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## 1. DISTRICT CONTEXT

Mwingi north constituency is one of the constituencies in Mwingi District. Mwingi District is one of 13 districts of the Eastern Province of Kenya.

### 1.1. Demographic Characteristics

<b>District Population by Sex</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
	141,778	162,050	303,828
<b>Total District Population Aged 18 years &amp; Below</b>	90,437	89,973	180,410
<b>Total District Population Aged Above 18 years</b>	51,341	72,077	123,418
<b>Population Density (persons/Km<sup>2</sup>)</b>	30		

### 1.2. Socio-Economic Profile

Mwingi District:

- It is one of the least densely populated districts in the province. It is ranked 9<sup>th</sup> of the 13 districts in the province;
- Has a primary school enrolment rate of 66.7%, being ranked 8<sup>th</sup> in the province and 42<sup>nd</sup> nationally;
- Has a secondary school enrolment rate of 9.9%, being ranked 10<sup>th</sup> in the province and 6<sup>th</sup> nationally; and
- Experiences the following main diseases: Malaria, acute respiratory tract infections, skin diseases and infections, diarrhoea diseases, and intestinal worms;

Mwingi district has 2 constituencies: Mwingi North and Mwingi South. Each of the 2 district's MPs cover on average an area of 5,015 Km<sup>2</sup> to reach an average 151,914 constituents.

## 2. CONSTITUENCY PROFILE

### 2.1. Socio-Economic profile

The constituency is semi arid and very little agricultural activity takes place. However livestock trading is also a major economic activity especially in areas bordering south.

### 2.2. Electioneering and Political Information

Apart from security and development issues, party affiliation also determines the vote. In 2002, the National Rainbow Coalition took the seat.

### 2.3. 1992 General Election Results

<b>1992 TOTAL REGISTERED VOTERS</b>	<b>60,959</b>

CANDIDATE	PARTY	VOTES	% VALID VOTES
<b>Kalonzo Musyoka</b>	<b>KANU</b>	20,613	54.59
Josephat Mulyungi	DP	15,487	41.01
Ndue Kitema	KNC	1,275	3.38
Justus Kitona	FORD-K	386	1.02
<i>Total Valid Votes</i>		<i>37,761</i>	<i>100.00</i>
Rejected Votes		140	
Total Votes Cast		37,901	
% Turnout		62.17	
% Rejected/Cast		0.37	

#### 2.4. 1997 General Election Results

<b>1997 TOTAL REGISTERED VOTERS</b>			<b>45,369</b>
<b>CANDIDATE</b>	<b>PARTY</b>	<b>VOTES</b>	<b>% VALID VOTES</b>
<b>Stephen Kalonzo Musyoka</b>	<b>KANU</b>	24,509	68.58
J. Musyimi Mulyungi	DP	9,835	27.52
John Hunter Musee	SDP	1,395	3.90
<i>Total Valid Votes</i>		<i>18,680</i>	<i>100.00</i>
Rejected Votes		329	
Total Votes Cast		36,068	
% Turnout		79.50	
% Rejected/Cast		0.91	

#### 2.5. Main Problems

The major problem in Mwingi is persistent famine and lack of clean water. Banditry is also a major problem displacing hundreds of families due to rising insecurity. There is also misappropriation of famine relief for the hungry residents and official indifference.

### 3. CONSTITUTION MAKING/REVIEW PROCESS

#### 3.1. Constituency Constitutional Forums (CCFs)

##### 3.1.1. Philosophy

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

##### 3.1.2. Composition and Establishment

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

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

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

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

### 3.1.3. **Functions of CCF**

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

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

### 3.1.4. **Functions of CCC**

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

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

### 3.1.5. **Date of Commencement of Work**

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

## 3.2. **District Coordinators**

### 3.2.1. **Mandate/Terms of Reference**

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

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

### 3.2.2. **Criteria for Appointment**

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

## 4. **CIVIC EDUCATION**

### 4.1. **Phases and areas covered in Civic Education**

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

### 4.2. **Issues and Areas Covered:**

- Constitution
- Types of constitution
- Nationhood and state
- Presidency and executive
- Gender issues
- Organs and level of government
- Structures and systems of government
- Parliament and legislature

## 5. CONSTITUENCY PUBLIC HEARINGS

### 5.1. Logistical Details

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

- a) Date(s)
- b) Total Number of Days:

#### 2. Venue

- a) Number of Venues:
- b) Venue(s):

#### 3. Panels

### 5.2. Attendance Details

Category	Details	Number
<b>Number of People Who Presented</b>		113
<b>Sex</b>	Male	100
	Female	10
	Not Stated	3
<b>Presenter Type</b>	Individual	86
	Institutions	22
	Not Stated	5
<b>Educational Background</b>	Primary Level	19
	Secondary/High School Level	45
	College	7
	University	11
	None	1
	Not Stated	30
<b>Form of Presentation</b>	Memoranda	7
	Oral	52
	Written	13
	Oral + Memoranda	3
	Oral + Written	18
	Not Stated	20

### 5.3. CONCERNS AND RECOMMENDATIONS

The following are the recommendations made by the presenters in Mwingi North 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

- We need a Preamble in our constitution. (6)
- All citizens should be equal before the law.
- Preamble should state that Kenya is a sovereign country.
- Preamble should state the past experiences and common struggle for independence.
- The preamble should express the national philosophy of Kenya.
- The preamble should spell out the culture and socio-economic values of the Kenyan state.
- The preamble should reflect our spirit of Harambee
- The constitution should reflect the spirit of love peace and unity

#### 5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- National philosophy and guiding principles should be expressed in the constitution.
- The constitution should recognize our ethical and cultural values.
- National sovereignty should belong to the people who should exercise it through their elected representatives. (2)
- The constitution should include democratic principles of separation of powers between the different arms of government and observance of the rule of law.
- Justice, unity and freedom should be a guiding principle
- The supremacy of the people should be defined as fair and free elections, freedom of association and choice.
- The will of the people should be the basis of the government's authority through genuine and democratic elections.
- There should be a democratic government.
- The constitution should set forth principles and guidelines that promote good governance
- The constitution should provide for the safeguarding of and the sanctity of human life
- The preamble should clearly set out the doctrine of separation of power and the rule of law
- The constitution should provide for the independence of the three arms of the government

#### 5.3.3 CONSTITUTIONAL SUPREMACY

- Parliament's power to amend the constitution to be raised to 85% majority instead of 65%
- Parliament's power should be limited. (2)

- There should be parts of the constitution that are beyond parliament's power to amend. (5)
- Public referendums to be conducted by some one appointed.
- The public referendums should be organized by the judiciary after a thorough public awareness campaign.
- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide for its amendment after every 20 years
- The constitution should provide that a constitutional amendment shall only be through a public referendum, with a at least 65% votes (2)
- The constitution should provide that a constitutional amendment shall only be through a public referendum, with a at least 75% votes (2)

#### 5.3.4 **CITIZENSHIP**

- Any child born of both Kenyan parents should be an automatic citizen. (2)
- All children born in Kenya should also have automatic citizenship. (2)
- Foreign workers should acquire citizenships through naturalization.
- Citizens should be acquired through registration.
- Only women married to Kenyans should acquire automatic citizenship.
- The constitution should endeavor to uphold the dignity and integrity of all Kenyans
- A child born of one Kenyan parent regardless of gender should be given automatic citizenship. (2)
- Kenyans to own property anywhere.
- The people of Kenya should be empowered to defend their constitution.
- Only Kenyan citizens by birth should vote.
- Rights and obligation should not be affected on citizenship. (2)
- There should be no dual citizenship. (2)
- Kenyans should have ID cards, passports, driving licenses and birth certificates as proof of citizenship.
- Only ID cards should be used for identification.
- Refugees should be hosted not segregated and provided with security.
- The constitution should confer automatic citizenship to all persons born in Kenya
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender. (2)
- The constitution should provide for dual citizenship.

