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VERBATIM REPORT OF

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[REDACTED]

CONSTITUENCY PUBLIC HEARINGS,

OL-KALOU CONSTITUENCY,

AT DUNDORI MIRINGINI CATHOLIC CHURCH

ON

[REDACTED]

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April 20, 2002

CONSTITUENCY PUBLIC HEARINGS, OL-KALAU CONSTITUENCY,
HELD AT DUNDORI MIRINGINI CATHOLIC CHURCH
ON THURSDAY APRIL 20, 2002

Commissioners Present

1. Com. Kavetsa Adagala
2. Com. Prof. Ida Salim

Secretariat in Attendance

- | | | |
|----------------------|---|---------------------------|
| 1. Mr. Naholi | - | Programme Officer |
| 2. Christine Omollo | - | Asst. Programme Officer |
| 3. Hellen Kanyora | - | Verbatim Recorder. |
| 4. Lucy Flora Atieno | - | Sign Language Interpreter |

The meeting started at 10.25 with Kavetsa Adagala in the chair.

Com. Salim: Tunawakaribisha kwa kikau cha Tume ya kurekebisha Katiba na tungetaka kabla hatujaanza tuanze na maombi. Kuna mtu ambaye anaweza kutuongoza mbele ya mungu? Atuongoze mbele ya mungu. Pastor.

Pastor: Asante basi natuombe – mungu mtakatifu mungu unaye tupenda sana, mungu unaye penda nchi hii yetu ya Kenya, mungu ulituletea uhuru, mungu umetulinda mpaka kutoka wakati huo mpaka sasa. Angalia watoto wako wanataka kukaa pamoja waonyeshe vile wataishi maisha mazuri, nakutumikia haki za mwanadamu wakati wanapoirekebisha Katiba, wape werevu na hekima za kutosha. Tunaomba hayo tukiamini. Amen.

Com. Adagala: Asante sana tutaanza, na kwanza kwetu tungependa kuwajulisha tuko hapa kusikiza maoni yenu. Mbeleni tulikuja tukawa sisi ndiyo tunazungumza lakini sasa nyinyi ndio mtazungumza. Tutajaribu sana kumpa kila mtu nafasi lakini pia

tuelewe kuna watu wengi watakaokuja hiyo ndio tuemona. That is our experience that the hall fills up very full. So we shall start with you people although you are few we know what it is like towards the end of the day. We need all the diversity, all the different types of people in your area to give their views.

We hope the district co-ordinator and the Committee to the three Cs have organized all the different diversities in OI-kalau to be here. We need to here the views of men and women, children and the aged. We need to here the views of the people with disabilities, different religious persuasions; we need to here the view of people who are minorities. Here we don't have much but in other places you find that four five different minorities in an area.

We would like to let you know that we shall, tutachanga hapa na pia tutachanga district zingine sabini na nne za Kenya and tutaweka maoni yote pamoja na tutaketi na kujadiliana na kuandika report. Report tutakayoandika itaenda kwa National Constitutional conference ambayo pia mtakuwa na wakilishi wenu huko na wa-Bunge na sisi pia na watu wa siasa, political parties na pia watu wa kanisa na mosque na NGO's na hao watu mia sita watajadiliana wakisikizana kwa mambo fulani itakuwa sawa wakisikilizani kwa mambo yote itakuwa sawa, zaidi, lakini wakikosa kusikilizana kwa mambo fulani pia tutarudi kwa wananchi natutafanya kitu kinachoitwa referendum na ndiyo itatuongoza kwa hayo mambo kwa kupiga kura, Kura ya maoni.

Pia ningependa mjue report tutakayoandika itarudishwa kwa wananchi na mtaisoma ka kuona kila mahali watu walisema nini. Sasa msiwe na hofu ati tutaenda na tutakawia tutarudisha report, tutazungumza pia, tutarudisha maoni kama wajumbe wenu wa National Constitutional Conference kama hawatasikilizana itarudi na yote ikikamilika vizuri itaenda kwa Parliament na wao ndio watasema hii ndio Katiba, nguvu zote ziko na Parliament watasema hii ndio Katiba mpya.

Sasa tungependa kuendelea na kuwajulisha kila mtu atakuwa na mda fulani wa kuzungumza. Kuna watu ambao wana memorandum ambayo imeandikwa, ile barua ya kuandikia Tume kwa maoni, wao watakua na dakika tano na wale wa kuzungumza watakuwa na dakika kumi maximum.

Tunajua watu wote Kenya hawawezi kauandika memorandum, sasa nisawa Tumesema mtu anaweza kutoa ya mdomo na tutaandika, itanazwa kwa machine zetu hii mitambo yetu na pia kila kitu kitafikia Tume kitawekwa kwa kumbu kumbu ya miaka ijao. Ukisimama hapa ujue unazungumza mambo ya leo na pia ya miaka ijao, usikwame kwa ya leo peke yake.

Wacha tuangalie pia maisha ya watoto wa watoto wa watoto wa watoto wetu hiyo ni miaka mia moja. Sasa vizazi vijao pia vitajua yale mumetayarisha hapa na vile mumezungumza na vile maoni yenu yalikuwa haitabadilishwa hiyo itakua kwa kumbu kumbu hata wewe mwenyewe ukitaka, ile memorandum yangu ningependa kuiona, sawa? Pia ukijisikia unataka kwandika memorandum zaidi unaweza kuongeza kuandika na pia ukitoa mambo yako ya mdomo na pia unajisikia unataka kuandika pia unaweza kuandika na kutuma kwa Tume. Mimi jina langu ni Kavesta Adagala na mwezangu ni Prof. Ida Salim na ninafikiri

wengi mnajua kwa ile programme alikua anaendesha ya professional view na pia kwa vitu vingi vingine pengine inafaa ni-muite ambassador prof. Ida Salim kwa sababu ya alikua ambassador.

Sasa tutaendelea na tutachukua mtu wa kwanza afike hapa achukue ule mda, tutamsukuma kwa saa. Ili tuende kasi ili watu wengi watoe maoni. Hawa ni wafanyi kazi wetu hapa, wako kwa secretariat, wao ni watu wa bidii sana, tena sisi ni watu wa bidii isipokua mnasikia kwa magazeti tunalala usiku na mchana lakini tunafanya kazi usiku na mchana. Hii ndio stop yetu ya mwisho in Central province na nafikiri, no sio ya mwisho tutaenda Githunguri juma-nne na juma-tano. Sasa hapa ni Ol-Kalau hii ndio tutamalizia hapa. Tafadhali ukija mbele taja jina lako liwekwe kwa kumbu kumbu, iwekwe kwa machine na ukiendelea tafadhali sema tu ile proposal usiende kwa maelezo mengi sababu sisi wote ni wa Kenya tunajua shida iko, taja tu ile ambayo ni pendekezo lako na tuendelea. Asante. Tutafuata odhora hii, nidemocracia itakua first come first served. Sasa haitakua njia ingine. Tutaanza na John Murithi Wangura. Mtanisamehea macho yangu yako nusu nusu. Sasa tutaanza na wewe na nafikiri wengine wako hapa tutaendelea.

John Murithi Wangura: Kwa majina yangu ni John Murethi Wangura, mimi ni mwenyeji wa hapa na nina haya ya kusema, nitaongea kwa kizungu. In agriculture since Kenya is an agricultural country we would like the government to look for international market for our food crops like milk, pyrethrum, and potatoes which grow here in plenty and for the time being we have no where to sell them.

In education we would like the government to offer free access for all educational levels from nursery school to university thus I would propose that the government should have government aided secondary schools in every division and at least one college in every district, colleges like teachers training colleges of institutes of technology. In worship I would like the government to eradicate or abolish devil worship in Kenya if there is. In Communication those are things any able person should be allowed to start, radio stations or TV channels without discrimination.

In promotion for public and civil servants I find it worthy that the government should organize a board which should be dealing with the promotion because right now we have some people who are of the same academic level but when promotion come some ministries are favoured while we find the level of education is the same. So I would propose that promotion should be based on education at merit by a common board. On roads the way it is in Kenya all roads are not catered for properly because some area or some parts of the country are favoured than the other parts. So we would like the government to cater for roads without favour or discrimination. Electricity-should be given to every body who can be able to pay the rent, while the cost of installing should not be met by individual but should be met by the relevant bodies. Facilities of Internet should be accessible everywhere at the lowest cost.

On security everybody in Kenya should feel secure so the government should offer security for all Kenyans without discrimination because right now some part of Kenya are covered more than the others. Policies governing government

ministries and parastatals are out-dated and so should be revised.

The Constitutional Review Commission of Kenya should finish its work before November 2002 or within the given time if its caring for the tax payers money. Lastly but not the least the government should seek for more employment opportunities for its citizens. Thank you.

Com. Adagala: Thank you, we shall be asking for clarity and also I would like to say, when you have a written memorandum you should highlight it. Mzee ulifanya vizuri, you did well because it was short, but some people come with 20 pages, which is okay, you can write 200 pages but you just highlight. Ulifanya vizuri, yako iliambatana. What did say about education at divisional level?

John: I was talking about the government which should have government aided schools in every division to cater for some of children from poor families who have no access to go to boarding schools. Yes.

Com. Adagala: (Inaudible) Just come from north eastern and whole province has 3km of tarmac, so when we are talking about this we also know that there some places, which are totally ignored. Haya. Asante, am not correcting you am just adding. Asante. The next person is James Mwangi Kabara. Did we have this name yesterday? Or there so many Mwangis and Kabararas. Yes please, has he given you any submission? Put all these memorandums and we have very able people at the Commission, please try to highlight all this will go into the computer, it will be put into the web site so just highlight.

James Mwangi Kavara: Kwa majina yangu ni James Mwangi Kavara. Kile ningetaka kuchangia ningetaka kuchangia, mambo ya security ya nchi yetu, nataka yaani police wetu wawe wakitulinda lakini sio kutunyanyasa na kwa kuua watu, kuiba mali ya watu hata tukawa na tatizo na wao hata tukiwaona tunaogopa. Polling stations, tungetaka hao watu wawe wakihesabiwa hizo votes huko kwa polling stations instead of going in the district, wawe wakihesabia huko, tunaona matatizo wakipeleka huko zinaibiwa. Roads, – tumeona County Council wanalipisha watu lakini tungetaka watengeneze barabara ili tuwe na barabara nzuri. Ni hiyo tu.

Paul Kingori: My name is Paul kingori am presenting on behalf of the church. Our recommendations, first we have the preamble here. In our Constitution we need a preamble unlike in the old one. The national vision that should be set out in the preamble is “this Constitution is made by the people of Kenya no law or any authority supercedes this Constitution”. The church should have the right to express her right on the behalf of the people.

The Constitution should value the sanctiny of life. Directive principle of state policy. We need statements in our Constitution capturing the national philosophy and guarding principle. Equal protection of all citizens, equal rights for all citizens without discrimination regardless of gender. Freedom of expression and association.

Constitutional supremacy: The 65% majority vote should be replaced by 85% majority vote to amend any part of the Constitution. The Parliament power to amend the Constitution should be limited, all Constitutional amendment should be subject to people's referendum. Some parts of the Constitution should be beyond the amendment powers of the Parliament. For example the bill of rights. The public should be involved through referendum in amending the Constitution.

Citizenship defence and national security: The armed forces should be engaged in Community work when the security of the country is stable for example in the construction of roads, construction of bridges, construction of dams and assist the police to curb the insecurity in the country. There should be fair distribution in admission of the armed forces personnel among all the tribes of Kenya. The police force need more training time to enable them execute their duties well.

Moral subjects should be introduced in the training to enable them deal with the public with less animosity. The Constitution should guarantee their job security to serve both the government and the public impartially. They should be well paid to discourage them from corrupt practices. The armed forces should be subject to the law of the land.

Political parties: They should be reduced to three only and be financed by the public funds. All political parties should be incorporated in the government. Structures and systems of the government: – we should recommend a Presidential government in which the President is subject to the law of the land. Executive:– The President should be a holder of University degree. The President should be in the office for a maximum of two five year term.

He should be married to one Kenyan wife and be morally upright, should not be a drunkard or a drug addict. The President should be between 40-65 yrs. The President should be a member of Parliament. We need the provincial administration chiefs and their assistants should be elected by the local Community and their educational level be form 4 and above.

Local government: Mayors and council chairperson should be elected by people. They should be allowed to serve a term of 5years. Local councils should not operate under central government but should be given grants by the central government to assist in running their affairs. Elected councillors should have a minimum education of O-Level; with O-Level education of Form 4 oral and language test are unnecessary.

They should be of 35 years or more years of age. They should be married to one wife and be morally upright. People should have a right to recall their councillor if dissatisfied with their services. Minimum of 500 signatures should be presented to the chief executive officer of the council to facilitate a by-election. The signature should be accompanied by a memorandum of dissatisfaction. The Parliament should determine the remuneration of councillors. We should retain nominated councillors, they should be nominated by the sitting councillors. Neither the President nor the local government minister should dissolve the council. The local government should be in charge of all the rural access roads and their maintenance.

Electoral systems and process: The constituencies should be determined by the population and not the area. We should retain a simple majority rule to determine the winner. Candidates who fail to seek nomination should not be allowed to switch over and seek nomination from another party. Defectors from other parties should seek free election from their constituency, the 25% representation rule should be replaced by 51% majority national wide.

We should reserve seats for specific interest groups. For example disabled and youth. The geographical factors determining the constituency should be replaced by the population factor. The election date should be specified in the Constitution. Presidency: Presidential elections should be conducted directly.

We go to human rights: death penalty should be abolished and replaced with life imprisonment. The Constitution should protect the security, health care, water, shelter, food and employment as basic rights for all Kenyans. The government should provide security, free education and employment. The local government should provide health care, water, pre-primary education and maintain rural access roads. The government should buy harvested products from the farmers, store and save the surplus to earn foreign currency.

The government should provide market for milk produced by the farmers and resist from importing powdered milk. The government should provide factories to process vegetables in the high production areas and provide market for example revive Pan African food processing plan at Naivasha and KPC. The government should make an effort to revive KMC and bacon factories at Upland.

The government should maintain all access roads in high productive areas, it should also provide electricity to facilitate the processing of this product. The veterinary services and research work should be revived. The government should provide subsidy to agricultural input. There should be easy credit facilities to farmers for example revival of AFC. The Constitution should guarantee the right to all the workers, the right to trade union representation.

Com. Adagala: The time is, because you are reading that is why it is taking you too long.

Paul: The Constitution should protect the system of education and the government to provide school equipment as in old times. I have just two paragraphs to read.

Com. Adagala: You are not going to read, two sentences, you are going to summarize them.

Paul: The Land and Property: The government should have the power to compulsory acquire private land for any purposes their should be mutual understanding between the parties and the compensation should be prompt. The government should

protect our lands from being grabbed by people who are doing so. I think I will end there.

Com. Adagala: The rest of it we will read. Fortunately you have written it very detailed, so we shall read. And all that will be compiled together with others. Some clarifications please George give us time between presentations, can you please come back here, you have to give us time first. You confused them with registration.

Com. Salim: Bwana Kinuthia you mentioned a figure of the no. Councillors we have to give signatures about councillors. How many councillors? five hundred, for how many signatures 500.

Paul: We have a very big area and population here is very large, we are even unlucky that we hear some wards been reduced and being removed from our area. Yes it is for Electoral Commission I know that one. Yes.

Com. Salim: Is it better to have a proportion? For many of the people who voted for that particular councillor.

Paul: The percentage?

Com. Salim: The percentage yes – because 500 is not very significant.

Paul.: Yes, I think 25% will be appropriate.

Com Salim: In the preamble you talked of the church that it should be allowed to have a say in the Preamble when you talk of the church what do you mean by that?

Paul: I mean the church; you know the church has an obligation (interjection).

Com Salim: Which church, you know we have so many churches, we have catholic are you putting them all?

Paul: I am referring to the mainstream churches

Com. Salim What do you make of the Mosque and Muslim Community?

Paul: Mosque is a mainstream church.

Com. Salim: Okay thank you

Paul: Oh, Oh, sorry, sorry.

Com. Salim: Otherwise, you may make the Muslims feel marginalized.

Paul: They are not marginalized.

Com Salim: So when you refer to the church include the muslim church, may the word should be religious organizations regardless of gender, but the word religion does not come in your memorandum. I listened carefully unless I missed it. You should have said regardless of religion also.

Paul: Thank you, it's a good correction.

Com. Adagala: I find a little bit, may be now were getting experience but, I find we have such discrepancies but we will take them as your views because the Presidential election is supposed to be 51% why should member of Parliament get 51% or a councillor 51% because we are trying to eliminate at the top level but we know ourselves most of the fracas we have, fitina vingi tuko navyo in terms of politics is with councillors and MP's, so I find a principle that should applying, it is not apply is just applying at one level. Anyway we will take the views as they are only we will not be able to descend very well a principle that only applies to one level of Legislature and not the others.

Paul: We are more worried of the Presidential level that is why we have a lot of worry there. So I think that is where we are more concerned there, but also for our Parliamentarians hata councillors I think the simple majority should be 51% but at times we are more worried with the President, because he has a lot of powers and at times we feel they are kind of mis-used that is why may-be we tend to be one sided.

Com. Adagala: But this is the time you should say it, yes because the presidency was made like this in 1964, it was made, it is something which was made and it can be unmade. Yes and review is about unmaking so you should think fully if you just concentrate on this time, it is this time, am not preaching to you but this is our approach it is now and also 50 years from now and also 100 years from now don't let anything which is bothering you stay in place, it is bothering you that the President has many powers and you have not said it here. Okay someone else will say, its okay but I don't want you to go away with that fear because actually one of our mandates is just that, to devolve power. Okay. I want – (interjection).

Paul: Tell members who are here they will assist me there in that area of the Parliamentary and civic elections.

Com. Adagala: Now you are confused, but am just saying be in the process with us, everything is up for review. If you want Kenya to be divided in five and some of it give to Ethiopia, some to Somali, and Kenya disappears it is also a view. If you

want the name to change, it can change you know if enough people give views? If want us to have four Presidents you know anything, everything and anything is up for review. So I don't you go away with that hofu, in that kind of fear that there is something which can not be reviewed. Please go there hand in your memorandum.

Thank you very much. I hope we have understood each other that everything is for review and you should feel free to express your self because we are encountering this fear all over Kenya and it needs to come out. So that we say everything. What is your name? Okay say your name into the microphone. Don't read everything.

Boniface Kamau: Kitu cha kwanza ningetaka kiwe katika Katiba ni ningetaka Katiba ifanywe ili kulinda mwanchi wote. Kwa upande wa security, nataka police na wale wa mangereza waongezwe ili watusaidie zaidi. Kitu kingine ni kwa wanajeshi ama police washitakiwe wanapofanya kosa kwa koti ya kisheria. Kitu kingine mimi si ngetaka Rais awe mkuu wa majeshi ama polisi.

Pia ningetaka kuwe na Rais mmoja tu, upande wa Executive Rais amesomea mambo ya economy ama political science aul mwanasheria. Pia ningetaka Rais awe akae mda wa mara mbili ikiwa ni miaka tano kwa kila muula. Ningetaka kila mwananchi ambaye amefikisha miaka kumi na sita akubalishwe kupiga kura. Nihayo tu.

Com. Adagala: Ulisema police waongezwe ili walinde watu. Waongezwe nini?

Boniface: Wawe wengi

Com. Adagala: People have been saying they should be added salary, they should be added I do not know what. Joses Gatie yuko, okay

Joseph Gatie: Maoni yangu mwenyewe. Nimefuata Katiba direct principles of state policy pahali panasema "Kenians have important values" that should be reflected in the Constitution. Am talking about the family, Kenians have value for education and they value it dearly, families spend their fortunes to make sure that their children acquire good education and then good employment. Some parents even sell their family assets.

Com. Adagala: Hautasoma, na hatutaenda kwa hiyo mengi kwa sababu hata sisi wote tunajua parents, we are not refusing lakini hiyo ni vizuri hiyo tutasoma tupe proposals, sijui nisema vipi kwa sababu in the afternoon tutaenda kasi sana.

Joseph: Okay, hapo nilikua nasema vijana wakishaondoka wakishapata employment wanasahau wazazi. Kuwe na family courts, kama wazazi wamesahauliwa na hawa vijana mzazi wanaweza akapeleka kesi kwa family court hata kama ni mshahara apatiwe.

Com. Adagala: Tafadhali usieleze, tunajua family court ni nini. Sijui nisema nini, kwa sababu tukisoma tutakuwa na shida na mtatoka hapo mkisema Commissioners walienda bila kusikiza sisi.

Joseph: You have given me 5 minutes and I will make use it. Games: Kenyans value human life na kuna michezo mingine kama boxing unakuta watu wanashangilia, wengine wanaua wengine pale pale michezo kame hii na taekwondo inastahili kutupiliwa mbali katika Constitution ya Kenya. Habari ya watoto, Street children na street families wanastahili kuondolewa kwa ma-town na wawe rehabilitated naonekane kwamba wanarudi kwa family na kusiwe tena street children na street families.

Youth: vijana wetu wanatumia wakati mwingi wakipoteza wakati na ingekua vizuri wakati kuna kazi kama za kujenga barabara hawa vijana, local youth wawe wakiajira kwa hiyo kujenga barabara, ili wawe busy or in other communal work. So that is all.

Com. Adagala: Twende kwa James Wakaba, it is you, okay, Ukiitwa itika kwa sauti, ili tu, Wakaba, Wakaba iko Common sana.

James Wakaba: Am all over the constituency, so it is just me.

Com. Adagala: Did you present yesterday?

James Wakaba: Yes, Yesterday I presented some eh. – (interjection)

Com. Adagala: Yesterday you tricked, today am going to discipline you, you are going to present your views, first of all you had said I called your name, I didn't, I hadn't, two you are going to present your views point by point you are going to address the Commission and you are not going to say you are the next of any thing no campaigning, you have violated the Commission

Wakaba: Okay,

Com. Adagala: I think you owe us an apology.

Wakaba: My apology.

Com. Adagala: Do you mean it?

Wakaba: I do

Com. Adagala: Did you know what you are doing yesterday, you are campaigning, we are not here for your campaign.

Wakaba: Okay, my apology, my name Kames Iruru Wakaba, Yesterday I gave a written memorandum and I addressed political issues today I will give an oral presentation and I will try and dwell on economic issues and I will be very brief. The Constitution should provide for the government to provide an enabling environment for economic growth and development where each individual will achieve his aspirations in proportion to his ability hard work and industriousness.

The Constitution should provide for social inequalities that disadvantage some Kenyans, for example infrastructure, for example education, for example access for health that those should be addressed so that the enabling environment mentioned earlier can be available to all in equal proportions. That has taken place for the last 40 yrs. This includes the return of grabbed land, the elimination of corruption, equitable distribution of resources where each area, each district should get at least 50% of the taxes it contributes to the government back, to be ploughed back in development in that particular district.

The Constitution should provide for farmers who constitute 80% of Kenyans to earn from their produce not less than what they have put in. In other words the minimum somebody can sell his produce should be equivalent to what he has put in, not less so that people do not operate at a loss as farmers and therefore a Committee will have to be formed to determine the prices of agricultural commodities based on inputs not based on the market and this brings in the issue of subsidize that if there is a market situation that forces the prices to be lower than the input then government should top up so that farmers do not go at a loss in the form of subsidy.

Com. Adagala: This is what I mean, if you say subsidy all over the world is understood what a subsidy is, if you want to explain you are using up your time.

Wakaba: Taking away of private property by any party should only take place under two conditions, one is by mutual consent and secondly it is with a court order. No other form of property grabbing from individual should take place. Kenyans should have a right to education for all willing and able children. The Constitution should also provide for the formation of a truth and reconciliation Commission to address social and economic evils Committed against Kenyans since 1895 when the colonialists first set into the country.

The Constitution should also provide a right for all Kenyans regardless of tribe to do business, own property and work anywhere within the country without fear or favour. The Constitution should also provide the right to good health for all Kenyans, the Constitution should also provide for the armed forces to work in the development of infrastructure in times of peace so that there are not idle. I will give those for today thank you very much.

Com. Adagala: Well I will ask you because you might be able to, why should taxes be ploughed back? Did you say that?

Wakaba: Yes I did.

Com. Adagala: You are assuming that taxation will happen then it will go somewhere because it comes from you and I, it will come from Ol-kalau, where will it go?

Wakaba: Taxation goes to the central government, am talking about taxation that goes to the consolidated funds.

Com. Adagala: Am not trying to change your views but why couldn't have another system where the taxation is here and then some get given but it remains here.

Wakaba: In ideal conditions that would be even better. I concede to that.

Com. Adagala: I don't want to do civic education am just saying that there can because, it is that going away and coming back that makes loop holes for corruption also, but anyway we will leave it at that we will put your views the way there are. If you should rethink it, you are educated you know you can submit further.

Wakaba: Yes I can do that, thank you.

Com. Adagala: Yule anafuata ni George Wakaba, again, it's a nice name. Thank you Is it your father? He is saying no, because the names Ndegwa and Wakaba and Mwangi there very popular here.

George Wakaba: Mimi ni na memorandum hapa ambayo niya kanisa ambayo ina wafuasi themanini na tano kwa hivyo mimi natoa maoni ya watu themanini na tano. Jina langu ni George Wakaba kama vile imesemekana nimeitwa kutoka kanisa la kishaka. Nataka ku-highlight kidogo kwa mambo ya mali ya asili.

