

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

IKOLOMANI CONSTITUENCY,

HELD AT MAKHOKHO SEC. SCHOOL HALL

ON

7TH AUGUST 2002

CONSTITUENCY PUBLIC HEARING – IKOLOMANI CONSTITUENCY ON 07/08/02 AT MAKHOKHO SEC.

SCHOOL HALL

Present:

Com. Charles Maranga

Com. Nancy Baraza

Secretariat Staff in Attendance:

Fatma Issa Jama - Programme Officer

Wambeyi Makomere - Asst. Programme Officer

Mary Babu - Verbatim Recorder

G. Majanja - District Coordinator

Chairman 3Cs - Laban Agala

The meeting was called to order at 10 a.m. by Com. Nancy Baraza as the chairperson.

Laban Agala: Madam Commissioner, Bw.Commissioner, na wale wote mmekuja, hamjambo. We would like to start our session today, with a prayer from Reverend Father Manani, if you may come.

Father Manani: Let us pray.

God our father, we thank you very much for the gift of life, your life that you have shared with us. We thank you for the gift of our country Kenya. As we sit down, to deliberate on important matters, affecting our country, affecting our lives. We ask you to enlighten each one of us, so that whatever we contribute, may be for your good and the good of all Kenyans. We make our prayer, through Christ our Lord. Amen.

Laban Agala: Commissioners, and people of Ikolomani, I would like to take this opportunity to introduce, the members of the Ikolomani constituency constitutional committee that is here today. Not all are here because, yesterday, some were participating in Mosoli and they are tired I think. So, I will introduce those who are here. The lady in the corner there is called Mediatrix Mohala, she was representing the youthful girls on our committee. The next lady, who is also our host, this is her area, is Mrs. Dorcas Mberesia, who has been representing women affairs on our committee, and this young man is called Mr, Vincent Shivachi, the counterpart of Mediatrix on the youth, and Mr. Wilson Peru. We created a post of secretary in our committee, so that we could document our views, he is our secretary.

For now, that is the team that is here, we have Mr. Evans Amiani, I think he has rushed our shortly, and there he comes, you will see what he represents on this committee, he represents the handicapped. I am Laban Adala, who is the Chairman of this committee. Thank you commissioners, I would like to hand over the programme to you.

Com. Nancy Baraza: Thank you very much Chairman, and on behalf of the constitution of Kenya Review Commission, I would like to welcome the people of Ikolomani to today's seating at Makhokho Secondary School, and in accordance with the law that governs this process, I want as the Chairperson of this session, to declare this a lawful seating of the Constitution of Kenya Review Commission.

And before we start our work for today, I want to introduce to you, the commissioners before you, and the members of this secretariat, that are here to assist us with this work. With me here is Com. Dr. Charles Maranga.

Com. Charles Maranga: Hamjamboni watu wa Ikolomani, asante.

Com. Nancy Baraza: My name is Com. Nancy Baraza, and I will chair this session. Members of staff that we have with us today are Fatuma Issa Jama, that is the Programme Officer from the Secretariat, Fatuma. And Fatuma is being assisted by Mr. Wambeyi Makomere and our verbatim recorder is Mary Babu.

Now, I am going to tell you the procedure that we are going to follow, in collecting your views. We have three ways, in which you can present your views. You can either present your views by, presenting to us a memorandum, most of you may have written a memorandum. if you have a memorandum you will come, and sit there, say your name for record purposes, and then highlight your main issues in the memorandum, we are not going to allow you to read word for word. Because time will not

allow you, and also we as the commission, we are going to read, every memorandum that we receive from any Kenyan, and the time you will be given is five minutes.

Now, you may not have a memorandum, that is also legitimate, you can come and sit there and talk from your heart, and again, I will give you five minutes. Now, what you do to utilize your five minutes, don't cry over problems, we know them, we can see them. What you do, tell us your proposals, as to how you want us to improve the situation. *Mukhalira busa ta, mukhubolera*. How do you want us to improve our situation, then that way, you will utilize your five minute.

The third way is, you may have a memorandum, you just want to give it to us, without looking at it, or talking about it. Now that way also, that is quite legitimate. So, I was telling you about the third way, you can give us a memorandum without sitting there to address us. That way, you just go there, register, and leave us your memorandum.

What I want also to tell you is, the law under which we are operating, protects you as a Kenyan, as much as it protects us as a Commission. so that, whatever views you give us here, nobody will ever victimize you, nobody will follow you and say this is what you said. So, you should not fear, tell us what you want us to hear, don't withhold anything for fear. But that is, the only limitation on that is that, you do not personalize issues, and start talking about individuals, or using bad language or abusive language, once you do that, then you lose your protection. Otherwise, focus yourself on issues.

As you come in through the door, you register, and we shall be guided by the register that we have. Once you finish presenting your views, you go there and register you name there. And with those remarks, and commissioners have also a right to ask you questions. So, when we want to ask you, do not think we are doing anything strange, we just want a clarification. But also, the law protects you, if you don't feel like, you do not want to answer that question, you are at liberty not to answer, but we can ask you questions.

Balio bakhaulile ta? Mushere huyo ko mboli. Na bolire endi ko, no wingira, wandika lira liolio amuliango akho, newandikire, basi nekhulangere wiche wane maoni koko, ulikhala akho. Mana ulibolele lira lio mu microphone omwo. Mana okhubolere amakhuba ko. No ukharia ta. Isheria ikhulinda, si aliwo mundu ukholondakho nga chief ari olomera makuwa kamab ta, waulire? Wiche obole ka makuwa ko, ngotanda khumutambwa sina, sina sina, okhubolele ta. Ne omalire khubola kamakuwa ako, no ochia khuyandikisia awa wo. Babalo ori khubola history, wandika Katiba eyo eyo ikasi ingali sana ochia wandika awo lira lioyo.

Halafu tutakuwa tunaendelea hivyo. Language also, you are free to use, any language that you are most comfortable in, *nokhaulira oluswahiri nokho olusungu ta*, , speak Kidakho, or whichever other language you want, as long as you tell us in advance so that we get an interpreter, and I think already we have an interpreter. But if you can speak English or Kiswaili, please save us the agony of translation, because it takes double time. *Nokha ulira luswaili nokho olusungu, inyala khuloma*

loma luluhya, oulire, obule khuria tawe, oloma loma luluhya khubolele kamakhuwa kamalai. Okay,

I will start with Mr. Seth Lugonzo.

Seth Lugonzo: Lady and gentleman, the commissioners, the assistants of the commissioners, the committee of Ikolomani and ladies and gentlemen who are sitted here, my name is Seth Lugonzo, I am a former Member of Parliament, three times, in three terms. I have also had the opportunity to travel, I have been to U.S.A and I have attended a course on the American constitution. I have also visited places like China, and Britain and so on. I have read books on constitutions, such as French, German, Russian, before and after the world war. So, what I say here, is what I have collected from my experience outside, I mean in my travelling, as well as what I have read. And what I think, could do well for our nation.

Right from the start, I would like to say that, when we gained independence, we had a majimbo, majimbo constitution, which meant that, we had regional legislatures. I was opposed to it as a member of K.A.N.U. because I thought we were to be united to fight the colonialist, but now commissioners, I am a majimbo man, I am very much like Hon. Shariff Nasir, I advocate for majimbo. The experience I have had with cabinet control, personally, as a Member of Parliament, two projects have been failed by cabinet controversy. I had a project for my area, run by the Dutch, now because of certain motion I moved in parliament, it was disturbed, I knew it was the head office, which made it collapse. Social centres, and infact inputs for farmers, it was very welcome by other people, but because the head office had become, taken me to be an enemy, it was cancelled. I know if we had majimbo, that project will be still going on now.

U.S.A.I.D, gave me another project. Development of deviant, also they said get permission from the top, they never gave me any permission. They refused and said, we do not allow, the cabinet does not allow an individual to get money, solicit money from overseas. This has made me feel that, regionalism will bring faster development, people fear regionalism, that some areas are not well developed. But, I would like to tell them that, if we go regional, our development will be much faster. Kakamega was the richest district, when it was still Bungoma, Kakamega and Busia, when we got independence. Per capital, we are now commissioners, at the bottom. Because we are now controlled by the top, yet if we were controlling our own affairs, we would still be banking in Barclays London. But we have been victims of central government.

So, I am here to tell you that, if this country is to develop faster, we must have regionalism, in the manner it was at the beginning, from my experience. In fact, regionalism will get rid of tribalism, because when I say regionalism, I do not mean, that we should have a tribe in Western, known as Baluhya, no. I mean this region should develop on its own, like in the U.S.A, it should develop on its own, and people from any part of the country, should come here and develop this area. And people from here should go to Coast and other areas, if they have better opportunities in those places.

So, I am convinced that, if we remain as we are, we will remain backwards, for another 40 years. Yet, if we divide our country

into regions, we will develop faster, and in 10-15 years, Kakamega will have ten, fifteen, storey buildings. Investors will come, they will not need to go through the headquarters. Donors will come direct here, and make our roads, they will not have to go through a minister, who will think on how to use the money of the donors. We want these things to come direct here, investors, donors, and other people who are willing to help the area, should come direct. That is why I say, we need to have, we must not have cabinet bottlenecks, where a cabinet is trying to control the whole country and they are not able. They are not economist and they are not able to control the rest of the country. If we are allowed to run our own areas, and so the others, we will have many many economics. Three--

Com. Nancy Baraza: Seth Lugonzo, we get the issue of federal system, go to the next issue.

Seth Lugonzo: It is the most important.

Now, the question of human rights. I feel that human rights, all the human rights, U.N.O has got a list, U.S.A has got a list, I have put the list in my paper here, they should all be included in our constitution, and given to schools. So that every citizen, knows what his or her rights are. We have not had that, a lot of human rights have been violated.

Then, in addition to that, we need a machinery to monitor control and even ban covert activities. Covert activities, many people don't know them, but I know it. You can have, you can be killed by radiation, you can cry here and there, and nobody will come to your aid. Because the people who are carrying out the covert, evil covert activities, are protected, or they are not, they cannot be traced. We need a machinery to control, to be in charge of covert, evil covert activities. A machinery to go to the aid of people who suffer, from the covert activities.

Now, as for the president, of this nation, I believe commissioners, that we need a powerful president and with his vice president. And, he should be elected by all people, all citizens of this country. And he should have powers, the powers I have put them down here, they are quite many, they are very much like the United States and other countries that I have read. He needs powers for the federal government, because he will be in charge of the whole country. But the state, will have their own governer, and their own organization. So, the president should have powers. Which are there. And also, the president should be elected by the people, the whole nation should elect the president and the vice president.

The president should be impeachable. You know what impeachable means, if he does anything wrong, he should be tried, and he should be tried by, I am going to come to that, by the senate. Which is a second chamber, in our national legislature.

The legislature itself; I believe we should have two chambers. Because I have seen them work better. We need, the house of representatives, and a house, a senate. Because the senate checks on the representatives, and if we do have the two, then there is a balance of power of legislature. So, details about that commissioners, are in my report here.

Com. Nancy Baraza: Go to your last point Sir.

Seth Lugonzo: Sources of legislation, should be, I have sources, very many. Because in parliament, it is only government which initiates legislation, it should be so many bodies.

Then we have the judiciary. The judiciary, I read the French judiciary. The French have got what they call the codes, codification of laws. They have codified all their laws, and judges refer to the codes. Those codes are far more efficient, than what we have, the British system that we do have here. In which case, I recommend that, our laws should be codified, so that, even a young graduate, will not have any difficulty in being a judge or judging a case, because he will refer to the codified laws. And I hope that, you will look into it, so that you can incorporate it.

This parties we have, we need only six parties or so. Few ideological parties. Parties like communism, parties like nationalism, the K.A.N.U type, parties like federal. The parties that have got a philosophy. We don't want, at present we just have parties, which some people just sleep and form a party with a name. Maybe the philosophies are the same, they should be limited to certain philosophies, so that--

Com. Nancy Baraza: Give us your last point, please this is your last point, I have given you so much time.

Seth Lugonzo: I only wanted to say that, the state should also have two chambers, I didn't say that. But, each state should finalize its own constitution, they will be given guidance by lawyers. So that when they form their state, they can make their own laws, or their own constitution, which will be suitable for the area, where they belong. I would say more Honorable commissioners, but my time is limited.

Com. Nancy Baraza: We shall ask you questions.

Com. Charles Maranga: There are questions. The first one is about majimbo system of government. Why you as a member, why did you not like for example the federal system, just at independence, you decided to go against it. It is only after 30 years, now you are saying, maybe majimbo can work. Is it the majimbo, or is it the decentralization of power, that people want. Because I think, you might be saying maybe, the government is not closer to the people, so maybe you want to decentralize the power, rather than having the regions. That is the first question. So, I want your comment on that.

The second one is, you were talking about states. So, you want in essence, we change the regions to be states. But you know as it is, as we have gone around the country, there are a number of serious claim, on the issue of land, for example if you go to Nandi, they will say that Nandi extended all the way to Webuye, it extended to all sections of Kakamega, and so on. So, have

you given room, of redrawing boundaries for a new state or new regions?

Seth Lugonzo: Exactly.

Com. Charles Maranga: You have already suggested that.

Seth Lugonzo: I have suggested 12 regions.

Com. Charles Maranga: 12 regions.

Seth Lugonzo: And which district should belong to which region.

Com. Charles Maranga: Because also, what I wanted to know, how about regions which have only one tribe.

Seth Lugonzo: Well, they will be encouraged to mix up. Because the constitution will not allow any tribalism.

And the first question, which was on majimbo. Why I said, I supported nationalism, because we were fighting, we were fighting colonialists, and it looked very, it would divide. We would be divided up, if we had gone regional. In fact, it looked as if we wanted to, that division would have also affected our fight for independence. But as I said, my experience has proved, I have proved through experience, that regionalism will bring very very fast development, and it will discourage tribalism, because we will not care who is president. We care now, because we think the president has to do everything, to do things for us. But if we are working on a regional basis, anybody could be a president, I wouldn't care, I wouldn't. Because he will not affect our development.

Com. Nancy Baraza: You did suggest on the issue of human rights, that it is time we domesticated United Nations Conventions, on human rights. I don't know what mechanism you have in mind that you could recommend to us, how we can domesticate, those U.N conventions.

The second question is, you do suggest, we can codify our laws the French way, you have talked to us about the American way, we have walked around the country, and Kenyans want their own thing, something original.

And on the judiciary they are saying, in fact give more strength, give our customary laws and practices prominence in the new constitution, because that is what is relevant to us. So, I don't know how you reconcile, what this people want, or as a long serving member of Ikolomani, what the people of Ikolomani feel is very relevant to them, as compared to the French codification.

Seth Lugonzo: Well, the virtues I got from the French judiciary, will simply codifying. We can have our own laws, but they should be codified. So that it is much easier for the magistrates and for the lawyers, to get the point they require. I don't know if you have studied the French method. And it has been copied by so many countries, including many Europeans, Iran, South America, because it simplifies the work, and you can have many lawyers. Although they insist on lawyers who are qualified.

The first one, your first question was?

Com. Nancy Baraza: Inaudible.

Seth Lugonzo: Well, I think it is general. There are things, which will be acceptable generally.

Com. Nancy Baraza: Inaudible.

Seth Lugonzo: Yes, they should be put in the constitution, and then the copies supplied to as many people as possible, and if possible to schools.

And in majimbo I just forgot, you said about decentralization, exactly what I want. we need to decentralize power, so that even education, health tourism, a lot of this things can be done locally. Only few should be done by the head office.

Com. Charles Maranga: What I was saying, my suggestion I was putting forward. Maybe what you are talking about, is how you can decentralize the power, from the centre to the periphery. And maybe we will not then need majimbo as such, but then we have structures, which can be able to affect that decentralization.

Seth Lugonzo: But I think, the system can work better, if we reduce from district to sought of provincial. It will be a much more viable sought of organization, than if we. and of course, weak ones will be assisted by the federal government, so they should not fear.

Com. Nancy Baraza: Wilson Peru, now stick to my five minutes.

Wilson Peru: Indeed. My names are Wilson Peru, I will just give views on one item, that is succession and transfer of power. And this item was discussed by South Idakho Development Forum, and they asked me to highlight the points and hand in the memorandum today.

And this one, what we looked at is; our constitution should provide clear, and dignified, and orderly process for the transfer of

power. Whereby, we propose the following;

The Chief Justice, should be in charge of the executive powers during the presidential election.

Two; the elections results of the president, be declared after the counting of all votes in the Republic of Kenya. And this should be done by the Electoral Commission chairman.

Three; the incoming president, should be sworn in soonest. Soonest we mean, within 48 hours, in the open field, by the Chief Justice.

Four, the instruments of power should be transferred to the incoming president by the outgoing president, within two months. There shall be no orders taken, from the outgoing president, by the government institutions after the two months. There, we were referring to after two months, if the old president is still in, then it will not make sense for the government institutions still, to take orders from that particular president. Instead, it ceases after two months, and he can just be there, like any other ordinary Kenyan.

Number five; the mode of transfer of instruments of power, must include the constitution of Kenya, the national flag of Kenya, we looked at the keys to state house, if possible the bedroom, the kitchen, and if there is a sitting room, those keys should be handed as part of the instruments of power to the incoming president.

Finally, the constitution should make a provision for former presidents, in terms of security and welfare. There we were clear, not to point out, about immunity on legal process, to be taken against him, should it happen that he committed a crime. Or we referred to, what could be given to him, is just the security and welfare.

Then, lastly, the present president should not campaign for one particular candidate in the succession. It would be better, to let people decide the person, they want in succession process. That is all I had for succession and transfer of power. Thank you.

Com. Charles Maranga: I have a question. I want you to clarify on this point of saying that an outgoing president, should be able to give orders within two months. Why do you want to give him another two months to be giving orders?

Wilson Peru: No, what we say is that, the outgoing president, not to give orders within two months, should have handed over to the new president. Handing over, we took it like a process, and we were looking at the U.S., after the president is sworn in, in somewhere around November, February is when the other one is taking over. So, we were looking at two months to be a possible period, for government institutions to be handed to him. And the instruments we were referring to be handed is something like the constitution, the flag, and the keys, if there is something like so.

Com. Nancy Baraza: Mrs. Dorcas Mberesia, Dorcas is not there. Benedict Lumati.

Benedict Lumati: My name is Benedict Lumati, a retired Chief Inspector of Police. I have got a short presentation of constitutional supremacy.

The fact that the constitution is the mother law of the land, and therefore supreme. Should leave not doubt at all in our minds, and for that matter, no person or group of persons, should be allowed to temper with it anyhowly.

In that respect, our views should be that, we have a provision that allows parliament to amend the constitution, with a 65 percent majority vote, it could be retained, it should not be exhaustive. It means that 65% should not be exhaustive.

Further reference to the owners of the constitution, the owners here being the people, should be met. For their approval, through referendum to be conducted by an independent Electoral Commission. That is where, an amendment affects parliamentarians. Or, when the party in power, has 65% and more parliamentarians, this are two areas.

If a particular issue, involves or affects the parliamentarians. Like the increament of salary for M.Ps and so forth, something affecting them. On the other side, if the party in power, has got 65%, then they can mess about with the constitution. Therefore here, they must call in the people, they must call in the people, the electorate themselves. Through a memorandum or a referendum, by an independent Electoral Commission.

As for the view above, we should come up, with a more or less permanent document, for our constitution. One that could stand several generations, without requiring amendments.

Com. Nancy Baraza: You said you had a short one.

Benedict Lumati: I have finished the first one on constitutional supremacy.

I come on another one, defence and national security. As for the disciplined forces, their positions or roles, should be clearly stipulated, defined, and established by the constitution. and as far as possible, be divorced from those of the civilian population.

The current mechanism, used to discipline the Armed forces, have been working well. And perhaps, they could only be streamlined and perfected even more.

The president, should remain the Commander in Chief of the Armed Forces.

Currently, the president is holding excessive powers, to declare war, use extraordinary powers in emergency situations; and emergency powers, which in our views should be curtailed.

The new constitution should permit the president to invoke extraordinary powers, in emergency situations and declare war, only and after, seeking approval of parliament. Which as a representative institution of the people should have a role, in effecting and regulating emergency powers. Here I can add that, supposing parliament is in recess, we should at least make a provision somewhere, whereby, the president will be given powers, to summon parliamentarians, in order to seek approval to use excessive powers to declare war. Thank you.

Com. Nancy Baraza: Thank you very much sir, question Dr. Maranga? Thank you, please sign there and leave us your memorandum. Pastor Oliver Indangasi? Pastor, stick to five minutes Sir.

Pastor Oliver Indangasi: Commissioners Sir and Madam, thank you for the opportunity, my memorandum is not edited, but I believe I will be able to edit it and then be able to give it in immediately after this.

I have a few things that I would want to put forth, that I believe if they would go through, then we would have the kind of government we want, though it is not engulfing the whole process. But a few that would add, on any that can help.

The first point is on the parliament. Parliament must be the supreme organ in the nation. And I believe if parliament is given its position, then we would be able to check so many things. It must be given the mandate to govern, or mandate to appoint the chairmen, the judges, the commissions. Not on like this times when we have commissions appointed by an individual, and we are not sure, if the commissions are going to deliver the goods.

The other thing is on the Members of Parliament. I believe, if a law is placed in place, or I would wish a law to be in place that, the electorate has power, to be able to call back their Councillor, if they find him wayward, by about a 65% vote of no confidence, and he will be able to be relieved of his duties, without benefits and somebody else takes that place. And this is what, democracy really means, to govern by the people and for the people.

There should also be a law in place to protect the electorate, from vote bias. You know, I don't refuse anybody to entice people, but after they have gone there, and they start saying, I am still accumulating what I gave you, the tea I gave you to get to parliament. I believe, stringent measures must be put there.

Parliament must be mandated to be able to impeach an incumbent president.

Laws should be made in the legislative council, not in open air meetings or in public barazas.

The speaker of the National Assembly, should be free from the influence of the executive.

I am coming to the leadership of the executive. My Bible in Deut 17.14-20, if you find time you will be able to read, but verse 18 and 19 says, “The leader, the king, must be under the law”. Verse 18 says, “He should be able to write a copy of the laws and have them before his table, every day.” that he should be able to be referring to it.

The presidential budget, must be approved by the parliament.

And also, the executive must be accountable, and more so, to the electorate through the parliament.

A future executive must have a clean record, of their past lives, free from fraud and corruption. You know we have got leaders now, who are even head of parastatals, who have run other parastatals bankrupt.

There should be a prime minister, to work hand in hand with the president. And this must be elected by the people, it should not be an appointee.

Ministerial executions must be free from the influence of the executive.

Civil servants must be free, or independent of the executive.

I come to the local authority. Mayors must be elected directly, by the electorate, to facilitate accountability.

On the economy, we should have in the executive or the president should be economically literate. And in case of those who run down or mismanage the economy, they should be able to be answerable. We pay enough taxes, that the annual budget, is able to be met, but you find that the same same taxes we pay, get a loophole and go away. **(Interjection)**

Com. Nancy Baraza: That is your last point.

Pastor Indangasi: Yes, I am just on the economy, I have not moved to any other.

Com. Nancy Baraza: Just finish.

Pastor Indangasi: Yes, I am finishing.

So, I want to finish that part, though I had one or two points, that I would want to add their your honorable. But this is the point I am finishing in the economy.

An economy where only the money lenders profit, is a warped economy, and will soon implode on itself. And therefore I would ask that, a law, balancing money lending and payment rates, will create a level playing ground. And if I ask permission, I can add the two other points I want to finish.

Com. Nancy Baraza: Please go and process your memorandum, and include what you haven't given us and give it to us, we really appreciate, those are very good views. Any question Dr. Maranga. Please sign there, but do your memorandum as you sit there, and give it to us, it is very useful. Aggrey Chisamwa.

Aggrey Chisamwa: Commissioners and officers working under you, it is my pleasure, to present my views to the commission. I start by briefly introducing myself I am Aggrey Chisamwa, I come from this division, and I am a lawyer by profession. I have very very strong views I wish to present to this commission. I have put them in writing, but I will only give highlights of them, because I don't intend to read the memorandum.

One point I wish to stress is the constitution is the supreme law of the land. And it is important, that the provisions of the constitution, address all the issues that touch mankind in Kenya. What I am saying is that, a constitution should reflect, and indeed address the social structures, economic structures, and political structures in a country. Because it is only through, the rule of law, that you will find that, there is organization. So, a constitution, that is wanting in many respects, makes things not to move.

Now, I have looked at a few areas, which I think are important for our purposes, I have addressed the issue of the presidency, how does the constitution look at the presidency. I have made this an important area because, the power in most developing countries, and in Kenya particular, they all surround the presidency.

And it is my respectful submission, that the current system, of whereby the president is head of everything, power is centralized around him. Whereby all appointments, major appointments are by him, make the running of the government services inefficient. Because, appointments, are made to create what we call tribal balance, regional balance and things like that, or to please other people. So, my view is, that key appointments to government institutions, appointment of Permanent Secretaries, Provincial Commissioners, Ambassadors, High Commissioners, should be removed from the hands of one person, and transferred to parliament.

