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## 1. DISTRICT PROFILE

Muhoroni is a constituency in Nyando District. Nyando District is one of 12 districts of the Nyanza Province of Kenya.

### 1.1 Demographic Characteristics

<b>District Population by Sex</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
	146,635	153,295	299,930
Total District Population Aged 18 years & Below	83,608	80,903	164,511
Total District Population Aged Above 18 years	63,027	72,392	135,419
Population Density (persons/Km <sup>2</sup> )	257		

### 1.2 Socio-Economic Profile

Nyando District:

- Is one of the least densely populated districts in the province, being ranked 8<sup>th</sup> of the 12 districts;
- Has the highest primary school enrolment rate in the province and nationally at 144%;
- Has a secondary school enrolment rate of 21.6% being ranked 5<sup>th</sup> in the province and 26<sup>th</sup> nationally;
- Economic mainstay are growing of rice and oilseed, and fishing; and
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Skin Diseases and Infections, Diarrhoea diseases, and Urinary Tract Infections.

Nyando district has 3 constituencies: Nyando, Muhoroni, and Nyakach Constituencies. The district's 3 MPs, each cover on average an area of 389 Km<sup>2</sup> to reach 99,977 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Nyando, Muhoroni, and Nyakach constituencies with 82.56%, 83.93%, and 86.59% valid votes respectively.

## 2. CONSTITUENCY PROFILE

### 2.1 Demographic Characteristics

<b>Constituency Population by Sex</b>	<b>Total</b>	<b>Area Km<sup>2</sup></b>	<b>Density (persons/Km<sup>2</sup>)</b>
	113,425	412.00	275.3

### 2.2 Socio-Economic Profile

The economic mainstay of the locals is sugarcane production.

### 2.3 Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won the parliamentary seat with 96.35% and 83.93% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

### 2.4 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			43,985
CANDIDATE	PARTY	VOTES	% VALID VOTES
<b>Aloo Ogeka</b>	<b>FORD-K</b>	29,241	96.35
John Bonyo	KANU	895	2.95
Albert Ochieng	DP	21	0.70
Total Valid Votes		30,348	100.00
Rejected Votes		-	
Total Votes Cast		30,348	
% Turnout		82.84	
% Rejected/Cast		0.00	

### 2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			44,056
CANDIDATE	PARTY	VOTES	% VALID VOTES
<b>William O. Omamo</b>	<b>NDP</b>	25,510	83.93
Samuel O. Okello	KANU	3,474	11.43
Mathew C.O. Midika	PICK	1,063	3.50
Ogeka Justus Aloo	FORD-K	349	1.15
<i>Total Valid Votes</i>		30,396	100.00
Rejected Votes		415	
Total Votes Cast		30,811	
% Turnout		69.94	
% Rejected/Cast		1.35	

### 2.6 Main Problems

The main problem is centered on sugarcane: its harvesting, delivery problems, and poor prices paid to the farmers.

### 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 rigors 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 constitution was carried out between 15<sup>th</sup> March 2002 and 26<sup>th</sup> May 2002

### 4.1. **Phases and issues covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

### 4.2. **Issues and areas covered**

- Minority rights and rights of vulnerable groups
- Constitution: models, types and meaning

- Roles and functions of national constitution
- Rights and freedoms of the individual
- National resource allocation
- Public finance
- Gender
- Social justice
- Ethical and moral values

## 5. **CONSTITUENCY PUBLIC HEARINGS.**

### 5.1 **LOGICAL DETAILS**

#### 1. **Date and Number of Days for Public Hearings**

- a) Date(s): 20<sup>th</sup> and 21<sup>st</sup> June 2002
- a) Total Number of Days: 2

#### 2. **Venue**

- a) Number of Venues: 2
- b) Venue(s):
  - 1. Chemelil Sports Pavillion
  - 2. Miwani Full Gospel Church - Masogo

#### 3. **Panels**

- a. Commissioners
  - 1. Com. Nancy Baraza
  - 2. Com. Mosonik Arap Korir
  - 3. Com. Hassan Ahmed
- b. Secretariat
  - 1. Solomon Anampio – Programme Officer
  - 2. Lucille Ouma – Ass. Programme Officer
  - 3. Marion Nekesa – Verbatim Recorder
  - 4. Lucy Atieno – Sign Language

## 5.2 Attendance Details

Category	Details	Number
<b>Number of People Who Presented</b>		124
<b>Sex</b>	Male	96
	Female	28
	Not Stated	0
<b>Presenter Type</b>	Individual	100
	Institutions	24
	Not Stated	0
<b>Educational Background</b>	Primary Level	28
	Secondary/High School Level	75
	College	1
	University	12
	None	7
	Not Stated	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
<b>Form of Presentation</b>	Memoranda	18
	Oral	92
	Written	0
	Oral + Memoranda	0
	Oral + Written	14
	Not Stated	0

## 5.3 Concerns and Recommendations

The following are the recommendations made by the presenters in Muhoroni 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**

- The constitution should have a preamble (8).
- The constitution should have a preamble stating that there shall be an agreement between the people and the State.
- The constitution should have a preamble that shall state the nations' vision (2).
- The constitution should have a preamble that shall state the nations' vision geared towards humanity, honesty, good morals and unity.
- Our constitution should incorporate common experiences of Kenyans.
- Our rich African culture and our common struggle for independence should be the common experience of Kenyans.

### 5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The national philosophy of peace, love and unity should be incorporated in the constitution.
- The constitution should contain a statement showing the aspirations, history and nature of the people of Kenya.
- The constituting should expressly provide as a directive principle of state policy that justice shall always be our shield and defender.
- Democratic principles should be enshrined in the constitution.
- Kenya should always stay as a democratic state.
- Positive values of our culture should be incorporated in the constitution (2).
- All principles of state policy should be incorporated in the constitution.

### 5.3.3 **CONSTITUTIONAL SUPREMACY**

- The constitution shall be amended by a 70% majority (2).
- The constitution shall be amended by a 65% majority.
- The constitution shall be NOT be amended by a 65% majority.
- Parliaments power to amend the constitution shall be limited.
- All parts should be beyond the amending power of parliament.
- Constitutional clauses on human rights, clauses of Kenya being a multi-party state and clauses on land ownership and our education system shall be beyond the amending power of parliament.
- Constitutional amendments should be done through a public referendum (8).
- The constitution should emphasize that the constitution shall be reviewed before elections.
- The constitution shall be amended after a certain period of time.

### 5.3.4 **CITIZENSHIP**

- Anybody born in Kenya by Kenyan parents should be regarded as an automatic citizen (6).
- Kenyan citizenship can be acquired through registration, naturalization, and application.
- Foreign spouses of Kenyan citizens should be given automatic citizenship (3)
- Foreign spouses of Kenyan citizens should be given citizenship through application.
- A child born to a Kenyan parent should be given automatic citizenship (4).
- Rights and obligations of a citizen should be stipulated in the constitution.

- Every Kenyan of 18 years should have a right to join any political party.
- Obligations of a citizen should include paying taxes and should be law abiding.
- Citizens should have a right to own property at any part of the country and freely enjoy the rights in the Bill of Rights (20).
- Whenever a citizen is arrested, kidnapped, imprisoned or killed in a foreign country, the government must ensure his/her safety.
- The rule of law should apply equally to all citizens.
- The constitution should provide for dual citizenship.
- The constitution should NOT provide for dual citizenship (4).
- The constitution should provide that the birth certificates should be issued immediately after birth or in school.
- The constitution should provide that all Kenyans should be issued with passports at the age of 18 years.
- The constitution should provide that the office of chiefs and their assistants should issue national identification cards.
- The constitution should provide that passports shall be issued free of charge.
- The disabled should be given a separate ID for purposes of identification.
- The constitution should provide that ID's, birth certificates, a Kenyan passport shall be used as evidence of citizenship.
- The constitution should provide that passports issuing shall be simplified.

### **5.3.5 DEFENSE AND NATIONAL SECURITY**

- Our disciplined forces should be established in the constitution (4).
- We should have only one police under an inspector general.
- The government should eliminate corruption in the police force.
- The police should assist accident victims by transporting them.
- Members of our disciplined forces should be disciplined by a court martial (3).
- The police should wear their identification.
- The constitution should provide for the President to be Commander in Chief of the Armed Forces (7).
- The constitution should provide that the president should not be the Commander in Chief (4)
- Parliament should have exclusive power to declare war through a parliamentary vote (2).
- The executive should have exclusive power to declare war but after consultations with either the cabinet or parliament depending on the urgency.
- The constitution should through a parliamentary veto permit the use of emergency powers in abnormal situation (2).
- The president after consulting parliament should have the authority to invoke emergency powers.
- The head of government should have the power to invoke emergency powers.
- The cabinet should have the power to invoke emergency powers.
- Parliament should approve the effecting of emergency powers.
- Parliament should have a role in effecting emergency powers.

### **5.3.6 POLITICAL PARTIES**

- The constitution should provide that political parties should be providing civic education.
- The constitution should provide that political parties should only be limited only to political mobilization.
- The constitution should provide that political parties should initiate and play a lead role in development projects and activities.
- The constitution should provide that political parties should also concern themselves with the economic well being of the people and their welfare.
- The constitution should regulate the formation, management and conduct of political parties (5).
- The government should stop de-registration of political parties.
- The government should de-register parties without registration.
- No political party should be registered if it is based on religious ideologies.
- The number of political parties should NOT be limited.
- The number of political parties should be limited.
- The constitution should provide for 3 political parties (3).
- The constitution should provide for 2 political parties.
- The constitution should provide for a maximum of two political parties.
- The constitution should provide for a maximum of 4 political parties (2).
- The constitution should provide for between 4 or 8 political parties.
- The constitution should provide for 3 or 4 political parties.
- The constitution should provide for a maximum of 3 self- funded political parties.
- Political parties should receive donations from Kenyans.
- Political parties should have their own funding.
- Political parties should be at liberty to raise money by charging membership fees from their followers.
- Political parties should also be allowed to receive donations from Kenyans and other well-wishers.
- Political parties should be financed by the state.
- The constitution should provide for funding of political parties by the government.
- Political parties should be financed from public coffers (5).
- Political parties should be financed by budgetary allocations with the ruling party having 70% of its budget financed by the budget and the opposition party having 30% of its finances met from the treasury.
- For political parties to be financed they should be producing their financial statements every year for auditing by an independent auditing firm and for public scrutiny.
- For political parties to be financed they should have their accounts scrutinized by the controller and auditor general who shall give a clean report of his findings.
- Funding for parties should be proportional to the number of MP's a party has.
- The new constitution should make provisions for formulating the criteria and modalities of financing parliamentary political parties.
- Aspiring presidential candidates should be given equal coverage by state owned media.
- The president should be above party politics (3).
- Political parties should put national interest above party interest.
- The state and political parties should work as partners.

