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## 1. DISTRICT CONTEXT.

Tharaka Constituency is the only constituency in Tharaka District. Tharaka District is one of 13 districts of the Eastern Province of Kenya.

### 1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	48,196	52,796	100,992
<b>Total District Population Aged Below 18 years</b>	27,797	27,743	55,540
<b>Total District Population Aged Above 18 years</b>	20,399	25,053	45,452
<b>Population Density (persons/Km<sup>2</sup>)</b>	64.3		

### 1.2 Socio-Economic Profile

#### Tharaka District:

- Is the 8<sup>th</sup> most densely populated district in the province;
- Has a primary school enrolment rate of 71.1%, being 7<sup>th</sup> in the province and ranking 36<sup>th</sup> nationally;
- Has a secondary school enrolment rate of 12.8%, being ranked 8<sup>th</sup> in the province and 49<sup>th</sup> nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, skin diseases and infections, diarrhea diseases, and intestinal worms;
- Has a life expectancy of 62.3 years, being ranked 11<sup>th</sup> nationally;
- Has a 33.6% malnourishment rate of children under 5 years of age, being ranked 39<sup>th</sup> nationally.

Tharaka district has one constituency: Tharaka. The District's Member of Parliament is from an opposition party, DP. This MP covers an area of 1,569.50 Km<sup>2</sup> to represent 100,992 constituents.

## 2. CONSTITUENCY PROFILE

Tharaka Constituency is comprised of South Tharaka, Central Tharaka, and North Tharaka Divisions of Tharaka District.

### 2.1 Demographic Characteristics

Constituency Population Distribution	Male	Female	Total	Area Km <sup>2</sup>	Density (persons per Km <sup>2</sup> )
	48,196	52,796	100,992	1,569.50	64.3

### 2.2 Socio-Economic Profile

This constituency is semi-arid and the main economic activity is subsistence farming of millet, maize, and to a smaller extent beans.

### 2.3 Electioneering and Political Activity

The current Member of Parliament (MP) is from the opposition party DP. This MP won the seat with 56.31% valid votes. In the 1992 general election, the seat had however been won by KANU.

### 2.4 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			23,216
CANDIDATE	PARTY	VOTES	% VALID VOTES
<b>Francis Kagwima</b>	<b>KANU</b>	10,030	56.28
Njagi wa Kiondo	DP	6,890	38.66
Daniel Kauma	FORD-K	546	3.06
Alexander Muchee	FORD-A	355	1.99
<i>Total Valid Votes</i>		<i>17,821</i>	<i>100.00</i>
Rejected Votes			
Total Votes Cast		17,821	
% Turnout		76.76	
% Rejected/Cast		0.00	

### 2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			26,953
CANDIDATE	PARTY	VOTES	% VALID VOTES
<b>Cicilio Murango Mwenda</b>	<b>DP</b>	11,975	56.31
Francis Nyamu Kagwima	KANU	9,025	42.44
Solomon Ikunga Kaaria	NDP	137	0.64
Samuel L. M. Gaichura	SDP	128	0.60
<i>Total Valid Votes</i>		<i>21,265</i>	
Rejected Votes		94	
Total Votes Cast		21,359	
% Turnout		79.25	
% Rejected/Cast		0.44	

## 2.6 **Main Problems**

- Education has been a major problems as parent cannot raise enough school fees for their children;
- Poor roads;
- Few health facilities; and
- Insecurity due to continuous incursions by bandits and cattle rustlers. Skirmishes between Tharaka and Nyambene Districts have led to major loss of life and property. The Tharaka claim the Nyambene slopes, a fertile area, which has been a bone of contention between the two districts for a long time; and
- Markets for millet, land adjudication and development projects.

## 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 and ‘open forum with no specific structures’, which should be ‘flexible and easy to manage’. Its opinion was that the ‘existing leadership comprising Members of Parliament, councilors, community based organizations, religious groups and individuals should be able to present views and opinions directly from the grassroots’ ( *The*

*Report of the Parliamentary Select Committee Reviewing the Constitution of Kenya Review Act, 1997*, April 2000). It removed the regulatory powers of the Commission over the forum, its role being confined to the 'facilitation' of the forum. It also changed the function of the forum from the facilitation of civic education to also include facilitation and the collection of the views of the public on proposals to alter the constitution.

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

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

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

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

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

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

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

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

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

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

## 3.2. **District Coordinators**

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

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

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

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

## 4. **CIVIC EDUCATION.**

Civic Education in the constituency was carried out between 1<sup>st</sup> February 2002 and 16<sup>th</sup> May 2002.

### 4.1. **Phases 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**

- Constitutionalism
- Issues and questions for public hearings
- Human right and freedom of the individual
- Citizenship and democracy
- Organs and levels of government
- Nation state and nationalism
- Constitution making process
- Land resources security and basic rights

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

#### 5.1. **Logistical Details**

##### 5.1.1 **Date and Number of Days for Public Hearings**

- a) Date(s) 15<sup>th</sup> and 16<sup>th</sup> May 2002
- b) Total Number of Days: 2

##### 5.1.2 **Venue**

- c) Number of Venues: 2
- d) Venue(s):
  - 1) Gaciongo Secondary School
  - 2) Marimanti Rural Training Center

##### 5.1.3 **Panels**

#### 5.2. **Attendance Details**

<b>Total Registered Attendance</b>		<b>168</b>
<b>Category</b>	<b>Details</b>	<b>Number</b>
<b>Number of People Who Presented</b>		78
<b>Sex</b>	Male	68
	Female	10
	Not Stated	0
<b>Presenter Type</b>	Individual	58
	Institutions	19
	Not Stated	1

<b>Total Registered Attendance</b>		<b>168</b>
<b>Category</b>	<b>Details</b>	<b>Number</b>
<b>Educational Background</b>	Primary Level	27
	Secondary/High School Level	37
	College	7
	University	2
	None	4
	Not Stated	0
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	1
<b>Form of Presentation</b>	Memoranda	0
	Oral	45
	Written	0
	Oral + Memoranda	0
	Oral + Written	33
	Not Stated	0

### 5.3. CONCERNS AND RECOMMENDATIONS

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

#### 5.3.1 PREAMBLE

There should be a preamble in the constitution. (4)

- The constitution should state our experience and global unity
- The preamble should state the motto and vision of the country.
- The preamble should capture some of the vital experiences that the people of Kenya have undergone.
- The constitution should capture the struggle for independence by all Kenyans.

#### 5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- There is need for statements in the constitution capturing the national philosophy and guiding principles. (3)
- The constitution should state that all Kenyans are protected by the state and a government of national unity and the Image of God should be included.
- Democratic principles should be included in the constitution.
- The new constitution should build a new strong democracy and create a strong constitutional culture.
- The new constitution should capture values such as peace and unity.

### **5.3.3 CONSTITUTIONAL SUPREMACY**

The constitution should provide that parliament powers to amend the constitution should be limited.

The constitution should provide that some parts of the constitution should be beyond the amending powers of parliament.

- The constitution should provide that parliament have an 81% majority when amending certain sections of the constitution.
- The constitution should provide for constitutional amendments only by public referendum.

### **5.3.4 CITIZENSHIP**

- The constitution should confer automatic citizenship to all those born in Kenya. (2)
- The constitution should confer automatic citizenship to all those born in Kenya of both Kenyan parents. (2)
- The constitution should provide that Kenyan citizenship should be acquired through application and registration.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender should be automatic citizens. (2)
- The constitution should provide that children born of one Kenyan parent irrespective of gender should be automatic citizen. (3)
- The constitution should provide for dual citizenship. (4)
- The constitution should provide that Kenyans should carry passports and ID cards as evidence of citizenship.
- The constitution should provide that Kenyans should carry national ID cards as evidence of citizenship.

