaa kuwa kwa kiti cha President, kijana. Yangu ni hayo tu.

**Com Kangu:** Yule amekomaa ni mtu wa aina gani?

**Mr Kiiru:** Ni yule ambaye amekaa kwa siasa kwa miaka mingi.

**Com Kangu:** Asante Mzee. Tupate Christopher Ataro.

**Christopher Ataro:** Asante mwenye kiti. Mimi sina mengi ya kusema, mengi yamesemwa.

**Com Kangu:** Sema majina.

**Mr Ataro:** Christopher Ataro. Mimi ningeanza kusema kuhusu accidents. Accidents zinasababishwa na traffic police ambao hawaangalii magari. Kazi yao ni kuchukua kitu kidogo. So the main cause of accidents ni kitu kidogo. Katika katiba mpya, tungeonelea tutafute njia ingine ya kutoa maneno ya traffic police kwa njia. Iwe tu from the parking, mahali gari inaondokea gari iwe parked. Kama ni ya kwenda Kakamega ni ya Kakamega. Kama ni ya kwenda Kisumu, ni Kisumu.

Ya pili ni kuhusu habari ya mashamba. Tuko na wale watu wanaokuja kununua mashamba kwetu na huyo mtu baada ya mwaka moja au mbili, anasema anataka uongozi kwa hiyo area. Anatakikana apewe zaidi ya miaka kumi au ishirini ajulikane ni mtu wa area ndio aweze kuuliza uongozi.

Ya tatu, Uchaguzi wa President. Vile imesemwa hapa, President achaguliwe wa siku yake pekee, Councilors siku yao pekee, na wabunge siku tofauti. Ya nne, upande wa afya, sisi kwa ukweli hatuna hospitali ya serikali. Vile inatangazwa kila wakati kuna hospitali ya serikali, hatuna. Tuna hospitali ya kulipa. Ukienda hospitali unaambiwa leta shilingi kumi ya shindano, lete shilingi tano ya nini, hiyo yote ni kulipa. That's what we call purchasing. Hakuna kitu cha

serikali ni cha bure hata hospitali. Sababu kama hospitali ya serikali itakuwa ni hospitali ya serikali, masikuni atapata msaada, afaidike hapo.

Nikiongeza habari ya kitamaduni, tunaimbiwa kila wakati tukubali utamaduni. Tuko na utamaduni ambao tunanyanyaswa hapa kila mara. Hii maneno ya kutengeneza pombe kidogo hii ya mrijo, ukipatikana, uko ndani hujui ulikuwa unafanyia kimila gani na hiyo ni kitamaduni unafanya. Ukipatikana ndani Adongosi, Busia, kutoka ni faini. Sasa hiyo ni kitamaduni gani wanatuambia kila wakati? Hiyo si kitamaduni!

Tukirudi upande wa education, tungependelea wale watu wanaitwa AEOs, hasa ni education officers, wafuatilie masomo ya watoto wetu wa siku hizi. Tunapata waalimu wanafundisha kwa mashule, kwa ile inaitwa Government schools. Kuna watoto wao wanapelekwa kwa mashule zingine wanaziita academy schools. Tunasema shule za Government primary schools zimezorota kabisa, hakuna masomo. Tunapata watoto wao wanasoma huko vizuri. Inatakikana walimu pia wachunguzwe, na tuwe na free education.

**Com Nunow:** Umemaliza?

**Mr Ataro:** Nimemaliza.

**Com Kangu:** Ronald Odhiambo?

**Ronald Odhiambo:** Kwa majina naitwa Ronald Odhiambo. Pendekezo yangu, nafikiria mengi yamesemwa. Nitapitia yale pengine ambayo hayajasemwa. Kwanza mimi ningependa kuongea upande wa Bunge. Ningependa kupendekeza ya kwamba Bunge, lafaa kufunguliwa kutoka Monday mpaka Friday, ili tuweze kujua yale yanaendelea bungeni. Kwa sababu hawa wabunge sasa ndio ambao tumewachagua kwenda bungeni. Na pia ningependa kupendekeza ya kwamba yale ambayo yanasemwa bungeni yawe yanatukunja direct kutoka kwa bunge. sio kunaswa na kutukujia katika radio. Yatokee direct.

Pili, ningependa kuongea kuhusu elimu. Elimu katika nchi yetu ya Kenya, inakujia watoto wadogo peke yao kwa wakati huu. Ningependekeza ikuje kwa vijiji, pia tuwe na waalimu wale

ambao wanaweza kufundisha wazee siku hizi. Kwa sababu wengine wao hawana elimu. Na pia ninasema hivo kwa sababu wakati huu tunasikia ya kwamba kumetokea kitu kinaitwa equality. Sasa equality utakuta kwamba wale ambao walipigania equality ni wale wamama ambao wamesoma sana. Na mama wetu wa vijiji hawana elimu hata kidogo, hawajui kitu kinaitwa equality ni nini.

Pia ningetaka kuongea kuhusu biashara. Upande wa biashara, pengine kama kijana ametoka shule anaanzisha biashara yake ya shilingi elfu tano. Lakini utakuta kwamba anaulizwa kutoa pesa ya license pengine ya shilingi elfu mbili na kitu na hii biashara yake ni ya pesa kidogo. So inatakikana biashara hii iwe ni ya bure kwa hawa wafanya biashara wadogo wadogo.

Pia ningependa kuongea kuhusu farming. Hapo kitambo serikali ilikuwa inajenga dips na kupeana madawa bure. Lakini saa hizi imekuwa ni ghali. Serikali ambayo inakuja, ningependekeza iweze kujenga dips, kupeana madawa, ili ng'ombe warudi kama hapo awali.

Pia ningetaka kuongea kuhusu bursary. Bursary katika nchi yetu ya leo inatolewa na wananchi. Mimi ningependekeza bursary itolewe na serikali kwa sababu tukirudi katika vijiji vyetu utakuta kwamba katika kijiji pengine wazee karibu wote wametoa pesa hii ya bursary, lakini utakuta hakuna hata mtoto moja ataweza kufaulu kupata hii bursary. Pengine hakuna yeyote mwenye amepita kufaulu hii bursary. Na bursary yenyewe inasemekana ni yule mtoto mwenye amepita peke yake ndiye anapata hii bursary. Sasa ingefaa serikali itoe hii bursary kama vile watoto wa university wanafanyiwa.

Lingine ningependa kuongea kuhusu idara ya polisi. Mimi kwa pendekezo langu ningefikiria ni vizuri kama serikali ingeweza kubuni kikosi ambacho kinaweza kushtaki mtu akiwa ameshikwa kuliko polisi kushtaki mtu. Kwa sababu polisi anaweza kukushika, pengine hauna hatia kamili ama hujashikwa na chochote lakini utaona kesho mtu amepelekwa kortini ameshitakiwa kwa hiki na hiki na atapatiwa faini.

Pia ningependelea wananchi wawe wakichagua sub Chief wenyewe kuliko serikali kuchagua huyu mtu. Kwa sababu ni sisi wananchi ndio tunajua huyu mtu ni mzuri au ni mmbaya mwenye anaweza kutuwakilisha vizuri. Pia kwa upande wa title deeds, mimi ninapendekeza



hizo title deeds ziwe zikipeanwa free. Ni hayo tu.

**Com Kangu:** Thank you andikisha huko. Emoto Ebuji.

**Emoto Ebuji:** Mimi ni Emoto Ebuji, hapo kale nilikuwa Mbunge wa area hii wakati ilikuwa bado inajulikana kama Busia North. Kabla sijakuwa Mbunge nilikuwa nikifanya kazi katika serikali kama community development officer miaka kumi za kwanza za uhuru wetu. Bwana mwenyekiti, mimi nina maoni machache. First of all, I would like to talk about Government. In connection with Government, I am suggesting that we should have 2 spheres of Government. The central or national sphere of Government, which consists of Parliament and the President; and second sphere of Government which consist of local authorities.

With local authorities, I would like to suggest that we should have district councils and municipalities. These municipalities should be classified and the classification should be based on the revenue that certain municipalities are able to collect, the turn over. The area and state of development of these municipalities; I am suggesting here that town councils should also be called municipalities of a certain level. That is why I am just talking about 2 kinds of Governments only.

The district councils and the municipalities. That municipality will cover town councils. On the establishment of municipalities, at present, the Local Authority Act says that municipalities, County Councils and town councils may not extend beyond the boundary of a province. I am suggesting that we should come down also and say the municipality should not extend beyond the boundary of a district. I am saying this one Mr chairman because we have a case in point. The municipality of Busia extends beyond Teso district boundary. And because of this fact, certain people have started thinking that because the municipality lies astride Busia and Teso district boundary, that this municipality should belong to Busia district. This is one of those things that have caused a lot of misunderstanding because some of the people our neighbours to the south, have been thinking that their district extends up to the bridge. By the way, the bridge you have crossed on the way from Malaba is the end of municipality on this side, and the municipality extension has an area of about 4km squared; 23 of them are in Teso. I would like that to be stopped. The municipality should not go beyond a district boundary.

Having said that Mr chairman, I would like also to talk about the powers of the Electoral Commission. Yesterday while we were in Malaba, our MPs told you the kind of problems we have had with our boundaries. Some of these problems has been created by powers that have been given by Parliament to electoral Commission. I would like to suggest that the power to change the boundary, on the basis of ethnicity or whatever, should not be vested in the Boundary Review Commission. And of course the Electoral Commission has also used that one in the past. So to change a district boundary should be an act of Parliament as stated yesterday, they should be supported by at least 75% majority plus what we call referendum.

I would like to talk about the Bill of rights. Mr Chairman, I would like to suggest that our Constitution should have a section that details all the Bills of rights that our people are entitled to. The current Constitution merely gives a sketchy outline of what we can enjoy. But I would like a whole section talking of our rights, economic rights, social rights, political rights and all those things in details. And also, there should be a section indicating what rights are inalienable rights that cannot be taken away as a result of declaration of emergency for example. Because when we know that when a state of emergency is declared certain powers tend to take away the right of people without regard to anything. I would like some of these rights to be specified that human beings or citizens of this country cannot just loose under any situation.

Rights like equality, rights like human dignity, rights to life. rights to security and so fourth, these should be specified so that nobody can just trample them under the foot because of the declaration of a state of emergency.

Mr Chairman, I would like to move to citizenship. While we were in Malaba yesterday, a number of things were discussed about citizenship. I would like to add here that there is an issue in the publication you gave us asikung about the children born of Kenyan women but with foreign fathers. Mr chairman, some peoplee may think that it is unfair for us, to say that we cannot accept a situation, where foreign men get children with our own Kenyan women and then we would like them to be made Kenyan citizens.

Our culture, infact the practice with most communities is that we are patrimonial, which means

that children take the citizenship of the father. If we allow for the sake of what we call gender equality that our girls can also just bring children from Israel and from Libya and expect to get automatic citizenship, I think we shall be selling this country. So I am saying that we cannot allow that situation, it is only our men who marry from outside that can decide the Kenyan citizenship for their children.

Mr chairman, there is also another kind of citizenship that was mentioned yesterday. Citizenship by registration. I am saying that apart from those people who became citizens during the eve of independence whom we named yesterday, Wazungu our people who were here before the mzungu came, there are also people who have become citizens, since then. Now if there are others who would like to become citizens I think we can welcome them if they are physically fit, if they are economically stable, if they are not criminals, if they possess special skills needed in the building of Kenya, and if they are prepared to renounce their own foreign citizenship.

Mr chairman I don't support the state of dual citizenship. Mr chairman, dual citizenship is a condition where somebody would like to be an Israel and a Kenyan also. I suspect that kind of citizenship Mr chairman because I believe that people who seek that status for themselves are opportunists who want to enjoy the best of both worlds. Such people are unlikely to be patriotic when the situation calls for patriotism, somebody can fly away. When they decide and discover that there is a small problem in Kenya they can fly away, they cannot fight with us. So I would like to discourage that kind of citizenship.

Now, how do we lose citizenship? I am saying that for people who are automatic citizens, that we have already stated, they cannot lose their citizenships under any circumstances because that is God's given. But those who become citizens by registration may lose that citizenship by voluntary renunciation or in the case where fraud was used to obtain our Kenyan identity card and eventually, citizenship. I am saying this Mr chairman, because you have read in the newspapers of some people coming in the neighbouring country and disappearing midway between our airports. We understand that some of these places have been busy ferrying in people who would like to become citizens. And then our own people go and ferry these people from wherever they have been dropped in the middle of the ocean somewhere and give them our

IDs. This is a very very wrong way of allowing people to become citizens.

Mr chairman on the issue of preamble, we have all agreed, at least we have a proposal that we should have a preamble to our Constitution. But this preamble should highlight things like we fought for our independence to stop injustice, we wanted to be masters of our own destiny so that every one of us will enjoy fruits of this country. In that preamble, we should state that we honour all those people who shed their blood to enable us get this country where it is, to enable us to enjoy our independence.

We are not honouring those people who are grabbers by implication. That's why I say that we should state that so that any one who works hard looks forward to an honour from our people. Then we should also, in that preamble, state that we respect those who work hard, that we believe that this country belongs to all of us, despite our diversity.

And on the principle of directive state policy, Mr chairman, I would like the state to be guided, that there should be an endeavour to uphold the supremacy of the Constitution and rule of law, that the Government will distribute national resources equitably that the Government is going to endeavour to unite all our diverse people. I think those will be the principles guiding whatever Government that we look forward to forming.

Mr chairman on defense and national security, I would like to suggest that we should also have these bodies established in the Constitution and not an Act of Parliament. An Act of Parliament can be amended as you are all aware that currently, 30 MPs sitting in Parliament constitute quorum.. And if that happens and 30 people decide to change, to fool around with the Constitution it is not right, I am suggesting that the defense forces should be established by law. and there should be guiding principles why we are establishing a defence force, not to come and terrorize our people but to defend our people so that all of us enjoy in this country.

Mr Chairman, I would like to say something about the power to declare war. In my views Mr Chairman, the President may declare war but Parliament must be informed of it as soon as possible there after. And the reason for declaring the war should be stated so that Parliament knows. For example the nature of the situation warranting reaction that the President has taken,

the place where the defense forces are being employed, the number of such people or personnel and duration the employment of the force is likely to take. because in most cases deployment implies the use of money. The President should not just take it upon himself that he can send the disciplined forces anywhere because it has got financial implications which must be sanctioned by Parliament if the decision is proper. I am also suggesting that a part from that power to declare, the ordinary people should be allowed to challenge some of these declarations through the court so that a competent court can decide whether the declaration was justified or not justified.

Mr chairman on emergency powers, I am saying that emergency powers may be invoked by the President when the country is threatened by generally insurrection, disorder, natural disaster or other public emergency. Such an emergency is aimed at restoring peace and order. A declaration of emergency should be effective within a specified period only which should be determined by Parliament. You cannot continue holding or declaring or keeping this place under emergency indefinitely, there should be period that Parliament decides.

Mr chairman, yesterday when we were in Malaba we talked about political parties. I would like to suggest that we should limit the number to 3 and not more than that. Because right now we have got mushrooming political parties which are threatening to tear asunder our nation. Mr chairman finally, I would like to state that there are certain bodies or institutional offices that I think are necessary to support Constitutional democracy. One of them is the office of the public protector, ombudsman.

Then there is the Commission for promotion and protection of rights of cultural and linguistics in communities; then the human rights Commission; Teachers Service Commission; Commission on gender equality, Controller and auditor general, Electoral Commission and so fourth.

Now, on controller and auditor general, I would like to suggest that there should be a limited period, a tenure of 7 years. It is only fair that we should have such limit. We would not like to have somebody there. you know the controller and auditor general for a non limited period. And that should also be the case with even the public protector and also Executives of these

institutional offices that I have enumerated.

And on the appointments I would like to suggest that Parliament should have a say. They should not end up as the means of, you know, thanking those people who have voted in the President or something as seems to be the case at the moment. Mr chairman, I think that is all I had to talk about this morning. Thank you very much.

**Com Kangu:** Thank you Muheshimiwa for the issues you have raised. You said that our society is patrimonial may be people need to know that in places like Malawi there are communities that are matrimonial. And men there they don't think about land. When you go there to talk about problems of land, they say that is a women's problem because they don't own land. So they don't appear in those meetings. So, people may have to think about what Mheshimiwa has said. Do we want to turn our society upside down or what want issues do we want to think about?

Now I have some questions. One, on citizenship you say that registered citizens can lose their citizenship by renunciation. I am a little worried that this might be a way of allowing people to come in to rape our resources and after they have ferried everything out, they support to renounce the citizenship. Do we allow such people to take away what they have drawn away from our resources when they renounce their citizenship? How do we protect our resources.?

Then two, you were there much earlier than us. The independent Constitution had district boundaries, entrenched in the Constitution. And these boundaries were removed by one of the many amendments that we have had to the Constitution. Would you like to venture into the political reasons behind the removal of these boundaries?

Some people have told us that these boundaries together with the regional assemblies were removed from the Constitution for political reasons and there are those who have argued that under the independent Constitution, land was under the control of the regional assemblies. But because the independent Government wanted to access land in the Rift Valley, they had to remove it from the control of the regional assemblies and put it under the control of the central Government so that then those controlling the center can be able to ditch out land left, right and

center.

**Mr Amoto:** Thank you Mr chairman. I think first with the citizenship, we do believe that when somebody applies or decides that Kenya is home permanently and applies to us, we have no idea what he has in mind, we believe that he/she is genuine. So if that is the case then for somebody who decides that Kenya is not a good country, I think he should be free to leave. That is why I put renouciation, not to protect those people who have been running away like Jalli Muhammed who run away with a lot of money from this country. He was an assistant Minister here. That is not the kind of thing I have in mind. I feel that a person has the choice to remain a Kenyan or to go away. We cannot hold onto him and say now that you have become a Kenyan, you must remain here.

**Com Kangu:** When they are leaving, we allow them to leave. But can we have some control on what they can leave with. Because that is related to the question of patriotism that you are talking about. And I know as a fact that now elections are about to come, there are people in this country who are already taking their families to Cananda and wherever because they think there will be violence and those who cannot afford, some of them have formed associations. They normally go and hire a ship in Mombasa and put all their families there. to watch if the elections are peaceful they come back. If they are not peaceful they sail away. Do we allow this kind of nonsense?

**Mr Amoto:** No. That is why I said no to dual citizenship Most of these people have dual citizenship. Yah, they come here, some of them are peddlers of noncotic drugs and what a have you. That is the kind of thing I am talking about.