The new Constitution must address very fundamental environment protection issues such as prohibit any further clearing of the remaining natural resources. Strict protection of water catchment areas, proper management of ranch lands, proper environmental study on environmental effect should be done before implementation of any development. Ensuring continuous campaign by the government and other civil societies on environmental protection and the dangers of environmental pollution and degradation. The natural resources should be owned by Kenyans.

The new Constitution should ensure that the local Communities are involved in the management of natural resources like forests and wildlife. Communities that neighbour such resources should be direct beneficiaries of the income accrued from such

resources, this way Communities will be motivated to participate in the proper management and protection of such resources. The following natural resources should be protected by the Constitution which are forests water resources and catchment areas, minerals, wildlife and air. To manage and protect such resources Parliament should by law institute a permanent Commission on environmental protection and development. Experts on different disciplines related to the environment should seat in this Commission. Thank you.

Com. Adagala: Next we have Macharia yuko? Come forward please. You are an individual, please you are presenting orally? Haya endelea.

Macharia Murego: Ningependa kusema barabara ziwe zikihesabu magari yale yanayopita barabara hiyo ndiyo wakati wa kutengeza barabara itolewe pesa kulingana na gari zinazopitia barabara hiyo.

Ya pili ningependa kusema katika Katiba ya 1962 ile ilipatia watu wa Kenya namna ya kuishi, mimi na sema katika Katiba ya mwaka wa 62 ile ilijadiliana juu ya uhuru wa Kenya, ile ilipitisha sheria ya makao ya kuishi watu idumu. Ndio idumu. Haya ningesema hivi katika office ya Rais, watu wasiwe wakienda huko kuimba kwa Rais kwa sababu utawala wa Rais sio wakifalme. Ningependa tena kusema mkuu wa sheria hasiteuliwe na Rais ateuliwe na Bunge.

Wale watu wameiba mali ya nchi hii wakati wakupewa retire wafanyiwe uchunguzi, mali yao ichukuliwe walipe mali hiyo. Kwa vile wamekwisha haribu nchi kwa wale wanaowafuata wanaona wao wanatajirika sana na wakiajiriwa na serikari hawakuwa na mali wanaingilia ufasidi. Katika office ya Rais imeharibiwa kwa njia zisizo julikana kama Rais anatoka usiku anaenda kuzungumza na watu huko nje wakatengeneza serikari zingine.

Katika Katiba iliyopatia Kenya uhuru ilisemekana hakuna jeshi, ile ilikua jeshi ya Kenya Regiment freedom Army ilivunjwa na ikawa jeshi ile iko katika kambi ndio itasimamia nchi. Mwaka wa 92 na 94 watu walipigana na kuua watu wengi bila hata sisi kujua. Hiyo inaletwa na office ya Rais kwa sababu imelalia ile kamati ilitiuliwa. Kamati ya Saitoti ilisema kuwa hakuna mtu anaweza kwenda katika state, ilipiga marufuku na ikaendelea. Kwa hivyo ningesema office ya Rais ipunguziwe uwezo Rais hasikuwe juu ya sheria. Ningependa kusema Commissioner wa police hasikuwe akiteuliwa na Rais, awe akiteuliwa na wanasheria.

Com. Adagala: Ametuelezea historia ambayo ni nzuri, (kulikua na kitu 1962) tueleze kwa kinaganaga (chukua microphone kwa sababu wazee wanahistoria ingine) tueleze kile kilitendeka 1962 ambacho unazungumzia kwa hiyo point yako ya kwanza.

Macharia: Mwaka wa 62 kulikuwa na chama cha Kenya Regiment Freedom Army na kilikua na jeshi lake na ikajadiliwa huko ng'ambo kesi ikarudishwa hapa. Ikasemekana yule governor alikuja hapa akasema uhuru ni watu na wale watu wako katika mashamba ya wazungu walikuja zamani na wakazaa watoto huko nawamekuwa watu wazima. Na kwa hiyo watu hawa

wa Kenya Regiment Freedom Army wakasema watachukua mashamba ya wazungu. Serikali ya uingereza ikasema itasimamia kulipa wazungu gharama yao nao watu waliokatika mashamba ya wazungu wahesabiwe na hao watu wa Kenya Regiment Army wasibishane, haya wakahesabiwa mwezi wa nane mwaka 62 ndio kesi ikarudiwa ikasekana sasa mashamba ya wazungu italipwa na waingereza na kutachukuliwa settlement na wale wataandikwa huko watapatiwa mashamba huko. Na halafu hao watu wa wanajeshi wa Kenya Regiment Freedom Army hawatakua wakitumika kama wanajeshi. Itakuwa jeshi ile iko kwa kazi ndio itatumika kwa hivyo watu wa Kenya Regiment Freedom Army wajitolee na watoe silaa zao na ikawa tena wale askari walikuwa kwa serikali, wale waliojitolea hawakupigwa.

Wakaambiwa waende waonyeshane watu wale wengine pahali walikuwa, msarende yote. Hata mimi mwenyewe nilikua hapo, mimi nikakataa nikasema mimi siwezi kukabidhi mtu bunduki yangu. Mimi nikaenda, nikakamatwa nikapelekwa katika mahakama ya Nakuru. Mimi hata sasa naamini wimbo wataifa nilichangia wakati nilipopelekwa mahakamani, judge aliniambia ameniukumu miaka sita mimi nikamwambia hata hiyo bunduki yako unayonionyesha mimi naweza kusema sio yangu? Sababu mimi nimekaa cell siku tisa

Nakama ingekuwa yangu ningepelekwa mahakamani na mimi wakati nitaona Kenya hainifanyii haki nitaunda jeshi la kupigania haki.

Halafu Kenya wakati ilijipatia uhuru mwaka wa 62 mimi nilienda Kitale niliporudi nikakuta polisi kwangu wanakagua kila mahali. Mimi nikasema hao watu wataniua mimi. Mimi nikatoroka nikaenda Uganda. Nikakaa Uganda kwa mda wa miaka tisa, Uganda ikakua na vita sasa mimi nikarudi hapa nikabadilisha hata kitambulisho mimi nikakaa. Sasa katika Kenya tangu jipatie uhuru wale walichukua serikali walichukua hata mimi nikashindwa ni kitu gani?

Hata mimi nikaangalia nikaona hiyo inaweza kuwa hata huyu Kenyatta alipata gari kubwa, watu wakamfikiria sana wakaona yeye ni mungu, sasa akawacha kufikiria mambo yao, na wengine wakajiforce ndani ya serikari, karibu na Rais wakajifanya serikali, hata kama anaua mtu kama JM Mwenga juzi inasemekana wale watu wako juu ya sheria. Na mwingine alikuwa wakili wa Katiba, alikua kama (Pinto) mimi nasema kuwa office ya Rais ndio imeleta matatizo yote Kenya. Kuhusu vile ilivyotufanya sisi kutoka hapa kwenda Nakuru, zamani tulikuwa tunachukua dakika 25 sasa tunachukua masaa mawili.

Interjection: Umesema serikali ifuate sheria za zamani?

Macharia : Ndio wafuate kanuni za sheria zile zilikuuko.

Com. Adalaga: Mzee umesema kitu muhimu lakini sasa tunaliuliza na wewe unakwenda, umesema kitu cha mashamba yaliyokuweco ungependa kusema nini kwa historia hii, umetoa hii ndio nilikupa nafasi.

Macharia: Mimi nasema ile Katiba iliyopatia watu makao idumu kwa sababu Katiba hiyo inaweza kuleta vita kwa watu wapigane wakisema hapa palikuwa petu, hapa palikuwa petu.

Com. Adagala: Ningependa kukuuliza tumezungumza na watu wa freedom fighters wengi sana. Hawaja sema hivyo, wewe ni mwanachama?

Macharia: Mimi sijaingia chama chochote, mimi najua watu wamekuwa wakora. Mwaka wa 63 mwezi 12 tarehe 5 sisi tulikua tunafungiwa watu 105 kamiti – (interjection).

Com. Adagala: Okay hiyo ni sawa kwa sababu maoni unayo inafaa iwekwe kwa rekodi lakini iandikwe. Umewai kuandika.

Macharia: Mimi sijaiandika.

Com. Adagala: Kuna mtu anaweza kukusaidia kuandika, chairman wa (Free Seas)

Chairman ako wapi? Or any Free Seas member, yes you will take this man when we leave you seat down with him in an appropriate atmosphere let him say, you can tape it or you can whatever let him make that submission. Because in the panels I have been he is the only one who has talked about it. That is a qualitative submission. Then it will be send to us in the usual way.

Mzee Tumeshukuru kwa sababu umetuletea historia na pia una bahati kwa sababu huyu ni Prof. wa historia, unasikia mzee, huyu ni Prof. wa history, ameelewa vile umesema na pia umemfudisha, umempa maarifa.

Interjection: I am Peter Muchiria. Am very sorry we are waiting for someone we have a group but he hasn't arrived. Yes , yes okay.

Com. Adagala: Okay we can give other people a chance to present their views then you can present yours later after he/she comes.

Reuben Ndung'u: My names are Reuben Ndung'u I want to start by talking about the preamble. It should highlight on the unity of Kenyans in all the circumstances then it should also underscore the harambee spirit that has brought Kenyans this far and as well caution on misuse as well as over indulgence, on top of that the preamble should mention on the Constitutional authority and immunity from any manipulation.

Then the principle for directive policies should touch on what status we want Kenya to achieve, what time when and how. Then it should talk about democratic principles to be upheld by Kenya's government and citizens. The non-political parties they

should be ---(interjection)

Com. Adagala: Slow down, you are reading us back what we gave you isn't it? In civic education. What we want you now is for you to tell us those directive principles, I hope you understand.

Reuben: No I don't understand.

Com. Adagala: No but that is what directive principles are, so what we want to know is what do you want the directive principles to be. I hope you understand because many people are reading us what they have gotten in civic education. We want you to tell us, who will tell us my friend Reuben? Who will now decide who has got the directive principles now? We can't do it, ours is to write, take what you are saying and write it down. You have to tell us, have you thought about it?

Reuben: Yes, I was thinking about this things the development status of Kenya achieving development by the year that should be about 2015 and this should be through participatory governance, as well as embracing technological advancement. Then on political parties I think they should be limited to about three and the government should finance or rather limited finance, then they should be regulated so as to become tools for positive criticism and not tools for malice and in fighting.

On the structure of the government I feel the government should be a unitary government and this should be done in line with economic consideration. We can not go on creating so many other posts when we know our economy cannot be able to support that, so unitary government. Legislature, one chamber should be enough for Kenya, again on economic grounds.

A coalition government should be provided for in the Constitution and a tribunal should be set to look into salaries and allowances of MP's who should be qualified on moral grounds. Not only on education and other grounds but moral grounds passing corruption tests all these should be considered, then any Parliamentarian who utters tribal statements should be disqualified either on the floor or outside the Parliament, this one should be highlighted in the Constitution. Then there should be life coverage of seating and sessions of Parliament.

On the Executive, I feel that the President should be qualified on managerial skills, not just on education, but management, team playing and team leading not anybody who will go in to dictate. Then some of the functions should be to defend the Constitution of Kenya to uphold it and enforce it. Then it should have limited powers, powers to hire and fire public officers at will and single handedly should be removed from him.

Then impeachment should be expanded so that we can even use reports and findings from other independent watch dogs not only the Parliamentarians who are known to vote with other individual inclinations. The term should be limited to two five year term.

On natural resources, we should have to de-link politics from policy matters. So that, resources are used on policy guidelines, not only to propagate political issues then on Raising national resources I propose that taxes and levies and charges should be lowered so that we can have so many people not tending to run away from paying taxes and charges. This will also go along way into fighting corruption.

Audited accounts of government departments should always be released to the public because I believe the public is a stakeholder in this nation and they should be left to feel like that. There should a good and practical work ethics that will be able to attract high performance into public service because we have got so many high performance in private sectors.

On basic rights we should have a human rights Commission. We should use the media; we should use other civil societies like religious bodies to be able to teach the public on human rights and to be able to defend them when their human rights are violated. Then Kenya being an entity in a global family we should ascribe to values in that global family.

On education I think one of the needs of education in Kenya is that we should have access to higher education on merit and therefore I would propose that quota system be scrapped because it is denying equal access on merit. Other rights that should be included are a right to consumer education and awareness, that has been lacking in Kenya, then a right to clean unpolluted environment. And on this I would wish to propose that we also need to have a smoking policy in this country.

On security, there is need to equitable distribution of security personnel and facilities. There is also need to equip security forces with modern and adequate facilities as well as training. There is need to look into the remuneration and terms and working conditions of officers.

There is need to address the harassment of public by police officers at will. There is also need to have stiffer penalties for inciters, we need to have order in public places, we have been harassed in the matatu industry and the like, we have got set ups that are crime prone, they need to be regulated then there is need for the Constitution to address the issues of mandatory identification for all security officers, at all the time and there is need to also highlight the issue of mandatory compensation upon unlawful arrest and detention. Others should include respect for rights of workers and labourers all of them, according Kenyans legal representation especially when the complainant is the state. Because we have had so many people suffer because they do not have legal representation. Then on electoral systems and process ...(interjection)

Com. Adagala: You will present in a couple of sentences.

Reuben: All right, we need to ban switching and defection, then there is need to set election calendars so that, that one is not a preserve for Executives. We should have Commissions such as human rights, children rights Commission, anti-corruption

Commission, Land Commission and guidelines be set in place to regulate the formation of a Commission of inquiries which have been misused and their reports never reach the public. That is what I have for now. Thank you so much.

Com. Adagala: Thank you very much for your presentation, wait there for a moment am glad that you have talked about security and also said that there should be stiff punishment for harassment, because now it's now wananchi's responsibility to not create in-security isn't it? Yes that is the first time we have heard the responsibility put on wananchi. Higher education, there is also something that should happen before higher education is put on merit.

Reuben: Pardon?

Com. Adagala: There is something that should be done before higher education is done on merit. You said equitable what?

Reuben: Distribution of facilities. And addressing the issue of inadequate teachers, you know facilities in schools, textbooks and actually the involvement of government in the production of textbooks I think should be addressed.

Com. Adagala: Yes, how would you like to put it? I agree with merit. Only there is something that has to be done before. If you have any proposal on that because it is not in your written memorandum, if you have any proposal on that it would be good if you developed it. People are crying a lot about merit at university but below that there is something that should be done. So if you are in agreement with it you have to submit something on it. If you are not it is okay.

Reuben: Okay, I will do that.

Com. Adagala: Rahab Tumefurahi mama amekuja, na we must express, the Commission must express its disappointment, kwa sababu inaonekana hapa imekubaliwa, public affairs are for men. And we are very disappointed; infact I don't know what we shall tell the Commission when we go back, but it is a major violation. Is Rahab here? Hayuko. You people leave by yourselves in your home? I here kikuyu saying – kushara- I want us to have something to say, we are making a major violation of the act. The chairman, where is the chairman?

Com. Salim: I just wondered alikuweco hapa akajiregister lakini ameondoka. Tunatamani sana kina mama kutupa maoni yao. Na kila tukikosa chance hiyo tunaona vibaya. Haya tutaendelea lakini.

Com. Adagala: Mimi nasema chairman there should have been mobilization of women where are the women on you Committee? You can't even get 10 women to turn up to give views. In the afternoon we want women here with their views. Otherwise we will stop the proceedings. Because for me, I know we are breaking the law and I know it is not morally right, it is not even right before God. Lakini inaonekana you are very comfortable to go on like this, this is what is surprising me, and

chairman pia wewe you are very comfortable. Okay are there people with disabilities? The language of the Commission is people with disabilities. Where is the person?

Interjection: (Inaudible)

Com. Adagala: You are supposed to make that possible for that member to be here and other people, all diversities, we have only men here. Therefore we are breaking the act. I don't know what happens when we break act of Parliament.

Interjection: Madam I think there is nearest station for that disabled firm was Al-kalau. They attended Ol-kalau.

Com. Adagala: We should be arrested; the commission should be arrested. You know we are breaking an act of Parliament.

Interjection: may be there wish to attend is a bit low.

Com. Adagala: That was your responsibility, Joseph Njguna, hata mimi sitaki.

Interjection: I have been with them, with women, I was trying to mobilize them to attend this seating, currently just now, we have just come, so I think there are coming.

Joseph Njuguna: Jina langu naitwa Joseph Njuguna Ng'ang'a, tuna taabu sana maanake tulipewa makao hapa town na hayo makao yanatusumbua maanake tulipewa number 1992, natukarudi tukapewa makao 1998 mwezi wa nane. Sasa watu wa council wanabidi tuanze kulipa kutoka 1992 mpaka wa sasa na wakati ule sisi hatukua na makao. Ya kutoka 1992, council, sasa tukaona tunafinywa sana na council maanake wakati ule hatukua na makao, wakati huo huo tukarudi tutaambiwa tatalipa Ksh. 400 na ni makao na tukaambiwa yale makao tunapewa sio ya biashara ni ya kukaa. Sasa kutoka wakati huo inasemekana tutaletewa bill kutoka kwa council. Wanatuitisha pesa nyingi sana na wakati ule sisi hatukuwa na makao. Council wakituitisha Ksh. 400, Lands wanaitisha Kshs. 200, sasa tukauliza sisi ni watu wa Land ama ni watu wa council. Hapo tunashindwa,

Com. Adagala: Ngoja kidogo usaidiwe na muwakilishi wako kwa Bunge wa sheria.

Mbunge: Kile nilichokisikia vile huu mwanchi anasema kuna taabu sana ya ile sheria inahusu mashamba. Ukiangalia kama ile Katiba tuko nayo, ile chap. 9 inayohusu mashamba talks about trust land, sasa watu wakiwa kama watu hawa walio hapa, kwa Kiongo, ukipatiwa plot hujui kama utaenda kwa county council ama kwa commissioner of land, ama utaenda kwa settlement officer. Na yule akikwambia sasa hii ulipatiwa ni ya makao si ya kulima you don't know where to go na uniform laws are required for the land. Si hiyo ndio ile taabu tukonayo? Tukonayo hapa hata mtu akipatiwa kaplot hajui kwenda kutafuta title

unaenda wapi, hata maplot mengi hapa hayana title because you don't know where to go. The law is not clear kama utaenda kwa county council ama kwa Commissioner of land ama kwa settlements kwa hivyo inatakikana tuwe na uniform law ya land ambayo sasa we do not have. Land board inahusu mambo ambayo ni ya settlement peke yake. Ikiwa unaplot kama hapa uambiwe sasa hiyo ni ya makao ama ni ya Commercial, land board does not come in. So there is need for a uniform law.

Joseph: Sasa hapo ndio ningetaka kukuuliza mheshimiwa hapo, unisaidie, kutoka 1992- mpaka1999 na hapo sisi hatukuwa Tume pewa hiyo plot tutaweza kulipishwa namna gani?

Com. Adagala: Yetu, sio kusuluhisha hiyo lakini ni kuchukua pendekezo lako ambalo umesema na kuona ni shida ambayo inafaa isuluhishwe kwa Katiba.

Joseph: Yes

Com. Adagala: Yetu itakuwa kurekebisha hiyo, hiyo ndio tunasema kurekebisha Katiba. Haitakua, kesho hutaweza kusuluhisha lakini baadaye itakuwa tunaweza kupeleka maombi yako ili sheria irekebishwe. Lakini hiyo ingine sijui muheshimiwa pengine ni malalamiko wewe pia utachukua uone vile short term, sisemi atasuluhisha lakini amesikia pia.

Mbunge: Sasa pengine wananchi kile kilicho huu mpango huko kwa nchi yetu sasa ni wa kurekebisha Katiba ambayo ndiyo sheria juu ya sheria zingine zote. Kama vile anaeleza sasa huyu mzee anajaribu kutafuta title deed ama amepatiwa shamba sasa hivi na anaambiwa mashamba ya area hii yalipeanwa 1989 kwa hivyo wakati huu wote angekuwa na shamba sasa anaambiwa you pay kama mwingine yeyote wakati huo mpango ulianza kwa hivyo kufanya sheria ya mashamba irekebishwe hiyo itafanywa lakini ukiwa na kesi wewe binafsi nipatie hiyo ndio kazi yangu, Okay ikiwa uko na problem hiyo ndio kazi yangu.

Com. Adagala: Haya asante, tulimpa nafasi hiyo kwa sababu ilikuwa oral presentation, tumpate Muturi itika tujue uko, sina macho mazuri, ukisimama hivyo siwezi nikakuona lakini masikio yangu ni mazuri sana.

David Mutiru Kigo: My names are David Mutiru Kigo; I would want to present my views on the Constitution. I want first to talk about Constitutional and I would suggest that any amendment to the Constitution should be made through a referendum, so that means that the Constitution should be supreme. On the Parliament I would suggest that we limit the powers of Parliament and they should be made answerable to the electorate. They should also suggest that nomination of MP's be nullified and the MP's salary should be determined by the public service Commission and not the Parliamentary service Commission as it is today. I also suggest that any senior government official should be appointed by Parliament. Any senior appointment should be vetted by Parliament. And the appointees should be people who are morally right and should also declare their wealth.

On the system of the governance I would still suggest a Presidential system but the powers of the President should be reduced.

The minimum qualification should be a graduate who must be morally right and must be married. The same should be below the law and not above the law. And there should be a provision for impeachment, as a result of immorality, corruption insanity etc. I would also suggest that for any bill to become law there is always a,...(interjection)

Com. Adagala: Sorry you said impeachment as a result of what?

David: Immorality, corruption, insanity etc.

David: I will suggest that the Presidential assent when a bill is becoming law should be removed and once the bill goes through Parliament should become law automatically without the Presidential assent.

On education I would suggest there should be free primary education and the quota system of education should be done away with and this should be made purely on merit. I would also suggest that the admission of students in form I should not be based on regions and localities, the 85% admission in provincial schools and district schools all those should be done away with and then we have that students could be admitted anywhere in the country, we could still have national schools but we remove the provincial schools and the district schools.

What am saying is for example is that if a student is from central province the likelihood is that the same will be admitted in a school in central province because the province will take its 85%. In older days we had students like you are from Nyandarua you are admitted in Kisumu or elsewhere, but today it's very hard for any student to move across the province unless you are joining a national school. I think so because in the 80's when we were in school you could be admitted anywhere but now it is very hard, I don't know the reasons. I would also suggest that the university students should be accorded loans that would be repayable with time after completion.

On economic I would suggest that the rate of taxation be lowered and the taxpayers money should be seen to be put in uplifting the country's economy. That means that taxpayers money should be justified by what we are seeing. The existence of good infrastructure, self-facilities etc. And I would suggest that roads be privatized and may be toll stations established by those who would construct the roads.

Com. Salim: All roads?

David: Yes all roads. I would suggest so because if it was, under a private entrepreneur they would have been repaired long time ago. I would also suggest that there should be subsidies for agricultural production. Those are my views.

Interjection: (inaudible)

David: My thinking is that if there is any economic viability in those areas and you are giving the laws to an entrepreneur I think it is that private person, that entrepreneur who will be in a position to judge whether if he constructs that road within that particular network it is going to pay back. So these are only my views.

Com. Adagala: Thank you very much David, can we now have Paul Ngure Karuma.

Paul Ngure Karuma: Jina langu naitwa Paul Ngure Karuma, kitu nataka kusema, narudisha shukurani kwa ajili ya kuja hapa ili tuchangie Katiba na pia nyinyi mnafanya vizuri kukuja mpaka kwa kijiji ili kusikia malalamiko yetu. Kwa hivyo ile kitu nataka kuchangia sana watu wengi wanazungumza mambo ya Rais. Rais ni lazima awe na mamlaka kidogo, asije akawa na mamlaka mengi kwa maana wale watu wanaweza kuwa na mamlaka mengi ni chama, chama ndicho kinaweza kurekebisha Rais na Rais hawezi kufanya kitendo bila kuambia chamba chake tufanye hivi na tufanye hivi. Kwa hivyo wenye chama watakua wa kabila mbali mbali. Upande mwingine mimi ningetaka Kenya yote kutoka Ethiopia, Tanzania na Uganda, Kenya yote isije ikapasuliwa ikawekwa mpaka mwingine. Isiwewe mpaka mwingine forever and ever. Isiwe ya Majimbo, Kwa hivyo ile ingine ningetaka watu wa Kenya niwa yote kabila nyingi na kila mtu anataka kukula matunda ya uhuru. Mimi ningetaka kitu kingine Kenya kama vile nilivyo sema hapo mbele ni mpaka wa Uganda na Kenya na Ethiopia na Tanzania kabila yoyote ikiwa inataka kukaa hapo mpakani ukiwa hapa na yeye akiwa huko awe anakaa hapo bila kuwa na hofu.

Kwa maana yeye ni mwana Kenya. Vile vile akiwa anakaa hapo Kenya yeye ni lazima awe na kibali chake kwa maana nilisikia mtu mwingine akisema wewe ukienda Kenya pahali fulani au uchunguzwe unafanya kitu gani halafu ukiwa unafanya maneno mengine ushikwe, hiyo ni kuweka ubaguzi wa rangi.

Mwizi katika Kenya, tungetaka mwizi maanaake wale watu wanakuwa wengi nani sisi Raia, tunakuwa wezi kabisa, mimi ningetaka mwizi akipatikana ikiwa kama ni wa ng'ombe au ni mtu yeyote ameiba mali kwa maana hakuna ng'ombe na mali yote ni fedha. Mimi ningetaka mwizi atafutiwe njia au kuwe na sheria kali, wezi wameleta shida kubwa kabisa, ningetaka mwizi akipatikana auwawe hadharani watu wote wakiona ndio wale wengine wasije wakafanya kitendo kama hicho.

Com Adagala: Endelea mzee.