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

- The Disciplined forces should be established in the constitution. (3)
- The constitution should provide that promotions within the police force should be on merit.
- The constitution should provide that women should also be recruited into the armed forces; at least a 1/3 of the total number of recruits should be women.
- The constitution should provide for an increase of military recruitments.
- The constitution should provide that police training should take a minimum of 2 years.
- The constitution should provide that police wear uniform while on duty.

- The constitution should disband the administration police and replace them with the regular police.
- The constitution should provide for Martial courts to discipline members of the armed forces.
- The constitution should provide that corrupt police officers should be sacked not transferred.
- The constitution should provide that the president should be the commander in chief of the armed forces.
- The constitution should provide that the president should have the powers to appoint the commander in chief of the armed forces.
- The constitution should provide that the president should not be the commander in chief of the armed forces. (2)
- The constitution should provide that the executive should not have the powers to declare war. (3)
- The constitution should permit the use of extraordinary powers in emergency.
- The constitution should provide that parliament should have the powers to invoke emergency powers.
- The constitution should provide that parliament should have a role in effecting the emergency powers.
- The constitution should bestow parliament the power to declare a state of emergency.

### **5.3.6 POLITICAL PARTIES**

The constitution should provide that the political parties should get involved in development activities.

The constitution should provide that the political parties should have the role of educating citizens on how democracy works and unite Wananchi.

The constitution should regulate the formation, management and conduct of political parties. (2)

The constitution should provide that a political party bearing a tribal name should not be registered.

- The constitution should provide that political parties are limited to only two.
- The constitution should provide that there should be a maximum of three political parties. (5)
- The constitution should provide that there should be a maximum of four political parties.
- The constitution should provide that there should be a maximum of five political parties.
- The constitution should provide that the number of political parties should not be limited.
- The constitution should provide that political parties are funded from the public funds. (5)
- The constitution should provide that political parties should be accountable and transparent so that the state can continue financing them.
- The constitution should provide that political parties should be financed on the basis of their representation in parliament.
- The constitution should provide that the state and political parties should have a mutual relationship. (2)
- The constitution should provide that all parties are accorded equal airtime in the media. (2)

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

The constitution should retain the presidential system of government. (2)

The constitution should provide for a parliamentary system of government. (2)

The constitution should provide that the prime minister should be appointed from the majority party in parliament. (2)

The constitution should provide that the prime minister should be the head of government. (3)

The constitution should provide that the prime minister should be in charge of appointing ministers.

The constitution should provide that the president should be the head of state. (5)

- The constitution should provide that there is one head of state and government.
- The constitution should provide that the premier is elected by parliament and is the leader of government business in the House.
- The constitution should provide that the premier maintains peace and security for all Kenyans, dissolves parliament, calls for elections, and appoints ministers and their assistants and senior government officers.
- The constitution should provide for a hybrid system of government. (4)
- The constitution should provide for the retention of the unitary form of government. (4)
- The constitution should provide that the unitary system of government should not be retained.
- The constitution should provide for the creation of a federal system of governance. (3)
- The constitution should not provide for the creation of a federal system of governance. (2)
- The constitution should provide that the powers should be devolved to the lower levels of government to take services closer to the people. (2)
- The constitution should provide for the creation of more districts, divisions and locations to take administration closer to the people.
- The constitution should provide that the premier and the vice president are elected by parliament.
- The constitution should provide that the Vice-president should be elected directly by the people. (3)
- The constitution should define the duties of the vice-president.
- The constitution should provide that the Vice-president should be elected directly by the people for a five-year term.
- The constitution should provide that if the president-elect is a man, then the vice be a woman, and vice versa.
- The constitution should provide that the vice president is from the opposition if the president is from the party that won.
- The constitution should provide that the vice president should be the running mate of the president.
- The constitution should provide that the president has a running mate as vice president who is to be elected by the people.
- The constitution should provide that the AG should be appointed by parliament.

### **5.3.8 THE LEGISLATURE**

The constitution should provide that the presidential appointments should be vetted by parliament.

The constitution should provide that parliament should vet the appointment of the AG, Auditor General, Permanent secretaries and the Central bank governor.

The constitution should provide that parliament should vet the appointment of the speaker of the national assembly and judicial officers.

The constitution should provide that parliament should vet the appointment of all the executives. (3)

- The constitution should provide that the functions of parliament should be expanded to include monitoring public and private sector expenditures.
- The constitution should provide that parliament advises the president in choosing public officials.

The constitution should provide that the functions of parliament should be expanded to include checking on the performance of civil servants.

The constitution should provide that the functions of parliament should be expanded to include the appointment of the ministers.

- The constitution should provide that parliament should have unlimited control over its own procedures through the standing orders. (4)
- The constitution should empower the legislature to dissolve itself.
- The constitution should provide for a fixed calendar of parliamentary events.

The constitution should provide that being an MP should be a full time occupation. (2)

The constitution should provide that parliamentarians should not absent themselves for two consecutive sittings except on medical grounds.

The constitution should provide that presidential candidates should not be above 70 years of age. Every Kenyan who is mentally fit and above 18 years of age should be allowed to vote.

The constitution should provide that presidential candidates should be 45 years of age and above. Parliamentary candidates should be 25 years of age and voting age should be 18 years and above.

The constitution should provide that presidential candidates should be between 35 and 75 years of age.

The constitution should provide that presidential candidates should be between 60 and 65 years of age.

The constitution should provide that presidential candidates should be between 40 and 60 years of age.

The constitution should provide that both the parliamentary and presidential candidates should be 60 years old.

The constitution should provide that anyone over 60 years does not contest elections.

- The constitution should provide that MPs have a minimum education qualification of a degree. (4)
- The constitution should provide that parliamentary candidates should be highly qualified with professional managerial and planning skills.
- Language tests are not sufficient for parliamentary candidates.
- The constitution should provide that MPs should serve for a five-year term.
- The constitution should introduce moral and ethical qualifications for parliamentary candidates. (3)
- The constitution should provide that parliamentary candidates should not be bankrupt.
- The constitution should provide that parliamentary candidates should have past experience in community development besides other ethical and moral qualifications.
- The constitution should empower the people to recall non-performing MPs. (9)

- The constitution should provide that MPs should act on the basis of instructions from their constituents. (6)
- The constitution should provide that the government should determine salaries and allowances of MPs. (3)
- The constitution should provide that an independent body should determine salaries and allowances of MPs.
- The constitution should provide that the Parliamentary Service Commission determines MPs salaries and allowances. (2)
- The constitution should retain the concept of nominated MPs. (3)
- The constitution should provide that nomination to parliament is reserved for vulnerable groups like women, youth and the disabled.
- The constitution should not retain the concept of nominated MPs.
- There should be special measures to increase women's participation in parliament. (2)
- The constitution should provide for uniform rules to govern the conduct of MPs in a multiparty state.
- The constitution should retain the present system in which the dominant political party forms the government.
- The constitution should provide for the formation of a coalition government. (6)
- The constitution should provide for the formation of a government of national unity.
- The constitution should provide for the adoption of multiparty representation at both levels of government.
- The constitution should provide for the creation of a House of Representatives.
- The constitution should provide for one chamber of parliament. (2)
- The constitution should provide for two chambers of parliament. (2)
- The constitution should give parliament the powers to remove the president through a vote of no confidence. (2)
- The constitution should provide that the president should have the veto power over legislation in parliament.
- The constitution should provide that the president should not have the veto power over legislation in parliament.
- The constitution should provide that the legislature should have the power to override the president's veto. (2)
- The constitution should bestow on the president the power to dissolve parliament.
- The constitution should provide that the president should not have the powers to dissolve parliament. (4)
- The constitution should not stagger parliamentary elections.
- The constitution should provide for constituency offices for MPs for accessibility.

