

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

BUTERE CONSTITUENCY,

AT LUNZA SEC. SCHOOL

ON

02/08/02

CONSTITUENCY PUBLIC HEARINGS, BUTERE CONSTITUENCY AT LUNZA SEC, SCHOOL ON 02/08/02

Present:

Com. Salome Muigai

Com. Dr. Mohamed Swazuri

Secretariat Staff in Attendance:

John Watibini - Programme Officer

Gladys Gichuki - Asst. Programme Officer

Asha Boru - Verbatim Recorder

The meeting was called to order at 9.45 by Com. Salome Muigai as the chairperson.

Com. Salome Muigai: Rasmi na kikao cha dharura cha Tume, lakini kabla hatujaanza ningetaka kumwomba mmoja wenu atufungulie kwa maombi tafadhali.

Mwenyezi Mungu Baba, haishie milele, tunasema ni asante kwako Baba, tunatoa Tume hii kwa mkona wako, katika tarafa hii yetu ya Butere, na Baba twakabishi mkononi mwako, kila mmoja ambaye amekuja kwa ajili ya kutoa maoni yake baba, wewe mwenyewe upate kuwalinda na kuwasaidia, watakapokuwa wakiwasilisha maoni yao Baba, nguvu ya roho mtakatifu ipate kuonekana kwako. Asante Baba Mtakatifu kwa ajili ya siku hii, tumeiombea na tumeitazamia kwa muda mrefu. Ingawa Baba katika kikao hiki, tunamkumbuka commissioner ambaye ameaga, Baba Oki, ukae pamoja naye. Linda roho yake, na sasa

wenzake ambao anafanya nao kazi Baba, watakapo maliza kazi hii kwa wakati unaofaa tutasema ni asante. Mkono wako Baba upate kutukumbatia, tunapoanza na tutakapomaliza, kwa Yesu Kristo aliye Bwana. Amen.

Asante sana kwa maombi. Sasa ningetaka kuwajulisha sisi ni akina nani. Nina mwenzangu, mwanakili mwenzangu mwenye atawambia Jina lake, hili msikie pia sauti yake.

Com. Swazuri: Hamjambo, mimi naitwa Mohammed Swazuri, ni Mwanatume.

Com. Salome Muigai: Nami jina langu ni Salome Wairimu Muigai, na mimi ndio nitakuwa Mwenyekiti wa kikao hiki. Pia tumeandamana nasi, wafanyikazi kutoka ofisi yetu, tuna mfanyikazi aliye mkubwa wa wale wengine hapa, kwenye Kikao hiki.

John Watibini: Mimi naitwa John Watibini, hamjambo.

Com. Salome Muigai: Na pia na mwenzake mwenye kumsaidia kunakiri maneno.

Gladys Gichuki: Mimi naitwa Gladys Gichuki, habari zenu.

Com. Salome Muigai: Na pia tuna mwingine pale, mwenye kunasa sauti zenu moja kwa moja.

Asha Boru: Hamjambo, naitwa Asha Boru.

Com. Salome Muigai: Na pamoja nasi, pia leo tuna coordinator wetu wa kutoka hii district, tutamwomba asimame, na pia hawajulishe wana kamati wake wa kutoka constituency ama kikao hiki cha Bunge.

Coordinator: VERNACULAR. Niko na wenzangu ambao tumekuwa tukisaidiana nao kazi, kuhusu Katiba, ndio wamewezesha sisi kuwa hapa leo. Nitawaomba wasimame, na kila mmoja atakuwa anasema neno moja na jambo, thank you.

Imbayi Peter: Mimi ninaitwa Imbayi Peter Morris, ninawakilisha vijana.

Mary Otari: Hamjambo wote, kwa majina ni Mary Otari Wandati, kutoka Marama Central, nawakilisha wanawake.

Judy Kakasa: Hamjamboni, kwa majina naitwa Judy Kakasa, nawakisha N.G.O.

Ruth Otieno: Bushere Vusi, Ruth Otieno, nawakilisha Marama North, na mimi ndio mwandishi wa kamati yetu ya Butere, asante.

Sasa ningetaka kuwaeleza utaratibu tutakaofuata kutoa maoni yetu ya leo. Kwanza kwa lugha, sisi kama wanatume, ama kwenye tume, tunatumia lugha mbili, lugha ya Kiswahili na lugha ya Kingereza, kwa hivyo una uhuru wa kutumia lugha yoyote hiyo. Lakini ikiwa hauwezi, ama huoni, unaweze kujieleza, kwa hivyo lugha pia unaweza kutumia lugha ya mama. Itatubidi kumpata mtu wa kutafsiri. Mara nyingi tukitumia lugha ya mama kama vile tunavyojua, inachukuwa mara mbili ya wakati, kwani mtu mmoja atazungumza na mwingine atafsiri. Kwa hivyo, kama wewe unaweza kujieleza kwa Kiswahili, hata kisio sanifu, sisi wote hatujatoka Mombasa, isipokuwa mwenzaangu Mwalimu Swazuri hapa, wengine, hatuna hiyo lugha kabisa, lakini, kama unaweza tu kujieleza tukakuelewa, basi hiyo Kiswahili kinasosha, ndio tuweze kupata nafasi ya watu wengi kuzungumza.

Pia, tuna utaratibu pia, ya ile unaweza kujieleza. Unawezakuwa wewe unamjadala wako, ama una memorandum yako, unaweza kutupatia tu hiyo memorandum, ukajiandikisha, basi ukaenda shughuli zako, ama ukaketi kusikiliza wenzako. Unaweza kuwa pia una hiyo memorandum yako, lakini ungetaka kuangazia maneno machache juu yake, hatutapeana wakati wa kutosha wa kusoma memorandum neno kwa neno. Kwa sababu mbili, moja ni kuwa, memorandum zingine ni refu kabisa hatutapata nafasi ya kuisoma, kwani kila mtu akija hapa anapata dakika tano peke yake.

Sababu ya pili nikuwa, sisi wanatume, ni kazi yetu kuisoma memorandum yako, neno kwa neno. Sisi tulio hapa, na pia wenye hawako hapa pamoja nasi. Kwa hivyo tafadhali ukitupa memorandum, ujuwe tutaisoma.

Unaweza pia kuwa ujaandika maneno yoyote yenye utatwachia, lakini ungetaka kujieleza tu, kwa maneno yako ya mdomo, ama pengine umejiandikia tu notes zako za kukumbusha vile unataka kusema. Basi nawe pia tutakupa dakika tano, ujieleze. Ukimaliza kuzungumza, tuta, naomba radhi, hizi simu zinatua sana. ukishamaliza kutueleza, wanatume wanaweza kukuuliza maswali, lakini hii maswali yenye tunakuuliza sio ya kujitetea, sio ya kuuliza kwa nini. Ni maswali ya utueleze, utufafanulie hili tukuelewe vilivyo, tukuelewe vile unataka kutuambia. Kwa hivyo tunaweza kukuuliza swali moja, mbili ama matatu, hili ufafanue mambo yako.

Pia ningetaka kusema hili ni jambo halali, ni jambo lenye limeidhimishwa na Bunge, limeidhimishwa na sheria. Kwa hivyo usiogope mtu yeyote kutoa maoni yako. Hii ni jambo lenye limekubaliwa, ni jambo ya taifa, na maneno yenye utazungumza hakuna mtu mwenye atakufuatia, kukuuliza kwa nini uliambia kamati hivi ama vile. Hii ni jambo yenye kila mtu anazungumzia, wana siasa, polisi, kila mtu aliye mkenya, ana nafasi ya kuzungumzia, na uhuru wa kuzungumzia vile vyenye angetaka kusema. Pia watoto, wanaume, wanawake, hata watu wenye ulemavu, kila mtu anakubalia kuchangia maoni yake. Kwa hivyo tafadhali jisikie huko uhuru, kusema yote uliyo nayo. Tumekubaliana dakika ni tano. Usingojee nikuambie zimeisha, zimeisha, zimeisha, nikikuambia mara ya kwanza, tafadhali tumalizie, ndio mtu mwingine apate nafasi.

Sasa ningetaka kumwita mzungumzaji wetu wa mwanzo, na huyo ni Obunaka Shikumo or Shirumo? Shikumo, Obunaka Shikumo karibu.

Jambo moja kabla hajaanza, ukianza unaanza na jina lako, hili iwe kwenye kanda letu, na pia ukishamaliza unaenda kwa Mr. Watibini, kujiandikisha kuwa umezungumza, asante

Obunaka Shikumo: Okay, my names are Obunaka Shikumo, I am representing St.Valarie youth group. St. Valerie youth group, wish to state the following proposals and views, as pertains to the constitution of Kenya, as our motherland, as here below.

Language; language used in the constitution, should be simple, for every Kenyan to be able to understand.

Preamble; the Kenyan constitution, should have a preamble. Should ensure separation of powers, executive, legislature and judiciary.

Legislature;

- a) Age of voting, to remain 18 years, onwards.
- b) Age of parliamentary aspirants, to be 21 years up to 68 years.
- c) Members of Parliament should serve for two terms of five years each, and once, one fails to recapture the seat for the second term, then he or she, should not qualify to make a third attempt.
- d) The people should have a right to recall the M.P, if he fails to deliver, through an opinion vote, where five thousand votes will enable an impeachment of the M.P.
- e) The constitution should cater for independent candidates.

Presidency;

- a) The age to be 35 years up to 68 years.
- b) The president should not be an M.P.
- c) The term of presidency should be limited to two terms, of five years each. And once one fails to recapture the office for the second term, then he or she should not qualify to make a third attempt.

- d) Presidential elections, should be separated from parliamentary elections, and should come first.
- e) The president should only resume office, on securing 65% of the votes registered voters.
- f) The constitution should cater for independent candidates.
- g) The constitution should ensure, level ground for all candidates.

Provincial Administration should be transferred to Public Service Commission.

The post of Assistant Chief, and Chiefs, should be elective and should be limited to two terms, of five years each.

Basic rights; The constitution should protect security, health care, water education, shelter, food and employment, as basic rights of all Kenyans. And this should be sole responsibility of the government.

The constitution should provide for compulsory and free education of both nursery and primary schools.

The constitution should define, and protect education system, Kenyans should have. here, our view is to adopt 7.4.2.3, of form of education. which means, seven years primary, four secondary, two higher, and three university.

Should address the teacher, should address pupil teacher ratio. For both primary and secondary. The current ration 1:54, primary and 1:27 secondary, is not realistic. Our view is should be, the ratio should be, primary, 1:20 and secondary 1:30.

Employment; the constitution should curb the disparity in the remuneration of Kenyan workers. Thus, one worker is paid hectic salary and enjoys a tenureric periodical promotions. While the counterpart works, until he or she retires, without any single promotion. Yet at every point, the two had the same qualifications.

Also the constitution has to address, salary disparity. Where one worker earns, £1,800 annually and the other one earns £180,000 annually.

The concept of quarter system, in admitting Kenyans to education institutions, colleges, and is a mere brain drain. Our view is, merit policy should be used.

Health care; our view is, free medical care for all Kenyans. The concept of cost sharing in our medical services should be

abolished.

The constitution should re-examine, the doctor, patient ratio.

With this, we thank you for the attention, thanks.

Com. Salome Muigai: Please sign there. Maloba Johnstone, it is your turn now.

Maloba Johnstone: Maloba Johnstone is my name, I am a civic education provider, representing Butesero. At the same time, I am a K.A.N.U chairman, West Marama sub branch. I have here, my observation, or what I will need, at least looked into.

I would like a constitution, at least to have an Act or a clause, to outlaw, marriage by eloping. Here I have a girl, she is taken care of as a child by parents while young, up to the stage of eloping. Here parents seem to shade their responsibilities to this girl, probably thinking it has been taken by the husband and his parents. To an adverse, the boy was not marrying, but just trying for about a month, it turns out that the girl is not married, and that she is to go back to her parents, where she had already lost the sense of responsibility by her parents. Here, this girl's rights of belonging, are ready infringed and has no Act of taking the boy to court of law.

During her one month's stay, I am coming up with, I am just giving you reason why I think, but I have good results out of this. So, you see, the results of this, of what I am talking about is that, the girl, the channel of inheriting is infringed by this, will be illegal marriage. Now, if we outlawed, marriage by eloping, most likely, so that, first you will leave me just to finish, because I am going step by step.

Com. Salome Muigai: Go on.

Maloba Johnstone: Because I had not completely what, so that I come out with my, okay. During her stay with this boy, during the one month's trial staying as an eloped girl. This lady, most likely has got herself pregnant, she is pregnant. And by the time she is chased away by this boy, the girl is already pregnant. The results; the girl's channel of inheriting is infringed by this, will be illegal marriage.

Two, the best care, an offspring gets from happy parents, will miss on this she will be getting from this emergent marriage.

The girl is now dubbed second hand, and you see the moral of the girl is already infringed.

Four, her offspring may end up a street boy or girl.

So, you see, these ones are my points supporting, why we should outlaw, marriage by eloping.

How do we prevent this? People marrying, out to sign a binding document. Soon as they think of it, dowry can even come later, as per the document.

There should be an Act, completely outlawing marriage by eloping. That is my first observation, as that one goes.

The second one is just, the electorate and their representatives. Here it is just a statement that I would like done. Some representatives become a nuisance, soon as they have been elected. We should have a clean Act, allowing the electorate to pass a vote of no confidence, thus the percentage, at least, if we got a clause somewhere in our constitution, which stipulates that, if you become unhappy with your M.P or your Councillor or whoever you have elected to parliament, you prove, you gather a certain percentage of people, the electorates. And then host the M.P or the Councillor, that one will be at least good. I don't have much.

Com. Salome Muigai: Thank you for your views, Johab Maero.

Johab Maero: Kwa majina yangu, naitwa Johab Maero Ashika, na mimi nakuja mbele ya commission hii kwa niaba yangu.

Kitu cha kwanza na tena na commission, mimi ningependelea yafuatayo.

Kama mimi mwanaraia wa Kenya, serikali ambayo iko kwa mamlaka, ambayo imechaguliwa. Ya kwanza, lazima ijuwe mwananchi ni nani. Hiyo ndio maoni yangu. Lazima serikali ijuwe mwananchi anataka nini, ni kitu gani mwananchi anataka.

Kitu cha pili, mwananchi ambaye ndiye anaweka serikali katika mamlaka, ni kitu gani serikali inataka, ama inaweza kufanyia huyu binadamu ama mwananchi wa Kenya. Mara nyingi sana, serikali imesahau mwananchi. Kama naweza kumpa tu example ya hapa juzi. Watu wanateseka kufuatana na malaria ama ugonjwa, serikali imesahau kabisa, ni ikisikia ati kwa sababu watu iko ugonjwa mahali fulani ndio serikali inakimbilia. (**Interjection**)

Com. Salome Muigai: Tafadhali tupe mapendekezo, wewe mwenyewe ungetaka kuona nini?

Johab Maero: Sasa ningetaka ya kwamba, serikali ambayo inachaguliwa, itambui binadamu ama mwananchi.

Serikali ambayo iko mamlakani, iwe ama a president awe katika ofisi kwa term mbili. Ya miaka tano.

Na katika ofisi, ikiwa ako mamlakani kwa hiyo miaka tano, mwananchi ambaye amemchaguwa, waite elections ya maoni, mwananchi aone, ama apige kura, ati serikali inaendelea mzuri ama mwenye ako mamlakani anaendelea vizuri ama ako namna gani. Kwa sababu ni mwananchi huyu, ndiye alimwandika katika hiyo ofisi.

Kuchaguliwa kwa officers, kama judiciary. Hiyo judiciary, iwe independent, iwe tu peke yake. Ipewe mamlaka ya kuchunguza, kwa sababu hiyo, ndio mwananchi ambaye anafinywa, saa ingine na maneno hapa na pale. Anaweza kukimbilia. Lakini iko interference nyingi, kufuatana na hiyo office. Uwezi enda kwa ofisi ama kwa mahakama, wewe kama common man, halafu usikilizwe kwa njia nzuri. Na hiyo inatajikana, hiyo ipewe uhuru, mwananchi apewe uhuru ya mwenyewe kujitambulisha, na ku represent maneno yake, katika mahakama. Yangu ilikuwa ni hiyo peke yake.

Com. Salome Muigai: Asante sana, tafadhali jiandikishe. Enoch Musungu.

Enoch Musungu: Kwa majina naitwa Enoch Musungu, wa Salvation Army. Yangu ni machache.

Ningependa serikali ambayo inakuja, iwe parliamentary system of government, ambayo tutakuwa na prime minister, kutoka kwa chama ambacho kitakuwa na Wabunge wengi, Bungeni.

Ningependa, raisi asiwe juu ya sheria. Sheria iweze kufanya kazi hata kwa raisi, akikosa aweze kufungwa kama mtu mwingine yeyote.

Raisi asiwe Mbunge.

Raisi aweze kumteua makamu wa raisi na ma ministers, lakini asiwe na uwezo wa kuwaachisha kazi. Hiyo uwezo iwachiwe Bunge.

Raisi aweze kudumu kwa miaka mitano, na akienda zaidi, iwe miaka kumi, ikiwa alikuwa anafanya vizuri. iwe miaka kumi na akito kwa ofisi, asilipwe kitu baada ya kazi.

Ningependa sheria, ifanye kazi kwa mkubwa, hata kwa mdogo, kwa sababu, sheria ya sasa ifanyi kazi kwa mkubwa na kwa mdogo. Mtu mkubwa akiiba kitu, hachukuliwi hatua, lakini watu wadogo, wanaumizwa sana.

Bunge; ningependa katika Bunge, speaker awe yeye ndiye ana uwezo wa kuvunja na kusongesha Bunge, sio raisi. Kwa sababu yeye ndiye anashughulika na mambo ya Bunge.

Ningependa Bill zinazopitishwa Bungeni, ziwe signed na Attorney General, mkuu wa sheria. Raisi asi sign kwa sababu raisi ajui

sheria, mkuu wa sheria ndiye anajua sheria. Kwa hivyo Bunge inaweza pitisha kitu mbaya, na raisi anaweka mkono. Hiyo, ninaonelea ni vibaya.

Ningependa Kenya Gazette, ambalo linatangaza mambo ya serikali, liweze kuuziwa kila mmoja, liweze kupatikana kama mafazeti ingine, tunavyo yapata.

Na Mbunge aweze kudumu kwa miaka mitano, na akienda zaidi iwe miaka kumi. Na arudi nyumbani, hata asipewe u chairman mahali popote. Kwa sababu kuna watu wengi wanataka kazi.

Ningependa Bunge isizugungumzie mambo ya mishahara yao. Tuwe na special commission ya kuzungumzia mishahara yao. Kwa sababu wanapoenda hapo, wanazungumzia mishahara yao, wanaongeza zaidi, mpaka uchumi inaharibika.

Bills of Rights; ningependa, koti isiwe na uwezo wa kuweza kuweka mtu, ati anaenda kunyongwa. Mtu asinyongwe, bali afungwe maisha.

Uhuru wa kuabudu; ningependa iwekwe limit. Kwa sababu tumewachilia hiyo uhuru, na tunapata makanisa mengi, hata saa hii watu wanaabudu shetani. Ambayo tunakuna ma accident mingi sana inatokeana na uhuru wa kuabudu.

Na upande wa chang'aa, ningependa kusema chang'aa iwe halali, na hiyo chang'aa inapokuwa halali, isiuzwe, iwe halali, watu wakunywe bure, na ukipatika unauza ufungwe miaka saba.

Mambo ya mashamba; yawachiwe wazee wa kijiji. Hiyo board itoke kwa D.O, D.O asiwe mwenyekiti wa Board, aji mambo ya mashamba huku. Hiyo mashamba irudi kwa wazee, wazee wenyewe wajiadiliane mambo ya mashamba na vile inaenda. Na hiyo title deed iweze kupatikana kwa kila mkenya.

Ningependa tena mambo ya mashamba; katika Katiba yetu, tuwe na kitu tunaita Jubilee. Hili miaka fulani, mashamba inarudi kwa serikali, serikali inagawia watu, kuingana na hesabu ambayo iko. Kwa sababu tuna watu wengine wana mashamba, acre elfu mia tatu, na wengine hawana kama mimi ninavyozungumza hivi. Kwa hivyo mimi ni mkenya.

Upande wa elimu; ningependa, serikali iweke elimu kwa watoto wale ambao wazazi wamekufa kwa njia ya ukimwi. Kwa sababu hii ni chango la taifa nzima. Hao watoto wasomeshe kuanzia nursery mpaka form four, mpaka university, hata ng' ambo wapelekwe.

Mishahara ya walimu; ningependa isiwe ni kitu ambayo inajadiliwa kila mara. Katiba iweke mishahara ya mwalimu inasongeshwa baada ya mwaka mmoja percentage fulani, walimu wanafanya kazi nyingi. (**Interjection**)

Com. Salome Muigai: Tafadhali malizia.

Enock Musungu: Ninamaliza, namaliza.

Kwanza hapo kwa walimu, nataka mwalimu wa nursery awe analipwa na serikali. Kwa sababu tunaambiwa elimu ni ya bure, nursery tumewachiwa.

Local government; Assistant Chief na Chief, waende transfer. Hao watu ni kama civil servants wengine. Wapelekwe transfer na *maguru* wapewe mishahara.

Police; police wasiwe ni police force, bali wawe police serving. Siku hizi tuko na police force, hata hawawezi kusaidia wewe, wanakuumiza tu. Hawa watu wa army, wawe na kazi ingine ya ujuzi, ambayo wanaweza kutekeleza na kuingiza pesa kwa serikali. Asante mengine mtasoma.

Com. Salome Muigai: Stanley Muka.

Stanley Muka: My name is Stanley Muka, I am a retired civil (**Interjection**)

Com. Salome Muigai: Mu?

Stanley Muka: Muka, M-U-K-A, a retired civil servant, both locally and internationally.

General remarks, the constitution as a document, should be respected, and to me a constitution is a sacred document which should not be tampered with. And once written, it should remain and serve for a long time.

On that one I suggest that, if the two term presidency is upheld, that part should not be changed at all.

Constituencies; my humble opinion is a constituency should be fixed, and not just created at randomly. I am thinking personally that 200, 250 will be enough constituencies to serve Kenya.

Parliament; the original constitution, majimbo constitution, we had two houses, senate and the house of representatives. I suggest, that the two houses be re-introduced. A senate, personally I will think the best way for senate, will be to use tribes, so that tribes can be recognized rather than ignored as we ignore them now.

There are members who are nominated to parliament. my suggestion is this should be abolished. There is no need to appoint anyone at all in the house.

Qualification of M.Ps; I think ability to read and write, and speak in English and Kiswahili, should be what is wanted. If education is wanted at all, school certificate is enough. Degrees are not wanted for parliament work, the ability to practise politics, to talk convincingly, is what is wanted in parliament.

Presidency, a very important institution, need to be respected. It's job should be to coordinate, the activities of the government. And be a (Inaudible) or a centre of gravity.

Ministries should not be created in the Office of the President at all. Ministries should be in their own line, and if any ministry is in the Office of the President, they should not help to coordinate work of other ministries.

So I say, the hold of the presidency should be two terms of five years each, as it is now.

While occupying the Office of the Presidency, Ministers, Assistant Ministers, top civil servants, Permanent Secretaries, D.C, P.Cs, should not be allowed to practice business. They should concentrate on employment, if they want to do business, leave public work and go to business.

Top appointment should be vetted in Parliament, where the president has to appoint certain people, commission of police, what Armed Chief defense should be, should be appointed by, should be vetted by the parliament.

Cabinet; I feel cabinet should be trimmed in the new constitution, and the constitution should spell the number of ministries we need. Personally I think, eleven to 15 ministries, will serve the government. And they should be, maybe 15 – 25 Assistant Ministers. We don't need a parliament that is full of ministers all the time.

On Assistant Ministers; I think they should be upgraded and called Vice or Deputy, in which they can be deputize, if the minister is away.

Judiciary, the parliament and the executive or the presidency, should indeed be separate. Each with its own role to play, each independent, that coordinate to serve the same government.

The new government should certainly emphasis aspiration of those powers

Public Service Commission, I think should be strengthened, and appoint people and promote them to the highest possible level.

Even need be the D.C, the P.C should be appointed by the Public Service Commission, they are civil servants. If they are to be appointed by the president, then the Public Service Commission, short list three names which should be represented and then from there appointments made.

On land; I feel that, the Commission of Land or whoever is empowered to dish our land, should be the only person dishing land, nobody else, no other authority should dish out land. And he should also prepare due documents alone without anybody else, not even the president is to issue land.

Human rights; I consider education and health, two top human rights. education should be up to a certain level, should be decided, universal primary education. maybe standard one to standard eight, should be mandated, and easy to be done. and means to ensure that they are carried out as done. same with health.

Cost sharing, I begin to see that there are many people who cannot even afford the cost sharing, no matter how much little money they have to pay. So I feel, that they should be free service.

Com. Salome Muigai: Your last point Sir.

Stanley Muka: Freedom of press, freedom of human rights should be upheld. Can you give me a minute to conclude?

I wanted to mention something in retirement. Retirement age should be increased from 55 to 60. 55 being optional, 60 being mandatory, and that anybody who is on retirement, should get a better benefit, a thousand shillings is a minimum. I think less than a thousand shillings for people who served a long time ago, and the shilling was strong, even less than a thousand shillings is not valued. There is no need in fact to be on a rosta for retirement, when you are getting less than a thousand shillings. You said I can leave this view, it is written in the exercise because I haven't finished.

Okay thank you, I will conclude by saying, the constitution no matter how beautiful it is written, no matter when it is written, it is the people who are going to implement, that will matter. If they want to tamper with it, they will tamper with it. so we must have a clause which means that, no tampering with the constitution once it has been done, for the sake of the old. Thank you very much.

Com. Salome Muigai: Francis Shibola

Francis Shibola: Kwa jina langu naitwa Francis Shibola Shingoro, ninasonga mblele ya tume, kuwakilisha chama changu cha Development Help Group.

Kwa upande wangu na maoni ya wenzangu wote, wanaonelea kuwa, nataka kama serikali ingelipendelea na tena maoni yetu, huwa tuna register kila mwaka, yaani tunajiandikisha kila mwaka, lakini usaidizi wowote huwa hatupati. Kwa hivyo tunaomba tume itusaidia, ikiwa itawezekana, serikali inayokuja wakati mwingine, iwe pesa ikitoka, iwe mkitusaidia kitu kidogo. Watu wetu wapate maendeleo na kusomesha watoto, kuwapeleka katika skuli.

La pili ni hivi, tungeliomba tume, watoto wetu wakiingia katika nursery mpaka standard eight, huku kwetu huwa tunangaishwa sana. na upande wa malipo kila mara watoto wakienda skuli. Tunalipa school fund, tunalipa nini. (Interjection)

Com. Salome Muigai: Unapendekeza nini?

Francis Shibola: Mapendekezo yetu tungelionelea, afadhali serikali na tume ingetuwachia tu, tulipe school fund peke yake. Ni hayo tu, sina mengine ya kuendelea nayo.

Com. Salome Muigai: Naomba tuwe na mkutano mmoja, kwani tuna nasa hayo maneno yote yenye inakuja kwa kanda ya kunasia habari. Kwa hivyo kukiwa na kelele, pia hizo kelele zinaswa. Na wakati tutakapokuwa tukisikiza vile watu wa Butere walivyosema, tutakapo kuwa Nairobi, hizo kelele zitatutaliza, kwa kuwasikia ile maneno yenye mlituletea. Kwa hivyo tafadhali naomba, tujaribu kutulia, ndio tusikilizane. Yusuf Makhokha.

Yusuf Makhokho: Kwa majina ni Yusuf Makhokha, ningependelea kutoa maoni yangu kuhusu wezi. Ningependa kutoa maoni yangu, serikali haingekuwa inakubaliana kutoa bond kwa mwizi. Suspect, ndio anatakikana apewe bond, kwa maana anashukiwa tu ni mwizi, apewe bond awe nje.

