

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS

MALAVA CONSTITUENCY

AT FRIENDS CHURCH, KIVANYWA, MATETE

ON

FRIDAY, 2ND AUGUST 2002

CONSTITUENCY PUBLIC HEARINGS

MALAVA CONSTITUENCY, AT FRIENDS CHURCH, KIVANYWA, MATETE HELD
ON FRIDAY, 2ND AUGUST, 2002

Present:

Com. Domiziano Ratanya
Com. Abida Ali-Aroni

Absent with apologies:

Com. Keriako Tobiko

Secretariat in Attendance:

Ismail Aden - Programme Officer
Mercy Mayabi - Asst. Programme Officer
Suzanne Mutile - Verbatim Reporter
Caleb Amaswache - District Co-ordinator

Meeting was called to order at 10.00 a.m. with Com. Abida Ali-Aroni in the chair.

District Co-ordinator - Caleb Amuswache: Mr. Caleb Amuswache inviting the Pastor Mr. Simon Bilengu.

Pastor Simon Bilengu: Prayers.

Com. Abida: Ahsante sana. Nawakaribisha nyote mliwasili hapa siku ya leo. Tuko na staff wetu kutoka ofisi yetu, tuko na Ismail Aden ambaye ndiye Programme Officer, na anayetusaidea kuandika mazungumzo yenu anaitwa Mercy Mayabi. Na mwingine ni Suzanne Mutile ambaye ni Verbatim Recorder atakuwa ana-record sauti zenu, kwa hivyo mtu yeyote ambaye anazungumza ni lazima atumie kipaza sauti kwa sababu tuna-tape. Pengine mnazona ni ndogo ziko pale lakini zinashika sauti sawa sawa kwa sababu hatutaki neno lolote mtakalozungumza likose kusikizwa. Na mimi naitwa Abida Ali-Aroni naibu wa mwenyekiti wa Tume ya Kurekebisha Katiba. Karibuni. Kabla hatujaanza hii kazi tuna masharti ambayo tungetaka tuyafuate ili tuweze kuwa na mkutano ambao utakuwa ni mkutano unaofuata utaratibu unaofaa. Kwanza kabisa tunawaomba nyote ambao mmefika hapo kujiandikisha kwenye meza ambayo iko pale nje hata ikiwa hautaki kutoa maoni kwa sababu kuna nafasi ya mtu kuja na kuwa observer bila kuzungumza.

Tunawaomba sana ikiwa kuna mtu hajajiandikisha tafadhali enda kwa meza pale nje na ujiandikishe kwa sababu hata kufika na kutozungumza ni muhimu katika hii shughuli ambayo ni ya kihistoria katika nchi yetu. Basi sasa utaratibu tutakaofuata ni kwamba tutataja majina kulingana na vile ambavyo mmejiandikisha na itatulazimu tufuate njia hiyo kuanzia mwanzo hadi mwisho bila kujaribu kuruka majina kwa sababu kuna mtu ana haraka. Nadhania hii ni shughuli muhimu na sisi sote tumeacha kazi zetu kufika hapa. Kwa hivyo tutafanya kulingana na jinsi mmejiandikisha lakini ikiwa tutapata wanafunzi ambao watakuja kwa sababu hatutaki wapoteze masomo yao tutaweza kuwaita watakapofika pamoja na waalimu wao. Ikiwa tuna watu walemavu ambao tunaona wana shida ya kuketi hapa tutawapatia nafasi ya kuweza kuzungumza. Ikiwa pia tutaona saa zimeenda sana na kina mama wako hapa, tunaweza kuwapatia nafasi ya kuzungumza ili waendeleo na shughuli zao za kawaida nyumbani, ili tusipate matatizo nyumbani wakati ambapo tutarudi jioni.

Jambo lingine ni kwamba watu ambao watakuwa na memorandum tutawapatia dakika tatu peke yake ili kujaribu kufupisha mazungumzo ambayo mtakuwa mmeyaandika, kwa sababu tutapata nafasi ya kusoma hizo memorandum wakati mwingine, tutakomaliza kazi hii. Wale ambao watakuwa wanataka kuzungumza tutawapatia dakika nne na tunawaomba kwamba msiseme story ndefu sana kwa sababu ni mapendekezo ambayo tunataka kuyafanya na kulingana na hii shughuli tumeona kwamba mtu akija hapa mbele na kuzungumza recommendation dakika nne zimetosha kabisa. Lakini ikiwa utakuwa na hadithi ndefu basi utataka pengine saa nzima na inakuwa hatuwezi kwa sababu tunatarajia watu wengi zaidi na tungependa kila mmoja apate nafasi ya kutoa mapendekezo yake. Pia ukiwa una nakala au memorandum sio lazima uzungumze unaruhusiwa kutoa hiyo nakala bila kuzungumza ukitaka kufanya hivyo. Baada ya kutoa recommendations zako, ikiwa hatukukuelewa tunaweza kukuuliza swali ili ufafanue zaidi mambo ambayo umetueleza na ikiwa pengine hukufikiria jambo ambalo tumekuuliza si lazima kulijibu ingawa ingekuwa bora zaidi tukikuelewa vilivyo. Na lugha ambayo tutatumia ni Kiingereza, Kiswahili au lugha ya mama kwa mtu ambaye atashindwa kuzungumza Kiswahili.

Lakini tumekuwa hapa kwenu zaidi ya wiki sasa na inaonekana kama Waluhya wengi wanazungumza Kiswahili na Kiingereza. Kwa hivyo ikiwa ni lazima tutatafuta traslator lakini mnajua katika translation lazima mambo fulani hupotea. Kwa hivyo tunawaomba ikiwa unajua hizo lugha mbili tafadhali uzitumie. Ikiwa kuna mtu mlemavu ambaye ana shida ya kuelewa tafadhali

tueleze mapema ili tuone kama tunaweza kutafuta usaidizi. Sasa baada ya kutoa maoni tuna register hapo bwana Ismail ameketi. Tutaomba watu wote ambao wanazungumza wakimaliza waende pale wajaze register na watu ambao watakuwa na memorandum pia watazitoa pale ili ziweze kupelekwa katika kituo kikuu cha Marekebisha ya Katiba ili memorandum hizo zote zisomwe tena na ziweze kuwekwa katika centre yetu ambayo tunakusanya memorandum.

Nadhania kwa sababu hatuna muda mwingi na tumechelewa kuanza ningependa tuanze hii shughuli na tunapenda pia kueleza kwamba tuna mwenzetu ambaye atajiunga na sisi pengine baadaye ameshikwa na malaria kidogo, jina lake ni Keriako Tobiko tulitakiwa kuwa ma-Commissioner watatu na akipata nafuu anaweza kuungana na sisi pengine wakati ambapo tutakuwa tunaolewa tunaendelea na kazi hii. Sasa tunataka kuwaeleza kwamba muna uhuru wa kuzungumza mtu asiwe na uoga wowote kwa sababu sheria ambayo inaturuhusu kurekebisha Katiba imetupatia uwezo wa kusema bila kuwa na uoga. Lakini tunawaomba tutumie lugha ambayo ni nzuri bila kutaja majina ya watu ama kutumia lugha ambayo itamkasirisha mwenzako. Kwa sababu hakuna uhuru usio na kipimo. Tumeelewana? Ahsanteni. Sasa tutaanza na bwana Edward Hisa tafadhali kuja hapa mbele na tutakupatia dakika nne ikiwa hauna memorandum. Ikiwa una memorandum dakika tatu kwa mazungumzo yako.

Edward Hisa. Sasa unajua vile itakuwa tukiendelea hivyo itamaanisha usiku utafika kabla hatujakusikia, sasa nikifika namba kumi nitakuridia ikiwa haujakuwa tayari nitakusahau. Patrick Wasika, uko tayari? Ahsante, dakika tatu.

Patrick Wasike Wanjala: Mwenyekiti Commissioner na wenyeji wa Matete, majina yangi ni Patrick Wanjala Wasike. Maoni yangu kwa Tume hii ni haya. Kwanza katika Katiba yetu ya nchi yetu ningependa tuwe na Katiba ambayo hairuhusu uufisadi. Na itiliwe maanani sana na serikali yote itakayokuwako ya kwamba hatutaki uufisadi katika nchi yetu.

Namba mbili ukabila: Kuwe na sheria kwamba ukabila ni hatia kubwa kabisa. Kabila liwe Kenya. Na yeyote atakayekuwa kiongozi, awe kiongozi wa Wakenya. Nitakuja kwa local government la tatu.

Katiba yetu isiruhusu tabia mbaya. Mwanakenya awe mtu ambaye ana tabia nzuri, ana nidhamu. Tusikope vitu fulani ambavyo vitafanya watu wa Kenya wawe na tabia mbaya vile tumeshuhudia miaka hii yote. Hata imeenda hata kwa watoto wetu wamekuwa na tabia mbaya. Hiyo isiruhusiwe.

Na local government: Chairman wa council yoyote na Mayor wawe wanachaguliwa na wananchi moja kwa moja ili wawe answerable kwa wananchi. Namba mbili - Councillors wawe wanaitwa na wapiga kura ikiwa hawafanyi kazi vizuri kabla hata hawajamaliza muda wao wa miaka tano. Imekuwa taabu sana hapo wapiga kura hata Councillors imekuwa wapiga kura wawahonge ndio wawafanyie maendeleo. Kwa hivyo Councillor yeyote ambaye hafanyi kazi vizuri aitwe mara moja aje kwa wapiga kura na wachague mwingine, hata kama ni mwaka mmoja. Na local government, councils zote ziwe zinafanya kazi chini ya serikali kuu. Kama sasa, kama hatungekuwa na serikali kuu, councils zimetufanyia kazi vibaya zaidi. Now, mambo ya vyama vingi ningesema jambo vile vile ya kwamba, vyama visiwe vingi, lazima tuwe na namba fulani ya vyama kama tatu au mbili. Tusiwe na vyama kulingana na ukabila kwa maana tumeona tuko makabila kama arobaini na mbili na vyama vile vile viko

arobaini na mbili. Hiyo ni ukabila. Tuwe na vyama vichache na wasiwe na uhuru tu wa kuunda chama tu vile mtu anataka.

Na hiyo nafikiri katika elimu ningemaliza kusema ya kwamba, elimu tumeona katika nchi yetu ya kwamba tuna elimu ya bure, lakini kwa sasa ningesema ya kwamba elimu ya bure kufikia standard eight au seven hiyo haitoshi. Elimu ya bure iende mpaka secondary school – form 4. Hapo huyo mtoto atakuwa amekomaa vizuri anaweza kufanya kazi. Lakini elimu ya bure na mtoto pengine anakwamia eight na mtoto kidogo hana la kufanya angali mchanga sana. Kama ingeendelea ingekuwa vizuri na mzigo mkubwa ni secondary kwa wazazi. Hiyo nafikiri mwenyekiti Commissioner na watu wa Matete hayo ni yale ambayo ningesema ingawa kuna mengi lakini nafikiri sitaki kumaliza muda. Ahsante sana.

Com. Abida: Ahsante tumeshukuru. Lakini subiri pengine tuko na swali. Okay ahsante. Jiandikishe pale mzee. Atayefuata ni Esther Walengai.

Esther Walengai: Ahsante sana. My names are Esther Walengai Masinde, Woman Leader in the division and in the whole district. These are my points I will begin with Land. We would like the Government to create locational land boards, where women should be 50% and this should deal with petty cases and finish on the locational level. We have discovered that the costs of title deeds are very high. We would like the Government to reduce the costs and adjust the processes. In fact they take too long for one to acquire a title deed. Title deeds we would like them to bear the names of both husband and wife and even add on two of their children, because men are really misusing land where women are very far. Both boys and girls should get a share of the family land and even property.

The power of Government: the post of the Presidency should rotate into ethnic groups and provinces. The latter should not repeat before others have had their turns. Both the President and the MP's to have only two terms in Parliament. The President should not choose the person to succeed him after his or her retirement but should leave it for the people. Chief and Assistant Chiefs should be chosen by the people. Corruption in Government offices should be dealt with without bias. We would like to have women elders at locational level to deal with women cases and problems.

Local Government: we would Mayors and Chairpersons to be chosen by the people not by Councillors. Councillors allowances should be determined by the Public Service Commission, and in local government we would like women to be 35% and all the nominated chances should be given to women.

On the side of education we feel education should be free from standard one to form four.

Legislature: 35% of the Parliament to be women and the nominated chances to be given to women too. Election: Those who lose should not be nominated because they are rejects. The MP's allowances to be determined by the Public Service Commission but not MPs by themselves.

Health: we would like funds to be established in all hospitals to cater for poor patients especially expectant mothers. We would like medical staff to be trained more on negative attitudes in as they mistreat the patients too much.

Employment: we would like all trained and qualified Kenyans from different colleges to be employed without bias putting gender in consideration. Equal opportunities on job promotion to where gender should be observed very much.

Judiciary: we would like to have elders on the locational and divisional levels to deal with petty cases and finish there. And we have discovered the court fees is very high and it makes even the poor people just suffer with their cases and not to take them forward because they cannot afford.

Retirement: terms of retirement should be reviewed every after five years and all the retired people at least should get yearly increment pension.

Citizens: all Kenyans spouses should get citizenship and all Kenyans should be entitled to have passports.

Political parties: we recommended to have only five registered parties otherwise they are just too many. Some are even inactive and if a person is elected he should not defect from one party to another. In most cases they defect to Government parties which costs the Government a lot of money. That one should not be there.

Poverty eradication: the Government should increase and enforce poverty eradication programmes among women groups.

Com. Abida: You want to wind up now.

Esther Walengai: In fact I am finishing. We want the Government to give loans to small traders with low interest especially women groups and we would like the Government to give loans to farmers as it is the source of our income. Thank you very much.

Com. Abida: Thank you. Please register. Next we have Ben Kisiangani.

Ben Kisiangani: Thank you very much. As you heard my name is Kisiangani Ben Murunga. These are individual views.

(A) **Public land:**

- The Constitution should take away from the Head of State the power to allocate or distribute public land and should order that all public land such as the KARI, Prison the ADC etcetera given to individuals or company be repossessed

and revocation of the title deeds of the same.

- The land that is not utilized and that is not set aside for public utility should be given to most needy people, identified by a group of elected reputable elders including church representatives.
- Genuine title deeds to be issued and bear family names in order to show that land is family owned and survey office to offer free services to land under dispute or in case of the buyer and the seller.

(B) **Economy:**

- The Constitution should state clearly that agriculture is the backbone of Kenya's economy and should receive priority in terms of the investment. That is in funds and technical staff. I suggest formation of independent commission of ten members to run all agricultural activities. This commission should include three members from research, three from universities preferably faculty of agriculture, and four from the Ministry of Agriculture and Rural Development.
- Free market economies force to Kenya by the World Bank should be lifted and permit controlled economy to protect Kenyans and their produce, especially sugar, tea, coffee and maize.

(C) **Public Service:**

- Public servants who wish to contest for political seats should do so by taking unpaid leave but should not be compelled to resign, as it is the case. That is democracy and this will provide quality contestants at every level.

(D) **Legislature:**

- I do not approve the present system where MP's determine their own salaries. I propose that this should be done by an independent service commission.
- I propose that electorate be given the right to recall home the MP incase of breaching the code of conduct in Parliament or missing five sittings consecutively in Parliament or absenteeism in the constituency including living outside the constituency.
- The Constitution should clarify and define the specific needs represented by nominated MPs and these MPs should not have contested and failed in the previous elections. They are therefore rejects. I also propose that since the Parliament is a law making the minimum qualification for the MPs be set, I propose the 1st degree and above.

(E) **Elections:**

General elections should have a fixed date on the calendar, say first Monday of December after every five years. There should be continuous registration of voters who attain 18 years and counting of votes be done at the station where they were cast.

(F) **Bill of rights:**

The 8-4-4 system of education should immediately be replaced by the former 7-4-2-3 system. This is to pave way for a common education in East African Region. Tertiary education to receive priority as regards investment and in all cases the point of entry be the same regardless of gender or region. Hence there is need to revive the middle class colleges which used to take diplomas and S1 courses.

(G) **Religious freedom:**

Should be guaranteed in the Constitution but basic standard of practice and behaviour must be defined in the Constitution. Care be taken to abolish cults and faiths that tend to enslave and deny their members essential basic rights like education and medical services. And on the other hand, those that encourage divorce. Thank you very much.

Com. Abida: I have a question on this issue of freedom of worship. You would like us to ensure that it has basic standards and the same defined in the Constitution. Freedom of worship or you called it Religious freedom, you would like to see basic standards set in the Constitution, do you have anything in mind that you would recommend as basic standards. How do we give freedom of worship and then conditions?

Ben Kisiangani: For religions for example Christians I would imagine that the Bible would be the basic tool that we shall address and these cults and faiths that have deviated from those norms and they are using the same to enslave people and deny them what I have mentioned in terms of medical care and even education. So the basic standard would be that tool that is acceptable universally as a Christian Holy Bible. Anything that deviates from that and the fear that they cause should be dealt with and spelt in the Constitution.

Com. Abida: Ahsante. Just a moment.

Com. Ratanya: Now would you like to give a standard for other types of religion, like tradition religions, because they should also be free to worship? Muslims, traditionalists, Dini ya Msambwa, Mungiki na wengine. They would also like to worship their own way.

Ben Kisiangani: I am not competent to talk about the traditional sect, I would like to address myself and to put on record for Christian sect.

Com. Abida: Ahsante. Please register and leave us with your document. Wakifu Muchenje.

Wakifu Muchenje: Commissioners, watu wa Matete division hamjamboni? Mimi ninawakilisha viwete Matete division. Mimi nina haja na madiwani. Madiwani kutokea kwa Mayor, Chairman wanatakikana wapigiwe kura na wananchi, na wawe na elimu minimum form four. Local Government: Councillor anatakikana awe na class ya standard eight mpaka standard four awe anajua kuandika na kusoma. Halafu achaguliwe na wananchi baada yeye kufanya mbaya wananchi wakuje wamuite akuje huko chini, wananchi tena wamuondolewe kama hajifanyi mzuri.

Jambo la pili: Ninashindwa watu wakifanya eti wanaenda kuona Mtukufu Rais sijaona walemavu siku moja wanawapangiwa siku yao. Katika bunge tunashangaa sana tumepoteza kiwete mwenzetu. Hatuwezi kujua kama Commissioner wataturudishia mwingine. Sisi tunataka viwete tushiriki kwa council tuwe nominated, tuwe nominated kwa Parliament ama wakupigie kura. Kwa sababu hawa watu wanaona mtu mlemavu hata mlemavu na miguu na akili yote ni viungo tu.

Masomo ya watu wazima iendelee. Wazazi wengine wanazaa viwete na wanaficha nyumbani hawataki kuonekana mbele ya watu. Wanawanyima masomo. Kwa hivyo Commissioners tunasema Katiba mpya hii maslahi ya viwete ichunguzwe vilivyo. Assistant chief and Chief wanastahili wapigiwe kura na wananchi, kwa sababu mwingine nilisimama kwa soko tu eti wanichague na anasema siku gani kiwete anaongoza watu. Ni wananchi ndio wamenikubali, nikashindwa sana. Hawa Sub-chief wanatakikana wapigiwe kura ya mchujo aanguke kama anaona. Ahsante sana bwana Commissioner niko na memorandum yangu ambayo nitawapatia. Ahsante.

Com. Abida: Ahsante sana. Jonathan Rabando.

Jonathan Rabando: Chairman of the Constitutional Review Commission committee, members of the public my names are Jonathan Rabando. I would like to address this issue of the Chief Authority Act as it is in the current Constitution. The Chief Authority Act is a colonial draconian law that was meant to kill the chief's excessive powers for the purpose of suppressing the up the up-coming groups that were revolving against the British Government. I therefore propose that the act be abolished since it is outdated in the independent democratic land of Kenya. This was an act that was meant actually to kill akina Otero Okang'o, Anee Nana for the purpose of sabotaging our political movement in this country. So it doesn't work the word in the independent country.

The Provincial Administration. The whole provincial administration panel should be scrapped. Their positions and roles have

always conflicted with other positions in the civil service. For example the District Commissioner is the Chief Security Officer in the District. It defeats logic, the role of the OCPD. The District Agricultural Officer is the Chairperson of the Agriculture sector in the District. It defeats logic how the District Officer can as well be the senior Agriculture Officer in the country. Same is reflected in the DO's office, the chief's office. I propose that the OCPD, the Provincial Police Officer, the District Agricultural Officer should act on behalf of the DCs and the PCs in respective positions. I also propose that the Chiefs and Assistant Chiefs position be taken by the Councillors at respective levels, since their positions and roles are not defined properly.

The powers of the President: the President should not have powers to appoint the Judiciary. This will cause conflict between the Executive and the Judiciary. They should be independent arms. I propose that the Law Society of Kenya propose whoever will be in the Judiciary, in whichever position and whoever is appointed should be vetted in Parliament.

Appointments of Ministerial positions: I propose that the President should not solely appoint the Ministers in Parliament. They should be vetted by the Parliament so that half-baked Ministers with a worrying track record should not be appointed.

In the Preamble: I would like to suggest that in the preamble in the current Constitution it also defined the boundaries of this country. In the current Constitution it does not explain exactly whether Kenya is 582,000 kilometers square and where does it actually reach.

Com. Abida: Please summarise now. I will give you one minute. Please give us your last sentence.

Jonathan Robando: Okay, fine. I would also like to address the issue of the youth. Just like other unfortunate hard hit people in this country, the most unfortunate people are the youth. It will take us a long time to understand why the women are given the two-third position or a third in Parliament and yet the youth are also part and parcel of the system. They are sufferers like any other Kenyan. I propose that in the Constitution the youth to be protected by law and should be represented in Parliament. Thank you.

Com. Abida: Please register and leave us with your memorandum. Next is John Namisi.

John Tane Namisi: Thank you. I have got these as my personal views and there are some which I also tried to answer on the questions of the Constitution. I will begin with my personal views. Cases in court take too long. A case which could even take 2 – 3 months will take a year or more. Then I think the Government should put a limit of cases to take time. There are some cases which take over a year but some cannot even take a year but they will find they have taken more than a year. That's one. The time of remanding offenders, you will find an offender has been remanded will take even a year in remand. When the case is heard he will be given some other time again of imprisonment. Then I feel the Government there is unfair. Why can't

they have a limit of one to be remanded, then his case should be heard? It takes long before the offender is heard in court.

Swindlers of Government money and company money. You will find that they swindle a lot of money when he is a boss in a company. He takes millions of shillings. Even in Government he takes millions of shillings. When they find him guilty they just remove him out and nothing is done to them. If one has lost money, that money should be recovered and at the same time the concerned person should be jailed. This has made people always take a lot of money and go away. They hide it somewhere and use part of the money if he had taken millions to corrupt the court so that they are released and they have money to spend afterwards. There I say money should be recovered.

Com. Abida: Your last point now. Your time is up.

John Tane Namisi: Oh my time is gone.

Com. Abida: You know what I advised you, don't give us stories. You know we are also Kenyans and we share your problems. Just give us the proposals. Give us your last proposal now.

John Tane Namisi: Alright. Thank you. I understand. So the Government should be very much concerned with the number of passengers and the speed of matatus. Because they cause a lot of accidents because of speed and because of the number of people. To add on that goods which they put on a matatus when carrying people, I think there must be a limit of kilogrammes or weight to put on that matatu.

Com. Abida: Thank you. We will read the rest. Tutasoma hiyo karatasi yako usiwe na wasiwasi. Ahsante. Please register and leave the paper with us. Rhoda Nyongesa.

Rhoda Nyongesa: Commissioners na wakaaji wa Majengo hamjamboni. I am going to give my points just three and I am going to give my views on health, political and human rights. I will start with health.

Health:

- (a) Establish communities awareness programmes on the importance of women health rights.
- (b) Establish funds for needy and poor pregnant mothers during delivery.
- (c) Provide reproductive health education to men.

- (d) Target men as resource group for improving the antenatal and post-natal care for women.
- (e) To eliminate social cultural practices that can endanger the health of women e.g. female genital mutilation.

Political Parties:

- (a) Kenya shall be a multi-party state, with the number of registered parties not exceeding five.
 - (b) Once elected on a political party there shall be no defection.
 - (c) Nomination chances of MP's and civic leaders shall be reserved for women only.

Human Rights:

- (a) Free expression and choices. Children to get their rights from parents, teachers and guardians.
- (b) Children to get free primary education upto standard eight.
- (c) Equality of gender in succession of properties. Both married men and women should stop immorally practices.

Polygamy practices to stop; one husband one wife. Thank you.

Com. Abida: Thank you. Philomena Wekwila.

Philomena Wekwila: Thank you Commissioners. My names are Philomena Wekwila under NCKK Lugari District as a secretary. These are some few recommendations which we have tried to bring before the Commission. First, we will talk about the poor people.

- (a) The common man or the poor are millions in Kenya. These people are suffering without being considered for example, the Lugari forest was given to squatters but the provincial and district level sold it to the rich people.
- (b) The farmers too are suffering as they harvest from a high input expenditure but they sell at throwaway prices. We propose there should be Constitution Ministries and a court to protect the poor.

Legislature:

- (b) We recommend that the Executive should also be a multi-party system not only the legislature. This is part of removing favourism Government.
- (b) The Parliament should have power to pass a vote of no confidence on Executives.
- (c) The budget should be read for five-year periods for it is hurting the common man as prices go up time to time.
- (d) There is also a recommendation that the Parliament should be dissolved by the Parliament the period said to dissolve.

Judiciary:

- (a) They recommend to have a supreme court in Kenya, for this is an independent rectifier of grabbing.
- (b) We recommend the Constitution should be set to eradicate the power of the President and also removal on misconduct.

Com. Abida: Your last sentence.

Philomena Wekwila: In education. We recommend that the old system of education be revived for example form 6 and thereafter university.

Com. Abida: Thank you. We shall read the rest.

Philomena Wekwila: This is because after school the college graduates have no jobs.

Com. Abida: Ahsante. We shall read the rest of your memorandum. Thank you very much. Ben Mulupi.

