

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

NDIA CONSTITUENCY ,KIBIRIGWI P.C.E.A CHURCH

ON

Thursday, April 18th 2002

**CONSTITUENCY PUBLIC HEARINGS, NDIA CONSTITUENCY, HELD AT KIBIRIGWI P.C.E.A. CHURCH
ON 18TH APRIL 2002**

Present

Bishop Njoroge - Commissioner
Mr. Keriako Tobiko - Commissioner

Secretariat In Attendance

Samuel Wanjohi - Programme Officer
Dan Juma - Rapportuer
Josephine Ndungu - Verbatim Recorder.

The meeting started at 10.00 a.m. with Keriako Tobiko in chair.

Report from the Hand written notes

Com.Tobiko: Mabibi na mabwana, hamjambo! Jina langu mimi naitwa Keriako Tobiko na mimi ni Commissioner. Mimi ndie nitaendesha kikao cha leo, tumeshukuru sana vile mmekunja kwa wingi kutoa maoni yenu leo kwa tume hii. Hiki ndicho kikao chetu cha pili katika eneyo hili la Ndia. Jana tulikuwa Kiburu na pia huko watu wengi sana walijitokeza kwa wingi kutoa maoni yao. Kwa niamba ya tume ya maoni, ninawakaribisha katika kikao cha leo na muwe na uhuru wa kuongea maanake hii ndio siku yenu. Kabla hatujaendelela, ningetaka kuuliza mmoja wenu atufungulie kwa maombi ili tuweze kuendelea.

Prayers in vernacular by one of the Pastors:

Com.Tobiko: Asanti sana Pastor. Ningependa kuchukua nafasi hii nimkaribishe Commissioner mwenzangu ambaye tumeambatana naye, ili tushirikiane kuchukua maoni yenu siku ya leo. Commissioner Bishop Njoroge.

Com. Bishop Njoroge: Hamjambo! Mimi naitwa Bishop Njoroge Kariuki nimefurahi kuwa nanyi siku ya leo.

Com. Tobiko: Tuko na mwenzetu hapa ambaye ndiye Programme Officer bwana Wanjohi nitampatia nafasi hii awasalimie na pia awajulishe hawo wengine. Bwana Wanjohi.

Samuel Wanjohi. Kama vile mmelezewa na Commissioner, jina langu ni Samuel Wanjohi, na mimi ndiye Programm Officer kwa siku ya leo. Tuko na wenzetu wengine hapa ambao tutasaidiana siku ya leo. Huyu kijana anaitwa Dan Juma ambaye ndiye ataandika report ya maneno yote mtaongea hapa siku ya leo. Yeye ni mwanafunzi huko Nairobi Parklands University School of Law. Mwingine ni huyu mama anaitwa Josephine Ndungu ambaye ndie ata-record mazungmzo yenu yote. Tumefurahi kuwa nanyi siku ya leo. Asanteni.

Com.Tobiko: Asanti bwana Wanjohi. Sasa tutaendele na ningewaoba mjiandikishe pale mlangoni ambapo kuna register, maanake tutafuata majina ya wale wote wamejiandikisha. Tuko na jinzi kadha ya kutoa maoni, ya kwanza unaweza kuwa na maoni kutoka kwa kikudi fulani ambacho utakuwa unarepresent, na wakati huo utakuwa unasoma memorandum, ningetaka kukujulisha ya kuwa, hakuna hanja ya utusomee hiyo memorandum yako yote, tupatie tu points, yani unaweza kuhighlight, kwa maana hiyo memorandum tutaichukua twende nayo na bila shaka itasomwa. Kwa hivyo jaribu ku-summarise ili kila mtu apate nafasi ya kutoa maoni yake. Jinzi ingine ni vile unaweza kupeana maoni yako kivyako, yani unapeana maoni yako personal. Mwenye kusummarise memorandum tutampatia dakika tano, na mwenye kupeana maoni yake personally tutampatia dakika kumi.

Sasa tupate mtu wa kwanza ambaye ni John Wanjau Kangara. Karibu ndugu.

John Wanjau Kangara: Asanti sana Commissioners. I would like to take this opportunity to thank our Commissioners who are with us here today. We are glad that you have come all the way to take our views. Kwanza nitaongea kuhusu land. You find that in our current Constitution, the issue of land has not been handled properly. There is a lot of corruption as far as land problems are concerned, since we have been requested to give our views in summary form I am going to read the highlights only. I am requesting land in our country should be equitably distributed or fair land distribution so as to ensure that those people without land are also considered in our country. There must be a ceiling on ownership of land.

The Provincial Administration office should be scrapped and the powers should be consolidated to the DC, who will be directly answerable to the office of the President. The elected councilor should replace the assistant chiefs, and chiefs to the location.

They

should be assisted by the village elders who administer the location. The chiefs office should be completely abolished.

Currently court cases are delaying too much in our local courts, we are requesting the government to look into this matter, to ensure that judgements are not delayed too much.

Harambee's in our country should be abolished but instead the revenues corrected should be utilized well to enhance development in our country. Land grabbing in our country by well to do people should be stopped. Land law should be enhanced so that those people who have large land should surrender and the land surrendered to be given to the landless people in this country.

On Elections, we are requesting that, Presidential elections should be held separately from Parliamentary and Civic elections. The Parliament should have a fixed Calender of events to regulate its activities. The government should not take election dates as a secret weapon the dates should be in our calendars. Votes should be counted at the polling stations and the ballot boxes should be transparent.

La mwisho bwana Commissioner. Pension should be paid at the right time and be reviewed from time to time. Kwa hayo machache nasema asanti sana.

Com.Tobiko: Asanti sana mzee wangu utapeana hiyo Memorandum yako pale na kisha ujiandikishe kwenye register yetu. Tupate Joseph Karimi.

Joseph Karimi: Thank you bwana Commissioner. Mimi kwa majina naitwa Joseph Karimi nimefurahi kwa hii nafasi nimepewa kutoa maoni yangu. Kwanza kabisa kuna hili jambo ambalo linatutaliza wananchi sana, vile people are being addressed as wananchi badala ya wenyenchi. Kwa maoni yangu bwana Commissioner ningetaka kutilia mkazo hili jambo na kusema kuwa sisi ndio wenyenchi lakini si wananchi, kwa hivyo katiba iangalie hiyo.

Kwa madaraka ya president, nobody should be above the law.

CITIZENSHIP: A child whose mother and father or both are Kenyans should automatically be Kenyan citizens. Citizens rights should be the same to both men and women e.g, a child born to Kenyan citizens, outside Kenya should have rights of citizenship. A citizen should be identified by Passport, and the ID card.

PRESIDENTIAL POWERS:

The president should not be the Commander-in-chief of the Armed forces. He should not be the Chancellor of the local Universities. He shall not be given powers to appoint Parastatal Heads, Chief-Justice, Attorney General and Chairmen of the Public Service Commissions.

EXECUTIVE

The President shall be a Kenyan by birth aged between 40 and 50 years. He should be in the office for two terms, and should not be an elected Member of Parliament for any Constituency. He should gather at least 51% of all the votes cast in general election. He should be of good and sound moral intergrity. The three arms of government should be completely independent from each other with clear roles stated.

LOCAL AUTHORITY:

All the mayors and the chairmen should be elected by the people they serve. The councilors should be qualified at least O level and above. Local authority should be answerable to the area people.

The natural resources should be owned by Kenyans and the local communities should be involved in the management of natural resources e.g forests and wild life. Commissions should be formed which will also take care of these resources.

On Judiciary, An independent constitutional and supreme court, court of appeal should be established. Magistrates and judges

should be appointed by independent judicial service Commission. The decision and the ruling of high court should be final.

With those few remarks, I would like to end there. Thank you very much.

Com.Tobiko: Asanti sana, tupate mwingine ambaye ni Lawrence Munene.

Lawrence Munene:

Asanti sana commissioners. Mimi kwa majina naitwa Lawrence Munene, Kibirigwi Parish. My first point is on Parliament. Members of Parliament should have offices in their Constituency and should make an effort of visiting these offices regularly. This will enable these MPs understand and get the people's views and problems. All the Members of Parliament should be equal so as to avoid corruption. There should be only one Minister heading one Ministry. A member of Parliament should not defect from a certain party before his term expires. People should have powers to call back their non performing MPs. The president should be non-partisan in political party activities while in the office. The Vice President post should be abolished but instead should be replaced by the Prime Minister.

The government should control the local market in order to protect the farmers from exploitations. Ningetaka kupeana memorandum yangu vile ilivyo, kwa haya machache nasema asanti.

Com.Tobiko: Asanti sana bwana Munene, kumbuka kujiandikisha kwenye register. Mwingine ni Ishamael Wanjohi.

Ishmael Wanjohi: Asanti sana, majina yangu naitwa Ishameal Wanjohi nina represent Islamic Faith. Ningetaka kuzungumzia kuhusu dini yetu ya waislamu. Ninaomba serikali yetu itambue na kuheshimu dini ya kislamu kama vile inatambua dini zingine zote.

Ya pili ningeomba pia waislamu waruhusiwe kuvaa kulingana na dini yao. Kama ni wanake au wanaume maofisini waruhusiwe kuvaa according their religion. Ningeomba pia Mftii achaguliwe na waislamu lakini sio serikali. Kadhi pia achaguliwe na waislamu. All court of appeals should have a Kadhi na pia mahakama ya kadhi iwe sawa, sawa na mahakama ya serikali. Waislamu waruhusiwe kuhubiri na kutangaza dini yao vilivyo na wakati wowot. Kama vile tumeamrisha kuwa na dua mara tano kwa siku, iwe kwenye katiba tupewe nafasi ya kutoa dua kama inavyo takikana.

Tungeomba pia bwana Commissioner, ikiwezekana, siku za waislamu zitabuliwe kama vile siku za wakristo kwa mfano Christmas na Easter, siku zetu pia siheshimiwe. Tungeomba pia, ama tungetaka katiba, inayo kuja itekereze sheria ya kujitiri kwa wanawake ili kumaliza mambo mabaya baya baina ya society,.

In order to eliminate squatters, among our societies, Land allocation should be guaranteed. Nitakomea hapo asanti.

