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1. DISTRICT CONTEXT.

Masinga constituency is in Machakos District. Machakos District is one of 13 districts of the Eastern Province of Kenya.

1.1. Demographic Characteristics

| District Population by Sex | Male | Female | Total |
|---|-------------|---------------|--------------|
| | 442,891 | 463,753 | 906,644 |
| Total District Population Aged 18 years & Below | 250,366 | 239,737 | 490,103 |
| Total District Population Aged Above 18 years | 192,525 | 224,016 | 416,541 |
| Population Density (persons/Km ²) | 144.3 | | |

1.2. Socio-Economic Profile

Machakos District:

- Is the 5th most densely populated district in the province;
- Has a 85.9% primary school enrolment rate, being the leading in the province and ranking 10th nationally;
- Has a 28.0% secondary school enrolment rate, being ranked 4th in the province and 18th nationally;
- Experiences the following main diseases: Malaria, upper respiratory tract infections, skin diseases and infections, diarrhea diseases, and urinary tract infections;
- Has a child mortality rate of 45%, being ranked 11th nationally;
- Has a life expectancy of 68.1 years, being ranked 2nd nationally;
- Has a 27.0% malnourishment rate of children under 5 years of age, being ranked 29th nationally; and
- Has a population of 63% that is considered among the absolute poor.

Machakos district has 6 constituencies: Masinga, Yatta, Kangundo, Kathiani, Machakos Town, and Mwala. The district's 6 MPs each cover on average an area of 1047 Km² to reach 151,107 constituents.

2. CONSTITUENCY PROFILE

2.1. Demographic Characteristics

| Constituency Population | Total | Area Km² | Density (persons per Km²) |
|--------------------------------|--------------|----------------------------|---|
| | 106,836 | 1410.90 | 75.7 |

2.2. Socio-Economic Profile

The main economic activities in the constituency are:

- Horticultural farming; and
- Mixed farming.

2.3. Electioneering and Political Information

Since the introduction of the multi-party system, KANU won both the 1992 and 1997 General Elections. In 1992, it had 74.06% of the valid votes, while in 1997 it had 54.26% of the valid votes. The 1997 parliamentary seat was hotly contested for by SDP, which had 45.74 of the valid votes. In 2002, the National Rainbow Coalition took the seat.

2.4. 1992 General Election Results

| 1992 TOTAL REGISTERED VOTERS | | | 26,021 |
|------------------------------|--------|--------|---------------|
| CANDIDATE | PARTY | VOTES | % VALID VOTES |
| Ronald J Kiluta | KANU | 10,172 | 74.06 |
| Lawrence M. Kiminza | DP | 2,335 | 17.00 |
| Samuel Muthusi | FORD-A | 1,228 | 8.94 |
| <i>Total Valid Votes</i> | | 13,735 | 100.00 |
| Rejected Votes | | 384 | |
| Total Votes Cast | | 14,119 | |
| % Turnout | | 54.26 | |
| % Rejected/Cast | | 2.72 | |

2.5. 1997 General Election Results

| 1997 REGISTERED VOTERS | | | 33,657 |
|--------------------------|-------|--------|---------------|
| CANDIDATE | PARTY | VOTES | % VALID VOTES |
| Ronald J Kiluta | KANU | 12,886 | 54.26 |
| P.M. Katu | SDP | 10,861 | 45.74 |
| <i>Total Valid Votes</i> | | 23,747 | 100.00 |
| Rejected Votes | | - | |
| Total Votes Cast | | 23,747 | |
| % Turnout | | 70.56 | |
| % Rejected Votes/Cast | | 0.00 | |

2.6. Main Problems

The main problem experienced is water shortage. Although Masinga Dam is situated in this area, it has not benefited the constituency since much of the water goes to the neighbouring Kitui District.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency Constitutional Forum (CCF) plays a very significant role in the review of the constitution. It is designated as one of the organs ‘through which the review process shall be conducted’ - (sec. 4(1) of the Constitution of Kenya Review Act, Cap.3A). The importance attached to the CCF arises from the recognition of the need to involve the people fully in the review of the constitution. Only through such participation of the public will the new constitution reflect the preferences, hopes and aspirations of the people. It would also increase people’s knowledge of constitutional issues, and facilitate their familiarity with the provisions of the new constitution. Additionally, the process, enhances the legitimacy of the constitution among Kenyans and their sense of ownership over it. In these ways the proper implementation and safeguarding of the constitution will be facilitated.

3.1.2. Composition and Establishment

The 1997 Review Act had provided for district forums ‘to mobilize communities at the local level for the purpose of civic education in preparation for the Commission’s work and to perform such other duties as the Commission may assign’ - (sec. 12A (6)). The District Forums were to consist of members elected to represent locations, religious organizations, and the disabled, in addition to MPs and members of every local authority in the district. The Act contained several provisions prescribing minimum qualifications for membership and regulating the operations of the District Forums.

The Select Committee of the National Assembly, which reviewed the Act in early 2000, decided to replace the District Forums with Constituency Forums to get views ‘directly from the people in the constituency without necessarily going through the rigours of an election to determine the members of the forum’. It thought that this would provide for a more popular form of participation. It recommended on the simplification of the forum to avoid elections. The Select Committee envisaged the constituency forum as an ‘open forum with no specific structures’, which should be ‘flexible and easy to manage’. Its opinion was that the ‘existing leadership comprising Members of Parliament, councilors, community based organizations, religious groups and individuals should be able to present views and opinions directly from the grassroots’ (*The Report of the Parliamentary Select Committee Reviewing the Constitution of Kenya Review Act, 1997*, April 2000). It removed the regulatory powers of the Commission over the forum, its role being confined to the ‘facilitation’ of the forum. It also changed the function of the forum from the facilitation of civic education to also include facilitation and the collection of the views of the public on proposals to alter the constitution.

In view of the limited role of the CKRC in the establishment of the CCF’s, the CKRC prepared and gazetted Guidelines for the operationalization of the constituency constitutional forums. The Guidelines stipulated that all the residents of a constituency would constitute the CCF. The CCF is described as one of the organs ‘through which the review process shall be conducted’ - (sec.4(1)). The CCF was thus one of the principal ways in which the views of the public were to be obtained.

In order to coordinate and facilitate the activities of the CCF, a Constituency Constitutional Committee (CCC) was to be established. The Guidelines proposed its membership to consist of 10 persons, of which three would be ex-officio: the local MP, the chair of the County Council in which the constituency is located, and the District Coordinator. The Guidelines stated that the membership would be as broad and representative of the people of the constituency as possible and recommended that at least a third of the committee should be women.

3.1.3. **Functions of CCF**

- Facilitation of collection of the views of the public at the constituency level on proposals to alter the constitution; and
- Debate and discussion of the views of the members of the public on proposals to alter the constitution.

In performance of these functions, the CKRC was required to visit all constituencies (Sec.18 (1)(a)).

3.1.4. **Functions of CCC**

- The functions of the CCC were mainly facilitative and advisory, the primary aim being to enhance the effective participation in the ownership of the constitution review process by the people at the constituency level;
- The CCC was also mandated to promote, facilitate and monitor civic education at the constituency level in collaboration with the District Coordinator and civic education providers;
- Additionally, the CCC had to ensure that the constituency had access to all information relevant to the review process in coordination with District Documentation centers; and
- Finally, the CCC was also mandated with the task of dissemination of the report of the CKRC. It was to be assisted in this by the District Coordinator, who was also its accounting officer, in relation to funds that were made available to it by CKRC.

It is important to emphasize that the Guidelines were advisory, and the local community was free to modify them to suit local circumstances. For example, the size of the CCC could be increased when and if adequate representation and diversity required it.

3.1.5. **Date of Commencement of Work**

The Constituency Constitutional Forum (CCF) was to run for an initial period commencing November 2001 up to September 2002. Accordingly, each Constituency Constitutional Committee (CCC) should have been constituted at the very latest by the end of November 2001. The Constituency Constitutional Forum was to be operational by that time.