Inginge, sisi tunalia uchumi umesorota, ambapo serikali yenyewe ndio inatumia pesa nyingi, kwa kulipa wizara nyingi. (Interjection)

Com. Salome Muigai: Unapendekeza nini?

Yusuf Makhokho: Ipunguzwe.

Com. Salome Muigai: Kutoka ngapi mpaka ngapi?

Yusuf Makhokho: Iko ngapi saa hii?

Com. Salome Muigai: Ungependa ziwe ngapi?

Yusuf Makhokho: Ningependa ziwe kumi na nane.

Com. Salome Muigai: Jambo lingine, ama umemaliza?

Yusuf Makhokho: Jambo lingine; sisi tuko na utamaduni ya Kiluhya, tunafaa tupewe barua ya kungoja ugeni, tusiwe tunauziwa barua.

Com. Salome Muigai: Hizo ni barua gani?

Yusuf Makhokho: Za kunini, tukiwa na sherehe, uwa tunaenda kwa O.C.S kupata barua na wanatuuzia, badala watupe bure, kunugoja ugeni. Nafikiri hiyo inatosha.

Com. Salome Muigai: Asante sana, jiandikishe pale tafadhali. William Anyanga.

William Anyanga: Yangu ninataka kuchangia, ni kuongea juu ya Mbunge. Jina langu ni William Anyanga Makunda.

Mbunge afanye kazi, kuanzia Juma tatu mpaka Ijumaa. Kuanzia saa nne hadi saa tisa.

Mshahara wa Mbunge huyo, iwe shilingi elfu hamsini.

Mbunge ni mzazi, ni mchungaji na ni mzaliwa wa Kenya, asipew e ruhusa ya kumeza mshahara ya watu mia mbili au mia tatu. Kama retired, orphans, widower, waliacha kazi kwa lazima, wale waliwacha kazi kwa lazima.

Mbunge achaguliwe na raia, tena awachiwe raia kumfuta, na kuwacha kuchagua mwingine. Hata hiyo ifanyike tu, pia na raisi. Raisi kama amechaguliwa na raia tena, wawachie raia wamfute. Ningekuwa na mengi ya kusema lakini, mengi nilikuwa nimeandika kwa Kiluhya, sasa nitampa tu huyu andike.

Com. Salome Muigai: Umeandika hapo kwa Kiluhya? Elphas Amolo, (Inaudible).

Elphas Amolo: Kwa majina ni Elphas Amolo Linyerera. Ningependa kuchangia mjadala wa administration.

Pombe ya chang'aa kwelie serikali imekataa, lakini ya kwamba, ni maajabu sana, kuona ile manyumba yenye anafanyia kazi, watu wa chang'aa ndio wana sponsor hao. Sasa chang'aa itakuwaje isimame. Kwa hivyo mtu kama Assistant Chief na Chief, wanastahili wawe na transfer.

Ya pili, Chiefs na Assistant Chiefs, wanachukuwa mavasi yao ya serikali, kuwa silaha ya kuumizia raia. Unaweza kumpata Assistant Chief, anajua tu huyu ni mwanamke wa mtu, lakini anamfanya kuwa rafiki yake. **(Interjection)**

Com. Salome Muigai: Unapendekeza nini?

Elphas Amolo: Ninapendekeza tu hiyo mjadala.

Com. Salome Muigai: Ungetaka kuona nini ikifanyika, ungetaka tubadilishe nini, ungetaka sheria na Katiba ibadilishe nini?

Elphas Amolo: Upande wa Assistant Chief, akipatikana na makosa kama hayo, anastahili afutwe kazi. Sina mengi, hayo ni yangu tu, niko na memorandum ile nitapeana.

Com. Salome Muigai: Asante sana, ipeane pale. Duncan Juma.

Duncan Juma: I am Duncan Juma, and my views are; **(End of tape)**

To be restored. And the chairman of this particular KACA ,should have some legal knowledge and not appointed by the president of the day, but by the parliament.

All senior civil servants like the Permanent Secretaries, Provincial Commissioners, Parastatal Head, should be vetted by the parliament and not the president.

All ministers and their assistants, plus their Permanent Secretaries, should be professionals with relevant professional qualifications and not necessarily M.Ps.

There should not be a point of cost sharing primary education, and if need be, and the primary education, there should be a fee which should be levied, and should be uniform to all public schools.

The judiciary should have its independence.

The appointment of the C.J and the Attorney General, should be by a parliamentary committee, in charge of public service.

The president should not be above law, and should be convicted in a court of law, whenever he commits a crime, just like any other citizen.

And government vehicles should only be used on official duty, and should remain under government custody, that is in the government security.

All vehicles should be kept at Police Stations, that is the government vehicles.

The constitution should be able to state, and exact date, when the parliament life ends, and not be in the president's hand.

All Commission of Inquiry, should be compelled to by law, to make the finding public, and there should be a time duration, when this should be done so.

And I also recommend that KACA be fully empowered to prosecute, and KACA should also be attached to the parliament, not in the Public Account's Committee and P.I, to follow up cases of corruption and embezzlement of public funds.

And the presidential immunity from prosecution, should be done away with, so that the president can be sued for any misconduct. This will make them more accountable.

The public order Act should be reviewed and Kenyans be allowed to freedom to drink their traditional brews like Busaa.

And Kenyans should also be allowed to organize meetings, and meet without police interference.

Before any such is done by police, the policemen should be able to produce a search warrant, and this should be signed by the chief and the sub chief, and they should also be accompanied by a village elder for identification purposes.

And anyone who wants to invest in a country should do so freely without a lot of this red tape.

The media should be liberalized in a way that, anyone wishing to broadcast, should do it freely, and it should not be owned by the ruling party in power.

The position of Assistant Chief, should be scrapped and instead, the Village Headmen, should be empowered to deal with this village issues, in conjunction with the Chiefs and the D.Os and they should be paid, there should be some salaries to them.

And the chairman of the Land Board should not be a foreigner, but a local person, that is, the D.O should not be the chairman of the Land Board, because he does not know what has been happening in the local area.

And corrupt civil servants, if found to have a case to answer, should relinquish his public office, until the verdict is reached.

Any civil servant found guilty of embezzlement of public funds, should be forced to return back the money and dismissed from his duties.

And there should be a limit on land possession or ownership. In that, beyond that particular limit, the rest of the land is supposed to be repossessed by the government, and given to squatters. (**Interjection**)

Com. Salome Muigai: Is that your last point?

Duncan Juma: No.

Com. Salome Muigai: Then give me the last one.

Duncan Juma: There should be one man one job situation, so that everybody gets a share on the government resources.

Com. Salome Muigai: Inaudible.

Two, you said that, you have talked about village elders. Are village elders men or they women or are they mixed, what is it, tell the situation.

Duncan Juma: The situation is that, we have women and men.

Com. Salome Muigai: Okay, number of acres?

Duncan Juma: A maximum of a thousand acre, beyond a thousand, the rest of the land is supposed to be repossessed by the government.

Com. Salome Muigai: That is his opinion, each of us will have a chance to come and give his own views, thank you very much. Bernard Chema, a student, followed closely by Dolphin Okotchi.

Bernard Chema: On behalf of the school, I present the following. (**Interjection**)

Com. Salome Muigai: The name?

Com. Salome Muigai: The name is Bernard Chema.

Bernard Chema: The president should not be above the law. This is to reduce the chances whereby he has mistakes and not judged accordingly or immediately.

Number two; free primary education and reduction in secondary school fees. This is due to the economy of Kenya, whereby some parents cannot afford to educate their children, because their earning is not enough.

Point number three; the position of the Provincial Administration, should be elective. This is to have a representative from each tribe or rather community.

There should be also free education to the disabled children, but should depend according to the parent's ability.

Then, the ministers and other senior government members, should be reduced. Number five.

The ministers and other governments, their salaries should be reduced.

The government should deal strictly with corruption within the leaders.

Money used on AIDS control ways, should be increased.

Then, for somebody to contest for presidency, he should have academic qualifications. Hereby I mean, he should have or she should have a degree.

Then the president post, should be reduced to create job opportunities to other many unemployed people, but learned.

Birthrate should be controlled. Every Kenyan must have a maximum of three, and for extra, he should be or the parents should be taxed.

Candidates contesting for seats, should not use large sums when campaigning to citizens. This results to more cases of corruption.

Corporal punishment in schools should be allowed, but with strict guidance. This is to remove the Act of heavy punishment, whereby a student does the punishment for two hours, hence misusing the time.

Then, distribution of land, especially to squatters, should be strictly looked into, rather than sparing of land for no apparent reason. And yet many landless squatters are within.

Com. Salome Muigai: Inaudible.

Bernard Chema: The buying and selling of local breweries should be allowed, but under license and the sellers should be given a specific time of selling these breweries.

Then lastly, harassment from the police, should be avoided. And anybody to be taken in a custody, should not be treated miserably, thank you.

Com. Salome Muigai: Thank you. Dolphin Okotchi

Dolphin Okotchi: Thank you, my names are Dolphin Okotchi representing the Lunza sub location youth group. I am representing the right of a girl child.

Inheritance; girls should have a share to inherit land, and the government should get involved to see to it that, all girls should have a share to inherit land. This due to lack of inhering land may arise to problems such as; the girl may end up getting married to families which are poor, and yet back at their home they had big lands, but they didn't have a share to inherit. Or, the family may give birth to only girls, and the parents of the girls may see to it, it is better to sell the land, then they end up suffering, yet the girls are there to inherit the land.

Com. Salome Muigai: Excuse me, are you a student here, so why didn't you have a girl student. Give the name as a girl student, they are talking about their rights.

To my second point, education. the girl education should be supported, for instance, the schools should be supplied with enough facilities, such as the facilities used in the laboratory. This is to encourage the girls to be able to learn more science technology which can improve the country

My third point, the tradition should be weakened, such as inheriting women. This is so to prevent the spread of AIDS, or the girls being forced to marry at a tender age. This is to reduce their chance to achieve greater things. Those are my points.

Com. Salome Muigai: Frida Wabuko.

Frida Wabuko: Frida Wabuko represents Butesero na Kenya Women Finance Trust, Haki and Kimusingi.

Maternity leave; akina mama wapewe maternity leave ya miezi nne, na baba mwezi mmoja, wakiwa na full pay on government

job.

Private sectors; akina mama wapewe three months leave, baba one month leave, with full pay.

Working force; scheme farms. Let big shambas be spared and be cultivated to feed the whole nation. While mamas are busy giving birth and nursing the young ones, let the babas be busy tilling the land.

Number of children for Kenyans; now that Kenya has a bigger number of very poor people na maintaining it is harder than the rich. Let the government give out the specific number of children for each couple.

Com. Swazuri: How many?

Frida Wabuko: Roughly four.

Banks; service charges in banks are too high. Minimum amount to give interest is too high. Let them be reduced. Loan interest are a threat, yet interest to give to customers, on savings and fixed account, are too low. Let there be banks, to cater for small and poor traders.

FIDA; FIDA is a body that fights for poor ladies, let them be from a level of a division, to allow all women, to reach them with their problems.

Madawa; madawa ya genetics, yatolewe kabisa kwa markets, tuwe na originals peke yake.

Madktari u charge very high fees for treatment. We would like you to help us have them reduced.

Madawa ya kulevya yapigwe marufuku kabisa.

Salaries should be discussed by unneutral body.

Mengine nimeandika na mtasoma baadaye, asante.

Com. Salome Muigai: Asante sana mama, Thomas, tulipata msichana wa student, tafadhali njoo, do you have something to share with us? They have gone to bring what, the girl? They are not ready? Okay, Thomas Nambwaya.

Thomas Nambwaya: Kwa majina naitwa Thomas Nambwaya Munyaku, nimekuja kuwakilisha chama cha Avaremerwa Self Help Group, ambacho kimekuwa na mambo machache, kuhusiana na raia.

Na, raia ni Mkenya aliyezaliwa na Mkenya ambaye asili yake, ilikuwa hapo tangu kuchorwa kwa dhamani ya Kenya. Nikujieleza wazi wazi, nikujielezea wazi wazi, kwa kupitia ukoo wake. Yaani, raia awe amejelezea wazi wazi kupitia ukoo wake.

Wawe na kitambulisho kinachoonyesha yeye ni mkenya halisi.

Usalama na ulinzi; ni lazima wakubwa kwa wadogo, kufuata amri, zilizowekwe kulingana na haki za binadamu.

Bunge liwe na mamlaka ya kutangaza vita.

Muundo na aina ya serikali; tuendeele na muundo wa waziri mkuu, ubunge na majimbo. Na Bunge liwe na mamlaka ya nchi.

Upande wa kuajiri; mishahara ya waziri iwe elfu thelathini, hili kuwezesha watu wasio na kazi kuajiriwa.

Mwenye kuajiriwa awe raia wa Kenya, sio mgeni kuajiriwa na kuna watu ambao wanaweza kufanya kazi hiyo.

Kila aliyeajiriwa afanye kazi moja.

Kila mtu aliyesoma, aajiriwe kulingana na masomo, kwa kupunguza umasikini.

Masomo; serikali isomeshe watoto kutoka nursery, hadi shule ya upili, na wazazi wasiulizwe kitu chochote kulingana na gharama ya shule.

Nikimalizia, matibabu; hosipitali za serikali, haziitaji kulipiza wagonjwa gharama. Kwa sababu, gharama za hosipitali huwa zinagharamiwa na serikali. Na ni hayo tu ambayo nimekuwa nayo.

Com. Salome Muigai: Asante sana. tafadhali tukiwa na mzee, mzee kabisa wa miaka themanini, nishulishwe kuwa yuko hapa, nitampa nafasi ya kwanza, tukiwa na mtu mwenye ulemavu, nijulishwe yuko hapa, nitampa nafasi ya kwanza, niwajulisha before vile itafanywa, niletee jina lako. Kukiwa na mama mzee nitampa nafasi ya kwanza, kukiwa na mama mja mzito nitampa nafasi ya kwanza. Lakini lazima nijulishwe tafadhali, kuwa watu hao wenye wanaitaji nafasi za kwanza, mbele mbele. John Wendebwa, or Wandabwa.

John Wandabwa: Majina yangu ni John Leornard Wandabwa, ambaye ni mkulima na mstaafu kutoka kwa serikali yetu ya Kenya. Waheshimiwa commissioners, nimeona nimetaabika kidogo, kwa sababu nilikuwa nimeeka hii, nikitara jia kwamba nitajieleza, sijui nitafanya aje lakini. (**Interjection**)

Com. Salome Muigai: Una dakika tano, ikibido sana, itafika nyingine moja.

John Wandabwa: Asante. Upande wa vyama vya kisiasa, ningependekeza tuwe na vyama vine peke yake. Kwa sababu vyama vingi vinaleta ukabila katika Kenya.

Ningelipenda pia, mabadiliko katika kupiga kura; naonelea ya kwamba, umri wa miaka kumi na minane, watu hawa wengi wao wangali katika shule, na kwa hivyo naonelea, umri huo uwekwe, uende mpaka miaka ishirini na moja.

Miaka ya kuingia kwa Bunge; ningependa iwe miaka ishirini na tano.

Na ningelipendekeza pia, kuwe na senate katika Kenya, na watu ambao wanafaulu kwenda kwa senate wawe na umri wa miaka hamsini na tano.

Mishahara ya wabunge wetu; naonelea ya kwamba, wabunge wanalipwa kutokana na pesa za raia, na kwa hivyo, ningelipendelea wao pia, Public Service Commission, iwe ikichunguza mishahara yao, na sio hao wenyewe.

Upande wa elimu; naonelea ya kwamba elimu tunajidanganya wakati huu wenyewe tukisema ya kwamba, elimu iwe ni ya bure. Ningelipendekeza kwamba elimu, kuwe na kiwango fulani, cha school fees, ambayo inatotelewa, hili serikali iwe na uwezo wa kujua ni kiasi gani kinafaa. Hili vifaa vyote vya shule viweze kupatikana kwa uraisi, kama chokaa, vitabu, vile tulikuwa tukisoma sisi wengine hapo mbeleni. Ilikuwa nikuenda shule na kupata kila kitu kiko tayari. Kuliko wakati huu ambao mzazi anaambiwa, kwenda kununua kitabu ni shilingi mia tatu, ni shilingi mia nne, na hali elimu inasemekana ni ya bure. Mimi naonelea kama hiyo haitatusaidia sana.

Hapa naona kama, kuna mambo ya watoto ambao wako barabarani. Watoto hawa ambao wako barabarani, ni sana sana kwa mambo, kwa sababu ya umasikini, na pengine wazazi kutojua na kutojali. Na ningependekeza kwamba, mila zetu kama kwa mfano Wabaluhya, mtu akidunga msichana mimba, yeye anakuwa ndiye mwenye mtoto, na anachukuwa kila uwezo wa kumlea mtoto hadi awe mtu mzima. Sababu hiyo imeanza kuwachililia mambo ya kimila, imefanya sasa watoto wanatupwa ovyo, na watoto ambao wako barabarani ningelipenda, kamati iundwe, ya kuchunguza kwanza, kujua watoto hawa wamepatika vipi barabara, hili waweze kuchukuliwa na kupelekwa mahali panapohitajika. Kwa sababu, watu wengi saa hizi, wameanza kutengeza manyumba mengi na mambo mengine mengi, kupata pesa kwa wahisani na kadhalika. Na watu wengine wameanza kutupa watoto wao, kusudi hili wachukuliwe na vyumba vya kusaidia watoto, hili walelewe watoto bila gharama yoyote.

Mashamba, mashamba ningelipendekeza kwamba, mtu mmoja asiwe na zaidi ya hekari mia moja. Na kama ni kwa biashara isiwe zaidi ya hekari elfu kumi. Nafasi hiyo, mashamba ambayo yatapatikana, yataweza kuwasaidia watu wasio na mashamba.

Haina haja ya mtu kukuwa na mashamba mengi katika Kenya, wakati mtu mwingine hana hata acre moja, na mtu mmoja ambebania, dunia mzima ya mashamba.

Mambo ya security, ni jambo la kustaajibisha sana, waheshimiwa commissioner, kuona kwamba, polisi hawana vifaa ambavyo wanaweza kutumia, utakuta gari la polisi linasukumwa. Ni jambo la mzaa kuona, gari ambalo linaenda kufukuza mwizi linasukumwa. Polisi wapewe vifaa vinavyofaa, wapewe mishahara inayofaa, hili wasiweze kuongwa kwa uraisi. Wapewe pia nyumba zilizo mzuri.

Msaada wa sheria; ningependekeza, Law Society of Kenya, iweze kuwa na mpango fulani, labda kama ule wa National Hospital Insurance Fund. Ambako, wananchi wanaweza kuchangia kiasi kidogo, kwa muda, hili shida ikipatikana waweze kusaidiwa.

Na pia katika serikali, itafute njia ya kuweza kuwa na njia yoyote ya kuweza kuwasaidia wale kabisa hawawezi kujiweza kusaidiwa katika hiyo.

Pombe yetu ya kienyeji; mimi napendekeza kwamba pombe ya kienyeji irudi vile ilivyokuwa zamani, lakini isiwe ya kuuza. Iwe vile wazee walikuwa wankunywa zamani. Wazee walikuwa wanatengeza pombe yao, na wana muda wao wa kunywa. Kwa sababu ikianza kuuzwa tena, wataanza tena kuchangia mambo mengine machafu ya kufanya watu kufa. Saa hii tunajaribu kujidanganya kwamba tunazuia pombe, lakini watu wanatengeneza usiku, wanatengeneza watu wanakunywa wanakufa. Naonelea lazima pombe iweko, hili watu wasiangamie.

Wastaafu; watu wa serikali ambao wanastaafu, inastahili walipwe maruburubu mazuri, hili wasije wakafanya wale waliobaki kuingiwa na tamaa ya kupora mali. Kwa sababu mtu anaangalia D.C ambaye alistaafu awezi kuendesha gari, mtu anaona mimi niko hapa lazima nifanye nini, mimi ninyakuwe nisiwe kama fulani. kwa hivyo ni lazima, hawa watu wafikiriwe, na ningependeza mishahara ya watu wa serikali, uchunguzwe kila baada ya miaka mitatu, inachunguzwa inachunguzwa, na kila ikichunguzwa, wale wastaafu pia wafikiriwe. Isiwe ni wale walibaki peke yao. Wale walitoka pia, wawe wanafikiriwa, hili wale waliobaki wasiwe na tamaa ya kunyakuwa mali.

Uwezo mwingi wa senior civil servants.

Com. Salome Muigai: Dakika tano zimeisha, na nimekuongeza moja na imeshaisha., malizia.

John Wandabwa: Uwezo ambao umepewa senior civil servants, kama D.C, unakuta D.C amekuwa ndiye mtaalamu wa kila kitu katika district, amekuwa yeye ndio mtaalamu wa agriculture, amekuwa yeye ndio mtaalamu wa security, yeye ndio chairman, yeye ndio ana uwezo wote, sasa hata ofisa wa serikali akitaka kufanya mambo yake, analaliwa na huyu. Ningependa

kila mfanyakazi wa serikali ambaye anasimamia idara yake, awe fully responsible mwenyewe, katika kazi yake. Awe anaeza kujibu maswali ya kuhusu watu wake na hivyo.

Kwa hivyo, nafikiri nilikuwa na mengi, nitakupa hii, kwa sababu (**Interjection**)

Com. Swazuri: Unasema hii pombe ya kienyeji iruhusiwe lakini iwe bure, haina gharama ya kutengeneza, na nani atalipia hiyo gharama. Umesema watu wapatiwe bure, wanywe tu.

John Wandabwa: (Inaudible) mnashirikiana wazee fulani, mnatoa kiasi fulani kidogo, halafu mnachangia mnaenda kwa fulani, inatengenezwa, inakuwa tayari, mnakwenda mnakunywa, tena wakati mwingine namna hiyo. Kulikuwa na njia nyingine ambayo wazee walikuwa wana, wewe unajitolea kama mzee, unatengeza kwako tunakunywa, siku ile nyingine watatengeza kwa fulani, tutakwenda tutakunywa, namna hiyo. Na walikuwa na control, full control ya vijana hawawezi kuingia. Walikuwa na uwezo, wanakataa, wale wanasema kija huyo awezi kuingia hapa, na wanakataa. Na kweli hiyo ilikuwa inafuatwa, wazee wanaamuru. Kwa hivyo, hiyo itatusaidia kuwazui watoto wadogo kunywa pombe, na itatuzuia mambo ingine ya kufanya pombe, kuchanganya vitu vingine, kwa sababu itatengezwe katika hali iliyo nzuri, na wazee watasherekea kwa njia ya amani. Asante.

Com. Salome Muigai: Bado nina swali moja, wazee ni wa kike na wakiume walikuwa wakinywa.

John Wandabwa: Wakati huo, walikuwa wanakunywa wazee na akina mama, yaani mama pia wana umri wao, sio akina mama ambao wangali wasichana. Ni mama ambao pia wamefika umri wa kuenda kustarehe na mzee. Asante.

Com. Salome Muigai: Asante sana, jilandikishe. Ben Wanyaange, ama ni wewe, we ndio ulikuwa Wanyanga. Jared Otsola. Tueleze jina lako na uwendelee.

Jared Otsola: majina yangu, retired chief, Jared Nachisela Waneka Otsola.

Politics; there should be an upper house, with two elected representatives, from each district.

There should be 300 Members of Parliament.

A provision should be put in the constitution, for independent candidates.

National flags, be different from party flags.

Non national party candidate, be done by all party members, by secret ballot. To enhance democracy.

Parties to maintain up to date registers of all the members on the grassroots.

Defection from one party to the other party, should be done with a written declaration. And should be done with a written declaration, and document should be handed over, to avoid jumping from party to party at random.

The post of prime minister, to be created in the constitution. and prime minister should have the full powers to control the government. He should be elected by all wananchi, and should come from a ruling party.

The president to be non executive. He should be nations symbol, performing the state functions, like installing the prime minister, he should be chosen by parliament.

Their lives in office, should be the same as that of parliament.

They maybe re-elected by concerned bodies.

When constituencies are reviewed, the Butere constituency should be spread into two. This is one, Butere, two, Shinyuli or Shatala.

The first, there is Athi River, should be the side binding the two constituencies.

Civil service; appointments in the civil service, should be done on merit, and consideration should be taken on provincial basis.

The Provincial Administration should be retained.

Chiefs should be elected by the people.

Village elders, Magurus, should be paid a wage.

Local authorities should be given more powers.

And location councils, should be created.

Members should be elected on sub locational basis. At least two per sub location.

Names of the eight locations in the Butere division, should be named as follows; Black East to comprise of the following sub location; Shitara, Lunza, Bumamo and Bichenya.

Muragu Central to comprise of the following sub location; Inokolo, Inanga, and Mutoma. **(Interjection)**

Com. Salome Muigai: He has a comment, what is the problem.

Jared Otsola: Mna shida gani, mbona mna (Inaudible), eeh, si ni maoni yake mzee anatoa. Ule ambaye ako na maoni tofauti angojee wakati wake, atakuja aseme vile anataka, lakini msimharass. Tafadhali, wale ambao wamekuja kuchelewa, sheria yetu inasema, kila mtu hana uhuru wa kusema maoni yake, vile anavyotaka. Na wewe ukipata nafasi, utakuja useme vile unavyotaka, mwache mzee aseme anavyotaka tafadhali.

Com. Salome Muigai: Tena mimi ndio Mwenyekiti, na nimesema kuwa, mzee mwenye ni mzee kabisa, nitampa nafasi azungumzie maswala. Nimesema mtu mwenye ulemavu nitampa nafasi azungumzie mapema. Hii ni Katiba mpya yenye tunaangalia, na tunaangalia matakwa ya kila mtu wetu. Wanafunzi wetu tumesema wazungumze hili warudi darasani. Tafadhali tupeane heshima hizo. Nyumbani tunaweza kumpa mtoto mchanga chakula kwanza, leo ni mama aliye kwenye kiti, uenda ikawa, tunafanya mambo tofauti sisi akina mama, tunaanza na wenye hawajiwezi, tunarudia wenye wanajiweza, okay? Na ukiwa na swali tafadhali njoo uniulize, usikuwa na kunungunika kule, njoo hapa nitakupa nafasi uniulize vile unataka. Acheni mzee aendele, mzee ameona miaka mingi, ana fikira nyingi, wacheni awezeshe hii Katiba, kukuwa mzuri zaidi kwa ajili ya mambo yenye ameona. Mzee hataki kiti sasa, anazungumzia kwa ajii yetu na vizazi vya watoto wetu, ama mnafikiri sasa anataka kiti? Hataki chochote, huu ndio wakati sasa wakitumia akili ya mzee, na hiyo ni mila zetu. Nimeambiwa kila pahali waluhya wanataka turudie mila zetu. Pahali gani mzee alikuwa anazungumza vijana wananungunika, hata kwetu Kikuyuni hatuna hiyo, hapa uluhya kunayo? Mzee endelea, una dakika ingine mbili.

Jared Otsola: Asante.

Bulofuwe, should comprise of the following sub location, Shinamwinyuri, Shirota and Shirembe.

Shiraha, to comprise of the following sub location, Inoa, Ibusichingi, Elukaye and Emusunguri.

Marenyo, to comprise of the following sub location; Ipunga, Ivuku, and Imhindi.

Shianda to comprise of the following sub location; Inavore, Bobala.

Manyala, to comprise of the following sub location, Mshihenjera and Mishee.

Marama, to comprise of the following sub location; Shiatala, Shidende and Shichebe.

Jared, one acre retired chief, retired director of (Inaudible) and retired chairman and retired chairman.

Com. Salome Muigai: Jiandikishe pale. I hope the student heard that English. Did you student hear that English of mzee, we have a big shoes in which to fit, that was wonderful, thank you very much retired chief. And now, I would like to give this chance to Billy Wabucheri. You can come here if you want, I see you have a (Inaudible) or you can talk from there.