#### 5.3.5 **DEFENCE AND NATIONAL SECURITY**

- Disciplined forces to be established. (5)
- Errant members of the force should be disciplined by the law of the land as well as court martial. (2)
- President to be commander in chief of the armed forces. (5)
- Power to declare war should not be with the executive.
- The executive should have exclusive powers to declare war.
- There should never be extra ordinary powers but if need be such powers should be exercised sparingly by the minister for internal security.
- Parliament should approve the use of emergency power. (2)
- The constitution should provide for the intensification of security details in every part of the Kenya

- The constitution should provide for the intensification of security details in the border
- The constitution should provide mechanisms for enhancing the role of paramilitary and the military in enforcement of security
- The constitution should provide the president power to declare war but with the consultation of the cabinet
- The constitution should provide that the president shall not be the Commander in Chief of the armed forces.
- The constitution should give parliament power to declare war (2)

### 5.3.6 **POLITICAL PARTIES**

- Political parties should mobilize Kenyans for the purpose of development. (2)
- Political parties should participate in civil education.
- Tribal parties should not be registered.
- Parties with less than one million registered voters should be deregistered.
- There should be only 2 political parties.
- There should be only 5 political parties.
- There should be a no multi-party state.
- The number of political parties should not be limited.
- Political parties with at least five MPs in parliament should be retained.
- Political parties to finance themselves. (5)
- Political parties should not be financed with public funds. (3)
- Political parties to be funded by the government.
- Political parties should exercise cordial relationships with the state. (2)
- Chairmen of political parties should be paid the by government.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.
- The constitution should make provisions for reducing the number of political parties in the country (2)
- The constitution should limit the number of political parties in the country to 3. (2)
- The constitution should limit the number of political parties to 3, which should be funded by the state.
- The constitution should provide for political parties to be funded from the consolidated fund

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

- Kenya should retain the presidential system of government. (4)
- Adopt a parliamentary system of government. (3)
- There should be a prime minister appointed from parliament. (2)
- Prime minister should be appointed from party with majority in parliament and should be the head of government.
- There should be a ceremonial president. (3)
- A unitary system of government should be retained. (2)
- Federal system of government should be adopted by the constitution.
- Constitution to ensure devolution of power to the district levels.
- The constitution should devolve powers to lower levels of government.
- The constitution should strengthen the local authorities by devolving powers to them from the central government.

- Parliament should appoint the vice president.
- Attorney general to be appointed by parliament.
- The attorney general should be a member of the cabinet and should have no prosecution powers
- The attorney general should have security of tenure.
- AG's should be given powers to investigate MPs, ministers and the president for any offence.
- The constitution should not provide for unitary system of government
- The constitution should not provide for parliamentary system of government
- The constitution should not provide for federal system of government (3)
- The constitution should provide for a post of prime minister to share the powers of the president (3)
- The constitution should provide that for a post of prime minister to head the cabinet and to appoint permanent secretaries
- The constitution should provide that provinces be declared states
- The constitution should provide for an executive president and two prime ministers
- The constitution should provide that the vice president be elected by the people (2)
- The constitution should provide that the candidate who gets the second highest number of votes becomes the vice president
- The constitution should provide that the vice-president be a running mate of the president

### 5.3.8 **THE LEGISLATURE**

- Parliament to vet all civil service appointments and the cabinet
- Parliament to vet appointments of cabinet and judges.
- Parliament should vet appointments of judicial officers.
- Parliament should vet the appointment of police commissioners.
- Parliament should vet appointments of the chief justice, judges, attorney general, parastatal heads, forces commanders and university heads.
- Functions of parliament to be expanded
- Parliament to have powers to appoint senior civil servants.
- Parliament should appoint the cabinet ministers.
- The commander in chief of the armed forces should be appointed by parliament.
- Members of the cabinet should be parliamentarians appointed by parliament.
- Parliament should have unlimited power to control its own calendar through standing order. (5)
- Parliament should not have powers to control its own procedures through standing orders.
- Being a member of parliament should remain part time
- Presidential candidates should be at least 35 years.
- There should be constitutional provisions for moral and ethical qualifications for parliamentary candidates. (2)
- People should have the power to recall their non-performing MPs through the speaker of the house.
- MPs should work with instructions from the constituents. (4)
- There should be a commission to decide MPs salaries.
- Salaries of MPs to be determined through a special commission. (3)
- A public convention should determine the salaries and benefits of MPs.
- Concept of nominated MPs to be abolished. (4)

- The constitution should retain the concept of nominated MPs. But 60% of the nominated MPs should be women.
- The constitution should retain the concept of nominated MPs.
- Retain the concept of nominated Mps but for special interest groups. (2)
- Women to be given more seats in parliament
- Women should be given 30% representation in parliament.
- 30% of cabinet positions should be women.
- MPs in multi party era should behave as stipulated.
- Continue with a multi party system of government and one party in the executive. (2)
- There should be a multi party system as currently held but with representation at all levels. (2)
- There should be a bi-cameral legislative.
- There should be a house of senate and of representatives.
- There should be only one chamber of parliament. (2)
- Parliament should have powers to remove president from office.
- Parliamentary power to remove executive through vote of no confidence should be strengthened. President be compelled to resign with his whole government.
- President should have veto power over legislation in parliament.
- The president should not have veto powers of parliamentary legislation. (2)
- Parliament should have powers to override presidential vetos. (2)
- President should not have powers to dissolve parliament (2)
- The president should not have power to dissolve parliament but rather parliament should follows its calendar.
- President should have the power to dissolve parliament. (2)
- There should be a provision to stagger elections to always have sitting MPs.
- The constitution should provide for the recalling of non-performing MPs by the electorate (8)
- The constitution should provide for a code of conduct for MPs
- The constitution should provide that MPs have at least O'level education (5)
- The constitution should provide that MPs be at least graduates (2)
- The constitution should provide that MPs be elected for a 2 five year term
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should provide that MPs carry out their duties on a full time basis (3)
- The constitution should provide that MPs have public offices in their constituencies. (2)
- The constitution should provide that MPs vet the appointment of all senior public and judicial officers
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should set a ceiling on MPs remuneration at Kshs 250,000
- The constitution should provide for a coalition system of government (2)
- The constitution should provide for a government of national unity
- The constitution should provide that the president must be between 30-70 years of age.
- The constitution should provide that all cabinet ministers be vetted by parliament
- The constitution should provide that all presidential appointments be vetted by parliament. (4)
- The constitution should give parliament the mandate of appointing a prime-minister
- The constitution should provide that only elected MPs are appointed into the cabinet