Paul: Ile ingine ningependa kuzungumzia ni juuya wale watu ambao uchukua sheria mikononi mwao, badala ya kupeleka mshukiwa kwa polisi wanamuua hata kumchoma kwa taya za gari, hii ni mbaya sana. Wengine wanawaonea wenzao wivu halafu wanageuka wanasema kuwa wao ni wachawi ile hali ni uongo na hata kuwachoma. Kwa hivyo kuchukua sheria mikononi mwa Raia iangaliwe. Jambo lingine ni juu ya Mkanisa yamekuwa mengi sana. Mkanisa mengine yanaaribu watu vichwa badala ya kutafuta kazi wanashinda barabarani wakiimba ili wapate pesa. Hili mimi naonelea liangaliwe.

Com. Adagala: usieleza sana sana endelea hivyo.

Paul: Kuna watu kama wahindi na kabila zingine kama warabu na wazungu, wasije wakakubaliwa kununua mashamba hapa Kenya watajazana zaidi baadaya mda wa miaka ishirini au mda wa miaka mia tatu, mia nne halafu watataka kutuongoza sisi wa-kenya hio tunakataa.

Com. Adagala: Eleza mzee, umetoa sababu, lakini toa pendekezo lako, ungependa nini?

Paul: Ningependa wahindi, na wazungu na warabu wasije wakanunua mashamba hapa Kenya kwa maana wanaweza wakakaa zaidi miaka mia nne, mia tano halafu tena wakuje wanajazane wasema nchi ni yao. Sasa niendeleo?

Com. Adagala: Mtu akizaliwa hapa ni mwananchi yeyote, endelea.

Paul: Kwa mfano wale watu wanaoitwa negro's huko Amerika, huwa hapati madaraka makubwa huko kwa sababu wakijazana huko Amerika wanaweza kuwanyanganya wazungu Amerika yote.

Com. Adagala: Hivyo ndivyo wazungu wa Amerika watatufanya wakijazana watakuja kufukuza wenyeji?

Paul: Ndio, kwa hivyo hiyo sheria iondolewe hapo. Lile la mwisho ningetaka kusema nikuwa kwa sababu sisi sote tunajua maana ya uhuru sioni ubaya wa kabila lolote kuongoza Kenya au mkenya yeyote kuwa Rais, hakuna ubaya kabila zote ziwe zikibadilishana kabila moja inaongoza miaka kumi na lile lingine linaongoza miaka kumi, kila kabila lionje asali.

Com. Adagala: Haya hilo ndilo ya mwisho, asante mzee ngoja kidogo, wewe ni mzee wa miaka na unasema, unajua unasema kuna makanisa mengi, mtu mwingine anasema kuna vyama vya siasa vingi, mtu mwingine anasema nini ingine ilikua nyingi. Sasa tuko katika demokrasia, tutapunguza aje makanisa na ni uhuru wa kuabudu, uhuru wa kidemokrasia?

Paul: Si kupunguza makanisa, ni kuwe na sheria ya mipaka kwa sababu wengine wanaabudu hata barabarani na kupiga tarumbeta huko.

Com. Adagala: Haya umeeleza vizuri, weka jina lako hapo ili ijulikane ilikuweco ukiwa na mambo mengine unaweza kuyaandika au upate mtu wa kukusaidia, tuendeleo. Oral presentation mtu apange maneno yake ili atumie mda mfupi. Huyu alikua? Okay tungependa John Mwangi Mathenge. Njoo hapa useme jina lako na ututolee mapendekezo, hiyo umeandika, okay kama umeandika tutakupea 5 minutes.

John Mwangi Mathenge: Kwanza majina yangu ningetaka kuyataja ni John Mwangi Mathenge na kuhusu Katiba sehemu ya

preamble for upande wangu ningesema na kingereza, this Constitution is made for Kenyans, made by the Kenyan people and should be protected. On the nation vision all citizens be free from corruption, economy of Kenya be fully protected, agriculture be the backbone of our economy, every Kenyan should be equal law this is in the vision, farmers be involved in all sectors of producing raw materials, processing and marketing. Traditional values and cultures be protected by our Constitution. Native religion, beliefs and worship be respected and promoted. Citizens be fully involved in the government. As I come to---

Com. Adagala: Have let you read preamble but you are going to put that paper down and you are going to give us a summary. I have let you read the preamble because you wanted certain things put there.

John Mathenge: Can I continue?

Com. Adagala: But you will not read you will give us a summary.

John Mathenge: On the side of the preamble the area which has remained is that all Kenyans should have jobs in future and our economy should not be killed by corruption once again as it is so that is the area of the preamble but when I come to the citizenship any child born by a Kenyan citizen who are Kenyan natives whose generations (interjection)

Interjection: (Com Adagala) Do not read.

John: Okay, yaani yule mtoto amezaliwa na wenyeji wa nchi hii ambao wamekaa zaidi ya miaka mingi huyu mtoto awe automatically a Kenyan citizen ni wale ambao ni natives wa hapa, wale wamekaa hapa, na hiyo miaka mingi ni zaidi ya miaka harobaini. Ile njia ingine ni ya registration na nationality. Na upande wa the structure of the government ni ngependelea President and Prime Minister wagawane madaraka. Na tena appointment zile zitafanywa na President zote ziwe vetted by the Parliament na kama anataka kufungua office yoyote, asifungue office na awe na uwezo wa kuifunga kabla hajauliza Parliament.

Upande wa Parliament nayo haistahiliwi kuwa na nguvu nyingi ati kila inataka kufanya kama kubadilisha Katiba na kila kitu inaweza kufanya hivyo, ikitaka kubadilisha Katiba iite wananchi kwa sababu hii ni agreement between the people and the government through referendum. Na upande wa yule ambaye ataruhusiwa kugombea kiti ikiwa ni mbunge awe na miaka 35 ili awe amekomaa. Pia President awe above 45years ili awe na experience ya nchi. (interjection, inaudible). Hata hatafikisha hapo unajua hao wote ni wazee. 35, to 70 years there are people that can leave even shorter times.

Mbunge lazima awe na moral and ethic qualifications kabla hajachaguliwa na upande wa wananchi wawe na uwezo wa kuita mbunge wao through impeachment and upande wa salaries public service Commission iangalie mishahara ya kila mtu katika nchi. Upande wa nominated MP's mimi sitaki, badala yake viti vya Bunge viongezwe na watu wachaguliwe kulingana na wingi wa watu kwa sababu wanasimamia watu. Upande wa muungano ningetaka serikali ione kuwa watu wanaungana unajua hii nchi

ya kila mtu. Na kusudi tumalize mambo ya migongano kila mtu apewe nafasi kidogo kidogo katika Executive kusudi wakati wanapokaa chini kutoa policies watoe pamoja for national goals.

Upane wa Parliament ningetaka nyumba hiyo ikae hivyo hivyo. Upane wa powers, Parliament's power to remove the Executive through a vote of no confidence is adequate. Changes to have the powers should be no person should be above the law, President should not be a member of Parliament. President or any other Executive member if convicted of mis-conduct should be discussed in the Parliament and impeached, and the President should not have immunity while in office. President also should not have powers to veto registration passed by the Parliament and if he does he should explain why within 30 days time.

Com. Adagala: Mzee it is a written memorandum choose one or two points. It will be read, you see you have too many points, nimefurahi umeandika karatasi nyingi.

John: Upane wa President, ako katika office naimefika wakati wa election asifanye elections akiwa ofisini kuwe na mtu wa kutoka nje wote wawe na safe security halafu wafanye election. Wakati huu serikali iwe chini ya Attorney General. Hilo ndilo pendekezo langu na kwa sababu ya wakati nitakomea hapo kwa sababu memorandum iko. Asante.

Com. Adagala: Asante sana, usiwe na hofu hii tutaisoma yote naitawekwa kwa web site yetu na itakua kumbu kumbu pia hata ukija kwa miaka ingine utaiona iko hapo.

John: Hata mimi nimesema asante kwa nyinyi kuja na mchukue maoni yetu na iwe in practical form.

Com. Adagala: Okay tutaenda kasi kwa sana sasa.

Interjection: Inaudible

Com. Adagala: Tutampa nafasi lakini mama pia wajue kila mtu anashughuli, sikubali hili jambo la kusema kina mama wanashughuli. Isipokua you have made them your slaves, everybody has shughuli, am saying unless it is that everybody has shughuli, kunafika wakati ata affirmative action inabidi na nyinyi ndio mumewacha akina mama nyumbani. Hakuna mtu mwingine nyumbani ni nyinyi, It is okay, I don't agree with this at all. Thairo, mumewacha kina mama nyumbani halafu mnasema hawako hapa, hakuna nyumba ambayo haina mama, na jioni mtaenda na matawapata kule pia. Mnawatafuta kama ni dhahabu?

Maingi Thairo: Am Maingi Thairo and this are some of the changes I would want to be effected in the new Constitution that we are going to come up with. The first thing is that primary education should be made free and compulsory. There should also be affirmative action in secondary and varsity places from marginalized Communities, the other thing is that the 8,4,4 education

should be overhauled and replaced with 7,6,3 system.

Teachers and doctors should be highly paid to ensure that they do their work effectively the chancellor and the vice chancellor should not be chosen from the Executive. They should be from the university senate and we also have more money should be allocated for research in our varsities and more research should be focused on agriculture and also on health.

Then we have system of government; there should a centralized form of government with some powers being devolved to the provinces. The provincial administration should be abolished and be replaced by representatives directed by people. Every province should have at least two senators and a district should have a governor and this two at least should be holders of a degree. The powers of the President should be greatly trimmed and most of these powers should be given to Parliament and the rest the provincial senators.

Then about land, there should be a set limit in the maximum acres of land one should own, in may case not more than 100ha. Every Kenyan should be free to own land anywhere in the county irrespective of his creed, tribe and race. Allocation of public land should be done in a transparent manner and only those in only those in dire need should be given. A Committee for doing this should be established which should be composed of people of high integrity and every effort should be made to ensure that the councillors are removed from such Committee for they are responsible for much of the problems that we are seeing. The other thing is that all public land should be gazetted and this should only be degazetted if more than two thirds of the Parliament approve in order to pave way for a settlement or a project of national important. All the land surrounding water bodies such as lakes and dams should also be gazetted, human activities should be prevented from being undertaken in such areas.

As far as the environment is concerned the government should undertake massive afforestation programmes through out the country to ensure that country does not become another sahara, all public forests should be gazetted, environmental education should be taught to MP's, senators, governors, the village leaders and schools in order to create awareness of the same. Stiff penalties should be given to people or companies involved in environmental degradation. Every effort should be made that is as far as development is concerned, every effort should be made to ensure that roads in economically viable areas are tarmacked and 50% of all the revenue generated in the province should be used in that region while the rest 50% should go to the central government.

There should also be radical changes in our sourcing of manpower development. We should cease from going to the World Bank and IMF for loans for development this is because we have the capacity to develop ourselves using the locally available resources if only they are well utilized. Then as far as water is concerned the government should ensure that all Kenyans households have piped clean water by the year 2010, so those are some of the views I have, the rest are in the memorandum.

Com. Adagala: Thank you for your views, very detailed and you have used you time well. You have said tarmac road for

economic viable areas? You know it is like a chicken and egg. If you open up an area it develops, an area develops because it has been opened up, so it is a situation which is kind of----- . That is why I was saying some areas have benefitted when they said that now it should be privatized, so some areas have benefitted from government development and those who haven't then what happens? So actually roads work that way, if you open an area it develops, an area develops because it has been opened up. No am not saying you should change your views, it's a difficult situation to deal with non-the less your views are here and you have given more reason for the roads case. Next ni James Ndirangu. Why do they have, huyo ni James Ndirangu, Stephen Jetuia, hakuna, Basco Kimani Charles. Sijasema Patrick yeyote nimesema, Stephen na Bosco, Bosco ako hapa, please quick, and really trim it down, I want to trim your powers the way you want to trim the President's powers.

Bosco Kimani Charles: My names are Bosco Kimani Charles, my first time point at amending the new constitution that I will appreciate our Constitution to begin with an introduction, a Constitution that will have a balance of powers starting from the state level, individual to society level. A Constitution that will also prop lay good governance to the governed and the governee. A Constitution also that will provide democracy to state, individual and the society. Also a Constitution that provides free schools to the poor and the needy.

Com. Adagala: Am going to stop this thing of like you said, principles of the last one you had. What you should tell us is those principles as you see them, Many of you are reading us, things, which you have been told. What a preamble should be, am not putting you down Bosco, am just saying that's why we came to you to tell us those principles like when someone said that we have Kenyan values such as and such as, but to read you are reading us back without telling us any thing. Endelea I know you were not prepared for this so just go on.

Bosco: Also campaign and those who give bribes should be sentenced to jail and the likes. Also the government should be very watchful to the street children and not taking them to jail. Am also against the torture, it should be removed in jails. The state should also listen to women when making decisions from homes. A Constitution that wouldn't introduce Majimbo because it is the beginning of tribalism in our country.

Com. Adagala: Okay, let me ask you young man, you are born in a family, you have sisters and you are saying we should listen to women about the legislation and your sisters? Men have to make an effort. Tunamwambia lakini, this is going to be a men Constitution because the views are coming from men. Am not putting you on the line it's just because you said we should listen to women then they should be brought along, okay, there is something which is keeping women away, there are not stupid, and it is in the homes. Kamau Kariuku, tafadhali mtaheshimu wale walikua hapa.

Samuel Kamau Kariuki: Thank you for this opportunity I have been granted to view or to present my views. Am Samuel Kamau Kariuki.

Com. Adagala: I want to appeal to people to please say new things so that everybody can get a chance to give views. Okay.

Samuel: Okay my views one and foremost is, about education I can see that we have got the quota system, it should be abolished because it has brought discrimination of some of the provinces for example central province and at the same time we can see that the intake of form one colleges and universities has been based on that quota system and I would like to say that the secondary schools should not be disregarded by the level of categories that is for examples we have got...(interjection)

Com. Adagala: Do not give us many examples because, many people have given the examples and we know the quota system and you have said it should be abolished next on education.

Samuel: the next thing is that provincial schools, national schools and district schools should be provided with equal facilities. The government should not discriminate district schools and other schools.

On the side of members of Parliament and President they should not be beyond 55yrs. This one is because as we can see most of the government workers they usually retire when there are 55yrs which means even the members of Parliament and the President should not be beyond 55yrs. Another thing is that the government or according to the new act which we are going to have should enhance equal distribution of development projects because nowadays we have got poor distribution of projects and they should be made to be equal in all provinces without regarding the province from which the leader comes from and the last point is about the facilities that is health facilities, the government should enhance and make sure that all hospitals should be given equal facilities without regarding whether it is health center or a dispensary. It should also be given doctors and nurses who can be able to give the sick people their services. Thank you.

Com. Adagala: Thank you very much, now the next person is Alfonse Maina, Maina come.

Alfonse Maina: Kwa majina ni Alfonse Wanyori Maina, na mimi ningetaka Katiba mpya iamue uongozi wa ofisi ya Rais na nyumba walikishi na koti kila mmoja ijisimamie peke yake lakini Bunge liwe na uwezo wa kurekebisha yale yanawezekuwa yakienda vibaya kwa office ya Rais ama kwa koti. Wakuu wa Judiciary ningetaka wawe wanachaguliwa na Bunge lenyewe Rais asiwe juu ya sheria, awe anaweza kutawaliwa na sheria.

Katiba ningetaka iamue Kenya isiwe na sehemu za kisiasa ama political zones Kenya. Watu wote Kenya wawe wanaweza kutembea popote kwa sababu nchi hii ni yao. Na pia wawe wanaweza kukaa popote na wapate mali ama walime huko na waishi vile wanataka. Ni vizuri kama Katiba ingelinda Kenya isirudi kwa chama kimoja tena. Iwe na vyama vingi kila wakati. Huu uchaguzi ningetaka Katiba isimamie. Hii sehemu ya ishirini na tano kwa mia kwa kila province, kwa kiti cha Rais iondolewe lakini iwe sehemu ya themanini kwa mia nchi yote. Rais ningetaka awe anachaguliwa mara mbili kwa kila miaka tano.

Viongozi wote wa siasa wawe na ruhusa kufikia kona zote za nchi yetu. Wawe wanapewa ulinzi unaofaa. Kwa vile nchi yetu kuna dini nyingi ningetaka kuwe na uhuru wa kuabudu.

Ukulima ukiwa uti wa mgongo wa nchi yetu ningetaka wakulima walindwe na njia ya kununuliwa mazao yao vizuri na wakati soko linajazana serikali iwe inaweka pesa za ziada za kumsaidia mkulima asishindwe na uwezo wake wa kulima. Vitu vya kutumia shambani wakati wa kulima kama fertilizers ama machine zinazotumiwa Katiba ijaribu kulinda zisiwe na bei ghali sana. Mimi ningesema kama Katiba ingelinda mkulima kwa njia ya kwamba kile chochote kinaweza kupatikana hapa nchini kisiwe kinanunuliwa nje isipokua kuongeza wakati kuna ukame.

Serikali iwe inarekebisha barabara nchi yote lakini iangalie zaidi pahali ambapo mapato ama utajiri wa nchi unapatikana zaidi. Katiba inahitaji kulinda misitu yetu isije ikaaribiwa ovyo ovyo. Kwa masomo watoto wote walindwe na Katiba wapate elimu ya msingi bila ubaguzi. Na hii quota system ya masomo ya juu kuanzia secondary hadi chuo kikuu iondolewe, watoto ama wanafunzi wachaguliwe kwa uwezo wao. Niko na hayo tu asante.

Com. Adagala: Asante sana. (inaudible).

Interjection : Inaudible

Godfrey Kairie: Mimi jina langu (inaudible) kichwani mwako, sasa ile inabakia ni chache tu. Mimi nasema Katiba ibadilishwe pesa hii, ukiangalia hii pesa hapa unaona hii pesa, ndio iko juu ya kirauni. Mimi ningetaka ikiwezekana pesa iwe chini ya kirauni. Natukikamatwa kabla haujafika kwa judge usitoe pesa halafu anaachiliwa. Kwa sababu mimi nimeona mengi, ukienda polisi mwizi akishikwa au mwizi akiua mtu anaambiwa atoe TKK, sijui hicho kitu kinasema nini, hicho kitu kinaitwa TKK. Mimi ningetaka Katiba ibadilishwe hii pesa kwa sababu zamani tukipewa uhuru haikua namna hii lakini sijui hii inatokana wapi. Ibadilishwe kabisa. Ya pili ningetaka---- (interjection)

Com. Adagala: Ni mambo ya sign,

Godfrey: Watu wakienda pale wanaambiwa watoe kitu kidogo halafu wanaachiliwa, hata akiua mtu anaambiwa atoe kitu kidogo halafu anaachiliwa. Hiyo nikiangalia hii pesa yangu mimi naona pesa ndio iko juu ya kirauni, na taka pesa ziwe chini ya kirauni. Halafu ukishikwa mpaka upelekwe kotini.

Ya pili habari ya elimu tuko na kile kitu kinaitwa Street Boys and Girls niliona Nairobi, iko wasichana wanakaa na hao street boys. Ningetaka kwa sababu hao watoto sisi ndio tulizaa na ningetaka Katiba itafute mahali hao watoto wote wajengewe mahali pa kwenda kukaa kwa sababu niliona hata wasichana wako na watoto hapo hapo tu. Wawekwe mahali wasomeshwe

kama vile tulikua na Starehe Boys, sasa imekua ya matajiri, ukienda huko hata ukiwa hauna uwezo huwezi kusoma huko. Hao watoto wajengewe mahali wakae.

Ya tatu, hii misitu yetu imeharibiwa na watu wenye elimu kubwa na jambo hili likiendelea hii nchi yetu itakua kavu. Mvua itakwisha kwa hivyo mimi nataka Katiba iangalie habari ya misitu zaidi. Natena Rais asiwe juu ya sheria yote, akitaka mtu auawe, hakitaka kutoa huyu, kazi yote, asipewe kazi zote, agawie wabunge na wale wengine. Ya nne, iko kitu inaharibu pesa ya Kenya sana, mimi sijaona nchi ingine ikifanya namna hiyo Rais akitaka kwenda kama Tanzania anawachukua watu wote wanaharibu pesa zetu bure na ni sisi tunatoa koti, kama anataka kutuma minister, kama ni Agriculture akamtuma mmoja, kama ni Home affairs anatuma Minister wake moja lakini sio kuaribu pesa zetu hii ni koti yetu ile tunatoa.

Ya tano hiko kitu ingine niliona mbaya sana shule zetu maprimary watu wanakwenda Nairobi hati kwa land settlement kujua ati hii shule haina title deed wanakwenda wananunua sehemu hiyo ya shule halafu mkisema kidogo unasikia hii shamba ni yangu ondoa watoto, watoto wanatolewa kwa shule, halafu shamba inakuwa ya mtu binafsi, alitoa wapi hiyo shamba na ni ya shule?

Ya saba, ni mali ya uma, wale watu wakubwa, matajiri waangalie hiyo mali ya uma. Kama vile kuna social hall, watu wanaenda kununua social hall, watoto wetu watakua wakifanyia harusi wapi? Hiyo tunakataa na hiyo mali ya uma, serikali ichunguze mambo hayo hakuna kuiba mali ya uma. Ie ingine ni mashamba makubwa makubwa, hao wakubwa wetu wako na mashamba maelfu na maelfu ya shamba watu wetu wanapata taabu chifu apunguziwe uwezo wake kwa sababu ukienda hapa kwa chifu unaambiwa mpe mzee chakula, hiyo ilitoka wapi? Ati chifu apatiwe chakula? Akitaka, kwanza hii 'gishangi' ya watu masikini, badala ya mtu masikini kupewa hii gishangi apatiwe mahali kubwa awe akichunga kondoo wake au mbuzi, watu wa serikali wanaingililia wanachukua hiyo mali ya watu wa 'gishangi'. Hawana huruma, hiyo mchunguze. Mimi nimemaliza.

Com. Adagala: Haukusema unataka nini kwa mashamba makubwa? Ulisema tu watu wanamashamba makubwa.

Godfrey: mimi nataka kila mtu awe na shamba ndogo wale wako na mashamba mengi yapunguzwe yapewe wale wasio na mashamba mengi. Na hao wakununu--- (interjection).

Com. Adagala: Kama heka ngapi ni shamba ndogo mzee?

Godfrey: Kama heka hamsini, hiyo inatosha mtu hata akiwa ni tajiri, yeye ako na elimu, ako na mashamba. Hii Katiba yetu tunataka imalize hiyo. Na ingine sisi tukipewa uhuru tuliambiwa na Katiba ya mzee Kenyatta ati mkenya anaweza kumiliki shamba ikiwa ni Kisumu, ikiwa ni Mombasa, ikiwa ni Lamu, mtu yeyote ako na haki ya kumiliki mashamba mahali popote hata hapa kwetu, ikiwa ni mjaluo aje hapa anunue shamba hapa hataikiwa ni muembu, aje anunue shamba hapa hapana kusumbua watu wa Kenya, ukienda huko unapigwa...(interjection)

Com. Adagala: Okay Reverent Allan, Reverent yuko? Mwingine anafuata ni Geoffrey Kithire, Itika tafadhali, Jane Wambui, okay.

Jane Wambui: niguaria na Gikuyu.

Translator: Nitazugumza kwa lugha ya Kikuyu.

Com. Adagala: kulikua na mama mwingine, alikua nani. Alikua nani? Ngoja kidogo mama. Kulikua na mama mwingine alikuja? Chairman ulikua unasema aje? Chairman can you listen to me, there was another mama is she the one, there was another one what is her name? Rahab halafu mwingine alikua nani? Akina mama wako wangapi hapa? Okay mtapatana njoo mbele mama halafu tutaenda lunch. Amatupumzike kidogo?

Jane: Niongee kikuyu ama niongee na ki nini?

Com. Adagala: Lugha yoyote unataka, unadakika kumi, sasa hayo mazungumzo yako na kutafsiri itakua dakika kumi.

Jane: Sitaongea sana.

Com. Adagala: This are Constitutional rights ataongea lugha ile anataka na wewe unajukumu kwa Katiba la kutafuta mtafsiri kama hayuko wewe utatafsiri mwenyewe.

(Kikuyu translated in Swahili)

Jane Wambui: Keria ikeyenda kuga thi'nie wa burori witu wa Kenya ngwaria mwena wa tumia tondu ne nderona andu angi tamarutete maoni ma kira aina.

Translator: Yeye anataka kuongea upande wa wanawake kwa ajili wengi wametoa maoni yao kwa upande ule mwingine wakiraia.

Com Adagala: Inaudible

Translator: Ndio, Ndio, sina madharau, tutaendelea ndio. Endelea

Com. Adagala: Heshima ni kitu kizuri sana na lazima utatafsiri vile mama amesema, mimi nilifundishwa kikuyu na Ngugi Wa Thiog'o tena nilisoma Alliance High School.

Jane Wambui: Keria ikyenda kuga mwenaine wa tumia ni twetekagerio onathiwe turagame ite sia President na Bunge.

Translator: Na vile anasema wakina mama wakubaliwe wagombanie kiti cha Rais na viti vya Bunge.

Jane Wambiu: Athuri macenjerio Gatiba iyo ya kogeria atumia makere meciye tondu tario neyo mageritie moke goko.

Translator: Wazee wasiwaache kina mama nyumbani kwa ajili ndio wamewaacha nyumbani.

Jane Wambiu: Tario nie uranyona haha tondu ndiri mothuri aria mina athuri matikioka

Translator: Kwa ajili huyo hanabwana, wale wanamabwana hawawezi wakaja hapa.