3.2. **District Coordinators**

3.2.1. **Mandate/Terms of Reference**

- Be the local grass root representative;
- Perform the generalization activities in the district;

- Be in charge of the documentation center/s in the district, facilitate its/their respective management, ensuring they are stocked and are easily accessible to the public and also organize their safety and security;
- Gathering any relevant local information and materials for the purpose of constitution making;
- Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- Supply such information needed by local constituency forums and committees;
- Liaise with other documentation centers nearby and others for information;
- In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- Identify and arrange for simultaneous local translations, sign language users, procurement and hiring of public address systems, transport and communication facilities for CKRC's meetings in the district;
- Monitor the implementation of civic education by civic education providers in the district;
- Facilitate the formation of constituency committees with guidance and assistance of CKRC; and
- Perform any other tasks as directed by CKRC.

3.2.2. **Criteria for Appointment**

- Diversity in the composition, taking into account ethnicity, age, religion and professional or occupational background; and
- Appointees had at least attained Kenya Certificate of Secondary Education or its equivalent.

4. **CIVIC EDUCATION**

Civic Education in the constituency was carried out between 2nd February and 31st May 2002.

4.1. **Phases and issues covered in Civic Education**

Stage one: - Is the only phase that was covered. This is the stage preceding the collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans to have an informed choice and present their views on constitutional review.

4.2. **Issues and Areas Covered**

- Constitution: definition, types and models
- The constitution making process in Kenya
- Emerging constitutional issues
- Structures and systems of government
- Governance
- Issues and questions for public hearings
- Role of civil society

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- a. Date(s) 22nd and 23rd May 2002
- b. Number of Days: 2

2. Venue

- c. Number of Venues: 2
- d. Venue(s): Kiantineni AIC Church Hall
Masinga Catholic Church Hall

3. Panels

- e. Commissioners
Com. Pastor Zablon Ayonga
Com. Mrs. Phoebe Asiyu
Com. Dr. Charles Maranga
Com. Mutakha Kangu

- f. Secretariat
Mr. Peter Kanyi - Programme Officer
Lydia Manyoni - Assistant Programme Officer
Jackie Nyumoo - Verbatim Recorder

5.2. Attendance Details

| Category | Details | Number |
|---------------------------------------|--|--------|
| Number of People Who Presented | | 97 |
| Sex | Male | 77 |
| | Female | 20 |
| | Not Stated | 0 |
| Presenter Type | Individual | 60 |
| | Institutions | 36 |
| | Not Stated | 1 |
| Educational Background | Primary Level | 21 |
| | Secondary/High School Level | 57 |
| | College | 7 |
| | University | 10 |
| | None | 2 |
| | Not Stated | 0 |
| Form of Presentation | Other (Adult Education/Vernacular/Madrassa/Informal Education) | 0 |
| | Memoranda | 2 |
| | Oral | 68 |
| | Written | 0 |
| | Oral + Memoranda | 27 |
| | Oral + Written | 0 |
| Not Stated | 0 | |

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Masinga Constituency. The recommendations were collated around 43 areas of concern, from the Preamble to National integrity/identity. Only areas where recommendations were made in the constituency are covered. The numbers in parentheses represent the number of times the recommendation (bulleted) was made, either orally or through written memoranda. Each count on a specific recommendation was picked from an individual, a group or an organization. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately. Where no number appears in parentheses, the recommendation was made only once.

5.3.1. **PREAMBLE.**

- There should be a preamble in the constitution (8).
- The preamble should start with a word of prayer and should include the views of every body.
- The preamble should visualize national unity.
- The preamble should visualize peace, unity, and equality.
- The preamble should highlight the views of Kenyans and the fact that Kenyans are God-fearing people.
- The preamble should state that Kenya is a country of diverse cultures with people who enhance social economic and political development.
- The preamble should reflect Kenyans common history.
- The preamble should reflect shared experiences peace unity in cultural diversity and nationalism.
- The preamble should reflect the fact that Kenyans struggled for independence as a common experience.
- The preamble should reflect such common experience as the struggle for independence and the subsequent sovereignty after independence.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- There should be statements capturing the national philosophy and guiding principles.
- There should be statements capturing our national philosophy like “harambee” and some guiding principles like “pulling together in unity” has been our motto.
- Democratic principles like respect for human rights, transparency and accountability should be included in the constitution.
- There should be democratic principles that recognize the citizens and promote peace and justice.
- Democratic principles should be included in the constitution in accordance with our traditions.
- African customs and ethnic balance should be reflected in the constitution.
- The constitution should reflect our cultural values.
- Values such as respect for council of elders in all matters should be included in the constitution.
- All principles in the constitution should be enforceable by law.

- The constitution should provide for adherence to gender balance in all aspects of public life
- The constitution should provide for separation of powers.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The 65% majority vote to amend the constitution should not be retained.
- The 65% majority vote to amend the constitution should be retained.
- Parliament power to amend the constitution should be unlimited.
- Parliament should amend the constitution] with a 75% majority votes of the MPs.
- Parliament should not amend parts of the constitution that deal with salaries and tenure

of the MPs and the tenure of the executive.

- Laws on churches and ethnicity should not be amended by parliament.
- The public should be involved in the amendment of the constitution through referendums (7).
- Magistrates and judges should conduct referendums.
- The constitution review commission should conduct referendums.
- Public referendums should be conducted by a committee consisting of political parties, NGOs, churches and civic stakeholders.
- The constitution should provide for an independent body to ensure it is adhered to.
- The constitution should provide that any amendment to it shall only be done by a referendum.
- The constitution should state that it is the supreme law of the land.
- Emphasize firm and fair application of the constitution.

5.3.4. **CITIZENSHIP**

- Any child born to Kenyan parents should be given automatic citizenship (4).
- An indigenous Kenyan from one of the 43 tribes of Kenya should be regarded as automatic citizen of Kenya.
- Kenyan citizenship should be acquired through registration (2).
- Spouses of Kenyan citizen regardless of gender should be automatic citizens (4).
- A child born to one Kenyan parent regardless of gender should be entitled to automatic citizenship (5).
- Every Kenyan should be patriotic and should love the country.
- The rights and obligations of every Kenyan should be reflected in the constitution.
- Citizens should defend the constitution, obey law, pay tax and respect the rights and cultures of others and be patriotic.
- Citizens should be obligated and to be patriotic and protect the constitution.
- Citizens should have right to own land, healthcare, and education.
- Citizens should have right in expressing their views.
- The rights and obligations of a citizen should depend on the manner in which the citizenship is acquired.
- The constitution should not allow dual citizenship (4).
- Dual citizenship should be to Kenyans married to non-Kenyans
- Birth certificates and ID cards should be carried as proof of citizenship.
- Kenyans should carry passport, birth certificate and ID cards as a proof of citizenship.
- Kenyans should be issued with national ID cards, passport, and electors card.
- Kenyans should carry birth certificates and should be issued with ID cards when they are above 18 years of age as a proof of citizenship.
- The constitution should guarantee that inter-ethnic marriage shall not hinder the acquisition of a national identity card
- The constitution should provide that identity cards shall be proof of citizenship.
- The constitution should provide for a decentralized system of issuing identity cards and passports
- The constitution should provide for a decentralized and efficient system of issuing identity cards.