### 5.3.9 THE EXECUTIVE

- President must be married, a graduate, and experienced in public service.
- Presidential candidates must have been MPs for at least 7 years.
- Constitution should clearly specify qualifications for presidential candidates he should be at least a form four leaver.
- President should serve for 3 terms of 5 years.
- President should serve for only 5 years.
- President function to be defined in the constitution. (3)
- Duties of the president should include opening of parliament assenting bills passed by parliament etc. (2)
- President to be above the law with unlimited power. (2)
- The powers of the president should be reduced. The president should not have control over the legislature and judiciary.
- Presidential powers to appoint judges and forces commanders should be limited.
- A seating president should be impeached due to misconduct this should be done through parliament. (2)
- The executive and parliament to provide checks and balances for each other.
- Legislative powers to belong to parliament.
- President should not be an MP. (7)
- Provincial administration should be retained. Chiefs should be form 4 graduates.
- Provincial administration to be retained
- Chiefs and assistants to be transferable.
- Provincial administration to be elected.
- Chiefs and sub chiefs should stay in office for 10 years.
- Provincial administration should be development oriented
- The constitution should retain provincial administration.
- Chiefs and their assistants should be elected by the people. (7)
- Village elders should be recognized by the law as part of the provincial administration. (4)
- Chief's authority should be repealed. (2)
- Position of district officers and assistant chiefs should be abolished. Chiefs should be elected by the people.
- Abolish the position of chiefs and their assistants.
- D.C, DO and P.C should be people with at least master degree. They should be appointed after consultation with the private sector.
- Chiefs should be elected by the public. Village elders who solve land dispute in a location should be elected by the people.
- The number of ministries should be limited at a given time
- Ministerial functions to be harmonized.
- There should be 18 ministries in govt.
- The constitution should provide that the president must also be a member of parliament (6)
- The constitution should provide that the president be at least a graduate (3)
- The constitution should provide that DCs and PCs be at least a graduate
- The constitution should provide that the president be a political scientists
- The constitution should provide that the president belongs to at least one of the faiths professed in Kenya
- The constitution should limit the president's power to only 2, five year terms (9)

- The constitution should abolish the chiefs authority act
- The constitution should provide that chiefs
- The constitution should provide for the impeachment of the president with a 2/3-majority vote.
- The constitution should limit the powers of the president (7)
- The constitution should provide that the number of ministries be reduced to increase efficiency in the government
- The constitution should provide that all ministries be given equal powers
- The constitution should provide that the president's remuneration be stated in the constitution
- The constitution should retain the provincial administration structure of government.
- The constitution should abolish the provincial administration structure of government. (7)
- The constitution should provide that the president shall be subject to the law. (4)
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The constitution should limit the powers of the president.

#### 5.3.10 **THE JUDICIARY**

- The constitution should establish court at locational levels manned by respectable elders.
- There should be courts at lower levels - divisions and locations.
- Constitution to establish a supreme court. (4)
- There should be no supreme court.
- The constitution should establish a constitutional court. (4)
- Judges to be appointed by the president. (2)
- Members of the judicial service commission should be appointed by parliament.
- Judges should be elected by parliament.
- The minimum qualification of judicial officers be a law degree.
- Judges should have security of tenure.
- Judicial officers should have tenure of 15 years besides enjoying a security of tenure.
- Judicial officers should be disciplined by the judicial service commission. (2)
- There should be mechanisms to discipline and control errant lawyers.
- Kadhis should do what they currently do.
- Appointment of the chief kadhi should be done by a panel of judges.
- Kadhis should be appointed by Imams.
- The constitution should address issues of corruption in courts, insecurity of the judicial officers and delayed cases.
- The new constitution should establish mobile courts to ensure every Kenyan has access to courts.
- Language used by courts should be simple and most popularly used by the people.
- Constitution should guarantee provision of legal aid to all deserving and needy citizens. (2)
- Laws should be reviewed often by the legislature to ensure that they don't get outdated.
- The constitution should provide for the independence of the judiciary. (5)
- The constitution should confer powers on the judicial service commission to appoint judges and magistrates (2)
- The constitution should provide for a review of legal fees
- The constitution should provide that the attorney general be appointed by parliament
- The constitution should provide that Khadis be appointed by parliament

- The constitution should provide for a review of the judicial system and process to ensure efficiency of the system
- The constitution should provide that suspects are not held in remand for unduly long periods of time but should appear in courts immediately after arrest
- The constitution should provide for private prosecution without the consent of the AG
- The constitution should provide that there be arbitration before a matter can be referred to court
- The constitution should provide for judicial services in every divisional headquarter

### 5.3.11 LOCAL GOVERNMENT

- Term for mayors and council chairmen be five years. (2)
- The term of office for councilors should be limited to ten years.
- Council should not be under the central govt. (6)
- Councilors to be form 4 graduates. (12)
- Councilors should not be expected to have any educational qualifications.
- Requirement of language tests when vying for local authority seats are sufficient.
- Moral and ethical qualifications to be set for councilors. (2)
- People should have a right to recall their councilor. (8)
- Salaries and benefits of councilors be determined by the central government (3)
- Councilors should be paid salaries using pre-determined scheme like other civil servants.
- There should be no nominated councilors. (4)
- The constitution should retain the concept of nominated councilors but 60% of them should be women.
- Retain the concept of nominated councilors for women and the disabled.
- Councilors should have power to vet expenditure, head departmental meetings and control council operations.
- Municipal councils should provide education, health care, security. etc.
- Councils should be empowered to determine collections of finances under their sphere of governance.(3)
- There should be representative electoral system
- Retain the simple majority rules as the basis of winning an election.
- The constitution should provide for a devolution of power from the central to the local authorities
- The constitution should provide that salaries of councilors to be paid from the consolidated kitty (2)
- The constitution should provide that councilors have a minimum of std eight education
- The constitution should provide that Mayors be at least graduates
- The constitution should provide that civic leaders be pensionable after serving for two terms
- The constitution should provide that Mayors and Chair of County Council be elected by the public (9)
- The constitution should provide that Mayors and Chair of County Councils have a minimum of O'level education
- The constitution should provide that chiefs and councilors have at least O'level education

### 5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should allow those who fail to be nominated in one party to seek nomination elsewhere. (2)
- The constitution should outlaw defections from one party to another.(3)
- MPs should not be allowed to defect to other parties without the approval of the constituents
- The rule on 25% representation in at least five provinces for presidential election should be abolished.
- Seats to be reserved for disabled persons.
- The constitution should reserve seats for women in parliament
- Seats should be reserved for specific interest groups.
- The current geographical constituency demarcation system should be reviewed to reflect the changing population.
- The current geographical constituency system should be reviewed to allow MPs to represent equal number of constituents of about 25,000.
- Constituency boundaries should be defined by the basis of population not geographical alone.
- Reviewing of the constituency boundaries should not be fixed after every ten years but should be continuous and flexible.
- Presidential, parliamentary and civic elections should be held simultaneously.(2)
- Each voter should be allowed to vote from any polling station.
- The constitution should allow for independent candidates.(2)
- Kenyans should be able to vote using ID cards.
- Elector's card should be given to any person who can produce birth certificate or K.C.S.E certificate and not based on age.
- The constitution should limit expenditure for parliamentary candidates.
- President to be elected directly. (4)
- Electoral commissioners should be graduates especially in law.
- Electoral commissioners should be appointed by parliament. (3)
- Electoral commissioners should be appointed by parliament and political parties.
- Electoral commissioners should enjoy security of tenure.
- Electoral commissioners should enjoy security of tenure for at least five years.
- Electoral commissioners should have the jurisdiction to hear petitions of election offences.
- Baring voters, inciting voters, taking or receiving bribes to solicit voting, double voting and propagating lies are elections offences that should lead to dismissal of the relevant candidate.
- The constitution should provide all elected public officials occupy office for only 2 terms
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast
- The constitution should provide that in a presidential election, the winning candidate must get at least 25% of the votes cast in at least four provinces
- The constitution should provide for a reduction in the number of ECK commissioners
- The constitution should provide that the appointment of ECK commissioners be vetted by parliament
- The constitution should provide for an increase in the number of constituencies
- The constitution should provide that the chairman of the electoral commission be at least a post graduate degree holder
- The constitution should provide that counting of votes be done at polling stations (5)
- The constitution should provide that registration of voters be a continuous exercise (2)