Mr chairman, coming to this issue of district boundaries, fortunately I was not a participant when those amendments were carried out between 1963 and 1966, that is when most of these things were removed. You know, somebody wanted to become very powerful. But I would like to see these district boundaries entrenched in the Constitution. Thank you.

**Com Kangu:** Thank you very much Mheshimiwa. Can we have Patrick Barasa?

**Patrick Barasa:** Asante sana Bwana mwenyekiti, Commissioners present, Mayor, Chairman County Council Teso and all the dignitaries present. My names are Patrick Barasa, a retired educationist. I would like to say something about education policies like the most recent one which concerns discipline of students and pupils. It embarrasses me when I hear an announcement over the radio where somebody gives directives concerning the banning of caning children, particularly in the presence of my own children. And sometimes they make such announcements when you are on the table with the children and then the children celebrate about such a kind of announcement. To me I think the main cause why the standards of education, particularly academics are falling comes as a result of such kind of irresponsible announcements which are made publicly over the radio. Instead of giving such kind of information through a circular which is written and then passed through the relevant authorities. If it is a circular concerning caning, if it has been passed by Parliament, it should pass through the permanent secretary, then goes through the relevant officers and then it reaches the parents. But not given to politicians who tend to politicize and make such announcements in public forums. That is why some of our children today have taken that as a privilege which can mess up with their own learning.

Therefore, I feel that the discipline of children should be reversed and then may be perhaps given to the headmaster or headteacher or a principal who will actually know how to go about such kind of a situation. Instead of being politicized and once it has been politicized then it defeats the purpose.

Two, qualification of the head of state, the President. I would suggest that the presidency is open for any Kenyan to qualify whether she is a lady or a young man of about 35 years and above. And so long as she or he has basic education. That qualifies one to be a head of state. Then such a fellow qualifies and should be given time to go round the whole country expressing his own views; what he feels qualifies him to be the head of state. And let him visit all parts of the country and that one will give an opportunity even to these small tribes.

We can get somebody from a small tribe like a Teso, so long as he has the qualifications, so long as he can satisfy Kenyans that he is capable of being a head of state. Why not give him the



chance. Instead of saying as somebody mentioned here that we should rotate. When you the bring rotational way, that one is going to promote tribalism. And when we talk of tribalism in this country, it is the politicians who have promoted tribalism. During my days when I was in school, infact tribalism never existed in this country. I schooled in a place where I was the only Teso and I was very happy, cheerful and I had my education very very comfortably.

Even during our days when they were advertising these posts of education officers in 60's early 70's, it was open for any Kenyan who had relevant qualifications. It was advertised through the public media and so long as you had the qualifications, you qualified. But so long as you state that somebody should come from Western, somebody should come from Nyanza, actually you are promoting tribalism. And once you bring tribalism, once I am given that position of head of state mine is to ensure that I make appointments purely on tribal basis where I am going to appoint my own people who are very close to me and eventually they mess up the country.

Therefore I strongly recommend that, any Kenyan who has minimum qualification of a university degree and is capable, proved by all Kenyans as he will go round expressing his principles that qualify him for that position. Then such a fellow qualifies. And that is the only way we can avoid tribalism on this country.

Let us look at the Public Service Commission. It should be as independent as possible. And if there are any vacant positions in the Public Service Commission, Let them be advertised through the public media. Let the people apply for them, let them go and compete through the Public service Commission interviews and let those who qualify get those positions. And I am sure that one I will do it. But so long as you politicize the Public Service Commission, there is no way you are going to identify competent public servants.

Now, look at the salaries of the civil servants. The salary, I tell you that salary cannot actually meet the demands of such an officer. Say for example a DC or DO, if you are given a salary of Kshs 12,000 or Kshs 14,000 surely can that really serve you well? Can you be able to pay fees for your children given the school fees of secondary schools today? Let us look the salary of a police officer. When you are talking of all the police officers being very corrupt a salary of

5,000/=, 6,000/= surely can you pay school fees secondary school they then resolve to bribery. So let the Public Service Commission be independent and let the Government give attractive salaries. And once they give attractive salaries, corruption will not exist it will be minimized.

Another area I would like to talk about is Parliament. For one to qualify to be an MP, these should be given a minimum qualification of at least university education and above or form six, just like what is happening in Uganda today. Somebody mentioned something concerning an MP. You see when you are an MP, although you are a national figure, there is a time when you are given an opportunity to go overseas and interact with international friends. Now, if your education is not all that relevant at international level, surely how do you interact? How do you attend these international conferences? Therefore, there should be a minimum qualification for one to qualify to be an MP.

For councilors, I think the same, I strongly recommend a minimum qualification of form four and above would be very very adequate. So that the councilor is able to analyse Government circulars that he gets from his ministry he will be able to interpret them and be able to explain to his people.

Sasa nikimaliza nitasema hivi, kama hizi Commissions, the Government has spent a lot of money on these Commissions which are appointed now and then but eventually they don't work. There are quite a number, I am not going to name them. They appoint them just as somebody mentioned but they are not working. They are appointed, this will go round, spend a lot of money, live in very luxurious hotels but at the end of the day no results come out. Thank you very much for listening

**Com Kangu:** So what is your recommendation about that?

**Mr Barasa:** The Commissions, I feel there should be one Commission. Like one my friends Mr Ebu mentioned here, there should be a national one; A Commission which is national, which handles particular issues. If it is an education issue, whatever issue. Therefore that one should be national, not appointing one or two people and thereafter no results. Thank you.

**Com Kangu:** Josphat Ekisa? Phobean Odelo? No that is an observer. Wakuha Mtoro? Mayor, you want to say something or she is gone out? Erneo Ongala? .

**Erneo Ongala:** Mimi maoni yangu ni juu ya kipande. Sababu kipande kinasumbua watu sana.

**Com Kangu:** Majina kwanza.

**Mr Ongala:** Jina langu ni Erneo Ongala. Kipande. Unajua unaweza kuta kwamba mtoto ameo msichana kutoka Uganda kwa mfano, amezaa watoto hapa na watoto vile vile wameanza kusoma. Sasa kupata kipande, kile kabali anakatazwa ile ya vetting ati hapana hii sheria haikubali. Sasa hiyo mimi naona hiyo ibadilishwe, ikubali msichana huyo apate kipande hapa na watoto wake.

Ya pili ni juu ya pombe. Sijui pombe iko na sheria gani Sijui kama polisi hajajulishwa mambo ya sheria ya pombe sababu pombe ndio pombe ile. Hata mimi naweza kukataa, hata mimi sijaonja chang'aa kwa maisha yangu, lakini iko pombe ya kienyeji. Lakini sasa wewe hata kama hutumii pombe, Polisi anakutana na wewe na anakuchukua kortini. Sasa serikali imechukua pombe kama ni ya kufunga watu au ni ya kupata mapato. Hiyo sheria itengenezwe.

Ya tatu, unajua sisi hapa kwa mfano hii district iko na reserve. Industries hizi mimi naona watu wa nje wangekuja au watu wa Kenya kukuja hapa kutengeneza. Wanaweka kama Nairobi, Kisumu, Eldoret na kwingine wapi lakini sasa hapa Teso district hapa, kwa nini hawajaweka industry ambayo inaweza saidia watoto hapa? Kwa sababu ukifika huko unakuta kama manager ni Mkikuyu au Mjalu, watu wote hata mwenye kutengeneza chai hata kufagia choo itakuwa kabila moja hilo. Lakini hapa watoto wanakaa tu na inatakiwa serikali ifanye mpango kuchunguza. General manager achukue report kwa Parliament ya kusema Staff yake iko na watu kabila ngapi hapo. Achunguze hapa ni kabila gani, huyu na huyu ndio iweze kumaliza hiyo ukabila vile vile. Sasa mimi maoni yangu ndio hiyo tu.

**Com Kangu:** Mayor, basi tukusikize wewe.

**Lorna Selina Lutta:** Ma-Commissioners wetu, kwa majina naitwa Lorna Selina Lutta. Tayari nilikuwa nimepeana maoni yangu lakini nimepatwa na mambo mawili ambayo nimetaka kuzungumzia. Na hayo mambo yanahusu vijana na nyingine inahusu security. Nikianza na security, wakati mtu anakuwa na cheo fulani kwa mfano kama sisi wenye tumeingia kwa siasa, watu kama ma-MPs utapata ya kwamba serikali inawapatia body guards, wale watu wa kulida maisha yao. Lakini unapata watu wa chini kama councilors, Mayors and chairmen, hatuna security yoyote kwa maisha yetu. Na hiyo security ina-extend hata wakati wa campaign. Ukiangalia sana campaign tuko na violence mingi. Tungeomba katika Katiba hii tukuwe na jinsi ya kuwa na security wakati wa campaign.

Vijana, nitaomba kwa Katiba ya kwamba ikiwa amehitimu umri wa miaka thelathini, thelathini na tano, aruhusiwe kugombea kiti chochote. Kwa sababu hapo atakuwa amesoma amemaliza form four na ana akili ya kutosha kuhudumia mwananchi yoyote.

Tukija kwa councils zetu, tungeomba katika Katiba unapata wakati mwingine hata President anaweza kutoa amri ya kwamba hiyo baraza ya MPs ivunjwe. Tungependa ya kwamba tukuwe na jinsi baraza linajimudu lenyewe na isikuwe dissolved at any orders from the President or the MP. I think that is all I had for the day.

**Com Kangu:** Tupate Wycliffe Omari. Erneo Barasa Omeli.

**Erneo Barasa Omeli:** Mwenyekiti. Commissioners,DO wetu ambaye yuko hapa na waheshimiwa councilors na watumishi wa serikali ambao wako na wananchi wenzangu wote. Mimi kwa jina naitwa Erneo Barasa Omeli. Mimi nina mapendekezo yangu ambayo ningepeana mbele yenu Commissioners kwa sababu ninyi ndio mnaandika yale ambayo tunatarajia yatulinde mwako ujao. Nitazungumzia juu ya ma-assistant Chief. Waliandikwa na serikali ambayo iko saa hii na nafikiri hakuna kura, dakika hii, wako kwa kazi. Mimi napendekeza wapate transfer. Wao pia wapate transfer kama watumishi wa serikali wowote pamoja na ma-Chief. Nasema hivyo kwa sababu mimi sasa ni mtu mzima na nimeona jinsi wamekaa na wananchi tangu zamani. Ikiwa wanaonea mahali fulani, anawaonea mpaka siku ile yeye ata-retire na hapo watu wanaumia.

Ya pili, katika Kenya yetu, Ma-district zilibuniwa. Mimi ningependelea District ikibuniwa, mipaka ikiwekwa iwekwe na wazee na wananchi wote kama wamesikilizana. Isiwekwe mipaka na watu wachache, hiyo inaleta ugomvi katika Kenya nzima. Na nikizungumza kama district yetu ya Teso, sisi wakati tulipata uhuru mwaka sitini na tatu tulichorewa area yetu sawasawa. Na hiyo ndiyo nataka iendelee hivyo isiguzwe mpaka wetu kupatana na mambo ya 1963.

La tatu, mimi mwenyewe ni mzee na naenda kwa office za serikali. Nataka serikali ijayo iweke saa za watumishi wa serikali kuingia kwa kazi na kutoka kwa kazi. Kwa sababu saa hii unapata mtumishi wa serikali anaenda kwa kazi saa nne, saa tano. Saa ingine wanawacha koti inalala hapo kwa kiti kesho ukija unafikiri mkubwa ako kwa kiti kumbe ni koti tu. Na tena anaweza kuacha ofisi anaenda kununua vitu, wananchi wanataabika. Kwa hivyo serikali ijayo iweke masaa ya mtumishi wa serikali kufanya kazi.

La nne, mimi si mfanyi biashara mimi ni mkulima na nimesha chunguza. Kuna watu wanaoanza biashara ndogo ndogo na mimi naomba hivi, wale municipal Or ma-County Council au urban council wanapopitisha license, wachunguze kwanza mali ya mtu. Wasiweke tu flat rate, kama 3,000/= na mtu ana mali ambayo haimwezeshi yeye kulipa elfu tatu tena aendelee. Hiyo ichunguzwe kwanza.

La tano, naomba serikali yetu kwa Katiba mpya ambayo mnatengeneza hii, mambo ya rushwa iwekwe maanani katika kila wizara. Kwa sababu hiyo imeumiza wananchi sana. Usipokuwa na rushwa wewe si mtu. Na hiyo kuna watu wengine waliozaliwa kama mimi na hutaki kumpa mtu pesa akufanyie ngumu lakini tutafanya nini sasa? Kwa hivyo hiyo mambo ya rushwa iwekwe maanani na serikali ijayo iangalie hiyo rushwa iishe namna gani katika wizara zote.

**Com Kangu:** Kwa maoni yako tutafanya namna gani?

**Mr Barasa:** Kwa maoni yangu wale watu ambao wanapatikana na rushwa au wakishikwa wafukuzwe kwa kazi kabisa. Wasiwe tena watumishi wa serikali.

**Com Kangu:** Na hii mali waliiba?

**Mr Barasa:** Warudishe. La saba, mimi nimeonelea nchi yetu ya Kenya hii ni ya kilimo. Na nimeona jinsi nilivyokuwa zamani, watumishi wa serikali wa agriculture walikuwa wengi sana na walikuwa wanasaidia watu. Nataka serikali ijayo iwaajiri watumishi wa agriculture wengi waendeleo kusaidia wananchi kwa njia mbali mbali. Kwa sababu siku hizi kuna wafugaji wa ng'ombe, wengine wa kuku, wengine wa nguruwe, wengine wa kilimo wa mahidina kadhalika. Hawa waajiriwe kwa wingi wasaidie wananchi ndio nchi itaweza kusimama imara.

Ya nane, mimi ninapendekeza serikali ijayo itoe elimu ya bure kwa watoto kuanzia darasa la kwanza mpaka darasa ya nane. Na tena isaidiekujenga shule Si kuachia wazazi kwa sababu wananchi wengine hawana hata pesa za kuweza kujenga shule.

La tisa, Kwa maoni yangu kwa Katiba ambayo mnatengeneza, naomba katika serikali ijayo kwamba mtumishi wa serikali yeyote ambaye ameiba au amepora mali ya serikali kwa njia fulani asiruhusiwe kurudi kuhudumia wananchi tena.

La mwisho, naomba serikali ijayo, kwa Katiba hii mtengeneze Parliament iwe na uwezo wa kuajiri watu na kusimamia ugawaji wa vitu katika nchi. Si President peke yake jinsi ilivyo sasa kuwa President ana mamlaka yote. Lakini kwa serikali ijayo isiwe namna hiyo. Ikifanywa hivyo, itakuwa imepoesha watu. Wengine wanaweza kupata industry sehemu fulani jinsi wengine wamezungumza. Lakini kwa mtu mmoja, hawezi. Hayo tu ndio yangu. Asanteni.

**Com Kangu:** Asante Mzee. Enda tu, hatuna maswali. Wycliff Omari?. Basi kama hayuko, Simon Opar Maina.

**Simon Opar Maina:** Mr Chairman, because I have come in late, I would only highlight on those issues that I feel may not have been mentioned. I am Opar Maina Simon, Teacher and deputy Headteacher at St Josephs Chakol Secondary School. One, I would like it entrenched in the Constitution that Parliament should not have power to alter the terms of service of the President. I would like a situation avoided where a head of state manipulates Parliamentarians to extend his term and make him a life President. Those are the things that make people organize coups because if you cannot remove somebody through the vote, then you use the

gun.

Two, under the local authorities, I would like councilors, apart from having the minimum education of O' level, should also be a morally upright person recommended by a church council that he worships regularly. I don't expect a leader to be one of these crooks who have been behaving badly in the community and therefore become non performer It has been mentioned that the people should have the power to withdraw their representatives by 2/3 majority if they feel that he is not performing.

On taxation, I want to emphasis that surely it is unfair for me to earn a salary of 6,000 shillings.,I have paid Pay As You Earn, that is a tax. I go to a hardware I am charged 18% VAT. I go to a supermarket, on that very salary, I have not had any extra money, I am charged 18% VAT. Go buy one tin of paint 18%VAT. Take my juakali car, 18 %VAT. That is the salary I have not a business man. Surely, is this fair? It is too much and therefore at the end of the day the Government takes most of that money back to itself. But after taking that money back, my conviction has been that if money is taken from the people and it serves the people then we have no quarrel. My experience has shown that the money collected through tax has gone to enrich senior civil servants in this country. And the list of these senior servant is endless and you know that. But how do we get the right tax? Anybody who doesn't pay tax as required Sould actually be jailed for a period of not less than five years and pay the required tax.

The tax so collected should actually go to the service of the people in terms of the provision of education facilities, provision of medicines in hospitals. But that will not also work if we have also have a drug store man who is a thief. I also know that in some Government hospitals we get drugs, fine. We blame the Government sometimes. But still these fellows in the stores steal these drugs. And so alaw should be there to control those who are in Government stores to account for the property they own. How can somebody of job group E be owning property worth millions?

That is what we are asikung. You know their salary, you know the property they own, they are not doing any other business. It is a job group E civil servant. How has he become a

millionaire? I am saying that civil servants should account for the money they have every after 3 years, zimetoka wapi? We should be told. Because if it is our money the one we pay through sweat, we need that money given back to us so that our children can go to school, so that our old people who cannot afford can get the medicines. This money should not just be in the hands of a few people.

So such fellows too, Civil servants who are corrupt should be sacked and all the property that they got in those crooked ways be sold and the money taken to Treasury for public service.

The other sensitive issue in this country is wife and husband battery. I know men don't their wife having been caned by their wives at night, but it happens. Because they will always say that I was staggering but it happens. But we are saying that the foundation of a nation lies in the family. So when you have your mother's hand broken, her ribs broken, her teeth removed, some of us feel very very painful. So I am suggesting here, that a wife batterer and a husband batterer should have to be fined, should be jailed so that other men and women know that people are not there to be battered. Grown ups should discuss issues and sort them out and not to be maimed. I know women who have servered their faces just because they are women. I think it is unfair on our part because we should help them.

On MPs, let me mention one thing. There has been a tendancy in this country where an MP wakes up one morning and says, "Me and the people of my Constituency have decided" You have never seen the MP, you have never met to discuss and he says, " I and the people". I am saying that any motion which the MP has not consulted with us, on serious issue like the President now, and a man wakes one morning to say, "I and the people of Amagoro have said that so and so is qualified", we should be able to deny that. We should be consulted on the presidency, not to say", I and the people". He should say where we met and the minutes and our signature should be there that we actually met and decides that the man is the right man. Not to say, "I and the people... and our signatures are not there. Okay, we should make all decisions that affect us although the MP is our representative.