### **5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide for a presidential system of government (3).

- The constitution should NOT provide for a presidential system of government (2).
- The constitution should provide for a parliamentary system of government (5)
- The constitution should provide for a Prime Minister (5).
- The prime minister should be the head of state but with ceremonial powers.
- There should be a prime minister who should be the head of government (12).
- The constitution should provide for an executive prime minister who shall appoint the president (3).
- Appointment and dismissal of the prime minister shall be determined by the parliamentarians.
- The prime minister should be aged between 40 and 60 years and should have security of tenure of two five-year terms.
- The constitution should not provide for a Prime Minister.
- The constitution should provide that an elected prime minister should control the cabinet.
- The constitution should provide for election of prime minister by public.
- The constitution should provide that there should be a ceremonial president and an executive president.
- The constitution should provide that there should be a ceremonial president (7).
- The president should be the head of state (6).
- We should adopt a hybrid system of government.
- The constitution should provide for a unitary system of government (3).
- The constitution should provide for a unitary system of government with the inclusion of more decentralized.
- We should adopt a federal system of government (16).
- We should NOT adopt a federal system of government (4).
- The constitution should not provide for a Majimbo system of government.
- The constitution should provide for the formation of regional assemblies that shall be headed by an elected Governor who shall replace the DC.
- Local authorities should be entrenched in the constitution and empowered to perform more functions.
- Development should be generated from the locational level.
- The constitution should provide for the attachment of committees to any local development programmes.
- Development should be district focused.
- The constitution should provide for direct election of the Vice-President.
- The VP should be elected by a special representation of the people.
- We should have one vice president.
- The constitution should provide that the Attorney General should be an MP.
- The constitution should provide that the Attorney General should be appointed by parliament.
- The constitution should provide that the Attorney General should have security of tenure.
- The constitution should provide that the Attorney General should remain as the legal advisor to the government.
- The constitution should provide that the Attorney General should be a civil servant.

### **5.3.8 THE LEGISLATURE**

- The constitution should give Parliament power to vet all appointments including that of the Electoral Commission.

- The constitution should provide that all-presidential appointments be vetted by parliament (3).
- The constitution should give Parliament power to vet all appointments of ex-officio members of parliament, sergeant arms, speaker of the national assembly, senior public servants, prime minister, federal governors, judges, permanent secretaries, parastatal heads and the chief justice.
- Functions should be expanded (2).
- Parliament should appoint the cabinet.
- All parastatal heads should be appointed by parliament.
- Parliament should appoint the members of the anti-corruption commission, the public service commission, the judicial service commission, members of the land board and the inspector general of police.
- The constitution should provide that the Armed forces should be represented in parliament.
- Parliament should have unlimited control over its own procedures through standing orders (3).
- The constituency parliamentary supremacy.
- The constitution should provide that MPs should attend parliament on a full time basis except on public holidays.
- The constitution should provide that parliamentary membership should be a part- time job (2).
- The constitution should provide that parliamentary membership should be a full- time job (3).
- The constitution should provide that minimum voting age to be 40 years.
- The constitution should provide that minimum voting age to be 18 years (3).
- The constitution should provide that minimum voting age to be 15 years.
- The constitution should provide that minimum voting age to be 16 years.
- The constitution should provide that minimum voting age to be 17 years.
- The constitution should provide for elective posts age limit to be 60 years.
- The constitution should provide that president age should be 45 years.
- The constitution should provide that president age should be 40 years.
- The constitution should provide that president age should be 21 years.
- The constitution should provide that president age should be 35 years.
- The constitution should provide that president age should be between 40 and 65 years.
- The constitution should provide that president age should be between 35 and 70 years.
- The constitution should provide that president age should be between 35 and 80 years.
- The constitution should provide that president age should be between 35 and 75 years.
- The constitution should provide that the president and prime minister should be aged between 35-60 years.
- The constitution should provide that MPs should be below 70 years.
- The constitution should provide that MPs should be 25 years.
- The constitution should provide that MPs should be 18 years (2).
- The constitution should provide that MPs should be 21 years (2).
- The constitution should provide that MPs should be between 40 and 65 years.
- The constitution should provide that MPs should be between 23 and 75 years.
- The constitution should provide that language tests for the MPs should be scrapped.
- The constitution should provide that an MP must be a holder of university degree (3).
- The constitution should provide that language tests for the MPs is NOT sufficient and they

should include an aptitude test.

- The constitution should provide that an MP must be a holder of an O level graduate (3).
- The constitution should provide for educational qualifications of MP's.
- The constitution should provide that language tests for the MPs should be retained.
- Moral and ethical qualifications should be introduced for our MP's (5).
- Aspiring MP's should have their past records made public.
- We should get certified reference reports from recognized persons who should be held responsible for any misleading information.
- Aspiring MP's should hold any other public officials.
- The constitution should give voters the right to recall non-performing MPs and those involved in misconduct (6).
- MP's should act on the basis of conscience and convictions of their constituents (3).
- MP's should have security of tenure.
- MP's should be in charge of all projects in their areas.
- The constitution should provide that an independent commission should determine MPs salaries.
- The constitution should provide that parliamentary service commission should determine MPs salaries (3).
- The constitution should provide that parliament should determine their salary (3).
- The constitution should provide that an independent body should determine MPs salaries.
- The constitution should provide that the public should determine MPs salaries.
- The constitution should not provide for nomination of MPs (2).
- The constitution should provide that there should be five nominated disabled persons in parliament.
- The constitution should provide that two women should be nominated MPs from each province.
- The constitution should abolish nomination of MPs.
- The constitution should guarantee that  $\frac{1}{4}$  of all nominated MPs shall be women.
- The constitution should provide for nomination of MPs (5).
- Seats for nominated MP's should be reserved for special interest groups such as the disabled, trade unions clergy and professionals among others (5).
- Nominated MP's should NOT be unsuccessful contestants in elections (3).
- Nominated MP's should be upright people with relevant expertise.
- The constitution should guarantee that  $\frac{3}{4}$  of all nominated MPs shall be women.
- No special measures should be put in place to increase participation of women.
- Seats should be reserved for women in parliament (6).
- A code of conduct should be introduced to govern the conduct of our MP's.
- The constitution should provide that MPs shall not run private businesses and shall have constituency offices.
- The constitution should provide for a coalition government (6).
- We should have multi party representation at both levels of government (2).
- We should have single party representation at the executive and multi party representation in the legislature.
- The constitution should provide that there should be a bicameral parliament (2).
- The constitution should provide that there should be a one parliament (2).
- The constitution should give parliament power to impeach the president (4).
- The constitution should provide for the impeachment of the president.
- The president should have the power to veto legislation passed in parliament if that

legislation threatens state security (2).

- The president should NOT have the power to veto legislation passed in parliament.
- The legislature should have the power to veto the president's during wartime or if the people have lost faith in the executive.
- The president should dissolve parliament after consultation with the parliamentary service commission.
- Parliament should only be dissolve when its time has expired and not by the president at his own whim.
- The president should only dissolve parliament if the MP's should are engaged in fighting in parliament.
- We should not stagger parliamentary elections.
- MP's should have a working committee or office at the constituency.

### **5.3.9 THE EXECUTIVE.**

- The constitution should provide for a president who is a professional and married (2).
- The constitution should provide a minimum qualification of a university degree for a presidential candidate (9).
- The president should be a Kenyan citizen, a registered voter, a university graduate, should be married and morally upright.
- The constitution should provide a minimum qualification of an O-level for a presidential candidate (2).
- The constitution should provide for a president who is has no criminal or corruption record.
- The constitution should provide for a president who is morally and ethically fit.
- The constitution should provide for a president who is a good listener, understanding and a good orator.
- The constitution should provide for a maximum of 2 terms of 6 years for the president (2).
- The constitution should provide for a maximum of 2 terms of 5 years for the president (11).
- The constitution should provide for a maximum of 1 term of 6 years for the president.
- The constitution should provide for a maximum of 5 years for the president (2).
- Functions of the president should be defined in the constitution (2).
- The president should be the custodian of the diverse customs of the people of Kenya.
- The president should protect the constitution; he/she should ensure the country is always at peace.
- The president should appoint all top civil servants.
- The constitution should limit the powers of the president (15).
- The constitution should provide that the president should not be above the law (9).
- The constitution should provide that the president should not be the chancellor of public universities (2).
- The constitution should provide that the president should be subject to the law.
- The president should NOT appoint all top civil servants.
- The president should be removed from office in case of misconduct (7).
- The president should participate in all debates of national interest.
- The president should relate with parliament like partners.
- The president should be answerable to parliament.
- The constitution should provide that the president should not be an MP (5).
- The constitution should provide that the president should be an MP (3).

- The constitution should provide for scrapping of the Provincial administration.
- The constitution should provide for retention of the Provincial administration.
- The constitution should provide for an election of provincial administrators, chiefs and their assistants (18)
- The constitution should provide that the chiefs and their assistants be transferable.
- Chiefs should be O-level graduates (2).
- The post of DO should be abolished.
- The DO's post, chiefs should have good education credentials.
- The constitution should provide for chiefs and assistant chiefs empowerment.
- Our provinces should be reduced to five.
- The PC should be appointed by parliament and have security of tenure.
- Chiefs should be at least 50 years old.
- Chiefs should be at least 40 years old (2).
- Chiefs should be at least 25 years old.
- Persons with disabilities should be elected as chiefs.
- The office of assistant chief should be abolished.
- The constitution should provide for gender sensitivity in the Provincial Administration.
- The constitution should provide for chiefs and assistant chiefs.
- The constitution should provide that there should be no women chiefs.
- The constitution should provide that there should be a code of conduct for provincial administration personnel.
- The constitution should provide for chiefs to be elected for 5 years.
- The constitution should provide that village elders should be uniformed and salaried.
- The constitution should provide for scrapping of the office of chief and assistant chief.
- The constitution should provide that the Provincial Administration shall be fair and non corrupt.
- The constitution should provide that chiefs and their assistants should be answerable to the public.
- There should be 15 ministries in the government.