- The constitution should provide that registered voters be free to vote anywhere
- The constitution should debar the police from manning poll stations
- The constitution should provide that the date for general election made known to the public (4)
- The constitution should provide that voter registration be a continuous process
- The constitution should provide that voters cards be abolished
- The constitution should provide for free and fair elections
- The constitution should provide that vote counting be done at polling stations
- The constitution should debar candidate who fail to be nominated under their party from seeking elections on another ticket
- The constitution should provide that presidential, parliamentary and civic elections be held on separately (2)
- The constitution should provide that the date for general election made known to the public
- The constitution should provide that MPs who defect to other parties be barred from the subsequent by-election
- The constitution should provide that civil servants who want to contest do not have to resign from their jobs
- The constitution should provide for an increase in the number of provinces: Rift valley and Eastern provinces to be divided into two provinces each

### 5.3.13 **BASIC RIGHTS**

- The constitutional provision for fundamental rights are not adequate i.e. the constitution should recognize and promote rights to liberty, privacy, protection from slavery, forced labour, torture etc.
- Our constitutional provisions for fundamental rights is not adequate. (2)
- The constitution should guarantee rights to peaceful demonstrations.
- Kenyans should have the freedom of assembly.
- Other rights the constitution should entrench include, the right to property ownership, social, political and economic rights.
- Every citizen has a right to access public services.
- There should be free healthcare provided to all Kenyans.
- Death penalty should be replaced with life sentence.
- The constitution should protect security, healthcare, water, education, shelter food and employment as basic rights for all Kenyans. (4)
- The govt. should have the responsibility of ensuring all citizens enjoy their rights. (2)
- Retirees pension should be paid on time.
- Male workers to have paternity leave to assist when their wives have deliveries.
- There should be free education.
- Retired persons should not hold posts again.
- Medical care to be guaranteed. (2)
- The constitution should guarantee security for all Kenyans. (4)
- The constitution should guarantee free health facilities especially to women.
- The constitution should guarantee access for free health and health facilities.(5)
- Healthcare should be affordable.
- Government should guarantee water provision to its entire people. (3)
- The constitution should ensure all children have access to education. (2)

- The constitution should provide decent shelter for all citizens
- The constitution should ensure provision of food for all citizens. (2)
- Food prices should be controlled at affordable levels for all citizens.
- The constitution should ensure all Kenyans above 18 years and qualified are employed.
- The constitution should guarantee provision of employment to all qualified citizens.
- Employment in the public service should be handled by the directors of personnel management and not the commissions.
- The constitution should provide for social security for all those aged above 60 years.
- The constitution should give subsistence allowances to all Kenyans above 40 years but unemployed.
- There should be free education up to secondary. (2)
- Constitution should provide for compulsory and free primary education. (9)
- Copies of the constitution should be everywhere at all levels. (2)
- There should be live coverage of parliamentary legislation.
- Citizens to have access to information in the hands of the state. (3)
- Constitution should be written in simple language. (2)
- The constitution be translated to local languages.
- People should be educated on the constitution.
- The Kenya gazette should be made available throughout the country at a cheaper cost.
- The constitution should also ensure the need to freedom from discrimination, freedom of conscience, expression, assembly, association, and involvement are guaranteed.
- Every citizen should have rights to freedom of opinion and expression without.
- The constitution should ensure provision of clothing for all citizens.
- The constitution should provide for the freedom of speech (4)
- The constitution should provide for free and compulsory education (6)
- The constitution should provide for freedom of prisoners to vote
- The constitution should provide for free education upto university level (2)
- The constitution should address the issue of discrimination
- The constitution should guarantee the freedom of worship and provide for a ministry of religious affairs
- The constitution should provide for free health services, clean water and shelter
- The constitution should allow civil servants the right to trade union representation
- The constitution should guarantee that state machineries and functionaries respect and protect the fundamental human rights of all Kenyans.
- The constitution should abolish the death penalty (3)
- The constitution should guarantee gender equality
- The constitution should provide for continuous civic education
- The constitution should provide for a one person-one job policy. (2)
- The constitution should provide for liberalization of the public media

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

- The constitution should provide rehabilitation facilities for the handicapped persons i.e. mentally handicapped.
- People with disabilities should not be discriminated but should be shown respect and access to employment and other natural resources.
- All children should a right to education
- Children rights should be protected with respect to property inheritance.

- All children born in or out of wedlock should enjoy the same social protection.
- Children laws should be passed to ensure their rights are protected and guaranteed.
- There should be rehabilitation centers in every district to cater for the street children.
- Constitution should guarantee and protect the rights of children with respect to child labour, poverty and inheritance. Other groups to be protected include refugees, divorcees, orphans, single mothers etc.
- The constitution should make provisions for affirmative action for vulnerable groups to give them confidence and support.
- Prisoners should be given the right to vote.
- Prisoners should not be tortured, treated with cruelty or denied any basic rights.(3
- The constitution should provide for education grants for students from marginalized areas
- The constitution should provide for subsidized services for people from marginalized areas
- The constitution should guarantee provision of basic needs to the aged
- The constitution should provide for affirmative action for the disabled
- The constitution should provide for affirmative action for all minority groups
- The constitution should provide for representation of the disabled in parliament
- The constitution should guarantee free education opportunities for the disabled (2)
- The constitution should guarantee free and compulsory education for the girl child
- The constitution should guarantee improvement of prison conditions and ensure that only four prisoners share a cubicle
- The constitution should guarantee respect of human dignity for prisoners
- The constitution should guarantee provision of relief food and ensure that it reaches the intended recipients

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

- Ultimate land ownership should be left to individuals.
- The state should have ultimate ownership of land.
- Government should not have the power to compulsorily acquire private land.
- constitution should address the issue of compensation after the government has compulsorily acquired land from an individual.
- State should have the power to control the use of land.
- All privatization of public utility lands should be referred to referendums.
- Land tribunal elders should be elected by the local people to help problems of land transfer.
- All land sold by a woman so as to re-marry elsewhere, without consent from civic authorities but meant to be used for the public gain and or owned by any other persons should not be suctioned.
- The land tribunal should consist of 5 members elected by the people.
- Land tribunal cases should have a fixed or standing fee charge of 500 shillings.
- The constitution should protect the poor orphans and other under privileged persons from land grabbing.
- Title deeds should bear the names of the wife and the husband.
- Transfer of land title deeds to another persons or inheritances should be done free of charge.
- There should be restriction of land ownership by foreigners.(2)
- Procedures for transfer of land should be simplified. (2)
- Land issue such as allocation should be done at the district level.

- Land ownership procedures should be simplified to allow girl Childs to easily acquire ownership.
- Pre-independence land treaties and agreements should be nullified.
- Kenyans to own land anywhere in the country. (3)
- The state should re-acquire former state lands put aside for researches, given to societies etc. and which don't deserve those purposes now and give it to the landless to ensure access to land for all.
- The constitution should guarantee that no person shall be landless in Kenya (6)
- The constitution should guarantee the adjudication and issuance of title deeds to all land holders in the constituency
- The constitution should provide for joint property ownerships between spouses
- The constitution should confer equal rights on sons and daughters to inherit property
- The constitution should provide for a ceiling on the amount of land owned (3)

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

- Cultural ethical and region diversity has contributed to peace, unity and development and should be constitutionalised.
- All cultural and ethnic traditions should be harmonized, taught and incorporated in the constitution.
- The constitution should recognize unwritten customary practices that preserve African culture i.e. mode of dressing, moral practices, traditional dances e.t.c.
- The constitution should recognize the diversity of ethnic groups different languages etc and make every effort to unite people.
- The constitution should harmonize tribal and ethnic differences to create harmony.(2)
- There should be one national language.
- constitution should recognize and promote indigenous languages. (2)
- The constitution should debar tribal animosity
- The constitution should reflect the unique cultural values of the people of Kenya
- The constitution should declare that Kenyatta day be renamed day of freedom fighters
- The constitution should provide that inheritance upon demise be governed by cultural practices for all ethnic groups
- The constitution should ban female genital mutilation and all other harmful traditional practices (2)
- The constitution should provide for the constitution to be translated into all vernacular languages and Kiswahili for all Kenyans to understand

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

- executive should retain the power to raise and distribute financial resources and management of human resources.
- Parliament should retain power to authorize the raising and appropriation of public finances. (4)
- Public finances can also be raised through loans, grants and court fines.
- The constitution should put in place mechanism to ensure equal distribution of national wealth to every region.
- Equal development funds should be given to each constituency and be monitored to ensure projects are done.