I mention the parliament, because I believe that parliament is where, people's representatives are, from all over the country. And they should have the best opportunity, to ensure that appointments are based on, competency and proven experience. I

believe that in the absence of competence and proven experience, and qualification, we end up having mediocrity in our performance.

The other area I want to look at is the cabinet. Currently, under the current constitution, the president almost at his personal whim determines the number of ministries, the number of ministers, the number of assistant ministers, and nearly everything. My view is, the structure of the cabinets, the number of ministries should be determined by the parliament, taking into account, the budget, taking into account, the available resources. It should not be left to one person, to determine that. Because when we leave it to one person, you are giving room, for him to try to please people, and at the end of the day, we come up with mediocrity.

I have a proposal in fact, that in my view, we do not need assistant ministers, absolutely. I say so because, under the current constitution, or under the current arrangement, assistant ministers never act in the absence of the ministers. Normally, it is another minister taking up that office. So, really at the end of the day, what is the role of assistant ministers? My view is, assistant minister's role, can very adequately be handled by technocrats in ministries. We are talking about Permanent Secretary, Deputy Permanent Secretary, departmental head and so on. I believe through that, we will end up having a small cabinet, very competent, very efficient and ready to run.

Now, the other area is, as I said I will be quite brief and fast. The office of the vice president and prime minister. Currently, the president appoint the cabinet including the vice president. I am for the American system, the president should have his running mate, during the run up to the election. In my view, the party that wants to run the country, should package its team. And packaging a team means, you have a presidential candidate, you have his running mate, and the team that he wants to work with. So that when people, want to elect in a particular party, they have in mind that kind of party, that is packaged. This idea of leaving it to one person, in my view, erodes the confidence. And indeed, when you leave the appointment of a vice president, a very key post in the government, to the president; then you are giving room for mediocrity in appointment. Because then the president, looks at consideration other than national in appointing his deputy. That is why I feel that, that should be, the fact that he is a running mate it means, the electorate has the opportunity also to determine, that particular appointment.

I am also of the idea that we should have the post of prime minister, deputy prime minister and what not. Why am I talking about that, I am against the idea of having powers centered in one hand. I believe we should diversify, power should stretch, should outstretch, in many hands, and so that accountability and transparency can move. My view is, we need those officers, so that the head of state is not necessarily the head of the government. (**Interjection**)

Com. Nancy Baraza: Please summarize Mr. Chisamwa.

Mr. Chisamwa: Yes, I am in fact coming to one or two last things.

Now, I want to talk about the president. Just like we said, the president should be impeached while in office. That is not the current position, he should be impeached. My view also is, the M.P with the hefty per that they are. My view is that, M.Ps are under an obligation to deliver, and provision should be made in the constitution that, M.Ps who don't deliver, should be recalled, there should be machinery for their performance to be assessed. So that we are not saying, once you are elected for five years, you will stay there for five years.

I have also made another proposal, that even in the area of the president. Whereas we have the minimum age for one to qualify as a president, we should equally have a maximum age, that is my view. And my proposal is that, 60 should be like it. We want to entrust the destiny of this country in people, who have a future in it. When we are entrusting it in the hands of people, who are not sure they are going to stay for long, we are not really sure that they can run the affairs very well.

On the final issue about the structure of government, there is the legislature, executive and the judiciary. Currently, the three arms are not really separated. I am looking forward to a constitution, that makes a distinct, an area whereby the judiciary, hold the appointment to the head of state, leave room for the executive to manipulate the judiciary. I am for a situation whereby, the judiciary, the Chief Justice and the judges are appointed by the Judicial Service Commission. And vetting, scrutiny and approval is done by the parliament. So that you are completely removing the executive from that.

Commissioner, may I wind up by talking about one item that is very sensitive to all Kenyans, public land and the grabbing business in this country. I believe that the concept of grabbing is there because, there is public land and people want to share it. My view is that we should ban allocation of public lands, all together. Public land, should be left for public utility. Public land, should only be allocated for school, health facilities, educational facilities and other institutions that will benefit the public at large. There is no justification in allocating an acre, to an individual. Clearly that is satisfying an individual and in my view, it is not in the interest of the nation.

So my view is that, all public lands, should be left intact. The same should go to economic looters, these are public servants, who recklessly loot the country. In my view, they should not just be taken to court, the way we have seen permanent secretaries taken to court. They should be made to pay for what they have looted, and if we can trace what has gone from the looters to the hands of their relatives, we should get it from that. With those few observations. I beg to rest my case and say, there is need to make our constitution, more vibrant than it is, thank you.

Com. Nancy Baraza: Question for you.

Com. Charles Maranga: I am sure there are number of question.

The first question is, how many ministries in your opinion, should be adequate, and I want you to give us a specific number, because we want to make specific recommendations.

Mr. Chisamwa: I think a realistic figure, 12 – 15 ministries will be more like it, I think we will run it very efficiently.

Com. Charles Maranga: The second question; you have talked about the power to recall M.Ps, as you know there are no specific functions, which M.Ps are supposed to perform. Maybe, the M.Ps are also misunderstood by the people. For example, M.P is supposed to provide school fees, he is supposed to provide roads, he is supposed to provide health care for people and so on. Do you want us to have the functions of M.Ps clearly defined in the constitution for example?

Mr. Chisamwa: Yes, although they are not defined in the constitution, but it is very clear that M.Ps have a very vital role to play in their constituencies. The main one the M.Ps are supposed to play, is to steer development, to steer growth, to harness leadership together. And in my view, I think I agree with your proposal that, if we can have a machinery whereby, at least it is clear or it defines, what areas there are to cover, to address, then I think it will make sense, for us to assess that performance. But I really believe that, the most important area is that, how can you initiate development growth in your constituency. That means, looking at the infrastructure, looking at all that is in that area, and I believe that it is very easy, for people of any given constituency to understand what is lacking and what is not lacking.

Com. Charles Maranga: Now, the point I am asking is for example, you have now talked about basic infrastructure, does for example an M.P has the resources to put up a road? For example can you tarmac the road between this place and Musoli for example, it is not possible. Where is he going to get the money, the money must come from the government coffers, the money must be budgeted for. And does the M.P have the power to do that?

Mr. Chisamwa: Yes, I think the current system we are now having, I want to give the example of the road programme. There is a programme whereby all the constituencies are getting five million. I think a constituency will be entitled to find out what happened with the five million that was meant to come to this constituency. But as I said, I want to agree with you, that if we want to give hefty perks, what the M.Ps are earning, it makes sense that they are all satisfying.

Com. Nancy Baraza: Question for you Sir. I would want you to address me, specifically on the structure of the judiciary. I don't know if you are comfortable as a long practicing lawyer in this country, and the kind of constitutionalism we have lived, and the kind of constitutionalism we anticipate to live as Kenyans. Do you in your considered view, think that the current structure is in a position to manage our new constitutionalism, or there are some proposals that you want to make.

Mr. Chisamwa: One proposal I have already mentioned is that, currently under the new structure, the Judicial Service Commission, merely plays the role of a rubber stamp. And I am saying that is wrong. As far as I am concerned, there is need

to change that. And I am saying that because, if you look at even the current appointment to the bench, particularly members of the high court. It is openly whispered heard that, the latest appointments, the last three, four years, have been a calibre of mediocracy. And it is because, we have a system whereby, political involvement, coming into place, when appointing this people. That is why in my view, if we can delink the judiciary completely, from the executive.

And I would also go for, a system whereby; you don't just go by the tradition, because I want to make a proposal about also change. It is not enough to say an advocate who has been practicing for 7 years, qualifies to be high a court judge. I think we should increase, we should broaden the requirement, in addition to having been in practice for seven years, can we have proven evidence of ability to handle cases, up to the level of the high court. You may have been practicing for 7 years, but maybe you are only confining yourself to Kibera Court. We want to assess, whether you have handled, land mark cases, whether you have contributed to the growth of the law, in landmark decisions like the S. M. Otieno's judgment, on customary law, rites and who qualifies to bury.

So, I am saying that there are many many areas we need to address. Personally, I also think that currently under the new constitution, there is a problem in, there is an imbalance in appointing members to the bench. You will find that currently, when they are appointing, you pick more from the bar than from the bench. And I think that is also discouraging. If you have somebody who has been a magistrate for 20 years and you are picking an advocate, who has been in practice for ten years to the high court, and you are leaving a magistrate who has been practicing for 20 years. There is no record of poor performance by that magistrate, I think you are demoralizing him. I think you want a system whereby you are trying to measure and balance the performance from all sectors.

Com. Nancy Baraza: Thank you very much Mr. Chisamwa, please sign there and leave us your memorandum. Everest Lumati.

Everest Lumati: I am Everest Lumati, I am a high school teacher. And we sat together as a family and came up with a document, which I will be presenting to the commission. But in the mean time maybe, for two, three minutes, I can present, just highlighting some few areas.

Perhaps it would be necessary Honorable commissioners, to come up with the sensitizing the Kenyans about what a constitution is all about. We have a strong view, that Kenyans need to be told exactly, what a constitution is all about. This could come up in a preamble. So, I propose that we have a preamble, akin to that one of the United States for example. But I would like to quote some few words here from that one of the United States. When they open up and say, "We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for our common defense, promote the general welfare of our people, and secure the blessings of liberty to ourselves and for posterity. Do ordain and establish this constitution for the United States of America.

That kind of statement coming up, and I want to quote, using our own National Anthem.. When we got independence in 1963, we came up with a National Anthem, but over the years and after 39 years, practically every Kenyan child and old man or woman, can at least tell you what a National Anthem is all about, this is our prayer. And I would like the constitution to be handled as such, or in a similar fashion, by coming up with some kind of preamble. So, we request that, you the commissioners, who will be coming up with a new constitution, maybe you can think about that, and come up with something that can be an introductory statement, that could show the purpose of the constitution of Kenya, and could be taught in schools, right from nursery schools up to universities, and people get sensitized properly as to what the constitution is all about.

Secondly dear commissioners, we have and Mr. Chisamwa has very ably expounded on that, but I would like to maybe add some few things, about the three arms of the government. The legislature, the executive and the judiciary. In our view, the three of them have been performing below expectations over the year. Even as old as we are, 39 years old, there is nothing that one would be proud of, when you think about the performance for example, by the M.Ps, Members of Parliament. Last night most of you were on the radio, they are to rise up early, because there was no quorum. Out of the 222 Members of the Parliament, they cannot make parts for the quorum, I think somewhere, something very serious is wandering among our M.Ps, I am talking about the discipline of our Members of Parliament, so that they understand, exactly why they are there, and what they have gone there to do. It is extremely important, it is very painful, but while we are expecting so much out of whatever, they are not performing as to expectations.

Come to the executive, dear commissioners. When you look at the executive and particularly that area of the presidency. Right from the presidency down to the grassroots, with the Provincial Administration.

I want to start with the president, there is almost nothing in this country, that the president of Kenya cannot do. This is a person who has been elevated to a position, where he sounds like, he is next to God, and this person has just about all the powers. He can do practically anything or everything, and that is extremely bad. We have experienced it, and I feel this is just about the time, we should come up in the new constitution, with trimming down the powers of the president. I am not saying we do away with him, but could the powers of the president be trimmed down. Could perhaps that structure that we are talking about, that is in the air, come up.

The vice president, and when I mention about the vice president, commissioners, I mean a working vice president. What happened at Kasarani on March 18th and what happened some few days ago in Kilgoris, Transmara, is very unfortunate to think about. Because, we have a vice president who is just a puppet, some kind of a toy to be thrown here and there at the whim of the president. It is very unfortunate, we are talking about a working vice president, (**Interjection**)

Com. Nancy Baraza: Can you summarize?

Everest Lumati: Yes. And prime minister also, the two deputies to the prime minister that we are talking about. Nothing bad about that, but we are talking about devolution of power, could that power, which the president is holding, be devolved downwards, in all these other positions or that kind of thing.

And then when you come to the provincial administration, which is the same line from the president, down. It is unfortunate, I think it should be scrapped. If it is necessary that we retain part of it, then could be at the lowest, at the very lowest, that is chiefs and assistant chiefs. And then I say or I propose, that they should be elected, not appointed but elected by the people, for the purpose of keeping law and order in the villages, and that kind of place, where the policemen are not able to access very easily. That kind of thing, but otherwise the rest, D.O, D.C, P.C, let them go. **(Interjection)**

Com. Nancy Baraza: Your last point.

Everest Lumati: Political parties, should be trimmed down to three.

Distribution of the national cake, land, nobody should be allowed to own more than 100 acres for example.

Education should be for all.

Health for all.

Employment.

Corruption, be stamped out.

And finally, is the business of succession, transition politics. That we are having in the air right now, it is all shameful, dear commissioners. What we are experiencing at the moment as at now, it is very very shameful. We need to have the new constitution coming up with a mechanism(s) that could take care of how exactly, power could be transferred from the outgoing president to the incoming president. Or outgoing system to the incoming system. That is very very necessary. Not to allow, one person just to hand pick somebody and then move around or toy around, floating the person, and forcing people to follow. That kind of thing should not be there. Thank you very much Madam.

Com. Nancy Baraza: Thank you very much Sir, sign there and give us your memorandum, Christopher Mudi.

Christopher Mudi: Asante sana commissioners kwa kufika katika sehemu hii ya Ikolomani, mnakaribishwa sana.

Jambo la kwanza ni kwamba mimi ni Christopher Mudi, ambaye nawakilisha kanisa la J.C.C. Ikolomani division.

Jambo la kwanza ningependa kuliongea, ni kuhusu uchaguzi wa raisi. Raisi ningependekeza achaguliwe kutoka katika kila mkoa, baada ya miaka kumi. Kwa sababu, ukiangalia katika mikoa ile ya kwanza pale, raisi alipotoka, utakuta ya kwamba, mikoa kama hiyo imendelea zaidi kuliko mikoa zingine. Tunaposikia ya kwamba tena, watu wengine warudishwe kuwa viongozi katika mikoa hiyo, inaonekana ya kwamba, nchi, inaonyesha, ama viongozi wanaonyesha tu pahali moja, ambapo maendeleo inafaa kuwa pale.

Kwaza ningependa, kila mkoa, ipewe miaka hiyo kumi kumi, kuanzia mkoa wa kwanza, kama tulivyoanza mkoa wa Kati, tumemaliza, tumemaliza mkoa wa Rift Valley. Hata ningependekeza mkoa huu wa Magharibi, uwe mkoa wa tatu kwa uongozi. Mambo ambayo inaendelea sasa ni ya kwamba, vijana wale wazee wao, walianza zamani kuwa raisi, hiyo ni ufalme ambayo lazima tukatae katika katiba yetu.

Jambo lingine, ni kwamba, raisi ambaye atakuwa amechaguliwa, akimaliza zamu yake ya uongozi, lazima tumpe marupurupu kama yale tumesoma, kama ameleta maendeleo katika nchi yetu. Kama ni raisi ambaye hajaleta maendeleo yoyote kama tunavyoona sasa, ya kwamba, vijana wetu wamemaliza university, hawana kazi, makampuni imeendelea kufuta watu kazi, serikali imeendelea ku retrench watu, na sasa parliament inataka kuwapatia hawa marupurupu, kumpatia raisi marupurupu, makubwa kama hayo, ni kama vile nchi imeendelea zaidi kuliko nchi zingine. Bwana a.. unajua mimi ni mhubiri, napenda kusema Bwana asifiwe, lakini pole sana.

Umasikini, umasikini umeenea katika Kenya yetu, na ni rahisi sana kumaliza umasikini. Kwanza a farm implement, tungependekeza ya kwamba, wakulima ambao wako na hekari moja kuendelea, wapewe vifaa za ukulima. Wapewe vifaa vya ukulima, ili wajimudu, kwa sababu wengi wanaweka mimea zao chini bila mbolea yoyote.

Tena, wafugaji wa ng'ombe, hatuna wale wanaitwa extension officers, ambao wanaangalia wale ambao wamefuga ng'ombe. Kama area ya Ikolomani, unakuta watu wanajaribu kufuga ng'ombe za gradi, zinakufakufa tu. Tuwe na sheria ya kwamba, tuwe na zile farms ambazo tunaita experimental farms, katika kila division, ama sub location, ili watu wajifunze kutoka pale. Ili ukulima uendeleo katika kila division, tuwe na vyakula vya kutosha Kenya hii. (**Interjection**)

Com. Nancy Baraza: Point ya mwisho Pastor.

Christopher Mudi: Point ya mwisho, ya pili kwa mwisho ama ya tatu, ufisadi. Ufisadi katika serikali, ni kwamba wafanyikazi wa serikali wa viwango vya chini, hawana mishahara ya kupendeza. Ndivyo wanashawishiwa sana, kuchukuwa hongo, kutoka kwa watu ambao wanatakikana wawe wakiwatumikia.

Halafu, retirement benefits pia, ukiangalia wafanyi kazi wa serikali wengi ambao wameretire, wanaangamia na umasikini kwa sababu, hawapewi marupurupu ya kutosha ili waweze kujimudu kimaisha. Hayo pia, lazima iwekwe kwa sheria kwamba, wapewe marupurupu mazuri ya kuretire.

Halafu vyama vya upinzani kama wengine walivyosema, viwe vitatu peke yake, ambao pia vitasaidiwa na serikali, ili waweze pia, kufanya kazi zao, competitively. (**Interjection**)

Com. Nancy Baraza: Thank you.

Christopher Mudi: Ya mwisho, ya mwisho commissioner. Ni kwamba makanisa ambao inaendelea kuwa registered, iwe vetted na N.C.C.K. Kwa sababu mengi yamekuja kuwa registered, na kumbe ni ya devil worshippers. Kwa hivyo ipitite through N.C.C.K, ili tujuwe tunaandikisha makanisa ya aina gani katika nchi yetu.

Kwa hayo machache, ningesema, asante sana.

Com. Charles Maranga: I have a question for you pastor. When you say that the churches be vetted through N.C.C.K, are you realizing that you are enfranchising so many churches or denominations. Because not all denominations belong to N.C.C.K.

Christopher Mudi: Hata kama zote haziko kwa N.C.C.K, hata makanisa ya tuseme Kiislamu na wale wengine, wako na pia vyama vyao vya kuandikisha makanisa yao, wanaweza pia pitia hapo, ili wapewe kibali ya kuenda katika sheria house, kujiandikisha, wasiandikishe tu makanisa hivi hivi.

Com. Nancy Baraza: Thank you.

Com. Charles Maranga: Swali la mwisho nakuuliza, kwa nini hutaki makanisa mengine yasajiliwe na yenu yalisajiliwa hapo awali.

Christopher Mudi: Kwa sababu ya kwamba, tuna mengi imeingia Kenya hii, ambayo ni ya devil worshippers, ambayo inaharibu vijana wetu, na hata injili.

Com. Charles Maranga: I want to understand, what is the difference between devil worshipping and true worship. If somebody is a devil worshipper cannot be registered. Kanisa ile watu wanafuata, ni lazima iwe kanisa ya ukweli ama namna gani?

Christopher Mudi: Kanisa ya ukweli, kama vile tunavyosoma katika bibilia ni kwamba, wale ambao wanamhubiri Yesu Kristo, na wanangojea kuja kwake, ndio ambao wako katika kanisa ya ukweli. Lakini wale wanahubiri mambo ya nguvu za kisheitani, ndio tunasema ni devil worshipers na wako.

Com. Nancy Baraza: Thank you very much. Grace Ayuma. *Mushiere, amba olomalome, amba wekhale aho..*

Grace Ayuma: *Wazee, khuloma khule khulenangwa, abashiere befu khwali, khwenyanga*

Com. Nancy Baraza: *Bola lira mbere.*

Grace Ayuma: *Bananganga Grace Ayuma,*

Translator: Her name is Grace Ayuma, a widow of the late Joseph Sukhale.

Grace Ayuma: *Khwene rero khuliri, ma khuliri, abashiere befwe khwali khwenyanga khunyala khunia lisaa, mukhukhonye, khuli bashiere bakhusi khwali, shikhula khunyalisia tawe, mukhukhonye,*

Translator: As widows, we would like the government to give assistance to us. Because, we are unable as old mamas as the way we are. We want the government to set aside, some funds, that may look after us. Through medical, food, shelter and e.t.c.

Grace Ayuma: *Mukhukhonye mutsitabu tsieru, mukhurulisemu.*

Translator: She is appealing to the government, that if the new constitution that is being made, that it may set aside, some funds to look after their needs.

Com. Charles Maranga: Are you translating the truth?

Translator: Yes.

Com. Charles Maranga: We want you to translate what she says, don't add your words, and actually I was asking my fellow colleague.

Com. Nancy Baraza: Don't add your own things.

Grace Ayuma: *Shikira, efwe, sikhuli ni khunyalilwa tawe, mukhukhonye mutsi tabu tsieru, mukhurulisemu.*

Translator: Anasema, sisi hatujiwezi, tungeomba nyinyi mtusaidie tutoke katika taabu zetu.

Grace Ayuma: *Nekhuri khulinangwa, shikhuli nende shiakhula khukhola tawe, likhola liefu liosi, mukhukhwe lukendo,*

mukhokhonye.

Translator: Tukiwa hivi, hakuna chochote hivi tunaweza kufanya. Lakini, bado tunaomba tu, mtusaidie kitu, kituwezeshe sisi kujiweza.

Com. Nancy Baraza: *Mushiere ko, bola shida chio cili sina, oli nende shida shina. Sholi ne busuma ta, neukhali ne busuma, neukhali nende liurungeti, niukhali, bola, oli nende shida sina?*

Grace Ayuma: *Esie nenyanya enyafu, mbulakho nyala khunyola liria tawe, mbula limondo, mbula buyanga buswa, sindikho nende shianyala khokhola tawe, anyala khurulisia, embula.*

Translator: Niko na shida, sina chochote, sina pesa, sina chakula na sina pahala popote, pa kutoa hivi vyote. Ningependa tupate usaidizi.

Com. Nancy Baraza: *Onyala khutsia mu sipitali, nikho mu sipitali mubukhukunganga? Notsia mu sipitali, bakhukunganga nokho?*

Grace Ayuma:(inaudible)

Translator: Ameenda hosipitali, na wakati amenda huko ameulizwa pesa alipe.

Com. Nancy Baraza: Okay, ya mwisho. *Oli nende*

Grace Ayuma:*tawe, mbulakho lingeti tawe, ngonanga busindo.*

Translator: Hana nguo, hana blanketi, analala tu baridi.

Com. Nancy Baraza: *Okay, amalile?*

Translator: Amemaliza, nimemaliza.

Com. Nancy Baraza: *Khwaulire, sholi ne bilaro tawe, khuloli mishiere, waulire, nekhacha wandike akho mana wikhale.*

Grace Ayuma: *Ee mbula bilaro.*

Com. Nancy Baraza: Ee

Translator: Hana viatu.

Com. Nancy Baraza: Nancy Ingavi, Mbelesia, please come.

Dorcas Mbelesia: My names are Dorcas Mbelesia, I am representing, Ikolomani Women Forum.

Briefly, in the preamble, we would prefer as Ikolomani women, the constitution to recognize the gender inequity.

Citizenship; the Ikolomani women feel, an automatic citizen of Kenya, is one born of a Kenyan woman and man.

Defense and national security; equal opportunities should be recognized, despite of gender imbalance.

Employment; we need also to be employed as any other person.

Moreover, we don't want as Ikolomani women, men to chair ladies institutions, e.g. girls boarding schools. Reasons behind which are in the memorandum.

Political parties; we feel two are enough, with one independent.

Legislature; the post of elected members should be an office of full time, and even the members should own an office within his constituency.

Section 3.4C of the constitution of Kenya, is discriminative, and must be replaced, as far as women are concerned.

The minimum education qualification; for Councillors, Members of Parliament, should be form four level and above.

The executive; the women of Ikolomani recommend, the function of a head of state, must be defined in the constitution, so that it should be messed about.

Judiciary; the appointment and tenure of offices of the justice should not be compromised by the legislature.

Local government; the Ikolomani women feel, the affirmative action should be applied, to allow 35% representation of women on local authorities.

That the chairperson of the County Council or mayor, should continue being elected by the members.

Electoral system; for women, we don't own anything. For, as far as the present electoral system is concerned, we don't get the

chance. Because, they use a lot of money to vie for the seat, and women don't own anything.

The cultures and education; we need our girls to be promoted through the bursary. You can find locally, a boy gets a B+, a girl gets A-, the boy will be considered to go to the university and the lady is not considered. So, as Ikolomani women, we are seeing they are being demoralized.

Traditional cultures; this issue to some extent, if I can also include the widow, she has had a very difficult time, has made our lives very difficult when it comes to cultures. Because, when your husband dies, the woman is no longer recognized as a community member of that area. Everything will be snatched from her, even her belongings, even here children, even the land. So the Ikolomani women feel, we should be empowered to get our own rights through the human rights.