Com.Tobiko: Asanti sana. Tupate mwingine ambaye ni Yame Mahamoud:

Yale Mohammed: Ninaitwa Yale Mahamud and I am representing the Deaf Community. I would like to ask the government to recognize the less fortunate in our societies, e.g. the deaf, the blind and the rest. So in the new Constitution we are appealing to the government and other responsible people to remember us and be given a chance to prove ourselves. We have been denied chances to prove ourselves and prove practically that we can and have been victims of discrimination of so many types.

Report as from tape two

The deaf community are also requesting their should be no Gender discrimination like when a lady, the wife is going out of the

country. The wife has to ask permission from the husband before she is allowed to fly out or if it is a lady who is not married should

ask permission from the parents and for the men it is not the same. The three bodies of the government should be left to work separately, and again the Judiciary should be interfered with by the government when it is deciding on the cases. Chief and Assistant Chiefs should be reduced the number is too much and again the PC should be scrubbed off because he is duplicating the work of the DC. In the election, the MPs and the president should be elected after the end of five years and the election date should be fixed.

Com Tobiko: Mr. Chairman just a minute, if you have got a memorandum because we have many people, just summarize so we can give others a chance.

Com Tobiko: Salamu alikumu, tumupigie huyo njamaa makufi

HUMPHERY WAMWENYA: Good morning everybody. I have a little statement regarding farmers. Bwana chairman here majority of people here are farmers.

These constitution that we change I know constitution is the supreme it is above every thing else. I work for the am educated and I came here to be a part, and I want the people to release that to date, is a very difficult situation. In fact majority of people who are here are poor, they are coffee farmers and I was for idea if this constitution that is changed, a coffee farmer becomes a master of everything lets say he is able to control his crop fortune, from farm to the marketing level and due to the type of extension

like the one we are having now you find that every, to manage a farm these days is very difficult. I think the government should come up or rather the constitution should accommodate a situation whereby farmers depending like these type of session where the and every thing else the payment is very poor and we understand the world market and everything. A policy should be accommodated in our constitution whereby even the price of fertilizers and other commodities should come down in the market.

Prices of the coffee. On the other hand we should have Directors who are good, we should have Directors of coffee farmers, Managing Director, am sure we have so many people who are farmers who can take such position, instead of getting somebody who doesn't know what it involves to be a coffee farmer, how one struggles. Our new constitution should accommodate all these things so that we can make a Kenya we want. I would like to be proud as a farmer, I would like present a four drive to be not by managing director or the coffee board,so I would request our constitution to make a farmer to be a proud man. And by this am sure we are going to the see the situation of rural urban immigration vice verse from urban to rural. The other point I would insist provincial administration should be abolished, I don't find the need of those people, you find like now here our DO they come from all the way from Marsabit, sure even if am not corrupt but if am posted to any other District apart from my home to an extend I will be selfish. And if these people are accountable to people things will change, am sure if we have a DO who is local here, who comes from our locality in fact he will be accountable to the people, then after making sure those DO and PCs are elected. Once it comes to the situation of taxation, I think we should have at least a system, taxation should be neutralized within that locality, and a fraction sent to the higher authority to the senior government, lets say if you are collecting a million here, around eight hundred thousand should be accommodated within these region, so that we can, in fact am sure people will like it that way. Another issue here is the land issue:- You find majority of us we are inheriting problems which is

our fathers and our grandfathers have started casing, in fact they started cases long time ago, I was a young boy, up to now you find that this cases are still going on. I am for the idea that this systems of land can be changed maybe by our elders here knows so much. They can be able to inherit from those elder so that we don't have to go to courts. Am sure Mr. Chairman here majority of these land cases are through ignorance, you just goes and the judge happen to note you, he can maneuver everything and again as the saying goes that, justice delayed is justice denied. You find that like now, although cases were started like early eighties and up to today they are still going on.

Com Tobiko: You have made your point just go on.

HUMPHERY WAMWENYA: So those land cases should be looked upon. Another one is the presidential powers, they should be reduced. In fact more power should be vested to the parliament. Parliament should have authority and the president should be ceremonial to an extend otherwise I advocate the current situation where the President is the executive, but the parliament should have more powers especially once it comes to appointments of various organizations, state co-operation and other bodies. Thank you so much.

BENJAMIN IKAHU: representing KARO (Kenya Association of Retired Officers)

I hope I will take the shortest time possible, these comes from Kenya Association of Retired Officers. Point number one. Retirees would like there pensions to be increased. Benefits at present what is there is written these way, whenever there is general salary revision of civil servants their should be corresponding increase for the government pension. This should read, whenever there is general salaries raise revision for civil servants there should be automatic increase for the government pensioners and be implemented immediately. Point number B:- there should be annual increment for pensioners. Medical allowance, the pension act should be amended to include medical allowance or free medical and subsidence pharmaceutical, medical consultation and examination for the pensioner and his wife and their children under eighteen years. Housing allowance:- A big number of the pensioners live in the city slums and other urban areas in our towns. The act should be amended to reduce the increased exodus to the towns, slums and pensioners since they can not afford pensions both in town and in rural Kenya live below poverty. All these could be avoided if pensioners would be given generous house allowance. Appointment:- Government pensioners are professionals, and are experienced and resourceful. They are citizens who can be given first priority when the government wants to appoint commissioners, chairmen of various parastatals. Widows, widower and their dependants:- The pension act should be amended accordingly to cover both widows, widowers and their dependants. Point no. 8 Pension act should be amended to allow the widow enjoy deceased husband monthly pension until death as approved to be as at present it is only for five years duration. Should wife happen to be the pensioner, and dies before the husband, the husband should as a widower should be eligible to get her pension until death. Should both of them die and one or both of them were pensioners, their dependants must be eligible to enjoy the pension upto the age of twenty one years. Widows, children pension scheme:- The act should be amended to allow the wife and her children to start enjoying the funds immediately, the husband retires as opposed to the current act, that the contributor must die before the wife and children are allowed to get the money from the scheme on monthly basis. Check of system act be amended to allow a pensioner to contribute towards the project he or she wishes. The points are once more:- Point number one - pension increase, number two- medical allowance, number three – housing allowances, number four – appointments, number five – widow, widowers,

and their dependants, number six – widows, children, and pension scheme and lastly check of system. Thank you ladies and gentlemen.

Com.Tobiko: Asente Mzee wangu, lete hio kartasi hapa.

FRANCIS WAMWEYA: I wish to say something about HIV spreading. Honorable commissioners, I wish to say that am representing a group of people in my area who are totally involved in issues concerning the spreading of HIV. We have learned that, people have never or even if they know, they have discussed much about the root cause although sexual intercourse is the one causing this disease to spread today and it is causing so many people to die daily, because they have been told several times about the rate at which people are dying due to this disease. Something must be done by the government to stop this thing by (1) This disease might go on as long as we shall have drunkard people in our area, drugs which are easily obtained because they are sold everywhere in every village or reserves and we thought something must be done to see that these habits is not going on because if somebody is drunk, he will not be able to know anything or he will not be able to control his mind. I have written several issues, but am happy because I will hand it over to you. The other thing that I wish to ask this constitution review is about the employment of assistant chiefs and chiefs. It is good if the government can think of instead of appointing assistant chiefs, chiefs to be elected by wananchi, because wananchi knows very well those who can lead them well. At the same time they should not start working before they are trained, because some are employed and they do not know much about their work, so you find things are going dab here and there. The other thing I have written is about canning of children in schools:- If children are not punished by their teachers when they go wrong, they will go on behaving badly and we shall be having indiscipline in our schools and our children or young people will behave the way they like, and when they grow up we shall be having thugs because they have been trained right from the beginning that one should not obey and they can do all what they like because they are not afraid of anybody. That is the few points I wanted to raise before you?

Com.Tobiko: So what is your recommendation on that? Copal punishment

FRANCIS WAMWEYA: Copal punishment

Com.Tobiko: should be introduced in schools

FRANCIS WAMWEYE: Because the copal punishment they are going to be given is not to harm them is only to discipline them. Just as what is being done in other institutions. That is the points I had other points are in the paper you will read. Thank you so much.

Com Tobiko: Thank you so much. Benson Kariuki, not there

PHILLIP M. WANJOHI: What I would want to be included in the new constitution

Number one – I want to be very brief:- In the constituency in Kenya should be made up of little segments and not the divisions. Here we have an example of a constituency that is called Matuu in Eastern Province that has thirty thousand electorates whereas like other constituency in Central Province example like Kichugo, Marabu have electorates being about

sixty thousand so make it look like segregating central province and other part of Kenya are under represented in parliament where as we have some regions in Kenya that are over represented in parliament. Number two:- All Kenyans to be treated equally and therefore broadcasting licenses should not only be given for Nairobi and other poor areas of the country while denying broadcasting for the rest of the country. The country should be treated equally. The other point is :- Identity cards that is ID should be replaced with a passport. A passport is more better in that it will help Kenyans to trade easily with the rest of East Africans and the World, whereas an ID is very limited. The other point that I have is the method of taxation of Kenya. The present method of taxation in Kenya is Kenyans for taxation instead taxes for Kenyans. These issue should be reversed to avoid suicide for Kenyans in the name of collecting taxes. To reverse the situation, the government should scrub taxes for essential items like medicine, agriculture input, agriculture machinery, fuel. The government should tax the output not the input. The other point is issue of voters card be very obvious here that over eighteen years should get voters cards that is for civic and parliamentary. For the presidential election, it should be held separately from the other elections. Presidential election should have a voters card that is different from all other voters cards like union countries. Presidential voters cards should be given as per ones academic qualifications. Kenyans who are illiterate should be given a white voters card, Kenyans with form four certificate and above, I mean with form four certificate should be given a blue voters card. Kenyans who are above form four should be given a red card. The reason for categorizing the Presidential voters card are the card can be used for another referendum or opinion codes in national matters. For example if a referendum is to be held before construction of an airport or buying of then we can know if the project is voted for by all Kenyans or by only the white bearers or the red card bearers. During polling:- Polling documentations should be increased that there are more white cards to avoid reigning of elections. For a candidate to be a presidential winner, he/she should have at least 55% of every group of cards. The candidate voted by this method will be worth a Kenyan of quality and equality. Number four - Civic education should be continued in Kenya for a long time to develop the growth of Kenya. Curriculum of the civic education should be broader than the implementation method used now. This will reduce ignorance, reduce corruption, and make Kenyans very proud of their country. When it comes to labor in Kenya, people should paid by the Kenya government as per the minimum depending on ones qualifications, and the maximum on what one does for the country.