### **5.3.10 THE JUDICIARY**

- The constitution should provide for the independence of the judiciary (7).
- The constitution should provide for the creation of family courts.
- The present structure of the judiciary is NOT adequate; we should add to it an East African Court of Appeal.
- Domestic courts should be introduced to provide security to women affected by domestic violence.
- The judiciary should be overhauled to return credibility and public confidence to this otherwise disgraced institution.
- The constitution should provide for the creation of a customary law courts.
- The filing system in the judiciary should be revised to avoid cases of missing files.
- Civil jails should be separate from those of criminal offences.
- The police should not be prosecuting agents at the same time.
- The constitution should provide for a supreme court (6).
- The constitution should provide for a permanent constitutional court (4).
- The constitution should NOT provide for a permanent constitutional court.
- Judicial officers should be appointed by an independent judicial service commission (6).

- The judicial officers should be law graduates and they should also have a diploma in law from Kenya School of Law.
- The judicial officers should have undergone training and should have a minimum of 20 years experience.
- Judicial officers should be permanent and pensionable but they should not stay in office or station for over five years.
- Judges should have security of tenure (2).
- Judges should retire at the age of 70 years.
- The judicial officers should set up a committee of judges to investigate and punish errant members of the judiciary.
- The judicial officers should establish a code of conduct and mechanism to discipline judicial officers.
- Kadhis should have similar qualifications to other magistrates (2).
- Kadhis should be appointed by the judicial service commission (2).
- The Kadhis court should be restricted to handle matters related to Islamic law.
- Judicial powers should be vested exclusively in courts (2).
- Judicial powers should NOT be vested exclusively in courts.
- Courts should be available at the grassroot level like the locational level.
- The constitution should provide for availability of courts at divisional headquarters (2).
- Kenyans should have a constitutional right to legal aid (7).
- The constitution should provide for a levy- free access to judicial service.
- There should be provision for judicial review of laws made by the legislature (3).
- We should have a council of elders to handle local disputes (3).

### **5.3.11 LOCAL GOVERNMENT.**

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council, should be filled by direct popular elections (17).
- The constitution should provide that mayors and chairmen of the county council should be appointed by councilors.
- The constitution should provide for mayors to be elected for a term of 5 years (4).
- The constitution should provide that mayors should serve a maximum of 4 years.
- The constitution should provide for mayors to be elected for a term of 2 years.
- The constitution should provide for an autonomous Local Government (7).
- Local authority should be under the federal government and not the central government.
- Local authority should be under the central government.
- The constitution should provide for councilors to be at least STD 8 leavers.
- The constitution should provide for councilors to be at least form 4 leavers (10).
- Minimum education qualifications for councilors are NOT needed.
- Minimum education qualifications for councilors should be introduced.
- Language tests for councilors are not necessary (3).
- Language tests for councilors are sufficient and they should be able to speak English and Swahili (3).
- There should be moral and ethical qualifications for local authority seats (4)
- Minimum age for aspiring councilors should be 21 years.
- Minimum age for aspiring councilors should be 25 years.
- Minimum age for aspiring councilors should be 45 years.

- Minimum age for aspiring councilors should be between 40 and 65 years.
- Councilors should be residents of that area (2).
- The constitution should provide for councilors to be recalled in case of misconduct (4).
- Individual federal states should determine the remuneration of councilors.
- The central government should determine the remuneration of councilors (3).
- Councilors should be paid by the central government (2).
- A local authority commission should determine the remuneration of councilors.
- Councilors should be paid from the treasury.
- The constitution should provide for retention of nomination of councilors ().
- The constitution should abolish nomination of councilors (4).
- Seats for nominated councilors should be reserved for women.
- Seats for nominated councilors should be reserved for special interest groups (3).
- Nominated councilors should not be unsuccessful contestants in elections.
- 75% of the seats for nominated councilors should be reserved for women.
- There should be rules to govern the conduct of councilors in a multi-party era.
- The executive should have power to abolish local councils (4).
- The executive should NOT have power to abolish local councils (2).
- Councilors should not tax small businesses.

### **5.3.12 THE ELECTORAL SYSTEM AND PROCESS**

- We should retain the representative electoral system (3).
- Presidential elections should be done by secret ballot.
- Simple majority rule should be retained as a basis of winning an election (4).
- The electoral process should not be designed to facilitate an increase in the participation of women.
- A winning president should garner 60% of votes cast.
- A winning president should garner 51% of votes cast.
- A winning president should garner 50% of votes cast.
- The constitution should provide that those who having failed to be nominated as candidates in one political party, defect to other political parties should not be allowed as electoral candidates.
- The constitution should provide that councilors who have defected from one party to another should not be eligible for nomination.
- Defectors should immediately cease to be MP's and a by election to be held after three months.
- Defectors should be prohibited from contesting during elections.
- MP's, councilors who are dissatisfied with their parties should resign and seek fresh mandate from the people.
- Where parties dissolve themselves, MP's from such parties should be free to join a party of their choice.
- The 25% rule in five provinces in presidential elections should be retained (3).
- The 25% rule in five provinces in presidential elections should be abolished (2).
- The 25% rule in five provinces in presidential elections should be replaced with 45%.
- We should have special seats in parliament reserved for special interest groups such as the disabled, the youth and the workers.
- We should reserve seats for special interest groups (10).
- The current geographical constituency system should not be retained.

- The current geographical constituency system should be retained with proportional representation of population of 60,000 people per constituency.
- The constitution should provide for the increase of the number of constituencies.
- The constitution should review the constituency and ward boundaries.
- The constitution should redraw the constituency and ward boundaries.
- The constitution should provide that the constituency and ward boundaries should be determined by the population of that area (3).
- The current geographical constituency system should be retained with proportional representation of population of 60,000 people per constituency and a maximum of 80,000 people while a ward should have between 15,000 and 20,000 people.
- Muhoroni constituency should be split into two.
- The constitution should provide that Presidential and Parliamentary elections should be held on separate dates (10).
- The constitution should provide that Presidential and Parliamentary elections should be held simultaneously.
- The constitution should provide that voter registration be done all year round preceding the election year (2).
- The constitution should provide that civil servants should not be required to resign from their jobs before contesting in elections.
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- A valid Kenyan passport, driving license and a birth certificate should be used for voting.
- Polling stations should be disable friendly (2).
- The ECK should provide branch ballot papers
- There should be no limit to election expenditure if such is financed privately by aspiring candidates.
- Election expenditure should be equal for all candidates.
- The constitution should specify the date of election (7).
- The president should be elected directly by the people (6).
- The 2002 elections should be held under the current constitution (5).
- Candidates seeking elective posts should be free to conduct their elections.
- Electoral commissioners should be university graduates.
- Electoral commissioners should be learned men and women of unquestionable integrity and experience in conducting elections.
- Jobs for ECK should be publicly advertised by the judicial service commission.
- ECK commissioners should be appointed by a parliamentary select committee.
- ECK commissioners should be appointed by parliament.
- Electoral commissioners should sere for two five-year terms.
- ECK should be independent and neutral (4).
- The electoral commissioners should have security of tenure of five years.
- Half the ECK should retire after every general election.
- Electoral commissioners should be removed from office for misconduct, through death, by resignation and if they declare bankrupt.
- The treasury should fund the ECK (2).
- The CBK should fund the ECK.
- We should have 22 electoral commissioners.
- We should have 24 electoral commissioners, 3 from each province.
- The constitution should provide that votes should be counted at the polling station (3).

- The electoral commission should have the power to prosecute.

### 5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- Basic human rights should be incorporated into the constitution as fundamental rights.
- Our constitutional provisions for fundamental rights are not adequate.
- The constitution should incorporate social, economic and cultural rights (3).
- The Kenyan Bill of Rights should incorporate all fundamental human rights.
- The constitution should guarantee freedom of movement.
- The constitution should guarantee the freedom of worship to all Kenyans.
- The constitution should guarantee every Kenyan, equal and non-discriminative
- The constitution should provide for freedom of worship, religion, speech, political opinion, assembly, association, expression, movement and a right to scientific knowledge.
- The constitution should protect Kenyans from unnecessary arrests without a warrant of arrest.
- The constitution should protect the right to life.
- The constitution should provide for abolition of death penalty (2).
- The constitution should substitute death penalty with life imprisonment.
- Death penalty should be applied to only those who have committed murder.
- The constitution should protect security, healthcare, water, education, shelter, food and employment (5).
- The state should have the responsibility of ensuring that citizens enjoy their basic rights.
- The parliament and local authorities should have the responsibility of ensuring that citizens enjoy their basic rights.
- The government should have the responsibility of ensuring that citizens enjoy their basic rights.
- The constitution should provide that the government should provide security to its people.
- The constitution should provide that the Police should provide security to the public.
- The constitution should provide for the existence of vigilantes for purposes of crime protection.
- The constitution should provide for thorough security checks by the Government.
- All citizens should be guaranteed security (2).
- All citizens should be provided with free healthcare (17).
- All Kenyans should have access to clean water.
- All Kenyans should have access to free housing and piped water (2).
- All Kenyans should be guarantee free education (8).
- Boys and girls should have equal rights in employment (3).
- Kenyans should have a right to shelter
- The constitution should provide for the employment of all university graduates (2)
- The constitution should provide that a person should have a maximum of two jobs.
- The constitution should provide that the government should pay religious leaders.
- The constitution should abolish retrenchment of civil servants (2).
- The constitution should provide for a one person-one job policy (6).
- Men and women should receive equal salaries.
- Maternity leave should be five months and it should be given to both the husband and wife.
- All employees of the public sector should retire at the age of 50 years (3).

- The constitution should provide for the employment for all (5).
- Retirees should not be re-appointed for new positions.
- Kenyans should benefit from the contributions of NSSF.
- Social welfare should be entrenched in the constitution
- A social welfare insurance scheme should be established to cater for the needs of orphans.
- Payment of pensions should be decentralized to divisional level.
- We need social welfare fund to cater for the needs of the old citizens.
- Pension should be increased after a specific period of time.
- The constitution should provide allowances to Kenyans.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide for free and compulsory formal education up to primary level (11).
- The constitution should provide for free and compulsory formal education up to secondary level (5).
- The constitution should provide for free and compulsory formal education (3).
- Kenyans should have access to information in the hands of the state (3).
- Kenyans should NOT have access to information in the hands of the state.
- The constitution should provide that it should be copied in all languages (3).
- The constitution should provide that it should be in simple and clear language (2).
- The constitution should provide for civic education in schools.
- The constitution should provide that the constitution shall be taught in schools and it shall be freely available.
- The constitution should provide for civic education to be a continuous process and should not be pegged of the constitutional review process.
- The constitution should guarantee the rights of workers to form and join trade unions (5).
- The constitution should deal with financing and or ensuring or providing of the basic needs by the government where the citizens cannot afford.