Jane Wambiu: Atumia mtikerio onao mahio megonda todū onaithe totiri megonda.

Translator: Wanawake wakubaliwe kupatiwa mashamba kwa ajili hata wao hawana mashamba.

Jane Wambiu: Atumia maigera waffici nao makaheyago getio tondu ona tario twathe Offici totiheya'go iteo.

Translator: Akina mama wakiingia kwa ma office wapatiwe heshima kwa ajili hata wakiingia hawapatiwi hiyo heshima.

Jane Wambiu: Torogame kinya ite cia ma-councillor na cia MP twetekerio kinya totweke Ma-chief.

Translator: Wakubaliwe hata kuingia katika kambi ya councillors na hata ua chife wakubaliwe hivyo hivyo.

Jane Wambiu: Ndiri na maoni maingi kwendega, kwendega omo na muno muno mathuri. Atumia metekiryo maumere negitha nio marerer'ye atumia aria ange.

Translator: Hana mambo mengi ya kujadili lakini anauliza akina baba wakubalie akina mama waje watoe maoni yao. Wazee wamekubali akina mama waje?

Interjection: Ndio.

Jane: Simnaona hapa hakuna wanawake, sio wakina mama wabaya, wababa ndio wamekataza wakina mama wasije.

Com. Adagala: Huyo mama amesema mwenyewe msiseme ilitoka kwa mahoteli makubwa makubwa, nyinyi ndio mnawazuia akina mama. Hakuna sheria ambayo ina-restrict akina mama kusimama kwa office yeyote, lakini nyinyi ndio mnawafanya wanakaa nyumbani. Amesema intimidation, haya asante huyo mama mwigine ni nani?

Margaret Mwangi: Margaret Mwangi

Com. Adagala: Margret Mwangi endelea.

Translator: Margret Mwangi, continue.

Margaret Mwangi: I would like rapists to be given nothing less than life -sentence I mean rapists yes and a special person specially a lady be put in a place where violated women can report. Women who are raped, there should be a special person whom they can report to, preferably another woman, because when they report to men may be in a police station these cases are usually dropped before they even reach the court of law.

Com. Adagala: Huyu mama mnaheshima kwa yeye au mnataka kuzugumza, will you keep quiet till they keep quiet. You must respect this mama already you have shown publicly that you have no respect for women by leaving them home and I want you to know we are going to report, this hearing may not be legal kwa sababu haijatimiza.

Com. Salim: I think the point being made is that once this lady started speaking some people around started speaking among themselves and that means you are not taking her views seriously and that has a much wider implication. Inaonyesha kwamba kama Tumekua tukizugumza tangu asubuhi kina mama hawapati heshima ya kutosha na matatizo yao kama yale wametaja hivi sasa ya kuingiliwa na wanaume na kesi zao wakipeleka kushitaki hazisikizwi na polisi kumbe society yenyewe pia haichukui jambo hili kwa ile seriousness ambayo inafaa na hayo ni mambo ambayo yanahusu sheria kwa hivyo yanahusu na Katiba na ikiwa wananchi wenyewe hawajali yanayotokea kwa akina mama kushambuliwa, kuingiliwa manyumbani na heshima yao kuvunjwa, tutabadilisha vipi maisha yetu au Katiba yetu. Hata tukibadilisha Katiba juu ya jambo kama hili ikiwa watu hawaoni kwamba ni kitu kibaya itaendelea tu na sisi tutashitakiwa kuwa Katiba yetu haifae. Kwa hivyo kwa isani zenu mambo hayo tuwashikilie sio leo tu lakini katika siku za mbeleni. Tuwape akina mama haki zao za kila aina.

Com. Adagala: Kwa sasa heshima ya kwanza ni kumpa huyu mama nafasi ya kusema na sote tumsikilize.

Margaret Mwangi: Ya pili is that men should be made to provide for the children father outside wedlock or even before they get married. Ya tatu ni concerning property, that a couple's property should not be interfered with by the extended family in the event of a husband's death. May be a law should be made to force married men to register all their property jointly with their wives. The other one is culture or no culture female genital mutilation should be made illegal. The other one is that the President should only be given power to hire but not to fire. The other one is the President should only be allowed a maximum of three terms of five years. The other one is that although we are democratic country a minimum of three political parties should be allowed because even in the developed countries like America and Britain we do not have so many political parties and yet they are known to be democratic.

The other one is that all government employees should be given house allowances especially those people in the forces. Because they have families and these families I do not know where they are expected to live. The other one is that the 8,4,4 should be scrapped and replaced with 7,4,2,3 system and the other one is women should be given more chances in running the government, be given more challenging ministries, be appointed even as chiefs, as DC's and DO's because they proved there are able because of the way their run their families, the way women are the ones at least who support the family so if there are able to support the family then, ---- (interjection)

Com. Salim: let me ask one very big question for clarification, You talk in terms of three minimum political parties, I think you meant maximum.

Magret Mwangi: Yes maximum, sorry

Com. Adagala: the other thing just for information, in the UK and the US, I think other people are saying the US has above ten

political parties only that there are two major ones. The UK also has other parties, for instance the US has the Communist Party, I think even the Green Party, only that people come together and realize that we have the same agenda and they consolidate, I think that is what is happening here. So we have two major ones or three major ones, because actually it's true we do not have 48 different views to have 48 different parties. I think Italy has more than we have so we are not the only one. But just to correct that they have major two or three major parties. Asante mama umechangia vizuri, nimefurahi nimesikiza mama vile mnaona ana maoni yake pia na huyu mwingine ni?

Dominica: Dominica Wanjiru.

Com. Adagala: Dominica uko kwa registration? Endela

Dominica Wanjiru: Mimi nitaongea kidogo juu ya wanawake. Mimi ningeomba kuwe na equality wakati wa kupeana mashamba kama vile mwanaume anapewa shamba hata mwanamke awe anapewa shamba kiasi hicho hicho, Tena if a man owns 10ha. of land and may be a woman has none they should have equal ownership of land and then the title deed should bear the two names.

Com. Adagala: Address the Commissioners, talk facing this side.

Dominica: Okay, The title deed should bear the two names, you find the title bears Mr. and Mrs. James Kamau but there is no name for the woman in that title. So I would wish that title deed to bear Mr. and Mrs. John kamau and MrsJane Wambui because when the title bears the name of a man the woman is not there.

Com. Adagala: Just put your points bila explanation.

Dominica: Then we should have equal responsibilities, we should also have equal access to education by all and education should be compulsory. We should have health services and these health services are not equal because women have the national duty especially on delivery that one should be emphasized and should be free to women, so reproductive services should be free in medical area, education should be free for children under 5 years. Immunization.

Com. Adagala: At the moment they pay?

Dominica: Yes they pay.

Com. Adagala: When the government announces that there is immunization for polio you go there and you pay.

Dominica: They pay yes.

Com. Adagala: Okay.

Dominica: Minimum women agenda in all political parties. Women would like to be addressed in the new Constitution, if the President is a woman the vice President should be a man and vice versa. Parliament should have a 1/3 of women in the Parliament and we should also think of our young ladies who are not married especially the single mothers who live with their parents, they should have a piece of land when the parents are dividing the land, that is the ownership of the land and I think the rest is in the memorandum and I will stop there.

Com. Adagala: Thank you very much for your, views okay now when you say title should bear two names that is for matrimonial property sababu ni tofauti inafaa useme ile huyo mwanamke ame contribute.

Dominica: Tuseme bwana yangu saa hii anaitwa John kimani hiyo title yake inaitwa John Kamau kwa hivyo,

Com. Adagala: Property gani? Sio majina, kwa sababu inafaa ujue kila unasema, unasema kwanza msichana apate mvulana apate, halafu unafunga ndoa sasa ukifika kwa mme wewe unashamba kutoka kwa wazazi wako, yeye anashamba kutoka kwa wazazi wake shamba gani iwe kwa majina mawili ni ni ile baadaye au ile pia ilioko.

Dominica: Saa ile mume anapata shamba kwa baba yake jina liwe la mume na mke.

Com. Adagala: Na ile mke amepata kwa mama na baba.

Dominica: Msichana hapati shamba kwa baba ule mwenye hajaolewa apate shamba kutoka kwa baba.

Com. Adagala: Umependekeza wote wapate, watoto wa nyumba., umesema hapa jambo lako la kwanza ilikua equal inheritance, okay inafaa ufikirie kwa sababu hiyo inzugumziwa kwa ile property mume-pata pamoja. Kwa sababu saa zingine uenda report ikatoka nauseme lakini nilisema hivi. Ile inaitwa matrimonial property, yaani property ambayo imepatwa kwa marriage. Kwa sababu unahaki umechanga umepeana nafasi na nguvu zako na property imetokea inafaa iwe matrimonial property. Asante kwa sababu imeonyasha hata profession yako imeingia hatungejua hiyo ya immunization lakini imesaidia pia kujua ndani. Lakini inafaa ijulikane, kitu kinatokea affirmative action ndio hii tumefanya hapa. Inatokea kwa sababu society haitaki kupea wanawake nafasi, na society inasimamiwa na wanaume, hiyo ndio inatokea ukikataa affirmative action ujue inatokea kwa sababu wanawake wanawekwa kando na society au walemavu wanawekwa kando na society au minority wamekua pushed aside. Halafu wanawake wanasema serikali itusimamie ili tuwe na nguvu kwa sababu nyumbani hawana nguvu, kwa society hawana nguvu hiyo ndio inatokea lakini tukiwa na roho nzuri na tukose kuwa na ubaguzi affirmative action

itatolewa. Asante sana tuende mpaka saa nane turudi hapa. Chairmna njoo mbele kidogo.

Com. Adagala: Jina lako ni nani, ulikua registered? uliandika jina lako hapa? Lakini usikuwe na hiyo tabia. Haya tuendelea.

James Kariuki Ndirangu: Asante sana yangu yale nataka kuchangia kuhusu Katiba mimi nataka hivi chifu wa area ya kwetu kama location awe akichaguliwa na raia. Sababu tunatolewa watu mbali tunaletewa watu hapa bila sisi kujua, mimi nataka bwana DO awe akija hapa anatangaza kiti kiko nasisi tunamchagua chifu sisi wenyewe. Kuhusu wabunge, hawa watu wanatutesa sana, tunawachagua halafu wanatutoroka.

Com. Adagala: Nilisema utoe mapendekezo, unajua maelezo ndio yanachukua muda sana.

James: Tuwe na uwezo sisi raia wakati mbunge anatoroka kama hayuko tuwe kama watu elfu moja, sisi tupeleke ujumbe kwa Tume yakuwachagua. Sisi wananchi tumfutilie mbali huyu mbunge wa kwetu kama hajaonekana na raia kwa mda wa miaka mbili katika eneo lake.

Com. Adagala: Ingingine kwa Bunge.

James: Kuhusu Rais, Rais wa nji hii asiendele kutawala nchi hii baada ya mda wa miaka mitano. Kuhusu shule zetu Katiba--- (interjection)

Com. Adagala: Sema atawale mda gani.

James: Miaka mitano peke yake. Kuhusu shule zetu Katiba ipitishwe hivi kutoka darasa la kwanza mpaka darasa la nane shule zetu ziwe za bure bila sisi wananchi kuitishwa pesa zozote. Nafikiri sina mengine ni hayo tu.

Com. Adagala: Sasa umefurahi umetoa maoni? Hizi shule zingine ziko aje, za secondary na hakuna jambo lingine kwa Rais. Okay very good Tumekakamua hayo.

Rahab Mumbi: Rahab Mumbi, gwitu ni mirangini,

Translator: Anaitwa Rahaab Mumbi kutoka Mirangini.

Rahab Mumbi: Ndirenda Katiba ndirenda tuthondekerwo bara.

Translator: Anataka katika Katiba barabara itengezwe.

Rahab: Na mititu itu itige kugaywo, irorwo muno.

Translator: Anasema hali ya misitu isije ikangawanywa kuwa mashamba na iangaliwe kabisa.

Rahab: Na twathagwo na watho wa andu tutige gwathwo na watho wa nyamu.

Translator: Kwa sheria ziwe za kibinaadamu si za kinyama.

Rahab: Na cionje citu cia Kenya imenyererwo muno tondu itiri murumbuiya. **Translator:** Wasio jiweza walemavu, waangaliwe na kwa ajili hawana watu wa kuwaangalia.

Rahab: Na Rais uria turigia, athanage miaka itano, ndagacoke kuhituka hau.

Translator: Na Rais atakaye changuliwa adumu kwa miaka na hasipitishie.

Rahab: Na irio citu imenyererwo tondu itiri na mubaririri, urimi witu ndoragagwo, nduri mwene.

Translator: Mavuno kwa wakulima yaangaliwe sana kwa ajili hiyo sector haiangaliwi vizuri.

Rahab: Na ciana citu iria tuciarite anake, mena thina muno na nikipio maiyaga magikaga metugo tondu ni magire mawira macaririo mawira.

Translator: Watoto wetu ambao tumewazaa haswa vijana waangaliwe kwa sababu ndio wanafanya makosa kwa ajili hawana kazi kwa hivyo washughulikiwe.

Rahab: Na njohi ici ciarehirwo cia ibango cieherio, tocokerio njohi cia kawaida cia ugikuyu.

Translator: Hizi pombe za kumi kumi na bango ziondolewe na pombe ya kienyeji iruhusiwe.

Rahab: Tondu nicio citumite bururi witu uchoke na thutha na ciana citu ireme na athuri mage kurima na mage kuriithia.

Translator: Ndio hizi pombe zinaharibu watu hawaji nyumbani na wanaume wanatoroka nyumbani hawafanyi hata kazi ya kulisha ng'ombe wanatoroka nyumbani. Pombe za kienyeji, ni?

Rahab: Muratina,

Translator: Pombe za kienyeji, mratina

Rahab: njohi cia ibango ni twarega.

Translator: Pombe za vipango tume kataa.

Na njohi ni muthemba ungi uriku wa kienyenji tiga muratina?

Translator: Na pombe, ni aina gani nyingine ya kienyeji ispokuwa muratina

Rahab: Muratina noguo wari wa kienyenji na njohi ya mutu, iyo yari ya kienyenji. Icio a kari, kari, a tonya andu ciothe iria cithukite ciana citu na athuri aitu cieherio.

Translator: na pombe zingine kama busaa zirudishwe, pombe kama kali kali kama tonado zinaharibu hata ma bwana zetu ziondolewe

Rahab: Na twitikiriw gucagurwo Bunge atumia ona ithui no twathane,

Translator: na wanawake wakubaliwe kuchaguliwa kwa Bunge kwa ajili hata wao waweza kuwahudumia wananchi

Rahab: Ini ona ithui no twathane.

Translator: hata wao ndio wanaweza kushughulikia wananchi.

Asante enda pale ujiandikishe.

Com. Adagala: Asante sana mama, I wanted her to tell us, sababu wakina mama hawaja fika kwa mkutano huu.

Rahaab: Yeye hawezi akajua kabisa lakini alipata matangazo siku ya jumapili na ndio amefika leo.

Com. Adagala: Okay, alipata matangazo. Haya tuendelee, Chege hako hapa? Nataka kujua hakina nani wako hapa basi. Councillor Francis Kimani yuko? Haya, Francis Thuo Waweru yuko, Jackson Maina Kamau, hayuko? Muchiri is it? Joshua Ngugi, Josephat Wang'ombe, Njoroge Kithaya okay, Sammy Kimani tutawaita mmoja baada ya mmoja kwanza na Councillor. Peter Njoroge yuko? Isaak Mbugua. Most of those on this page are there so lets deal with them.

Francis Kimani Kivunye: My names are Francis Kimani Kivunye, am a Councillor Ngoriko Location. Am also a member of the Three Seas and the Chairman of Ol-kalau constituency. Preamble: The people of Kenya need a Constitution, which should act as a compass to guide and steer our country into the future to safe guard the stability of our economy, to protect the democratic and human rights of our people and act as a reference to the future generations to come.

Political parties: To exercise our democratic and human rights we need political parties, which to my views should not be more than five parties. Any Kenyan should be free to be a member of a party of his her choice. Parties should be free to form government of coalition if during the general elections non of the parties gained more than 50% of the total votes cast national wide. Any party that garners 50% and above of the total vote cast can form a government by itself.

Parliament should be the highest authority of the land and should have the powers to discipline the President incase of breach of his/her terms of his office. Any Kenyan at the age of 25 years with a maximum of 70 at least a KCSE formal education and morally upright, good conduct and having not been jailed for offences other than political can contest for a Parliamentary seat. Parliament should have its own calendar from the date of the first opening session to the dissolution of the Parliament. Parliament should also decide the date of the next general election. Until another government is sworn in the out going Parliament can be recalled by the speaker of the national assembly for any agent national matter that needs agent national attention.

Executive: Any Kenyan who has attained the age of 35 years and a maximum of 70years and be a university graduate with a clean record and having not Committed any offence that warranted jail other than political and seconded by at least by 500 people can contest presidency. The servicing terms should be two five-year term each. The President should be a member of Parliament without a constituency. The provincial administration should ---- (interjection)

Com. Adagala: Excuse me, bwana Councillor and the President should be?

Councillor: And the President should be a member of Parliament without a constituency.

Com. Adagala: So he seats in the Parliament, but he should not have a particular constituency?

Councillor: Yes he will be elected directly like a President.

Com. Adagala: You see what you are saying is, you need to clarify. Kenya is a constituency also, the all of Kenya, you are saying he should not be an MP; do not say without a constituency because anyone elected has a constituency.

Councillor: Then his constituency should Kenya, but not Ol-kalau, Baringo or such like that. or Gatundu. The provincial administration should be maintained to handle civil issues, which are not preferred because of law. The civil issues should be settled between the provincial administration officers and local panel elders so as to reach amicable solutions. We should then reduce the Presidential powers drastically.

Local government: Local authority to be given an autonomy in their respective areas of jurisdiction to control licensing of business, land rating, appointing and dismissing of chief officers of the council.

Com. Adagala: You have one minute left. Si unajua vile tulikuwa tunafanya asubuhi?

Councillor: Am reading for the local government.

Com. Adagala: You are not to read you are to present.

Councillor: To control all finance matters and all matters pertaining to the council and more so to revise the local government act cap 265 laws of Kenya because that act puts more weight on the ministry of local government other than the council itself. The local authority should also be empowered to be in charge of all infrastructure in their area of jurisdiction i.e. roads, bus parks and all other public utilities.

Land and property rights: Land as one of the basic human needs--- (interjection)

Com. Adagala: You will finish with the land one.

Councillor: Land as one of the basic human needs is a sensitive Commodity which the citizens of Kenya should at least have ownership. There should be a ceiling to individual ownership of a maximum of 100ha. per person in the arable areas and 200ha., in pastoral areas. Land ownership should be restricted to the citizens of Kenya only and any non-citizen should surrender land to the government and be compensated accordingly. Kenyan citizen should be free to own land anywhere provided they do not exceed the maximum acreage stated above. Land documentation and all matters concerning the same should be handled by the district land registry and not central registry Nairobi. Am finishing with this madam.

Com. Adagala: Because you are reading you are not respecting I can not, is it written or it is oral.

Councillor: Written.

Com. Adagala: Then you have finished. You will summarize without reading that.

Councillor: Okay, without looking at it. Kenyan farmers, currently are not regarded by the government because the price of maize like in this area is just about Kshs. 400. So it is my proposal that our Constitution should consider the farmer and subsidies should be provided by the government to assist the farmer so that the production cost of the farmer is shared by the farmer and the government, so that the end product will make profits for the farmer.

Com. Adagala: Okay, thank you, Francis Thuo Waweru endelea, written submission, give summary and if you have done writing it means you have gone to school and you know what a summary is.

Francis Thuo: Ya kwanza nitaongea kuhusu kwa Commission yenyewe nipendekeze mambo mawili. Ya kwanza after Constitution draft has been drawn it should be interpreted in various Kenyan dialects for people to read and understand. The Constitution should be incorporated in the curriculum of formal learning.

On Presidential election the minimum age for the President am proposing to be 35yrs of age and a maximum of 65yrs such that when the President is in his or her last term he should be at 70yrs. The 25% rule for votes in every province in the Presidential election should be abolished and we should actually have 55% votes for the Presidential candidate to be declared the winner and if no candidate attains 55%, there should be a second round for the first two. The vice President should also be elected directly by the people as the President's running mate.

On mayors and county council chairmen, I propose the mayors and county council chairman to be elected directly by the people and they should hold a 5-year term in the office. Also the mayors and the county council chairmen should be given the Executive powers as opposed to the town clerk and clerk to the council presently.

On retirees I propose the government should make sure this people are paid their benefits before they leave office and if their benefits will not be given out by the time they will be leaving office they should not be removed from the payroll.

On provinces I propose that the provincial Commissioners office to be abolished so that we may be left with the DC's office so that people in certain regions will not have the thinking that they belong to certain areas like the Kikuyu's in central province, Luo's in nyanza and so forth so we remain with district Commissioners office no provincial offices. DO's should be retained. Senior government officers should be appointed by the President and their names forwarded to the Parliament for approval. Examples of permanent secretaries, heads of parastatals and so forth.

On road carnage I would propose that high taxation of passenger vehicles makes the owners over load and overspeed in trying to recover the money there invested in that business, so to reduce this we would like the government to lower the taxes so that over speeding and over loading would be minimized.

On employment the government should create jobs for its people and if it fails it should provide all those who have trained in various disciplines with basic human needs for survival. And that is those people who are Form Four certificate holders and also the university graduates. The office of the chiefs, I would propose that they be maintained and those people should be transferable, that means chiefs would be transferred from one place to another to avoid creating chiefdoms just like the DO's and the DC's are transferred from one place to the other.

On milk because this area actually we are milk producers the government should help the dairy farmers to revive KCC so that the farmers can be able to market their produce and also KCC with conjunction with the dairy board should be given the mandate to import milk produce when there is need, but not individuals so that the Kenyan dairy farmer may be safeguarded. Honorable Commissioners that is all I have.

Com. Adagala: Thank you very much.

Com. Salim: Bwana Francis Thuo you talked in terms of duties on vehicles to be reduced and you said the reason why they should be done is to help the owners to recover the insurance and so on.

Francis Thuo: The money they invested in that business.

Com. Salim: But surely is that the reason why they should be helped. They over load there is also the element of greed. The reason why these duties are heavy or why they should be reduced is not because you want to help them pay back what they paid in purchasing the vehicle. It could also be because the vehicles themselves are damaged by too many trips, so in a way there are the courses of the own problems. Basically I do not want to put words in your mouth but there is that element of greed and so in a way they encourage more and more duties being enforced on them, it is a vicious saga really, the more they overspeed and the more they do this insurance people complain insurance go up and these people claim they are not making any profits because the duties are high. In a way you simplified the problem, that's all am saying.

Njorige Githaiya: Honourable Commissioners our dear local MP, general citizens, am happy to be given this chance to air my view as pertains the formation of the new Constitution. I will start with the first proposal that I have, I would like the new Constitution to support the formation of a coalition government where by all political parties will participate in the running of the government. On the side of the Presidential election I would like the Constitution to scrap the 25% clause, which spells that any

President must gather 25% of registered votes in 5 provinces. Instead of that I would support 51%. I would support the President to gather 51% of the registered votes. On the side of

Com. Adagala: You know you are saying two different things, if you say 51% of registered voters, you know you need to clear on your ideas, do not just get them out, because you can have 8000 voters registered then 2000 votes and you get a 1500 and you will not get to be isn't? because you haven't got 4000 so you need to be clear, because I feel sometimes people are just getting out some words, be clear about what you are saying. Is that any example, which is making things clearer? You cannot say if you say registered voters, people can just stay away and you do not get to be, yes--- (interjection)

Njoroge: I was referring to the votes casted. On the side of legislature Parliament should be empowered as to be setting its own time table and members of Parliament should be aware of the date of opening and also the date of dissolution. On the side of taxes I would propose that taxes be reduced because as we stand currently Kenyans are the most taxed people and this taxation has promoted corruption in away that people do evade taxes. Taxes be reduced.

On the side of security I would like security to be enhanced, individual security should be enhanced and also property security, each and every citizen property should be protected. And one should be in a position to own property in any part of Kenya. On the side of creation of new constituencies I would propose that this be based on population basis rather than party affiliation or definition.

On development, infrastructures like roads and electricity should all be based on economic potential not as it is currently whereby you find that that areas which are economically viable do not have proper roads which can be used in transportation of goods.

On the side of education I would propose that education be free so that it can be accessible to every citizen in Kenya and the 8,4,4 system be scrapped and be replaced with 7,4,2,3 system which was there before. The quota system be also scrapped also so that our people can be in a position to mingle with others just as it was. This will promote national unity. I would also propose that we have free medical services in Kenya so that we can have people who are able to promote development of the country.

On the side of our Members of Parliament and also councillors, I would propose that they be literate, people who are educated and the minimum education should be Form Four and they should have passed at that level. On the side of the President, the President and vice President should not be members of Parliament and the vice President should be elected directly by the citizen. The President should not be above the law when he is in the office, he can be impeached at any time. When he commits any crime. On the side of election, during campaign all political parties should be funded by the Treasury so that they can make their campaigns effectively. All Presidential candidates from all registered parties should be offered state security during their campaigns. I would also suggest that in case of change in any election a change pertaining to the President, there

should be no change of currency as it has been we should have a Common currency in Kenya currently bearing the portrait of the founding father of our Nation and that currency should be in circulation in Kenya through out just a we have in the United States of America.

Com. Adagala: There are several Presidents on different currencies in the US so do not use an example, which is not actual.

Njoroge: Okay sorry.