There have to be a permanent commission to authorize for

The situation now is that government workers do nothing or do very little but they are well paid, but those who do the donkey work get quiet little. Here I can give an example, but I don't want to get. In fact you have heard

Com Tobiko: Okay, give us the recommendation the examples we will read them in your memo.

PHILIP M. WANJOHI:

When it comes to education:- 8.4.4. should be scrubbed. It is time wasting and expense.

The point is

The economy:- Kenya should resign from being a member of all trade organization so that manufacturing can be able to take

off. Developed countries will always for example here China is not a member of WHO

Com. Tobiko: I am going to interpret your point, please we know how to read, just go to the recommendation live the examples we will read your memo we have so many people

PHILIP WANJOHI: Thank you, the other point on police they should be well trained and they should be of C+ and above. They should be taught subject like sociology, public relations and importance of security. On reporting office in police stations, they should be managed by competent lawyers. When it comes to research, like Kenya Medical Research:- it should only be it should not always follow the rules of WHO, so that the research in Kenya can be released to the market within a short time than actually following the WHO procedures. Thank you.

JOSEPH MUTHII: I have some few points here first:- About the constitution let me say that the power of the president should be reduced in the constitution. I will not stress on that and should be added to parliament. The judiciary should be made independent that is the executive should not control the judges in making judgment. This should be addressed in the constitution. Primary education should be compulsory and should be granted by the constitution, free education should also be presented especially to the unable ie the deaf, the lame and the more partially able people and perhaps should be put in constitution and made free from interference like the executive that is the Judiciary, Parliament and the Executive. Under the executive we have the police, PC, DO, Chiefs, Assistant Chief, and politicians. And I would like to stress on something small Sir about the Chief, Ass. Chief, these should be elected by the people they are governing and terms should not be exceeding five years like with the parliamentarian and whatever. The other one is about Wazee amboa wanakuja na tunakaa nao hapa kama sa hii, should be paid properly so that they lead a better life just as they are working for the government. If they are paid properly they can manage the country development this should be in the constitution so that any ruling party can not be ignored when the public

I had mentioned about national resources:- Natural Resources should be controlled by the state to benefit the public at large. It should not be shared among the ruling party and their supporters for example, forestry should not be guarded or part of it cut off to benefit the ruling party and their supporters. The income of goods, in order to benefit the public All other natural resources minerals, water and extra should be treated the same. Lastly, I had mentioned about medical treatment which is concerning everybody even you. Medical treatment should be reduced in terms of payments as much as possible more especially with this disaster of HIV/AIDS epidemic. Something should also be done to the affected by the government to improve the situation because it is becoming worse and worse day by day. Thank you.

Com Tobiko: Swali moja, on natural resources you said they should be controlled by the state. There is an argument on the other side that the local community must be involved in the management and cost sharing of this natural resources, forest.

JOSEPH MUTHII: I have just said something like what you have said it is only that I have addressed it in a different angle

because I have said forest should be shared or part of it cut off to benefit the ruling party and their supporters. This are the public at large

MICHEAL WACHIRA: thank you the honorable commissioners. These are my humble views on how, these are my proposals on the issues concerning the review. First I would suggest, today the problem we have here is the problem of finance for example if am sick and I need money to go and see a Doctor for example I need I have got a Kidney transplant that issue will automatically make me to be popper. So I would suggest the government should come up with a fund which should be helping people who need the fund so that they can get that services. Today if you have got a serious disease or you have got a case, you are automatically going to be poor, for example you may be asked to pay half a million and you cannot afford such money. So I was suggesting apart from medical services example medical services, legal services and even, legal services sort by lawyers they are asking for high fees and even surveyors, so that for example if I have got a land case and also may be there is a demarcation of land, it will leave the family very poor because all the money, they may be forced to cut part of their land so that they can pay for this legal fees, because the government should help the people that should be the work of the government. To set up a fund so that, that person can be given those services free of charge. The other issue is:- I belief Kenya is a very rich country, but few people get the money at the majority do not get the money and this is because of corruption. Corruption started from the grassroots, what I mean is this for example today if you go to the administrative office and you want to be given services, these people will ask you to give something, right from the bottom up to the top and therefore in most cases, and I think the most important thing is this administrators tell us they want that money for Harambee. Therefore I think my proposal is we should come up with a fund whereby the government should provide services for hospitals, for schools so that we can reduce the corruption, we can stop people asking for people, because the administrator they will be asking money, because may be he is called all over his area to go and preside a harambee. Or even the MP may be involved in corruption because he is going all over the constituency and even outside the constituency going for Harambees, and these are people we want them to donate generously. And if he donates something small, we say this person is stringency. So I think we should scrub Harambee and it will be something else.

Com Tobiko : Move on to another point.

MICHEAL WACHIRA: Then another point is, the MPs should declare the wealth before denominations and also they should not be allowed to have other interest, may be a person is an MP at the same time he is Director of a Farming Society, deputy KPCU, he should stick to one area. Then today we are disturbed to learn that some people are earning a salary of five thousand and another person is earning a salary of one million, and these people they go to the same shop, they go to the same hospital, they enter the same matatus, how do you expect these survive, why do we have so big differences. Some time back you could see for example if a person is a teacher, a P1 teacher, he may start with a salary of two thousand eight hundred and graduate would start with a salary of eight thousand, but today we see different cases.

Com. Tobiko: Excuse me, what is your recommendation? You have told us the problem, what is your solution?

MICHEAL WACHIRA: My recommendation is we should have a body which will regulate all the salary of all the people including the MPs and all the civil servants. Other area I should like you to look at is the constitutional review:- The constitution review should be a continuous process which should be reviewed after every ten years and a referendum done so that they people can say whether commission served them well. Since many people are not well conversed with the constitution, I think civic education should be introduced in schools and other institutions. There is also this area of un-employment: - I don't see the reason why I should be employed while my son is at home and he has finished the university. My proposals are the education system should be reviewed so that we can introduce may be a semester system like that in Europe or America so that children should go at school early and then they will be a review on retirement age, may be it can be reduced up to

Com Tobiko: I give you one minute to summarize

MICHEAL WACHIRA: Yes I have only one point, so that may be the review can go up to fifty years. Lastly, I would urge for a Coffee Ministry, we farmers we have been oppressed we are really working hard but we get very little money. So I would suggest there will be a Ministry for coffee farmers which should at prices of fertilizers, because today you can be farming, but when you go to the expenses of the crop, they carry all the money of have being working for. Therefore I would suggest, a Ministry for Coffee so that this could have a board to control the prices of fertilizers and chemicals so that a farmer can benefit from his work. Thank you

Com BISHOP: Thank you swali ngoja,

COMM KARIAKU: The Chairman has said let us not just think of the problems, shida zeto tunasijua, kwa hivyo hakuna mtu anataka kuelezo shida ambazo anazijua. Kitu tunataka ni ele hitagia kwa katiba na ele itagia kwa katiba ni proposal zenyu. So instead of going to start telling us the problems, tell us the solutions.

COMM: (Kikuyu)

COMM BISHOP: Sasa nitamwita Dickson Mureithi

DICKSON MURIETHI: Mine is to say that those who manage our institutions such as schools and co-operative societies, auditors are appointed and found guilty, they should be taken to criminal courts instead of being taken to civil courts whereby we cannot follow the procedure. Those are my recommendations and I have written them down. Thank you.

COMM: Umemaliza, asante that is the shortest one. Asante sana

HOSEA MWANGI: First of all I want to greet the commissioners and I will then begin my view. Okay I will start with the president – age should not be more than seventy years, two terms of each five years, the president should be above the law. Coalition Government – The party which winning and second party with majority should form a government. Member of parliament – should not be more than 65 years. He has to serve two terms of five years each. Each should have a school certificate “O” level and councilors the same. Okay administration – the Districts are very many, they should be reduced

COMM NJOROGE : To how many?

HOSEA MWANGI: I don't know the number, therefore I don't know, those which were created later. The Districts which were created later should be abolished. Their offices should be handed over to the Ministry of Education which is having a lot of work. Okay I come to Divisions – Divisions are also very many, they should be reduced, their offices handed over to the Ministry of Education. We come to the locations – locations are also very many, they should reduced, their offices to be handed to Ministry of Education. I come to civil servants – Salaries should be increased to all in the civil service when increases come, but not to a few as we are having now. Doctors paid highly, Ministers paid highly other's not. Okay the retiring age should be fifty years. Okay retirees should be paid according to the serving servants. When the serving servants are increased they salaries, they should also be increased. Okay, pensioners who have wives working, they don't inherit the service or anything else or retiring benefits, husband should get the salaries that wives get when husband dies. But today if a wife die, husband can get nothing. They should be given house allowances and medical benefits retirees. They are old it's the time they need a lot of hospitality. Okay I come to wrong doers criminals – robbery with violence a person should be cut left ear so that when he go to Mombasa he is known he is a thief. But now if you go to Karatina and steal you come here we can not know, therefore we would like a sign that this is a thief and if this done no more thieves would come. Okay corruption – Those who give corruption if find guilty, should be finned 100% of what they had given. Am coming to the receiver now, the receiver of corruption - the giver 100% of what he has given another one now, the giver **Comm: the receiver** should be finned 300% of the money he has received. I end there, thank you very much.