Employment; the Ikolomani women feel, it should be compulsory, provided one has the capacity of doing, what is supposed to be done, if it is advertised. **(Interjection)**

Com. Nancy Baraza: You last point, we shall read the memorandum.

Dorcas Mbelesia: The last point, we need the Provincial Administration on local level, that is the chief, the assistant chief, to be elected, not to be appointed by a different body. It should, the community members should vote to whoever will be their assistant chief or their chief. Because when it comes to issues of succession, some of us have been imposed on, people who don't know exactly what is happening on the ground. Maybe they don't follow what is supposed to happen. Thank you.

Com. Nancy Baraza: Thank you very much, question for you.

Com. Charles Maranga: I have a question for you. The question of land and property rights for women, do you want daughters and sons, to inherit equally from their fathers.

Dorcas Mbelesia: Yes, for now we feel we should. Because, where I am married, the land belongs to my husband, it doesn't belong to me. Or else, vice versa, when a girl gets married, she is legally supposed to have on that title deed, the name of my daughter and here husband should appear their.

Com. Charles Maranga: So, you want joint ownership.

Dorcas Mbelesia: Yes joint ownership.

Com. Nancy Baraza: Thank you very much, Naftali Muyonga.

Naftali Muiyonga: Member of the commission and fellow listeners, I will say a few things. I will not be able to hand any memorandum, but I will be able to speak of the cuff.

The first thing I would want to speak about is about the president. We would like, as my previous speaker has said. That the president should have very trimmed powers. The current president that we have, has manipulated the political system in this country. One thing, this appointment of the vice president should be, a president should have a running mate. Preferably, if he can have two running mates, one of them being a lady. That is my proposal.

Now, this question of handing over powers, and Kenyans being manipulated as if they are toys, should stop with the current president. Because as of now, we have no idea, where we are being led to.

The other thing is the judiciary; the Judiciary Service Commission, should have the powers to appoint judges and at the same time, the same should be vetted by parliament. Because the current system that we have, makes it very easy for the president to manipulate. We have a system, where we have, even the Chief Justice, after being appointed, he does not make qualifications, like the rest of the people.

Now, the National Assembly; the National Assembly should have the overriding power, over all other organizations in the country. It should have the powers to impeach the president. Because, the president should not be given powers, he should not be over the law, the laws are made in parliament. And if we have a president who is going to manipulate parliament, by appointing very many assistant ministers, as my colleagues, one of my fellow speaker said, we should have a very few number of ministers, between 15 and 20. So that, we do not have a parliament, which is just there to endorse, what the president has said.

Now, one of the speakers, actually mentioned about majimbo, but I would like to modify this. I would want the constitution to empower local government. Because at present, what local government gets, is always swallowed by the central government. One thing is that, if we empower local governments, that is, we start with sub-location. If we have development projects, started from the sub locations, then location, then divisional. These ones will be able to be passed, to the local government, and the local government should be able to tell their Members of Parliament, to stipulate and pass everything in parliament according to the wishes of their representatives.

I would also want to suggest that, instead of the budget being prepared by the ministry of finance, the budget should be prepared in parliament. Members of Parliament should be able to know, what problems afflict their own people. Because, is the Members of Parliament, who actually know, what is required by their own people. for instance here in Ikolomani, it is the Member of Parliament, who should forward our problems, our roads, schools, they are all in very bad state.

Now, if our Member of Parliament can stipulate, what Ikolomani people want in parliament, then our roads will be put in the budget, that is the development budget. And it is my view that, every Member of Parliament, should actually sit on the development, on the budget development committee. So that, he can present, the wishes of his own people.

The other issue is, we lack national action plan. Kenya had in 1963 come up with a national plan. Now that national plan, like all schools will have children going to school free. Now that national plan, has completely collapsed. You find that, when children go for interviews, very few people are taken from other regions. Other regions like central province, Rift Valley, are actually considered, when we people in Western Province, we have also children who have qualified. These children have nothing, they don't get jobs because of discrimination.

Now, that comes to unemployment. Unemployment, we have so many people in our constituency here, some of them are very learned, people have sold their property to educate their children, and you find there is no employment. If factories, that is distribution of the national cake, let every region, be developed, so that our children can get employment in their own regions. Because, this question of centralising the whole issue in central government and then a few areas are developed and our area is not developed, it is not assisting us. **(Interjection)**

Com. Nancy Baraza: Please give us your last point Sir.

Naftali Muyonga: My last point is on human rights. The last speaker, there was a lady who actually talked about inheritance. I feel very strongly that, our cultures, tribal cultures should be incorporated in the constitution. Because you find that, some areas where a family has only produced daughters, the moment the father dies, or the mother dies, the whole piece of land is, re-inherited, by either the brothers or, the brothers of the deceased, whereby, making the children of the deceased landless. Some of them might not have been married, and it would be better if a law can be incorporated as one said, that joint ownership should be made. In cases where a family does not have a son to inherit that piece of land. Thank you very much.

Com. Nancy Baraza: Thank you sir, a question Mr. Maranga?

Com. Charles Maranga: Yes, I have one question Mr. Muyonga. What is your opinion on the question of appointing the Members of Parliament to be ministers, if we are trying to talk about the issue of separation of powers. How do you see the point of maybe, Members of Parliament, being again appointed as minister in a government, what is your opinion.

Naftali Muyonga: My opinion is that, Members of Parliament, can be appointed ministers, but it should be on regional basis. Because, right now, where members are appointed by the president, this should be vetted by parliament. Because, names, several names should be suggested to parliament, and then should be vetted by parliament, and given to the president for

endorsement.

Com. Charles Maranga: Now, the reason why I asked you that question is that, most Kenyans are saying, some of the ministers who are appointed to their respective ministries are not qualified, they are not professionally qualified. So you find that actually, there is a minister who is not running a ministry properly, simply because he has no knowledge about the ministry. He doesn't know anything about agriculture, he doesn't know anything about medical services, he doesn't know anything about security. So, we are saying, do you see a point, in maybe appointing professionals outside parliament to be ministers.

Naftali Muyonga: Now, one thing is that, when people actually go to parliament, they should present their curriculum vitae, so that we have qualified people. Even if one party wins, and ministers are to be appointed from that party, at least their appointing body, should be able to appoint, people who are qualified in their respective professions. Rather than the current system where we see, some mediocre, people being appointed to ministries, which they cannot even qualify, they cannot even define the policies of those particular ministry. Thank you.

Com. Nancy Baraza: Thank you Sir, please sign there, and leave us your little memorandum, not that you gave little views, but leave it to us. Vincent Shivachi, you are I.C.C member, do you want to present, and Mediatrix, you want to present. Caleb Shikokoti, Jotham Kachelo, please come over. Special education, Shikokoti is special education, probably he doesn't hear, he hears? Now, I just want to confirm if he hears.

Jotham Kachelo: Members of the Constitution Review of Kenya, my fellow listeners, I would like to present the following. My name is Jotham Kachelo, I am a recently retired Salesman and accounts clerk.

I would like to suggest that, the president, should not represent the constituency. Because this is a public office. So that he can be able to serve the whole country, without any discrimination.

If the president misuses his office, he should be brought to justice.

The president should also not have powers to appoint and dismiss public officers. whereby, at one o'clock we hear that so and so has been dropped. This current situation should not continue.

Anyone appointed in the public office, should be brought to justice, this is a misuse of office.

I would also like to suggest that, Kenyans should have a separate day, to vote for the president, and not the current system, whereby you vote for the president, M.Ps, Councillors and so on.

In this present Kenya, we should have one man one job, so that all Kenyans are served efficiently.

I also suggest that Kenya should only have three political parties, and allow the system of independent candidates. Those who are not able to join the three parties, either of one, should be allowed to stand as an independent candidate.

I also suggest that, the administration, this are Provincial Administrations and politicians, should not use funerals as a forum. Talking to people, this kind of funeral, talking from politicians should not be allowed. Because even, if it is the Provincial Administration, he must hold barazas to educate their people, and the politician should organize for a public rally.

I would also suggest that, since independence, any neglected regions, should be compensated. This is where there is no electricity, factories, schools, communication, water, dispatch to water and agriculture. They should be compensated. Since independence, we have areas that don't have such things.

The other thing is, I would like our government to have upper hand, on agriculture inputs. This is seeds and fertilizers, so that we will have a control over, fake seeds and fertilizers, that doesn't benefit our people at all, after planting. We have always a poor yield.

I would also like to suggest that, government officers, ministers and the executive, should not be allowed to be using government vehicles, campaigning for mature or premature campaigns. This is, they are wasting our resources.

The other thing is, the orphans, who are left behind by a working father. Parents should be allowed to have a share, in order to take care of the children. I have experience where, women, after receiving the benefits of the husband, the late husband, they run away and abandon the children with the parents, or the father of the deceased. (**Interjection**)

Com. Nancy Baraza: Your last point.

Jotham Kachelo: Lastly is; I would like busaa clubs to be revived and given a timetable. Because, if beer and other hot drinks are allowed to those who can afford it, what about our low achievers, they should also be allowed, to have something little to enjoy themselves. Thank you very much.

Com. Charles Maranga: I have a question, only one. You have said that we need three political parties, how are we going to arrive at those three political parties, given that we are 41 political parties.

Jotham Kachelo: To arrive, the highly populated three parties, those that are having supporter, in every corner of the country.

Com. Nancy Baraza: Thank you Sir, please sign there. Francis Misigo.

Francis Misigo: Thank you for the day, Hon. Commissioners, and those people who have come to attend this particular process of constitutional review. But one thing I would like to remark is that, this constitution affair, is something that has just been talked of a constitution, and it is something, which had been hidden. And since it was hidden, very many people did not know, what the constitution, constituted of. Because you will find that, even as old as I am, I never knew what a constitution was, until very recently when the review was being talked of. But however, I would like to make my own personal comment that, matters of constitution, should be a document or an idea that should be implanted in every Kenyan. And if possible, it should just be a curricula in the schools. So that every Kenyan, because if a cardinal law, in our country, everybody should at least know his rights. Because, the basic way of man, should exist with this government, and whatever concerns him in this country.

Therefore, although I have prepared several topics, but your time is too short, I would like to talk majorly on a few of them.

My first topic, will be about the local government. To the local government, coupled up with the Provincial Administration, I would like to say that, this Provincial Administration must be fused, with the local authorities, to form one type of administration, from the grassroots upward, possibly to be called regional administration. That will coordinate all recurrent and development activities, without duplication, as is the case, by the present set up.

You will find that, we have got the local government, we have got the central government, and you will find that, the local government has got various development projects going on, and the government also, the central government is making a lot of projects going on, and you find that it is just a mix up. And I would like that, because we are one people with common goals, and for everything, we should not have the local government and the central government. Everything should just come up in one set up, and we know that here we have not done we do it, and we go on like that.

So, I would like that whatever ranks or title that this people may have, because, I am proposing that, the set up of the local government, fuse up with the central government. It should form up a sector whereby, it should just remove, all that is concerned about, the D.Cs, the P.Cs, the D.Os, the Chiefs, and what have you. As much as we have got that kind of great setting upward, we should just have a few kind of steps, so that, on the regional basis, could be as the way the province is, we may have a regional administration, then we have a divisional administration, then we have a sub divisional or a location thing. So that, the location and sub locational, should be fused together, into one block. And also, the D.C is part of it, and the division, should fuse up into one block. **(Interjection)**

Com. Nancy Baraza: We get that point Sir, go to your next one.

Mr. Misigo: So, what I would say also, is that in that perspective, I would also say that, this representative, should at least be elective. So that, at every stage, this people should be elective, as much as the president is elected at the top, also this block representatives, should be elected, and the people should feel that, the person who is running their block of administration, is a popular person.

Now I will come to the executive. The executive, it is an arm whereby, it gives a lot of concern, and I think everybody else, has talked about the executive in this place. In the sense that, this executive, we must at least know the kind of person that is coming up to the executive. And this executive person in the office of the president and this office of the president has got a lot of concern, as much as we would like to know.

We would like to see, or in my opinion is that, a president should be aged 35 – 70 years, so that we do not have people who go beyond age, and become insane in making decisions.

And at the same time, they should be people, with proper sound married life, and also they should be people who should be vetted, to know that, they have been well in their life, and should be people of proven abilities, in whatever activities they have been undergoing or undertaking.

The president, he or she, should have at least a five-year term.

Then I would say, when we come to the presidential appointments, these appointments are so many. They are so many and they don't have a close (Inaudible) and I would like that, some of the appointment that office of the president will make, should be delegated to other offices, or other commissions and there are some key fellows, who should at least be appointed. And vetting should be done by the parliament, whereby in that case, this vetting when it is done, it makes sure that we have a kind of purity into somebody, when he goes to discharge his duties.

And also, the office of the presidency or any big office in the country; we should have people who are not corrupt, and they should be impeached, or they should be removed from office, especially on the three main, evil things, that involves corruption, incitement and abuse of power.

This thing, if for instance the office or the presidency is exercising this thing, then we should at least say, this person should just be out of office. And then also we would say, we would like to have, the kind of American style, whereby, the president is not a Member of Parliament, you see. Whereby, it is a very big office, and it requires real devotion, whereby he has got the office of the constituency, he has got the office of the parliament, he has got the office of the presidency. So, if we have a president, who concentrates very much on his job, we should not have too much meddling and therefore (**Interjection**)

Com. Nancy Baraza: Your last point please, give us your last point.

Francis Misigo: My last point, I will come to the basic rights. Our basic rights, this involves our livelihood, health, education, security, social and cultural right. When we look at this thing, we find that, very many of us are not pulling well in this particular activity. You will find that, some various places or some various people, have been denied various rights. Because you find that, when an old mama, as the one who has been talking here, is sick, you take her to the hospital, you don't find any help, she is so poor, and even from the community she is coming from, she cannot be assisted. Then you find that, all this things are really a problem.

I would like to reiterate that, our basic rights, the government should take care of this basic rights. And when we come to the basic rights, the people who are dealing with the basic rights or the department that are concerned with the basic right, they should be people with highly professional skills, and they should be praying to love Kenyan citizens, and they should be highly disciplined, and they should have a sense of patriotism. Whereby, we know that, our very basic rights, people will have to survive, people will have to go to school, people will at least get food and all this things.

So much that, I would like to have gone further, but your time is too short.

Com. Nancy Baraza: Thank you very much Sir, please sign there. Palapala Muteshi.

Palapala Muteshi: The commissioners, and people of Ikolomani, it is my pleasure to present my views to this commission today.

I am here on my own behalf, and on behalf of ESCO, Eregi Development Group, from Ikolomani, from Shikumu location. I am mainly presenting on environment and natural resources. and I will touch on.....Oh, my names are Palapala Muteshi. I hold an M.sc in inter disciplinary studies, with a major in environmental studies, that is why I am focused on the environment, but I will have a few emerging issues.

On environment, I would like to say that, the present constitution has failed us, Kenyans on the environmental front. The state of Lake Victoria, whose fish was recently embargoed by the European Union Market, can attest to this. Lake Victoria is the second largest fresh water lake, in the world after Lake Superior in the United States. About 30 million people from the riparian states of Kenya, Uganda and Tanzania, eat existence from this lake. It has been neglected, and it is not only an environmental issue, but a social and economical issue. As such, the new constitution, should provide for regulations, that can cater for the well being of the environment.

I will go to some of the disturbing issues, but I would like to mention that most of our industries now, foreign industries, would

easily pay a fine of 220\$ as opposed to spending, maybe 2 million dollars, to rehabilitate their plants for the well being of our environment.

Some of the environmental protection issues, to be considered in the new constitution include, protection of our water sources from pollution, protection and conservation of biological diversity, and we should be aware that, every species, has an important function in our eco system and should be protected and conserved, through environmental impact analysis of our development projects.

Protection of the atmosphere against air pollution. Protection and deforestation, protection of our forest and desertification, sorry.

Protection of our wildlife, which is our main foreign exchange. And management of hazardous waste and toxic waste, in an environmentally sound manner.

The new constitution, should empower a body, preferably called, Kenya Environmental Protection Agent, to enforce laws on the protection of the environment. The body should also be empowered, to manage and protect our natural resources. It is very important for the constitution to provide for sustainable development of our natural resources.

Finally, both the government and local community, for the sake of checks and balances, should own the natural resources. The ownership should be of stewardship.

I come to emerging issues, very quickly.

One of the emerging of issue, of great disturbance to me, is the issue alcoholism, that has been mentioned, but I would like to reiterate that, the fact that the reason that we have alcoholism, actually alcoholism to me, is not an issue. To me is a symptom of a problem. The problem is, what really causes this alcoholism? If we look at it, we will strictly see that it is the government. By the over restriction, people trying to get drunk, people drink to get drunk and not to socialize. Like when I was growing up, there wasn't too much chang'aa, and chang'aa has taken over from busaa, because it is easier to have maximum alcoholic effect, from a drunk with chang'aa than having busaa.

If the government can set, as someone mentioned, regulations. First of all the government will gain revenue, which goes to the Kangaroo courts, when policemen arrest people, they encourage it, that is why we are having alcoholism.

Com. Nancy Baraza: Your last point.

Palapala Muteshi: My last point, I think I will jump on education. I strongly think that, our education system is terribly faulty. The idea of students going to school on weekends, holidays, non stop, it is ruining our children. When they come out, the university will say, they cannot reason for themselves. They are half baked, but the system is such that, children are treated like sheep, they are just forced to go through the system to pass examinations, instead of being independent thinkers, and learning some cultural things, like playing 'etiolo' going for 'busherero' which I did, I think it was a very enriching experience, and it is ruinous to the children and the teachers. Thank you very much.

Com. Nancy Baraza: Thank you.

Com. Charles Maranga: I have a question.

Palapala Muteshi: Sure.

Com. Charles Maranga: You said that we need to protect our biological diversity, and therefore, we must protect every species of plant and animal, that means flora and fauna. I am asking a simple question, how about the species, which are injurious to man, and his domestic animals, I am talking of things like ticks, I am talking about mosquitoes, I am talking about those kinds of things.

Palapala Muteshi: Actually, when we talk of species diversity, we don't mean, we just leave everything. I mean, we have even a place like, near Athi River, they have this wildlife place where they harvest some animals after a certain time, but I am talking about, the annihilation of the entire species, because some of this species, once they are ruined, they are gone and gone for good. I am not talking about, just living things unchecked. If we have many baboons eating people's maize, I think that should be checked.

Com. Nancy Baraza: Thank you very much, are there students there, are there students who want to present, William Muhanji.

William Muhanji: The commissioners, ladies and gentlemen, I am very grateful to be here today, to make a few points, on the constitution of Kenya. I will talk about, my name is Muhanji William.

I am going to talk about the electoral system. As you know, our system of elections, has been such that people queue from morning to evening, and you find that you have got some people who are illiterate on the same line, with those ones who are literate. So that those ones who are illiterate are supposed to be guided by somebody. By so doing, a lot of time is being wasted. So, we people of Shikumu location, suggest that, this system should be changed. On the polling day, there should be two lines, one for illiterate people, and one for the literate people.

Then, another thing, we recommend that we should have, the voting system should be that of secret ballot. That should be the system of voting from grassroots.

And we also suggest that, the electoral system should be designed in a way, as to increase the number of, the participation of women in parliament, and in local authorities. Women should contest for parliamentary and civic elections without hinderance.

The new constitution, should not allow candidates, who failed to seek nomination in one party, to switch to another party for nomination. Because such candidates are like trembling reeds in the wind. They are there for unprincipled.

We also recommended that, we should have, the new constitution should provide reserved seats, for special interest groups. Such as the crippled, the blind and the deaf.

The new constitution, should provide for a simplified election process. Having like the one I said, the two lines. And on the election, the voting day, there is usually a lot of rigging. We recommend that, during the voting day, the votes should be counted on the same day at the polling station. Because this will go a long way, into reducing the election expenditure, and also, reduce the rigging of votes, during transit.

It was also our recommendation, that the new constitution, should provide for, indirect presidential election, conducted a day after the civic and parliamentary elections. This will reduce confusion among the electorates.

We also recommend, that the new constitution, should provide to the insight of Kenya, to look into the qualification of the Electoral Commissioners. This is to reduce the enormous, responsibilities of the president.

The Law Society, should be empowered to appoint Electoral Commissioners, and the commissioners should leave office, after their term of offices, unless re-appointed.

And we also recommended that, retirement age should be observed while doing this. The electoral commission. or the Electoral Commissioners should also be charged with fund raising for the running of the electoral process. This will relieve the strain on the ex-treasurer's account, and also keep the Electoral Commissioners, working full time. (**Interjection**)

Com. Nancy Baraza: Your last point.

William Muhajji: Those were the few points that we had concerning the electoral system.

Com. Charles Maranga: I have one question. It is on the issue of candidates switching to different political parties during nomination. If genuinely a candidate has been locked out, through various machinations of the system, and yet he is the most popular candidate. For example if you are in Ikolomani, and somebody wanted to be nominated on maybe a K.A.N.U or a FORD Kenya ticket, and you know very well that Mr. So and So, is the most popular candidate, and yet, the party hierarchy does not want to nominate that person. What should that person do?

William Muhanji: In such a candidate, you see we are talking about the candidate who is, let's say he is on a K.A.N.U ticket, he has been nominated on a K.A.N.U ticket, and then, for some reason or other, he feels that he should not be on K.A.N.U ticket, he should go and be nominated on, he should leave the K.A.N.U ticket and go on N.D.P, this is what we are saying. Are you getting it right?

Com. Charles Maranga: Yes I am getting you right, buy I am also trying to ask you a question, to give us a way forward. If a candidate is the most popular candidate, why does a candidate switch from one party to another? Don't talk about maybe somebody who has been elected, and goes to parliament and then defects. I am saying about, at the nomination level.

William Muhanji: At the nomination level, he can be allowed.

Com. Charles Maranga: Not when he has been elected.

William Muhanji: Not when he has been elected.

Com. Charles Maranga: Okay then that is different, thank you.

Com. Nancy Baraza: That is called what?

William Muhanji: A defection.

Com. Nancy Baraza: That is defection.

William Muhanji: Yes, thank you.

Com. Nancy Baraza: Did you consider the issue of independent candidate.

William Muhanji: No, we didn't look at that one.

Com. Nancy Baraza: Do you consider it as viable?

William Muhanji: An independent candidate? Yes, yes, he is viable.

Com. Nancy Baraza: Okay thank you. Thank you Sir, please register there and give us your memorandum. Father Manani. Evans Amiani.

Evans Amiani: I am Evans Amiani, I will talk about the rights of vulnerable groups.

I will start with women. Our current constitution does not guarantee the interest of women, and women are treated as second-class citizens. One point.

Women should have right education, inspite of farming related, disadvantaged as a pregnancy while at school.

People with a disability. Right of people with disabilities are not fully taken care of, at the present constitution.

For parties, it is the duty of any government to protect citizens, to provide an enabling environment for their social economy.

The other thing is, equal academic opportunities. We have got, public utility services. The new constitution should provide, for the needs of the disabled, in the areas of daily life, such as telephone services, transport, toilets and parking areas.

Access to credit. Accessibility to loans by the disabled, another major concern is that, the new constitution should address, special loans with low interest pressed for disabled. This will cut short the circle of poverty.

We have got, the other thing is official health. The new constitution should provide for the offices, from sub location level, to the national level. Where the disabled can get help and seek redress on issues concerning them. If possible, should be a disabled from sub location.

Rights of children. Right to basic necessities, food, health, shelter and clothing, education, free from exploitation, such as child labour. The constitution should impose, deterring penalties for the infringement of these rights, such as, heavy fines.

Interest of the aged. Finally, the constitution should provide for the protection of the maintenance of the aged. It should be provided for the constitution that, needs of the aged, be either guaranteed or subsidies. Such needs include, right to preferential treatment, and say which securing for the services in the hospital. And that is what I have.

Com. Nancy Baraza: Thank you very much Sir, please sign there, give us your memorandum. Stephen Anyanda.

Stephen Anyanda: Waheshimiwa Commissioners wa Katiba, salamu. Ni mengi imezungumzwa, ambayo nilikuwa natarajia kusema, lakini, nitazungumza yale ambayo nimefikiria kusema. My name is Stephen Anyanda.

Mambo ya Katiba, nitazungumza habari ya vyama. Wamezungumza, mimi nimeonelea nizungumze. Inatakiwa vyama, kutokana na Katiba, tuwe na vyama vitatu. Na vyama hivi vinapokuwa kwenye campaign, ambayo wangetoka nje. President ametoka, hawamo serikalini. Naomba tusiwe na mamlaka na mtu yeyote, ndani ya serikali, anatumia vyombo vya serikali. Mtu yeyote anayekuwa kwa campaign, anafanya campaign ya kujipatia kurudi kwenye Bunge, awe anatumia mali yake binafsi. Hata awe ni president anataka cheo hicho, lazima atoke ofisini. Watu ambao wataweza kubaki ofisini, kuwezi kueleza mambo ya serikali, anaweza kuwa Chief Justice, na Attorney General. Hao watu ndio wanaweza kueneza mambo ya serikali. Watu wanapokuwa wafanye campaign, ya kuweza kujipatia mamlaka ndani ya serikali.