Com. Adagala: If you think when you go into explanation sometimes you can contradict yourself. It is just enough to say founding father. Founding father would not qualify in the US because they only appear 50years after death and there are some other countries which have just a flower.

Njoroge: Okay, Lastly I would propose there be total separation of powers, the Executive should play its own role the Judiciary and the legislature. I would look down upon a situation whereby the Executive is interfering with the role of the Judiciary or any other arm of the law. That is what I had, thank you for that chance.

Com. Adagala: Thank you for your presentation. You know Kenyans we are fond of using other people examples without knowing what the real situation is, so we just say like Washington is on the currency, I do not know who else, so when you are making examples make sure they are actual. Thank you for your presentation, I wonder, some people have said we want 25% rule out as some people have said because it is only 5 provinces, why is it not at least 25%, in my mind am trying to clarify at least 25% in all provinces. I know that this is what you gave, but because it has come so many times am wondering why it not at least 25% in all provinces because it is also a matter of distributing the representation. I know the 51% is the one you said but people are rejecting the 25% one of the reason is that it is in 5 provinces so why not all 8 provinces? No it is okay you do not need to answer because it is not your proposal but am wondering out loud. Let's have the next person Samuel, Peter Njoroge, Mbugua is here?

Isaac Mbugua: Mimi nimekuja kuwakilisha watu wa Ngolika, nanitasoma kama vile wameandika. Nguvu ya Rais--- (interjection)

Com. Adagala: Kama umeandika kitu unakijua- what we want you to do is give a summary I do not know why that is difficult, kama umeandika kitu unaweza ukakumbuka hiki na, hiki mapendekezo haya, mapendekezo yale, ili tuende haraka hawa watu wote wazugumze.

Isaac: Nguvu ya Rais ipunguzwe na pia minister wachaguliwe na wabunge. Mambo ya misitu serikali ilinde misitu ili tuwe tupate mvua ya kutosha kwa sababu misitu mingi inaharibiwa. Mavuno yetu kuwe na kamati ya kusimamia mavuno yetu ili

wananchi wasiwe wanaangamia so tuwe na price control. Watoto wakike wale ambao hawajaolewa wawe wakiridhi malikama vijana. Machifu wawe wakichaguliwa na wananchi lakini sio serikali vile wanachaguliwa siku hizi, tuwe tukiwapigia kura kama madiwani ama wabunge.

Vyama vya kisiasa hatutaki zaidi ya vyama vitatu. Pia wanawake wapewe kazi na serikali ndio tujaribu kupunguza magendo. Chairmen wa county councils ama mayors wawe wakichaguliwa na wananchi. Wabunge wawe wakiudhuria vikao vyao kutoka Jumatatu hadi Ijumaa kama watumishi wale wengine wa serikali.

Watoto ambao hawana wazazi tuseme wale wamekufa kwa sababu ya ukimwi wengine kwa ajali wasimamiwe na serikali. Pia tungetaka tuwe na wakati wa kupiga kura tuwe na transparent ballot boxes na pia tunaruhusiwa kuangalia kama kuna kitu ndani sababu ya wizi za kura. Upande wa wafungwa, mfungwa akiingia kwa jela tunaona anaenda kwa jela ndio aweze kua na discipline ya kutosha, si kuteswa na njaa, mavasi, kuchapwa na pia aruhusiwe kuonana na bibi yake kwa sababu siku hizi hakuna ruhusa ya kumuona huko.

Com. Adagala: akiwa mwanamke mfungwa?

Isaac: Likewise. Bwana yake awe akimuona. Upande wa masoma serikali inatakiwa isaidie wazazi wako na mizigo mizito sana kwa sababu karo imekua juu zaidi.

Com. Adagala: You know you have to tell us a more generalized idea. We are coming to you to find out. Sasa unasema serikali, isaidie, sasa wakisaidia na shilling kumi.

Isaac: Okay masomo ya bure. vitambulisho tuwe tukipewa bure. Mtu ambaye amenunua shamba akae kama mkenya lakini asiwe akasumbuliwa na wananchi wale wengine kwa sababu ya ukabila.

Com. Adagala: Kipande unaitishwa something?

Isaac: Unaitishwa Kshs.300.

Com. Adagala: You see, for me I was told, my daughter's waliniambia kuwa waliambiwa watoe Ksh. 50 for the photograph. Pia mimi nilipoenda huko mbeleni ikawa ni 50 shillings za photograph. Kama ni Kshs.300 ni ufisadi. Because everybody has been saying this na mimi najua ni Kshs. 50 ya photograph. Hata wewe mwenyewe ukichukua photograph itakua karibu 50 shillings. So I do not know hapa, kila mtu mmekua mkilipa 300.

Isaac: Hapo ni 300.

Com. Adagala: Haya asante, mheshimiwa wa hapa hiyo in yako. Tunafuata orodha, sasa mheshimiwa ndio next kwa list hawezi kupewa nafasi tofauti.

Eng. Karoe Muriuki: So honourable Commissioners, na wale wamefika siku ya leo hamjambo nyote? Hapa? Kwanza ikawa namna hiyo let me take this opportunity to welcome you in the area tulikuwa pamoja jana kule Ol-kalau na nilipeana maoni yangu huko lakini iko or two ama tatu ningetaka kutaja na kwa ajili ya jina langu mimi jina langu ni Eng. Muriuki Karoe Muriuki, sija weka honourable, honourable ni ya hawa, wakitoa hiyo inaenda, na yale maoni yangu nilipatiana kwa sababu nilikua na maoni mengi sana kuhusu hii Katiba yote na ni vizuri niseme, hicho kitabu nilipatia Commissioners sitaki kurudia lakini ni vizuri watu wa area hii nao wajue maoni yangu, nilikua nimeandika kitabu kama hiki ambacho kimeingia kwa ile kitiba yet ya wakati huu ambayo iko na clauses ama sections 122 na nimefanya comments zangu kwa kila moja ya hizo 22 ama hiyo subsection yake ndio maoni yangu yajulikane ni mengi sana kwa hivyo siwezi sasa kusoma hapa au nitaje yote. Hata hivyo nitataja tu two or three ambayo nafikiri ni mhimu ya kwanza ni.

Com. Adagala: Sasa tutachukua hii kama oral presentation

Eng. Muriuki: Ya kwanza hii kazi inaendelea kujaribu kurekebisha ama ku-review Katiba iwe delinked completely na elections. Yaani election ile inatakakina iendelee mwaka huu iendelee, hawa watu wa kurekebisha wakimaliza mbele ya Decemba sawa, ikiwa inaendelea hii kitu Tumeingoja miaka mingi sana iendelee. Uchaguzi uendelea, ya pili ni President sasa uchaguzi wa President tunasema Katiba hii tuko naye apate 25%. Na mimi maoni yangu ni tutoe hio tusema awe na absolute majority yaani watu kuliko nusu wale walipiga kura yaani 51% ikiwa hakuna mtu wale walikua ma-candidate wamefikisha hiyo warudi wale top two ndio tuone yule shujaa ni nani. Hiyo itakua sasa yule President amechaguliwa atakua na absolute majority ya wananchi.

Ya tatu hii wale watu wameteuliwa na President, President ako na power nyingi sana na ndiye anachagua Vice President, ndiye anachagua ministers ndiye anachagua secretaries, ndiye anachagua wakuu wa parastatals na nini, my Comment is, I have no quarrel with that lakini akichagua yule amechagua sasa kila mmoja wao (inaudible) kila siku ajue bado ako kazini kwa sababu President akisema hana kazi anaondoka kesho anababaika hawezi kufanya kazi sawa sawa. Kwa hivyo mimi nasema maoni yangu akiteua jina fulani Muriuki awe Minister wa barabara kwa mfano aambiwe sasa huyu atakua huko miaka kadhaa, tuweke kwa Katiba minimum three years in official appointments. Ndio sasa ukiwa umeteuliwa huko if you are made the Managing Director of Kenya Power, unajua uko na miaka kadhaa ya kufanya kazi.

Ile ingine ni budget iwe people driven, hiyo ni kusema wakati budget inakaribia MPs wa kila sehemu ya uakilishi bungeni anaketi na watu wake na wanakubaliana priorities zao ni gani. Kwa wakati huu tunaona hata pesa kama hizi za kuelimisha watoto wa University unaona mimi niko na watoto huko lakini there is no formula. Ningetaka iwe people driven, kila MP apeleke maoni

yake na apeleke kilingana na maoni ya watu wa area yake.

Honourable Commissioners allow me to correct an illusion which is tunasema tunataka elimu ya bure, hospital free and so on na watu wengi wanapeana examples za developed countries like Amerika na Europe ukienda kama juzi juzi tulikua Europe na tunauliza watu mambo ya taxation na wanatuambia ni kweli elimu iko free lakini there is an education tax, kuna health tax kuna nini, na tukihasabu hiyo tunaona in ghali hata kuliko vile tunalipa hapa Kenya kwa hivyo mtu asipeana hiyo as a reason of lowering taxes I just saw it is an illusion which we have which is infact not true, most of the people private taxes they pay more than half of their earning. Ingine na hiyo nikuunga mkono ile imesemwa hapa lakini naona ni muhimu sana na ya kwamba boxes for balloting wakati wa,

Com. Adagala: Excuse me mheshimiwa, unapendekezo gani kwa education na health? I know you have explained and that is actually the true situation.

Eng. Muriuki: So what am saying, we should not say that we should have less taxes it will not help us because it is an illusion. We think we can pay less and then we get free education that is why I said allow me to clarify that dis – illusion because it is not true. Now yale masanduku ya kupiga kura yawe transparent boxes ndio wakati tunaanza kupiga kura tunaona it is empty when we finish unaona zile ziko. Najua kuna mpango tuwe tukihasabu in every polling station lakini, mpaka mwanzo tunaona zile ziko. So I recommend that very very strongly.

Com. Adagala: I think also at the end you can see becaue the rigging is in the counting room. Halafu inajazwa,

Eng. Muriuki: Because it is dark you can't see inside lakini ikiwekwa pale na tunaona sisi zote ni ngumu. Nafikiri maoni yangu itafika hapo kwa sababu kama vile nimesema maoni yangu ni mengi sana yako kwa kitabu, nilipeana jana na sitapeana tena lakini honorable Commissioners have stood here and I may not have another chance, kuna kitu ningependa kusema this is not on Katiba, tuko na bahati sana kwa sababu ya usaidizi wa kurekebisha barabara, ilikua inatusaidia hapa na ningependa kitu kimoja, ningetaka hawa watu wasikie kwa sababu niko hapa, wale watu wamepewa hiyo barabara kujenga niliwauliza kama wanaweza kuajiri watu kutoka area hii wale wanajua kazi za barabara na nikatuma watu waende round waone kama kuna wale wanajua kazi za murram, ama maji ama nini na wale nilipata kutoka area hii ni madereva wengine wanasema kazi ya mkono kwa hivyo na simama mbele yenu nikisema ikiwa kuna watu ambao wanajua kazi ya barabara tafadhali mnipatie jina lako, if you have any construction skills I would like to know. Thank you.

Com. Adagala: sasa umekua kama chief anafanya announcement kwa matanga, Asante mheshimiwa Tumejaribu kufanya civic education ili tujue tena tujue mbeleni tulikua na free education kwa sababu kulikua na loans za education na health, lakini baadaye ikaonekana education and health are not immediate investments so you can't borrow oney to go and pay. So we were getting loans for social services. So baadaye ikapinduka pinduka. Ni vizuri tunawakati huu tupange nchi yetu vizuri. Na

mheshimiwa ametusaidia hapo kwa elimu lakini tujue kila kitu si Rais. Josephat, yuko hapa, okay George Muchiri, David Mwangi njoo forward. Wachira EK, Joseph Kariuki forward, Patrick Thairu forward, what is this Kennedy, Okay mwe tayari kabisa kutoa maoni direct.

Josephat Wang'ombe Kichora: Maoni yangu nataka kwanza barabara iwe inatengenezwa na serikali. Maoni ya pili councillor akuwe anapewa pesa kidogo kwa sababu ile pesa anapatiwa anapatiwa pesa nyingi. Maoni ya tatu, chifu akuwe wanachaguliwa na raia, oni la nne, mashamba ya wabunge ikuwe 100ha. Mbunge anakua na 50ha. 1974 JM Kariuki aliuwawa kwa sababu ya kusema Rais akuwe na 100ha. naye mbunge akuwe na 50 acres. na mimi naona hiyo ndio nzuri. Hawa watu wa serikali wote kwa jumla yule mtu atakayeshikwa na hatia ya kuongwa anafutwa kazi, nao walimu ndio wakubwa kuliko watu wote kwa sababu ndio wanasomesha watu. Hata Rais alisoma, mbunge alisoma, daktari alisoma wapatiwe mshahara mkubwa. Ya mwisho wakulima vitu vyao vyote vinapotea bure. Asante

Com. Adagala: Umetoa maoni vizuri asante, Josephat yule anafuata Josephat ni David Mwangi. Okay endelea David Mwangi.

David Mwangi: Ile Katiba ambayo ningependa tuwe nayo kutoka wakati huu nakuendelea ningependa Katiba ambayo upande wa kuridhi isiwe na kesi nyingi ama kuwe na process kubwa na vile vile iwe kama ni malipo iwe kidogo ili watu wote waweze ku-meet hiyo succession.

Kuhusu upande wa street children hawa watoto ni wa watu, baba na mama, isipokua hawawajui hao wazazi, lakini hata wengine ni watu wakubwa. Hao watu wawe wakisomesha hawa watoto kama wanajulikana, halafu wale watabaki ulo kwa barabara ambao hatuwajui wachukuliwe na wazazi wao wasomeshe. Quota system isiondolewa kwa-sababu ikiondolewa kuna sehemu ambazo watu hawatabahatika kwa sababu ziko nyuma kila kitu kiko nyuma. Na kwa hivyo hao watu watakua disadvantaged. Kwa upande wa quota system yale mashule ambayo ni National schools Yamejengwa na pesa za serikali ama yalijengwa zamani hizo shule zifanywe quota system lakini sio shule kama hizi ambazo Tumejenga hapa na pesa zetu. Hizi za hapa zikue zetu lakini zile zilijengwa zamani hizo ziwe za quota system.

Lingine ni kuhusu uhuru wa kuabudu. Uhuru wakuabudu umefika kiwango kume kuwa na makanisa mengi ambayo mambo yao hata haijulikani kwa hivyo makanisa yote yangefutwa halafu yaanze kuandikwa upya na kuwe na Committee ambayo ina uwezo wa kui-test na kuona kwamba inafaa kuwa kanisa ama haifai kuwa kanisa.

Madiwani na wabunge: Wale madiwani na wale wabunge tuko nao, hawako sawa kwa sababu diwani mwingine ana-represent watu wengi kuliko yule mwingine kwa hivyo ingefaa kama diwani wa hapa ako na watu elfu kumi hata wa Nairobi awe na watu elfu kumi ili hao madiwani wawe sawa. Wakulima kwa wakati huu hawafaidiki na mimea yao, ni kuambiwa wanaambiwa walime lakini hata baada ya kulima hakuna mahali pa kupeleka chakula. Kwa hivyo upande wa ku-import chakula kama mchele, mahindi, maziwa iwe inafanywa na Bunge wakati huu haifai kwa sababu wabunge wako na watu mpaka vijijini.

Upande wa ndoa tunaona watu wengi wakifariki kutokana na shida katika ndoa, wengine wanasema hakuna marriage certificate, hakuna hii, watu wakishaishi kwa mda wa miaka saba pamoja wawe na marriage certificate ama sheria iwe ina wa-declare kuwa bibi na bwana.

Kwa upande wa kujiandikisha, kwa upande wa vitambulisho huu mda upunguzwe iwache kuwa miaka kumi na nane ikuwe miaka kumi na sita kwa sababu siku hizi watu wa miaka kumi na sita hata nao wanafahamu vile ulimwenge unaendelea. Na hata wao wangetaka kuchagua watu. Nahata tunaona ni watu wakubwa hata wanazaa.

Haya, upande wa development, kuna sehemu nyingi sana zinaleta manufaa kwa taifa hili lakini ukienda hakuna mahospitali hakuna barabara kwa hivyo zile sehemu ambazo zinaleta vitu vifikiriwe kwanza kabla ya mambo mengine. Nafikiri ni hayo tu.

Com. Adagala: Hii miaka kumi na sita watu wamesema na wewe umesema ili wawe na nafasi ya kuchagua (interjection inaudible), sasa unasema pia hiyo iwe ndio umri wa kupiga kura. Asante sana tuna David Mwangi. Sasa tunaenda kwa Wachira, Joseph Kariuki. Okay.

David Mwangi: Asante, mimi ningependa kuongea juu ya Katiba ambayo ijayo na nianze na utangulizi wa Katiba maanake kwenye Katiba lazima kuwe na utangulizi. Kwenye Katiba ijao mimi naonelea mimi ya kwamba uwe ni utangulizi ambao, unashugulikia sana mwananchi wa nchi yetu. Kama vile sisi hapa ni wakulima tunalima vitu haina nyingi, tunafuga na tunafikiri tukiwa na Katiba ambayo itakuwa na utangulizi kamili wakulima watafaidi sana. Nikija upande wa serikali --- (interjection)

Com. Adagala: Preamble, mambo ya preamble tutaenda kutoka hapa bila jambo kwa sababu ukisema mambo ya ukulima, sio sasa kwa sababu hujajitayarisha ni preamble nikitua cha fikira kabisa. Utafikiria ni kitu gani cha maana sana kinafaa kuwa kwa preamble kuhusu wakulima. Sababu unatwambia sisi na huyu professor hatujui mambo ya wakulima. Nataka unisikilize vizuri kwa sababu nikieleza hapa vitu mtu anatoa jibu. Inafaa tujue ni nini kuhusu mkulima inafaa iwe kwa preamble. Usisema kama mambo ya wakulima itakuweco, ni mambo gani? Na ninasema sio haja useme sasa lakini unaweza kuandika memorandum uketi uangalie mambo ya wakulima uweke yale mambo yawakulima unataka kwa preamble.

David: Nimeandika sasa nimetaja juu kwa sababu ni refu. Nitaingia kwa upande wa Rais, sisi tunapendekeza Rais akichaguliwa achukue uongozi kwa wingi wa kura ambazo zote zimewekwa kila mahali kwenye vituo. Mawaziri nao wasiwe wanateuliwa na Rais, Bunge lipewe na Katiba ijao jukumu la kuteua Rais katika Bunge. Nikiingia katika kanuni hizo zingine ni kanuni za uongozi kwa sela za dola. Hapo kundi langu linaonelea ya kwamba Katiba ijao inapaswa kushughulikia utekelezaji wa elimu kwa wote. Utekelezaji wa afya kwa wote nchini, kuondolewa kwa ujinga na uvivu miongoni mwa raia ndio wapewe fursa kamili ya kuweco kwa vitega uchumi ambazo zitafanya kuwe na maendeleo nchini.

Sehemu ingine ningetaka kuongea ni juu ya mkuu wa Katiba, kwa sababu sasa tunaunda Katiba lazima Katiba itiliwe maanani iwe na ukuu wake na Katiba hiyo tunaona iwe ni Katiba ambayo inatoa fursa kwa kufuata utaratibu ambapo Bunge haiwezi kubadilisha sehemu yoyote ya Katiba bila kufikia 80% ya kura zote zenye zitawekwa kwa Bunge, ili ndio iwe na uwezo ya kubadilisha sehemu yeyote. Pili Bunge hata kama ndio ngome ya mwananchi.

Com. Adagala: Unasoma na mda wako utaisha, sema juu juu usema mambo yako yote, ukisoma utasema nusu kwa sababu kusoma kunachukua mda.

David: Bunge isiwe na kauli ya pamoja ya kujiongezea mishahara na marupurupu mengineo pasipo kuhusisha mkaguzi mkuu wa fedha na mali za uma. Sehemu yangu ya mwisho-ni kuhusu uridhi na upokezanaji wa uwezo, tunapendekeza kuwe na matoke ya uchaguzi wa urais utangazwe mara tu kura zote zitakapo linganishwa kutoka vituo vyote vya uchaguzi. Katiba iwe na uwezo wa kuidhinisha Rais ambaye anaondoka kushitakiwa kama alivunja au kuaribu mali na masilahi ya nchi na pia kama hakukosa apewe ifadhi na marupurupu yake ainayo stahili yeye na jamii yake. Ya mwisho tunapendekeza kuwe na serikali moja kuu ambayo inauwezo kamili wa kukuza demokrasia kulingana na watu wote wa nchi yake ambapo viongozi wana shuhudia. Ni hayo tu.

Com. Adagala: Okay asante, hapa Kennedy yuko? Okay utampata?

Patrick: Katiba yangu ya kwanza, kwanza ni kurudisha shukurani kwenyu kwa kutusikiliza, Katiba yangu ya kwanza ni kuhusu masomo ya elimu ya bure kwa shule za msingi na iwe ya lazima na iwe sheria katika jamuhuri nzima ya Kenya. Kwa sababu janga la umasikini limetuzidi sisi wananchi na tunaendelea kushindwa kuweza kuelimisha watoto wetu katika shule nyingi za msingi.

Com. Adagala: Halo, halo unasoma? Hiyo ni written submission umebakia na dakika nne na usisome itakumalizia wakati. Pendekezo lako.

Patrick: Pendekezo langu ni elimu iwe free kote katika jamhuri zima ya Kenya ili wananchi waweze kupeleka watoto wote katika shule. Pendekezo lingine katika shule ni walimu kupigwa transfer kote katika ka mashule kila mwaka ukipita, ili tuweze kupata na faida. Pendekezo langu la pili kuhusu kilimo, sector ya kilimo, serikali isiseme kuna uhuru kwa sababu sector kama za KCC ziliaribika na wakulima wanauza maziwa yao kwa shilling tano kwa kila lita. Kama sisi tunauza hapa natunapata hasara kubwa, sisi hatuwezi hata kuelimisha watoto. Hiyo KCC iwe irudishiwe wakulima ili waweze kujiendelea wenyewe, ili waweze kuuza maziwa yao sehemu zenye zemewapatia order.

Com. Adagala: Nakuomba utoe pendekezo, kwa sababu itasaidia sana.

Patrick: Pendekezo langu ni kampuni ya KCC irudishiwe wakulima wenyewe ili waweze kuiendesha kama vile ilikua hapo zamani. Langu ya tatu ni mtu akipatiwa ardhi awe na title deed yake, yaani awe na haki ya kumiliki shamba lake, asije akaitishwa pesa zozote kila mwaka tunalipishwa shilingi arobaini na county council, mimi pendekezo langu ningependa katika Katiba kwa sababu mwananchi amepatiwa title deed ili amiliki ardhi yake asiende tena kuitishwa pesa zisizo halali kwa sababu shilingi hizo alikua amelipa na akapewa title deed, ili ukijenga kiosk yako wasije wakaitisha pesa zingine ushindwe na kuendesha biashara yako.

Pendekezo langu la mwisho na ni la tano ni serikali isaidie wananchi kujenga polytechnique schools ili watoto wanaomaliza darasa la nane kwa sababu ni wengi sana walianguka mitihani mwaka huu uliopita, na tunao manyumbani kwa sababu tumeshindwa kuwapeleka secondary schools wako nyumbani na ndio wanazurura hapa kwa sababu hakuna pahali tunaweza kuwapeleka, hakuna polytechniques. Pendekezo langu ni kuweko na driving schools ili watoto hao wa darasa la nane waweze kuajiriwa na serikali kuendesha magari ya serikali.

Com. Adagala: Asante kwa hayo maoni yako. Wakumfuata ni nani? Kennedy?

Kennedy Njenga: Jina langu ni Kennedy Njenga, mchango wangu kuhusu Katiba tunayo nuiya kuwa nayo,

Com. Adagala: Sijui mngenda record ya hapa iwe na hayo manung'uniko yote mnaifanya mpaka miaka mia moja itakayo fika sijui. Tafadhali tuwe kimia mtu aki-present record ya hapa iwe clear, okay?

Kennedy: Mimi maoni yangu kuhusu Katiba, kuna mambo yanayosumbua wananchi katika ka jamhuri yetu nayo ni muundo uliobuni constituencies unaonekana kwa maoni yangu unakasoro fulani maanake uenda ukakuta kuna mtu anawakilisha sehemu iliyo na watu wachache sana hali mtu mwingine MP constituency yake inawatu zaidi ya mara tatu ya mjumbe huyu.

Com. Adagala: Pendekezo?

Kennedy: Pendekezo langu ni constituency ziwe zikigawanywa kuambatana na wingi wa watu. Jambo la pili katika Katiba ilioko sasa, kuna watu waliopigania nchi hii wakijulikana kwa jina la Mau Mau. Hilo lilikua jina la madharau na mimi ngependa katika Katiba inayoundwa sasa Mau Mau walioleta uhuru katika nchi hii wachukuliwe na mambo yao yawekwe katika Katiba ili wakipeleka malalamishi yao yawe niya watu wanaojulikana walikomboa nchi hii kutoka mikononi mwa wakoloni na hawa wa wakati huu hawana heshima hata kidogo hata kwa wale wanao ongoza nchi hii. Sina mengi mimi.

Com. Adagala: Okay mzee unajua watu wamesema, nakuuliza kwa sababu wewe ni mzee makamu, wanasema tufanye constituency kwa population unajua nchi hii watu wengine wanaweza kusema wao wanataka kusafiri kwa sababu watu, wewe mwenyewe unajua kunawatu ambao walikua kwa emergency kama ile ilikua hapa mpaka 1991, hawakua na haki yeyote

hawakua na maendeleo yeyote na pia kuuwawa wameuwawa, wamepigwa risasi. Sasa mjue vitu vingine ni sensitive kuna watu watakaosema kama hatuko kama wale wengine wacha sisi tuwe na nchi yetu.