- There should be deliberate effort to improve provision of socio, economic and physical infrastructure to the marginalized areas.
- Constitution should have inbuilt mechanisms to guarantee equal distribution of national resources. (2)
- A certain amount of national resources to be taken to local regions. (2)
- Government to ensure that 30% of the proceeds from a particular area is used for the benefits of the local community.
- Controller and auditor general should have power to prosecute embezzlers of public fund.
- Controller and auditor general should report to parliament only to enhance their role.
- Parliament should appoint controller and Auditor-General.
- A commission consisting of professionals should appoint the Controller and Auditor-General.
- Ministerial appointments should be based on competence, professional qualification and experience in public management. (4)
- Cabinet minister should not be members of parliament and should be appointed on merit.
- Public servants to be paid well to attract competent staff.
- Each person to be paid enough money to sustain him/her
- People who steal from the government to pay back.
- Public service commissioners to be appointed by the head of state.
- Members of the public service commission should be appointed by an independent body.
- Civil servants should have security of tenure and should have a code of ethics for work. (2)
- Public servants should not participate in parliament.
- There should be a rule for public officers not to invest out of the country or keep their assets out of the country.
- Civil servants should be neutral in their provision of services.
- Presidential aspirants who have contested twice and failed should be barred from further contesting.
- Senior officials to declare their wealth to check corruption.
- All public service employees should declare their wealth or assets. (2)
- All public service officers should declare their wealth before taking over office and every 4 years there after.
- The constitution should provide for equitable distribution of national resources to all parts of the country
- The constitution should provide that all MPs declare their wealth.
- The constitution should provide for equitable distribution of job opportunities among all the ethnic groups in Kenya

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

- Government should own natural resources.
- Natural resources should be partially owned by the central government and local community.
- Natural resources should belong to the individuals who occupy the land. (2)
- Local community should work jointly with the government to control exploitation.

- Natural resources should be protected by the constitution. this should include green garner, rubber, red garner and forests.
- The constitution should provide that available water be used to irrigate semi-arid areas

### 5.3.19 **PARTICIPATORY GOVERNANCE**

- NGOs should participate in governance as partners for progress and development. (2)
- Civil societies should be given enough say in the mobilization for local resources.
- There should be freedom of the media.
- The state should suction text books and media to control the influx of pornographic materials into the public.
- The government should have a modest regulatory role in the civil society including the media.
- To ensure maximum participation in governance by all citizens there should be seats reserved in parliament and local authority for women, elderly and people with disabilities.
- There should be a mechanism to increase women's participation in govt.
- Each citizen should have a say in the running of government through a democratic choice of their representatives.

### 5.3.20 **INTERNATIONAL RELATIONS**

- The conducting of foreign affairs should be left exclusively as a responsibility of parliament.
- Foreign affairs should be the responsibility of the relevant ministry not the executive.
- Parliament should monitor closely the conduct foreign affairs and sanction or vet whenever possible.
- International conventions on vulnerable groups should be incorporated as prime laws.
- Constitution should ensure that the rights of worker, prisoners and all other interest groups are respected as stated by the international treaties and agreements.
- The constitution should provide parliament shall be involved in formulation of all foreign policies

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

- The constitutional review commission should be entrenched in the constitution.
- There should be constitutional offices and commissions, which should not be controlled by the executive.
- Constitutional commissions, institutions and offices to supervise the exercise of constitutional functions e.g. the attorney general and the controller and auditor general.
- There should be an ombudsman position.(5)
- There should be a human rights commission. (4)
- There should be a gender commission. (2)
- There should be a land commission consisting of 15 members. (3)
- There should be a land commission
- The constitution should establish constitutional offices like the director general of prosecutions and the position enshrined.

- The constitution should establish a price control board.
- There should be a civil society commission and judicial service commission.
- There should be a parliamentary service commission to determine the salaries and benefits of MPs.
- Each of the commission formed by the constitution should have power/functions directly related to its need for formation they seek solution and ensure implementation. )2)
- There should be a minister of justice to replace the attorney general.
- There should be a minister of justice
- The constitution should provide for special remuneration commission to oversee the remuneration of civil servants
- The constitution should provide for an office of Ombudsman to check public administrators and conduct referenda when required
- The constitution should provide for a supreme court to replace the court of appeal
- The constitution should provide for the establishment of anti-corruption unit in the judiciary to investigate and prefer charges against corrupt judicial officers

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

- Chief justice to be in charge of executive powers during elections. (2)
- During presidential elections speaker, chief justice and the electoral commission chairmen should have executive powers.
- Election results of the president be declared through the radio
- The incoming president should be sworn in 30 days after elections are announced.
- Three months after elections the incoming president should assume office.
- The incoming president should be sworn in by the speaker of the national assembly.
- The chief justice should swear in the incoming president.
- The instrument of power should be transferred at a public ceremony organized to hand over power.
- Former president should not be taken care of in any way.
- The constitution should provide that during the transition period, presidential powers rest with the speaker (2)
- The constitution should accord amnesty to the president after living office

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

- Women should be brought to the front line in the management of the economy and other decision making. Their God given rights should be respected.
- Women's right to own property should be protected and guaranteed in the constitution. (2)
- Women should not have the right to own property. (2)
- A married woman should not inherit property but the sons should.
- Unmarried women with children should be allowed to inherit property.
- Women should be allowed to inherit their fathers' property.
- Women should have the right to inherit land.
- Wives and daughters should be allowed to inheritance land.
- Constitution should harmonize marriage laws with divorce and property division.
- Divorces should be banned.

- Domestic violence in all forms should be outlawed. (2)
- The rights of women are not fully guaranteed in the constitution.
- Women rights are not fully guaranteed i.e. right to transfer citizenship automatically to their children born with foreign spouses.
- The constitution should respect women right with respect to equal employment opportunities in professional fields.

### **5.3.24 INTERNATIONAL POLICY**

- The constitution should provide that all Kenyan investments abroad be recalled

### **5.3.25 NATIONAL ECONOMIC POLICY**

- The state should pay all the unemployed some little subsistence allowances to alleviate poverty.
- The state should pay all the unemployed some little subsistence allowances to alleviate poverty.
- Government should implement policies to fight poverty.
- The new constitution should ensure that there are provisions for social infrastructure and amenities such as playing grounds.
- Government should provide road infrastructure to every part of the country. (2)
- Road infrastructure and electricity should be provided to all parts of the country.
- Money from the Kenya Roads board from each constituency should be given to the county councils and not to the D.C.