Ben Mulupi: Ahsante, vile mmesikia majina yangu ni Ben Mulupi Mchungu na haya ni maoni yangu binafsi. Napendekeza ya kwamba tukimaliza hii kazi ya Constitution, hii Constitution yetu isibadilishwe bila kuhusishwa wananchi.

Pili, tunaambiwa kwamba the three arms of Government lazima ziwe independent. Judiciary, Executive na Parliament. Kila mkono uwe independent, mwingine usiingilie kazi ya mwingine. Members of Parliament na councillors wanatakikana wawe watu wale wamesoma. Mimi napendekeza kwamba wawe wamefika form 4. Wapiga kura – votes lazima wapewe mamlaka ya ku-recall councillor ama MP ambaye hafanyi kazi yake vilivyo. Na wakati tuna-create, wakati tunaunda administrative areas kama district, division na location inatakikana wananchi waulizwe na wakubaliane kabla hiyo mipaka haijachorwa ndipo tusiwe

na malalamiko kama ile tunaona hapa Matete. Sisi kama wanaKenya tuko na vinywaji vyetu ambavyo tume kunywa tangu siku za babu zetu, busaa. Mimi napendekeza kwamba hii pombe ya busaa haina chemical yeyote ya kuua mtu. Sijui kwa nini ilipigwa marufuku.

Recruitment kwa security forces kwa army kwa police na kwa prisons inatakikana irekebishwe. Wakati huu iko ufasidi mwingi sana, ukabila na nepotism. Inatakikana hiyo inangaliwe kupitia kwa Katiba. Sisi ni wakulima. Ningependekeza kwamba vyakula vyetu ambavyo tunalima ni lazima tuwe na sheria ambayo ya kulinda vile tutapanda, ya kulinda vile tutauza na ya kuhakikisha ya kwamba hatutakosa hii chakula. Inatakikana tuwe na mkopo ya kupatia wakulima ndio wapande vyakula vizuri. Na tuwe na bei nzuri ya vyakula, tusiachie ile kitu inaitwa forces ya supply na demand, hiyo inaumiza wakulima sana.

Political parties: mimi napendekeza kwamba wakati wa nomination wa candidates, political parties lazima ziwe supervised na Electoral Commission. Wameachia political parties na vitu nyingi mbaya inafanyika huko na hakuna mtu anaangalia. Na mwisho nasisitiza kwamba baada ya kumaliza hii Katiba yetu isiwe bunge peke yake ya kubadilisha, lazima mambo irudi kwa wananchi. Ahsanteni kwa kunisikiliza.

Com. Abdi: Ahsante. Jiandikishe tafadhali. Bwana Edward Khisa uko tayari ama tukuruke?

Edward Khisa: Commissioners na watu wote. Langu wamezungumza mengi lakini naonelea ya kwamba mambo nitazungumza juu ya vyama. Ukitaka ukabila uishe katika nchi yetu ya Kenya, tuwe na vyama vitatu peke yake. Ya kufuata nataka wazee wa mtaa wapewe uwezo wao kama zamani, ndio waliokuwa na uamuzi kwa vijiji.

Ya nne, Ministers wawe na uhuru wao, akiongea kitu apewe wadhifa yake kama ni idara ya education. Minister wa Education awe anahusika na education. Yangu ni mafupi. Ahsanteni.

Com. Abida: Ahsante. Jiandikishe tafadhali. Sasa tuna wanafunzi – Kaburu Amos. Na mwanafunzi ambaye ni wa Chepsai Primary sijui kama amejandikisha au mmejiandikisha?

Amos Kaburu: Okay the Commissioners.

Com. Abida: Tell us your name, your school and class.

Amos Kaburu: I am Kaburu Amos from Kivaywa High School and I representing the Students Body Kivaywa High School, and Commissioners from CKRC and ladies and gentlemen good morning. Okay, I am going to address on human rights and secondly I will talk about vulnerable groups.

First of all on food. The Constitution should protect food policies; the Constitution should hold the Government responsible for production, collection and storage of enough food for its people. The Constitution should also allow the Government to give incentives for food production to the farmer. The market should be protected and controlled – a liberalization of the food market does not help the farmer but it kills the morale to produce therefore it should be done away with. It kills the morale in production because it allows people with financial ability to import food which floods our local markets and hence we lack market to sell our own. Food security must be guaranteed by the Government.

Secondly, on health matters. As students we feel that it's the duty of the Government to maintain a healthy nation and a healthy nation will only come if the Constitution is going to hold the Government fully responsible in the provision of free health services and therefore the idea of cost-sharing in health matters should be abolished immediately in the new Constitution, then where we lie most that is in education matters. Education is human right according to the 1948 regulation of human rights in Geneva, Switzerland. And therefore we are saying that the education in primary schools should be free of charge. Therefore the idea of cost sharing in primary education should be done away with and secondly, the 8-4-4 education system must be looked into because it has failed to realize these objectives of making graduates at every level self-reliant. Above all these the education system does not internationally fit that is why you find that students leave this place and when you go out you have to repeat the secondary education. Therefore, ours looks as if it's not the best at all. Then the Universities should be independent and each university should have a chancellor. Not this idea of one man only being the chancellor of six public universities and this is not fair.

Also in addition to that, secondary schools, the Government should provide equal opportunities to all students, all students should be given secondary education and all schools should be well equipped with facilities. We don't expect a school for example some are only just having here their practicals because their schools do not have facilities for those practicals. Therefore, the Government should provide those facilities and also in addition to this prices of books should be reduced. The Government should incur all these and also this idea of 85%, a policy of intake of secondary schools students should be reduced to 40%. Whereby we have to get students to the catchment areas should give 85%, no. This idea of having National schools, provincial schools, no. Let's just give all schools opportunities to take students from anywhere that they want. Not this idea of discriminating other schools. Then the education. The Kenyan education system must revert its trend of preparing their graduands so for white-collar jobs. We are not prepared in the best manner. That's why we remain that we are very much theoretical in our education. We also want to be very very much practical to fit internationally in job opportunities.

Then another issue is on water. The Government should provide water to all people. We want clean water and this should be provided by the Government both the Central or if we talk of the Local Authority. We don't want to know about the rest it's the responsibility of the Government.

Then in electricity we want the Government to electrify all areas not just this idea of discriminating some areas mainly because

they are in certain political parties. No. Let's just give all areas equal opportunities and these are facilities to be distributed equitably.

Then on security. The Constitution should hold the Government responsible in protection of life and property of its citizens. This security must be granted. Training of Police officers must take longer and should include this curriculum human rights and requirements. Not just for a very very short period, two months, three months then they are out. They are doing nothing they cannot secure us. We are in problems we should get the best security out of those who are supposed to provide. Then youth groups should be made to work with the police so that we avoid this idea whereby they also peep in to become thieves.

Then on employment, the Constitution should call upon the Kenyan Government to provide manpower that can be absorbed by the Government. It's absurd to produce half-baked human resources that cannot be tapped.

Then on vulnerable groups, all children must be treated equally before the law. This idea of discriminating girls it should be made in the Constitution all girls should be provided education just the way boys are provided, because all of us we are equal and all of us actually we are children. The idea of discriminating this girl child at 'O' levels women are not given chance to air out their views. And also in these villages whereby yaani wanabaki tu huko. No. They should also be made to be exposed so that they know what is happening. They know about this world because this world belongs to all of us. The religious men tell us that.

Then lastly, I want to say that the Constitution should bring out strict measures to curb child abuse of any kind at any level. This idea where we are seeing that some small children are raped yet a man goes and is only prisoned for two years then he comes back. You can imagine yesterday I was reading a newspaper a man can rape a three year old kid. And I think that one is just supposed to be hanged. Then you will find such a man is left, no. We should not allow this let's not cultivate this idea of child abuse at all costs. Thank you very.

Com. Abida: Thank you. Please register there. There are students from Chepsai Primary School where are they? Chepsai Primary School. A student from Chepsai Primary School, is it a student or a teacher? No, no you must register we have a system here they must register. Have they registered? Ismail let us have their names, I don't have their names. In the meantime as we wait for them to get organized, let's have Festus China.

Festus Tuvaka China: Thank you the Commissioner. My paper here is on unemployment. As you know the Government we have so many,

Com. Abida: We need your name because we are recording.

Festus Tuvaka China: My name is Festus Tuvaka China. I am talking about unemployment in the country. We have so many unemployed people around and my suggestion was the Government set aside the money from the exchequer to pay allowances. For example, something like 200/= or 400/= to every unemployed in the country. This money should be paid first to respective locational levels where we can form co-operatives. Then it can be channeled into women groups then pay to unemployed. After receiving the payment one should retain half of the payment which will form the basis that he or she belongs to the co-operative and from the same he can follow money to help sustain a small business. Thank you.

Com. Abida: Please register. Tafadhali jilandikishe pale. Henry Sivona.

Henry Sivona: My names are Henry Sivona from Family Trust Centre. These are the proposals from Family Trust Centre. That once a civil or criminal prosecution is brought against the President, a Minister or Assistant Minister, one has to resign after three months to allow prosecution to go on. The President shall be elected by majority votes and shall create 15 Ministries headed by 15 Ministers and 15 Assistant Ministers. The President shall have no powers to dissolve prolong or adjourn Parliament.

The Legislature: The Parliament shall comprise of 275 elected members and 25 nominated members. An MP shall lose his or her seat when he or she fails to attend Parliament for four consecutive days. And to avoid technical appearances, every MP has to attend at least a half of the time the House is in session. No MP shall be pardoned by the President for any election offence, election fraud. No Member of Parliament shall be allowed to cross or switch party until the expiry of the term of the Parliament. And 150 members shall form quorum for any House activity to go on.

The Electoral system: An Electoral Board shall be established and this will be known as The Civic & Electoral Board of Kenya. The Board shall consist of 16 members appointed by the President and approved by the Parliament, two from every province. The Board shall interview and recruit co-ordinators in every division to foresee the activities of the Board, especially promotion of voter and civic education. Applicants should be degree holders and a resident in the division they wish to work. The Board shall conduct Presidential, Parliamentary and Civic election on a single member and secret ballot basis.

Nomination of 25 MPs. Out of the twenty five nominated MPs, sixteen will be women. Two from every province. The nomination of the 16 women MPs will be as follows:-

The Civic & Electoral Board of Kenya will randomly sample all constituencies in respective provinces and shall pick randomly two constituencies in the presence of presiding from all political parties. Political parties will present women candidates in the lucky constituencies in the second round of election. The other nine MPs will be nominated as follows:-

Lawyers to bring one, Federation of Kenya Employers to bring one, primary teachers to bring two, secondary and tertiary

institutions to bring one, Maendeleo ya Wanawake to bring one, youth to bring one and the youth should not be more than 28 yrs at the time of nomination. The disabled to bring two. And no constituency shall have more than 2 MPs.

Com. Abida: Thank you. We are going to read the rest, your time is up. Please register and leave your memorandum. David Bwonde.

David Bwonde: Jina ni David Bwonde. Yangu ninaomba.

Com. Abida: Excuse me, repeat your name.

David Bwonde:

Com. Abida: Address yako ngapi?

David Bwonde: Box 239,

Com. Abida: I am sorry I want David Mwanje. Thank you. Jina yako itakuja usiwe na wasiwasi.

David Bwonde: Ahsante Commissioner. Mimi mambo yangu ni madogo tu. Kuhusu makanisa. Habari ya makanisa, makanisa yametokea mengi sana. Hata ukitembea sokoni mahali popote ni makanisa. Imeharibu makanisa mengi sana, ninaomba ikiwezekana makanisa ijulikane iwe na kibali. Hata sokoni mali popote unaona kanisa, ufidia umekuwa mwingi kufuatana na unabii wa uongo. Hayo ndio yangu tu. Mungu awabariki.

Com. Abida: Ahsante. Jiandikishe pale tafadhali. William Nyuguri.

William Nyuguri: Kwa majina na William Nyuguri. Nimekuja hapa kuwakilisha boda boda ama taxi. Wale ambao wanakanyaga baiskeli. Jambo la kwanza ambalo ningependa hii Commission itusaidie sisi watu wa boda boda. Sisi huwa tunapata shida zaidi na vile mnajua kazi ya kukanyaga baiskeli ni ngumu sana. Ugonjwa tunapata, upande wa matibabu unakuwa ngumu sana. Bei imeenda juu zaidi ya kutibu hata wengi wetu tunakufa kwa sababu ya ukosefu wa pesa ya matibabu.

Kwa hivyo mimi ningependa Commission hii itusaidie upande wa insurance. Hizi boda boda pia tuwe na insurance. Tukiwa wagonjwa tunapelekwa hospitali ambayo inaweza kusaidia, hapana hii ya reja reja hii.

Namba mbili. Ningependa hii Commission itusaidie upande wa NSSF. Sisi pia tunafanya kazi ambapo tunafika mahali pa kustaafu. Na hii kustaafu yetu ya boda boda si ya miaka hamsini na tano vile mnajua. Hii ni ya muda mfupi. Ningependa hapo mtusaidie sana tukistaafu hata sisi nasi tunapata kitu ya kusaidiwa naye. Kwa sababu tumezoea kitu kama usaidizi ya pesa hiyo,

vile mnajua.

Ningependa hii Commission itusaidie upande wa kazi kuna wengi wetu wazee hawajaajiriwa mahali popote, lakini anakaa tu hivyo mpaka anazeeka anafika umri wa miaka hamsini na tano anaenda nyumbani. Na kwa vile mnajua hata kama hataajiriwa mahali popote kazi akienda kununua sukari kwa duka pesa inakatwa kupelekwa kwa serikali. Hiyo ni ushuru anatoa anasaidia upande wa serikali. Naomba serikali itutengee mtu akifika umri wa miaka hamsini na tano, yeye pia awe anastaafu. Wanamlipa anaenda huko kama kwa bank anapata hata ni kama mia tano ama mia mbili kwa mwezi inamsaidia.

Nne, Elimu: Sisi jua kali wa boda boda tunazaa, sio tasa, tunazaa, na tumezaa watoto werevu sana na upande wa elimu watoto wetu wanafika tu primary education. Maneno ya secondary sasa tunashindwa pesa yenye tunapata kwa boda boda inakuwa ngumu sana kupeleka mtoto hapa Kivanywa High School ama kwa shule ingine ya secondary. Hapo tunataka serikali itufikirie pale itafute mahali penye inaweza kuweka mtu anaitwa boda boda au taxi.

Ya mwisho, ningependa kusema upande wa siasa. Mtu mwenye anatoka huku wakitangaza sasa uchaguzi unakuja mtu asitoke huko kwa kazi yake ile ambayo alikuwa akifanya huko na kuna kugombania viti na wenyeji. Hiyo Commission iweke mkazi yule mtu ambaye amesimama kwa kiti hii ya nyuma hii, iwe hana kazi. Ni hayo.

Com. Abida: Ahsante, jandikishe pale tafadhali. Sasa tutaita wanafunzi wa Chepsai Primary. Tuanze na Carol Ford. Mwalimu I give you exactly five minutes to do whatever you wish to do. Five minutes and no more, tafadhali.

Students from Chepsai Primary School: Recited a Poem.

Siku Njema

I

Ninayo mengi ya kusema

Tegeni masikio msikie

Ninayotaka ... (inaudible)

Siku njema ni gani?

II

Sisi wanaume ndio tuna haki ya kusema

Nyinyi wanawake nyamazeni

..... (inaudible)

Kweli siku njema ni gani?

III

Sisi wanawake tumechoka kupakuliwa
Katika elimu, afya na uchumi
Nafasi kubwa serikalini twazitaka
Hakika siku njema ni gani?

IV

Hanjui kazi ya wanaume
Mwanamke kazi yake kuzaa
Wanaume kuwanyosha viboko
Kweli siku njema ni gani?

V

Wanaume sikizeni twataka tuwe sawa
Kusema kweli tumechoka kuomba radhi
Kama tungekuwa chombo hamngetupenda
Hakika siku njema ni gani?

VI

Mmh, bure, twashika moyo
Wanaume tutashinda, mpende msipende
Tutatumia mateke, ngumi na makofi
Kweli siku njema ni gani?

VII

Tumechoka kupakuliwa
Twendeni twendeni bunge
Kila siku kuchapwa viboko
Hakika siku njema ni gani?

VIII

Aaah, mwaota
Bunge la wanawake, bunge la mwanaume
Bunge la wanawake, bunge la mwanaume
Bunge la wanawake, bunge la mwanaume

Beti twatamatisha
Tuungane tujenge taifa letu
Siku njema ni sote tuungane
Tuandike Katiba ya umoja
Ahsanteni.

Com. Abida: Ahsanteni wanafunzi wa Chepsai. Yuko wapi huyo msichana ambaye ana mazungumzo. Please a moment, keti pale ama unataka kusimama?

Carol Ford: Kwa majina naitwa Carol Ford kutoka shule ya msingi ya Chepsai. Niko katika darasa la sita. Ladies and gentlemen, on the stage is Chepsai Primary School ready to present you a poem. Tears of the abandoned one. Welcome.

“Oh happy was that day I was born
Warm received hands received me heartedly
Everyone sang in praise of the creator.
What a nice baby we have received
But now you have abandoned me
Where is mum who received me into the world
What has gone wrong mum, dad
I never knew you would do that to me
You can't take me to school dad
You say I should marry old dad
Dad you have abandoned your daughter
You say education is for boys mum
You heap a lot of kitchen course on me
Why have you forsaken me mum
What did I do wrong mum
Mum you have abandoned your own
You throw them into the street
How will they survive my dear
I am crying day and night even this
Mother have mercy on your children
Why did you bring into the world?
Oh you have abandoned us.
Take me to school mum, take me to school”.
Thank you.

Com. Abida: Ahsante sana Carol. Thank you very much for the poem. Sasa tutarudi tumsikize Phaniel Nato.

Phaniel Nato: Ahsanteni sana ma Commissioners wetu ambao mmekuja kutusikiza siku ya leo. Mimi nitazungumzia kuhusu ofisi ya Rais. Na mimi nataka kusema ya kwamba, jina ni Phaniel Nato. Na kwa sababu Rais ndiye kichwa na macho ya nchi yote kwa jumla kwa hivyo kuchaguliwa kwake ni lazima awe ni mtu ambaye anapendwa na watu wote. Mtu mwenye umri wa miaka kama thelathini na tano kwendelea mbele. Na mtu ambaye amelimika vizuri, mtu ambaye anapendwa na watu wote.

Na mamlaka yake isiwe zaidi bali iwe ni ile ambayo imependekezwa na commission ambayo itaweza kuchaguliwa ama iwekwe ndani ya Katiba. Mamlaka yake iwekwe ndani ya Katiba na awe ni mtu wakufuatana na hayo mamlaka. Na ataendelea kwa vipindi viwili vya miaka mitano kila kimoja. Na baada ya hayo hata awe amekamilisha mambo mazuri zaidi, ataweza kustaafu ama kuachana na mambo ya kuongoza, wananchi wenyewe wawe na sheria ama mamlaka ya kuchagua Rais mwingine.

Na jambo la pili ambalo ningelizungumzia ni kuhusu utawala wa mikoa. Utawala wa mikoa mimi ninapendekeza ya kwamba utawala wa mikoa ni mzuri na ukaendeleo vile ulivyo. Kutoka kwa province ama kwa mkoa kupitia kwa sub-location. Isipokuwa tu wale ambao wanaongoza waelimishwe vya kutosha wajue ile kazi wanaifanya, pamoja na askari wao. Kwa sababu askari nao wanaumiza raia zaidi ya kiasi. Mambo kama rushwa na vitu vinginevyo ambavyo vinapatikana katikati yao. Nataka kusema ya kwamba mambo kama hayo wapate kuelimishwa na wawe ni watu wa nidhamu nzuri. Kwa sababu tukikosa utawala wa mkoa mwananchi wa kawaidi hawezi kuishi vizuri. Ataweza kusumbuliwa zaidi ya kiasi. Kwa sababu kuna wakora wengi, tuna mambo mengi maovu ambayo yanaendelea. Hata unywaji wa pombe ingawaje tuna ile pombe ingine ambayo tunasema ya kwamba ni pombe ya kienyeji. Lakini pombe ingine ambayo inaitwa chang'aa imeharibu sehemu zingine hazina maendeleo. Na nikiwa mimi kama muhubiri ningesema ya kwamba nikimalizia mambo ya neno la Mungu yaendeleo kuwekwa vizuri ndani ya Katiba yetu, kwa sababu Mungu ndiye anayesimamia kila nchi ama kila utawala. Ingawaje tuna sekta zingine ambazo zimejitokezea zinaweza kuharibu. Lakini nataka kusema ya kwamba neno la Mungu ama mambo ya neno la Mungu iwekwe vizuri ndani ya Katiba na yale yaliyo mabaya ikaondolewe. Nafikiria kwamba sina mengi yale mengine nimeyaandika hapa. Nataka kusema ahsanteni sana.

Com. Abida: Kabla hujaondoka nafikiri kuna swali.

Com. Ratanya: Bwana Phaniel kuna swali moja ya kufafanua. Hapo umesema President lazima awe miaka thelathini na tano.

Hapo ni kwanza ungetake kupendekeza President afike umri gani ili tuseme hawezi kuenda zaidi ya hapo yaani mwisho kutoka 35 mpaka wapi?

Phaniel Nato: Akifikisha kama miaka sitini mimi nafikiria itaweza kuwa vizuri.

Com. Abida: Halafu nataka kukuuliza swali. Umesema chang'aa – pombe inaharibu sehemu zingine lakini mwanzoni ulisema

ingawa kuna pombe ya kienyeji. Sasa kama mhubiri kuna tofauti kweli ya pombe busaa na chang'aa, moja inaharibu ingine inatengeneza?

Phaniel Nato: Nilisema namna hiyo kwa sababu niliona ndugu yangu mwingine akasema.

Com. Abida: Zungumza na Tume, hauzungumzi na ndugu yako. Na unapendekeza maneno muhimu katika maendeleo ya nchi. Sasa twambie unasema chang'aa inaharibu na je, busaa si ni pombe inaweza kuwa pombe ya aina moja inatengeneza na ingine inaharibu? Wacha kufikiria ndugu yako. Na nimekuuliza kwa sababu we ni mhubiri. Pengine ndugu yako anatomia busaa, wewe nadhania hautumii sio? Haya twambie basi.

Phaniel Nato: Sasa hapo mimi naona pombe busaa iko chini kwa upande wa kuharibu mwili wa mwanadamu. Lakini chang'aa inaharibu zaidi ya kiasi.

Com. Abida: Ahsante. Jiandikishe pale tafadhali. Ahsante sana. Stephen Atsiaya – Chepsai Primary School.

Stephen Atsiaya: Thank you. On our side on land ownership we feel that My names are Stephen Atsiaya from Chepsai Primary. We say that nobody should own land which is more than 60 acres of land, when they are people squatters having no land. Therefore, we propose that nobody should own more than 60 acres of land.

On education: We feel that educational matters must be made to be handled by people who are professionally in the same Ministry. We also recommend that the system of education to be changed to meet the daily ever changing needs of the Kenyan people and the Constitution should also protect the education system from being changed every now and then. That brings in a lot of inconveniences for the countries which are finishing various levels of education. Therefore, we propose that this 8-4-4 syste should be done away with and we remain with 7-2-4-3 system.

On President, we propose that let all those people who are willing to vie for the Presidency be allowed to vie, regardless of how many and then in the final analysis we have the best two having a re-run for the elections; and to add on that the winning President must also be able to get at least 50% of the total votes cast to add on the 25% in the five provinces. We also propose that some of the powers of the President must also be limited not to have immense powers and then on Constitutional Supremacy.

The Constitution should also be designed in such a way that the people, because they are the ones who own the Constitution must have a say when it comes to re-examining the Constitution if they want to change it. So we should put in place mechanisms that can help the people have power over changing the Constitution. Thank you.

Com. Abida: Thank you. Joseph Khisa Kasuti.

Joseph Khisa Kasuti: I am Joseph Khisa Kasuti. Yangu nataka uwezo uwe wa mwananchi na Parliament. Uwezo wa kufanya marekebisha ya Katiba.

Pili. Wazee ambao wanastaafu naomba wawe wakipewa pesa zao kwa wakati ule ambao unatafikana.

Tatu. Misaada ambayo inatolewa kutoka nchi zingine iwe ikigawa sawa kwa mikoa yote.

Nne. Ningependekeza kwamba uwezo wa President uwe ukipunguzwa.

Ya tano. Nyinyi kama wale ambao mnauliza wananchi kupatana na utaratibu wa mageuzo mwe mkipeana vitabu. Kuna wengine hawajajua mageuzo ya Katiba ni nini. Wengine wanaweza kuwa wanaweza kusomea nyumbani wala wawe wakielimishwa kwa makanisa ama kwa umati wa watu. Nafikiria ni hayo machache nilikuwa nayo.

Com. Abida: Ahsante. Jiandikishe tafadhali. Leonida Khisa. Au mzee amesoma yote.

Leonida Khisa: Kwa majina mimi ni Leonida Inguye Khisa. Ni mwalimi ambaye amestaafu. Nitaanza na mambo ya kustaaafu. Ya kwanza ningependa wale ambao bado wako njiani watatufuata hii mambo ya kufuata mambo yao iwe kwa province. Huwa tunaenda Nairobi watu wamekuwa wajuaji huko, huwa wanatutaliza sana hatujui hata pahali pa kuingia. Usipo kuwa na God Father huwezi ukafanya maneno yako, kwa hivyo ningependa Katiba irudishe maneno hii kwa provinces ambayo huwa tunaingia kila wakati kama bado tuko kazini. Badala ya kutupeleka Nairobi wengine hatujaenda huko.

La pili, ningependa wanawake wawe na viti vingi au viongezwe kwa Parliament ili wajaribu pia kutusaidia au kusaidia wamama ambao wanateswa kwa njia hii au nyingine.

La tatu, tungependa pia au ningependa tuwe na mambo ya Judiciary, tuwe na courts tofauti ya kutatua mambo ya wamama au mambo ya familia na ile mambo ingine kama mtu amepatwa na accident. Kuna saa ingine hata ma-cases fulani ambazo zinaenda tu hivyo kama hujui vile utaweza cheza na wale advocates, pesa yako huwezi kupata. Labda kama kungekuwa na court fulani ambayo iko separate na ile ingine, labda wangesaidiwa. Kuna wengine wamekufa upto now hawajapata kitu na it's now a gone case.