#### **5.3.14 THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide that there should be no offensive dressing by women.
- Women rights should be fully guaranteed in the constitution (3).
- Special interests of the disabled should be guaranteed in the constitution (3).
- We should establish rehabilitation centers for the disabled.
- The constitution should be provided with free education in special schools (3).
- The government should provide for the welfare of the disabled.
- The constitution should be provided with education, employment and public utilities that shall keep them as per their case.
- The disabled should be well represented in parliament.
- Projects for the disabled should be managed by the disabled.
- The constitution should give equal opportunities to all.
- The constitution should guarantee that disabled persons should be given loans annually.
- The constitution should guarantee that buildings should be structured in such a way that the disabled can gain access to them easily (3).
- The constitution should guarantee nomination of disabled to parliament.
- The constitution should guarantee entitlement to job of all disabled persons.
- The constitution should provide for the disabled rights and employment without

discrimination.

- The constitution should provide equal rights for children (4).
- The constitution should provide for a right to inherit property for both sons and daughters.
- The constitution should provide that there should be no child labor.
- The constitution should protect the education of the Girl child.
- The constitution should abolish corporal punishment.
- The constitution should guarantee that there should be no employment of girls as housemaids.
- The constitution should provide for polygamous men to recognize all children.
- The constitution should give children opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity.
- The government should provide for the welfare of the children.
- The constitution should provide for funds to assist the orphans.
- The constitution should provide a home for the orphans (2).
- The constitution should take care of the orphans (8).
- The constitution should provide that the government should provide for the old who must be 65 years and above.
- Vulnerable groups should include the street families, the aged, terminally ill, marginalized groups, mentally sick and widows.
- The constitution should make a provision for affirmative action in favor of the disabled, women and the minority groups.
- Police harassment and torture of suspects should be stopped.
- Rights of prisoners should be incorporated in the constitution.
- A person should be given time to raise their fine before imprisonment.
- Prisoners should be given bonus payment on release.
- After computing the prison terms, ex-convicts should not receive perennial extra judicial punishment.
- The constitution should provide for participation of exiles and prisoners in the elections

### **5.3.15 LAND AND PROPERTY RIGHTS**

- The state should have the ultimate ownership of land (3).
- The individual should have the ultimate ownership of land (4).
- The local community should have the ultimate ownership of land.
- The state, local authorities or individuals should have the ultimate ownership of land.
- The state, individuals and NOT local authorities should have the ultimate ownership of land.
- The constitution should provide that the Government should not have power to acquire private land.
- The constitution should provide that the Government should have power to acquire private land (6).
- The state and local authorities should have the power to control private use of land (3).
- Private land should be privatized only in public interest.
- The government should have the power to protect land from bad usage by private owners of such land
- The constitution should provide for taxing of any idle land.
- The constitution should provide for productive use of all land.
- The constitution should provide that a council of elders should arbitrate land disputes.

- All title deeds issued to illegally acquired land should be nullified.
- Issues of inheritance and land transfer should be done with regard to gender.
- Demarcation of land boundaries should be clear and satisfactory reflective maps be kept in both regional and national office.
- Family land should be transferred with the consent of the family (2).
- Land disputes should be handled by village elders (2).
- Issues of succession should be dealt with traditionally.
- Parents should be compelled to write a will to reduce any land dispute.
- Land transfer and inheritance should be done.
- Inheritance and succession should include other dependants.
- The land lease system should be revived.
- There should be a ceiling on land to be owned by an individual (5).
- No Kenyan should be allowed to own land more than 10 hectares (4).
- No Kenyan should be allowed to own land more than 50 hectares.
- No Kenyan should be allowed to own land more than 100 hectares.
- No Kenyan should be allowed to own land more than 1,000 hectares.
- No Kenyan should be allowed to own land more than 5,000 hectares.
- The constitution should restrict foreigners from owning land in Kenya (2)
- The constitution should provide that the land board shall be situated in the divisional headquarters.
- The constitution should provide for the simplification of land transfers (2).
- The constitution should provide for the scrapping of levies charged on land transfer transactions.
- Land boards shall effect land transfers.
- Assistant chiefs should be allowed to administer transfer of land.
- The constitution should provide for the simplification of land transfers by allowing each province to effect land transfers and handle other land related matters within their provinces.
- All landowners should be provided with title deed.
- Land transfers should be conducted at the district level.
- Land transfers should be conducted freely (3).
- The constitution should provide equal access to land for both men and women (6).
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership (2).
- The constitution should provide that land title deeds should bear the names of both spouses.
- Women should not own land.
- Pre-independence land treaties and arrangements should be abolished (2).
- The constitution should guarantee the right of any Kenyan to own land in any part of the country (6).
- The constitution should provide that the government should provide land for the landless (13).
- The constitution should provide that the government ensures that every individual owns at least 5 hectares of land.
- The constitution should guarantee that there should be no landlessness.

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

- The constitution should provide for abolition of European culture.
- Our cultural and ethnic diversity contributes to a national culture (4).
- Positive aspects of culture should be protected by our constitution (4).
- The constitution should protect ethnic and cultural diversity (4).
- The Luo culture of removing of removing six lower teeth should be respected by the constitution.
- Wife inheritance should NOT be abolished but there should be checks to protect each from HIV/AIDS.
- The constitution should capture circumcision for boys as a rite of passage.
- African socialism, African respect for elder and women, African value for hard work should be captured in the constitution.
- Payment of dowry should be done away with.
- Widows should be protected from harassment by in-laws.
- The institution of Luo paramount leaders should be enshrined in the constitution.
- The constitution should guarantee that ethnic customary laws should not be abolished.
- The constitution should provide for circumcision of male Luos.
- The constitution should provide for respect of customs.
- The constitution should provide that spiritual leaders should be elected.
- The constitution should provide that marriage should be respected and formalized.
- The constitution should provide that payment of dowry should be optional.
- The constitution should outlaw wife inheritance (7).
- The constitution should provide for government funding for social and religious groups
- The constitution should abolish feasting in funerals.
- The constitution should guarantee that wife inheritance should be voluntary.
- The constitution should ensure harmony of the constitution.
- Tribal radio stations should be abolished and tribalism discouraged in a bid to promote national unity.
- Kenyans should be sensitized co-exist peacefully together irrespective of their tribal inclinations as this will ensure unity in diversity.
- The concept of unity in diversity should be provided by all state legislation and policies to ensure tribalism does not root us out.
- The constitution should provide that ethnicity should be discouraged.
- FGM should be outlawed.
- The constitution should provide protection against discriminatory aspects of culture (2).
- The constitution should provide for two national languages, namely; English and Kiswahili (5).
- The constitution should provide for one national languages, namely; Kiswahili (2).
- The constitution should encourage ethnic languages.
- The constituting should recognize and promote indigenous languages (5).

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

- Power to raise revenue, its management and distribution as well as management of human resources should be left to individual federal states.
- Power to raise revenue, its management and distribution as well as management of human resources should be left to the executive and legislature.
- Parliament should retain the power to authorize raising and appropriation of public funds

(2).

- Apart from taxation, the government raise revenue through effective management of natural resources
- The government should take offshore investments.
- The state should build industries with partners who have farms from where farmers would purchase improved goods, engage in trade with partners and accept donations from well wishes.
- The constitution should provide for fair distribution of all resources.
- The constitution should provide for equitable distribution of national resources (7).
- Distribution of national resources should depend on the economic viability of an area. People living in arid and semiarid areas should be given a large share of our national resources.
- The government should apportion benefits from resources in a given area between the central government and the community where such resources are found.
- 75% of the resources from a particular area should be remitted to the central government.
- The office of the controller and auditor general should be entrenched in the constitution and should be given prosecution powers.
- The auditor general should be independent and given security of tenure (3).
- The PSC should appoint the controller and auditor general.
- The parliament should appoint the controller and auditor general (2).
- The prime minister should appoint the controller and auditor general.
- Parliament should authorize and manage public finances.
- All external borrowings by our government should be sanctioned by parliament.
- Public finances should be used only with the approval of parliament.
- To attract competent Kenyans into the service we should hire technocrats into our ministries.
- Civil servants should be well paid (2).
- Appointments and promotions in the entire civil service should be based on merit
- Civil servants in the provincial administration should have attained a certain level education.
- The management and discipline roles in of the PSC should be strengthened.
- The PSC should be non-elective officers of local authorities.
- The PSC should given security of tenure.
- PSC members should be appointed by the president on recommendation of parliament.
- PSC members should be appointed by the parliament.
- We should have a code of ethics for holders of public office (3).
- MP's should not have private businesses.
- Civil servants should work anywhere in the republic and any civil servants showing ethnic favoritism should be fixed.
- The PSC members should be morally upright people and competent professionals.
- All holders of public office should declare their assets (5).
- All those seeking elective posts should declare their assets.

### **5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should guarantee that the government policy on afforestation and reforestation should be implemented.
- The constitution should provide for exploitation of minerals by government.

- The constitution should put in place mechanisms to protect our environment from degradation and pollution.
- Cutting of trees should be outlawed and all roads improved.
- Ploughing along the riverbanks should be outlawed and government should put in place mechanisms to control floods.
- The executive and the judiciary should have the power to enforce laws on protection of the environment.
- The government should have the power to enforce laws on protection of the environment.
- The public should have the power to enforce laws on protection of the environment.
- The central government and local authorities should have the power to enforce laws on protection of the environment.
- Natural resource should be owned by the state.
- Natural resource should be owned by the local people.
- Local communities should participate in the management and protection of the environment through observing relevant legislation and engaging in sustainable environmental protection activities e.g. prevention of soil erosion.
- Water bodies, forests, minerals, wildlife, fish etc. should be protected in the constitution (2).
- The government should manage and protect the natural resources (2).
- The local people should manage and protect the natural resources.
- The state should manage and protect the natural resources.
- The parliament should manage and protect the natural resources.
- Management and protection of the natural resources should be by a process of sustainable development of relevant policies.
- The constitution should enact an act of waste management to prevent our environment from pollution.

