

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, KANGEMA
CONSTITUENCY HELD AT KENYENYA-INI MARKET**

ON

APRIL 23RD 2002

CONSTITUENCY PUBLIC HEARING , KANGEMA CONSTITUENCY, KENYENYA-INI MARKET ON
TUESDAY 23RD APRIL 2002

Present:

Com. Salome W. Muigai
Com. John Mutakha Kangu
Com. Domiziano Ratanya

Secretariat in Attendance:

Programme Officer	-	Solomon Anampiu
Asst. Programme Officer	-	Gilbert Amoke
Verbatim Recorder	-	Grace Gitu
Sign Language Interpreter	-	David Muturi

The meeting was called to order at 9.05 a.m. with Com. Salome Muigai in the Chair.

Com. Salome Muigai: Ningetaka kukitangaza kikao hiki kua kikao maalum cha Tume ya kusikiliza maoni ya wananchi wa Kangema Constituency na kabla hatujaanza, ningetaka kuomba mmoja wetu atuanzie kwa maombi tafadhali.

Speaker: Natuombe: God the Father, we want to give thanks from us to you. Nourish what is good within us and you take and you take this what we... Guide us this day with your mercy and your wisdom. Give us your spirit as we enter into the endeavour of the goodness of our country, we pray the love of our nation and we pray also the lover that you have for you humanity. We ask all these through Christ our Lord. Amen.

Introduction:

Com. Salome Muigai : Asante sana kwa maombi. Sisi ni Wanatume wakutoka kwa Tume la kurekebisha Katiba, jina langu ni Salome Wairimu Muigai, mimi ndio mwenye kiti wa kikao hiki na mwenzangu ni..

Com. Mutakha Kangu: Mimi naitwa Mutakha Kangu na ni mmoja wa ma-Commissioners.

Com. Salome Muigai: Asante

Kwa kawaida Tume uanza wakati wake, kikao chake saa mbili ya usubuhi na kumaliza kasi yake saa kumi na mbili. Tumefika hapa mapema lakini watu walikuwa hawajafika, tukawangoja kidogo. Tumeona kumenyesha sana kwa hivyo pengine imekuwa bidii kubwa kuweza kufika hapa leo.

Tunaweza kupata maoni kutoka kwenu kama mtu binafsi ama mwakilishi wa kikundi kilichosajiliwa, ukiwa wewe ni chairman wa kikundi fulani ama secretary na kikundi chako kimesajiliwa, unaweza kutuba maoni ya kikundi chako. Ama pia waweza kusimamia kikundi kingine chochote chenye kimesajiliwa ama chenye bado.

Mara kwa mara kwa mikutano yetu tunatumia lugha mbili: Kiswahili na Kingereza. Lakini kama kuna mtu mwenye hawezi kujieleza kwa moja ya hizi lugha, na angetaka kuzungumza kwa lugha nyingine, tungemuomba utujulishe wakati unapojiandikisha ili tuweze kutafuta mtu anayeweza kutafsiria. Mara nyingi ikiwa kama ni Kikuyu pengine tuna watu wakutosha kumtafsiria. Lakini ikiwa ni lugha nyingine tafadhali utujulishe ndio tukupe mtu wa kututafsiria. Mara nyingi ikiwa kama ni Kikuyu pengine tuna watu wakutosha kutafsiri.

Pia unaweza kutupa maoni kwa kuzungumza wewe mwenyewe ama kwa maandiko ama kwa yote mawili. Ukiwa unataka maoni ya mazungumzo tu na ujaandika maandiko yako, basi tutakupatia dakika kumi, ili uweze kujieleza. Ikiwa una maandiko tutakupua dakika tano ili utueleze tu maelezo makubwa makubwa juu ya hayo maandishi yako, yenye ungetaka kutupa. Unaweza kutupa maandishi yenye imeandikwa kwa karatasi ama utupe kwa diskette ndio tunaweza kuweka kwa computer sote zakubalika. Ukishamaliza kutupa maoni yako, tunaweza kukuuliza kama Wanatume swali ama maswali ya ufafanusi, yaani kutuwezesha kuelewa vilivyo. Pia ikiwa kuna watu wenye hawakuelewa kwenye sakafu, kwa watu wenye walikusikiliza, tunaweza kuwapa nafasi wakakuuliza swali. Lakini ningetaka kueleza na kuwekea muhimu kuwa haya ni maswali ya ufafanusi tu, ni maswali ili tukuelewa. Hatutaki mjadala kati ya mtu mmoja na mwingine juu ya maoni yake. Wewe ukiwa unamkiliza mwenzako na vile anavyosema hukubaliani naye, basi utangoja tu umpe nafasi yake, umpe heshima zake wakati anapozungumza naye akimaliza tutakupua nafasi nawe pia utakuja kutupa maoni yako ya kukanusha yale yake. Naye pia atanyamaza akusikilize akupe wakati wako na heshima zako. Tunaelewana?

Nimekumbushwa kuwa kama kuna mtu mwenye hasikii au hazungumzi, tuna mtu mwenye kuonyeshana lugha kwa ishara. Tuna lugha ya ishara ile anaweza kufanya hizi ishara ili mtu asiyesikia ama asiyezungumza akajua vile tunaendelea, na pia yeye akitaka kuzungumza yule mwenye lugha ya ishara atatutafsiria sisi kwa lugha yenye tunaweza kusikia. Kwa hivyo ikiwa tuna mtu kama huyo na anakaa karibu na wewe na unajua kuwa yeye hasikii, tafadhali tueleze na utujulishe kuwa unaye.

Na sasa bila kupotesa wakati mwingine ningetake kumuomba Charles Maina atupe maoni yake. Charles. Lakini ungeketi kwa ile kiti na hii kiti kingewekwa kando ama meza ingekuwa kando ili anayezungumza asiwawekee kisogo mwenye kusikiliza, ikikaa kama kando hivi hata upande ule atatuona sisi nataonekana hata wenye anazungumzia. Karibu Bwana Charles. Asante..

Charles Maina : Kitu ambacho ningetaka kuzungumzia ni juu ya police – katika nchi yetu tuna shida moja ambayo tumekuwa nayo. Police wa hapa nchini kwetu tumepata makosa kuwa wakimshika mtu huwa wanampiga zaidi na kitu ningetaka kuzungumzia ni Kamati hii iangalie katika jambo hili.

Jambo lingine ni kuhusu watu, yaani wananchi ambao wanakaa kama wako ugenini. Na ni hali hawa watu wako nchini mwao. Kunafika wakati hawa watu hata wanafukuswa makwao, Jambo hili nalo ningetaka hii Kamati ishugulikie.

Jambo lingine, ni kuhusu Rais wa nchi. Nchi yetu tunaweza kutaka kuchagua Rais, na Rais huyu anaweza kuwa ni Rais mzururi na anaweza kuendelea mpaka miaka mitano na pia tunaweza kuangalia tuone ya kuwa si Rais anasitahili miaka yake mitano ikiisha, anaacha kuendelea na tunatafuta Rais mwingine.

Jambo langu la mwisho ni kuhusu watu ambao wako na mashamba makubwa na imagine, kuna watu wengine ambao hawana hata mahali pa kulala. Jambo hili nalo linanisumbua moyoni kwasababu hawa watu hawakutoka nchi ingine kuja katika nchi yetu. Sasa ninashindwa kwanini watu wengine wako na mashamba makubwa na ni haki kuna mtu mwingine ambaye hana hata mahali pa kulala. Maoni yangu yamekwisha.

Com. Kangu : Asante Bwana Maina. Eh, jaribu kufafanua, ulizungumzia watu wenye wanakaa kama wageni, sikuelewa vizuri

Charles Maina : Wakati nilikuwa nataka kuzungumzia--

Com. Salome Muigai: Yeye anataka kuuliza swali. Pia mimi ningetaka unifafanulie sikuelewa ni watu gani. Pia hii habari ya mashamba, mbona wauliza swali, kwanini watu wengine wako hivi? Sisi leo, siku ya leo hatujibu maswali, tunasikia maoni. Kwa hivyo tungetaka kukuuliza swali. Wewe unaona inatakiwa tufanye nini na wale wenye mashamba makubwa na wale wengine wenye hawana mahali pa kulala?

Charles Maina: Mngetafuta jambo la kuwasaidia hawa watu, kwasababu unaweza kukuta mtu ako na shamba kutoka hapa na mbali na kunakaa wanyama.

Com.Salome Muigai: Maina, Ukisha vua nguo oga. Tueleze unasema tufanye nini? Kwani leo ni siku ya maoni. Na ningetaka kueleza mwingine, ukija hapa tupe maoni kwani tunatengeneza Katiba. Tueleze vile ungetaka kufanyike. Ukianza kuuliza Wanatume maswali na sisi tumekuja kuwauliza maswali basi hatutajibu na tutabaki na maswali peke yake. Leo ni siku ya kutueleza, mimi naona tufanye vile na hii shamba kubwa na tufanye vile na huyu mtu mwenye hana shamba.

Charles Maina : Nilikuwa nasema huyu mtu anaweza kutafutiwa makao mahali fulani.

Com.Salome Muigai: Ni watu gani wenye ulizungumzia kuwa wanakaa kama wageni?

Charles Maina : Watu wenye wanakaa kama wageni, unaweza kukuta kama unapitia mahali watu wanaishi halafu kunafika wakati wanafukuzwa. Na hao watu walizaliwa katika nchi hii, lakini inafika wakati unasikia mahali fulani hawa watu wahame,

mahali fulani hawa watu wahame.

Com.Salome Muigai : Asante sana Bwana Maina kwa kutuanzia mkutano wa leo. Sasa ningetake kumwita Stanley Kamunyo. Just one moment, are we recording?

Recorder: Yes.

Com. Salome Muigai : From there?

Recorder: From here.

Com.Salome Muigai : Please make sure that you tell us your name, every time. Ukija kuzungumza anza na jina lako pale tunaweka maneno yako kwa tape na tungetaka kujua mwenye hiyo maoni tafadhali. Karibu.

My name is **Stanley Kamunyo :** I am presenting proposals of Kangema Professionals – The Kenya Constitution provides for separation of powers among the Executive, the Judiciary and the Parliament. That is not clear in our Constitution, because the Judiciary is appointed by the Executive and therefore becomes the interest of the Executive.

Kangema Professional have proposed that the Constitution of Kenya shall never be amended without referendum. And this referendum shall be necessary to be voted for by not less than 90% of the Members of the National Assembly.

The Executive – The President of Kenya shall be elected by 50% of the national votes, and shall not be a member of the National Assembly. And a person shall not qualify to be elected as the President of the Republic of Kenya if he or she shall not have attained the age of 45 years. And if he or she shall not be an indigenous Kenyan and shall not qualify to be elected as the President of Kenya, if he shall not be a graduate from a recognized university.

Power of the President – The President of Kenya shall have power to appoint the Cabinet and shall be the Commander-in-Chief of the Armed Forces. The President of Kenya shall have no power to appoint the Vice-President, and the Vice-President shall be appointed by National Assembly. The President of Kenya shall not have power to appoint Judges. Judges shall be appointed by the Judicial Service Commission. The President of Kenya shall not have power to appoint the Attorney General. The Attorney General shall be appointed by the National Assembly. The Controller and Auditor General shall not be appointed by the President, he shall be appointed by the National Assembly. Members of the Public Service Commission shall be appointed by the National Assembly. There shall not be one Commissioner of Police in the Republic of Kenya. Instead there shall be a Police Commissioner in every province of the Republic of Kenya, and each one of them shall be answerable to the National Assembly.

Members of the National Assembly – A member of the National Assembly shall not be less than 30 years of age. And a member of the National Assembly shall have attained a minimum level of Secondary School education. Members of the National Assembly shall not vote for their own remuneration. Their remuneration shall be considered by an Economic Commission.

Economy – The Constitution shall provide for an Economic Commission to oversee the distribution of economic opportunities to all Kenyans. The Constitution shall provide for Corruption and Economic Crime Court. The Constitution shall provide for people to manage and benefit from the resources in their own area.

Agriculture – considering that agriculture is the backbone of the Kenyan economy, the Constitution shall provide for subsidies in farm inputs. Assurance of minimum return to farmers – It shall provide for the farmers to market their own produce without undue interference by the Government.

Education – Considering that Kenyan educational institutions are producing excessively manpower, the Constitution should provide for the Government to export the excess labour force. The 8-4-4 system of education should be discussed and be replaced by 8-4-2-3 System of education.

Provincial Administration – The Constitution should provide for scrapping of the Provincial Administration and be replaced by community based governance.

Human Rights – The Constitution should protect the human rights and provide that no part of the Constitution or law shall be enacted to contravene the basic human rights.

Com. Salome Muigai : We agreed that you are going to highlight your paper because we are going to collect it. Don't read word for word because we are going to do that at the Commission. We just want you to highlight the issues.

Stanley Kamunyo: I will highlight--

Com. Salome Muigai : Yes, you are reading word for word, I am saying, I gave you five minutes in which to highlight the big issues.

Stanley Kamunyo : That is why I am reading fast to check the time.

Com.Salome Muigai : (vernacular) Turenda matemo mohoro ucio. Nikio turakuha ndagika ithano.

But you are giving us a document to take away with us, you better shorten time and just highlight the issues, are we together?

Stanley Kamunyo: I have --

Com. Salome Muigai : All I am saying is that you have a document to give to us, right? Just highlight to us what your main issues are because we are going to take your document away and we are going to read it. The person who gets a longer time is the person who has nothing to give to us. Because if we don't hear his word or her word, we don't have a second chance with them. But with yours we do. So just give us the main headlines and then we will read that at the Commission.

Stanley Kamunyo : I am reading the last but not least. Section 91 of the Kenya Constitution is grossly discriminating to Kenyan women. The Constitution should provide for scrapping the Section or include both men and Kenyan women. That is all.

Com. Salome Muigai : Hold on, we may have a few questions.

Com. Kangu : Kamunyo, I did not get what you said to be the age of Members of Parliament? Then two, I would like you to elaborate the export of our labour, whether we are going to earn anything from that or we are just going to pass over our young people to jobs abroad. I am worried that we cannot invest in our human resources and then thereafter ask them to go and work abroad. So what do you mean by exporting our labour?

Com. Salome Muigai : I also have two questions for your. One, the definition of an indigenous Kenyan. Who is an indigenous Kenyan? Two, you gave us the minimum ages of the President, and the Members of Parliament. The President had to be 45 years old and Members of Parliament, if I got you right, have to be 30 years. You did not give us a ceiling. Is there any age at which people, according to you, should not be President or Members of the National Assembly?

Stanley Kamunyo : The age of the President is given as 45 years, now if the President has 2 terms of 5 years each, after 10 years, he will be 55 years of age and that is the retirement age for public servants. That was the thing from the Kangema Professionals. And the age of a Member of Parliament was given as 30 years of age. They considered the time that person would vote and the time he had to gain experience, to enable him to represent his people in the Parliament. That is what those people considered.

Com. Salome Muigai : And the question of labour?

Stanley Kamunyo : The question of labour, the Professionals felt that, if we continue producing graduates from our universities without any work to do, we shall have no use for that education. Then they will have no work to do. Our children will starve. They have continued to look for employment outside this country and it was felt that the Government should better do that work, than individual children. Recently we had some teachers who were exported to Sychelles. So if the government could take that role of consulting the other government, the graduates we are producing can get jobs.

Com. Salome Muigai : Thank you very much. After you have presented sign our register to show that he had encounter with us. Thank you very much. Now I would like to acknowledge the presence of another Commissioner and I will give him a chance to introduce himself to you.

Domiziano Ratanya : My name is Dr. Domiziano Ratanya, I am one of the Commissioners.

Com. Salome Muigai: Thank you very much Commissioner Ratanya.

Now I would like to give a chance to Paul Kamau. I would also like to explain how we are getting our speakers. Some people have been saying that we come with pre-determined ideas of who is going to speak. La, hashu hatuji na majina ya watu wenye watazungumza, hatuwajui watu wa Kangema. Vile tunafanya ni kwaba ukija pale kwa mlangoni unajiandikisha jina lako. Kwa hivyo tutamchukua mtu kwa mwingine hatua kwa hatua. Lakini kuna watu wengine wenye tunawapa pia nafasi wakati wanafika.

Kwanza akina mama wakifika tutawapa nafasi, kwani ni kawaida wanawatayarisha akina baba kuja mapema, nao wanarudi wanakuja nyuma. Kwa hivyo wakija naweza kukuruka wewe nikampa mama nafasi. Pia wakati mwingine vijana hatuwasikii sana kwa hivyo wakati mwingine kukija kijana, kama kijana mdogo aliye hapa, lakini sijui kama bado yuko, pia tutampa nafasi. Kukija mtu mwenye ulemavu, mwingine pengine ungeanza safari naye halafu ukampita njiani, tunawekea hiyo manani. Kwa hivyo tukiwa na mtu mwenye ulemavu, tunaweza kuruka mtu mmoja ama wawili tukampa nafasi.