### **5.3.9 THE EXECUTIVE**

The constitution should provide that the president should be a university graduate. (2)

The constitution should provide that the president should be a university graduate and morally upright.

The constitution should provide that the president should be a mature university graduate.

The constitution should provide that the president should have a minimum of form 4 level of education with experience in administration. The president should be married and his parents should be Kenyans.

The constitution should provide that the president should serve for two years of five years each. (10)

- The constitution should provide that the president serves for 3 terms.  
The constitution should define the functions of the president. (3)  
The constitution should limit the presidential powers. (3)
- The constitution should limit the presidential powers to appoint and dismiss senior public officers. (3)
- The constitution should reduce the powers of the president to appoint senior public officials such as the attorney general, vice president, judges etc.  
The constitution should provide that the president should not be the chancellor of the public universities. (2)  
The constitution should provide that the president should not be above the law. (13)  
The constitution should provide for the removal of the president due to misconduct. (4)  
The constitution should provide that the relationship between the president and parliament should be one of checks and balances. (4)
- The constitution should provide that the president should not be an MP. (9)
- The constitution should provide that the provincial administration should be retained. (2)
- The constitution should provide that the provincial administration boundaries should be reviewed and possibly other provinces created.  
The constitution should provide that the provincial administration should be abolished.  
The constitution should provide that chiefs should be elected directly by the people.
- The constitution should provide that the people elect chiefs and their assistants for a term ranging from 5-10 years.
- The constitution should provide that the chiefs be over 40 years and are appointed by the district commissioners.
- The constitution should provide that chiefs and their assistants are transferable. (2)
- The constitution should provide that chiefs' posts should be elective and they should serve for 7 years while assistant chiefs post should be scrapped.
- The constitution should provide that chiefs and their assistants have a minimum of form four level of education.
- The constitution should abolish the posts of district officers and the assistant chiefs and retain those of district commissioners and the chiefs
- The constitution should provide that the Chief's Order is reintroduced.
- The constitution should abolish the post of chiefs and their assistants.
- The constitution should provide that ministers are appointed by parliament.
- The constitution should provide that village elders are recognized in the provincial administration chain and paid by the government.
- The constitution should abolish provinces but retain districts.
- The constitution should provide for the establishment of a ministry for the youth.
- The constitution should establish between 10 and 15 ministerial offices.

### **5.3.10 THE JUDICIARY**

- The constitution should guarantee the independence of the judiciary from the executive and legislature. (4)
- The constitution should increase the number of high court judges.
- The constitution should provide for three levels of land courts; location, division and district land courts.

- The constitution should provide that cases are dealt with expeditiously.
- The constitution should provide that individual litigants should be allowed to use indigenous languages.
- The constitution should provide that the period between remand and trial of a suspect is short as possible.
- The constitution should provide that the remand period is counted as part of jail sentence and if one is proved not-guilty compensation be awarded.
- The constitution should provide that every province should have their attorney general.
- The constitution should provide for the establishment of a supreme court. (2)
- The constitution should provide for the establishment of a constitutional court. (2)
- The constitution should provide that the judicial service commission should appoint the judges. (5)
- The constitution should provide that judicial officers should be democratically appointed.
- The constitution should provide that the chief justice is appointed by parliament.
- The constitution should provide that the judicial officers should have a degree in law. (2)
- The constitution should provide that the judicial officers should be members of the international bar of association.
- The constitution should provide that the judicial officers should serve for two terms of 6 years each.
- The constitution should provide that the judges are appointed by the judicial commission and retire at the age of 65 years.
- The constitution should provide that lawyers with a criminal record be ostracized from judicial responsibility.
- The constitution should provide for a judicial service commission to discipline errant judicial officers and promote fairness.
- The constitution should provide that any misconduct by the judicial officers should be impeachable by parliament. (2)
- The constitution should provide for mechanisms to discipline advocates who don't represent their client up to their satisfaction.
- The constitution should provide that Paralegal bodies could handle local cases.
- The constitution should ensure that courts are within the reach of every Kenyan.
- The constitution should guarantee for the right to legal aid for all citizens.
- The constitution should guarantee for the right to legal aid for women and the poor.
- The constitution should recognize the contributions of council of elders like Njuri ncheke and empower them.

### **5.3.11 LOCAL GOVERNMENT**

- The constitution should provide that mayors and the council chairpersons are elected directly by the people. (12)
- The constitution should provide that mayors and the council chairpersons should serve for two terms of five years each. (3)
- The constitution should provide that mayors and the council chairpersons should serve for five years. (2)
- The constitution should provide that the councils should continue operating under the central government.
- The constitution should provide that the councils should not continue to work under the

central government. (5)

- The constitution should provide that so long as councilors are performing there be no minimum education levels.
- The constitution should provide that councilors should at least have a form certificate of education with at least a D+ and above. (9)
- The constitution should provide that councilors should be university graduates.
- The constitution should provide that Language tests for civic candidates are sufficient. (3)
- The constitution should provide that Language tests for civic candidates are not sufficient.
- The constitution should introduce moral and ethical qualifications for civic candidates. (5)
- The constitution should provide that the councilors should be people with proven good record in public leadership.
- The constitution should empower the people to recall non-performing councilors. (3)
- The constitution should provide that a local authorities commission should determine the salaries and allowances of councilors.
- The constitution should provide that an independent commission should determine the salaries and allowances of councilors. (2)
- The constitution should provide that the government should determine the salaries and allowances of councilors. (2)
- The constitution should provide that the councilors are paid from the consolidated fund.
- The constitution should retain the concept of nominated councillors. (3)
- The constitution should retain the concept of nominated councillors but specific interests groups should be targeted for nomination.
- The constitution should provide that a third of the nominated councillors should be women.
- The constitution should abolish the nominations of councilors. (2)
- The constitution should provide that councillors in a multiparty state should be governed by the rules set by the state.
- The constitution should empower the president to dissolve councils.
- The constitution should provide that the president or minister in charge of local government should not have the powers to dissolve councils. (2)
- The constitution should provide that mayors and the council chairpersons should have the power to sack errant council workers.
- The constitution should provide that councils should have the responsibility of building dispensaries, schools and roads.
- The constitution should provide that market fees are paid after and not before a trader sells his or her wares.

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

The constitution should adopt a representative electoral system.

The constitution should retain the simple majority rule as the basis of winning an election.

The constitution should provide that women participation in parliament should be increased by electing a number of them to parliament.

The constitution should provide that a presidential candidate should garner at least 50% of the total votes to be declared a winner. (3)

The constitution should allow candidates who fail to be nominated by another party to

cross over and seek nomination from other parties. (2)

The constitution should ban parties from crossing floors.

The constitution should discourage party defections.

The constitution should increase the 25% representation to 40% in at least five provinces for presidential elections.

The constitution should provide that some seats in parliament should be reserved for specific interests groups such as women, disabled and other disadvantaged group. (3)

The constitution should retain the geographical constituency system.

- The constitution should provide that constituency boundaries are drawn according to the demographic criterion. (3)
- The constitution should provide that civic, parliamentary and presidential elections are held separately. (2)
- The constitution should provide that civic, parliamentary and presidential elections are held simultaneously. (2)
- The constitution should provide that the presidential elections should be held independently from the civic and parliamentary elections.
- The constitution should provide that elections should be held during working days.
- The constitution should provide that voter registration is done to all those that are eligible.
- The constitution should put a limit on election expenditure by each candidate. (2)
- The constitution should specify election dates. (2)
- The constitution should provide that elections should be held every 10 years.
- The constitution should provide that parliamentary elections should be held every 2 years.
  