### **5.3.19 PARTICIPATORY GOVERNANCE**

- NGO's and other organized groups should have a role in governance (3).
- The constitution should regulate the conduct of civil society organizations.
- The government should stop deregistration of NGO's.
- All civil societies should be registered under the societies act.
- The constitution should control the infiltration of bad habits and cultures through the media to our society.
- The constitution should ensure accountability by NGO's.
- The media should operate freely.
- The constitution should institutionalize the role of our civil society organizations by recognizing their role and putting a framework for their establishment.
- The constitution should provide a mechanism through which women can participate in governance (2).
- Women should not be left out in decision making at any level of government.
- The constitution should provide for free participation of women in politics.
- The constitution should guarantee that women should form 1/3 of the executive.
- The constitution should assist the local women groups.
- The constitution should provide a mechanism through which people with disabilities can participate in governance (2).
- The constitution should provide a mechanism through which the youth can participate in

governance (2).

- There should be a nominated MP for the youth.
- The constitution should provide a mechanism through which the elderly can participate in governance (2).

### **5.3.20 INTERNATIONAL RELATIONS**

- The conduct of foreign affairs should be exclusive responsibility of the state.
- Our constitution should specify how the foreign affairs should be conducted.
- The conduct of foreign affairs should be exclusive responsibility of the executive.
- The conduct of foreign affairs should be based on a national policy and the executive in conducting foreign affairs should work within that policy.
- Parliament should enact legislations that are in conformity with international standards but it should not compromise on national interest and values.
- Parliament should review the policy to match the international order of time.
- The executive should implement the foreign policy approved by parliament.
- International treaties and conventions and regional and bilateral treaties should have an automatic effect in domestic law (3).
- Laws and regulations made by regional organizations in which Kenya is a signatory to should NOT have an automatic effect in the domestic law.
- Laws and regulations made by regional organizations in which Kenya is a signatory to should be discussed by parliament before adoption into the domestic law.

### **5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- We need constitutional commissions, institutions and offices (3).
- There should be a special commission to employ senior government officials.
- The constitution should provide that the public should elect an ombudsman (5).
- The constitution should provide for the existence of ombudsman's' office in every division.
- We need a human rights commission (2).
- We need a gender commission.
- We need an anti corruption commission (6).
- We need a lands commission (3).
- We need an equal opportunity commission to address the affirmative action of people who have been wronged by circumstances of history and its environment in attaining levels of development seen in other parts of Kenya.
- We need a truth and reconciliation commission to promote national reconciliation for healing harmonies existence political hatred brought about by a decondent political dictatorship (2).
- We need a police service commission.
- We need a constitutional review commission.
- We need a judicial service commission.
- We need an electoral commission.
- The constitution should provide that a salary commission should be established to determine public servants salaries.
- We need constitutional, water, religious, traffic, charity and an industrial commission.

- The anticorruption commission should have the power and authority to prosecute all corruption cases (2).
- The constitution should empower anti-corruption unit to effectively undertake its task.
- All constitutionally established commissions should have the power to investigate through enquiries and their and their functions and recommendations should be adopted.
- We need a ministry of justice and constitutional affairs (3).

### **5.3.22 SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that during the transition period, the sitting prime minister shall exercise presidential powers.
- The constitution should provide that during the transition period, the ECK chairman shall exercise presidential powers.
- The constitution should provide that during the transition period, the speaker of the national assembly shall exercise presidential powers (2).
- The constitution should provide that during the transition period, the secretary of the cabinet shall exercise presidential powers.
- The constitution should provide that during the transition period, the ceremonial president shall exercise presidential powers.
- The constitution should provide that during the transition period, the CJ or AG shall exercise presidential powers.
- The constitution should provide that during the transition period, strategic posts should be created and the holders of such offices shall exercise presidential powers.
- The ECK should announce the results of presidential elections before the speaker in parliament (2).
- The senior most judge of the Supreme Court should declare the results of the presidential candidates.
- The presidential election announcement should be made in the presence of the chief justice, Attorney General, the ECK chairman, the inspector general of police and the chief.
- The incoming president should assume office 3 months after presidential elections have been conducted (2)
- The incoming president should assume office seven days after presidential elections have been conducted
- The incoming president should assume office 30 days after presidential elections have been conducted.
- The incoming president should assume office after presidential elections have been announced.
- The president elect should be sworn in after one week of elections.
- The CJ should swear in the incoming president in a public gathering (2).
- The judiciary should swear in the incoming president in a public gathering.
- The AG should swear in the incoming president in a public gathering.
- The CJ should swear in the incoming president in Uhuru gardens in the presence of religious leaders, 5 judicial officers, dignitaries and the general public.
- Instruments of power should be transferred to an incoming president one month after elections (2).
- Instruments of power should be transferred to an incoming president immediately he is sworn in.
- There should be an official handing over ceremony of the instruments of power.

- The incumbent president should carry on state house business as a ceremonial president and preside over ceremonies directed by the incoming president for a additional six months during which the handing over is done.
- The constitution should make a provision for a former president in terms of security (4).
- The constitution should make a provision for a former president in terms of welfare (4).
- The constitution should make a provision for a former president in terms of immunity from the legal process (3).
- The constitution should make a provision for a former president in terms of NOT being immune from the legal process.

### 5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide that married women should own property (3).
- Women should have access to land and property.
- The constitution should provide for unmarried girls to inherit parental property (2).
- The constitution should guarantee that women should be allowed to inherit land in their maiden homes.
- The constitution should give unmarried girls the right to inherit parental land.
- Women regardless of their marital status should be entitled to inherit their family property.
- Women should be allowed to inherit the property of their deceased husbands (4).
- Women should be married when they attain the age of 18 years.
- All marriage conducted under the law should be validated.
- The constitution should harmonize marriage laws (3).
- Men should play their roles as heads of the home and the argument of being equal should not arise.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- Parents and especially fathers should take reasonable care of their daughters.
- Fathers should be forced to take responsibility for their children.
- The constitution should provide for married girls to inherit parental property.
- The constitution should guarantee widows and women property inheritance.
- The constitution should provide for fathers' responsibility in cases of separation and divorce.
- The constitution should provide for protection of women from all forms of violence.
- Women should not have the power to prosecute their husbands for domestic violence for it causes tension in their home.

### 5.3.24 **INTERNATIONAL POLICY**

#### Foreign Direct Investment

- The constitution should ensure a good environment for investment.

### 5.3.25 **REGIONAL POLICY**

#### Regional Bio-diversity Programmes

- All government owned industries and companies should be privatized.

## Capital Flows

- The government should control capital flight.

### 5.3.26 **NATIONAL ECONOMIC POLICY**

#### Domestic Trade Issues

- Importation of locally produced agricultural products should be done if and only if these commodities have been exhausted in Kenya.
- The constitution should control food prices locally (3).
- The constitution should provide for government role in price control to protect local produce
- The constitution should ban importation of goods, which can be manufactured locally.
- The constitution should provide price control of basic goods.
- The constitution should provide for setting of the prices of all commodities in the annual budget.
- The constitution should ban importation of cheap and below standard goods.

#### Economic Liberalization

- There should be a provision in the constitution for the control, supply and pricing of basic food materials and shelter, as was the case before.
- The government should not own any shares in private companies. It should only regulate the business world through sound policies and creation and sustainance of an enabling environment.
- There should be a total ban on products manufactured locally.

#### Industrialization

- The constitution should establish processing factories along Lake Victoria.
- The constitution should protect local industries (2).
- The constitution should revive all collapsed factories and industries to increase the job market.

#### Poverty Reduction

- Poverty reduction strategies should be implemented.

#### Physical Economic & Social Infrastructure

- The constitution should provide that all government services and facilities should be accessible to all Kenyans without discrimination.
- The constitution should guarantee that fire brigades should be provided in sugar plantations.
- 

### 5.3.27 **NATIONAL OTHER POLICY**

#### HIV Aids

- A HIV Aids test should be made mandatory for parties involved in wife inheritance.
- The new constitution should not make it a responsibility of our government to provide for the welfare of Aids orphans.

- HIV Aids victims should be announced in public to eliminate more injections.
- Government should vaccinate Aids patients.
- The constitution should endeavor to reduce the Aids (4).

#### Public Safety & Security

- Police harassment should be stopped.
- Police training should go over a period of four years (5).
- The citizens should be authorized to bear arms for self-defense.
- The government should employ home guards in every ten or twenty villages everywhere in Kenya for security purposes.
- Criminals or suspects shouldn't be tortured before they are proven guilty.
- The police officers tenure should be reviewed every five years.
- The constitution should provide that the Police force should be streamlined to stop Police harassments.
- 

#### Corruption

- Corruption should be stopped in the public and in other offices (3).
- All those who are responsible for the collapse of public owned companies should be brought to book.
- Corrupt public officers should be arrested, tried and convicted (2).
- The constitution should put a mechanism to curb corruption (4).

#### Population Issues

- Condoms should be abolished because they encourage prostitution.
- The constitution should regulate the number of children that the family should have.

### 5.3.28 **SECTORAL POLICY**

#### Agriculture

- The constitution should recognize centrality and vitality of agricultural sector in our economy.
- The sugar Act 2001 should be implemented.
- A law should be established to protect and encourage all farmers to increase on agricultural production.
- Agro based industries in Nyanza should not be nationalized.
- Farmers of crops like cotton, rice, sugar cane and animal products should be protected against greedy importers.
- Sugarcane farmers should not be taxed.
- The constitution should address the issue of sugar cane farmers to payment on time.
- The constitution should address many problems facing farmers with respect to market for their products.
- The constitution should establish an agricultural policy that guarantees adequate food.
- The constitution should address the issue of sugar cane payments and transportation.
- Proper agricultural policies should be established because Kenya relies heavily on agriculture.
- The constitution should address the issue of farmers.
- The constitution should establish good agricultural policies.

- The constitution should provide loans for farmers.
- The constitution should provide for agricultural officers in every location.
- The constitution should provide that the government should provide free farm implements to farmers.
- The constitution should provide for irrigation of marginal areas.
- The constitution should provide that cotton; sugar and rice industries shall be revived.
- The constitution should provide for formulation of policies that encourage food production.

#### Manufacturing

- Mwani sugar factory should be revived.
- More industries should be established to enable Kenya to compete in the world market.