Mbali na hayo tunafwata vile watu walivyokuja na ndio hayo majina tunayo hapa ndio tunatumia kwa kuita watu. Tafadhali kama unaketi hapa na unataka kuzungumza hii ni nafasi ya kujiandikisha. Karibu sasa.

Paul Kamau Kitaka: Nitaanza kwa upande wa Judiciary – While the Judiciary institution continues being there for the welfare of the common and everybody, some symbols, of power that is the DO, DC, Provincial Commissioner should be abolished. The common man has got nothing to do with such offices, and highly regard them as symbols of oppression. The chief's office which I thought should continue being there, should be highly rated and I think that the best way to choose a chief is who is acceptable in community is by voting as we do with councillors. Departmental heads that is, some of them should be done away with because they are unnecessary.

In Agriculture – Agriculture is the backbone of our economy and farmers should be given the first priority. Where there have been dumping and importation of some crops such as sugar, I think individuals should not be allowed to import some of these things like sugar and enrich themselves and hence a backlog of sugar for farmers that is in Western Kenya stay impoverished because of one person. The Government should provide free fertilizers and cheap seedlings to the farmers and this will boost food production in our country. On the side of cash crops, the farmer should at least get about 75% of the total earning from the crop, not like where the farmer receives only about 25%.

President – The President should be elected by popular vote of 50% of the total votes cast. He should not go beyond two terms of 5 years. The President should not be above the law. He should appoint ministers who should be highly rated by Parliament. He should not have powers to appoint magistrates, Chief Justice, judges or even Attorney General. The Vice President should be elected by Parliament. And Chief Justice and Judges and Attorney General should be left to the Arm of the Judiciary.

On the side of Education – The current education system should be reviewed. The current quota system of education should be done away with. Parents should be let alone to run the public schools since the Government does not provide even the basic needs. If the public can have faith with the Government in running of the public schools, the Kenya School Teacher's Scheme should be revived and cater for providing facilities.

Com. Salome Muigai : Asante sana Bwana Kamau. Jiandikishe pale. Ningetaka kumuita Samuel Gachoka.

Samuel Gachoka : Madam Commissioner and your Commissioners, this is a memorandum prepared by Baba Ndogo Church of the Holy Rosary, Kanyenya-ini, Catholic Church.

Com. Salome Muigai : Give us your name.

Samuel Gachoka : I am vice Chairman in the Church. I will try to go through but it is a bit lengthy. We Kenyans are people of diverse culture from 42 ethnic tribes, who by right consider Kenya their home, and their territory where we successfully fought to restore our human dignity and recaptured our aspirations and selfhood at independence. We do hereby resolve to take a united front to establish the democratic state in which liberty and freedom of individuals, justice for all, economic prosperity and the rule of law shall prevail. We are determined to raise our diversity in unity respecting one another. We are conscious of our common achievement and our responsibility towards future generations and we believe that the will of the people shall be the basis of our future authority of the Government. We therefore adapt this Constitution.

Principle of State Policies – Constitution of the land shall stay supreme and nobody shall be above it, be it President or anybody

else. To amend this Constitution in addition to Parliament, a Constitutional Assembly should be created including all stakeholders, including e.g. churches and DOs etc.

Citizenship – shall be obtained through birth, registration, naturalization, and marriage. In case of two above, the citizen shall first be given temporary certificate until they prove they are of good conduct. In case of five the, recipient shall first take a note of loyalty to the country. The Marriage Tribunal should look into the above.

Defence and National security – Armed forces should be independent of other forces under a Federal Defence. Security forces, should re-examine recruitment, training and define their work. They should be properly remunerated to avoid corruption.

Political parties – They are far too many political parties in this country. They should be reduced to about 3 political parties that is the Ruling party, Opposition and Liberal one. Government should back political parties and give them equal air time during the election. And they should not be partisan.

Structures of government and systems of government - We should adapt a Parliamentary system of Government in which a Prime Minister is appointed from majority party in Parliament. The Prime Minister shall be the Head of the Government. The Constitution should provide for a coalition government. We should retain one chamber of Parliament. The electorate should have the right to summon their MP if he proves a total failure or if he defects from his party to another before the term is over. To pass a motion in Parliament, we shall require the presence of 50% of total members to vote for it. We do not advocate for majimboism. (a) it would divide Kenya and (b) it would cause tribalism.

Executive, age 40 years and over, that is the President.

Education –

Com. Salome Muigai : Mr. Gachoga you have two minutes, please highlight the issues.

Samuel Gachoka: This is why I said it is a bit lengthy.

Com. Salome Muigai: Please highlight the issues because you will give us the document.

Samuel Gachoka : Okay, the President should be 40 years and over and be with university degree. Five terms, twice.

Judiciary – should be independent of the Executive, should have security of tenure. There should be provision for judicial review laws made by Parliament to safeguard violation of the Constitution.

Local Government: minimum education for Councillors to speak English and Kiswahili fluently. Minimum for chairmen and mayors: Form 4. Mayors and council chairmen to be elected directly by the people.

Electoral System : Demarcation of Constituency boundaries is the responsibility of the Commission vetted by Parliament. Chairmen and Commissioners shall be vetted by Parliament, and the same for presidential candidates. Elections – shall be separate, MPs and Councillors (A) and the President (B).

Basic Rights – Every Kenyan should have basic rights for the food, shelter, education and health facilities.

Street Children – They should be given a place for rehabilitation and then land to get their food.

Rights of vulnerable groups : Provide water for the pastoral communities, so that they can return land into micro-agriculture.

Land and Property: There are so many landless people and the government has big idle land and this land be given to the landless. There are a few of us who own more than 200 acres of land. It should be requested to explain how they got it.

Culture and Regional Diversity communal rights: Our rich cultural and ethnic diversity should be retained and promoted into the Constitution.

Management of Resources –

Com. Salome Muigai: Your time is up Mr. Gachoka

Samuel Gachoka: International Relations – This should not be left to the Head of State, must be vetted if there is any crisis. Constitutional Commissioners and Officers – Except for the Permanent Commissioner of the Electoral Commission, all the Commissions should be vetted by Parliament.

Success and transfer of Power – The Speaker of the National Assembly should be the acting President. There should be provision of time to prepare the swearing in of the President. Where there is a run-off, the Speaker should continue acting as President.

Management and use of Natural resources – should be retained for creation of public funds. Government should be requested to apportion between Central Government and the Community.

All public officers should be requested to declare their wealth.

Com.Salome Muigai: Thank you very much Mr. Gachoka, any questions for Mr. Gachoka? Thank you very much. Kwa wale wenye mmefika kama tumeshaanza tunawakaribisha kwenye kikao maalum cha kusikiliza maoni ya Tume ya Kugeuza Katiba, wakati huu tukikaa kwenye kikao cha Kangema. Ningetaka kueleza kuwa kila mtu anaweza kuzungumza kama mtu binafsi ama kikundi kilichosajiliwa ama kikundi chochote kile chenye ungekuwa ukisimamia. Kama unazungumza ukiwa na maandiko nakupa dakika tano, nasitaki kabisa muniweke kwa hukumu ya kuendelea kukwambia maliza maliza. Ningetaka tusikilizane. Kama una maandiko uje hapa nitakupa dakika tano ueleze tu mambo yale makubwa vichwa via maandiko yako. Kama huna maandiko nitakupa dakika kumi. Ningetaka tuelewane hapo. Sasa ningetaka kumuuliza Joseph Ngarui.

Joseph Ngaruiya Kigundu: Asante sana Macommissioners na watu wote. I am Joseph Ngaruiya Kigundu.

Jambo la kwanza ni Basic Rights : Katika basic rights naona ni jambo la muhimu kufanya ufutaji wa sigara haramu kwa uma. Smoking in public.

Jambo la pili katika haki ya uma wale wote wanaajiri watoto badala ya hao kuwa shuleni hata na wao wakataswe. Na wakiendelea wajukuliwe hatua ya ki sheria.

Nikitoka hapo, ningetaka niguzie kidogo juu ya Bunge – Wabunge kama Rais wanapewa muda wa vipindi viwili pia na wao wachukue vipindi vitatu ili katika Serikali tuweze kuwa na vijana.

Rais – Tuingie sasa upande wa Rais – Asiwe mwanachama wa chama chochote cha kisiasa. Jambo lingine awe akichaguliwa na zaidi ya asili 49% ya kura sote zitakapopigwa, bila kujali mikoha. Jambo lingine pale ni waweze kushirikishwa pamoja na Wasiri Mkuu ambao wanagawana mamlaka, mtu yeyote wa wale asiwe ni ceremonial wote wawe na mamlaka na Waziri Mkuu aweze kuchaguliwa na chama ambacho kina viti vingi katika Bunge.

Hazina ya nchi – hiyo nayo ninaona inafaa zaidi ikiwa sasa hazina zitakuwa zikibadilika mara tu Rais mpya anashika usukani. Ziwe na kichwa cha mfalme ama cha Rais aliyetawala wa kwanza.

Nikiendelea, Human Rights – nataka kuingia kwa kitu kinaitwa Religious Rights – Haki ya kuabudu na ya kidini – Hapa uhuru wa kuabudu uwe wa lazima bila kupendekezwa. Kwa ajili –freedom of worship be guaranteed rather than be granted. Hivo inamanisha kusiwe na mtu fulani ama kundi fulani la dini linawekewa masharti na lingine halina masharti. Na kama kuna watu ambao wanashirikishwa kwa dini fulani wanavunja sheria wasisemekane hawa ni wa kundi hili, wachukuliwe hatua kama wana makosa, like any other criminal. Si ati wawe wanashirikishwa ni wa kanisa hili ama dini hili. Katika hapo pia ninaona inafaa siku ya kibibilia Sabato iweze kuwekwa katika sheria iwe enshrined and entrenched. Na mtu yeyote asiadhibiwe, for keeping

the Saturday holy. Hii kwa hapo ninataka kusema kama ni uchaguzi democratic rights zao zifikiriwe. Isiwewe siku ya Sabato hata kama shughuli zote za Electoral Commission, hata Constitution of Review Commission, isiwe ikiweka civic education siku ya Sabato. Delegate meetings za vyama via kisiasa, pia wasiwe na meeting, mitihani ya elimu, mitihani ya mashule, ama michezo. Na kama kuna mtu ambaye ataenda kupata damages, utaona mtoto amekataswa elimu akiwa form 4 ama kwingineko, awe alipwe ama, compensated. Kama ikiwa ni hivyo, haki yake inaganyagiwa aweze kupewa compensation inayofaa. Jambo lingine pale katika ile haki ya kuabudu ni kwamba kila watu wote wapewe nafasi sawa, makanisa yote yapewe nafasi sawa na tunapokuwa na NCC. Kama kuna religious representation pale, kuwekwe format ya kuona hakuna dominant churches ama zingine zinanyimwa nafas.

Nikiwa hapo nataka niguzie kitu kinaitwa Provincial Administration. Katika Provincial Administration Provinces ziwe abolished. Na Provincial Officers hawana kasi muhimu ambayo wanatenda, pia hao waondolewe wawekwe sehemu zingine kwa sababu tuna district na katika district tunayashughulikia hayo yote. Na pia districts zichunguswe upia ziwe na population inayotoshana. Isiwe district nyingine ina watu kumi ingine inayo arobaini, iwe wote wanatoshana, na sisiwekwe kulingana na misingi ya kikabila. Tusiwe tuna district ya Wakisii, kuna district ya Wameru siwe ni district zinazopangwa siwe multi-ethnic/racial na sitoshane. Kwa hivyo tuwe na Constitution mpia na electorate wanaotoshana. Si mbunge mwingine anachukua mshahara natoshana na mwingine moja anawakilisha mia na kitu elfu na mwingine elfu kumi. Nikiwa hapo, pia katika ngazi za chini tuseme kama ngazi za sub-location kuwe na watu ambao wanachuguliwa na raia. Administration officers wachaguliwe na raia. Pia ninaguzia hapa kama tukuwe na elected elders wakusaidiana na chief ama na sub-chief. Na tena tukiwa hapo tuangalie kama kutakuwa na mobile courts.

Naingia kwa upande wa Judiciary kidogo, kwasababu kupeleka kesi katika district headquarters inakuwa ni kazi ngumu. Wengine hawana pesa ya kwenda mbali. Kama kunaweza kuwa na mobile courts at locational level hii inaweza saidia sana. Tena ggarama ya kuakilisha kesi kwa makoti ipunguzwe ili mtu ambaye ana kesi ambaye hana pesa nyingi naye aweze kushtaki. Kile kinaitishwa na wakili pia serikali ifanye mpango ili na wao waziwe na gharama juu kwa wale hawana uwezo sana ili haki iweze kufikia kila mtu.

Nikiwa pale pia ningetaka kuguzia jambo linalohusiana na surveyors wanaogawa mashamba. Ukichunguza kile kinaitishwa na surveyors au lawyers wawe controlled lakini wanaitisha pesa nyingi ambazo watu ambao wanataka mashamba yagawanywe hawawezi kufikia. Wawe monitored pia. Tena process ya kutoa mashamba ni refu, hata kwa watu ambao wanagawa wale wamefiwa, irahisishwe ili hata na vijana waweze kupata Title Deed, ili waweze kuwezesha kama wanaweza kupata nafasi ya kujiendelea maisha pengine kupitia kwa mikopo iwe kama security. Ihakikishwe kama vijana wanaweza kupata Title Deed. Tukiwa hapo tunaingia jambo lingine – Kitu kinaitwa Tax – Ushuru kwa wakenya ni wa juu. Kile tungeomba ni tuweze kufanywa mipango ushuru iitishwe ikiwa kidogo na kila biashara iweze kuitishwa ushuru iwe inatolewa na wengi lakini iwe kidogo. Na ile ambayo inakusudiwa kufanya jambo fulani na hilo jambo likose kufanyika wale ambao waliitishwa ile ushuru warudishiwe ama wafanyiwe jambo ambalo litawafaa. Na kwa upande huu tuwe na kamati mahali ya Bunge ya kuona vile biashara inaweza kufanyiwa kuitishwa ushuru na kuangalia vile unatumika na kuhakikisha unakuwa well collected. kwa sababu

kuna watu wengi wanahepa ushuru.

Com. Salome Muigai : Unaweza fupisha?

Joseph Ngaruiya : Thank you for taking note. Ile ningetaka kusema pia nikimalizia ni family food. Serikali ihakikishe wakulima wanapata fertilizer ya bei ya rahisi tena wanapatiwa mafunzo yanayofaa ili kuongezea productivity ya mkulima. Na vitu ambavyo vinaagizwa kutoka nje vile vinalipwa Kenya, sheria ifanywe halafu na tax yake iwekwe juu ili kuvizua. Na nikifikia hapo dear Commissioners, dear chairlady I beg to move.

Com. Salome Muigai: Thank you very much Joseph Ngaruiya wakati wako umekwisha.

Commissioner: Bwana Joseph umesema tuwe na Rais pamoja na Waziri Mkuu na waweze kugawanya mamlaka, yaani both of them should be Executive? Unaweza kutueleza tukigawa hayo mamlaka, nani atakuwa na nini? Na nani atakuwa na nini? Ya pili ikiwa both of them are the Executive, ni sababu gani moja achaguliwe na raia na mwingine achaguliwe na Bunge? Na tatu districts umesema tuondoe provinces tubaki na districts, ziwe na population ya kutoshana, na tusifuatie mambo ya ukabila. Sasa kama hapa Kangema, itawezaje kuwa si ya particular tribe?

Joseph Ngaruiya: District - Nimesema tuondoe provinces tubaki na District, siwe na population ya kutosha. Na tusifuatie mambo ya ukabila.

Com. Salome Muigai: Kuna swali lingine hapo ndio nakuomba uandike, ndio ujibu haya yote pamoja.

Commissioner : Bwana Joseph nina swali lingine na hili ni kuhusu elders wao ambao wanasaidia chief. Umesema kwamba hawa wazee wachaguliwe ili kuweza kusaidia chief, unapendekeza wachaguliwe kwa njia gani? Na watu wote au wachaguliwe na nani?

Com. Salome Muigai : Na pia mini nina swali la kufwata hilo hilo. Wale wazee wakiume peke yao ama wa kiume na kike ama wakike peke yao? Wanatumbe hapa nafikiria wawe wazee wa vijana pia. Nina maswali mengine matatu juu ya mambo uliyozungumzia.