Billy Wabucheri: Alright, thank you very much Madam Commissioner, I am Billy Wabucheri, representing disabled persons group, known as Amani Disabled Persons, against disability challenges. This group is registered in Butere, Mumias district. We had a lot of material to present to this commission, but I understand we have only five minutes to present it, and therefore I will leave some of it for you.

Com. Salome Muigai: Do you have a memorandum?

Billy Wabucheri: I have a memorandum. you will read that, and I will give some part of it, to you in speech. So that, persons who have attended this meeting, can listen to what we have.

Com. Salome Muigai: Just a few highlights.

Billy Wabucheri: Just a few highlights.

Com. Salome Muigai: Okay.

Billy Wabucheri: I am talking about issues of persons with a disability.

Persons with disability have long realized that they are differently challenged, and however, they invigilate that, they can participate in everything, or virtually anything done by able bodied persons. So long as this obstacles are removed from them. these are some of the obstacles infront of them.

They are denied education,

Restriction to access, to health care,

Provision to employment,

Denial to recreation and procreation,

Denial to participation in decision making organs such as parliament and Local Authorities,

Denial to access to public utilities and buildings, like today I have just had to be carried to this building because, they don't have a ramp. (**Interjection**)

So can you give us the proposals.

Yes, then I am going to give you proposals. I am talking about more denial, like sign language. Right now, there are possibly here, persons who have problems of hearing, and I don't see any interpreter in this particular forum, to interpret to them.

We have problems, in that we are charged duty or tax on medical equipment, and aids used by disabled persons.

We are also discriminated in cultural activities.

We would therefore like to see laws enacted, which will discourage parents from hiding their disabled children, thus denying them education, freedom of association and employment.

We would like to see, duty waived on tax, duty waived on our medical equipment, and other Aids used by disabled persons.

We would like to see, construction of buildings, which are accessible to all people with disabilities.

We would like to see provision of free and affordable medical care, for the needy persons with disability.

We would want to see people provided with language interpreters, in public offices, especially police stations, hospitals, law courts, and institutions of higher learning, especially universities. Right now, we don't have any sign language interpreters in our universities. And this means that, we have denied education, to people who have hearing problems, to higher institutions.

We would like to see us, disabled people given priority in employment.

We would also want to see, special seats established in parliament, and local authorities, for persons with disability.

We would want to see at least about, ten percent of seats in parliament, and ten percent of seats in local authorities, kept for disabled persons.

We would like to see a special fund established from the national consolidated fund, to build and maintain schools for severely handicapped. And give grant and soft loans, to needy persons with disability.

We would like established national committee. Which must be chaired by a person with disability, and has a composition of two thirds of disabled members, to oversee all matters of persons with disability.

We would want to see enforced for the disabled, the universal human rights, enshrined in the U.N convention to which Kenya is a signatory.

There are other prejudices, against persons with disability, but I think I will not read this, because I have already written a memorandum for you, to read on your own, at your time.

But there was something which I was disappointed about recently when we read in the papers, about the president's retirement and benefits. We came out to think that, what was being given by the Attorney General to the president was too high. We have too many people who are disabled, and who are in this country, in fact we think that the disabled persons, are the most poor in the country. And those who have been high positions already have a lot of money, and they don't need to be given too much from the tax payers. And therefore we said that, a president shall be deemed as retired, if he voluntarily or she voluntarily, does not opt for re-election, and does not continue to act in active politics.

We also said that, that person who retires and qualifies for retirement benefits.

Com. Salome Muigai: Just hold on, can you it recording you.

Billy Wabucheri: Yes, you are recording me, yes.

We also said that, he/she, shall qualify for retirement benefits when he/she, has reached the age of 50 years and above. There are people who are going to see a lot of benefits for retiring, at the age of about 40, when they have been presidents, and then will come out in about two or three decades, we shall have about, four or five president who have retired and getting a lot of money. The country is not going to be able, to afford to give to them all those benefits.

We said that a president who shall be found to have committed crimes during his tenure, though having involuntarily retired, and he is not in active politics, that person shall not qualify for retirement, because he committed crimes.

Now, about the benefits themselves, we are saying that since within the first year of a person has been installed as president, actually such a person becomes a millionaire from his salaries and allowances.

Inaudible.

Yes, I am finishing up.

On retirement, such presidents, will not need further high income, he therefore, should only be provided with security, from our local police. Two personal body guards, diplomatic passports to travel and can only use our allowances, if he has been send by our government. He should receive a determined allowance, for his VIP visitors, he should be given fully furnished six bed roomed house in Nairobi, so that he can actually receive his visitors there, two cooks, two gardens and two drivers, and two house keepers, one personal secretary. He should be given full health coverage, and also he should be given two vehicles, not more than three thousand CC capacity or engine. One of them should be Utnity vehicle ana the other one Limousine, he should also get a monthly pension of 70% of his last salary. I think that is about it. Thank you very much.

Com. Salome Muigai: Make sure that you are registered. I would like to recognize the presence of the chairman to the council, Mr. Lawrence Oyando, asante sana karibu. And then, it is a turn now for Dickson Wahuda.

Dickson Wahuda: Naweza kuongea Kiluhya.

Com. Salome Muigai: Kama unajua kuuliza na Kiswahili kama unaweza kuongea Kiluhya, ujui Kiswahili?

Dickson Wahuda: Nitasema Kiluhya.

Com. Salome Muigai: Ni nani mwenye atafanyia tafsiri? Umeona mzee mwenzako ametutisha na Kingereza.

Dickson Wahuda: Eeh, wakati wa zamani sisi hatukuwa na shule, pengine yeye alikuwa na shule karibu.

Com. Salome Muigai: Na tena unazungumza Kiswahi tayari (Inaudible)

Dickson Wahuda:

Translator: Sisi waluhya kutoka zamani tulikuwa na kitu tunaita Oloiya, ukoo (**interjection**)

Com. Salome Muigai: Utatusaidia kwa kutafsiri, lakini utatupa hizo neno peke yake, asante, endelea.

Dickson Wahuda:

Translator: Ukoo wenye ulikuwa unashirikisha wazee, wanawake hawakuwa wanahitajika kuwa karibu.

Dickson Wahuda:

Translator: Tulikuwa pia na kitu ambayo tulikuwa tunaita, mahali ambapo wazee walikuwa wanakaa pamoja na kuzungumza.

Dickson Wahuda:

Translator: Wanawake hawakuwa wanaruhusiwa kukaa pale.

Dickson Wahuda:

Translator: Ile ambayo inanifanya kusema hivi,

Dickson Wahuda:

Translator: Wanawake sasa wanataka kufanywa wasimamizi wa Ukoo.

Dickson Wahuda:

Translator: Kama Maguru, ama Village Elders.

Dickson Wahuda:

Translator: Sio vizuri kwa sisi waluhya, ni kinyume ya utamaduni.

Dickson Wahuda:

Translator: Ya pili.

Dickson Wahuda:

Translator: Ni kuajiri watoto ambao ni wachanga, kazi kama ya askari.

Dickson Wahuda:

Translator: Watu huwa wanakuja tayari wameandikwa, ni kudanganya tu watu, ati wanafanya recruitment.

Dickson Wahuda:

Translator: Wanapigisha watoto kukimbia na kufanya yale ambayo wanahitajika kufanya, ndio wanahitajika kufanya ndio wachukuliwe na huku tayari wamechukuwa watu wengine.

Dickson Wahuda:

Translator: Shamba, tena kwa watoto.

Dickson Wahuda:

Translator: Unaweza peana mtoto shamba lako, na huyu mtoto anaanza kuuza hili shamba, kama wewe bado huko.

Dickson Wahuda:

Translator: Sio vizuri.

Dickson Wahuda:

Translator: Sasa yule mzee anaweza hata kuenda kujiuwa.

Dickson Wahuda:

Translator: Ni hayo tu.

Com. Salome Muigai: Mzee, unapendekeza nini juu ya mambo hayo yote. Umetuambia vile sheria, lakini ungetuambia wewe mwenyewe unapendekeza nini. Umetueleza juu ya wanawake, hawakuwa wakichukuwa uongozi kwa waluhya, unapendeza nini?

Dickson Wahuda: Kwa kijiji, kuwa Riguru hapana. Kama sub chief, kama daktari, kama nini, wanawake wanafanya kazi, lakini ya ukoo kwa Boma hapana.

Com. Salome Muigai: Okay. Na juu ya hawa watoto wenye walijiankisha udaktari, unataka kupendekeza jambo lipi.

Dickson Wahuda:

Translator: Anasema ya kwamba, ule mtoto ambaye amefanyishwa interview, awe yeye ndiye anachukuliwa, sio kuchukuwa watoto kando kando.

Com. Salome Muigai: Na mwisho ilikuwa habari ya uridhi. Unaweza kupatia kijana mtoto shamba, na anaua kama baba bado yuko. Ungetaka upendekeze jambo gani?

Si wakati wa mzee.

Dickson Wahuda:

Translator: Anasema ya kwamba, ikiwa mtoto utampatia shamba halafu auze, ni afadhali hata anyimwe shamba.

Dickson Wahuda:

Translator: Ama tuwe na sheria, ambayo itaweza kumfunga huyu mtoto akiuza shamba.

Com. Salome Muigai: Asante sana, jiandikishe. Rueben Wanyanga ako?

Speaker: Alienda.

Com. Salome Muigai: Okay. Stanley Otipa.

Stanley Otipa: Jina ni Stanley Otipa Makachia, nazungumza kwa Katiba mpya.

Katiba mpya mimi nataka iwe ya ukweli, iwache kuwa Katiba ya kuchanganya watu.

Sheria; nastaajabu sana sheria, ufanya katika Butere, na labda Marama. Kwa sababu ukienda kama Busia, unakutu watu wanauza hii Makaa ya radio, na hapa ukienda Butere, unahsikwa na polisi. Sijui Butere ndio mahali gani.

Mkoa wetu huwa Kakamega, nastaajabu, watu wagawania watu University. Nimeona Mkoa huu hakuna University, watu wanaenda Nairobi, wanaenda Kisumu huko, wanaenda Nakuru na hapa hakuna. Sijui ingawa namna gani. Nataka hivi; kama wanakaa kitu Mombasa, wakae Butere, wakae hata Nyiru uko.

Mambo ya pombe ya busaa, naizungumzia tena. Busaa nataka watu wakunywe, kwa sababu ni pombe yetu ya zamani, tena ni pombe ya mawasiliano. Unaweza kupata mtu ametoka huko huko, wanakutana wanazungumza. Na pombe ya chang'aa imekwisha kuwa katika bar, watu wakunywe huko. Isibiliwe katika ma pombe.

Bei ya vitu, wakati ilikuwa inasimamiwa na serikali, tulikuwa tunaona vizuri, saa hii serikali inasema, mtu auze vile anataka, tunaumia sisi. Katiba mpya nataka, serikali isimamie hiyo bei.

Mambo ya department kama minister, watu wanaweza jadiliana katika Bunge huko, na wanapitisha kitu watu wengi, na unakuta tu mtu mmoja kama minister anasema hiyo kitu sasa, nimeondoa. Nimeona sasa, maana ya kupia kuzungumzia huko kwa parliament haina maana. Kwa sababu kama kitu imeshapitishwa na watu, lazima ifuatiliwe.

Mambo ya watu hapa, waluhya kukula katika matanga, nimeona inarudisha Mkoa wa huku nyuma sana. kwa sababu, watu siku hizi wanakuja matanga wengi, na wanataka kula na kuna mtoto anaweza kusoma. Wanauwa ng'ombe tatu nne wanakula, wakati wa mtoto karo, anashindwa vile anaweza kuenda. (**Interjection**)

Com. Salome Muigai: Ungetaka kufanywe nini?

Stanley Otipa: Nataka iondolewe hiyo.

Polisi, nasikia wanakungoja, na ukitembea usiku, vitu vya watu vinaibiwa. Kama unatembea uwezi kukutana na police, saa ya mchana unawakuta wanasimama katika barabara. Sijui usiku, serikali yetu inakataa watembee ama wanafanya kazi gani? Tafadhali wasaidie watu, vitu vya watu vinaibiwa usiku, lakini saa ya mchana ndio wanatembea.

Nazungumzia katika, hali ya utwala wa Kenya. Nimeona watu kama Mungiki wanasumbua watu katika Nairobi, Kariobangi, wapi na wapi. Tena nasikia ati mnaunga mkono wakikuyu, wapate hii utawala wetu. Sasa wakipata watakusumbua mpaka miaka gani? Nataka hii utawala ipatiwe tena kama Waluhya, nilisikia walikuwa wanafunga watu kutoka hapa kufika Nakuru huko, labda huwa wanapatiwa kitu. Sio utawala ati ni Wakikuyu na Wanandi peke yao, utawala ni wa Kenya, kila mtu anataka apate. Basi ni hayo tu, siwezi kuzungumza mengi, tafadhali.

Com. Salome Muigai: Pendekezo lako kwa hiyo ya mwisho ni nini?

Stanley Otipa: Pendekezo yangu, nataka hii utawala wa Kenya, vile Wakikuyu washapata, Wanandi wameshapata, kabila ingine ipate.

Com. Salome Muigai: Jiandikishe tafadhali mzee. Edwin Okutoto.

Edwin Okutoto: My names are Edwin Okutoto, I represent my own views.

Structures and this things of government. We should not retain the unitary system of government. Therefore, we should have majimbo type of government. Which is power sharing arrangement. Means to give and take. We shall adopt federal system of government, in which executive and legislative authority is created within central government, and this thing regional or other units.

I wanted the federal system of government, each region to have its own affairs. To pay both region taxes and state taxes. This region fee
(Inaudible) (**Interjection**)

Com. Salome Muigai: It is not possible to read that memorandum, no matter which speed you use, so when you read like that, we are not able to hear anything.

Edwin Okutoto: Error is to human, thank you.

Com. Salome Muigai: Excuse me, just highlight the issue, and then give us the memorandum.

Edwin Okutoto: That is the thing.

Now, the current government, after 1962 to 1963 Lancaster house conference in London, decided, despite the agreement, to introduce in Kenya Majimbo, Federalism. At this time, majimbo can work in Kenya. Majimbo is a Swahili word for federalism. The developed nations such as U.S.A and other nations, have this system of government, even India. By this system power will be depowered to low level of the government, such as district, local authorities and province, through central government. From the central government through regional assembly. (**Interjection**)

Com. Salome Muigai: Excuse me, please he has my protection, he has the protection of the chair, he has five minutes to do what he is doing, go on.

Edwin Okutoto: In 1962, 1963 majimbo constitution (**Interjection**)

Com. Salome Muigai: And he will not be harassed by anybody, in fact I have given you one more minute.

Edwin Okutoto: In 1962, 1963 majimbo constitution, containing Kenya Gazette document number 105, which was signed for, by African Elected Members Organization, and secretary generals of every two political parties, K.A.N.U and K.A.D.U. There will be no political stability, if the government of Kenya, does not restore ours, which were meticulously argued and agreed in 1962-3, Kenya constitution. which gave Kenya, its political independence, from the British.

Kenya today is where Israelites in the bible were, during the time of Prophet Ezra and Nehemiah.

Com. Salome Muigai: Can you settle down, we would like to hear him, we would like to record, go on.

Edwin Okutoto: Nehemiah chapter five is no different from what Kenya is today. Chapter 9:38 and chapter 10, is the conclusion. Kenyans want to re examine, the Kenya independent constitution and see what good amendments can be done to it, in the interest of people will be bored, and live after our own time. I am appealing to the surviving African elected members organization, Hon. Jeremiah Nyaga, Dr. Kiptanui, Dr. Kiano, and the Hon. Joseph Martin Shikuku, the former secretary general of K.A.D.U, to mention a few, for the surviving constitution (Inaudible) to team and work hard with our friends here, the nature and the form of our constitutional independence, which was eventually signed, on behalf of people, of all races.

May God bless us, may God guide us to see what is right and just for our country Kenya, and our people, and not what we want as individuals, amen.

Com. Salome Muigai: Thank you very much Mr. Okutoto, Eda Huselo, sorry, that is an observer, Zadock Saya.

Zadock Saya: My names are Zadock Saya, I am here to present Shingungu Primary School. **(Interjection)**

Com. Salome Muigai: Zadock, do tell us your name, your class, and the school. Then you have five minutes to tell us what you have for us.

Zadock Saya: I am in class seven, Shingungu Primary School. **(Interjection)**

Com. Salome Muigai: Can you speak loudly, so that we can hear you?

Zadock Saya: We propose that, our new constitution have a preamble.

Directive principles should be included too.

The new constitution should be safeguarded to avoid unnecessary amendments.

The rulers and the ruled must have a commitment to defend and protect the constitution.

The constitutionalism and the rule of law, must be enforced in our laws.

We should retain the presidential system of the government.

We should not have a system of the government in which all affairs of the state are controlled by the executive. Because this gives them a lot of powers. These powers should reduced. Example; presidential powers of creating ministries, district, public offices, should be proved by the parliament.

Presidential powers of appointing and dismissing ministers and civil servants, should be scrapped.

The president should be removed from misconduct while in office.

Those holding public offices should not be involved in other commercial activities. It should be one man one job.

Basic rights should be provided in the constitution.

The government should be responsible for ensuring that all Kenyans enjoy basic rights.

There should be a provision for the rights of groups of people who have suffered discrimination. E.g. women, children, persons with disabilities, elderly youth, HIV patients.

Affirmative action should be enshrined in our constitution to increase participation of these groups.

Other rights should include, civil and political rights, human rights, children rights, and women rights.

Children rights to be effected in our constitution.

Natural resources should be owned by all citizens. They should be used for the common good of all citizens.

The constitution should protect the natural resources.

Thank you for listening to me.

Com. Salome Muigai: I have one question for you. The parents have told us that they should have rights to beat children and the pupil. What do the children think about it, what do you think as a child.

Zadock Saya: Children must not be given punishment of doing work outside, because they lose a lot time.

Com. Salome Muigai: They should not be punished to go outside class?

Zadock Saya: Yes.

Com. Salome Muigai: During class time.

Zadock Saya: Yes.

Com. Salome Muigai: What about corporal punishment, should they be cained, should pupils be cained. That is your opinion, nobody is going to hold you accountable for that, is just what do you think, Zadock.

Zadock Saya: Children must be cained.

Com. Salome Muigai: Children should be cained?

Zadock Saya: Yes.

Com. Salome Muigai: That is what you think?

Zadock Saya: Yes.

Com. Salome Muigai: Thank you. Thank you very much, Musa Kulo.

Musa Kulo: Kwa majina yangu naitwa Musa Kulo, Box 2 Bokora. Niko na machache sana kuuliza commissioner, kama maoni yangu.

Nimeona kitu kama advocate. Ningeliomba ile government ambaye inakuja, government wapewe orders kutoka kwa magistrate. Kwa sababu, ma advocates wanachukuwa case, inachukuwa muda mrefu. Na kwangu ningependa, case kama imeenda kwa advocate ichukuwe, not more than six months. Iwe kama wamemaliza hiyo kesi.

Neno ingine, sisi tumekuja hapa kwa sababu ya hii, tunatengeneza sheria, na Kenya government ilikuwa na sheria kutoka huko chini, na hiyo vitabu, ambayo iko juu ya sheria, nyinyi mko nayo. Ningelipenda kwa wakati mwingine kama mnakuja, tafadhali mtusomee ile sheria ya nyuma, hili tujuwe ile sheria gani ambayo tunafanya mpya. (**Interjection**)

Com. Salome Muigai: Jambo lingine?

Musa Kulo: Siwezi kusema mengi sana, kwa sababu watu ni wengi.

Kitu ya pili ningelipenda, those retired, sio wote ambao wameretire kwa njia nzuri. Ningelipenda ule mtu ambaye amefanya kazi yake, amemaliza karibu miaka hamsini na tano, kufuatana na Kenya government law. huyo mtu awe akipewa kitu kidogo kama iko nyumbani. No matter ni mtu wa government ama ni mtu wa kampuni.

Nafikiri ni hayo tu, siwezi maliza wakati. Asante sana.

Com. Salome Muigai: Asante. Jared Osiolo, ameshazungumza? Okay. Albert Ashioya.

Albert Ashioya: By the names I am Albert Shikumy Ashioya. My proposals to the commission of our constitution is that;

One; teachers should be under missionaries.

Two; counting of votes, should be counted at polling station, not be carried anywhere.

Three; to abolish bond in the courts, because they encourage the ufisadi.

Four; local chiefs, to be elected through votes by community.

Now, briefly is this, the reason why I suggest that the schools should be under missionaries is this; now our teachers, are really misbehaving, because they don't have any person to monitor for their movement at school.

The T.S.C when it has already employed their teachers, they don't bother to follow on what they are doing. Because T.S.C is centralized in Nairobi. We are just given teachers, we don't know their behavior, and if we take steps as parents, we are mistaken. So I kindly request, the commission of today, to transfer the recruitment of teachers, to missionaries, who will monitor the movement of the teachers. And this, will also encourage the discipline of the students. In the mean time, we are really suffering the burning of schools, misbehaving of students, because the students and teachers are not properly monitored by the missionaries who sponsor the schools.

Now, counting of the votes. The reason why I suggest that the counting of votes should be done at the polling station, this will minimize the rigging. Because when the votes boxes of this votes, are carried to different station, it is where rigging is done on the way, while they are being moved to that place.

Now, bond. The reason why I suggest that this bond should be avoided is this; you can get somebody who has misused or who has stolen a hundred million shillings, and he is taken to court. He is only given 50,000 shillings bond, eventually, this case will be dismissed, and this money will be lost. So, this bond, I ask kindly, to our commission, to look into it, so that we have another method.

Two, the magistrates should have fixed time of work. Because, they really waste time for the public. You can be summoned that you attend a case on Monday at 9 a.m. on 2nd September. You go there, they start at eleven, they start at twelve. Why cant they be given a fixed time of starting the job, and closing the job as any other employee, are they very much special. So, please commissioner in charge, you will kindly look into this matter.

Actually, without going into the chiefs. The reason why I suggest that chiefs should be elected through votes by the community. We are just given chiefs or assistant chiefs, on the government's choice, but not on the public community. We should have the assistant chief or chiefs being elected by the community, if possible by votes. Because the community is the one that knows, the

right person to administer them. but with this one, they just follow papers, oh, where did you learn, they do that interview, but when they have remained three of them, they come back to us local people, to elect the right assistant chief, the right chief, according to how they know the people. thank you very much.

Com. Salome Muigai: I have one question for you.

Albert Ashioya: Yes please commissioner.

Com. Salome Muigai: What do we do with teachers who are not in (Inaudible)

Albert Ashioya: I know every school, we have D.B. the schools that is sponsored by D.B should be monitored, or should be used by D.B, and any school that is under missionary schools, our teachers should be recruited through this one, and then this mission ,will monitor their movement, thank you.

Com. Salome Muigai: Okay thank you. Mang'ula Omucheni.

Mang'ula Omucheni: My names are Mang'ula Omucheni, I am dealing with the rural youths empowerment network.

I have got some few things I am going to talk about the constitution, and one big problem that we have faced with the constitution is the excessive powers, that the constitution gives the president. I have got a feeling that, if the powers are reduced, then we are going to have the kind of leadership, we are actually yearning for.

Secondly, we have got this idea of harambee, harambee all over the country. I have not seen, why Kenyans should be extra taxed through harambees, and yet we are being taxed on other few things, which are supposed to up bring the country's economy.

Com. Salome Muigai: What is your proposal.

Mang'ula Omucheni: We should do away with harambees.

The youths, have always been told that they are tomorrows leader. And actually, we have not been given opportunity. I would like the constitution to define very well, in our parliament, at least a certain number of youths, must be represented. (

Interjection)

Com. Salome Muigai: If at all you had a chance to say that number, propose the number.

Mang’ula Omucheni: Since we have got 210, I believe if we have got about 25 youths in the parliament it will do better.

We are always crying of our economy, and when we read papers we find that, this big and influential government officials, have got very flooding accounts, outside our countries. We would like the constitution to take care of that money, bring back that money into our country and take care of our economy.

Gender sensitivity; most of our people are using tradition, cultural values, to bar some people from participation in government affairs. And you see only one party cannot deal with the government affairs. Women, youths, must be given priority. In the current parliament you will find that we have got about five elected women. **(Interjection)**

Com. Salome Muigai: How many would you like to see there.

Mang’ula Omucheni: I would like to have also not less than 25 mamas in the parliament.

Education system; the current 8.4.4 system is barring us. I prefer the old system of education, where chances were created according to education level, and it would be better. Right now, you find that all most form fours, are out, and there is no employment. At the same time, when there was a recruitment in Butere you find form fours and class eights are put together, and then the soldiers start checking on the certificates of merit. So I don’t know what they were looking for by then. So, the education system, the 8.4.4 should be done away with, and we shall have a very good government. **(Interjection)**

Com. Salome Muigai: The last one.

Mang’ula Omucheni: The last points, electoral process. As much as we would like to eradicate corruption, and the nature of electoral process that we have, then we shall not achieve our goals. **(Interjection)**

Com. Salome Muigai: What do you propose?

Mang’ula Omucheni: I am proposing that the president should not be the person to state who the chairman is, but the parliament should be in charge of all the commissioners of electoral process. Thank you.

Com. Salome Muigai: Okay, Shem Makunda, and after that I will have Anyanga Purity, Shem has left okay, Purity.

Purity Anyanga: My names are Anyanga Purity.

Com. Salome Muigai: Give us your name, your school, and your class.

Purity Anyanga: My names are Anyanga Purity, I am from Lunza Secondary School, I am in form one West. I have got some seven points to put across.

It should be compulsory to parents, to educate girls, that is the first point.

Second is that, for the higher learning, the entry grade, should be lowered in Universities and Colleges. To enable the girls joining these institutions, because most of the girls are not able to get the grade that the boys get.

Girls should be allowed in schools, in case they accidentally become pregnant. Because, she may deliver, but too young to get married, or to care for her child.

Girls should be given equal shares inheritance, including land. There should not be any discrimination in inheritance of property being on sex.

The government should set aside some money to educate the orphans and disabled children.

Girls are saying no to abortion being legalized and Female Genital Mutilation.

Parents who refuse to educate girls, especially for higher education, should be prosecuted in a court of law, and forced by the state to educate the girls. That is my last point, thank you.

Com. Salome Muigai: Inaudible.

Purity Anyanga: Girls are saying no to abortion being legalized and Female Genital Mutilation.

Com. Salome Muigai: Thank you very much Purity, Hanington Otungani, Nyambweya Kennedy, Francis Amukambwa, Maloba Godfrey, Godfrey Maloba, Benson Lupere, karibu. Eleza majina yako na uanze.

Benson Lupere: I am Benson Lupere, representing Butere Teachers Aids Awareness, a dependent group.

Com. Salome Muigai: Zungumza kwa sauti.

Benson Lupere: we are presenting this, to the Constitution of Kenya Review Commission.

One, on political parties; we suggest that, political parties should have their own constitutions or manifestos, with well spelt out

development projects, or plans for the people. not just mere mobilization.

Two; all political parties must have monetary units, to ensure that their plans are implemented at all levels of their operations, rather than mobilizing people in public places.

The constitution should regulate, the formation of political parties, by at least putting there some requirement. E.g. for a political party to be registered, it must have at least 10% of legible members, from each of the 8 provinces in our country. And the leaders of such a political party must have some national outfit and outstanding records.

The number of political parties in our country should be limited to avoid political parties being formed on tribal or enmity basis.

Com. Salome Muigai: You want how many?

Benson Lupere: At least five.

Now, any member of parliament or local authority, who defects from his original party, must not be allowed to contest for a by-election.

Political parties, should not be financed from our public funds. Therefore, political parties must look for their own ways of sponsoring themselves.

Now, the state should treat political parties, as a football team, whereby, they should not be discriminated. For example the present constitution allows the ruling party to overwrite all other parties. Hence, political parties must be considered to be playing a very important role in our country.

On legislature; the language test are not adequate for the Members of Parliament. We should at least have a minimum of form four education.

Now, the constitution should also include the moral and ethical qualifications. So that, in case of M.Ps showing some immoral or unethical behaviour, they should automatically lose their positions in parliament.