Pensioners; My dear Chairman, have served the Government, some of them with a lot of commitment. But you find a man who have served his country so well lacking the very basics



he needs in life, I think it is unfair. A man who has served for thirty, thirty five years giving an honest service to the Government should be given a pension that he can comfortably live on as he waits to meet his creator.

Another issue that disturbs us is accountability of the district development committees. Well, we are aware that the Government sends money to district treasuries For road maintenance, health and other issues. But generally, as far as I know, we don't exactly know how much money has been sent for roads in Teso district for example. I would like a situation where it is publicly made clear that there is money available for roads Kshs 62 million for roads in Teso, and the following roads will be gravelled or tarmacked. And therefore at the end of that period and within this period, we should be able to ask the public works officer why the bridge has not been completed and yet the money was available. In other words, our public servants should be accountable to the people because the money is actually ours. We are the ones contributing that money in form of tax. So it should be a public affair, we should know how money is spent.

Even County Councils, how much money has been collected from January in Andungasi Market, what has it done? In most markets the only thing you will see is a toilet. Not all of us go to those toilets. And some of them have been hijacked by chokoras and we pay 10 bob to enter those toilets. So I am saying that even a Local Authority that receives Local Authority transfer funds. Should tell us how much money they have used and we should be done publicly. And there should be representatives of the community to see what actually that money has done.

I know some places where ten or fifteen plastic tins were bought and we know how cheap plastics are and we were told 3 million shillings was spent. Then you just shed tears knowing that it is your money. But because you are not in a position, you remain crying because there is nothing you can do. I am hoping that the new Constitution which is people driven will take care of such situations.

Police arrest: I am proposing that every mwananchi has the right to be educated on his rights in relation to arrests. I hate a situation where I have no problem going to the police station and somebody is holding my trousers up. If I am being arrested, it is the law which is arresting me.

Let me walk to the police station with the dignity that I am innocent until proven guilty. Why should I have to be slapped and kicked and I have not declined arrest? Let me go there, the charges be read to me at the right time, let me get my representative to defend me. But a situation where you are kicked and thrown around, your trouser being pushed up as if you have done something so serious is unfair, it is not dignified. So I expect that that should also be taken care of.

Property ownership in relation to families, I am appealing to you Mr Chairman, it is common knowledge that many of our women are suffering in the hands of in laws as soon as we die. You work hard with your wife to make certain property and as soon as you die, everything is gone. That woman is harassed, they pick up everything and chase her away empty handed. And she is entitled to the property because I know no man succeeds properly without the support of that lady.

So, I am expecting that in this new Constitution, that in-laws should keep away from the property made by husband and wife, because these two people did sweat for that property. Their children are there and they should own that property. And when I am dead I don't expect people to hover around. My coats can be distributed fine, But let her pick the coats at her own will and, "say my brother in law have this", But she should not be tossed around and caned to take away those things in the name of that time they say she is not. If you are now unfortunately married from another community they say that is ...if you are (Teso) useless. That should not happen.

I want to add that we have NGOs in this country, and a lot of money is coming from outside meant to develop communities. And when you hear the amount of money that is being spent, it is colossal. But what is the impact of this NGOs? Who is actually checking the impact of their activities? How much are the communities involved in the decision making of what they want to do? I am saying here that there should be a body of competent people identified in the local communities, who have the right to know how much money the NGO is going to spend in the area, and how it should be spent. And so at the end of the day when we talk about of 40 million shillings having been spent in Chakol Division by a certain NGO we actually see that it has gone to alleviate the poverty that may be people are fighting

I want to say that when it comes to salaries of MPs it is unfortunate, that a small fellow is paying payee, VAT everywhere while an honorable MP, many of whom are already stinking rich can earn up to half a million shillings with a tax of 256/=. Who should pay more tax? Is it a teacher or an MP? I am just wondering. I am expecting a situation where the more you are making, the more tax you pay and not vice versa. Because actually if you have more, you have more responsibility to donate something to the welfare of the country in which you are in. As a teacher, I suggest that more money be put in giving equipment to primary schools especially text books.

We cannot talk about proper literacy without books. And to expect a villager who has no means of getting some little money to buy text books is unrealistic if those of us who are on salary cannot afford those text books. So I think the Government has an obligation of providing basic facilities in primary and secondary so that when we have an educated community then all of us are informed our rights, and above all then we shall contribute very very positively in the welfare of our nation. Thank you Mr Chairman.

**Com Kangu:** Thank you mwalimu. Before you go, they say from ‘everybody according to his ability’ and ‘to everybody according to his needs. I think that is what you have said. I want you to do a little more thinking and possibly make a write up and send to us, particularly on this issue of resources; raising revenue and controlling the use of that revenue. You have talked about the need for Government to disclose how much revenue they have raised and how that revenue has been used. We want to have a little more thought on the proper mechanism because in my view that is one of the biggest problems we are facing in this country. We don’t have proper control of the powers of the Government to raise revenue.

As we speak now, the Minister can sit in his office and decide on what source of taxes, Parliament is not involved in what I call supplementary finance bills through which all source of things are done, Parliament is not involved. Even when Parliament is involved. in the budget arrangements Also the MPs they cannot follow the very technical economic discussions, they have no facilities aboard and they are brought documents prepared by permanent secretaries and so on. How do we deal with this?.

Then there is the question of borrowing from abroad. It is another way of raising revenue. Most of the taxes we are paying we are paying because at one point a lot of money was borrowed and it was not used for the purpose. How do we control some of these powers and so on.? It is something I am trying to think about very seriously and I would like people to come up with more ideas. Personally I am thinking about a fourth arm of the state called financial or the fiscal power of the state. How can it be removed from the other arms and be dealt with separately?

And then you have also talked about MPs consulting the people. We want a little more votes on the proper mechanism for consultation. Because if we are talking about representative governance, we must be able to control our representatives. What will be the best methods of consultation? Because your MP can come here and after he has talked to a few of his peoples he goes and he say he has consulted with his people. How do we ensure proper mechanisms for consultation?.

And then of course the question of performance, index monitoring mechanisms. What kind of mechanisms do we put in place to monitor performance of our leaders, performance of the Government, so that we don't realize mistakes when everything has already gone out of hand.

**Mr Opar:** Thank you Mr Chairman, I will be able to write that up and please I will avail that to you. Thank you.

**Com Kangu:** If you can do so as soon as possible so that in the next one week or so you send, we can be able to take that into account when we are doing our analysis. Samuel Mungai? He is not there. Dismus Barasa.?

**Dismus Barasa:** Mwenyekiti, Commissioners, na wale wote wamehudhuria mkutano wa leo, hamjambo!. Mimi naitwa Dismas Ombarate Simba. Mwenyekiti wa juakali katika wilaya hii ya Teso. Ningetaka niseme machache kuhusu. Poverty. Serikali huwa inaongea sana kuhusu jua kali na hii Commission nafikiri ingelichukulia maanani sana. Pengine iwe sheria ya kwamba wakati wowote ambao serikali inafanya mpango wa allocation of land for development jua kali ipate priority ya kwamba iweze kupata mahali. Ili iwezeshe kujenga sheds mahali. haswa kwa

market places. Kwa kusema hivyo ni kwa sababu sasa hivi naona watu wengi wetu wanarudi nyumbani hata na miaka thelathini. Na tukiangalia kama ardhi haiwezi tengwa mahali popote for jua kali developmen haitakuwa na maana. Kwa sababu naweza peana mfano kuna zile nyayo sheds. Zile siliweza kutengwa. Katika wilaya haikuweza kupata nafasi kwa sababu haikuweko na mahali popote ile serikali imewahi kutenga pa jua kali.

Na pia ningenelea iweze kuwa kama sheria pia hizi pesa zinatolewa kama msaada hasa unaweza sikia kwa radio ama magazeti wanajuakali wamepewa pesa fulani, hizo pesa ziwe zikitengwa kila district. Kwa sababu hakuna district wana- jua- kali hawakoili ziwezi kufaidi Wanajua- kali haswa.

Na pia kuna hivi vikundi vya wakina mama ama youths, Hivyo vikundi huwa vimejiandikisha na zina certificate. Pia serikali, wakati wa kutengeneza budget iweze kuwapangia upande wa kifedha. Fedha ziwe allocated kwa kila district ziweze kusaidia kwa upande wa vikundi.

Watu wamesema upande wa kitamaduni, haswa utamaduniwya Wateso. Mimi sijui pengine sheria iko tofauti ndio nataka nijue leo sababu mko hapa. Kenya nafikiri ina sheria moja tu. Na kama ni sheria moja, inaweza fuatwa. Nafikiri inaweza futwa kutokea hapa mpaka hata Nairobi. Nashangaa hapa watu wengine wana sema hapa kitamaduni lakini walikuwa wanamaanisha hii busaa. Ukienda Nairobi utapata busaa inauzwa kwa bar na jukebox inaimba na shilingi ishirini unakunywa pombe na unatoka na unaenda kwako nyumbani. Na hapa bwana Commissioner, ukipatikana kwa busaa wewe jua ni shilingi 2,000 ama kufungwa. Mimi kitu ningenelea kabisa upande ya vilabu, zamani kulikuwa na vilabu vya busaa na pia kulikuwa na saa. Hapo pia serikali inaweza kuweka ushuru kidogo kama license na hawa watu watakuwa na nafasi ya kuweza kumaliza kazi yao na kwenda huko kwa kilabu.

Upande wa land problems, nafikiria watu wengi wamegusia sana. Lakini ningejaribu kuweka tu maanani ya kwamba habari ya urithi wa shamba. Hiki ni kitu hasa elders, wale wazee wa nyumbani wanajua kuliko high court. Na sioni maana ya mtu masikuni kujaribu kutafuta title deed kwa shilingi elfu hamsini, elfu kumi. kwa sababu transport na kila kitu itazidi. Hiyo ni mambo ambayo yanaweza rudishwa tu ikae na viongozi wa nyumbani halafu wanaona ni baba

wa huyo mzazi na ni marehemu, alikuwa na watoto kadhaa, wanaweza gawana na kupeleka tu kwa land office badala ya kwenda kushitaki kaburi.

Pengine, upande wa uchaguzi, Watu wengi wamesema lakini haswa sisi wenye kutembea kwa vikundi, watu wamesema sana na wametoa maoni mbalimbali ya kwamba hii nafasi ya kusema wadhifa fulani ati President ametangaza ati ni fulani, hiyo ni mambo yanatakikana wachie wananchi. Wananchi wenyewe wametoshia, kama mtu ametoshia kupiga kura ametoshia kuamua haki yake kwa kula yake. Kwa hivyo hii nafasi ya uchaguzi iwe uhuru kwa wananchi wenyewe bila kupendekeza. Nafikiria hiyo italeti amani, watu watakuwa watulivu hata hakuna mtu atakuwa na wasi wasi mahali kwa sababu ni yeye mwenyewe atakuwa amechagua.

Na upande wa salaries, mishahara, Wabunge wanaweza kuamua tu wanataka mishahara pesa nusu milioni. Lakini mtu wa chini sana tusema kama councilor, Councilor anapata chini ya elfu kumi. Hiyo ni pocket money ya mbunge pocket money ya siku moja. Mimi ningenelea kwamba Local Authorities. ziweze kuangalia mishahara wa councilors uweze kutengenezwa na serikali Kuliko hii mpangilio mimi naona kila council inategemea yale mapato yake. Nafikiri ingekuwa vizuri serikali ingeweza kupangia councilors mishahara. Pia wawe kama watu wa kujiweza sababu ukitoka hapo uende ukutane na councilor, hata mfanyi biashara mdogo pia anamshinda.

Na mimi nitarudi pengine upande wa jela. Kuna mambo ya mtu kwenda cell kwa miaka tatu miaka mbili, na mtu ameuuwa mtu. Tuseme for example mtu ameuuwa, watu wanatoa ushahidi kortini na bado wanasema Attorney General sijui bado haleta ripoti na mtu anakaa miaka tatu, miaka wawili. Mimi nafikiria hiyo mjaribu kurekebisha. Pengine hii Katiba itoe amri ya kwamba mtu anaweza kaa korokoroni kama ameuuwa kwa miezi mbili au moja kama kuliko mtu kukaa miaka tatu na pengine hata hana hatia. Hilo ndilo lingelikuwa jambo muhimu. Pengine kuwe na sheria ya kwamba mtu akizidi miezi tatu, nne, huyo mtu aachiliwe kwa sababu serikali imeshindwa kuangalia hayo mambo yake.

Na pia hii makosa ndogo ndogo, especially makosa kama kupigana, makosa ya ugomvi tu, mtu amegombana na wewe, pengine ametoa matusi na unapata huyo mtu anatakikana afungwe kwa jela. Hiyo ni makosa ingeweza mtu afungwe kwa Assistant Chief, office ya Assistant Chief

afanye kazi huko, ama kwa Chief ama kwa DO, hiyo ingefaa. Kuliko mtu kufungwa hata kama ni miaka miwili. Hiyo ni kazi inafanyiwa kwa office ya Assistant Chief na ni kama serikali. Na kuna kazi mingi inaweza fanywa pale pia.

Pengine nitaenda kwa administration sasa. Hii mambo nasikia watu wakilalamika ati hongo kwa polisi, hongo wapi? Hii yote ni shida ya mshahara sababu mtu akikula mshahara, kama polisi anakula mshahara elfu tano, elfu tatu na wanazidi kuandika Badala ya kuandika wengi. afadhali wawache kuandika wengi, waongeze mshahara. Kuliko kila mwaka wanaongeza, wanaandika polisi Aps nini lakini mishahara yenyewe ni nduni. Halafu unasikia polisi ana-harass watu, ni kwa sababu ya mshahara. Mimi nafikiri serikali ingeangalia hapo badala ya kuajiri watu kwa wingi na hakuna mshahara. Badala yake, iongeze mshahara. Nafikiri naona mengi yalikuwa yametajwa na nashukuru.

**Com Kangu:** Sasa andikisha pale. Ronald Ekisa?. Hatukusikiza huyu?. Hatujasikiza wewe?.

**Ronald Ekisa:** Mr Chairman, of the Constitution of Kenya Review Commission, I would want to greet you and congratulate for coming to hear the views. I am called Ronald Ekisa Oberenyi. A lot of views which I had prepared have already been mentioned but I will not get short of putting a little bit of some input. One, I would want to talk about street boys and street girls. I would prefer recommending that street boys and girls be rounded up and put into camps and be employed in the civil service or trained.

I further want to say that the more we leave street boys and girls, loitering they are going to pose a menace in this country. It have also come to the notice of so many of us that a section of the population in Kenya have found being in the street the best solution to their lives notably every from a section of a tribe.

Number two on basic rights, legal security and protection of human life must be emphasized. I want to cite incidences where a lot of our society members have died quietly. Mr chairman,I don't know if it is an offence mentioning some names as emphasis to my point. When I was young I heard of Hon. Achie Echakara. He was gunned down, up to now there is no compensation and the community hasnot been told what happened. Also, we had the killing of

Titus Adungosi. One of our community members. Then repeatedly we have had the killing of oduyo Oprong. These were community leaders, whom to date the Government has not given us compensation. On the very point I wanted to say the future Constitution of Kenya should protect persons on their privacy so that we don't entertain the brutality say of security. I want to say the following; The security of this country is encouraged to kill or harass. I want to recommend a situation where if the security person kills, he is also given a punishment, so that the rest of the members don't repeat.

I would to mention something on marginalized groups or vulnerable groups. Teso as a community is a minority as well as a vulnerable group. I would prefer that the Constitution of Kenya which you are drafting should provide priority to such cases in terms of education, health care and employment opportunities in order for such a community to compete with the rest of our society members. A lot of people have mentioned about corruption in this country. In one way or the other we have to blame the Government because we have had cases where names are being mentioned but they go without punishment. I would prefer that if a member of Parliament or a Minister or a civil servant is found corrupt, he should be sacked, imprisoned, or punished heavily.

I would also like to mention about leadership. Leadership, we have talked about democracy and representation. I would want that in the future Constitution, youth must be represented in the National Assembly. Also, women must be represented in the National Assembly. Then the disabled should be represented in the National Assembly. That is besides the ordinary exercise that comes like the general elections. Like our community which is in Teso District, we suffer a lot because you will find a district being represented by one MP..... all the ability he has to satisfy its community members.

On administration I would want to suggest in future the Constitution that you are drafting should create the following posts

- ⌘ A post of the Likuru
- ⌘ A post of an Assistant Chief and the post of the Chief.
- ⌘ Then it is needless to have the post of a district officer.



⌘ Then let us have the post of a District Commissioner.

⌘ It is not necessary to have the post of Provincial Commissioner.

This will ease proper communication between the community members and the central Government. To me, I don't see the need of a Provincial Commissioner. If anything, If it happens to be with a bigger community and it happens for example in western Kenya, the minority community suffer quietly because it happens to be with a larger community. So the provincial Commissioner happens to be a barrier to the representation of views by the minority community.

Lastly, I would want to talk about tribes living or occupying international borders. I would want to request this Commission to recommend that such a tribe be treated as nations because they are related culturally. Let there be freedom of association and movement. I want to cite an example of Iteso, the Maasai, the Somalis and what have you . So that they are able to interact with their brothers and sisters who live in the next country. So on that note I also want to say let the Constitution of Kenya in the future give a minimum salary and maximum salary to all Kenyans so that we are able to dictate the future of all Kenyans. It is pointless to find a servant man earning 2 million shillings and there a lot of unemployment cases in this country. On that note, I say thank you very much for listening to me.

**Com Kangu:** Now can we have Christopher Ekapolong.

**Christopher Ekapolong:** Thank you very much the Honorable Chairman and the entire audience of this particular hearing. First of all, I would suggest that the President of the country should be an economics graduate because it is a very sensitive post.

Secondly, Judiciary and Executive should be independent bodies from the office of the President to avoid a lot of irregularities during campaigns and others. On the other hand because somebody had said about women being given allowances, we better have feminism taking all as people equal: men and women as the same. Because if women demand that amount even the men will also demand because we also face the same problem financially.

On Cash crop the Government should be held fully responsible of getting, developing cash

crops for the people. Because here currently, we don't have any proper cash crop in Teso. Last time we planted cotton and people were told that Cotton earn them a lot of money, more than 100/= per kilo. But after harvesting, people were told that they will look for the market themselves free marketing. Where do you expect an old man to go and look for a market? May be in America or any other part of the world. It is difficult, extremely difficult.

Cost sharing. Cost sharing has become a big problem. It is stated that it is part of exploiting a common man. It started that cost sharing you pay a little but currently it is full payment. Even if you went to the hospital today you would see the same thing. You pay everything and you almost have to pay even the doctor. We are suffering on that issue.