Ya kwanza ni lile la kuweka siku ya Sabato. Tunawaislamu wenye kusali Ijumaa, tuna Seventh Day Adventists wenye wanasali Jumamosi, tuna Wakristo wengine wenye kusali Jumapili, hizo siku zote zikuwe Sabato? Watoto wasiende shule, wasifanye michezo, wasifanye mitihani, Commission iende kuweka maombi? Hivyo ndivyo ulisema kwa hivyo ni siku tatu? Umesema tena kushurutishwa dini kama kwa Tume, kama tunataka waakilishaji wa dini tuweke dini sote wala sio kuchagua dini zilizo kubwa ama kuu. Tuseme, Tume moja kama hii ya Commission ni watu 29, na dini zenye zimesajiliwa hapa Kenya ni zaidi ya

mia nne. Sasa ikiwa Tume ina watu 29 na dini zenyewe hata kabla hatujawaakilisha wale wengine inakuwa ni saidi ya mia nne, tueleze unaona hii inaweza kutumika ama kueleweka kwa njia gani? Asante.

Joseph Ngaruiya: Nashukuru--

Com. Salome Muigai: Nitakupa dakika moja u nusu baada ya kuuliza maswali mengi.

Joseph Ngaruiya : Nashukuru kabisa. Swali la kwanza limekuja kwa Rais na Waziri Mkuu. Na two, Commissioner hapa kugawana mamlaka, na sisemi wawe 'at per'. Nasema Rais anaweza kuwa juu na awe pia anateua ministers na assistant ministers, lakini Prime Minister ashughulike na upande wa Permanent Secretaries na other senior government officials. Na any other appointment kama kutaendelea kuwa, hiyo sikupata nafasi ya kuongea, ya nominated MP, ikiteuliwa na Bunge, President awe pia na final say. Na hapo nadhani nimetoshia.

Ingingine hii ya district population. Simaanishi ati, ikifikia kusema ati Kangema imetoshana na population ambao inafika watu wa Giriama na wengine tuseme wa pale wa Somali hivi, sisemi isigawe. Ninasema isitwe kwa jina hii ni Kikuyu District, hii ni Kuria District, isiwe ati inafikiriwa ati ukienda Kuria unapata hiyo ni ya Wakuria na any other person within Kikuyu akionekana huko anaonwa kama an alien. Si kama kwao hii ni ya Wakuria. Nadhani hiyo nayo ni sawa.

Hii ingine tumesema elders hata ukiingilia kwa makanisa unasikia wazee wa kanisa. Na ukiingia kwa wazee wa kanisa hata wao wana ukweli huo. Utakuta kuna akina mama wanaitwa wazee. Sasa tuseme elders hi ni ile mzee ya Kiswahi si ya Kizungu, hii ni ile wazee ambao ni elderly people. Kwa hivyo haina gender, kubaguwa gender. Iko very gender sensitive. Ni akina mama akina baba.

Ingingine ile ya Sabato, nimeingia ile na ninataka kusema--

Com. Salome Muigai : Tueleze vile wanachaguliwa wao.

Joseph Ngaruiya: Oh, wale elders? Hii iwe direct from the members within the sub-location. Na iwe secret. Ni secret ballot. Si ati ya mlolongo, kuinua mkono, iwe ni secret. Na kuwe na qualification. Sasa hii nime, at Provincial Administration, state inaweza qualification kuchunguza huyu mtu ana mienendo gani? Umri na mengine. That one they have to, in case adopted. Ingingine hapa ninaongea juu ya Sabato swali lingine lilingia na Sabato. Hii nataka kusema Sabbath day, that is Saturday, iwe recognized by Constitution. Hiyo ndio nilikuwa tu nasema pale. Hiyo nilikuwa nasema, si unaona Sunday is recognized? Kwa hivyo there is no quarrel about that. Ingingine hii ya Friday, kwa Waislamu wanakua mara kwa mara they have their own school. They feel they are, when they are in other schools they are, according to their religious life should be respected. Kulingana with the system of their faith. Okay.

Com. Salome Muigai : So you are suggesting that we have three sabbaths out of seven days? So we will have a four day working week?

Joseph Ngaruiya : What I am saying, the point is this, this Friday if they advocate it to be a full day sabbath, may be it is not a Sabbath as this one. That is why we are requesting this for Saturday because Saturday according to those who believe on keeping it holy they don't even break for rest, 24 hours rest. May be it is different with Muslims. May be they don't want to keep the Sabbath like that. You know they even go to work. They work on Friday, but with Sabbath keepers, it is a day of rest. That is where you are, I am not talking about others because I don't know how they keep their day holy, but for Sabbath, I am asking the Commission to consider it, entrench, and consider it a day of rest 24 hours. I think I have, in this on appointment to Commission. I was not saying that when you are appointing people you consider them on the religious grounds. The issue here, I was talking of is those of National Constitutional Concession the one you are taking for Nairobi, you have done.

Commissioner: Asks (inaudible)

Joseph Ngaruiya: Ya, NCC, that is what I am talking about here. Religious groups will be represented. That is why I was saying if we begin the representation, katika kule kushirikisha dini wote ambao wanatoka pengine kwa constituency washirikishwe wote wachague ni nani wataenda. Si ati kuwa ya kwamba this group ndio inafaa zaidi kuliko wengine. Si katika uchaguzi wa Commissioners. I hope my point is clear.

Commissioner: I think you have answered all the questions.

Joseph Ngaruiya: Thank you for giving me the chance.

Com. Salome Muigai: Thank you very much Mr. Joseph Ngaruiya. Ningetaka ku--I would like to acknowledge the presence of the DO. Thank you very much Mr. DO. This is the Constitution of Kenya Review Commission. We are three of us, my name is Salome Wairimu Muigai. On my right is Commissioner Ratanya and on my left is Commissioner Dr. Kangu. And we are very happy to be here and thank you for coming to be with us. Sasa ningetaka kumpa mama mmoja nafasi ya kutupa maoni yake. Tumesikia maoni mengi ya kina baba na ni mazuri, ningetaka kumpa Margaret Wacuka.

Margaret Wacuka : *(speaks in Kikuyu)*

Margaret Wacuka: Maritwa makwa ni Margaret Wacuka.

Translator: Majina yangu ni Margaret Wacuka.

Margaret Wacuka: Maoni ya Margaret Wacuka ni mathina maria twinamo ithui tuhana ta atumia aa guku Kangema.

Translator: Maoni ni vile akina mama wana taabu hapa Kangema.

Margret Wacuka: Ni tondu ona irima riria turarima turona ta turarima irima ria tuhu.

Translator : Kwa sababu wanaona hata ukulima huu wanafanya hapa Kangema wanalima ni ya kwa bure.

Margaret Wacuka: Na irima riria turarima riu ritihanaine na riria ria tene.

Translator : Ukulima wa sasa siyo kama wa zamani.

Margaret Wacuka: Ni tondu irima riria turarima riu ni ria hinya.

Translator : Kwa sababu ukulima wa leo una ugumu mwingi.

Margaret Wacuka : Ni tondu turaraga nja.

Translator : Kwa sababu wanalala nje.

Margaret Wacuka : Na atumia matiagiriirwo ni thaa ciothe gukoragwo mari nja thaa kenda cia utuku.

Translator : Na akina mama si kawaida yao kuwa nje kama saa tisa usiku.

Margaret Wacuka: Ni tondu no gukorwo kwi kuru nja riria kwina anake utuku.

Translator : Kwa sababu kunaweza kuwa ni hatari kwa akina vijana ambao wako nje wakati huo wa usiku.

Margaret Wacuka : Nikio atumia mararuta maoni na mathina mao.

Translator : Ndiposa anatoa maoni yake akisema akina mama wako na shida wakati huu.

Margaret Wacuka : Ni tondu ona kurima kuria mararima itiramateithia.

Translator : Kwa sababu hata ukulima ule wanalima hauwezi kuwafaidisha wao.

Margaret Wacuka : Ni tondu ona andu aria maraandikwo ihinda riri.

Translator : Kwa sababu wengine wameandikwa siku hizi.

Margaret Wacuka : Ni arangira.

Translator : Na wanamshinda yeye mkulima.

Margaret Wacuka: Ni tondu niarakorwo ena mbeca nyingi

Translator : Kwa kuwa wanakuwa na pesa nyingi.

Margaret Wacuka : Na nii ndiri.

Translator : Na yeye mkulima hana.

Margaret Wacuka : Kuoguo ni tukwenda mututeithie inyui muratutongoria

Translator : Kwa hivyo nyinyi mnaongoza, anawauliza muwasaidie akina mama

Margaret Wacuka : Na mutikoige thirikari ni thinu.

Translator: Na msiseme ati serikali imefirisika.

Margaret Wacuka : Ni tondu thirikari yathina mundu athii arugamirira wira mbeca iria ingituteithia irateithia mundu ucio.

Translator : Kwa sababu wakulima hawa akina mama, ile pesa inatokana na ukulima, yule anaenda kusimamia hiyo pesa anachukua yote anatajirika yeye mwenyewe na akina mama wanaendelea kuwa masikini.

Margaret Wacuka : Mahinda maria turathiaga barabara na gari

Translator : Wakati walikuwa wanaenda barabara kwa gari.

Margaret Wacuka : Gari iyo ingiranyitirwo.

Translator : Hiyo gari ikishikwa.

Margaret Wacuka : Irathiaga kwa police

Translator : Ilikuwa inaenda police.

Margaret Wacuka : Mbeca icio igacoka igathii bengi ya thirikari.

Translator : Ikihukumiwa hiyo pesa inaenda kwa Serikali.

Margaret Wacuka : No umuthi nio mareteithia.

Translator : Lakini siku hizi hiyo pesa inawekwa mfuko ya mtu barabarani.

Margaret Wacuka : Umuthi uyu gari ingithii bara.

Translator : Siku hizi gari ikeenda barabara.

Margaret Wacuka : Igicoka

Translator : Ikirudi.

Margaret Wacuka : Ina muhothi.

Translator : Ina sadaka.

Margaret Wacuka : Kuogwo muhothi ucio ni wa mundu ungi.

Translator : Kwa hivyo hiyo gari inatoa sadaka ya mtu.

Margaret Wacuka : Mundu ucio ndanateithia thirikari.

Translator : Huyo mtu hakusaidia Serikali.

Margaret Wacuka : Akahinyiriria andu.

Translator : Anaendelea kuumiza wananchi.

Margaret Wacuka : Kuoguo maoni makwa ni kuona ndirona ati ti kuremwo turemetwo ni wira.

Translator : Kwa hivyo kama maoni yangu inaonyesha sisi hatujashindwa na kufanya kazi.

Margaret Wacuka : Andu aria maratuthinia ni andu mandikitwo.

Translator : Wale wanatusumbua na kufanya nchi iwe maskini ni wale wameandikwa.

Margaret Wacuka : Tungiteithika atia ithui atumia?

Translator : Je, tusaidike namna gani akina mama?

Margaret Wacuka : Nii njitagwo Margaret Wacuka

Translator : Anaitwa Margaret Wacuka.

Margaret Wacuka : Na thina ucio niguu ndinaguu

Translator : na hiyo taabu ndio inatusumbua sana.

Margaret Wacuka : Na ndigwenda mututeithia makiria ya uguu.

Translator : Na ningetaka mtusaidie zaidia ya hayo.

Margaret Wacuka : Mwathani agocwo.

Translator : Praise the name of the Lord.

Com. Salome Muigai : Mama Wacuka, hebu rudi kidogo.

Com. Salome Muigai: Ta coka coka twina ciuria turenda gukuria. Waturia uria mungihota guteithika na ithui tukire kumuria uria mukuona mungihota guteithika atia tumuteithii. Riu twathii na mbere kurania ciuria ni turirikia tutari na undu twitikaniirie unghota gwikika. Kuogwo tondu we niwe ui haria ndeto iyo iri, ukuona ta mungihota atia gwigika he Katiba ino ihote kumuteithia.

Margaret Wacuka: Ithui tungihota guteithika atiriri?

Translator: Unaulizwa, wewe hukuja hapa uulize maswali. Umeulizwa uje hapa kutoa pendekezo. Hivi, wewe utoe pendekezo uambie Tume ya Katiba, ifanye nini ili kufanyike nini.

Com. Salome Muigai: Excuse me please, Kuna Commissioner mwenye haelewi Kikuyu kwa hivyo ingawa mwenye kuulizwa swali amesha lielewa ni vizuri kulitafsiri ili atakalo jibu Mwanatume mwenzetu aelewe vyenye tunasema. Asante.

Margaret Wacuka : Tungiteithika atiriri

Translator: Tunaweza kusaidika.

Margaret Wacuka : Mihari ino ii barabara ri.

Translator : Hii sadaka iko kwa barabara.

Margaret Wacuka : Ithire.

Translator : Iondolewe.

Margaret Wacuka : Nigetha turiteithika.

Translator : Ili tuweze kusaidika?

Margaret Wacuka : Tungiteithika atiriri.

Translator : Tutasaidika, tunaweza kusaidika kwa njia hii.

Margaret Wacuka : Andu aya mararia micara minenanene-ri.

Translator : Hii watu wanapewa mishara mikubwa.

Margaret Wacuka : Inyihanyihio.

Translator : Ipunguzwe.

Margaret Wacuka : Nigetha atumia mateithike.

Translator : Ili wakina mama wasaidike.

Margaret Wacuka : Nikio ithui tukwenda guteithika na njira iyo

Translator : Sisi twaweza kusaidika kwa njia hiyo.

Margaret Wacuka : Ni getha ciana ihote kuruta wira.

Translator : Ili watoto wapate kazi.

Margaret Wacuka : Na nigetha mutumia ahote guteithika.

Translator : Na ndio akina mama wazaidike.

Margaret Wacuka : Niturathii gukua ma-loni.

Translator : Wanaenda kuchukuwa loan.

Margaret Wacuka : Ko mbeca icio itinathii pande ya icio

Translator : Kama hiyo pesa ingeenda na hiyo njia.

Margaret Wacuka : Nitungiteithirikire.

Translator : Yeye angefaidika.

Com. Salome Muigai : Ningetaka kumpa hii nafasi C. Thomas K. Munyiri

Thomas Kamuri : Asante, Mimi ni Thomas Kamuri: Ningetaka kutoa maoni yangu:

Ya Kwanza ni ukweli. Kusema ukweli sisi ni watu wa mashambani. Kazi yetu kubwa ni kulima na kusema kweli wakati huu mahali mkulima amefikia hata ameshindwa kwa vile mambo inaendelea. Kwa hivyo ningeomba sheria ya ukulima irekebishwe ili mkulima ajue ukweli. Ukiangalia kama mkulima wa kahawa, kazi yake nikulima kahawa na kupeleka katika factory. Lakini vile kahawa imetoka kwa factory na kuendelea mbele kusema kweli hajui. Pesa ya kahawa ikipunguka anaangalia yule mtu ambaye amechagua kumwakilisha kwa factory. Na huyu mtu kusema kweli hawezi kujibu maswali sawa sawa kusema kahawa ilienda vipi ya hapa. Kwa hivyo mimi nikaona ni vizuri mkulima awe akisimamiwa vizuri, ikiwa ni sheria ya awali mbaya irekebishwe awe akijulishwa mambo ya ukweli. Na kusema kweli mkulima akikosa kurekebishwa sheria mkulima ataangalia. Kusema kweli kilimo ama mkulima ndio utiwa mgongo ama kile kinaitwa kiunua mgongo cha nchi. Kikimalizika kusema ukweli hata nchi itamalizika.

Ya pili, nikiongea kama assistant chief pia naweza kurudia kazi. Mambo ya kazi yangu. Pengine tunaona chief ana shida, kwa maana uongozi wa leo sio kama ule wa awali. Zamani ma-chief walikuwa na nguvu. Na nguvu zile walikuwa nazo kusema kweli ni za kulinda mwananchi anayeongoza. Lakini wakati huu, kusema kweli hata ukikosewa na mtu mwingine ukaenda kwa chief naye chief aite huyu mtu, hata huyu mtu anaweza kukataa kwenda kwa chief kwa maana anajua hakuna sheria itakayochukuliwa. Kwa hivyo ningeomba chief naye aongezewe nguvu ikiwa ni order amepatia mtu order na huyo mtu akataye ana nguvu ya kumshika huyu mtu na kumshitaki.