Serikali imeshapata mamlaka, wale ambao watachukuliwa kutoka ndani ya kupata mamlaka, wawe wamechukuliwa na Bunge. President awe elected by Parliament, vice president awe elected by Parliament, an waziri mkuu awe elected by parliament.

Ya pili, yule secretary, mageuzi iwe ndani ya serikali asiwe katibu au principal secretary. Tuwe na principal secretary ndio atakuwa anahusika na mambo yote ya serikali, ndio tunakuwa na permanent secretaty nyuma yake. Tena hao wote, wanaokuwa ma regional commissioner, not P.C kama siku za ukoloni tugeuze wawe ma regional commissioners.

Na tuwe na area commissioner. Na hiyo area secretary.

Na sub chief, wawe wanachaguliwa na community wenyewe, kuchukua ule anafaa sub chief, kwa sababu anakaa na raia wale ambao wamekuwa mtaani.

Na serikali inapotaka kuajiri watu, watu wote, National Youth Services, iwe expanded, iwe kila mahali wanafundisha mambo ya siasa. Serikali ilipopata uhuru, wawe wanaelezea kule, ndio wanaenda kuchukua mamlaka ndani ya serikali. Ndani ya National Youth Service, wawe ni vituo kama hivyo, wanaweza education. mamlaka ya serikali wawe wanaenda kuwa trained kule, baadaye ndio wanaenda kuajiriwa na serikali kutoka kule. Majeshi na police, wote wanapitia kwa National Youth Service.

Kuzunguka kwenye wilaya kwamba tunataka, army officers, imekuwa mingi ufisadi sana. Wale wenye mamlaka, wanakuja mahali ambao wanajua watu wanachukuliwa, wanaenda wanapita mlango wa nyuma (End of tape)

Mambo ya serikali iwe inapitia National Youth Service.

Na tena serikali iunde kitu inaitwa political commissar, ambao wanakuwa advised, serikali ikitoa mamlaka, wawe kila area, wale commissar, wanajua hiyo amri inatokana na serikali, inatekelezwa ndani ya wizara hiyo. Awe na mamlaka maalum, ya kuweza kujua watu wagani wanafanya kazi. Asante sana, ndio hayo ambayo nilikuwa nayo.

Com. Nancy Baraza: Asante mzee, enda hapo utuachie memorandum. Bernard Bikasi, Bernard

Bernard Bakazi: Commissioners and other officers, good morning, or good afternoon, sorry. I have got three points to make.

One, according to the present government of Kenya, it has been established that, the president is always the Chancellor of every government university. Where the Vice Chancellor is somebody appointed by the president. We would like in future, the president not to become, a chancellor of a university. We have a system where, this people can be appointed educationally.

Two, the idea of having I.D in Kenya, we call it I.D or National Identity Card, which is used for identification for other things. But if you go to other foreign countries, which are developed, I.D means, one, you have finished university and you have been in a government university. The state should care for this particular student. So that his name or her name will send to the labour. Should be given a chance to get employment or training, then he has to forfeit what he has been getting little like M.R.A, Monthly Commission allowance, for up keep. So that when he is appointed somewhere, he is comfortable, other than leaving the students back to us here, looking for another different job.

Most of our students who go the university, they are young. When they finish the university, they come up and they don't sound like university students. We better introduce the form five and form six classes. So that when they go to overseas, they are always asked, do you have "O" level or "A" level. But here in Kenya, you don't know whether somebody, passed behind door, to America. Why don't we have such classes like Uganda. Uganda student can not go to university, unless you show, that you passed your "A" level. So in Kenya it means, we are just taking any failures to go to the university, as long as you are rich enough. This are my personal views, about what is going our in our beloved country. Thank you.

Com. Nancy Baraza: Thank you very much, please sign there. Caleb Shikokoti.

Caleb Shikokoti: My names are Caleb A. B. Shikokoti, I am here in two capacities. One, I have been asked to interpret for a multi handicapped person, who is deaf and blind, Mr. John Ngaira Shirao, unfortunately he has a toothache, it is a difficult situation to undergo, interpreting for such a person. I have taken a bit of a day or two, but combined some of his wishes, to be presented here. He has a toothache so he has gone for medication, if he comes while we are still around, then maybe you might confirm.

The said gentleman, is trained in agriculture at Sikri vocational Training, but unfortunately there is nothing in the law, that provides employment for the handicapped, or rather, handicapped person are not treated like their counterparts who are normal, when it comes to employment. He seem or he has no employment, and whenever he approaches maybe individuals in the village or even an organization, his handicapped condition, makes him disqualified. So, he wondered because, once he feels it is strange that he cannot do anything for himself, he is married he has had several marriages, but because of financial situations, he has not been able to fix up some of those marriages, because the ladies would prefer when they learn that maybe life may not be that comfortable.

He also suggest that, education should be free for the handicapped, as well as their training in various courses. Because, whichever course he attended, he was sponsored by some Non Governmental Organization. In that, very many of his kind, might be lacking the same, because they cannot fund for themselves. Either for the training or for the education. so, it is his wish that, education and training for the handicapped, should be free.

Job opportunity should be specified, in that, if possible, those companies or firms that can have jobs that, some of this handicapped depending with the condition, can be employed. Then because those firms belief that, the handicapped will perform less, than a normal person. Then the government should subsidies, by paying something small to that kind for a company, so that it can cater for whatever losses, that given company would be experiencing due to, having someone who does not perform to the fullest, if that is so. But according to him, he beliefs that, he can perform like any other person.

He also talked of possibly some allowances could be structured, for the same, so that they can fend for their marriages and food for children and everybody. Because they would like to live a decent life like any other person.

He complains that, he hears that there is something called funds for disabled, but he has never received anything. He wonders what happen with that, and if possible, he says, that fund should be streamlined, so that each handicapped person, who is needy, could get. Because, according to him, some handicapped people are not needy. Despite being handicapped there are other ways of, maybe getting whatever. But some are very, they are poor and they cannot get that, and those have, because according to him, some handicapped person have, I mean can make it to some levels. But, still you will find this kind of fund, goes to the same.

Lastly he says; handicapped person should have access to free medication, or other essential services. Like now he has gone to hospital, he knows he has to pay, he wonders what to do. He sees it as a problem, so he would wish, his sentiments included in the new constitution. (**Interjection**)

Com. Nancy Baraza: This is your last one.

Caleb Shikokoti: Not really, that is my last point according to him, but now, you will give me a little time because I also have my own.

Com. Nancy Baraza: Two minutes.

Com. Charles Maranga: They are two minutes because you have been expanding on views, as if you are the one.

Caleb Shikokoti: I personally (**Interjection**)

Com. Nancy Baraza: Let me ask you on his behalf.

Caleb Shikokoti: Yes.

Com. Nancy Baraza: He says that the women he has married, they are hoping, they go away.

Caleb Shikokoti: Yes.

Com. Nancy Baraza: Are they going away, because he cannot sustain them financially, or because they discovered the handicap?

Caleb Shikokoti: Mainly financially. Because, when they marry him, they know he is handicapped, but when he cannot fend financially, then they have to go.

Com. Charles Maranga: And how come, they don't know his situation, before they marry him.

Caleb Shikokoti: Sometimes marriage does not call for money, you might not know while on marrying, and when you discover that this person cannot discharge some of these financial activities, you simply chuck.

Two minutes might be less, because those were five minutes of him, just give me five.

Com. Nancy Baraza: No, no, no.

Caleb Shikokoti: Okay fine.

I am a Principal in one of the special schools in the Rift Valley. So, I will present my wishes in line with special education.

One, just as the previous speaker that is John, I would call for free education for the handicapped.

As well as, sign language basics should be taught in various places, so that, this kind of fellows, don't have problems in communicating with the people. People should be taught maybe the alphabet and simple things, as pertains to sign language, so that communication can be easy, especially for the deaf and the like.

According to me, approved schools are not catering for what is supposed to be, approved schools have been put under the ministry of social services. Where, instead of children getting some academics, they end up becoming criminals. Because, there, they meet hardcores and all that. I would suggest, approved schools, should be part of this education, so that it can cater for their behavioural change. Otherwise, as what we have now, those fellows are just there, idling, maybe with only two teachers. And they indulge in a lot of funny activities, that by the end of the day, in fact it helps them become more criminals than what they would be.

There is also another are, of the gifted and the talented, in special education. This are areas that have not been catered for, at all, at all in Kenya. There is need for it to be looked at, because there are some fellows, who are geniuses that they cannot operate under the ordinary curriculum. So, these kind of fellows, the government should be give that, it should be alerted that, they can have a differentiated curriculum, so that they can meet their educational goals as adequately as possible.

There is also this bursaries for poor students. Sometimes it is misused. A good example is the Starehe Boys Centre, which started as a school for the poor, but it is no longer for them.

One; it now serves children of very rich fellows. Every district I suggest, every district should have a school that can cater for the poor. So that, this bursaries are collectively taken to those institutions, which can cater for those poor fellows. Otherwise, when each school is allocated those kind of funds, some head teachers can allocate to relatives, friends, and whatever that fund. And then those that, have financial deficits, end up not benefiting.

Severe punishment should be given to any of we, who call ourselves normal, who interfere with the lives of the handicapped. Especially those who go around raping mad women, and maybe whatever other circumstances. Severe punishment, it should not just be looked as someone having raped a person, it should be something beyond that kind of rape, or any other infringement.

All structures should be designed, that is buildings, to cater for the handicapped. Whether blind, whether deaf, whether, physically handicapped all this kind of things should cater for that.

Special education is nowhere in the Act of education. It should be stipulated, what exactly should happen within special education. Otherwise, as per now, it is just something that is running around, and maybe with the N.G.Os and maybe missionaries, and all that. But if it is stipulated, then whichever, I mean, it will have some direction.

P.T.A's, that is Parents Teachers Association, as for now, they play a major role in the schools. But you will find that, in the education Act, the so called P.T.A is not there. So that, it is only a rubberstamp of some kind, it has no powers actually, according to the Act. So, it needs to be enacted, in that, the wishes of the parents, who are the major stakeholders in education, should be official, but not just assumed as if they are suggestions and then the board of governors becomes the overall. (**Interjection**)

Com. Charles Maranga: Your last point.

Caleb Shikokoti: Okay the last point, I would suggest that, the Minister of Education and all those who serve in education ministry, should at least have some qualifications in the same. For example, a Minister should maybe have a masters degree in education. Otherwise, sometimes because of political affiliation, anybody is sent to go and serve in some of this ministries, and not only in education, but whichever ministry should have an expert, in that, they shall serve whichever area, in the most adequate manner. Thank you Sir.

Com. Charles Maranga: Thank you very much, let me ask you one question. The question is onto the G.Ts, now you have talked about G.Ts and how about the slow learners, I want to know, where do you want us to put the G.Ts for example, should they go through the normal schools, or are you suggesting the country to set up new schools for G.T's.

Caleb Shikokoti: You know, when you talk of special education, what people think about, think of the mentally retarded, sometimes it is taken collectively (Interjection).

Com. Charles Maranga: I have already understood that, I want you to answer the question on the G.T's.

Caleb Shikokoti: Okay then, let me do it. The G.T's should have a programme, they can have a programme within an ordinary situation. Even if it Makhokho here, it is stipulated that it is allowed, they can even sit for the form four exams, while in form two, if possible. Because, their brains are working faster academically than the ordinary chap. So there is no need of keeping somebody, just because he has to go through a line of books. He can even get a shortcut and go, like in some of those countries abroad, I mean, this things can be shortcutted, and then somebody, goes through an education system at an easier level, at an easier pace.

Com. Charles Maranga: Okay thank you very much, and register, we will take your points seriously. Now you go and register please, and give that memorandum to us. Ernest Amwayi, Amwayi hayuko. Okay then do we have Patrick Ngaira, okay karibu. Three minutes, give your main points, start with your name.

Patrick Ngaira: My names are Patrick Ngaira, I come from within this location. I have only three points, because most of the speakers have said what I wanted to say, and I don't want to repeat.

I will talk about the Provincial Administration, the set up from the provincial level should be adjusted a bit because, we have the Provincial Commissioner, and D.C's office, D.O's office, the Chief and Assistant Chief. In my opinion, I would suggest, the Provincial Commissioner's office, should be done away with, so that we are left to the D.C's office, the D.O, the Assistant Chief, and the Village Elders should be salaried, because they are doing a lot of work. And then you find that, there are the Assistant Chiefs, the Chiefs and the others who are earning, and actually, they are the village elders, who are even gathering reports and doing a lot of work.

I will go to the prisons department; this is under the ministry of home affairs. The prisons, to my understanding, were meant to be rehabilitation institutions. But what is happening now, they are no longer rehabilitation institution, because you find that, I have seen people who have come out of jail, and it seems that, even they have increased, in doing evil than when they went to prison. So, the ministry should look into the affairs of the inmates, when they are in prison. If it means, they should be rehabilitated, then they must be rehabilitated, not to be left alone, and by the end of the day, they become more worse than they used to be. and I would suggest, the prisoners, be allowed to see their families once in a while. Because I think this will reduce the spread of HIV/AIDS in the prison, because, after somebody has missed maybe to meet the requirement for a man or a woman, you know what will happen in the end of the day.

The last point; I would suggest that the political parties, be trimmed to three or four, and this political parties, be financed by the government equally, and the money should not be used for bribery or entires, to lure people into voting for this people. this money, should be used for staging of rallies, transport and subsistence, and then, this money should be accounted for. Thank you very much.

Com. Charles Maranga: Thank you very much, hand over your memorandum and sign. Noor Abubakar, Noor, it is your turn, three minutes, hatafuatiwa na Patrick Lumumba, Patrick? Hayuko. Haya Nancy Ingavi, hayuko, Kennedy Hamtavi, Kennedy, you are there, okay you are next. Okay proceed.

Noor Abubakar: Thank you. My first point, Noor Abubakar Miheso.

My first point, Kenyans health is deteriorating. We used to have health facilities, but now, we don't have any. If you enter just

the nearest health centre down here, you ought to have at least 500 hundred shillings for treatment.

Com. Charles Maranga: What do you recommend?

Nudin Abubakar: I recommend for the allocation of health, at least, money to be allocated to the health of all Kenyans, as it has been before.

Two, poor management of our funds. We have a lot of harambees and whatever in the republic. For example, the youth funds Ikolomani, we had a lot of money, the money has ended up in the hands of a few, no step has been taken. We need this people to be prosecuted.

Three; freedom of worship. Question of freedom of worship should stop. We should at least have ten denominations. Street churches, closed.

Four; civil servants, like D.Os, D.Cs and Clerks, a maximum of three years in a centre, they get a transfer, because the more they stay they make the area, the home ground.

Number five; we have a lot of dubious papers in the land registrar's office. Land allocation has brought a lot of problems here. Grabbing of public utility land, is at a very high rate, like now, we have even one mama here, she stays in slums at Khayega, her land has been sold, and we have funny title deeds on the shamba. So, I think we should review land regulations.

Six; education of our children has been diluted. The 8.4.4 system should be done away with.

The Kenya School Equipment Scheme should be back. Because the common man cannot afford to educate just a simple primary pupil.

We should have a vote of making appointments, not the president.

Rich people should declare how they got their wealth.

For somebody to be a Councillor or an M.P, he must be a form four, with a division or a C+ and above.

For one to be a president, or to be a presidential candidate, we need him to have served in parliament, for a minimum of ten years. Somebody who has been in parliament for at least ten years, to come up as a presidential candidate. And the person must be elected not nominated. Thank you.

Com. Charles Maranga: Thank you very much, hand over your memorandum. Kennedy, atafuatiwa na John Musungu, ako?

Okay sawa uwe tayari.

Kennedy Shikokoti: My names are Kennedy Shikokoti, and I would like to put the following suggestions to the Hon. Commissioners.

First is about the institutions in Kenya, and my presentation is just oral. The transfer of Principals or Head teachers of the schools in Kenya, should be incorporated in the constitution whereby, we should not look upon where the Principal or the Head teacher comes from, so that he leads a particular school in that area. We should look on the merit of a person, able to lead a particular school. Whether it is in his area, or anywhere in Kenya. Because we are now, looking on nationalism, and not villages or areas that a particular person comes from.

Then we used to have this, the ministry of education, paying its workers, long time ago. But now it seems, the burden has been brought back to parents, whereby parents are supposed to pay fees, which will cater for this workers. It would be better if the constitution will allow, the minister of education, to pay for all this staff, so that the parents do not have a burden of paying a lot of money in terms of school fees.

And also, we have this, this system that has come about, quotes system. Whereby, those who come from Kakamega, they just go to school in Kakamega. Let us use the older system whereby, somebody from Coast province comes to Western Province to learn. So that there is interaction of this tribes. We should not just look at quota system, people from Nandi to be educated in Nandi, people from Kakamega to be educated in Kakamega. Because we want to have nationalism. I hope with those few suggestion, I end up.

Com. Charles Maranga: Thank you very much. Musungu? Halafu, tunae Councillor Fostus Shikutwa, Shikutwa Councillor, you are next.

Josh S. Musungu: Mimi ni John Shivach Musungu, the trial location chairman and vice chairman Ikolomani.

Maoni yangu ya kwanza, baada ya kuona hiyo Katiba vile ilivyo inatatika kuandikwa. Tuna shida katika akina mama ambao hawajiwezi kuenda Kakamega, kwa watu wa land registrar. Kwa sababu hawa wakija, akina mama wanapeleka complian huko, na hawa watoto wanasumbua hao mama. Wakirudi huko kila mara, halafu saa ile wanakuja nyumbani, yule mama hana, kitu, shamba yake wanakata, halafu hao sasa wanatumia jina ya serikali, na hao ndio wanaharibu serikali. Hawa watu ambao wameandikwa na serikali hao.

Point ya pili, tunataka ikiwa inafaa, hii katiba iandikwe. Watoto wakipelekana upande wa police kama army, watu wa

Kakamega, Ikolomani tukiwa na watoto, hao waandike ikiwa huyu anatoka Ikolomani, huyu anatoaka Shinyalu, huyu anatoka Malava, kwa sababu tuna division nne, na hizi division, hakuna mtoto anaandikwa. Hawa wakubwa wanatoka na watoto Nairobi, wanakuja aandikia Kakamega. Sisi ambao wana watoto, babab yao amekufa, wanumia, hiyo ndio shida tunaona, mimi kama kiongozi nimeishi na hawa mama. Shida yetu, juzi watoto walirudi hapa, na hawa watoto wote, wametosha kundi tano, wale watoto waliandikwa, hata mmoja hawezi tosha futi nne, na wemachukuliwa na serikali, hiyo ndio kitu hatutaki.

Number nne, ukiangalia yule mtoto wako vile anatosha, lakini wale wameandikwa, unakuta mtoto mwingine, hata sijui alipitia mlango gani. Na hiyo ndio tunataka serikali iangalie, watu kama hao ni wasaliti wa kuharibu jina ya serikali.

Number tatu, nikimalizia, hii pesa ambayo serikali inachukulia watu kama nominated council, tunataka elected, wale watu tunachagua wenyewe, huyu mtu nominated atolewe, hata hiyo pesa anaharibu na walimu wanalia mshahara, kwa nini hao watu wanakula pesa bure. Wakiulizwa na akina mama, wanasema nyinyi amukuchagua sisi, sasa watakuwa wameandikiwa nini huko Kakamega. Hiyo ndio neno, mimi nafikia pale, kwa sababu malilio yangu wananchi ni hiyo, asante sana.

Com. Nancy Baraza: Thank you.

Com. Charles Maranga: Councillor, unajua ni nikitaja mtu, nataka awe amefika karibu, Councillor Shikutwa, atafuatiwa na Dorcas Muyembe, just a minute Councillor Dorcas Muyembe, hapa tumeruka, just a minute, ni hapa, it is here, Betty Ambani, Betty ako? Hayuko. Sylvanus Lekpuoni, si huyo aliongea jana ama, uliongea juzi, uliongea yesterday, no we cannot take you again, please. Clement Denga, okay you will be next, after you mzee.

Shikutwa: Commissioners, na wageni ambao walikuja na commissioners from Nairobi. Wananchi wa Ikolomani, mimi kwa majina ni Councillor Faustus Shikutwa, kutoka Shikumu ward. Tumekuwa tukishirikiana na wale ambao mliweka katika Ikolomani, kwa mambo ya Katiba, na sasa nitaguzia tu, vitu kidogo ambavyo, wale wengine wata confirm.

Com. Charles Maranga: Three minutes.

Councillor Shikutwa Faustus: Three minutes.

Now, I want to talk about something on the management and use of national resources, where I want to touch especially, on the way it is handled in harambees. I would like if we can use our parliamentarians or parliament, to take care of our national resources especially harambee, the way they are being conducted, is very, it is not very well justified in all areas. You find harambees are being done and a few places are benefiting more than other areas. So, to regulate this, I think it will be wise to have parliament, the apex of controlling the harambees that are being done in this country. The way they are being done, is not evenly being done.

Now, also number two, I would like to talk about, the succession of the presidency, where I recommend, a retiring president should not be allowed in the process of electing the one coming in. That will jeopardize the actual good relationship, and will bring about things that are happening in Zimbabwe, and will create suspicion, on why the president is insisting on somebody, to pick on somebody. And that suspicion can bring about chaos, in the country, and even war. So, we would like that the president in future does not involve himself, in talking about the one that is coming to take over from him.

Now, when I was coming here as Councillor of my area, I would also like to talk about the succession, a point that was given to me by my people from Shikumu. The succession of property and even land, when somebody dies. It is a bit to me, it takes too long. The process now that is being used, where you have this widow going round places, bringing money and the time taken too much. I will recommend that, if the succession death certificates are there, and the Provincial Administration is used on the ground, that should be enough, because, it takes too long, and sometimes when you go to places, you find it is time wasting, and areas of the money that is being given to this widow, or whoever is there are flawed and lost.

Now, also, there is another point about the Kangaroo Courts, we have been talking as Councillors every time, Kangaroo courts are being encouraged by government, especially when you talk about busaa. Askari wamewekwa na they are posted like patrol bases. Na kitu kiko huko tu kimoja, to take care of wananchi, wakati wanatengeneza busaa, na wametengeneza koti, wanachukuwa pesa kwa wananchi at a very alarming state. We would like the busaa to be brought back to curb that evil. Wacha, kwa nini busaa ilikataliwa na Kangaroo courts zimeongezeka. Now, if this was a way of creating some money for policemen, the government should stop that, let people be given the right to make the busaa and be comfortable socially in their own area, and I think I had only that contribution. But for the rest I have at least something here, memorandum which I can give. Thank you very much.

Com. Nancy Baraza: Just sign there and give it to us, Clement Denga.

Clement Denga: Commissioners please niko na homa, kwa hivyo nitakuwa na shida kidogo, but I will be able to put out my points here.

Com. Nancy Baraza: Don't stress your voice if it is too delicate.

Clement Denga: Not very much.

I wish the parliament in this country of ours, to be the supreme, because we elect this people who go to the parliament. And this people have got to control all finances of this country.

Appointment of key positions like Permanent Secretaries, Ministers, Ambassadors, should be made by this parliament.

Generation of worship be made by parliament.

This question of declaring new districts, divisions, local government, should not be there. Should be approved by the parliament.

The question of starting many commissions, which sometimes many of them we have never seen the results, it is just there to spend public funds and we don't know what is happening, it should be approved by the parliament.

Parliament should approve the presidential budget, we should know how many people, the president should go with them overseas and how many journeys has the president to make, not so many as they are now. Because it is consuming public money.

Prime minister's position, should be started in this country and be chosen by the electorate.

Mayors be elected, not the way it is. Because the way they are doing, there is a lot of corruption.

Then there is this situation, of this presidential degree should not be allowed, e.g. it was declared that there should be no busaa, and it became a law. Then we were asking ourselves, people in the reserve don't take this busaa. Nairobians who know nothing about busaa, are allowed to take busaa, yet they are rich. We don't have money here, to buy whisky's, Tuskers, Pilsners and what have you.

Votes be counted in every station. So, that we don't have this question of rigging. (**Interjection**)

Com. Nancy Baraza: Your last point Sir.

Com. Nancy Baraza: Now last but not least, M.Ps defecting from their parties should not be allowed to contest. Because this people are bought and they are people who are causing a lot of havoc in this country. It is very common nowadays.

Com. Nancy Baraza: Thank you Sir, please leave us your memorandum then. Thank you, we shall read it. Mary Shiunza.