COMM NJOROGE: Thank you so much

WINFRED NJOKI (Kikuyu)

(TRANSLATOR) This is are the contribution for Catholic Women Association would like to make. Our first view is if a man and a women cohabit or live together and a child or two, this wife should be recognized as his wife, and inherit his property because we recognize that our children are being disadvantaged in this count. That we think cases of where a woman is widowed should be automatic that the wife inherits property without going into the modality of the state. Because when you go into the system I think she is refereeing to the trustee system **Comm: public trustee** the public trustee. Because once you go

through that system of trustee you get an unfair treatment from the men that you find. We are recommending that Chief or sub-chief where there is illegal brewing, the chief or sub-chief should be summarily dismissed because our children and our husbands are about to be finished. Administrative police – the institution of administrative police should be eradicated, because they are doing work that they are not supposed to be doing, for example putting husbands in custody when they victims of this brew, when they are drunk. Drug dealers should be apprehended and should be given appropriate sentences, because we recognize that our children are in danger of eradication. Fights in the home whether related to the man or woman should be taken as a serious offence, because there is a lot of violence in the homes. Idle land should be recognized there are people with large areas of land while others are landless and this has led to the issue of chokaras. Forests should be protected and forested areas and offenders should be given custodial sentences. The president should be elected by 50% of the electorates and where this does not happen on the first count there should be a re-run for the first and second candidates to find the most popular. **Comm: 50% of the electorates or of cast votes? Translator: Over 50% of the cast votes Comm: Is it cast votes or the electorates? Translator: The cast votes.** We are requesting that in parliament and also in the council, the local authority one third of the seats be reserved for women, because we have a problem when we are asked to compete with men. As the constitution is being reviewed, it should take care of a Kenyan woman who is married to non-Kenyan and she be able to offer citizenship to the foreigner, as in the case vice versa. We are advocating for good governance, where every child will be given free primary school education, because we recognize that there are a lot of children who not undergoing primary education at the same time we have free medical medicines at medical aids in hospitals. Public transport – we recognize that there is over-crowding in public transport like matatu, and the police are not able to limit this, that this be a special consideration, because we recognize that it is a danger and we are losing a lot of people in the road. Electronic frauds – should be also recognized as a major vice today, because we especially, women we are not very educated and we have a problem when we go to the Bank, we find that our money has already been passed to other people through electronic fraud. Employment be on the basis of education because we recognize there is corruption in job opportunities, and children whose education is not as high as others are getting jobs through corruption. We recognize that the introduction of computers is affecting the job market to the point that there are many people who are jobless now, because computers are taking over these jobs. Movies – should be eradicated in this country because we recognize that they are a way in which our children are learning immorality and other vices. She is advocating for censorship to find out the ones that are acceptable not acceptable, not all to be eradicated. We recognize that widows are not beneficiary of the pension plan, and we are advocating that women also who are widowed should enjoy the pension of their husband until also they die. We recognize retrenchment today is related to the young people who are coming back to the society, and this we recognize that it is also contributing to thuggery and insecurity in the country,

because these people are young and they have come back to us. That is all we would like say.

COMM: My colleague has a question

COMM: You have said that you want land to be distributed especially for those who are landless. I do say they should have

of ceilings of land is she able to show how much one should have, so that the rest can be distributed.

TRANSLATOR: We are suggesting that 50 ha should be the upper limit and the rest should be sold or bought by the state for re-distribution.

COMM: Let me hear that again, there are communities like the Maasai, the pastoral communities who live in big areas of land, does that have to affect those communities, who move from one place to the other?

TRANSLATOR: We are saying that 50 is the limit irrespective of the pastoral, agricultural system, because we also recognize that the government it is their job to provide water in those arid areas and those arid areas can be used for agriculture, and we do not want to have preferential treatment for agriculture and pastoral communities. Thank you.

COMM: Lete hii now the next one is John Mutugi hayuko then Luke Muriuki

LUKE MURIUKI: Thank you very much for giving me this opportunity to present my proposal. The first proposal – the powers of the president should be reduced. President should be above the law, but should be answerable and subject to the law. The other thing the president should not be dissolving the parliament when he needs, but there should be a set time of period when the parliament should be dissolved. The other point is in the coffee industry, the farmer should be protected from exploitation by the broker, and so the government should set a price limit where by the farmer should not be under paid, or should not be paid under that price. Farmers should be given the priority of selling their produce and should receive 90% of the total sales. The coffee farmers should not be funding the coffee research institute but rather the coffee research institute should be funded by the government. The other thing the powers of the Attorney General should be reduced he should judicate within the limit of the law, because he has been interfering with the law acquitting criminals and corrupt members or prominent politicians and businessmen evading from facing the law properly and as a result public money have been lost in the process. Hence I should recommend that when a corrupt man is found guilty of corruption he should be jailed and he should be made to pay back the money that has squatted the public with an interest of 10%. The other thing – government should introduce the civic education in schools and other learning institution that every citizen should be conversed of the law, that we should not be ignored. On the area of traffic laws – they should be revaluated once again to curb the increasing cases of bribery in our roads by the traffic policemen. The other recommendation is this – the judiciary should be independent and its functioning should not be interfered by the government, so the courts of law should be independent. The other point is – when politicians that we elect to go to parliament or the councilors fail to fulfill the promises they made to us during campaign they should be prosecuted by the public, because of lying and dishonesty and should not be elected any more. The law should be genuine to all people whether the common man or the rich men, and should not protect the rich whereby they continue to exploit the poor, and so when the common man and rich man break the they should be equal in the eyes of the law, and no speciality should be shown when sentencing them. The other point is this – we should enhance the policy of one man one job in our

country. So when the MP is elected to the parliament he should stick there because he is being paid to be an MP but he should not be a Director, or any other areas. Then my last point is – every Kenyan citizen above 63 years should benefit from pension scheme, whether employed or not employed. Thank you.

COMM: Asente sana Ndugu yangu. Swali moja nataka kuuliza umesama habari ya constitution of MPs and councilors who do not fulfill their electoral promises , in other areas there have been submissions that the electorate should have the power to recall in other words instead of having to wait until, ugoje mpaka hizo miaka mitano zieshe ndio kukatae kumuchagua tena, wali ambao walimchagua wawe na nguvu kabla hiyo muuda kwisha wakuweza kumutoa whether ni councilor ama ni mbunge. Sasa unasema aje bwana?

LUKE MURIUKI: I can support that very strongly. That is what should be done, Asante

WILSON WANJOHI: Thank you very much, my name is Wilson Wanjohi, am a farmer, here are my recommendations. The office of the chiefs, Assistant chiefs and DO these should be abolished and instead the local county council be empowered to handle such matters which are currently handled by the above mentioned persons. Chairs should be created so that each seat which is created should serve its purpose like the one mentioned above, the only difference here is that the local voters are empowered to vote in a person whom they prefer and at least here democracy will be exercised. Concerning the local brews , we are very much afraid of them because, we have friends and relatives which are taking these illicit brews, I don't deserve so but you find the truth is happening to see my brother dying. Now here illicit brews, particularly central province should be abolished once and for all. These brews goes in names like Detar ,Charcoal Clear to mention but a few. The youth are other people abused by these brews they turn to

The local police have been supporting the sale these brews, like there is a case, I saw police patrolling this area and they were taking bribes so they support instead of curbing the sell of the brew. In such a situation I would support the sale of our traditional brew like muratina., which is not as toxic this other local liquors. Some of them contain lethol methanon, in fact the government should try and find out containers and analysis of the preferred brews and come up with a healthy drink brewed through local expertise. Manufacturers can be legalized to carry on the brewing of this preferred brew in conjunction with the government chemist or Kenya Bureau of Standards. On the side of education - it is too burdening and some subjects should be trimmed so that the work load is reduced. On the side of agriculture – the government should import duty free fertilizer and chemical to boost small and ethnic farmers who are now in a dilemma. Most of us here live in less than a dollar which by world standards is to disheartening. The government can export our horti-cultural like tomatoes, cabbages so that it can encourage self employment, sometimes they crowd in our local market. The president should be someone who is educated at least should be a form four lever with a C pass. The age should be between 30 and 70 years. Speed governance should be re-introduced to curb accidents. The government should keep some money at least to give those who leave school to start some businesses. Thank you very much.

COMM: Asente sana. Peter Muchiri

PETER MUCHIRI: Thank you for giving me this opportunity to present our views from Kirinyaga. Presidential powers – The presidential powers should be trimmed to start the president should not be above the law. The presidential term be two terms of five years each, and the second comes if he proves to be acceptable for the second term. The president should not be holding many positions, such as he is chancellor of all universities, he is the commander in chief of the armed forces and other positions not mentioned . President should not be appointing power of ECK or the judiciary extra. Administration – the administrator starting from the sub-chief, chief, DO and even the PC should be elected to show that they will be answering to the electorate, to curb the manner in which they are being mis-used by the executive. Power to recall an MP and above administration as well as the councilors be vested in the electorate. Creation of jobs – one man one job. People retired in public interest should never be allowed to hold public offices. Informal sectors be supported both financial and in law. Cash crops – and am talking about coffee and pyrethrum. If international market is not favoring the coffee farmer, the government should key in and support the farmer financial and materially. Only professionals should be considered for particular jobs even in Ministerial allocations to avoid instances where by a soldier is allocated a health portfolio. Elections – a timetable be set for elections so that elections should never be anybody’s secret weapon. Education – education should either be free or the Ministry concerned set a fee which is equating ups and the others. Parliamentary proceedings – they should be televised so that electorate can access the capability of the elected member. Opposition parties – the country needs only two or three parties that is the ruling party and two opposition parties. Freedom of Association – Freedom of association should be entrenched in our constitution and one should not be crucified for being a member of the opposite function. Freedom of movement and land ownership – It is also entrenched in our constitution but they is also a lot of interference from our police force and the freedom to own land anywhere in the country so long as it is legally acquired. Taxes – the Kenyan Mwananchi is the most heavily taxed, some taxes tend to overlap, they create a system whereby taxes are minimal and the taxes used for the welfare of the mwananchi. That’s all we have. Thank you

NANCY KARIUKI (Speaker Kikuyu)