Lifuatalo tungependa pia mambo ya masomo, vile wamesema ile masomo ya zamani ya 7-4-3 irudishwe na tena syllabus, wasiingilie syllabus kila wakati. Kwa sababu wana vitabu wazazi wananunua mwaka ujao syllabus changed, tena biashara wamepeleka huko rushwa. Vitabu vingine mpya vimetolewa, nunueni hizi naona hiyo ni tatizo kwa wazazi. Na tena wanawake na wanaume kama mtu ameo, shamba liwe title deed iwe kwa mama na baba, ikiwezekana hata na mtoto mkubwa. Kwa

sababu wanaume wameuza mashamba wameweka kwa makoti wanaenda kwa bar na wewe unaangaika huko.

Na lifuatalo tena corporal punishment kwa watoto kuchapwa lazima ikuweko. Sisi tulisoma na tukapata kazi kwa sababu tulikuwa tunachapwa. Na tulikuwa na discipline ya kutosha. Saa hii wazazi wa saa hii wamekuwa sijui ni kizungu ukichapa mtoto wake anakupeleka court. Halafu wamefanya watoto wamekuwa rude kabisa. Hata akiona mama hata nje hajui huyu ni mama – any mwanamke ni mama au mwanamume yeyote ni baba. Anajua tu mamake na babake. Na hiyo discipline napenda irudishwe. Na lifuatalo leisure – youth. Saa ingine unaona cinemas zinaharibu watoto wetu. Huwa saa ingine tunaona cinemas hata sokono zinaonyesha tu mambo ya kupigana, mambo ya kuiba. Sijui kwa nini wanaonyesha macinemas hayo kwa watoto. Wangeweka cinemas kama zile za kufundisha watoto uchumi au ukulima au biashara namna hiyo ingewasaidia.

Halafu lingine ni boundaries. Kama sisi watu wa Matete hatujui MP wetu ni nani. Tuna hiyo shida hata kama una biashara unakata licence Bakanda unaona Webuye anakuja kushika, Kakamega wanakuja kwa nini ulienda huko. Hatujui tuko wapi, kwa hivyo tena hiyo Matete tuna hiyo shida. Na tena biashara, soko huru hii ya mtu kuuza tu vile anataka, unaweza kupeleka vitu vyako Uganda, Tanzania wapi. Hivyo vitu vimeleta njaa na tena hata ukilima kitu hujui utauza wapi. Watu wanakuja na ma-lorry wanachukua hiyo wanapaleka kwa soko ambayo iko mzuri, na huyo mkulima unatatuliwa. Una tatizo. Kwa hayo machache ahsanteni.

Com. Abida: Ahsante. Elisha Makhanu. Elisha yuko?

Elisha Makhanu: Kwa jina naitwa Elisha Makale. Discussion for village elder. Village elder to be recognized, as they are the grassroot leaders in the community. They should be given allowances in recognition of their work to motivate them.

On marriage and divorce, they don't have power to separate the two married people. And since they are better workers than the provincial administration, they are better placed to represent the community. On their qualifications, they should be mature, they should live in the community, be above 45 years and be able to read and write.

On education, they should be the first to be consulted, as they are at the grassroot and know more about the community boundary. The Liguru should be given powers to organize seminars. They should be elected by the locals on the basis of what he/she can do for the community. Elijah Makale. Thank you.

Com. Abida: Ahsante. Jiandikishe tafadhali. Tom Matunda.

Tom Matunda: I am Tom Matunda. My memorandum is on Electoral process. To restore competency and accountability in elective offices. Common citizens should be given a mandate to check the efficiency of elected leaders through a vote of no

confidence. Constitution should allow formation of a Coalition Government, where members of the cabinet are drawn from different parties that have members in Parliament. This is to curb nepotism and tribalism. Kenyans as one nation entity we need civic, parliamentary, presidential elections to be held differently. This is to ensure popular and competent leaders are elected. In simultaneous elections, incompetence leaders are elected through tribal loyalty or party loyalty, just because the Presidential candidate is their tribesman. Thus confusing voters to elect good leaders in civic and parliamentary elections. In this regard civic elections must be held first then parliamentary and finally presidential should come last.

Finally, police officers should not arrest anybody without a police warrant from their police post. This will stop unscrupulous and greedy officers from soliciting money from the ignorant villagers through Kangaroo courts. That is what I have.

Com. Abida: Excuse me, if you could come back we want to seek a clarification. Now when you say the police to arrest only with warrants. What happens if the police are patrolling and they come across somebody committing an offence, do they go back to the police station and hope that the person will stay there waiting for them.

Tom Matunda: No, there are some cases where police officers that are not on duty, they start manouvering in the areas and when they get somebody with an illegal brew instead of sending him to court they solícite money with intimidation from him.

Com. Abida: How will we stop that? They could have a warrant but that will not stop them from soliciting for funds.

Tom Matunda: No, when they have a warrant they are okay to arrest this person.

Com. Abida: Alfred Wavomba.

Alfred Wavomba: Kwa majina naitwa Alfred Wavomba na nina maoni hapa machache ya binafsi. Jambo la kwanza napendekeza kwamba Mayor na wenye viti wa council zote pamoja na madiwani wachaguliwa moja kwa moja na wananchi. Na kiwango cha elimu awe amejua kusoma na kuandika awe amejua Kingereza vizuri na Kiswahili vizuri kwa sababu hiyo ni serikali ya mitaa. Bora awe na uwezo mzuri kwa kuongoza wananchi katika kiwango hicho. Ningependekeza jambo la pili, kwamba tuwe na serikali ya mseto ambapo tutakuwa na ugawanaji wa mamlaka kati ya waziri mkuu na Rais, ili kwamba Rais asiwe na uwezo mkubwa sana wa kuongoza wananchi wengi kama hawa ya Kenya. Na baraza la mawaziri baada ya waziri mkuu kuteua baraza la mawaziri litimizwe na bunge, ili kwamba mtu apewe wizara ambayo amesomea. Isiwe ya kwamba mtu amesomea kazi ya udaktari na amepewa wizara ya kusimamia kilimo. Hapo wanaharibu uchumi wa nchi kwa sababu wanaweka mikataba na nchi zingine kwa njia ambayo haifai. Kwa sababu ni jambo ambalo hawajasomea.

Jambo la tatu, ningependekeza kwamba vyama vyote vya kisiasa katika nchi visizidi vitano na vyama hivyo vifuatiliwe na serikali kwa sababu pesa zinatoka kwa kodi ya wananchi. Na wananchi wote licha ya vyama vyao wanatoa kodi kwa serikali. Kwa

hivyo vyama vyote lazima vifuatiliwe na serikali na lazima mkaguzi mkuu awe anachunguza jinsi pesa zinavyotumiwa.

Jambo la nne, ningependekeza ya kwamba wakati ambapo tunaenda kwa uchaguzi mkuu, uongozi wote utolewe kwa serikali na upewe Judge mkuu wa nchi. Ili ipate uchaguzi kutangazwa baada ya Rais mpya kutangazwa apate mamlaka kutoka kwa Judge mkuu ambaye atakuwa na vifaa vyote vya nchi.

Jambo la tano, ningependekeza kwamba Electoral Commission kwa sababu vyama vyote vitakuwa vimewakilishwa, lazima Electoral Commission pia itoke kwa vyama vyote isiwe na ufiada katikati.

Jambo la sita, ikipendekeza Public Service Commission wateuliwe na Rais lakini waidhinishwe na bunge. Na kwa sababu nataka kila sehemu ipate nafasi yake kwa usawa, tuwe na Public Service Commission hadi kwa kiwango cha division ili wakati napatangaza wadhifa wowote serikalini kila division iwe inapewa nafasi ya kupata wale wanaenda kufanya kazi.

Com. Abida: Point ya mwisho.

Alfred Wavomba: Jambo la mwisho, ningependekeza kwamba wale ambao wamestaafu kutoka kwa serikali wasiwe wakiteuliwa tena kuongoza idara mbali mbali na tuna wengine ambao wamesoma wanataka wafanye kazi hiyo. Ahsante.

Com. Abida: Ahsante. Jiandikishe na kuwacha hiyo karatasi. Josephat Juma.

Josephat Juma: Ahsante sana ma Commissioners. Mimi kwa majina naitwa Josephat Juma na nitazungumza kifupi kuhusu maoni yangu kuhusu Katiba mpya. La kwanza ningependekeza kwamba watumishi wote wa umma waweze kuchaguliwa na Rais lakini waidhinishwe na bunge. Hawo ni kama wakuu wa mikoa na wilaya na pia ma DOs. Tukija kwa nafasi kama kazi za ma-chief na assistants wachaguliwe na raia na wawe na kipindi maalum cha kuhudumia hao raia. Kwa sababu wakiharibu raia awe na uwezo wa kuwafuta kazi.

Judiciary: Kama wenzangu walivyosema hapo awali naungana nao, mkono wa Judiciary unafaa uwe independent. Isiwe Rais anachagua ma-jaji na magistrates na anawatumia kama wafanyi kazi wake. Inafaa wawe independent na waonekane wakifanya kazi yao independently.

Nafasi ya vitambulisho vya kitaifa, mimi ningependekeza Katiba iruhusu kila mwanakenya apewe passport. Kwa sababu kitambulisho kinakuwezesha tu kutembea hapa, lakini ukitaka kwenda nje kupata passport inakuwa ni ngumu sana. Kuhusu uchumi hii sera ya soko huru inafaa iondolewe, kwa sababu raia wengi wa Kenya ni maskini, hawawezi kutembeza mazao yao kuuza mahali bei nzuri iko. Kwa hivyo yafaa iondolewe serikali isimamie uchumi wa nchi hii.

Na kuhusu elimu: mimi ningependekeza kwamba elimu ya msingi iwe bure na iwe lazima. Mzazi wote akipatikana bila kupeleka mtoto wake shule aweze kushtakiwa.

Na kuhusu kuajiriwa kwa kazi, kuwe na one-man one job. Haifai mtu mmoja kufanya kazi mbili na wengine huko nje wanakosa. Yangu ni hayo tu. Ahsanteni.

Com. Abida: Ahsante. Jiandikishe. Patrick Khaemba.

Patrick Khaemba: Jina langu ni Patrick Khaemba na ahsante sana kwa kunipa nafasi hii. Mimi nasema kwamba katika Kenya tuko makabila arobaini na mbili. Na hii makabila arobaini na mbili, kila kabila iko na lugha yake inaongea. Na ikiwa unajua vile wanaongea namna hiyo nasema kwamba President wa nchi akiwa na mkutano wa taifa anatakiwa aongee lugha ya taifa.

La pili, President wa nchi akiongoza nchi hii anatakiwa aangalie kila corner ya nchi.

La tatu, iko kitu inaitwa soko huru. Nasikia mwenzangu kumbe tulikuwa mawazo moja ameongea hapa kidogo. Soko huru imesumbua sisi watu wa chini kabisa. Kwa maana mtu kama Minister anapata pesa mingi sana na sisi tuko watu wengine hata hawaoni hata shilingi moja kwa mwezi. Na tunaenda kwa duka moja tu. Sasa hapo mimi naomba serikali iwe imesimamia price, i-control hii price. Ni hayo tu.

Com. Abida: Ahsante. Jiandikishe. Duncan Soita.

Duncan Soita: Thank you the two Commissioners. This is what the disabled of Matete division want to be contained in our Constitution. We want to have a physically disabled representative in Parliament and in administrative line. The disabled fund should be brought nearer to the people concerned. For example, the disabled fund in Nairobi and most of our disabled persons do not know the way to reach it. The equipment for the disabled are at a very high prices, so we want them to be cheap so that all the disabled can afford. We want equal job opportunities for the disabled and non-disabled.

Education: education for the disabled persons should be free. Both from primary to secondary school. The Government should also establish institutes for the disabled persons, so that those who do not get education should be trained in craftwork.

Buildings: Commissioners as you entered in these buildings, you saw it is very difficult for a disabled person to enter this building. So we want buildings to be constructed in such a way that a disabled person on a wheelchair can enter into an office or factory easily. Every disabled who cannot walk should be provided with a wheelchair from the disabled fund and also we want parents who hide the disabled person should be penalized or face the law. Disabled persons should get free medical care

from the Government. That's all.

Com. Abida: Thank you. Luka Malianya.

Luka Mwanja Malianya: My name is Councillor Luka Mwanja Malianya. This is what I have. Constitution must be supreme. I want Government structures to change, so that it has four arms. Legislature, Executive, Local Government and Judiciary.

Executive: Presidency of this country must be rotational to the 42 tribes of Kenya not a royal dynasty. The President should not be above the law. One man, one job. Provincial Administration should be scrapped off. Also, fund raising should be stopped because it is the source of corruption in this country.

Legislature: they should be answerable to the voters not to Executive, as it is now. Two houses, that is lower and upper houses should be introduced in Kenya to cater for the marginalized and special interests. MP's can be recalled back by their voters if they don't perform. No nominated MPs because that chance has lacked a purpose. Constitution change must be done by referendum not Parliament.

Judiciary: Corruption should stop now. Native constitutional and supreme courts should be introduced for transparency. Kadhi's courts should be abolished.

Local Government: Local Government or councils should be autonomous. Election of Chairmen and Mayors should be direct by the people for a five-year term. Cap 265 of Local Government Act should be overhauled, so that the powers of the Minister should be trimmed. Local Government should be financed from the Central Government consolidated fund. Councillors who don't perform should be recalled by their voters. Position of nominated councillors be abolished. Chief officers should be answerable to the Councillors or the councils not to the Central Government as it is now and paid by the council.

Regionalism: Regionalism is not tribalism, it should be tried in Kenya.

Basic rights: All citizens should have a right to life. Education for both primary and secondary schools be free and compulsory. Health and medical services should be free for all citizens. Piped water should be supplied to all Kenyans. The Government should also ensure security, shelter, food and others like rural electricity.

Culture: Culture of all communities should be respected and protected. Cultural areas like sacred rivers of the Tajon community be registered and protected by Local Government.

Com. Abida: Give us your last sentence.

Luka Mwanja Malianya: Ethnic groups should not be marginalized. My last sentence I want to go to land. Land is a sensitive issue in this country Kenya. Before incoming of colonialists indigenous people or local communities stayed peacefully. The whites displaced the indigenous communities turning them into squatters. When independence was achieved this land was not returned to the owners – that's local community but was sold to the immigrants.

Com. Abida: You know you have given me three sentences. Give me your proposal and then give us your memorandum, we will read. What is your proposal on land?

Luka Mwanja Malianya: My proposal on land is that a Kenyan citizen should not have more than a 100 hectares or a more than a 100,000 hectares of land. But no person in Kenya should be a squatter.

Com. Abida: We are going to read your memorandum. The next person is Luka Malianya. No, he is the one. David Rotich Were.

David Rotich Were: Kwa majina naitwa David Rotich Were. Kwa hivyo jambo langu litahusu mamlaka ya nchi. David Rotich Were nawakilisha watu wa Sidom Church hapa Kivanywa. Kwa hivyo nitaongea kama mtu wa kanisa pia kama mwananchi wa Kenya. Na yangu yatahusu sana mamlaka ya nchi, sababu hiyo ndio kitu inayoleta watu wasi wasi sana. Katiba ni lazima ifafanue masharti ya kusikilizwa kwa wagombeao kwa kiti cha Rais. Kwanza Rais anastahili kuwa mtu aliye na mke au mume. Yaani ameo ama ameoleka kwa sababu inapaswa kuwa mtu anayeelewa matatizo ya jamii na mahitaji yake.

Pili, Rais anastahili kutoa barua ya nidhamu yaani letter of conduct kutoka kwa mahakama kuu ama idara ya ulinzi kuhakikisha ya kwamba nidhamu ya yule achukuae ofisi ya u-rais iko sawa sawa. Rais anastahili kutoa cheti cha masomo kuhakikisha kwamba mtu anayeongoza nchi lazima awe mtu ambaye amesoma ana elimu ya kutosha. Lazima awe na degree ya kwanza – Bachelors Degree ya masomo yoyote. Na kunastahili kuwa na kipindi maalum cha u-rais na hapa ningesema vipindi viwili Rais anastahili kuhudumu katika ofisi kwa muda wa vipindi viwili vya miaka mitano mitano. Hastahili kuzidi zaidi ya hapo. Na majukumu ya Rais yaelezwe kwenye Katiba kama sana sana jukumu la Rais liwe sana kuhusiana na usalama wa nchi. Usalama ndio jambo la muhimu sana ambalo Rais anastahili kuwa nalo. Lakini mambo kama ya ki-uchumi ningependekeza kuwe na Tume ya kitaifa ya ki-uchumi. Yaani National Economic Council ambayo inaweza kuongozwa na mkurugenzi mkuu, yaani Director-General. Na kazi yake itakuwa kuangalia ukuaji wa ki-uchumi wa kitaifa. Uwezo wa Rais unapaswa kuchunguzwa. Kwanza Rais hastahili kuwa chancellor wa vyuo vikuu. Ningependa uwezo wa Rais utolewe katika vyuo vikuu ili upewe huo uwezo upewe wasomi waweze kuwachagua wale watu wanaweza kuhudumu kama chancellors wa vyuo vikuu. Hawa ni Academic staff ya universities. Wenyewe wanaweza kuchagua mtu ambaye anaweza hudumu hiyo kazi. Rais haistahili kuwa

juu ya sheria kwa sababu kuna watu ambao ni wa makabila mengi na watu ambao tuna mawazo tofauti. Kwa hivyo hatuwezi kupea mtu mmoja awe juu ya sheria. Rais asiwe na uwezo juu ya pesa za umma – public money. Sababu hiyo public money inaleta ufasidi mwingi sana – corruption na grabiosis. Kwa hivyo Rais haistahili kuwa na mamlaka juu ya pesa ya umma – public money.

Com. Abida: Mwisho.

David Rotich Were: Na la mwisho. Ningependa kusema ya kwamba siasa za Kenya zizingatie utamaduni wetu, uchumi wetu, misingi yetu, siasa zetu, na watu wetu bila kuiga siasa za wageni ambazo zinafanya pesa za Kenya kuwa kama karatasi. Ahsante.

Com. Abida: Ahsante. Jiandikishe na utuachie hiyo karatasi. David Puonde.

David Puonde: Jina ni David Puonde. Yangu ninapendekeza kwamba utawala wa mkoa uondolewe wote kabisa kuanzia mzee wa mtaa hadi mkuu wa mkoa – PC. Na badala yake ninapendekeza kila wizara iweze kuwa na offices na wafanyi kazi kuanzia shinani, villages ama centres upto the national levels.

Boundaries – mipaka: Nimeona mpaka mmoja umeleta matatizo, ni afadhali kuwe na mipaka miwili ya kugawa shamba na lingine. Na hii sehemu inayobaki katikati ya mipaka miwili iwe chini ya uangalizi wa serikali na communication for public use.

Attachment and Sale of Properties: Ingekuwa bora katika Katiba ya Kenya kuchukua shamba ama vifaa vya nyumbani, kwa deni iondolewe. Maana shamba na vifaa vya nyumbani ndio tegemeo la maisha ya jamii. Kwa hivyo kuweko na sheria ya kulinda hivyo visichukuliwe na auctioneers.

Mikutano ya Raia: Mikutano ya raia isiwe ikitatizwa ama public meetings isiwe ikihitaji licence. Hapo tunanyima watu kutoa maoni yao wakati wanaopenda, iwe free. Isipokuwa wenye mkutano wanaweza kuhitaji security, ma-askari kwa kulinda usalama wao. Wale tunaaita local workers – hawa wanaouza vitu vinavyotengenezwa au vinavyokuzwa locally – isio na dhamana kubwa kama mayai, vikapu, miwa, matunda, njugu na vingine visiwekelewe licence. Hivyo ni vitu vya mwananchi apewe uwezo wa kuuza hivyo vitu bila kutatizwa na licence.

Com. Abida: Mwisho.

David Puonde: Natural Resources: Katika natural resources vitu kama maji, milima na misitu iwe ikilindwa na serikali na communication, barabara zifikie hapo, ili mtu akitaka kufikia kwa Rais isiwe kwamba mahali panapotumiwa na maji ni mali ya mtu binafsi.

Com. Abida: Ahsante. Tupatie hiyo memorandum tutasoma. Ahsante sana.

David Puonde: Nitakupatia, lakini nashangaa.

Com. Abida: Mzee tuachie memorandum tumesoma, na tutasoma. Ahsante. Moses Wanyama.

Moses Wanyama: Maoni yangu ni kutokana tu na kazi. Kazi ya kwanza ni kilimo.

Com. Abida: Anza kwa kujitambulisha. Sauti yako inachukuliwa pale na mtambo. Anza kwa kujitambulisha.

Moses Wanyama Kakai: Jina langu ni Moses Wanyama Kakai. Naanza na kilimo yaani kazi. Kwanza ni kilimo. Ardhi itumiwe kikamilifu. Yule anayeajiriwa naye ailinde hiyo kazi. Wale wanaajiriwa waajiriwe kama zamani, kwa maana zamani ilikuwa mtoto tu aende na certificate anaenda kufanya interview anapata kazi. Lakini siku hizi anaandamana na mzazi.

Naenda upande wa elimu: Upande wa elimu, watoto ambao hawajiwezi au wazazi wamefariki serikali iliyoko mamlaka iwe jukumu yake. Naenda kwa biashara.

Com. Abida: Sikia, time yako inaenda. Usiangalie mkono wangu, kuna watu wengi hawa wanaandika, kuna tape recorder usiwe na wasi wasi, mambo yako yanachukuliwa yote.

Moses Wanyama Kakai: Upande wa biashara mimi naona maduka mengi yamefungwa kwa sababu ya rationing. Zamani ilikuwa hapo serikali inaitwa District Council. Saa hii wanaitwa County Council. Sasa maduka imefungwa mpaka watu wanalisha vitu kwa barabara badala ya kuwekwa kwa maduka. Yaani shauri ya licence. Kwa maana zamani ilikuwa kwa kodi ya ile ya full tax ilitolewa, watu wako Uhuru. Sasa leo Uhuru tulipata wa nini? Maduka yamejengwa vitu wanaweka kwa barabara. Licence ikatiwe tu pahali ya starehe lakini kitu ya kuuzia watu ikuwe kama vile watu kufanya biashara. Na biashara ndiyo uchumi. Nikimalizia upande wa utawala isiwe tu mlolongo kutokea kwa Liguru mpaka hata makamu. Makamu asiteuliwe na President, ateuliwe na wananchi wenyewe. Yangu yamekwisha.

Com. Abida: Ahsante. Sara Mkongwe. Lakini Sara uliongea jana. Tafadhali tupatie watu wengine nafasi. If you have any memorandum hand it over but you spoke yesterday. We need to give an opportunity to other people. Thank you. MM. Sakwa.

M.M. Sakwa: Thank you Commissioners, your staff, wananchi from Matete. I will start with the prologue and I will not read the whole of it because of time.

Com. Abida: Give your names in full please.

Moses Masara Sakwa: My name is Moses Masara Sakwa. I will start with the prologue and I will not read the whole of it because of limitation of time. When the Kikuyu or Luhya or Luo form a cohesive social political unit that in itself is not a threat in national unity, it merely represents a solid building block in the national state especially when we remember that Kenyans always fought along tribal line. They have done it in the past and they will do it in the future. There is nothing sinister and undemocratic, evil uncivilized or shameful about voting your qualified tribesman. That is not the issue, the issue is whether you and your elected tribesmen by time and substance acknowledge sufficiently the rights of other tribesmen in the national stage.

Our intellectuals, political commentators, CKRC included should take full advantage of our rich ethnic variety in a positive way.

This remains the most important similar challenge of the new generation and it must be addressed in the contest of the new Constitution. Okay a Constitution also has an information function, it informs people of the fundamental rights and obligations in society. It explains how the political organizations derives its powers from citizens. I propose that in the new Constitution provinces be replaced by counties of the Republic of Kenya numbering 12 – County (1) Swahili capital Mombasa (2) Maasai capital Nakuru (3) Nyanza capital Kisumu (4) Kisii capital Kisii (5) West Kenya capital Kakamega (6) Central Rift capital Eldoret (7) North Rift capital Lodwa (8) Borana capital Marsabit (9) Mount Kenya capital Nyeri (10) East Kenya capital Kitui (11) Nairobi capital Nairobi (12) North Kenya capital Wajir and capital of Kenya, Nairobi. I have drawn a map to elaborate on that.

I will skip some other things and come to local defence unit. To augment the work of national police each village should conceded a local defence unit drawn from educated upright youth. First learn villages are not able to enjoy the services of regular police. Locals are better place to identify criminals and flush them out.

General Elections:

- (1) Presidential, Parliamentary and Civic Elections should be held separately at an interval of at least six months. This will give the electorate adequate time to assess the flexibility of each candidate without the lure of party propaganda or the incumbent Head of State influence.
- (2) All political parties should have equal access to state funding, security and mass media to afford a level playing field. The incumbent Head of State and the ruling party tend to have unlimited access to state resources. This is obvious.
- (3) Prisoners, in-patients and those under the security agencies should have the right to vote either directly or by proxy.

Com. Abida: Summarise now.

(4) National Assembly: I propose the Constitution provide two chambers – the House of Representatives and the Senate which will have equal powers. And then the House of Representatives should have at least 300 representatives – non-member cabinet Ministers may sit as ex-officials. Members can be elected by the people according to the system of proportional representation. The senate consists of 38 delegates of the counties. Each county elected three senators. That's all thank you

Com. Abida: Thank you. Please register and leave your memorandum. Patisi Koroki.

Patisi Koroki: Thank you very much your distinguished Commissioners. My first topic here is on land and property rights.

Com. Abida: Your name for recording purposes.

Patisi Wilson Koroki: Yes, I am Patisi Wilson Koroki. All family land shall remain in the Father's custody. After Father's death all the children shall be liable for inheritance, other than the ladies who can inherit moveable assets apart from land. Any registered citizen above 18 years shall own land other than orphans who can own as young as five years old.