Ya tatu, kusema kweli hata kiti hiki wakati mwingine tunaona kuna shida katika uongozi wa nchi. Na shida ile mimi naona ni ya viongozi. Wakati kulikuwa na chama moja kusema kweli mambo wakati huo yalikuwa mazuri. Wakati kulingia vyama vingi mambo yalizidi kuharibika. Lakini kuwa na vyama vingi kusema kweli ni vyema. Na vile naonelea, kwa kuwa na vyama vingi ni vyema, chama kile ambacho kimeshinda ndio kinaongoza serikali. Na ningeomba ikiwezekana irekebishwe vyama vile vingine ambavyo vimeshindwa, viwe vikifwata chama ambacho kinatawala badala ya kufurutana na wao ni wakubwa Bungeni, nao wakatusaidie, badala ya kusaidia wananchi ambao wamewatuma wameenda kufurutana. Sasa wakianza kufurutana hatuwezi kujua kahawa inapotelea wapi, majani chai imepotelea wapi, badala ya kwenda kutafuta mahali kahawa ya mkulima imepotelea, hawa wanaendelea kufurutana tu. Kwa hivyo ningeomba chama ambacho kimeshinda na hawa wengine vyama vilishindwa viwe vikifwata chama ambacho kinatawala, hata kama nikupatiwa cheo, kwa vile hata opposition alipata kura kutoka sehemu yake, na hao pia wapatiwe viti vya cheo. Ningeona hayo ingekuwa nzuri na nchi yetu ingekuwa imeendelea.

Ya mwisho, ni wafanyi kazi, langu mimi mwenyewe vile naonelea wakati wa zamani watu hawakua werevu wengi. Hawakuwa na elimu, tuseme miaka ya 50 na hata karibu 70. Lakini wa leo na ni ukweli watu wameelimika, lakini tunda la nchi ni dogo.

Badala ya mtu mmoja awe akila tunda la Kenya kutoka mwanzo hata afe, ni kwa nini kusiwekwe sheria na mfanyi kazi kama mtu ameajiliwa siyo kuangalia ati hawezi zeeka, kuangaliwe miaka ambayo amefanya kazi na miaka ikimuruhusu kama ni miaka kumi na tano, kusema kweli ili miaka kuajiliwa na kuna watu ambao wamepata mishahara mikubwa, miaka 15 au 20 imetosha na wewe urejee kwako ili watu ambao wameelimika na wao wapate nafasi ya kula kila kitu kwa maana elimu ni nyingi lakini tunda kidogo.

Com. Salome Muigai : Ningetaka kuomba kama wanatume wako na swali kwako.

Commissioner: Ningependa kukuuliza wewe unazungumza kutoka kwa upande wa Provincial Administration.

Kuna wale wamesema machiefs wachaguliwe na raia, ningependa uzungumzia hilo jambo kidogo tusikie na wale wako upande ule wako na maoni gani.

Jambo la pili unasema watu waajiriwe kufanya kazi kiwango fulani alafu waachie wengine kuchukuwa. Na ndipo tutakuwa tunatatua shida kwa sababu hata mtu akifanya kazi miaka 25 na tumtoe na bado anatafuta kukula nao wao tunafanya namna gani?

Yes Bwana Thomas, nina mengine maswali mawili. Ya kwanza ni hapa unasema machief wapewe nguvu ya kushika watu, lakini hukufafanua kwa nini. Wapewe kazi ya kushika watu, kwa nini washike watu, fafanua hapo.

Na kitu kingine, unasema vyama via upinzani kimoja kikishinda kiwe na serikali hiyo vyote vingine vihungane na hicho chama kinatawala, Ni kwa mambo gani umetaka viuungane? Hapo fafanua.

Thomas Kamuri : Yangu nimeonelea kusema kweli ingefaa kama viongozi wowote wanguyakuliwa na wenye wananyakuliwa waakilisha raia. Na hao watu wanatumwa, kusema kweli kuna mambo yale wanakwenda kufanyia raia. Hapo ndipo ninasema badala, hata ni opposition zetu ni wamekwenda na wao, walishindwa, kama waleo chama cha KANU kinatawala, tukaonelea hata kama ni wa KANU akizungumzia mambo yanayo faa na ya kutusaidia, huyu mbunge wa opposition kusema kweli hawezi kumuunga mkono. Kwa hivyo tukaonelea hata kama hivi vyama ambavyo vilishindwa na vikavunjwa na kuungana na chama kinachotawala, ingekuwa bora sana kwa kuwa hakutakuwa na mng'ang'ano katika bunge. Kwa maana kwa wakati huu watu hawa tunaona haya kusikia wabunge tuliotuma kule wakatutete wameanza mng'ang'ano bungeni. Wameshindwa kwa kutuakilisha katika Bunge. Ingefaa wawe wakisukuma gogo moja badala ya kugombana.

Mambo ya Chief - Nilikuwa ni kimaanisha, kama wa leo pengine huyu ni ndugu yangu amenikosea, na sasa ninaonelea sasa huyu ni ndugu yangu, siwezi kwenda kwa police kushtaki kwa maana nikishtaki atashikwa na atafungwa. Atafikiria nipitie kwa Chief ili nijue kwanini yuhu ndugu yangu amenifanya hivyo. Sasa huyu ndugu yako kuitwa na chief hawezi kwenda kwa chief,

hawezi. Lazima chief atume mtu mwenye kuhongwa kwa office akaandikishe ili waende kwa chief. Sasa hiyo haiko haja ya ndugu yako kwenda kushtaki. Hiyo ndio nilikuwa nikimaanisha, na kutipenda chief awe akiita mhalifu na mhalifu amekata kuja kwangu, kuwe na sheria safi huyo ambayo inathibitisha huyo ameitwa na amekata. Mambo ya kuchaguliwa kwa chief na raia. Kusema kweli maoni yangu vile ningeonelea, haingekuwa imefaa zaidi kwa maana mmejua watu ambao wameajiriwa na serikali ndio watu ambao wamependwa sana na raia. Kwa hivyo hata wachief wakiwa wanachaguliwa na raia kusema kweli nafikiri, ningeonelea atakuwa akifanya kazi miezi miwili na sasa raia wataanza kuteta, huyu mtu tulimchagua akiwa mzuri sasa amegeuka, hatumtaki tena utakuwa wakati mwingi ni wakupotesa. Hata mwaka mmoja tunaweza kuwa na chiefs wanne. Kwa hivyo vile Serikali inaendelea kujichagulia ma-chief na assistant chief it is the best. Na hapo nikiongeza kidogo, niseme kwa vile ma-chief wamedharauliwa, ingefaa sana na ingekuwa bora kama ingewezekana hata na wao wawe wakupigwa transfer ili wasiwe wakikaa mahali pamoja tu hata Wakikuyu walisema (Kikuyu). Na hivyo ndivyo ilivyo hata wa-chief wakika mahali moja wataweza kudharauliwa na wanaowaongoza. Sijui kama nimemaliza.

Commissioner: Asante sana Bwana Muniyiri. Jiandikishe kwenye utaratibu wetu hapo, na sasa tutaita Monica Nyambura.

Monica Nyambura: *(speaks in Kikuyu)*

Undu uria ingiamba kwariria muno no aririirie uhoro wa thukuru.

Translator: Monica Nyambura anasema.

Monica Nyambura : Niundu wa ciana iria itari na manyina

Translator: Kwa sababu ya watoto ambao ni yatima.

Monica Nyambura : Niundu niirendwo mbeba cia igeranio

Translator: Kwa sababu wanaitishwa pesa za mitihani.

Monica Nyambura : Na citiri na mureri

Translator: Na hawana mlezi.

Monica Nyambura : Icio onacio nindamwakira ihoru muno

Translator : Hao watoto wanatia wazazi hofu sana.

Monica Nyambura : Niundu macani maria turatua

Translator : Kwa sababu majani ambao wanachuna.

Monica Nyambura : Niundu matiri na mbeba

Translator : Kwa sababu hiyo majani hayana pesa.

Monica Nyambura : Niundu nii ningaigua kieha kiingi, niundu ciana icio ni kurera ndirarera itari na hinya muingi wa mwiri.

Translator : Kwa sababu hiyo mimi nasikia uchungu sana kwa sababu hiyo wana nawalea bila nguvu ya kimwili.

Monica Nyambura : Niundu bara yothe ikiruo

Translator : Kwa sababu vita ikipiganwa.

Monica Nyambura : Niundu nii ndi muiritu oo uguo

Translator : Akiwa msichana mzuri

Monica Nyambura : Na aria nyonete mena wiyathi mwega ni ciana iria iciaritwo ikagia na mucara munene kungira.

Translator : Na wale ninaona wako na kazi mzuri na wanakula matunda ni wale walizaliwa na mimi na wako na uhuru kunishinda mimi nilipigania uhuru.

Monica Nyambura : Tiga ni kuga maroiga ati aciari matiri na bata.

Translator : Isipokuwa ni wale wanasema wazazi hawana faida.

Monica Nyambura : Aciari mena bata muno gukira acio.

Translator : Wazazi wana faida kubwa sana kuwashinda.

Monica Nyambura : Niundu nio mahete acio hinya.

Translator : Kwa sababu ndio waliwapatia mamlaka na hiyo nguvu.

Monica Nyambura : Ona tawe uikaire hau utagiire na thoguo ndungithoma.

Translator : Hata kama wewe Commissioner umekalia hiyo kiti kama hukukuwa na mama yako, ungesoma?

Monica Nyambura : Nii ndiathomire

Translator : Huyu hakusoma.

Com. Salome Muigai : Na mama yangu pia . (laughter)

Monica Nyambura : Nigukena ngenete

Translator : Anasema ana furaha

Monica Nyambura : Niundu wa kuona ciana ta inyui

Translator : Kwa kuona watoto kama nyinyi.

Monica Nyambura : Niundu ciana iria ndinacio ihana oo ta inyui

Translator : Kwa sababu wale watoto niko nao ni kama nyinyi

Monica Nyambura : Kuoguo uguo muthii mutugerererie

Translator : Kwa sababu hiyo ninawatuma mweze kujaribu

Monica Nyambura : Ciana icio ndakoma igitagio mbecha itari nacio

Translator : Hiyo watoto wanaitishwa pesa na hawana wazazi

Monica Nyambura : Macoke kurega kuriha githomo

Translator : Iwe wasilipe shule kama mtoto hana mzazi

Monica Nyambura : Kiu nikio ndiraigua ndinathina nakio nigetha mwana ucio akona gwa guikara

Translator : Hii ni malalamiko yangu nimetoa kwa Commissioner ili hiyo watoto waone mahali pa kukaa

Monica Nyambura : Aria angi

Translator : Wale wengine

Monica Nyambura : Acio angi tugathomithagia mpaka University

Translator : Tunawasomesha paka University

Monica Nyambura : Matingiona mawira

Translator : Hakuna kazi Kenya.

Monica Nyambura : Kiu nikio ndiraigua ndina na thina nakio tondu muthuri arutite hinya wake.

Translator : Hilo ni jambo lingine tuna uchungu sana kwa sababu mume wangu ametoa nguvu zake zote

Monica Nyambura : Mutumia taguo

Translator : Mama vile vile

Monica Nyambura : Riu uguo

Translator : Sasa hivi

Monica Nyambura : Nii nindiraigua ndina ihoro riingi muno

Translator : Mimi nasikia niko na hofu sana

Monica Nyambura : Korwo ciana icio ciitu no tuoerwo

Translator : Kama vile watoto wetu wakichuguliwa

Monica Nyambura : Icio nicio tungiigua twina wendo nacio

Translator : Ingawa tumesikia tuko na upendo na wao

Monica Nyambura : Wa keru

Translator : Jambo la pili

Monica Nyambura : Okorwo nita gari icio muraigua

Translator : Kama vile gari lile tunasikia hiyo magari ni ya police ya raia

Monica Nyambura : Ni cia ciakwa ti ciitu

Translator : Hiyo magari ni ya polisi ya raia

Monica Nyambura : Ona magukora haha bara makaneo mbeba icio.

Translator : Na wanaketi wanahesabu na wanachukua hiyo pesa.

Monica Nyambura : Kiu ni kieha kinene muno tondu kuu nikuo tutwaraga mbeba.

Translator : Hiyo ni hofu kubwa sana kwa sababu katika hiyo idara ya magari hapo ndio pesa sote tunamwagia.

Monica Nyambura : Nii umuthi

Translator : Hivi leo, siku ya leo

Monica Nyambura : Nindiraigua ndina thayu muno

Translator : Ninasikia niko na imani

Monica Nyambura : Niundu inyui nimwoka gutuonia ati Katiba ithiaga uu

Translator : Kwa sababu mumekuja kutuonyesha Katiba.

Monica Nyambura : Na kiu nikio gikeno giitu

Translator : Na hiyo ndio furaha yetu

Monica Nyambura : Nigetha tuhote kwiyatha

Translator : Sisi tuweze kujitawala

Monica Nyambura : Niundu Kenyatta atutigiire wiyathi

Translator : Kenyatta alituachia uhuru na sisi nikushika hiyo uhuru namna hii

Monica Nyambura : Na tutiri na bururi ta uria wari kuo

Translator : Hiyo ndio jambo kubwa kwa sababu hiyo unasikia vita ilipiganwa hawa hawakukuwako

Monica Nyambura : Ndina kieha kinene niundu wa aya, aingi matiari kuo aya ukuona.

Translator : Hawa walikua ni watu wadogo sana

Monica Nyambura : Hana no ndarire andu anyinyi muno

Translator : Lile ndio ombi langu.

Monica Nyambura : Nii kindu kiria ingimuhoya

Translator : Mukienda

Monica Nyambura : Mwathii

Translator : Mukienda

Monica Nyambura : Muone ciana ciitu uria irathoma

Translator : Muone vile watoto wetu wanasoma

Monica Nyambura : Niundu nii ni ndairiria utuku

Translator : Mimi naenda

Monica Nyambura : Mundu ekuhingia miaka mirongo itandatu na kenda ri

Translator: Huyu amebakisha siku chache tu anatoa signal ya kwenda

Monica Nyambura: Nii nindarikia riu

Translator : Amemaliza. Asante

Monica Nyambura: Wina kiuria

Com. Salome Muigai : Ndiri na kiuria no kwenda ingienda gucokia ngatho na kuga ati nitui ati ni atumia na athuri matumite tuikare haha na no inyui mututhomithitie. Thank you. Sasa tasafiri kwa Wilson Ndegwa

Wilson Ndungu Ndegwa : Nitaongea kidogo tu. Administration - Police Administration. Ile tu ningetaka kutoa maoni kidogo tu ni ya police administration kwa vile imekuwa na corruption nyingi sana na kama ningelizwa, tungepatiwa office ya Ombudsman, tuwe tukiripoti kila jambo ambayo inatokea kwa sababu tunapitia mahali pengi sana. Tunapitia kwa subchief na ma-chief wao, sana sana sisi watu wadogo tunakuwa nyumbani. Nitatoa mfano moja, mbili, tatu ile sasa hivi tutapitia kwa sub-chief na ma-chief. Na kwa mfano, tufikirie umejaliwa mtoto, mama watoto, akijaliwa mtoto na watoto wengine wote ni wake na sasa unataka birth certificate, ukiingia kwake, salamu ile anakusalimia anakwambia alikua na Harambee na ujampatia kwa hivyo kitu cha kwanza ni utoe mia tano, na ukifikiria kwenda ku-report hiyo maneno hakuna mahali paku-report. Na ingene sana sana wakati wa usiku wakati unataka kwenda kama nyumbani, kama saa moja saa mbili hivi utakutana na gari ya police, na pengine ulikuwa hukununulia watu wako unga, sukuma kule, unakutana na gari na unawekw ndani ya hiyo gari. Sana sana kulikuwa na mtu mwingine hapa alikuwa akiitwa Mzee Ayub, ukiingia police station, lasima utoe pesa ndio utoke na unatafuta mahali pa kwenda ku-report yeye, hakuna.

Jambo lingine moja kwa administration – ni kama wizi wa ng’ombe. Kuna kitu moja kilitokea hapo, wizi wa ng’ombe. Ng’ombe moja ikiibwa, ilikuwa tukaitwa baraza, wakati tulikuwa kwa baraza la jiji, tukaambiwa kuna ng’ombe iliibiwa kitambo tuambiwe ngombe iliibiwa, mtu alikuja akasema ng’ombe ilionekana mahali sasa ikabidi ile ng’ombe ililetwe na mwenyewe aseme ni yake. Wakati ililetwa tukaambiwa kila mtu aandike yule yako nayo. Sasa katika wakati huo unaona mtu anaandika yule mtu ambaye hawasililizani, anapelekwa police station. Hapa unakuta chief and subchief. Ukitoka pale unaambiwa Shs.5,000 sasa tukiwa watu kama ishirini Shs.5,000 hiyo ni pesa nyingi sana na hakuna mahali inaenda. Kwa hivyo mimi naoma tafadhali mutuangalilie watupatie office ya Ombudsman tuwe tuki-report hayo mambo na afadhali asiwe ni mtu ambaye ako na upendeleo kwa yeyote. Asiwe na ile roho mutaka kitu

Hapo nimetoka, Hiyo ingine kwa sababu nilifikiria hii Katiba ya kulinda wale watu hawana Aids, kwa sababu hao watu wako na Aids ni watu ambao wamesumbua watu sana kwa sababu wakijua wako na Aids, anajaribu vile awezavyo aizambaze kwa

wale ambao hajawahi kupata. Kwa hivyo tafadhali tungeomba serikali itafute njia ili hawa watu wawe wakitambulika katika public.