#### Education

- The disabled should be given priority in admission in colleges and other training institutions.
- The constitution should look into the welfare of the nursery school teachers.
- The 8-4-4 system of education should be replaced.
- Teachers should be empowered to punish pupils in schools.
- There is need to encourage the culture of reading to promote high rate of literacy.
- University students should be provided with adequate loan to finance their education (2).
- The government should provide needy students with bursaries.
- Bursary funds contributions should be controlled by the chiefs as was in the case before.
- There should be corporal punishment in school to direct students even using the cane.
- Traditional laws and values should be taught in lower level schools to help the children understand their origin.
- 8-4-4 system should be abolished and 7-6-3 system reinstated.
- The constitution should adopt the Koech report for education.
- There should be adequate teachers in schools.
- School inspection should be regular with impromptu visits.
- The constitution should provide that nursery schools shall be under Education, Culture and Social services ministry
- The constitution should provide that any reform in the education sector should be referred to professionals before implementation.
- The constitution should provide for revival of Advanced level system of education.
- The constitution should provide that teachers shall be transferable and that they shall not teach in their areas of origin.

#### Public Finance (fiscal policy)

- Businesses of people who are disabled should not be taxed (2).
- The taxation system should be revised to avoid double taxation.
- Land tax should be imposed on anyone who owns land.
- The constitution should reduce taxes on basic needs like food and clothing.
- The constitution should remove licenses for businesses.
- The government should set aside a budget for mosques and taxes.
- The government should set aside a budget for the disabled.
- The constitution should provide that the President's official international trips should not be more than 3 a month.

## Monetary Policy

- The constitution should create a clause to stop Kenyans from banking their money in overseas bank accounts and should be compelled to bring it back (2).
- The constitution should establish and protect the banking system by incorporating Donde's Bill.
- Loans should be acquired by using a collateral. Family homes should not be given as collateral for loans.
- The Kenyan resources should be printed in Kenyan currency.
- The constitution should provide for interest free loans for small business people.

## Health

- Our hospitals should be equipped with drugs and other relevant facilities.
- There should be cost sharing in the provision of health services.
- Widows and orphans should not be charged any fees in public hospitals.
- The constitution should provide all Kenyans with health insurance.
- Public hospital doctors should not work in private hospitals.

## Tourism

- The government should promote tourism.

## Small Enterprise Development

- The informal sector should be encouraged to advance through the provision of financial incentives such as soft loans with low interest.
- The disabled should be given soft loans to enable them start small-scale businesses (2).
- The constitution should promote small-scale businesses.
- The constitution should put in place mechanisms to assist the Jua Kali artisans to improve their businesses.
- A special bank should be introduced to provide soft loans to widows to enable them start small income generating projects.
- The constitution should provide that foreigners should not involve in small-scale businesses in Kenya.
- The constitution should provide that small-scale traders should not be taxed.
- The constitution should exempt small business men/ women from the requirement of a trade license.

## Transport & Communication

- The constitution should ensure that roads are maintained (2).
- There should be accessible roads in Miwani division.

## Fishing

- The constitution should guarantee that fishing, as a source of income shall not be taxed.

## Parks & Wildlife Services

- National parks should be privatized (2).

### 5.3.29 **LEGAL SYSTEMS**

#### Customary Law

- Our customary laws should be incorporated into the constitution.
- The constitution should provide for the retention of customary law.

#### Statutory Laws

- Detention without trial should be outlawed.
- The trespass law should be outlawed.
- Leaders who promote tribalism should be punishable by law.
- The Chief's Act should be divided.
- A law should be put in place to compel fathers and husbands to distribute their wealth to their spouses when still alive.
- There should be stiffer penalties for rapists and defilers.
- Leadership and homosexuality should be totally outlawed.
- There should be a law to prosecute parents who ignore or do not take their children to school (3).
- Strict rules should be applied in the drinking age.
- The constitution should legislate local brew.
- The constitution should outlaw illicit drinks like *chang'aa*.
- The constitution should provide that the Police should produce an arrest warrant before arrests are made.
- The constitution should provide for stiff punishment for murderers.
- The constitution should outlaw drinking of illicit brew.
- The constitution should provide for legalization of *chang'aa*.
- The constitution should provide that there should be curfew between 7p.m to 7a.m to curb immorality in bars and hotels.

#### Bills

- The president should give assent to all bills passed by parliament before they become a law.

### 5.3.30 **COMMON GOOD**

- Children should care for their parents at old age.
- Men and wives should respect each other.

### 5.3.31 **GENDER EQUITY**

- The question of equality is unthinkable people should leave how God created the world.
- The constitution should provide for gender equality.
- Men and women should have equal rights (2).

### 5.3.32 **ECONOMIC/SOCIAL JUSTICE**

- The constitution should guarantee social economic justice.
- The constitution should put in place mechanisms to curb economic sabotage, economic fraud and other economic crimes.
- We need transitional justice so that all crimes against humanity perpetrated on living and Kenyans by the past and present regimes are alone for and restoration is done.

### 5.3.33 **TRANSPARENCY/ACCOUNTABILITY**

- Political parties should make public their financial systems.
- A law on professional accountability should be established to check on professional negligence and any professional ethics. For further transparency all professionals should be registered under one body.
- There should be transparency and accountability (2).

### 5.3.34 **NATURAL JUSTICE/RULE OF LAW**

- There should be the rule of law.

### 5.3.35 **NATIONAL INTEGRITY/IDENTITY**

- We need a national dress whose design has the colors of the flag.
- We need a national, decent dress (2).

## **APPENDICES:**

### **Appendix 1: Members of the Constituency Constitutional Committee**

1. Hon Dr William Odongo Omamo MP
2. Enos Okolo DC
3. Ven. Rev. Joshua Owiti Ouma Chairman
4. Cllr Samuel Kabere
5. Francis Ayoo Kosomba
6. William Gombe
7. Tabitha Auma Oloo
8. Mrs. Wilkister Ongondo
9. Diana Opondo
10. Eric Athembo

### **Appendix 2: Civic education providers (CEPs)**

1. Catholic justice and peace commission
2. Osogo women group
3. Masogo sports
4. Amani women group
5. Nyoro women group
6. Miwani pans
7. Kabar west farmers youth group
8. St Luke's Makindu Anglican church
9. Pamoja women group
10. Ujenzi women group
11. Home based care

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

1	0015oNMNY	Alois Owino A	CBO	Written	Ng'ula Community
2	0017oNMNY	George Wanje	CBO	Written	Youth to Youth AIDS Forum
3	0005NMNMY	Joyce Maina	CBO	Written	Women caucus of Muhoroni
4	00030NMNY	Judith Odira	CBO	Written	Maendeleo ya Wanawake Miwani
5	0016oNMNY	Linet C Atieno	CBO	Memorandum	Women Group
6	0014oNMNY	Rosemary Akoth	CBO	Memorandum	CMA Clear Project
7	0010oNMNY	Tom Abonyo Onyango	CBO	Oral - Public he	Olusawe Group Koru Loc
8	0006oNMNY	Walter Onyango	CBO	Written	Phisically handicaped
9	0019INMNY	Aaron R Tuikono	Individual	Oral - Public he	
10	0055INMNY	Abiro Joseph	Individual	Oral - Public he	
11	0096INMNY	Adede M Isaac	Individual	Oral - Public he	
12	0068INMNY	Alfred Abon'go	Individual	Oral - Public he	
13	0007INMNY	Alfred K Kiprono	Individual	Written	
14	0063INMNY	Alice Ogutu	Individual	Oral - Public he	
15	0016INMNY	Anonymous	Individual	Written	
16	0091INMNY	Ayub Omollo	Individual	Oral - Public he	
17	0097INMNY	Barrack Omballa	Individual	Oral - Public he	
18	0094INMNY	Bishop James Mbara	Individual	Oral - Public he	
19	0090INMNY	Carilus O Okaka	Individual	Oral - Public he	
20	0057INMNY	Charles Ooro	Individual	Oral - Public he	
21	0058INMNY	Chrispine Goga	Individual	Oral - Public he	
22	0012INMNY	Cleophas Juma Gwaye	Individual	Written	
23	0028INMNY	Daniel Okore Ondola	Individual	Oral - Public he	
24	0082INMNY	David Ademba	Individual	Oral - Public he	
25	0066INMNY	Diana Opondo	Individual	Oral - Public he	
26	0024INMNY	Dickson Akodhe Muga	Individual	Oral - Public he	
27	0029INMNY	Dina Boyi	Individual	Oral - Public he	
28	0078INMNY	Dorothy A Muga	Individual	Oral - Public he	
29	0080INMNY	Elida Owiti	Individual	Oral - Public he	
30	0045INMNY	Elijah Nyambane	Individual	Oral - Public he	
31	0060INMNY	Elijah Ondiek	Individual	Oral - Public he	
32	0009INMNY	Elisha A Atuko	Individual	Written	
33	0033INMNY	Esther Asingo	Individual	Oral - Public he	
34	0089INMNY	Flora K Oywaya	Individual	Oral - Public he	
35	0013INMNY	Francis Ayoo Kasombo	Individual	Memorandum	
36	0088INMNY	Francis Odumbo	Individual	Oral - Public he	
37	0027INMNY	Fredrick Otieno	Individual	Oral - Public he	
38	0054INMNY	George Okoth	Individual	Oral - Public he	
39	0030INMNY	Hellen Bolo	Individual	Oral - Public he	
40	0062INMNY	Henry Odhiambo	Individual	Oral - Public he	
41	0043INMNY	Hesbon O Odhiambo	Individual	Oral - Public he	
42	0020INMNY	Hon Dr. William Omamo	Individual	Oral - Public he	
43	0007oNMNY	Isaac Kagia Obede	Individual	Written	Individual
44	0059INMNY	Isaac Muhale	Individual	Oral - Public he	
45	0056INMNY	Jack Chogo	Individual	Oral - Public he	
46	0072INMNY	James Onyach	Individual	Oral - Public he	
47	0049INMNY	Jane Ambiyio	Individual	Oral - Public he	Riziki Women Group
48	0032INMNY	Jared Odera	Individual	Oral - Public he	
49	0044INMNY	Jenipher Ojiaye	Individual	Oral - Public he	Omuonyolo Women Group
50	0015INMNY	Jerry J Onyango	Individual	Written	
51	0017INMNY	Joash Odoyo	Individual	Oral - Public he	