Local council land shall be entrusted to the native community hence all revenue collected be managed by a reputable committee at the grassroots level, that is at the divisional level or locational level. A maximum ownership of about 1,000 acres can be ideal for a prosperous farmer. Land must be set aside for the expansion of infrastructure that is schools, churches, roads, hospitals, markets and industries.

Basic rights of vulnerable groups: Women rights. Women should have the right to own property. They should have rights to choose marriage. They should have rights to employment. Rights to health care. Rights to security both at home and at work. Employed spouses should earn their deceased pension until death not like the present five years. Gender equality should not be made to show equality in roles in the household but at a wide angle to portray equality at the workplace their farm ownership, expression of ideas and to be heard.

Disabled persons: This sector has been relegated for so long. The Government should construct or encompass a funding kitty to be managed by the disabled persons for disbursement to needy cases. The Constitution to provide for equal opportunities for employment for disabled persons. To provide for free education upto University level.

Rights to secluded transportation means: Children's rights: Abortion must be banned and liable for three years imprisonment. Aiding one to acquire abortion must face a five years imprisonment term. They must be assured of free education at primary level. Their rights to inheritance must be applied at the age 30 years. Must have access to their parents until the age of 30 years even in terms of divorce of these parents. Orphaned children should have special schools for accommodation.

Basic rights: Death penalty must be upheld, in terms of severe crimes. Then a good Constitution must protect the fundamental of its citizens. The first being

Com. Abida: Thank you. We will read the rest. Thank you, you have exhausted your time. We are going to read. Norah Tali. Norah ako? Uliongea jana Norah? Haya.

Norah Tali: Kwa majina naitwa Norah Tali. Langu ni kuhusu watoto, watoto wetu vijana na wasichana. Tuko na watoto wetu wasichana wanapata mimba. Wale wa vyeo vikuu au courses wanasema msichana arudi nyumbani kwa sababu ana mimba. Na kijana anaendelea kusoma, hiyo kwangu ninasema kama msichana anaachishwa course yake hata kijana aachishwe. Kwa sababu walikosa wote. La pili ni watu ambao wako Parliament tunachagua watu wanaenda huko na wana nominate wengine. Kama wana nominate watu sita, yangu nasema wanawake wawe watatu wanaume wawe watatu tuwe sawa sawa. Hiyo ndio yangu.

Com. Abida: Ahsante. Jiandikishe pale. Agnes Sichenga.

Agnes Sichenga: Langu la kwanza, watoto ambao wanasoma na vijana wengi wamesoma hata wasichana wamepita mtihani vizuri lakini hawapati kazi. Hawa watoto wanaungana na wengine wanakuwa wakora kwa sababu hawana kazi. Nasema ya kwamba ili serikali tunaenda kuunda saa hii itusaidie kwa hilo neno. Ikiwa mtoto amepita mtihani vizuri aangaliwe. Akienda kwa mtihani anachukuliwa kuliko kuulizwa pesa. Mahali popote ukienda unaulizwa pesa na mtoto amefanya mtihani vizuri amepita mtihani vizuri unaulizwa hongo. Na ile hongo anakuuliza ni pesa kubwa na wewe haujiwezi. Sasa tumeshindwa na watoto tuko nao nyumbani tunaangaika.

Neno la pili. Kuna watu wako kwa kazi kubwa kubwa wamepewa kazi kubwa kubwa. Hawa watu ukiwaona wanaongezwa tena kazi ingine. Mtu anapewa kazi tatu ama nne. Na huku nyumbani kuna vijana wamesoma hata wako na ma-degree lakini hawana mahali ya kupelekwa. Na mtu anaongezwa kazi tatu ya mishahara mitatu. Nataka mtu awe na kazi moja, mtu mmoja. Hiyo kazi mbili mtu mmoja. Sasa tunamaangaiko mengi sana. Tena neno lingine, tuna askari ambao wanakuja, tuko nao karibu. Hata ukipata shida hawawezi kuja kutusaidia. Lakini wakisikia pombe wanatoka haraka, wanakuja kushika pombe haraka. Lakini shida ya kuibiwa, wezi wanabomoa maduka hawako karibu hawawezi kusonga karibu. Wanasema hiyo ni taabu yako, lakini mambo ya pombe hiyo wanahusika sana.

Ufisadi umekuwa mwingi sana, wakishika huko kwa sababu wanapata huko pesa nyingi na wewe huna pesa. Nafikiria ndio hayo nilikuwa nayo. Ahsanteni.

Com. Abida: Ahsante Agnes. Jiandikishe. David Kunusia, hayuko? Yuko?

David Kunusia Wanyonyi: My names are David Kunusia, you can add Wanyonyi. Ningefurahia tu kwamba baada ya mapendekezo tulikuwa nayo wenzangu washaatoa. But I would only like to add the following:

- (1) Land: It should be set on land individual, and even group own land and given that freedom of movement also implies freedom of establishment. An individual should be free to own land anywhere in our country and provided with maximum security by the Government and not individuals like homeguards as it is happening everywhere in some parts of our country.
- (2) Election: We should have time for Presidential election scheduled at a different time from Parliamentary and moreso local council elections.
- (3) Education: I would like to stress the point that there should be free primary; and education when it comes to secondary education, the programme for bursary should be enhanced at university level. There should be a provision for loan to everybody who is in need including even those who are employed, especially so teachers.
- (4) We should have a Parliamentary Service Commission and among its function should be to review and recommend for salaries for Members of Parliament. Thank you.

Com. Abida: Thank you. Hellen Libabu.

Hellen Libabu: I am Hellen Libabu from Kivanywa High School. I am going to address management and use of national resources. We felt that the executive should retain its powers but they should be vetted by Parliament. The Constitution should allow equitable sharing of the national cake but where resource arises the locals must be stakeholders and should be allowed 50% shares or benefits. To allow for proper accountability Parliament should be made a watchdog of Government fund. The Controller or Auditor-General post must be advertised and a suitable person recruited. This person/office should be given power to prosecute those who mis-manage Government funds. Any such people should not be given public offices again. The Constitution should separate powers of the Anti Corruption Unit from those of the Attorney General's office. Besides public servants must declare their wealth.

On strengthening the management and discipline roles of the Public Service Commission, the new Constitution should allow jobs to be lucrative enough and have attractive sums of service. A code of ethics should be put in place to spell out discipline requirements. A charter to this effect should be in place. Agreements like COMESA and East African Community should be entered for the good of Kenyans.

Environment and Natural Resources: The Constitution should stipulate measures against grabbing land which falls on national

resources. Parliament and interested parties must be empowered in the protection of natural resources. The State should own natural resources but the locals being given 50% shares or benefits. The office of the Chief Conservationist be strengthened by being allowed legal backing. It should have tenure of office. In this regard land unless from forest range lands in the 10 years be returned to the State. Parliament and interested parties including locals must come out strongly to participate in conservation of the environment. Should there be need to re-settle people due to arising of a resource like in Kwale, these people must be duly compensated and their basic needs must be met or taken into good account. The Constitution should guide against minimal of division of land to an economical units. Expensive land that is not utilized by owners should be repossessed by the State and put to economical use.

Office of the Vice President: During elections candidates sponsoring Presidential candidates must also chose a running mate. In case of anything this Vice President then becomes President and the party in power that is number one. In a Coalition Government should nominate the Vice President until a five-year term is over when elections are held again. The Vice President must be elected that is he should be a Member of Parliament.

Com. Abida: Summarise now.

Hellen Libabu: In short we want the Ministries to cut down to 21 and Parliament should have a lifetime of five years. Have a calendar of activities and it should dissolve itself immediately its term comes to an end. The new Constitution should provide for Coalition Government. Thank you.

Com. Abida: Thank you. Father Musando – Kemoi Catholic Church. Is he there?

Father Musando William: I am Father Musando William from Catholic Church, Kemoi I am representing Civic Education Providers – Lugari and Malava and I also represent myself. Commissiones and ladies & gentlemen, people of Kenya present here, I want just to highlight on a few issues.

- (1) The new Constitution should have a preamble. That is it should have an express clarity that it is a document that belongs to the people of Kenya. That the people of Kenya are the owners of this document. Not Parliament, not the President.
- (2) On the Constitutional Supremacy, we address that this Constitution should not be above the people. The people since they are the owners, they should not be above them. In other words if the people feel it's oppressive it should be allowed that it be amended or reviewed. On rule of law this Constitution should apply to people equally. Looking at our Constitution for example chapter 2 verse 1 section 14 (1) no criminal proceedings to be instituted against the President in office. Take for example, if the current President with the current Constitution rapes somebody's wife

nobody could complain because the Constitution says so.

- (3) On Presidential Powers: We feel and the Civic Education Providers in Lugari and Malava feel strongly that they should be cut down, be trimmed. For example, the Executive powers raised in the President in Chapter 2 verse 3 powers to appoint and abolish offices belong to the President, the Electoral Commission is elected by the President. Provocation and dissolution of Parliament is under the President. Appointment of Chief Justice under the President, he is the Head of State, the President, the Head of Public Service Commission, he is the Commander in Chief of the Armed Forces. You can name them. So we feel is too much for one man.
- (4) On Economy: There are so many areas but we feel we need economists who are technical advisors to our leaders. We know there are there, but we don't know what they are doing. For example, when the COMESA market is just open and our people cannot particularly our poor people cannot take their property to Uganda or any other country. We end up losing.
- (5) On Members of Parliament: They should always consult the Electorate on matters of national importance. Many a times we hear them airing views in Parliament and yet people down here know nothing about it. And they stress that this what my people are saying. We want them to be down to the people who elected them and listen to their views.
- (6) On Constitutional Amendments: If the Constitution of Kenya will be amended by Parliament, then we need 90% of the House Members not 65% because 65% is the number that has made our 1963 Constitution to be made a rack because it was manipulated. There are too few and it is such an important document.

Finally, I beg and it is our wish the people of Lugari and Malava that the new Constitution be a public document by being distributed to every Kenyan and even be taken to schools as a subject examinable. Don't keep the people of Kenya ignorant by hiding the Constitution from them. Thank you very much.

Com. Abida: Thank you. Please register and leave us with your memorandum. Moses Munala.

Moses Munala: My names are Moses Munala. My contribution is going to be on how to suppress corruption in the country.

I begin by saying that the Constitution we want drawn should have zero corruption totally in it and any other loops it also states the same.

- (1) Public Officers of whatever rank including the President must declare their wealth and this wealth must be counter-checked by the Revenue Officers, especially the returns, the accounts for the taxation purposes.

- (2) In any case of corruption, there should be no pardoning or limitation of time in prosecution. It is revolting to let off a possible loser or misappropriation of public funds on the grounds that prosecution delays. Of course in this case, justice in the public interest is not there.
- (3) Only corruption free people to joint Parliament, whether they are appointed or elected. Now, to fight this corruption the Constitution should empower any individual who is agrieved whether individually or through an NGO, to sue that corrupt fellow. The AG should not be come in and terminate the case. Of course, if they do then the public interest is not well catered for. Anyone who faces corruption charges must step down from the office until proved otherwise. But where found guilty, rescution must be done. All public officers who have declared wealth, that document on which they declared should become a public document. Once you own up as a public officer, then you belong to the public. So the public should be able to inspect the document and agree that justice has been done. On this issue here, we are craving for new advent of transparency and we cannot give out the judicial officers if they have to make any impact at all, then they have proof that they were clean in the past. Otherwise, we will be putting new wine in the old clothes which will not help.
- (4) Coming to the President and Government: I suggest that elections in all political parties must be through secret ballot, because we are seen sycophants and so on, who have started shouting and imitating and in the cause frustrating democracy.
- (5) Secondly, the President should be 35 years and not over 74 years in order to contest for the Presidency, because I see above 74 years the President may become senile. Now, if we are encouraging the political parties to strive then we should put in the Constitution that when the President for any reason dies or resigns, the party which has sponsored the President should be allowed to complete the Parliamentary term. On that basis also, I suggest the President should head a strong Government and if the Prime Minister or the Vice President do agree the party policies or the views of the President, then the President has the powers to sack them. Also we have this thing we call political morality which should be entrenched in the Constitution. When a Minister including Vice President fails to agree with the President or the Head of the Government, they should resign.

Com. Abida: Thank you. We shall read the memorandum.

Moses Munala: The last one is that in case the Government falls for whatever reason, Chief Justice should act at the Head of State, while the elections are being conducted within three months. The last one.

Com. Abida: No, no. Let us respect time given. Thank you we are definitely going to read your memorandum. Thank you very much.

Moses Munala: Thank you.

Com. Abida: Musa Omar, Asman Idi, Alice Mulupi.

Alice Mulupi: My names are Alice Mulupi. I am representing Poverty Africa Kenya and also Civic Education Providers.

Point no.1: There should be affirmative action for improved representation of women and marginalized groups e.g. the youth, the disabled, the pastoralists and the aged, especially in local authority.

Local Authorities: Parliament and other decisions making structures including development committees, parastatals, school boards, land boards, etc.

No.2: Schools should be set up for the disabled, at least in every district to cater for the needs of every group that is the lame, the blind, the deaf and the mentally retarded.

Point No.3: The Universities should be independent whereby the Vice Chancellors should not be appointed by the Head of State. Instead the Senate University Board should be given the powers to appoint the Vice Chancellor.

Point No.4: The Constitution should be drafted in different languages, given opportunities to those who don't know Kiswahili and English to understand what it entails. Thank you.

Com. Abida: Thank you. Please register. Caleb Mukhwana.

Caleb Mukhwana: Mimi naitwa Caleb Mukhwana Kizito. Mimi najiuliza hatuna kazi lakini serikali ya Kenya imejiwekelea vikwazo mbaya zaidi. Pahali penye najitafutia askari wanakuja kutufukuza pale akikushika anakuomba shilingi mia mbili. Na yeye anakula mshahara. Sasa unashindwa na una watoto wako nyumbani, watakula nini? Ikiwa askari ndiye anakula mshahara na anakunyang'anya shilingi mia mbili ile umepata siku hiyo. Kitu ya kwanza.

Kitu ya pili, kuna wazazi wengi sana wamesomesha watoto wao, watoto hawana kazi. Ukiambia serikali hawa watoto wawatafutie kazi, hakuna. Na mtoto akienda kujitafutia tena shida. Tunashindwa sasa kama sisi manamba tuambie serikali itutafutie pahali kwenye mahali manamba anaweza kuenda kukaa wakae na uhuru yao. Kwa maana ukienda kujitafutia kitu fulani serikali ndio hiyo, akikushika wewe kama huna makosa unastukia bangi kwa mfuko na huvuti bangi. Unashtukia unawekwa chang'aa na hunywi chang'aa. Sasa tunashindwa uhuru wenye tumepata nje ya Kenya hii. Sisi raia hatuna uhuru katika nchi ya Kenya kwa maana kila kitu yote ni kufinywa. Ndio tunauliza sasa ikiwa umekataa kutupatia kazi na watoto wale wamesoma saa hii hawana kazi, tutaenda wapi? Na aibu kubwa sana mtu kama askari anapata kama shilingi elfu kumi

mshahara tena anakuja kukunyang'anya shilingi mia mbili ama shilingi mia moja yenywe umepata ni aibu kubwa sana. Sasa hii tunajuliza ikiwa unaenda kazi unanunua na kupata kazi ingine hiyo baba yako alilipa kwa shule shida. Tutafanya namna gani? Tukimbizwe na polisi hata tumekuwa ile pesa kupata kupeleka watoto shuleni imekuwa shida. Kwa maana ukipata pesa ya kununua kitabu polisi atakunyang'anya. Ni nini hiyo sasa? Yangu ni hayo tu.

Com. Abida: Ahsante. Jiandikishe tafadhali. Wasai Jacob.

Wasai Jacob Khaemba: Kwa majina naitwa Wasai Jacob Khaemba. Mimi ni mmoja wao nikiwa Chairman wa manamba Kabreu junction nalalamika kwa sababu vijana wengi hatuna kazi na wengine tulikuwa wabaya manamba imefanya wengine tumekuwa wazuri. Sasa naonelea ya kwamba ikiwa ofisa anakuja kukushika kama unapanga gari, unapata hapo riziki yako ya kila siku anakupiga jeki anakupeleka kwa polisi unaenda kuwekwa huko ulazimishwe kukubali makosa ile hukufanya. Sasa naonelea serikali ingetetea tuwe na mpangilio mzuri wa manamba. Kama mimi Chairman niwe na watu wangu nijue watu wengi mtu mmoja akiwa amefanya makosa nimuite kwa ofisi yangu na nimuonye asifanya makosa kama hiyo. Na ili manamba waendeleo kufanya kazi kwa kila station.

La pili, naonelea ya kwamba tukiwa tumechagua Councillor ameenda kwa Council, Councillor awe na ofisi yake kwa area yake, ili mama mzee azidi kufika kwake alie malilio yake Councillor amsaidie. Councillors wengi wamechaguliwa na wamama kwa area wale wamewachagua hawawajui. Ya kwamba akienda kwa Municipal haonekani mpaka siku ya kura ndio anaonekana na shilingi yake hamsini nataka kura.

La tatu, Ofisi ya Rais: Rais asiwe na mamlaka ya ku-force watu kuchagua mtu fulani. Raia wenyewe wawe ndio wanapiga kura ya kuchagua mtu fulani ndio tunataka. Yangu ni mafupi ninakomea hapo.

Com. Abida: Wangila Sanya.

Wangila Sanya: Kwa majina naitwa Wangila Sanya. Mimi naonelea hivi kabla hatujaenda kwa uchaguzi wale watu wanataka kupigania u-raisa waonyeshe wananchi ile mali walipata kwa njia gani.

Pili, mtu kama Rais adumu miaka kumi. Kama amedumu hiyo miaka kumi kabla hajawacha tuone ile mali amepata kwa ile muda amekuwa kwa ofisi ni kiasi gani. Ili wakijua ameiba huyo mtu ashtakiwe kabla hajawacha ofisi.

La tatu, Rais lazima akichaguliwa kama mwaka huu tumekuwa huko, mwaka ingine ukija kwa sababu Rais ndio mali ya Kenya abadilishwe aenda mahali pengine ili wale watu pia wapate uhuru wa serikali.

Ya nne, Chiefs: Chiefs ni watu wazuri lakini wapi, chief akichaguliwa anawacha maneno ya watu anafuata tu maneno ya serikali. Inatakiwa watu wachague chiefs ili apate maneno ya watu. Ikiwa mabaya watu watamwambia na akiwafanyia wengi

mabaya atawacha kazi kwa haraka sana.

Ya tano, Kura kama inakuja Election Commissioners should be separated from the Government ili kama Rais uchaguzi unaakuja mtu mwingine aje ashikilie kama Chief Justice kwanza, ili vile vyama iko kwa race inakuwa na levelled field kwa siasa.

Kwa sababu Rais akiwa Rais tena anatumia pesa ya serikali hata magari mnaona inazunguka na ma-Ministers na bendera. Si hiyo ni kufanya mtu awe juu kwa wengine kidogo?

Mashamba:

Com. Abida: Ni ya mwisho hiyo?

Wangila Sanya: Mashamba inatakiwa tuwe na review ya boundaries. Kwa sababu mzee anaweza kufa, mtoto wake naye afe wanagawana tu hiyo shamba. Kwa sababu hawa watu hawana uwezo wa kupata title deeds. Hiyo shamba itakaa tu kwa ile jina ya mtu wa zamani na lorry inafuatwa tu kwa yule mtu wa zamani hata huwezi kujua itakuwa nini. Ahsante sana.

Com. Abida: Ahsante. Sasa tumefikia saa saba na tunaona tuna zaidi ya watu mia moja. Na watu wanazidi kuja nataka tukubaliane kwamba mkifika hapa tafadhali dakika mbili au itamaanisha hatutamaliza watu hamsini. Ni sawa? Kwa sababu hatutaki kuwaambia tunawaharakisha lakini watu mia moja na wengine wanazidi kufika. Dakika mbili tafadhali usiseme hadithi ndefu na tunawahakikishia hizo memorandums tumesome, ambao hawana uhakika sio mara ya kwanza kwetu kuchukua memorandums. Tumechukua kote nchini na kuna repoti ambayo mtaisoma itarudishwa hapa kwenye District kuhakikisha kwamba memoranda zenu zimesomwa na zimekuwa analysed. Kwa hivyo msimwe na wasi wasi. Mtu atakayefuata ni Peninah Ngome.

Peninah Ngome: Kwa majina ni Peninah Ngome na yangu ni machache tu. Ningependa Tume kupitia serikali yetu iteuwe korti ambaye inaweza kuwatetea wamama wajane na pia mayatima. Kwa sababu baada ya vifo vya wazazi wa kiume wajane wanateseka sana. Na pia ningependa tu serikali yetu tukufu itutetee akina mama kule mbele na pia sisi tupate nafasi. Pia watoto wetu wasichana serikali ijali maslahi yao, kwa sababu wanateswa kwa njia tofauti tofauti. Kwa hayo machache ahsanteni.

Com. Abida: Ahsante Peninah. Watu wakifuata mtindo wako tutaweza kumaliza mapema. Peter Mwambe.

Peter Mwambe Wafula: I thank the Commission and the people at large. My names are Peter Mwambe Wafula. I recommend that the Government should ensure that there is free education in both primary and secondary education.

Those who lose in elections should not be nominated because they have been rejected by the people. The Government should

boost farmers by giving them sufficient funds to promote agriculture. There should be free market economy. MPs should live within their constituencies in order to hear views from their people. The cost of getting land title deeds should be reduced. There should be no special costs for women. The costs should pay a fair role in both the rich and the poor. There should be equal distribution of national income and funds from the International Monetary Fund.

Com. Abida: Thank you. Simon Belengu.

Simon Belengu: My names are Simon Belengu. I think I have very few views to give. My first view is every President should be entitled to a two five-year term.

Two, that the Presidential powers should be reduced.

Three, under Presidential: every retiring President should be impeached in case of any misuse of State funds.

Regarding the Local Government: Chairmen and Mayors should be elected directly by the people.

Security wise: The Government should ensure that there is security within the country so that it can provide security officers to other countries. We have had cases where there is no security in the country and we are providing security outside. Also, security officers should be given enough time to train for them to be accountable.

Regarding Electoral Laws: There should be equal representation in every constituency. Every MP should represent equal number of people. Election calendar should be set and not to be used as a tool by the Executive or the President. Thank you very much those are my views.

Com. Abida: Moses Wamoja.

Moses Wamoja Musee: May be I was expecting other Commissioners, my fellow participants and all in attendance. I have few points to say. I personally feel Ministers should not be elected Members of Parliament. My names are Moses Wamoja Musee retired senior chief. I personally feel Ministers should not be elected Members of Parliament. If they are charged with wider responsibilities that cover all the Republic while he or she would be discharging his or her exactly duties somewhere within the country his or her constituency would be suffering. The number of Ministries be created to match with the eight provinces, so that it is equitably distributed.

Appointment of Ministers: There should be a nomination council specifically to nominate Ministers. The Chairman of the Public Service Commission should be a member, since the Ministers are or is a civil servant through Provincial Administration machinery some highly qualified personalities be recommended to be nominated to the nomination council for consideration.

After the council find someone who is qualified with the relevant degree the list is forwarded to President to pick any from the list to head the Ministry, as recommended by the council, for example if each province has to have three Ministers, then from that province they should send about 60 people who have been considered for the position.

Com. Abida: Two minutes are up. Please give us your last recommendation.

Moses Wamoja Musee: Oh, yes. Now I would just say corporal punishment in schools should be reverted back, because without discipline children cannot grow very well. Come to retirement age it should be uniform, you find some churches go to 75 and other people 55. If it is 55 they should all be 55, since these are people we have taken them to school they are educated enough they are looking for jobs. And finally, ministerial posts should be handled by graduates.

Com. Abida: Samuel Misiku.

Samuel Misiku Kituyi: Thank you very much, I have just a few views to enlighten.

Com. Abida: Your name.

Samuel Misiku Kituyi: My names are Samuel Misiku Kituyi, the headteacher of Kivanywa Primary. One is on the Provincial Administration.

Provincial Administration from the chief downwards should be elected by the members within the communities, since these ones are known to be community leaders. In line with that, the village elder should also be empowered to have powers within the people that he is administering, because from the past a village elder should be a person who is very much versed with the culture of the people that he is leading. And therefore, the Government has to recognize these people in such a way that they are also to be salaried. In line with that again, I am recommending that when it comes to these local brews, the Government identifies which is the local brew that suits a particular community. For example, in the Luhya community there is a local brew which is busaa that has to be mandated for the people to take, and hygienically if the leaders like the village leaders can be in concern, then it can be siphoned instead of being taken in the things which are unhygienic.

On nomination of the President, since Kenya has eight provinces, I would suggest that the provinces nominates their own people, for this case it may be eight and then those eight people can vie for Presidency and the one who will have the majority will have to lead the country, because he/she will have sold himself or herself when.

As far as the education line is concerned, the Ministry has to be streamlined to such a level that when it comes to promotion, people at the grassroot have to identify who is to be promoted. For example, when it comes to primary or may be secondary, we have the Principal in secondary and headteacher in primary who can identify those teachers who are working very hard and

therefore with the supportive documents they views can be listened to.

And then lastly, we have these District Constituency boundaries. My request is actually let this one be re-drawn so that cases like this of Matete cannot arise again. Thank you very much.

Com. Abida: Can you please register with us. Daniel Wanani.

Daniel Wanani: My names are Daniel Wanani – Branch Executive Secretary – KUPPET. A representative of Western Province in the national office. As a Union a memorandum is to highlight the real issues on the mechanism to be put in place to ensure maximum participation in Government by the following groups.

One – Women: That all Kenyans should be looked at as Kenyans depending on their ability and what they have to offer but not on gender basis. We insist on putting more emphasis on girl-child education. Bravo to some girls that have come up to beef up the Government support on this. To our dear sisters, we wish to remind them that the most fundamental mistake they make is not trusting their own capabilities to lead. Please come out more aggressively and you will be given the desired support.