Lingine, hapo nimetoka, kuhusu President. Rais anayeondoka kwa maoni yangu ningesema lazima afwatwe na ili makosa ameshafanya ndio awe mfano kwa wale watuwatakaoteuliwa. Akifanya makosa awe atafwatwa, sababu kuna makosa ambao wanafanya makusudi hata kama ni, tuseme kama tour, kuna wakati anaenda tour yake binafsi lakini anatumia pesa ya umma. Kwa hivyo tunaona tour iwekwe kwa account yake iwe juu yake.

Hapo nimetoka. Ile ingine nayo ni upande wa air waves. Hii inatatisa matangazo tafadhali hii maneno iangaliwe sana kwa sababu upande kama huu wetu hatufikiwi na maneno sawa sawa na sana sana tukisoma magazeti unaona kuna vikwazo ambao vimewekwa, na sana sana wale wengine wakijaribu kupeperusha matangazo yaliyo ya haki ndio mwananchi ajue, hiyo nayo inafungwa. Kwa hivyo tuwe na sheria ambayo itasimamia air waves.

Hapo nimetoka. Hii kitu nayo ni kuhusu kutoshanishwa kwa watu: wanawake na wanaume. Hapo ndio mimi nakuali tuwe sawa sawa kabisa, tutoshane. Lakini ikifika upande wa urithi, kama mimi nimemriithi mama yangu, kipande ile ya ardhi niko nayo. Kwa mfano alikuwa ako na futi mbili two plots alafu msichana ambaye baba yake ni muriithi ako na acre 10 sasa unaona yule ukimuoia kutoka kwa ile futi mbili tugagawanya tunalima naye lakini kwao ile acre kumi inakaa bure. Kwa hivyo tugawane hivyo, yeye arithi kule kwao. Hapo, nimetoka. Kuna maneno ingine tunafwatafwata kwa habari kuuzu Tume ya kurekebisha Katiba. Wengine wanasema hii Tume iongezewe muda na wengine wanasema iharakishe imalize, wengine wanasema Bunge iongezewe muda ndio nini wengine wanasema fanya haraka ndio vipekele vingine vifanywe marekebisha. Mimi hapo ningeaona afadhali muongezewe muda mkamilishe hiyo kazi, kuliko muache sehemu zingene, kwa sababu itaonekana kama mnapendelea kikundi Fulani au Cheo Fulani. Yangu ni hayo.

Com. Salome Muigai : Asante sana, una swali?

Com. Kangu: Ndugu kwa jambo umesama la mwisho, ikiwa tunaongezewa muda, mmesikia kuna wale wana, mafikira yao sana iko kwa kura, tufanye namna gani.

Wilson Ndungu: Kama hamtaongezewa muda ya kurekebisha hii Katiba, tufanye kura na ile Katiba iko.

Com. Salome Muigai: Asante sana. Lydia Wangechi, wewe ni Lydia Wangechi? so your names are Wangechi Waithaka, okay karibu. Ulikuwa na maoni ambayo ulitaka kuzungumzia, kwa hivyo siyo wewe, lakini endelea kama una yako.

Lydia Wangechi Waithaka: My names are Lydia Wangechi Waithaka. I have come here to present my views to you on how the President should run our country. In the area that I want to talk about, the nature of our President.

Our President has the authority and responsibility that should improve our country. One of the issues was the area where the President is supposed to appoint the minister who has done studies to that effect, we can manage to sit back. Now according

to how, I want to comment that the President as he appoints those ministers who are being appointed, he is supposed to appoint those people who have qualification of being in that area. Some of those people who are appointed they have not specialized in that area such that when they come to that sector, they are not in a position to manage that sector and that is the reason why I should say that, he is supposed to appoint those people who have the qualification of being a minister.

Also I would like to comment on the area of the issue that they keep on changing ministers time and again. When you have been given a certain sector to manage, the minister who is given that area to manage, may be he managed for a very short time like, may be, for about six months. Then you hear later that a certain minister has been changed from minister to this institution and he is taken to the other. So I would say that those people should be appointed, and they are given enough time to adequately manage those sectors and be given government to manage those areas. So I can say that those ministers they should be appointed and then given enough time to manage those sectors. Not changing may be today Mr. X is the Minister of Health today and then tomorrow we hear that he is the Minister of Finance. How can he be able to manage today being a Minister of Health and tomorrow we hear that he is the Minister of Finance? So I would like to say that as he chooses ministers, they should be chosen and after being chosen they take enough time to manage those sectors but not a matter of keeping on changing, and changing time and again. So in that area I think our president should do something. And then appointing those people who have qualification. Like now you hear some of them are, according to my view, is that, they are being appointed kind of favourism is being poured somewhere and such things. So as they choose let them, may be, the Minister of Environment, is a minister who has specialized in that area and he knows how to manage that environment so that we will do well in our country. So that is all I had, as my views.

Com. Salome Muigai: Somebody has a question for you.

Com. Kangu : Now you say that Ministers should have qualifications, would you be able to tell us what you consider sufficient qualification for anyone to serve as a minister?

Lydia Wangechi Waithaka: Okay, sufficient qualification, I would say that if a minister is to be chosen as a Minister of Environment, he knows exactly what environment is and he is able to manage that well. But not today he is being a Minister of Finance and then tomorrow you hear that he is the Minister of Environment, which means that may be he is a Minister of Finance today but tomorrow he is the Minister of Environment, how can he be able to do well in this area of being a Minister of Environment and tomorrow he is the Minister of Finance?

Com. Salome Muigai: Thank you very much Lydia. The next speaker atakuwa ni Samuel Mwai.

My name is **Samuel Mwangi Mbiu** : Yangu maoni, ambayo ningetaka kutoa:

Ya kwanza – ya Rais wa Jamhuri- Mimi ningeomba Commissioner, Rais wa nchi awe chini ya sheria, sababu Rais anaweza kufanya jambo ambalo halifai kwa sababu ana uwezo zaidi.

Pili, Wabunge pia wamepewa mishahara mikubwa sana – Ningetaka sheria itungwe, wangepewa angalau kiwango cha Shillingi kama elfu mia mbili. Kwa sasa wanapata mia nne.

Na pia ningetaka Bunge wakati wanazungumza huko Bunge yaani wawe wanapewa uhuru wa vyombo via habari tuwe tukiwazikiliza moja kwa moja badala ya kuandika vile Bunge walisema, na kuja kusomewa katika Bunge.

Na pia, hapo nimetoka, sasa naingia kuhusu Elimu – Nilisikia kuna sheria ilipitishwa Bunge ati mzazi ambaye hatamsomesha mtoto yake atashtakiwa. Sheria nakubaliana nayo, lakini mtoto atasoma vipi ikiwa karo ya shule ndio hiyo, na ni mzazi anaitishwa. Haya, pesa za mitihani mzazi anaitishwa, na huyu mzazi hana hizo pesa, kwa hivyo mimi ningeomba karo ya shule ifutuliwe mbali, pesa za mitihani zifutuliwe mbali, elimu iwe ya bure kutoka Standard One up to University.

Haya, jambo la nne – hii ni matibabu au hospitali – watu wetu wamekufa sana juu ya gharama, kutoshwa gharama na hospitali. Mtu akiwa mgonjwa na hana pesa aende hospitali ya serikari apimwe anaambiwa enda ukanunue dawa, hana hizo pesa. Vile ningeomba sheria ipitishwe na hospitali zote humu nchini ziwe za bure.

Ya tano, ya tano ni uchaguzi ya mali ya raia. Ningeombe Bunge ipitishwe sheria mtu yeyote ambaye ameinyakuwa mali ya raia, asipewe nafasi ingine. Ashtakiwe, na hiyo mali irudishiwe raia.

Katika kusafiri, usafiri umekuwa mzito sana. Kuna watu wamejipanga katika Jamhuri hii yetu, wanajipanga vikundi, vikundi tuseme hao ndio hua wanasema. Tuseme kutoka hapa Kenyenyeni kwenda Kangema au Muranga, mwananchi atakuwa akilipa pesa fulani. Ningeomba Tume lichukuwe hiyo jukumu iwe ndio inasimamia mambo hayo. Na pia ningeomba badala ya hilo kikundi, kwa sababu mimi nikinunua gari langu, nipeleke pale stage itaitishwa pesa ya ile kiwanja. Hakuna kiwanja cha mtu. Kiwanja ni cha wananchi. Kwa hivyo ningeomba hilo jukumu la hiyo kiwanja hicho cha City Council wapewe nguvu wawe wakisimama wao wenyewe. Nafikiri yangu nimefikisha hapo, Asante sana.

Com. Salome Muigai: Mimi ni na swali moja kwako Bwana Mwangi. Umesema kuwa vile vikundi vya watu wenye kufikiri hali pesa ngapi watu watalipa viondolewe, na Tume iwe kutengeneza ama kuangalia hayo mambo, ni Tume lipi? Ungetaka liundwe ama ni Tume lipi?

Samuel Mwangi: Hiyo, ningetaka Serikali, yaani tuseme kutoka hapa Kenyenyeni kwenda Kangema ijulikane ni kilometer ngapi kwa hivyo Serikali yenyewe ichukuwe lile jukumu kusema kutoka Kenyenyeni kwenda Kangema ni kilometer fulani, mwananchi anafaa kulipa pesa fulani.

Com. Salome Muigai : Hi nafasi nataka kumpa Josephine Nyamburi.

Josephine Nyamburi : Njitagwo Josephine Nyamburi

Translator: Mimi naitwa Josephine Nyamburi

Josephine Nyamburi: Na ndi muira wa Jesu.

Translator: Na ni shahidi wa Yesu kwamba ameokoka.

Josephine Nyamburi: Ndahonokire mwaka wa mirongo mugwanja na ithano.

Translator: Ameokoka Mwaka wa 75

Josephine Nyamburi: Niguo ndonire mehia makwa

Translator: Aliona dhabi

Josephine Nyamburi: Niundu ucio ndimutigaga na thutha

Translator: Kwa hivyo yeye hamuwachwi nyuma.

Josephine Nyamburi: Mwathani agocwo!

Translator: Praise the Lord.

Josephine Nyamburi: Nii ninii umwe gwenda kuruta maoni ma Kenya ino

Translator: Mimi ni moja ambaye nataka kutoa maoni ya Kenya hii

Josephine Nyamburi: Ni ndikwenda kuuga ta andu aria maroiga ati bara niyaruirwo

Translator: Yeye hataki kusema kwa wale wengine wanasema vita ilipiganwa

Josephine Nyamburi: Nii ninii ndari umwe

Translator: Yeye alikuwa mmoja

Josephine Nyamburi: Na muthuri wakwa agikua

Translator: Na mzee wangu akakufa

Josephine Nyamburi: Agikuiru mutito

Translator: Alikufia msituni

Josephine Nyamburi: Na tukirwo nitukaheyo migunda.

Translator: Na wakahaidiwa ya kwamba watapatiwa mashamba.

Josephine Nyamburi: Na tutiamionire.

Translator: Hawakuyapata yale mashamba.

Josephine Nyamburi: Na nindetirwo kambi rimwe ino ya cifu.

Translator: Na aliitwa katika kambi moja ya chief.

Josephine Nyamburi: Ngirwo ndaririe ciana iria ndinacio.

Translator: Na akaambiwa aeleze watoto aliyonao

Josephine Nyamburi: Na ngigweta ndari na ciana igiri

Translator: Na akawataja alikuwa na watotot wawili

Josephine Nyamburi: Na mugunda ni ndamenyete niwonekete

Translator: Na alikuwa amejua kweli ya kwama shamba lilikuwa limepatikana

Josephine Nyamburi: Mugunda ucio wakwa niwaririirwo ni anene

Translator: Hilo shamba lake lilikuliwa na wakubwa

Josephine Nyamburi: Aria mari kuo mejeneti.

Translator: Wale walikuwa wakati wa emergency.

Josephine Nyamburi: Niundu uguo ningoragwo ngienda kuonana na anene acio makoragwo me bunge

Translator: Kwa sababu hiyo nilikuwa na haja sana ya kuonana na hawa wakubwa wako katika Parliament

Josephine Nyamburi: Niundu aria makoragwo magithi aria ‘no no no’

Translator: Kwa sababu ya wale wanasema wanajua Kingereza wanasema ‘no no no’

Josephine Nyamburi: Makanjira kuu gutingitonywo

Translator: Wakaniambia huko hakuwezi kuingika

Josephine Nyamburi: Ona ngoria Nyayo kai aikaraga ku?

Translator: Hata mimi swali langu nikawauliza kwani Nyayo anakaa wapi

Josephine Nyamburi: Uria itangimuona.

Translator: Mahali ambapo mimi siweze kumwona?

Josephine Nyamburi: Tondu niwe wagitigirwo giti-ini gia Kenyatta

Translator: Kwa sababu yeye ndio aliwachiwa kiti cha Kenyatta.

Josephine Nyamburi: Ni undu ugio ndamuthaitha munjuririe kiuria kiu

Translator: Kwa sababu hiyo namsihi nyinyi kuniulizia hiyo swali

Josephine Nyamburi: Tondu muthuri wakwa ari mtoyi wa hindi iyo mari na Kimathi

Translator: Kwa sababu mzee wangu alikuwa (mtoyi) Mau Mau

Josephine Nyamburi: Na mutumia niaheirwo mugunda wa Kimathi

Translator: Na bibi ya Kimathi alipatiwa shamba na vile wangu walikuwa na Kimathi na mimi sikupatiwa shamba

Josephine Nyamburi: Na nii ndiri ndona mugunda

Translator: Na mimi mpaka wa leo sijapata shamba

Josephine Nyamburi: Na niundu ucio ciana iria nderete, nderete ciakwa nderete ndi wiki

Translator: Watoto wale nimelea wangu nikiwa mimi peke yangu.

Josephine Nyamburi: Na kuri angi aa ciana ciakwa matari ho

Translator: Na kuna wengine watoto wangu hawako.

Josephine Nyamburi: Riu ndiroria atiriri

Translator: Sasa naulizaje je,

Josephine Nyamburi: Aria akwa ni ndahotire kwirerera

Translator: Wale wangu niliwalea

Josephine Nyamburi: Aya angi aa ciana na matiri ho

Translator: Wale wengine wajukuu na wako

Josephine Nyamburi: No nii ngurera?

Translator: Na mimi tu nitawalea?

Josephine Nyamburi: Na miaka ni mirongo mugwanja na kindu

Translator: Na mimi niko na miaka sabini na kitu

Josephine Nyamburi: Muiguire atumia aa ndigwa thaa

Translator: Muwahurumia mayatima

Josephine Nyamburi: Niguo tutigagicoke one

Translator: Ili tusije tukarudi standard ya kwanza.

Josephine Nyamburi: Ona ungiigua mundu niarikitie ndarikitie

Translator: Hata ukisikia mama akisema amemaliza kulea, hajamaliza

Josephine Nyamburi: Riu niguo kwina hinya

Translator: Sasa wakati huu ndio uko na nguvu

Josephine Nyamburi: Tonde thakame niyagithirire iria ndarerete akwa nayo

Translator: Kwa sababu yangu ilikwisha enda ile niliwalea wale wengine nao

Josephine Nyamburi: Niundu ucio githomo

Translator: Kwa hivyo, elimu

Josephine Nyamburi: Mutuhe gitio

Translator: Mtupe heshima

Josephine Nyamburi: Niundu uguo makinya kirathi kia inyanya

Translator: Wakifika darasa ya nane

Josephine Nyamburi: Mona oo guthoma namba tu ri

Translator: Wakijua tuu kusoma namba

Josephine Nyamburi: Kiu kingi kia nakuu ri

Translator: Hiyo ingine ya huko mbele

Josephine Nyamburi: Riu kiu kingi kia nakuu ri

Translator: Hiyo ingine ya huko mbele

Josephine Nyamburi: Tugitigane nakio okorwo tutiri na hinya

Translator: Tuwachane nayo kwa sababu hatuna nguvu

Josephine Nyamburi: Niundu uguo ndiramuhoya

Translator: Kwa sababu hiyo namuomba.