Now, the constitution should also allow a commission to set up, a commission to determine the salaries and benefits of M.Ps.

Now, nomination of M.Ps should be done on regional basis. That is, maybe the Provinces. So that at least, a Province has one or two people of outstanding record, to represent them in parliament.

The constitution should also attack the coalition government, to ensure quality leadership in all levels of the government.

And, we want a new constitution to accommodate multi-partism, whereby, there should be no intimidation in offices.

On land, (**Interjection**)

Com. Salome Muigai: You have one minute.

Benson Lupere: I would suggest that, the transfer of land from a husband, to wife or children, should be automatic. Because, without going to so many processes as it is this time.

And lastly, the amount charged for this processing of land, should be quite minimal for a common man to be able to have a title deed.

Com. Salome Muigai: Thank you, register yourself. Truphena Omasio, Lawrence Oyando.

Lawrence Oyando: My names are Councillor Lawrence Oyando, Chairman of Butere Mumias County Council. I have a memorandum, I shall have to give it, but I have to highlight some few things, for us to here.

First and foremost, since we got independence, Kenya became a Republic 1964, and since now, the people are contributing to this cardinal document, the new constitution. I would propose that all equally, because it is a new birth, we have to give Kenya a new names, in the name of People's Public of Kenya. Because now it is being owned by the people themselves, who are contributing and writing the new constitution.

Secondly Chairman, Kenya has been divided into 8 administrative Provinces. I do propose that, this provinces be increased to 10, to cater for North Rift, South Rift and Mt. Kenya Provinces, to be included among the existing ones now.

The office of the president. We need to have and maintain the office of the president, as a symbol of national unity, and who will execute the duties of the state.

The issue of the vice president, we should designate him to deputy president.

Under the two offices, the chairman person, we need to have the office of the Prime Minister and the deputy prime minister, to be in charge of the government.

One and all, we need to maintain the system of unitary system of government, feral national unity. Since federalism shall breed, some divisions and you will get the regions saying okay, saying we would like to move out of this government and so on. So we need to have the unitary system of government.

Also, when we come now to the age, who should be president, deputy, prime minister and deputy. These people must have attained 40 years of age and above. So that they can serve us for 10 years, either 40 or 52, they can retire.

Both the president and his deputy, should not be members of parliament, but they should belong to a sponsoring party.

Prime minister and deputy, to Members of Parliament.

M.Ps; we need to have age limit for M.Ps joining parliament. and this should be 30 years and above.

Qualification for both MPs, President, Deputy Prime Minister and so forth, they must have a limit education. (End of Tape)

To formulate good laws, scrutinise them, before they are given to the president to assemble them. Because there is one example I would like to quote here, chairperson. The recent sugar bill, was packed in our parliament, and it has become difficult to implement. Because there are people, our M.Ps did not look at it critically, on its side of implementation. We should have had an upper house, maybe they should have scrutinised and seen the loopholes that were being discussed in the public, and both the government and the private sector.

The upper house, should have 25 Members of Parliament, nominated on region of basis, of which five of them shall be, one shall be from KOTU, one from Federation of Kenyan Employer, one lady and disabled person.

The lower house should have 300 Members of Parliament.

Nomination of ministries, minister now. Ministers should be appointed poor persons who are qualified people with integrity, to run those ministries. In one sense, they should be professionals. Than taking, for example I, giving the ministry of health to run, while I am not competent in health issues.

The other issue is judiciary. We have come to note that, judiciary system in Kenya, is not well taken care of, and particularly the rural folks. You will get that in a district, we have only one court. I will propose that, in each and every division, we should have a court, to take care of petty crimes, that are being committed in that division, instead of this citizens, being made to travel wider distances, going to court.

Also the government; there is need for the government to provide legal aid to citizens who cannot afford the fee of the advocates. Because many have suffered, for one reason that they cannot afford the fee of advocate, and that has really hurt citizens. So the government has to take care of that.

On land, I would say, that actually is a sensitive and scarce commodity in the Republic of Kenya. Individuals should not own land more than 10 acres at the expense of the majority who do not have any land. Given that our population is rising.

All (Inaudible) should be abolished.

Government should not own land at all, but this land, both what we term now as government land and trust land, should be owned by the local authorities, who would administer them, and do any other thing that is required on land.

There is a big problem of title deeds. one for example Mrs. Chairperson, I happen to die, and I own the title deed. My wife, my children cannot have that land, unless they go to a very vigorous legal process, to enable them to get that title deed. So I would propose that, once I have ceased, that title deed should automatically refer to my wife or my elder son, for succession. Than going through to sue my grave, I don't know if I can respond from the grave, that I am giving my son that land.

The other issue I would like to turn to, is recruitment of forces in the Republic of Kenya. We have observed, recruitments being done unfairly. Some communities, some locations, are left out. You may get in the Republic of Kenya, so many locations do not have, even a police man or prison officer in their location. I would propose that now, when it comes to recruitment of forces, it should be done on a locational basis. So that in future, we may have community policing.

Citizens; this maybe by birth. And those ones to be, we call them paper citizens, this must be restricted. Only people with great talents, should be allowed to be citizens of the Republic of Kenya. Not just anybody, coming from any illiterate and semi illiterate, they come to Kenya, and then they become citizens, they take our **(Interjection)**

Com. Salome Muigai: Inaudible.

Lawrence Oyando: So that, those citizens, who do not qualify, should not be taken in as citizens.

The other issue on citizenry, is the issue of children, born between Kenyan fathers and mothers, and **(Interjection)**

That is your last point.

And other nominations from other communities.

Both these children should be allowed to be Kenyan citizens, awe msichana ama kijana. Because it is not their mistake that this children should not be citizens.

And on culture, we need to ensure that, that one is done.

Lawrence Oyando: Lady Chairman I know you have given me five minutes, I wanted to go in my territory, if you may give me two, so that I can finish the territory, I belong to, the local government.

Com. Salome Muigai: Okay, one minute.

Lawrence Oyando: we have had problems in local authorities. And we say, that we should now have, County Councils, Municipal Councils, City Councils and Metropolitans. Just this Urban and County Council should go.

Population for this council should be as follows; County Council, over 200 thousand, Municipality 5500 thousand. City Councils should have over a million people. Metropolitan over two million.

Staff, this is a big contention Lady Chairman. We need to, Councils to be given a free hand to fire, Senior Chief Officers. because there is a tendency now, that government just seconding this chief officers, like clerks and treasurers in the councils. Who I do not owe any loyalty to the councils but to their employer, which is the central government. Whatever mess they do, we cant do otherwise, but to meet before the Central Government for their removal.

Election of chairmen and mayors; this should be done on (Inaudible) not direct election by the entire population.

Education level; should have at least form four and above.

Fundings; both fundings and allowances of chairmen and Councillors, chief officers, grades one to give, should be catered for, from the consolidated fund of the central government of Kenya.

There is an issue Lady Chairperson, which has been affecting councils most, in the name of ministers power. Councils do govern themselves, through the solution they pass during the full council meetings. And , this are binding.

We would like the ministers powers to be reduced or be abolished totally, so that issues we have pass, at the Council commission, should be implemented. For example; ministers have to approve our budget, tenders, solution, even our own

allowances, ministers have to approve. Which we feel that that should not be the case.

Lady chairperson, I do not have much to say, but I would say thank you very much and I welcome you back to Butere.

Com. Salome Muigai: I have one question for you Mr. Chairman, do you have a question? A lot of the times we have been told that, our lands should go to the local authority, but again many times we have also been told that, the wananchi no longer trust their Councillor, because they are the first ones to grab the little plots here and there, that we are given meant for cemeteries. How do we balance this, in that we want our local authorities to be the trustees of our land, and yet we want to be assured, that they themselves, will look after the sheep and not turning from this sheep.

Lawrence Oyando: Once we are given this land, to be the administrators, we shall take care of it, Lady Chairperson. What is happening now is a big confusion between the central government and the local government. Councils are being blamed, for grabbing plots, in the essence, the councils are not. This business of the Provincial administration, is the one that is messing councils. Because they have got the powers to allocate land, they will allocate land, even the town here in Butere, without our knowing. You will get the papers have been possessed, somebody had been given a title deed.

Com. Salome Muigai: (Inaudible) that the constitution have in place, that will protect that land which has been entrusted to the council, to ensure that it is used for the common need of the community, that is what I am trying to get from you.

Lawrence Oyando: What we need to put on the constitution is, that before any allocation of land, first of all, the physical planning department, must be called in to survey off that land, that land must be discussed with the stake holders, and then the allocation must be done on board, at a council meeting, where all stakeholders are. And on the date of allocation, there must be something like a draw or a raffle. So that, once I pick number one, I know I have got a plot, once I pick number two I know have got a plot. So, that is the only way we are going to eliminate this issue of blaming each other, that this is happening, this is not happening. but a Provincial Administration's house, should be taken away from allocation of land.

Com. Salome Muigai: Thank you very much Mr. Chairman. I would like to recognize the presence of his grace the Bishop, Reverend Esemesti, there you are bishop, karibu sana. Zablon Indakwa.

Zablon Indakwa: My names are Zablon Indakwa, I come from Marama Central. I represent Poverty Africa Kenya.

Com. Salome Muigai: You did not speak before, or you were translating, because you look very familiar. Thanks a lot for translating for us.

Zablon Indakwa: Thank you.

So, local government; to stimulate private contribution by individuals and corporate organizations, towards economic change, I recommend removal of tax to farm produces, whose market value is below Kenya shillings, one thousand. Maybe just to elaborate a little bit in Kiswahili; sioni haja kwa mfano, ya mama mzee kupeleka mboga ya shilingi hamsini kwa soko, halafu atoe ushuru wa shilingi ishirini, haimsaidii chochote.

Then on corruption; remove beauracracic management of public and private institutions, to avoid unnecessary delays in getting things done, especially land documentation.

Then avoid transfer of civil servants who have misappropriated public funds, but instead suck them, make them repay the money they have misappropriated, and serve a jail term related to the weight of funds, embezzled.

Then of citizenship; a child born in or outside the country, by a Kenyan citizen, regardless of gender, should acquire automatic citizenship.

Then on employments, the employment criteria in all institutions, should not basically be upon cosmetic academic performances. But, it should basically be upon moral repute, right from childhood, which should be keenly traced, just like it is done in America.

Self relentlessness and commitment should be a key guiding tool in job acquisition and promotion.

Then on culture, that is on dowry; we realize the importance of dowry in luhya land, but I suggest that it should not be compulsory as it is now, because, a lot of commotion, we have a lot of commotion during funeral, when it is not paid. All sanctions in term of cash or animals, placed on husbands or women after death of either. That, before accomplished burial cannot be done, should be removed.

Then finally on civic education; to avoid manipulation of women, the elderly and the less fortunate by politicians. I recommend civic education, on democracy and constitutionalism, to be a continuous process. Thank you.

Com. Salome Muigai: Thank you very much. John Sakwa, uko, tafadhali njoo ni wakati wako. Truphena Omaso alirudi, Truphena?

John Sakwa: I am John Sakwa Funde, of the Catholic Justice and Peace Commission, Livungo Parish, Kakamega Dioceses. (**Interjection**)

Com. Salome Muigai: Tafadhali ningetaka kuomba salamu ziwachishwe, mpaka wakati tutaenda kwa break, zinaingia kwenye recording zetu. Endelea tafadhali.

John Sakwa: And here is a memorandum of Constitution of Kenya Review;

The constitution should show the area covered by the Kenya country, How else or sources and her people.

Secondly, Kenya should be a federal country, with the president as a head of the Kenya republic and Prime Minister as head of government, business and development.

We need a representative constitutional democracy, as a system of governance, where power and the rights of the majority, are exercised within constitutional limits and the respect of the minority.

There must be separation of power between the executive, legislature and judiciary, where each with its independency act as a cheque and balance of the other.

There should be division of power between federal and regional government.

There should be parliament composed of elected political representatives, and non political components i.e. the church should have a representative.

This should be a parliament which restricts power to amend or alter the constitution.

Amendment to any provision should be headed by the constitution commission, by referendum.

Defense of the country, should be in the hands of minister for defense, and there should be limitation of the exercise of emergency powers, i.e. detention without trial or declaring some parts of the country sealed.

The armed force should be called armed service, as it is there, to serve a law to force.

The A.P department should be removed, as it reflects a personal entity.

Kenya should be multi party country, in which all parties have equal powers.

A political party should not be linked with the government, to avoid use of government property, or public facilities, for political objectives, and therefore enhance level playing ground.

We should have a decentralized government, based on regions, to make development reach to all people.

There should be equal division of national resources and government offices to all regions.

There should be security and independency, of defenders of the constitution, who must be politically neutral. For instance, the Attorney General, Auditor and Controller General, Inspector of Police, and the Public Service Commission.

The judiciary should be independent, in order to protect the constitution, and the rule of law, in which nobody should be above the law.

A person who has passed for presidential candidature, should be between the age of 20 to 45 years. And one who has never been found in any serious criminal offence, like murder, theft or corruption.

Also, parliamentary candidate should have attained lesson A.

Both the president and the parliamentary representative, must not exceed two terms. Each term consisting of five years.

The executive or cabinet, should comprise of the president, prime minister, elected representatives of various political parties, religious leaders, and defenders of the constitution, for instance, the Attorney General, Chief Justice, and Auditor, and Controller General. **(Interjection)**

Com. Salome Muigai: You have one more minute Sir.

John Sakwa: An electoral commission to be appointed by the executive, after an wholly party consultation.

Registration of voters should be open at all times.

Anyone intending to hold a public meeting should only inform the local police, organized for security.

The central government of Kenya, should independently regulate the financial sector to avoid corruption and printing of money, on orders of the government, without clear economic basis.

The Bill of rights should be clearly defined in the constitution. (**Interjection**)

Com. Salome Muigai: That is your last point, you are on your last five seconds.

John Sakwa: The constitution should address for public welfare, i.e. education, health environment that should provide on social justice and equity.

Com. Salome Muigai: Thank you very much. Henry Omukoto, karibu.

Henry Omukoto: My name is Henry Omukoto.

The president should not be above the law.

The local administration should be elected.

The Head of State, should promote economical development, through industrial expansion and agricultural development, to create more job opportunity and condemn corruption.

Judiciary should not be independent. And court distance should be settled within a limit of six miles, to avoid corruption. (**Interjection**)

Com. Salome Muigai: Did you say judiciary should not be independent?

Henry Omukoto: Judiciary should not be independent.

President should not have powers, to adjourn parliament, but should only dissolve, when the right time has come.

And must not be an M.P of his constituency. (**Interjection**)

Com. Salome Muigai: Who has powers to adjourn parliament?

Henry Omukoto: The parliamentarians should sit and decide when it is necessary.

President should ensure, effective service to public, in civil service, administration, police force, and all ministries.

Human rights; there should be freedom of individual, freedom of expression, and also, the common man, should be allowed to carry out his tradition, in the normal way, as past.

Land matters; trust lands, should be owned by local authorities, and land cases should be left for elders in the villages, to settle such a dispute. And they should not appear in courts.

In addition, lawyers or advocates, after standing for cases for their clients, the compensation of such a cash, should be paid directly to plaintiff, and not to the lawyer, to avoid corruption, or any further cases.

Cost sharing; there should be free education in both primary and secondary education. and free medical services to all Kenyans. Because government gets money through taxation, indirectly or directly, and even sales tax is there. Therefore, the local Kenyan, should not be taxes, when he has got a problem in hospital. (**Interjection**)

Com. Salome Muigai: You have one more minute.

Henry Omukoto: Police should not be a police force. And the police should not harass. Any police found harassing, should be sacked.

And in case of a suspected criminal, without prove, there is no need of arrest. If the police knows its whereabouts, he has to appear to court. There is no need of arrest directly.

Members of Parliament; Members of Parliament, should attend the parliament throughout the period of five years.

Attending parliament, should not obligatory, it should be a must, so long as the session is on. And during the period of the session, parliamentarians should be allowed to come to the common mwananchi, to listen to their problems, so as to carry them to parliament, on behalf of the Kenyans.

Election; (**Interjection**)

Com. Salome Muigai: That was the last point, but just finish that one.

Yes, just give me one more minute.

Salary scales; some salary scales are too high, in a manner, that the ranch of the highly paid and the lowly paid, is too high. Such that the common man, who has a low salary is in problems and therefore the salary scales, especially for people in high

department, should be reduced. Salary scale, people of lower scale should be increased.

Employment; (**Interjection**)

Com. Salome Muigai: That was your last point.

Henry Omukoto: Just give me a minute or a second.

Com. Salome Muigai: Thank you very much, I already gave you one minute, I gave you two minutes, so can you please, thank you very much Sir. Joseph Lukale, Joshua Otinga, are you Joseph Lukale, wewe ni Joseph Lukale, haya basi njoo halafu nyumba yake nitampa nafasi mzee. Tuambie jina lako na uendelee.

Joseph Lukale: Jina langu, mimi naitwa Joseph Lukale (**Interjection**)

Com. Salome Muigai: Hebu nyamaza kwanza tumalize. Mkimaliza huku, tutaendelea hapa, mmemaliza, haya asante. Tafadhali endelea Joseph.

Joseph Lukale: Kutoka kwa shule ya Ribumbo Primary. (**Interjection**)

Com. Salome Muigai: Ongea na sauti.

Joseph Lukale: Hiyo ndio sauti yangu.

Com. Salome Muigai: Uwenzi kuongeza kidogo.

Joseph Lukale: Sasa tumeona akina mama na wazazi wote wamelemewa, kwa hali ya kusomesha watoto. Sasa ukitaka hali ya, yaani usaidizi wa pesa, tunaona amelemewa. Tunataka serikali watusaidie, hili tupate nguvu ya kusomesha watoto. Sina mengi, hayo ndio nilikuwa nayo peke yake.

Com. Salome Muigai: Asante sana Bw. Joseph, jiandikishe pale, na sasa Joseph Otinga. Nilisema ninataka wazee wenye miaka themanini, kwa hivyo nafikiri umeshafikisha miaka themanini. The decision of the chair is final, kutoka leo ana miaka themanini, endelea mzee.

Joshua Otinga: Majina yangu ni Joshua Otinga, nitasema juu ya upande wa uraia na niko na memorandum nitakwachia (**Interjection**)

Com. Salome Muigai: Tafadhali mtulie.

Joshua Otinga: Uraia wa Kenya, ni afadhali upewe yule aliyezaliwa Kenya. Na ikiwa mgeni ameingia Kenya, Katiba iangalie, yeye ataandikishwa kuwa mraia kwa njia gani.

Wanaume na wanawake, wapewe uraia lakini, iwe na tofauti kati yako. Mwanaume awe na kitambulisho au uraia wa zaidi ya mwanamke. Kama vile Mungu, alivyotofautisha kati yao.

Nitamuuliza Bw. Bishop haeleze hayo, lakini endelea.

Mtoto aliyezaliwa Kenya, akipewa uraia wa Kenya, awe kama amezaliwa na mwanaume wa Kenya. Maana kama akizaliwa na mwanamke, anaweza kuenda mahali pengine.

Kwa upande wa ardhi; yule mtu anayepaswa kuwa mmiliki wa mwisho kabisa, ni wale wana jamii wa pale pale, maana wamekaa na wamejua jinsi ya udongo ule, kama unavyoendelea.

Serikali isiwe na uwezowa kutoa ardhi ya mtu binafsi kilazima, isipokuwa wameshauriana na huyo mtu, na watu wa pale pale, wakisikia maoni pamoja.

Serikali za mtaa, ziwe na uwezo kuthibiti, namna wamilikaji na wakaazi wanavyotumia ardhi yao. Maana wana haki ya kuchunguza sawa.

Upande wa ubadilishaji; pale mimi naonelea upande wangu, jambo ambalo linaweza kusaidia serikali kuthibiti, ni kuweka ua. Kwa Kiluhya chetu wanasema kuweka *Vugoni*, katika boundary. Pale nimeonelea pale.

Ulinzi; mimi naonelea upande wa kulinda vyombo vya usalama, Katiba yetu iangalie na iwe na sheria ya kulinda pale sawa sawa.

Kuwe na utaratibu wa kuendelea, wa majishi ama kuendelea kama kuunda vitu ambavyo vinaweza kuundwa na serikali na viuzwe kwa njia raisi kwa wananchi, na wananchi wanaweza kujua ya kwamba serikali yetu, ina manufaa kwetu.

Raisi asiwe amri mkuu wa majeshi. Mimi naonelea upande wangu, atakayekuwa amri mkuu, na ule minister wa defense, ashikilie mahali pale.

Katiba yetu hii, isiruhusu nchi iwe na uwezo wa kutangaza vita. Katiba iruhusu uwezo wa kipekee katika hali za hatari, kama

maazi, na kukosekana kwa usalama, katika nchi yetu.

Katiba itakuwa na mamlaka kutumia uwezo wa kipee, kama matata imeingia. Ni hayo tu, Mungu na awabariki.

Com. Salome Muigai: Asante mzee nina swali moja kwako. Umesema kuwa nchi yetu isiwe na uwezo wa kutangaza vita. Na tukivamiwa, nchi yetu ikivamiwa tufanye aje, kama Katiba imekaa nchi yetu isiende kwa vita. Ikivamiwa na nchi zilizoko mbali.

Joshua Otinga: Basi Bunge litakaa, Katiba litaita Bunge, na hao watakaa pamoja, halafu wakisha kushirikiana, hapo ndio watatangaza vita.

Com. Salome Muigai: Wakati mwingine mzee, Bunge inawezakuwa iko nyumbani, wakati vita ujui itakuja wakati gani, ni kama mwizi hivyo. Kwa hivyo una haki ati itakuja wakati Wabunge wako kwa Bunge linaendelea. Sasa tukivamiwa usiku, unataka Katiba ifanye nini?

Joshua Otinga: Hapo kuna kiongozi wetu mkuu wa Kenya, president.

Com. Salome Muigai: Kwa hivyo unamkubalisha president kuwa na mamlaka ya kusema twende vitani.

Joshua Otinga: Maana kama ilikuja usiku, yeye ndio chairman, ataita wale watu.

Com. Salome Muigai: Isaac Ashuma, uko? Tuambie jina lako na uendelee.

Isaac Ashuma: I am Isaac Ashuma from Eshitari HIV/AIDS crusaders. Na my subject of presentation is HIV infected and affected persons. My presentation goes like this;

HIV is a chronic illness like Cancer, people with HIV/AIDS and affected are stigmatized and discriminated against, while those with cancer are not. One reason maybe, HIV (**Interjection**)

Com. Salome Muigai: Highlight the issues, rather than read for us the memorandum.

Isaac Ashuma: Yes I can highlight and it is not very long.

Com. Salome Muigai: Because you only have five minutes, to do that.

Isaac Ashuma: So, you will give me the five and I start

Com. Salome Muigai: No, you already have spent one, you just have the four.

Isaac Ashuma: They are discriminated in the area of employment, housing, education, social activities, decision making, access to health facilities and traveling. We are therefore proposing that, the constitution of Kenya should recognize and accept both infected and affected as Kenyans, and should be treated well, as long as they are still alive.

And HIV infected person has various talents and can stir this country to higher level for development, before they die.

Persons infected with HIV, should be assured support by government and encouraged to go public, so that stigma and discrimination has little effect on them.

We are proposing the following changes;

In employment, employers should allow persons infected with HIV/AIDS, to continue working, because most of them are trained, and have talent, and some have long time experience in jobs. They can be useful to this country.

Now, work place legal penalty, should be put in place and strengthen to protect junior employees who are sexually abused by their bosses.

There should be mandatory test in the work place so that, it is used to assist the infected to receive frequent and appropriate medication and not a yardstick to sack them.

Rapists; we have cases of rapes, and a rapist should be even castrated. Because the term given to them for imprisonment is not enough for that kind of activity.

Housing; landlords sometimes refuse and evacuate the tenants who are HIV positive. This should be looked into, and they should be protected.

Education; some schools refuse and reject students who are HIV positive. This should be put in place that, any student who is in school going age, should be in school, regardless of their HIV/AID status.

In decision making; people living with AIDS are often presented in media as weak, hopeless, victim. That can definitely die anytime, and are therefore denied chances to participate in decision making forums. However, however bright they maybe, this

should be looked into, and they should be given time to participate.

Traveling; a visa is a requirement for one to travel from one country to another. There is normally mandatory testing exercise, and if you test positive, you may not be allowed to travel to some countries.

In my conclusion I am saying, we are basing our argument on the following, 1994, HIV/AIDS, was included in the national development plan. The government should therefore provide funds, to grassroot CBOs, to facilitate supportive programmes, for the infected and the affected.

And then two and the last one, in 1999, HIV/AIDS was declared a national disaster by the government. This can be successful if mandatory testing is carried out, to enable the government come up with appropriate statistics for proper budgetary planning.

(Interjection)

Com. Salome Muigai: And that was the last point you had.

Isaac Ashuma: And exactly that was what it was.

Com. Salome Muigai: You have finished?

Isaac Ashuma: I have finished.

Com. Salome Muigai: Thank you very much.

Isaac Ashuma: Except I have another one, which I will present the way it is, because I have already written.

Com. Salome Muigai: Okay, thank you very much, I would like not to give this chance to his grace the bishop.

Bishop Hores Etemesi: Thank you Madam Chairperson, for giving me the chance so quickly, thank you.

Com. Salome Muigai: We give you 30 minutes your grace, and we hope that you will just highlight the main issues in your memorandum.

Bishop Hores Etemesi: Five minutes is quite adequate Madam Chairperson.

Com. Salome Muigai: Thank you very much.

Bishop Hores Etemesi: First I am really that my presentation is on behalf of the Christian Help Association of Kenya, which I have been chairperson for the last five years, and I am still the current chairperson. We had hoped, together with other five heads of churches to present this memorandum to the commission in Nairobi, on 14th, but we were told, you had already started the exercise in provinces, that is why I want to do it now.

We have one major concern, and that is the only one I want to highlight. We are surprised as the Christian Help Association together with the Kenya Catholic Secretariat, that our constitution is completely silent on health. And I would go straight on the conclusion rather than go through the other background. C.H.A has noted with surprise and dismay that health does not appear in the constitution as one of the fundamental rights, to which Kenyas are entitled. And we would like this to be recognized.

Now, we are not talking about money, we do not know much money is there in the budget or not, but that, it is a basic right, need, to anybody, regardless of their status. So, the main point really we want to stress and I want to repeat, right to health and the right to access, to treatment. And I will give you an example which actually affects all missions hospitals throughout the republic. I have one health centre, Namasoli Health Centre. We have ended up treated over a hundred people, who actually because their income is too low, cannot pay. We have debts ranching over 300 thousands. But how do you turn away somebody dying of cholera. Surely the state, has a responsibility to provide health. It looks like in our country, only the well off have the right. All we are pleading with the commission, can you include the right to health, within the constitution.

Now, we are not saying the standard, no, but can it be included among the basic rights to any Kenyan, regardless, even chokora. That is really basically what, it looked very sad, when a chokora is dying on our street and is ignored, just because he is a chokora. But chokora is a Kenyan, just like any of us, and one created in the image of God.

I would not want to go through all this particulars, but may I just stress, and everything is in this document. The Catholic Secretariat C.H.A, we run 643, and therefore I am speaking on behalf of 643 health institutions, some of them in very remote areas, like Turkana, Pokot.

The details are there, we were not happy, just to hand it in, because we thought you may want to ask questions for clarification. Thank you Madam.

Com. Salome Muigai: Thank you very much, you will also need to register with us, with that good lady. James Wandere, James I see that you came from the same organization with the bishop
(Inaudible). Go on.

James Wandere: My names are James Wandere Onyimbo, and my presentation is as follows.

First the subject of the matter is, the pyramid of Kenya government. That is the subject I am presenting.

The Lancaster house constitution, drawing imposed to the Kenyan African, the Bombay Railway Constructor. It looked at Kenyan people and they own UK people, top safeguard their interests in this country.