### **5.3.26 NATIONAL OTHER POLICY**

- The constitution should step up efforts to control the spread of the aids epidemic through discarding old outdated habits.
- Police to be expanded and taken to locational levels.
- Police should be trained to be friendly.
- Suspects who are a danger to public security should not be left freely without being properly grilled and walled.
- Police shootings of individuals indiscriminately should be checked.
- No citizens should be subjected to arbitrary arrests and harassments.
- Corruption, nepotism and bribery should be rooted out of the public sector. (6)
- The constitution should provide for a ceiling of salary ceiling for civil servants
- The constitution should provide for a ceiling of salary ceiling of Kshs 100,000 for civil servants
- The constitution should provide that all tax payers be given a pension at the age of 50 years
- The constitution should provide for a code of conduct for all civil servants
- The constitution should provide for re-employment of retired civil-servants
- The constitution should guarantee that all civil servants retire at 60 years
- The constitution should provide for the sacking of all corrupt civil servants
- The constitution should provide that the benefits from NSSF be distributed to the members immediately they are due

- The constitution should guarantee an update of pension to reflect inflation rates in the economy
- The constitution should provide that the government creates more job opportunities

### 5.3.27      **SECTORAL POLICY**

- Farmer to be financed by the govt.
- Large water bodies should be used for irrigation (rivers, lakes etc); this will increase agricultural yield in the country. (3)
- People who cultivate lands around the rivers ie Tana river should be assisted by the state to irrigate their crops.
- Government should create livestock board to fix the prices for livestock.
- Constitution should be taught in school. (2)
- University points to be reduced and loans to be provided.
- School finances should be closely monitored and audited.
- Teachers to be paid on time.
- Sponsoring churches should not interfere with administration of schools.
- Quota system in admission to secondary schools should be abolished. (2)
- All schools to be equipped by the govt.
- Kenya should be reverted to the 7-42-3 system of education.
- There should be loans for all university students unable to pay their education costs. This should be recovered during their employment.
- School curriculum should stress the study of science subject more than arts subjects.
- Government should build schools for the education of the disabled.
- Secondary school students should be given loans by the government to complete education.
- School financial books should be audited by an independent editor.
- School boards of governors should be reconstituted to ensure that only parents become members.
- Taxpayers should be strengthened to raise enough funds.
- Government to retrieve all money in foreign accounts and invest in Kenya. (2)
- Hospital to be equipped.
- The ministry of health should expand the scope of public health education to include secondary and tertiary health cases, nutrition and population matters etc.
- There should be affordable health insurance policy for all Kenyans.
- Doctors working in public hospitals should not be allowed to practice in private hospitals.
- Family planning issues should be enforced so that everybody has only 2 children
- The ministry of public works to take charge of road repairs and general infrastructure
- There should be checks to ensure transport is safe for both commuters and other road users.
- The constitution should provide for mechanization of increasing food production
- The constitution should provide for a review of the school syllabus to incorporate constitutional law
- The constitution should guarantee lower school and college entry requirements for students from marginal areas
- The constitution should for more public universities in the republic
- The constitution should guarantee that only human resources which can be trained are trained
- The constitution should provide that the public and teacher service commissions be administered by the directorate of personnel management
- The constitution should guarantee that schools and learning institutions be audited by private auditors

- The constitution should make provisions for funds and subsidized farm implements for marginal areas
- The constitution should guarantee autonomy of sponsored institutions from their sponsors
- The constitution should provide for liberalization of the public media
- The constitution should provide for improvement of infrastructure
- The constitution should provide for irrigation farming in marginal areas
- The constitution should provide for the establishment of the Kenya Meat Commission in all livestock rearing areas

### **5.3.28 STATUTORY LAW**

- Suspects should not be tortured unless proven guilty.
- Constitution should ensure the administration of justice and adjudication by allowing litigants to consent on arbitrations outside court.
- The evidence of a wife over or against the husband in a capital offence should be inadmissible in the evidence act.
- The constitution should legalise local traditional brews.
- Detention without trials should be abolished.
- The constitution should legalize all local brews to enhance production of barley
- The constitution should abolish court martials and their roles be taken by the ordinary criminal and civil administration of justice system

### **5.3.29 GENDER EQUITY**

- There should be equal access to education and employment for men and women.
- The constitution should ensure that there is no gender discrimination.

### **5.3.30 ECONOMIC /SOCIAL JUSTICE**

- The constitution should resettle all land clash victims or compensate them for losses to property and life.
- The constitution should uphold each citizen's right to access economic social & cultural resources.
- Salaries for public servants should be harmonized

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

- There should be no mob justice in Kenya.
- The constitution should uphold equality of all citizens before the law.(2)
- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans

## **APPENDICES:**

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

1. Hon. Stephen Kalonzo Musyoka MP
2. Musaili Musyoka DC
3. Josephat Mulyungi
4. Mrs. Eunice Mutia
5. Jennifer Marete
6. Robert maluki
7. Charles Mavulya
8. George Mwendakau
9. Mrs. Mary K. Kamwara
10. Fredrick Kivuti

### **Appendix 2: Civic Education Providers (CEPs)**

1. Justus maithya
2. Fred m. ngindu
3. Maendeleo ya wanawake organization
4. Ngura poverty

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

1	0010	Charles Muthengi Mbuvi.	CBO	Memorandum	Muongano Junior Group.
2	0008	D. Maluki	CBO	Written	Mathyakani Sub-Location
3	0005	Jacob Kithika	CBO	Written	Darubini Uaminifu Self Help
4	0013	Jennifer Marete	CBO	Written	Views For Women
5	0004	Joseph Munyalo	CBO	Written	ABC Munguu/Kisole.
6	0007	Mwanzia Musyoka	CBO	Memorandum	Mwingi Human Rights & Civic
7	0006	Peter Kilonzo	CBO	Written	Mathikani Sub-Location
8	0018	Peter M. Koseki	CBO	Written	Itivanzou Peasants Joint Gro
9	0014	Peter Mwilu	CBO	Written	Mutethya
10	0009	Ronald Maluki	CBO	Written	Kawala Nguni
11	0001	Titus Munyoki Manthi	CBO	Written	Youth Group (of five members
12	0002	William Nzoka	CBO	Written	Nziitu Community
13	0012	Wilson Mutegi Nyaga.	CBO	Written	Kamaindi Sub-Location
14	0015	A. Mutegi	Individual	Written	
15	0063	Annah Kaveta	Individual	Oral - Public he	
16	0005	Ben Kathuru Munuve.	Individual	Written	
17	0080	Ben Masila	Individual	Written	
18	0016	Benjamin M. Ngatho.	Individual	Written	
19	0051	Benson Mukiti Mueo	Individual	Oral - Public he	
20	0010	Bernard Mwangangi	Individual	Written	
21	0043	Brian Maliti	Individual	Oral - Public he	
22	0013	Charles Gitahi Waitara.	Individual	Written	
23	0001	Charles M. Mavulya.	Individual	Memorandum	
24	0072	Cllr. Charles M. Mutetu	Individual	Written	
25	0074	Cllr. Robert Maluki.	Individual	Written	
26	0075	Criticos Kimeu	Individual	Written	
27	0069	Daniel Kasina Kithome.	Individual	Oral - Public he	
28	0022	Daniel Kyambo	Individual	Oral - Public he	
29	0036	Daniel Mutisya	Individual	Oral - Public he	
30	0040	David Kasati Kioko	Individual	Oral - Public he	
31	0070	David Kilonzi Iguna.	Individual	Oral - Public he	
32	0058	David M. Mulandi	Individual	Oral - Public he	
33	0009	David Musila	Individual	Written	
34	0019	David Musyoka	Individual	Written	
35	0008	David Mwaniki M.	Individual	Written	
36	0032	Dominic Muthui	Individual	Oral - Public he	
37	0048	Elizabeth Munyithia	Individual	Oral - Public he	
38	0083	Fr. Joseph Nzetu	Individual	Written	
39	0056	Fredrick Maluki	Individual	Oral - Public he	
40	0082	George Matei	Individual	Written	
41	0061	Harman Katutu	Individual	Oral - Public he	
42	0085	Henry Mwanzia	Individual	Written	
43	0046	Hon. David Musila	Individual	Oral - Public he	
44	0055	Hon. Kalonzo Musyoka	Individual	Oral - Public he	
45	0011	Irene Mutua	Individual	Written	
46	0035	Jackson Musili Nzau	Individual	Oral - Public he	
47	0034	James Gichuhi	Individual	Oral - Public he	
48	0021	James Mutemi	Individual	Oral - Public he	
49	0071	Japeth Mate.	Individual	Written	