5.3.5. **DEFENSE AND NATIONAL SECURITY**

- Disciplined forces military, paramilitary, prisons, police should be established by the constitution (6).
- Court martial should discipline dissident soldiers.
- Parliament should decide mechanism to discipline the armed forces.
- There should be a mechanism to discipline the armed forces.
- The constitution should emphasize that the president shall remain the commander in chief of the armed forces (4).
- The president should not be the commander in chief of the armed forces (4).
- The executive should not have powers to declare war (2).
- The executive should have powers to declare war (2).
- The constitution should permit use of extra-ordinary powers in emergencies (2).
- The constitution should not permit use of extra-ordinary powers in emergencies.
- The executive should have powers to invoke emergency powers after consulting with parliament (2).
- The prime minister should have authority to invoke emergency powers
- The government should have the final authority to invoke emergency powers.
- Parliament should have a role in effecting emergency powers (4).
- Parliament and the public should be consulted in emergency situations.
- The constitution should define what other roles the armed forces should play when there is no war.
- The constitution should provide for the participation of the armed forces in income generating activities.
- The constitution should provide that the police force should be retrained.
- The constitution should provide for the independence of the armed forces.
- The constitution should provide that parliament shall have the power to declare a state of emergency.

5.3.6. **POLITICAL PARTIES**

- Political parties should not play roles other than political mobilization (6).
- Political parties should be actively involved in national development.
- Political parties should play a role during harambees and mobilize the communities during disaster.
- The constitution should regulate the formation, management and conduct of political parties (7).
- The number of political parties should be limited.
- Political parties should be limited to 3 (4).
- The number of political parties should be five.
- There should be a maximum of ten political parties.
- Political parties should be limited to 2 to 4.
- Every province should have one political party.
- Political parties should be financed from the national treasury.
- There should be equitable funding of political parties.
- Political parties should be funded from public funds (3).
- Opposition parties should not be given money by the government for campaigning.
- Political parties should be partly funded by the government and partly from their own funds.
- Political parties should get a limit of ksh.500, 000 from public funds.

- Political parties should get financial support depending on the number MPs in parliament.
- Funds given to political parties should only be used for development and their accounts audited periodically.
- State and political parties should work amicably in development and allow constructive criticisms of each other.
- The relationships between political parties and the state should be good and should both respect the rule of law.
- The state and parties should cooperate for the sake of development.
- The state and political parties should relate well and assist each other.
- Political parties should be responsible of any vote of no confidence in the government.
- The constitution should provide that political parties should engage in the development process.
- The constitution should provide that political parties shall fund themselves (4).
- The constitution should provide that there shall be only two political parties.
- The constitution should not provide for a limited number of political parties.
- The constitution should provide that political parties shall be regulated.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The current presidential system of government should not be retained (3).
- Retain presidential system of government (2).
- Adopt a parliamentary system of government (3).
- There should be a parliamentary system of government with a ceremonial president.
- Adopt a parliamentary system of government in which the prime minister is appointed from the majority party in parliament and the president remains more or less ceremonial.
- The prime minister should administer the nation.
- The prime minister should be the head of government the prime minister should form and control the government.
- The prime minister should facilitate the operation of the economy, lead the government make and implement policies and provide service.
- The president should commission events and other ceremonial matters.
- The president should have state jurisdiction.
- The president should provide security, enforce law conduct foreign affairs and appoint ministers and head of parastatals.
- A hybrid system of government should be adopted in which executive powers is shared between the prime minister and the president (2).
- The prime minister should control the central government.
- The president should control the local government.
- Adopt a federal system of government (3).
- There should be a federal system of government, which guarantees devolution of powers.
- Local government should be empowered through municipal councils in all districts.
- Powers should be devolved to provinces, districts and local authorities.
- Governance should be devolved to districts and regional levels.
- There should be 2 vice presidents.
- The constitution should provide for a decentralized system of administration.
- The constitution should provide for a unitary system of government.
- The constitution should provide for the office of the Prime Minister
- The constitution should provide for the office of the vice president and a deputy Prime Minister.
- The constitution should provide that parliament shall appoint the Prime Minister
- The constitution should provide that the president shall be the head of state and the Prime Minister the head of government.
- The constitution should provide that if the president is a man, then the vice shall be a woman and vice versa.
- The constitution should provide that power shall be shared between the Prime minister and the President
- The constitution should provide that the presidential candidate shall have a running mate who shall automatically become the vice president

5.3.8. **LEGISLATURE**

- Appointment of heads of corporations and ministers shall be vetted by parliament.
- The parliament should vet the appointment of the speaker of the national assembly and other staff in parliament.
- Appointment of heads of parastatals should be approved by parliament.

- All appointments should be vetted by parliament.
- Appointments of ministers and senior civil servants should be appointed by parliament.
- Parliament should expand its functions to fight for the rights of the citizens.
- Parliament should have unlimited powers to control its own procedures (3).
- Being a member of parliament should be part time occupation (3).
- Being a member of parliament should be a full time occupation (2).
- The voting age should be retained at the age of 18 years.
- Presidential candidates should not be more than 65 years of age.
- Parliamentary aspirants should be 18 years and above.
- MPs should not contest for seats if they are above 55 years.
- Language test for parliamentary aspirants is adequate (3).
- Introduce moral and ethical qualifications for parliamentary candidates.
- All MPs should produce a letter of good conduct from the CID.
- Parliamentary aspirants should not be corrupt and immoral.
- The constitution should provide that the electorate should have the right to recall non-performing Members of Parliament.
- The people should have right to recall their MPs (6).
- The people should not have right to recall their MPs.
- People should have powers to recall their MPs through a vote of no confidence.
- MPs should act on the basis of conscience from their constituents (2).
- MPs should act on the basis of conscience and conviction or instructions from the electorates.
- Parliamentary service commission should determine the benefits and salaries of MPs.
- The prime minister should salaries and benefits of MPs.
- MPs should earn a maximum of ksh.100, 000.
- MPs should not be given pensions when they retire.
- The concept of nominated MPs should be abolished (2).
- There should be no measures to increase women participation in parliament.
- Women should compete with men for seats.
- Women should be given seats in local councils.
- Seats should be reserved for women in parliament to increase their participation (2).
- Patriotism should govern the conduct of MPs in a multiparty state.
- In a multi party state the MPs should respect one another.
- The constitution should provide for a coalition government (4).
- We should continue with the current multiparty system in the legislature.
- The constitution should establish the house of the lord and the senate.
- There should be two chamber house, House of Representatives and house of senate.
- Parliament should retain powers to remove the executive through a vote of no confidence.
- The president should not have powers to veto legislations passed by parliament.
- The president should have powers to veto legislations passed by parliament.
- The legislature should have the powers to override the president veto in by passing a vote of no confidence.
- The legislature should have powers to override the president's veto.
- The president should not have powers to dissolve parliament (2).
- The president should have powers to dissolve parliament.
- The constitution should provide that a Member of Parliament shall be a person of good conduct and sound morals.
- The constitution should reserve at least 30 seats for women.

- The constitution should provide that the appointment of senior public officers shall be vetted by parliament.
- The constitution should provide for an additional 12 seats, three each for women, youths, disabled, children, and religious groups respectively.
- The constitution should provide that members of parliament shall have at least O-level education.
- The constitution should guarantee the participation of women in parliament.
- The constitution should provide that a Member of Parliament shall be at least 30 years old
- The constitution should provide that members of a parliament shall not be pensionable and shall not determine their salaries.
- The constitution should provide that the presidential appointments to senior public positions shall be approved by parliament.
- The constitution should provide for a commission to review parliamentary salaries.

5.3.9. **EXECUTIVE**

- The president should be a university graduate (2).
- The constitution should specify qualifications for the president.
- The president should have higher education.
- The president should serve for 2 terms of 5 five years each (5).
- The president should serve for 2 terms only.
- The president should serve for tens years.
- The functions of the president should be defined in the constitution (2).
- The president should not be above the law (5).
- The constitution should take away administrative powers from the president.
- President should not have powers to pardon convicts.
- The president's powers should be limited (2).
- The president should be prosecuted for economic plunders.
- The president should not appoint judges, VC, PS and ambassadors.
- The constitution should provide for removal of president for misconduct.
- The constitution should provide for removal of president for misconduct while in office through a vote of no confidence.
- President and parliament should have good working relations.
- The president should work with legislature when planning and implementing policies.
- The president should not be a member of parliament (2).
- The constitution should emphasize that the president shall be a Member of Parliament (2).
- Provincial administration should be retained (3).
- The constitution should abolish the provincial administration.
- Chiefs and sub chiefs should be elected by the people.
- The constitution should provide checks and balances on the presidential powers.
- The constitution should limit the powers of the executive.
- The constitution should provide that a president shall be non-partisan.
- The constitution should provide that ministers shall be appointed on merit.
- The constitution should provide for the impeachment of the president.
- The constitution should provide that the president shall appoint the Prime Minister
- The constitution should provide that the president shall appoint the chief justice and chairmen of other commissions subject to parliamentary approval.
- The constitution should provide for transferable chiefs.