Those two groups have become a barrier to the indigineous Kenyan, of African origin, economically and financially. They are therefore the cause of poverty to Kenyan Africans.

We therefore propose that, the new constitution should have a preamble which should include names of freedom fighters, and the purpose of the struggle for independence.

The taxpayers money, under scientific economic and technological results, should be channeled to the following;

Education,

Two; health.

Three; agriculture, which is the backbone of our economy.

These three components, were targeted for fulfillment at independence time, but have not been achieved fully yet.

We therefore, expect the following changes;

That our government, having, the pyramid of government is a three head apex as follows; the president, the peers and the Members of Parliament. we are therefore proposing that (**Interjection**)

Com. Salome Muigai: The president and?

James Wandere: The president, the peers and the Members of Parliament. we are therefore proposing that their roles be as follows;

The president shall appoint ministers and fire them.

The president should attend parliament regularly.

The president should get equal allowances and Members of Parliament provisionally.

The president shall exercise the rights of mercy and conferring of honours.

In these instances however, the president shall act on the advice of the Permanent Secretary and departmental head. Or division of the ministers.

And the president should not be above the law.

Permanent secretaries and departmental heads; they shall be appointed by a parliamentary select committee, and be approved by the parliament.

The Members of Parliament, should be elected into parliament, by a voter.

Two; should be empowered by this constitution, to ensure that ministries and departmental heads, are serving the public with the parliament allocated fund, adequately.

(Inaudible). Members of Parliament, should form a budgetary committee, with proper marking to cater for every constituency. and that every constituency should receive equal budgetary allocation thereafter.

Parliamentary select committee, shall hire and fire permanent secretaries and heads of department.

Constituency; budgetary allocation, shall cater for the following;

Roads construction, rich buildings, government houses, health centres, full buildings, et cetera. Factories, and then the practicing of agriculture.

National social security fund, should be channeled into the constitution level, and the contributor, should benefit from the fund, monthly, and his time of his/her death.

National Hospital Insurance Fund contributors, should benefit from this fund, while still in service and after retirement. And if they are dead, and this should include the spouse.

Disability study; scientific technical, economical research and cultural management, shall form the real corners of development, for each five year plan.

Lastly, in short, the Member of Parliament remains one of the pillars of Kenya government. The government should avoid black society as much as possible, to safeguard the taxpayer's money. Thank you. I have another one in addition which I have not read, but I believe (Inaudible)

Com. Salome Muigai: Thank you, just sign there. Henry Omulama, you are an observer, okay. Haggai Makunda.

Haggai Makunda: I am Haggai Makunda, presenting my own views.

Anybody willing to contest a presidential seat, he or she, has to stand on his or her own. Why this? They should not be representing any constituency in the parliament.

Corporal punishment, should be eradicated in prisons, because it creates some misunderstanding to those who are concerned.

People should have the right to recall their MP, or their Councillor, when he or she is not participating in development. When he is declaring his stand, without consulting his people.

Both the ruling party and political parties, have to acquire equal representation of sharing the economic resource to develop their own areas they are representing in Council of Parliament.

Seats should be reserved for specific interest groups in parliament. I.e. women groups, youth groups, NGO.

When organizing seminars, (**Interjection**)

Com. Salome Muigai: Inaudible.

N.G.O should have three, youth should have eight, women should have twelve.

When organizing seminars, youth should be involved. Because sometimes, old people are the only ones invited. But after the workshop, they deny the youth the information they have lectured to the youth, when they come home. Because some of them, might be in bad terms with the youth.

We should declare the possession of small arms to Kenyans, in order to adapt the created western culture. Because in our culture we have forgotten our culture, and the civilization has come in a way that, we are now, we youth we are adapting the western culture. But the previous culture, we have not adapted it. so, in my proposal I propose that, we should be given small fire arms for protection.

The retirement package of president should be, 20% of his or her salary. Considering the terms he or she has served, basing to the economic state of the country.

Anybody who has retired from the government, should not be allowed to contest any seat. I.e. the civic seat, parliamentary seat or presidential seat.

Anybody who has acquire ID or marriage, should be given land by his/her parents, at the age of 15 – 18 years.

I propose that, power sharing in Kenya, should be considered to tribes. In a way that, after one tribe has led, then the other one should have to lead. Not that there are two or one community or whichever is leading the country.

Then the death penalty; I propose that the dead penalty in Kenya should be implemented. And, life sentence should be eradicated because, most of the life sentence people, have they have been life sentenced in five or six year, you will find them just hanging allover the street. But I propose that, the death penalty, should be implemented, but life sentence should be eradicated. Those ones are my views.

Com. Salome Muigai: Joseph Amkombera. (Inaudible) tueleze jina lako.

Joseph Amkombera: Joseph Nia Amokombera, Marama West, (Inaudible). Maoni yangu ni kama ifuatayo;

Tuwe na majimbo. Tukiwa na majimbo, kupata msaada, jimbo linyewe (Inaudible).

President awe chini ya sheria.

Wafisadi, kama MPs wale ambao wanaenda kwa parliament, wasisimame kura tena.

Kura iwe ya mlolongo adharani, kama wananchi wanaona na macho, kuliko ya siri , kwa sababu tunaiibiwa sana.

Kuno hosipitali za serikali, zinakosa madawa ya kutibu watu, tunakufa tu. Kufuatana na ma chemist ambayo wanafunga ma chemist, madawa yote inaenda uko, na hapa kwa hosipitali hakuna madawa.

Com. Salome Muigai: Unapendekeza nini?

Joseph Amkombera: Sasa napendekeza, hiyo ma chemist, ikataliwe. Ukienda kwa hosipitali unaambiwa enda kwa chemist,

na ule ambaye anakwambia kuja kwa chemist, ndiye alipelika kule madawa, uende ununulie pale, ndio aje akutibu.

Upande wa watoto; zamani tulikuwa tunatumia kiboko kidogo, ndio mtoto aogope makosa. Lakini tukiwacha free, hata nyumbani awezi kuogopa baba yake na mama. Kwa sababu ako na uhuru ile ambayo anajua, nikipigwa, serikali itanitetea.

Na unajua serikali ambayo iko saa hii, ilikuwa inatumia kiboko, ndio walikuwa wanaogopa kutusi mtu, wanaogopa maneno. Saa mtoto akikata kuogopa baba, awezi kuogopa mwalimu.

Kuna serikali yetu, tuna kitu ile ambayo inaitwa Mbwa, ile ambayo inakula mshahara wa wananchi. Wacha nizungumze

Com. Salome Muigai: Endelea, una haki ya kusema maneno yako.

Joseph Amkombera: Nina haki ya kusema kwa sababu, tuna mbwa za serikali, zinakula mishahara ya wananchi. Mtu anaweza kufa hapa, mtu aibe hapa vitu, na hizo zinaweza kusaidia mbeleni zilikuwa zinasaidia. Na serikali ikija kama police, inapiga wale ambao wako karibu, ndio walishika na hiyo vitu, na kumbe wenye kuiba hiyo vitu, na wenye kuuwa huyu mtu, wameshatoroka wameenda.

Com. Salome Muigai: Unapendekeza nini?

Joseph Amkombera: Sasa napendekeza iwe kitu (Inaudible)

Com. Salome Muigai: Nini?

Joseph Amkombera: Hizo mbwa za serikali.

Com. Salome Muigai: Zisaidie wananchi.

Joseph Amkombera: Zisaidie wananchi, mtu kama ameshauwawa hapa, waleta hizo mpya hapa, zitafute huyu mtu ambaye ameuwawa na nani na nani.

Upande wa polisi, wanaweza shika mtu kwa makosa yake. Wakifika huko, mtu anapewa shida na makosa, unaandika kesi ingine kwa huyo mtu. Wanabadilisha kesi ingine kwa huyo mtu, ndio wamshinde afungwe, au akatwe fine. Ikiwa ni pombe ni pombe, ikiwa ni wizi ni wizi. Lakini mtu asifike kwa police, naye apandishwe vitu vingine, ndio alikosa hivo. Akifa kotini naye judge anafuata tu maneno ya police, na kumbe wanarundikana tu huyu mtu (Inaudible)

Upande wa mwanaume na mwanamke. Nimeona nikiretira, mwanamke wangu ana haki ya kuchukuwa pesa zangu. Na andikiwa barua na sub chief ndio anajua yeye au chief. Kuliko kwenda kwa trustee. Tukienda kwa trustee, tena trustee inakula kwa hiyo (Inaudible) huyo mama anasumbukana mpaka anachoko, au na mimi nisumbukane na pesa za mke wangu. Chief ndio anajua mimi mpaka nyumbani, huyo akiandika barua nipate pesa, huyo ndio next of kin.

Watoto mayatima, wale ambao wazazi wao walikufa wote, wasaidiwe. Na wasaidizi wao wasiulize chochote. Hapo inaweza kuwa jambo kidogo ya kusaidia watoto kama hao. Kwa sababu kama hapa kwa location kuna wengine, hata mimi ni mmoja wao nina wengine. Pesa ya ujenzi, pesa ya michezo, pesa ya nini, hapo nimeona serikali tafadhali itusaidie tu hapo. Asante.

Com. Salome Muigai: Mimi nina swali moja mze, lakini sio kwako peke yake, ni kwa wazee wote. Kutoka wakati tumekuja Western Province, tumesikia shida za kutoa umilikaji wa shamba, haswa kutoka kwa baba mpaka kwa mama, mzee akishafariki. Kwa nini basi title deeds hazina jina la baba na la mama, hili mmoja akiondoka ule mwingine akiwa na shida kubwa. Wewe ni mzee, pengine una jibu, pengine huna.

Joseph Amkombera: Unajua hiyo jibu ni ya sub chief wetu, kwa sababu nikiwa na shamba langu, ule ambaye anaweza kutumia hiyo shamba ni mama, na mama kama ameshaaga dunia tena, inarudi kwa watoto. Hiyo ni ajambo kuliko kurukisha kwa mama iende kwa watoto. Kwa sababu watoto nao wanakimbilia kuiuzauza, na mama anabakia bure. Sasa mama akiuliza shamba, anaambiwa hii ni shamba ya baba sio shamba yako, wewe ukuja hapa na shamba. Hapa ndio matatizo ile ambaye tunaona upande wa mashamba. Na upande wa mashamba, wale ambao wanatoa title deed, ya private, hao washtakiwe. Kwa sababu ukipata kabisa, unakuta shamba liko sawasawa na title ya private ilikuja aje.

Com. Salome Muigai: Inaudible.

Joseph Amkombera: Okay asante.

Com. Salome Muigai: Jackson Ongoma, ulikuwa observer, ama Jackson wewe unataka kuzungumza (Inaudible). Unataka kuzungumza?

Speaker: Kuzungumza hapana.

Com. Salome Muigai: Okay thank you, pole sana. Wellington Outa, James Odera, Dickson Makunde, Phaniel Nandwa.

Phaniel Nandwa: Kwa majina naitwa Phaniel Nandwa, kutoka Marama North. Ningependa kusema kuhusu mashamba.

Wakati kijana, anafika umri wa miaka ishirini, au ishirini na mbili, ni haki yao mzazi kuwapatia sehemu yake ya kujisaidia kwa

maisha. Hila akuwe ako na mji.

Vitambulisho,; kijana yeyote anatapofika miaka kumi na nane, anastahili apewe kitambulisho bila malipo yoyote.

Miguru/Village Elders; Miguru, mtu yeyote yule anapatiwa kazi ya Riguru, inampasa akuwe anajua kuandika na kusoma. Sina mengi ya kusema.

Com. Salome Muigai: Asante sana kwa hiyo maoni yako. Mimi nina swali moja ya kwako. Umesikia wazee hapa wakisema, tukiwapa vijana shamba, wanaanza kuuza hata kabla mzee hata ajafa dunia. Wewe ni kijana, umetueleza maoni yako, na unajua maoni ya vijana wenzako. Tufanye nini juu ya hiyo, ungetusaidia aje juu ya hayo mambo mawili.?

Phaniel Nandwa: Bora kijana akuwe na mji. Sio lazima apewe number ya shamba. Lakini inampasa apatiwe sehemu kidogo, hili aweze kupanda mahindi yake, maharagwe yake, ya kumsaidia kwa maisha. Lakini wazee wengine hawataki kupeana shamba, sehemu kama hiyo.

Com. Salome Muigai: Asante. Ambrose Nyamai, Robert Omolo, MuSA Omwaka, karibu.

Musa Omwaka: Majina ni Moses Omwaka kutoka Marama North. Mimi nilikuwa nataka tu niwambie ni hii;

Sub Chief, Chief, achaguliwe na wananchi.

Ya pili; watoto wasome kutoka standard one, mpaka class eight, na serikali igharamie hiyo malipo.

Police yetu, haifanyi kazi kwa njia mzuri. Wakiona sana pombe iko hapa, wanaenda wote, wanaenda station. Lakini ukisema mwizi anaiba kitu, aendi.

La mwisho; ninataka serikali ituajie tujaguwe president, wananchi wenyewe. Ndio hiyo tu.

Com. Salome Muigai: Asante sana. Andrew Imbayi.

Andrew Imbayi: Majina yangu ni Andrew Imbayi.

Yangu inahusu mawakili. Kwanza ningependa, wakati kesi inaenda kotini kuhusu ajali ya barabarani. Kwa sababu unapata kesi inaweza fika kotini, na ujanja ujanja wanafanya. Kwa hivyo ningependa, hii mambo ya ati judge na advocate wanenda kwa chamber, iondolewe. Kwa sababu ndio ukora wanafanya uko.

Ya pili, ningetaka serikali iweke tume ya kuchunguzanga mawakili.

Halafu, pia tuwe na tume ya walalamishi, wanaweza kuwasilisha maoni yao, vile kesi yao inapelekwa.

Halafu la tatu ama la nne; ningependa hii makampuni ya BIMA, wakati wanapolipa wakili, pesa za watu fulani, wawe wanatangaza kwa radio na magazeti ijulikane.

Halafu la mwisho, kuwe na serikali ilazimishe hawa, tuwe na magazines. Ya mawakili wawe wanaandika report zao, jinsi kesi ilikuwa ikiendelea. Yangu imeisha.

Com. Salome Muigai: Thank you very much. Otar Charles, Charles Otar, David Were, Argwin Lupere.

Argwin Lupere: My names are Argwin Lupere.

First; MP salary should be reduced. The package is too high, and the money we know, is for the common man.

Second, administration; Chiefs and Sub Chiefs, since they are civil servants workers, they should be transferred, because this people, as they have said. If they are not elected, they only appointed by either with the DC or the DO, because when somebody has formed hatred with the neighbour, and you see this man is going to work for the best of 20 years, how do you think he is going to survive with the other community. This people should be transferred, since they are government civil workers.

Third, regional sharing of city; in Kenya, we are supposed to have 8 cities by now. For example the Kenya Sugar Board Authority. The Headquarter is supposed to be in Western, especially where sugarcanes are. Where the PS in agriculture and the finance, they should also see the sugarcane itself. How it is planted and how it is done.

Four, culture; in culture, cultures of each communities, for example we Luhyas, we have the so called *Obukoko*, circumcision and customary marriage, it should be made legal. Obukoko this I mea, it is a ceremony done by Luhyas, after a dead person has passed away, he has been buried, and I think the people by that time, they are not in such a sorry. Is when they come together and discuss all about what will be of the next.

When it comes to the busaa, for the Luhyas. This busaa, it is we Luhyas and Luos, who have been pinched with that law, too much. When you go to the Kikuyu lands and this other communities, you will get their Muratina, it is just there.

Payment of dowry; it should be addressed in the constitution. since the old constitution allow freedom of association, hence in the marriages. E.g. we Luhyas and Luos, if a Luhya lady is married in Kikuyu land, automatically, for example we Maramas, under what circumstances there is, whether you have finished a dowry or not, there is a symbol of death. We must just take an animal from there. It should be a law because, in most cases, they go to places which does not abide with our culture, they disturb us most. We must be given something, before you burry, our dead daughter.

Employment; employment opportunity should be centralized, to have qualified workers instead of quarter system. here, is a style whereby, in Kenya, we have been having a lot of commissioners. For example, the education, the education system. We have the Director of Education, we have the Minister of Education, we have the Permanent Secretary of Education, we have the inspectors. And here comes a case, where there is failure in education, you get we want a commission. and we know anything called a commission, it implies a lot of money, why? And we have this qualified people who have been doing the job.

Retirement; after retirement, the retiree should be give adequate benefit, and not be allowed to be employed, through contract or appointment. For example, a senior retired civil servant in the government, is appointed to the chairman of a different non governmental body, the chairman, and we have people who are not employed.

Okay, last; I think this is the last commission, and the one I have participated in. but in Kenya we have been having a lot of commissioners that have never produced what they have been doing. And I think this one because, most of the commissioners here, I think they are learned friends. So I think what we are trying to do here, let us please get it working. We have a lot of commissioners who work for commissions, that has been taking places, and we have been not knowing clearly, what really expired, they have concluded them, and we have never seen them concluding their work. So this one please, do that. Thank you.

Com. Salome Muigai: Thank you. Livingstone Makura.

Livingstone Makura: Kwa majina naitwa Livingstone Makura, na yangu, point ya kwanza iko kwa mambo ya mashamba.

Shamba, walifanya, waliwapa watu mashamba 1963. ningependelea shamba ifanyiwe review. Watu wamekaa wengi hawana number. Mzee alifariki, na hakuna mtu amefuatilia, pesa ya kupeleka kotini hawana. Kwa hivyo inatakikana government ifanye review ya mashamba, after 10 or 15 years, vile wanafanya high depart, inasaidia watu wengi.

La pili, ingine; surveyor, ukiwa na shida kwa shamba, upeleke kesi kwa surveyor, mzee atakufa kama mtu bado kutoka kwa surveyor. Kwa hivyo nataka surveyor apewe course ya (Inaudible). Hiyo itakuwa inasaidia watu kwa maana iko karibu.

Succession; tunataka succession kama mtu amekufa. Apate kutoka kwa Assistant Chief, kwa Chief, kwa DO halafu aende kwa land, apewe title deed. Hakuna ya kwamba aende kotini huku na huku, mtu atatupa pesa nyingi.

Mtu kama amekufa, mali yake, hata kama ni mtoto msichana, amekuwa na wanawake watatu, apewe, hata mtoto msichana apewe. Hapana kusema ya kwamba kijana ndio atapewa, na huyu mama ako na wasichana peke yake, atoke bure, hata msichana apewe.

La tano; nataka, mtu kama, kwa maana wakati tulipewa hii mashamba, wazee walikuwa hawajui shamba ni nini. Watu wanasema, map ilipeleka shamba yangu kwa mwingine. Mtu kama amekaa mahali, akimaliza miaka ile inatakikana, apewe title deed na serikali

Hii watu wa civil servants, wawe controlled zaidi, kwa maana uufisadi nyingi inatokea kwa civil servant, especially police. Nataka mtu akiwa mahali afanye two years, anachukuwa trnasfre sehemu ingine, anakaa mahali, anashika corruption nyingi, anajua vile anakula na waizi, anajua vile anaiba vitu vya watu, corrupt, huyo anatakikana apewe transfer. Especially kwa police, kotini and what and what.

Mtu akipatikana ni mwizi, hapana ya kwamba ameenda kotini, na mali yake ishikwe iuzwe, pesa irudi na serikali, isaidie wananchi.

Katika court; kesi inaenda kotini, mnatembea miaka tatu, nne, kama bado ijakatwa. Inatakikana kesi ikienda kotini ikuwe three months, iwe hired. Kwa maana ikikaa corruption inakuwa nyingi. Mtu anatafuta kulipa rushwa judge, hata karani pia anakulia huko, hata messenger anakulia kwa hiyo kesi. Kesi ikatwe haraka haraka, mtu ule ajue kama ni kufungwa ama kama ni kuwachiwa awachiwe.

Lingine la mwisho, landless; tunasikianga mtu amelelea kama amepewa shamba, kwa squatters. Na huku kwetu kama Butere hatuna forest ya kama ile watu watavamia ndio wapewe shamba. Nataka kwamba, wangetoa mambo ya kutoa shamba, kwa watu wale hawana shamba. Isukumwe mpaka kwa district level, kwa DO kwa Chief, watafute watu hata huku kwetu pia wapewe hiyo mashamba. Hapa kuna watu wengi hawana mashamba. Kwa hivyo inatakikana uridhi iwe countrywide, kila mtu afikiwiwe, hiyo ndio nilikuwa nayo peke yake.

Com. Salome Muigai: Inaudible.

Livingstone Makura: Unajua hiyo Will vile inasemekana ni, inasemekana kwa njia mbaya. Inasema Will, hiyo kitu mnaandika, mmeweka kwa lawyer, ama umeweka kwa koti, na huku kwetu sisi hatujui hiyo kitu. Lakini mtu akiandika local Will, hawataki kuchukuwa. Kwa hivyo ningependekeza, kama serikali inataka isaidie wananchi kabisa, mtu akipewa title deed, na mama aandike jina juu yake. Halafu wewe ukifa, Chief anatoa tu barua ya ku recommend jina ya mzee itoke, ibaki ya mama

peke yake. Hiyo ndio mimi nafikiria namna hiyo, hapo utasaidia. Na pia, government ikubali local Will, kwa maana sisi waafrika najua nikitaka kufa, nitaita Mwaroma ni ndugu yangu, kuja hapa usikie maneno yangu, maanake sema, serikali iamini Mwaroma, kwa maana ndio nimempa maneno yangu, vile mimi naenda kufa. Sio ya kwamba, sheria ifuate ya kwamba,

(Inaudible) ulienda kotini hakuna. Iwe tu ni kitu ya kutoka haraka.

Com. Salome Muigai: Lakini pia unajua lazima kuwe na, sijui kama unaelewa pia lazima kuwe na watu wawili walisikia ukiambia Mware.

Livingstone Makura: Tunasema nikiita, Mware, ni ndugu yangu. Nintaita wengine, nitaita Ibra akuweko, nitaita washaidi wawili watatu wakuweko, halafu nimwambie maneno yangu, hii nikifa, huyu mtoto wangu mkubwa yeye ni mbaye, umpe ule msichana wangu ashike shamba yangu, halafu atampa wengine. Huyu Mwale akuwe, the final person wangu. Asante.

Com. Salome Muigai: Mlale, Mlale Omany.

Mwale Omany: My name is (Interjection)

Com. Salome Muigai: Mwale?

Mwale Omany: Yes Mwale. My name is Mwale Francis Omany. Mimi hayo ndio yangu ya kusema kwa new constitution;

Kwa maoni yangu naonelea kwamba, kiongozi wa nchi kama raisi, ikiwa anachaguliwa kwa mfano Mkoo wa Magharibi, Coast, mdogo wake vice president, atoke mbali kutoka kwa hiyo Mkowa, wasije wawe kwa Mkoa mmoja. Kwa maana, wakiwa kwa Mkoa mmoja, hiyo Mkoa, ndio itakuwa inapata development peke yake. Na ikiwa raisi anakuwa mbali, nchi itadevelop. Huyu vice president atadevelop pahali yake, na president atadevelop pahali yake.

Uwezo wa raisi, vile wenzangu wamesema, nataka ipunguzwe. Ikiwa amefanya makosa, awekwe kwa sheria, asije awe above the law.

Kujaguliwa kwa Wabunge ama Councillors; kwa maoni yangu naonelea kwamba, kuna saa ile tunafanya campaign, tunapeana ahadi zingine tutafanyia watu. Na tukienda uko, (Inaudible). Kwa hivyo ningomba kwa sheria mpya kwamba, Mbunge ama Councillor, ikiwa anakwenda kwa Bunge ama kwa Councillor na afanyi kazi vile anaahidi, electors ndio employers wake. Kwa hivyo wawe na wapewe uwezo wa kumwondoa huyo mtu ama huyo mtetezi kabla ya wakati, sio ati tungojee mpaka hiyo kipindi. Ikiwa apeani services vile inahitajika, inataka iondolewe na wananchi waliomchagua, achaguwe mwingine.

Waziri akifanya makosa, akipewa kazi kama minister, na awe anamisuse public funds, anaweza toa hiyo ya serikali. Sioni ni maana gani apelekwe kwa ministry ingine, kwa maana akipelekwa hii ministry ingine, ataendelea tena kula hizo pesa, na serikali itaendelea kurudi chini sana. kwa hivyo, badala ya kupelekwa transfer kwa ministry ingine, aondolewe, awe demoted, awe kama MP. Na hiyo ifanyike hata kama ni kwa secretaries na viongozi wengine wa serikali.

Hii maneno ya akina mama kuwa equal kwa wanaume, hii sijui hesabu ilifanywa namna gani. Kwa maana, mwanamke awezi akawa equal kwa mwanaume. Na nafikiri ni lugha, hatujapata lugha mzuri ya kutumia. Nataka kama nilikuwa na, kwa hii sheria, ningesema hivi, tuwe na heshima kati ya mke na mume. Lakini si mke awe equal kwa mwanaume. Haitafanyika, na iwezi fanyika hiyo.

Now, kufika kwa wakati wa hii viongozi wa administrators. Kwa maoni yangu naonelea ya kwamba, hii ofisi ya Assistant Chief iondolewe kabisa. Ina exhaust fedha za treasury for nothing. Kwa maana unaweza kupata maneno inafanyika kwa Sub location, Assistant Chief anashika hiyo maneno, inarudi inaingia kwa Chief, halafu Chief inakwenda kwa DO, hii ni ku waste time. Kwa maana, hii wazee, wale leaders, village leaders, ndio wanafanya kazi nyingi sana. and I would suggest, hawa village leaders, wapewe uwezo, ndio wanajua vitu vya villagers, na wao wana deal direct na Chief. Office ya Chief iwe, lakini office ya Assistant Chief iondolewe, they are excesssly (Inaudilbe) because, ile maneno wanafanya tena itakwenda kwa Chief, na itakuwa mzuri. Kwa maana kwa sheria mpya, hiyo office iondolewe.

Tukija kwa maneno ya pombe ya kienyeji (**Interjection**)

Com. Salome Muigai: Una saa moja.

Mwale Omanyoo: Okay thank you. Maneno ya pombe ya kienyeji, mimi ningependelea hivi; hii pombe ya chang'aa watu wanatengeneza na serikali haitaki, na ukikataa ndio watu wanatengeneza hiyo. Watu wapewe uwezo, wale watu wa kutengeneza chang'aa watengeneze chang'aa. Serikali itengeneze industry, ile ya ku disbalance hii pombe ikitengenezwa na hawa locals. Nayo iende kwa industry fulani, iongezwe chemicals, iwe Kenya Wines. Kwa maana sisi hatuna pombe za kienyeji, na sasa tunasema Tusker, Guinness, hii ni pombe inatoka nje, na yetu hatutaki. Kwa hivyo, ningenelea ya kwamba, hii chang'aa wapewe uwezo, watengeneze na tuwe na industry ya ku sterilize hii pombe, nayo iwe pombe ya kina Whisky mzuri, ile watu watakuwa tukitumia.

Upande wa education, corporal punishment should be in schools. (**Interjection**)

Com. Salome Muigai: Hiyo point ya mwisho.

Mwale Omanyoo: Yes. Corporal punishment should be in schools, because, tukiwacha tu namna hiyo watoto, walimu wasije

wakawapunish, we shall have very poor products. Hao watoto hawatajali nini inaendelea. Kwa hivyo ningeomba the corporal punishment iwe kwa schools. Thank very much.

Com. Salome Muigai: Ruphas Mukonasi.

Ruphas Mukonasi: Your honour, they call me, those who know me, Ruphas Sorem Mukonasi by names, and I have the following observations to make;

One; once a president retires, he or she should relinquish, his or her any party position, he or she held prior to the retirement. For this one was evidenced by the founding father of Tanzania. When Julius Kabarage Nyerere retired, but overshadowed Mwinyi, when he remained C.C.M chairman.

Two; for national harmony, a wining party in general election, should incorporate, first runners up in the formation of government, for better governance. This one has been evidenced by the K.A.N.U, N.D.P partnership, which at least so a little improvement in governance.