TRANSLATOR: My name is Nancy Kariuki and am representing a group of women with the farming interest and I will speak in Kikuyu because that is their request. We recognize there are some marginalized groups among them women, children, disabled the aged. We are requesting that of the women, to represent these women adequately that they be represented by 1/3 in parliament, in the cabinet and in the judiciary. Good governance – We would like to curb corruption when a person is apprehended that it attracts heavy penalty, custodial sentence and cuspidation of property so as to make amend, and to be burred from holding public office. We would like to have free education both in the primary and in technical schools like polytechnic because we recognize that why we are having delinquency among the youth. We would like to have a position put in the constitution that the President is an educated person with a minimal qualification of a university degree. He should be a married family man **Comm: or woman** Yes that if it also a woman she should be in marriage. We would like the president to be elected by at least 75% of the cast votes. Family protection – We recognize there is violence in the family unit, man to man,

woman to woman, man to woman, woman to man, we shouldn't have them labeled as domestic issues, and we should be considered as violence and should be dealt with in the law as violence. We would both male and female Kenyans who marry foreigners to be able to pass on that citizenship to their spouse. We are talking about rapist and consider a seven year custodial sentence not enough especially when it involves a minor, because of the trauma that, that child has gone through. We would like to have a system where illicit brew is eradicated also licensed, if it is licensed we want the brewer to take an undertaking that where there is any problem and where the homes will be destroyed or where there will be any negative effect to their client they will pay. We recognize that there is a lot of idle land some of which is inhabitant by wild animals, and then we also recognize that they are squatters who are squashed in to small areas, we would like to have this land redistributed so that everybody can have a fair share. We recognize that we have natural resources such as forests and we recognize that there is a huge destruction on these forests, we would want stiff penalties for people who destroy the environment and conceptions of their property for the reason that as he was destroying this communal property he was kind of grapping and trying to enrich himself at the expense of the others. Drugs and drugs such as Bhang – We would like drug dealers and drug peddlers to be apprehended to attract custodial sentences and to have conception of their property, because they got that property through taking advantage of the lives of others. Where there is a case of window-hood or vice versa, where a man or a woman loses his spouse that, there should be a system of quick transfer of property to the living spouse without the formality of I imagine she is thinking about public trustee and so on, quick transfer to prevent that lengthy process. Thank you

COMM: thank you so much, Geoffrey Gitua, hayuku Geoffrey Gijambi

GEOFFREY GIJAMBI: Thank you for this opportunity to give my views. The presidential terms should be two terms five years in the office. The President should not be head of the government. The post of Prime Minister should be created to head the government. The Prime Minister should be elected by the parliament among the elected MP. To have social security fund for everybody which will be looked upon by the people who are employed. The money should cater for the jobless and the old. The MP should be university graduate or a professor. The councilor should be of the form four level. Mayors and the councils chairman should be form four or a profession. Administrators should be elected by the people so that they could be accountable to the electorate. The President should not appoint the head of the government and the parastatals. The powers of the public commission should be strengthened. The elections should be held differently, for the presidential and for the MP to avoid the clashes. Free education up to the primary level, abolish the 8.4.4. system and replace it by old system of 7.4.2.3. The working force should be given security so as to avoid the strikes. All the people aspiring to be elected should declare their wealth before they are elected. Those are my views.

COMM: Asente sana, Mary Njeri, Mary Njeri

MARY NJERI MAINA (Speaker Kikuyu)

TRANSLATOR: I would like to refer to the issue of Assistant Chief, let them be elected by the people. Also let the chief be

elected by the people and this should not be a person who is retired or has come from example the military, from administrative police or such forces. This is to create opportunity for our children who are educated, some of whom have presented their views here, to present opportunities for them to get jobs. This person who is retiring or has come from another form of employment should also give opportunity for the unemployed. We recommend or it is my view let the Assistant Chief be separate from the judiciary, he is not a judge, let him not judge. Am opposing the levying of fine by the Chiefs and Assistant Chief and their Administrative police, because where this happen, if a person is disadvantaged in terms of property or what they have, they will be forced to look for those funds, they will be forced to go and seek for money through employment, and this is a system that is leading us further and further into poverty. We recognize that in cases of traffic accidents, where a person is killed on the road, I am unhappy when the body of the deceased is kept on the road for hours and hours, I recognize this as an indignity, which is equivalent to that of an animal like a dog. In the seventies, the body used to be removed in haste and I would the same. Talking about primary school education – I recognize that as we are speaking, it is reputed to be free and yet it is not available or effective. So let there be a means or a system is found where the education is available, not to say that it is available and it is free and it is not effective. The standard eight leaver in the 8.4.4. system I recognize they are times when there is a leaver who comes from a home that is not able to help them proceed with their education and this child is disadvantaged, and in that case they remain in the community and they are not able to progress with their education. Let the government look for a way and a means of identifying them and helping them and giving them opportunity. Illegal brew – which are sold at ten shillings in the outlets illegal brew. We recognize that this 7illegal brew are a system that has come, it is a vice in our society and I feel that this is detrimental to both our children and to our husbands, now this brew cost ten shillings which is quiet cheap, I recommend that let this licenses be given, if they are given and let the brew be made expensive so that children cannot afford them. Thank you

COMM: Asente sana mama

MAINA KABUGU: Asente sana kwa kunipa nafasi hii nitoe maoni yangu kuhusu kutegeneza katiba. Ya kwaza mimi nigependa katika ulirithi wa marihimu kuliko kupelika hiyo will kwa koti, ewe ikisuhuliswa na wazee wa vijiji na chief na sub-chief aje kwa hoa clan members katika sehemu hiyo kuliko kuwambia hao clan watoke hapa mpaka tuseme Baricho eli wakasuhulishe hio case. Ya pili ni sub-chief achanguliwe na wananchi na akichaguliwa na wananchi hakae muuda wa miaka kumi na tano na kwaza, kipindi cha kwaza hakae miaka kumi hapo wapige kura tene ili akichaguliwa tena hakae miaka tano na hawe na umri wa miaka 35 mpaka 45. Pia chief hakae kipindi cha miaka 20. Kutoka hapa hazichanguliwe tena. Eli hingine ni kuhusu watoto wa shule: -shule ewe ya mbure na wazazi wachiwe jukumu ya kuwanunulia vitabu peke yake. Nao wazazi wanaweza kutegeneza mrudi wao wakununua vitabu vya kusomea hoa watoto pia na za kuandika. Hio hingine ni kuhusu kahawa:- Kahawa, wale tunawachagua, esiwe kama tunawachagua, kuwe kuna wengine wanabaki na wengine tuna wachua mwaka huu au kuna wale wanakaa kipindi cha miaka miwili. Huo tukiwa tunawachagua wakati kipindi kimoja, tukiwachagua tuwachague wote kwa mara moja. Yule atayerudi harudi, yule hatakaye kosha kuchanguliwa hakae. Eli hingine kahawa au majani chai, mtu mwenyewe ndie alipenda kupanda, nigependekeza, hakitaka kungoa kwa sababu halipanda kwa hiyari

asiulizwe na mtu kwa nini unataka kungoa. Yangu ni hiyo sina hingine.

COMM: Asente sana ndungu yangu, asente sana

CHARLES KARANI: Thank you very much for giving me chance to air my views to this commission. Am glad to present the following to the commission to be considered for the new constitution. The foremost items to be considered to separate the three arms of government that is the executive, the judiciary and the legislature. The executive – the president powers should be reduced so that other individuals should feel free to perform their duties independently. Other bodies it depends it has seen and if they are performing their duties well. The parliament should have its own calendar to open and Appointment of all kinds – the appointment of the Ministers, Permanent Secretaries and Parastatals Heads should be vetted by parliament. The corrupt officers have lead the economy of this country down to the negative number. Administration post – the administration post of the PC, DC, DO and chief should be abolished for it is only Kenya and Nigeria have these post. Their powers should be given to the county council chairman and elders of the village help running of the area. I am sorry because there has been talked about the referendum, but my sense of referendum in the constitution it must quote referendum, so that the citizen of this country can have a voice in better changes of the constitution in future. I am a tea farmer so I have a lot of emphasis on the tea: - The farming communities have several problems unsolved. These problems can be solved by crop rotation in place. Crop rotation will play a role to reduce the poverty lives which are spread upwards size of small communities size of small scale tea community farming. There are about four million small scale tea farmers in Kenya in the total population of about 60

PETER WANJOHI: Thank you for giving me this opportunity to give out my views. One – Land ownership:- You can own land in any part of the country . Women to have joint property ownership so that man cannot dispose off land without the woman consent. Have land divided so that every Kenyan should own land those exceeding should be given to the genuine squatters. Five – Citizen to have power to recall MPs or councilors if they are not performing. Executive – The President should not above the law. To reduce Presidents powers to give to the people , parliament eg appointment of Chief Justice, Attorney General, VP this should be done through ballot renferndum and these should not be done in city or big towns, but in the rural by the Wanjiku's. Constitution – every citizen should own a copy of the constitution in his own mother tongue. Rights – Government should provide free education up to primary level, also it should provide health care freely. Government should also provide security, employment and element District Focus. Natural Resources – Right to own or have access to natural resources if it is in your property or land. If gold or oil is discovered in my personal land, I should share the benefit from it or have direct control over it. Thank you.