- The constitution should provide that Independent candidates could vie for the presidency.
- The constitution should provide for an elected district administrator.
- The constitution should provide that village headmen should be paid salaries.
- The constitution should provide for the review of administrative boundaries.
- The constitution should state the provincial administrative laws and how they shall be enforced.

5.3.10. **JUDICIARY**

- The judiciary should be independent (3).
- The current structure of the judiciary is not adequate.
- The constitution should establish a supreme court.
- There should be a constitutional court.
- Judicial officers should be appointed by parliament (3).
- The chief justice should appoint judicial officers.
- Judicial officers should be university graduates in law.
- Judicial officers should have security of tenure till they retire.
- Any judge or judicial officers enjoying security of tenure should be disciplined by a supreme court.
- Chief kadhi/kadhis should have Islamic knowledge in addition to bachelor of legal laws (LLB).
- The kadhis should be appointed by special committee in collaborations with the chief kadhi.
- The kadhis court should deal with matters related to Muslims on divorce and successions.
- Courts should be brought closer to the people.
- All people should have access to courts by establishing courts in at least each location.
- There should be state paid advocates to provide legal aid to the poor.
- Legal aid should be the constitution right of all (2).
- There should be legal aid for the poor.
- There should be a provision for judicial review of laws made by legislature to ensure that there is no constitutional conflict.
- The constitution should guarantee that the judiciary is just.
- The constitution should guarantee that suspects shall be handled in a humane way.
- The constitution should provide for cheap ways of prosecuting accident cases
- The constitution should provide for decentralized courts.
- The constitution should provide for an efficient judiciary.

5.3.11. **LOCAL GOVERNMENT**

- The constitution should provide for directly elected mayors and council chairmen (8).
- The current 2-year terms for mayors and council chairmen are adequate (2).
- The current 2-year terms for mayors and council chairmen are not adequate.
- Local councils should not continue working under the central government (2).
- Councilors should be educated to at least primary level.
- There should be a minimum educational qualification for councilors.
- The constitution should provide that the minimum level of education for councilors shall be O level (4).
- The current language test for local authority seats is adequate (4).

- There should be moral and ethical qualifications for local authority seats (3).
- People should have right to recall their councilors (3).
- People should have right to recall their councilor through sending representation to present their allegations to the electoral commission.
- People should have right to recall their councilor due to misconduct.
- We should not retain nominated councilors (4).
- Retain the concept of nominated councilors.
- Nominations of councilors should be based on party lines to represent marginalized groups.
- In a multi party state councilors should be governed by the constitution.
- The president or local authority minister should have powers to dissolve councils (3).
- The president or local authority minister should not have powers to dissolve local councils.
- Local councils should continue working under the central government
- The constitution should provide that the mayor and the council chairmen shall hold office for 5years.
- The constitution should provide that revenues collected in a locality shall be spent by the locals.
- The constitution should provide that councilors shall not collect revenue.
- The constitution should provide for an independent local authority with autonomous power.
- The constitution should provide that local councils shall manage resources at the local level.
- The constitution should provide that a councilor shall serve for only two 5-year terms.

5.3.12. **ELECTORAL SYTEM AND PROCESS**

- Kenya should have representative electoral system.
- Simple majority rule should be used as a basis of winning elections.
- Simple majority rule should not be used as a basis of winning elections (2).
- The winning president should garner 50%of votes cast.
- The winning president should garner 55%of votes cast.
- Presidential, parliamentary and civic candidates should garner 25% of votes cast to be declared a winner.
- Candidates who fail to seek nomination on one party should not be allowed to move to another.
- The constitution should allow for defections between parties.
- The constitution should allow for crossing over of the floor by political parties.
- Defectors should seek fresh mandate from the people through by-elections, such by-elections should be done after 6 months.
- 25%representation in 5 provinces for presidential candidates should be retained.
- The 25%representation in 5 provinces for presidential candidates should be changed to 5% representation in 5 provinces.
- Parliamentary seats should be reserved for marginalized groups, youth, and disables (2).
- The current geographical constituencies should be revised to take into account population and size of the constituencies.
- The current demarcation of masinga constituency is not adequate.

- Demarcation of wards and constituencies should be based on the number of taxpayers.
- The election process should not be simplified.
- Independent candidates should allow to vie for parliamentary and civic seats.
- Election expenditure for candidates should be determined by electoral commission.
- Presidential elections should be conducted directly (3).
- The 2002 general elections should be done under the new constitution (3).
- Electoral commissioners should be at least form 4 graduates.
- Electoral commissioners should be elected by the people.
- The constitution should stipulate the election date
- The constitution should provide for a continuous voter card registration.
- The constitution should provide for counting of votes at the poll station (2).
- The constitution should provide that the presidential election shall be held separately from the parliamentary and civic elections (4).
- The constitution should provide that the electoral commission chairman shall be elected by the people.
- The constitution should provide for more polling stations.
- The constitution should provide that the winning candidate shall obtain 60% of the vote cast in a presidential election failure of which a run-off between the two top candidates shall be held.
- The constitution should provide that a voter shall be 18 years old and above.
- The constitution should be enacted before the general election.

5.3.13. **BASIC RIGHTS**

- The current provisions for fundamental rights are not adequate.
- The fundamental rights of Kenyans should be protected.
- There should be freedom of expression and movement.
- The death penalty should not be abolished (2).
- The constitution should protect security, healthcare shelter, education, and food employment as a basic right for all Kenyans (2).
- The government should be responsible for in ensuring that Kenyans enjoy basic rights.
- There should be free health care for all.
- All unemployed Kenyans should be over the age of 18 years should be given ksh.5000 per month.
- Education should be free for all (3).
- Health care, food and education should be affordable.
- NSSF members should be paid their benefits at the age of 45 years.
- Police post should be put to enhance security.
- NSSF should pay people immediately they retire.
- Any unemployed Kenyan should be given kshs. 2000 per month by the state.
- The constitution should limit the number of jobs a person can hold at a time.
- Persons who have worked for long should retire.
- The constitution should provide for free and compulsory education.
- There should be free and compulsory education up to the primary level (2).
- The constitution should provide free and compulsory education up to form four level (2).
- Kenyans should have the right to access information in the hands of the state.
- The constitution should provide for free and compulsory education.
- The constitution should provide for free health care and adequate facilities.

- The constitution should provide for free education up to the university level (2).
- The constitution should guarantee piped /safe water
- The constitution should guarantee freedom of worship (3).
- The constitution should provide that the constitution shall be written in a clear simple language
- The constitution should provide that the retirement age shall be 60.
- The constitution should provide that the state shall facilitate the availability of public information to all citizens.
- The constitution should provide for monthly allowances to retired chiefs.
- The constitution should provide for a one man, one job policy in employment.
- The constitution should guarantee workers rights.
- The constitution should provide pension for those who have been in employment for 45 years
- The constitution should abolish the policy of a fixed retirement age.
- The constitution should provide that employees shall be paid for over time.
- The constitution should provide for availability of the constitution in various languages of Kenyan people.
- The constitution should abolish the death penalty.
- The constitution should provide for 5 working days in a week.
- The constitution should provide that the NSSF fund shall increase its coverage to include wives and children.
- The constitution should guarantee workers right to unionize.
- The constitution shall provide that civic education shall be incorporated in the school curriculum
- The constitution should provide for a permanent and continuous civic education process.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The interest of women should be fully addressed in the constitution.
- Interest of people with disability should be protected in the constitution.
- All children should be given equal opportunities.
- The constitution should make provision for affirmative action in favor of women.
- Suspects should not be tortured by police.
- The constitution should make provisions that will help minorities in farming and business ventures.
- The constitution should guarantee the rights of the aged.
- The constitution should provide for the protection of children against rape.
- The constitution should guarantee rights to the disabled and protection against discrimination
- The constitution should guarantee the rights of children.
- The constitution should guarantee that the state shall take care of street children
- The constitution should guarantee the right of orphans.
- The constitution should provide for a convict's conjugal rights

5.3.15. **LAND AND PROPERTY RIGHTS**

- Individuals should have ultimate land ownership.
- Land should be sold with the consent of all family members.