Bridge and road constructions: Currently, they say there is no money. And we here when you walk around you don't see a good road, a tarmacked road. In some countries you get people like armed forces, because they are employed, they are surveyors, bridge builders. But here they are seated idle in the barracks. They should do part of that work instead of waiting until we get money. Where do we get money from?

According to the law of Kenya, a mad man is not allowed to vote. A mad man, how do you recognize a mad man from a normal man during voting time? Yes it is that way in the current laws So my proposal is that, they should remove that then a mad man can also vote so long as he is capable of coming with his vote to cast.

On advise to the succession of the President, advice us but not decide for us. Nobody should be decided for. We are not cattle to be kicked and put in the night boma by force. No. Political science should be taught in secondary schools especially from form four, form five and form six so that no wrong politicians comes to fool a voter. Because they will know what they will be talking about.

Social revenue. People should have at least something to help themselves when there is money in order to avoid being paupers. There are so many paupers You will soon see Kenyans running naked along the road pretending to be mad due to poverty, and yet he is a normal person. Poverty is extremely alarming in Kenya and especially in Teso. And it is something that

it is creating robbery.

Non compassionate leaders should be avoided. During elections, nominations and polling days, candidate should be accorded security whether he is from opposition or the ruling party, they should all be accorded security.

Counting of votes should be counted at the polling station there and move ahead with all these figures up to the last station to avoid irregularity of putting unnecessary boxes. Because we have seen people carrying seals, false seals in the court during elections. They seals a box that they have put the votes of their choice. That it is what it is.

Administration payment: Administration is something terrible. We have gone to the office, when you go to the office, even if you are bleeding profusely, you have been beaten by somebody, you go to Chief or assistant. Chief, they apply what we call inundation. They inundate whatever you want to do. Say, Oh, what is this?, questioning you a lot in order to make you panic and run away without money. They need money in the offices. Without money, no Chief listens to you, no likuru listens to you. And then likuru should be given salary so that we avoid what we have currently.

Procastination among the administration is common, it is common. Whenever you say something, they tell you to wait, they shall do this. They waste much time. And then what we call (inaudible) you are (inaudible) instead of you doing the correct thing you are told, “No what do you want?” I say ... I being a politician and I say being a politician you have no what you call inundation is a bad. We eat in order to live. But we don't live to eat. If someone says, “This is money eat”. You are here to eat in this world. We are not here to eat.

Freedom of speech. In Kenya we don't have no freedom of speech. Whenever you speak something you are interrogated, you are picked and yet you said the truth, in other countries, you get public hand speakers placed for people to air their views so that the Government rectifies whatever wrongs may have been noticed. So in that category, we say during nomination or interview, not only (inaudible) career they said one must be form four in order to be Parliamentarian, should also touch political science, economics, social philosophy and logics

as well. Okay, that is the much I can tell you so I thank you very much, I congratulate you for your coordination.

**Com Kangu:** Fred Ogolla.

**Fred Ogolla.** My names are Fred Ogoila, I work for KEMRI and a few of the contributions I am going to read are from my colleagues and friends who are with me at this center in Alupe. Much of them have been said, so I will just be brief, highlight them very first. On the Executive, we have a suggestion that the appointments to the professional positions within the Government such as directors of medical services, education and permanent secretary among others should not be handled by the Executive. This should be done by the Public Service Commission through the normal procedures as in recruiting other civil servants.

On electoral system, we are saying that the voting system be changed in order to allow those who are not within the registered voting areas to vote for their preferred candidates in the same place without having to travel to their registered voting areas as is the case now. We have a feeling that some people are discouraged to go and vote in their respective constituencies.

We are also suggesting that when people are arrested, say there are in remand or they have already been imprisoned, the access of communication by inmates to relatives and friends be proved. It has been a bit difficult for them to communicate with their colleague outside.

Then we have a suggestion on basic education. They are saying that basic education should be made free. And especially recognizing the fact that now we have so many AIDS orphans at least we need to make basic education free so that they could benefit from this also. We are saying basic education in public schools should be free, completely free and even social activity equipment should be provided to these schools so that the parents don't pay anything or relatives.

Lastly, on Legislature and local Government, we are saying that those who are vying for the post of presidency at least should have a degree and if possible a degree from social sciences or a degree from other fields. Then at least he should have showed some political experience

before then. We are also suggesting that the post of presidency be on the basis of per province. The Vice President should be a running mate of the President and the post of Vice President should also be on a rotational basis per province. And even the post of Prime Minister should be created and also be made rotational on the province basis.

Then we are also saying that those who are vying for Parliamentary and civic seats, for Parliamentary, there are also suggesting that at least should have degree or an equivalent. Then those who are vying for civic seats, we are saying at least a diploma and above. Then they should also be able to declare their total wealth, both within the country and abroad, and should be done say in a period of 3 years. We are also saying that this person should be morally upright, and should have a recommendation from their local church or mosque leaders.

Then, lastly, we are saying the heads of civic authorities should be elected directl. as opposed to the current system where the councilors elect their civic heads. Thank you so much and that is all from me and my colleagues. Nice time.

**Com Kangu:** Colonel Omusa?. Moses Adungosi Etyang? Na Reverend Olulu? Yuko, jitayarishe baadaye.

**Moses Adungosi Etyang:** Basi mwenyekiti wa mkutano huu wa siku ya leo, mimi kwa majina naitwa Moses Adungosi Etyang. Na maoni yangu ni kama yafuatavyo. Kwanza kabisa, Kwa sababu ya usalama uliodhoofika umedusia katika nchi hii, ningependelea ya kwamba ikiwa vijana katika kila kijiji. Wanaweza kuwa trained namna ya kulinda kijiji. Sababu ni kwamba wezi wakiingia katika kijiji, ukikimbia kupiga ripoti katika polisi, polisi wanasema wanabeba bunduki ya aina gani na inalia namna gani. Sasa tunashindwa kujua ya kwamba ni wao walikuwa trained ama ni raia. Ndio nimesema ya kwamba vijana wawe trained ili waweze kujua ya kwamba walikuwa wamebeba bunduki ya aina gani na inalia namna gani.

Pili katika uchaguzi, yaani general elections, ningetaka kusema ya kwamba, ifanyike moja kwa moja, sio kurundika Councilors, wabunge na Rais-Uchaguzi siku moja. Hapo ndipo mchezo unapofanyika ya kwamba hata kama mbunge ni mbaya na councilor ni mzuri na Rais ni mzuri, Wanaambia mama mzee ya kwamba wewe kwenda mark tu alama fulani peke yake mara tatu

halafu uondoke. Sasa ningependa kusema ya kwamba igawanywe. Kama ni councilor, watangulie kwanza wafanye, huo mwezi ukiisha, tuje kwa mbunge ndio tuchague halafu mwisho kabisa tuchague sasa Rais. Na hapo hapo kwa sababu watu wengi wamezaliwa nao wanataka uongozi, ningependekeza kusema ya kwamba Councillor aongoze katika kipindi cha miaka kumi Mbunge miaka kumi, Na Rais miaka kumi. Sioni haja ya kusema ya kwamba ati Rais peke yake aongoze kwa miaka kumi na wao pia wengine councilor, mbunge, pia wao ni viongozi.

Tatu, ningependa kupendekeza ya kwamba serikali iseme ukweli. Kama elimu ni ya bure, iseme ni ya bure. Kama ni ya kulipa, heri wananchi wa Kenya walipe kushinda kusema ya kwamba elimu ni ya bure, hali huku wazazi wananyanyaswa wakiambiwa ya kwamba mjenge mashule, mnunue madawati na mnunue vitabu.

Nne, ningependa kupendekeza ya kwamba hili swala la kufunga ndoa, serikali inapasa kujiondoa kabisa. Nikisema serikal, namaanisha DC. DC hana uwezo kamili ya kufunganisha ndoa. Hiyo kazi awachie wachungaji wa makanisa.

Halafu jambo lingine, ningependekeza ya kwamba hili swala la kuuza maji ya umma, Serikari tafadhali isifanye hivyo. Kwa sababu ikifanya hivyo serikali yoyote itakayokaa mamlakani naye mwingine ataangalia ya kwamba mimi niuze hospitali, niuze bahari nayo. Sasa gharama ya kupata hizo huduma kwa mwananchi itakuwa ghali sana. Hapo, the common man atazidi kuumia. Nafikiri kwa leo ni hayo tu, asante.

**Com Kangu:** Asante sana Bwana Adongosi kwa maoni yako. Na sasa nitamuita Rev. Vincent Olulu.

**Vincent Olulu:** Chairman sir, my name is Vincent Olulu. I am a preacher with the Voice of God Ministry. My first problem is about denominations. When Kenyan Government has a problem with denominations, it considers only the Catholics, Anglicans or the Muslims. But there are so many also denominations in Kenya whose views have been over looked.

**Speaker:** (inaudible)

**Rev Olulu:** Yes. The Government should seek the views of other denominations before answering. Instead of saying the Catholics, or the Anglicans or the Muslims, only three, but there are also others whose views are very important. In that respect therefore, I suggest that in the next Constitution let the Parliament have a preacher. One, a Christian; Two, a Muslim. These must be elected nationally because in Parliament there are also problems. There are people there who should be saved. And that preacher he is an MP but it is a preacher representing the Christians. And there should be one also representing the Muslims and they should be elected nationally. Those preachers should be able to collect information from the churches all over the country before answering questions on Christians.

There are other issues my friends have said here. For example I would suggest that the likuru or the village elder be given salary just as the Assistant Chief and Chie, that was also in my view. And the Chief and the assistant Chief should be transferable. I also wanted to say something about land ownership after the father is dead. The son should assume the land without taking the dead to court. That was the next thing.

The other one is on the President. I want to quote the President of this country when he came to Busia. By that time it was Teso/Busia. It was Busia district. He told the Teso community, “Kaeni hivyo hivyo”. I am quoting what he said. That means he wanted the Teso community to stay peacefully expecting something from him. But then, there are some areas that have not realized his promise. We have not felt. For example the money for the the money for the heart, even the money for the AIDS victims I suggest that his office should be transparent to give the figure of the districts, how much each district has got including the Teso district because we have never realized this money where has it gone to?. No lame person has ever been clearly pronounced that he has been helped in Teso district. So there should be data brought to district so that we know even Teso have got how much money for the AIDS fund,. How much for the heart fund, how much from the handicapped, that kind of thing. May be it will convince the Teso because he made a promise. We have also stayed like that.

Along with that, I suggest that the President should not choose for us the next President. Let all those who are vying for that seat come out. Let men and women come out so that the wananchi

will choose a leader out of those very many. Let him not choose for us.

I want to tell the Minister of education that on caning he didn't take a feasibility study. He should have gone to the teachers to find the problems of indiscipline in schools. But instead he just took the thing to Parliament and banned caning. Let him also appoint Commissioners to come to primary and secondary schools, find the effects. Bad and good effects of caning before passing it in Parliament. Whom should he consult? The stakeholders, the workers, and the teachers. Not Members of Parliament. Some of them have not gone to school and they are in Parliament. Definitely they can say my child should not be caned and it is passed, so the Minister should know that.

And finally, in this respect I am accusing the department of information, Broadcasting information in Teso district. It only reports bad things about Teso community but on development, I have not heard anything. I have travelled in Kenya, other places they talk of good things being done. But in Teso district that department is quoting only bad things. Let that department be rectified. If the officer in charge is not fit for the job, let him or her be transferred. Let us also realize the good things happening in Teso not only bad things.

**Com Nunow:** Balanced reporting.

**Rev Vincent:** Yah, balanced reporting, not only bad reporting. Good and bad, balanced. Good. Finally, I want to thank your Commission because I attended one of the electoral Commission hearings, the final one in Busia about the boundaries and it worked well and things have become okay. I am hoping that even your Commission here, what we are talking here should not be left out. Because I know in Kenya there are some districts like Teso who propose things but they never go back to be implemented, only bad ones are implemented. I am hoping that your Commission will implement all that they have said here. And move as that point that the preacher must go to Parliament. There is evil in Parliament. Thank you very much.

**Com Nunow:** I thank you very much Reverend for your observations. Benson Kaunya? The DEO Owaya? Okay. Gietano Odima? Uko wapi? Okay. unamfuata.



**Benson Kaunya:** I would like to take this chance to honour the high table. I am called Kaunya Benson. And I am a job seeker. Here with me I have got some observations which I am going to read to you. First on the side of employment. I would like to suggest that job opportunities for the youths should be increased by reducing the age of retirement to 50 years. May be to elaborate a bit, here I need to say that even if somebody is employed at the age of forty or forty five, it is you to go and struggle and work very hard and achieve all that you may be lacking. If you go there and start joking, it is up to you. So long as your age reaches 50, yours is to walk away.

Another issue, once one has retired, there should be no more employment in any Government office or organization for him or her. Once you are retired, you have to give room for the unemployed also so that we all enjoy the fruits of our region equally. Another issue is that if any job vacancy have been advertised it should only be for those ones who are not employed in any office.

Here Mr chairman, I don't know how it is in your areas. In our area here, you find that there are those what we call short term jobs. For example, polling clerks, or registrar of voters. Surprisingly, you find that if such a thing is brought, whoever brought it, may be he was merciful to those who are not employed so that they can also gain something from that. But surprisingly enough you find that even somebody who is working somewhere, he earns monthly, you find such a seller also struggling for that. Now you wonder, where should the unemployed go?.

Another issue is on defense and security. I suggest that there should be no arresting of anybody by the police without the sub Chief or areas likuru's consultation or knowledge. I think it is this likuruor sub Chief, who has been staying with this man, he knows how he behaves. Now you find that if the policeman comes to arrest this person, whether he has done a mistake or not, he is really mishandled. I was also suggesting that all the Government training units should guarantee employment for their trainees just after the training for this will help create employment vacancies for the youths. I think Mr Chairman without wasting time, that's what I had for today. Thank you

**Com Nunow:** Thank you so much. Let us have your memorandum. Please go and register. Gita Odima? Naye ajitayarishe. Tuko na councilor. Do you want to presents? Okay, you are after him.

**Mr Odima Ongema:** Asante sana Bwana Chairman, Bwana DC, kwa sababu ya kutuachilia katika maoni ambayo mumelete ya Katiba mpya. Mimi ni Mr Odima Ongema. Kutoka sublocation ya Achik. Maoni yangu ya kwanza ni kwa upande wa matibabu. Kwanza matibabu ya siku zile vile tulipata uhuru ilikuwa mzuri sana. Maana ilikuwa watu wanatibiwa kwa pesa kidogo lakini watu wanapona. Saa hii matibabu yetu tangu tupate uhuru, si matibabu mazuri. Unaweza leta mtu amegua sana, Wanapima, wanaitisha pesa mingi. Hata daktari anaweza jua mtu huyo atakufa, hawezi kuambia wewe, na bado anataka pesa. Kwa hivyo matibabu irudi kama zamani kwa maana ikiwa miili yetu itakuwa biashara ya madaktari, mtu anakufa, wewe unachukua pesa. Halafu huyu mtu tena baada amekufa amechukuliwa mortuary, bado unatakiwa ulipe pesa. Kwa hivyo sisi uhuru wetu umekuwa mmbaya. Unakumbuka uhuru ya wazungu? Ilikuwa mzuri kuliko yetu na tuliwachiwa uhuru tupate uhuru, kama ya wazungu na sisi wenyewe tuongozane vizuri.

**Com Nunow:** Mzee Odima, tupatie pendekezo lako. Ukisema afya irudi kama zamani, hiyo si pendekezo. Kwa hivyo tuambie ungependa iwe namna hii, namna hii. Kisha uendelee hivyo.

**Mr Odima:** Asante sana. Na-penda iwe tutibiwe vizuri, tukatiwe kuchukua pesa mingi katika hospitali maana-ake tunalipa pesa mingi na mtu anaugua na anakufa.

**Com Nunow:** Unataka pesa kidogo ichukuliwe?

**Mr Odima:** Nataka warudishe ikuwe pesa kidogo kwa matibabu. Ya pili, upande wa polisi. Zamani polisi walikuwa ni watu wale wamekoma siku hizi polisi wanaandikwa watoto wadogo ambao wanatusumbua zaidi. Mtu anarokotwa tu, kwa sababu anatoka kwa milango kubwa, mwingine ni wa milango ya wizi. Sasa saa hii, tunasumbuliwa. Hawawezi kutuamini. Utaona polisi anakusumbua anataka pesa. Tunataka polisi wawe watu ambao wamekomaa wale wanajua shida ya mwananchi. Si mtoto anakuja kukusumbua kukoroga kukoroga, na kukula

pesa.

**Com Nunow:** Awe na miaka ngapi?

**Mr Odima:** Nataka awe na miaka 35 na awe ameenda training. Ndio hiyo Bwana mkubwa, hakuna maneno mengine mengi. Asante sana.

**Com Nunow:** Asante Mzee kwa maoni yako. Councilor, tafadhali. Francis Ongamo? Uko wapi? unaweza karibia? Kuja mbele. Na utafuatwa na Isaac Oting. Isaac yuko? Isaac Oting hayuko.

**Emmanuel Emode:** Bwana chairman, mimi pendekezo langu la kwanza kwa Commission yako ni kama ifuatavyo; Kwa majina naitwa Councillor Emmanuel Emode. Kwanza ningependekeza ya kwamba kwa upande wa pensions, mtu yeyote ambaye amehitimu miaka 60 awe akipewa pension kama hata hajafanya kazi ama alifanya kazi, awe akipata pension, akiwa mama ama baba. Pendekezo lingine, mimi ningependekeza ya kwamba mtoto anapozaliwa serikali imfungulie account. Hii ndio njia moja ya kuwezesha kupambana na umasikuni.

La tatu, uchaguzi wa chairman ungebaki vile ulikuwa, Chairman wa County Council ama mayor achaguliwe na madiwani. La nne, ningezungumza upande wa mangereza, ya kwamba marazi ambazo ziko katika magereza zibadilishwe ili wafungwa wakae ama walale kama wako nyumbani, sawa kama akikuwa nyumbani.

Pendekezo langu la tano, nataka nizungumze juu ya petty cases, petty crimes, Cases ndogo ndogo hizi. Mtu yeyote ambaye ni wa family apewe board nyumbani, especially wamama. Wangepewa board ya kwenda kotini badala ya kwenda rumande. Kwenda kwa mama rumande ama cell, hii inaleta ukimwi.

La sita, fine kortini ingekuwa limited kwa kiwango fulani, sababu hii ni njia moja ya kufanya watu kuwa masikuni. Faini ya shilingi elfu kumi,elfu mia moja, hii ni unyanyasaji mmoja wa wananchi. Upande wa madiwani, ningependekeza ya kwamba madiwani, allowances zao zitoke katika central Government.