Three; the state in which Kenya is, where each and every ethnic group is anxious and lusting for power, I suggest to call it, I presume that regional government, would be suitable, just like we had it at independence. When Western region had its Headquarters at Kitale, with Wafula Obuke as his president.

Four; I also concur, with those who propose that Kenya should have a ceremonial president with a prime minister. And be part of it, I want to say here, that teachers should be given lucrative pay, for their normal job of moulding a nation. So that we can control this strike business. Because they are doing a lot of job.

Five; corruption during electioneering time, I propose that political aspirance of any post, may it be parliamentary or civic. Be victimized if found bribing voters, for this leads to electing tycoons, who may not be politically competent. Hence creating poor governance in the country.

And number six, any ruling party, should not influence administration, because this one causes biasness in administration. And it should not influence judiciary, judiciary should be left to be independent. We should have limited number of parties, call it political parties. And the government, if it has to finance any political party, it should finance all parties, including opposition.

Seven which is the last one, you honour, I want to request that the constitution should stop this people in the, our people in

(Inaudible) whether they are government officials or what, banking money outside the country. Because the moment they bank money outside the country, they drain the economy of this particular country. Your honour, I had those few remarks to make, but if I had time I would produce more copies to give you. Thank you very much for listening to me.

Com. Salome Muigai: Thank you, I have one question for you. How can you know the political parties, do you have an idea of what number they should be.

Ruphas Mukonasi: Approximately five will do.

Com. Salome Muigai: Five will do.

Ruphas Mukonasi: Yes. My name is Ruphas Sorem Mukonasi, a retired teacher.

Com. Salome Muigai: Wycliff Mutakha.

Wycliff Mutakha: Yes, I am Wycliff Daniel Osako Mutakha.

Com. Salome Muigai: Mutaka?

Wycliff Mutakha: Mutakha

Com. Salome Muigai: Not Mutaka, Mutakha.

Com. Salome Muigai: Mutakha.

I am a retired High Court Librarian in Mombasa. And with the honour given to me, your honour commissioners, I have the following to submit;

One; I recommend Kenya to have a regional government, with two houses of law.

1. House of representatives, to consist of elected represented members by the constituency.
2. Regional Assembly, with at least a representative or two, per each district in the republic.

This should be headed by a prime minister who should be responsible to parliament, with a ceremonial president, to do the same in any ceremonial function in the republic.

Two, parliament; parliament should have power of making laws. And not to be a rubber stamp to the executive as it is today.

Any elected member should be free to contribute to any motion freely, independently, without any fear at all.

Judiciary should be headed by well qualified personnel, who should be free and judicious, to pass their decisions.

Executive; the executive should not asarb the powers of judiciary and parliament as it is, or any other parastatal body.

Distribution of the national cake; this should be done evenly and according to the district and to the country's years of development, and by the countries censors.

Employment; employment should be done evenly and by the qualification, not on tribal of sectionalism based.

The country security; on country security I would say, the security is a small gadget in the constition, and should have the power they have. not unlike in some other parts, where we find, let's say for example the Aps, they can gang up with. **(End of tape)**

He is not take to court, they make Kangaroo courts, they collect some money, how does the government value from this. There should be a law, where such a person is found, he should be fires, and if possible prosecuted.

Provincial Administration; Provincial Administration I think should, Chiefs and Assistant Chiefs, D.Os and whatever, should be elected by votes of mwananchi.

Minority groups, walemavu and insane, should be at least be accorded some role in the constitution, not just to be left that way. Where you find the Municipalities, City Councils, you go you find people who are unable to walk, they linger about aimlessly as if they are not wananchi of Kenya.

Two; people who are insane, there medical services, the constitution should hope for that.

Land distribution should also be done evenly, not like where some few powers, when they get to powers, or they have a tones of land in the former European settlement schemes, which like fallow, whereas as if mwananchi here, has not even got 0.5 of an acre. The same big fish, has big office in Nairobi, has junks of land lying fallow in the settlement scheme, and our constitution does not allow, that junk of land, to be distributed to people who don't have the land. **(Interjection)**

Com. Salome Muigai: The last point.

Last point, human right; Kenya should be, should at least respect human rights, freedom of speech, freedom of assembly and e.t.c. Well thank you very much, I had more to contribute, but because of the limit of time, this is only my hand script, but I had humbly time to contribute my other views to C.J.P.C, Mvumo Parish, which I think have been submitted. Thank you very much.

Com. Salome Muigai: Eshikumo Roselyne, Patrick Nasitsi.

Patrick Nasitsi: Kwa majina ni Patrick Ngongo Nasitsi.

Langu ni kuhusu wezi. Unawezapata mtu ameshikwa, ameiba milioni kumi, kupelekwa kotini, bond wanasema, kwa mfano million mbili na msaidizi wake atoe million mbili, inabaki milioni sita. Hapo nitatumia kutatanisha ushaidi wa koti. Ni heru mtu akishikwa, kama mwizi, awekwe ndani kesi imalizike, ndio awachiliwe. Ama akiwachiliwa kwa bond, million kumi hizo, zishikiliwe.

Na upande wa pombe; sisi Waluhya hasa, tangu zamani, kufanya mambo yetu ya kimila, tunatumia busaa, sio chang'aa wengine wanazungumza kila wakati hapa. Busaa sio pembe yetu, hiyo ni ya Wanubii. Kwa hivyo, ningomba serikali ijayo, iruhusu busaa, maana mtu akifa, sherehe yake tunatumia busaa, na serikali itazidi kushika na kuumiza watu kwa ajili ya kukomesha busaa. Kwa hivyo, hiyo iwachiliwe.

Na upande wa recruitment kwa jeshi, nashangaa sana. Kwa Provinces zingine, nasikia watu wakipelekwa huko kufanya recruitment, wanachukuwa watu wa area hiyo. Na hapa kwetu, wakifikia hapa, tunasikia Njuguna amechuliwa hapa Butere, Ruto amechukuliwa hapa Butere, na ukifuatilia uwezi kupata Ruto amezaliwa hapa. Na vijana wetu wamezungushwa na kukimbia mbio, wanaachiliwa tu hivyo. Kwa hivyo, tungekubali serikali ijayo, ifuatilie sana, wakisema recruitment iwe hapa Butere, wawe watu wa Butere. Nafikiri ndio hayo tu nitasema.

Com. Salome Muigai: Asante sana. Roselyne amekuja? Isaiah Omulama.

Isaiah Omulama: My names are Isaiah Reverend Omulama.

About human rights; we are against the term as the president will be above the law. the only person or we only have God, who is above the law. and when the president has done any crime, he has to be taken to court, and at least meet the judgement.

Freedom of worship; we don't want such to go on, because we have a problem whereby, we have even devil worshipers, coming in between us, even in churches, trying to cheat people that, they are going maybe to take young boys and girls to school, and yet, you will find that boy or that girls, has been removed some blood with this devils, and he or she many die. So, freedom of worship, hiyo kitu hatutaki kwa vile unakuta ya kwamba, hayo yanaendelea katika makanisa. So we have no choices or strong laws, vile tulikuwa nayo. Ukifanya kitu kibaya, unapelekwa maybe kwa parish council, you are asked about the issues that you have done, and then maybe sent home. So, we find that, very many of us normally go to some other churches, and they continue with that evil thing that they have been doing in different churches. So, we should have discipline in churches.

Land division; I support my dear people have said that, this one has to take place even to ladies. Kwa maana tunakuta kwamba, unaweza kupatia kijana shamba lako, na pengine ule kijana, hana usaidizi wowote, unampatia, pengine anauza. Sasa tunakuta ya kwamba, hata wasichana, at the time of death, you get that girl, who can give maybe coffee, who can give a bull. Lakini mvulana anakaa tu hivyo. Kwa vile, sasa tunaona ya kwamba, hata msichana apatiwe uridhi, anaweza, unajua, akiwa mpole na mnyenyekevu, anaweza kugawia hata vijana.

The so we call, pombe haramu; as a Reverend, I have tried to look into this. This thing, tunaona ya kwamba, let us allow this people to drink this. Because even Sub Chiefs, Chiefs, are the people who are increasing this. Wanaenda pole pole, wanapatiwa elfu mbili, na pombe pengine kubuyu mzima, wanaendelwa kukunywa, halafu askari wakitembea, wanapita the other side. So, let us do like in Uganda, ile kitu iko tu kwa njia, and wacha wakunywe pombe, kutoka pengine saa sita, kuendelea. Na wakija kwao, walale. And if anybody is found maybe, drinking from morning without doing any work, let the government take that person to jail, for even seven years, and some seven strokes. Huyo mtu, yaani pombe iwe tu kialali, yaani nikitengeza pombe, isiwe ya kuuzwa. Tukunywe vile waafrica walikuwa wakikunywa kwa maboma. Ukienda kwa mwenzako, unakunywa tu pole pole, halafu mnaenda wapi, nyumbani. Hapana kutembea ukitaja jina yako, ati mimi ni nani, hapana. Mtu kama huyo, awekwe kwa jela, karibu miaka saba.

Na prisoners; I only thank the government, to have said that prisoners to see their wives is nice. But we want also, this prisoners with little crimes, at least to maintain our schools, yaani uchafu wote, hao watu wafanye, kulimia mahindi uko nje wafanye, kutengeza barabara, hao watu wafanye hiyo kazi, instead of them just congesting in prison, others maybe you find, they are dead. Lakini ile crime ambayo amefanya, pengine ameiba hindi peke yake. Tumweke kwa barabara, this rural road, walime wakitengeza, wabebe na ma wheelbarrows, hii nini, wakimwaga kwa barabara.

Na, majimboism; tunataka ya kwamba, tuwe na kitu kama in Western Province, we should have at least, some small president. That is, tuwe kama watu wa Kiangilikani, tuna ma bishops, lakini kutoka kwa ma bishops, kuna ule ambaye tunaita arch bishop.

Tuwe na president ambaye amefanyiwa elections, kutoka kwa hawa, ambao tumetoa katika Provinces. Halafu huyo mtu, atakuwa akiita hawa, ndipo wanaweza kudiscuss jambo. Sio, apitishie tu maneno kifuyake, lakini, awaite ndipo wamwambie, shida ambazo ziko kwa Provinces zao, na usaidizi at least tutapata. **(Interjection)**

Com. Salome Muigai: Last point, point ya mwisho.

Isaiah Omulama: Ningesema ya kwamba, yaani, tuna mila zetu. Mila zetu, tunatakiwa tufanye mila zetu. Ikiwa mtu anapasha watu wake tohara, afanye hivyo. Kwa maana sisi, kama Waluhya, mambo ya, this idea of circumcision, it shows somebody who is maybe a grown up, who is ready to marry, and it should be done in various places. Kama Wajaluo, wawe, wakitooa meno watoe, na sisi tufanye vile tunavyo.

Com. Salome Muigai: Nina swali moja kwako.

(Inaudible) Kama jambo la

kutoza tohara, na ni kubwa katika kwa Kiluhya. Lakini wakati huu tena sasa tuna ugonjwa huu wa ukimwi. Je, tutahitaji kuangalia hayo mambo mawili pamoja, na tufikirie vile tunaweza kuyajumuisha vipi ili yote ifanyike, lakini sio ya watoto wetu wa kike.

Isaiah Omulama: Tunaweza kurekebisha, kwa vile tulikuwa na wale ambao wanafanya hiyo kazi, tunaita kwa Kiluhya Kimrere. Sasa tukitoa mambo ya kutumia ile kisu yetu, ile ya hapo awali itakuwa vizuri. kwa maana huwa wanatumia

(Inaudible) na nimekuta ya kwamba, hiyo sasa ina

(Inaudible). Na daktari unajua, tena ni vigumu,

unakuta mwanamke, tena anafanya hiyo kazi kwa mwanaume, na it is a problem to we men. Mwanamke anatahiri kijana, it is wrong.

Com. Salome Muigai: Haya ni maoni, ni wakati wa kufikira mila zetu na maendeleo yetu pamoja, na kufikiria vipi tutakuwa nayo pamoja. Habil Nabanga.

Habil Mavango: Mimi ni Habil Mavango Wamboe. **(Interjection)**

Com. Salome Muigai: Mavango?

Habil Mavango: Yes.

Com. Salome Muigai: Endelea.

Habil Mavango: Maoni yangu, niko kwa ni kwa ugonjwa wa ukimwi. Ugonjwa wa ukimwi inashika watu. Nayo serikali, inaona mimi niko na ugonjwa, na inaniwacha tu mimi naendelea, kupanbasa hiyo ugonjwa. Nimefikiria sheria ikuweko, nikipatikana niko na hiyo ugonjwa, niwekwe mahali peke yangu.

Neno la pili, ni mambo ya walimu kwa shule, na watoto. Mwalimu anapatia mtoto mimba, na yeye huyo ni mtoto wake. Nayo serikali, iwezi kuingilia hiyo neno. Lazima hiyo mwalimu, atafanya transfer kuenda mahali, na sasa anaenda na huyo mtoto. Miaka kidogo, anawacha huyo mtoto. Nimeomba, sheria ikiwa inaweza kutupatia sheria fulani, ya mwalimu akiwa amefanya hivyo, iwekwe. Ni hayo tu mawili.

Com. Salome Muigai: Ungetaka afanywe nini huyo mwalimu.

Habil Mavango: Huyo mwalimu akiwa amechukua mtoto wa shule, ni heri afutwe hiyo kazi.

Com. Salome Muigai: Na akitunza mtoto anafanywa naye nini mzee.

Habil Mavango: Alipe mahari, pesa ya ule baba wa huyo mtoto.

(Inaudible).

Com. Salome Muigai: Asante sana mzee Habil. Jackson Omwaka, Patrick Omanyo, karibu.

Patrick Omanyo: Kwa majina ni Patrick Omanyo. Ningependa kuchangia Tume ya Marekebisho ya Katiba.

Nikianza na upande wa kazi; unapata kuna watu, ambao wameandikwa kazi na wanapata mshahara mwingi. Hapa, ningependekeza, wameandikwa na wanapata mshahara mwingi, mshahara upunguzwe, na tena, mtu mmoja akuwe na kazi moja. Kwa sababu kuna mtu mmoja ambaye ako na kazi hata zaidi ya saba, na zote anapata mshahara.

Wabunge, wakichaguliwa kuenda Bungeni, wakifika huko na wafanye makosa, sisi wananchi ambao tuliwachagua, tuna haki ya kuwaita warudi na tufanye uchaguzi mpya.

Kuna kile kitu tunaita hazina ya raisi, nafikiria hii hazina ingeondolewa. Na, badala ya kuwa hazina ya raisi iitwe, hazina ya watoto mayatima.

Raisi akistaafu, asibaki kama mwenyekiti wa chama. Hii ni kwa sababu, akibaki kama mwenyekiti, atakuwa ako na mamlaka, hata kushinda raisi.

Wabunge wateule; nafikiria jambo la Wabunge wateule lingeondolewa. Kwa sababu ikiwa watu wako wamekukataa na kuchagua Mbunge mwingine, wewe unapelekwa huko kufanya kazi gani?

Ndoa; ningeomba ndoa iunganishwe na kanisa, wala sio serikali. Kwa sababu unapata, kuna mahali ambapo unapata mzee ameo, anafanyishwa ndoa na kanisa, na tena baadaye unapata, aliowa bibi mahali pengine, na akaenda katika serikali, akafanya huko ndoa tena.

Kuna mahali ambapo mtu unapata ako na kazi, na unapata, anawacha ile kazi kuenda kutafuta kazi ingine. Ni heri, mtu ashikilie ile kazi yake ambayo alipewa, ambaye alijivunia, pengine atapata maarifa kwa hiyo kazi. Na wale wengine ambao hawana kazi, wapigane kiti cha ile kazi ambayo imetoka.

Kuchapwa kwa walifu; kivyangu ningeon, kuna waalifu ambao ushikwa na kuanza kuchapiwa tu hapo. Ni heri sheria ingekuwa, muaalifu akishikwa, aende mpaka kotini, koti ikate ukumu kwamba, anafaa kuchapwa, ndio achapwe. Asante.

Com. Salome Muigai: Asante sana, jiandikishe tafadhali. Wycliff Omanyu, Emily Mwale.

Emily Mwale: Kwa majina ni Emily Mwale. Maoni yangu, ni kuuliza hivi;

Ma Councillors, Wabunge, President; kwa nini hawapewi miaka ya kufanya retire.

Com. Salome Muigai: Ungependekeza jambo gani, ungetaka kuona nini?

Emily Mwale: Wawe na lengo ya miaka yao, wafanye retire, pengine waende.

Neno la pili; nafikiria kwa maoni yangu, naona, ma Chief, na Assistant Chief, wakipata hiyo kazi, waende kwa country ingine, na wengine wakuje kwa country yao. Waje kufanya kazi kwa country yao. Wakiendelea kazi kwa country yao, wanakuja na maneno ingine.

Nakuja upande wa mama na baba, kwa boma. Upande wangu, naangalia tu kwa ma boma, awe naona hata kwangu. Unaona mwanaume ako na ng'ombe na ana kazi kwa boma, lakini asubuhi anaoga tu anatoka. Na saa ya kurudi, anataka kukula, na wewe unaendelea na kazi yako, ufanye kazi uende kwa shamba, uchungu ng'ombe, utafute mboga, na akirudi, anauliza kukula.

(Interjection)

Com. Salome Muigai: Ungetaka tufanye nini mama?

Emily Mwale: Lazima huyo mzee naye aende kwa shamba, akusaidie kazi ndio atoke.

Maoni ya tatu,

Com. Salome Muigai: Tafadhali mkiwa mnasimamia akina baba watoe maoni yao, nitasimamia akina mama watoe maoni yao.

Emily Mwale: Akina baba, anakuletea ama anakupa punishment asio na maana.

Com. Salome Muigai: Anakupa nini?

Emily Mwale: Punishment. Kwa maana ukitoka kwenu, unakuja kuolewa kwa boma ya mtu, sio wewe ni mfanyi kazi. Na sasa sisi tukiolewa, tunakuja tu kufanya kazi kwa maboma ya watu, sio ati sisi ni wanawake. Hapo mnaweza kusaidia hao balaa.

Com. Salome Muigai: Haya tueleze vile ungetaka mama, ungetaka tufanye nini, ungetaka sheria ikusaidie na nini?

Emily Mwale: Sheria itusaidie tukuwe tu wanawake wa kuolewa kwa boma ya watu, sio ati tukuwe wafanyikazi.

Zamani za kale, siku ya mimi nilikuwa kwa shule. siku ya mimi nilikuwa kwa shule, hiyo miaka kidogo, ama miaka moja mbili, niliona serikali inakusaidia, ingwen, ink na kalamu. (**Interjection**)

Ingwen ni nini, ingwen, na biro, na vitabu hata vya kusoma. Siku hizi mimi ni maskini, na tena nilitoka kwa jamii masikini, nataka mtoto wangu asome. Na siwezi kununua hivyo vitu vyote, nipatie mtoto, sasa nifanye nini? (**Interjection**)

Com. Salome Muigai: Ungetaka nini?

Emily Mwale: Nataka serikali kama inakubali, itusaidie kwa hiyo maneno. (**Interjection**)

Com. Salome Muigai: Mama leo una siku yako ya kueleza vile ungetaka.

Emily Mwale: Nataka itusaidie, kwa maana hata mimi nilitoka tu kwa jamii masikini, hata hii nguo navaa, ni ngugu yangu ananisaidia kununua. Hata mtoto wangu, yeye anakuja kwa shule, ndugu yangu ananisaidia na dada yangu, sasa hawawezi kukubali, kusaidia mimi, wasaidie watoto, na tena kupeleka kwa shule. Wanaweza kweli? Sasa nitakuwa tu jamii masikini mpaka siku yangu ya kifo? Mnisaidie hapo, ndio ile neno nataka mnisaidie nayo, watu wa serikali kama mnataka kutusaidia, mtusaidie na hiyo.

Com. Salome Muigai: Asante sana, kwa maoni yako. Alfred Omukanda.

Alfred Omukanda: Jina ni Alfred Omukanda, kutoka West Marama, Butenya sub location. Ningependa kuleta maoni yangu kidogo, hapa.

Ya kwanza; president achaguliwe na watu.

Ya pili; tuwe na busaa kila sub location. (**Interjection**)

Com. Salome Muigai: Tuwe na nini.

Alfred Omukanda: Busaa

Com. Salome Muigai: Busaa?

Alfred Omukanda: Eeh, local beer. Hiyo itamarisha hao ma Assistant Chief, wasiwe na hasira na watu, ikiwa serikali itapeana hiyo.

Assistant Chief, achaguliwe na watu.

Mwanamke, asiwe na mamlaka kushinda mwanaume.

Watoto wasome kutoka darasa la kwanza, mpaka darasa ya nane, bure. Serikali igharamie hiyo.

Msaada; tuna barabara mbaya, katika mahali, County Council wanatoka, kama Butere Country Council, ama mahali popote. Hiyo barabara ningependa, ikiwa kama sheria ikitoka, Country Council itengeneze hiyo ma barabara. Ni hayo tu machache.

Com. Salome Muigai: Thank you Alfred na muda wako umeutumia vizuri. Silas Akhusama.

Silas Akhusama: Kwa majina naitwa Silas Akhusama, from Marama North, Naya sub location.

Mimi ningependekeza, president anayechaguliwa, awe ndio chairman wa chama ambayo kimemchaguwa. Tusiwe na chairman kando, kwa sababu akitaka kuitisha mikutano itakuwa ngumu.

Ya pili; askari anapotoka stesheni, au askari awe AP, awe Police, ati anaenda kushika mtu yeyote ambaye amerepotiwa amefanya makosa. Lazima awe kwa uniform. Tena, katika hiyo uniform, awe na nambari yake ya kazi. Kwa mfano, tuna administration police, hawana number ya kazi, na sisi hatuwajui, kwa maana ni mtu amekuja, ameletwa kutoka mbali, na hiyo ndio safari yake ya kwanza kuona yeye. Na akikumiza, hiyo number unaweza shika na utoe malamiko yako, malalamishi yako, kwa ule ambaye, mahali unatakiwa upeleke.

Na, wakienda kufanya kazi wale police, lazima wawe na mtawala wa hapo. Kwa sababu, yeye ndio anakujua. Wasitoke huko na kuingia kwa boma ya mtu, kama mnaingia kwa msituni. Wawe na mtawala wa area hiyo, ndio utamtambua kwanza.

Inginge; civil cases, zifanywe na watawala wa huko, kama Chiefs, na wale ambao wako chini yake. Wakishindwa, ndio wakupeleke mbele.

Criminal cases; kwa maana criminal case ndio inahitaji sana askari kwa sababu ana silaha. Ndio sababu ule Assistant Chief, au ni Chief, anaweza kuenda kuitwa wale maaskari, wakiwa hapo armed. Labda huyo mtu amevunja nyumba, au ameingilia mtu amemuumiza, anahitaji tena force ya aina hiyo. Ndio askari wanaweza ingia hapo, na kushika huyo mtu, na apelekwe huko

mbele straight, wasikalishe kesi hapo ya criminal case, kwa maana hiyo iko very serious.

Kwa upande wa mashamba, ikiwa mwanamke atakuwa na haki ya kuridhi shamba, basi tena awe na haki ya kuowa mwanaume, na kumleta kwa hiyo shamba. Na kama awezi kuowa mwanaume, basi mwanaume ndio anafaa awe mridhi wa hiyo shamba. Ni hiyo ninao, wengine wanataka kuongea, ninawachia hapo.

Com. Salome Muigai: Asante sana. Ambaye Nyenje, Nyenje ama Nyenja, James Okama.

James Okama: Well I am James Wetaba Amos Okama, kutoka Marama West, Bukunya sub location, an elder for Abachenyaba clan. **(Interjection)**

Com. Salome Muigai: Inaudible

James Okama: Well, katika Constitution of Kenya Review Commission, mimi nina haya ya kusema;

Kwanza, katika Kenya, hatuna, tulikuwa hatuna preamble. Na mimi napendekeza ya kwamba, it is necessary to have a preamble in our constitution.

Two; we Kenyans by origin, should feel protected in all our endeavours mechanism, security, employment.

Directive principles; Kenyans should have important values to reflect in the constitution, such as, traditions, customs and complexion, e.t.c.

When we come to constitution supremacy, where we have a parliament; parliament should have the supreme powers of amending all parts of the constitution.

I come to citizenship; automatic Christian, citizen of Kenyans should be this or those or in Kenya or outside Kenya, by both parents who are Kenyans. Born by a Kenyan father.

Three, outside women getting married men, Kenyans citizenship should also be acquired by registration, for not less than 15 years e.g. outsiders marrying Kenyan women, because they shall be bound to visit and taken care of the women,

(Inaudible)

I come to political parties; number of political parties should only be limited to three parties.

Where we come to political parties, should be financed through donors. Public fund should be challenged to public development and not on political issues.

Structure and system of the government; we should adapt a federal system of government, this is majimbo, in which, executive and legislative authority is simply between the central government.

Regional unit to address the activities carried out in those such a region.

Jambo ya mwisho, nakuja kwa elections; election system, election, watu wana haki ya kumchagua president. Wawe na uhuru wa kuchagua president, na wawe na uhuru wa kuchagua M.P. Na ikiwa an M.P amefanya makosa, anaporudi katika area ambayo alichaguliwa, wale walimchagua wawe na votes of no confidence immediately, wamwondoe na wamchaguwe mwingine, kwa kipindi hiyo hiyo.

Na hii yote, hata yale mimi bado sema, nimeandika chini, na itakuja kuangaliwe huko, ninapopeana karatasi.

Com. Salome Muigai: Asante, Elphas Oweri.

Elphas Oweri: Mimi ni Elphas Oweri.

Maoni yangu, ni ile ya baba akikuwacha shamba. Baba akiwacha shamba, inatakiwa, kama hapana wacha mtoto wake wa kiume, inatakiwa ule ndugu yake ambaye anamfuata yeye, afanye uridhi kwa shamba hiyo, halafu wale watoto ambao alikuwa amewacha wadogo, wachukuwe hiyo shamba.

Na vile walisema ati serikali sasa vile, ilichukuwa wakati wakufunga shamba, walisema watakaa kwa shamba miaka mia moja. Miaka mia moja hiyo, itakuwa kama hao watoto kidogo kidogo watazaana na halafu anawacha, wanaendelea kwa shamba hiyo. Mimi naona tu kama, ukiweka ile nini, ukiweka msichana, msichana wako kwa shamba sio mzuri. Kwa maana wale ambao watabakia hapo wa ndugu yako, watakataa. Watakatakata hiyo, watakatakata, wataleta fujo, na watakatakata huyo msichana unawacha kwa uridhi kwa shamba lako. Ni heri tu ndugu yako aridhi hiyo shamba, na atatangulia wale wengine, watakaa watoto wale unawacha kama bado (Inaudible).

Kwa kutahirisha; kwa kutahirisha, inaleta ugonjwa, ugonjwa ni nyingi. Kwa maana wanakambatwa wanaenda hospitali, wanakatwa hapa, wanakatwa na daktari na makasi ni moja. Ni heri warudi vile walikuwa wanatahirishwa zamani, ingekuwa vizuri, watazui magonjwa. Kwa maana wanaambukizana. (**Interjection**)

Com. Salome Muigai: Unaweza twelezea vile zamani ilikuwa?

Elphas Oweri: Walikuwa wanatahirisha tu na watu wawili, na kisu moja. Na akiwa kilema, kama alizaliwa mapacha, yaani twins, anafanya nini? Ako na kisu yake, kwa maanu ule mtu anatembea na kisu, kila aina ya kisu. Na kwa hivyo, hapo kutahirishwa inaweza kuwa namna hiyo.

Na, mwanamke akipewa mamlaka; mwanamke akipata kazi, mimi nafanya kazi Nairobi, na mwanamke ako Mombasa, akiwa na kazi yake, yeye anapata bwana uko, na sasa mim nabakia bure, hiyo ni mbaya, ni makosa. Sasa, vile wanawake walipat kazi, wanadharau bwana yake ule ambaye alifanya naye ndoa.