Mary Shiunza: Nashukuru kwa commissioners kwa kufika hapa kwa siku ya leo. Ningependa kuongea kuhusu wanawake, vile ambavyo tunanyanyasika katika hii Kenya yetu

Sisi wanawake tunaolewa, huwa tunazungumza na mwanaume, halafu anasema mwende muishi kwanza halafu mtafunga ndoa. Ukishaenda kwake, hataki kufunga ndoa, anasema sijapata ng'ombe za kupeleka kwenu. Unapigwa, unanyanyaswa, kisha

ukienda ku report kule, hakuna kitu chochote kinafanyika, unaambiwa mambo irudi nyumbani hizo ni home affairs, watu wananyamaza hivyo.

Point yangu ya pili ni kuwa, watoto wetu wa kike, huwa wanakuwa pregnant, wanapewa mimba na watu. Watu wenyenyewe wakiona ni mtoto wa shule, watoto wenyewe ukienda ku report, mtu amepatia mtoto wangu mimba, ajaribu kusimamia hiyo mimba ama na huyo mtoto, huyo mtu anakataa. Uki-report, hakuna kitu chochote kinachukuliwa, sheria yoyote hakuna, hapo tunaomba mtutetee. Maana tuko na watoto wengi kwenye hii maboma, wako fatherless. Ukiwa na wasichana wane, wote analeta watoto, mnakaa na mji watoto wengi, hawama mababa zao. Hapo tunaomba pia sisi akina mama, mzidi kututetea.

Na pia akina mama sisi, hawa mama ambao wamepata kidogo kisomo, wamepata kazi, unapata mume anakuwa mkali, ukishapata kamshahara yako, huyo ananyakuwa mshahara yako yote, anachukuwa. Ukijaribu pia kuenda ku report, wanasema hizo ni home affairs, mrudi nyumbani mkajitetee wenyewe, muongee na wazee wale wa nyumbani. Sasa hiyo mambo imekuwa ikitufinya sana, tumetetea, lakini hatuoni vile tunaweza kufanyiwa, ndio tunaomba nyinyi watu wa commissioners, mjaribu kutengeneza hiyo Katiba, iweze kutusimamia sisi akina mama.

Point yangu ya mwisho ni kuwa; hapa kama kwa Ikolomani, unaweza kuona watoto wetu tunasomesha, wakifika kama 8 hivi, watu wanakusanya pesa wakisema, hizi pesa zitasaidia wale watoto hawajiwezi. Labda mtoto amepita, na mtoto wako hajiwezi na bursary ziko. Huyu mtoto wako ambaye ame pass na ni mtoto poor, wewe hauna pesa, wanachukuwa wale watoto wame fail wa matajiri, wanapeleka kwa secondary, wetu watoto wa masikini wanapass na wanabaki nyumbani. Hilo neno pia linatufinya, shukrani.

Com. Nancy Baraza: Ngoja iko swali. Mary, unasema kwamba, watu wanasema ‘come we stay’ then they don’t marry you.

Mary Shiunza: Eeh anasema kuja tukae.

Com. Nancy Baraza: Why don’t you refuse.

Mary Shiunza: Sasa, unamwamini na unampenda, si unajua kupenda hiwezi kuwa control.

Com. Nancy Baraza: You still believe in men telling you come we stay?

Mary Shiunza: Sasa unaona time yako nyumbani, unaendelea kuzeeka, unaona wacha ni kae, halafu tutafunga ndoa.

Com. Nancy Baraza: Sawa, sawa. Enda u-sign hapo, utuachie memorandum. Andrew Wanyika.

Andrew Wanyika: Commissioners, ladies, and gentlemen of Ikolomani, I have a few points to talk before the commissioners. This will be oral, I will not repeat what my friends have already said, only to start off, my intention to put forward the same.

Now, I will talk about the qualification of ministers, local government and central government, salary structure, medical charges. This are the four point I will talk about.

Now, about Ministers, qualification of ministers; a minister should be qualified, in the respective ministries appointments. This is such as Minister of Education, he must have been a teacher, or he must have specialized in that scale also.

Now, local government, and central government. We have had some cases, where double taxes are charged. You will find that local government has no funds, so it taxes people, who are running small small businesses, and in small areas like this one, where they do not even provide services. And, you find also the same central government is charging the same. If the central government thinks, local government is necessary, then they should be able to pay for their way out. For their expense, not to double charge taxes.

And again, there is duplication of services. You go to the local government, you find they have an education officer, and you go to the central government and you find they have an education officer. Both confined in the some area, now what you see, is a duplication of services, which should be removed.

Now, I will talk about salary structure. We have had some funny commissions appointed, to study salaries of workers , of professionals. Such people must come from the same field. let us say, if teachers have to be, if a commission has to be appointed for teachers, then there must be teachers from that line who will be on that commission. And people who are conversant with government salary scales. It is very unusual, you find a commission from private sector, recommending, trying to dispose on the commission to recommend new salary scales. And then they are unable to fulfill those scales, after recommendation. That is very bad, like the case of the teachers, where they were not able to fulfill because this people were not conversant with government revenue. They were not conversant with government salary scale. Such a thing should not be there, it should be stopped. **(Interjection)**

Com. Nancy Baraza: Your last point.

Andrew Wanyika: My last point will be medical. We have clinic at Ikuu here, when you go to that clinic, honestly, the charges are high, extremely high for an ordinary person. This, I do not say that they should not charge anything, they should charge something, but reasonable, just something to offset a bit of the cost, but the government should supplement most of the cost of running hospitals. Not individuals, because individuals are poor. Okay, thank you very much and my name is Andrew Wanyika.

Com. Nancy Baraza: Thank you Sir, please go and sign there, sign your name in our register there. Thank you very much.

Peter Amulele, Peter? David Andaya, please come Sir.

David Andaya: Commissioners, Sir, wananchi wa Ikolomani wote, ambao tumehudhuria hapa kwa mambo ya leo, nina mambo mawili ambayo wenzangu wamzunzia, na ningependa, ni stress maoni mawili. Majina yangu ni David Muyembe Andaya, a retired teacher.

Sitaki kurudia yale ambayo yamesemwa, lakini nitarudia jambo, mambo mawili.

Moja ni kuhusu parliament responsibility. Ni vigumu sisi wananchi tunamchagua mjumbe, kuenda kututetea, na huyo mjumbe anapewa ofisi huko Nairobi. Sasa, vile mama anaweza kumfikia mjumbe huko Nairobi, inakuwa shida. Why cant the government allowe an M.P in his own area, awe na ofisi ambayo watu wake wanaweza kuenda kumwona, na kumpa masilahi yao. Kwa maana, kuna wajumbe wengine wakichaguliwa, hiyo ndio mwisho, anangojea miaka mitano, ndio tena anarudisha urafiki kwa watu wake, kwa hivyo hataki watu nyumbani kwake. Lakini tukiwa na ofisi ambaye itajulikana, hilo jambo litasaidia, tujuwe kwamba, mwananchi alienda, apate usaidizi, lakini alifukuzwa kwa ofisi. But in his home, he has all the right to ban, kuzuia watu kuingia nyumbani kwake. So I am appealing for the government, to think and provide an office, for an M.P, in his own locality.

Now, jambo la pili ni kuhusu umri wa kustaafu. Watu ambao wamezeeka, hao watu, kuna wengine ambao walifanyia makampuni, wengine wanafanya kazi kwa mashule namna hivi, walikuwa wanatumikia wananchi. Tunapenda services zao, lakini inapofikia miaka sitini na tano, onwards, hawana njia ya usaidizi. Kama serikali inaweza ku introduce hali ya kuwalinda, old age, wazee kutokea miaka sitini na tano onwards. Wawe na ulinzi mwema na wawe wakipata honorarium, yaani pesa kiasi fulani, ambacho kinaweza kumfanya huyo, aendelee kujimudu, hiyo itakuwa kitu mzuri. Mmeona mama mmoja ambaye ametetea, mambo kuhusu, yeye hana hata blanketi, bwana alikufa lakini, ukirudi huko nyuma, bwana yake alikuwa ambaye alifanya kazi wakati wa mining, alileta faida kwa nchii. Pesa ambazo hata zitolewe kwa maana yeye alikuwa anafanya mining, zilifanya kazi kupigana vita. So, I am appealing for old age honorarium, iwe ikipeanwa. Mistake ilikuwa yangu, kwa hiyo maneno mawili, ambayo nilikuwa nafikiria, nizungumzie. Regardless of whether alikuwa mfanyikazi wa serikali, au yeye alifanya kazi ya upishi, au alifanya kazi gani.

Com. Nancy Baraza: Tunaelewa.

David Andaya: Thank you very much.

Com. Nancy Baraza: Please sign there. Mary Chisanga, the next one is Mercy Ulwangasi, Mercy,

Mary Chisanga: Kabla sijasema chochote, nashukuru Mwenyezi Mungu, ambaye ametulinda kwa siku ya leo, kukusanyika

hapa kwa hii hall, hamjambo wote wageni wetu.

Mimi ni mjane, kuzungumza kwangu, nazungumza kuhusu wajane.\

Wajane tunaumia sana katika Kenya, na mimi neno langu ni ombi tu, naomba serikali mtusaidie, ili mtupatie, kitu kidogo tuwe tukinunua nyanya na sukuma wiki na kukaa hapa. Kwa sababu, ukiangalia dunia ya leo, zamani bwana alikuwa akifa, halafu ndugu ya bwana anarudi kwa nyumba hiyo. Na ukiangalia huko nyuma kwa historia, wale walikuwa zamani walikuwa na ng'ombe nyingi na mashamba mengi, na kila kitu, ndio walikuwa wanajihitaji kurudisha huyo bibi wa ndugu yake. Na siku hizi mnaona ugonjwa umekuja, na wengine tumezeeka hatuwezi kurudishwa na mabwana. Kwa hivyo mimi maombi yangu, nataka tu serikali mtusaidie, tuwe tukiketi hapa kwenye barabara na nyanya na tomato.

Kwa ufupi ni hayo tu. Kwa maana huwezi kujua kama utapata bwana, kama alikuwa bwana huyo. Kama wangu alikuwa ananitembesha, angani kwa ndege, nimezungunga East Africa, Uganda, Kenya, Tanzania. Na huyo ambaye atakuja, pengine atakuja kulaani watoto wangu. Na hata kwa hivyo makamu haya, mimi sina haja kurudishwa na mume, isipokuwa ni kilimo, na kilimo hiki kinatakika uwe na pesa, ndio ununue dawa, shamba ukilima siku hizi, mahindi haitoki bila dawa, mpaka uweke dawa kwenye shimo, unyunyusie kama mahindi iko futi tatu. Na yangu maoni tu ni hayo machache. Kwa majina ni Mary Chisanga, asanteni.

Mathew Luangasi: Commissioners, ladies and gentlemen, my name is Mathew Luangasi, from Shikumu ward. And I am talking on behalf of a team, that has had some training on voter education, for Ikolomani, we have them here, I hope you will allow me sometime today to having introduce the people here to know who they are. Otherwise, the few points we have here, are;

There is one that is reflecting on our Electoral Commission, particularly in the area that we are going to see, we are going to watch and train observers on, that is reflecting on the malpractices in election. We should be handling that, and we fear that, within it, we need some assistance from the F.C.K, it could be constitution, so that we may have that part rectified. We have malpractices for example here, manipulation of voters, especially the illiterate people, who are ignorant and uninformed.

Then there is vote stealing, manipulation of election process in fact. Threat to the party candidates, and their supporters, the use of abusive language during campaigns, the unwarranted blackmailing of aspiring candidates, the character during the campaign. This areas we have been notified, and we fear one thing, that our system we have now in the government, this offenses when they are committed, they need to be dealt with immediately. But it follows a long lapse so that this offenders, they go even up to parliament, or they become Councillors, and by the time you make up your kind of a case, after that, if the case goes on for so long, until you finish it when the person you were accusing has already stayed in parliament for almost five years. So, we feel that something in that area should be done so that the E.C.K can handle that issue, with immediate effect, even before the

elections are over. That is an area we feel, we look into, and help us to go through.

Then we have this other area, connected with the qualifications for nominations of the presidential candidates. I have a feeling that this person should be, and must be graduate, with a bachelors degree as a minimum requirement.

He should be somebody who has once been elected, as an M.P. and who has served as a minister, for at least five years, in one fully or so, successfully.

He must have proficiency in English or Kiswaili language, or both.

He should be aged between 35 and 70 years, and should be a Kenyan, and who is well established. I say well established because, when he becomes one as a president without money in your pocket, all the money of the country, may become yours as a person, that is what I am fearing here.

Then, parliamentary candidates; also this people should have, and must be graduates, degrees or diploma, as observed and must have some good character.

Proficiency in English and Kiswaili also, very important.

He should be a Kenyan, hailing from that constituency, and aged between 30 and 70. that is the area that we can have a limit.

Civic candidates; should be “O” level certificates, minimum, and fluent in Swaili or English or both.

Aged between 30 and 70 as well.

A Kenyan also, hailing from that civic ward.

And must have a record of good conduct in that area.

We feel, if we have this kind of people, coming up in our government, we are likely to have very clear services coming up, efficiently.

Then, we come to our political parties, and governance. This area, it is our feeling that we have only three political parties. One ruling for example, and the other two opposing, we don't see the need of having so many opposing, and yet they are all saying no, the same no. So, we just need to have only a few. Two of them are just enough, and within this government, with the three parties. Brains maybe in the ruling area or in the opposition, this brain must be used. They must be used in contributing

towards the development of this nation. (**Interjection**)

Com. Nancy Baraza: Your last point.

Mathew Luangasi: What I am saying here is, there should be a coalition government therefore, for this people here. So that all of them are utilized properly.

And then, the ministers who are appointed should, or even their deputies, should have a qualification for those areas where they are appointed. And not just somebody there coming as a learner, to learn and we call him a minister, it is unfair.

Then, second last, our social amenities, all Kenyans have a right to have a social amenity, whether you are rich or poor. You must have a little time to enjoy yourself and so on.

So, we feel, legalizing the brewing of busaa, which comes directly from our maize and wind grain, nothing more. We feel, if you take that busaa, there is nothing wrong with it. So, we want to have that legalization, to be made for that one, particularly. Because our rich people are very few, the poor are very many, and they cannot afford the drinking of Whiskys and Tuskers in the bar and so on. (**Interjection**)

Com. Nancy Baraza: Your last point.

Mathew Luangasi: The last one is about the gender. Gender issue in this country. Statistics from the Electoral Commission of Kenya, indicate that women are 52% of the registered voters in the country. Now, our current parliament and local authorities, have women a constituting only a mere 4.1% and 8.1% respectively. That is (Inaudible). It will be a fair play, if a law in this country, is enacted, to make a provision for gender parity to be reached, between men and men, in parliament and local authority, in the ratio of 1:2 for parliament, that is one third of the parliament must be women, two thirds men. And then 2:3 for civic seats, if this can be taken up there, I think, the brains of the women, that we have in the country, maybe utilized there, and therefore, they can send back whatever we need and so on, properly and so on.

So, and this can be achieved, mainly through nomination. If the constitution allows, a nomination of M.Ps and Councillors of these women particularly, so that this can be established. (Inaudible).

Com. Nancy Baraza: Thank you. A question, what thought do you have on the Ugandan system of proportional representation. That brings about gender parity, do you think it is workable here.

Mathew Luangasi: I think there, in this place, if we apply that nomination part of it, or it can be a rule to say, certain areas for

this session here, we shall have to nominate, there must be a woman here, woman there, and so on.

Com. Nancy Baraza: Okay.

Com. Charles Maranga: I have also a question.

Mathew Luangasi: Yes please.

Com. Charles Maranga: You said now that you have dealt with voter education, you want only three political parties, what about if, the governing party in power, decided to influence the dissolution of other political parties, what do you want us to do, how do you guard against corruption. Because it is easier to corrupt two other parties, like the political leadership, rather than, when we have so many of them.

Mathew Luangasi: We are not encouraging corruption as such, and all we are looking for is, if we can go for a kind of an alliance, to be established, in such a way that the three main parties in the country, be given that opportunity of bringing in this others, until we have those three parties coming up.

Com. Nancy Baraza: Thank you Sir, please sign there and leave us your memorandum. Jerusa Ambira.

Mathew Luangasi: And just before we go, my six members that are going to facilitate the election are here, I would wish to know the public if they can just see them kindly, if you can allow that.

Com. Nancy Baraza: Let me finish with Mary, then I will think about it.

Jerusa Ambira: My names are Jerusa Ambira, a teacher in this division. I have three suggestions, to make to the commission.

My first suggestion is on the women representation in parliament. Currently, we have very few women in parliament, although, we have some who have been nominated to the parliament. I would like to suggest that, since most women cannot afford to make their way to parliament, I would like the nomination, by political parties, to cater for the women, on an equal level, from the provinces. For example, Rift Valley, has more than one woman nominated to parliament, I would have wished that, they were given just one slot, and the other parties nominated members, from the other province. This would have given, every province an equal representation in parliament.

I would also like to make a suggestion to the commission on the elections in this country. I would like the constitution, to ban persons contesting for political parties, from using money to entice voters, into giving them, their votes. This is because, this kind

of trend, has led to wrong leaders being sent to parliament, and as they are there for five years, they wait for another five years to come back and give voters again, another little few coins, and as they are doing this, poverty is eating into Kenyans. I would like people contesting for parliamentary seats or any other political seat, to give Kenyans their ideas on how they intend to help them, develop. Because even the little money Kenyans are given is very little. I was passing somewhere, and women and men were being given twenty shillings, that was at nine in the morning. Twenty shillings cannot even buy a kilo of sugar, or an exercise book for a child.

And then, I would also like to say something about the two presidential term. I think something is a little bit silent on this. We are not told, after the two terms, can this person who has been a president before, can he just go home, enjoy life (**Interjection**)

Com. Nancy Baraza: Give us your proposal.

Jerusa Ambira: I would suggest that, such a person, should not re-engage in political activities again, for example, if you have served two terms as a president, you go home, that person should not be allowed to get his way back to parliament, because, the constitution appears to be silent here. The person can just go back to his people and contest for a parliamentary seat, get back to parliament. And then I don't think the new president will be comfortable in that kind of situation. Thank you.

Com. Nancy Baraza: Thank you very much, please sign there. Lawrence Shikutwa, Mr. Shikutwa. Mr. Shitemi, did you want to present? I would ask Kenyans, if they can allow you to present. Lawrence Shikutwa.

Lawrence Shikutwa: Commissioners and people of Ikolomani, mimi maoni yangu ni kidogo, karibu tatu.

Kwanza ninazungumza kwa ile mambo ya (Interjection)

Com. Nancy Baraza: Sema jina please.

Lawrence Shikutwa: Jina ni Lawrence Shikutwa.

Nitazungumza kwa upande wa presidential powers. Hiyo kitu ndio inaleta taabu katika Kenya. Na hiyo maneno ikiisha, hata maneno ingine mengi hatuwezi kukuwa tunazungumza. President power, tangu sitini na tatu, mpaka sitini na nne, tulimpa yeye president powers, kubwa sana. Na hiyo kitu ndio inaharibu mipango ya Kenya. Kwa mfano, president hatakiwi kuchagua mtu akuwe P.C, hatakiwi kuchaguwa mtu awe P.S.C, au Director. Hata saa hiii, ndio inaleta taabu.

Kama sisi wa Ikolomani, watu wa Kenya, mnachaguwa mtu akuwe M.P, ashindwe na mwingine, wakati anashindwa na

mwingine, unasikia president amenominate yeye kuwa M.P. amepata minister, amekuwa vice president. Huyu mtu anataka kukanyaga wewe na gari, na hiyo power ndio zinaleta Kenya kukuwa bila kiongozi wa kusaidia watu. Kwa sababu wakati mnachagua mtu kama huyo, sasa hata tunampa yeye minister, hataki kusaidia watu wake, anajua tu, mimi nakula nikijua hawa watu walinitupa. Hiyo ni njia moja mbaya.

Na power ingine, wakati tunapewa P.C, president anasema fulani amekuwa P.C, sasa huyo amekuwa kama, youth ring leader wa president. Wakati wewe unasimama na huyo president, kwa tikiti ya Ford Kenya, au D.P, huyo ni youth wing wa president P.C na askari wote. Kwa sababu yeye ndiye amemwandika. Na hiyo power, ndio inaleta taabu Kenya.

P.S.C, kama P.C, kwa nini wasikuwe kama, waende kwa Public Service Commission, itangaze kazi ikitokea, waitwe kwa interview, na makaratasi alikuwa anasoma Ulaya, na makaratasi, nilifanya kazi fulani, nimekaa na watu wangu, awaandike kwa office. Lakini wakati mtu anatoka kwa jela, unasikia amepewa P.S.C, hata hujui alikuwa anaiba nini pahali alikuwa anafanya, sasa atakuja kufanya kazi gani? (**Interjection**)

Com. Nancy Baraza: Tumesikia hiyo, iko point ya pili, na ya mwisho?

Lawrence Shikutwa: Point ya pili, ni ya mwisho, nabadilisha sasa, ilikuwa mzuri nizungumze lakini nabadilisha. Ni mambo ya mashamba. Land Act imeleta taabu, na land Act, wakati mimi nimekufa, nimewacha watoto wangu watatu, kwa nini wasitaje kaburi, na ni watoto wangu, na mimi nimekufa, tutazungumzia na hao wapi. Hao kama watoto wangu watatu, wanaweza kuenda kwa land board division, kama Ikolomani, watatu. Wazee wa Land Board wajue, hawa ni watoto Washikutwa, eee, munataka nini? Tunataka kuona shamba yetu. Hapana kwenda sitaki kaburi, sasa wanazungumza na nani. Kwa hivyo, hayo ndio ilikuwa maoni yangu.

Na iko ingine, nikimaliza nayo. (**Interjection**)

Com. Nancy Baraza: Just one.

Lawrence Shikutwa: Just moja. Hii nikimaliza nayo, tunataka watoto wakimaliza kusoma form four, wakati anaenda kutafuta kazi, anaambiwa, leta barua ulikuwa unafanya, angefanya kazi wapi na ametoka shule. Watoto wakienda kutafuta kazi, asiulizwe leta barua ulikuwa unafanya kazi, aandikwe kazi, na ile certificate ametoka nayo kwa shule. Asante kwa kunisikiliza.

Com. Nancy Baraza: Thank you very much, Mr. Shitemi, please tell us your full name.

DR. Simeon Shitemi: My full name is Dr. Simeon Shitemi, I am from Idakho, just about two kilometres south of this place. First of all, let me say, how greatly pleased I am in seeing both of you in our constituency this morning. Dr. Maranga and Mrs. Nancy Baraza, who is a High Court advocate, and Charles Maranga, Phd, Political Scientist, this are people we worked

together and I know how adequate they are in doing the job they are doing.

Now, I have a few things to present, many of them have been said over and over again, and you will permit me, first and foremost, for old age sake and for experience sake, to say them.

I have a dilemma, where to begin, the dilemma of a mosquito in a nudist camp. I have therefore chosen, deliberately, to start with parliament.

Parliament should be the body with all the authority to direct the destiny of this country, and hindered only by a national referendum, and hindered only by the judiciary if parliament proves to be in the wrong, and hindered by the executive, the president that is, if parliament is taking the wrong turn. While on the point of parliament, I will have to say, members of parliament, those who are elected to go to parliament, should be people who have a proven track record, with good education. They are going to be representatives of the whole country, and we have got to be sure who they are, the experience they have had, whether that experience is relevant still, and whether they are in good health. Because if they are not in good health, they are not going to be doing the job they are assigned to do.

I also want to say, this idea of 65%, as a quake, as a friend, I would say, if I had my way, I would insist of consensus. You win by suggesting 65%, how about the 35% who disagree with you, they go away disgruntled, but they still have a chance to express an opinion which could prove useful. So, I would tentatively or reluctantly agree, that 65% be the bench mark, but my preference is definitely for consensus.

While on the question of parliament, I would also insist that, the elections, when they take place, and members of various parties have presented their candidates, these parties should be limited. I am suggesting only four. We have had, we have a golden opportunity to establish a tradition of 2-3-4 political parties. Because, if we did that, ultimately we are going to find, our energies are channelled through fewer parties, than, as at the present moment.

I want to touch on the position to a head of the executive, the president. The president has to be well educated.

Certainly minimum of a university degree.

And I am also saying, in addition of university degree, if somebody has not had a university degree, but has identified himself, in areas like a distinguished executive, chief business executive in a successful enterprise. Or, somebody who has been well educated, but distinguished himself as a soldier, he may not be a graduate, but somebody of that calibre, in my opinion will qualify.

I have spent most of my working life with the government, I agree with those who have made observations here, presidential powers have been, have not always been wisely used. When you give somebody a lot of powers, the chances are, that he is only human, he could misuse them.

And I think, the process of checks and balances, of the presidential powers, must be very carefully scrutinized, and balanced. I feel confident, that under Prof. Ghai and his very able commissioners, these points will be emphasized, because, if it is not emphasized, we shall find ourselves in the same position where, a president orders the tarmacking of Thika Road, from Ruiru Juja to Gatundu, and it is tarmacked within, three months of president Kenyatta getting into power.