- All land disputes should be settled before title deeds are issued.
- Traditional oath in all cases of land should be allowed.
- Public land should not be grabbed .
- Title deeds should be given to land owners.
- There should be a ceiling on land owned by individual (2).
- There should be restrictions on land owned by non-citizens.
- Acquisition of title deeds should be simplified.
- Land transfers and title deeds issuance should be fast.
- Land transfers should be finalized by local community and the land owner.
- Men and women should have equal access to land (2).
- All landless Kenyans should be given 2 acres of land.
- The constitution should guarantee access to land for every Kenyan (3).
- All trust lands should be allocated to private developers.
- The constitution should provide that citizens could own land anywhere in the country.
- The constitution should make provisions for easy and affordable land adjudication.
- The constitution should provide for land adjudication and title deeds.
- The constitution should provide that land shall be allocated to the landless and squatters.
- The constitution should provide that title deeds shall bear both the husband and wife's name.
- The constitution should bar second and third wives from sharing properties acquired by the husband and first wife.
- The constitution should guarantee widows the right of inheriting property of the deceased husband.
- The constitution should guarantee equal rights in land inheritance matters by children irrespective of gender.
- The constitution should provide that the maximum ceiling on land shall be 100acres
- The constitution should provide that all property acquired during a marriage shall be shared equally in the event of a divorce.
- The constitution should abolish land grabbing.

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- Kenya ethnic and cultural diversity contribute to national culture.
- Cultural and ethnic diversity should be protected by the constitution (4).
- Cultural values like “*ngata*”-a kamba oath should be recognized in the constitution.
- Cultures which harm the people should be abolished.
- Female genital mutilations should be retained.
- The constitution should provide for protection of discriminatory aspect of culture.
- English and kiswahili should be the national language (2).
- The constitution should guarantee the preservation of cultures and the co-existence of ethnic groups.
- The constitution should abolish polygamy.
- The constitution should abolish early marriages
- The constitution should recognize customary marriages.
- The constitution should abolish traditional brew.
- The constitution should recognize the role of the clan in dispute resolution.
- The constitution should recognize the role of village elders in dispute resolution

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- Natural resources should be equitably distributed.
- District focus for rural development is constituted to enhance equitable distribution of resources.
- There should be equitable distribution of district development fund.
- Local communities should benefit from the proceeds of natural resources.
- Funds collected by local councils should be helping the communities where such resources are found.
- Proceeds from natural resources should be apportioned between the local communities and the local councils.
- The controller and auditor general should be independent.
- Consolidated funds should only be used with the approval of parliament.
- Public service commission should be appointed on the basis of their qualification (3).
- Ministers should be appointed on the basis of professional qualification.
- There should be a code of ethics for public office holders.
- Doctors in government payroll should not run private clinics.
- Public office holders should declare their wealth.
- The constitution should provide for state compensation for those inconvenienced due to the construction of public amenities.
- The constitution should provide for a body that will ensure proper use of constituency resources.
- The constitution should provide for reduced tax rates.
- The constitution should provide for an equitable redistribution of resources.
- The constitution should provide that the state shall create jobs for graduates.
- The constitution should guarantee food availability.
- The constitution should provide for the provision of technology for sand harvesting.
- The constitution should provide for the decentralization of government departments.
- The constitution should provide that all civil servants shall get salary increments.
- The constitution should provide that the unemployed shall not be taxed.
- The constitution should provide that any person with a criminal record shall not hold any public office
- The constitution should provide that any person prosecuted in a public scandal should resign.
- The constitution should provide that corrupt officers shall be sacked.
- The constitution should provide that the local community shall benefit from the resources obtaining in their locality.
- The constitution should provide for equitable distribution of national resources

5.3.18. **ENVIRONMENT AND NATURAL RESOURCES.**

- The environment should be protected against pollution, soil erosion and degradation.
- Local communities should enforce laws on the protection of the environment.
- Individuals should own natural resources.
- The government should own natural resources.
- Management and protection of natural resources should be enshrined in the constitution.
- Natural resources should be managed and protected according to cultural practices of the local communities.

- The constitution should provide for damming to improve irrigation schemes.
- The constitution should provide for a forestation.
- The constitution should provide that chiefs and their assistants shall protect the environment.
- The constitution should recognize sand as a mineral.

5.3.19. PARTICIPATORY GOVERNANCE

- Non-governmental organizations and other organized groups should have a role in governance.
- NGOs should not be included in governance.
- NGOs should be left to run their affairs independently.
- Civil society should be permitted as a vocal group to check and balance good governance.
- Women should take part in governance.
- Youth should be take part in governance.
- Those who have been in exile should be given a chance to participate in governance.
- The constitution should provide for opposition parties, religious groups and non-governmental organization equal participation in governance.

5.3.20. CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- There should be a constitutional commission.
- The constitution should provide for the office of an ombudsman.
- The constitution should establish an independent anti corruption body.
- The constitution should provide for a commission to enact appointments of senior public officers.

5.3.21. WOMEN RIGHT.

- Women should have right to inheritance and succession.
- Women should be allowed to inherit their parent properties.
- All assets should be divided equally between husband and wife in case of divorce.
- The constitution should harmonize marriage laws.
- Every man should have a maximum of 2 wives.
- Traditional marriages should be recognized.
- Any man who impregnates a schoolgirl should be to take care of the child until he /she is 24 years of age.
- Men should take care of children born out of wedlock.
- The constitution should make it possible for a girl who gives birth when still schooling to continue with her studies.
- Cases of domestic violence should be prohibited.
- Domestic violence should be constitutionalized.

5.3.22. NATIONAL OTHER POLICY.

- Trade policies for livestock products should be relaxed for the revival of KMC.
- There should be rural electrification program in the country (2).

- The gap between the rich and the poor should be reduced.
- A mechanism to reduce poverty should be put in place.
- Corruption should be abolished.
- Bribery should be eradicated.
- The constitution should provide that HIV/AIDS education shall be carried out extensively.
- The constitution should provide for the eradication of corruption.
- The constitution should guarantee that the citizen shall not be brutalized and harassed by the police.

5.3.23.SECTORAL POLICY.

- Secondary and university fees should be reduced by 50%.
- University students should be given loans which they can repay when they secure employment.
- The government should review teacher's salaries.
- Indiscipline children should be expelled from school.
- Retirement benefits should not be taxed.
- Land harvesters should be taxed.
- Taxes should be lowered on the merchandise of small-scale traders.
- Prices should be lowered for the poor people to afford.
- There should be health centers in every division.
- There should be primary schools in every division.
- Roads should be privatized and maintenance standards are set.
- Roads should be improved.
- The constitution should provide for a dressing code for public employees
- The constitution should state that engagement in business by foreigners should be discouraged.
- The constitution should provide for the re-introduction of corporal punishment in schools
- The constitution should abolish national examinations.
- The constitution should provide for grading based on continuous assessment tests.
- The constitution should make provisions that will enable bright but poor students to get bursaries.
- The constitution should provide for state provision of agricultural inputs.
- The constitution should provide for an effective department of fisheries.
- The constitution should discourage small-scale farming.
- The constitution should provide for decentralized health care systems.
- The constitution should provide protection to the public by banning undisciplined touts and drivers.
- The constitution should abolish the 8-4-4 system of education.
- The constitution should provide that state shall support the agricultural sector.