Josephine Nyamburi: Mundu andikwo handu

Translator: Mtu akiandikwa mahali

Josephine Nyamburi: Mundu athukia

Translator: Mtu akiharibu

Josephine Nyamburi: Mutigage kuuga kwi watho ugite

Translator: Musiseme kuna sheria imekuwako

Josephine Nyamburi: Ati mundu atangifutwo ni raia

Translator: Ati mtu hawezi futwa raia

Josephine Nyamburi: Tonde turimaga macani

Translator: Kwa sababu tunakuza majani

Josephine Nyamburi: Na mathiaga magatuthukiria macani

Translator: Wanaenda wanaharibu majani

Josephine Nyamburi: Na tuckerwo watho niugiritie mafutwo

Translator: Na wanasema sheria imezuia asifutwe

Josephine Nyamburi: Ta ira turari mucemanio ucio

Translator: Jana walikuwa na mkutano

Josephine Nyamburi: Tuturitwo muno

Translator: Wamekuwa na taabu na aibu sana

Josephine Nyamburi: Niundu wa mbecha iria iraregwo ciringi ithatu

Translator: Kwa ile pesa imeletwa shilingi tatu

Josephine Nyamburi: Iria turagura kibiriti nacio

Translator: Ile wananunua kibiriti nazo

Josephine Nyamburi: Niundu uguo mutuiguire thaa

Translator: Kwa hivyo hurumia hawa

Josephine Nyamburi: Ona munene niakoragwo ho ona twenda gutwara loan maradioini nituritwaraga

Translator: Hata sasa ikiwa huru tupeleke mambo yetu katika Legislature

Josephine Nyamburi: Mugacambia mundu, mwaigua ritwa ria mundu mukamwandikira marua akoima ofisi iyo

Translator: Tukisema mtu ni mbaya mmuandikie barua atoke office

Josephine Nyamburi: Ni undu uguo kinya uu

Translator: Hata kama ni nani hata nani

Josephine Nyamburi: Kana nuu kana ni chifu kana ni Do

Translator: Whether chief or DO

Josephine Nyamburi: Oothe mundu haha twatuma marua

Translator: Hawa wakituma barua

Josephine Nyamburi: Mukamwandikiria marua akainuka

Translator: Nyinyi mmuandikie barua

Josephine Nyamburi: Niundu nimatugiite

Translator: Kwa sababu wanawasumbua

Josephine Nyamburi: Macani nituratua

Translator: Majani wanayachuna

Josephine Nyamburi: Na tukahe andu ciringi inya muthenya

Translator: Na wanapatia watu shilingi nne kwa mshara

Josephine Nyamburi: Na tugacoka tukaheo ithatu ni acio matutongoretie

Translator: Na hawa wanatuongoza wanatupatia tatu

Josephine Nyamburi: Niwona riu nitwatee ithui imwe

Translator: Hapo tumepoteza moja

Josephine Nyamburi: Iria twendetie ira

Translator: Ile tumeuza maziwa

Josephine Nyamburi: Mungiigua atia ko ni inyui

Translator: Mngeweza kusikiaje kama ni nyinyi?

Josephine Nyamburi: Makiria acio mangi

Translator: Hata hawa ni wanini hawa!

Josephine Nyamburi: Ni undu uguo ndamuhoya

Translator: Kwa hivyo ninawaomba

Josephine Nyamburi: Mundu uria twathura

Translator: Yule mtu tumechagua

Josephine Nyamburi: Mbeca ciora

Translator: Pesa ikipotea

Josephine Nyamburi: Mutuhe rutha

Translator: Mnatupa ruhusa

Josephine Nyamburi: Tukamuma thutha

Translator: Tunamfuata

Josephine Nyamburi: Nginya gwake mucii

Translator: Mpaka kwake nyumbani

Josephine Nyamburi: Tonde ena mugunda na ploti

Translator: Kwa sababu ako na shamba na plot

Josephine Nyamburi: Ningi nitukumuhoya

Translator: Pia tungeomba nyinyi

Josephine Nyamburi: Niundu wa njohi iria irikuo

Translator: Pia tungeomba ninyi kwa ile pombe iliyoko

Josephine Nyamburi: Tonde njohi iyo ni giko

Translator: Kwa sababu hiyo pombe ni chafu

Josephine Nyamburi: Ciana ciitu itirarima

Translator: Watoto wetu hawalimi

Josephine Nyamburi: Na nikuri murimu ukite

Translator: Na kuna ugonjwa umekuja

Josephine Nyamburi: Na mundu anyway njohi iyo gutiri kundu atangithii

Translator: Na mtu akikunywa hiyo pombe anaweza kuenda mahali popote.

Josephine Nyamburi: Riu athii athukie atumia aria me mucii aa andu

Translator: Kwa hivyo akienda aharibu wanawake wako nyumbani, wanawake wa watu

Josephine Nyamburi: Riu ciana icio nicio turatigirwo

Translator: Hawo watoto ndio tunaachiwa

Josephine Nyamburi: Ungigitia andu atia?

Translator: Tunaweza kuheshimu watu namna gani?

Josephine Nyamburi: Acio marathii kuga njohi iture

Translator: Tunaweza kuheshimu watu gani hawa wanasema pombe hii iendelee.

Josephine Nyamburi: Kaa ni ya muru wa Nyayo

Translator: Hata kama hiyo pombe ni ya watoto wa Nyayo.

Josephine Nyamburi: Niguo turahenio ati ni yake

Translator: Tunadanganywa kuwa hiyo pombe ni yake

Josephine Nyamburi: We mtoto ucio wa Nyayo ndari ciana ii kuu anake manginyua?

Translator: Kwani mtoto wa Nyayo hana watoto wale wanaweza kunywa hiyo pombe?

Josephine Nyamburi: Athii kuri andu acio aruaru?

Translator: Aende kwa hiyo watu wagonjwa.

Josephine Nyamburi: Ciana itigwo thi ciiki?

Translator: Watoto wawachwe peke yao.

Josephine Nyamburi: Ngukinyia hau

Translator: Nitamalizia hapo

Josephine Nyamburi: Na andu mafutwe

Translator: Yule ataiba

Josephine Nyamburi: Uria uriiyaga

Translator: Watu wale wataiba wafwatwe.

Josephine Nyamburi: Thengiu muno.

Translator: Thank you very much.

Com. Ratanya: Ni Joyce Wambui? Nyamburi, ningetaka kuuliza swali moja hapa. Umesema kwamba shamba lako lilichuguliwa ambalo ulikuwa umeambia utapewa.

Josephine Nyamburi: iiiii

Com. Ratanya: Unajua kuna watu ambao wanasimamia serikali kuhusu mashamba hapa kama watu wamashamba na hata administration?

Translator: Anasema siyo shamba ya hapa Kikuyu, ni ile walikuwa wamepewa huko Rift Valley, baada ya kupigania uhuru.

Com. Ratanya: Na hata ingawa hivyo kwa sababu unatoka hapa Kangema, na unataka kuona President. Umeuliza hawa ambao wanaakilisha President hapa, kabla ya kwenda kumtafuta?

Josephine Nyamburi: Wale wote wako hapa wameshikwa na madeni kali na ukiwauliza wote wanasema haonekani. Sasa aende wapi?

Com. Salome Muigai: Asante sana mama. Ningetaka kumwita Fr. Titus Mburu. Nina jambo moja ningetaka kueleza kuwa unajiandikisha nje na sisi tunatoa makaratasi kutoka nje. Huenda wakati mwingine unakuta unaandikwa kwenye karatasi moja, lakini ilikua tumeshaletewa yale mengine hiyo karatasi ndio unakuta ndio mwisho kwa yale yenye inaandikwa. Kwa hivyo wale watu wenye unakuta kwa hii chumba walikuja mbele yako na utaratibu wenye tunafwata ni huu, tunafwata majina ya watu vile walijiandikisha. Isipokuwa tukiwa na mama tunampa nafasi kwani tunajua kwamba akina mama wanawatayarisha akina baba kwanza waje ndio wao wafwate nyuma kidogo. Kwa hivyo tunawapa nafasi ingawa pengine wamekuja wamechelewa, ili tusikie maoni ya akina baba na akina mama. Tunawapa pia watu wenye ulemavu, sijapata hata mtu mmoja, nikielezwa kukiwa na mtu haoni, hasikii, hatembezi vizuri kama wengine, ningempa nafasi ya kutuzungumzia. Wale wengine nafwata majina vile yalivyoandikwa. Tunaomba msamaha na tunaomba mkuwe na patience tutawafikia, asante. Father.

Fr. Titus Mburu : Thank you very much, I am Fr. Titus Mburu, Catholic Diocese Muranga.

I have this to present the team as over and above much of what has been presented. I would suggest that in the Constitution of Kenya we consider the part of having an Electoral College or Electoral Commission. This will, the role of this body is to see that any time that we have election or when the term of service of the Parliament is over, the Electoral College or the Electoral Commission takes over and organizes the elections. The members of this body should constitute a very or totally or absolutely non-partisan members could be or possibly, we can have the mainstream religious groups and the Judicial Service Commission, to make this body of Electoral College.

Second area I would like to address is the area of the promotion of the local industry. We realize that our economy is languishing day in and day out. So I would suggest that we have the Constitution to consider the promotion of the local industry, and to make it strictly illegal, the importation of any commodity that we have within our country and particularly when we have that commodity in excess. For instance the importation of sugar, or importation of maize, while we have a lot of sugar a lot of maize within the country, should remain totally illegal. And so for any importation should not be left to any individual but should be carried out by the government through the Minister of Finance and the Minister of Agriculture bearing in mind that our country is solely an agricultural country.

I would also like to consider another factor regarding the issue of Harambee. This is one area that started very well, the issue of Harambee and it has done a lot. It meant kujisaidia, but it has taken a very negative impact, and so the Constitution should declare it categorically that it is illegal for any member of the Parliament to go around dishing money, in the name of Harambee. And so the issue of Harambee should be substituted by setting up taxes to cater for the management of the public sector like schools, hospitals, and other kind of sectors and this should go hand in hand with the actual budget of the year. The budget should cover all that if we need this amount of money for schools, then we should not talk of a Harambee to put up the school. If we need this money for the hospitals we should not talk of Harambee to put up a particular hospital or to maintain a particular hospital. These should be in the budget and how that money you will get it should go to the side of the taxes. You have that, to get rid of a lot of corruption, that is communicated to us by our leaders through the Harambee. That even a kid knows that if you want the kid to do well you want he or she to demand payment. That is in the mind of the people because of the issue of Harambee.

Com. Salome Muigai : Father, do you have a document? You do, okay because we can take the document, and in which case, I would have to ask you to just highlight the main issues, rather than reading word for word, thank you.

Fr. Titus Mburu: It would be illegal to form, or the Constitution should have it illegal to form any Commission of Enquiry to the happenings in the country, bearing in mind that we have the necessary bodies to do that. There is the police and then we have the KNUT, then we form another body to carry out inquiry. It is a waste of time and money.

Lastly regarding education, I would say we can still continue with the system of 8-4-4. While we retain this current position, I suggest there should be no personal private schools, we have all over. Personal private schools should be totally under, either an institution or the government, but private personal schools we should do away with them. And at the same time we should do away with these boarding schools, primary boarding schools, secondary boarding schools, we have enough schools around and so we should have totally day schools, here we shall have the parent and the teacher taking care of that child home under that particular education, the only time that we can have boarding is in the childrens orphanage where those children they do not have anybody to take care of them. Thank you.

Com. Salome Muigai: Thank you very much Fr. Titus, any question for father?

Com. Kangu: Now father, the number of national schools about which some Kenyans have told us should be open to all Kenyans, they even say that there should be no quota system, if we follow your proposition that all schools should be day, how will you get someone from Muranga attending Mangu High School?

Fr. Titus Mburu: We no longer have national schools, provincial schools, and boarding schools: We have all Kenya national schools.

Com. Ratanya: Fr. Mburu, I have got one question and this is on Harambee – I have this sort of self help effort by people who would like to volunteer and do something for self-development of their area. What is your view on this, you would also like to discourage self-help projects where people would like to develop their own areas voluntarily?

Com. Salome Muigai: Yes, in addition to that, how do you view churches, should they become part of public exchequer or what are your thoughts? Please share them with us.

Fr. Titus Mburu: While we are talking of the issue of Harambee, there are self-help groups, if they organize themselves and they work out how they will manage that particular grouping. But the issue of calling up a harambee for a particular school, that is not a self-help group. In itself it is a public sector of our nation and so the budget of the government should be able to cater for that. The issue of the churches, they should organize themselves, the members of that particular community, they should organize themselves and put up their churches. But the issue of calling people to come and issue money and this has happened particularly during the time of elections. You see people coming dishing money to our members. Eventually the person who will have money or who has a lot to issue can easily get to the Parliament. Eventually you happen to elect a man with much money but very little idea. We would like to have men with great ideas and not money because the country cannot be ruled by money.

Com. Salome Muigai: Thank you very much Father. I would like to give this chance to John mugo, kama hayuko ningetaka kumpa nafasi Josephat Njoroge.

Josephat Njoroge : Thank you, my name is Josephat Njoroge - This is the memorandum prepared by Chakunyi Catholic School Association. My first issue is Preamble – Our new Constitution must have a preamble. The vision which is as the vision of the people of Kenya should be included in the preamble. The supremacy of the people should be emphasized. It should also show that the nation is dependent and accountable to government

Economic, social, culture, communal rights. The following rights should be included in our new constitution. Communal rights: rights to equitable salary, rights to fair treatment at work place, rights to medicine and medical care, rights to education, also rights to cultural life, right to social and save environment.

Number three is Citizenship – Those who should be regarded as automatic citizens of Kenya are: all people born in Kenya of

parents who are both Kenyan citizens, All children born outside Kenya of parents who are both Kenyans, all children born of one Kenyan citizen regardless of parent's gender. Also our New Constitution should open room for dual citizenship.

Com. Salome Muigai : Njoroge do you have a memorandum? Would you like to just highlight important issues? I will give you another three minutes.

Josephat Njoroge : Number four is land and property right – The government should have the power and authority to acquire private land for purposes of development.

Number five, Political parties – Political parties which have an estimation up to the future to be funded from the consolidated fund. They should also decide for having their membership and other interested stake holders.

Number six, the form of Government – Kenya should have a unitary form of Government comprising the three Arms of Government. However, a mechanism should be put in place to ensure separation of powers imposed by operating checks and balances.

The Kenya Economic Catastrophic - Procedure of Government - A Parliamentary Government should be adapted to vest power to the government, the Parliament as the Legislature has supreme authority. The ministers should be responsible to Parliament which harbours Lower House and Upper House should be put in place. Lower House should be made by MPs elected from their respective constituencies. Upper House for district or region delegates.

Power and functions of the Executive: The three arms of government should be independent of each other. Kenya should have a ceremonial Head of State. He or she should be above party politics and should not belong to any political party. The Constitution should provide for a Prime Minister who should be the head of government and answerable to Parliament.

Qualities of President and Prime Minister – he or she should be a Kenyan by birth, age 35 years old and not more than 70 years. He must declare his/her wealth, he or she must have no criminal record.

Number ten is power of the Executive – The new Constitution must define and distribute power of all executives.

The rule and power of Parliament - Parliament must state and approve executive public appointments. Parliament must have power to monitor ministries. Parliament must have power to summon and ensure constitutional sobriety.

Number twelve, the rule and power of Judiciary – the new Constitution should guarantee an independent and impartial Judiciary. Elections and Electoral process Act

Number thirteen, the new Constitution must guarantee free and fair election. There must be an independent and representative administrative Electoral Commission Voter education must be a duty on the part of the Electoral Commission and the right on

the part of the voter. Every Kenyan should be entitled to vote wherever he or she may be. For one to be head of government, he or she must garner 51% of the total votes cast at the election.

Public Finances – The following, our new Constitution should ensure efficient management of public finances. Parliament to approve all the sectors and Controller and Auditor General should be independent and should have security of tenure. All corruption offenders should be made to pay whatever they might have acquired through corruption.

On Natural Resources our new Constitution should ensure effective stewardship of natural resources. That is all. Thank you.

Com. Kangu: You said that the President is to be ceremonial, he is supposed to be Head of State, the Prime Minister is the one to be the Head of Government, the one who is H

ead of Government is the one that should be elected by 51%. Who is the Head of State?

Josephat Njoroge : The Head of State, he is the one to get 51%.

Com. Kangu: There is the other question here: A person who is elected by people 51%, is there any way to justify that he has to be ceremonial? Why should he not have the powers of the Head of Government?

Josephat Njoroge: We propose that our President be Head of State. And the Prime Minister should be the Head of Government.

Com. Salome Muigai: It is okay you don't have to answer all the questions. It is just as well that you go away and think more clearly about them and if you would like to talk to us, please feel free to do so. The questions that we ask are just for clarification. Thank you very much for your presentation. Muthoni Ng'ang'a. Na kama Muthoni Ng'ang'a bado anakuja endelea mama. Akina mama mnajiandikisha na mbona hamtaki kuzungumza, na huu ni wakati wa kutengeneza Katiba, na Katiba ni ya kila mtu. Sasa wakati mnatuandikia majina na kusema hamtaki kuzungumza ama hamna maoni, sijui mtazungumza wakati gani mwingene, na hatutarudi Kangema?