52	0095INMNY	John Arum	Individual	Oral - Public he	
53	0021INMNY	John Kipnyango	Individual	Oral - Public he	
54	0101INMNY	John O Rakawe	Individual	Oral - Public he	
55	0035INMNY	John Obiero	Individual	Oral - Public he	
56	0075INMNY	John tanui	Individual	Oral - Public he	
57	0018INMNY	Joseph Njiri Ogutu	Individual	Oral - Public he	
58	0099INMNY	Joseph Wando	Individual	Oral - Public he	
59	0074INMNY	Joshua Nyatong	Individual	Oral - Public he	
60	0050INMNY	Julius A Omenya	Individual	Oral - Public he	
61	0087INMNY	Juma Joshua	Individual	Oral - Public he	
62	0006INMNY	Kabilla Maina	Individual	Written	
63	0022INMNY	Kenneth Otiende	Individual	Oral - Public he	
64	0077INMNY	Kepha Ogolla	Individual	Oral - Public he	
65	0104INMNY	Leo Awuor	Individual	Oral - Public he	
66	0092INMNY	Ludigo Odero	Individual	Oral - Public he	
67	0081INMNY	Maritta Anyango	Individual	Oral - Public he	MYWO
68	0039INMNY	Martha Anyango	Individual	Oral - Public he	
69	0093INMNY	Martin Onyango	Individual	Oral - Public he	
70	0031INMNY	Mary Onyando	Individual	Oral - Public he	Maendeleo ya Wanawake
71	0100INMNY	Michael Miruk	Individual	Oral - Public he	
72	0061INMNY	Michael Nyambala	Individual	Oral - Public he	
73	0004INMNY	Michael Ondiek Oyieko	Individual	Memorandum	
74	0003INMNY	Nandi Kitoto	Individual	Written	
75	0067INMNY	Nelson Fuanga	Individual	Oral - Public he	
76	0052INMNY	Ondijo Kera	Individual	Oral - Public he	
77	0098INMNY	Ongage Christopher	Individual	Oral - Public he	
78	0051INMNY	Onyango Kakedi	Individual	Oral - Public he	
79	0036INMNY	Osiro Aringo	Individual	Oral - Public he	
80	0005INMNY	Otieno Aluoka	Individual	Written	
81	0040INMNY	Owuor Inda Oloo	Individual	Oral - Public he	
82	0064INMNY	Paul Ogutu	Individual	Oral - Public he	
83	0069INMNY	Paul Omow	Individual	Oral - Public he	
84	0085INMNY	Penina O Rambala	Individual	Oral - Public he	
85	0070INMNY	Peter Gordon Ondiek	Individual	Oral - Public he	
86	0001INMNY	Peter O Pande	Individual	Written	
87	0079INMNY	Peter Ogallo Kitoto	Individual	Oral - Public he	
88	0048INMNY	Philemon Odhiambo	Individual	Oral - Public he	
89	0086INMNY	Pius Omollo	Individual	Oral - Public he	
90	0076INMNY	Pricilla Nyamola	Individual	Oral - Public he	
91	0026INMNY	Remjius Juma	Individual	Oral - Public he	
92	0103INMNY	Rev Joseph Ogongo	Individual	Oral - Public he	
93	0011INMNY	Rev. Elijah Owaga O	Individual	Written	
94	0041INMNY	Richard Hilary	Individual	Oral - Public he	
95	0038INMNY	Robert Nasongo	Individual	Oral - Phone	
96	0083INMNY	Rosaline Ochola	Individual	Oral - Public he	
97	0008INMNY	Samson Kisege Owaga	Individual	Written	
98	0010INMNY	Samuel Anyango Ngar	Individual	Written	
99	0002INMNY	Samuel Kapere Oyoo	Individual	Written	
100	0023INMNY	Silvester Chemonjo	Individual	Oral - Public he	
101	0084INMNY	Susan A Onyango	Individual	Oral - Public he	
102	0025INMNY	Thomas Omolo	Individual	Oral - Public he	
103	0046INMNY	Thomas Ouma	Individual	Oral - Public he	
104	0037INMNY	Tom Abonyo O	Individual	Oral - Public he	Olu Sawe Group
105	0102INMNY	Tom O Owiti	Individual	Oral - Public he	
106	0034INMNY	Tom Okaka	Individual	Oral - Public he	
107	0073INMNY	Vitalis Okuta	Individual	Oral - Public he	

108	0053INMNY	Walter Odindo	Individual	Oral - Public he	
109	0065INMNY	William Gombe	Individual	Oral - Public he	
110	0071INMNY	William Ogada	Individual	Oral - Public he	
111	0001ONMNY	Karen Anyango	NGO	Written	Widows and orphans welfare s
112	0013oNMNY	Jason M Maseno	Other Institutions	Memorandum	Chiefs and Assis. Chiefs of
113	0002ONMNY	Steve Lande Okello	Other Institutions	Written	Group
114	0011oNMNY	Syprose A Onyango	Other Institutions	Memorandum	Nursery school teachers
115	0008oMNMY	Charles Atiang Atiang	Politcal Party	Written	Ford people Muhoroni Branch
116	0009oNMNY	Lameck Ominde Othayo	Pressure Groups	Written	KNUT Muhoroni Sub Bracnh
117	0004oNmNY	Benedetta Awala	Private Sector Organisa	Written	Group
118	0012oNMNY	Michael Owino	Religious Organisation	Memorandum	koru catholic church
119	0047INMNY	Wilkister Ong'ondo		Oral - Public he	

## Appendix 4: Persons Attending Constituency Hearings

### MIWANI MASOGO AND CHEMELIL

No.	Name	Address	No.	Name	Address
1	The Ven Joshua O. Ouma	P.O. Box 248, Muhoroni	24	Rose Akinyi	P.O. Box 171, Ahero
2	F.B.A. Kosambo	P.O. Box 298, Ahero	25	Alfred Abongo	P.O. Box 7, Miwani
3	Erick Odago	P.O. Box 95, Ahero	26	Paul Omollo	P.O. Box 35, Miwani
4	William Gombe	P.O. Box 142, Muhoroni	27	Caroline Olilo	P.O. Box 171, Ahero
5	Diana Opondo	P.O. Box 8, Songhor	28	Peter G. Ogada	P.O. Box 73, Sawgayo
6	Tabitha Rawo	P.O. Box 85, Miwani	29	William Ogada	P.O. Box 258, Ahero
7	Samson Kisege Owaga	P.O. Box 85, Miwani	30	Gerald Ayiemba	P.O. Box 85, Miwani
8	Jashon M. Masero	P.O. Box 54, Miwani	31	James Onyach	P.O. Box 42, Miwani
9	John A. Ikoo	P.O. Box 35, Miwani	32	Magdalena Masero	P.O. Box 30, Yawo
10	Elijah Ondiek	P.O. Box 258, Ahero	33	Evans Akira	P.O. Box 7, Miwani
11	Rosemary Akoth Ogada	P.O. Box 258, Ahero	34	Joakim Obera	P.O. Box 16, Miwani
12	Elsah Anyango	P.O. Box 84, Ahero	35	Vitalis Okuta	P.O. Box 306, Miwani
13	Maurice Onyango	P.O. Box 54, Miwani	36	Sebegwa Odhiambo	P.O. Box 35, Miwani
14	Samwel Anyango Ngar	P.O. Box 42, Miwani	37	Paul Ogutu	P.O. Box 35, Miwani
15	Michail Nyateng	P.O. Box 53, Miwani	38	Elijah Onyuro	P.O. Box 85, Miwani
16	Henry Odhiambo	P.O. Box 18, Miwani	39	George Oling	P.O. Box 85, Miwani
17	Alice Ogutu	P.O. Box 85, Miwani	40	Joshua Nyootelro	P.O. Box 73, Miwani
18	Penina Ocharo	P.O. Box 306, Ahero	41	William Odongo	P.O. Box 7, Miwani
19	Dan Othim	P.O. Box 35, Miwani	42	Maurice Osumba	P.O. Box 18, Miwani
20	Kennedy Ojope	P.O. Box 35, Miwani	43	Charlis Odera	P.O. Box 12, Awasi
21	Owino Asudi	P.O. Box 12, Miwani	44	Lewpodus Ongany	P.O. Box 35, Miwani
22	Michael Adede	P.O. Box 35, Miwani	45	Caroline Atieno	P.O. Box 8, Miwani
23	Nelson Fuanga	P.O., Box 16, Miwani	46	Emire Ngeso	P.O. Box 45, Ahero
47	Philip Isacka	P.O. Box 126, Ahero	70	David Odawo	P.O. Box 90, Miwani
48	Joash Agak	P.O. Box 73, Sangayo	71	Ayub Onyango	P.O. Box 85, Miwani
49	Helida Owiti	P.O. Box 16, Nyakoki	72	Sabianus Otieno	P.O. Box 35, Miwani
50	Judith Odira	P.O. Box 16, Miwani	73	Martha Anyango	P.O. Box 84, Miwani
51	Lucas Amollo	P.O. Box 85, Miwani	74	Rusalina Ochola	P.O. Box 84, Miwani
52	Prisila Lusi	P.O. Ahero	75	Dorothy Muga	P.O. Box 27, Miwani
53	James Ariko	P.O. Box 74, Miwani	76	Peter Mika	P.O. Box 27, Miwani
54	Titus Aguko	P.O. Box 54, Miwani	77	Susan Anyango	P.O. Box 47, Miwani
55	Michael Owame	P.O. Box 16, Awasi	78	Penina Rambara	P.O. Box 7, Miwani
56	Kefa Ogola	P.O. Box 330, Ahero	79	William Ombila	P.O. Box 16, Miwani
57	Julius Opiyo	P.O. Box 35, Miwani	80	Peter Otieno	P.O. Box 97, Miwani
58	Michael Ayieta	P.O. Box 35, Miwani	81	Patrick Juma	P.O. Box 97, Miwani
59	Cleophas Juma	P.O. Box 16, Ahero	82	Pius Amollo	P.O. Miwani
60	Phamuel Apose	P.O.Box 16, Ahero	83	Joshua Juma	P.O. Box 97, Miwani
61	Pamela Ogwaro	P.O. Box 71, Ahero	84	Inema Okun	P.O. Box 35, Miwani