COMM: Thank you so much, and that is a concise presentation we have witnessed today. Maina Wanjohi, Maina Wanjohi, Satesian Muriuki

SATESIAN MURIUKI: I am making this presentation on behalf Mulogide Catholic Church. I would like to start with the constitution amendment:- This amendment should be done by parliament but after consultation with wananchi through their area MP. Because in the past it has been done without referring to wananchi and some of them have not been able to understand this changes and why it was necessary to make them in the first place. In citizenship – A person who is married to a Kenyan whether male or female should be allowed to acquire Kenya Citizenship if he or she applies for it. The citizenship should seize if he or she divorces with the one through who relationship he or she was able to get the citizenship. A foreigner should get citizenship by nationalization after been in Kenya for at least fourteen years and not seven years as it currently stated. On presidential powers and election:- The 25% vote from at least five provinces rule should be scrubbed. The President should name his running mate and that running mate should be his vice president if he go through the election successfully. The successful candidate presidential candidate should be able to gather at least 50% of the votes cast. The president should have no powers over votes, he should not be able to change the decision of votes in any way. The President should not be the only person to appoint senior officers in the government, in case of ministers, parliament should vet them and approve them. In case of civil servants, senior civil servants and head of the public institutions, the Ministry concerned should have a body, a board to decide who should take what responsibility or position and the criteria followed should be merit and not political royalty or affiliations. The President whether he is the sitting one or not should be subject to the laws of the land he should not be above law. The President should be able to sermon, prolong or dissolve parliament, instead parliament should have a time-table to follow indicating when it should go for holidays and so on. On political parties – Political parties should be run more democratically than they are being done today, with a greater member involvement in decision making. Elections in to the parties should be carried out inside secret ballot system and not other system such as queuing or alienation. The country does not need the more than forty political parties which are fragmenting our nation into tribal areas, instead we need about three political parties at most which should be based on ideology not regionalism or tribalism. On electoral commission and election – the current electoral commission should be disbanded and another one should be constituted not be the president because the one constituted by the President serves his interest and not wananchi interest. The electoral commission should fix constituency boundaries according to population, because member of parliament represent voters not animals, forests and landscape. Registered political parties should be represented in the electoral commission, and the commissioner in that commission themselves should elect the chairperson and not the president. The ruling party should have the privilege of using natural resources, during its political campaign such as vehicles, provincial administration, KBC radio and TV station and other such resources because they are managed through public fund and it is not by that party alone. If it has to use them, even others should have free access to these properties. On foreign debts and loans – these should be debated and approved by parliament before government can go for them. Parliament has to be informed how this loan are being utilized when they are received from the donor country or organization granting them. The public account committee should be empowered to prosecute any person found to misuse this loan or grant. This is because the Attorney General office in the past has been dragging its feet on the matter of prosecuting this culprit. On judiciary – the Chief Justice and high court judges should not be appointed or be seat by the president, they should operate in totally independent atmosphere. The executive or legislature should not interfere with the judiciary in any way. There should be a body to deal with corruption in the judiciary, because

currently wananchi have little confidence in the department. Provincial administration – It should be scrubbed all together or if it must be there then it should be one elected by the people of this country and not appointed from areas we don't now where they come from. These provincial administration officials should be elected after every five years so that wananchi can have an opportunity to remove the unpopular ones and those who have not been delivering. On the land tenure system – those who have grabbed large tracks of land have aggravated the problem of landlessness so such large track of land should be repossessed by the government and re-distributed to the landless people in the country. Those who have not bought these lands with their own money should be made to surrender them to the government they should be re-distributed. On succession or inheritance widows should not be harassed by the in-law when their husbands have died instead they should be helped to inherit their late husbands property in a simple procedure not following these long bureaucracy and other such burdensome procedures. Unmarried women and those who have divorced should be allowed to have land in their parents home because they have nowhere else to turn to. On gender balance – girls and boys should have equal access to education facilities. The cultural practices which discriminate against or oppress women should be discontinued examples are forced marriages, female genital mutilation. Women should be allowed to participate in political and social matters on equal footing with men if they have merit they should not be discriminated against on grounds of gender. On education – the 8.4.4. system has proved sort of failure and should be done away with completely. The quarter system used in admitting children to national secondary schools and other public institution of learning, is discriminatory and should be done away with, instead merit alone should be the criterion to follow when admitting them. The cost sharing as applied in schools today is oppressive and should be done away with because it is becoming a very big burden to parents resulting to some children dropping out of schools thus denying their basic right to education. On health – the currently running hospitals, dispensary and health centers are providing very poor services to wananchi, the cost sharing in those health institution is badly mismanaged and is not useful to the institution and is not serving the purpose intended. There should be board formed by local people to oversee management of those

COMM: Summarize, summarize, we have many people

SATESIAN MURIUKI: In the similar way that primary school management committee have been doing. The last part is on human rights – all Kenyans should be given human rights and police should not have arbitrary powers to arrest and detain suspects sometime exhausting money from them and their relatives. Citizens should be allowed to have private prosecution against police officers and provincial administrator who mistreat them and the Attorney General should not have power to terminate these private prosecution by entering wrongly prosecutes and so on. Finally children should be allowed access to education, health and such other issues thank you for giving me the opportunity.

COMM: Tafadhali tumupigie makofi asente sana kuna maswahili ndungu yangu.

COMM NJOROGE: You have said that we

SATESIAN MURUIKI: I feel that under the present system, women are not or equal treated with men because when it comes to things such as campaign, campaigns are sometimes very violent and you know women are not strong as men, so when it becomes violent, husbands tend to discourage their wives from participating in such activities. So I feel there should be enough security in the country to make sure that campaigns are violent and everybody who feel that he or she should participate should feel protected enough and I think this way women will be able to get there way.

COMM: Affirmative action, you support it, you know affirmative action?

SATESIAN MURUIKI: No am not for the affirmative action, I just say that they should be given fair playing ground like men. Asente sana

COMM: Stephen Kanyi, hayuko Simon Mwangi hayuko, Maina Joseph Okay

MAINA JOSEPH: Thank you, nitaogea habari ya waziojiweza. First of all nigetaka serekali hichuguze habari ya walking aid vitu kama clutches, calibers, wheel chairs, boards hizo ni vitu ambazo hatupati kwa wingi na kama zinapatikana zinakua too expensive. Eli hingine ni kwamba kama mtu ako na physical disability na hako na vitu kama clutches akienda mahali kama kwa jela anambiwa kwamba we do not allow clutches here kwa hivyo utaengia bila clutches. Mtu kama mimi wakinyanyaga clutches siwezi kutebea, kwa hivyo tugetaka serekali hiangaliye mambo kama hayo. The family of a disabled person should be catered for by government. The health care of a disabled party also be catered by the government. School fees for the disabled party and their extended families should also be abolished.

COMM: Umemaliza? asente sana tumupigie makofi tafadhali. Kimani Gachue He is gone out, Wanjau Muchiga

WANJAU MUCHIGA: Thank you for giving me this opportunity to air my points concerning the new constitution. Currently the date of Presidential, Parliamentary or civic election are not set up and they are announced by the powered almost close to the elections. I think, so I was saying that the election Parliamentary or Presidential election date are never announced well in advance. **COMM: What is your recommendation?**

My recommendation is that (cassette blank)

COMM: wake sauti kidogo juu wana tape. Tafadhali, excuse me tafadhali tukuaribu kumaliza. Kama munaweza bakia kidogo datika zingine kama kumi na tano hivi tutakuwa tumemaliza. Ndio tumalize mara moja.

WANJAU MUCHIGA: I was saying that counting of votes should be carried out at each polling and the results submitted from a centralized selected point in a constituency for this purpose for final compellation. The Vice president of the nation should be elected by people not appointed by the president. The appointment of Ministers, Assistant Ministers, Permanent

Secretaries, Judges should be vetted by parliament. Any amendment to constitution should have the support of 1/3 members of parliament and not the current 2/3 75%. **COMM: Jaribu tu ku-recommend** The candidate for president should receive over 50% of all valued votes in a presidential election. Finally, the president should not be above the law, should be liable for prosecution for any wrong thing to the public either by parliament or in court of law. Thank you so much for listening.

COMM: Thank you so much

HEZRON MAINA (Speaker Kikuyu)

(TRANSLATOR): We small scale farmers are disadvantaged compared to the rich. They are able to go and get farm implements from out of the country, they are able to avoid taxes and they come and sell these things to us at high cost in a manner that destroys us. They also act as brokers for our farm produce where they buy at low prices and then they go and market them at higher prices. This has led to a situation where our children who are educated or are supposed to be school are at home, and these children are living in a way that is also to a disadvantage to the community. Am recommending that, put it in the constitution or whatever that the government of any particular time pays special attention to the children of poor people who are disadvantaged so that they can develop to an area that they can become leaders. I recognize that the leaders today are children of poor people in the past. Thank you.

STEPHEN KIBUCHI: Nitazugumuza kwa kiswahili kwa sababu kigereza si lunga yangu mradi nilisoma naweza guzia guzia hivi sitaki wacha nizugumuze kiswahili ambacho ni lunga ya taifa

COMM: Sawa sawa endelea.

STEPHEN KIBUCHI: Haya ni maoni yangu katika tume hii ya katiba. Uwezo wa kibinafsi kuhusu mambo ya nchi. Uwezo wa kuchagua tume unatakiwa uwachiwe mbunge, kwa sababu pesa zitumekazo ni za uma. Na baada ya tume hiyo kuchagua maoni ya watu majibu yatolewe kwa uma ulio ngarimia tume hio, kwani tume nyingi hazifai. Zingine na zingine azikutoa maoni ambayo yalikuwa yakitakikana na pesa nyingi zilitumika. Kuanguka kwa viwada, chechote kitacho takiwa kutoka nje ya nchi hii mbunge inatakiwa hijandili. Kwa mfano, maida, ngano, magari, sukari, mavasi yani nguo, mtambo ya umeme, madawa, pombe na vyote vinayonya vina yanyaza viwada vyetu, mbunge ewe enajandili kwaza juu ya ukosefu Fulani wa maitanji ya wananchi. Na baada ya hapo tender itolewe kwa Company ya wananchi na wala zio kwa Company za watu binafsi. Kwa hoyu ni kulapi. Kahawa na chai tukuzazo, mmea huo umekuwa mbure kwani amupi mkulima pesa zezote. Mkulima auze soko huru kwa sababu wasimamamizi wa mambo hayo wanachaguliwa na watu binafsi wa kisiasa na wanachagua marafiki wanao wayonya wakulima. Wakulima wajichagulie wakuu wao ambao waweza kuajiri na kufuta. Utofuati wa kodi:- Wale wanaokata kodi hawalipiwi na sheria au serekali, mfano, jiji la Nairobi na mji mengine mikubwa wao uza nduka na hawa uzi chechote kwani mali ya nchi zengine yamemwagwa hapa na yauzwa nje ya biashara zilizu na liseni. Majumba ya kukondiswa hali

The Vice president anatakiwa achanguliwe na wananchi lakini sio President awe akichagua mdogo wake, nchi ichague. Wakuu wa jeshi, Polisi, Wana-maji, vyuo vikuu, wakuregeze wama hospital kama hospitali kuu, Attorney General, Judges, Chief Justice, wenye viti wa state operations ama kabuni za uma, wakuu wa mikoa, hata tume yauchanguzi elioko sasa wawe wakichanguliwa na mbunge katika mjandala. Sehemu kafu yaani semi-arid areas sababu shida kubwa katika sehemu hizi ni maji, serekali yaweza kuweka maji sehemu hizo ikitumia mali ya nchi. Sheria iweko ya kulinda watu wao eli waishi maisha ya kujitegemea, pamoja na ukulima wao. Ministry ama mawizara :- Sheria kuu ewekwe kwamba wizara zipunguke na zizidi wazara kama kumi nchini ili kupuguzwa mtumizi mbaya ya pesa za uma kwa kuwa na mawazir wengi na wadogo wao ambao wanalipwa mbure. Storage au mahali ya uma: Sheria kuu haimulindi mwananchi ama wanachi kwa chakula, kwani hikiwa ni njaa kwa ukosefu wa mfua au na kadhalika, nchi hii hawezi kusimaili pasipo kuopa nchi zingine za nje na hadi mkulima analima Maudi, Miwa,

COMM: Recommendation yako ni gani ndungu yako, twaelewa hizo zote unazosema. What is your recommendation? Sori umetwabia mengi sasa una recommend tufanya nini.