Two – Persons with Disabilities: We are encouraged by the fact that with the new technology we have seen people with disabilities deliver services effectively. It is true many of them are more committed on exercising their responsibilities and duty. We therefore suggest that let us seek proficient technological fuel to start the growth and development of the talents. We suggest that let at least among the 12 nominated MPs one of them should represent their special interest in Parliament.

Three – Minority Groups: Kenya being a democratic country, the majority can always win thereby sidelining them minority, particularly non-African. Since we are among the racial state we suggest that we should establish a fair chance in realization of our expressions as a multi-racial state. That mistakes were made by some of these races, during colonial times is no reason for us to sideline non-Africans. Let us look at it Kenyans strength for the benefit of us all and even the whole world. We therefore suggest that in terms of the appointive positions in the Government, these positions should reflect multi-racial Kenyans but not as it is now.

Four – The Elderly: On the elderly, we wish to call upon all of us to show a lot of respect for them. Like in America they are looked upon as senior citizens and if the same could also apply in Kenya, I think this can be okay. Let us reflect on their contribution in national building and feel happy that they laid the foundation for us on which we have to improve and even develop further. In a nutshell, let us resolve to combat suspicion and laxity. Our Union which is to request all Kenyans to start on the greater danger of Executive governance and building of our beloved nation, regardless of religion, creed or party affiliation. It is high time we all vow to reflect what we were given to inherit.

Com. Abida: Thank you very much. Hezron, Tom Wawire. You are Tom?

Tom Wawire: Thank you the Commissioner and the Constitution Activist. My names are Tom Wawire, I have a memorandum pertaining all people with disabilities in Matete Division. Our first memorandum is based primary on a Constitution that belongs to all people of Kenya. It should address the aims and will of Kenyans broadly. The Constitution should govern basic rights, its security, health care, education, shelter, food and eventually employment. In the past, we know that the Constitution was violated in that the wrongdoers go untouched whereas the innocent suffers injustice. Those that commit justice are never rewarded.

Furthermore, let the Government make the laws that will protect all these people with disabilities from negligence,(inaudible) nepotism, dictatorship violence and eventually poor democracy. The Constitution should be on alert in that the coming election all people will need to be supported. Therefore, the Constitution should be on alert in that the coming election we will participate but some of us cannot make it to the polling stations without support. So let the Government provide disabled with wheelchairs, base course and basic materials for their support. The Government should also know that we are educated and well trained for employment. We want the Government to provide typesetting machines, photocopying machines, video machines, binding machines and eventually electronic tools so that disabled can use them to lead life.

The Government should set aside Unions for disabled. These co-operative should be enacted in every district, so that in every district there should be a representative. Further we would like to have every(inaudible) for every disabled in every constituency. The Government should provide free education to all disabled from primary education to secondary school level. So that no disabled is left without education and it should be compulsory. The Government in conjunction with the Health Ministry wants the Government set aside bursaries for disabled, or education to be free like the past whereby we are not allowed to pay anything, but now we are forced to pay money. But where can we get that money? It is because we are (inaudible) in this place. We want to have a law that can protect all disabled from the rest of the people in our country as a whole.

The Government should provide marginal land so that we can carry out some practices which should be done in every village. Moreover, the Government should put aside(inaudible) constables and their charges. We hope tha the Government will seek a solution, a blind man who wants to drive a vehicle to be provided with an official driving licence. The Government should know that we are not useless, we have watchdogs at every municipality. The Constitution in conjunction with the Government should strengthen our rights to lead and also enjoy the benefit of our national police. By so doing unto this memorandum we want defined a Constitution that every Kenyan will admire to implement and apply. Thank you, that's all.

Com. Abida: Thank you very much. Please register and leave us with your memorandum. Alukhayo Musungu.

Alukhayo Musungu Nakome: Kwa majina naitwa Alukhayo Musungu Nakome, the former Assistant Chief wa area hii na vile vile member wa Land Control Board, Lugari. Kwa maoni yangu upande wa land. Upande wa succession itengenezwe na village elder and watu wa ukoo na DO amalize records zipelekwe tu Nairobi. Hizi zinafanya watu wanaumia sana upande wa land. Survey hawako kwa ofisi ya agriculture ama kwa DO. Tunataka survey wa Government waandikwe wale watu wako trained wawe katika ofisi ya agriculture na wasaidie watu ku-fill forms, vile vile kupanua njia ambazo zimefungwa na watu wabaya.

Na upande wa churches: malipo ya land iko juu sana. Na upande wa title deeds ni heri wakati DO amepitisha title deed zote za land ziwe kwa DO. Wakati amepitisha iwe mara moja apate title deed imuwezeshe kupata kitu kama loan.

Upande wa employment: Inaonekana watu wamejiandika mshahara ya juu sana mpaka one million na watu wengine wamekosa kazi kabisa. Ni heri tufanye kama Tanzania walifanya wa reduce 20% ya kila mtu ambaye anapata mshahara ya juu to create employment kwa watoto wetu ambao wamekosa kazi. Tunataka watoto hawa wakuwe trained, colleges za training ziwe nyingi ziwezeshe watoto wetu kupata ujuzi wa kazi ya biashara na ukulima. Ndipo tuzuie wizi ambao umezidi Kenya. Na vile vile ya mwisho, harusi ifanywe kwa yule msichana mwaminifu. Zamani msichana mwaminifu alikuwa anapewa mafuta hii simsim, lakini msichana asiye mwaminifu asifanye harusi, aombewe tu. Na hii itafanya mambo ya ukimwi ipunguke, kwa sababu atajua hatafanya harusi.

Na neno la mwisho.

Com. Abida: Sema hiyo ni ya mwisho mzee ahsante sana. Tutasoma mengine kwa karatasi yako.

Alukhayo Musungu Nakome: Haya farmers.

Com. Abida: Ahsante mzee. Levi Mayombe. Ahsante. Si una karatasi? Wacha pale itasomwa. Levi Mayombe hayuko? John Mang'eni.

John Mang'eni: Kwa majina ni John Mang'eni and I am presiding clerk of Kivanywa where you are now. Now, I go straight away to forms of Government.

(1) Chairmen and Mayors should be elected directly by the people because:-

(a) This will allow people to choose Chairmen and Mayors who will best suit their interest as people.

(b) It will make them answerable to the people, hence promote efficiency in leadership. Their qualifications should

be the same as those of Councillors. They should be literate enough, not necessarily University graduates. A form four certificate with a pass is enough in this case.

(c) Councils should operate independently because:-

- This will enable them to collect enough and allocate it back on priorities, services, projects for the people. It will enable councils to hire and have qualified staff as it suits them. However, the Central Government will be allowed to monitor its operation and assist where necessary in line with interest of the people.
- Minimum qualifications for Councillors should be same as that of Chairman and Mayor. People should only recall the Councillor when he makes a mistake such as misappropriating funds intended for certain projects.

(d) Pensions: Pensioners should be given a yearly increment to put them in line with the countrywide economy changes.

Com. Abida: Your last point, please.

John Mang'eni: Their money should be remitted early enough, every month to reach them before sixth of each month, as people receive on 18th of another month or next month. Thank you.

Com. Abida: Thank you very much. K.W. Rombosia. Give us your full names when you come here.

Kefa Wetuli Rombosia: Kefa Wetuli Rombosia. My points. Besides the three arms of State or Government being independent and maintaining a system of checks and balances, a President must serve for only two terms of five years each. He must be at least 35 years old and not more than 75 years old. Parliament must be allowed to control its own timetable. We should have a bicameral system of Parliament. The upper house to cater for special interest. In other words, I am suggesting the scrapping of nominated members. Constitution offices and institutions must be independent – offices like the AG, like the Chief Justice, like the Auditor-General; they should be independent in order to do their work properly without the control of the Executive or Parliament.

Political parties must be limited to three in order to minimize what we call tribal parties. Finally, the best Government is that which governs, leads but provides maximum security and good services. Thank you.

Com. Abida: Thank you for keeping time. Richard Chuniwaka.

Richard Chuniwaka: My name is Richard Chuniwaka from (inaudible) location. Citizenship and national security. A State without discipline and a responsible citizen is simply vulnerable to be security. The community therefore wishes to recommend inhirable law in our Constitution which will apprehend any monies in the acquirement of Kenyan citizen. We feel that anybody belonging to an indigenous man parent should be a citizen of this country. A foreign woman who wishes to marry a Kenyan should apply for a citizenship certificate. Should she divorce her husband for whatever reason, then she should be deported immediately. If however, it is determined that she owns a child or children from the Kenyan man parent, then her citizenship can be re-printed purely on merit.

Foreign men spouses must equally apply for citizenship certificates. This follows that only a child born of a Kenya man parent becomes an automatic citizen of this country. The rights of a Kenyan citizen ought to entail land ownership and business enterprising, education, health, shelter, worship, freedom of expression while in his application should comprise of defending the nation being patriotic, be ready to enhance social economic and political development and having respect for our citizens. The rights and obligations should not be determined by the manner in which citizenship was acquired. We strongly disrecommend dual citizenship to avoid a double standard and minimize in Interpol surveillance. In our opinion documents necessary for Kenyan citizens are the birth certificates and national identity cards.

Defence and National Security: Establishment by the Constitution of the disciplined forces the military, paramilitary, police, prisons and so forth is quite necessary. Discipline of the armed forces may be in two ways, those charged with illegal connections and those who willingly refuse command to defend the country should appear before the court marshall, while those found to be of smaller offences should be allowed advocate representation in normal law courts.

Com. Abida: Last point.

Richard Chuniwaka: The last point, the President should not be solely the Commander of the Armed forces neither should he have exclusive powers to declare war to arrest emergency cases as war, use of extra ordinary powers by the Executive and Legislature. Parliament should at least on short notice debate emergency and powers involved sufficiently with Executive. Thank you.

Com. Abida: Thank you very much register and leave your memorandum. Wilson Mulongo? Wilson hayuko. Zablun Mwanga.

Pastor Zablun Mwanga: Mimi kwa majina naitwa Pastor Zablun Mwanga mwenye hii kanisa, ndio nafanya hapo kazi. Maoni yangu ya kwanza nataka wananchi wa Kenya tuwe kitu kimoja bila ukabila.

Namba mbili, walichagua watu wanne kwa chama cha KANU kuwa Vice President. Kwa hivyo siku ikifika ya kuchagua President hawa watu wanne waende kwa kiwanja watu wenyewe wachague kwa mlolongo wenye kupita ndio sisi wote watu wa Kenya tutamuunga mkono.

Point three, serikali itafute njia ya kusaidia wasiojiweza, kila mtu ajisikie vizuri kwa maisha yake. Mambo ya vyama mimi binafsi naonelea ikiwezekana vyama viwe viwili kama awali mwaka wa 1963. Serikali itoe amri ya kusema ya kwamba, watoto wote lazima wasome, lakini sisi kama wazazi tunasikia huo mwito halafu tunapeleka watoto kwa shule. Lakini ubaya wake waalimu nao wanafukuza watoto sana bila kuita wazazi wazungumze nao.

Com. Abida: Ya mwisho mzee.

Pastor Zablon Mwangi: Ni hayo tu.

Com. Abida: Ahsante sana. Jiandikishe tafadhali. John Makhoha. Pastor jiandikishe pale tafadhali.

John Makhoha: My names are John Makhoha Litale. I want to observe the following. Kenya's Constitution Preamble. A preamble for our Constitution is paramount to give an overview of backgrounds, welfare and development of Kenyans focused for psychological change, declaration of Kenya's boundaries indicating importance of unity amongst people of Kenya and enhance their integrity, poverty and their education.

Directive principles of state policies: There is need in our view to have statements in our Constitution to capture national philosophy. These should enhance such attributes as unity for existence and social economic development, patriotism, integrity, humility and national security. Such democratic principles, I propose should have strong fairing in our Constitution. For example, the Central and Federal Government system, regional and economic diversity, employment capability and continuity, pluralism, suppression and independence of the top arms namely: Executive, Legislative and Judiciary. Laws supremacy and reduction of the lower and upper house are all healthy and taking for our democracy.

Finally, Constitutional supremacy: Chose the sensitivity and importance of certain national issues. Our community recommends that Parliament amends all parts of the Constitution by 75% and not 65% majority. However, our experience has revealed that Parliamentary powers to amend the Constitution should in a way be limited particularly the matter stretching on the country's economy, security, land and food policies. In other words, the public through referanda should be involved in such incidents. Thank you very much.

Com. Abida: Thank you. Please register. James Shilala.

James Shilala: Mimi naitwa James Shilala, mkulima. Yangu yanahusiana na vyama vya ushirika. Mjuavyo ya kwamba vyama vya ushirika ndio uti wa mgongo wa kulima. Na tuna sheria moja inayosema nayo ni sheria ya kale zamani ya zamani ambayo nataka ifutwe, ifutiliwe mbali ya kwamba mkulima anapochagua kiongozi ambaye atamsaidia katika chama chake Commissioner wa Co-operative huko Nairobi ndiye atafanya kesi. Hakuna mwingine anaweza kufanya hiyo kesi. Sheria hiyo imeangamiza vyama vyote vya ushirika, mkulima hana lakufanya. Badala yake nataka serikali yetu ya Kenya ichague ma-commissioners katika mkoa na wale wengine waondolewe awe tu commissioner pamoja na wadogo wake na maofisa wawe wakihudumia wakulima. Na wale wakulima wakishachagua viongozi wakikula pesa, sheria iweko ya kufunga mtu huyo na akitoka huko alipe pesa hizo zote. Ili sheria itafufua vyama vya ushirika ambavyo vimekufa Kenya.

Pili, nazungumzia juu ya wa-Asia mjini Kenya wana uwezo mkubwa ambao wamepewa wajenzi ya kuapisha mbolea kutoka ng'ambo. Mbolea hii wanaleta hata mbolea zingine ambazo zinapanda hata miti. Hatuwezi kujua wanaweka aje kwa mifuko, kwa sababu mkulima anapopanda mahindi yake, mahindi ingine inatoa maua kama ni fupi sana. Na mkulima huku umechukua mbolea – loan ya wenyewe. Kwa hivyo najua serikali yetu ya Kenya uchumu umerudi chini, ikiwa uchumi utarudi vizuri Mungu akikubali, uwezo huo upewe Shirika la Kilimo na Mikopo – Agricultural Finance Corporation pamoja na shirika lingine Kenya Farmers Association. Wawe ndio watu wa kuagiza mbolea kutoka ng'ambo.

Com. Abida: Ahsante mzee. Edwin Khaveko.

Edwin Sifuma Khaveko: Kwa majina ni Edwin Sifuma Khaveko kutoka Matete Division, Chevaya location nikiwa Treasurer wa Gurupupa, Bungoma District. Haya ni maoni yangu.

Kuajiri wafanyi kazi Kenya: Kenya kwa upande wa kuajiri wafanyi kazi ni ya ukabila. Haswa upande wa army, police, AP, Kenya Navy, etc, etc.

Upande wa elimu: Ningependa elimu irudi kama zamani kwa ajili yale majengo wazazi walijenga kwa hizo shule zikaitwa High Schools zimebaki bila kuleta faida yoyote kwa nchi.

Upande wa Agriculture: Agriculture ni upande mwingine wa maana saana ambao unaleta faida kwa nchi na ambao umesahaulika zaidi for the last 10 years. Na hayo ndio inafanya uchumi wa nchi umerudi to the bed of the bottom of the land.

Cost sharing katika nchi yetu imekuja juu zaidi na imelalia mzazi upande wa shule, hospitali na transportation.

Kotini: Upande wa kotini ma judges, magistrates na wengine wale wamenyang'anywa mamlaka ya kufanya kesi zao ikiwa zimeletwa mbele zao na ndio imefanya kesi nyingi Kenya zimelala for the last 20 years hazimaliziki. Haswa wale wanapata

accident mtu anakuja anakufa bila kujua kesi yake imeenda kivipi. Je, mwenye kulipwa ni judge ama ni lawyer? Kwa kumalizia, kura ya mwananchi kuanzia kwa Councillor, kwa Mjumbe, kwa Rais naonelea ikuwe lazima wapige kura ya nomination. Ahsante.

Com. Abida: Ahsante. Mbatu Mukabana.

Mbatu Mukabana: Kwa majina naitwa Mbatu Mukabana, mwalimu wa Kivanywa High School. Kwanza curriculum ya polisi inatajikana irekebishwe na mamlaka ya polisi ipunguzwe kidogo. Wametoa mamlaka mengi kunyanyasa wananchi.

Pili, products zetu ziwe za kwanza kuwa considered kwa Constitution yetu. Kama for example, mimi ninaweza kuwa natoa chang'aa watakataa chang'aa yangu instead ya kuniambia ku-improve lakini wataruhusu kuleta Smirnoff. Na hiyo ni chang'aa kali sana kushinda hata hii.

Ya tatu, nomination vile wamesema mimi ninawacha ya kwamba nomination iwe hawa members wawe wa lower house na hawo watu wawe katika competitive approach. Guideline iweko ndio tupate ya kwamba watu wasi-nominate their girlfriends. We have seen it in East Africa.

Then liberalizing of communication: Tunataka vyombo vya umma vifikie kila mtu. Sasa walilete nyinyi Commissioners hapo kwa vile watu tuli-demand sana. Kama hamngekuja hamngejua maoni yetu. Sitaki vyombo vya umma vibaki Nairobi hata Kakamega popote vile ifikie mwananchi.

Mwisho: Ningependekeza ofisi ya ombudsman iweko na freedom square. Freedom square kama ingekuweko Kenya haingechukua muda mrefu vile ku-set Commission. Kwa vile tulikosa mahali tutasimama na tutoe maoni yetu. Ofisi ya ombudsman kama iko na iwe strengthened, hii ofisi i-educate watu wapate kutoa ignorance. Hii ofisi ipewe mamlaka kuitisha referendum if need be. However, each province ipewe freedom square, mahali tunaweza kwenda kutoa maoni bila tashwishi yoyote. Ahsante.

Com. Abida: Thank you. Please register. Mosese Kutondo, James Makhoha.

James Makhoha: Mimi ni James Makhoha Chairman wa kamati ya Constituency Constitution Review ya Malava. Haya ni maoni yangu.

Citizenship: All persons born in Kenya and whose parents are Kenyans should automatically qualify as citizens of Kenya. Spouses of Kenya citizens, regardless of gender should be granted citizenship after undergoing scrutiny of his or her application with the Registrar of Persons. A child born of one Kenyan citizen or one Kenyan parent regardless of the parent's gender is

entitled to automatic citizenship. Any Kenyan citizens have a right of freedom of expression and should have access to education and medical care and obliged to work hard to contribute to the economic growth of the country. The Constitution should not allow dual citizenship. A Kenyan citizen should carry an Identity Card.

Defence and National Security: The Constitution should establish the discipline forces like the military, para-military, police, prisons and so on. The President should be the Commander in Chief of the Armed Forces, the President can have powers to all the forces within Kenya to restore public order when it has broken down and can mobilize forces to quell national disasters.

Matters relating to wars and signing of pacts with the countries, Parliament must participate, debate and authorize and refuse.

The political parties: apart from mobilizing people to go to vote when it is time, the parties also should be charged with the responsibility of teaching them Civic Education because most people are very ignorant on what to do, they just vote cards and they are right.

Com. Abida: Last point.

James Makhoha: The Constitution should circulate the formation of parties as for me I am recommending three parties maximum, so that when one party is in power the opposition party is very strong and in this way the ruling party can be very efficient and competitive.

Com. Abida: Thank you very much. We are going to read the rest. Moses.

Moses Kutondo: Thank you very much Commissioner. My names are Moses Kutondo. Here are my views:

First I will talk about land and property rights: Under ownership of land, the State, the Government and the local community or individuals should own the land. But it should be managed under required regulations. For instance, like squatters have no land where to reside and yet the Government owns so many hectares. Therefore, the Constitution should check on that and be involved in the current Constitution to ensuring proper utilization of the land.

On restrictions on non-citizens ownership of the land, the Government should embed regulation of non-citizenship ownership of the land. For instance, non-citizens should be inspected immediately after arriving in our country because we have had recent example the bomb blast which happened in 1998.

I will talk about electoral system: The Electoral Commission should be assigned to increase the participation of women in the Parliament by at least increasing the percentage to 75% in the Parliament all the over the country. I suggest the local authorities

all over the country the number of women be 35%. Current geographical constituency should be checked because like the people of Matete politically they are in Kakamega District under Government Management they are in Lugari District therefore I recognized or I recommend that the current Constitution should check and assist the people of Matete.

Com. Abida: Your last point.

Moses Kutondo: I recognize here in Kenya to have two political parties. If we have two political parties we shall ensure that there will be efficiency election and our Commission will not spend a lot of money. That is all.

Com. Abida: Thank you. Please register and leave us with your memorandum. Sichanga Richard yuko?

Sichanga Richard Sunguti: My name is Sichanga Richard Sunguti. This is what is in my mind. First, Kenya remains a multi-party state. Political parties should not be more than five. In this way we shall not have tribal parties. Candidates who fail to seek nomination in one party should not be allowed to switch over and seek nomination in another party. Election date should be specified in the Constitution. Presidential election should be held separately from Civic and Parliamentary Election.

Lastly, if a commission of enquiry is set, its findings should be made public for wananchi to know the outcome. So that they can be intouch with the Government. That is what I had.

Com. Abida: Thank you. Jacob Were. Please register. Tafadhali Bwana Sichanga register pale.

Jacob Were Madai: Kwa majina ni Jacob Were Madai mkaaji wa Kivanywa village. Langu ni hili. Katika Kenya yetu tangu tujinyakulie Uhuru na Mzee Mheshimiwa Baba wa Taifa Jomo Kenyatta, Kenya ilienda juu. Lakini kufikia saa hii, Kenya tuko nyuma zaidi kwa upande wa ukulima. Wakulima tuna taabu sana, serikali iliyoko sasa hii ilikuja ikachukua Wahindi kutoka nje, wakaja hapa Kenya kutengeneza madawa machafu, mahindi machafu, yote ni fake, sisi wakulima tuko na njaa sana. Ninalilia wakulima wa chini katika Kenya, wana taabu.

Pili, serikali yetu ya Kenya ningependa ukiangalia kila Minister katika Kenya ana mashamba matano, sita. Na Kenya yetu kuna maskini wengi sana. 10% matajiri, 100% ni maskini. Na hakuna nchi inaweza kuwa na maskini 100% tuseme hiyo ni nchi iliyo na uhuru. Uhuru tulipata lakini tunaumia sana upande wa serikali hii. Mimi nasema ukweli.

Kwa upande wa transportation – barabara. Serikali zenu wakati wa serikali ya Mzungu pamoja na ya Jomo Kenyatta, Mheshimiwa Baba wa Taifa, sisi tulikuwa tunafanya kazi. Magari yatengenezwe wananchi watumie na gari kama zamani. Utaona maafa yatarudi chini. Mimi nasema hiyo kwa sababu naona mimi mwenyewe nimezaliwa hapa Kenya nimeona ukweli mtupu.

Sasa upande wa elimu ni nzuri lakini iwe free standard 1 upto standard 7 bila kulipa chochote.

Upande wa hospitali: Hospitali zetu za Kenya watu wanakufa zaidi. Magonjwa yamezidi na wagonjwa hawatunzwi. Tunataka free medical care.

Com. Abida: Mwisho.

Jacob Were Madai: Mwisho nasema hivi. Wamama wale ambao wanafiwa na mabwana zao na wana watoto zaidi ya saba, nane wasaidiwe na serikali. Hawa wamama wapatiwe kitu kidogo kwa kila hata mwaka, ama kila miezi sita watunze hawa watoto. Mayatima wako wengi na hawapati fees ya shule. Ningefikiria serikali ingesaidia wamama ingekuwa Kenya yetu iko na uhuru. Yangu ni hayo. Ahsanteni sana kwa kunisikiza.

Com. Abida: Patrick Muisuka.

Patrick Muisuka Kere: My name is Patrick Muisuka Kere aged 59 years. I have got six points but I will only pick one because of time and the rest you have scrutinize them.

First point. They propose law covering Presidential terms of office a maximum of 15 years should be extended to also MPs, Civic leaders that is Councillors, Trade Unions and COTU and even school committee members. So that the law should not only be for a President while other elected leaders can go for more time than 10 years. Every law in Kenya should cover everyone and not to frustrate some while others continue to contain(audible) until they die. The rest you have to read yourselves, please.

Com. Abida: Ahsante sana. Jiandikishe na utuachie karatasi. Shakara Renson.

Shakara Renson: My name is Shakara Renson. Your incoming Chairman Union of the Kenya Civil Servants, Lugari District. Mine I am going to speak about the civil servants, Lugari District. The Kenya Union of civil Servants District must be registered immediately and for it to be abolished in future, they must carry out a referendum and of which it must cater at least 65% of the members so that it is abolished.

The consumption of illicit brew – that is chang'aa and busaa must be legalized, because those people who had given responsibility to abolish they end up by taking money from those brewing it and this has not helped anything at all. This is what I am saying here is this you send a policeman to go and arrest someone with chang'aa, he takes 4,000/= now are you alleviating or you are making it worse. So the illicit brews must be legalized but must be brought in a central place whereby the public

health officers must inspect to make sure that it measures to the required standards.

The law courts – magistrates and judges of the high courts must just serve in a station only a maximum two years but must be transferred very far away from the stations they have been working. This one will help to reduce corruption and for them coming in contact with too many people. In case of a case involving a husband and wife two magistrates or judges must hear this case, so that this case does not favour one side.

On the side of sugarcane, only the sugar industries should be the sole responsible for the running of the sugar industries in Kenya. This is to say, no cartel and share must be allowed to import sugar without getting clearance from the Nzoia Sugar Company, Mumias and etc.

The Electoral Commission of Kenya must be reduced. I see no need why we should have 21 Commissioners in Kenya a country of 30 million people and India with a population of 800 million it has only three Commissioners. The number of Electoral Commissioners of Kenya – let us just have one commissioner. We cannot afford to have all these Commissioners. They are very expensive and there are just a burden to the taxpayers’.