La nane, ningependekeza ya kwamba yoyote ambaye ananua au mununuzi wa shamba katika Teso, akitaka kiti chochote hapa Teso, lazima awe amehitimu miaka hamsini ndipo asimame ama apply kwa any post.

Ya mwisho ningengea juu ya loans. Banks iwache kuuza mashamba ya watu kwa sababu ya interests. Na pia interest isije ikaenda beyond ile figure ambayo ilikuwa valued. Bwana Chairman, nilikuwa tu na hayo ya kuongea mbele ya Commission yako siku ya leo. Asante.

**Com Nunow:** Asante sana Bwana diwani. Ningependa unifafanulie kile umesema kuhusu watoto au mtoto mzaliwa kufunguliwa account na serikali. Na serikali ikifungulia mtoto account, nani atakuwa anaweka pesa kwa hiyo account, ni mzazi au serikali?

**Mr Omode:** Serikali.

**Com Nunow:** Na sasa wajibu wa mzazi ambaye amezaa hawa watoto itakuwa ni nini kama mtoto wa masikuni na watajiri wote ni serikali inawawekea account pesa?.

**Mr Omode:** Mimi nimependekeza hivyo kwa sababu kuna familia zingine ambazo mtoto anazaliwa na hana msingi wowote. Kwa hivyo hiyo familia hawawezi kusomesha mtoto au mtoto hawezi kuwa na foundation yoyote.

**Com Nunow:** Kwa hivyo unasema mtoto ambaye amezaliwa kwa wale jamii ambao hawana mali?

**Mr Omode:** Ndiyo sir.

**Com Nunow:** Okay, asante. Francis Ongamo?. Twambie zile point ambazo hazikutajwa. Kama zile zimetajwa, usikawie nazo sana, taja na upite.

**Francis Ongamo:** Mimi....

**Com Nunow:** Eh, chukua microphone kwanza. Tueleze majina yako kisha utueleze yale

umekuja nayo.

**Mr Ongamo:** Mimi ni Francis Ongamo.

**Com Nunow:** Endelea.

**Mr Ongamo:** Sasa mimi niko na shida namna hii; sisi hatuna maendeleo nyumbani. Assistant Chief, tulipeleka Nachukua ripoti kwa office yake, yeye hakubali maneno, anatumfuza sisi. Sasa sisi tutapeleka ripoti upande gani? Najua assistant Chief hana maendeleo ya nyumbani na anagombana na watu. Sasa sisi tutafanya namna gani?

**Com Nunow:** Unataka tufanye nini?

**Mr Ongamo:** Sasa wewe unajua maneno vile yatafanywa. Mimi sijui hapana mimi.

**Com Nunow:** Mzee, sijakuja kujibu maswali. Tulikuja kukuuliza nini ungependa ingie katika Katiba mpya?

**Mr Ongamo:** Sasa sisi tunataka maneno mpya na yaanze sasa.

**Com Nunow:** Tueleze hiyo maneno.

**Mr Ongamo:** Sasa, waria sisi tunataka maendeleo, mimi nataka namna hiyo. Mimi napenda maendeleomengi. Sasa watu wanatuharibu sisi, sasa sisi tutafanya namna gani?. Sisi tunaomba usaidie sisi kwa maana tumeachiliwa kwa maendeleo. Hakuna maneno mengine.

**Com Nunow:** Asante sana, umesikika. Kwa hivyo unaweza kujiandikisha pale kama huna point ingine. Hiyo umesema na tumesikia.

**Mr Ongamo:** Sasa sisi tunasema namna hii, sasa sisi campaign inayokuja, sisi tunataka tufanye namna gani? Sisi tusikizana. Sisi tunataka namna hiyo. Ndio watu watakaa salama.

**Com Nunow:** Point ingine.

**Mr Ongama:** Point ingine, nasema. Sasa watu walikaa salama, sisi tutapata maendeleo inaenda mbele. Sasa hii maneno ya watu kuingilia watu usiku, wote wakikamatwa ni watu wa administration wanafanya hiyo maneno. Siku ile watu walipiga Adongosi kwa maneno hii sasa imepita miaka miwili.

**Com Nunow:** Okay, asante sana Mzee Ongama. Tafadhali uende pale ujiandikishe, asante. Ochekendi Titus? Ajitayarishe Destrial Okuu. Ako Destril? Karibia hapa tafadhali.

**Mucheketi Titus:** Thank you very much Chairman of today's occasion. I am Mucheketi Titus. I am a teacher by profession. The following are my proposals to the Commission of Constitution Review. One, I would like the Government organs to be decentralized for the sake of equal development in the country. For example we have all the ministry offices in Nairobi. But you find that other areas have become very difficult to reach and people normally suffer whenever they need assistance in various ministries.

Next proposal is on professional officials. All departments should be independent from political exercises. For example, the medical sector should be led by a professional for example the Minister and/or permanent secretary should be a doctor not any politician who has been elected from the grass root to go and head a department he knows nothing about in connection to that, you find for example now you have a problem of UKIMWI you will find that to do that, to sensitise the people, you will find that politicians are being involved and they may not know exactly what should be done at particular levels.

Thirdly, involvement of common citizens in economic development. You will find for example farmers growing sugarcane in western province. Affairs concerning sugar cane are being conducted in Nairobi but the people who are directly concerned with the development or growing of sugarcane are in western. So I propose that all those offices concerning with particular development of farming should be carried out in that particular area, where that crop is being grown. And people of that particular area should be involved directly.

Employment: I propose that the Constitution should give allowance of recruits from various areas different qualifications. You will find that in different areas, for example in Turkana or Masai land, you find that conditions of learning are quite difficult. You find some people just get very low grades particularly in form four. And if the grades of going to school is generalised you will find that some people are bound to suffer.

I propose people are treated according to their environmental conditions so that where people are really performing poorly, they should not be left behind. Everybody should be involved and taken to training. I am saying this because of late you will find that in education for example, the college intakes have reached minimum grade D+ to C. So that one has really made people suffer. So you will find that in the next Government or in the Constitution, I feel that one should be catered for so that everybody in all parts of the country should be considered

The fifth point is on education to all people. The present Government actually has announced that everybody must be educated. But the Government as far as I am concerned is only able to cater for the teachers but the schools are not developed. It is my proposal that the Government should give certain amount of money to schools. That should be yearly, so that schools should admit all children in primary and that education to all may be realized in the given time. And also people are suffering because the system of education, I am seeing as if it is ruining in a way. I remember in the old system, when a child develops from primary to secondary school, after four years in secondary school, others come out and they take up some certificate courses but there are those that will go to A level. That is a way of retaining a certain percentage of human resource in the system. So, the few chances that can be found at that particular level can be taken by those who have come out. Also, when A level results come out, others will go to university. It is easier for the Government to control the human resources. So I propose that in the Constitution we should have a system of education which allows the economy to grow so that we don't have human resource being wasted out. It should be controlled. May be what I can also suggest...

**Com Nunow:** Lastly mwalimu. Thank you.

**Mr Titus:** What I can suggest how to get these funds to fund primary schools for example,

employees can be charged one percent. And when that money is collected in the treasury, it is distributed to schools. I know it can work.

Another point, we are suffering because our infrastructure is really poor. If you go across the country, roads are very poor but we have man power, our security forces. You know we are in a blessed country, I think God has heard our prayers, we are not involved in war. So the army men, instead of staying in the camps they should be involved in performing some of the activities like construction of roads bridges and so on or building the Government institutions.

Political parties should be two. Because people are wasting a lot of time in forming political parties instead of developing the nation. If there are two, people can be told to choose to be in one. Freedom of worship. This one, in my personal view, I am seeing it has brought a lot of problems. In the Constitution I propose that we should identify those seats or denominations that have already developed and others should be cut down because freedom of worship has brought a lot of devil worshipping you will find a group of things can also come and say they are a Christian group and they keep on molesting people.

**Com Nunow:** Thank you very much Mwalimu.

**Mr Titus:** Okay, just on Harambee policy only.

**Com Nunow:** Thank you mwalimu. Thank you.

**Mr Titus:** Just on Harambee policy only. Thank you.

**Com Nunow:** No, I think we have got to respect each other. I had stopped you earlier when your time was up then I left you make several other points. But most of these points have been made. And please ningependa kuwaomba ukija hapa, utueleze zile points hazikutajwa. Ukiwa unarudia zile points tutakuzuia usiendeleo zaidi. Kama unaona point haikutajwa, Mzee kuja, hizo points ndio uzitaje, ili report ya Constituency iwe complete. Hii report yote itakuwa Constituency. Na hiyo point haitasemwa imetajwa na watu tisini ama watu kumi, ni point katika report ya Constituency. Na ukiangalia point yako, baadaye ukiangalia report utajua kama



imetajwa ama haikutajwa. Kwa hivyo tunge-save time uki-address state those points ambazo hazikutajwa. Na tunataka kuhakikisha watu wote wamezungumza. Na ukija pia uchukue muda wako, usizidi ukijua wengine wanakungoza. Asanteni.

**Desterio Okoo:** Asante sana Bwana Chairmen na Tume yote pamoja. Nashukuru kwa kuja kujua shida zetu na yale ambayo yanatuuma. Kwa majina naitwa Desteris Okoth, Retired officer wa agriculture. Kitu ya kwanza ambao nitazungumza. Nitazungumza kuhusu upande wa administration. Nguvu za polisi zipunguzwe kwa raia kwa sababu zifuatazo. Polisi anaweza kukushika kwa ulevi halafu akubandikie chochote kile. Kwa mfano kukuwekea msokoto wa bangi ama kwa stesheni kukuwekea litre za changa'a ili ufungwe ama utozwe faini.

Lingine, mwito twaomba serikali yetu iweke sheria ambayo italinda raia wake kwa polisi wa hofu. Pili, utamaduni wetu ingawa umesemwa, lakini nitachangia tu kidogo kidogo. Pombe ya kienyeji irudishwe kwa sababu zifuatazo. Wazee wa reserve wengi hawana mapato ya kugharamia beer. Pombe kama vile busaa ya wimbi ni kinywaji cha mababu zetu walipokuwa wanakutana kuzungumzia mambo yanayohusu vijiji vyao, na mambo mingi ya kimila. Pia wazee walikuwa wakikutana wakitumia pombe, kuita watu kuwasaidia kazi kama vile kulima ama kupalilia vitu shambani mwao. Tena hata kuo pia walikuwa wakikaribisha wakwe na pombe za kienyeji hizo tu.

Mwisho, likuru walipwe angalau kitu kidogo sababu ndio macho ya serikali huko nyuma Kitu kidogo kitawapa motisha ya kufanya kazi kwa bidii na kupunguza ufnisadi pia. Ni hayo tu.

**Com Kangu:** Asante Mzee basi peana hii kule. Patrick Emojong.

**Patrick Emojong:** Asante sana Commissioner Teso siku ya leo. Mimi kwa majina naitwa Patrick Emojong. Langu ambalo ningependa sheria ambayo ingekuwa sasa mpya, ningependa serikali isaidie watu vitambulisho bure pamoja na passport. Wananchi wa Kenya hawaendi mbali kufanya biashara zao kwa sababu hawana passports. Passports hupewa watu ambao wana pesa. Mambo ya pesa kwa passport ingeondolewa.

Point ingine, ingawa watu wamesema, ni mambo kulingana na mashamba. Mashamba kwa

hakika kama ni ya mtu binafsi, kwa nini percentage inakuwa mingi sana kwa upande wa license. Upande huo ningeomba serikali ijayo kwa hii marekebisho ya Katiba, mtu angepewa license pengine kulingana na pesa, kulingana na shamba ambayo ako nayo. Pengine kama ingekuwa juu sana, kama shilingi mia tano kulingana na kazi ya office.

Lingine ni kuhusu mashirika ambayo yanakuwa mahali. Kwa mfano hapa Alupe, tuna hospitali karibu nne na mambo ya Agriculture. Unakuta hayo mashirika, hakuna kitu wamesaidia wana kijiji ama wana-area hii. Hata kutengeneza barabara hawawezi. Hata kujenga shule hata moja ya nursery hawawezi. Kwa hivyo ningeomba serikali ijayo, kwamba mashirika kama hayo yawe pia yanachangia kusaidia serikali kwa mambo kama kujenga shule ili waweze kusaidia kuandika watu kazi.

Lingine, tunasema kulingana na sisi ambao tuko upande wa mpakani, sasa hasa kama sisi Wateso tuko mpakani wa Uganda na Kenya. Tunaweza kuwa watu wa Uganda wametangulia kuvuna na watu wa Kenya wangali wajavuna. Sasa wakati unaweza kwenda kununua chakula kule Uganda Unakuta tayari kule kwa mpaka kuna askari anachukua pesa kwa hiyo gunia umenunua. Ukisonga unakuta iko watu wa municipal ama County Council, hawa pia wanachukua collection yao. Sasa tunashindwa serikali inaweza saidia kwa njia namna gani. Kwa hivyo lazima tusaidiwe hata kama ni kuondoa hizo taxes kila mahali.

Lingine ni kuhusu biashara. Labda umeuza ng'ombe wako unataka kufanya biashara kidogo kama ya duka ama ya butchery. Lakini unakuta taxes za butchery unakuta ni kama elfu saba, na pengine capital yako haitoshi elfu saba. Umenunua ng'ombe shilingi elfu tatu. Sasa unakuta license iko juu kuliko biashara ambayo uko nayo. Kwa hivyo tungeliomba biashara kama ya kinyumbani hasa biashara kama hiyo ya butchery, ya duka, license yake serikali ingeanglia iwe kidogo sana ili kila mwananchi hata wa chini aweze kufanya biashara apate usaidizi.

Ingingine nimambo ya waalimu. Tungezungumzia mwalimu kama hasa mwalimu wa nursery. Mara nyingi tunaona ya kwamba waalimu wa nursery serikali haiwachukulii maanani kuwasaidia. Pengine umepeleka mtoto wako kwa nursery course, amemaliza, kurudi hapa hakuna mahali ataenda. Sasa ataanza kuandikwa na wazazi ili wazazi waweze kumlipa. Kwa hivyo katika serikali ijayo tungeomba waalimu kuanzia kwa waalimu wa nursery walipwe sawa

na waalimu wa primary.

Ya mwisho tungesema ya kwamba kulingana na elimu ya siasa, mimi ningependelea serikali ijayo mtu ambaye anataka siasa kama ya councilor waanze kutoka kwa elimu ya mwisho, Primary, hadi mahali ambapo amejitoshelesha kwa masomo yake. Sababu hawa watu wote wamejaribu kusoma lakini pengine njia ya kuendelea masomo yake ndio yakabaki nyuma lakini yeye anaweza kuwa leader mzuri. Juu ya hayo yote, mengi yamezungumzwa kuhusu mambo ya koti. Ya mwisho kabisa ndio hiyo. Tungependelea ya kwamba watu wa ma kosa madogo madogo katika Serikali ijayo badala ya kupeleka mtu kwa jela kama pengine mtu ameiba mayai kwa ajili ya kukosa chumvi akaiba ya jirani yake, mtu kama huyo apewe kifungo cha nyumbani ili asaidie kufweka barabara kwa ajili ya survey kwa kijiji. Ni hayo tu, asanteni sana.

**Com Kangu:** Asante. Bwana Linus Opolong? Kama hayuko tupate Omari Hatip. Sedolina Okwarazi? Julius Ndunga?

**Julius Ndunga:** Asante sana Bwana Mwenyekiti.

**Com Kangu:** Tumia Mic.

**Mr Ndunga:** Jina langu ni Julius Ndunga na hapa niko na maoni machache ningependa yakuwe incorporated katika Constitution. La kwanza ni kuhusu insecurity. Tunaongea juu ya insecurity. Tunaona hata MPs ama Ministers wanataka wapewe bunduki ama kitu kama hicho. Lakini mimi ningependekeza ya kwamba kwa wananchi kungekuwa na identified pengine vigilante groups za youth ambao tunajua wana tabia ambazo ziko straight. Wawe na mahali ambapo wanachaguliwa, waangaliwe tabia zao vile zilivyo halafu watasaidia katika kuangalia hali ya security kwenye vijiji. Because you are realizing the polisi actually whom we are depending or relying for security are the ones ambao wanatufanyia sabotage. We have had several incidents of such cases.

Halafu la pili, naenda kwa regulation ya Parliamentary sessions and attendance. Ninaona ya kwamba kwa mara nyingi tumepata kwamba huwa hakuna quorum ambayo inatoshea labda

kuzungumzia juu ya jambo fulani ambalo lingekuwa katika Parliament. Sijui hawa wanahitajika kuwa kwenye Parliament tu-discuss the important issues kule ambako huwa wanaenda. Such behaviour should be regulated, should be looked at, should be put in check to ensure that these MPs should always be in Parliament when they are supposed to be. Sio wanakuwa involved kwa affairs zao sana kama biashara na vitu vingine na kuwacha kwenda katika Parliamentary sessions.

Halafu katika maendeleo ya vijiji, we would like to have rural electrification programmes. Kwa sababu tunaona kwamba umeme ni kitu ambacho ni muhimu sana kwa maisha ya binadamu kwa wakati wa sasa. Because technologically, saa hizi kila kitu kinatumia stima ama umeme.

Halafu pia nikikuja kwa constituencies, unaona kwamba the MPs, the moment they are elected they always disappear. You would also want to put them in check by having periods of giving them Votes of no confidence. If they are inempt they are not satisfying the depo.

Another point that has been talked about is custom recognition. Watu wameteta sana kuhusu pombe. Mbali na yale wanasema, ningependekeza ya kwamba, pombe ikiwa itakubalika, itafikia kiasi kwamba hii pombe should only be allowed in occasions which should be licensed. And if anybody is to found drunk, amekunywa pombe ya kienyeji kuanzia wakati wa asubuhi mpaka saa nane basi itakuwa ni hatia. Because people have gotten atendency of getting drunk in the morning for 24 hours. So in that case that is when we can arrive at the point of protecting our cultural diversity.

And also, the Government should look into issues like having micro credit schemes to help small business men ambao wanakuja katika biashara. Na pia kuwasaidia wanafunzi ambao hawajiwezi katika jamii. Na kwa hayo machache ningependa kuwashukuru sana.