STEPHEN KIBUCHI: Mimi na- recommend kama ni hari ya viwada kuajiri watu, tuwe viwada virundiswe, eli watu wajiliwe kazi na wakulima waweze kulima wakiuza mazoa yao ama wakipelika katika yale mawada ama katika vile viwanda. Kwa sababu sugari, enakuja, ngano enakuja nini enakuja na sisi kunazo hapa wetu. Okay na kuwe na elimu ya bure, shule za msingi yaani free primary level education ziwe ni za mbure. Na mwananchi alindwe na katiba, kwa sababu mwananchi wa kawaida ananyayazwa ovyo ovyo na serekali. Anaweza hata uwawa anaeza kufugwa kufanywa kiwite kwa sababu sheria hamlindi huo mtu wa kawaida, sheria ya mlinda aliye na mali mtu mkubwa

COMM:

STEPHEN KIBUCHI: Wanawake nao pia waache kunyayazwa katika siasa. Ukiangalia katika mikutano kama vile siasa zitanza, wanaume mutanza kusema hati mwanamuke huyo anasema hivyo yeye hana bwana yeye ni Malaya. Equality agenda katika siasa. Pasipo kutukana wale wengine eli wewe mwanaume, hata wewe mwanaume pengine hata hauna bibi, lakini wewe hauonekani, lakini mwanamuke ndie anaonekana hana bwana. Asente sana.

COMM: Sasa nitapitia hii list nione wale ambao walijiandikisha, na awakupata nafasi, niwape wakati wateo maoni yao. Tuku na mzee kwa jina John Mutungi.

JOHN MUTUNGI: Asente sana mweye kiti, This are my constitution views: -I would like the Kenya government to have a type of a written constitution a legend one home grown not foreign and national one but not very local. I would like Kenya to be democratic state with an executive president. Be having 14 ministries, 14 Ministers and Assistant Ministers not kama eli ina like

the one we have two Ministers or three Ministers in one Ministry. The qualities of a President:- should be over 40 years of age, should be a Kenyan citizen of public anointing, should be proposed by one million signatures not one government signature as present. Should be religious, should be married and of very high morals. He or she should be at least be elected by 50% of all votes casted. Should be at least of form four standard of education and of a sound mind, free from any criminal record, and also the presidential election should be coming separately from the local authority election and parliamentary election. Powers of president:- The powers of president should be actually be controlled by the parliament, he should not be the overall person who appoint the accounting officers, all the five constitutional offices and the governor of the Central Bank. This should be done by the parliament but not the president himself. Parliament: - All parliamentary elections should be cast separately from the local government election. There should be election of independent candidate not necessarily from the party. Parliament should have the powers appoint authorized officers those are permanent secretaries, judges and public service commission in accordance to the powers qualifications but not on tribal basis. Commissioner of police – Commissioner of police also should not be answerable to the president, should be answerable to parliament and should do his job without the influence of the executive, and should be holding only for five year term. Human rights – every citizen has a right of life, and so the government should see that less privileged ones should have free education up to the level of the university, should have shelter, food and free medical care. All types of forced labor, slavery should be abolished. The less privileged ones that is the women, in parliament and local government they should be represented, at least a third of all elected councilors, and elected members of parliament. discrimination should be abolished whatsoever none. Consolidated funding should be controlled by the President or any political party, it should be controlled by the parliament, but the parliament should also be checked not to increase their salaries as they deed last time. Retiring - All retiring MP who have served two term for five years that is ten years period be eligible for government packages, but a retiring President if he remains active for domestic politics he should not enjoy the government package, because be enviable. Local authority – All the councilors should be elected by the people and should be also of form four standard, and chairman of the country council should be elected by all the whole District and should be more rewarded by the area MP because he has got a more area than the MP. Electoral commission – Electoral commission should have powers vested to them, but not from the President it is very likely for the president to order them to favour the results of the election.

COMM: Jaribu ku-summarize ndungu yangu, time yako inaisha

JOHN MUTUNGI: The electoral commission have powers to nullify any elections deemed to be very unfair or where there is violence and bribery has been proved. Thank you very much.

COMM TOBIKO: Thank you so much. Geoffery Gitura

JOHN WANJOHI: I am John Wanjohi, am not Geoffrey Gitura but I have being asked by Geoffrey Gitura to read on his own behalf, I don't know whether it will work. This is a problem it is written in English, I think it was prepared by other people

and they are not around and he was given the work of coming to read it.

COMM TOBIKO: What you will do is this, because we are running short of time, do you have your own views you want to present?

JOHN WANJOHI: Yeah may be I can only have one briefly

COMM TOBIKO: Okay just hand in the memo and then you can present you own views.

JOHN WANJOHI: Am John Wanjohi Kango at least here I have one view which I can air here, I thought this post of Vice Presidency, the president should not have the mandate of choosing the Vice President but he should be elected by the people so that he can be independent in his own view. If he is chosen by the president he may work under fear. The other thing that may be am going to say that as many have said, the provincial administration, under the sub-chief, the chief all those people, they should be elected by the people, because sometimes they act, you know according to what people should not like, but simply because they think they are more powerful they just act the way the want. But if they are answerable to the people they may be careful in their undertaking. I think I have only those two thank you.

COMM TOBIKO: Thank you. Simon Mwangi , Stephen Wanjohi

STEPHEN WANJOHI: Thank you very much commissioners I would like to air my views. First is extension of parliament:- we know very well that the extension of was vetted to the parliament members of parliament. There is also another section and I would like to quote the extension of parliament section 4 59 states clearly that the life of parliament is to be extended when the country is at war. And here we are told the MP can not extend the parliament.

COMM TOBIKO: Who told you that?

STEPHEN WANJOHI: It was passed by parliament. Now I would like this section to be removed because if the country is at war and the parliament decide to extend the parliament should we go to the war first and then parliament be extended. So I would like this section to be removed. The other thing I would like to recommend your honor is the question of presidential appointee. They are the office of the Auditor General:- This is very delicate office which I would recommend the office or else the office bearer to be appointed by the public committee. The public committee should have a place provided which must be recommended by 2/3 of the whole parliament. The appointment of Judges and Chief Justice, the judge should be elected. The office the Attorney General – should not also be a presidential appointee. I find that we should have a minimum number from opposition parties **Comm Tobiko: How many?** At least five, these ones should be totally be financed by the government either in case of campaign especially through voting and there also be formed parliamentary cars service scheme which is given

only to the ruling party. The other opposition parties end up taking their cars to the jua kali whereas the cars of the ruling are repaired by big companies costing the Kenya Government a lot of money. **Comm Tobiko: maliza** Presidential swearing in – the president should not be swearing kwa niamba yangu na serekali na watu ya Kenya. What I think here we should have somebody who is in charge of the government elected by the people or parliament, then we have a Prime Minister who will be elected by people. So I think this way the presidential will have to be reduced or it will look like as if it is reduced. Children right – I think my recommendation is primary school should be compulsory that is there must be a free education, children to be supplied with books and no charges should be paid by parents, the government should cater for all those facilities. On secondary education I feel that the government should set aside fund to cater for the children who go for secondary. Thank you.

COMM TOBIKO: Simon Maina, na sasa nitakuwa keen on time now kwa hivyo sasa nakupatia datika tano mzee wangu ufanye chap chap ukipitisha nitakukata sawa sawa

SIMON MAINA KARANI: Maoni yangu kuhusu katiba – Elimu, katika shule zetu za hapa Kenya kuliwa wakati naona ya kwamba sisi tunafinywa sana na walimu. Tunajua ya kwamba hawa walimu wamendikwa na serekali. Tukienda upande wa mafunzo ya vyani naona siku hizi tunalipa pesa hisiyo halali kwa maana tunajua ya kwamba mishahara ya walimu kutoka kwa eli fee kwa hivyo

COMM TOBIKO: Ndungu yangu nilisema nitakukata tafadhali usitupatie speech hapa tunajua hiyo shida tunataka recommendation yako solution yako ni gani?

SIMON MAINA KARANI: Recommendation yangu nigesema hiyo shida ya pesa za ziada bwana commissioner ewe hikilipwa na TSC badala ya wazazi. Ya tatu ni madawa – kwa upande wa edara ya afya katika sheria mpya mtu yeyetu azije akalipiswa hospital katika sheria mpya . Kwa upande wa barabara – bara bara zetu zakuigia ma nyumbani zimelimuwa zeto na wananchi wezetu, unakuta bara bara ni ya fiti ishirini iinalimuwa inabaki fiti kumu. Kwa hivyo watu wanao husika na mabara bara hayo wapewe mandate kufanya inspection kwa ma bara bara. **Comm Tobiko: Road reserves.** Yeah na hayo ndio yangu bwana commissioner.