- The constitution should provide that any leader in elective post hold office for two 5-year terms.
- The constitution should provide that the presidential elections should be conducted directly. (4)
- The constitution should provide for the election of the president by all political parties.
- The constitution should provide that the electoral process 2002 should be free and fair.
- The constitution should provide that the electoral commissioners should be lawyers and senior religious leaders.
- The constitution should provide that the electoral commissioners are appointed by parliament.
- The constitution should provide that AG appoints the electoral commissioners after being interviewed.
- The constitution should provide for and independent electoral commission. (2)
- The constitution should provide that the electoral commissioners should automatically retire after the elections results are announced.
- The constitution should provide that the electoral commissioners should quit office after one term of five years.
- The constitution should provide that the ECK should prosecute elections offenders.

### **5.3.13 BASIC RIGHTS**

The constitution should guarantee the right of expression and assembly.

The constitution should guarantee protection of private property.

- The constitution should provide guarantee freedom of God worship.

The constitution should guarantee for the freedom of worship but devil worship should

never be allowed.

The constitution should protect citizens from quasi-religious units and devil worship.

The constitution should provide for political, socio-economic, development and associational rights.

The constitution should provide that Kenyans should have a right to vote.

The constitution should provide that Kenyans should have a right to live and work in Kenya.

The constitution should protect and guarantee all the fundamental human rights.

The constitution should retain the death penalty. (2)

The constitution should not retain the death penalty. (4)

The constitution should protect security, health care, water, education, shelter, food and employment as basic right for all Kenyans. (2)

The constitution should guarantee that the government provides free healthcare, free and compulsory primary and secondary education.

- The constitution should guarantee clean and safe water for all.
- The constitution should guarantee security for all Kenyans.
- The constitution should provide that the government guarantee security to every Kenyan regardless of ethnic background.
- The constitution should provide for free medical services for all Kenyans. (9)
- The constitution should provide for free education for all Kenyans. (2)
- The constitution should guarantee good shelter for all Kenyans.
- The government should control food prices so that all Kenyans can afford food. (2)
- The constitution should appoint a body to deal with distribution and control of relief of food to avoid mismanagement by the chiefs and their assistants.
- The constitution should provide for a national food policy and there should be a food reserve in every location. (2)
- The constitution should provide that employment opportunities are offered on merit only.
- The constitution should guarantee employment to all the university graduates.
- The constitution should guarantee employment to all the deserving Kenyans. (3)
- The constitution should guarantee employment to all Kenyans regardless of gender.
- The constitution should harmonize salaries with respect to the current wide gaps between people of the same qualification.
- The constitution should provide for maternity leave for both men and women; 6 months for women and 3 months for men. There should be provision for automatic study leave with pay. Managers should not serve for more than 5 years.
- The constitution should provide that Saturday rest day for the SDA.
- The constitution should provide that retirement age be 50 years.
- The constitution should provide that retirement age be 80 years.
- The constitution should adopt the policy of one-man-one job.
- The constitution should provide that all employers should be compelled to provide or give certificates of recognition to all employees, the retiring, resigning and those that are sacked.
- The constitution should provide for free primary education. (3)
- The constitution should provide for free education up to the secondary school level. (2)
- The constitution should provide for free and compulsory education for all Kenyans. (2)
- The constitution should provide for free and compulsory education up to the primary school level for all Kenyans. (6)
- The constitution should provide for free and compulsory education up to the secondary

school level for all Kenyans. (8)

- The constitution should provide for free and compulsory education up to the university level for all Kenyans. (3)
- The constitution should provide for the issuance of allowances to the unemployed.
- The constitution should be written in a simple language.
- The constitution should be translated to English and distributed to all churches.
- The constitution should be translated into the different ethnic groups and be accessible to all.
- The constitution should be made available to all Kenyans.
- The constitution should ensure that the report on the Njonjo land commission should be released to the public.
- The constitution should guarantee all workers the right to trade union representation.

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

The constitution should ensure that the interests of people with disabilities are taken care of. (2)

- The constitution should provide that the government caters for the elderly and poor.
- The constitution should protect the rights of the disabled; they should get free education, security and medical care. (3)
- The constitution should provide that children should have a right to their parents' property. (6)
- The constitution should protect the rights of the girl-child and they should be the same as the boy child over property inheritance.
- The constitution should provide for the protection of children against abuse.
- The constitution should guarantee and protect the rights' of children. (3)
- The constitution should protect the street children and provide them with the fundamental rights.
- The constitution should guarantee that the children are not tortured in school in the name of discipline.
- The constitution should protect the rights of the girl-child, and guarantee her education and protection against early marriage.
- The constitution should protect the rights of the needy and should guarantee for their fundamental rights.
- The constitution should protect the rights of the poor and the less fortunate ones in the society.
- The constitution should guarantee the rights of disabled from dehumanizing treatment such as rape.
- The constitution should provide that no one is sacked due to disability.
- The constitution should provide that the disabled participate in the electioneering process.
- The constitution should provide that touts and street children are considered as vulnerable groups.
- The constitution should make provisions for affirmative action for the vulnerable groups but not women.
- The constitution should provide that 1/3 of councilors and ECK commissioners are women.
- The constitution should provide that there are 33% of women in the cabinet, judiciary civil

service, and the armed forces.

- The constitution should provide that women are 50% of total MPs.
- The constitution should provide that 2% of company employees are disabled persons.
- The constitution should guarantee prisoners the right to vote.

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

- The constitution should provide that the individual should have the ultimate land ownership.
- The constitution should provide that the government should have the ultimate land ownership. (2)
- The constitution should provide that the community should have the ultimate land ownership. (2)
- The constitution should provide that individual land acquired for public use by the government is compensated adequately. (4)
- The constitution should provide that the government should repossess all land not in use.
- The constitution should provide that idle land over 300 acres should be taxed.
- The constitution should provide that the government should have the powers to control use of land by the owners or occupiers.
- The constitution should provide that the local authorities should not interfere with or control use of private land. (2)
- The constitutions should provide that one person does land allocations.
- The constitution should provide that land cases are presided over by the clan elders.
- The constitution should provide that when dealing with a land dispute, any previous arbitration, developments on the land and whether the person is a resident be considered.
- The constitution should provide that title deeds are issued at district level and immediately after the acquisition of land.
- The constitution should provide that the land adjudication officers should not stay in one office or region for more than one year.
- The constitution should provide that there should be a land registrar in every district.
- There should be a ceiling on land owned by an individual. (3)
- The constitution should provide that a title deed should be offered for every piece of land.
- The constitution should provide that the maximum size of land one can own is 20 acres.
- The constitution should provide that foreigners should never be allowed to own land. (2)
- The constitution should provide that the procedures for land transfer should be simplified. The constitution should provide that issuance of land title deeds should be done at the district levels.
- The constitution should provide that the district adjudication officer should have the powers to sign land ownership documents.
- The constitution should provide for land commissioners at every district.
- The constitution should provide that names of both spouses are included in the title deeds. (2)
- The constitution should guarantee that all people regardless of sex could inherit property.
- The constitution should provide that in the event of death, spouses to inherit each other's property.
- The constitution should provide that women are not allowed to own Land.