On the issue of police: Nafikiria hapa nitaongea Kiswahili. I am proposing kwamba ma-polisi wote katika Kenya wakati wanapomaliza training wapewe tu mshipi ikuwe tu na tundu moja. Na akimaliza mwaka moja akuje ajipime kwa hiyo tundu kama hawezi kufungia long yake hiyo tundu awachishwe kazi in the public interest. Kwa sababu hapo inasaidia kwa sababu angalia kama roadblocks in Kenya. These roadblocks serve no purpose at all. You find a policeman who went there some three years with about 60 kgs within just one year he has gained about 20 kgs. So they should be helped here is to change soil otherwise. Thank you very much.

Com. Abida: Thank you. Please register and leave your memorandum. William Musundo. William? Wycliffe Kapteka?

Wycliffe Kapteka: I am Wycliffe Kapteka representing youth groups from Matete Division. The preamble: I feel strongly it is needed so that its states exactly why the Constitution is being enacted. Otherwise it can seem like a tree growing without fruits. Remember just imagine how it can be. It should focus mainly on development and making Kenya a fully independent state or country blockwise. It should protect the State from World Bank and IMF influence and interference.

I propose secondly that the yet to come Constitution should fully recognise the role played by youths and if anything, it must state clearly the age bracket in which a youth belongs. I propose between 16 – 35 as the years. This will at least reduce the unfair allocation of resources by the Government or any other NGOs to the old and the so-called powerful men in the Government on corrupt grounds that is.

Thirdly, is about education: Through the Kenya Revenue Authority the Ministry of Finance and the Ministry of Education, I strongly propose that more funds should be invested in education thus providing free education for primary. Cheap and affordable secondary education to all Kenyans that is. Public Universities on the other hand should be independent from the Government influence where the Vice Chancellor for instance should not be appointed by the President or the Head of State but selected on merit by the Senate through elections. That's all and I believe much will be read from my proposal. Thank you.

Com. Abida: Thank you, please register. Chisia Masambaya. Is he there?

Chisia Masambaya: Thank you. My name is Chisia Masambaya a resident in Kivanywa. I have the following to recommend:

- (1) Land succession: I would suggest that the procedure for actually succeeding the land from the deceased person should be reduced in that the procedure is so long and costly for the common man.
- (2) Then on freedom of speech and fighting corruption: I would recommend that there should be suggestion boxes given at various offices and this should be actually securely kept in those places, so that there should be a Commission actually to be in charge of those suggestion boxes to be reading through, so that people can air their views over issues that affect the whole nation.
- (3) On political parties: I would suggest that they should not be more than five. They should be a maximum of five and especially so those presenting Presidential candidates, otherwise for the Parliamentary and Civic seats there could be as many as there can be.
- (4) There the powers of the President: I feel that they are too many and they should be restricted, especially he should not be immune prosecution. I think that's all thank you.

Com. Abida: Please register. Joyce Francis ako? Elizabeth Musawa?

Elizabeth Musawa: Jina langu naitwa Elizabeth Musawa - Buyanzi Women Group. Yangu ni mawili. Mimi ningependa wakina mama wafanye kazi pamoja na wazee ili mama apate nafsi ya kufanya mambo yake. Kwa hivyo wamama wawe huru kufanya mambo yao bila upingamizi, bora wasifanye mambo mabaya. Yangu ni hayo.

Com. Abida: Ahsante. Jiandikishe. Beatrice Liani.

Beatrice Liani: Mimi naitwa Beatrice Liani na mimi ndiye mama anayekaa pamoja na wamama wa Quakers Church. Kwa hii

Church tumeketi. Na niko upande wa church. Ya kwanza: Makanisa haijapatia wamama mamlaka ya kuhubiri na nguvu yote.

Ya pili, na kuzungumza katika kanisa.

Ya tatu, kanisa zingine haziwapi wamama nguvu ya kufanya kazi yao. Tunafikira ya kwamba serikali hii inakuja isaidie wamama nguvu ndio wafanye kazi na bidii kwa makanisa. Ahsanteni.

Com. Abida: Jiandikishe. Priscilla Wambua. Priscilla yuko? Wapi Priscilla Women Leader? Rose Pakari, Margaret Sifuna, Jane Kauka. Hawa wamama wanataka affirmative action wakipatiwa hawako. Sasa turudie list basi. Phillip Andala.

Phillip Andala: My names are Phillip Andala, KUPPET – Vice Treasurer, Lugari District. Our Commissioners and Kenyans gathered here today these are my proposal to the Constitution.

- (1) Concerning the Judiciary: I would like to propose that in cases many Kenyans have been confined in remand homes for a very long time but when their cases come up you find that they have been wrongly prosecuted. So, I would like to propose that such people to be compensated fully by the Government for wrong confinement.
- (2) As regards police exhibits. Many Kenyans have really suffered in the hands of the police. You will find that some exhibits in the police stations when somebody is taken to the police station exhibits are normally planted on somebody. So they accuse people. I would like to propose to such exhibits when they are through with the cases they be cleared from the police stations or they should be put somewhere, in the courts we have in Kenya.
- (3) Then concerning education, I would like to propose that since we know that books are the learners power house, I would propose that the economic policies in this country should have a policy such that those publishing houses, publishing materials for schools in Kenya and other institutions should be zero-rated otherwise they should be tax free.
- (4) Still on the economy. Economic integration is a very good thing itself. Kenya is a member of the COMESA but I do feel that the economic interests of the nation override those ones of the region. Where the Government feels that for example the economy is threatened by other factors from without it should intervene in the economy. For example the Government is allowing our economy so much sugar, so this is stifling our sugar industry. Another thing concerning the economy that the Government as a player should intervene in the economy when they are poor prices. As we know in Kenya most of our people are farmers. Like the last season the farmers, their maize was the prices were very poor. But the Government intervened though it wasn't very satisfying. So most farmers sold their crops at a through away price. In this case here they did not put more than what they got from the sales. I would like that we have a policy in the economy to caution farmers from such a lose economic effect.

- (5) The next thing I would like to propose is that on employment, in Kenya we know that those ones who are looking for employment. Looking for a job is a job in itself. I propose that if somebody has gone to school, well trained and qualified and remains employed for five years, I propose that such people should be paid some special benefits by the Government. The other thing is that we would have a body most of the problems in our country are normally just coming from rich that most of the laws are not being implemented. The issue is that we should have a body in Kenya just to ensure that normally the law we have for this country will be implemented. Like for the case of having an ombudsman office in this country, I think it will do Kenyans well.

Lastly, as we said the issue of the Constitution, people have been looking at the Constitution as something it has been mystified; I would like to urge the Commission that in future the Constitution should be availed to the people. Let people know what contains in the Constitution, so that they can know their rights and duties in this country. Thank you.

Com. Abida: Thank you very much. Jane Kauka. Uliongea jana? Okay.

Jane Kauka: My names are Jane Kauka, I represent the Education Center for Women in Democracy in Malava, Lugari Constituency. I have a few points on discrimination against women. Women are discriminated upon in many ways in our country Kenya, especially in politics, society, leadership, decision making, education, culture, health and even the law of Kenya Section 82 in our Constitution prohibits all forms of discrimination, but still it doesn't cover the women. Remove the laws, I propose that to remove all the laws that discriminate against the women and pass the new laws which can protect them from harmful, traditional practices like rape case and exploitation. Remove completely, any obstacles, which hinder equal access to education and employment to women. Change the attitudes of opinion leaders and law enforcement officers from bias towards women. Recognise the Constitution of women on all spheres of economic, social and development of the country and treat them as equal participants in the national development efforts. The Gender Commission should be established as a Constitutional office to serve the office. The Constitution should include institutional mechanism for the advertisement of women such as the Gender Commission. Women should also comprise of the total composition in the following organs of governing and decision-making such as the cabinet, the judiciary, the civil service and the disciplined forces. There should be equal participation of women and men that will ensure that women experiences, knowledge and perspectives are mainstream. Eliminate all forms of discrimination on the basis of gender and recruitment, appointment and training in the disciplinary forces, and all institutions of governance keeping in mind the different needs of women and men.

Lastly, the Constitution should have a clear definition of child as any person below the age of 18 years. Nomination for parliamentary and local authorities should regulate 50-50 representation in the number of women and men. I end by saying that women should get free education to know their rights and basic needs. Affirmative action should be observed. 35% of women in the Parliament is needed. Thank you.

Com. Abida: Abdi Swaleh.

Adan Sakwa: Ahsanteni. Kwa majina naitwa Adan Sakwa.

Com. Abida: Aah, sijakuita nimeita Abdi Swaleh. Tafadhali. Ngoja jina lako kama hayuko. Margaret Wakungu ako? Beatrice Makenzio.

Beatrice Makenzio: Ahsante mimi kwa majina ni Beatrice Makonjo Onyango Posta. Yangu point yangu ya kwanza nasema, sisi tuna President wetu na sisi tunataka kama yeye ni mkubwa wetu asije akapitisha maneno yeye mwenyewe. Lazima sisi wananchi tuunge mkono tusikize ndio yeye naye kama mkubwa amalize.

La kufuatilia ni naona ya kwamba tumesomesha watoto lakini watoto wetu wameharibika kwa ajili ya kunywa chang'aa na bangi. Kwa hivyo hatuna usalama kwa Kenya yetu nzuri. Kwa maana hawa polisi wakipata watu wametengeneza chang'aa, akishika huyo mtu anapewa pesa na yeye anawachilia tu. Mwenye kuharibu watu anaendelea kuharibu na chang'aa yake.

La tatu, sisi ni wakulima lakini hatuna stock.

La nne, tumezaa watoto tumesomesha lakini hatuna college. Hatuna vifaa vyote mtoto tunasomesha tunakaa tunarudi tunakaa na watoto. Nataka ikiwezekana serikali itusaidie. La kumalizia tuko na watoto wamekufa watu wote wameacha watoto. Serikali itusaidie. Ni hayo tu mimi sina mengine.

Com. Abida: Ahsante. Zipporah Jacob.

Zipporah Jacob: Ahsante kwa majina mimi ni Zipporah Jacob kutoka Chepsai, nawakilisha group ya wamama ya Kuyekonga Women Group. Mimi maoni yangu ningesema ya kwamba msichana wake wanaofanikiwa kupata nyumba na wanamaliza na wazee wao miaka kumi na mitano kila mtoto, tafadhali asifukuzwe na mumewe. Tena ikiwa mume wake amefariki apewe mali ya mumewe.

La pili, kuna watoto ambao wazazi wao hawajiwezi lakini wanafanya bidii huyo mtoto anafika class eight. Anapofaulu mtihani yafaa serikali iangalie na itusaidie.

La tatu, kuna wasichana ambao hawakufanikiwa kupata nyumba na wana watoto wameishi kwa land. Kwa maoni yangu mimi ningenelea warudi kwa maboma zao na wapewe vitambulisho ili wazidi kusaidiwa na wazazi wao. Ni hayo ni ahsante.

Com. Abida: Ahsante. Jiandikishe tafadhali. Nalika Jackson.

Nalika Jackson: Kwa majina najulikana kama Nalika Jackson kutoka Bandet South Ward, Kivanywa sub-location. Maoni yangu ni haya. Sisi tumeonelea ya kwamba tulikuwa wawili. Tumeandika hii memorandum watu wawili mwingine ni Liani. Na tumeonelea ya kwamba Councillors ama tuseme Mayor na Chairman wachaguliwe kupitia kwa kura ya wananchi ambao waliwachagua wakienda kwa council, kwa sababu wakifika huko na wawe wakichaguliwa na council yenyewe hiyo ndio inaonekana kuwa chanzo cha ufisadi. Ukienda katika mji ambao utachagua Mayor kesho hutapata Councillor yeyote akiwa kwa hiyo mji. Atakuwa amenyakuliwa na mtu ambaye anataka ile kiti ya Mayor wameenda mbali kulala huko wakija wanapitisha tu huo mtu na hiyo ni chanzo cha ufisadi. Kwa hivyo tunaonelea warudi kwa wananchi watawachagua na watachagua mtu ambaye wanapenda.

Point ya pili, katika Presidential, tunaonelea ya kwamba President ikiwezekana tukitaka kumaliza ukabila katika Kenya, President achaguliwe kupitia kwa mikoa. Mikoa nane iwe ikiwakilishwa kwa ma-President. Kwa maana ikiwa inarudiwa mahali moja itakuwa ukabila utajaa, kila mtu atakuwa akitaka kusimamisha kwake President. Kama tunaweza kuwa na time ya kumpa kila mkoa uwe ukichagua President kwa term ya miaka kumi, itakuwa ni vizuri watu hawatakuwa wakisimamisha ma President wenu, hii wakati ni ya mkoa fulani na wale wa mkoa ndio watatoa yule President. Nikipitapitia haraka maana muda ni kidogo, tukienda kwa mambo ya mashamba kuna kipengele fulani katika land inayosema ya kwamba mtu akishanunua shamba kwa mwingine na amalize miezi sita kabla hajapitishwa huyo mtu hata mwenye – yule muuzaji aliyempa shamba anaweza kumruka. Na hii ndio njia moja inaleta ukora mwingi katika nchi. Tafadhali elders wa villages wapewe uwezo watu wanauziana shamba sheria ya Kenya ilinde watu wote wawili – mwenye shamba na mnunuzi. Ikiwa village elder atakuweco na wakiuza hiyo shamba na wote wawili waquote kwa ile karatasi yao ya mapatano ID's number, hiyo isiwe na kipengele cha kusema eti muda uwe limited. Pengine mtu alikuwa na pesa kwa haya mambo ya kupitisha shamba katika control board ni pesa mingi. Alikuwa na pesa ya kununua tu na pesa ikamuishia. Sasa labda atamaliza miezi sita, mwaka moja hajapata pesa na huyu amruke sio vizuri. Itakuwa hiyo ni kuleta ufisadi katika Kenya ama ukora katika Kenya.

Com. Abida: Mwisho.

Nalika Jackson: Mwisho ilikuwa mambo mengi lakini nimeandika mtasoma. Mwisho ni mambo ya ndoa, nilikuwa katikati sasa mmenipeleka mbele. Mwisho ni mambo ya ndoa katika Kenya. Sisi kama wazee wa Kenya na wananchi wa Kenya naonelea ndoa iweko. Na mahari ilipwe kwa msichana hii italeta heshima kati ya mke na mume. Tukisema tusiwe na ndoa ya mahari utaleta ujanja mwingi na watakuwa tu wameishi kwa nyumba hawatakuwa bibi na bwana. Lakini mahari ikiendelea itasaidia hawa watu kuwa waheshimiane ya kwamba huyu aseme nimetoa mali kwa bibi na bibi aseme nimeolewa na mali. Hawa wataheshimiana. Hayo ndio ya mwisho nilikuwa na mengi lakini nimeombwa hivo. Na la mwisho, la kumaliza Commissioners katika muda ujao mambo ya Kenya iko mikononi mwenu. Kwa hivyo tunawaangalia mtengeneza Constitution ambayo itatusaidia wana Kenya wote. Wengine wasiachwe nje. Ni hayo tu ahsanteni.

Com. Abida: Ahsante tupatie hiyo karatasi pale. Patrick Wafula.

Patrick Wafula: Kwa majina najulikana kama Patrick Wafula. Nikitoka katika tarafa ya Matete na nina maoni kidogo kuchangia kuhusu Katiba yetu. Mimi kusema kweli nitasaidia upande wa vijana. Katika kata yetu hii ya Matete, tuko vijana wengi sana na wengi wetu wazazi hawajiwezi. Na vile hawajiwezi vile kuna miradi mbali mbali ambayo vijana wamefungua. Lakini kwa minajili ya viongozi ambao wako mbele yetu hawatusaidii. Sasa hii miradi imekwama. Hasara sana sisi vijana tumejitolea mhanga kwamba tuone tuendeleze kazi ya mziki. Kazi ya mziki ni mojawapo ya wazalendo wa Kenya, na kwamba hawa viongozi ambao wametangulia hivi sasa wanatuma misaada inakuja katika mikoa na hata wilaya kusaidia watu wasiojiweza. Utapata kwamba hawa viongozi wote ambao wako mbele hiyo mishahara wanachukua kufanyia ziara zao rasmi.

Jambo la pili, sisi katika tarafa hii watu wengi wamejimudu sana katika kilimo. Na hiki kilimo ukiangalia sana soko ndio hatuna. Tumenyimwa soko, pengine mtu ana biashara yake, barabara imeharibika, vibanda hatujajengewa. Tukienda katika soko yenyewe utapata kwamba unakata receipt na umepata shilingi mia moja unakata receipt ya shilingi ya tisaini. Hata unabaki na shilingi kumi kuwa faida. Hapo tunasihi sana serikali itusaidie kwa upande huo ili tusije kwamba tukalaumiana sisi wenyewe – Wakenya kwa Wakenya ndiposa tukaona uchungu wa nchi yetu ukiinuliwa. Uchumi ni uti wa mgongo wa nchi yetu. Kwa hivyo vijana sisi twalia sana kwa upande wa elimu. Watoto maziwa hapo awali walikuwa wanaleta lakini kwa wakati huu, kuna sehemu kadha wa kadha humu nchini ambayo yanayapokea haya maziwa. Lakini sisi huku hatuyaoni. Tukiona afya saa hii ya watoto imezoroteka sana, hatuna vile inaweza tusaidia hapo. Kwa hayo nasema ni ahsante.

Com. Abida: Hawa wengine wako na maoni. Paul Machani, Solomon Juma, Festus Makalama. Mko na maoni? Wewe ni nani? Okay.

Paul Machaa: Kwa majina ninaitwa Paul Machaa na tuko na wimbo. Simoi, Wasilwa, Juma pamoja na Patrick Wafula pamoja na Makalama.

Com. Abida: Na next in John Ngome.

John Ngome: Commissioners my names are John Ngome na represent South Ward in Webuye Municipality. Mine will be on the formation of Constituencies and Districts. Ningependelea tu ya kwamba ikiwa Districts inaangaliwa na inakatwa whoever is trying to get it ajue ya kwamba lazima constituencies ziwe pale equally katika kila District. Tuseme District moja iko na wabunge watatu, ingine moja, wengine wanne, no. Iwe equally, so that tuwe represented properly na kila mtu apate share yake. For example, Ijara District ina registered voters 13 na iko na wabunge wawili. When we come to Lugari District iko na registered 78 na iko na mbunge mmoja. So inaonekana because of political line mtu anapata watu wengine, district ime enjoy na wengine hawa enjoy. So we want if Lugari has 78 na inatakikana wengine wawe equal na wengine. Kama ni tatu iwe tatu,

but nilikuwa napendekeza kila District iwe na wabunge watatu watatu. Nikimaliza mambo ya wabunge naona kila District isiwe ina overlap, constituency iwe tu within the boundaries of its own administration. Isiwe ina overlap in any other District.

Wabunge: Actually we get a lot of problems to look for wabunge's in Nairobi. They should have offices in our District here and moreso in our Division Headquarters. So that wamama's wanaenda hapo na inakuwa rahisi like when I go to his home. Uiona mama close to this Mjumbe's home, hampati. Akienda Nairobi hampati, because they have no offices.

Nikichangia mambo ya accidents. Accidents zinakuja because of our carelessness – roads zetu ni mbaya. Lakini ajali ikipatikana kesi inachukua muda mrefu sana, especially kama mtu amekufa wanasema ya kwamba tuwe na eyewitness, tuwe na polisi ambaye alichora, tuwe na daktari ambaye aliona. Polisi ambaye hakuwa kwa scene anakosa kuja several times and then case inakuwa dismissed because there was lack of evidence. Lakini ikiwa kuna mpangilio mzuri mtu ambaye aliona gari ikiua mtu awe tu mmoja ametosha na iendelee ili watu wake wapate faidi kutoka kwa kifo kile. Kesi ikikuisha advocates wanafanya kesi for a very long period na insurance inalipa advocates instead of paying the person ambaye yuko responsible kwa hiyo family. Kwa hivyo pesa ilipwe direct kutoka kwa insurance kwa watu wenyewe lakini not through the advocates. Even advocate has his own shares apewe tu his share lakini mtu mwenyewe au familia ya wale watu wapewe pesa isiwe inapitia mikono mingine, because watu wanakosa kupita na watu wamekuwa wakora wanakula pesa. Thank you very much.

Com. Abida: Ahsante. Jiandikishe. Mulala Alkaya. Ngoma C.O. Webuye Robert.

Robert Webuye: I am going to talk about economics. Each citizen of this country should be entitled to good life, therefore the Constitution should be in a position to provide its citizens for the clothing and shelter. Also, there is unjust distribution of our income health, developments and some opportunities.

Education: The Constitution should make it possible so that the primary education should be free. We also feel that the "A" level should also be brought back. Bursary for the needy children should also be distributed equally.

Law: Each citizen should be entitled to the laws of the country. No one should be above the law.

Entertainment: The Constitution should abolish most of the imported films which are showing bad cultures to the youths of the country.

Religion: The Constitution should also protect us because there so many mushrooming churches which are minting a lot of millions from the Kenyans. It is therefore good if the Constitution will maintain the original churches which have been there from long time ago.

Com. Abida: Thank you. Your last point.

Robert Webuye: The last point is about environment and security. The Constitution should protect the natural resources and utilize it fully to the benefit of all the Kenyans.

Com. Abida: Elam Muchai. Please jiandikishe pale. Elam Muchai. Mwanzo David. Jonathan Misiko, Henry Kisako, Peter Kutondo, Peter Wanyama, John Mi Sakari.

John Sakari: Kwa majina naitwa John Mi Sakari na maoni yangu iko namna hii. Ni kuhusu serikali. Serikali inaweza kutangaza neno na kusema ya kuwa kuhusu kama loan inasema tumetoa loan fulani. Lakini baadaye unawaona watu warundika kwako na magari kama watu wa AFC. Sasa hapo ndio tunasikitika AFC na serikali ni watu wale wana uwezo. Hapo tunasikitika mtu mmoja kama mimi.

La pili, sisi tulizaa watoto na tumewalea tumetoshea. Lakini sasa watoto wana marafiki wao wanapata tena watoto na wanatuletea sisi na hali sisi tumeshindwa nguvu yetu imekwisha. Maoni yangu, ni heri wale watoto wenyewe wajulikane wawili ule mzigo wao iwatoshee wenyewe. Sio kutuletea tena sisi tumemaliza maneno yetu hata hatuna mahali pa kwenda ndipo tupate haki ya kuwalea wajukuu. Lakini wasichana wanatuletea wengine. Hapo mimi naomba serikali itusaidie wenyewe wajitahidi watengeneze hiyo maneno ya watoto wao.

La tatu, tabia. Hasa watoto wanaosoma serikali imejaribu kusema ati hatutaki viboko. Lakini sisi tunasema hata waalimu sio wajinga sio wachawi, wanachapa yule mtoto amekosea. Na ni heri nidhamu isije ikose kwa shule, ni heri majuto, kiboko cha kuonyesha kuwa hii ni tabia mbaya na hii ni nzuri labda ndio watoto wajue kusoma hata ndio wawe na tabia ya kutoa sisi nyumbani na wazazi. Ahsante.

Com. Abida: Mwisho? Wilson Lilu. Kennedy Mageni.

Kennedy Mageni: Kwa majina naitwa Kennedy Mageni. Na nina maoni kuhusu uchumi na elimu. Kwanza kuna vijana wengi hapa katika tarafa la Matete ambao wamehitimu masomo na hali kadhalika kazi hatuna. Ningelipendekeza serikali iwe na kazi kulinga na viwango vya elimu. Kusiwe tu inatangaza kazi mahali fulani halafu kunakuwa na mambo ya rushwa au wanaweka kama vile walitangaza kuwa wanataka polisi wanaenda upande wako wanasema usipokuwa na kgs 120 haukubaliki.

Na la pili, ningelipenda hata sheria ambayo inaenda kuundwa ifadhiliwe kama Katiba iliyvo. Ni ahsante.

Com. Abida: Jiandikishe pale tafadhali. Ben Mukolwe.

Ben Makhoha Mukolwe: My names are Ben Makhoha Mukolwe of Box 312 Webuye. I am going to give my comments on Local Government and Land & Property Rights and Political Parties. Two minutes only.

Okay, I begin with Local Government. Mayor and Council Chairman to be elected by people.

Two, they should serve for five-year term.

Three, anyone vying for local authority seat should be a form four leaver or above. I go to nominations. Nominated Councillor should stay. Leaders from that particular ward should nominate Councillors. The Minister has the power to dissolve a council when there is a public outcry about mis-management of council funds, especially services that are not rendered and so on.

Land & Property: The State should have ultimate ownership of land. The land issue should carry a lot of weight particularly when non-citizens are concerned. Men and women to be integrated on the title deeds. A Kenyan citizen is free to own land anywhere in the Republic.

Politics: There should be only three parties. Parties to be limited to not more than three parties.

Public funds during elections: Political parties to finance themselves first, then by the Government from public funds during elections. Thank you very much.

Com. Abida: Ahsante. Erastus Mulani ako? Justus Masika?

Justus Masika: Kwa majina naitwa Justus Masika Ngutai na maoni yangu kuhusu Katiba inayorekebishwa ni haya. Kwanza NSSF.

NSSF, hizo ni pesa za mwananchi ana anapojihisi kwamba hataki kuendelea na kazi alipwe direct. Tuwe na kitu kama form ya kujaza moja ama mbili na apewe mali yake. More processing ndio inamalizika kwa ufisadi.

Police arrangement: Kenya kama nchi inayoendelea sana tunaonelea kwamba administration police wawe pamoja na police wale wa kawaida iwe ni kikosi kimoja ndio wakosa kuhitalifiana mara huyu anakuja, mara huyu anakuja na hiyo hatuoni wanalipwa namna gani. Hiyo kazi it's unviable wanafanya kazi ile haina matunda kwa wananchi.

Kufuatana na ile pombe ya kienyeji hiyo pombe busaa iweko. Polisi waachishwe kazi ya kufanya kufuata pombe maanake wameshindwa na pahali pao pachukuliwe hata na Pastor. Maanake Pastor akiombea mtu akiokoka hatakunywa pombe.

Hayo ndio yangu ahsante.

Com. Abida: Ahsante. Jiandikishe. Wilson Wanyama. Nyongesa Kaluri.