COMM TOBIKO: Asente sana ndungu yangu asente, twende kwa Micheal Muriuki fanya chap chap mzee wangu

MICHEAL MURIUKI: Because am assuming there is some people who are not understanding English here I will speak Kiswahili lunga ya kiswahili . **Comm Tobiko: Hata Kikuyu ukitaka** Hata kikuyu nikitaka. I am the area councilor La kwanza – hikiwa ni councilor ambaye amechaguliwa na wananchi na hakoze aende akachukuye mahali ya mwananchi asimamiswe kuchaguliwe mwingine. Hio ni maoni yangu. Lngine – hikiwa ni mashamba ya wananchi ambaye imechuguliwa yule ambaye aliyakugua serekali himufuate irudishe kwa mwananchi. Lngine – President asiwe above the law hakisema

Muriuki angolewe kungoa tu bila kuhulizwa. Awe ana ongozwa na mbunge asifanye vile anavyo taka. Lngine – President naye awe anachaguliwa kama President sio na mawaziri hiyo nimeongeza yetu wawe ni mbungu wanaongoza eli hikifika wakati wakusema wacha basi na ndio maoni yangu. Hingine ni ya makanisa – Makanisa yawe yana haki kusema mambo ikiharibika na hatafuata. Kwa sababu wakati ukifika hikiwa ni pastor ana kwenda kuhubiri ana mbiwa Don't talk about the politics kwa hivyo wawe nao wako katika laini kwa sababu ndio wanaongoza nchi. Lngine – qualification ya President ewe miaka harubaini na tano mpaka sabini lakini mali yake hijulikane alitoa wapi. Hata councilor hiyo nimesema hapa. La kwisho – councilor akifanya kazi mzuri sana amalizike bila kuharibu term yake ata yeye anaweza kua mtu ambaye anaweza kupatiwa eli hinaitwa pension. Kwa sababu amejiliwa amefanya vizuri. Kwa hayo macheche sitandelea tena. Mungu awabariki.

COMM TOBIKO: Asente sana councilor, Joseph

JOSEPH WANGOTHI: These are the views of the Presbyterian Church Kefergo Parish. We have views on basic needs; the government revive Agriculture by making input affordable. Irrigation schemes should be initiated in areas where, areas which are semi- arid and there is permanent source of water. Marketing of agricultural produce should not be temporary for instance the government should set a minimum of the selling price of agricultural produce. The government should remove or lower taxes on agricultural products like fertilizer, spraying chemicals such. Water – the government should initiate water project and make sure that no all areas there is safe water for the members of the public. Rural electrification project that used to be there should be initiated because it used to help people. Health – the government should offer free medical services as it used to be that is cost sharing should be removed. Sewage – the sewage should be protected the sewage should not fill into the rivers like in some cases. Education – it should be made available and compulsory to all people and especially the civic education. De-politic education because sometimes you find that if the education sector is affected by politics so it should be de-politic. Revive adult education it used to be there. The tax on building materials should be lowered so that people can afford to construct small shelter. Textile industry should be revived so that people can afford cloth at lower prices if they are produced locally. We also have something touching security – security within the rural area should be made a bit stronger because we have security treats. We also have something on less fortunate people – there should be a body looking on those people who are less fortunate and a bursary fund should be set to cater for children who are unfortunate in the country. Government should create environment that is conducive to this people. Right and freedom – women should have right to ownership of property especially after the husband dies then the widow should have all rights to the property which were acquire by the husband. Women should be given right in making and participating or having participation in matters concerning there homes. Legal services should be made lower. Marriage age limit should be set from 22 years and above. Girls should be given right to choose their spouses.

COMM TOBIKO: Summarize ndungu yangu saa yako inaisha

JOSEPH WANGOTHI: Freedom of expression, women should be given more freedom of expression. Laws governing land

should be strengthened so there should be no cases of grapping. Sub-division when it comes to demarcating land should be lowered. Children rights – children should be more protected and as I said earlier on civic education should be mandatory. Drug trafficking should be curbed within the country. Children should not be allowed into disco halls and bars, so there should be a law curbing that those things. After attaining the age of fifteen every person should be given an ID. Phonographic material should be removed from our newspaper vendors from the streets and from TV

COMM TOBIKO: Ndungu yangu your time is up, peana memo other people want to speak also. Wide up.

JOSEPH WANGOTHI: Powers of the president – Judiciary service commission should appoint

COMM NJOROGE (KIKUYU)

COMM TOBIKO: Tafadhali kama uko na memorandum, hata sisi tumenda shule tunaweza kujisomea, natutasoma kila kitu. Just highlight the basic points sawa sawa tumesikizana, Thomas kariuki.

THOMAS KARIUKI: (Speaker Kikuyu)

TRANSLATOR: I want say all Kenyans whenever they are they be happy irrespectively. Whoever lost his land to the colonist should be returned to. Game parks should be reduced and that land be re-distributed to the landless. Nobody should be allowed to control the family, government and other intruders should not interfere with somebody's own family. Family clan, if there is problem it should be sorted out by the clan. That is all I had for the commission.

COMM: Joseph chege hayuko, Peter Munene kuja

PETER MUNENE (Speaker Kikuyu)

TRANSLATOR: This country Kenya we would like to recruit learned people to run it well. Somebody has lost his property and when tried to speak he was put in. If you get a visitor to your house, you've got to report to the chief to entertain them in the house. We suffered in the hands of the British colonizers the resources of this country went with the home guards those people who were fighting hard have nothing. We want to speak about those who were arrested, beaten and locked up. We feel pain as this country's is managed by people who did not fight for it. We would like people in this country to be sympatric people so that those of us who don't own land can be able to perform our duties and get some fruits from our labor. Development is one sided some areas are being developed and others are being left behind. All people should get their rights because they fought for them. We would like equitable distribution of property for instance land, after independence land was shared out some people got ten ha, others got very little land and others nothing. All Kenyans were brought to this country by God and therefore everybody should enjoy the fruits of the country. So nobody should lose his right.

COMM TOBIKO: Ametosheka, John Wahome

JOHN WAHOME: Hata mimi nataka mtu wa kutafusiri

COMM TOBIKO: Endelea Mzee

TRANSLATOR: President to have two five year term, one five year term if the people like him they can elect him for another term. Ceiling of land should be 100 ha above that should be distributed to the landless. The constitution is for all Kenyans it should involve all parties and all citizens no party should have more representation than others. It is very serious, police are arresting thieves, releasing them when they are guilty, the public is concerned about this. Action should be taken against police for releasing any person found to be guilty. Chiefs and sub-chief should be elected by the people. Education should be free – there are so many children out of school because their parents can not afford school fees. There should freedom of worship and that church services should not be interfered with by government or anybody else. These is an interesting issue – In highways people take their cattle there in the highways because they have no other place, but when there is an accident involving the cow, it is the cow owner who is charged not the owner of the vehicle. The driver should take care of the cow because he has brains, because the cow does not have the authority. Some how it is the driver who should be charged not the other way round. Child boys will become leaders of tomorrow, the government should create institutions to rehabilitate them, they should not just look at them. Commissioner thank you very much that is all I had.

COMM TOBIKO: Sasa nimefikia mwisho ya program yangu, na uliza kuna mtu wowote ambao hako hapa ambaye hajaogea na anataka kuoagea? Ndugu yangu patia mama kwaza.

LUCIA WAMBUI MUNENE: I would like to talk about the freedom of worship we have these days. This freedom of worship has brought about so many sets the churches are so many we find an area like our locality here we have as many churches as possible. To preach – we are preaching one God, so we find there are so many such that they is destruction

COMM TOBIKO: What do you recommend?

LUCIA WAMBUI MUNENE: I recommend that they are halved there be a limit of these churches. The other one is the government should also care for the bright children from poor family. The other one is the government should also train more teachers to teach the disabled children. I would also recommend that the widower should not be retrenched. I would also say that the Vice President should be an economist. There should also be water harvesting in semi-arid areas a time like now when there is a lot of rain the water can be tapped to be used in arid and semi-arid areas. The other one – the eradication of illiteracy in our country because it is in the increase. Thank you.

COMM TOBIKO: Asente sana mama

B. A. MWANGI: I have just two points:- First I would request in future when the government makes a resolution as per the case of the teachers it recommended on the great benefit to their salary five years ago and they claim they have no money for almost five years. They should not agreed to accept the teachers remuneration if they knew that they are not going to budget for their money

COMM TOBIKO: What is the solution?

B. A. MWANGI: The solution is the government should take its obligation seriously. Two – as far as Kenya is concerned the opposition parties again sometimes harass, during campaign unless they contribute their own money they are not funded by the government. My solution is that the government should cater for opposition parties during the campaign period, because some parties they don't have money and they would be having good leaders. Thank you

COMM TOBIKO: Thank you so much, Mzee wangu ulikuwa kwa hii list.

DICKSON WANJOHI: Mimi nataka kuogea habari ya madereva, sababu katika nchi hii yetu dereva wanapenda kukaa vimbya sana. Wakipelika gari watu wengi wanajua hawajali wanajali pesa. Kwa hivyo mimi naomba serekali hifanye madereva ngumu sana eli vifu vingi viwache kuoekana katika barabara, hata muendo wa madereva ni mbya sana. Kwa sababu wanapokea watu kama magunia. Hiyo si haki. Tena tugetaka kuwa watu huru, na wakati ule watu wawegwa kama magunia wanakua kama watumwa. Kama vile tulikuwa samani wakati wa ubeberu. Kwa hivyo tugetaka tufanyiwe kama watu waku na uhuru. Hio tu bwana nitasema.

COMM TOBIKO: Asente sana mzee wangu, kuja ulikuwa umejindisha, Simon Mwangi nimetaja mara mpili tatu hivi, Simon Mwangi I called you twice.

SIMON MWANGI: Jina ni Mr. Mwangi na niko hapa nikiwa kama mwenye watirikwa District Church. Nikiegilia kwa point zilinizo wanatirikiu walionelea kwamba kwa kuwa kanisa ike- specify kuwa nchi hii yetu ya Kenya kuweze kuwa na uhuru wa kuabuudu. Kwani huu uhuru unawezesha kila mtu ma kuabudu mungu eli nchi hii yetu ya Kenya eweze kupokia mabaraka kutoka kwa mungu kwa maombi. Pia upande wa kumuogopa mungu walionelea wakiwa kama Upande wa ukulima walionelea serekali ewezi ku

COMM TOBIKO: Asente nauliza tuku na members wa committee constituency committee hapa Kamati ya constituency tafadhali munaweza kujitambulisha kwaza