**Com Kangu:** Na tupate Stephen Orisa.

**Stephen Orisa:** Asante Bwana mwenyekiti mimi naitwa Stephen Orisa. Mimi nina mapendekezo juu ya cases katika korti. Pendekezo langu ni ya kwamba sheria zetu hazijazingatiwa na wale wanao husika na cases kule kortini. Utaweza kupata mtu amefanya kosa, badala ya kuangalia sheria, watu wanaangalia pesa. Na uamuzi unaamuliwa kwamba yule

aliye na pesa ameshinda case. Na huyu ambaye yeye ndiye ameumizwa au amepigwa haangaliwi kisheria. Kwa hivyo ningeeomba kwamba katika Katiba mpya hayo mambo yazingatiwe sana. Sheria hiyo ichunguzwe na iangalie wale wanaohusika katika uamuzi wa makesi wafanye vizuri kwa ajili watu wengi wanaoumizwa ni raia wale wa chini.

Pia ningependekeza ya kwamba askari wetu wasiruhusiwe kuchukua pesa kama mtu amehusika na case yoyote katika mastasheni ya polisi kwa maana wakati mwingine mtu anaweza kuwa anapiga mwingine anamuumiza. Lakini kwa kuwa mmoja wao ana pesa, anaenda mahali kule analipa pesa, halafu yule aliyeumizwa anabaki katika hali ile, pengine hata sasa hawezi kufanya kazi yake. Kwa hivyo ningeeomba kwamba katika Katiba mpya inayoandikwa, hayo mambo yaangaliwe sana. Pia ningependekeza kwamba serikali ingesaidia hata mtu wa chini kuweza kujimudu kwa hali ya maisha. Kwa maana kama raia wale wanaotegemea kilimo hawana njia yoyote ya kujisaidia hata kuweza kulima mashamba yao. Lakini serikali kama ingeweza kutuma ma-tractor katika division halafu malipo yake ikuwe chini, ingesaidia raia huyu halafu uchumi wetu ungefaidika na ingekuwa mzuri. Kwa kuwa uchumi wetu uko katika mikono ya matajiri na uko pia in the hands of the foreigners wale wanao fanya biashara na wenye makampuni. Hiyo imechangia uchumi wetu kuharibika halafu tumebaki kulia ya kwamba uchumi ni mbaya, pesa hakuna. Lakini serikali ikichukulia maanani na kuangalia kwamba ni kitu gani kinaweza kuchangia ndio uchumi huu uendelee vizuri, nchi yetu ni nchi ya kilimo. Sana sana hata ukiangalia sehemu hizi utapata mashamba yamelala tu. Sio ya kwamba ni wazembe, watu wanaweza kufanya kazi lakini wanahitaji pia waungwe mkono na serikali kwa njia ingine.

Pia ningesema jambo kuhusu kuomba kwa kuwa sheria inasema ya kwamba tuna uhuru wa kuabudu. Ningesema jambo kwamba bila maombi katika nchi, nchi haiwezi kuendelea na hata serikali kufanikiwa katika mipango zake. Kwa hivyo ningeeomba kwamba ikiwa watu wamejiunga na kuabudu Mungu, wanaweza kusajiliwa na serikali na wakajulikana ya kwamba hawa watu wanaenda sawa na neno la Mungu. Hakuna haja tena ya kuenda kwa Chief na ma-sub Chief ili watu hawa wapewe nafasi ya kuomba. Hapo katika Katiba mpya, Serikali aangalie.

Jambo la mwisho ni kwamba, kila jambo litakalopitishwa na Bunge lingetangazwa na raia pia wajue. Hata kama ni sheria mpya imetekelezwa, lazima ijulishwe raia wafahamu nini

kinaendelea. Kwa maana tumeongozwa katika giza, hatujui yale yametekelezwa kule. Lakini sasa tunashtukiwa tunashikwa tunapelekwa kortini kwamba sisi tumefanya kosa, na hatukujua kwamba hiyo tumevunja sheria. Kwa hivyo ningependekeza kwamba katika Katiba mpya kila kitu kitakachopitishwa na Bunge. kitangazwe na watu wajulishwe na pia jinsi askari atasaidia raia, Serikali itangaze.

Hata kulingana na mafunzo yao, serikali inatakikana kutujulisha kwamba ninyi raia, hawa watu tunatuma, kuangalia nyinyi na kuangalia mali yenu. Sio kukuja kuibia sisi na kutupiga. Hapo katika Katiba mpya ningepomba kwamba hayo mambo yangaliwe na pia yatekelezwe ili tuweze kuwa katika usalama. Ikiwa serikali inalipa hawa watu na hakuna faida yoyote kwa raia, inamaanisha kwamba hakuna haja hata kukuwa na wao. Kwa hayo machache, nasema asanteni.

**Com Kangu:** Asante Bwana Orisa. Tupate Alex Okware.

**Alex Okware:** Asante sana Bwana Mwenyekiti. Maoni yangu ni kuhusu mashule. Mimi nafikiri kwa Katiba yenye tunatarajia kupata mpya.....

**Com Kangu:** Umesema majina yako?. Tumia mic.

**Mr Okware:** Kwa majina naitwa Alex Okware. Strike zimekuwa shuleni sana. kwa mashule nyingi tumekuwa na shida ya strike. Ndiposa maoni yangu nasema sheria itungwe yenye itakuwa inaangalia shule itakuwa mzuri kwa sababu watoto watakuwa na mahali pa kupeleka shida zao kuliko kufanya madhara kwa shule. Kwa sababu ukinagalia kwa mfano shule kama university ya Maseno, watoto wanatoka shuleni wanakuja njiani, wanangoja magari, kupiga na kuchoma gari. Na wewe hii gari yako umepata kwa njia ya kutafuta kwa nguvu zako. Lakini sasa umehusishwa kwamba ninyi ndio mnaharibu uchumi wa Kenya. Nafikiri sheria ingetungwa ya kuweza kuangalia strike shuleni.

Maoni yangu ingine ni juu ya Kenya Bureau of Standards. Utakuta soda kama hii iko na uchafu na tuna watu wa kuangalia vitu kama hizo. Sheria itungwe ya kuweza kufuata hata hawa. Upande wa auditors, utakuta mahali kumeharibika kabisa lakini wametoka na jambo kwamba pale hakuna shida. Pia nilikuwa nafikiria sheria ingetungwa pia ya kuweza kuangalia

sehemu hiyo.

Ninarudi upande wa councilors pamoja na MPs. Mimi nafikiri sheria ingetungwa ya kupatia raia mamlaka, kama wanaona Councillor ama MP hapeleki wao vizuri, wanaweza kumkataa katikati wamfute kazi. Kwa sababu nakumbuka wakati MP ama Councillor anapokuja kwa raia, anakuja akinyenyekea. Lakini akisha pita tu, mnaanza kumuita yeye mheshimiwa. Sasa hata mimi nikiwa na maoni yangu siwezi fika kwake. Wanataka mtu wa kuenda kuongea na yeye na mimi ndio nilimchagua. zaidi ya hayo, nasema ni asante.

**Com Kangu:** Haya tupate Julius Otakwenyi.

**Julius Otakwenyi:** Chairman wa hii Tume ya urekebishaji wa katiba, mimi kwa majina naitwa Julius Otakwenyi. Kwanza kabisa mimi nitaenda kuongea kuhusu usafiri. Usafiri katika Kenya umekuwa shida kubwa kwa upande wa manamba. Wewe unaweza kuamuka ati unaenda safari, unavaa vizuri. Lakini ukikaribia tu pale hawa vijana waone dalili kwamba wewe unasafiri, mizigo yako itaenda gari ingine, mtoto kama mama amebeba anaenda gari ingine na wewe mwenyewe utabaki katikati utashindwa unaingia gari gani. Kwa hivyo mimi naomba katika sheria ambayo inawekwa, kuwe na mpango maalumu wa watu kuweza kusafiri katika Kenya ili watu waweze kupata raha kwa kusafiri bila kupata shida.

Mimi nilikuwa nina jambo kwamba kama gari ni ya kuelekea Kisumu, ikuwe na mpango kama hawa watu wa baraza ya wilaya wanaweza kupanga gari. Waweze kujenga vibanda pale na mtu anaenda ananunua receipt yake na anaonyeshwa gari, anaingia gari. Na hizo gari ziwe zikipangana. Sio gari tano inapanga kwa saa moja, wanang'ang'a nia, huyu anataka watu, huyu anataka watu, huyu anataka watu, halafu inakuwa ngumu mtu kuweza kusafiri kwa njia mzuri.

Jambo langu la pili, mimi nitaingia kwa upande ya urithi. Mtoto wangu, kama mimi nataka achukue mali yangu, mimi ninaomba serikali isiwe ikimdai chochote. Sababu saa ingine huyu mtoto amekosa pesa na huyu mtoto atakaa na hii mali mpaka akose kutumia hiyo mali kwa njia ambayo mimi mwenyewe labda nilikuwa napenda. Na huyu mtoto awe mtoto wa kiume ndio aweze kurithi mali yangu hata kama ni mali ndogo au chochote ambacho mimi niko nacho. Ie urithi ambao mimi naweza kupeana mtoto msichana iwe ni elimu. Sababu yake kama ardhi,

nikisema ya kwamba nitapea hata msichana, huyu ataonekana kama ni bibi ambaye yuko sasa na boma mbili. Hata atasumbua Bwana yake kwa sababu yeye anajua kwao yeye ako na shamba yake, anaweza kwenda na akakaa. Na tayari yeye amezaaza watoto katika ile boma na hiyo italetu utengamano mwingi katika maboma ya watu.

Nitaingia upande wa wanawake kurithi mali. Kweli bibi ni bibi yangu, na ikiwa kama yeye amezaaza na mimi watoto, lazima yeye atahusika kwa mali yangu sio ndugu yangu kuhusika kwa mali yangu. Sababu wakati mimi nilikuwa natafuta ile mali nilitafuta na bibi yangu sikutafuta na ndugu yangu.

Elimu Kabisa watoto wetu wa primary school waweze kupata elimu ya bure ndio tuweze kuwezesha kila mtoto kufika darasa la nane au chini. Sababu kuna wale wazee kabisa hawawezi kugharimia hata primary school na mimi naona kama mipango inaweza fanywa na serikali ikuwe ni NGO fulani iweze kusimamia elimu ya watoto.

Mimi naenda kwa upande wa retrenchment. Mimi ninapinga hiyo kitu kabisa kwa sababu hicho kitu kimesababisha vijana ambao sasa wanafika umri wakuweza kujenga boma kupoteza kazi. Na hali huyo mtoto amesoma na ameshugulika labda kufanya course ya hiyo kazi na kufika huko baada ya miaka mbili ati aende nyumbani. Tena asiruhusiwe kuandikwa kazi popote. Tukiendelea na hiyo kitu, mimi nafikiri watu wengi wataumia. Serikali kama inaona kwamba kuna nafasi mahali fulani ya kuandika, ihakikishe kwamba huyo mtu atawekwa hapo. Asiwe retrenched kama miaka zake za kustaafu bado kufika. Sababu mtu anaenda kutafuta kazi akitaka kujenga boma yake.

Naenda upande wa kutahiri. Mimi napinga zile kabila ambazo zinatahiri wasichana. Hiyo ni kuharibu. Mimi nilikuwa naonelea watoe hiyo sheria kabisa na iwekwe kwamba kama kuna kabila ambalo linaweza kutahiri wasichana, wachukuliwe hatua. Ninaenda upande wa kupiga transfer waalimu wakuu katika sekondari schools. Hawa headmasters ndio chanzo cha watoto kufanya strike. Sababu wakati mtu analetewa barua ati sasa wewe tunataka uondoke katika hii shule uende shule ingine, anaanza sasa, “Mnajua nyinyi mnaenda kuletewa tu kamwalimu kutoka tu hapa. Sijui nini na nini mnajua sasa standard ya shule vile nilikuwa nataka kuweka inaenda kuharibika”. Sasa watoto kuona namna hiyo, na mtoto ni mtu ambaye ni rahisi sana



ku-convince wanastrike Mimi nilikuwa naonelea kama kuna fika wakati wa kupiga transfer mwalimu kama huyo, isiwe ati wanam-serve na barua sijui analize sijui siku ngapi au nini. Ni education officer peke yake ndio anajulishwa na huyu mtu anakuja leo anaambiwa twende. Utakuja kufanya handing over kesho au kesho kutwa ili watoto wasipate njia ingine ya mkuweza kufanya strike katika mashule. Na tukiwacha hivyo, lazima hawa watoto wataendelea kufanya strike mara kwa mara na wanatuletea sisi wazazi hasara kubwa.

Mimi naenda Bwana Commissioner kwa upande wa ukimwi. Ukimwi iwe subject ya kufundisha watoto kuanzia kwa darasa la kwanza. Sababu ni janga ambalo linaenda kuumiza sisi kwa muda mrefu. Mtu anashtukia tu ati ako na ukimwi na ni kitu ambacho hakionekani. Lazima watoto wetu waelezwe huu ugonjwa kwa darasa la kwanza mpaka umri wake unapofika, ajue ubaya wa hicho kitu na namna hicho kitu kinaweza kumuangamiza yeye. Mimi nafikiri kwa siku ya leo bwana Commissioner ni hayo tu. Na mimi ninashukuru ninyi kwa kuja hapa.

**Com Nunow:** Ah, Bwana Otakwenyi, ningependa unifafanulie kidogo kuhusu kutahiri wasichana. Tulisikia mambo mengi sana wakati huu wa kuchukua maoni ya wananchi, na hasa kile tulisikia kikija zaidi ni kukinga mila, mila ya watu kuchungwa na kuheshimiwa. Na je kama kutahiri wanawake ama wasichana iko katika mila ya community fulani na wao umewaomba wasiingilie mila yako, waiheshimu, zi pia wao wataitisha mheshimu mila yao? Kweli?

**Mr Otakwenyi:** Lakini sasa...

**Com Nunow:** Aa, ngoja nimalize. Kwa hivyo tukiwa tunajua kutahiri wanawake ina shida zake na inaletea mtu taabu, mila ni kitu moja ngumu sana kuiua hivyo na kuificha na ni mila za watu. Kama mila ya hii pombe ama shuguli fulani ambazo Wateso wangependa ziheshimiwa na waachiwe. Na wao pia wale ambao wanatahiri wanawake walituambia wangependa kuona mila zao ziheshimiwe, walipatikana na wao, nani wao na wao ndio wanapenda, hawataki walazimishwe kufuata mila za wengine. Kwani watakuwa watumwa? Je, utasema je?

**Mr Otakwenya:** Mimi naona hawa watu wanatakikana waelimishwe kwamba hiyo ndio njia

moja ya kueneza ukimwi kabisa. Hata kama ni mila yao lakini wanatumia kienyeji na haitakomesha ukimwi.

**Com Nunow:** Kwa hivyo tuseme si kutahiri wanawake vile lakini ni ile nadhamu ama taratibu unaofutwa. Kama wangepanya hivyo kwa hospitali ama mahali kuna hygiene, afya na ambapo pamekingwa vizuri ungekubali?.

**Mr Otakwenya:** Lakini mimi kwa upande wangu, mwanamke siwezi kubali.

**Com Kangu:** Asante basi ndugu. Tupate Immaculate Obari

**Immaculate Obari:** The Commissioners that are here today, we thank you for coming to listen to our views. I am Immaculate Obari Ojamong. And here I represent Center for the Advancement of Women and children, at the same time the local CBO Chakol Division Joint Women Group which was a civic education provider in this division.

First, I must say that we need a Preamble in our Constitution. And the preamble should actually address issues, for example, that the Constitution of Kenya should be designed to serve the interest of all people of Kenya irrespective of age, race, size. Then I have something on the principles, that our leaders in Kenya should abide by the Constitution of the land. And they should actually give leadership dependent on the Constitution. That any leader that leads contrary to the Constitution should be given a vote of no confidence and be led out of the office. That the rule by manipulation should be condemned; that which does not follow the Constitution of the land. And the principles here should include the principle of nationalism national integrity and socialism should also be there.

I have something on the Constitutional supremacy. Here we are saying that the Constitution should be supreme and that anybody who discharges his duties contrary to the Constitution should be removed. I think I have said that one.

We are also saying that a unitary system of Government which derives strength from the local Government be put in place but the local Government should actually be given preference. Defense and national security. We are suggesting that defense systems should be developed

right from village levels so that we don't have system which is almost absent in the village.

On political parties, we suggest that political parties should source their own funds because if they are funded by the Government, this could lead to manipulation and it could become very expensive to the tax payer. And funding parties would lead to numerous parties emerging.

On the structures of Government systems, we are suggesting that the Presidential system should continue. But we should note that the wishes of the people should prevail and not individual interest. We are also suggesting that the of presidency should rotate amongst the provinces.

Something on the basic rights, we are saying that women with children or expectant mothers should not be jailed even if you are found guilty until the child is strong enough to be left alone. Or alternative discipline measures be given to the offenders unless if it is on account of murder or violent robbery. On basic rights we are also suggesting that police officers be given decent places to stay.

We are also suggesting that human resource development be given priority in Kenya. Because we have now a situation where material development is given an upper hand. That is why in schools, projects, we talk in terms of buying a bus, constructing a storey building and I don't know what,when actually the moral standards and discipline is declining and that happens every where. Even when we talk about HIV/AIDS, you are going to see posh vehicles and what not and yet people are dying. So we are saying that human resource development be taken very seriously in Kenya.

Then we are also saying that women should be given four months maternity leave with pay because that is the basis or the strength of the society. That women and children should be given priority in all aspect of national development. And women and children should be given free education and medical care.

Actually we are saying here that Kenya first of all should also consider itself as a vulnerable country because we are exposed to a lot of dumping materials, the media and all that. So, Kenya

as a nation should seek to protect itself from harmful practices. For example everybody now is talking about immorality, everybody is talking about the influence of the media. If for example we had a system of getting views from our different ethnic groups so that if these people say it is generally bad in the country, the nation should be able to discard that kind of practice. If it is watching bad videos and all that, it should not be something to be left to stay in place.

On the management of national resources, we are saying that the income raised by the Government should be given to all parts of the country. But priority should be given to the marginalized and disadvantaged people.

We are also suggesting here that national resources should not be used by leaders to evoke or garner power. It should be used to serve the citizens and be channeled in proper ways and not through individuals. We are suggesting an independent watchful body be put in place to check the performance of the Legislature, Judiciary, Executive and local Government that is the ombudsman.

We have something on remuneration, that is salaries of the people. We have noted that the present salaries, I think were derived from the colonial masters. Those salaries from the colonialists were not sufficient because the colonialists wanted Africans to be dependent on them. And since we inherited them, we are still chaining our people. Therefore, we should have a salary system which should enable somebody to lead a good life and one should be able to save something. So that after working for about ten to fifteen years, you can opt to move out because you have already saved something. So we are suggesting that the salary should be reviewed, should be comfortable enough to allow somebody to save as well as lead a decent life and not what is happening now.