5.3.24.CUSTOMARY LAW.

- Customary law should be included in the constitution.

5.3.25.STATUTORY LAW

- Chief Act should be reviewed.
- Traditional brews should be legalized (5).
- Chiefs Act should be abolished.

- The constitution should legislate against abortion.

5.3.26.BILLS.

- The constitution should introduce a bill of responsibility to govern the behavior of people.

5.3.27.GENDER EQUITY.

- There should be gender equity in provision for all economic opportunities.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|--------------------------|-----------|
| 1. Hon. Ronald Kiluta | MP |
| 2. Rose Kimeu | DC |
| 3. John Kasia | Chairman |
| 4. Rev. Mulandi Joseph | Secretary |
| 5. Cllr. Benson Mbai | |
| 6. Jane Kilonzo | |
| 7. John Musembi | |
| 8. Austin Kilonzo Ngumbi | |
| 9. John Syano | |
| 10. Agnes Nduku Mutunga | |

Appendix 2: Civic Education Providers (CEPs)

1. Mananja CEPs
2. Masinga CEPs
3. Kangonde youth group
4. Masinga youth development
5. Kivaa
6. Agape community development programme
7. Ecumenical civic education providers

Appendix 3: Persons presenting memoranda and/or making oral submissions.

| | | | | | |
|----|-----------|-------------------------|------------|------------------|------------------------------|
| 1 | 0007OMAEA | Charles Muthiani Matia | CBO | Written | Kimunyu Self-Help Group |
| 2 | 0006OMAEA | Joel Kibweya | CBO | Written | Katangani/Kavwea Self-Help G |
| 3 | 0005OMAEA | Josiah Kimeu | CBO | Written | Ewa Group |
| 4 | 0003OMAEA | Pius Kitonga | CBO | Written | Musingini Village Group |
| 5 | 0001OMAEA | Stephen Ndavi Mtebwa | CBO | Written | Kwandeii Group |
| 6 | 0030IMAEA | Abraham Ngatu | Individual | Oral - Public he | |
| 7 | 0075IMAEA | Alexander M. Mutuku | Individual | Oral - Public he | |
| 8 | 0064IMAEA | Alphonse Maingi Kilungu | Individual | Oral - Public he | |
| 9 | 0071IMAEA | Alphonse Muli | Individual | Oral - Public he | |
| 10 | 0085IMAEA | Anastacia S. Muoka | Individual | Oral - Public he | |
| 11 | 0029IMAEA | Anna Ndinda | Individual | Oral - Public he | |
| 12 | 0009IMAEA | Anthony Ndo | Individual | Written | |
| 13 | 0073IMAEA | Asmani Kimuti | Individual | Oral - Public he | |
| 14 | 0062IMAEA | Benard Njuguna Mungai | Individual | Oral - Public he | |
| 15 | 0032IMAEA | Benedetta Munyoli | Individual | Oral - Public he | |
| 16 | 0010IMAEA | Boniface M. Kivetu | Individual | Written | |
| 17 | 0045IMAEA | Boniface M. Kyonzu | Individual | Oral - Public he | |
| 18 | 0074IMAEA | Boniface Mathendu | Individual | Oral - Public he | |
| 19 | 0063IMAEA | Carlos Wambua Kilonzo | Individual | Oral - Public he | |
| 20 | 0087IMAEA | Catherine Syoku Muthini | Individual | Oral - Public he | |
| 21 | 0076IMAEA | Chris M. Njoroge | Individual | Oral - Public he | |
| 22 | 0067IMAEA | Cllr. Bernard Kikoma | Individual | Oral - Public he | |
| 23 | 0069IMAEA | Cllr. Francis M. Kaboi | Individual | Oral - Public he | |
| 24 | 0047IMAEA | Cllr. Gideon Kiilu | Individual | Oral - Public he | |
| 25 | 0006IMAEA | Cllr. Paul Kiilu | Individual | Written | |
| 26 | 0046IMAEA | Cllr. Pius Kimoni | Individual | Oral - Public he | |
| 27 | 0001IMAEA | Daniel Ngati | Individual | Written | |
| 28 | 0068IMAEA | Ekanza Kithome Mutisya | Individual | Oral - Public he | |
| 29 | 0066IMAEA | Elijah Muite | Individual | Oral - Public he | |
| 30 | 0031IMAEA | Fidelis Kiilu | Individual | Oral - Public he | |
| 31 | 0061IMAEA | Fr. John Muli | Individual | Oral - Public he | |
| 32 | 0008IMAEA | Francis Mbithi Wambua | Individual | Written | |
| 33 | 0060IMAEA | Gideon Mutiso Mutuku | Individual | Oral - Public he | |
| 34 | 0012IMAEA | Goefrey Mwasah | Individual | Written | |
| 35 | 0038IMAEA | Grace Mutua | Individual | Oral - Public he | |
| 36 | 0053IMAEA | Grace W. Nzioka | Individual | Oral - Public he | |
| 37 | 0039IMAEA | Isabella Ole Sambu | Individual | Oral - Public he | |
| 38 | 0056IMAEA | Jackson Mulandi | Individual | Oral - Public he | |
| 39 | 0016IMAEA | James Musyoki | Individual | Written | |
| 40 | 0019IMAEA | James Muthama | Individual | Written | |
| 41 | 0021IMAEA | Jane Musau | Individual | Oral - Public he | |
| 42 | 0077IMAEA | Janet Muisyo | Individual | Oral - Public he | |
| 43 | 0013IMAEA | Jeremiah Maveni | Individual | Written | |
| 44 | 0081IMAEA | Jeremiah Muguti | Individual | Oral - Public he | |
| 45 | 0086IMAEA | Joel Kabi | Individual | Oral - Public he | |
| 46 | 0011IMAEA | John K. Maweu | Individual | Written | |
| 47 | 0051IMAEA | John Kilonzo | Individual | Oral - Public he | |
| 48 | 0018IMAEA | John M. Mwangangi | Individual | Written | |
| 49 | 0036IMAEA | John Makau | Individual | Oral - Public he | |