Muthoni Ng'ang'a: *(speaks in Kikuyu)*

Ritwa riakwa ni Muthoni Ng'ang'a

Translator: Jina langu ni Muthoni Ng'ang'a

Muthoni Ng'ang'a: Ndina gikeno niundu nitucereirwo ni ageni aya

Translator: Nina furaha kwa sababu tumetembelewa na hawa wageni

Muthoni Ng'ang'a: Uhoro wakwa ingienda kwaria mathina maria mena atumia guku

Translator: Jambo langu, ningetaka kuongea kuhusu taabu iliyoko na akina mama hapa

Muthoni Ng'ang'a: Ta atumia aria aa ndigwa

Translator: Wamama yatima

Muthoni Ng'ang'a: Na ciana cia ndigwa

Translator: Na watoto yatima

Muthoni Ng'ang'a: Undu ucio riu nii ndi mukuru ndi mwana wa ndigwa

Translator: Jambo hili nikisema kama mimi ni mtoto yatima, mimi mwenyewe

Muthoni Ng'ang'a: Ndiri baba ndiri maitu na ndiri na muthuri

Translator: Sina baba, sina mama, sina bwana

Muthoni Ng'ang'a: Na ndi kwa baba

Translator: Na ninaishi kwa baba

Muthoni Ng'ang'a: Undu ucio niimakagia tondu riu ndi mukuru nii

Translator: Jambo hilo linanishangaza sana kwa sababu mimi hata ni mzee

Muthoni Ng'ang'a: Ninyonete bara ya emergency

Translator: Nimeona vita ya emergency

Muthoni Ng'ang'a: Na ndagika ini hatiri undu ona umwe itonete

Translator: Na hata kutoka huko hakuna jambo lolote ambalo sijaliona

Muthoni Ng'ang'a: Ndina mwana

Translator: Nina mtoto

Muthoni Ng'ang'a: Ni ndimuthomithitie

Translator: Nimemsomesha

Muthoni Ng'ang'a: Na ari na ciana

Translator: Na ako na watoto

Muthoni Ng'ang'a: Undu ucio ni ingihoya tondu ninie nyina na ninii ithe

Translator: Kwa sababu hiyo ningeomba, kwa sababu mimi ndiye baba na mama wa huyo mtoto

Muthoni Ng'ang'a: Tugerie guteithiririo ciana icio ari nacio tondu ari na ciana nyingi na ari na uritu wa githomo

Translator: Tuweze kusaidiwa ili watoto tuwasaidie kwa sababu tuko na uzito wa kuelimisha hawa watoto

Muthoni Ng'ang'a: Uhoro ucio ni umakagia muno tondu hatiri undu itonete wa emergency na hatiri undu ona umwe ndi ndateithika niguu

Translator: Sababu hiyo inanishangaza sana kwasababu hakuna jambo lolote sijaliona kwa emergency na hakuna jambo nimeliona likanifaidisha

Muthoni Ng'ang'a: Niundu ucio thengia ni kiyo giakwa gia kurima

Translator: Kwa hivyo isipokuwa ni juhudi yangu ya kulima

Muthoni Ng'ang'a: Niundu ngiri na macani namo riu niurona uria marathii, tutirateithika nimo turaheo ciringin ithatu

Translator: Kwa sababu niko na Majani na katika hiyo

Com. Salome Muigai : Ningetaka kuwajulisha ya kuwa maneno yenye mnazungumza tunaishika kwa tape moja kwa moja. Kwa hivyo mkiwa na pendekezo lingine za kutoka upande huo pia linaenda kwa tape. Wakati tutakuwa tukizungumzia habari ya watu wa Kangema katika office zetu, kwani tuko watatu peke yetu na mnajua Tume ni ya watu wangapi? Wangapi? Tume ina watu wangapi? Ishirini na tisa. Kwa hivyo watu wengine watataka kujua watu wa Kangema walisema nini? Na ndio kwani tunachugua hayo maneno moja kwa moja. Mkipiga kelele kutoka kule wakati tutakuwa tukizungumza maneno yenu hizi kelele hazitawawezesha Wanatume wenzetu wenye hawako kuyaelewa ile mambo yenye mnasema, kwa hivyo ningeomba mtu anapozungumza tunyamase, tumpe nafasi ili manano yake iwe tu ndio inashikwa kwa tape. Asante, endelea mama, pole sana.

Muthoni Ng'ang'a: Kuoguo mutwicirie muno ithui atumia aa guku Kenyenyeni

Translator: Kwa hivyo naomba mtufikirie sana sisi akina mama wa hapa Kenyenyeni

Muthoni Ng'ang'a: Kwina mathina maingi mari kuo na atumia

Translator: Kuna taabu nyingi sana ziko hapa na akina mama

Muthoni Ng'ang'a: Mutangitwiciria hatiri mundu ungi ungitwiciria

Translator: Msipofikiria habari zetu hakuna mwingine

Muthoni Ng'ang'a: Niundu wahota kugia na mwana nake agie na mutumia we wi nyina urege guteithika nio niundu hari na uritu wa ciana

Translator: Kwa sababu mtoto wako anaweza kuwa na bibi na wewe usifaidike na yeye kwa sababu hata yeye ako na jukumu ya kuwalea watoto wake

Muthoni Ng'ang'a: Niundu ucio mutwicie muno

Translator: Kwa hivyo naomba mtufikirie sana

Muthoni Ng'ang'a: Nikio ndikwenda kwaria muno

Translator: Kwa sababu hiyo sitaki kunena mengi

Muthoni Ng'ang'a: Niundu namo mathaa nomaragithira

Translator: Kwa sababu masaa inaendelea kuyoyoma

Muthoni Ng'ang'a: Turi oo na maingi tungiaria

Translator: Kuna mengi tunaweza kuzungumza

Muthoni Ng'ang'a: Na matingithira

Translator: Na hayawezi kukwisha

Muthoni Ng'ang'a: Niundu ucio ngukinyia hau, mutigwo na wega

Translator: Kwa hayo machache, Mungu awabariki.

Com. Salome Muigai : Asante sana mama Muthoni. Sasa ni nafasi ya Martin Maina, na ningetaka pia kutangaza kuwa ikifika saa saba tutakuwa na kikomo cha hiki kikao na tutakihairisha mpaka saa nane. Pia ningetaka kuuliza kama kuna watu wenye walileta memorandum yenye maandiko na hawataki kuelezea wanaweza pia kuipeana kwenye desk yetu pale na kujiandikisha jina lako na utasajiliwa kuwa umetupa maandiko yako. Mercy Maina.

Charles Njoroge Kariuki: Ameondoka, na amenielezea vile alikuwa anataka kusema. Jina langu ni Charles Njoroge Kariuki.

Com. Salome Muigai: Are you and Maina giving the same memorandum? You are? Maina says that it is an individual, so if it is an individual he can't have you and him coming from the same organization. So it is not fair for the second person who came

with Maina, to have you have his say. Because I have been looking at your name and up to No.27 on this page and you are not there, you came later than everybody else, and it is not fair to let you speak before the person who came after Maina, who is Maina Thaithi. So can I give this position to Maina Thaithi. Okay, Paul Ndiruka Gachoka, nitakupa nafasi wakati tutakuja kwa jina lako. Asante, ah, ah, ni Paul, Paul njoo, Bwama Gateri nitakupa nafasi tutapofika kwa jina lako.

Paul Ndiruka Gachoka : Thank you chairlady, the Commissioners, my name is Paul Ndiruka Gachoka, I am going to deliberate on what I am having here.

One, of course, religious worship which I want incorporated into the new Constitution. I have the abolition of the Provincial Administration, also the Land Control Board, the Land tribunal, dispensing of justice, farming, home for the aged.

Com. Salome Muigai: You are too fast Paul we are trying to get that information so just go slowly. What was your first issue?

Paul Ndiruka Gachoka: My first one is Religious worship

Com. Salome Muigai: Okay what did you say about it.

Paul Ndiruka Gachoka: Okay what I am saying about the religious worship, we are Africans and Africa has got more than 1000 ethnic groups or tribes and Kenya is having 42 tribes or about that. Religiously, African are religious. There are notorious religions according to a historians e.g Kikuyu and others. So my humble request is that this idea which the African had for their moral fibre not to be distorted, plus, when the missionaries came, they came with the same idea of God which got incorporated. So what I am saying here is I want that in our Constitution we should have religion mandatory. And what I mean here, I am talking of the supreme God that was being prayed by our fore-fathers. Should be distinct from what has come to us, let us say, catholicism was not part of our culture. Two, we have devil worshipping which was not part of our culture. Thirdly materialism. So I would like now religion to be inclusive within our Constitution.

Abolition of Provincial Administration – during the colonial era, although the colonialists left us, they left us with this administration which now has all the powers, and the Constitution, I hope that you are endeavouring to finish, the powers should be the rights of the people. Therefore if the power is coming from the people, then why can't the people be given that mandate of electing the officials starting from subchief, chief, DO, DC and the Provincial, that is PC? And also after the election these administrators should be given a term and know that term, two terms that is the end of it. Although if one is completely incapable, he should vacate the office.

Here, number three, I am talking of inventory of public utility plots. Here what I am after here during the demarcation that is in 1963, the public had farms, had some plots which were meant to be public, we had a batter market. We had cattle data plot we had grave yard etc. This is an inventory although it was not written it is within our minds that they are there but now they have disappeared, how have they disappeared? They have disappeared through the so-called public Provincial Administration, in conjunction with the local Government whereby we have let them to rule people also. And this is not only the land so, it doesn't

matter. This plots because they are there and they have been stolen from individuals within the locality, can they be returned to the public, when that comes into effect.

Okay we have got the land control board this one is in the office of the DO here it is where we really get exploited. On which way, once you go there, there is a money that you get charged there on border, one border about 700/- depending on how they rule. What I don't understand whether the public is supposed to pay that money there because when you go now to the Land Registration office, you are going to be charged a certain amount of money which you have to pay to the DC's office and that money will not go to the County Council.

Alright, in that note there is also what we call Land Tribunal which is incorporated in, within that office. There are some two or three individuals how they get elected or how they get nominated we don't know, but also there is a lot of bribery there so this Land Tribunal also it should also be taken care of so that it may have a transparent office, okay.

Number six it is possible that you find file again either the chief or the law officer or whoever you are going to deal with legally, why it takes about three, four, five years okay the other one is number seven is Farming – farming is the backbone of our nation, what here I am talking about I am talking of given grant of graduated minimum tax, what do I mean here? Just as we have the very government you know, when we have gone for our AGM. I really sympathize with the farmers we are getting false to sign false the audited reports. We cannot get proper answer from these people. Right what I mean here last time we had 8 shillings, 5 shillings now we have got 3 shillings, why can't we have EMR that means Graduated Mean Return, it means if now we have only 3 shillings and we are supposed to have 8 why can't the Government be able to get the remaining balance to have a VAR whereby one is sure that he is going to get that return? I think, I asked for the Government to supplement? Something like that.

Okay from there I come to the Home for the Aged – We have got very many people here locally and what I mean locally here, if you go to Nairobi, there are local people there, when you come to Kangema, we have old people who are living here, they are suffering why can't we have a home base an area where they will be helped, get clothing, get health etc. that is one, we have got other people that are, that means they cannot be able to care for themselves because of the expense, why can't they come may be think of how we could be incorporating these people within that home of the aged so that these people may be taken care of. We have got now like today, basically every year a very young child mentally ill, this child is loitering all over, who is taking care of this one and we are saying that we have got a Government. We have got a GPR, we have got our bill here and can't these people take care of that child.

Comment from background: inaudible

Okay I am going to that one. Here I am talking now of lethal brews that are being brought in from quarters unknown, if we must take local brews traditionally it is brews, why can't the Government license people here to be making Muratina, local beer or be making let us say in Kisumu there, ithana, or their local brew, when we go to the Coast there is... and we can also have

the mnazi, why can't they do so and they get drunk, they get a license for that.

My last idea is Imports and Exports – Now we are talking of bulk trade. Let us say here we selling tea here, alright that is the commodity that we are selling from here, Dear Commissioner, if you can look outside there, there is a vehicle there, that vehicle is more than 10 million to bring in Kenya. How many kilogrammes of tea would be able to buy such a vehicle? Surely are you really stabilizing enough that the Government of never pay for that, so I have a suggestion here, the suggestion is that these vehicles of the high cc regardless you are what or what when a vehicle which can make you feel very ill these amount of money going out. Because imagine when you are going to ask for a nation let's say wherever you are going and the vehicle you are in even the tyre itself is worthy one million surely who is going to give this money and the wearer of the shoe is the one who knows where the shoe pinches. Our people are suffering here and all the tea, all the coffee, all the milk everything has gone up, so what we do now, can't we get the Government to incorporate all these so that we have a Constitution which will have revert to defend the rights of our life. And with that one I seek to leave.

Com. Salombe Muigai: Thank you very much Mr. Gachoka, and now I am going to have my last speaker for the morning, Mzungumzaji wa mwisho kwa kipindi hiki cha asubuhi, na huyo atakuwa ni Lydia Waithaka. Okay, you are the one who spoke, there are two people then, there is another Lydia Wangeci, Kuna Lydia wangeci hapa, mwenye sio Lydia Waithaka Wangeci, okay. Henry Kuria Kamutu

Jina langu ni **Henry Kuria Kamutu** : Jambo langu la kwanza ni kuwa na right, right tu ya sheria, kwamba hata mtu akiwa na kosa wenda ukampeleka kotini.

La pili ni mtu kuwekwa kiziwizini bila kupeleka kotini. Hilo nalo linatumisa saidi kama sisi wa Kenya.

Ya tuta ni kuhusu Electoral Commission – Ikiwa Commission ya uchanguzi ina, iwe ikichaguliwa na kukubaliwa na vyama vyote ambavyo husajiliwa.

La nne mtu akigawa shamba, mimi namtolea mtoto wangu shamba, kisha hiyo Title Deed itakoka kwa jina langu ninanyonywa pesa ya vile vyeti vya kinipatia transfer, ikiwa nimegawa shamba iwe ikitolewa moja kwa moja.

Inginge Commissioner, mnajua tuku na hawa Veterinary, Veterinary anakwambia enda ulishe ng'ombe yako namna hii, Agriculture naye anakwambia enda lima shamba lako namna hii, alafu nao wanapata, lakini hawa Provincial Administration kutoka subchief mpaka PC hakuna haja sisi kuwa nao Provincial Administration should be abolished. Inginge ni habari kuhusu mashama yetu unaweza kuona mtu ametoa mbolea aweke kwa shamba lake. Wageni wakaja waka-inherit mashamba yetu.

Inginge ni kuhusu mipaka ya Division. Hiyo isije ikafanyiwa ati wewe ukija hapa unakuibia, unakuibia. Hiyo kuanzia leo ikwishe hiyo kitu ya mipaka.

Com.Salome Muigai : Nina swali moja kwako.

Henry Kuria Kamutu: Yes,

Com.Salome Muigai: Umesema Provincial Administration tuiondoe? Tuweke nini badala yake tuache tu?

Henry Kuria Kamutu : interrupts

Com.Salome Muigai : Nipe nafasi na mimi nimalize swali langu. Ungetaka tuondolee kabisa tukae bila chochote kingine ama una fikira gani juu ya yenye shida katikati ya hiyo?

Henry Kuria Kamutu: Yangu najua hata wakati kabla ya Kenya kupewa uhuru, Hiyo kiti ilikuwa...lakini sasa ningeliza hii. Badala ya hiyo, tuwe tukisema tunamchagua fulani andtuwe kumuondoa. Lakini wale waliyoko sasa hata ukifanya nini hata ukishika huyo huwezi kufanya chochote. Laking tukiwachagua tunaweza kuwatoa.

Com.Salome Muigai: Asante sana, swali moja lingine, Umesema wageni wakupaliwe kurithi shamba zetu lakini je wakubalishwe kununua?

Henry Kuria Kamutu: Hapana.

Com.Salome Muigai: Sasa ni saa saba kamili, ningemba kuailisha kikao hiki mpaka alasiri saa nane. Asante.

Com. Salome Muigai : Hamjambo Mabibi na mabwana, wakati wetu wa kikao cha alasiri umefika, ningetaka kuwakaribisha kwa hiki kikao, tafadhali kama muna watu inje waambie waingie wenye tayari wamesha jilandikisha hamna haja kuandikwa tena, na wenye bado kujiandikisha wanaweza kubaki pale wakijiandikisha. Ningetake kumpa nafasi David Michukia, amefika? huyo ni wewe? Bwana mtafusiri okay.