62	Timothy Juma	P.O. Kibigori	85	Silphanus Ominde	P.O. Box 35, Miwani
63	Jamary Auma	P.O. Box 35, Miwani	86	Pius Matta	P.O. Box 99, Miwani
64	Anderikus Miruka	P.O. Box 35, Miwani	87	Joseph Ombwayo	P.O. Miwani
65	Paul Odera	P.O. Box 35, Miwani	88	Francis Otumbo	P.O. Box 97, Miwani
66	Peter Kitoto	P.O. Box 85, Miwani	89	Michael Awino	P.O. Box 309, Ahero
67	Peter Oganyo	P.O. Box 35, Miwani	90	Pius Omollo	P.O. Box 85, Miwani
68	Alan Otieno	P.O. Box 35, Miwani	91	Peter Ochieng	P.O. Box 97, Miwani
69	Francis Osambo	P.O. Ahero	92	Flora Oywaya	P.O. Box 35, Miwani
93	Erasto Ombara	P.O. Miwani	116	Silpa Kitoto	P.O. Box 85, Miwani
94	Christopher Okoth	P.O. Box 35, Miwani	117	Charles Odago	P.O. Box 187, Ahero
95	Thadayo Okech	P.O. Box 35, Miwani	118	Bishop James Mbara	P.O. Box 71, Miwani
96	Carilus Okaka	P.O. Box 90, Miwani	119	Risper Odhone	P.O. Box 105, Ahero
97	Ayub Omollo	P.O. Box 100, Miwani	120	Jack Ochiengo	P.O. Box 79, Miwani
98	Ongele Hellen	P.O. Box 97, Miwani	121	Jane Nyanjong	P.O. Box 16, Awasi
99	Ongenge Christopher	P.O. Box 241, Ahero	122	Konel Omondo	P.O. Box 35, Miwani
100	George Wanje	P.O. Box 261, Ahero	123	John Arum	P.O. Box 35, Miwani
101	Joseph Omeno	P.O. Box 1, Miwani	124	Adede M. Isaac	P.O. Box 232, Ahero
102	Ludigo Odero	P.O. Box 49, Miwani	125	John K. Tonui	P.O. Box 137, Ahero
103	Konsolata Owiti	P.O. Box 6, Miwani	126	Lewnard Juma	P.O. Box 75, Miwani
104	Peres Ouko	P.O. Box 85, Miwani	127	Barrack Ombara	P.O. Box 160, Miwani
105	Dorine Achieng	P.O. Box 85, Miwani	128	Samuel Atito	P.O. Box 35, Miwani
106	Kowel Okech	P.O. Box 16, Miwani	129	Johnes Lido	P.O. Box 16, Miwani
107	Martin Aguko	P.O. Box 92, Miwani	130	Peter Owino	P.O. Box 92, Miwani
108	George Okoth	P.O. Box 35, Miwani	131	Julious Nymbia	P.O. Kibigori
109	Francis Odhiambo	P.O. Box 35, Miwani	132	James Sombe	P.O. Box 16, Miwani
110	Francis Amumi	P.O. Box 35, Miwani	133	Peter Ongoro	P.O. Box 35, Miwani
111	Jeremiah Juma	P.O. Box 53, Miwani	134	Joseph Nundu	P.O. Box 4, Miwani
112	William Owuor	P.O. Box 16, Miwani	135	Gideon Okayo	P.O. Box 18, Miwani
113	Rose Okwaro	P.O. Box 35, Miwani	136	Edwins Oyoo	P.O. Box 35, Miwani
114	William Obila	P.O. Box 16, Miwani	137	Samuel Ochieng	P.O. Box 35, Miwani
115	Margaret Akinyi	P.O. Box 85, Miwani	138	Joice Ongudi	P.O. Chemilil
139	Martin Olum	P.O. Box 1994, Kisumu	162	Isaac Kagiya	P.O. Box 486, Muhoroni
140	Joseph Owando	P.O. Box 35, Miwani	163	Joseph Njiri Ogut	P.O.Box 177, Muhoroni
141	Nichlas Obunde	P.O. Box 194, Kisumu	164	Hon. Odongo Omamo MP	P.O. Box 50, Songhor
142	Permianus Del	P.O. Box 35, Miwani	165	John Kanyango	P.O. Box 177, Miwani
143	Enos Okalo	P.O. Box 109, Miwani	166	Apolo Odongo	P.O. Box 177, Miwani
144	Michael Miruka	P.O. Box 35, Miwani	167	Aloyce Onger	P.O. Box 177, Miwani
145	Leo Ogutu	P.O. Box 35, Miwani	168	Ezekiel Omollo	P.O. Box 177, Miwani
146	Mark Okado	P.O. Box 35, Miwani	169	Nick Omondi	P.O. Box 50, Songhor
147	Joseph Okiri	P.O. Box 16, Miwani	170	A.R. Thikong	N/A
148	John Obonyo	P.O. Box 84, Miwani	171	John Omiya	P.O. Box 65, Muhoroni

149	Alphayo Odenyo	P.O. Kibigori	172	Hillary Ouma	P.O. Box 177, Miwani
150	Tom Omondi	P.O. Box 16, Miwani	173	William Opiyo	P.O. Box 177, Miwani
151	George Ochieng	P.O. Box 35, Miwani	174	Joice Maina	P.O. Box 177, Miwani
152	Michael Ombija	P.O. Box 77, Miwani	175	Silas Otieno Odhiambo	P.O. Box 86, Omboga
153	Fleria Ogonda	P.O. Box 35, Miwani	176	Steve Ombija	P.O. Box 177, Miwani
154	Mathayo Oyoo	P.O. Box 35, Miwani	177	Keneth Ouma	P.O. Box 7, Awasi
155	Joseph Ogongo	P.O. Box 30, Miwani	178	Benedette Alwala	P.O. Box 531, Miwani
156	Leo Awuor	P.O. Box 78, Miwani	179	H. Ogada	P.O. Box 177, Miwani
157	E. Okolo	P.O. Miwani	180	J.J. Kemei	P.O. Box 177, Miwani
158	Peter Opande	P.O. Box 177, Muhoroni	181	Samuel Ojiayo	P.O. Box 116, Muhoroni
159	Joash Odoyo	P.O. Box 1649, Kisumu	182	J. Ayoo	P.O. Box 177, Miwani
160	Jerry Onyango	P.O. Box 234, Koru	183	N. Lochoi	P.O. Box 177, Miwani
161	Sam Kapere	P.O. Box 486, Muhoroni	184	Walter Onyango	P.O. Box 177, Miwani
185	A.R. Tuikong	P.O. Box 1649, Kisumu	208	John Obiero	P.O. Box 258, Muhoroni
186	Beda O. Otieno	P.O. Box 78, Muhoroni	209	Osiro Aringo	P.O. Box 79, Muhoroni
187	Thomas Omollo	P.O. Box 187, Muhoroni	210	Tom Abonyo Onyango	P.O. Box 177, Koru
188	Remjus Juma Magambo	P.O. Chemelil	211	Robert Nasongo	P.O. Box 177, Muhoroni
189	Nandi Kitoto	P.O. Chemelil	212	Maritha Anyango	P.O. Box 84, Miwani
190	Fredrick Otieno	P.O. Box 88, Koru	213	Ida Owuor Oloo	P.O. Box 177, Muhoroni
191	Dixon Akodhe Muga	N/A	214	Jashon Owino Atito	P.O. Box 13, Awasi
192	Daniel Okore	P.O. Box 79, Muhoroni	215	Michael Ondiek Oyieke	P.O. Box 849, Kisumu
193	Dinah Bohi	P.O. Box 336, Muhoroni	216	Nicodemas Owuor	P.O. Box 177, Muhoroni
194	Charles Atiang'	P.O. Box 128, Muhoroni	217	Richard Owiti	P.O. Box 173, Songhor
195	Sylvesta Chemenjo	P.O. Box 177, Muhoroni	218	Hesbon Ogada Odhiambo	P.O. Box 444, Muhoroni
196	William Monene	P.O. Box 177, Muhoroni	219	Jenipher Ojiayo	P.O. Box 116, Muhoroni
197	Hellen Bolo	P.O. Box 67, Koru	220	Elijah Nyambane	P.O. Box 177, Muhoroni
198	Mary Onyando	P.O. Box 177, Miwani	221	Thomas Ouma	P.O. Box 144, Songhor
199	George Okeyo	P.O. Box 177, Muhoroni	222	Tom Aiko	P.O. Box 2, Awasi
200	Jared Odero	P.O. Box 23, Songhor	223	Luke Ombok	P.O. Box 52, Songhor
201	Caren Onyango	P.O. Box 266, Muhoroni	224	Otieno Aluoka	P.O. Box 218, Muhoroni
202	Tonny W. Okaka	P.O. Box 486, Muhoroni	225	Wilikista Ong'ondo	P.O. Box 57, Koru

203	Zacharia Obel	P.O. Box 177, Muhoroni	226	Philemon Odhiambo	P.O. Box 177, Muhoroni
204	Lamek Ominde	P.O. Box 245, Muhoroni	227	Syprose Onyango	P.O. Box 147, Muhoroni
205	John Kadieto	P.O. Box 79, Muhoroni	228	Samson Omedo	P.O. Box 79, Muhoroni
206	Martin Dinda	P.O. Box 94, Koru	229	Jane Apiyo	P.O. Box 177, Muhoroni
207	Esther Asingo Nyamita	P.O. Kibigori	230	Michael Owino	P.O. Box 17, Awasi
231	Julias Ayuko Menya	P.O. Box 11, Awasi	243	John Okeyo Oker	P.O. Box 179, Muhoroni
232	Onyango Kakedi	P.O. Box 177, Muhoroni	244	Christine Ngonga	P.O. Box 177, Muhoroni
233	Ondijo Kira	P.O. Box 177, Muhoroni	245	Isaac Munal	P.O. Box 177, Muhoroni
234	Gordon Owuor	P.O. Box 177, Muhoroni	246	John Miama	P.O. Box 35 Miwani
235	Kennedy Gweidna	P.O. Box 177, Muhoroni	247	Joshua O. Ouma	P.O. Box 248 Muhoroni
236	Rustus Mayeku	P.O. Box 177, Muhoroni	248	F.B.A. Kosambo	P.O. Box 298 Ahero
237	Jack Omondi	P.O. Box 177, Muhoroni	249	Eric Odago	P.O. Box 95 Ahero
238	Walter Odindo	P.O. Box 9, Songhor	250	William Gombe	P.O. Box 142 Muhoroni
239	George Okoth	P.O. Box 124, Muhoroni	251	Diana Opondo	P.O. Box 8 Songhor
240	Joseph Abiero	P.O. Box 177, Muhoroni	252	Tabitha Rawo	P.O. Box 85 Miwani
241	Jack Chogo	P.O. Box 177, Muhoroni			
242	Charles Ooro	P.O. Box 177, Muhoroni			