My friends, in Ikolomani constituency, the only tarmacked road we have is 5 Kilometers, from the D.Os office up here, to the boundary of Vihiga and Kakamega, 5 Km only. There is a ka-road from Sigalagala to Butere, two weeks ago, the government published, that, that road spent 90 million shillings to put it right. I am on that road a lot of time, because I am on the board of governors, Musoli Girls High School, and I don't come out without punctures, the road was not done. We need that, the truthfulness, the transparency, the integrity of a good government to be able to lead this country so that, when Butere road is done, it is done because it is a busy road, and not because, suddenly Martin Shikuku has become a president there. But I will touch on the question of (**Interjection**)

Com. Nancy Baraza: Daktari are you going to your last.

DR. Simeon Shitemi: I had pleaded for a little understanding, I think, if you allow me just four, I will go through them quickly.

Com. Nancy Baraza: Okay fine. (End of tape)

First of all, if you have a federal structure, and the money is voted, for every province for development, or a certain criteria, which is balanced and which is fair everywhere, the chances are, that if Western Province is falling behind, Western Province will be the only one to be blamed, not an umbrella blame on the whole government.

I have in my diplomatic career, I have served in New York, which is, U.S is a federal structure. I have also served in Geneva, Switzerland, which is also a federal structure. I have picked Switzerland, as an example of what we could very well have here. We have diverse cultures, if I leave here and I go South, I will listen to my neighbours, the Luo, if they are speaking their language I cannot hear them. If I go East, just 11 miles this way, I am in Kalenjin world, they could be speaking Chinese for all I know. With varied cultures, we need to safeguard the integrity of our culture, and further more, and this to me is very critical. As a former Deputy Provincial Commissioner in Nyanza, the powers that the P.Cs have, if this powers are not contained, we are going to find ourselves with little president in every province, flying a little flag and goinf about feeling very very big. This, if we introduce a federal structure, what is going to happen is, every Provincial Commissioner, will be re appointed, he will now

become the governor of that region or Province, he will be answerable to parliament, of that province, he will not be now, the bully that he has been. The D.Cs will now serve in their district, but they will be answerable to the County Councils, or the City or Municipal Councils, and they will not be bullies, as they have been in the past.

I have gone through Provincial Administration, from the D.Os, D.Cs and so I understand these things, and I should take the advantage of my position to highlight that, and hopefully sell the idea of a federal structure. (Interjection)

Com. Nancy Baraza: Your last one.

Dr. Simeon Shitemi: I will run back to the idea of the head of state appointing Permanent Secretaries, Ministers, what have you. For goodness sake, let this be vetted by parliament. I am speaking as a former Permanent Secretary. But, you see, this is where presidential prerogative, presidential patronage, is abused. I was told you see, the Luhyas I have now given you Shitemi, he will now be one of you. No, I do not want to be an object of presidential patronage, I want to be able to know, I enjoy this position because parliament approved me.

Finally, death sentence; I would like it to be abolished.

Harambees I don't want to see them. In fact, the harambees are not biblical. The bible says, if you are giving, don't even let your left hand know what you are giving. And this harambee movement has been thoroughly abused. The sooner we can put our heads together, and find out how we can help Mr. Shitanya, who has a problem, and see how we can help him.

And election; use of money, no for goodness sake. Let's stop the use of money. Because (Interjection)

Com. Nancy Baraza: Daktari, just finish.

Dr. Simeon Shitemi: Now, I have to obey you. But I was going to say, presidential commissions, for goodness sake, if we are spending money on presidential commission, let us fix a date, when this presidential commissions their reports are published. Let's not leave them in the office of the president, to gather dust. We have had too many unpublished ones.

My final point madam, is this question of gender. I don't agree with this idea of equity, women and the men equity. I am a son of a woman, I do not want, I want to see parliament have 50% women, 50% men, and why not? Which father would like to see his daughter, or for that matter his mother, allowed to play a second fiddle, when in fact, she is well trained, she has experience, she can address the subject, much more compassionately being a mother. You have asked me, that, that should be my last statement. Let me just say, I feel grateful, that you have allowed me to say this things, and I will stop there.

Things like citizenship and what not, all this are dealt with in my memo, thank you very much.

Com. Nancy Baraza: Thank you very much daktari, we value your submissions, please sign there and leave us the memorandum, we do value your submission. Sorry Kenyans, that was just your son, at his best, so you cannot blame me. Benjamin Kavale, oh, I am waiting for somebody who is not coming, Wilson Minishi, Dr. Kalwale.

Dr. Bonny Halwale: My name is Dr. Bonny Halwale, I am a medical practitioner and a politician, I am the chairman of Ford Kenya, Ikolomani. I have the following presentation.

I propose that the new constitution of Kenya, must clear the show, in a preamble. The values and aspirations of the Kenya nation and society. I propose, that this must enshrine the principle of separation of powers, among the various arms of government and enforce limitation of powers. Such that the executive (President) must be trimmed and be checked.

I propose that, governance is the exercise of power, on behalf of the people for their benefit. And as such, the new constitution, should ensure that the government must be accountable directly to the people of this country.

I propose that, the current Provincial Administration in Kenya, is undemocratic, it is oppressive, it is colonial and it is entirely responsible for the exploitation and the poverty perpetuated to the people of Kenya, which has caused deprivation of our people. as such, I resolve that, the Provincial Administration should be abolished. And in its place ladies and gentlemen, we should put a democratic elected system, and this system should be based on economic regional blocks.

I am proposing that we have the following regional blocks in Kenya. The first block will be Western and this should borrow the block of Trans-nzoia district, to be part of the Western block. The second economic block should be Nyanza, followed by North Rift, South Rift, Central, Nairobi economic block, North Eastern economic block, Coast economic block and Eastern economic block.

With that kind of scenario in place, I propose that, we empower the County Councils and the Municipal Councils, to take a bigger role in revenue management. In management of the social service, e.g. education, health care, infrastructure development, development of the environment, provision of clean drinking water, and sanitary management. The same councils, should be given a bigger role in exploitation of our natural resources. Meaning, when tourist will come and visit Kakamega forest and watch our beautiful bull fighting the money realized should be left here, and not to go to Nairobi, to be managed by people who do not know whether a bull has horns or it has tails.

I propose under this, that importation of culture, such that it benefits other areas, should be stopped. We have in Kenya, a situation whereby, the culture of the Abaluhya people, has been imported, or rather exported, to Nairobi, at a place called BOMAS of Kenya, it doesn't benefit us as a people. We would like this to be used locally.

I propose that the Kenya Bill of Rights, under the new constitution, should be expanded, to incorporate, fundamental human rights, such as the right to free primary education, the right to free primary health care, the right to safe drinking water and housing, the right to a basic form of income, for all and the right to equal and fair treatment under the laws of this country. As such, the new constitution ladies and gentlemen, must have a broad based Bill of Rights, inspired not by the rulers, but by the ruled people in the republic of Kenya.

I propose that the executive, that is presidential powers, be reviewed, so as to limit them. And under the new constitution, the presidential powers of appointing and allocating State resources, mainly land, should be stopped. The land of this nation, does not belong to the president, it should be, if any allocation of land should be done, it should be done by parliament.

I propose that, we provide for establishment of civic security, machinery at grassroot levels, to enable local residents, to supplement regular police efforts, in fighting cattle rustling, politically motivated violence and general insecurity. **(Interjection)**

Com. Nancy Baraza: Please be winding up.

Dr. Bonny Halwale: Moreover, I propose that, in order for the police to serve the people and not the rulers, the commissioner of police should enjoy security of tenure, and be appointed by parliament.

Under education ladies and gentlemen, I propose that the educational system in this country, should be entrenched in the constitution. and as we said that, I propose that we adopt, the old well tested and successful system of seven years at primary school , four years in “O”level, two years in “A” level and three years at the university. **(Interjection)**

Com. Nancy Baraza: Please wind up daktari.

Dr. Bonny Halwale: And in conclusion, on education, I propose that, professional teachers, be exclusively in charge of curricula development, so that we avoid a situation, whereby, a scientist like David Koech, he is the one who is being used to develop the curricula of this country, and yet he is not a professional teacher. Thank you very much.

Com. Nancy Baraza: Thank you daktari, please sign there and leave us a memorandum, just leave it there I will get it. Mary Majisu, atafuatiwa na Sebenthia Ambani.

Mary Majisu: Commissioner wetu Mrs. Baraza, na mwenzake na ma ndugu na ma dada nawasalimu wote jioni ya leo. Na nimesimama hapa, kwa huu mjadala wa upande wa akina mama.

Ningependa, upande wa commissioners, Katiba ya sasa kama ingeweza kutupatia nafasi pia kwa upande ya akina mama, kwa

sababu, hata kwa upande wa Bunge, tunatakikana tuwe tumetoshanishwa na wanaume, kwa sababu pia tuna masomo ya kutosha, tukiwa tumelinganisha na upande wa wanaume.

Haya, pia, ningesema upande pia ya akina mama, tungependa kupatiwa nafasi kwa kikazi, kwa pia tuna masomo pia ya kutosha.

Na pia kwa upande wa, tuwe tumeolewa kinyumbani, pia tungekuwa na matanisho upande wa wazee wetu, kwa sababu wangependa kutudhuru sana, kama upande, unapigwa, halafu unapoenda kotini, hakuna chochote kinachotendeka. Lakini kwa katiba ya sasa, tungependa commissioners, mngechukuwa hiyo jawabu kwa upande wa Katiba, wapate kutupatia nafasi pia, kwa kustaki.

Na tena ningependa kuongea kwa upande wa land, upande wa akina mama. Pia tungekuwa na nafasi pia ya kutoshanisha kwa upande wa shamba. Unaweza kuwa mama, umefiwa hata na mzee wako, na pia ungepatiwa nafasi na jukumu ya kutosheleza kuenda kuridili hilo shamba lako.

Na pia tena ningesema, kwa upande wa watoto wetu, wakiwa shuleni, kama wamepata mimba, tungependa pia kuchukuwa jukumu, tupatiwe nafasi kama akina mama.

Na pia ningependa, kwa Katiba ya sasa, kama pia tungepatiwa hata upande wa sheria, pia tungepata kama, nafasi pale kama akina mama. Na ni hayo tu.

Com. Nancy Baraza: Asante Mary. Sebenthia?

Sebenthia Ambani: Commissioners wetu na wananchi wote, hamjambo. Ingawa yenye imenenwa sana, lakini bado niko na points za kusema.

Ningependelea, tuwe na control of family finances or funds, in order to share equally for proper development issues of the family. Because, hawa wanaume, uwa wanapata mshahara, wanaharibu ovyo ovyo, hawana, hakuna sheria ya kusema ati, hiyo pesa inaweza kuwa controlled. Kwa hivyo, kwa katiba ningependelea, iwe percentage fulani, iwekwe kwa mama na watoto, na percentage ingine ibaki kwa baba, kwa sababu huwa wanaharibu finance na akina mama wanabaki bure na watoto.

Na, kufuatilia benefits za mwanaume kama amekufa, ama mwanamke kama anafanya kazi kama amekufa, inachukuwa muda mrefu. Kwa sababu ni kuenda Nairobi, na ikia ingeishia kwa division, ingekuwa vizuri, kwa sababu wale masikini, huwa awana transport ya kufika mbali.

Na zile pesa ya kuretire kwa upande wa akina mama ama baba, huwa zinakaa sana. na hata zinacontribute kwa poverty. Kwa sababu mtoto ikiwa anasoma, anakoma hapo, njaa inaingia, na vitu vyenye vilikuwa vinaendelea kwa boma, vinakaa bila kuendelea. Kwa hivyo, wangeset a specific time for payment, pension. So that, ikiwa mtu alikuwa anaendelea vizuri, aendelee hivyo, kuliko kurudi nyuma. Kama miezi tatu, ingekuwa bora.

Na grassroot women. Wawe empowered, yaani wapate elimu ya kufunza wengine, ili ignorance iishe, kwa wanawake wengine, kwa sababu, ignorance iko kwa wingi, kwa sababu hakuna mtu wa kuwaelimisha. Serikali haina mpango wa kuelimisha hao akana mama. Kama mimi ni Sebentia Ambani, Chairlady wa Ibende sub location, sina elimu yoyote ya kuelimisha hawa akina mama, kupitia kwa serikali. **(Interjection)**

Com. Nancy Baraza: Okay, maliza point ya mwisho.

Sebentia Ambani: Na kwa old age, inatakina waangaliwe sana, kwa sababu wengine wanakuwa na watoto wengi, kama wanaume sana. wanawanyag'anya shamba, halafu wanakaa tu, bila kulima. Wanawadharau, hawawalindi. Na ikiwa mzee amekufa, mama amebaki, anakaa tu, bila kukula anakuwa mwombaji. Asante sana.

Com. Nancy Baraza: Sebentia go and register there. Peter Litonde, utafuatiwa na George Otieno, is George Otieno there, okay kalia karibu.

Peter Litonde: Jina langu ni Peter Litonde Libashura.

Maoni yangu ni ya upande wa ma registrar wa land. Kuna watu, wanaweka question kwa shamba, halafu mwenye shamba hajui, shamba langu limewekwa question. Baadaye utasikia hiyo shamba imechukuliwa na mtu mwingine. Kwa hivyo, maoni yangu mimi naomba, mtu akinyenyekea, halafu aweke question kwa shamba la mtu, registrar aandikie assistant chief au chief barua, mwenye shamba ajue, shamba lake, limewekwa question na mtu fulani.

La pili; wazee wanaweza kupumzikaaje wakati wamemaliza kazi yao, kwa maana wanakimpizwa na A.P, wanakimbizwa na Polisi. Pombe ina makosa gani?

Com. Nancy Baraza: Okay ya tatu.

Peter Litonde: Ni hayo tu.

Com. Nancy Baraza: Asante. Enda uandike hapo. George Otieno, you will be followed by Henry Shikutwa, Henry is there?

George Otieno: Thank you very much for the opportunity you have given me commissioners, I salute all of you in the name of

our Lord Jesus Christ.

First I wanted to start, mine is just oral submission. Although this has been repeated, has been repeated several times, is about the executive office. I want to repeat it. now that, it has been this law that the president is above the law, actually that one should be deleted from our constitution.

Secondly, I feel that the vice president should be elected by the people or should be elected by Members of Parliament, not to be appointed by the president.

Heads of State corporations like Telkom, N.S.S.F, feel those Heads of Corporation, should be elected by parliament, not by the Head of State. And when one is appointed, let's say to Telkom, he should be qualified in that line, not just picking maybe a water engineer to go and head Telkom. I think that one might not work.

Now, when I come to this projects, we normally get aid from donor countries, to implement various projects. It normally passes through Nairobi, and comes to the ground. I agree that, let us say it is for Ikolomani, the M.P and the D.D.C should be allowed actually to see how that money is being spent. Because, most of the money is going to people's pockets. And you just find that it is on paper a water project was actually constructed, when you go the ground there is nothing, I don't know how we can solve that problem, it is a common problem nowadays, we have it. Even roads you find that, it is said that a certain road is tarmacked, but when you go on the ground there is nothing, that one should be controlled.

The beneficiary should be allowed actually to inspect the ongoing work and verify that the work has been done, according to the specification and the money has been spent accordingly.

I want to talk about this salary reviews. It is a fact that this commissioners, who normally are appointed by the president to review the salaries, maybe of civil service, I think that maybe they should come from independent body, rather than the civil servants themselves. Because you find that, the senior officers actually, they will make sure that, they give themselves, they add themselves a lot of money salary, they add their salaries. While the juniors suffer. There is that wide gap, the gap is too wide, from the juniors and seniors. So, the salary Review Commission should be from an independent body.

Finally, I am coming to politics, although it has been said. Defections; I feel that, if one has been elected to parliament, and he happens to defect to another party, he should not be allowed, again to contest that seat. Because that is a waste of government funds, that is my feeling. Thank you.

Com. Nancy Baraza: Thank you very much. Henry Shikutwa.

Henry Shikutwa: Okay, by the names I am a Shikutwa Henry and here are my personal views.

I suggest that, Councillors, Members of Parliament and Ministers should have, a proper certificate, a diploma and a degree respectively. (**Interjection**)

Com. Nancy Baraza: Who?

Henry Shikutwa: Councillors, Members of Parliament and Ministers, should have a proper certificate, a diploma and a degree, respectively as their qualifications.

Elections to be held in two categories. Presidential elections first and then followed by Members of the Parliament, and Councillors next, after a week.

All ministerial portfolio, to be carried by the parliament.

In case of the death of the president, the speaker who is elected by the Members of Parliament, should act as a president for three months, as elections undergo.

The Post of the prime minister to be introduced in our next government.

A president to be rewarded his package, after retiring from an active politics.

An M.P to be elevated to his ministerial portfolio with a degree he holds.

Com. Nancy Baraza: Pardon?

Henry Shikutwa: An M.P, to be elemented to his ministerial portfolio, with the qualification he has to lead the ministry.

Then, we should have free education for all our primary students. Thank you.

Com. Nancy Baraza: Thank you very much, please go and sign there. Abednego Musimbi.

Abednego Musimbi: The commissioner, your chair is highly appreciated. I have at least four points to put across.

One is concerning, the setting aside of funds, to assist upcoming entrepreneurs. The government should set up, at least

government initiating programmes and also some facilities, to help some students, who have undergone some training, to start a project that will help them become employed.

Also number two; industries; to reduce the urban – rural migration and also the rate of insecurity in urban cities, the government should ensure that, all the provinces and also the districts in the country, are fully centralized with industries.

Also, as pertains to the post of chiefs and assistant chiefs, this should be, they should be elected by the people, because they rule the people and it is the people to decide for them.

Also according to the drawing of boundaries. There has been some issues as pertaining some division of the boundary at locational level, also divisional. This one will go on bringing about ethnicity, tribalism and nepotism. So the government should put a stop to that, and go back to the old boundaries. Thank you.

Com. Nancy Baraza: Thank you very much Abednego, please sign there. Beatrice Shivanda, Francis Makachia, Francis? Phoebe Muchesia. Francis Andachila.

Francis Andachila: *Esie nangwe Francis Andakhila.*

Translator: Ninaitwa Francis Andachila.

Francis Andachila: *Likhuwa linje lokhuranga, efwe bandu ba Idakho, si khuli bandu bamayanu tawe.*

Translator: Neno langu la kwanza, sisi watu wanaitwa Idakho, sisi si watu wabaya.

Francis Andachila: *Khulwe isaino, noba nende omwana, shanyola buiyango bwosi bwosi hata buikasi khu omwana oyo.*

Translator: Hivi sasa, hata tukiwa na mtoto amesoma, hatupati nafasi yeyote, hata ya kazi, kwa huyu mtoto.

Francis Andachila: *Khulondekhana nende luluhya, khwekesianga bandu khulia ebiakhulia, lakini isaa ino, barukalukhana.*

Translator: Kwa mila zetu, sisi tulifundisha watu kula chakula, lakini saa hii, wametugeuka wamesema sisi Waluhya, hatujui chenye tunasema.

Francis Andachila: *Khulondokhana nende tsimila tsiefu, ekhuwa ni lilowo, kose amakosa nikaliwo, khurebane sa makhuwa nende munwa khushira omwana khudira likhande ne adirana nende wasio.*

Translator: Hizi mila zetu, tunataka, ikiwa kuna jambo lolote ambalo ni haba, ama makosa imetokea, tuulizane tu maneno na mdomo, lakini hatutaki mtoto ashike kisu, ama ashikane na mwenzake.

Francis Andachila: *Bulia buruchi bwalurinda, nibo bwenya khurula mu bunyakhani.*

Translator: Ile uongozi ambao umetusimamia, ndio unataka kututia katika makosa, ama mashaka.

Francis Andachila: *Biakhabere bilai Rais nalekha mukoa kwa hakari.*

Translator: Haingekuwa busara, raisi awache Mukoa wa Magharibi.

Francis Andachila: *Khubera sina nabula mkoa kwa Rift Balley, akinga makhuwa kosi, yenya kabe eyo.*

Translator: Kwa nini yeye anachukuwa Mkoa wa Rift Valley, anabeba maneno yote, anataka iwe huko.

Francis Andachila: *Afadhali yakhabukule makhuwa kano yaira mu Mukoa kwa Pwani.*

Translator: Afadhali, angechukuwa hii maneno apeleke Mkoa wa Pwani.

Francis Andachila: *Ko, niwekesia omwana wao, ni bilayi omwekesie nali yenyene.*

Translator: Kama ukufundisha mtoto wako akili, ni vizuri awe anafundishwa akiwa peke yake, peke yake.

Francis Andachila: *Kana niko kambere nako. Esie ndarual Bwisukha mwaka kwa elfu ndala nende nende tsimia tisa, thelathini na saba, nitsie abundu wa balanganga mbu Shivanji.*

Translator: Hii ndio yangu mimi niliyo nayo, mimi nilitoka Isukha mwaka wa elfu moja, tisa mia, selasini na saba, nikaenda mpaka kwa mtaani ule alikuweco, walikuwa wanaita Shivaji.

Francis Andachila: *Ndanyola nanywa isoda yaye, nali nende khanyungu khadi nga khari.*

Translator: Nilimpata akinywa soda yake, kwa kamtungi kadogo namna hii.

Francis Andachila: *Inyungu iyo shiyali nende shindu shindi tawe,*

Translator: Hiyo mtungi haikukuwa na mrija ingine, hali yake peke yake

Francis Andachila: *Nendeba shivachi, khubera esies ndulile buisukha, eria muruchi, wali besaa ebo, ulangwa mbu Dhirimo, ne ndakhecha khwe ewe lano nid lubeka lulio lwa buidakho, khulamenya khurie.*

Translator: Niliuliza Shivach kwa sababu mimi nimetoka Ishukha, kwa ule mtawala aliyekuwa huko wakati huo tulimwita Dhirimo, na nimekuja kwako sasa niko upande huu wa Idakho kwako, tutaishi namna gani?

Francis Andachila: *Shavachi ne ambolela khe, abandu balia bawamenyerenge nabo Isukho ni basiani beru.*

Translator: Shivaji aliniambia, wale ambao umekuwa ukiishi nao Isukha ni ndugu zake.

Francis Andachila: *Khula isaa ino, khumenyere bilayi, khubula tsitabia tsindi tsimbi.*

Translator: Hadi wa leo, tumeishi vizuri, hatuna tabia zingine, au mila zingine mbaya.

Com. Nancy Baraza: Elija Ingosi, Andrew Matekwa yuko.

Elija Ingosi: Haya ndio maoni yangu, jina ni Elijah Ingosi, kutoka Shitoti location, Ikolomani.

Nitazungumza kuhusu Katiba yetu. Katiba yetu sharti iwe na utangulizi.

Na haki zetu za kuishi tulipewa na Mwenyezi Mungu, lazima maisha yetu ilindwe kwa vyote na vyombo vya usalama bila mapendeleo.

Sharti tupewe huduma ya bure kama hivi; matibabu na kuzuia magonjwa.

Uhuru wa kutoa maoni, kutembea popote na kuishi, kushirikiana na wengine, popote nchi hii.

Kuhusu elimu yetu; ifanyiwe marekebisho makubwa sana . Masaa ya kusoma ipunguzwe, kuingia iwe kuanzia saa moja, mpaka saa mbili, tuwanze masomo hiyo saa mbili na robo. Siku iwe Juna tatu mpaka Friday.

Mfumo uwe kama zamani 8:6:3.

Pia, elimu ya msingi iwe bure, kutoka nursery hadi secondary.

Na elimu ya chuo kikuu, watoto kutoka jamii masikini wapewe loan bila masharti yoyote katika nchi hii.

Kuhusu chakula, kilimo. Hali ya kilimo katika nchi hii, wananchi masikini hawapewi usaidizi yoyote. Na ikiwa kama tutapewa usaidizi, wa mbegu, mbolea na vifaa vingine ya kilimo, hakuna njaa inaweza kutupa hapa nchini, katika sehemu za mashambani. Kwa hivyo nimependekeza serikali ianzishe, vyama vidogo vidogo vya ushirika, katika sehemu za mashambani.

Kuhusu wana siasa, na vyama na viongozi. Vyama vya kikabila vipigwe marufuku katika nchi hii.

Ninapendekeza tuwe na vyama vya kitaifa visio zidi saba. Sharti vitambuliwe na serikali, iliyo mamlakani. Pia vipewe usaidizi wa kifedha.

Wana siasa au viongozi wanao toa matamshi ya kikabila ama yakuzusha ghasia lazima wachukuliwe hatua ya kisheria.

Usalama wa kitaifa ni kitu ya muhimu sana.

Nitaongea kuhusu uwakilishi wa Wabunge na Madiwani. Uwakilishi wa Bunge katika nchi hii, unafanywa katika mapendeleo. Mbunge akichaguliwa, huwa anadhamini wale walimchagua, na wale ambao hawakumchagua, hawaudumii. Hii pia ma Council. Huwa na ma C.I.D wao wa kuchunguza mienendo ya wananchi, wakiambia huyu akupigia wewe kura, huyu akufanya hivi. Kwa hivyo wale wananchi, wale ambao kwa tiketi wanawachwa, bila usaidizi yeyote(**Interjection**)

Com. Nancy Baraza: Maliza, sema point ya mwisho, tutasoma hiyo memorandum.