- The constitution should provide that the pre-independence land treaties and agreements should be reviewed.
- The constitution should provide that the pre-independence land treaties and agreements should not be retained.
- The constitution should provide that any Kenyan could own land anywhere in the country. (3)
- The constitution should guarantee access to land for every Kenyan. (7)
- The constitution should provide that all unutilized land is redistributed to the squatters and the landless each 10 acres.
- The constitution should review the trust land act.
- The constitution should abolish the trust land act.
- The constitution should provide that the government avails land for public utility.

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

- The constitution should recognize the diverse groups that constitute Kenya in all aspects of life.
- The constitution should recognize and respect the cultural practices such as female circumcision as a rite of passage.
- The constitution should guarantee and protect the cultural values and rights of all Kenyans.
- The constitution should abolish cultural practices such as Female Genital Mutilation (FGM), wife battering, etc. (6)
- The constitution should provide for the recognition of both Kiswahili and English as national languages.
- The constitution should recognize and protect the indigenous languages.

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

The constitution should provide that parliament should retain the power to authorize raising and appropriation of public funds.

- The constitution should provide for mechanisms to ensure equitable and proportional distribution of natural resources. (8)
- The constitution should provide that there should be a minister from each and every district.
- There should be fair allocation of development funds during budgeting. (2)
- The constitution should provide that recruitments to the disciplined forces should be on quota basis that is each district should benefit.
- The constitution should provide that public service jobs should be equally distributed among all districts.
- The constitution should provide that industrial development projects are spread to all regions of the country.
- The constitution should provide that total revenue collected by the government should be equally distributed among all constituencies.
- The constitution should provide that public wealth should be evenly distributed among all Kenyans.

- The constitution should provide that the government builds the necessary infrastructure in marginal areas.
- The government should be required to apportion benefits from resources between the central government and communities where such resources are found. (2)
- The constitution should provide that 30% of benefits from natural resources should directly benefit that particular region where such resources are found.
- The constitution should provide that 40% of resources are used at the local level whereas 60% are remitted to the central government.
- The constitution should provide that the controller and auditor-general should be independent and answerable only to parliament.
- The constitution should provide that ministers and permanent secretaries should not get involved in politics.
- The constitution should attract competent Kenyans to work in the public sector through good pay, favourable working environment and promoting specialization.
- The constitution should introduce moral and ethical qualifications for ministers.
- The constitution should introduce strict professional qualifications for those willing to work in the public service.
- The constitution should provide that ministers should be professionals in their respective ministries.
- The constitution should provide that once retired an individual should not contest for an elective post.
- The constitution should provide for the independence of the civil Service.
- The constitution should provide that the appointment of the public service commissioners should be based on competence.
- The constitution should provide that Public service commissioners should be appointed by parliament.
- The constitution should provide that the prime minister should appoint the Public service commissioners.
- The constitution should provide that the president in consultation with the relevant bodies should appoint Public service commissioners.
- The constitution should provide that the parliamentary service commission should appoint Public service commissioners.
- The constitution should provide for a code of ethics for the holders of public office. (3)
- The constitution should provide that public officers should not be drunkards. (2)
- The constitution should provide that all public officers should declare their wealth.

### **5.3.18 ENVIRONMENT AND NATURAL RESOURCES**

The constitution should check and protect the indiscriminate destroying of forests, logging and forests allocations. (3)

The government should promote tree farming and forestation. Anyone found destroying forests should be dealt with severely.

- The constitution should provide that all natural resources are protected against misuse.
- The constitution should provide that local people protect their natural environment / resources.
- The constitution should provide that the owners of the land should own natural resources.
- The constitution should provide that local communities living around natural resources

should be involved in the conservation activities and encourage coexistence.

- The constitution should provide that local communities should be encouraged to grow trees alongside farming in their areas.
- The constitution should provide that local communities living around natural resources should be involved in the management and conservation of the environment. (3)
- Forests, water catchments areas and wildlife should be protected by the constitution. (2)
- The government should protect the natural resources.
- The constitution should protect the natural resources.

### **5.3.19 PARTICIPATORY GOVERNANCE**

- The constitution should provide that the state should regulate the conduct of civil organizations.
- The constitution should provide that the number of religious groups is limited.
- The constitution should provide that evangelists should be given or allocated some free airtime in the public media.
- The constitution should provide for maximize women's participation in governance.
- The constitution should provide for mechanisms to increase participation of minority groups in governance.
- The constitution should provide for mechanisms to increase participation of all citizens in governance through referendums.

### **5.3.20 INTERNATIONAL RELATIONS**

- The constitution should ensure that Kenya maintains good international relations.
- The constitution should honour universal human rights and duties.

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

There is need for constitutional commissions, institutions and officers.

The constitutional commissions should look into details of the subject matter they were appointed for and implement resolution without bias.

- The constitution should provide for the creation of special institutions for the disabled at the district level.
- The constitution should provide for the establishment of an independent body to oversee service delivery.
- The constitution should provide that all commissions established should be temporary and under a contract to avoid mismanagement and misuse of office.
- The constitution should provide for the creation of the ombudsman office. (2)
- The constitution should provide for the creation of a gender commission.
- The anti-corruption commission should have the responsibility of putting checks and balances with respect to all the operation of the state.
- The constitution should set up land adjudication committees made up of honest, respectable and reliable community members to deal with land issues.
- There should be a rent tribunal to deal with rent disputes.
- There should be a minister for justice or constitutional affairs as distinct from the attorney general office. (2)

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

- The constitution should provide that the Speaker of parliament acts as president during elections and till when the president-elect assumes office. (2)
- The constitution should provide that the Speaker of the national assembly should take over the executive powers in the absence of the president. (2)
- The constitution should provide that a caretaker government be instituted during election composed of 4 judges, 3 clergy members, 1 youth representative and 1 disabled person.
- The constitution should provide that the electoral commission should announce the presidential elections results immediately after the confirmation that the winning president has met all the requirements.
- The constitution should provide that the incoming president should assume office 3 months after the elections.
- The constitution should provide that the incoming president should assume office immediately after being sworn in.
- The constitution should provide that the chief justice should swear in the incoming president.
- The constitution should make provisions for a former president in terms of security. (2)
- The constitution should make provisions for a former president in terms of welfare. (2)
- The constitution should make provisions for a former president in terms of an attractive retirement package to pave way for easy transition.
- The constitution should make not provisions for a former president in terms of immunity from legal process. (4)
- The constitution should provide that a sitting president should vacate office if found guilty of abuse of office e.g. financial scandals.

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

- The rights of women are not fully guaranteed in the constitution.
- The constitution should provide that women should have a right to own property. (2)
- The constitution should provide that women be allowed to inherit their parents or spouses property. (6)
- The constitution should harmonize marriage laws with respect to divorce and compensation.
- The constitution should protect and promote culture by making dowry compulsory from the potential husband to the potential wife. Reconciliation process for broken families should be encouraged before divorce is finalized.
- The constitution should provide that men who father babies to women they have raped, should bear the responsibility of all the financial costs of raising them.
- The constitution should provide that fathers with children outside wedlock are fined.
- The constitution should prohibit domestic violence. (4)

### **5.3.24 NATIONAL ECONOMIC POLICY**

Sports and recreational facilities should be expanded to tap more talent to represent the country.