**Com Kangu:** Jaribu kumaliza.

**Ms Immaculate:** We are suggesting that in governance that a responsible Government should be able to work cohesively with the NGOs. Because what we are seeing is that the NGOs are duplicating duties of performances in the country. So they should work closely and infact they should come through the Government.

We are suggesting that on international relations, that border zones or districts like Teso be viewed as areas which determine international interests. Therefore, border districts be given priority in matters of protection and development. That is why we request that even the schools at the border should be built and given priority and even the medical centers and infrastructure.

We suggested here that proper means for sourcing for funds should be sought. And we are suggesting that harambees should be used to facilitate community development and not as campaign platforms to popularize may be corrupts leaders who hand in huge sums of money.

On worship, we suggested that break away churches should not be allowed because we have the capacity to control these items. Because breakaway churches encourage exploitation of citizens since so many churches and mosques are being created all the time. And that it has led to God being worshipped in very poor facilities which has made God to be annoyed with us. So we are suggesting here that the original churches be maintained. But if they are any changes to be done, they should be done internally to accommodate new developments.

We are finally saying that our Constitution should endeavour to educate and remind Kenyans that they are the Government and the Constitution should deliberate to build individual confidence and not disperately dependent on hand outs from leaders. I think that is all we have for today.

**Com Kangu:** Silvester Barasa?

**Silvester Barasa:** Thank you very much Chairman of this Commission. My names are Silvester Barasa. I have a few remarks to make here.

⊖ Number one; we should like a Government led by the Prime Minister but the President should remain head of state and this one we also want limits. Presidential powers and his interference with the Judiciary should not be allowed at all.

⊖ Number two; the retired Government servants should be paid their dues within 3 months and should also retain medical benefits and their pensions should also be

reviewed after every 5 years. And also they should be an annual increment as per pensioners income.

⌘ Number three; Presidential decrees. Some Presidential decrees are unnecessary and encourage in corruption. For example, if the President decreases that pombe haramu decree, this one, this decree has made policemen forget their duties and they go to the villages and solicit bribes. That is making the already poor people poorer. That is now corruption. The decree there doesn't help Kenyan citizens at all. We are not an Islamic state. The innocent Kenyans suffer because people's thinking habits are bad. So this type of decrees should not be allowed.

⌘ Number four, we want a Government that respects all the forty two tribes. They should be treated equally regardless of their sizes. Because some people think that when they become heads of states or Prime Ministers, they will have to deal with the small ones who don't have voices.

⌘ Number five, I feel that marriage certificates be issued at the Chiefs level. The Chief should have power to issue marriage certificates assisted by village elders, instead of churches and DCs alone. In conclusion, Kenya today is a country where few people are very rich and others are very poor. The Government we are expecting should try to bridge the gap between the poor and the rich. Because at the moment the gap is widening everyday and that way we shall end up only having rich people educating their children and the poor will remain an educated. So with those few remarks, I thank you very much.

**Com Kangu:** Thank you. Blasio Ondia

**Blasio Odia:** *eyalama noi loke kicholongo.*

**Translator:** Asante sana mwenyekiti.

**Mr Blasio:** *ichani lu ajasi kango kesi lu*

**Translator:** yale ninayo

**Mr Blasio:** *dimarai aji akiroto ape naka ariebe eong kotau atwana papangi kenyiekina eong*

*amana kanukinyo alosioeong akisitaka papakang kotini.*

**Translator:** Jambo moja ni kwamba babu yangu alifariki ameniwachia shamba.

**Mr Blasio:** *kanukinyo asiongo akisitaka papakang kotini.*

**Translator:** Mbona niende kushtaki babu yangu kortini.

**Mr Blasio:** *alemuni bobode eong apesai*

**Translator:** kutoa pesa.

**Mr Blasio:** *kanukinyo?*

**Translator:** Kwa nini?

**Mr Blasio:** *kere kopokona apugani nebuti na iboro ngulu mamu eong kakote.*

**Translator:** Kwa hii serikali inakuja na Katiba hayo mambo yote yaondolewe mbali.

**Mr Blasio:** *akotongo iboro ngulu komamu ketakanete kokingarene. Akirori angi Blasio Odia.*

**Translator:** Jina Langu ni Blasio Odia.

**Mr Blasio:** *amonyitong'o noi kopwap kane kakiroto kanukichani kani?*

**Translator:** Nalia sana hapa kijijini kwa ajili ya hayo mambo.

**Mr Blasio:** *alemari bobo mama eong kakote chut akiroto ngin.*

**Translator:** Kuanzia leo kuendelea mbele hayo yote tufutilie mbali.

**Mr Blasio:** *bobode ajasi eong kakiroto kana kana abala ebe, ebe apese ebe ebuni nesi de kotiakakine alupu.*

**Translator:** Jambo lingine ni kwamba msichana kudai agawiwe shamba, hiyo haiwezekani.

**Mr Blasio:** *achamuti eong apese ne epokin etwani konye emamu nes kejasi kere emamu ikoku konye atwana okileni keng ainakini eong eshamba.*

**Translator:** Nitakubali msichana wangu kama aoleka wa bwana yake amefariki na hana mtu mwingine wa kumlinda, naweza kumpea shamba.

**Mr Blasio:** *lakini na ejasi kidwekene ka okileni kene ebe agwaputu eshamba loka papaangi mamongo.*

**Translator:** Kama mwenyewe ako na Bwana yake na watoto, siwezi kumpea shamba

**Mr Blasio:** *bobode akimado kotoma osibitali aroniari.*

**Translator:** Matibabu katika mahospitali yamekuwa mabaya sana.

**Mr Blasio:** *itwanikini ijo itwani okeki kesibitali*

**Translator:** Mgonjwa aweza kufia kwa mlango wa hospitali kwa sababu hana pesa za kulipa.

**Mr Blasio:** *bobode itwani koni ketwana imonyit ijo itwani kon ekote ijo kolemu apesai nu elemara ijo nesi komochari.*

**Translator:** Mtu wako amefariki, ako mortuary unadaiwa pesa ndio utoe maiti upeleke nyumbani kuzika.

**Mr Blasio:** *apugani kingaraki eong akirot ngin kochaka*

**Translator:** Serikali iweke kwa Katiba isaidie hayo kufutilia mbali

**Mr Blasio:** *mamongo ache nu ipu alemari ngupengunu bon kangetaki eong osi.*

**Translator:** Ni hayo tu, asanteni.

**Com Kangu:** Tupate Augustine Wangila.

**Augustine Wangila:** Mwenye kiti, kwa majina naitwa Augustine Wangila. Na nitakuwa na maoni kama yafuatavyo.

☞ La kwanza ni hii ya Bunge. Ningependekeza wabunge wahudhuri bunge kuanzia Jumatatu hadi Ijumaa. Rais pia anatakikana ahudhuri Bunge angalau mara tatu kwa wiki ndiposa atasikia maoni ya wabunge na atajua shida za wananchi ni gani. Kuliko kungonjea tu kwenda kufungua Bunge na kupotea.

☞ Jambo la pili ni kuhusu provincial administration. Ningependekeza ya kwamba provincial administration iondolewe. Na badala yake tuwe na elective council. Kwa mfano katika tarafa tutakuwa na councilors ambao watakuwa wamechaguliwa wakae



watengeneze council. Ikienda kwa wilaya, wawe hivyo. Na kiongozi wa wilaya badala ya kuwa mkuu wa wilaya ningependekeza awe mayor au awe mwenye kiti wa town council ili kazi ambayo atakuwa akifanya, anaifanya na anajua ana saidia watu wake. Kama shida itatokea tutajua ni kijana wa fulani, mtoto wa fulani, ndio amekula pesa ambayo ingejenga barabara, ni mtoto wa fulani ambaye alikula pesa ingejenga hospitali na kadhalika.

- ☞ Jambo la tatu ni kuhusu political zoning. Tumeona hivi karibuni tunasikia wilaya fulani ni zone ya jama fulani na hiyo inaharibu nationalism. Tungefanya hayo maneno ya zoning yaondolewe na kila mwananchi ambaye anataka kutembea tuseme
- ☞ ana-campaign for urais, atembe mahali popote. Awe wa upinzani au awe wa chama ambacho wanasema ni cha sehemu hiyo.
- ☞ Nikiendelea, naona hali ya wale ambao watakuwa wanagombea viti, akiwa councilor, mbunge, au Rais, atangaze mali yake hadharani na atangaze vile aliipata ili tusi chague watu ambao wataenda kunyakua mashamba yetu, kunyakua plot ambayo tungejenga hospitali ili wawe matajiri. Lazima atangaze mali yake na aliipata namna gani.
- ☞ Jambo la tano ni kuhusu taxation, ushuru. Tunaona hapa Kenya taxation ni hali ya juu sana. Kwa mfano, tunasema tunataka kuondoa umasikuni. Unapata mama amepanda kunde yake tu kwa garden yake anapeleka, sokoni. Hiyo mboga ni ya shilingi kumi. Baada ya kuuza wanamsimamia wanataka shilingi tano. Je, umasikuni tutauondoa namna gani? Ningependekeza ya kwamba watu ambao wangelipa ushuru wawe watu ambao wameajiriwa. Serikali ichukue taxation kwa watu ambao wameajiriwa ili wapate pesa ya kuendelea kuliko kunyanyasa mama au mzee ambaye hajiwezi, anaenda kuuza mtama wake wa shilingi ishirini, wanataka shilingi kumi. Umasikuni tutamaliza namna gani?
- ☞ Jambo lingine la kumaliza ni kuhusu nominated MPs. Hawa wabunge ambao wanateuliwa tu bila kuchaguliwa. Ningependekeza wasiwe wanateuliwa tu, ili watoke kwa special groups. Kwa mfano tutenge Wabunge, kwa mfano kama ni kumi na mbili

kama saa hii. Tuweke namba fulani itakuwa ya vijana, namba fulani itakuwa- disabled watu ambao wamelemaa, namba fulani iwe ya wamama, na namba fulani iwe ni ya unionists watu ambao wanatetea watu kazini na kadhalika. Ni hayo tu. Asanteni.

**Com Kangu:** Eliud Orutu.

**Eliud Orutu:** First of all I thank the Commissioners that have taken time to come and listen to our views today I am Eliud Haggaiouto . First of all Mr chairman Sir, my Constitution review suggestions concern leadership. Under this, we have 42 tribes in Kenya. Since we are in the multi party era allowing us to participate democratically, if one tribe was once in power, there should be an allowance of another different tribe to vie for presidency and Constitutionally, if this can be passed by Parliament and made a law, it would enable any other communities that have never been in power to enjoy and participate freely. As citizens of the Kenyan society as far as the building of the nation is concerned. So this must be rotational in all tribes or 42 tribes whether big or small.

Number two, any leader as head of state, after his retirements, he is like any other civilian. So the idea of some few individuals or Parliamentarians to propose that he should be granted with security, good housing and large tracks of shamba must be abolished. In this conclusion, this is one way of raising our economy because for ten years now, our country has been performing very poorly. Others were mentioned by some other people.

Yesterday I had over the radio that Rift Valley province was leading in the registration of voters followed by Western then Nyanza with a very low number of registration. Since there was vetting that took place 2 to 3 times, registration of voters of at least one month should take place. There are some adults who have not received registration cards as your Constitutional review exercise goes on. So let the registration of voters continue for a short time.

Another point is this, there was been starvation in Kenya in 1980, 1981, 1985, and 1997 in Western Kenya. L.Victoria. as an example of a permanent water fall must be utilized to irrigate all drought areas for the purpose of getting enough food through the donors and this can only be emphasized by Parliament.

I have got another point Mr Chairman sir. Any civic leader must be basically educated, at least standard seven and above, not just an illiterate. In this situation, I elaborate by saying most of the civic leaders are fond of grabbing municipal plots and eventually become rich, yet their salary is very low.

Another point is this, on the security, the communities to be provided with police reserves. For example recently here in Teso District, especially here in Chakol Division, there was an incident of some thieves coming all over killing the innocent people and snatching the commodities and indeed there was insecurity.

Lastly about the local leaders, Ligurus, sometimes this leadership is neglected country wide. I would like the Commissioners to present that issue so that Parliament will discuss on how to pay their salaries. I say this because they are the first eyes of the Government and in most cases they also ask for bribes. And sometimes she or he has no money. Thank you very much for listening.

**Com Kangu:** Thank you. George Obong.

**George Obong:** Thank you chairman. My names are George Obong. I just have a view suggestions. If the new Government will take up this I think it will be helping a lot. On the issue of minding other people's welfare, so many people have talked about education and so many people have talked about health. I would suggest that instead of having problems of child mortality, we have should be provided with ambulances or may be helicopters incases of exams, we find that there is a problem of transport and communication and in the cases of emergencies like may be we have a lady who has to deliver and there is no transport for this lady, let it be provided freely. In times of election, we have had situations where we hear the Commissioners or may be the people overseeing the elections are stuck somewhere in the mud, let them be provided with the helicopters to salvage them in such cases. Because for example if that man went claiming for an allowance of overstayng in that place, it will be very difficult to pay.

Another issue is the idea of corporal punishment in schools. I think it should be introduced to

cub school unrest. I have gone through the same problem. But we should introduce a situation where a kid is not being beaten, because of a problem somebody goes scot free and then he tends to behave like he cannot be punished for a problem he has done in school.

I would also suggest on the side of law courts, let the magistrates or judges be able to write their findings in kiswahili because this one is a national language. Let them write their findings in kiswahili and let them meet there punishment through writing in kiswahili.

On strikes, people have talked about them. But I would suggest that if the Constitution can take up the issue of trying to make the administration be strict. Let them follow their oaths when they were taking these courses so that they should not have a generation gap between the students and the administration. That will curb the problem of strikes. And I would also suggest that these strikes all over about civil servants not having been paid, may be teachers or something of the kind, let us try to remind them of the oath they took when they were taking up these jobs. Somebody takes an oath like may be the nurses, they nightangle oath then somebody somewhere decides to torture a patient because he was not paid nicely. And on the Government part, let them look into on a humanitarian ground.

I would also suggest that before a Bill is passed, let them play or toy with it in Parliament and then they present it to the cabinet and then from the cabinet let us introduce a Senate which can scrutinize this Bill before it is passed so that the President can only come to endorse when need be not passing decrees that bring about problems in the country.

I would also suggest that we reduce overspending by the Presidential motorcades. Let him be given a helicopter and may be two helicopters for the security reasons so that he runs around the country the way he wishes. Not running around with so many vehicles. That will be reduce that budget. I think that is all because the others I have written here, most people have talked about them. Thank you.

**Com Kangu:** Can we have Africanus Ojune?

**Africanus Ojune:** Thank you Commissioners. for coming to listen to our views today. My

names are Ojuna Africanus and I have got a few proposals to put across. First is on land ownership. I would suggest that land should be owned by an individual but not a clan because we have heard cases whereby certain individuals have been deprived their rights to own land.

Secondly, Citizenship: A child born of a Kenyan mother when abroad should get automatic citizenship compared to a child born of a Kenyan man when abroad. On education, we know that it is a basic need as well as health and medical care. I propose that it should be the Government's responsibility to provide education for all especially in primary schools. On civic elections, I suggest that the minimum qualification of any aspiring councilor to vie for the civic seat should be at least a primary certificate and must have attained an A or B+ in English languages. Lastly, I also suggest that we should have an independent Judiciary. Thank you for listening.

**Com Kangu:** Finally, Michael Papai Osigwaro.

**Michael Papai Osigwaro:** Nashukuru mwenyekiti wa Tume ya marekebisho ya Katiba. Nashukuru kwa nyinyi kufika mahali hapa hii muweze kusikia maoni yetu. Mimi mwenyewe kivyangu ningependa kuwaomba ninyi katika Tume hii mjaribu mtusaidie haswa kwa upande wa DDC system.

**Com Kangu:** Michael, twambie majina yako kwa microphone.

**Mr Papai:** Michael Papai Osigwaro. Kuna hii ambayo inaitwa DDC system ambayo serikali ilibuni hapo nyuma. Hiyo system naona kama inaangamiza nchi hii. Mimi ningependa hiyo system ipate kuondolewa kwa sababu ni njia moja ambayo wale viongozi ambao wanasimamia idara fulani za serikali wanapata njia za kufuja hizo pesa. Kwa vile unaweza kuta hizo pesa zinapitia kwa mikono ya mkuu wa wilaya, yeye atachukua kiwango fulani. Kutoka hapo itapitia kwa departmental heads wao nao watachukua kiwango fulani. Ndiposa hizo pesa haziwezi kufikia wananchi. Na ndio inasababisha hata nchi yetu inazidi kuwa masikuni kabisa. Badala ya sisi kuendelea tunazidi kurudi nyuma.

departmental heads. Kuna section heads, pia wao wanachukua kiwango fulani. Sasa zile pesa

ambazo zinakuja kufanya ile kazi ambayo zinapangiwa, hizo pesa zinakuwa za kazi duni ambayo haiwezi kutufaidi. Ambapo utakuta siku moja, mbili hiyo kazi imefanyika, mwaka wa kwanza kama ni barabara imebomoka, pot holes all over.

Ningeomba serikali irudishe ile system ya zamani ambayo inaitwa central stores. Kama ni madawa iwe yanachukuliwa kutoka central stores. Kama ni once a month or once in 3 months, hiyo itakuwa ikisaidia sana. Kwa sababu hizo pesa zikiwekwa ati ndio wanunue madawa, mtu ananunua kiwango chochote cha dawa. Kama ni mhindi ndio anapewa tender, wana-sign chochote kile anasema, dawa zimekuwa supplied mahali pale ama ni spare part za gari zimekuwa supplied kwa Alupe hospital lakini hakuna kitu kama hicho kimefanyika. Sasa ningeomba hiyo serikali iweze kufuatilia sana.

Nyingine ningependa kupendekeza ni kuhusu cost sharing kwa mahospitali. Cost sharing hii imefanya watu wengi sana wamepoteza maisha. Haswa hata juzi kumetokea na outbreak ya malaria pale Rift Valley na watu wengi wamekufa. Kwa vile hata mimi nikiwa sina pesa na niko mgonjwa, nitakaa tu nyumbani sitaweza kwenda hospitali. Kwa sababu pale nitaitishwa kwanza pale ninapoingia kwa daktari, examination fee inatakikana. Kutoka hapo uende uandikiwe dawa. Ukisha andikiwa dawa tena injection room kuna madawa umelipa pesa. Tena yule nurse ambaye ataku-inject anaitisha kiwango fulani cha pesa. Hiyo naomba sana serikali iweze kuchunguza. Hapo tutakuwa tumesaidia wananchi pia waweze kuenjoy matunda ya uhuru wetu.