Elija Ingosi: Okay, nitaongea kuhusu vikosi vya usalama katika nchi hii. Vikosi vya usalama, havifanyi kazi yao vizuri. Nimependekeza, vikosi vya polisi, wapelekwe training. Ili wafundishwe haki za kina binadamu na kulinda raia.

Pia, nimependekeza vikosi vya usalama, yaani A.P ibadili jina na iitwe P.S, Police Services.

Na ningependekeza pia commissioner wa polisi, hiyo jina ibadilishwe, na aitwe director wa polisi.

Com. Nancy Baraza: Okay asante, tutasoma hiyo memorandum, usifiri tutawacha point zako zingine, asante, nenda hapa ujiandikishe na utuwachie.

Com. Charles Maranga: Next, anayefuata ni Andrew Matekwa, karibu, majina kwanza., dakika ni chache, toa maoni ya muhimu.

Andrew Matekwa: Jina langu ni Andrea Matekwa Isundwa.

Maoni yangu nitazugumza kwa ajili, sisi wananchi kama tunateseka. Kwa shauri ya Bunge.

Shauri ya Bunge, ninazungumza hivi. Wakati sisi tunachagua Wabunge kuenda kwa Bunge, ili watusaidie, hawasaidii kitu. Na sisi wananchi tunateseka hapa. Kwa maana zamani, tulikuwa tunafikia Bunge, wakati budget inasomwa, ilisomwa wakati wanaongeza vitu vingine, na vingine wanarudisha chini. Bunge ya sasa, wanaongeza vitu, ni Bunge bado kusoma. Wakati unasoma Bunge, unasikia usiku wanaongeza ingine.

Com. Charles Maranga: Unataka nini?

Andrew Matekwa: Tunataka serikali itusaidie hapo, kwa maana wenye biashara, wanaongeza vitu, kabla Bunge, kusoma budget.

Ya pili nazungumza kwa sisi raia tunaumia. Wakati sisi tunaumia, serikali haioni maoni hayo. Wakati tunakuwa na akina mama na wazee Nyumba ni huku, mtoto anaweza piga yeye, ama apate yeye, kuchukuwa kupeleka hospitali, tunaon huyo mtu anafuata sisi nyumba, hatujui serikali inasema kwa yeye nini. Na huyo mzee anaumia, anakufa kasri.

Mtu anaushahidi, anaumiza mwingine, au amuuwe, kupelekea serikali, serikali inasema bado tunachunguza. Na hiko ushahidi anaona namna hii. Utaona huyo mtu anarudi nyumbani. Huyo mtu tena, anakaribia kuuwa mwingine, anasema niliwa fulani, hata mimi nitatoka huko.

Kuhusu neno lingine, huko nyuma tuna wazee wanaitwa wazee wa kijiji, Iguru, Iguru alipwi mshahara. (**Interjection**)

Com. Charles Maranga: Haya ya mwisho.

Andrew Matekwa: Iguru anafanya kazi huko, anachukuwa watu wenye matata, anapelekea sub chief, chief naye anachukuwa anapelekea D.O. Sasa, unaweza kuona Iguru anatembea usiku na mchana na hapatiwi mshahara. Tunaomba nyinyi, msaidie maguru, ili wapate sabuni.

Com. Charles Maranga: Haya asante mzee, hiyo ndio point yako ya mwisho?

Andrew Matekwa: Ya mwisho.

Com. Charles Maranga: Asante mzee, kwenda weka sahihi. Shituku Shiengo? Hayuko, ni wewe? Haya kuja haraka haraka, halafu Shikoli Vikasi, hayuko? Musa Aromba, basi uwe karibu., ufuate huyu, baada ya kumaliza.

Shituku Shiango: My names are Shituku Marcellus Shiango, a teacher by profession. I have the following;

On structures and system of government, proposals;

It is our wish to do away with the present Kenya presidential system, and instead adapt a parliamentary system of government, in which an executive prime minister, is elected from the majority party in parliament and the president remains ceremonial, without a vet of powers.

That, the new constitution should establish a federal structure of government, composed of a central government and regional

governments, democratically elected.

That the new constitution must approve the principles of separate powers and entrenchment of checks and balances, amongst the structure or the arms of government.

The legislature; all the appointments to public offices, must be vetted by parliament.

That parliament should have powers to make its own calendar.

That one being a Member of Parliament, should be a full time occupation, with an office in the constituency.

And due to the drop in life span, I propose that, for one to be a member of parliament, should be aged 20 years and above.

For one to be a president or a prime minister, the age limit should be 35 years, and a maximum of 70 years.

The president who should be elected, must be non partisan, by being the link from the legislature.

The person eligible for election as an M.P or Councillor, must have a minimum form four level of education, and be upright with high principles.

That, salaries and benefits of M.P's, must be determined by an independent commission, free from parliament any control.

Com. Charles Maranga: Last point.

Shituku Shiango: The last point is on basic rights. The first basic right that we would like to be put in the constitution is the policy on education. We would like education, for any change within the education system, they should be put, to the professional and later on, amended in parliament.

And then, basic primary education should be free, in the sense that, the government should provide human resources and material resource. That is, all the stationery required in school should be provided, given that, with the current cost sharing, many children of poor people are not schooling.

Then in secondary level; only those bright and needy children should be assisted by the government.

And university; cost sharing is okay.

Another area of basic rights. Cost sharing has revealed that health care, cannot be cost shared because many poor people are not able to get the health care.

Com. Charles Maranga: So what are you recommending, free medicare of what?

Shituku Shiango: I recommend free medical care, free water, free power and free road.

Com. Charles Maranga: Thank you very much, I think we can read your memorandum, hand over. Mzee Musa Aromba. Haya, ongea kwa ufupi kabisa, na utoe ile maneno ya muhimu, please do adjustment, okay amefanya, thank you.

Musa Aromba: Maoni yangu, (**Interjection**)

Com. Charles Maranga: Aanza kwa majina.

Musa Aromba: Majina ni Musa Aromba Juda.

Maneno yangu ile inanileta hapa, ninaona sisi tulikuwa na, nilikuwa chairman wa K.A.N.U, ndio tulipigania uhuru, tunataka utingize uhuru. Halafu uhuru na kwisha ingia, nyuma yake, sisi tunaleta, tunaona watoto wetu kama wako mbali mbali. Hawana kazi tukachukuwa mahali ilikuwa kifo moja.

Tuna pia majimbo sita. Ninaona ni kitu gani inawashinda kufanya. Ukiingia ofisi yao, wanakuambia hii ofisi mimi nalipa, toa pesa. Unakwisha toa pesa hiyo, hawakufanyii vile wewe unataka.

Kwa hivyo, tunataka hawa ma chief, wapate kuwa miaka tatu kwa kazi. Halafu kama wanaonekana wazuri, tena wananchi wawachaguwe, kuwaongeza. Maana yake, kwa hivyo, wanaona ng'ombe za watu zinakwenda, hawasaidii kungoja. Wanagonja pesa tu, unawaambia ng'ombe yangu imekwenda, na yeye anarudisha mkono nyuma. Unamwambia yule ng'ombe anakwenda, na yeye anarudisha mkono nyuma. Jamani, hii mkono wa nyuma inaomba nini? Hii ya mbele, ndio ilikuwa inafaa kuomba kwa ofisi, (Inaudible) kwa sababu yeye anakwishaandikwa.

Com. Charles Maranga: Haya mzee, ndio ya mwisho hiyo?

Musa Aromba: Neno langu lingine, ni kuona pesa zinatoka nje, watu wanakuja kusaidia nchi hii. Hatuwezi kujua kama serikali inaweza kuwa inadanganya sisi. Tulisikia watoto wale, mama yao amekufa, baba yao amekufa, kwa ukimwi, ati watapata pesa. Jamani sisi hatuoni hizo pesa, tunao watoto kwa hivyo, ukiwa mtu mzima, halafu uibe wenzako pesa isaidie hao watoto. Halafu uwone, hawa watoto hawajapata, je, mwenye kutoa hiyo pesa, anaona nini? Hiyo ndio neno mimi naona.

Com. Charles Maranga: Okay.

Musa Aromba: Mwenye kutoa pesa, anaona nini?

Com. Charles Maranga: Asante mzee, weka sahihi, thank you very much. Joseph Mudanyi, utafuatiwa na Noah Alielo, Noah hayuko, tunayo Doctor, oh, huyo ameongea, just a minute, Joseph Mudanyi, ngoja kidogo, just a minute, George Alusiola, George, you will be next.

Joseph Mudanyi: Katiba, na wote mmefika katika nyumba hii, kwa majina naitwa Joseph Mudanyi Kiongothia, kutoka hapa Makhokho sub location.

Nasema hivi, leo tuko na furaha, kitu ya kwanza, ni kushukuru, kuwapatia shukurani kubwa, kuleta katiba kama hii, hapa Makhokho, kwa sababu, wale walitengeneza katiba ya kwanza, sisi hatukukuwa. Na hii ya sahihi, tumekuja, tunataka tuongee, tujue ule president tutachagua atatusaidia namna gani, na wale watu tutachagua, watatusaidia namna gani? Kwa sababu tumekuwa mara kwa mara, kuanza upande wa elimu. Elimu ya chini, iko na shida sana, kuanzia darasa la nursery mpaka standard eight. Kila mwaka imekuwa, tunasema ati elimu ni ya bure. Halafu mtoto wa nursery unalipa kila mwezi silingi mia tatu, unalipa mahindi, unalipa maharagwe, unalipa mtoto wa standard one, unaenda unanunua desk ya kukalia, unalipa pesa za N.D.C.

Ningetaka, mkuu wa elimu, mtuambie mkifafanua ya kwamba, ni vitu kadha mtalipa, kama nyinyi wazazi. Kama ni kulipa vitu pesa za askari, yaani watchman, kama nikulipa pesa za nini, tujue ni pesa ngapi tunalipa, kwa sababu imetusumbua sana.

Na upande mwingine, tuko na umasikini mwingi. Hii mashamba yetu haina vifaa, kwa sababu tumejaribu vile tunaweza kufanya tupate manufaa kutoka kwa mashamba. Tumeambiwa mukae nyumbani mlime kwa sababu miaka inakataa. Lakini tukilima shamba yenyewe hatutoi mavuno. Kama saa hii, mwaka huu tulilima, hakuna kitu tumepata kwa mashamba, baridi iliweka hiyo vitu yote chini, tusaidiwe.

Upande wa N.S.S.F, watu wengine wamewacha kazi, na miaka arubaini na sita, wengine wamewacha na miaka arubaini na nane. Hizo pesa, ukienda kutaka kuchukuwa form, unaambiwa miaka yako haijafika, na watoto huku wanakaa bure, huna vile utalipa school fees, tumeshindwa vile tunaweza kufanya, kwa hivyo tungeomba katiba, mtuambie vile watu wanapewa golden handshake, imeanza kuwa, hawa watu watachukuwa hiyo pesa yao namna gani. Yangu ni hayo machache.

Com. Charles Maranga: Asante, thank you very much, kwenda pande hii uweke sahihi. Alusiola, atafuatiwa na Atanas Shimbekho, hako, eeh uwe karibu.

George Alusiola: Asante sana kwa commissioners vile mmekuja, tunawakaribisha.

Yangu maoni, haswa inakuja kwa upande wa constitution. Kwa new constitution tungeliomba ya kwamba, mawazo ya raia, ipewe uwezo zaidi, ipewe uwezo. Yaani the constitution then, should be established and ensure that the will of the people of Kenya is supreme. Hiyo ndio jambo langu la kwanza.

La pili, hii powers za president tungeomba zipunguzwe. Na kupunguzwa, kwanza kitu kama ya Commander in Chief, hii ndio vitu ambayo uleta problem pia kwa nchi. Tungeliomba, choosing watu kama D.C, kama Commander in Chief, hii ipewe uwezo kwa parliament, ndio wawe wanachaguwa watu kama hao. Na hii, haswa hii jambo la Commander in Chief, pia inaweza kupatiwa mtu mwingine kusudi, apate kazi, sio ati mtu mmoja awe akifanya kazi nyingi.

Jambo lingine, ni hii kuchagua watu kama P.C, D.C ama na D.O, hiyo uwezo ipewe parliament, iwe ikifanya hivyo.

Na kwa upande wa ma-chief, tungelisisitiza, ya kwamba hawa chiefs wawe elected na raia. Kwa maana unaleta mtu from Office of the President akiandikwa kazi, mkiangalia mtu mwenyewe mnakuta hata haswa hatoshelezi, ama hawezi kufanya kazi vizuri.

Hii system ya 8.4.4, tunaona ingetupiliwa mbali kabisa, kwa maana tumeona mambo mengi ambayo imekuja, na 8.4.4. labda ilikuwa kwa interest ya mtu, na walimu pia wangejulishwa au wahusishwe kwa kutengeneza hii system.

Jambo la tatu, tungeliomba, kama hii nafasi ya chief, kama haiwezekani, wangeleta coordinators from the Ministry of Public and Social Services. Kwa maana wako na better understanding humo ndani kuliko wale ambao watakuwa employed through the course of the president.

Jambo ya mwisho ambayo ningezungumzia haswa, nii kitu ya Ministry of Finance, inataka iwe, yaani wakitoa report yao, iwe ikitolewa kama mara mbili kwa mwaka. Isiwe tu, inaenda mpaka mwisho, ndio wanarealise later on, shida imepatikana. Hizo point zangu nafikiri ndio ilikuwa (Inaudible)

Com. Charles Maranga: Asante Bw. Lusiola, weka sahihi, Atanas, atafuatiwa na Laban Anyolo, ako? Laban Anyolo? Okay you will be next. Okay Atanas mzee kuja, mara moja. Wacha aseme majina yake kwanza.

Atanas Shimbekho: Atanas Shimbekho Lugazira.

Com. Charles Maranga: Unataka huyu asome, haya soma basi haraka.

Atanas Shimbekho:

Speaker: Okay, katiba yetu, tungependa ya kwamba, naibu wa chief na chief, wachaguliwe na wananchi wenyewe, kupitia kwa kura ya mlolongo. Kwa sababu, serikali huchagulia wananchi viongozi ambao pengine tabia yao, ni za kiburi maishani mwao. Na baadaye, usumbua wananchi. Wananchi wenyewe wachaguwe mtu ambaye wanamfahamu tabia zake, tangu utoto, kupitia mlolongo.

Hapo zamani, tulikuwa na hospitali za serikali, za kusaidia wananchi. Vile cost sharing ilivyokuja, watu wengi hufa tu nyumbani, kwa ugonjwa ambao wangetibiwa, wapone juu ya kukosa fedha. Tungependa cost sharing isiwepo, kwa maana Kenya yetu, ni wengi ambao hawajiwezi. The poor are the sufferers.

Kenya yetu imekuwa corrupt. Ukiwa na mtoto amefanya vizuri katika mtihani, na wewe hujiwezi, wale ambao wanajiweza, na watoto wao wameanguka mtihani, huwajiriwa kazi, na yule wa mwenye ajiwezi anakaa tu nyumbani. Wanadanganya watu, walipitia interview, na sivyo. Tunataka serikali itilie maanani, hasa wale ambao wanasimamia interviews, wawe wakitoka sehemu za mbali, ili wasiwe wanamfahamu yeyote ambaye anaenda kuajiriwa. The poor are continuing to be poor, while the rich are continuing to be rich.

Kuna watumishi kwa wote, yaani (Police). Wanaajiriwa kusaidia wananchi, juu ya uwizi, uuaji, e.t.c. wameacilia hiyo kazi, wanatafuta, kwa akina mama pesa, kwa maana wametengeneza (busaa). Mshahara wao kando, pesa ambazo wanatafuta kwa wananchi kando. Wananchi wamechoka, na wanataka, kwa vile busaa ni tradition ya mwafrica, wawachiwe, wasishikwe na police.

Haya, ni kutoka kwa mzee Atanasi Shihembekho, Lugaziva, sub location Shiangeto location, Eregi, iliandikwa tarehe sita, mwezi wa nane, mwaka wa elfu mbili na mbili.

Com. Charles Maranga: Asante mzee wangu, aende hapo aweke sahihi, na apatiane hiyo memorandum.. Laban Anyolo, atafuatiwa na Alfred Indecheko, Indecheko ako, Alfred? Alfred ako? hayuko. Atema Noah, Atema, kuja karibu hapa.

Laban Anyola: Yangu, commissioners wa Electoral Commission (**Interjection**)

Com. Charles Maranga: Anza kwa majina yako, hii ni Constitution of Kenya Review Commission, sio electoral.

Laban Anyola: Okay, mimi naitwa Laban Anyolo, kutoka Shirumbo ward. Na nilikuwa na maneno mengi ya kusema lakini sitasema yote, kwa maana nimesha attend, several kind of this meetings, I mean constitution. Nitachukuwa tu maneno machache ambayo nataka kusema, na nitaenda haraka.

Ya kwanza, ningependa administration, that means, utawala, upunguzwe, kutoka, tubakie na yule mzee wa mtaa, anaitwa Iguru, na tubakie na sub chief, na tubakie na D.C.

Number mbili; ningependa mambo ya mashamba, iwe handled na wale watu wana deal na mashamba kama wazee wa mtaa, that means Iguru, na wale wako kwa land board. Not involving watu kama sub chief, na ma chief, na ma D.O.

Na number tatu, ninakuja kwa point ya M.Ps, defecting M.Ps. Mtu ameshachaguliwa kwa chama fulani, na anafika huko mbele anadefect, anaingia kwa chama ingine, na ameshatumia pesa za wale watu wengine. Sasa kuenda huko, amesahau wale watu walimchukuwa, hata kama ilikuwa chama ingine ya opposition, ameingia K.A.N.U. sasa amekuwa hooked na K.A.N.U na amesahau hiyo pesa hao watu wali spend, na amecreate enmity kwa hao watu. Ningependa watu kama hao, when they defect, they should put their electoral expenses. That means, Electoral Commission must be imbursed. The expenditure which was used by putting that man in parliament, whether he was on opposition ticket, or he was on a ruling ticket.

Number four; appointment of ministers. Ministers wetu wote, ambao wanachaguliwa, wakienda kwa Bunge, we want ministers to be elected according to their profession. If a minister is appointed, a minister for health, he must somebody who has read medicine. Kama ni mtu ambaye amechukuliwa upande wa education, awe ni mtu ambaye amesomea mambo ya elimu. Kama ni mtu amechukuliwa upande wa agriculture, ni mtu ambaye amesomea agriculture. So that they can go to see what is going on there. Ministers wetu wengi, wanakaa kwa office, na they are dictating from there, and they create a lot of problems and corruption there.

Number five, hand out, that means, victimization. Since people have now learnt that, nitakuwa na pesa, nitaguliwa Mbunge, nikichuliwa Councillors, so watu wanangojea tu kupewa pesa. Ukiwa na pesa, utaingia Bunge, ukiwa na pesa, utakuwa Councillor, ukiwa na pesa, utakuwa sub chief, ukiwa na pesa utakuwa Chief. Those things must be abolished.

To finish up, now parastatals. Some may have taken parastatals that have got problem by taking, imposing people into parastatals organization. Parastatals first of all, they were private companies, halafu government made them parastatals, na putting aside the directors of those companies, na involving leaders from government to go and create problems in those companies. Now, by so doing, they have made many parastatals companies, to go bankrupt. Because most of the money is taken, from those parastatals companies to go and be used by other things.

To finish up, prisoners (**Interjection**)

Com. Charles Maranga: That is your last point.

Laban Anyola: Yes, last point. Prisoners; upande wa mabusu kwa majela yetu, bado tu ile ya ukoloni, ukienda kwa jela saa

hii, ile nguo ambayo mkoloni aliweka mabusi, ndio bado hiko, it has not been changed. The terms which are being used by colonial, they are the ones which are being used. We want government to make changes, so that prisoners, can be made to change their behaviors. Because, when they are in prison, they are treated as unwanted people. Na hiyo kitu kama ingependuliwa, somebody will not change, akirudi nyumbani, anaonekana mtu mzuri. Na yangu imefika hapo.

Com. Charles Maranga: Asante mzee wangu, weka sahihi kitabu chetu, na upatiane memorandum Atema Noah, halafu atafuatiwa na Andrew Lutenyo, Andrew Lutenyo ako? Lutenyo, hayuko Rev. Aura Leli, hayuko, okay, Bw. Atema Noah, endelea.

Atema Noah: Yangu nitaanzia na upande wa raisi. Raisi (**Interjection**)

Com. Charles Maranga: Anza kwa majina yako kamili.

Atema Noah: Noah A. Atema. Naanzia kwa upande wa raisi. Raisi ni lazima awe mtu amesoma, na kiwango chini cha elimu iwe “A”level.

Na lazima awe mtu wa umri wa miaka, kuanzia miaka arubaini na tano, na kuendelea juu.

Na, raisi hawezi kuwa na makamu, badala ya makamu tuweke waziri mkuu, ambaye atakuwa akitenda kazi. Na waziri mkuu atachaguliwa na Bunge.

Halafu, nikiendelea mbele, raisi akifa, (**Interjection**)

Com. Charles Maranga: Ongea kwa microphone, ongea kwa hiki kipasa sauti.

Atema Noah: Raisi akifa, ni vizuri kama mkuu wa sheria achukuwe usukani kwa siku tisini, halafu uchaguzi ufanywe.

Na, ikiwa atakuwa na mtu atakaye mridhi, hana haki ya kumchagua yule atakaye mridhi. Yule wananchi wenyewe ndio watakachagua.

Na, tumekuwa na shida sana wakati sheria ya Chief ilipoondolewa. Sasa watu wanafanya uhalifu na Chief anatazama tu kama karani. Ingekuwa vizuri kama hiyo sheria ingerudiwa, halafu chief awe na uwezo wa kumshika mwizi. Maanake uwizi wa ng’ombe umezidi, na chief hana uwezo wa kumshika mtu. Kwa hivyo, ni afadhali kama sheria hiyo ingerudiwa.

Na kwa upande wa Wabunge, nasema upande wa kasisi. Kasisi akitaka kuingia Bunge, au kuwa Diwani, ni lazima awache ukasisi wake. Avue zile nguo za ukasisi, na avae nguo za siasa.

Upande wa uridhi. Wameongea sana akina mama, lakini mimi nitaongea tu kidogo. Ikiwa baba amekufa na amewacha watoto, ni lazima huyo mjane awe mridhi wa hiyo mali, ikiwa watoto wangali wachanga. Watapokuwa, atagawanya hiyo mali kwa watoto wake. Na ikiwa ni mali ya shamba, iwe vijana tu, yaani wavula ndio watakaopata, sehemu ya kishamba. Na ikiwa baba alikuwa bila mtoto wa kiume, hao watoto wataridhi, pamoja na mama yao, ile shamba. Lakini ni lazima aiuze, waende kununua shamba ambapo ameolewa huko. Na ile shamba, yule mtu aliye karibu nayo, jamaa ya karibu, ndiye atakaye nunua ile shamba.

Na kuna uhalifu mwingine unaofanywa, na watu wanaofanya, kuna kunajisi. Hawa watu askari wanawabembeleza sana, lakini wanafanya makosa makubwa. Ni lazima hao watu wanaobaka wanawake, wahukumiwe vikali sana, hata ikiwezekana wachapwe.

Na kuna makosa mengine, ambayo inafanyika kwa watoto wa shule, hao ni walimu. Mtoto wa shule akimtia mimba mtoto wa shule mwenzake msichana, ikiwa anafukuzwa shule, wafukuzwe wote na huyo kijana. Maanake sisi ambao ni vijana, hatuoni shida yoyote, anapotia mimba msichana wa watu. Lakini lazima sisi tu share hiyo makosa. Mtoto mvulana afukuzwe, msichana afukuzwe mpaka atakapozaa mtoto. Na atakapozaa mtoto yule, amnyonyeshe kwa miaka miwili, halafu yule baba wa mtoto amchukuwe kwa kutoa mahari ya ng'ombe wawili na silingi elfu nne.

Ikiwa ni mwalimu aliyemtia mimba msichana mwanafunzi au mtu yeyote, ni lazima afungwe, na awachishwe kazi yake.

Na nikimalizia, kwa upande wa tohara. Sisi Waluhya tunahiri wanaume, na ni lazima sheria hiyo idumu. Kama wakati huu wakutahiri wanaume, mwanaume yeyote ambaye ajatahiriwa lazima atahiriwe. Nimeona visa nyingi ambazo zinafanyika, mtu mwanaume anafika hapa ingawa si mluhya, na hakutahiriwa. Akitahiriwa wanashikwa, hiyo ni sheria, sheria itumike tu. Mtu mwanaume ni lazima atahiriwe, awe mzee au kijana.