Nyongesa Elis Kaluri: Madam, mimi naitwa Nyongesa Elis Kaluri. Na niko na yafuatayo. Kwanza ningelipenda nikujulishe mahali ulipo hapa madam ni kwamba it is an island, labda umesikia. Ningependa hivi Constituency boundaries madam and creation of Districts kindly ziwe debated in the Parliament. Kwa maana mahali tuliko hapa, we have wards in Malava and administratively we belong to Lugari. Just look the way we are and we must just face that fact.

I want to come to Local Government madam. Chapter 7 in the Local Government Cap ni ya kwamba we should recall the Councillors when they are not doing their work. We recall the Councillor but the common man should recall the Councillor.

Three, mimi sina maneno mengi sana madam.

Three on political parties: Mimi naonelea hivi, for any stable Government to run, there should be a challenge to check and balance the Government and therefore we just have to have a political opposition party to check and balance. That is to say, the Government should also finance the political parties with limitation of about three. Ningependa kuongeza hivi madam, ya kwamba the issue of the Government borrowing money from foreign countries, whereas here in Kenya there so many things like giving benefits. I would like us to limit that. We limit that whoever is in office should just go home with his own benefits.

Com. Abida: Mwisho?

Nyongesa Elis Kaluri: Thank you.

Com. Abida: Ahsante. Jiandikishe pale basi. Enos Lumbasi. Kenneth Lumbasi, Mercy Injandi, councillor, Murunga Pepo, Wycliffe Shukutuli.

Wycliffe Shukutuli: My names are Wycliffe Shukutuli Mang'eni and these are my contribution towards this Review Commission. I might address on employment and I would like the Government to offer equal employment opportunities to every person and assist the Commission to get a mechanism in which to make sure that this is done and seen to be done. We should also have some specialization in what every particular citizen shall be doing and indeed I recommend the phenomenon of one-man one job. The Commission should also offer a situation whereby the Government has to offer subsidies to people who are self-employed. By so doing, it will be offering opportunities for those who are willing to quit jobs and do business hence creating jobs for potential job seekers. The Government to reduce taxation over agriculture seeds, fertilizers and at the same time get market for farmers' products.

I also want to comment on the issue of Government facilities and seek the Constitution to get a mechanism whereby we can monitor the use of Government vehicles and property.

Com. Abida: Lastly.

Wycliffe Shukutuli: We should also have a unit to receive complaints over Government department like the police, hospitals and other civil servants. Thank you.

Com. Ratanya: Haya. Ahsante sana Wycliffe na sasa tunaenda kwa Thomas Wanyonyi Laburu. Ukija utuambie majina yako vizuri.

Thomas Wanyonyi Laburu: Maoni yangu niko nayo kama mbili au tatu. Mimi ninaanza na office ya President. President, wakati wanafungua Bunge tunataka Constitution ambayo ina allow yeye akae hapo mpaka wakati wanamaliza majadiliano. Lakini yeye anafungua Bunge na anaondoka tu anawachia watu wanang'ang'ana hapo.

Pili, polisi wawe na mpaka. Kama hapa tuko na shida polisi wakiingia kwa nyumba yako wanafanya inspection baadaye wanaiba vitu hapo kama radio wakipata iko kwa meza. Ukiwafuata huwezi jua wametoka upande gani. Unatapata kama unaenda Malava wanasema sisi hatujawahi kwenda huko. Ukienda Lugari wanasema sisi hatujawahi kwenda huko. Webuye namna hiyo, Kakamega namna hiyo. Sasa hapa uhalifu uko kwa sababu ya polisi.

Neno lingine, upande wa Vice President: Vice President hapa ningenelea Constitution watueleze Vice President awe anachaguliwa na wa Bunge. Lakini si President kuchagua mtu tu vile yeye anapenda na baadaye tena anafuta yeye vile yeye anapenda.

Kwa hivyo mwisho, ninaonelea mashamba mtu anaweza kuwa na mashamba acre mia mbili na kuna mtu, mtu kama mimi hata sina nusu acre. Unaweza kukuta mtu anahangaika na wengine wanapata mashamba ma acres. Kwa hivyo turekebishe pale kidogo halafu tuwe tunashare pamoja hata maskini. Huu umaskini unakuja kwa sababu ya hali. Ni ahsante sana muda imekwisha na mimi nimeona mnaendelea.

Com. Ratanya: Haya. Ahsante sana Thomas uende pale ujiandikishe. Na sasa tuna Joseph Taracha. Kama hayuko Peter Wekesa? Peter Wekesa ni wakati wako sasa.

Peter Wekesa: My names are Peter Wekesa, naishi hapa Matete. I have the following that regards Constitution Review of this country. We have a Parliament which is selected by the wananchi. This Parliament is not allowed – there is no provision in

the Constitution which says that it should have its own calendar programmes. So that nobody from anywhere should interfere with its operations.

Two, we have the Executive which is an arm of the Government. In other words, we should talk about Presidency. It's good to have the President of this country but when you have too powerful President, that is dictatorship. A situation, which should not be allowed to prevail.

Three, we have the Judiciary which is the core impartiality, the courts impartiality, courts must be impartial, in other words the judiciary must work independently. Why should somebody somewhere come to interfere with its operations. That is where you find that justice done is seen to be done. We have a democracy which is Kenya, in a democracy political parties emerge and if we can allow them to emerge and develop, there must be a situation whereby they are given steady funds to operate freely. Now, there are a few remarks I should say about state media. It should be liberalized. The Constitution should compel the Government which is in power now to fight poverty. Which is a common phenomenon. The high level of unemployment, a situation which is very obvious, nobody should talk about it because everyone who has no employment, the Government must be held responsible for that.

Now, rampant corruption which is the order of the day. What do we do? All concerned must do something about it. About agriculture which is the backbone of this country, it has been neglected by the Government in power. Farmers grow food, they have nowhere to sell it. Something has to be done.

In connection with land ownership and utilization of land. In this country we are told people in this country have a lot of land. They don't use it, they use very little. Therefore, something must be done. Now, when it comes to the Constitution of this country

Com. Ratanya: Jaribu kumaliza sasa wakati wako umekwisha.

Peter Wekesa: When it comes to the President, me I would recommend the following: We should have a President whose age is between 35 – 60. Anything less no. He should be a person of sound mind and without body deformities. Thank you.

Com. Ratanya: Ahsante sana Peter. Joseph Pondi. Chukua hiyo dakika yako mbili Joseph.

Joseph Pondi: Wenye maoni na wasikilizaji nawasalimu kwa jina la Yesu. Mimi kwa upande wa maendeleo sisi ni wakulima. Tunajitahidi lakini tunakosa kujua tutafikia wapi kwa sababu hatujiwezi.

Ya tatu, ufisadi: tunataka amri kumi za Mungu ziwe mbele, halafu ndio tujue tunatoka wapi na tunaenda wapi. Halafu, kulingana

na uchumi mashamba hayo tunataka vijana tuungane tuwe tukipanda vyakula tofauti tofauti na ambavyo tunapanda sasa. Tukipanda vyakula ambavyo wazazi wetu wa zamani walikuwa wanapanda basi tutakuwa tumefukuza njaa. Ni hayo tu.

Com. Ratanya: Nimeshukuru sana Joseph. Sasa mwingine anayefuata ni huyu tunamuita Julius Mboya. Julius yuko? Haya endelea.

Julius Mboya: Mimi naitwa Julius Mboya na nina maoni mawili hivi ya kupeana mbele yenu. Ya kwanza kabisa ningependa kuongea juu ya sheria ya monopoly. Hii ni sheria ambayo inafuatia ma kampuni fulani uwezo wa ku operate business yao hapa nchini, bila kuwa na upinzani. Na hiyo mimi naonelea kwamba kwa sababu ya hiyo hakuna uwezo wa kufanya kazi kwa vile hakuna upinzani. Mazao yao huwa ya kiasi ya chini na bei ya bidhaa vyao huwa juu sana. Pia, kupatikana kwa vifaa yao mazao yao huwa ni haba. Nitapeana mfano wa kampuni kama ya cement ambayo imekuwa hapa mjini kwa muda mrefu na haijakuwa na upinzani. Hata imefanya wananchi ambao wangepata the basic needs kama nyumba imekuwa ni shida watu wangali wanaishi kwa nyumba za matope na hawajimudu kabisa kwa sababu mfuko moja wa cement ni shilingi mia tano hamsini. Na kujenga nyumba itakuwa gharama kubwa sana kwa mwananchi wa kawaida. Ma kampuni zingine ni kama yale ya simu kama Telkom ambayo imeleta matatizo kwa wananchi upande wa simu. Imekuwa ghali sana kwa sababu haina upinzani. Kampuni zingine ni kama KBC (Kenya Broadcasting Corporation) ambayo ninasikia ina mamlaka ya kupata transmission ya broadcasting kama TV na radio peke yake. Mfano mmoja ni kama mpira wa Olympic ambao umekwisha saa hii.

Com. Ratanya: Okay Joseph try to wind up.

Julius Mboya: Haikuwa na upinzani na tumekuwa na hapa sana. La mwisho, ni juu ya utamaduni. Ningependa serikali isaidie wananchi kutambua ile utamaduni kamili na ile utamaduni bandia. Maana kwa wingi tunatumia ukosefu wa kujua au umaskini tunaita kwamba ni utamaduni. Na hiyo imekuwa ni shida kwa mwananchi wa kawaida kuelewa kwa vile wengi huwa wanaogopeshwa na utamaduni kwamba hawezi kufanya jambo fulani. Hapo ningependelea kwa mfano, upande wa kutahiri wanatumia visu ambavyo ni ya zamani, kwa sababu ya utamaduni. Na hiyo ina madhara fulani. Kwa hivyo ningependelea kwamba serikali itumie uwezo wake ku recommend ile aina ya utamaduni ambayo inakubalika na ile ambayo haikubaliki. Na hapo tutapata maendeleo kwa nchi yetu. Ahsanteni.

Com. Ratanya: Haya ahsante Julius. We go to William Lalika yuko? Okay William simuoni. Jotham Lunani hayuko? Benjamin Nyongesa? Hata yeye hayuko. Simuoni Nyongesa. Japheth Eleyani? Jared yuko? Is it Japheth or Jared? Laiyani. Okay, sawa sawa endelea kama ni wewe. Box yako ni ipi, so that I check? 631 Webuye. Okay, sawa sawa. Ni wewe Kanu Chairman?

Japheth Laiyani Khaemba: Ahsante sana wageni wetu kutoka Nairobi. Haswa mimi mwenyewe ni mkaaji wa Matete Division na maoni yangu ambaye imenihusu kuzungumza hapa ni kuhusu mahospitali ya mission. Mtu ambaye hajiwezi na

ameenda kutibiwa kwa hospitali ya mission, hata wakati anapokuwa mgonjwa zaidi iko chakula ambayo wanamletea hata hali. Lakini mwishowe wakati wa mgonjwa ku-discharge aende nyumbani bill iko juu zaidi. Ya kuuza hata shamba yake. Wanafuata yeye mpaka shamba iuzwe na hata ikiuzwa mgonjwa mwenyewe anakosa mahali pa kuishi. Hapo ndio ninaonelea serikali ingeona hapo maana hawa watu wote hawawezi kuwa kitu kimoja. Serikali isaidie hapo huyo mtu ambaye hajiwezi.

Com. Ratanya: Unajua hapa tunataka mapendekezo yako. Tunataka maoni yako. Unataka tufanye namna gani?

Japheth Laiyani Khaemba: Maoni yangu nasema serikali isaidie mtu wa aina ya hiyo upande wa malipo badala ya kuuza shamba yake. Ndio hiyo sina mengi ambayo nilikuwa nayo.

Com. Ratanya: Okay, Japheth ahsante sana. Francis L. Munyalo, Francis simuoni. P.S. Lukume Matope. Bwana Matope? Hata Matope, hayuko.

Boniface Matope Walitume: Kwa majina naitwa Boniface Matope Walitume. Ningependa tu kuchangia mageuzi ya Katiba. Ya kwamba hapa upande wa civic wa Councillors wamesema anatakiwa awe amemaliza form four. Lakini nami nachangia kwamba tukiwa tunasema tu form four peke yake, elimu ya msingi itarudi chini. We will just be lowering their dignity. It will lose the meaning. Tukisema tu form four ama form six peke yake na hawo wa primary watasema certificate ya primary haina maana. Kwa hivyo ningesema tu hata wa msingi wawe wameingia ndani.

Jambo lingine ambalo ningependa kuchangia ni mashamba ya squatters. Mashamba ya squatters hata saa hii najua tuko na wale ambao hawana hata point, lakini ukiingia kwa settlement utaona ya kwamba tuko na mashamba ya squatters. Na ukianza kugawa utaona wale ambao watapata hawatakuwa squatters wenyewe. Watakuwa tu wale maofficers. Tutaona DC, DO's ndio watapata share ya squatters na squatter ataachwa tu. Mahali ambapo tumekaa bwana Commissioner saa hizi ni Matete Division. Matete Division kwa ukweli iko tu kama imeachwa tu – it is just in dilemma. Kwa sababu upande wa politics, upande wa siasa tuko Kakamega, Malava Constituency na upande wa Administration tuko upande wa Lugari. Kwa hivyo tunaona ya kwamba kama Matete Division haina mbunge. Upande wa pesa ya bursary, inatakiwa wabunge watufanyie bursary. Unaona upande wa Lugari wamechangisha pesa karibu million 20 lakini hiyo kwa upande wa Matete Division tutapata tu sufuri. Kwa hivyo hili ndio nimependa kusema ya kwamba serikali iangalie hapo ili tu put us on quotation.

Com. Ratanya: Tunashukuru sana kwa hayo maoni yako. Thank you Bwana Matope ahsante sana. Nenda uandikishe hapo sasa. Justus S. Washiko. Naona Justus Washiko pengine alipeana memorandum kutoka kwa KNUT. Wanjala Makhoha? Hata yeye written memorandum. Reuben Sivunje? Musoni Msakhari. Msakhari yuko hapa? Ni wewe? Okay, sawa sawa Msakhari. Ni wakati wako sasa.

Musoni Msakhari: Maoni yangu ya kwanza ni uhuru wa kuabudu. Katika Kenya serikali imeweka uhuru wa kuabudu na

uhuru huu unaonekana hauko na walio wengi. Mekanisa yamo Kenya mengi sana na serikali inachukua pombe yetu ya kiasili inaiita pombe haramu. Na sisi tangu babu zetu walikuwa wakifanya harusi, kutahirisha watoto ni pombe. Majadiliano yote ya ndoa ni pombe na sasa wanageuza kusema pombe ya kiasili ni pombe ya haramu na hali ukienda Nairobi hata State House unakuta chang'aa ya Uganda iko. Uganda bwana kwa nini wakubali pombe ya kigeni na wakatae pombe yetu. Hiyo ya kwanza. Na pombe ya kumaliza watu ...

Com. Ratanya: Wewe unapendekeza nini? Unataka nini? Kwa hiyo pombe unataka kufanywe namna gani?

Musoni Msakhari: Tunataka Katiba yetu ituruhusu pombe yetu iweko. Ahsante sana.

Com. Ratanya: Ahsante sana. Tunaenda kwa mwingine sasa.

Musoni Msakhari: Wacha nimalize.

Com. Ratanya: Maliza hiyo ya mwisho masaa yako yamekwisha.

Musoni Msakhari: Kila watu wawe katika sehemu zao yaani majimbo iweko. Na katika Katiba yetu kuweko na Katiba ya kubali kuwe na Parliament – Bunge mbili – Lower House na Upper House.

Com. Ratanya: Okay, ahsante sana Bwana Musoni. Nicholas Mukolo? Nicholas Mukolo simuoni and then Jafred Khaemba. Jafred Khaemba pengine amekuwa repeated. Peter Nalinya? Okay, he is not around. John Muchina? Hata huyo hayuko. James Mukanda, simuoni James. Philomon Natima, hata yeye hayuko? Ni wewe Philemon. Okay eendelea.

Philemon Natima Nikuri: Ahsante wakubwa kwa kunipatia ruhusa niongee hapa kuhusu Katiba yetu ya nchi yetu. Kwa jina naitwa Philemon Natima Nikuri. Maoni yangu ya kwanza inaambatana na askari wetu ambao wanatuchonja hapa wakati anapokushika anaanza kuhukumu huyu mwenyewe kabla hujafika kotini. Na ukienda huko wakikusomea mashtaka kotini ukikataa haukuyafanya wanakulazimisha kukubali. Usipokubali unaenda rumande ukae huko mpaka wanataka ukubali kwa ile kitu haukufanya. Ukienda kukatiwa hukumu, unakatiwa kwa ile kitu haukufanya. Kwa hivyo inaonekana machurches wanakulazimisha kwa ile kitu haukufanya na hawajachunguza wewe wenyewe. Hawajakuchunguza ile makosa ikiwa ulifanya au haukufanya. Ukienda kwa jela wafungwa wengi ni wale watu maskini. Lakini hakuna watoto wa matajiri huko, sasa hatujui watoto wa maskini ndio wanafanya makosa zaidi ama ni nini mbaya.

La pili, waalimu wanapofundisha kwa shule, mwalimu labda alichukua kusomesha history peke yake na wakati anapopelekwa kwa class fulani anaenda kusomesha hesabu. Sasa watoto hawaelewi vizuri anapofundisha. Kwa hivyo ni afadhali mwalimu akiandikwa aandikwe kwa subject ile alichukuliwa course. Mimi ni mkaaji wa hapa Matete na hivi juzi ambapo ndugu yangu

alipata accident karibu na hapo Chimoi gari ya miti ya kupeleka Panpaper ilienda ikawaangukia. Naomba ikiwa itawezekana kwa hiyo barabara kutoka sehemu ya Lwanditi mpaka kwa River Nzoia ukienda Webuye serikali ikiwa itawezekana watuwekee bumps. Labda itaturekebishia shida hiyo.

Com. Ratanya: Okay, ahsante sana Bwana Philemon. Peleka hapo na u-sign register. Wycliffe Wamalwa. Wycliffe Wamalwa hayuko? Patrick Wafula, I think huyu Patrick Wafula ni wale wa(inaudible) stars mnangoja. Haya ni sawa sawa. Paul Machani au mlifanya halafu tukawaambia ngoja kidogo. Christopher Wangia ni wakati wako. Useme jina lako.

Christopher Wangia: Kwa majina ni Christopher Wangia. I will talk about education. I would like the system of education to allow those students whose results have been cancelled to repeat the paper where they failed and not the whole exam. When the results are revealed, the results of the previous exam should be combined together with the new paper.

The second issue is about the Legal Tender: The money we are using in Kenya usually, I am being told it was with the Kenyatta 's head and now we are having the Head of State on our money. I would rather think or propose that we have prominent people like Dedan Kimathi on our money. Once and for all instead of changing after this Head of State to the next Head of State. We just have one person, just like for example the United States has Lincoln, Washington let all those people be there.

And then thirdly is about employment: I strongly believe it is important to have employment bureau whereby if certain institutions have vacancies they take those vacancies to employment bureau so that they employ on bureau fill those vacancies.

Lastly, I would like to talk about the availing of the Constitution: Most of us we have not seen that Constitution that is a book I believe. It is supposed to be availed in local churches – makanisa hata maduka makubwa makubwa, shule ndogo ndogo kama ya primary iwe ndogo haijafika class three ikuwe na the Constitution. So that you go there and read not just a matter of you go to courts and you are being told that you have broken a certain law, certain act you have never heard of. I think it should be available. Those are my views. Thank you.

Com. Ratanya: Ahsante Christopher. Joyce Nancy Kanuli.

Joyce Nancy Kanuli: Ahsante sana. Kwa majina naitwa Joyce Nancy Kanuli na ningependa kupendekeza mawili au matatu hivi. Ya kwanza, ni kwa upande wa Rais. Ofisi ya Rais inatakikana tukimaliza muda kama wa miaka miwili raia wanatoa maoni kumsaidia kumwelekeza vile anavyoendelea na kazi yake.

Mbili, wakati ana nominate mbunge tuna wale wenye wamechaguliwa, wale wamechaguliwa iwe ni wale watapewa kama Ministry. Na yule ame nominate amekuja tu kujaza lile pengo lilibaki. Sasa hawezi kuchukua nafasi ya wale wamepigania ile

nafasi, ila ni kujaza hiyo pengo imebaki.

Tatu, wakati anachagua Vice President asiwe ni mtu mwenye amekuwa nominated halafu aingie kwa Bunge achaguliwa kama Vice President.

Nne, Jambo la nne ni upande wa polisi: Polisi na army wakati wanachukua wamama inatakikana hawa wamama kama watu wa army wapewe nafasi pia kama wanaweza kupata watoto wakuwe na watoto wao. Isiwe akipata lazima awache kazi ndio aje nje apate watoto.

Jambo la tano, ni mali ya umma, mali ya serikali. Tunapata serikali unaomba msaada nje na huku kuna Ministries zenye zinaweza kusimamia Kenya tusiombe msaada kama forests. Tuko na pesa ya kutosha lakini wakati miti inaenda kama Panpaper unapata mwenye anaandikiwa check sio Ministry ndio inaandikiwa check lakini wanaandikia mtu binafsi. Tunataka hii pesa iende kwa Ministry na tupate pesa ndio tuone kama tunaweza kusaidia wale hawana kazi.

Kwa upande wa watu wa East African Communities, kweli ni kitu yenye tungeona kama ingesaidia lakini unapata kama Uganda na Tanzania wameweka huo mkazo wa kusema ya kwamba tumeungana. Lakini ukija Kenya wakati wanavuka mpaka inakuwa sasa ni wakati wa kunyanyaswa. Sasa tunaona hiyo East African Community haitusaidii tena kamwe. Ila pengine inaweza kuwa ni kitu ingine kwa ajili hatuoni uzuri wake. Kwa ajili wakati wanavuka mpaka mapolisi wa hapo wanakuangukia kama nyani, unanza kupapaswa huku na huku. Sasa unashindwa hiyo inasaidia nini.

Com. Ratanya: Okay, Joyce umemaliza wakati wako.

Joyce Nancy Kanuli: Wacha nimalize moja tafadhali.

Com. Ratanya: Maliza hiyo ya mwisho.

Joyce Nancy Kanuli: Kwa upande wa Rais, masafari za kwenda nje tunaona msafara anaenda nao natumia pesa nyingi sana. Wakati anaenda nje tunataka wa-limit nafasi kwa watu wa kwenda nje, kwa ajili hiyo pesa ingefanya kazi ingine kuliko kulipa pesa kama milioni moja kwenda tu kwa safari ya luxury na huku tunanyanyaswa hatuna pesa ya kutosha. Kwa hayo ni ahsante.

Com. Ratanya: Tumeshukuru. Nancy nenda hapo. Holestky Wanga. Okay, tena kuna Shariff Emoru individual. Shariff hayuko? Luisia Patrick, Wanyama. Wapi Luisia yuko karibu? Oh, ni wewe?

Luisia Patrick Wanyama: Kwa majina mengine naitwa Chivosi Bakuli. Nina miaka hamsini na tisa na waalimu wengine.

Com. Ratanya: Ni wewe unaitwa Luisia Patrick Wanyama.

Luisia Patrick Wanyama: Yes.

Com. Ratanya: Tumeandika hiyo kwa hivyo tumia hiyo. Tuambie hiyo jina.

Luisia Patrick Wanyama: Okay. Sasa nina waalimu mwingine wa miaka.

Com. Ratanya: Twaambie hayo majina ili record ichukue.

Luisia Patrick Wanyama: Ndio ni Luisia Patrick Wanyama.

Com. Ratanya: Sema kwa hiyo.

Luisia Patrick Wanyama: Nina miaka hamsini na tisa na ningali niko kwa interdiction na ni waalimu wengine wako kwa interdiction. Badala ya serikali kuchagua TSC wale ambao wako disciplined wamechagua wale wako undisciplined. Kwa sababu ile discipline walitupatia sisi si ile discipline mtu amesoma. Kwa kibinafsi mwalimu ni mtu ambaye ana akili ya hali ya juu. Na kwa nini wanapeleka watu kwa discipline na wanawacha mtu anamaliza hata retire yake, hata hajapeleka mbele akafanyishwa kesi na ile hata kesi wamefanya hawamletei majibu. Kwa hivyo, TSC ichunguzwe na tuweke watu wale ambao wanaweza kupatia world discipline na wale kama wamempatia wawaletee majibu. Mtu ambaye aliwekwa kwa discipline na hajapatiwa majibu alifutwa namna gani bila hata barua ya kupatiwa ya kwamba amefutwa namna hii.

Com. Ratanya: Naona umemaliza wakati wako bwana Luisia.

Luisia Patrick Wanyama: Na nina lingine la kuuliza.

Com. Ratanya: Sema hiyo ya mwisho sasa.

Luisia Patrick Wanyama: Polisi wanashika watu wale wanatengeneza chang'aa na wana watu wengine wanaowapeleka hiyo chang'aa kuwauzia. Kwa hivyo watu wanatengeneza chang'aa polisi wanawatisha wanachukua chang'aa hii wanapeleka wengine wanawauzia polisi wanachukua pesa ya ule mtu maskini ambaye ametengeneza chang'aa. Kwa hivyo hawa polisi wafuatwe kabisa, hata ikiwezekana polisi – force yote iwe overhauled. Wanaibia watu ukiitisha polisi kama ng'ombe yako imebiwa atachukua siku tatu ndio aje, lakini wewe mwaambie iko chang'aa pale dakika moja amefika ameiba hiyo pombe amepeleka mwingine wanakuja kuuza. Kwa hivyo polisi wetu haina adabu nzuri. Inatakiwa iwe overhauled. Yangu ni hayo.

Com. Ratanya: Ahsante sana Bwana Luisia kwa hayo maoni yako. Twende kwa Robert Netima. Niliwaambia mtu atoe mapendekezo yake ili analize haraka, yale ya muhimu.