50	0052	MOEA	Japheth Kwosa.	Individual	Oral - Public he	
51	0079	MOEA	John Musyoka	Individual	Written	
52	0077	MOEA	John Mwanzi M.	Individual	Written	
53	0024	MOEA	John Ngui Ndana	Individual	Oral - Public he	
54	0084	MOEA	Jones Musya	Individual	Memorandum	
55	0014	MOEA	Joseph K. Mailu	Individual	Written	
56	0045	MOEA	Joseph Munyao	Individual	Oral - Public he	
57	0065	MOEA	Joseph Mutunga	Individual	Oral - Public he	
58	0039	MOEA	Joshua Kasina	Individual	Oral - Public he	
59	0007	MOEA	Julius Mwasya Kimanzi	Individual	Written	
60	0038	MOEA	Justus Kilonzi Mwaniki	Individual	Oral - Public he	
61	0004	MOEA	K.J Ngumo	Individual	Written	
62	0006	MOEA	Kanavu Musili	Individual	Written	
63	0003	MOEA	Kimanth Peter Masya.	Individual	Memorandum	
64	0059	MOEA	Kitheka Mvinga	Individual	Oral - Public he	
65	0087	MOEA	Kyalo Ivuti	Individual	Written	
66	0053	MOEA	Mainge Ngundu	Individual	Oral - Public he	
67	0050	MOEA	Mary Jacob	Individual	Oral - Public he	
68	0037	MOEA	Mary Kangaria	Individual	Oral - Public he	
69	0029	MOEA	Mathew Muthengi	Individual	Oral - Public he	
70	0042	MOEA	Mathew Ngutu	Individual	Oral - Public he	
71	0044	MOEA	Mathias Kathuke	Individual	Oral - Public he	
72	0025	MOEA	Mbiu Musila	Individual	Oral - Public he	
73	0023	MOEA	Michael Malusya	Individual	Oral - Public he	
74	0012	MOEA	Moses M. Mutemi.	Individual	Written	
75	0049	MOEA	Munyasya N. Musya	Individual	Oral - Public he	
76	0081	MOEA	Musyoka Musyoka	Individual	Written	
77	0030	MOEA	Mwaniki Matei	Individual	Oral - Public he	
78	0020	MOEA	Nduna J M	Individual	Memorandum	
79	0088	MOEA	Nelson M.M.	Individual	Written	
80	0067	MOEA	Patrick Itonge	Individual	Oral - Public he	
81	0078	MOEA	Patrick Maluki	Individual	Written	
82	0028	MOEA	Patrick Mutemi	Individual	Oral - Public he	
83	0062	MOEA	Paul Mutunga	Individual	Oral - Public he	
84	0018	MOEA	Peter Kali	Individual	Written	
85	0017	MOEA	Peter Kilonzo Mulavu	Individual	Written	
86	0027	MOEA	Peter Mulatya Mbweri	Individual	Oral - Public he	
87	0068	MOEA	Peter Mutemi	Individual	Oral - Public he	
88	0031	MOEA	Peter Nzoka	Individual	Oral - Public he	
89	0002	MOEA	Philip Githinji K.	Individual	Written	
90	0026	MOEA	Rev. Joseph Sanai	Individual	Oral - Public he	
91	0041	MOEA	Rogers Kasina	Individual	Oral - Public he	
92	0086	MOEA	Ronald Kyembeni	Individual	Written	
93	0060	MOEA	Stephen Kiteme	Individual	Oral - Public he	
94	0089	MOEA	Titus Mutiria	Individual	Written	
95	0066	MOEA	William K. Karimba	Individual	Oral - Public he	
96	0033	MOEA	William Munyoki	Individual	Oral - Public he	
97	0073	MOEA	Wilson Mwanzia	Individual	Written	
98	0057	MOEA	Winfred Marthe Simon	Individual	Oral - Public he	
99	0011	MOEA	Jelinah Mukinya	NGO	Written	MYWO
100	0064	MOEA	Solomon Kitheka	Other Institutions	Oral - Public he	
101	0015	MOEA	Muthui Kioko	Pressure Groups	Written	Ngara Youth Alliance
102	0016	MOEA	Jeremiah Karuru	Religious Organisation	Memorandum	CJPC
103	0003	MOEA	John Ngito	Religious Organisation	Memorandum	Catholic Diocese of Kitui

#### Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	Jeremiah Karuru	P.O. Box 7, Kyuso	24	Angustine Mutua	P.O. Box 4, Kyuso
2	Cllr. Charles Mujtetei	P.O. Box 48, Kyuso	25	Naomi Musyoka	P.O. Box 4, Kyuso
3	Cllr. Wilson Mwanza	P.O. Box 48, Kyuso	26	George Matei	P.O. Box 4, Kyuso
4	Cllr. Robert Maluki	P.O. Box 41, Kimangau	27	Father Joseph Nzelu	P.O. Box 41, Mwingi
5	Sammy Nzau	P.O. Box 21, Kimangau	28	Jones M. Musya	P.O. Box 33, Kyuso
6	John Musyoka	P.O. Box 3, Kyuso	29	Henry N. Narete	P.O. Box 100, Kyuso
7	Rev. Meshack Momba	N/A	30	Ronald M. Kyembeni	P.O. Box 1, Kyuso
8	Samuel Musyoki	P.O. Box 64, Kyuso	31	Tingu M. Mwasi	P.O. Kyuso
9	Jennifer Marete	P.O. Box 100, Kyuso	32	Muthui Kioko	P.O. Mwingi
10	Patrick Malavi	P.O. Kyuso	33	Masila	P.O. Box 4, Kyuso
11	Peter M. Kasiki	P.O. Kaimangau	34	John K. Kimotho	P.O. Box 77, Kyuso
12	Ben Masila	P.O. Box 4, Kyuso	35	Mwanganki	P.O. Kyuso
13	John Matunga	P.O. Box 1, Kyuso	36	Kyalo Juuti	P.O. Box 77, Kyuso
14	Patrick Mavi	P.O. Box 15, Kyuso	37	Samwel Mwenga	P.O. Kyuso
15	Peter Mwilu	P.O. Box 12, Kyuso	38	Nelson M.M.	P.O. Kyuso
16	Peter Mwilu	P.O. Box 17, Kyuso	39	David I.K.M	
17	Okuku H. Nakitare	P.O. Box 1, Kyuso	40	Francisca Karemo	P.O. Kyuso
18	Charles K. Mwaniki	P.O. Box 4, Kyuso	41	Nzenge P. Ngulya	P.O. Box 4 Kyuso
19	Musya Musyoka	P.O. Box 4, Kyuso			
20	Kathoni Munyoki	N/A			
21	Kithome Jacob Mwendwa	P.O. Box 4, Kyuso			
22	Mwende Kojande	N/A			
23	Ndinda Muku	P.O.Box Kyuso			