Com. Charles Maranga: Asante mzee nashukuru, weka sahihi. Dr. Bonny Halwale, ameenda , okay Councillor Festus Chisanya, atafuatiwa na Ernest Lumidi, lumiti hako, Ernest Lumiti, hayuko, wewe karibu nikuwache, okay utafuata.

Festus Chisanya: My names are Councillor Festus Chisanya Lundikukha.

I propose that, there should be a clause of impeachment in the constitution we are going to have. This impeachment should involve the president, vice president, the ministers and all senior civil servants.

Then number two, I would like we sketch a clause of golden age in the new constitution. Golden age I mean, all wananchi of Kenya, who have attained the age of 70 years, they should be given some money from provident funds. This provident funds

should also come from consolidated fund, to maintain them.

Then again I propose, there should be the office of ombudsman, who will be counterchecking, police and lawyers services to wananchi.

My other proposal is, the civil service commission should be autonomous, should be given powers to hire and fire. So that they should not be interfered with by the executive.

I am almost finishing. I again propose that, the parliament should be given powers, to distribute wealth of our country, equally.

Money loaned to this country, money given to this country in form of aid, should be distributed equally.

Ya mwisho, political parties in Kenya, who are not following the facts laid down in their constitutions, like e.g. each party has got to go to polls, from grassroot up to the above. Which are not fulfilling those clauses, should be abolished or scrapped.

Thank you.

Com. Charles Maranga: Asante Councillor, thank you very much, Lumiti?

Ernest Lumiti: Kwa majina ni Ernest Lumiti, mimi maoni yangu naona hivi.

Oni langu la kwanza, ni kuhusu president. President wetu wa Kenya, anatakikana asiwe above the law. Kwa maana, him being above the law, vitu vingi vimeharika sana nchi hii. Ambayo in most cases, vinaumiza mwananchi mdogo. Kwa hivyo, hiyo uwezo, haitakikani iendelee kuwa na president, ipunguzwe. Ama tuseme president should not be above the law.

Point ya pili, kuhusu kampuni za parastatals companies. Parastatal companies, haitakikani president apewe mamlaka ya ku-select watu ambao wata head parastatal company. Sababu ya president kupewa mamlaka ya kuchaguwa parastatal directors, imefanya parastatal companies, almost zote in the whole state, zimecollapse.

Point ingine ya tatu, kuhusu elimu. State ama nchi yetu ya Kenya, inatakikana iset a plan. Kwa maana, Kenya hii, sio ni Western peke yake, ambayo tuna watu masikini, Kenya mzima as a whole, tuna watu ambao wako masikini, na hao watu wana watoto. Hao watoto wanajimudu kupeleka kwa shule. Tunaomba serikali, ijaribu iwe inatumbia ukweli, yaani serikali ya Kenya, e-lay sheria za kutumia ukweli kwa raia. Kama nikusema watoto wasome bure, wahimize watoto wasome bure, sio kutudanganya. Serikali yetu inatumia hali ya kutudanganya raia, wenye wako kwa hii nchi, hatusikii vizuri hapo. Kwa maana kutokea karibu miaka ishirini hapo, tumetumiwa uwongo kwa raia, kutokea kwa serikali yetu, hatupendelei hapo.

Point ingine ya tatu, ninaonelea, vile wamesema, corruption kwa nchi hii, ime contribute a lot. **(End of tape)**

Wengine ambao watatokezea nyuma, still wataendelea na hii corruption, lakini waki lay sheria ya ku deal na hao wenye wamefanya corruption, wenye wengi tunajua hao, corruption haitaendelea. Nchi haita decline kutokea kwa corruption, vile ime decline at present. Kwa hivyo, mimi sina mengi, yangu imeishia hapo.

Com. Charles Maranga: Asante, weka sahihi kitabu chetu. Councillor John Ashiundu, utafuatiwa na Edwin Nyapane, Edwin you will be next.

Councillor John Ashiundu: Kwa majina mimi ni Councillor John Ashiundu, nominated Councillor, Ikolomani K.A.N.U.

Maoni nitaanza vile ifuatavyo;

Kwa upande wangu, nimeona ya kwamba, formation of political party, imekuwa jambo sio ya busara kuona kwamba, most of the parties in Kenya, zimefanywa kuwa za kubinafsi ama za kikabila. Kama political party ingetaka ku formiwa ama kuwa ziko, they should be only two. Ile ambayo ni kama ni K.A.N.U na zingine ambayo ni opposition. So that they can make a stronger side to fight the government one. Lakini kwa vile tuko na vyama vingi, ambavyo havina maana, ambavyo havina msingi, that is why in Kenya, we have a lot of problems kuhusu mambo ya siasa.

Upande mwingine, naongea mambo ya mashamba, Land Control Board. Tumekuwa na shida, hapo ndio roho ya mwananchi, common man. Tumekuwa na mtindo ambao, utakuta, katika Land Control Board, kuna ma ex-chief, ambao tunahitaji commission hii, isiwakubalie kukaa katika hiyo board, awe sio member. Kwa maana analeta ile mambo aliyofanya akiwa chief, analeta katika hiyo board.

Nazungumzia mambo ya, tumekuwa na mambo kama ya robbery, kama house attack. Hiyo kesi imekuwa, tunataka wale ambao mtu amekushambulia kwa nyumba, au mtu ambaye amekushambulia kwa compound yako, serious action should be taken , against whoever amekushambulia kwa boma yako.

Nakuja kwa upande wa post of the chief. Mbeleni tulikuwa na chief mmoja katika tusema, kama Ikolomani, na tulikuwa na a lot of problems. Lakini wakati huu tumekuwa na a lot of hinderance, hatuna development project ambayo tunaendelea. Ningependelea ya kwamba, wale ambao wanaitwa assistant chief, chief atolewe na assistant chief awe promoted kuwa chief. Halafu the Iguru, something should be, allowance should be taken care, awe akilipwa. Ili kazi kutoka kwa sub location hiyo, iendelee mara moja, kwa maana mambo imesimama.

Tumekuwa na mambo ingine ya kuona, mambo ya busaa. The government is losing a lot of revenue, administration au police

wamesahau kazi yao, wamekimbilia mambo ya pombe. Tungependa serikali isaidie the common man, kwa maana tuko na watu wawili, employed person na unemployed. Hao watu wawili, mtu ambaye anafanya kazi ana uwezo, na mtu ambaye afanyi kazi hana uwezo. Tufanye kazi, this pombe should be legalized busaa, wapewe permission, ili kuendeshe kukunywa kinywaji at their own time. Kwa haya machache asant.

Com. Charles Maranga: Asante Councillor, Edwin Nyapane, atafuatiwa na Ayubu Mugasi Ali, sijui ni Muigaisi Ali, ama Mugasi Ali. Okay, wewe utakuwa unafuata, halafu atafuatiwa na Wilson Minishi.

Edwin Nyapane: Honorable commissioner, my names are Edwin Nyapane, I am proposing the following changes.

To the judiciary and the administration of justice, first the appointment of judges, Judge of Appeal and the Chief Justice. The Law Society of Kenya, the Judicial Commission of Kenya, should be involved in the appointment of people. but favourable candidated should be scrutinized by a panel, and the two most successful candidates, their names should be forwarded to the president, who should appoint one of them to this post.

To enhance the administration of justice, the trial of murder cases, your honor, a clause should be put in that, the police should have a maximum of one month, by which they should be able to prepare committal bundles. The presiding magistrate, should be within 30 days of receipt of those committal bundles, be able to commit, reduce the charge, or acquit the accused person. And the case should not after that, when the accused is either committed to the High Court, the case should not take more than two years. if that accused should be acquitted.

I am proposing a change to the clause of the A.G, whereby the A.G has powers to enter a nolle prosequi, in cases at whatever stage. That clause should be abolished, in that it leave the accused persons at a loss, not knowing whether they have lost cases, won, and this suppresses accused persons to fictitious charges.

On the form of government, I am proposing that a government should be, the constitution should provide for a government of national unity, and a provision should be made, for the post of a prime minister, a president, and a vice president.

I am also proposing that, because the current constitution, provides for an age limit for the president that is 35 years, there should be an upper limit whereby, the president should not be over 70 year.

To enhance of the administration of justice, I am considering that the Chief's Act, should be introduced, and the chiefs be given powers, whereby there should take care of petty offences, and petty offences should be closely looked after.

On the presidential powers, we propose that the president should not be above the law, and a process should be put in place

whereby, the president can be impeached while in office.

We are also proposing changes to the population growth. To curb population growth and poverty, I am proposing that abortion be legalized, the government should set up mechanisms to ensure that, ladies or women, should be able to carry out abortions, at centres approved by the government, by government doctors, and that they should be counselled before they do that.

I am also proposing that the constitution, should be able to put in place, a maximum number of offspring, for a couple to have. in that this maximum number should be three. Any amount above that, that couple should be able to provide supporting proof, that they will be able to take care of those offspring, educate them, and provide shelter. I think that is all, thank you.

Com. Charles Maranga: Thank you, Ayub.

Ayub Mucasiali: Kwa majina, naitwa Ayubu Mucasiali Mukala, Ikolomani division.

Ningependa kusema hivi, tunalialia kila saa, ya kwamba, uchumi umepotea katika Kenya. Na kwa sababu, serikali yetu, yenyewe ndio ilipoteza uchumi huu. Kwa maana kuna sheria ingine zilizowekwa, katika idara fulani fulani, kama Kenya Railways. Uzito wa kiasi fulani uende na Railways. Railways katika Kenya, ndio imeanguka katika dunia mzima. Na hii ni aibu kubwa sana, kwa nchi yetu ya Kenya. Kwa hivyo serikali, lazima ikope pesa, ione Kenya Railways inaendelea.

Ya pili, shamba kwa wanawake. Shamba ni ya Idakho na mwanamke ameolewa huko Kabrati, kwa nini mwanamkea anapewa shamba, anajenga huko Kabrati, halafu akfika huko Kabrati, atafukuzwa na bwana yake yule aliyemwoa. Kwa hivyo inaonekana, shamba yetu imepotelea Kabrati, mambo ya kumpa mwanamke shamba, ninaona ni jambo lingine. Mwanamke huyo anarudi kwenu, anatangatanga, na shamba lote alikwenda nalo. Kwa hivyo, lazima serikali ya Kenya isahishe, iseme, mwanamke aliyeolewa hana ruhusa kuchukuwa shamba la baba yake. Hiyo shamba ilipatikana kwa mikuki, kwa mishale, ni shamba la ukoo. Kwa nini liende mahali pengine.

Mimi nimechunguza sana, nimeona ya kwamba, sehemu, ama yenye mawaziri, ndio serikali yetu ya Kenya, inatazama sana kwa development. Na nchi ile ya upinzani, haifanyi development, ambayo, watalii wakitembea, wanaona Kenya hii ingali nyuma. Na kumbe serikali yetu yenyewe, ndio imefanya Kenya, isiende na development mbele.

Ya mwisho nasema hivi, zamani darasa la form six, ndio walikuwa wanakwenda university, na hao watu, maanake wamelima ama wamestawisha kizungu barabara, wakienda university, wakifundishwa vitu, watavikamata sana vizuri. Kwa hivyo mimi ningependa, watu wanaokwenda university, wawe wanatoka form six irudishwe. Na, sababu, hao wanaotoka form four wanakwenda university, wakirudi wakipewe company, wanaingusha kwa kuwa akili yao ni ndogo.

Com. Charles Maranga: Okay asante mzee, thank you very much, hiyo ndio ilikuwa point yako ya mwisho, weka sahihi. Wilson Minishi?

Wilson Munishi: Commissioners, wale ambao wamehudhuria kusikiliza, ama kuwakilisha repoti zao kuhusu katika commission hii, ningelipenda kuongea maoni ambayo ninaona imekuwa ni tatizo la shida, katika nchi yetu ya Kenya.

Kabla ya uhuru, watawala, ma chiefs, ma assistant chiefs, wamekuwa wakiteuliwa na raia wenyewe. Na wakati huu, baada ya sisi kupata uhuru, watu hawa uwajiriwa na serikali. Na hawa watu wamekuwa wakitatiza, mara kwa mara, wakifanya vitendo visiokuwa vya halali, na hawawezi kutolewa kwa ofisi kwa sababu wameajiriwa na serikali. Maoni yangu ni kwamba, mtu yeyote ambaye ni chief, ama assistant chief, akiwa yeye ni mwajiriwa wa serikali, awe akienda transfer. Chiefs, D.O, D.C, na P.C wanavyoenda transfer kwa sababu ni wanafanyi kazi wa serikali. La sivyo, serikali irudishie sisi wenyewe, tuchaguwe watawala ambao tutaona wanafanya kazi vizuri na wakikosa, tuwafundishe adhabu ama tuwawachishe kazi.

Jambo la pili, ni kuhusu marupurupu ambayo raisi wa nchi hii atapewa akistaafu. Ni jambo la kusikitisha ya kwamba, waliopanga huo mpango, hawakutazama maendeleo ama mahali nchi hii ilipo. Napendekeza ya kwamba, mshahara ama marupurupu ya raisi, itategemea uzuri wa kazi ambayo amefanya, na ile maendeleo ambayo ameleta kwa nchi, kuanzia wakati alichukuwa serikali mahali ilikuwa na mahali serikali imefika wakati anawacha.

Kuna jambo katika Kenya hii ambayo tunaita cost sharing. Commissioners, mimi sioni ni kwa nini tuna cost sharing, kwa sababu matumizi yote ya serikali, inatoka kwa walipaji wa kodi. Ili serikali ifanye kazi, pesa ni ya walipaji wa kodi, na sisi ndio ulipa hiyo kodi. Wakati tutahitaji uduma ya serikali, tena tunaambiwa tununue, na ni pesa yetu ambayo inaendesha hiyo serikali. Jambo hilo ninaona (**Interjection**)

Com. Charles Maranga: Unapendekeza nini?

Wilson Munishi: Napendekeza ya kwamba, cost sharing iondolewe.

Habari kuhusu agriculture, ukulima. Nchi hii tumerudi nyuma sana, kwa sababu serikali ilitangaza biashara huru, na ikasahau ya kwamba wakulima tuko na shida. Serikali imewachia wafanyi biashara wa kilindinafasi ya kuagizia mbolea. Mkulima ukitaka gunia moja ya mbolea ni siling elfu moja mia tano, baada ya kutoa mazao yako, gunia inakuwa shilngi mia nne, utauza mahindi gunia ngapi, ndio ununue mbolea mfuko moja. Jambo la biashara huru, kwa vitu vya agriculture, tafadhali serikali iondoe hiyo kitu.

Maneno kuhusu afya. Afya ni jambo la muhimu sana kwa kila mwananchi, na ni jambo la kusikitisha, kwa sababu kulingana na

manifesto ya chama kinachotawala, walitangaza vizuri ya kwamba, huduma ya hosipitali itakuwa bure. Kwa hivyo ningeliomba ikiwezekana commission, huduma ya hosipitali katika Kenya hii iwe uhuru. Kwa sababu tuna watu wengi, ambao hawawezi kujimudu kugharami, gharama ya huduma ya hosipitali. Tunapoteza WaKenya wengi kwa sababu ya kutokuwa na pesa za kuenda kwa hosipitali,

Now, tunakuja kwa jambo lingine ambalo, wafanyi kazi wa serikali, akisha fanya kazi, anaambiwa katika pay slip yake, miaka yako itafika hamsini na tano wakati fulani. Wakati anaandikiwa barua ya kuwacha kazi, yeye hapewe mishahara yake na marupurupu yake. Inabidi huyu mtu kusumbuka zaidi ya miaka miwili mitatu, kuenda katika Nairobi akisumbuliwa, mara kuja siku fulani, kuja siku fulani. napendekeza ya kwamba, wakati mtu anapewa barua ya kuwachishwa kazi ya kwamba ni retire, marupurupu yake, iwe imetengenezwa pamoja. Barua inatoka na marupurupu yake. **(Interjection)**

Com. Charles Maranga: Ya mwisho.

Wilson Munishi: Jambo lingine ni ili, kuhusu **(Interjection)**

Com. Charles Maranga: Ya mwisho hiyo.

Wilson Munishi: Asante. Kuhusu uridhi, kuna boma nyingine nyingi ambazo zina wanawake watatu wanne. Utapata nyumba moja wamezaa wasichana tupu, nyumba ingine wamezaa vijana. Inapofika wakati wa kugawa mali ya mzee marehemu, utapata wanawake wanakuwa discriminated. Tunajua ya kwamba wanawake ni lazima waolewe, na wewe uwezi lazimisha mwanamke kuolewa mahali ajapenda. Mwingine ameolewa, kufika huko bwana yake amekufa, ajapata mahali pa kuenda. Ninapendekeza hivi, wakati wa kugawa mashamba, kusibaguliwe mtoto wa mzee hata mmoja, awe msichana au kijana. Bali tuweke hapo kiwango, ama jambo fulani la kupinga, ikiwa msicha ule atapata bwana na aoleke, lile shamba lirudi kwa familia, lisiuzwe.

Isipokuwa umenikatisha, nafikiri hayo yatatosha hivyo.

Com. Charles Maranga: Thank you very much asante, Abel Okaka, halafu atafuatiwa na John Shibuyanga, yuko? Very good be ready.

Abel Okaka: Honorable commissioners, I have a few observation to make, I am Abel Okaka, and I would like to say the following;

A lot has been said about the supremacy of parliament, so I don't want to get on that one. But only to add a bit to that bit, is that, I would recommend that the nomination fee, be paid by contestants be waived because, you might find somebody very popular, but he might not be able to afford that ten thousand shillings, which he is being asked for. So, I would recommend that

be done away with.

Secondly, I am now coming to government officials. There are some officials who have been mentioned in several scandals, madhambhi mengi sana. But you find the same fellows are ministers. It beats all logic to retain those people in government. So my recommendation here is that, the moment you are mentioned in a scandal, you should voluntarily on the spot resign. And to avoid some of those rumourmongers and such, laws of libel should be tightened. So that, if you accuse me, you should be able to stand up and be counted, not just to chicken out, by giving fake planations.

And, when I talked about laws of libel, it should even carry life sentence, if you cannot prove your allegations.

Secondly I come to the education system, personally I am a teacher. It is very sad, especially with this 8.4.4 system of ours. When I look back at our years, the form five and six, they used to make somebody very mature, by the time you reach university, you are somebody you could stand on your own. I personally left my father and mother's house, when I finished my "A" level. Those days, you could be employed as a non-trained teacher. My mother only knew I have gone to university, when I was already there, and I had already paid my money. So that is two years, I think they should be brought back.

And on the same education system, although we would not have the resources, but, why cant we adapt that system, which is already somewhere in Germany, I also trained in Germany. Whereby, a child, the parents choose a career for a child, right from the time they go to standard one. if your father decides, you shall be an electrical engineer, they start training you as an engineer right from standard one. The theoretical aspect of it, comes much much later in higher studies, after form four and university. That is when you embark on theory. I say that because, with that type of system, you will find employment will not be a problem. Because at least, you have a career.

And now, we come to resources, how can we make that system be the way it can be. and the only way is to appease donors. I think donors have liked this country of ours, and I would recommend that, we criminalize anybody, it is unfortunate that an individual can make a whole country be at war with donors. So I am saying that, at all levels, it should be very important, that we have good relations with donors.

Now, when it comes to administration of justice, I just want to say something very brief about it. All suspect, whether murderers or whatever, they should be brought before a competent court of law, within 24 hours. Because those 14 days, murders suspects are in custody, anything can happen to force out a confession, our of desperation, because some of those who have stayed in remands, the present remands we have, a person can end up, confessing what he did not do.

Also, be (Inaudible) where murders suspects or rather those who have committed capital offenses, they should be able to get bail. Because, the law says that, one is innocent until proved guilty.

Now, social services; a place like West Germany where I trained for my post graduate, if you didn't have a job, the government has got what we call, a Social Welfare Department. Kama hauna kazi, serikali inakupatia nyumba ya bedroom mbili, na mshahara kila mwisho wa mwezi, na serikali yenyewe ndio itakutafutia kazi, na itakuita kutoka nyumbani, kuja kazi imepatikana. We should have a Social Welfare Department, which should be able to cater for those who are jobless, and of course donors come in.

And finally the last point is freedom of association. We are talking about independence, we are free. I should be able to sit with anybody, but right now, you find that the law says, kama mama anauza chang'aa hapa na mimi ni kama 50 metres, wakipata ile chang'aa hata mimi nakuwa na makosa. Mimi nauliza, kama mimi nina mama anauza chang'aa siwezi tembelea yeye. Nina haki ya kutembelea mama yangu ambaye anauza pombe.

Com. Charles Maranga: Abel asante, John Shibuyanga.

John Shibuyanga: *Esie,*

Translator: Yeye.

John Shibuyanga: *Khumera nangwa John Shibuyanga.*

Translator: Kwa majina anaitwa John Shibuyanga.

John Shibuyanga: *Ndi namarebo kange lakini ni ketsisoni.*

Translator: Ana maswali yake na ni haya.

John Shibuyanga: *Marebo kange kabola endi,*

Translator: Maswali yake inasema hivi.

John Shibuyanga: *Mbola mbu kuliwo msaada khurula ingerekha kwitsanga khukhonya bali bafwirwa khulondekhana nende bulwae bwa ukimwi.*

Translator: Anasema, kuna msaada ambao unatoka ng'ambo, kukuja kusaidia wale ambao wamefiwa kutokana na ugonjwa wa ukimwi.

John Shibuyanga: *Mbola mbu esie nga mulala khu baskhulu balia bafwirwa nende abana khulondekhana nende bulwaye bwa ukimwi, sirionyakho msaada kama oko kulia kwa mbuliranga kurulire ingerekha.*

Translator: Anasema yeye, kama mmojawapo wa wale wazee ambao amefiwa na watoto ambao waliambukizwa na ukimwe, ajawaiipata msaada, kama huo, ambao anasikia umetoka ng'ambo.

John Shibuyanga: *Je, ndeba mbu, abandu balibanyolanga msaada kulia ni bandu aina shi, ni bandu bali tofauti khurula khu esie.*

Translator: Anauliza je, watu ambao wanapata msaada huu, ni watu wa aina gani? Ni watu ambao ni tofauti kutoka kwa yeye.

John Shibuyanga: *Abana balia bandalekherwa, balia babulekhwa nesie omwene ulisiangia.*

Translator: Wale watoto ambao aliwachiwa, ambao ni mayatima, ni yeye mwenyewe anawalisha.

John Shibuyanga: *Abana bano, nesie mwene ubakhonyanga khulondekhana nende masomo kabwe, ne esie ndi mukofu muno.*

Translator: Hawa watoto, ni yeye mwenyewe anaghamia masomo yao, na yeye mwenyewe ni mzee sana.

Na shamba yake, si ati kipimo kikubwa, na hao watoto wangali wachanga sana, watoto kati ya miaka tano na miaka sita.

John Shibuyanga: *Khulwe ako, saba mbu khunywe shinga nga balia bakhonywanga khulondekhana nende obulwaye buno.*

Translator: Kwa hivyo yeye anaomba kwamba, asaidiwe kama wenzake, ambao wanasaidiwa, kutokana na ili janga la ukimwi.

John Shibuyanga: *Simbere na manji tawe, kange kabwira ao.*

Translator: Anasema hana mengi, yake amefikia hapo.

Com. Charles Maranga: Asante mzee, thank you. Sasa mimi nataka kuchukuwa wakati huu, kuuliza kama kuna yeyote ambaye tumemwacha, kutokana na list yetu, kwa sababu tumemaliza, na tunafika mwisho wa kipindi chetu hapa. Kuna yeyote ambaye tumewacha nje. Basi kama hayuko, kwa niaba ya mwanatume mwenzangu ambaye nitarudishia mic hivi karibuni. Nafikiri hiki ndicho kipindi cha mwisho kabisa, katika Kenya hii yetu ya kuchukuwa maoni, na nyinyi ndio watu wa mwisho kutoa maoni hapa, kulingana na ile ratiba yetu ya tume ya kurekebisha katiba, kutoka kwa constituencies. Na sisi kama wana tume, tutarudi Nairobi, ili tuweze tukachukuwa maoni yenu, tukayaandika pamoja, ili yaweze yakapampazwa tena kuleta kwenu.

Na nafikiri kabla ya kumaliza, na kusema asanteni kwa kutusikiza na kufika hapa kwa wingi, na nafikiri ni ishara njema, tumemaliza kipindi hiki na mvua kubwa sana. hii inaonekana ni sawa sawa, na nafikiri Mungu ametubariki sana. lakini, kabla mimi sijamaliza, mimi ningesema asante watu wa Western Province, pamoja na hawa watu wa constituency ya Ikolomani. Kwa niaba yangu binafsi, mimi nasema asanteni, na Mungu awabariki, lakini wacha niwapatie mtoto wa nyumbani ili aweze akatufungia, Nancy Baraza.