| | | | | | | |
|-----|------|-------|----------------------------|------------------------|------------------|------------------------------|
| 50 | 0042 | IMAEA | John Makau | Individual | Oral - Public he | |
| 51 | 0057 | IMAEA | John Mutua | Individual | Oral - Public he | |
| 52 | 0079 | IMAEA | Johnstone Nzioka | Individual | Oral - Public he | |
| 53 | 0090 | IMAEA | Joseph Munyao | Individual | Written | |
| 54 | 0083 | IMAEA | Joseph Musyoka | Individual | Oral - Public he | |
| 55 | 0005 | IMAEA | Joseph N. Ngui | Individual | Written | |
| 56 | 0043 | IMAEA | Joyce Mumbua | Individual | Oral - Public he | |
| 57 | 0037 | IMAEA | Lucy Nganga | Individual | Oral - Public he | |
| 58 | 0035 | IMAEA | Malenge Selasio | Individual | Oral - Public he | |
| 59 | 0072 | IMAEA | Michael K. Musyemi | Individual | Oral - Public he | |
| 60 | 0023 | IMAEA | Muasya James | Individual | Oral - Public he | |
| 61 | 0027 | IMAEA | Mulwa Wambua | Individual | Oral - Public he | |
| 62 | 0065 | IMAEA | Munyao Muthoka | Individual | Oral - Public he | |
| 63 | 0044 | IMAEA | Musau Kisiausia | Individual | Oral - Public he | |
| 64 | 0089 | IMAEA | Musyoka Kivuta | Individual | Written | |
| 65 | 0050 | IMAEA | Nicholas Musyoki Kiminz | Individual | Oral - Public he | |
| 66 | 0028 | IMAEA | Nicholas W. Ngonzi | Individual | Oral - Public he | |
| 67 | 0078 | IMAEA | Njairo Mutiso | Individual | Oral - Public he | |
| 68 | 0002 | IMAEA | Njeru Mwiricha | Individual | Written | |
| 69 | 0054 | IMAEA | Patrick Kimoni Kituna | Individual | Oral - Public he | |
| 70 | 0004 | IMAEA | Patrick M. Mutua | Individual | Written | |
| 71 | 0082 | IMAEA | Paul Gichuki | Individual | Oral - Public he | |
| 72 | 0049 | IMAEA | Paul Kioko | Individual | Oral - Public he | |
| 73 | 0020 | IMAEA | Paul N. Makau | Individual | Written | |
| 74 | 0080 | IMAEA | Pauline W. Mutisya | Individual | Oral - Public he | |
| 75 | 0015 | IMAEA | Peter Kungu | Individual | Written | |
| 76 | 0084 | IMAEA | Peter M. Mutungi | Individual | Oral - Public he | |
| 77 | 0003 | IMAEA | Peter Munyasia | Individual | Written | |
| 78 | 0070 | IMAEA | Peter Musyoki | Individual | Oral - Public he | |
| 79 | 0059 | IMAEA | Pr.Benson Kanyoto | Individual | Oral - Public he | |
| 80 | 0022 | IMAEA | Richard M. Wambua | Individual | Oral - Public he | |
| 81 | 0048 | IMAEA | Robert Mboya Ndua | Individual | Oral - Public he | |
| 82 | 0024 | IMAEA | Ruth Mbithi K. | Individual | Oral - Public he | |
| 83 | 0041 | IMAEA | Sharon Meroka | Individual | Oral - Public he | |
| 84 | 0025 | IMAEA | Simon Munyoki K. | Individual | Oral - Public he | |
| 85 | 0026 | IMAEA | Stanley Muli | Individual | Oral - Public he | |
| 86 | 0055 | IMAEA | Staslaus Makau Nzioka | Individual | Oral - Public he | |
| 87 | 0007 | IMAEA | Stephen Ndambuki | Individual | Written | |
| 88 | 0052 | IMAEA | Tabitha Nzoka | Individual | Oral - Public he | |
| 89 | 0088 | IMAEA | Timothy K Katitu | Individual | Written | |
| 90 | 0058 | IMAEA | Timothy Mutua Musembi | Individual | Oral - Public he | |
| 91 | 0040 | IMAEA | Veronica Musyoka | Individual | Oral - Public he | |
| 92 | 0033 | IMAEA | Winfred Ithetu | Individual | Oral - Public he | |
| 93 | 0034 | IMAEA | Winnie Wanjama | Individual | Oral - Public he | |
| 94 | 0010 | OMAEA | Felix Kioko | Pressure Groups | Written | Youth Support Group |
| 95 | 0008 | OMAEA | Michael Kilei | Pressure Groups | Written | Youth Support Group Ndithini |
| 96 | 0004 | OMAEA | Stephen N. Kitulu | Pressure Groups | Written | Kavwea Youth Group |
| 97 | 0009 | OMAEA | Beata Muli | Religious Organisation | Written | CJPC Kiatineni |
| 98 | 0011 | OMAEA | J M Kimeru | Religious Organisation | Written | ABC Christians |
| 99 | 0002 | OMAEA | Titus Ndonge | Religious Organisation | Written | AGAPE Community |
| 100 | 0017 | IMAEA | Patrick Miundi Vatia | | Written | |

Appendix 4: Persons Attending Constituency Hearings

| No. | Name | Address | No. | Name | Address |
|-----|-------------------------|------------------------|-----|-------------------|------------------------|
| 1 | Michael Kilei | P.O. Box 131, MKY | 84 | Nicholas Ngonzi | P.O. Box 21, Masinga |
| 2 | Carols Kilonzo | P.O. Kiatineni | 85 | AnnaNdinda | P.O. Box 21, Masinga |
| 3 | Alfonce Kilungu | P.O. Box 45, Kiatineni | 86 | Abraham Ngatu | P.O. Box 99, Masinga |
| 4 | Munyao Muthoka | P.O. Box 59, Kasuvilo | 87 | Stephen Kitulu | P.O. Box 77, Masinga |
| 5 | Geofrey Muasa | P.O. Box 59, Kambiti | 88 | Fidelis Kiilu | P.O. Box 78, Masinga |
| 6 | Stephen Ndavi Muthembwa | P.O. Box 79, Masinga | 89 | Nicholas Mawia | P.O. Box 37, Kindaruma |
| 7 | Titus Miiro Ndonge | P.O. Box 52, Kithyoko | 90 | P.M. Mutua | P.O. Box 99, Masinga |
| 8 | Joseph M. Mulandi | P.O. Box 88, Kithyoko | 91 | John Makau | P.O. Box 99, Masinga |
| 9 | Mutua Munyasya | P.O. Box 90, Masimba | 92 | Joel Kivwea | P.O. Box 33, Matuu |
| 10 | Daniel Ngati | P.O. Box 12, Kithyoko | 93 | John Mulinge | P.O. Box 80, Kindaruma |
| 11 | Jane Musau | N/A | 94 | Josephat Kalia | P.O. Box 80, Kindaruma |
| 12 | R. Mutuku Wambwa | P.O. Box 73, Masinga | 95 | Vincent Nzioki | P.O. Box 21, Masinga |
| 13 | James Muasya | P.O. Box 41, Kithima | 96 | Gerard Matolo | P.O. Box 21, Masinga |
| 14 | Ruth Kithusi | P.O. Box 1, Masinga | 97 | Josiah Kimeu | P.O. Box 1, Ekala |
| 15 | Ex Snr. Chief | P.O. Box 27, Masinga | 98 | Njeru Mwirichia | P.O. Box 7, Masinga |
| 16 | J. M. Musay | P.O. Box 73, Masinga | 99 | Patrick Kimoni | P.O. Box 36, Masinga |
| 17 | Headman Uri | P.O. Box 73, Masinga | 100 | Joshua Mbuvi | P.O. Box 26, Masinga |
| 18 | Headman Kaumburu | P.O. Box 73, Masinga | 101 | Pius Kimoni | P.O. Box 62, Masinga |
| 19 | J.K. Mutua | P.O. Box 34, Masinga | 102 | Joyce Mumbua | P.O. Box 91, Kindaruma |
| 20 | Julius Mutuku | P.O. Box 116, Masinga | 103 | Joyce Mulili | P.O. Box 91, Kindaruma |
| 21 | Pius Kitonga | P.O. Box 44, Masinga | 104 | Stanslous Makau | P.O. Box 34, Masinga |
| 22 | Raphael Mutua | P.O. Box 76, Masinga | 105 | P.K. Kisulu | P.O. Box 37, Masinga |
| 23 | Mulwa Wambua | P.O. Box 90, Masimba | 106 | B. Kigonzu | P.O. Box 99, Masinga |
| 24 | Joseph M., Nguinyao | P.O. Box 80, Kindaruma | 107 | Paul Kulu | P.O. Box 414, Matuu |
| 25 | Joseph Munyao | P.O. Box 37, Kindaruma | 108 | Gedion Kiilu | P.O. Box 495, Matuu |
| 26 | Jackson Musyimi | P.O. Box 99, Masinga | 109 | Malinge Salesio | P.O. Box 7, Masinga |
| 27 | Philip Yumbya | P.O. Box 99, Masinga | 110 | Makau John | P.O. Box 7, Masinga |
| 28 | Charles Mwau | P.O. Box 99, Masinga | 111 | Benedetta Munyoli | P.O. Box 7, Masinga |
| 29 | Charles M. Matia | P.O. Box 13, Kindaruma | 112 | Mutisne Julius | P.O. Box 7, Masinga |
| 30 | Francis M. Wambua | P.O. Box 418, Matuu | 113 | Nzangi Jephathan | P.O. Box 7, Masinga |
| 31 | John Syano | P.O. Box 1, Ekalakala | 114 | Makau Joseph | P.O. Box 7, Masinga |
| 32 | Charles Manundu | P.O. Box 1, Ekalakala | 115 | Winfred Ivelu | P.O. Box 7, Masinga |
| 33 | Patrick M. Mutua | P.O. Box 16, Ekalakala | 116 | Mule Mutua | P.O. Box 15, Masinga |
| 34 | Anthony Mutisa Sila | P.O. Box 91, Masinga | 117 | Solomon Musyimi | P.O. Box 1, Kithyoko |
| 35 | Mulinge Mutua | P.O. Box 47, Masinga | 118 | Jackson Kamuti | P.O. Box 80, Kindaruma |
| 36 | John Mutua | P.O. Box 21, Masinga | 119 | Roda Lazaru | P.O. Masinga |
| 37 | Joseph Munguti | P.O. Box 99, Masinga | 120 | Muthio Komu | P.O. Masinga |
| 38 | Gedion Mbithi | P.O. Box 99, Masinga | 121 | Robert Mboya | P.O. Box 20, Masinga |
| 39 | Dickson Muia | P.O. Box 99, Masinga | 122 | Gedion Musyoki | P.O. Box 36, Masinga |
| 40 | Joseph Ukiti | P.O. Box 16, Masinga | 123 | Thyuka Mbiwa | P.O. Box 36, Masinga |
| 41 | Musau Kisusya | P.O. Box 38, Masinga | 124 | Gedion Mutuku | P.O. Box 47, Masinga |
| 42 | Edward Mbindyo | P.O. Masinga | 125 | Phillip Mule | P.O. Box 21, Masinga |
| 43 | Tabitha Nzoka | N/A | 126 | Nicholas | P.O. Box 93, Masinga |