Kennedy: Maoni yangu si kama namna hayo.

Com. Adagala: Lakini na sema ukisema iendelea kwa sababu unaweza kusema hapa iko over populated yes, na wao waseme wao ndio wamelinda population, wengine wanaweza kusema wao ndio wamechungu uzazi. Nasema tu, sitaki ujibu lakini mjue mkisema kitu kuna opposite views, so if we are going round there will be opposite views, there will be some other people who will say they think they have been denied this, so they should get it. Kama vile wamekua denied barabara na wale ambao walipata wasipate. Even this things of education, watu wanasema sehemu zingine walikua na nafasi 1960, 1970, 1980, 1990 sasa it is there turn to rebuilt schools so that they can be on the same level. Okay. Am not saying sikuandami wewe lakini nasema tukisema vitu pia tujue kuna watu wako kwa hali tofauti, kama hii ya population kwa constituencies ni sawa, kwa sababu tunasema hapa kwa sababu tuko watu wengi. Wale wako kwa sehemu ya watu chache watesema yao. Naikifika national Constitutional forum itakua na majadiliano na hii takuwa imesema iwe popullation na wale watasema lakini sisi hatuna population kwa sababu hatukuwa na development, vitu kama hivyo, hiyo ndio majadiliano itatokea baadaye. Ili tusione ile tunasema ndio itakua au inaweza hata kuwa na wengine waseme iaendelee hivyo hivyo. Okay.

Kennedy: Kitu kinachofanya niongee na namna hiyo ni kwa sababu yule mtu anawatu kidogo akiwaita mara moja wanakusanyika na anawashauri vile mambo yanavyoendelea endelea. Nafikiri mwingine akiwa na watu wengi anaweza kufanya mkutano ata wiki tatu kabla haja kusanya watu wake wote.

Com. Adagala: Yule ambaye hako na watu wachache atakwambia lazima na nimeona hiyo kwa sababu nimetoka sehemu kama hizo last week, anaenda 100 miles. Kuna constituency zingine ziko 300miles across like that, sisemi ni vibaya itakua na balance kwa national Constitutional conference ambayo itakuweco na watu wote watakusanywa watu mia sita tulisema hii asubuhi, lakini watu wengi hawatakuweco, sasa yote yatachanganywa na watu watakua wakijitetea, wewe unajitetea hapa sivyo? Yah lakini pia kuna hiyo itatokea wakati huo. Kujitetea itakua aje? Na sio kusema hii haitakubaliwa kwa sababu watu wakiwa wengi, ni watu wengi watu wakiwa wachache ni watu wachache. Haya.

Com. Adagala: Daniel Kamau, Alex Kimondo, Ngao yuko? Itika kama uko, ako wapi? simama uje mbele. Jessy Muturi, kamora, Peter Kamora, Kavata haya njoo.

John Gitau: Jina ni John Gitau,

Com. Adagla: Mpeni mzee heshima, tafadhali, office ya officers hallo, George mpeni mzee heshima tafadhali.

John: Mine is on the side of farmers in Kenya, a farmer should have a say on his crops. when selling his crops in the market his money should come directly to him, a go between person should be avoided in handling this money. On the side of co-operative societies, they should revived our KCC, KFA, BBK and many others should be there so that our youth can get employment there.

About administration, we have an assistance chief, chief, DO, DC, PC they should be appointed and interviewed by the Public Service Commission. On education there should be a free education from nursery to standard eight. Also when a child leaves form four to my view there should be one year either in the university for discipline and more learning on human relationship because his degree will depend on the nation. There are some ministries which should be given maximum support by the government, these are ministry of health, ministry of agriculture and veterinary department because most of our people rely on that.

Also we have our natural resources, these are mines, we have places in Kenya where mines are mined, we have our forest we have animals where our tourists come and pay lot of money to the country. All the money collected should be drained in the government revenue because it is from this place where this money will be distributed to the country. Employees seekers on the side of administration, parastatals, co-operatives, these people should be trained personnels to handle this post. Also people in the education sector seeking employment through Public Service Commission should be qualified and their academic qualifications merited. We have animals in the national parks and reserves, these animals sometimes destroy our crops and also they kill people, the law of compensation should be applied immediately.

Powers of the Executive should be trimmed, that is office of the President. We have citizens who live as squatters, some live in the slums, some on the road sides, they should be accorded with health care, shelter, clothes, water, food and amenities as basic needs. The government should look at that. On the side of electing the President, he should be a holder of a degree in economics, political science, all those two tied with a diploma in theology. We have also some maps in the Ministry of Works which show that a certain roads in Kenya or some places are tarmacked, but when you go physically to this places the road are not tarmacked. The new Constitution should look at that because the citizen is the sufferer.

Also we have women's rights, disabled rights and the children rights, these should be observed very highly in the Constitution. On the other side we have retirees, on this issues I take teachers, once they retire after the age of 55 there some things removed to them these are National Insurance Hospital Funds, House Allowance and it does not mean when such a person goes home at that age he grows young, no he grows old. Therefore, these things should be there. National Insurance Hospital Funds, House Allowance and some other amenities that the government can look at because the person has served for the nation for 30 or 40 years. All that is enough for me.

Com. Adagala: Thank you very much mzee we are satisfied. Okay nani anafuata? Ngao yes, Ngao endelea.

Ngao Maruru: Kwa jina naitwa Baroc Jai Ngai. I propose Executive powers to be shared as follows. We shall have a President who will be incharge of Parliament and the cabinet. We shall also have a chief minister....

Com. Adagala: Excuse me a President who is incharge of?

Ngao: The government, put it as well as Parliament.

Com. Adagala: I want you to say it clearly because you are saying government and then you say Parliament.

Ngao: Parliament and Cabinet.

Com. Adagala: How shall he be incharge of Parliament?

Ngao: MP's shall be under him, we shall also have a chief minister who will be incharge of justice, Prosecution that is AG Chambers, the public service Commission and the office of the Controller and Auditor General. We shall also have deputy chief minister who shall be incharge of security and defence. We shall have a Prime Minister who shall be incharge of local government. All these shall be elected directly by the people but they will not be MP's. On the side of Parliament I propose in the next general election, since in my view, I feel we have too many Parliamentarians, I propose each Parliamentarian should occupy a minimum of 3000sq Km and a minimum population of 150,000, maximum population 450,000 this expects the population of Kenya to stabilize at about 52m in twenty years to come. On the side of elections, counting of the ballots should be at the polling station and the result relaid to the Electoral Commission at district levels.

On nationality, ID's should be issued when one is leaving secondary school, incase he will not have gone that far they should be given through the councillor. I propose to have chiefs, DO's, and DC's responsibilities taken over by elected leaders, these are councillors and MP's politics must be fully liberalized where by there is free entry and free exit . MP's must be accountable to their electorates and not to there political parties.

Com. Adagala: can you speak alittle faster so that we can give other people time.

Ngao: Electorates must have the power to recall their MP's incase they do not legislate in their favour. The economy should be fully liberalized, no act of Parliament should be passed to prevent any controls in the economy. Monopolies and duopolies, law must be enacted to make them produce goods and services at international prices and quality.

On the issue of land, I propose that it should be under the state but leads to citizen. The new lease money go to benefit the councils which shall be used to run the health and education sectors.

Com. Adagala: Tha was you last submission.

Ngao: My last submission on the side of forests, they should be fully liberalized (inaudible) the paid to the council.

Com. Adagala: Can you please stop now so that other people can have a chance because you are playing there.

Ngao: Okay.

Com. Adagala: Muturi, Muturi, Kamura and Kavata? Okay.

Peter Kamura: Kwa jina Peter Kamura. Yangu ya kwanza naaza na Rais, Rais hasiwe na mamlaka ya juu. Mamlaka yake yawe yakichunguzwa na Parliament. Ya pili wabunge wetu wakichaguliwa wawe wana fungua office kila location tuwe tukijadiliana nao. Ya tatu hospitali iwe ni free bila malipo, hizi hospitali za private ziondolewe kwa vile tangu hospitali za private zilianza zikawa nyingi ndio matibabu yakawa ya gharama nyingi,. Kwa hivyo private hospital ziondolewa.

Ya nne, schools, tangu wakati tulianza kuwa na school za private, shule za serikali zikarudi chini kwa hivyo private schools ziondolewe. Na ya mwisho wakati watu wanapigania viti wanaambiwa kila mtu anapigania kiti pahali alikua anafanya kazi awache, a-withdraw kazi kwanza ndio apigania kiti. Sasa akisha kuingia Parliament anachaguliwa kila kazi ikawa ni yake. Sasa maoni yangu ni kuwa mtu alikichaguliwa kuwa mbunge awe mbunge bila kazi ingine yoyote, asiwe na kazi ingine yoyote yangu ni hayo tu.

Com. Adagala: Kuna mama ambaye ako hapa? Hakuna akina mama? Central province hakuna wakina mama? Haya tuendelea. Geoffrey Betini Ngethira, Joseph Ng'ang'a, Julius Mwangi, okay come forward. Njungu Mwangi, come forward, Dickson Ndegwa, Estone Mwangi, mtapatana vile nimewaita niko, Joseph Kiragwa: Sema jina lako.

Julius Chege Mwangi: Honourable Commissioners, my name is Julius Chege Mwangi and I do not have a written submission going to represent myself using Kiswahili language so that everyone in the house can understand. Yangu ya kwanza, mimi ningependa Katiba ya Kenya Rais hasiwe na mamlaka kama vile imekuwa kawaida yake, awe akichunguzwa na wabunge katika Parliament. Awe na kura nusu kila area wanapigania. Plot allocation Committee, imekua ni shida sana maskini kupata plot in all towns in Kenya kwa sababu ya land grabbing.

Mimi ningesema Rais hasiwe na mamlaka ya ku-allocate plots anywhere in the Kenya not even Commissioner of Lands. Unless kuwe na plots zimetangazwa katika the council concerned na kuwe na wazee ambao wameteuliwa kuungana na macouncillors, ambao watakuwa pamoja na land Commissioners ndio maskini apate plot ya kujenga pahali pa kukaa. Kuna haya mambo ya raping of the school girls. Mimi ningesema ya kwamba mwalimu yeyote ambaye ata-rape mtoto wa shule mahali anasomesha au pahali pengine awe well disciplined, afutwe kazi, na alee huyu mpaka mtoto amalize shule. Na if it is possible aende prison kwa sababu yeye ndiye mchungaji wa huyu mtoto.

Com. Adagala: Unasema mtoto yule amekua raped?

Chege: Mtoto ambaye amemzaa huyu mwalimu, amsomeshe kwa sababu hata amemuaribia mama yake wakati. Kwa sababu madam Commissioner ulikua msichana na sasa wewe ni mkubwa, kama hungenesoma hungenekuwa, hapa kwa hivyo lazima watoto wachungwe sana hasa wa kike. There are a group of freedom fighters in this country. Before mkoloni tunaongozwa na wazungu hata sasa hizo positions zenu zingekua na wazungu ama wahindi. Lakini kuna watu walienda msituni walipigana mpaka uhuru ukapatikana but hao watu wamesahaulika kabisa, hata mabibi wa wale waliokufa wanakaa tu bila mashamba, yamegawanywa na hawajakuwa considered. Hata watoto wao hawaja soma. Kwa hivyo ningefikiria Katiba ijao hao watu wafikiriwe. Mambo ya quota system.

Com. Adagala: Mtaketi na msembe vipi watafiliriwa. Only you who fought know how mnataka mfikiriwe the problem ni kwa sababu watu wanawacha jukumu kwa watu wengine, kama wanawake hapa wameacha jukumu kwa wanaume. Watu wachache wanazungumza mambo ya wanawake. Lakini freedom fighters mliachia watu wengine jukumu lenu. Sasa mketi muandike vile kwa sababu mimi siwezi kuelewa shida za freedom fighters. Mtaandika na mtume memorandum ingine sivyo mzee.

Chege: Sawa asante. This quota system ya masomo imehangaisha watoto wengi kabisa kwa sababu kuna mtoto ambaye ametoka province fulani amesoma vizuri na amepita na kuna mtoto mwingine ambaye ako katika province zingine hasomi na wakati mtoto ambaye hakusoma na hakupita vizuri anaenda katika government school na huyu mwingine ambaye alisoma vizuri na akapita hakuenda kwa sababu ya quota system hiyo ningefikiria masoma ya shule yaangaliwe katika merit kama vile mtoto amesoma, amepita vizuri aendeleo kwa sababu katika Kenya yetu ambayo tuko, walimu wanakuwa distributed kwa shule nawamesoma katika shule, moja. It is responsibilities of a teacher to go and teach his people properly, kwa hivyo ningesema allocation, iwe kulingana na vile mtoto amepita.

Com. Adagala: Unajua ubaya wa education atukuwa na usawa wa kugawa shule na vifaa in the 60's, 70's, 80's and 90's Ndio hiyo inaleta halafu, lakini mimi sisemi nakubali au la lakini tufanye aje?

Ngao: Mimi ningefikiria kawa sababu kuna National Schools, hizo ndizo ziko na shida. Watoto wapite na waende kulingana na merit. Kwa sababu everywhere in Kenya there are schools na hakuna walimu wametumwa wasomeshe na wanasomesha vizuri and there are all in one grade, hata hapa kwetu kule kuna shule nyingi kuna shule ambayo haifunzi masomo vizuri kwa sababu walimu wanakua reluctant. Kwa hivyo ningesema shuleni watoto wachukuliwe kulingana na vile wamepita. Mambo ya defectors, kama MP amedefect kutoka chama hiki na kingine na au councillor amefanya hivyo ningesema ya kwamaba kuna mbunge wa chama hicho ambaye alikua second, baadala ya kuhangaisha wananchi kwa kuchaguana na kutumia pesa nyingi za serikali yule aliyekuwa wa pili achukue hiyo nafasi.

Hii mambo ya landless Tumeona ya kwamba pengine hata serikali imejaribu kutafuta ardhi ya kupatia landless, Tumeona hata pengine wanachukua sehemu fulani wanawapa lakini katika Kenya yetu kwa sababu ya corruption, those who really have needy cases wale hawana shamba, hii shamba, linachukuliwa na wakubwa hata kama ni Member of Parliament, hata kama ni Ministers na wa kubwa wanenda wanachukua hizo shamba nawanaenda nazo. Zingine wanasema wanapatia wale waliowachagua. Katika Kenya hata kama ulichaguliwa na watu lakini hata wengine walichagua wengine. Na hakuna Kenya mbili na hakuna Kenya ya wengine. Kwa hivyo kuwe na kamati ambayo itachunguza land allocation tu-jue the needy cases ambazo zitafanya hawa watu wapate land, lakini sio yule mtu ako na 100ha., 1000ha, anapatiwa anaenda kuuza.

Earlier on nilikua nimeongea mambo ya rapes of school girls. Mimi sasa ningependa kuongea in general mambo akina mama wote. It is bitter enough ya kwamba wa mama wetu wanakua raped, wanafanyiwa kama kinyama, they should be well respected kwa sababu wao ndio pia wanatuzaa. Yule atakayepatikana na kesi hiyo ya kurape any woman, awe nikama yule aliyeiba with violence apate kiboko ya kutosha na apelekwe katika prison, na ikiwezekana kama ni mbaya sana anaweza kunyongwa. Kina mama must be respected kwa sababu hao ndio walituzaa likani wanafanyiwa na sisi wanaume kinyama kabisa. You meet with her you rape her and on.

Upande mwingine ni Judiciary upande wa kotini. Unaona hata kama mwingine ameiba na amepatikana na vitu ambazo ameiba lakini bribes zinapelekwa kotini na huyu mtu anakuwa released mimi ningesema any magistrate ambaye atakua involved in such cases afutwe na afungwe. Madam Commissioner ningesema serikali ya mbele kabisa hata ya jusi kulikua na pesa tasilimu za serikali ambazo zilikua zimepakwa rangi ukiguza na namna hiyo nikiku-bribe na CID watakua wamekufuata, hata ukieka na upelekwe katika laboratories utapatikana uliuguza hizo pesa. If corruption is not from our big fish in the country, mimi ningesema hizo pesa zirudi kwa sababu nikiwa nimekuonga surely nimekupatia pesa kwa mkono tasilimu na utafuatwa na CID na utashikwa na hizo pesa lakini the problem hata CID huyu atakufuata naye ni corrupt naye pia atapewa pesa atakuacha. Nunakuja upande wa police.

Com. Adagala: Hio iwe ya mwisho mzee.

Ngao: Mimi ningesema mambo ya polisi wawe wakiajiriwa baada ya kupata recommendation kutoka kwa chifu na kwa wazee kwa sababu wakati polisi wanapelekwa katika district yetu ya Nyahururu mtu anatoka pahali anatoka na pengine aliwa mwizi na anajiriwa na akipelekwa katika kikosi cha jeshi anafundishwa sasa kupiga risasi, hao ndio wanatoka huko wanachukua bunduki wanakuja kupiga wazee na kina mama usiku kwa nyumba. Kwa hivyo ningefikiria kwamba kila mtoto ambaye ataajiriwa katika police leave alone jeshi awe na recommendations kutoka kwa chifu na kamati katika location ndio sasa ijulikane ya kwamba huyu mtu ni mzuri na huyu mtu akienda afanye makosa hiyo report itarudia huyu chifu.

Hizi pesa za Kenya au za nchi zingine tunatumia pesa nyingi sana kwa kila President, sasa tulikua na Kenyatta zitageuzwa

zikawa za Moi, tukakua na mwingine, tukakua na mwingine, I think we are spending a lot of money kutengeneza pesa zenye picha ya President. Mimi ningefikiria iwe ni either Moi au kenya, wale Presidents wote watakuja, zote ziwe na hiyo picha yake. Tutumie pesa moja tu katika jamhuri ya Kenya. Tusitumie pesa nyingi bure. Niyo tu.

Com. Adagala: Kunasheria ya pesa nikama kumbu kumbu hiyo portrait. Sasa mheshimiwa alisema kwa nchi zingine inajukua miaka hamsini ndio inawekwa hiyo, ni kama kumbu kumbu sio kuweka watu wambao wamefariki juzi au wale wako hai. Hapo ungesema aje?

Ngao: hapa ningesema katika Bunge hiyo sheria ipelekwe katika Bunge ikaguliwe na wa -bunge.

Com. Adagala: Umesema vizuri kwa sababu vitu vingine vinafaa viende Bunge. Haya ni nani anafuata kamura, jina lako

Henry Wanjohi Timothy: Jina langu ni Henru Wanjohi Timothy, na mimi nataka kuzungumza juu ya mambo matatu ambayo mimi naona yanapaswa kurekebishwa. Ya kwanza: kuna sheria moja ambayo ilikuwa hata zamani hata wakati wa ubeberu. Na Sheria hiyo ni kuhusu shamba, ati ya kwamba mtu akija kwangu aniulize nimpatie mahali pa kukaa tukae naye kwa mda mrefu kama zaidi ya miaka kumi. Wakati ule mimi nitamwambia ati yeye sasa ni vizuri aondoke, sasa yeye inakua ni ngumu, tunarururtana na yeye. Tukienda kotini sasa yeye huko anambiwa kwa sababu nimekaa na yeye lazima ni mpatie sehemu ili aweze kuishi. Hiyo sheria mimi naonelea ya kwamba itolewe kwa sababu hiyo inaleta ugomvi hiyo inaleta chuki na wakati yule mtu akaniuliza kwa hiarinilimpatia kwa uzuri, lakini nikimuuliza aondoke kwangu sasa inakua ni shida. Hiyo sheria ifutwe kabisa kwa sababu inapiganisha watu hata kuuana watu watu wanauaana kwa sababu ya mambo kama haya. Hiyo ni moja.

Ya pili ni mila za watu, kwa sababu kila watu wako na mila zao, ningependa kwamba hii mila ziwachiwe watu wenyewe wawe wakijitengenezea wakijikatia wenyewe. Kwa sababu mila zetu zikiingizwa kwa mila zingine bila kuwa na hiari, hiyo inaleta mzozo au mgogoro. Kwa hivyo hizi mila ziwachiwe watu wenyewe lakini kile kitu ambacho watakuwa wao wenyewe waone ya kwamba haifai watawacha wenyewe. Kitu ambacho kitafaa sana ni elimu ili waelimishwe na elimu itamaliza hayo maovu yaliyo kwenye mila zingine.

Ya tatu, ningependa kuzungumza juu ya soko huru: Soko huru ni jambo ambalo tumeletewa na wale watu ambao hawajaelimika, hawaelewi soko huru ni nini. Walikua wakifikiri ya kwamba soko huru itawaletea utajiri kwa sababu kila mtu atauza mali yake vile anataka. Sasa imegeuka, badala yakupata utajiri imegeuka ikawa ni umaskini, watu wamezoroteka kabisa.

Kwa hivyo mimi napendekeza ya kwamba kabla watu hawajaleta vitu fulani au mambo hawajui wawe wakielimishwa kwanza ili wajue chenye wanaenda kufanya, hivyo ndio tuondoe umasikini. Ningependekeza kuwe na price control hasa kwa mambo ya mashamba, ile chakula na mambo mengine ambayo yanatumiwa na mwananchi wa kawaida. Hiyo ningetaka serikali

isimamie kwa kuweka price control ili watu wasiweze kufilisika zaidi. Hilo naonelea ni jambo nzuri liwekwe kwenye Katiba. Na kama wanataka kupendekeza kitu fulana au kuingiza kitu fulani waelimishwe kwa sababu watu wanaingizwa kwa mambo hawajui halafu tena yanawaumiza. Hayo yangu ni machache tu. Asanteni sana.

Com. Adagala: Asante umechanga mambo mhimu na ni vizuri. Nani anafuata huyu mzee? Nani huyu? Jina? Asante mzee enda uandikishe hapo. Are people coming to register.

Cllr. Joseph Kariuki Ng'ang'a: Kwa majina yangu kwanza ni councillor Joseh Kariuki Ng'ang'a ambaye anawakilisha ward hii ya Dundori. Kwanza ni kukaribisha -

Com. Adagala: Excuse me, Joseph Kariuki Ng'ang'a. Okay.

Cllr. Joseph: Kwanza ni kuwakaribisha hapa mjisikie mko nyumbani na vile vile kwa sababu sitapata wakati mwingine ngesema wakati wa kuondoka, muondoke salama. Basi pendekezo langu la kwanza ningetaka kuongea juu ya President. President apunguziwe zile powers ako nazo, kwa sababu Tumejionea mambo mengi kulingana na vile tunatawaliwa. Rais ambaye tuko naye anaweza akasema hivi na vile, wakati wowote anaweza akaua, anaweza akakunyang'anya, anaweza akakufuta kazi wakati wowote.

Interjection: (Com. Adagala) Councillor.

Cllr Joseph: Kwa hivyo pendekezo langu ni apunguziwe zile powers zake. Ya pili.

Interjection Com. Adagala) Nataka pendekezo na nitaenda one, two, three. Umesema one, two.

Cllr. Joseph: Nimesema apunguziwe powers zake.

Com. Adagala: Councillor nataka uendelee na uendelee kwa kasi usiwe na maelezo.

Cllr. Joseph: Ya pili ni hali ya local government: Tuko na yule katibu wa baraza, ningetaka vile vile naye apunguziwe powers zake. Ya tatu ni hali ya voters. Wakati wa kupiga kura zile kura tunapiga ziwe zinahesabiwa mahali Tumepigia kura. Hiyo ingine ni juu ya councillors, wawe na population ambayo ni equal, kila councillor awe na jumla ya watu fulani kama ya yule mwingine.

Kwa upande wa elimu ningetaka kuwe na elimu ya bure kuanzia pre-primary mpaka standard eight. Kwa upande wa hospitali ningetaka tuwe na free medical care na tuondoe cost sharing. Kwa upande wa madaktari ningependekeza wapatiwe mishahara

ya kutosha ili tuokoe wizi wa madawa. Kwa upande wa vile mtoto akifikisha miaka kumi na nane inasemekana anachukua kitambulisho na awe ameo. Pendekezo langu ni kua awa amefikisha miaka ishirini na tano na awe ameo.

Interjection: Com. Adagala: Awe amefikisha miaka ngapi?

Cllr Joseph: Awe amefikisha miaka ishirini na tano na awe ameo. Kwa upande wa mashamba kuna watu ambao wako na hekari nyingi katika nchi hii.

Interjection: (Com. Adagala): Pendekezo?

Cllr. Joseph: Pendekezo, ningetaka wale watu tuko nao sana sana vijana, serikali iwapatie angalau mashamba kama heka tano tano hivi. Kwa upande wa street boys and street families.

Interjection: Com. Adagala: Umependekeza nini kwa mashamba?

Cllr Joseph: Nimependekeza kwa sababu watu wengi wako na hekari nyingi, pendekezo ni wale hawana wapatiwe hekari tano.

Com. Adagala: Na juu ya watu wasiwe na mashamba makubwa makubwa, kubwa yenyewe iwe nini?

Cllr. Joseph: Wale wako na mashamba makubwa wapatiwe kama hekari 100.

Com. Adagala: Okay endelea. Iwe ya mwisho

Cllr. Joseph: Kwa hali ya hao vijana au street boys and street families ningependekeza serikali iwapatie mashamba. Kwa upande wa Electoral Commission--

Interjection: Com. Adagala: Hiyo ndio ya mwisho mzee.

Cllr. Joseph: nayo ningependekeza kwa ule mda unaopewa voters, wakati wa kupiga kura uongezwe kama siku mbili au siku tatu. Ni hayo tu, asante.