**Com Kangu:** Kuchunguza tu au una pendekeza?.

**Mr Papai:** Ni pendekezo serikali iweze kuchukua hatua.

**Com Nunow:** Kama nini. Unapenda ifanywe nini.

**Mr Papai:** Ya kuondoa cost sharing kwa mahospitali.

**Com Nunow:** Sema hivyo, go to the point. Endelea.

**Mr Papai:** Mimi ninapendekeza serikali iweze ku-create, wananchi waweze kupewa kiwango fulani cha kuwawezesha nao waweze kujimudu kimaisha. Kwa sababu kuna mtu mwingine ambaye anaweza kuishi kuanzia mwaka hadi mwaka kama hajalima ili apate yale mapato yake ya shamba auze. Hakuna vile anaweza kusurvive. Sasa mimi napendekeza serikali iweze kuangalia na kubuni kiwango fulani ambacho wananchi watakuwa wanapewa kila mwezi. Kama ni shilingi mia nane kwa mwezi, iwe ni mia nane. Kama ni mia sita, nao waweze ku-enjoy matunda ya nchi.

Nikipendekeza upande wa security, security-wise, mimi ningependekeza serikali iweze kuchukua sehemu za border areas iwe treated as operation areas. Kwa sababu hao askari wanakuwa na kazi nyingi ambazo zinawafanya saa zingine wanakuwa tempted. Wawe wanalipwa kiwango cha juu kuliko sehemu zingine. Wasipofanyiwa hivyo, wanakuwa tempted hata silaha zinaweza pita katika mikono yao. Mtu anakuja na kiwango fulani cha pesa, anasema mimi nina vitu vyangu hapa ninataka nipite. Sasa yeye atapita tu, hatakaa kwa vile yeye analipwa kiwango cha chini cha pesa atakubali. Sasa askari wengi wanaanza kufuata mahali pa pombe kwa sababu pale watapata kitu. Na hata kama kuna shida imetokea mahali pengine mimi nimevamiwa na wezi, kwa sababu wale askari wanajua hawatapata chochote kwangu, nikienda kuwasilisha ripoti yangu pale wananiambia toa kwanza pesa ya mafuta ya gari ilhali kuna kiwango kinapangiwa kila idara ya serikali katika budget. Ukifika pale unaambiwa leta pesa ya mafuta. Sasa mimi ndio niko na shida tena mimi nitoe pesa ya mafuta, nitakuwa napata faida gani katika serikali yangu? Na pale serikali inasema kuna security ya kutosha.

**Com Kangu:** Umemaliza?

**Mr Papai:** Kwa upande wa wabunge, Serikali ingebuni offices katika constituencies za wabunge ili wananchi waweze kuwasilisha shida zao kwa wabunge katika maofisi zao. Unakuta kuna wabunge wengine vile anavyochaguliwa tu hapa, siku za campaign tena ndio zitamrudisha katika Constituency. Na akiwa pale anasema ya kwamba watu wa Amagoro wamesema hivi. Na yeye hajakutana na mtu yeyote ambaye yeye anasema wamesema hivi. Sasa mimi hilo nipendekezo langu serikali inafaa ichukulie hatua hayo tu.

**Com Kangu:** Bwana Papai, unasema border areas ziwe operation areas. Sijui kama unaelewa

maana ya operation area. Sababu nasema hivyo ni kwamba, juzi tulikuwa huko Pokot. Na Wapokot wanalia hiyo kitu inaitwa operation imetumiwa kuwasumbua. Unajua operation area ni kama (inaudible) you are under a state of emergency. It is a kind of curfew and there will be police roaming around here and given their nature, What we were told in Pokot, they are raping girls and women allver. They are stealing people's things and so on. Is that the kind of situation you want?

**Mr Papai:** Chenye mimi nilikuwa na maanisha ni kwamba., Serikali iweze kuweka security ya kutosha katika area za border. Kwa sababu unaweza kuta police station iko mahali hapa na unakuta duka liko mahali pale kama office ya DO, unakuta duka limefunjwa na askari wako hapa na hakuna hatua wamechukua. Sasa inatakikana askari wawe active most of times. Nadhani ni hayo.

**Com Kangu:** Basi asante, andikisha pale. Sasa tumemaliza orodha ya majina ambayo tulikuwa nayo. Sijui kama kuna yeyote hapa jina lake halijaitwa na alikuwa anataka kuzungumza. Kuja hapa basi. Kunaye mwingine? Basi kama hakuna. Kuna mwingine hapo Nyuma? A question? Na wewe ndugu? Na jina lako halijaitwa? Basi songa hapa. Yule wa swali utakuwa mwisho.

John Emodo Mwenye kiti wa Katiba, mimi majina yangu ni JohnEmodo . Mwenyekiti wa Katiba tunashukuru sana kwa vile umekuja hapa leo ili muweze kusikiliza maoni ya sisi wananchi wa chini. Mimi pendekezo langu la kwanza ni hili, Katiba ambayo inakuja baada ya hii ile serikali, kitu cha kwanza ibadilishe ile system ya provincial administration. Assistant Chief, likuru, na Chief na DO wasichaguliwe na maofisa wa serikali kama DC. No. Hawa watu wakuje wafanye campaign kwa wananchi, wananchi wa-check kama hawa watu ni wazuri. Wafanyiwe mlolongo, wachaguliwe direct kutoka kwa wananchi wenyewe na wadumu kwa kipindi cha miaka tano. Baada ya miaka tano, warudi tena campaign. Kama walifanya vizuri warudi. Lakini sio vile system iko sasa ya mtu tu kuletwa tu na anakuja ku-molest sisi kwa sababu anajua sisi hatukuwachagua.

Ya pili ni kuhusu polisi force. Tungependekeza Katiba ambayo inakuja ibadilishwe na mna hii, tutafute another independent force ambayo wananchi wanaweza kuripoti wale maofisa wanasumbua hawa. ili nao polisi officers waweze kuchukuliwa hatua. Kwa sababu saa hii



polisi tu wanakunyanyasa, hakuna mahali unaweza kushtaki. Wakienda polisi, ni polisi tu wale wale tu. Badala yake tena unawekwa ndani. Tuwe na independent force ambapo officer yeyote atasumbua wewe bila makosa, ripoti huko na yeye pia ashikwe ashtakiwe.

Halafu kuhusu matibabu, hii mambo ya cost sharing iondolewe. Cost sharing imeleta vifo vingi sana. Kwa sababu watu wengi ni masikuni hawawezi kulipa zile pesa. Kwa hivyo tunaomba serikali ya kwamba irudishe tu ile hali ya zamani matibabu iwe ya bure. Mtu akigonjeka saa yoyote, madawa ziko hospitali. Watu waweze kutibiwa ili ipunguze vifo hivi.

Halafu ingine ni kuhusu ushuru. Ushuru katika Kenya uko cha juu sana. Hii maneno ya 18 % VAT, tunaomba ile serikali inakuja hii mambo ya 18 % VAT iondolewe kwa sababu kuna wafanyi kazi wengi ambao wanalipa ushuru,. hiyo kitu itoke kwa wananchi wa kawaida.

Halafu ingine ni hii kuburudika kwa wazee mitaani. Wazee wanasumbuliwa sana. Ingawaje mimi siunzi mkono pombe, lakini hiyo kitu imeleta corruption. Kila mtu aruhusiwe kuendesha maisha yake, yeye mwenyewe atajua mwisho na Mungu wake. Kama anaamua ulevi aamue, lakini si kwamba kuna mtu yeyote anakuja kusumbua hawa, “Oh, mzee unakunywa nini?”. Tena huyu mtu anakuja kusumbua hawa wazee, atakula hongo. Anakuja tena kunyanyasa watu, anatishatisha, wanaotoa pesa. Kwa hivyo yangu ni hayo tu.

**Com Kangu:** Kuja Mbele.

**Ebisansio Emulala:** Asante mwenyekiti wa marekebisho ya Tume ya Katiba.

**Com Kangu:** Jina?

**Mr Emulala:** Kwa majina ni Abisansia Emulala. Mengi yameshasemwa tayari na nitarudi na kupitia pengine machache ambayo yamesalia. Kwanza ningependa kuzungumzia juu ya kilimo. Tumeangalia kwamba katika nchi yetu ya Kenya wakulima wameumia zaidi. Na katika serikali ambayo inakuja, katika Katiba hiyo tunataka kwamba serikali iweze ku-supply farm inputs and equipments to the farmers. Kwa sababu kilimo ndio inapatikana kwamba ndio nguzo ya maisha ya kila mtu. Kwa sababu naona kwamba idadi kubwa ya wananchi wa Kenya wanategemea

mambo ya kilimo. The Government should be able to supply farm inputs and equipment to the farmers.

La pili ni uchaguzi wa Local Authority and administration yaani utawala. Tuanaona ya kwamba serikali ingekuwa inafaaya kwamba katika Katiba ijayo iweke the minimum academic standard ya mtu kuchaguliwa kuwa diwani au administrator. Na nilazima awe kama amehitimu kiwango cha elimu cha kidato cha nne, ambaye pia ako trained katika profession fulani. Na ambaye pia anatakikana afikie kiwango cha diploma level, sio chini ya hapo. Kwa maana viongozi wengi ambao wanachuguliwa pengine kutoka form four hana qualification, hajui atanzia uongozi upande gani.

Halafu pia ya tatu, kuhusu tax in the market, tunaona kwamba ingekuwa vizuri kwa Katiba ijayo kwamba only the permanent business men or ladies should pay tax to the council. Na sio kwamba yule ambaye anavuna katika shambani alipe ushuru. Ingekuwa kwamba wale permanent business ladies and men should pay tax. Na kama ni farmers they should only pay tax for cargo or commodities which may value at least a minimum of 3, 000 shillings na sio chini ya hapo.

Ingingine ni kuhusu pombe. Tumeongea mambo ya pombe za kienyeji, lakini mimi kwa upande wangu ningependa kuunga mkono na kusema kwamba pombe ingeruhusiwa lakini sheria ingewekewa kwa matumizi ya pombe. Kwa sababu tunaweza kuongea kusema kwamba pombe ipigwe marufuku. Na serikali hapana, Kwa sababu tukiongea hivi na serikali inaruhusu watu wanaenda kukunyua kwa bar wanacheza huko, na nyumbani naambiwa ya kwamba ati pombe hatutaki. Hiyo itakuwa ya kwamba tunapatia ruhusa kwa polisi au askari kuenda kushika wananchi huku na akishikwa huko anasema lipa pesa. Na hizi pesa they don't go to any collection office. It is not part of the tax. Sasa tunaona kwamba wananchi watakuwa wakinyanyaswa kwa upande mwingine. Kwa hivyo pombe irusiwe lakini sheria iwekewe kwa kila mtumishi wa pombe.

Na wengi wamesema kwamba kuna mambo katika jamii zetu kuhusu watu wahalifu especially the thieves and wachawi. Hawa watu kwa mara nyingi wamehangaisha maisha ya watu katika vijijini lakini ningependa kuomba kwamba serikali au Katiba ijayo ingekuwa inapea mamlaka

kwa wananchi kujua kwamba waweze kutambua hawa watu wahalifu vizuri. Kwa sababu unakuta kwamba, mtu amesemekana ni mwizi na bidhaa za mtu zimeibiwa lakini hakuna namna utaenda kuongea huko, ati mvulana alikuwa ni mwizi. Lakini mtu ameibiwa kuku, ng'ombe na huna mamlaka ya kusema kwamba wewe fulani bwana wewe ni mwizi. Na hata ukipeleka mtu kotini utaulizwa kwamba, "Can you give the evidence? Hata mchawi atakuwa ameua watu 10 na zaidi but you will be told, "Can you give the evidence". Na watu wamekufa, wamezikwa. Let the Constitution give power to the citizens at least to say something or should have an order to discipline these people in the community. Nafikiri mengi yamesemwa nashukuru mwenye kiti wa Katiba, asanteni.

**Com Kangu:** Asante basi. Yule alikuwa na swali uliza swali.

**Eliud Arutu:** Thank you very much Commissioners for having actually come together and listened to us. I know that time has been very brief and very short. But if we had any kind of uwezo....

**Com Nunow:** Please go to the question directly.

**Eliud Arutu:** My question, one, is this, as time has been very brief and most of the people have been having some ideas and they will go back with their ideas, if for instance one has got another very important idea how will it reach you as the Commissioners?

**Com Nunow:** Yes. Another one?

**Mr Arutu:** How long will the exercise continue?

**Com Nunow:** The final question?

**Mr Arutu:** In Teso district here, have you completed or you will come again visit so as to receive the ideas from wananchi? That is the last question I have.

**Com Kangu:** We will combine your last and first question. We will be sitting in Amukura on

Monday. If you have ideas that you haven't given here you can come and give them in Amukura. Or you can write them up and give them to the district coordinator before Monday so that when he comes to Amukura, he will give us.

Question number two. When will we finish? We don't know. We have also just read in the papers today that Parliament was discussing our extension of time. We don't know how much time they are giving us. The papers seem to be saying up to January so we don't know when will finish.

**Com Nunow:** We are saying we don't know when we will finish because the entire process doesn't depend on the Commission alone. There is a certain part, after you have collected views we will compile the report, bring the reports for you to read it and see whether your views are there; Constituency reports-Amagoro Constituency reports. You look at it plus the national report combined, all of them. Then we will come to the provincial headquarters. And if the Constituents feel that something is missing, through the Constituency committees you will be able to submit the additional information for submission to the Commission when we come to Kakamega.

After you will have read the report for 60 days, there- after we will rewrite that report and take it to the national conference. The national conference will be dominated by politicians. All the members of Parliament will be there, there will be 3 people from each district. 125 members from the NGO world in the country, and the community based organizations and religious organizations. That is 650 people who will decide how long they will take. They have to debate line by line and agree. If they agree on everything, it comes back to us. We will only be observers in that meeting. So that may take as long as those people are unable to agree. But we have planned one month for it. Uganda planned 3 months for it but took sixteen months to agree on the documents.

So Commissioners will only be observers, sitting and watching and taking down notes. The debate will be outside our domain, we will not be able to control it. So that's why we cannot give you the exact time if they don't agree they will go to a referendum which is like another general election. where the entire country will be voting for issues. So it is difficult to tell at this

stage when it will be over because of the complexity involved and the different players that will come into being.

**Com Kangu:** And you need to know that if we finished our reports say at the end of September, and we are ready to call a national Constitutional conference but it happens that at that time we have no Parliament, maybe the President has dissolved Parliament and called for elections, we cannot proceed to the national Constitutional conference until we have a Parliament. So we will be forced to wait until the elections are over, if that were to happen, until new MPs are sworn in. So there are a lot of uncertainty along the way. But I always say there is no harm in expressing this fears and so on. But the position is that if you are expressing the fears, it is okay but don't give up.

I always give a story of farmers who are in a house and someone came and told them that we have been out there, it is just about to rain, you go and prepare your farms and plant. And they started quarreling. One group said, "Why should we bother? We have been there, it won't rain. We know and so why do we waste our time?" So they didn't plant.

Another group said that, "Yes, we know it will rain but we are aware that even if we planted, there are birds out there which can eat our crops, our seeds even before they germinate. So why do we waste time?" They didn't bother.

Another group said, "yes the seeds may germinate, but we know that there are monkeys and baboons which normally eat our maize when it starts getting ready when it is green. So why do we bother?" They didn't bother.

But another group said, "We are not sure it will rain, but lets try. We are aware that there are birds that eat our seeds. This time around we must sit around with stones to chase them away and ensure our seeds germinate. And they said we know that the baboons will want to eat our green maize, and this time we shall stand around with our dogs to chase the baboons to make sure we harvest. They harvested.

The burden the Kenyans have now is to go out there and chase the birds and the baboons if

they want to harvest. And in the process of chasing the baboons, they must be careful. They might end up chasing the dogs thinking they are baboons. Because in the Kenyan situation now it is very difficult to know who is speaking on the side of the people. So when you go out there and you are waiting for the baboons to chase them, be careful not to chase the dogs that are supposed to assist you in chasing the baboons. Thank you.

**Samson Olubayi:** Commissioners wetu pamoja na sisi kwa jumla, nafikiria huu sasa umekuwa kama ukingo. Tuko ukingoni mwa kiwango kwasiku ya leo. Kwa hivyo kwa upande wetu wa committee yetu ya district wa kazi hii, kwa niaba yao mimi nawashukuru zaidi wakaaji wa tarafa hii la Chakol kwa sababu wengi wao wamekuja na wamepeana maoni maalumu, mazuri zaidi ambayo tumeshaambiwa yote yatapelekwa na baada ya kupelekwa hawa wataenda through everything. Baada ya kupitia kwa kila kitu ambacho kitakuwa huko tutarudishiwa. Tutakaporudishiwa tutaletewa hapa tusome tuone yale maoni ambayo tulisema yapo au hayapo. Tuna uhuru huo wote. Kwa hivyo tunashukuru nyinyi zaidi kwa sababu mmetoa maoni mengi mazuri kabisa. Kwa hayo nawatumainia safari njema. Na kabla ya hapo nafikiria tulianza kwa Mungu, kwa maombi kwa sababu tulijipa mbele ya Mungu kwa maombi. Nafikiria tungelifunga pia kwa maombi, kwa upande huo itakuwa vyema. Kwa hivyo ndugu karibu hapa.

**Sivester Oduori:** Tuamini na tuombe'. Ee Baba Mwenyezi, twakushukuru kwa siku ya leo kwa vile umetupa uhai na kutuwesheza kukaa hapa tangu asubuhi hadi saa hii. Tulianza na wewe na saa hii twapenda kukushukuru na kusema ya kwamba ni asante kwa yale yote tumefanya. Na yale yote umewezesha wageni wetu ma-Commissioners kusanya kutoka kwetu watu wa tarafa ya Chakol yatakuwa ya manufaa kwa sisi na hata kwa wanakenya wote. Na saa hii tunakuomba baraka zako. Utuzushie Baraka zako kila mmoja wetu na hasa wale Ma-Commissioners wetu ambao wanaenda safari ya mbali, mkono wako upate kuwaguzi na watembe salama hadi kule Kisumu mahali wanapoenda kupumuzikia. Na hasa ambao tunaobaki, naomba baraka zako pia zibaki nasi. Hata katika familia zetu baraka zako sipate kufika. Naomba hayo machache tukiamini katika jina la mwanao Yesu Kristo aliye Bwana na mkombozi wetu .

**Amen !**