Sasa ana kwenda kupata ya ile ingine. Sasa unabakia bure sasa, sasa utaoa namna gani, hiyo watoto anawachia wewe, saa ingine anakuja kunyang'anya wewe watoto wote, anakwenda nao. Unabakia kama ukiowa bibi, na wewe ndio ulitoa mali. Kwa hivyo si mzuri, mimi naona kama mbaya.

Wakati tulikuwa tunasoma hapa, 1952, hapa, hii ndio ilitoa hii shule, hii mawe hii, mabadiliko iko sasa. Sasa wasichana, watoto wa siku hizi, wakienda kunywa pombe, yeye anakuja kuenda kuuza shamba tu. (Inaudible) Sasa vile unaweza kuenda huko kutoa hiyo shamba ni ngumu. Na wewe sasa ni mzee.

Com. Salome Muigai: Ungetaka tufanye nini mzee?

Elphas Oweri: Hiyo sasa ilikuwa inatakiwa, wasipewe ruhusa kuuza shamba na mtoto, wasikubali kuuzia tu huko bila kujua. Unaona tu mtu mwingine yuko kwa shamba.

Tena kuuza mashamba, hata wanawake wale ambao mnasema, wanataka wapewe mamlaka, wanauza shamba kwa kujenjekea. Tena mzee amekwisha kufa, watotot wake wanataabika, hapana sema, hapana soma. Na Sub Chief, au Chief, au D.O, awezi kujua watoto wanataabishwa. Watoto wako bure tu, wanawachwa bila kusoma. Huyu mama anaenda kwa bwana mwingine. Anauzia mdosi mkubwa, mtu mkubwa, na kwenda nayo, anaama na shamba. Anauza halafu anapeleka yeye kwake, na watoto wanabakia kwa taabu.

Hiyo ndio maoni yangu, kama wanaweza kurekebisha, wanaweza kusaidia.

Com. Salome Muigai: Mzee mimi nina swali moja kwako. Nimesikia akina mama wanauza mashamba, watoto wanauza mashamba, akina mama wakipata kazi wanawacha bwana na kuenda kuolewa na bwana mwingine, si wewe mzee siku moja umeona bwana mwenye ameenda kwa kazi na kuowa bibi mwingine, ama umeona baba mwenye ameza shamba na kuwacha watu wake kwa shida.

Elphas Oweri: Ni wengi.

Com. Salome Muigai: Okay asante, jiandikishe mzee asante, Hannington Chite, Edward Outa.

Edward Outa: Majina ni Edward Outa Omanyoo. Yangu ni machache kwa hii.

Com. Salome Muigai: Utangoja tafadhali, naona nyinyi mmalize kwanza, mmaliza kunena, tafadhali tumsikize huyu.

Edward Outa: Yangu kwa new Commission Review ya Kenya ni machache sana.

La kwanza ni uridhi ya shamba. Ningependelea, kama mimi ninakufa, nawacha shamba langu, tusiwe na mambo ingine ati mtu anaenda kotini kubeba kitabu, kuapa mbele ya koti, ndio achukuwe shamba. Kuna Chief, kuna Assistant Chief, yule ananijua mimi. Yeye ndio anatakikana atoe barua. Kama ni watu wangu kuenda kwa lands, waende kwa lands, shamba ibadilishwe kwa ule nimewacha. Shauri hata tumeshaona ni wengi wanabeba vitabu, kuwapa ni hivi, lakini wanabeba kwa njia ya uwongo.

Ingingine, ni mambo ya skuli, walimu na wanafunzi. Kuna wazazi wengine wale hawajiwezi, hawana pesa, mtoto anafanya mtihani, anapita vizuri, anaitwa Alliance. Ametoka Busia, anaenda Alliance, Alliance ni Kikuyu ni mbali. Mtoto ameshaenda Alliance, na mzee ni ule mtu wakutafuta pesa kwa kiasi ndio apate, ndio alipe school fees ya mtoto. Mtoto anafukuzwa kutoka Alliance ama kutoka Kilifi, aje Busia kupewa school fees na mzazi. Hiyo kitu ya kufukuza watoto kwa shule kuenda kutafuta pesa kutoka kwa mzazi, ninaonelea ingetolewa. Kama mzazi ajatoa pesa, skuli iandike barua ienda kwa huyo mzazi, ikimuliza pesa, kama inawezekana, apate pesa, alipe. Shauri hakuna faida, mtoto amebaki na shilingi elfu moja, wanamfukuza kwa shule kutoka Kilifi, kuja Busia, ni karibu shilingi elfu mbili kuja na kurudi. Hiyo ni gharama ingine kwa mzazi.

Com. Salome Muigai: Endelea mzee.

Edward Outa: Lingingine, Assistant Chief na Chief; tangu zamani, walichaguliwa na watu, na wanachaguliwa na watu shauri wanatoka kwa hiyo kabila, hao ndio wanajua maneno ya hiyo kabila. Mimi ngingeonelea, Chief na Assistant Chief, tangu zamani alikuwa anafanya kazi, kwa ile location, au ile division, ile yeye yuko. Shauri kutoa hapa Chief, kupeleka yeye huko Kikuyu, ajui manenoya Wakikuyu, afanye kazi pahali alichaguliwa. Hiyo nimewacha

Maneno ingine ni , askari wa polisi; askari wa polisi, wana kitu kimoja, ile wanaona wafanye. Na hiyo kitu ni pombe peke yake. Ukiita police mtu amekufa, yuko hapo kwa nji, atamaliza three hours hapo, kama police ajapita. Lakini ukimwita umwambie, kuna watu fulani wamekunywa pombe mahali fulani, itawachukuwa half an hour kufika hapo. Tunataka kitu kama hiyo, serikali ikiweza, itusaidie.

La mwisho, ni mambo ya ushahidi kotini; mimi nimebaka msichana, namshika namnajisi. Nikinajisi mtu, sidhani kama kunako

mtu karibu anaona, shauri kuna jinsi pengine, upate mtu kwa kichaka mahali, ndio umnajisi. Ili neno ati mtu anaulizwa kotini nimekunajisi, unaulizwa, leta mashahidi. Hiyo kitu iondolewe, wewe sio wazimu, utaenda kushtaki mtu anakunajisi, kama hajakunajisi.

Lingine, ninekutana na mtu, tumekutana wawili, tumechokozama, mtu ananikata na panga. Kuna alama ile inaonyesha nimekatwa na panga, ninaenda kotini, inakuwa, leta mashahidi. Tulikutana wawili, mashaidi alikuwa wapi? Mashaidi wangu nataka, ni ile alama niko nayo kwa mwili, na ile daktari ameniona wakati nimeumia. Yangu nimefika hapo madam.

Com. Salome Muigai: Asante sana, tafadhali jiandikishe, Jackson Ondati.

Jackson Ondati: Jackson Ondati, the current Chief, Marama, Western.

The previous speakers, are my subjects, and at times, they have been touching on me. **(Interjection)**

Com. Salome Muigai: Bwana Chief, leo tunazungumzia habari ya kila mtu anvyoona, sio kwa ajili yako, au kwa ajili. Umesikia wakisema wanawake wasipate madaraka?

Jackson Ondati: Ndio.

Com. Salome Muigai: Lakini bado nimewapa nafasi na nikawa protect. Kwa hivyo, excuse me, kwa hivyo leo ni siku ya mazungumzo, mtu akisikia tu asikie yeye anahusishwa.

Sasa, nilikuwa nataka kusema hivi **(Interjection)**

Com. Salome Muigai: Wamekuwa na ma Chief kutokea wazee walipokuwa watoto wadogo, kwa hivyo wameona Chief wengi, sio wewe peke yako. Kwa hivyo, tafadhali usichukulie hili kuwa wanakulenga wewe. Hata mimi wanaposema hawataki wanawake wapate madaka, hawanilengi mimi, wanazungumzia kwa jumla ya mambo.

Jackson Ondati: Nilikuwa nataka kusema hivi, sikusikia vibaya, lakini nilikuwa nataka kusema **(Interjection)**

Com. Salome Muigai: Lakini wewe toa maoni yako, kulingana na hako yako.

Jackson Ondati: Maoni yangu kuhusiana na kazi yangu, ambayo ninafanya saa hii, iko hivi;

Ninaanzia kwa maendeleo, kwa maana kazi yangu inahusiana na security na maendeleo. Sasa katika maendeleo, lazima tuwe na

foundation mzuri. Na foundation mzuri ni elimu. Ninapendekeza hivi; hizi early childhood development, ni kitu ambacho ninapendekeza iwe ya lazima na hizo shule zijengwe na local government. Na hata hao walimu walipwe na hao.

Com. Salome Muigai: Endelea.

Jackson Ondati: Domestic violence, ugomvi kati ya bibi, na bwana. Huo usuluhishwe na wazee wa kijiji.

Tuko na civic education, ambayo imeletwa tu kilingana na maneno ambayo tuko nayo kwa saa hii. Mimi ningependekeza, iendelee, iwe ikiendelea throughout. Kwa maana mimi naona bado tuko na ignorance, katika country hii. Civic education iendelee mpaka chini kabisa, ndipo tuweze kumaliza hii maneno ya domestic violence.

Maneno ya mashamba, land boundary dispute; tuwe na sub locational elders committee, ya ku deal na hizo problems.

Nikiwa hapo kwa maneno ya mashamba, yule mtu ambaye ako na chini ya acre mbili, na ako na zaidi ya miaka kumi na nane, serikali iangalie ipeane mashamba kwa hao watu. Shamba iwe na familia.

Wale ambao wamepeanwa kulinda sheria, kuona sheria inatekelezwa, wawe, wapeane uwezo wa kutengeneza hiyo sheria, bila kuingiliwa na mtu yeyote. Wale, narudia, wale ambao wamepeanwa jukumu la kulinda sheria, kitu kama security, usalama, wawe, wapeanwa uwezo, wa kufanya hiyo kazi na wasiingiliwe na mtu yeyote.

Tuna petty cases, ambapo mtu ametukama mwingine, na tuna ushahidi. Hiyo kesi imefika kotini, sioni ni kwa nini inaahirishwa mwaka mzima. Hiyo kesi ikifika kotini, ushaidi uko, ichukuwe hata iishe siku hiyo. Kama ushaidi hakuna, huyo mtu awe released, kama ushaidi uko, huyo mtu afungwe siku hiyo.

Kuna bond, police bond. Hiyo inaweza ikapenwa wakati polisi bado wanafanya uchunguzi, police wapeanwa hiyo uwezo wa kupeana police bond. Wakati bado wanafanya ushaidi. Na polisi, waakikishe wakichukuwa mtu kotini, wawe wamepata ushaidi wa kutosha. Na akifikishwa kotini mbele ya judge, kwa sababu amepolekwa na ushaidi, ambapo unaonyesha amefanya hayo makosa, kesi isihairishwe. Na kuchelewesha kazi kama za watu ambao wanatimiza sheria kama sisi, tukiitwa kotini kila mara, karibu mwaka mzima. Kesi inahirishwa, kesi inahirishwa. Kama judge anaona police hawakufanya uchunguzi mzuri, anaweza ondoa hiyo kesi, badala ya kuahirisha kesi miaka na miaka. Halafu baadaye ndio anatupa.

Councillors; Councillors, inatakikana wawe, kwa kila mwaka, wawe wanakutana, wanatengeneza mkutano wao, kwa kila mwaka mara tatu, na wale watu waliwachagua wawaambie vile wanaendesha maneno yao, na wananchi wapeana mawazo yao, vile wameona, ama vile wanaona Councillor wakiendesha kazi zao.

Mfanyikazi wa serikali ambaye amepewe uwezo wa kutimisha kazi ya serikali, ama kiongozi wowote, niseme for example,

kama mwalimu atakula pesa za mradi za shule, inatakikana awachishwe kazi. Maneno ya transfer hakuna, kwa maana ataenda tena kukula uko. (**Interjection**)

Com. Salome Muigai: Bwana Chief wakati wako umeisha, umemaliza? Dakika ingine moja, neno lingine moja, point ingine moja, umalize.

Jackson Ondati: Wale ambao hawatafanya kazi; hao, inatakikana wachukuliwe hatua. Yeyote ambaye atafanya kazi, hata jumuhika na wengine katika kufanya kazi kuanzia kwake nyumbani. Achukuliwe hatua ya kushtakiwa, aseme ni kwa nini analeta umasikini.

Com. Salome Muigai: Asante sana Bw. Chief, hayo ni maoni mazuri. Noah Achibole, Councillor Michael Munyiri.

Councillor Michael Munyiri: Majina yangu ni Councillor Michael Amwaye Munyiri, kutoka baraza la Butere, Mumias.

Sitazungumzia mambo mengi kwa kuwa yale niliyokuwa nimeandika, mengi wenzangu wameyazungumzia. Hila tu jambo ambalo ningeliweza kusema, mawili, matatu peke yake.

Nilikuwa nataka nizungumzie kwamba, katika Katiba ya Kenya, tunasema uchaguzi ufanywe baada ya miaka tano. Lakini katika Katiba yetu, hakujatiwa tarehe ya uchaguzi, ambapo inabakia kwamba, ni fimbo ya yule aliye mamlakani, kuitumia kama silaha ya kisiasa. Kwa hivyo ningelipendekeza kama system ya America, ambayo inasema, kutakuwa na uchaguzi wa raisi, every first, I mean, every first Tuesday of November in that year of election. Hiyo pia ingelikuwa katika Katiba ya Kenya, ieleweke njinsi tulivyofanya uchaguzi wakati uliopita. Kwamba, tuwe na uchaguzi aidha tarehe 29 ama tarehe fulani, mwezi fulani, katika mwaka ule wa ile kura. Hiyo itatuwezesha kwamba, tuweze kuwe na watu ambao wanaweza ku plan, wakijua wanaenda kufanya nini. Itakuwa pia ni level plain ground, kwa kila parties ambao zitakuwa involved katika uchaguzi. Ningelipendekeza kwamba hiyo, iwe kwa presidential election, parliamentary election na civic election.

Jambo lingine ambalo ningelipendekeza ni kwamba, wale wanowania wadhifa wa uraisi, lazima wawe na running mate. Wanapoenda ndani ya campaign, wawe wamechaguwa makamu wa raisi wao. Hili kwamba president anapochaguliwa, makamu wa raisi pia amechaguliwa. Hiyo itatupatia mwongozo gani? Ni kwamba wakati raisi ametumia mamlaka vibaya, anatibumuliwa mamlakani, makamu wa raisi achukuwe wadhifa wa uraisi moja kwa moja.

Ikiwa raisi amechaguliwa kwa njia hii, kitu ambacho kinaitwa vote of no confidence isikuweco. Lakini kama ametumia mamlaka kwa njia mbaya, kamati teule ya Bunge, amu ikiwa tutakuwa na majimbo, tuseme senate, hiyo ndio itamchunguza na itapendekeza kwamba atolewe mamlakani. Hapo ikishafikia uamuzi huo, raisi atolewe mamlakani na makamu wa raisi achukuwe mamlaka wa wadhifa wa raisi kwa kile kipindi kilichosalia, moja kwa moja. Hili nchi isiingie katika uchaguzi, labda

kama kumbakia mwaka mmoja.

Ningelipendekeza pia kwamba, raisi, katika mtindo ulioka katika ulimwengu mzima, yeye ndio awe Amri Jeshi wa Majeshi yote ya silaha ya Kenya.

Ningelipendekeza pia kwamba, katika Katiba ya nchi yetu, raisi anapochaguliwa achawe baraza la mawaziri, lizilozidi watu ishirini, mawaziri ishirini.

Na appointments zote za kisiasa, ambazo raisi anafanya, watu ambao wanaenda kuudumia wananchi, wawe vetted na formally approved na parliament. tunataka kwamba nchi yetu iongozwe na watu ambao hawana madoadoa ya uchafu, aina moja ama nyingine, kama tuseme, uvujaji wa pesa za serikali, ama mtu ambaye amekumiwa, ama mtu ambaye hana ile accountability kwa public.

Jambo lingine ni kwamba, ningelipendekeza kwamba, (**Interjection**)

Com. Salome Muigai: Una dakika moja, na nimekuongeza nyingine, kwani nataka kusikia maoni yako kwa serikali ya mitaa.

Councillor Michael Munyiri: Asante sana, mambo ya serikali ya mitaa, I am sorry, kuna mmoja alizungumza, na mambo alizungumza alikuwa chairman wangu, mengi tulizungumzia, nafikiri ndio yale tulikuwa nayo, na pia (**Interjection**)

Com. Salome Muigai: Mmekubaliana?

Councillor Michael Munyiri: Tumekubaliana, lakini shida ni moja kwamba, tunasema madiwani walipwe na central government, hii tulikuwa tunaona hivi; iwekwe katika Katiba kwamba niko na central government, na pia awe na medical scheme insurance cover, hizi hawana wakati huu Jambo hili linaleta shida moja ambao, labda kwa wakati mwingine, watu wanaweza kuliangalia tofauti, lakini jambo ambalo linatokea uvijaji wa pesa ama allocation ya public utility land, hizi zinatokea, kati ya machief officers wetu, na bado yetu sisi macouncillor ni lazima tukubali. Kutoka kwamba, the numeration package ya madiwani iko chini, na mtu anayelipwa chini, atapita mbinu yoyote kujimudu kimaisha.

Kuna mwenzangu mmoja amezungumzia mambo ya lawyers, na pia mimi nilikuwa nimekubali hiyo, niliandikisha kwamba; tumekwisha ona cases nyingi ambazo wananchi (**Interjection**)

Tafadhali tutulie, kelele zetu zinaenda kwenye ukanda wetu wa kunasia habari.

Councillor Michael Munyiri: Wananchi wetu ambao wanapata ajali na kuumia, wanapopeleka malalamishi yao kotini, ma lawyers wengi, sana sana huwa, wakati kesi zinakwisha, wanafanya hiyo kesi kule juu. Labda mtu huyo anaitwa siku moja tu kutoa ushaidi. Kesi inaamuliwa, inakwisha, hakuna chochote huyu mtu anajua. Sasa wakati anaanza kufuata, anaambiwa haijakwisha, haijakwisha, labda ni kesi imeanza 1994. kama wakati huu kuna kesi ya 1994, ambayo haijakwisha hadi sasa. Na mtu huyu anaumia, ni njia gani tunaweza, tunasema kwamba, wakati uamuzi wa mahakama unapotolewa, mahakama iandikishe kwamba, mlalamishi awe kotini, na e-determine, mahakama yenyewe e-determine. Ni kiasi gani kwa ile pesa ya ridhaa, lawyer ma ule advocate wa huyu mtu, atalipwa shilingi ngapi, na pesa ngapi zitakazosalia zilipwe mtu huyu. Na zikilipwa ilipwe tu direct. Ya lawyer iandikwe tofauti, na ya yule mtu ambae aliumia ilipwe tofauti.

Na mwisho, kwa sababu mengine wenzangu wamezungumzia, ningelisema kwamba, repoti ya auditor general, ningelipendekeza kwamba katika Katiba, repoti hiyo uvujaji wa pesa, iwe ndo msingi wa kupeleka mtu mmoja, ama mtu anayehusika, mahakamani. Hili kujibu mashtaka. Asante.

Com. Salome Muigai: Asante sana Bw. Diwani. Sasa ningetaka kumwita Bwana Askofu Samuel Werimo.

Bishop Samuel Werimo: My names are Bishop Samuel Werimo, of Gobal Goal Mission in Kenya. Thank you for allowing me to present my views to your committee, sitting here today. I made a decision to come before you, with my views focusing on what Kenya needs today, for the goodness and benefit of its people.

Judiciary; your honour Sirs, my first comment will focus on our Kenya judiciary. (**Interjection**)

Com. Salome Muigai: Today we have Madam.

Bishop Samuel Werimo: Okay thank you, I am sorry for that.

Com. Salome Muigai: That is okay.

Bishop Samuel Werimo: The judges in the law court of Kenya, should be given freedom in their rulings in any case. Be of my son, either, I as the president of the country, or I as a senior man in the government. The judiciary should be given freedom to be completely independent, to enable this office, exercise justice and fair rulings.

(b) your Hon. Madam, in constitution reviews committee, I request the Attorney Generals office, to look in a case, as a person as stolen 2,000 shillings and another one has stolen 100 million. The one with 2,00 shillings, should be sentenced to life imprisonment or death, but the one who stole 100 million, is equated and told to pay while he is out. Is this justice really? I believe, we should amend that law. this two types of people, should get the same punishment, so that another one may fear to

corrupt the country.

Number two, duration of president in the office. I bag the idea, that the president should serve the office for ten years, then retire the office for another person. But let it be known that, a president in the office is the one to choose his successor, no, let the president announce the election, and the citizen to choose their next leader. It doesn't matter whether he is outgoing president, he is the chairman of the party or not. He is not entitled to choose a person for the people. It is the party to choose their leader in the coming election.

Com. Salome Muigai: Bwana Askofu atasema maneno yote

(Inaudible)

Bishop Samuel Werimo: The time of election in campaign, should be given the same, watu wapewe nafasi sawa. It doesn't matter what part this person comes from. Iwe ya kwamba, mtu anapewa nafasi anapomba permit, mtu anaendelea kufanya mikutano yake, bila kupingwa.

Na office ya president, inatoa mamlaka juu ya kuchagua ma ministers. Lakini inafaa minister apewe office ambayo anajui hata inakuwanga namna gani. It is not good for the minister to be given ministry of health, while he doesn't know what it means by health, or he doesn't know anything about medical. That creates corruption in the country.

Police force and citizens; your Honour review committee, I would like to say, police force, ikienda kuafanya search kwa nyumba ya mtu, waende na search warrant. Na wawe accompanied na Assistant Chief of the area. Na ikiwa watakutana na mtu njiani, ambaye asijitambulisha ya kwamba ni mwanakenya, na masaa imekwesha mtu huyo, should be arrested. Na ikiwa hata ni mwanakenya na masaa imepita, na he cannot prove why he is out for 12 hours, at 12 midnight, he should be arrested also.

Kitu ingine ni kwa watoto, kuchapwa viboko kwa shule. watoto wanafaa wapatiwe adhabu ya viboko, hakuna mtoto aliyekuswa bila kiboko, tangu awali ya enzi zetu. Na hata iko kibibilia, na ukinya mtoto kiboko umempatia mauti. Kwa maana hiyo ni njia moja, ambaye yaweza kufanya mtoto. Watoto wamekuwa sasa hawaangalii walimu na hawawaheshimu. Kwa ajili, watoto hawawezi kuchapwa viboko. Wakienda nyumbani, mzazi anasema, mwalimu alikuambia namna gani. Hiyo ningependa adhabu ya viboko ikuweko.

Com. Salome Muigai: Jambo lako la mwisho Bw. Askofu.

Bishop Samuel Werimo: Ya mwisho ni hili, on religions. Tafadhali nipatie, niseme maneno yote tu ni malize. Katika kuandikisha makanisa, ningependa kuandikisha makanisa, watu wakubaliwe kuandikisha makanisa ya Kikristo. Na, sio tu, bali wapewe conditions. Mtu anayeandikisha kanisa la Kikristo, he should be well in formal theologically, socially and economically, and from an approved institution. As East Africa School of Theology, St, Paul Limuru University, or Daystar University. No

one should register church, without showing a proper document that he is well versed in that field. because it is a corruption in the country, of which even devil worshipers have come in. some (Inaudible) three weeks, three weeks, nine months, becomes a graduated in diploma, which we don't allow for the church in the country.

And lastly, I must say about the rights of women. the rights of women is there, I accept, but, it is beyond. As nowadays, the people are holier than the Holy spirit. What I want to say is this, wanawake wamekosa mwlekeo, waliposikia the rights of women. kwa maana, nimekaako na familia ya marekani, na mmarekani awezi kukubali bwana yake, mtu mwingine ampikie chakula. Because she is the one who knows the recipe, that the husband eats. Na itakuwa ngumu ukiambie mwanamke, nataka chakula, anakuambia I am sorry, I have the housemaid. It has become a problem.

Na mambo ya mtu ambaye aliyeona na mwingine, ningependekeza kwa committee hii, iwachiwe mume na mke. Na the third party which can enter in, is family members. Then, after that, the administration around can deal with it, before going ahead.

Com. Salome Muigai: Asante sana Bw. Werimo kwa maoni yako. Tafadhali jiandikishe. James Wainangwe. Isipokuwa Bw. Askofu nilikuwa na swali moja. Umesema devil worship, tuangalie qualification, lakini kwa wenye wamejua habari ya devil worship wanasema hata wasomi, wenye wako na PHd, listen to the question. Wanasema hata wasomi wenye wako na PHd, (Inaudible) kwa kila pahali. Kwa hivyo kama hiyo kuangalia qualifications peke yake itatusaidia kwenye kutoa haya mambo yenye makanisa ina shida nayo kwenye Katiba. Pengine, usipoata jibu leo, ungefikira zaidi na ma pastor na ma askofu wenzenu, halafu mtuandikie sisi kwenye Katiba. Kitu gani tunaweza kuweka hili kulinda haya mambo.

Bishop Samuel Werimo: But, I would like to talk something.

Com. Salome Muigai: For two minutes.

Bishop Samuel Werimo: Please, even one.

Com. Salome Muigai: Okay.

Bishop Samuel Werimo: What I would like to say is this, somebody well informed about Theology, Economic and Socially, is well informed on how he can found a church. And when somebody comes up, that has been interpreting for me, and he says he wants to found a church, that is a failure completely in the community. There are the people who are poured with this foreigners and they bring this people to fail the country. But a person who have been educated, is under a firm of a church, which may bring him up, and this person can be seen who is who to be accepted.

Com. Salome Muigai: Thank you. James.

James Wanangwe: Kwa majina naitwa James Wanangwe.

Na jambo la kwanza, pendekezo la kwanza ni kuwa, mkenya yeyote ana haki ya kujua constitution ni nini. Hivi sasa ninavyoongea, mimi hata sijui hii constitution yenye tunaongea juu yake iko wapi. Ningeipendekeza serikali itoe nakala kwa kila mkenya, hili ajuwe ni kitu gani anahusika nacho.

Jambo la pili, mambo ya constitution change commission, voters registration na ID card registration; inatakikana iwe ni continuous process. iwe ni continuous, wasiongojee wakati fulani.

Jambo la tatu, presidential term; inatakikana iwe limit kwa two terms, of five years each.

Then, he should be above party politics. Kwa sasa hivi unaposikia mwenetu akiongea vile anaongea sisi katika kana tutashinda. Inatakikana aongee, wakenya mtafute mtu ambaye atashinda.

MPs ambao wanachaguliwa, inatakikana wachukuwe wadhafa katika ministries, kulingana na merit. Vile mwenzangu amesema hapa, ikiwa mimi nimesomea Land and economics, na napewa ministry of health, siwezi kuelewa. Pia vile vile, minister akipewa nafasi katika wizara fulani, inatakikana apewe muda wa kufanya kazi katika idara hiyo. Kwa sababu wakati mwingi, tumeona raisi anabadilisha, hapo hatuwezi kupata maendeleo. Maaanake kama mimi nimepewa ministry of health, inatakikana nipewe wakati, nifanye kazi, ionekane, ama isionekane. Lakini leo nikipewa na nijue kesho nitaondolewa, sitakuwa na wakati wa kufanya ile kazi.

Then, kitu kingine, ni kuhusu judiciary, executive na legislature; inatakikana zote ziwe independent. Maanake tumekuwa tumeona interference hapa na pale.

Nominations na appointments za watu katika wizara mbali mbali zimekuwa zikifanywa sana na raisi. Hata hizi commission, zikitolewa kuwa wanachunguza kitu fulani, unakuta raisi pia mpaka aseme ni sawa. Inatakikana mamlaka ipunguzwe.