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|----|---------------------|------------------------|-----|------------------------|------------------------|
| 44 | Daniel K. Nzioki | P.O. Box 1, Ekalakala | 127 | Mutangili Kithembwa | P.O. Box 36, Masinga |
| 45 | Kinyili Mutiso | P.O. Box 54, Masinga | 128 | Mutuku Nduto | P.O. Box 36, Masinga |
| 46 | Wambua Mwalyo | P.O. Box 59, Masinga | 129 | Joseph Musyimi | P.O. Masinga |
| 47 | Win. Wanjama | P.O. Box 7, Masinga | 130 | Grace Nzioka | P.O. Box 17, Masinga |
| 48 | Rueben Ngungu | P.O. Box 26, Masinga | 131 | Peter Musango | P.O. Box 21, Masinga |
| 49 | Lucy Nganga | P.O. Box 7, Masinga | 132 | Anthony Ndo | P.O. Box 144, Masinga |
| 50 | Grace Mutua | P.O. Box 7, Masinga | 133 | Fredrick Mutuku | P.O. Box 144, Masinga |
| 51 | Isabela Olesambu | P.O. Box 7, Masinga | 134 | Ruth Masindano | P.O. Kikimani AIC |
| 52 | Joseph Munyao | P.O. Box 34, Masinga | 135 | Kyalo Munyao | P.O. Box 39, Masinga |
| 53 | Veronica Musyoka | P.O. Box 7, Masinga | 136 | Lucas Wamua | P.O. Box 39, Masinga |
| 54 | Fr. Muli John | P.O. Box 21, Masinga | 137 | Stephen Ndambuki | P.O. Box 56, Masinga |
| 55 | John Maweu | P.O. Box 118, Masinga | 138 | Ruth Mumo | P.O. Box 34, Masinga |
| 56 | Missili Tom | P.O. Box 14, Masinga | 139 | Simon Nthekevu | P.O. Box 82, Kathyoko |
| 57 | Benson Kanyolo | P.O. Box 65, Masinga | 140 | Jackson Musandi | P.O. Box 82, Kathyoko |
| 58 | Raphael Masikali | P.O. Box 72, Matuu | 141 | Paul Ilie | P.O. Box 76, Kindaruma |
| 59 | John Mangoka | P.O. Box 1, Ekalakala | 142 | Shadrack Musili | P.O. Box 14, Masinga |
| 60 | Sharon Meroka | P.O. Box 7, Masinga | 143 | John Wenzi | P.O. Box 24, Masinga |
| 61 | Paul Mutungi | P.O. Box 21, Masinga | 144 | Benard Mungai | P.O. Box 21, Masinga |
| 62 | Mwanzia Katiwa | P.O. Box 21, Masinga | 145 | James Mutuku | P.O. Box 16, Masinga |
| 63 | Benedetta Muusi | P.O. Box 17, Kindaruma | 146 | Bonface Kwetu | P.O. Box 7, Masinga |
| 64 | John Kilonzo | P.O. Box 7, Kindaruma | 147 | Jeremiah K. Mavani | P.O. Box 35, Kambii |
| 65 | Felix Musyoki | P.O. Box 7, Masinga | 148 | Elijah Mutie | P.O. Box 4, Ndithini |
| 66 | Mwanzia Kamwana | P.O. Box 91, Masinga | 149 | Benard Kikuma | P.O. Box 2, Ndithini |
| 67 | Mura Ndiku | P.O. Box 20, Masinga | 150 | Ikanza Kithome Mutsya | P.O. Box 2, Ndithini |
| 68 | Mbithi Wambua | P.O. Box 418, Matuu | 151 | Francis M. Kaboi | P.O. Box 17, Masinga |
| 69 | Catherine Muthini | P.O. Box 152, Matuu | 152 | Peter Musyoki Kauko | P.O. Box 5, Ndithini |
| 70 | Peter M. Mwaka | P.O. Box 35, Kambiti | 153 | Paul Gichuki | P.O. Box 53, Ndithini |
| 71 | Musyoka Mutsya | P.O. Box 17, Ithanga | 154 | Joseph Muli | P.O. Box 7, Kiatineni |
| 72 | John Musembi | P.O. Box 84, Ithanga | 155 | Francis Kaboi | P.O. Box 17, Ithanga |
| 73 | Peter Kungu | P.O. Box 17, Ithanga | 156 | Anastasia S. Muoki | P.O. Box 17, Ithanga |
| 74 | James Musyoki | P.O. Box 84, Ithanga | 157 | Michael Musyimi | P.O. Box 45 Kiatineni |
| 75 | Alfonce Muli | P.O. Box 23, Ithanga | 158 | Hasuman K. Mutie | P.O. Box 45 Kiatineni |
| 76 | Johnstone Nzioka | P.O. Box 17, Ithanga | 159 | Patrick Muinde | P.O. Box 35, Kambiti |
| 77 | Boniface Mathendu | P.O. Box 17, Ithanga | 160 | John Mulinge Mwangangi | P.O. Box 30, Katulye |
| 78 | Daniel Kitavi | P.O. Box 35, Kambiti | 161 | James Muthama | P.O. Box 84, Ithanga |
| 79 | Alexander Muisyo | P.O. Box 1315, KDO | 162 | Samuel Makau | P.O. Box 61, Ekalakala |
| 80 | Christopher Njoroge | P.O. Box 17, Ithanga | 163 | Jairu Mutiso | P.O. Box 17, Ithanga |
| 81 | Beata Muli | P.O. Box 640, Machakos | 164 | Aron Mutiso | P.O. Box 35, Kambiti |
| 82 | Janet Muisyo | P.O. Box 17, Ithanga | 165 | Pauline W. Mutisya | P.O. Box 45, Kiatineni |
| 83 | Felix Kioko | P.O. Box 17, Ithanga | 166 | Peter M. Mutungi | P.O. Box 59, Kamiti |
| | | | 167 | Jeremiah M. Munguli | P.O. Box 17, Ithanga |