Com. Adagala. Yule anamfuata ni nani? Niliita majina. Haya nitaenda kwa karatasi ingine basi. Kama hamtaki kuchukua jukumu lenu. Njogu, Dickson, Estone. Nataka muwe hapa mbele mzungumze.

Njogu Mwangi Ngingo: Jina langu ni Njogu Mwangi Ngingo, jambo langu la kwanza kuhusu Katiba ambayo tunatarajia itawale katika Kenya ningesema office ya Rais ipunguziwe uwezo, kwa sababu office ya Rais ndio imekua mashinani ya kuaribu nchi yetu ya Kenya kwa njia ya ufisaidi na mambo yote maovu katika Kenya. Ya pili waheshimiwa .

Interjection: Com. Adagala: Mzee ukichukua mda hivyo tutakuambia uketi.

Njogu Mwangi: Ya pili waheshimiwa ni juu ya uchaguzi wa Rais na kura zote ambazo zitapigwa katika vituo vya kura, viwe vikihesabiwa pale na kutangazwa pale ni nani ameshinda. Ya tatu ningependekeza hali ya uchaguzi kwa upande wa Rais awe akichaguliwa na 51% katika jamhuri yetu ya Kenya kwa-sababu tukifuata ile law ya 12% tunaongozwa na minority. Ya tatu madam kuna watu ambao walijitoa muhanga kwa ajili ya nchi yetu itawale, ningependekeza Katiba ambayo itaundwa iwe ikiwakumbuka kwa sababu walipoteza ndugu zao, baba zao na mama zao kwa ajili ya uhuru wa Kenya na hakuna mahali popote hambapo wanakumbukwa. Ya tatu--

Interjection: Com. Adagala: Unataka wakumbukwe vipi?

Njogu: Vile tunataka wakumbukwe lengo letu tulipo ingia msituni madam tulikuwa na mambo mawili ya mhimu ya kwanza ni uhuru na ya pili ni mashamba. Tulipo pata uhuru madam kuna wakina mama waliopoteza ma-bwana zao na watoto wakapoteza baba zao na hakuna chochote walipata katika Kenya. Uhuru ulipopatikana kile kipawa tungepewa kilipewa wengine. Hali ya masomo ningependekeza ule mtindo...

Interjection: Com. Adagala: Huja sema mzee, umesema maovu, huja sema kile kizuri kinachowafaa freedom fighters.

Njogu: Freedom fighters ningependekeza wale waliokufa na wale walio hai wapewe shamba sababu hilo ndilo lilikuwa lengo lao.

Com. Adagala: Yes endelea.

Njogu: Hali ya mashamba yaliyo katika Kenya madam, kuna watu walinyakua, tunajisumbua ili Kenya ijitawale. Kwa hivyo ningependekeza wale wote wako vijini wapewe angalau heka kumi katika Kenya.

Com. Adagala: Na heka za juu zaidi ziwe ngapi?

Njogu: Yule amezidi heka kumi katika Kenya, kwa sababu wamechukuwa kwa njia isiyo halali serikali ichukue na igawie wale ambao hawana mashamba. Ya tatu Madam mimi naonelea nivibaya sana katika Kenya, wanyama wa mwituni kuishi three quarters ya nchi yetu. Na wananchi wa Kenya ambao ndio hasa wanakenya wanaishi quarter (robo) ya nchi yetu. Ningependekeza

serikali ya Kenya tafadhali iwafikirie wale watu ambao hawana uwezo wowote kwa sababu madam ukirudi hapa nyumbani miratini utawakuta wengine wanaishi kwa 100% na jamii zao madam,

Com. Adagala: Nataka pendekezo.

Njogu: Pendekezo langu ni kuhimiza serikali iwashughulikie tafadhali.

Com. Adagala: Lazima useme vile.

Njogu: Iwape mashamba. Hali ya tatu, wale watu tuko na mashamba hapa Nyandarua tunasumbuliwa na county council ya Nyandarua, kila mwaka wanatuitisha shilling arobaini za shamba na hakuna huduma ambayo wanatuhudumia. Kwa hivyo county council ya Nyandarua ni wasaliti, wanatusaliti pesa zetu bure, ningependekeza hizo pesa ziondolewe. Ya mwisho madam, tuko na taabu ya mahospitali, hospitali zetu za kiserikali hazituhudumii kwa njia nzuri sababu wale wanaotuhudumia katika hospitali zile niwale wameweka dispensary zao huko town. Wanachukua dawa zetu wanapeleka kwa hospitali zao kwa hivyo ukitibiwa pale wanakutuma kwa chemistry fulani ukanunue dawa na zao. Sasa ningependeza yale mahospitali ya private yamalizwe madam na nimemaliza tafadhali.

Com. Adagala: Asante, na sauti yenyewe ni heko. Nani next? Huyu ni nani.

Estone Mwangin Kamau: Mimi kwa majina yangu madam naitwa Estone Mwangi Kamau. Ningependelea mamlaka ya Rais yapunguzwe. Ya pili, ningependelea ushuru uchunguzwe sana na Katiba yetu. Nikisema ushuru namaanisha kama vile tumepewa mashamba na tuna vyeti vya mashamba na kila mtu anaponunua shamba hapa Kenya anatoa pesa za kodi mimi nalipa ushuru wa kila aina na kununua shamba langu lakini ninapo jenga plot kwa shamba langu serikali inaniitisha ushuru? Kila mwaka ushuru na shamba nimenunua ningependa hiyo serikali ichunguze.

Kitu cha tatu ningependa kutaja ni juu ya elimu kwa sababu elimu yetu siku hizi nimeona imekuwa mbaya na chafu sana. Kuanzia mahali serikali iliweka elimu ya nane nne nne, kutoka hapo niliona elimu yetu imeharibika sana kwa hivyo ningesema serikali ichunguze hali ya elimu na vile vile elimu iwe ya bure katika shule za primary. Tena shule za upili ningependelea kama kunawezekana ziwe ni za hali ya kusaidiana malipo. Kwa hivyo iwe ni cost sharing. Lakini shule za msingi ziwe ni bure katika taifa nzima.

La nne ningependa Katiba yetu itusaidie sana kuhusu hospitali zetu. Hospitali za private, mimi kwanza ningependelea ziondolewe zote kwa sababu hapa kwetu Milangini tuko na hospitali na nizaati kidogo hivi, ni nzuri sana na afya yake ilikuwa ni nzuri lakini zile zingine ziko area hii zinatusumbua sana kwa kua ufisadi uko ndani hizo.

Tena kile kitu ningepedelea niutawala kutoka PC hadi kwa chifu. Nikisema hivyo na maanisha Rais wetu hasiwe ndiye anayemteua PC na vile vile DC na DO. Kuwe na Commission inayomchagua PC na ili Rais asiwe na nguvu kuhusu PC na vile vile kuhusu DC na tena machifu pia kama mimi ningeulizwa kama mimi ningeulizwa pendekezo langu ni wawe wakichaguliwa na wananchi, kwa sababu wale wanachaguliwa hatuwaamini wengi wao kama ni wema kwa hivyo mimi pendekezo langu ningependekeza wawe wakichaguliwa na wananchi wenyewe. Tena juu ya wajumbe wetu ningependelea wawe wakichaguliwa na wananchi wanaenda Bunge nao wanachaguwa Commission kama hii yenu, kuliko mtu awe akiichagua kama Rais hivi, ama ati mezani hivi ziwe zikichaguliwa. Na mimi naona tena civil servants wote Katiba itengenezwe kama kikundi ambacho kitakuwa kikichunguza wafanyi kazi wote wa serikali kutoka may be mwalimu mpaka Rais. Kwa maana kwa mfano, vile tuko naona kama hapa kwetu wakati wa kupewa kitambulisho kuna shida kubwa sana, kama vile tumesema hapo mbeleni kama kuitishwa pesa wakati wa kuchukua kitambulisho huo ni ufasidi na unafanywa na machifu wenyewe na hao ma-commissioner kwa sababu wakiweka mia tatu, mia nne, mia tano hiyo ni pesa yao sio serikali, na kama kuna kikosi ambacho serikali imeandaa ama Katiba yetu imeandaa ya kuchunguza civil servants wote itakuwa ni vizuri ufasidi utapungua kidogo hiyo ndio maoni yangu madam.

Com. Adagala: Asante sana mzee umeenda kwa mda mzuri. Nani anafuata? Nani huyu? Jina, nafikiri wakati wako haujafika. Kuna Joseph Kragu, Nicholas Wabungu. Endelea. Joseph Kiragu yuko?

Nicholas Wabungu: Kutoka tulipo pata uhuru mwaka wa sitini na tatu walio pigania uhuru wakapigwa na wazungu na baadaye wakati tulipo pata uhuru, excuse me, tukasahauliwa, tukawa kama sijui nini. Kwa hivyo ningewaomba Commission yenu itufikirie tupate mashamba, watoto wetu wasaidiwe kwa sababu Tume kua masikini kutoka wakati huu. Jambo lingine.

Com. Adagala: Watoto wasaidiwe vipi?

Nicholas: Wasaidiwe wapewe mashamba, kwa sababu hawa ndio tulikuwa tukipigania. Na walimu pia wapewe.

Interjection: Sasa mzee wao ni watu wakubwa sasa?

Nicholas: Ni wakubwa, watoto wetu ni kama wewe na hata huyu, wapate mashamba.

Com. Adagala: Umeongeza na elimu ndio nikakuuliza.

Nicholas: Halafu hapa nikasema, nikirudia upande wa elimu sasa, elimu yetu ya msingi iwe free na hata ikiwezekana kama serikali ina uwezo kwa sababu nilisikia ya kwamba kodi ya serikali ni kubwa sana, wanapata kama billion mia tatu, wakiweka shule yetu free mpaka university ili mtoto wa MauMau kama mimi asome. Kwa sababu hatapata elimu. Mimi niliacha masomo, nikawekwa kuzuizini au nikaenda msituni kupigania uhuru, sasa mtoto wangu kwa vile niliwachwa nikawachiliwa na sikufikiwa

mtoto wangu mpaka leo ni masikini, kwa hivyo ningependa hao watoto wetu waliopigania uhuru wafikiriwe. Tulipigana, mpira ukapewa wale hawakushinda. Kwa hivyo ningeomba Commission yetu ifikirie sana hali hiyo.

Pia ningeomba hao maoni yangu kuhusu afya yawe, mahosipitali yetu yawe free pia. Kwa sababu wale watu masikini kama sisi waliopigania uhuru na wakatupwa nje hawawezi kujimudu kwa upande wa matibabu, wanakufa kama mbwa, anavurutwa tu kwa nyumba anawekwa nje kwa sababu hana mtu wakumsaidia.

Jambo lingine vijana wetu, sasa naingia kwa nchi nzima. Vijana wetu wafikiriwe kwa upande wa mashule ya kuwaelimisha, akianguka mtihani wa standard eight na hata wale wameelimika wapewe kazi. Kwa sababu wakikosa kazi ndio hao wakipigana usiku, kupiga wazee kama sisi. Wanatafuta bunduki wanatukuta usiku kwa sababu ya ukosefu wa kazi kwa hivyo serikali yetu iwafikirie hao vijana wetu. Wasichana kwa vijana. Kuhusu mashamba, mtu akimiliki shamba lake hana haki tena kufuatwa, kumiliki ni kupata title deed, kwa hivyo county council isinifuate nikienda biashara. Makanisa yetu. Kwa upande wa makanisha jambo ningelizungumzia serikali yetu itoe uhuru wa kuabudu ndio, lakini kuna makanisa kama ya shetani ya kuomba hao wanaitwa, sijui wanaitwa nini kwa kingereza mnisaidie?

Interjection: Devil worship.

Nicholas: Yes makanisa kama hayo yaondolewa kwa orodha, na hata mungiki ndio makanisa na ndio sababu najua mungiki hiyo inaleta vita ndani yetu na ndio nasema wapatiwe kazi na serikali, iwafikirie hao vijana wetu, ifikirie iwapatie kazi kusudi wawache kufanya mambo ya ukora ukora, kama huo wa mungiki. Mahakama iwe na uwezo. Ikiwa mahakama imeamua kesi ya kwamba utanyongwa unyongwe sio kungoja Rais hasiwe na uwezo zaidi, hasiwe above the law, sijui kingereza mnasema namna gani. Awe chini na mamlaka mengi ambayo anafanya katika nchi yetu sasa for example Moi na Kenyatta, wamekuwa amri jeshi nao hawajasomea uanajeshi. Inatakiwa yule atakayekuwa amri jeshi mkuu awe generali ambaye ameitimu, sio yeye. Kwa sababu akiwa na madaraka hayo anauwezo wakusema Kenya serikali ipinduliwe tuanze kupigwa bure kwa sababu anauwezo. Kwa hivyo jeshi liwachiwe mamlaka yake.

Haya upande wa elimu, nina moja, kuhusu mamlaka hayo ya Rais. Kupeana degree mtu asiye na degree hana haki ya kupeana degree, hiyo ni aibu. Mimi najua nyinyi mko mbele yangu mumeitimu na mtu ambaye anakupea degree hajaitimu, hii ni aibu tupu kwa nchi yetu na kuna wale ma professor wetu kwa hivyo ningeomba awe chini ya amri. Akitaka kwenda kutembea aombe ruhusa kwa Bunge. Asante sana.

Com. Adagala: Nani anafuata huyu James Kimani, James kimani yuko? Okay, Dick? Endelea.

Allan Kamau Benson: Yangu madam, nikusema mtu akubaliwe kuishi mahali popote bila kutatitika akiwa na security ya kutosha. Hiyo ni maoni yangu ya kwanza. Katika nchi yote pahali ataweza kua, akinunua plot akiwa pahali popote, aweze

kuwa na security ya kutosha ya kuishi popote. Ya pili naongeza kama vile wenzangu wamesema Rais hasiwe na mamlaka makuu, yaani mamlaka yake yaweze kufupishwa. Hiyo ni yangu ya pili. Ingingine ya tatu, waliojipatia mashamba makubwa makubwa tunaona wengine wako na shamba kama hekari mia tatu na hata zaidi na tunaona ma-squater ni wengi sana kwa hivyo maoni yangu ningeeomba mashamba yale yaweze kufupishwa, mtu awe na kama heka mia moja, yule alikuwa na zaidi, ili wale ma-squatters wawe na kama heka kumi ili masikini wawe kidogo kigogo katika nchi yetu, Maana hata wao ni raia wa Kenya. Ingingine ya nne ni kuhusu wanawake, maoni yangu ni katika kitabu, katika bibilia haifeso tano na mistari wa ishirini na tatu mpaka ishirini na nne. Inasema ya kwamba mwanamke awe chini ya mwanaume na ningeeomba maoni yangu ya kwamba, ni vyema hata wanawake wapewe mamlaka ili yaweze kujimudu kimaisha. Lakini wakifika kwa nyumba hasiwe ni kama anamtawala mwanaume kwa ajili ya vile mungu amesema. Kwa maana mungu ameona mwanamke awe chini ya mwanaume, lakini ningeeona yeye apewe madaraka ya kutosha kama Katiba ikiandikwa, lakini kwa wakilishi kwa nyumba awe ameolewa hasiwe na mamlaka zaidi hata ya kuwa akimtawala mwanaume hayo si mapenzi ya mungu kwa hivyo ningeeona Katiba ikiandikwa iweze kuguzia kitabu hicho cha Haifeso tano mstari wa ishirini na tatu mpaka ishirini na nne ili wawe wakikumbuka hayo. Yangu ya mwisho sitakuwa na mengi sana, nafikiri yangu nimemalia asante sana.

Com. Adagala: Okay ndio wanawake hawako hapa kwa sababu mambo hayo yalitangazwa kwa kanisa na wakaona wafuate jambo la mungu.

Com. Salim: Soma majina ya wale ambao wamejiandikisha na ambao bado hawajatoa maoni, na pia ikiwa wako wale ambao wanadai kwamba walijiandikisha lakini hawakusikia majina yao tujue. Sawa?

Com. Salim: Kwanza James G. Kimani?

Interjection Com. Salim: Tumeita mara kadhaa kwa huyo nafikiri ameshakwenda. D.N. Maina, kumbukeni Tumetaja hakuna aliyeitika kwa hivyo hayuko, Joseph Kinyajui, yuko? Pia ameondoka. Daniel Mbiu from Githima, hayuko, Joseph Mathenge? Alright utaitwa. Peter Kariuki from Mbuthia, hayuko. Stephen Mwangi hayuko, Peter Gachenge? Yuko okay we will call you because Davaid Gingi Chege, hayuko. Ndege wa Wahome yuko? Okay we will call you. Wahome wa Komoje? Alikua hapa akaondoka, asije akaja hapa saa kumi na mbili kasoro dakika moja akataka kusema. George Kago Wachira, yuko? Na mwisho Nahason Mwaura. Sawa tutakuita. Yuko mtu mwingine ambaye anangojea kutoa maoni hakutajwa jina, nani? Unaitwa aje. Maina Ndungu Chege. Mapema sana? Hebu tuone majina? We start with this and then we follow, I think there is time. Fine let us start with this and then we will come to you, we go back to the list. So we call Joseph Mathenge Njiga. Karibu

Com. Adagala: Taja jina lako hili irekodiwe.

Joseph Mathenge Njiga: My name is Joseph Mathenge Chiga.

Com. Adagala: Endelea. Ukiwa na kitu only highlight.

Joseph: First I would like to give a vote for thanks to you of bringing this issues of Constitution review to this area.

Com. Adagala: Thank you

Joseph: Since the Constitution is not a laughing matter, it should be given the most attentive care. My views, for the Constitution is meant to give the citizen of the public a fair chance of choosing their rulers or leaders, to state the rights and freedom of the citizens of the public. The President of this country is powered such that he can make his own rules or roles.

Interjection: Com. Adagala: Please do not read. Tell us what should happen, proposals.

Joseph: My proposals are as follows: The powers of the President should be minimized:

1. He should no be overall
2. He or she should not interfere with the judicial Commission, i.e. if his or her son or a relative had committed an offence he should leave the person to face the law of the country and he should let the law take its course.
3. The head of civil service and the Attorney General should be elected in Parliament by the MPs from all parties, i.e. each party should be given a chance to bring the name of a person.

Interjection: Nilikuambiaje? I think if you are going to read we will have to put someone else there, who will not do that, because I keep telling you if ni vitu umeandika unavijua, if you have written them give us highlights. Give us summary, okay AG, proposal from all parties, next proposal?

Joseph: Each political should give the names of whom they want and the person should be voted in the Parliament by the members of the Parliament.

4. Appointment of vice chancellors should also be voted as the Attorney General and the head of civil service.
5. The President.

Interjection: (Com. Adagala): Excuse me a chancellor?

Joseph: I said the university vice chancellors, the chancellor and vice chancellors should be voted in Parliament as the Attorney General and the head of civil service. The President should be assisting all the parts of the country in development, for at

present there some provinces neglected in development and they are the highest government tax payees with their produce e.g. central province, coffee and tea, western province sugar produce.

Interjection: (Inaudible).

Joseph: What?

Interjection: Com. Adagala: You will not read and you will not go into the proposals. Next proposal peke yake.

Joseph: Okay, proposal no. six the President-

Interjection: Com. Adagala: No, not if we want the proposal this and that. And you are insisting on reading. Kama hutaniheshimu sita kuheshimu, pengine niende kwa Ephesians ndio muelewe.

Joseph: The President should not rig the election, if it is found that the President has rigged the election, he should be removed from the Parliament. No. seven, the chairman of a political party if he wins the Presidential seat, he should not go with the manifesto of his party in Parliament. During the struggle for independent President Moi was a member of KADU and when he took the Presidential seat, he introduced the KADU manifesto and that of KANU was set aside, for KADU was meant for a federal government and that is why we had some chaos in the country e.g. you belong to such and such a district.

Com. Adagala: Please close those papers and give me proposals.

Joseph: Okay: Proposals now.

Com. Adalaga: Tafadhali proposals kwa sababu ni wewe uliandika unless someone else wrote for you.

Joseph: Now I come to the side of security within our country. The DC, DO and the like are the chairmen of the security in the districts and divisions assisted by the OCPD and also the OCS if anything is done in that district-----

Interjection: inaudible

Joseph: Okay sawa, I want if any chaos are committed in the district the DC, DO and the OCPD and the OCS they should face the trial because they have failed in their duties. The administration police officers should be mandated to take their suspect direct to the court of law instead of channeling to police officers. Members of the public should be allowed to follow any suspect they had handed over to police straight to the court of law through the Executive court officer. Kenya should not have

a federal government, majimbo for every Kenyan is a citizen and she or he is free to settle in every part of his/her own country without any discrimination. The minority tribes should not be discriminated by the majority tribe. No. 9. Kenya is an agricultural country and are there some.... (interjection)

Interjection: Com. Adagala: Kenya is an agricultural country and everybody knows about it, now give me any change unataka,

Joseph: Kenya is an agricultural country it produces-----

Interjection Com. Adagala: No, I want you to give me the proposal, am going to insist. Pendekezo lako.

Joseph: Milk and sugar should not be imported , because we have got our own.

Com. Adagala: Yes very good.

Joseph: And those who import if it is a Minister or President and it is found to be true this should be put in the court of law.

Com. Adagala: And if it is the wananchi who are importing?

Joseph: The same they should face the law.

Com. Adagala: You know we keep making values for the rulers and these rulers come from us. So those should apply to us, but everybody keep saying MP's, President and councillors. Sasa mimi nikienda kuchukua 25metric tonnes itakua sawa kwa sababu am not an MP. Itakua sawa? It is not right I will go to Mombasa and import. It will still affect the economy.

Joseph: But the common man had no such a knowledge.

Com. Adagala: There are very rich common people in this country.

Joseph: Unless they have been used by the people.

Com. Adagala: No they do it on their own, there are very many who are doing it on their own.

Joseph: but they do it through the rich common man. The common man us used as----

Com Adagala: He should also be punished, if someone bribes the police, the police should be punished and the person should be punished.

Joseph: My fact is they should also be punished.

Com. Adagala: Okay. Endelea sorry I have disturbed your time.

Joseph: Finally and not the least the President shall not a tribalist and if proved so he should be tried and removed from the Presidential seat. The general election should be guided by security officers to be hired from other countries to prevent rigging.

Com. Adagala: Haya asante (laughter) security. You want to give your sovereignty from other countries. Endele who is next? Peter Gachenge? Okay written memorandum 5 minutes if you read it I will stop you in between. Please watch the time for me.

Peter Gachenge: Thank you the first thing is on the preamble. I would like to suggest that in the Constitution it is should state clearly that it is the supreme law of the and therefore any other law enacted by the Parliament should be null and void if it contradicts the Constitution.

Interjection: (Inaudible)

Peter: No.

Com. Adagala: There was another Gachenga I think.

Peter: The other one is about principles of state policy I have a philosophy I want to suggest, they should be the guiding principle to all the Kenyans and that is unity and prosperity. The other one is on Constitutional supremacy, the procedure where Parliament can amend the Constitution by 65% majority should be abolished and instead the people themselves should do that through referendum.

Com. Adagala: Okay

Peter: On citizenship: I would like to suggest that Kenyan citizens have the right to own land even work anywhere in the country and secondly I want to suggest that the use of identity cards should be abolished should use their birth certificate, driving licenses and passport for those who have them.

Political parties: I would like to suggest that we should have a maximum of three and we should have private candidates who would want to vie for seat in the civic ward and also in the Parliament, but not for the presidency. The party should be financed by the government partly (inaudible) They should also recognize and respect political parties and provide them with the necessary freedom and machinery to organize political meeting and other public forums where they can sell their policies without harassment from the police.

On structural adjustment: Kenya should retain the Executive Presidential system of government without a Prime a Minister and unitary system should also be retained, power could be devolved to lower levels of government through elected leaders at constituency, district and provincial levels and our Kenya government appointments should be vetted by Parliament. And members of Parliament should strike a balance between a conscious and conviction and follow instructions from their party and also from their constituency.

On the Executive I want to suggest that the Presidential candidates should have a minimum of a university degree, that is education, he should be married, he should pass a moral and medical test he should also be religious, he should be known to worship a living God not the devil. A Presidential tenure should be fixed to two terms of 5 years each. A President should suffer impeachment for example for breaking the law, being corrupt or promiscuity, mis-use of power and failing to protect the Constitution. The Provincial Administration should be dissolved and instead we should have elected members at all levels.

On local government, mayors and council chairman should be elected directly and should also have a minimum education qualification, they should be form four graduates at least. And chief officers should decide on their remuneration, salary. Nominated councillors should be abolished. On electoral system, the simple majority rule should be abolished then we should have 51% not for just Presidential candidates but for MPs and also for councillors. 51% of the casted votes.

Interjection: Inaudible

Peter: Sorry, yes, the election date should be specified in the Constitution and should be made public by Electoral Commission at least one year before the elections. And transparent ballot boxes, this is an issue that has been mentioned should be used and counting of votes should be done at the polling stations. Electoral Commission should be free and independent and it should have the powers to nullify elections if it proves that they were violent or they is evidence of rigging or there is bribery or undue intimidation of the voters, they should have the powers to nullify any elections including that of a President. Electoral Commissioners should be Kenyans of high integrity, and unquestionable morals and incorruptible.

On the basic rights, Kenyans should have the rights for education and particularly free education upto primary level and secondary education should be subsidized by the government, University education should be financed through loan schemes and this should be automatic for all students admitted there, regular students. Rights of vulnerable groups for example women,

children and disabled should also be protected in the Constitution. I just want to come to the end.