No.	Name	Address	No	Name	Address.
1	Wambua Kiteme	N/A	81	Benard Mutemi	P.O. Box 377 Mwingi.
2	James Mutemi	N/A	82	Dominic Muthus	N/A
3	William Nzoka	N/A	83	William Kikuu	N/A
4	Charles Mavulia	P.O. Box 21 Kyuso	84	Mary Kang'aria	N/A
5	Philip K. Kabui	N/A	85	James Gichohi	N/A
6	Kimanthi P. Masya	N/A	86	Charles Waitara	N/A
7	Daniel Kyambo	N/A	87	Munyoki Mutemi	N/A
8	Julius M. Kimanzi	N/A	88	Justua Kilonzo	N/A
9	K.J. Ngumo	N/A	89	Kathuu Mwavu	N/A
10	Ben Kathuru	N/A	90	Peter Mulatya	N/A
11	Titus Munywoki Manthi	N/A	91	Kalumu Mulatya	N/A
12	Michael Malusya	N/A	92	David Musila	N/A
13	John Ngui Ndana	N/A	93	Patrick Mutemi	N/A
14	Mbiu Musila	N/A	94	Mwema Mutemi	P.O. Box 464 Tseikuru
15	Joseph N. Sanai	N/A	95	Muthengi Mwinzi	N/A
16	Joseph M. Muthangya	N/A	96	Mwaniki	N/A
17	Titus M. Muli	N/A	97	Japhet Mati	N/A
18	David M. Muthangya	N/A	98	Peter Nzoka	N/A
19	Titus Ndundu	N/A	99	Irene Mutha	P.O. Box 464 Tseikuru
20	John M. Ngito	P.O. Box 55 Mwingi	100	Jackson Musili	N/A
21	Alphan Mutegi	P.O. Box 29 Mwingi	101	Mutunga Thomas	P.O. Box 40 Mwingi
22	Joseph M. Musyoka	P.O. Box 1 Mwingi	102	Rogers Kasina	P.O. Box 40 Mwingi
23	Benjamin M. Ngatho	P.O Box 40 Mwingi	103	Juma Ali	P.O. Box 40 Mwingi

24	Joshua Kasina	P.O. Box 91 Mwingi	104	Fredrick Mulinge	P.O. Box 1 Mwingi
25	David K. Kioko	P.O. Box 19 Mwingi	105	Joseph Munyao	P.O. Box 20 Mwingi
26	David Mutambo	N/A	106	J.M. Mue	P.O. Box 24 Mwingi
27	Joseph K. Mailu	P.O. Box 43 Mwingi	107	David Musyoka	P.O. Box 129 Mwingi
28	Joseph Kasina	P.O. Box 91 Mwingi	108	Francis Muthoka	P.O. Box 178 Mwingi
29	Peter K. Mulava	P.O. Box 379 Mwingi	109	Japheth K. Leny	P.O. Box 311 Mwingi
30	Jacob M. Kitheka.	P.O. Box 91 Mwingi	110	C. Syanda	P.O. Box 17 Ndooa
31	Peter Mulavu	P.O. Box 379 Mwingi	111	Alex Musili	P.O. Box 477 Mwingi
32	Mwanzia Musyoka	P.O. Box 235 Mwingi	112	Charles Munyao	P.O. Box 1 Mwingi
33	Elizabeth Munyithya	P.O. Box 105 Mwingi	113	Patrick M. Itonge	P.O. Box 127 Mwingi
34	Munyasya N. Musya	P.O. Box 155 Mwingi	114	Maingi K.N. Vicsjairs	P.O. Box 291 Mwingi
35	Francis K. Mwikya	P.O. Box 1 Mwingi	115	Mary K. Kamwara	P.O. Box 672 Tharaka
36	David M. Kilonzi	P.O. Box 1 Mwingi	116	O. Maero	P.O. Box 336 Mwingi
37	Brian M. Masiti	P.O. Box 40 Mwingi	117	R. Munyao	P.O. Box 360 Mwingi
38	Matthias Kathuke	P.O. Box 40 Mwingi	118	Wilson K. Ngura	P.O. Box 45 Mwingi
39	Joseph Munyao	P.O. Box 40 Mwingi	119	Peter Kalii	P.O. Box 542 Mwingi
40	David K. Mbosyo	P.O. Box 49 Migwani	120	Linah Munyoki	P.O. Box 139 Mwingi
41	Catherine Kingense	N/A	121	F.M. Maithya	P.O. Box 481 Mwingi
42	Mary M. Jacob	N/A	122	J.K. Muli	P.O. Box 236 Mwingi
43	Joseph M. Mwendwa	P.O. Box 1 Mwingi	123	S.M. Kiteme	P.O. Box 52 Mwingi
44	Mwanzia Kaleve	N/A	124	Paul Munyoka	N/A
45	F.M. Ngindu	P.O. Box 38 Mwingi	125	J.M. Maithya	N/A
46	P.M. Syethoka	P.O. Nguni	126	J.M. Mutunga	P.O. Box 40 Mwingi
47	B.M. Kilonzi	P.O. Box 121 Mwingi	127	W. Martha Simon	P.O. Box 168 Mwingi
48	D.K . Mwaka.	P.O. Nguni	128	K. Dorcas M.	P.O. Nguni
49	D. Maluki	P.O. Box 285 Mwingi	129	Ronald Maluki	P.O. Nguni
50	B.M. Mutio	P.O. Box 69 Mwingi	130	Cleophas Muthuko	N/A
51	Philip Maluki	N/A	131	W.M. Mangala	P.O. Box 1 Mwingi
52	B.M. Kithonga	P.O. Box 44 Migwani	132	J.K.Muuinga	P.O. Box 5 Mwingi
53	Mathew Ngutu	N/A	133	Cllr. Kitili	P.O. Box 350 Mwingi
54	Briani Maliti	N/A	134	Josephae M. Kiema	N/A
55	Mathias Kathuka	N/A	135	Solomon Kitheka	N/A
56	Joseph Munyao	N/A	136	Lenah Kano	N/A
57	Josephal Musyoki	N/A	137	Peter Mwenga	N/A
58	Paul Kaula	N/A	138	Samson Ogero	N/A
59	J.Musyoka Munyandu	P.O. Box 3 Mwingi	139	Onesmus M.Mutua	N/A
60	Paul S. Mwangangi	P.O. Box 5 Mwingi	140	Justus Musyoka	N/A
61	Joseph	N/A	141	Patrick Kihis	N/A
62	Munyokio	N/A	142	Angeline Muli	N/A
63	Hon. Musyoka	N/A	143	J.K. Kaviti	N/A
64	Peter M. Kano	P.O. Box 36 Mwingi	144	Campheu Munyambu	P.O. Box 3 Mwingi
65	James M. Wambua	P.O. Box 162 Mwingi	145	S. Karumba	N/A
66	Julius M. Nzeme	P.O. Box 63 Mwingi	146	Cllr. Charles Mutelei	P.O. Box 48 Kyuso
67	Ndusya Matiti	N/A	147	Muthui Kioko	N/A
68	Jotham Murith	N/A	148	S.B. Mwenga	N/A
69	David M. Muklandi	N/A	149	Cllr. Ben M. Munyasya	P.O. Box 5 Mwingi
70	Jelinah Mukinya	P.O. Box 87 Mwingi	150	Charles M. Mbuvu	N/A
71	Rose M. Mulyungi	N/A	151	Titus M. Kitheka	N/A
72	Simon N. Musyimi	P.O. Box 1 Mwingi	152	Hermann Katiti	P.O. Box 178 Kithyako
73	Benect M. Mwaniki	N/A	153	Paul Mutunga	P.O. Box 8445 Nairobi
74	Misyili Josephat	P.O. Box 1 Mwingi	154	Anna K. Musili	P.O. Katse
75	Francis K. Kula	P.O. Box 1 Mwingi	155	Pius M. Murugu	P.O. Box 1 Mwingi
76	Josephat	N/A	156	Peter M. Muthuri	P.O. Box 381 Mwingi
77	Margaret Maluki	P.O. Box 144 Mwingi	157	F.M. Kivuti	N/A
78	Juliana Wambua	N/A	158	D.Kassina Kithome	N/A
79	Francis R. Mumai	P.O. Box 1 Mwingi	159	Cllr. P.K. Kisio Kimani	P.O. Box 48 Mwingi

80	Joseph M. Mutiria	P.O. Box 236 Mwingi	160	Peter Maithya	P.O. Box 105 Mwingi
			161	Julius K. Mutua	P.O. Box 350 Mwingi