Age; miaka ikifika kumi na nane, mkenya anapata kitambulisho, na wakati ninapopata kitambulisho, hiyo inamaanisha kuwa niko na haki ya kufanya kitu chochote. Kwa hivyo miaka ya kupigania uraisi isiwe selasini na tano, bali iwe kuanzia miaka kumi na nane, wakati tunapata kitambulisho. Vile vile, elimu, inatakikana kuwe na usawa katika elimu, kwa njia ya kuwa, shule ambazo ziko mjini, sana sana zinapewa priority kuliko shule ambazo ziko huku nyumbani. Unakuta hata president anaenda Starehe anafanya harambee, Starehe anaweza kuenda karibu mara tatu, na huku Western mzima, anaweza kuja mara moja peke yake. Kwa hivyo tupewe nafasi sawa.

Then corruption, tunawezaje kupunguza corruption? Corruption, ikiwa wewe umekaa hapo na utapewa mshahara wako sawa sawa, hautafanya corruption. Ikiwa utapewa nyumba ya kukaa vizuri, usikie vizuri hautafanya corruption. Kwa hivyo serikali, hiangalie wafanyikazi wake, na iwapatie vile vitu vitahitajika.

Kuna population na election. Wakati kuna population censors, wanahesabu hata wale wako gerezani, sijui kama ni kweli. Na kama ni kweli, kwa nini wale walio gerezani, na hata wale tunasema street boys, wasipewe nafasi ya kupiga kura, maanake wao pia ni wakenya. Wakati kura zinapigwa, hata wagonjwa wengine hawana nafasi ya kupiga kura, lazima wagonjwa, watoto wa barabarani, na wale prisoners wapewe nafasi sawa. Hata askari, polisi.

Then lingine ni employment. Wakati wewe unaretire kwa hicho kiti chako, halafu tena unapewa kazi kwa kiti kingine, mimi ninakosa kazi. Kwa hivyo unaporetire, nenda ukae nyunbani, mtoto wako afanye kazi. Pia vile vile, usiwe chairlady, tena wewe ni chairlady huko, tena wewe ni chairlady huko. Tafadhali tuwachie mtu mwingine, kazi iwe moja, one man one job.

Development; MPs na Councillors (**Interjection**)

Com. Salome Muigai: Inaudible.

James Wanangwe: It is okay, hayo ni maoni yako, lakini maoni yangu ni kuwa one man one job.

Com. Salome Muigai: I am just asking you, (Inaudible)

James Wanangwe: So, Councillors na MPs, wapewe nafasi kudevelop area zao wanapochaguliwa. Na serikali iweke sheria kuwa, Mbunge atakuwa observed ama monitored, kuwa kama ni lami alisema kuwa ataweka, imewekwa ama haijawekwa. Wananchi wawe na haki ya kumtoa mamlakani, hata kabla ya muda wake kuisha. Ikiwa hatafanya yale mambo alisema.

Kuna dresses, mavazi. Hapa Kenya hatuna vazi, kama vile Nigeria. Lakini mambo ya rape case, vile wenzetu wanasema, ama rape case haiko kwa wanawake peke yake. Iko pia kwa wanaume, ingawaje sio wengi wanajua. Inatakikana mavazi yajulikane, maanake ikiwa kutakuwa na sexual excitement, obvious ita lead to rape. Inatakikana serikali ichukuwe hatua kwa mavazi fulani. kwa mfano kama utakuja hapa umevaa skin tight, that one is sexual incitement. Na hiyo itabidi mpaka mtu, afikirie mambo mengine. Inatakikana serikali ichukuwe hatua kwa mtu ambaye amevaa vazi lilie, na sheria iweko. Ajue akivaa hivi, na ikisababisha hii, itakuwa hivi.

Then kuna Minister of Period.vile ninasema hapo awali kuwa inatakikana upewe muda.

Then, la mwisho ni health, nitazungumza kuhusu health. Saa hii tuna janga la ukimwi, ingawaje kuna magonjwa mengi ambayo

yametuuwa. Kuna, tumesikia mara nyingi, kuna watu wanajitokeza kutaka kutibu ukimwi, lakini serikali inaposikia kuwa James amejitokeza kutaka kutibu ukimwi, inamvunika. Inatakikana watu wote wapewe nafasi, ikiwa mimi nimejitokeza na dawa, ambayo inaweza kutibu ukimwi, nipewe nafasi. Serikali ipeane nafasi.

Then, maybe ya mwisho ni (**Interjection**)

Com. Salome Muigai: Hiyo ilikuwa ya mwisho.

James Wanangwe: Sorry, basi nitamalizia na hii.

Com. Salome Muigai: Hiyo ndio utamalizia.

James Wanangwe: Gender balance; gender balance, ni kweli inatakikana tuelewe kuwa ni vizuri tuwe na gender balance. Lakini, tusiongee kuwa, wanawake tuwe na nafasi sawa na wanaume, ikiwa sisi wenyewe wanawake hatuwezi kujitokeza. Kama mimi nataka president, natakikana ni jitokeze, nionekane nina quality za president, nifanye vile mume anatakikana afanye. Lakini sio kungojea kama kuna wenzetu hapa wanangojea mume akisema kuhusu mwanamke ndio anapiga makofi wewe mwenyewe jitokeze uongee. Asante sana.

Com. Salome Muigai: Hebu ngoja, nina swali moja kwako. Ukienda kushtaki mtu kwa polisi, wanakuuliza kama ulifunga mlango wako ama haukufunga, ama wanamchukuwa tu mwizi na kumshtaki.

James Wanangwe: Kwanza hiyo inakuja bado wakati wa ushaidi. Kuwa ulikuwa wapi ama ni (Interjection)

Com. Salome Muigai: Lakini hata ikiwa mlango wako ulikuwa umefunguliwa na mwizi akaingia, si bado yeye atafanywa kama mwizi.

James Wanangwe: Hatafanywa kuwa mwizi, maanake mwizi, sio lazima avunje mlango. Ninaweza kuwa hapa ndani, na niibe kama mlango umefungwa.

Com. Salome Muigai: Basi ndio hali ya mavazi na ya rape. Canakuek Omumamu. Tueleza majina yako na uendele.

Camaliel Wetaba: Jina langu naitwa Camaliel Lumamu Wetaba, kutoka Mamu sub location.

Katiba yangu inahusu watu ambao wanalinda akina mama ambao wanauza vitu sokoni. Naona kama wananyanyasa akina mama sana, kwa sababu akina mama wakati wanaleta mandizi yao, ile kuuza kama ya shilingin ishirini, unapata mtu ule anatoka

ushuru wa sokoni, anaanza kutoa, anaambia huyo mama atoe shilingi ishirini, na hiyo mandizi ni ya shilingi ishirini. Sasa nashangaa sana kama akina mama watakuwa wanaendelea na mtindo kama huo, wanatoa ndizi yao, wanapeleka sokoni, na mtu anatoeshwa ushuru wa shilingi ishirini. Hakuna maendeleo ambao tutapata kuhusu akina mama kujua biashara.

Com. Salome Muigai: Na ingine?

Camaliel Wetaba: Wale watu wanasimamie misaada kuleta humu nchi zetu hizi, kusimama upande wa Butere, tunaumia sana, kwa sababu misaada yoyote ikiletwa, wale watu wanasimiamia misaada, wanakuja wanaficha hizo vitu, wanatumia. Wale wenye wameletewa hizo misaada hawana faida yoyote.

Ingingine nitazungumza upande wa wanawake, wanakosa upande wa, akirudi nyumbani kama amechelewa ukimuuliza, anakosa nidhamu ya kuongea.

Upande mwingine (**Interjection**)

Com. Salome Muigai: Unataka Katiba ifanye nini?

Camaliel Wetaba: Nataka Katiba iangalie katika akina mama, upande wa kunyanyasa, upande wa kuuza vitu vyao vya sokoni (**Interjection**).

Com. Salome Muigai: Hiyo imetueleza lakini unapendekeza nini?

Camaliel Wetaba: Napendekeza akina mama wapewe heshima kidogo, wazungumziwe upande wa heshima, wapeane kwa wanaume wao nyumbani. Wakirudi nyumbani kama amechelewa, ajaribu kurudi chini aombe msamaha kidogo. (**Interjection**)

Com. Salome Muigai: Umemaliza?

Camaliel Wetaba: Bado.

Com. Salome Muigai: Endelea basi.

Camaliel Wetaba: Upande wa misaada yetu ya kuleta upande wa taxi. Mimi nafanya utaxi wa border border, lakini tunaona, wale ambao tunabeba saa zingine wanakugeuka, anasema amekupea shilingi elfu moja, na pengine ajakupea kitu, umembeba, lakini ajakulipa, anakugeuka njiani anasema wewe umenikula pesa yangu shilingi elfu moja. (**Interjection**)

Com. Salome Muigai: Ungetaka Katiba ifanye nini?

Camaliel Wetaba: Katiba iangalie katika u-transport ya kubeba watu wale ambao wanahusika upande wa border border, tunaumia sana, tunataka serikali itafute njia ya kupeana misaada kidogo, angalao tupate, watoto wasome. Kwa sababu watoto wetu wa watu ambao wajiwezi, wanafukuzwa, halafu tunakaa nao nyumbani.

Com. Salome Muigai: Umemaliza?

Camaliel Wetaba: Bado naendelea, kama utanipatia muda.

Com. Salome Muigai: Maliza maliza.

Camaliel Wetaba: Haya ni malize ni malize. Tunafaa serikali iangalie upande wa border border, itusaidieko msaada kidogo, kama tunaweza kupata kapikipiki kidogo, tunaweza peleka mtu kwa njia mzuri.

Com. Salome Muigai: Point nyingine?

Camaliel Wetaba: Aah, hapo nimeishia.

Com. Salome Muigai: Asante sana Councillor Joseph Ayoyi, Bilha Omulubi.

Bilha Omulubi: I am Bilha Omunubi, I have come to represent Mkura Self Help Group.

Kenya should be a multi party State, if possible with a maximum of three and a minimum of two parties, to regulate the extremes of the ruling party.

Presidential system of governance, to be retained by high grade sytem.

Prime minister to be introduced.

The president should not be an M.P. Head of state to be directly elected.

Prime minister to be accountable to parliament, as head of government. He should come from the winning party.

Ministers to be appointed by the prime minister, but confirmed by parliament. and should be professionals from relevant fields.

With one minister for every ministry, accordingly.

Ministers and their assistants, shall attend parliament when required to answer questions from M.Ps.

The constitution shall remain supreme.

Parliament should not have to amend the constitution on its own. It should be amended by the people or by a constituency assembly.

Only when Kenya is at war, parliament can transform itself, into a constituency assembly. Otherwise, the constitution should only be amended after a referendum.

Defense and national security; here we shall need National Armed Forces to provide defense against external and internal aggression.

We shall also need police, who however, should be presidents of the areas, where they are employed. They will be responsible to local authorities.

Some party defense actions, e.g. K.A.N.U youth, Jeshi la Mzee, Mungiki, should be illegalised, and dealt with accordingly.

National intelligence agency; secret service, they will be responsible to the central government. All appointment to the civil service must be vetted by the parliament.

Parliament should be independent.

Members of Parliament should not be employed elsewhere.

One person, one job.

Members of Parliament should work five days a week. Between 8 a.m to 5 p.m.

Non-performing M.Ps should be recalled by their constituency if, 50% of the registered voters file for the recall.

M.Ps should go back to their constituency to pick issues affecting their people, from particular suggestion boxes provided, in every constituency at particular points.

To guard against the greed of our M.Ps, we need an upper house, composed of statemen, and women. Elected from the eight provinces. They will be able to utilize the decisions made by the lower house.

President; president should be Kenyan citizens, aged between 35 to 65 years.

Com. Swazuri: Linet, hao wasichana wa shule wanaenda mbali, haya. Representative wao ndio huyo, Linet Mutende, haya, shule gani?

Linet Mutende: Luman Primary School.

Com. Swazuri: Uko class ya ngapi wewe?

Linet Mutende: Class eight.

Com. Swazuri: Haya, endelea.

Linet Mutende: Here is the memorandum from Luman School;

The government should make sure that, all the citizens are to free medical services for all.

The new constitution should stop corruption because, corruption makes unable people to suffer.

The government should repossess idle farms, and give them to poor people to cultivate.

Also, the government should make sure that, one person has one vote. Instead of the current sytem where this one is not applicable.

Also, one person should have one job.

The government should also prosecute those who do deforestation.

The new constitution should also stop nepotism and tribalism.

The new constitution should provide job security to stop unnecessary retrenchment, which is causing a lot of suffering and even breaking families.

Also, there must be an association made in schools, to look into pupils or students' problems.

It should also avoid, unnecessarily, it should provide an association which will stop student from bringing strikes in colleges and secondary schools.

Also parents should elect school secretaries or auditors, to collect full finances, e.g. maybe, there maybe funerals in schools, and the money which will be collected may help in the funeral.

Sponsored churches should monitor good running of schools. E.g, provide materials.

Com. Swazuri: James Indeche

James Indeche: Kwa majina naitwa James O. Indeche.

Jambo la kwanza ambalo ningependa kuguzia, ni kuhusu sheria. Mimi ningependa, sheria iwe ikufunzwa kutoka kwa shule za msingi, kama lessons, mpaka secondary. Isiwe wanangojea mpaka mtu mwenye anaenda kwa Chuo Kikuu, kuchukulia hiyo shaada ya sheria, ndio anajifunza sheria. Kwa sababu tunakuta watu wengi, wanafungwa hata bila kujua sheria ni nini. Wanakosa bila kujua wanakosa.

Jambo lingine tena, ni kwa upande wa utawala. Mimi naonelea Assistant Chief, na Chief wawe watu wa kuenda transfer. Mtu ambaye anatakikana awe permanent kwa area yake ni Liguru. Kwa sababu tunapata hata anafanya kazi nyingi hata kushinda hao. Mtu kama D.C akitaka hata, ikiwa mtu kama mimi naishi namna gani, ama sehemu mimi natoka, itabidi mpaka Liguru ndio atapeana hiyo report. Na tena wawe wakipewa mshahara kidogo kila mwisho wa mwezi.

Jambo lingine ambalo ninataka kuguzia, ni lile la askari. Askari wasiruhusiwe kuenda kwa maboma ya watu kama kuna kitu kama pombe hivi. Kushika watu ovyo ovyo. Kitu ambacho inataka iweko, wazee wa vijiji, wapewe uwezo huo. Kwa sababu police anaenda, kama wewe umetengeneza pombe yako, labda unataka ununulie mtoto kalamu ama kitabu ya kuenda kwa shule. akisikia anakuja huko anakufinya, hata ukiwa ile pesa yenye ulikuwa umeuziwa kutoka kwa hiyo, anachukuwa, akikufikisha huko. Tena haujui sheria vile unaweza kujitetea, sasa hiyo nataka mamlaka ipunguzwe kidogo.

Tena mambo yenye ambayo ningependa kuguzia ni hii ya taxation ya mashamba. Unapata, taxation ya mashamba, bei yake iko ghali zaidi. Mtu baba yake akifa kama angali mdogo, sasa akifika ile miaka ya kufanya succession, gharama inamshinda, hata inabidi hauze sehemu ya hiyo shamba, ndio afanye succession. Ni kama ananunua shamba ya baba wake mwenyewe. Sasa kwa machache, hayo ndio ningependa kuguzia.

(END OF TAPE)

Speaker: Pesa ya kusaidiwa watu ambayo hawajiwezi. Ningeonelea mtoto kama anaenda kwa shule ya primary, wazazi wakiwa hawajiwezi, watawala wachunguze hao wazazi wanakaa namna gani, mtoto asaidiwe, na endele. Mtoto akiwa mrefu, asomeshwe na serikali, baada ya kupata kibarua, mwenyewe atalipa hiyo gharama ambayo atakuwa (?) hiyo itakuwa mzuri sana na itasaidia ujinga kutoka hapa kwetu kenya.

Neno la tatu ni kuhusu, kama mtu amepatikana na makosa na amshtaki mtu, koti inashika hiyo maneno sana, inaweza maliza hata miaka mingi bila hiyo kesi kukwisha. Sijui inakaa kwa koti kwa njia gani. Ningeonelea, iwe na muda, kama ni miezi mbili, hiyo kesi iwe imekwisha tayari, kwa maana inakaa muda mwingi na inaleta maneno mingi kati ya wale ambao wanakatana, naona hiyo sio njia ile mzuri sana.

Nilikuwa na njia ingine ya nne, lakini unanipeleka haraka. (**Interjection**)

Com. Swazuri: Inaudible.

Speaker: Elimu bado ni sawa, lakini watu wanaona aibu ya kuena huko. Unajua mtoto akisoma tena iko (?) naona mimi niki (**Interjection**)

Com. Swazuri: Afadhali kuitwa mjinga, ama afadhali kuambiwa umekwenda kusoma gubaro.

Yaani mimi si mjinga, lakini ni kwa niaba ya wale wajinga. Mimi nimesoma kidogo.

Com. Swazuri: Okay asante, na wale ambao hawakuenda shule na wana akili hata kuliko wenye wamesoma.

Com. Swazuri: Chitui

Chitui Swalwa: Shituri Swalwa, nina mambo machache ambayo ningependa kupendekeza katika marekebisho ya katiba, na tunaya subiri.

Jambo la kwanza katika kuunganisha, kwa upande wa usalama, ningelipendekeza kwamba, pawe pana sheria inayompa mamlaka naibu wa chief katika kata ndogo, kuunda kikosi maalum cha usalama. Hivi kwamba, panapohitajika kuwa na usalama, iweze kwamba, iweze kuwa ni jukumu lake yeye na kikosi chake kuhakikisha kwamba, raia katika kata hiyo ndogo, wamelindwa sawa sawa. Isiwe kwamba tunaachia polisi peke yake. Maanake wakati mwingine wanakaa wako mbali.

Jambo la pili, kuhusiana na michezo, ningeomba kwamba, ama ningependekeza kwamba, paweko na sheria maalum,

itakayoelekeza usimamizi wa michecho, hili kwamba, wale wanaosimamia michezo hii, hata kama itawezekana, paundwe idara ambayo ni maalam, haswa imetengewa michezo. Isiwe kwamba inapatikana chini ya wizara ya utamaduni na furadi za kitaifa na mambo kama hayo, ama hudumu za kijamii. Iwe ni idara ambayo imeundwa maususu kusimamia michezo. Kama itawezekana, wizara hiyo tutashukuru.

Jambo linalofuatwa, pamekuwa na kunyanyaswa zaidi kwa wanaume, ama mabwana na wake zao. Mara nyingi tunasikia kwamba wanaume ndio wanaopiga hawa kina dada. Lakini ninajua, ama nina imani kwamba, kuna wakati mwingine ambapo unaweza kumwoa mke, ambaye kidogo ana mbinu kama sungura hivi, anakuzidizidi mambo hapa na pale. si ajabu pia anakuzabazaba makofi, mangumi na kadhalika. Kwa hivyo pia kwa niaba ya wanaume ambao wanapitia katika shughuli kama hzio, tungeomba kwamba, serikali iwe na sheria, ambayo itaweza pia kumlinda mwanaume. Kwa sababu pia yeye kama raia, ana haki zake. Asije tu kupandwa pandwa, yeye anapandwa anapigwa makofi na mwanamke analia kwamba anauwawa. Hatujashikwa basi aweze kujitetea.

Kuhusu mambo ya unajisi na kutia uchafu, kunajisi kwa dada zetu, ama kulaitiwa kwa wavulana na kadhalika. Tunapendekeza kwamba, kama itawezekana, serikali yetu ibuni sheria ambayo itaweza kumtenga mtu kama huyu, kutoka katika jamii. Maanake, yule aliyenaitiwa ama ule aliyenajiziwa, uwa ni kama amekosa mwelekeo kimaisha, kitaluma na katika ile amadili ya jamii, na anachukuliwa kuwa mtu asiyevaa.

Jambo lingine, mambo ya mimba kwa watoto wetu wanaosoma. Tungependa serikali ibuni sheria, na sheria ile isiwe tu sheria, bali iwe sheria maalum, ambayo inaweza kufuatwa, ikiwa tutawezekana mpaka kwa ile, labda mzungu atasema speak to the letter.

Tunapendekeza kwamba, ikiwa mtu yeyote atambajika mimba mwanafunzi, awe nin nai, awe ni mwalimu, awe ni polisi, awe ni katika taaluma yoyote ile. Sheria iweze kumwandama, kama haiwezekani yeye kugharamia, gharama iliyotumiwa na wazazi wake kupitia kiwango kile cha elimu. Akubali kwamba yule mtotot akishajifungua, aweze kugharamia kuendelea kwake na masomo.

Jambo jingine, ni kuhusu mambo ya utoaji mimba ama uvilaji mimba, abortion ile mwaita nyinyi wazungu. Tunasema hivi ama tunapendekeza kwamba, kama patapatikana dada wowote ama mama yeyote anayeshiriki katika mambo ya utoaji mimba, kwa hiari, maanake kuna wakati mwingine hali ilivyo inabidi utoe mimba. Lakini kama wale ambao wanashughulikia mambo haya kwa hiari, kama itawezekana, sioni tofauti ilioko baina yao na wauwaji. Ile murder case. Sasa tunapendekeza watu kama hawa wakishtakiwa, kama itawezekana washtakiwe kwa mauwaji.

Mwisho, mambo ya mashamba na kadhalika. Sisi tulikuwa tunapendekeza hivi kwamba, hili kuraisisha kazi katika mambo ya uridhi, na kadhalika ya mashamba. Sheria ibuniwe, ambayo itamwelekeza ama itampa mamlaka naibu wa Chief na kamati yake, pale kijijini. Wale wazee waliopo kijijini wamejuwa mambo ya mashamba na kadhalika. Waweze kushughulikia jambo hili, hata

ikiwa wataweza kupendekeza kule kutiwa sahihi kwa vile vyeti vya kuliliki mashamba. Nashukuru nyinyi nyote.

Com. Swazuri: Na wale akina mama ambao wanapiga wazee (?)

Peter Ndoti: Mimi nitakuwa tu na machache.

Neno la kwanza, mimi ningependa kutoa maoni kwa wale village elders. Serikali iwapatie mshahara, wako na kazi mingi sana.

Ya pili, kwa village elders, wapate vitambulisho inaweza onyesha yeye ni mtu wa serikali.

Ya tatu, serikali ipunguze pombe ya beer, ndio wale wa ndogondogo, wale watu wapunguze bei, sasa ndio, kuna, sijui nitawaita namna gani, wale hawawezi kujiweza, ndio wawache kukunywa pombe ya haramu.

Ingene, ningependa, hii mambo ya mashamba, serikali ipatie assistant Chief kudeal na hiyo mashamba, ndio wanjua hiyo mashamba vile imekaa. Maanake wanatoka kwa hiyo area.

Ingene, kesi ikienda kotini isikae sana. (**Interjection**)

Com. Swazuri: Ikae kwa muda gani?

Peter Ndoti: Miezi mbili. Ni hayo tu.

Com. Swazuri: Edwin Wayunda.

Edwin Wayunda: My names are Edwin Wanyunda, and I want to recommend for a contitution, which will provide for equitable distribution of national wealth. That is, through good management of national resourse, which can only be achieved by, allowing legal arms of the government like the judiciary, to be allowed to operate independently without manupulation from the central government.

Other government organization, like the electoral commission, KASA, should also be allowed to be legal and authoritative, functional.

Professionals in the country should also be treated equitably, according to their categories and (?)

We need a constitution, which will also provide for people who are not working. Since they seem to be no enough jobs.

Just like people have retired and given pension, the constitution should also provide some allowance to people who are not working.

Retired people should not be appointed to other groups, other jobs. Because that already denies, or disadvantages people who are not employed. Such a job should be left for people who do not have employment.

MPs have got excessive powers, and I think that has made them even forget people who have elected them. They are now able to provide and also reveals to take more care of themselves than the people who have elected them to those positions.

Instead of retrenching people, I recommend that we can have a constitution, which will manage the resources of the country well, and pay the people in the jobs well. So that they can also in turn, create other jobs, for the people who are not employed. Because when we retrench them, they take care of so many people behind them, and now we are making a large number, we are creating a larger number of unemployed people who are not able.

I think that is all I have.

Com. Swazuri: Gabriel Makunda.

Gabriel Makunda: Kwa majina naitwa Gabriel Makunda, nitazungumzia mambo matatu.

Jambo la kwanza ni usafiri. Ningependa wale ambao wana mabasi ya usafiri kutoka miji mikubwa, wawe na afisi za kusajili wasafiri, yaani booking rooms. Hii, itamaliza yale mambo ambayo tunaona pale Machakos Country Bus Station, ambapo mtu akienda pale, manamba wanamgawanya, wengine wanakimbia na mtu huku. Ikiwa mtu amebook tikiti anajua anaelekea basi gani. Na hiyo booking office, iwe karibu meter mia mbili kutoka mahali ambapo magari yanaendeshwa. Kila msafiri anapopewa tikiti, iwe imeandikwa number ya kiti ambacho atakalia kwenye hilo gari.

Magari hayo pia, yawe na inspectors kule barabarani, hili kwamba gari ikiondoka Nairobi saa fulani, inspectora ana sign, hiyo basi inaondoka Nairobi saa mbili. Na ikifika Nakuru kabla ya wakati wake kufika, yule inspector wa Nakuru aindicate kwamba hiyo gari ilikuja mbio sana, imefika kabla ya wakati. Kwa hivyo huyo driver, apelekwe kotini awe charged, hata kama akufanya ajali, kwa kuja mbio sana.

Jambo la pili ambalo nataka kuzungumzia ni kuhusu mahali (Interjection)

Com. Swazuri: Inaudible.

Gabriel Makunda: Okay, but we have never seen then.

Com. Swazuri: They are there.

Gabriel Makunda: Actually kama hiyo ya kubook, naona huko Machakos hakuna, ukiingia (Inaudible)

Com. Swazuri: Then the law is right here, not there.

Gabriel Makunda: So, elphosas niliambiwa wame relax.

Com. Swazuri: Inaudible.

Sasa wale wanaenforce ndio ambao wame...nilikuwa nazungumzia kuhusu mahari.

Katika jamii yetu ya Waluhya hapo zamani, mahari ilikuwa fixed. Ukienda kutafuta msichana wa mtu unataka kuowa, ulikuwa unajua utalipa ng'ombe kumi na mbili na mbuzi nne. Lakini imetokea hivi majuzi ya kwamba ukienda bride prize, mzee anakuambia anataka shilling elfu mia moja, na ng'ombe selasini. Halafu mnaanza kuletana sasa. Mimi nataka hii kitu iwe fixed. Mtu akienda kutafuta msichana anajua, huko nitalipa ng'ombe sita na mbuzi nne, kama ni kwa jamii yetu ya Waluhya. Tuwache mambo ya kubargain, kwa sababu kitu ambacho naenda kutafuta ni bibi. Sina haja kama alilenda sijui Wingereza alienda wapi, what I am interested in is the wife, not where she went to.

Com. Swazuri: Inaudible.

Yes but what I want is a wife, not those qualities, what I want is a wife. So, ukienda kuowa mwanamke, iwe unajua ukiowa msichana wa Kiluhya, mahari huwa ni ngombe sita na mbuzi wanne. Yes it should be fixed.

Jambo la tatu kuhusu uteuzi wa raisi. Uteuzi wa raisi, mimi naona mtu ambaye anafaa kuteuliwa kuwa raisi, kwanza awe amekuwa Mbunge, na awe amekuwa Mbunge kwa miaka mitano, kwa kuchaguliwa na watu. asiwe amekuwa nominated MP, awe alikuwa amechaguliwa na watu, na wakati anaamua anataka kuwa raisi. Wakati huo asiwanye kiti cha ubunge, atafute uraisi peke yake. Hayo ndio maoni yangu, asante.

Com. Swazuri: Asante sana, kwa kufunga kituo tutakuwa na maombi ya kumshukuku Mungu kwa kutuweka salama na tuende salama. Nani atatuombea, mzee moja atuombea au mama.

Speaker: Basi na tuamini na tuombe.