Transfer of powers, the chief justice should take charge of Presidential powers during Presidential elections and should be the one to preside over the swearing in ceremony for the new President and this should be done in public, not secretly.

Com. Adagala: Thank you very much. Wahome?

Wahome: Commissioners I am going to be very brief, we were with you yesterday in Ol-kalau and am just going to sum up from where I reached. On the President-----

Interjection: Com. Adagala: (Inaudible)

Wahome: I am Wahome Ndegwa so am proceeding from where I stopped at Ol-kalau. The education of the President we expect that he should be a graduate, so that he can understand how the country runs. He should rule for two terms of 4years each. During elections we are saying that the office of the President should be held by either the speaker or the chief justice, so that the person who is the President cannot influence the outcome of the elections.

We are also saying that we should have new section 26 of the Constitution, where by an individual who is offended can be able to prosecute individually. That has happened in civil matters, you just need to give the Attorney General a 30 days notice and we proceed to court with your criminal investigation. We are saying that Parliamentarians should be qualified to an extend to understand the law because they cannot enact a law if they do not understand the law. And also the issue of the Parliament we are saying 30%--

Interjection: (Com. Adagala): Excuse me did we stop you yesterday.

Wahome: No.

Com. Adagala: You presented fully?

Wahome: My time was up.

Com. Adagala: Yes because you are doing explanations, just give proposal, pendekezo because the reason other people also have mentioned them. So just give and that way utafadhi mda wako.

Wahome: We are saying that in Parliament for the time being we should have at least for the next 10 years 30% of representation in Parliament should be women and those who are disadvantaged in the society. We are also saying that there

should be independency-----

Interjection: Com. Adagala: Those who are?

Wahome: Disadvantaged in the society.

Com. Adagala: Okay, what sought of dis-advantage?

Wahome: Like those who are disabled, like, now we are taking about women and children and those who are disabled. Because in the case of women we know that the girl child is usually denied education.

Interjection: Com. Adagala: Okay, hold on, you are saying 30% should be women and then disabled people are separate from women?

Wahome: They should be within the 30%.

Com. Adagala: Okay, because if the other way you said it meant that women who are disadvantaged.

Wahome: No it is women and those who are disadvantaged, 30%. We also think that we should have mayors and chairmen of councils elected directly by the public, and that they should have Executive powers to run their councils. Provincial Administration should be abolished so that we can have an administration subjected to democratic process. On agriculture we are saying that importation when not necessary should be abolished.

Interjection: inaudible

Wahome: We are saying like now we can have a head in a district that is subjected to the democratic process--

Interjection:Inaudible

Wahome: Election yes, also in the province and when it is about the DO and the Chief. On Agriculture we are saying that importations should only be done with authority of the Parliament, when there is deficiency in the country. Authority of the Parliament, for importation when it comes for agriculture and that is when the Parliament knows there is deficiency in the country. On farmers organization we are saying that the farmers should have a stake of at least 51% of representation in farmer's decisions.

Interjection:Inaudible

Wahome: No, they are town-based people who are appointed to lead like KPCU they are not farmers. KTDA, KCC they are people who are fished from the towns. We are saying that representation in the board of directors at least 51% should be farmers elected by the farmers themselves. Also in the Presidential election we are saying that the President should have at least 51% of the vote cast. We should have an independent judicial service commission responsible for appointments in the Judiciary and remuneration. Also we are saying that in our Constitution there should be a provision, which clearly states that the Constitution can only be amended to create more democratic space or increase freedom and liberty of the citizens just like the tenth amendment in America.

Interjection: (Inaudible)

Wahome: To create more democratic space and create more individual freedom and liberties just like the tenth amendment in America. And Parliament should regulate government revenue and expenditure to ensure fair distribution of development in the nation. We are also saying that taxation in the nation should be harmonized. So that we have central taxation mechanism, so that we do have the local authority taxing, central government is taxing, everybody is taxing. We should have harmonized system of taxation.

On the education system we are saying that we should have an education system and a syllabus that will run for at least 30yrs to ensure that parents are not going to the bookshops every other time. Further, commissioners are saying that the Electoral Commission should be independent and commissioners should be people of high integrity and the moral standing and should be vetted by Parliament. Thank you.

Com. Adagala: (Inaudible) How should they be done, to create more democratic space. You have said what they should be, the modalities.

Wahome: They should be by 51% of the MPs. And if there is no consensus in the Parliament, then the same should be subjected to a referendum by the people.

Com. Adagala: Okay naona umefanya bidii. Kuna mama yeyote hapa angependa kupresent, mwengine anasoma gazeti. Je wewe mama utaki ku-present? We are winding up now. Nahashon njoo forward.

Nahashon Mwaura Kariuki: Okay, kitu cha kwanza, ningependa kinahusu afya. Afya kwa kila mwananchi akienda kama afya yake ni mbaya awe akitunzwa ama awe akitibiwa bure. La pili mwananchi alindwe na mali yake. Ya tatu chief ama Assistance Chief wawe wakichaguliwa na wananchi kama si hivyo wawe wakipigwa transfer Kama watu wale wengine

wameajiriwa na serikali.

Interjection: (Inaudible)

Nahashon: Ndio, hao peke yao, hiyo ingine makamu wa Rais awe akichaguliwa na wabunge. Hiyo ingine kila kabila iruhusiwe kuiga ama kuweka utamaduni wake. Mwisho, Katiba ilinde mazingira kwa vizazi vyetu vile vijavyo. Asanteni.

Com. Adagala: Tutafanya nini PC, DC, DO. Sub-chief umesema wachaguliwe. Kama hauna maoni kwa hiyo ni sawa unaweza kuacha kwa sababu hatuwezi tutakulazimisha.

Nahashon: PC awe akiajiriwa kama wenzake lakini asiwe appointed awe pia akiajiriwa.

Com. Adagala: Anaandikwa na?

Nahashon: Serikali, President hasiwe na mamlaka ya ku-appoint PC. ama DC awe akiajiriwa kama wale wengine.

Com. Adagala: Government appointment, sasa ni Public Service Commission kwa sababu ndiyo inajiri watu.

Nahashon: Yes.

Com. Adagala: Ya pili ndio mtindo uko, wabunge wakichagua wao, mtindo ule unaeleweka duniani wabunge wakichagua wanachagua Prime Minister. Si semi ubadilishe na hakuna haja tuwe kama watu wengine lakini nataka kujulisha tu wabunge wakichagua kawaida dunia nzima kwa Parliament, wanakuwa wanachaguwa Prime Minister lakini hayo ni maoni yako sitabadilisha okay.

Nahashon: Ndio

Com. Adagala: Haya, mimi nimechoka. Mnafikiri hatufanyi kazi lakini nimechoka. Si kila mtu amechoka hapa? --- inaudible--- Please note this names so that you will note them in the register, officers okay? Who will note them? Kwanza kabla hatujaendelea tuna msichana hapa Atieno, Atieno uko hapa? Atieno yuko? Ako nje kwa sababu kwa sheria yetu kutoka Bunge, inafaa tuwe na watu ambao hawasikii na sheria inasema lazima tuwe na mtu wa kuwatafsiria, pale Tumeenda Ol-kalau hakukua na mtu kama huyo, pale Tumeenda Kiambaa sisi tulikua Kiambaa and Ol-kalau hatukua na mtu hata mmoja mlevu wa aina hiyo. Sasa inaonekana tunachunga sana utamaduni wetu ambao unasema walevu wakae nyumbani pia wanawake wakae nyumbani. Sasa huyo msichana, na kila mahali commission iko kuna mtu ambaye ameajiriwa kutafsiria viziwi. Wale, mnaita aje kwa kikuyu? Taigwa. (laughter) hakuna taigwa Ol-Kalau? Ninawauliza swali hakuna. Wako wapi? Kamati, wako wapi akina

taigwa?

Interjection: Inaudible

Com. Adagala: Wao mnafaa mfanye bidii wahudhurie na ninasema hivyo kwa kazi yenu, lazima muwalete na walemavu wengine. Hafadhali kule tulikuwa na mlemavu wa miguu, hatujakuwa na mtu, pengine hapa mimi peke yangu ndio nina shida na macho hakuna mtu mwingine. Hakuna watu ambao hawaoni? Hamzai watu kabila hiyo.

Interjection: Wako

Com. Adagala: Tumevunja sheria, huyu msichana kazi na sheria ya Bunge awe anatoa maelezo ya sign language. Na hajafanya kazi, tunatembea naye tu. Msichana mzuri, tunatembea naye tu. Kwa sababu kamati hamkufanya bidii.

Interjection: Madam sio kamati ambayo haikufanya bidii.

Com. Adagala: Ni kazi ya kamati ku-mobilize na unataka nikusomea torati ya kazi yako?

Interjection: Inaonekana kama ni kimila ya ki-Africa madam kuwaficha ---

Com. Adagala: Kazi yako kwa sababu ni kimila cha kiafrika kazi yako na kamati yako ilikuwa ni kuvunja hiyo mila. Na kuvunja pia hii ya wanawake.

Interjection: Tumejaribu sana

Com. Adagala: Na kwambia I do not know if this hearings are legal, sijui kama zitachukuliwa, tutapeleka plenary lakini sijui kama zitachukuliwa. Nimesama uongo? Tutazipeleka halafu tuone. Haya kunawatu wengine waliobaki, wale walikua wamejiandisha. Wale wako kwa list. Okay Njoo wawili. Hakuna tena mwingine ni hao tu. Mzee asante atleast naona na macho yangu wewe una ulemavu kidogo, asante umefika na pia we mzee na nimefurahi kwa sababu kila mtu inafaa ahudhurishwe kwa Katiba. Sijui tutasema aje kila haina ya mtu, asante mzee.

Simon Chege: Asanteni, yangu ni kushukuru commissioners, jina langu naitwa simon chege. Mimi yangu ni mengi yamesemwa ambayo nilikua nimeandika, lakini ningetata kuisisitiza ya kwamba nikitoa maoni nasema kama wengine. President must be a graduate and over 35yrs. President must be a family person so that he is not careless. The third point is that all the Constitutional offices in the republic must be approved by the Parliament, not for one person to say a PS should be appointed and not to be checked by the Parliament. The third one, all suspects in police cells, before he is taken to police cell must be

examined by a doctor so that after that whatever happens to him it will be of the police commissioner. Suspect should not be tortured.

When I come to the power of the President, they should be reduced and some of the powers of the President must be shared between the Executive, between the Parliament and between the Judiciary. Hiring and appointment of the officers as I said must be approved by Parliament. Voting must be done and be counted in the polling stations because if they are transferred they will be tampered with and will not get a free and fair election. The Constitution should not be tampered with, it should follow the same system that you are doing now. Getting views from the public and probably five years or two to five years through the people's referendum. Any section of the Constitution being amended and it should be an illegal, lets say even in the Parliament when any such attempt is done when I come to the ---

Interjection: Inaudible

Simon: 50% or 51% of all the cast votes, not get 25% and then he is told is the President. They should gather that 50% or 51% to be declared the President. As –

Interjection: Inaudible

Simon: I said 51% okay. All political parties be funded by the government, the same political parties should be reduced from 47 to 3 to avoid confusing the public with their policies. I mean when we have, for example where a country has been going well for example in 1996 in Britain where these people have run the country for many years but just 30 years and we have 47 parties I do not know where we are heading to.

Com. Adagala: Don't you think it's democracy? We asked for it. That is why am asking you kwa sababu hao watu wote nikiwauliza hawaniambie, lakini wewe nakuuliza mzee what system should be used to reduce them?

Interjection: Inaudible.

Simon: What I see is that they should pave the (inaudible) like Anyona only has 4 (not very clear)

Com.Salim: You know we really understand your point and we know that is your recommendation, all we are wondering about is how to do it. You say Anyona has 4. You mean to say all his followers amount to 4 people or are you are saying the office bearers are four, but he has members more than four, so you suggested membership of 1000 if it is less than 1000 then it is out.

Interjection: Inaudible

Com. Salim: You think that will work?

Com. Adagala: because now with 1000 you now end up with 147, coz it is not hard to get 1000people, that is one, two we have fought very hard for democracy, you know those of us in the Universities, we were fighting for it even in seventies, being detained, being denied promotion, being what, being you know even at the end we were denied salary increase and then people joined in 90's, fought and all that, mass action everything we fought for democracy. Are we saying we are not mature enough for it, that there should be legislation? Because the first thing you will do, someone will say, you have denied me my Constitutional right, right of association.

Simon: We go for appeal, let say for a case in the United States where for example last year when they had the election we found that things there are mature, once they say the election is not properly done, they had to repeat. They had to show the world that this election, this a country where democracy is well much exercised, so we have to repeat (inaudible)

Com. Adagala: The US has about ten parties it does not have two parties. It has two major parties and it evolved it was not by legislation. Yes, so am just, you know am discussing with you the views are here. Am just discussing to understand it little bit more. Then the other part I want to hear from you, you said President should be 35yrs, that's minimum, what is maximum?

Simon: I think it is supposed to be 65yrs.

Com. Adagala: Okay I just want to know, because I think ...(inaudible).

Interjection: Simon; (inaudible)

Com. Adagala: Two I just wanted to find out you said a family person. Now we have different types of family. Say which one you would want the President to be? Which type of the family you know there are different types of families. So when you say he should be a family person, just say which type.

Simon: Now for example myself, have got a

Com. Adagala: I hope one day you will be the President.

Simon: Have got a family, a wife and four children, a President should be responsible person starting at home coming all the way----

Interjection: (Com. Adagala): Am not refusing that, am just saying there are different types of families there are monogamous families, there are polygamous families, there are families which are extended, there are families which are you know all those different things we live with them.

Simon: That one we should not mention, now on the famil, now commission inquiries, any commission appointed by the President and the work has been investigated and the report tabled to him by the chairman or the judge. It should not take more than three to six months for the public to know the content, because the information is the property of the public. Have not finish.

Interjection: Com. Adagala: Inaudible

Simon: Have not finished, because I was talking to you. We were talking with you that is why am....

Com. Adagala: I thought that time you had finish.

Simon: No, I have got only two points. Last year we had a case in the court regarding taking the sermon to the press. You all know Mr. Kibaki took the sermon; he was not able to reach the President, there was heavy security, what can we do about it? My suggestion there must be a law that if we do not get the President summoned for any petition there must be a way, and this way should be put through the newspaper because there is no way, just the same as I see the lawyers ---

Interjection: (Inaudible).

Simon: Okay, you are tired?

Com. Adagala: We are not tired but,---(inaudible)

Simon: This is my suggestion mybe it is not in order; if the President abuses the office there must be a way to reach him and to impeach him. And we think he should only have the high court and the court of appeal and may be (inaudible) of which I was saying he should not be above the law because the Constitution is more supreme than any person.

Com. Salim: Mzee is that a written submission because your time is up. Hand it in we will read.

Simon: Okay thank you, am now closing my papers and thank you very much.

Com. Adagala: Thank you very much mzee, we appreciate, because you have brought a different dimension. Now this way mzee, this way. Is that a written one?

You want to submit it? Or you can also do it and send it to the commission and if you send it to the commission, am giving you an alternative, if you write it and bring it, it can even be put on the Web Site and it will be put in the archives also, so that even your grand child can see it. Okay kijana mdogo, sema jina lako.

Maina Ndung'u Chege: Majina yangu ni Maina Ndung'u Chege na nachagia kwa machace sana. Ya kwanza ni kuhusu ukubwa wa Rais, yeye akiwa symbol of unity wa taifa letu---

Interjection: Com. Adagala: It is oral?

Maina: President akiwa symbol of unity kwa taifa letu hasiwe kiongozi wa chama chochote cha kisiasa. Pili, achaguliwe kwa more than 51% ya votes zote za nchi nzima. Ningeomba pia ili tupungeze nguvu zake tuanzishe office ya waziri mkuu katika nchi yetu achaguliwe na wabunge kutoka kwa kile chama kitakuwa na wabunge wengi Bungeni.

Interjection: (Com. Adagala): From each party?

Maina: I suggest also that Prime Minister awe ndiye kiongozi wa serikali, aongoze serikali, afanye appointment kwa wale viongozi wa pande zozote zile. Pia achague wakuu wa wizara fulani fulani in consultation with the President ofcourse. I will suggest also that in the appointment of the ministers by the Prime Minister aangelie tahaluma za wale ambao anachaguwa na level yao ya education to the offices of various ministries. I will suggest also on matters partaing to defection. Wale watakao hama vyama vyao baada ya kuchaguliwa warudi kwa wananchi wachaguliwe mara ya pili. Finaly, election time, days, siku ya kupiga kura na siku moja, naona hasa wakati pahali kuna mvua nyingi kama hapa ama pengine areas where people are not reached easily, tuongeze iwe siku mbili. Namalizia hapo.

Com. Adagala: Asante sana umekuwa very taratibu. Haya asante ningependa kumshukuru nyote mumekaa, najua wengine mumekua hapa kutoka asubuhi. Tumeshukuru kwa sababu mumetusaidia na kazi yetu. Tume kuwa hapa OL-kalau sehemu mbili natunajua watu wote hawangefika hapa, tunajua kuna kazi na vitu vingi watu wanafanya lakini tunafikiri mumewakilisha wengine isipokuwa kwa Constitution haifai mtu akuwakilishe.

Sasa tutapeleka maoni yenu mbele, wengine watachanga pia kutoka sehemu zingine na yote itawekwa pamoja, itakuwa report, tutaandika hiyo report itarudi kwa nyinyi mchuguze vile mumesema na vile wananchi wengine wamesema, haitakua na siri, haitawekwa bila kufika kwa wananchi. Ikitoka kwa wananchi itaenda kwa National Constitutional Conference ambapo tutakuwa watu mia sita. Watu hao watakuwa commission, watakuwa Bunge, itakuwa waakilishi wa makanisa na mosque,

itakuwa waakilishi wa NGO's, itakuwa waakilishi wa political parties na itakua na waakilishi watatu kutoka districts, na hiyo district kama Nyandarua, itakua na waakilishi watatu na itakuwa again affirmative action, kwa sababu tukisema waakilishi watatu pekee mtafika hapa wanaume tupu. Mmoja atakuwa mwanamke, atleast one will be a woman, mmoja anaweza kuwa councillor lakini sio awe councillor, anaweza kuwa kama anaweza kuwaakilisha halafu mwingine atakua mtu watu wamechagua tu pia. Lakini hao wote watachaguliwa, hakuna mtu atasema huyu mwanamke ndiye ataenda mtu mmoja. Hatutaki hiyo tabia tena sivyo? Itakuwa ya kuchaguwa, halafu hapo report itajadiliwa na watu wote, wa Kenya watazungumza na kuzungumza na kuendelea halafu mwishowe wakisikizana itaenda kwa Bunge. Wakikosa kusikilizana kwa vitu fulani, hata kijana mwingine alikuwa anauliza kule tulikuwa OI-kalau, What assurance do we have that what we are saying is what will be passed. Nikamwambia ni demokrasia na negotiation. Watu watasikilizana, halafu wakikosa kusikilizana kwa mambo mawili matatu hapo ya hali ya juu ya national itarudishwa kwa nyinyi kwa referendum isipokuwa nimesikia kuna mazungumzo hapo na referendum in kitu very expensive it is like carrying on a national election. So itakua kura ya maoni halafu tutarudisha iende kwa Parliament na Parliament watachunguza. Mnaona tuko na members of Parliament wako kwa kamati, wao ndio waliandika sheria ya Tume watakuwa kwa national conference na hiyo nikusema mtu asifike huko aseme hii mimi sikuweko, mbunge. Ikifika kwa Bunge watakuwa wameudhuria kila hatua, so pia ikienda huko wao pia ikitoka mpya ile ya sasa itaishia kabisa, na tukakua na new Constitution.

Ningependa after tumechaguliwa maoni lakini ambieni wananchi wengine ili wajue, hata mjadiliane zaidi. Civic education haikuweko lakini civic education iko kwa kila stage, its in different stages of Constitution making even it is for life. Even some of you have said it should be in the schools, so that we do not again have to teach people they will know, they will grow up with it. So vile itakuw ikipatikana pesa kwa sababu sisi tulipanga programme nzuri tukatoa na curriculum na Parliament voted very nicely na Treasury ikasema ng'ombe haina maziwa, ng'ombe ya Treasury haikuwa na maziwa ndio tukafika hivi Tumefika. Hata tungeshiriki sana tuende hata kwa sub-location na nini lakini hata wananchi waliuliza, lakini hatukuweza. Sasa asanteni sana, najua mumevumilia lakini ni hali ya nchi yetu tungependa kujenga Kenya mpya na tuendeleo mbele. Isipokuwa mjue haya mambo yote ya tachangwa pamoja na ya wengine. Ndio tulikuwa tunawauliza maswali ili wakituuliza, if they ask us why did these people say this or why did Ndegwa say this, we say Ndegwa said this because of this and that, because the reason was this, so that there can be a reason. Hapo ndipo nitakoma namshukuru sana, kamati tunajua kazi yenu ni ngumu sana, kamati tunamshukuru tunajua ni ngumu hamukuweza kufaulu sana ni wakati wa kulima na kupanda. Tungeweka wakati mwingine lakini unaona kwa magazeti wanaitisha Katiba imalizika, sasa ndio tunaendelea. Watu wengine wanasema hatufanyi kazi, lakini tuko barabarani kila siku, safari kila siku tunaenda kuona wananchi. Sasa hii kutoa maoni itaisha karibu mwanzo wa Julai. Itakuwa mwezi huu, May, June halafu tutakua Tumemaliza. Tukitoka hapa Central Province, tutamaliza Central Province Tuesday tutakua Githunguri halafu tutamaliza sisi, hii panel yetu, halafu after Central Province tutaenda Coast, tunafanya alphabetically ili mtu hasisikie amewachwa au amewekwa kwa hali mbaya. Mwenzangu ungetaka kusema kitu? Okay yeye pia ameshukuru na ni kitu muhimu kwa sisi binafsi, sio CKRC peke yake lakini sisi pia hata hapa Tumepata historia mumeona, na tumefurahi na tumefurahi kuonana na nyinyi hata majina pengine nikirudi sijui nitajua Ndegwa gani kwa sababu Ndegwa ni wengi sana, walikuwa wengi lakini tutajuana zaidi. Tunaenda kwa sababu njia vile mnajua inaenda pole pole. Binafsi tu kulikuwa hapa na

daktari aliitwa Brown Maurice, alikuweco? Alikuwa district, kule Ol-kalau huyo alitoka kwetu ni binamu yangu, sasa alikuwa anapenda hapa sana. Ol-kalau ni mahali nimejua hata nikiwa msichana. Asanteni.

Tutahitaji maombi msiende, wacha tufanye maombi tumshukuru mungu.

Interjection: Na mimi nachukuwa nafasi hii vile vile kuwashukuru nyinyi commissioners, kwa vile siku ya jana na siku ya leo mumeweza kufika, kwa hivyo vile vile nataka kuchukuwa nafasi hii kuwashukuru wananchi kwa sababu mumevumilia tangu asubuhi na tulipofika hapa hakukuwa na watu lakini baadaye mumeifanya vizuri sana mumechangia mambo ambayo yanaitajika ingawaje tumewachwa nyuma kwa upande wa akina mama, lakini hapa kuna mtindo ya kwamba akina mama zaidi ndio wanashughulika na mambo ya huko nyumbani na kwa hivyo labda waliambia wanaume “nyinyi kwendeni machangie huko na sisi tuangalie mifugo, tupande na tuangalie watoto”. Labda ilikuwa namna hiyo. Lakini wale wachache wamefika wamewakilisha wengine na vile vile Tumeshukuru ingawa number hiyo haikutosha, kwa hivyo mtakapo kuwa mkirudi nyumbani au your next station tunawataki kila la heri, mtembee vizuri, mpokee maoni vizuri, na mungu awabariki kwa hiyo kazi yenu ni matumaini yetu ya kwamba kabla ya December mtamaliza na ili tukiingia kwa uchaguzi tuingie na Katiba mpya. Mkifanya namna hiyo hata wananchi watapiga tabasamu na kusema yale matarajio yao yametimika, kwa hivyo kwa hayo machache tutaauliza mmoja wetu atuombe na tukiondoka hapa tafadhalini bwana commissioner, madam commissioner na bwana Salim tafadhali father incharge mwenye hall hii bado anatumbea tupate late lunch na vile vile viongozi ambao wako hapa vile vile tunaweza kuandamana tuchukue hicho kitu kidogo, halafu tuende nyumbani. Kwa hayo machache nitauliza mtu mmoja wa kanisa kama pastor ambaye ako karibu na sisi atuombe ili tufunge mkutano wa leo, mkorino. (Inaudible name) kuja utuongoze kwa maombi.

Com. Adagala: Tutakuwa na vitabu, documents zitatoka kwa District co-ordinator vitabu vya questions and issues kitakua kitabu chekundu na namna hii na pia some pamphlets. You will get them, they have come from Nairobi and you will get them. Will you receive them well? Yes, now mzee alitaka kusema kitu.

Question: I wanted to ask two questions 1. You say about the finances, that your account is strained, there is no money, now are you not getting any funds from the donor? That is one question. And if you are not getting, why not try to get, because this Constitution is something very important. The document very important, I would like you especially the chairman to talk, you are the vice chairman?

Interjection: (Inaudible and laughter) I have never seen the Professor directly I only see him in the paper, if you can as a Commissioner try to answer it.

Com. Adagala: Let me answer you because it is a good proposal lakini, we ask donors, wakatumbia kuna co-business ambayo ni ya commission na ambayo inafaa isimamiwe na serikali. It is like your child, you cannot ask someone else to deliver