### **5.3.25 NATIONAL OTHER POLICY**

- The constitution should provide that HIV / AIDS screening is enhanced by the government.
- The constitution should provide that HIV / AIDS screening is made compulsory for couples intending to get married.
- The constitution should provide for safety measures for women in both public and private places.
- The constitution should provide for safety measures within and around the Kenyan borders for public safety. (2)  
The constitution should provide that police harassment is stopped.
- The constitution should provide that the government avails a helicopter to help curb banditry.
- The constitution should provide for the establishment of a military section in every district to curb the problems of banditry especially in pastoral districts.
- The constitution should outlaw all forms of bribery and corruption and those found guilty be jailed without the option of fine.
- The constitution should provide that products that are locally produced are promoted and marketed locally.
- The government should control the prices of cereals.
- All agricultural and commercial areas should be supplied with electricity. All districts should also benefit from electrification.
- The constitution should ensure that there is equal development of infrastructure across the country.
- The constitution should provide for better roads in all districts and especially agricultural potential areas.
- The constitution should ensure that corruption is wiped out in all public places. (6)
- Corruption should be made a capital offence plus forfeit of all possessions with the culprit.
- The constitution should wipe out corruption, bribery and nepotism. (2)
- The constitution should place strict and severe punishments for public officers found guilty of corruption. (3)
- Kenyan civilians should have the right to file a legal case against any corrupt public officer.

### **5.3.26 SECTORAL POLICY**

- The government should harmonize the importation of agricultural products.
- The government should reclaim arid and semi-arid areas for agricultural use.
- The government should liberise the market and allow the farmers market their produce freely.
- The constitution should provide for the reduction of tax for both farm inputs and products.
- The constitution should provide that the government markets the farm produce.
- The constitution should provide that the government pays nursery and pre-primary schoolteachers.
- The constitution should provide that religious studies are made compulsory.
- The constitution should provide that the former 7-4-2-3system replaces 8-4-4 system of education.
- The constitution should adopt a 9-4-3 system of education.
- The constitution should provide that diploma students in colleges should be given loans and bursaries like the university students.
- The constitution should provide that policing should be a career taught at the university.
- The constitution should provide that civic education should be part of the school syllabus.
- The constitution should provide that university students should be eligible to full loans from the government.
- The constitution should provide that a woman heads girls' schools.
- The constitution should provide for the creation of a bursary scheme to cater for the poor.
- Taxation should be reduced by half and institute a cheap module for collecting taxes.
- The constitution should replace the picture of the president on the currency with a Kenyan landmark or the first president of the country.
- The constitution should provide that the deceased public servants families should be financially supported and the deceased's body should be transported to his rural home by the government.
- Private hospitals should be banned.
- Government employed doctors should not be allowed to operate private clinics.
- The constitution should provide for the recognition of herbalists as medical practitioners.
- The constitution should ensure free and fair usage of airwaves.
- The government should establish a revolving fund for university and other colleges' graduates to boost them initiate their small businesses.
- The constitution should ensure that every district should have at least one tarmac road.
- There should be a fully-fledged fisheries department to deal with fishing issues.
- The constitution should provide for compensation of people maimed or killed by wildlife.
- The KWS should promptly pay for damages of property and loss of lives as a result of wild animals. National parks should be reduced to create some space of land. (2)
- Communities residing around protected lands like the national parks should be allowed to utilize such resources. (2)
- Killing or moving excess animals should control wildlife populations. (2)

### **5.3.27 NATIONAL**

Some public holidays should be abolished by the state.

### **5.3.28 STATUTORY LAW**

- The constitution should provide that pornographic material and the gutter press are severely dealt with.
- The constitution should abolish capital punishment and instead have life imprisonment.
- Detention without trial should be replaced.
- Rape cases should be heard in camera to conceal the victim's identity.
- Arresting people on suspicion of intentions to commit a felony should be abolished.
- Women should not be allowed in bars beyond 8 p.m. There should be strict laws on prostitution to curb the spread of STDs.
- Any man or woman having carnal knowledge of a minor, whether by coercion or enticement should be dealt with severely. Mob justice should be outlawed.
- The constitution should provide that those who defile minors are severely dealt with. The constitution should provide for the recognition of local brews.
- The constitution should outlaw the brewing of local liquor.
- The constitution should legalize the local brews. (4)
- Boys who impregnate girls should be punishable by law with a minimum sentence of seven years.
- The constitution should provide that a murder suspect is fined 49 goats for killing a man.

### **5.3.29 COMMON GOOD**

- There should be guidance and counseling for children so that they grow up to be responsible citizens. (2)
- The constitution should support and encourage the spirit of harambees.

### **5.3.30 GENDER EQUITY**

- Women should be given equal chances in all government sectors without discrimination.
- Women should be considered equal to men in all aspects. (4)
- The constitution should guarantee that there is gender equality in employment, politics etc.
- As long as the man pays dowry to the woman's parents, there should be no gender equity.

### **5.3.31 ECONOMIC/SOCIAL JUSTICE**

- The constitution should provide that the government compensates farmers after natural disasters like drought or floods.
- The government should guarantee fast and full compensation to the family of the deceased who was a public servant.
- Those empowered to run public offices should be transparent and accountable.

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

- The rule of law should be equally applied to all Kenyans regardless of status. (2)
- The constitution should guarantee fairness and the rule of law. (2)

### **5.3.33 NATIONAL INTEGRITY/IDENTITY**

- There should be a dignified code of dressing in Kenya as a form of identity.
- Kenyatta day should be changed to Heroes Day because all Kenyans fought for independence.
- Kenyatta day should be abolished.
- The symbols of national identity and integrity should include national flag, currency and coat of arms, national holidays and national languages.
- The coat of arms should reflect the Kenyans richness; soils, Mount Kenya and other natural resources.

## **APPENDICES:**

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

- |                               |           |
|-------------------------------|-----------|
| 1. Hon Murango Mwenda         | MP        |
| 2. Dr. Isaiah I. C. Wakindiki | DC        |
| 3. Sandra Mwariri             | Chairlady |
| 4. Cllr. Gideon Kaimba        |           |
| 5. Mrs. Grace Kaburi Nduyo    |           |
| 6. Mr. John Kangori Ndatho    |           |
| 7. Mr. Zaccheous Mucee Njeru  |           |
| 8. Mrs. Sabina Gatumi         |           |
| 9. Francis Macira Kioji       |           |
| 10. Felix K. Mang'uru         |           |

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

1. Njuri Nchege Council of elders
2. Ntanira Na Mugambo Women organization
3. Meru region retired teachers welfare association
4. SDA Church
5. Maendeleo ya Wanawake
6. Zion international Childrens programme
7. Foundation for dialogue- Kenya
8. Kenya Football Federation – Tharaka
9. Tharaka University Students association
10. Nkondi University students Association
11. Catholic Justice and Peace Commission
12. Kenya African Mau Mau Union
13. Ecumenical Civic Education Programme
14. Nyaribari Chache Jisaidie Welfare Association