Robert Netima: Jina langu ni Robert Netima mwalimu wa shule ya Msingi ya Muhalanya. Na ningependa kutoa maoni yafuatayo. Kwanza primary education – I feel it should be funded by the Government entirely and where a case arises or rather if there is a case or when the Government is not able to fund it, then I feel the parents should be asked to pay a small sum to Government through the District Education Officer or District Commissioner, so that that money can be used to enable the Government provide quality education.

Secondly, when any change is going to take place or rather there is change in the curriculum or on the syllabus, it is in my opinion that the teachers be consulted before that change is made because apparently some changes are being made on the syllabus without consulting teachers and when those changes have been made and taken to the teachers during implementation those changes are found to be not implementable.

Com. Ratanya: Wakati wako umekwisha Bwana Robert tumesema ahsante. Morris Simuyu. Morris Simuyu hayuko? Idi Kakai? Idi Kakai hayuko? John Wangila? This was a written memorandum pengine alileta. Hii sasa ni kwenu. Mnafanya pamoja ama ni mmoja mmoja. Wawili wawili, kwa hivyo ni Namenge Sarah na Sarah saa hizi watakuja pamoja. Okay, kwa hivyo tuwe na hiyo poem. Namenge Sarah na Sarah saa hizi waje. Mketi hapo na kila mtu ...mnataka kuketi ama kusimama? Okay kama ni kusimama mchukue. Organize for them Ismail. Ismail wapangie hapo halafu waanza na majina yao. Mkumbuke kusema majina yenu ili tujue ni nani wana poem hiyo.

Namenge Sarah & Sarah: My name is Namenge Sarah. My name is Sarah Saite from Mukhalanya Primary School. We have a poem entitled “Also Daddy is right” welcome.

“What happened, why? Why are you now in school?

Why are you now in school under why?

“Too many questions, what do I answer first?

Bad manners, which questions did I ask first?

The headteacher sent me away. Why? Why? Why? You go and find out?

I am not going there. You better, these teachers are very stupid.

You better take me to a different school.

All schools are the same.

You are wrong, I mean you are wrong teachers are not stupid.

Teachers are excellent people, they can't be stupid.

It is you who is stupid.

Okay, okay, it may be so.

Any time you do a single mistake they say that

Kulova carry with you a slasher,

Kulova carry a jembe, Kulova sit here let's talk.

I don't want that. Now see I told them

The headteacher it was instituted.

It was a directive from the Ministry of Education.

A law from human bright people, spare the rod, spoil the child.

Kulova off we go where daddy. Where else school.

I am not going there. Let's go? I am not going there?

Kulova off we go, where the school, I am not going there.

You take me to a different school.

Let's take the mother to the police. No, no. thank you."

Com. Ratanya: Okay, the next school Caroline Wambasi & Florence Wekeya. Are you teaming up that way? You know you are partners?

Florence Wekeya & Caroline Wambasi: My name is Florence Wekeya na Caroline Wambasi kutoka shule ya Mukhalanya tayari kuwaletea shairi juu ya "Mtoto Yatima". Karibuni.

"Uwanjani nimefika kutoa kilio changu.

Ni kilio cha mashaka wenzangu msikilize.

Ni kilio cha mashaka wenzangu msikilize.

Taabu ninazozipata zinanitia huzuni.

Mwaka sitini na tatu wazazi wakanizaa.

Baada ya miezi mitano baba akaaga dunia.

Nilitaka kuwafuata lakini nikafungama.

Taabu ninazozipata zimenitia huzuni.

Mama mtu wa akili akanilea nikawa.

Badala ya miaka mitano baba akamuita mama.

Nilitaka kuwafuata lakini nikafungama.

Taabu ninazozipata zinanitia huzuni.

Nilienda kwa mjomba, mfanyi kazi nikawa.

Nikaenda kwa shangazi, hata mlinzi nikawa.

Nilitaka kwenda shule, hata karo sikupewa.

Taabu ninazozipata, zimenitia huzuni.

Mwenzangu ukiwa nacho, zaidi ya masikini.

Huenda ukafa nacho, shetani akunyang'anye.

Huenda ukafa nacho, shetani akunyang'anye.

Taabu ninazozipata zimenitia huzuni.”

Ahsanteni.

Com. Ratanya: Okay, ahsante sana Caroline na Florence. Sasa kuna Pius Makhoha. Pius sema majina yako na uendelee.

Pius Makhoha: Ahsante mwenyekiti. Majina yangu ni Remmy Pua Makhoha. Mimi ni mwalimu wa shule ya msingi ya Mukhalanya Primary na langu ningependa kutoa maoni juu ya ugombeaji wa hiki kiti cha juu nchini cha President ambapo ningependa kusema kwamba sawa na viti vingine vya ubunge, hiki kiti ni maoni yangu kwamba kama hatutaki kuwa na mng'ang'anio juu ya hiki kiti, serikali au Bunge lingeweka utaratibu ili ipitishwe kwa sheria kwamba every President baada ya miaka kiti hiki cha u-rai kiwe kinafanyiwa rotational. Yaani, baada ya province wakati unaofuata province ingine itarajie kupata President kutoka huko, hii itapunguza kung'ang'ania hiki kiti. Ni hayo tu, ahsante.

Com. Ratanya: Tumeshukuru sana Pius. Nenda hapo. Sasa wale tulikuwa tumeandikisha maoni yao tumemaliza na tungetaka kujua kama kuna mtu yeyote hakujiandikisha na amebaki nimpatie tu dakika moja kwa sababu ni mwisho. Ni wangapi, mkono juu hatutaki kila mtu kwa sababu ni dakika moja tu. Hebu hawa watu wote waje pale na wafanye haraka sana. (Wanangoja mpaka jioni?). Hapo. Kila mtu asema namba yake hapa. One, wewe two, five . Wapi mama, namba yako ni? Mama 8, 9. 9 minutes. Kitu kimoja kipya sio kurudia mambo mengi. Namba 1 anza.

Tenya Malaba: Jina langu ni Tenya Malaba, naongea juu ya watumishi wa serikali wanapo retire.

Com. Ratanya: Sema majina vizuri tusikie na tuandike.

Tenya Malaba: Nitazungumza juu ya wafanyi kazi wa serikali wanapo retire na kupata remuneration yao ya retirement. Naona kwamba pension, wakati wanapata pension wengine wamekaa miaka nenda miaka rudi hata pension yao haiwezi kuzidishwa hata kidogo – no increment. Na hali ya dunia ni kwamba vitu vinapanda hata nyumba za kukodisha zinapanda. Na inaonekana kwamba Katiba inayokuja ione kwamba hawa wazee wanapata kitu juu yake kulingana na increment ya vitu ili wapate kujimudu kuishi. Kama sivyo basi hawo kufa ni kitu rahisi sana. Nilikuwa na hilo jambo.

Com. Ratanya: Okay, ahsante sana. Namba 2. Nilisema ni jambo moja, dakika moja. Sema majina kwanza.

Wanjala Timona: Sasa kuhusu President no objection. Kuhusu polisi.

Speaker: Jina lako?

Wanjala Tiringi Timona.

Sasa sisi kuhusu watu kama polisi ni watu hata huenda wakakuja kwako na kuumiza watu kwa njia isiyofaa. Hata mimi pia nilihuzinika kwamba nisoma kwa gazeti ameuawa na hii tabia ikiendelea ni makosa sana. Wanakuja kwa watu kwa njia bure na watu wanakuwa wakora.

Women Group: Tusije tukachukia wanawake kwa sababu tumewaoa. Kila mtu awe na something called first priority. Na iwe kwa njia mzuri na iwe kwamba tukiwa hivyo tutaona kwa nyumba tutakaa vizuri. Hata mzee kama wewe huwa unasikia vizuri, mama anasikia vizuri. First priority is ability to discuss problems.

Com. Ratanya: Number three.

Wanjala Timona: That's my problem.

Com. Ratanya: Okay, nenda pale. Sema jina lako.

Abdi Swaleh: Kwa majina naitwa Abdi Swaleh. Kwa vile wakati umekwisha nitatumia muda kidogo kwa kuongea juu ya office ya Kadhi.

Com. Ratanya: Tunataka tu mapendekezo, si kutueleza Kadhi ni nani kwa sababu tunajua. Lakini pendekeza vile unataka kwa ufupi na ni dakika moja na nusu.

Abdi Swaleh: Thank you very much. Mapendekezo yangu, napendekeza ya kwamba Kadhi apewe nafasi kama Judges wengine. Asije akawa na kazi ya divorce & marriage peke yake, ili tuteremshe hata mpaka mashinani na kama iko mtaa ya waislamu na waislamu ndio wamekosana tumuhukumu vile Kurani inazungumzia. Watukubalie Katiba hii tu charge kulingana na sharia ya kiislamu. Na ikiwezekana Kadhi awe appointed na maulama yaani wale wenye sharia katika uislamu, wenye wamesoma dini na wakawa na imani ya kutosha. Asije akachaguliwa na serikali. Na nguo za dini na mavazi kama kanzu na buibui ziwewe sharia zivaliwe na waislamu na mtu mwingine asiye muislamu ama muislamu asiyekuwa na imani ya dini aadhibiwe. Ni hayo tu. Nasema ahsante sana al hamdulilahi wabarakatu.

Com. Ratanaya: Ahsante sana umesema kweli kwa ufupi. Sasa ni namba 4. Ni wakati wako sasa, sema majina yako.

Maalim Musa: Mimi naitwa Maalim Musa Rajab, Imam(inaudible) Mosque. Maoni yangu ni kwamba waislamu wapatiwe uraia, wamelalamika namna wanavyotendewa wanapodai uraia wao. Kwa hivyo katika Katiba inayokuja lazima iwe wazi kuhusu raia, tunapendekeza m-raia Wakenya awe ni kwa kuzaliwa Kenya, wazazi wake ni wa Kenya. Aliyeolewa au kuoa Kenya. Atakayeomba kuwa raia wa Kenya na kudhibitisha kwamba ni sawa sawa apewe u-raia. Yeyote atakayefikisha umri wa kupata kitambulisho apewe kitambulisho, yeyote atakayeomba maombi ya cheti cha passport. Na mzaliwa wa Kenya apewe cheti cha kuolewa Kenya. Na pia waislamu tunapendekeza kuwa elimu hiyo lazima kwa watoto wote ambao ni wa Kenya hapa na watu wazima pia ambao hawajasoma. Na elimu hii tunaomba kwamba iwe ni elimu ya bure. Na kila wanafunzi wa shule wapate maadili ya dini zao. Asiwe anapewa lazima apate maadili ya dini isiyokuwa yake. Na watoto wa shule ya upili – secondary school wawe na mahsusi kule kufanya ibada au la si hivyo ni mbali kidogo wao wapewe ruhusa ya kufanya baada ya mahali popote katika shule zao. Ahsante.

Com. Ratanya: Haya, twashukuru Maalim Musa. Ahsante. Number 5, okay eendelea, tumia dakika hiyo yako moja.

John Wafula Khaemba: Mr. Commissioner kwa majina ni John Wafula Khaemba. Maoni yangu ni kuhusu polisi. Mtu anaposhikwa ni vizuri apelekwe mahakamani siku hiyo hiyo or the following day. Badala ya mtu kuwekwa kwa police for a very long period.

Jambo la pili, Mr. Chairman maoni yangu ni kuhusu mashamba. Sisi kama citizens wa nchi hii idle land should be given to the landless. Hakuna haja ya kuitwa squatters while you are citizen of this country.

Point number three Mr. Chairman, ni kuhusu wafungwa. Maoni yangu ya kwamba wafungwa wapewe muda wa kutembelea watu wao. Pia wafungwa wawe wakipewa chakula ya kutosha.

Com. Ratanya: Okay, ahsante sana Wafula.

John Wafula Khaemba: Thank you sir.

Com. Ratanya: Number six. Mama useme majina yako.

Margaret Wanyama Moses: Mimi majina yangu ni Margaret Wanyama Moses. Na maoni yangu ni kuhusu vile tulipata Uhuru. Nilifikiria ya kwamba vile tulipata Uhuru kila mtu atapata matunda ya Kenya. Lakini inaonekana ya kwamba matajiri ndio wanapata matunda, lakini maskini ndio wanaendelea kukufa kabisa. Hawana mahali pa kukaa, hawana mahali pa kupeleka watoto wao.

Upande wa elimu: Mashule yanaonekana yamekuja mashule mazuri yanasomeshwa watoto wa watu matajiri. Lakini wa maskini wanakufa tu bure.

Mashamba vile tulipata Uhuru tulikuwa tunaimba tunataka kwenda uhuru kwa shamba. Kila mtu apate mashamba, akae vizuri. Lakini inaonekana ya kwamba watu ambao walipata vizuri ni wale matajiri wamenyang'anya mashamba yote kwa Vile tulikuwa tunaimba tunataka kwenda uhuru kwa shamba. Wale matajiri ndio wanapata hiyo matunda – ile mashamba. Wamenyang'anya maskini wanabaki tu vile. Yangu ni hayo. Ahsante.

Com. Ratanya: Ahsante mama. Huyu mwingine eight. Number eight or seven. Okay sawa sawa. Hatutaki mtu aibe number ya mwingine. Haya endelea, sema jina.

Joseph Ford Wasilwa: Kwa majina mimi naitwa Joseph Ford Wasilwa. Lengo langu nimepigwa na msituko kwa vile nilipata roho tarehe sita, mwezi wa sita, saa sita. Na ikinionyesha watu nane wamepangwa kwa laini kwa maovu yale ambayo walikuwa wamefanya.

Com. Ratanya: Okay, ahsante sana kwa maoni yako. Nenda pale na tumuone mtu mwingine. Number, next one number eight or nine. Naendelea kufika ya mwisho. Sema majina yako.

Kalamona Mwasia Wafula: Kalamona Mwasia Wafula. Maoni yangu mimi kama mzazi nimesomesha watoto na hawana kazi. Nifanye nini? Hiyo ni maoni ya kusema mnisaidie? Nimesomesha watoto hawana kazi. Ninataka Kenya inisaidie. Kusomesha watoto waskose kazi, tena uwalishe? Mnisaidie hapo. Sina mengine. Hata watoto wengine kusoma wemeshindwa kwa maana wa mbele hana kazi naani atanisaidia.

Com. Ratanya: Okay, ahsante kwa hayo maoni yako mama. Neenda pale kwa register yetu na yule wa mwisho.

Maria Makhumicha Mwangale: Wananchi wa Matete, Matete tunashida kubwa kabisa. Mimi nina shida kubwa kwa maana naishi Matete, hapo ukiona kama mahali mimi nimesomesha watoto hawana kazi. Tena wanachukua shamba yetu serikali inajenga lakini hawakulipa. Mama anawangoja amekufa mimi nabaki. Sasa nani atakula hiyo pesa mimi nikifa. Nina shida mnisaidie.

Com. Abida: Walichukua shamba yako lini?

Maria Makhumicha Mwangale: Wanajenga Centre hata ingine wanapigia mpira hawajalipa.

Com. Ratanya: Ahsante sana kwa maoni yako. Pengine unaweza kumuuliza chief ufanye hiyo report kwanza. Lakini maoni yako tumechukua hapo. Okay ahsante sana tumechukua hayo maoni yako, ahsante. Wa mwisho. Ni wewe ulikuwa number gani? Huyu ndiye wa mwisho. Kuna mwingine. Tulihasabu wale ambao walichelewa. Hebu nione wengine wamebaki. Wapi mwingine, wale wamebaki ni wangapi – mkono juu? Moja, wawili. Sasa hakuna wengine. Huyu akimaliza uendelee na wewe uendelee.

Shitoshe Wycliffe: My names are Shitoshe Wangatia Wycliffe. My views are:-

- (1) Scrapping of oppressive forces like quasi-medias of Administration police, National Youth Service and General Service Unit and any other hit-squad because they just do the same work like the Kenya Police.
- (2) Prosecution of all corruptible elements regardless of social, economic or political affiliation.
- (3) Revival of pre 1980 Government policies so as to help revitalize and reconstruct the country's battered economy.
- (4) Reinstatement of the Nairobi City Commission.
- (5) Civil Servants salaries to be reviewed and remunerated to a humble percentage in order to merge with the already hefty Parliamentary salaries plus allowances.

Com. Ratanya: Wakati wako Shitoshe umekwisha.

Shitoshe Wycliffe: Only one point.

Com. Ratanya: Just one point and you give us your memorandum.

Shitoshe Wycliffe: The last one is political patronage should be scrapped. Then lastly, harmonization of international tariffs.

Com. Ratanya: Okay. Tumeshukuru sana. Sasa wewe fuata na wewe ujitayarishe.

Edward Murunga: Jina langu naitwa Edward Murunga. Langu ni kusihi serikali ichunguze upande wa urithi wa shamba tunaona ya kwamba mtu akifiwa aje tuseme mwenye shamba amekufa na amewacha mjane na watoto, inakuwa ni shida kubwa sana kupata title deed. Pesa ambazo unagharimu transport kama kutoka Kakamega ... (inaudible) transport inakuwa pesa nyingi na inahidi ukuwe na karibu elfu thelathini ama ishirini na nane ndio upate urithi wa shamba. Na ikiwa baba yako amekufa na wewe hujapata kazi sasa hilo shamba utakuwa squatter ama itakuwa namna gani. Ningeomba serikali tu ione

i-form committee ambayo inayosaidia wananchi ili warithi shamba kwa njia ya ukamilifu.

Com. Ratanya: Nenda ufanye register hapa. Sema majina yako.

Serengo Mukadia: Mimi naitwa Serengo Mukadia. Mimi ninataka kuongea juu ya Judiciary wale watu ambao wanashikwa na serikali kwa kesi yao nataka niombe maneno ya kesi iwe inafanywa kwa njia ya haraka. Kwa vile watu wanashikwa wanaenda kwa kesi na unapata watu wanakaa. Ukienda huko wanasema etu usipoenda huko watakufia kwa cell kwa vile hauna usaidizi. Na mwishowe unapate kesi yenyewe inachukua muda mrefu sana.

Com. Ratanya: Hiyo ndiyo ya mwisho. Ahsante sana. Haya nenda ujiandikishe na kwa sababu tumemaliza, tungangete tufungiwe na ile team ya Patrick Wafula. Wako wapi? Na yule mtu wa camera. Bwana Co-ordinator this is where we have been waiting and I think you can.(inaudible) Ismail, where is Ismail? Ngoja kidogo.

Paul Mwangale: Kwa majina naitwa Paul Mwangale Machau.

Com. Ratanya: Wananchi, hawa vijana wanataka kupeana maoni yao kwa njia ya wimbo. Tutawapatia nafasi. Si kusema ya kwamba tunatumbuizwa, lakini tunatumbuizwa kuchukua maoni kwa njia hiyo ya nyimbo. Endeleeni.

Chui Stars: Hawa ni wana Chui, waiongozwa na band leader Patrick Wafula. Kwa majina naitwa Paul Mwangale. Song. Serikali zikizeni nakumbuka Wananchi tumefinywa. Maskini tumefinywa. Kazi zetu hatupati. Biashara tunafanya. Riziki tunataka. Kila ya siku ya soko, nakumbuka leo. Na viwanda zitajengwa nakumbuka leo. Bidhaa tuweke wapi. Kwa kweli kabisa biashara tukifanya huwa tunakata receipt na pesa zenyewe hatujui zimeenda wapi. Viwanda zitajengwa na pesa huwa tunatoa kila siku. Misaada ikitumwa kumbuka leo. Maskini hatupati kumbuka leo. Viongozi wanauza kumbuka leo.

Upande wa elimu kumbuka leo, waalimu wanalia kumbuka leo. Mishahara ni kidogo kumbuka leo, biashara hawafanyi kumbuka leo. Kweli kabisa waalimu wanafanya kazi ngumu kutoka asubuhi saa kumi na mbili mpaka jioni na pesa zenyewe, pesa zenye huwa wanapata wanasema ni kidogo. Na ni ukweli. Kwa hivyo serikali mwaongezee mishahara.

Upande wa watoto kumbuka leo maziwa hawapati kumbuka leo. Ukiona afya zao kumbuka leo zimezorota sana kumbuka leo.

Matajiri wanapata kumbuka leo. Sasa tunaomba serikali itusaidie hii band yetu ingali changa mno. Na sisi hatujiwezi kwa hivyo hatuna sponsor na tunamuomba mtusaidie. Sisi tunalia sana hata sisi vijana tutapata shamba na sisi ni maskini tunafanya hivi ili tupate kuinua tarafa hii ya Matete. Mtaona kwamba tusije tukapatikana kwa kitu cha mtu eti tunaiba. Tunamaliza hata tumehitimu vyo vikuu. Lakini tukishaamaliza hizo tunapata kwamba hatuna kazi na tunaonelea kwamba tutashika kazi ya msingi ili tuendeleze utamaduni na tukiendeleza nchi yetu. Na unapata kwamba hawa viongozi wetu watupe wasaidie katika hali hii unaona wanakalia hizi pesa hatujui zinaenda wapi, lakini naomba kwamba serikali watuungalie kwa mambo haya. Sina mengi

lakini tuendeleeze nchi yetu. Kenya ndio baba na Kenya na ndio mama. Na ni lazima niheshimu Kenya yetu ndio baba Kenya tena ndio mama. Mbona ulinitoroka mama yatima.

District Co-ordinator - Caleb Amuswache: Ahsante sana Chui Music Group kwa kufika na pia kutupea maoni yenu kwa kucheza muziki. Tumefikia mwisho wa kao cha Matete na tumefurahi kwa sababu turn-out imekuwa mzuri na watu wa Matete waliweka saa. Sio kama sehemu zingine tumeenda. Dear Commissioners, were it not for Kivanywa Boys High School - they have given us many facilities, the power the chairs and everything, then our day might not have been a success. So, mwalimu just greet the Commissioners.

Juma Luchacha - Principal – Kivanywa Secondary School: Thank you for the chance dear Commissioners we are very grateful that you have enjoyed your time around, you have listened to very many views and we want to think that what you have listened to will go a long way in improving what should be your contents in the final draft. You have been serious but we hope that with our prayers with our support you will go through. Thank you for everything we want to wish you safe journey as you travel to meet other Kenyans in other areas. Thank you. My names are Juma Luchacha. I and Amuswache were collegemates in the University that's why we are relating very well.

District Co-ordinator - Caleb Amuswache: Okay narudishia kikao Commissioners na tutazidi kutengeneza Katiba. Ahsanteni.

Com. Ratanya: Sasa tukiwa tumefika mwisho wa kikao hiki, ningetaka kurudushia shukurani kusema ahsante sana kwa Principal wa shule hii – Kivanywa Secondary School kwa kusaidia kwa furniture ambayo iko hapa na hata wanafunzi wenyewe wakaja kutoa maoni yao na Principal naona tunaye hapa mpaka sasa. Kwa hivyo ni shukurani kuu inaonekana vile mnapenda tuwe na Katiba mpya na mmechanga sana ili tuweze kupata maoni ya wananchi. Na tena hii kanisa ambayo tunaita Friends Church naona tuko kanisani na wanaendelea na kujenga na hata hivyo wakasema tuingie hapa tupate maoni ya wananchi kwa kusaidia kurekebisha Katiba yetu ya Kenya. Kwa hivyo hata hawa isipokuwa sioni Pastor yeyote. Oh, Pastor yuko hapa na wakristo pengine wake tunasema ahsante sana kwa kutukaribisha na kutupatia nafasi hii. Na wananchi wote ambao wamesubiri mpaka sasa pengine wale walikuwa observers nashukuru mmekaa nasi mpaka sasa na wale walipeana maoni yao wako hapa na wale walienda tunashukuru sana. Kwa hivyo tukimalizia hapo kwa niaba ya Commission, siwezi hata kusahau kumshukuru Co-ordinator, na wale members wa CCC na wale Civic Education Providers ambao wako hapa na wote ambao tumesaidiana nao hata sisi wenyewe tunajitolea shukurani, na hata staff yetu kila mtu nasema ahsante sana na nikimalizia hapo kwa niaba ya Tume yetu ya kurekebisha Katiba ya Kenya na tukiwa na Commissioners hapa wako hapa. Mwenyekiti mdogo Commission yetu ya Kurekebisha Katiba ambaye tuko naye hapa, Abida Ali-Aroni na kwa niaba ya mimi mwenyewe Domiziano Ratanya na hata yule Commissioner wetu tungekuwa naye lakini ni mgonjwa hakuweza kufika Tobiko sisi zote tuna nyinyi.

Na ningetaka mwishowe kabisa kutangaza kwamba nimefunga hiki kikao cha Tume ya Kurekebisha Katiba upande huu wa Matete katika Malava Constituency. Na mwishowe tufungiwe na Pastor kwa neno la Mungu.

Pastor Simon Bilengu: Ningependa tu kusema ahsanteni sana maCommissioners na wananchi ambao mmetulia mpaka mwisho wa kurekebisha mapendekezo yetu. Kwa hivyo ningependa kusema kwamba muwe na safari njema hilo ndilo ombi letu na tunatarajia kuona Katiba mpya hivi karibuni. Majina yangu ni Simon Bilengu, mhubiri wa kanisa hili. Pamoja tukaweza kuamini na kuomba.

“Baba wetu katika jina la Yesu ahsante kwa sababu tulianza na wewe Mfalme, tuliitisha damu yako katika mkutano huu na tumeweza kuona mkono wako tunasema ni ahsante. Ahsante kwa sababu umetupa afya njema Baba, ahsante kwa ajili ya mapendekezo ambayo watu wako wametoa Kristo. Ahsante hata kwa ajili ya maCommissioners ambao tumekuwa nao. Sasa wakati huu tumefika tamati Kristo tunaomba safari njema kwa maCommissioners wetu ambao wamekuwa ni wageni wetu wanapo safiri kuwa pamoja nao. Ahsante hata kwa ajili ya wananchi Mfalme naomba baraka na uziwa ndani ya maisha yao. Ahsante hata kwa ajili ya ratba ambayo imebaki ya kumalizisha Katiba tunaomba kwamba Mfalme Katiba ambayo itatolewa Kristo itakuwa niya kupendeza wananchi na pia kupendeza wewe. Ahsante mahali utakuwa nasi pamoja na ni katika jina la Yesu Kristo nimeamini na kuomba. Amen. Thank you Lord.

Meeting ended at 4.30 p.m.