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

1	0007OTTEA	Aniceta C. Kiriga	CBO	Written	Ntanira Mugambo Tharaka Wome
2	0016OTTEA	Grace Ntembi Nduyo	CBO	Written	Thiti, Iriani & Gwitethia Wo
3	0008OTTEA	Grace Nteminbi Nduyo	CBO	Memorandum	National Council of Women
4	0018OTTEA	Jacob Makunyi Berece	CBO	Written	ECEP
5	0003OTTEA	Kaimba Maangara	CBO	Written	Njiru Ncheke Meru
6	0004OTTEA	Stanley Rwego Mutea	CBO	Written	Maretwa Teachers Group
7	0010ittea	Anonymous	Individual	Written	
8	0022ITTEA	Anonymous	Individual	Written	
9	0005ITTEA	Bishop John Njagi Nduyo	Individual	Written	
10	0047ITTEA	Bruno Kaimba	Individual	Oral - Public he	
11	0003ITTEA	Charity Mukami	Individual	Written	
12	0015ittea	Cllr. Isaiah Makunyi	Individual	Written	
13	0025ITTEA	Cllr. Jackson Njagi Muc	Individual	Written	
14	0037ITTEA	Cllr. Zacharia Mwithi	Individual	Oral - Public he	
15	0028ITTEA	Daniel Kithure	Individual	Written	
16	0002ITTEA	Daniel Muriungi Nthigia	Individual	Written	
17	0045ITTEA	Daniel Mutegi Mwenda	Individual	Oral - Public he	
18	0020ittea	Doris Njeru	Individual	Written	
19	0031ITTEA	Douglas Mutiria	Individual	Written	
20	0007ITTEA	Edward Nyaga	Individual	Written	
21	0021ITTEA	Edward Nyaga Nduyo	Individual	Written	
22	0024ITTEA	Festus Nyaga Gaichu	Individual	Written	
23	0049ITTEA	Francis Gitonga	Individual	Oral - Public he	
24	0001ITTEA	Francis Kagwima	Individual	Written	
25	0055ITTEA	Frankline Gitonga	Individual	Oral - Public he	
26	0058ITTEA	Gaicu Paul M	Individual	Oral - Public he	
27	0061ITTEA	George Gitura	Individual	Oral - Public he	
28	0060ITTEA	Gerald Mucee	Individual	Oral - Public he	
29	0068ITTEA	Gideon Kathare	Individual	Oral - Public he	
30	0004ITTEA	Gideon Makembo Kaimba	Individual	Written	
31	0043ITTEA	Isabela Kaguna	Individual	Oral - Public he	
32	0063ITTEA	Jacob Mwithi	Individual	Oral - Public he	
33	0032ITTEA	James M. Muchege	Individual	Oral - Public he	
34	0067ITTEA	James Njeru	Individual	Oral - Public he	
35	0074ITTEA	Janet Kirema	Individual	Oral - Public he	
36	0064ITTEA	Japhet Nthiga	Individual	Oral - Public he	
37	0014ittea	Jasper Nawarimba	Individual	Written	
38	0006ITTEA	John Mutegi	Individual	Written	
39	0065ITTEA	John Ngumbaru	Individual	Oral - Public he	
40	0041ITTEA	John Njue	Individual	Oral - Public he	
41	0039ITTEA	Jonathan N. Ndumba	Individual	Oral - Public he	
42	0008ITTEA	Joseph Muchee Ngiturant	Individual	Written	
43	0030ITTEA	Joseph Muriungi Ndandik	Individual	Written	
44	0042ITTEA	Joseph Mwathi	Individual	Oral - Public he	
45	0012ittea	Josephat Mutungi	Individual	Written	
46	0059ITTEA	Josphat Nyaga Mungania	Individual	Oral - Public he	
47	0050ITTEA	Julius Njagi	Individual	Oral - Public he	

48	0036ITTEA	Kathendu James Muguika	Individual	Oral - Public he	
49	0046ITTEA	Kiganu ndia Watia	Individual	Oral - Public he	
50	0013ittea	Loise Makunyi	Individual	Written	
51	0019ittea	Mare Mathitu	Individual	Written	
52	0018ittea	Matembei Kanake	Individual	Written	
53	0027ITTEA	Mirian Kawira	Individual	Written	
54	0023ITTEA	Mishek Mucee Nkandika	Individual	Written	
55	0044ITTEA	M'Mwamba wa Mianga	Individual	Oral - Public he	
56	0053ITTEA	M'Rumuri	Individual	Oral - Public he	
57	0035ITTEA	Mukembu Francis	Individual	Oral - Public he	
58	0071ITTEA	Muthungu Ibaai	Individual	Oral - Public he	
59	0034ITTEA	Mwongera Nthumbi	Individual	Oral - Public he	
60	0057ITTEA	Ndabo Kithae	Individual	Oral - Public he	
61	0017ittea	Njeru S Kajiita	Individual	Written	
62	0062ITTEA	Patrick Kimencu	Individual	Oral - Public he	
63	0051ITTEA	Peter Mwabo	Individual	Oral - Public he	
64	0070ITTEA	Photo Mukiira	Individual	Oral - Public he	
65	0038ITTEA	Pr. Joseph Ikunga	Individual	Oral - Public he	
66	0029ITTEA	Rev. Daniel Kindiki	Individual	Written	
67	0026ITTEA	Rev. Francis Munyembu I	Individual	Written	
68	0011ittea	Samson Kethaka	Individual	Written	
69	0033ITTEA	Silas Gitonga	Individual	Oral - Public he	
70	0048ITTEA	Silas Muomba	Individual	Oral - Public he	
71	0052ITTEA	Simon Kibunja	Individual	Oral - Public he	
72	0073ITTEA	Simon Nyaga	Individual	Oral - Public he	
73	0056ITTEA	Stanley M. Rumuri	Individual	Oral - Public he	
74	0072ITTEA	Stanley Murithi	Individual	Oral - Public he	
75	0016ittea	Stephen Mugambi	Individual	Written	
76	0069ITTEA	Wilfred Nyaga	Individual	Oral - Public he	
77	0006OTTEA	Dante Timothy	Other Institutions	Written	Gatunga Sec. School
78	0012OTTEA	Gaichu Daniel	Other Institutions	Written	Gaciongo Sec. School Student
79	0013OTTEA	John Mutwiri	Other Institutions	Written	Gaciongo Sec School
80	0011OTTEA	Joseph B Nyaga	Other Institutions	Written	Matariki Nkudi Education Zon
81	0001OTTEA	Kauna Livingstone	Other Institutions	Written	Tharaka High School
82	0017OTTEA	Lucy Gacwe Mwithi	Other Institutions	Written	Mukothima Girls Sec. School
83	0002OTTEA	Makunyi Paul	Other Institutions	Written	Tharaka High School
84	0005OTTEA	Nthiga Hilary	Other Institutions	Written	Gatunga Sec School
85	0009OTTEA	Sying Judith	Other Institutions	Written	Marimanti Girls Sec. School
86	0014OTTEA	Alphonse Muchunku	Religious Organisation	Written	CJPC
87	0010ottea	Anonymous	Religious Organisation	Written	Kiriiria SDA Church Members-
88	0015OTTEA	William Mutiria	Religious Organisation	Written	CJPC

## Appendix 4: Persons Attending Constituency Hearings

No.	Name:	Address:	No	Name:	Address:
1	Edward Nyaga	P.O. Box 2897 Meru	85	Daniel Gitonga	P.O. Box 18 Meru
2	Gaciongo Students	P.O. Box 2984 Meru	86	Jackson Njagi	P.O. Box 3 Marimanti
3	Gaciongo Teachers	P.O. Box 2984 Meru	87	Ndatho Kithae	Mukothima
4	Silas Muchomba	P.O. Box 1 Gaciongo	88	Jeremy Mwinji	Gatunga
5	Janet Kirema	Mukothima	89	Stanley M. Rumuri	P.O. Box 2897 Meru
6	Francis Gitonga	P.O. Box 2261 Meru	90	Siriliano Gakau	Mukothima
7	Simion Kanyaru	-	91	John Nyaga	P.O. Box 2897 Meru
8	Julius Njagi	P.O. Box 2261 Meru	92	John Kimbo	P.O. Box 596 Meru
9	Joseph Nyaga Gaichu	P.O. Box 290 Meru	93	Daniel Kithure	P.O. Box 596 Meru
10	Kirema S. Mbunga	P.O. Box 290 Meru	94	Gaichu Paul	P.O. Box 1 Gatunga
11	Alphonse Michunku	P.O. Box 2897 Meru	95	Josphat N. Mungania	Mukothima
12	William Mutiria	P.O. Box 2897 Meru	96	David Makai	Mukothima
13	Gitari Njeru	P.O. Box 119 Chuka	97	Benjamen Kirema	Mukothima
14	Richard M. Posito	P.O. Box 207 Siakago	98	Gerald Mucee	Gatunga
15	Peter Mwabu	P.O. Box 24 Kirimbo	99	George Gitura	P.O. Box 1 Gatunga
16	Josphat Nthiga	P.O. Box 2261 Meru	100	Mirian Kawira	Gatunga
17	Simion Kibujia	-	101	Gericah makena	Mukothima
18	Selestino Muriungi	Mukothima	102	Patrick Kimenchu	Mukothima
19	Nt'arumuri	Mukothima	103	Jacob Mwithi'	Mukothima
20	Fracline Gitonga	P.O. Box 2898 Meru	104	Grace Nduyo	Mukothima
21	Misheck Mucee	P.O. Box 918 Meru	105	Daniel Nthiga	Gatunga
22	Zakayo Mutegi	Gatunga	106	Japhet Nthiga	Gatunga
23	John Gitonga	P.O. Box 2897 Meru	107	John Nkombaru	Gatunga
24	Salvester Kibara'	P.O. Box 3 Mukothima	108	Jeremiah Mwithi	Mukothima
25	George Gitonga	Mukothima	109	John Gituura	P.O. Box 2897 Meru
26	Francis Nyaga	Mukothima	110	Jacvob M. Berece	P.O. Box 1833 Meru
27	Cecilio Ndagara	Mukothima	111	Joseph Muriungi	P.O. Box 918 Meru
28	Mwinthi Nt'amurithi	Mukothima	112	Mukothima Girls Sec	P.O. Box 2897 Meru
29	Benjamen Nyaga	Mukothima	113	Silas Mun'gori	P.O. Box 918 Meru
30	Festus Nyaga	Mukothima	114	Daniel Kindiki	P.O. Box 10 Gatunga
31	Jacob Njeru	P.O. Box 2897 Meru	115	John Mutegi	P.O. Box 2897 Meru
32	James Njeru	Mukothima	116	John Uriru	Mukothima
33	John Ndatho	Marimanti	117	Mariano Kigaacha	Mukothima
34	Jereusha Munyoe	P.O. Box 1367 Meru	118	Daniel Kan'gori	Mukothima
35	Gideon Kathare	P.O. Box 519 Meru	119	Moses Muthegi	Mukothima
36	Peter Kinyua	Mukothima	120	Joseph Ntida	Mukothima
37	David Mbugo	Mukothima	121	Stanley Muriithi	Mukothima
38	Daniel Njeru	Mukothima	122	Douglas Muturia'	Mukothima
39	Daniel Kouwa	Mukothima	123	Mario Marigu	Mukothima
40	Francis Kithaka	Mukothima	124	Grace Mutinda	Mukothima
41	Daniel Chabari	Mukothima	125	James Munyuoki	Mukothima
42	Beatrice Karimi	Mukothima	126	Mitambo Onesmus	Mukothima
43	Japhet Kambarwa	Mukothima	127	Sebastian Marigu	Mukothima
44	Wilfred Nyaga	Mukothima	128	Symon Nyaga	Mukothima
45	Muthun'gu Ibaai	Mukothima	129	Hellena Gatiiria	Mukothima
46	David Majira	Mukothima	130	Jeniffer Mbura	Mukothima
47	Janet kamene	Mukothima	131	Martha Kangaria	Mukothima
48	Boo Mukura	Mukothima	132	Anagracia Chege	Mukothima
49	Joseph Kinyua	Mukothima	133	Gaterina Kiua	Mukothima
50	Loise Makunyi	P.O. Box 20 Marmanti	134	Karimi Nt'akainyiru	Mukothima
51	Judith Nyamu	P.O. Box 255 Meru	135	Kathendu James Mugwika	P.O. Box 1423 Meru
52	John Kang'ori	Gatunga	136	John Njue Kajeche	Nkondi

53	Felix Kirema Manguru	P.O. Box 26310 Nairobi	137	Jeniffer Ndugo	Marimanti
54	Joseph Mucee	P.O. Box Tunyai	138	James Makunyi	P.O. Box 17 Marimanti
55	MBI	-	139	Peter Muchunku	P.O. Box 3 Marimanti
56	Francis Kawima	-	140	Pr. Geoffrey Gitonga	P.O. Box 6 Chiakariga
57	Gideon M. Kaimba	-	141	Joseph Mwathi	Marimanti
58	Mbiraria Kirigia	P.O. Box 225 Gatunga	142	Grace Nduyo	P.O. Box 39 Marimanti
59	James M. Muchege	Marimanti	143	Rev. John Nduyo	P.O. Box 28 Marimanti
60	Silas Gitonga	Marimanti	144	Aniceta Kiriga	Gatunga
61	Festus Gitundu	Marimanti	145	Sabina Gatumi	Marimanti
62	Daniel Muriungi	P.O. Box 255 Gatunga	146	Nthiga Miiru	Marimanti
63	Elijah Njeru	P.O. Box 1410 Meru	147	Samuel Gita	Marimanti
64	Thumbi Mwongera	Marimanti	148	Mwamba Mianga	Marimanti
65	Sarah K. ngoci	Marimanti	149	John Mutegi	Marimanti
66	Mercy Wanjiru	Marimanti	150	Daniel M. Mwenda	Marimanti
67	Charity Mukami	P.O. Box 130 Mitunguu	151	Isabella Kaguna	Marimanti
68	Mukembu Francis	Marimanti	152	Kaburu Joshua	Marimanti
69	Kaimba Mangaara	P.O. Box 1094 Meru	153	Edward Kiraithe	P.O. Box 20 Gatunga
70	Stanley R. Mutea	Marimanti	154	Francis Mugao	P.O. Box 20 Gatunga
71	Zacharia Mwithi	Tunyai	155	Eric Gitonga	P.O. Box 20 Marimanti
72	Daniel Kauna	P.O. Box 17 Marimanti	156	Edward Nyaga	P.O. Box 255 Meru
73	Nthigah Hilary	P.O. Box 20 Marmanti	157	Chief Joram Muthengi	P.O. Box 1 Marimanti
74	Dante N. Timothy	P.O. Box 20 Marmanti	158	Michael Nyamu	P.O. Box 30 Marimanti
75	Elly Kana Nyaga	Marimanti	159	Kinyua J. Karimi	P.O. Box 30 Marimanti
76	Kauna N. Livingstone	P.O. Box 1423 Meru	160	Syngi Judith	P.O. Box 30 Marimanti
77	Makunyi Paul	P.O. Box 1423 Meru	161	Ndaithu Juditor	P.O. Box 30 Marimanti
78	Jonathan Ngaga Ndumpa	P.O. Box 1829 Meru	162	Mutharia Cecilia	P.O. Box 30 Marimanti
79	Eng. Francis Nyamu Kagwima	P.O. Box 55327 Nairobi	163	Kanyaru Annecy	P.O. Box 30 Marimanti
80	Pr. Joseph Inkunga	Marimanti	164	Stella Wanja	P.O. Box 30 Marimanti
81	Daniel Mugao	Marimanti	165	Titus S. Kirimo	P.O. Box 1133 Meru
82	Zacheus M. Njeru	Marimanti	166	Nkari Nderebza	Marimanti
83	Joseph Mugambi	Marimanti	167	Kiganu Ndia Watia	Nkondi Market
84	Luke Mutugi	Marimanti	168	Bhino Kaimba	Marimanti