David Michuki : Majina yangu ni David Michuki : Jambo lile nataka kutoa kwa Tumem, jambo la kwanza ni katika hali ya kuoana. Katika nchi yetu ya Kenya tunajua ya kwamba ukifikiria, mwanaume ndio anaoa mwanamke na inakubalika. Lakini wakati niliyosili miaka imeendelea, kumetokea jambo la mwanaume aowe mwanaume mwingine na jambo hili limetokea na kutoka watu hapa wameenda Uingereza ikisha hii sheria iwe mwaume aowe mwanaume mwingine na hapo mimi nimeona nivibaya sana kwa sababu hata ukiangalia katika bibilia wakati Mungu alimaliza Sodom, alimaliza kwa sababu hiyo sodomy ya mwanaume kulala na mwanaume mwingine. Kwa hivyo mimi ningetoa maoni yangu katika Tume hii ipitishwe kama ni Sheria hakuna mtu anaruhusiwa kuona mwanaume mwingine Kenya.

Pia kuna hii mwanamke aoe mwanamke mwingine kwa sababu hajapata mtoto hiyo naona pia si bibilia mwanamke kuoa

mwanamke mwingine lakini kwa sababu ya hukumu, pengine mwanamke anaweza kuwa na means yake yeye ni tajiri na hana mtu wa kumuriithi ningeona aoe lakini ikuwe hiyo si bibilia ni katika sheria aoe mwanamke mwingine, lakini waende kwa wakili ama kwa court waandikiane ya kwamba akimuoia hakushurutisha kwa ile mzee ataenda na yeye, hapa ninamaanisha nini? Hapa ninamaanisha mwanamke anaweza kuoia mwanamke mwingine kwa sababu ya vitu vyake lakini anamwendea anamwambia sasa wewe na ndugu yake ugongwe, pengine very ugly man, hapa na yeye hataki namna hiyo kwa hivyo katika Sheria za Kenya hiyo ningeomba tuweke hiyo.

Pia ningetaka kuzungumzia jambo hili la kuwalalisha juu ya kutoa mimba. Kutoa mimba ningeungana na ndugu wengine kusema ya kwamba ipigwe marufuku Kenya kwa sababu hiyo ni kuuwa.

Pia ningetaka kujulisha Tume iliyo mbele yetu jambo ambalo lilikuwa, tumesoma kwa gazeti katika nchi ya America, na jambo hili linaonekana kwa sababu imefika ulimwengu wa science linaweza kuingia hapa kwetu Kenya, na kabla halijaingia tujikinge na hilo. Kulikuwa na jambo moja mwanaume aliwacha mbegu zake za kuzaa zikawekwa hospitali ili bibi yake kama amekomaa kupata mtoto apatiwe hiyo mbegu na ilikuwa katika America ni wazi kama atapewa na akanyimwa. Kwa hivyo ningetake tutoa kwa Tume yetu, iwe katika Kenya hakuna njia ingine ya kudunga wanawake mimba isipokuwa ya mume na mke. Hiyo ya mpira tupike marufuku, thibitisho. Kwa njia hiyo naona hapa kwetu Kenya hatujafikia lakini kwa sababu hii Tume yetu inatunga Sheria wakati huu naomba iweke hiyo jambo.

Hebu nikuje kwa local Government – Katika local government ambako tunachagua Mayor nikiona kwa sababu ya taabu iliyoko wakati huu, kama Nairobi, Mayor anapatilishwa wakati kwa wakati, kutokana na vile ma-councillor wanajuana, ni maoni yangu kwa Tume hii, Mayor wa mji wowote awe akichaguliwa na raia. Na pia Mayor akichaguliwa na raia lazima awe mtu amesoma mpaka kilato cha Form 4 and at least he should pass with D. Hapo nimetoka.

Nikuje habari ya mashamba katika nchi yetu ya Kenya. Katika nchi yetu ya Kenya kuna watu, God Fathers, watu wako na mashamba makubwa sana ukielekea njia ya Nakuru unakuta mtu ako na shamba karibu mia tano, na ukienda Kenya uende kama Mathare, uende Lunga Lunga uende mahali pengine Kangemi, unakuta watu wamesaliwa na hawajui mama yao, baba zao hawana shamba hata kidogo, na ni kwa sababu Mungu ametuweka hapa duniani ni ombi langu tuitunge sheria, sheria iweko hakuwe mtu hata moja katika Kenya asiyekuwa na shamba. By that I mean, there should be no landless in Kenya nikiongeza hapo tafadhali nikimaanisha ekari mia moja, nasema hivi, kama ni mimi niko na watoto wangu watano, na niko na acre elfu moja ninaweza kugawia kila mtoto acre mia moja, mia moja hiyo ingine nipatie, iende na Serikali ili wale wengine wapate. Hapo nimetoka, nimemaliza.

Niseme, niguzia katika Budget yetu ya Kenya. Vile budget ya Kenya inatumiwa na vile inagawa inaonekana budget inagawiwa kulingana na ukabila na ningeomba sheria itungwe, Sheria mpya ni ile tunatunga leo ya kueendesha nchi yetu ya Kenya, budget yenyewe iwe ikitengenezewa katika Bunge. Ili katika oni tunaotoa, iwe ya majani chai, iwe ya kahawa, iwe ya barabara, kila

oni ingepelekwa katika Treasury bill, hiyo pesa inagawa na Bunge kulingana na mahitaji ya kila mkoa, ya kila wilaya. Hapo nimemaliza.

Niingie katika office ya Rais. Kwa maoni yangu katika sheria ambayo tunatunga, mimi ningependelea Rais wa Jamhuri ya Kenya asikalie kiti kama hajafikisha miaka 45, na strictly awe ameo, tusijetukawa na wakati moja kunamchagua Rais asiye na bibi kwa sababu hata wakati wa Yesu Christu, Herode aliambiwa na bibi yake ametokewa na Mungu usiku akaambiwa asisulubishe Yesu Christu kwa sababu si mwenye dhambi, kwa hivyo inaonekana wanawake wanasaidia sana kwa hivyo ningepomba Rais wa Jamhuri awe ni mtu atakuwa na bibi. Pia ningetoa maoni yangu ukiangalia nchi kama America, kama Russia, kama nchi zinazoendelea, zinaongoswa na watu ambao wamesoma, ombi langu ningetoa Rais awe amesoma na akuwe ni mtu ako na degree. Hapo nimemaliza.

Ningetaka kuingilia habari ya immigration. Ningetaka kuwajulisha hapa hii Tume katika Sheria tunatunga sasa Passport ya kuondoka kutoka nchini iwe ni kitu ya kupewa mtu isiwe, kwa wakati huu inasemekana ni si lazima upewe, it is not a must.

Com. Salome Muigai: Do you think it is a crime? Ni haki yako?

David Michuki :Yes, Nilikuwa niende mahali, Passport nilipata kwa kujaziwa na watu wengine, ningepomba Passport iwe haki yako. You are there to be given a Passport if you want to go somewhere. Na pia ni ombi langu kwa hiyo immigration, sasa tuseme kama nchi ya Canada, ukienda Canada, watu wageni wakienda kusoma Canada wanaandikwa huko kwa sababu hakuna watoto unaenda kusoma lakini unaandikwa kukamua ng'ombe unapatiwa elfu mia moja kwa sababu wao wana pesa. Lakini hapa kwetu Kenya tunaona watu masikini ni wengi sana lakini kwenda nchi kama Canada hawakubaliwi na serikali iliyoko. Kwa hivyo ningepomba ikuwe ni sheria kama mimi nimezaliwa Kenya nikitaka kwenda Canada niende siyo kwamba mimi ni mwanakenya nikuwe maskini Kenya, nitakuwa mgojwa Kenya, nitaandikwa Kenya, nitakufia Kenya na nizikwe Kenya. Nikiwa na njia ya kuondoka niondoke.

Basi nikeendelea kumaliza nitaguzia habari ya uchaguzi. Kuna mufurutano uliyoko sasa kwa upande wa uchaguzi, inasemekana Tume bila kutukuza Katiba wengine wanasema tukaye muda ulioko, wengine wanasema mambo mengi, lakini vile mimi ningeponelea, Katika hali ya kutunga Sheria, si kitu rahisi na si kitu cha kuchuliwa juju, ni kitu ambacho kingetakiwa kiende kwa njia ya utaratibu sana kwa hivyo ni maombi yangu kwa sababu tulichaguana mara nyingi sana na Sheria iliyoko, sasa ingawa tunaona kama sheria ilioko ni mbaya mimi maoni yangu ni kwamba Sheria iliyoko ni mzuri, isipokuwa haitumiwi, sheria iliyoko sasa haitumiwi. Mimi nikipendekeza hata ingawa nasikia watu wengine wakisema Commission inakula pesa mingi sana, na ni ndio wanataka waongezewe muda, mimi maoni yangu nikiondoa si hiyo mimi maoni yangu ni kwamba tukubaliwe tupige kura, tuchaguane lakini kofi ya Commission hii iendelee mpaka iwe na wakati wake wakumaliza Katiba.

Nikimalizia jambo langu la mwisho ni Parliament. Kwa sababu Parliament imekuwa na watu tofauti tofauti, iko KANU, iko

NDP, iko KCP iko na watu wengi. Na watu hawa wakienda Bunge hawasilizani. Mimi katika ile viti 250, ni two fifty, mimi ni maoni yangu katika sheria kuongeza mkuu wa makanisa, tuseme kama Bishop awe na kiti yake katika Bunge ya kutoa maoni kwa raia, kwanini umeona mu-Bunge ako na watu wadogo sana anawaakilisha, mtu kama Bishop anayesimamia diocese mzima hawezi kuingia Bunge na kuwatetea. Kwa hivyo ni maoni yangu ningetoa kwa Ma-Bishop, Ma-Reverend, wajengewe viti katika Bunge ili hata wao waakilishe maoni ya wananchi. Nikimalizia jambo langu la mwisho ni habari ya bara bara. Barabara, ningomba kuwe na sheria katika ile barabara kuu kuwe na daktari ambaye atajengewa nyumba yake barabara, ile ndereva akishikwa ya kwamba ni mlevi akapimwa na daktari hapo, hapo na ashitakiwe.

Jambo lingine hapo kwa barabara ni tuondoe hii traffic kama amekalia gari na imebeba watu wengi saidi, watu waelimishwe ya kwamba ukibebwa na gari na wewe muwe mumesidi hutalipwa na bima. Kwa hivyo hii hali ya kungoja gari ikwame ili tuweze kujaribu kuiondoa. Hiyo sheria ya kushitakiwa ati ya kwamba umebeba watu wengi hiyo iondolewe, lakini iwekwe sheria kama watu wamebebwa wengi hawatalipwa na bima. Na kwa upande huo watu wataogopa. Pia niseme katika nchi hii, katika idara ha polisi

Com. Salome Muigai: Jaribu kumaliza

David Michuki: Yee, nanikitoka hapo sina ingine. Katika ile idara ha polisi tuondoe habari ya polisi hii inaitwa 'ndala' charge, askari akikushika anakuambia inua mikono juu, anakuweka mkono kwa mfuko anakwambia nini unabeba, hiyo ni kwa maoni yangu, ni vile wengine wanakuwa wamekuekea bangi kwa mfuko, hata juzi walishika Pastor mwingine wakamuekea bangi kwa mfuko, na hajafuta bangi, kwa hivyo nilikuwa kama hawajafika kwangu, iwe na hiyo charge ya polisi iondolewa katika Sheria zetu za Kenya. Na kwa hayo machache mungu awabariki.

Com. Salome Muigai: Asante sana. Kuna maswali?

Com. Kangu: Bwana Michuki, umesema ikiwa mama ameshindwa kupata mtoto na pengine ana mali angependa awe na mtu wa kurithi aruhusiwe kuoia mama mwingine pengine ndio aweze kupatia yeye watoto, ni sababu gani, isiwe hivyo hata kwa wanaume kwa sababu hata mwanaume naya anaweza pata hawezi pata mtoto na ako na mali ya kurithi ni kwanini asijukuwe mwanaume mwingine ampatie watoto?

La pili umesema Rais lazima awe ni married man, lakini kwa wakati huu tunatarajia kutakuwa na Rais hata mwanamke, naye pia unataka awe ameolewa ama hapana? Na kama bado kwa hilo, kuna makanisa kama Katoliki wako na mpango wao wakusema mtu anaweza kuwa Father, mtu anaweza kuwa sister, kwa hivyo si lazima aowe ama aoelewa. Mtu kama huyo akitaka kuwa Rais tutamkataza kwa sababu hana bibi ama hana bwana ama tutafanya nini?

La mwisho umesema wa-Kenya wakiweza waruhuziwe hata kwenda ku-settle huko inje kama Canada na mahali pengine, na

kuna wale wanasema, human beings are also resources, sasa sisi tutakuwa tunatayarisha watu, tunasomesha watu tukimaliza tunawatupa inje ama tutafanya nini? Na wakienda hivyo, how do we benefit from that? Nimewahi hata kuwauliza watu mara mingi tunaambia watoto, sasa tafuta kazi inje, na watoto tunapeleka university, these days on the basis of a university loan, how do we recover that loan?

Com. Salome Muigai: Bwana Michuki nina swali moja kwako, umesema kuwa utoaji wa mimba ukuwe haramu kwa Katiba, wewe unaona utoaji wa mimba kama nini, ile kitendo tu ya kutoa?

Nina swali kwako, yule baba mwenye anaanzisha huyo mtoto na anasema yeye mwenyewe hataki huyo mtoto, unaona kama yeye amesha toa nusu ya mimba yake ama unaona kama jukumu ya huyo mwanaume naye ni nini? Kwani Katiba ni wakati wa kuleta mambo kwa ballot, ni wakati wa justice, ni wakati wa (kiwoto). Ningetaka kusikia maoni yako kwa jambo hilo.

Pia nina swali lingine la ulisema ukiwa na acre 1,000 za shamba na una watoto watano umpatie kila mtoto acre 100 alafu zile zenye kubaki ziende kwa serikali, wewe mwenyewe ungetaka kusema kila mtu awe na acre ngapi za shamba? Ama ujafikiri hivyo, kama umefikiria, umefikiria ni acre ngapi ziwe ndio shamba yenye mtu moja anakubalishwa?

La mwisho ni juu ya vile unavyosema kuwa Bishop apatiwe kiti kwenye Bunge na hilo nafwatisha kwa swali la Mwana-Tume Kangu, ulisema kuwa Rais awe mtu mwenye ameshaoa, basi sasa kama Bishop tuseme kama Bishop Wakatoliki wa hapa wa Murang'a Diocese, tumepeleka Bunge kwani ni mtu mwenye kujua mambo, wana-Bunge wameona huyu anaweza kuwa President, tutamkataza kuwa hajaoa? Na tumeweka kwa Katiba lazima kila mwenye kuwa Rais lazima anakuwa ameo. Nakupa dakiki mbili sasa ujibu hayo tafadhali.

David Michuki : Hebu nijaribu kurudisha jambo la kwanza, mama kuo mama mwingine: hiyo mimi nilikuwa nikitoa kumaanisha hapa, na mkauliza kwanini mwanaume asioe mwanaume mwingine kwasababu yeye hawizi kuzaa hata yeye. Mimi nataka kumaanisha hapa ni kwasababu mama anajua yeye mwenyewe hakuna hata wakati moja analala na mama mwingine hilo ndilo jambo nilikuwa nataka kumaanisha. Hapa nilikuwa nataka kumaanisha hivi mama ako na vitu viake na anataka mtu wa kumrithi hapa anatafuta mama mwingine anamuoa hapa ndio nilisema waende kwa wakili ama waende kotini wakubaliane ya kwamba akimuo siyaeza kumfurusisha ile mtu ataenda na yeye na yeye kwa sababu hiyo ni maombi zingine, alafu kumpatia mtu kwa ombi moja namna hiyo. Kwa hivyo mimi nilikuwa nataka kumaanisha jambo hilo liwe namna hiyo. Likitokea jambo hilo, hilo kwako ni, hata bibilia inakubalia mwanamume kama hazaai asikaribia thehebu hapo pale mbele kwa sababu wanaona mwanamume hazaai ni kithi.. he is not a normal man, na bibilia haikubali hii. Tukijukuwa katika bibilia kitabu cha Nabii Mungu alisema hata kama mtu haonekani mweupe upande moja mtu ambaye hazai, mtu ambaye ana vidole sita, askiribia pale mbele za mungu, kwa sababu anashida. Kwa hivyo nilikuwa nasema kama mwanaume hazai na unasema umwoe mwanaume mwingine, asikubaliwe kuo mwingine, niaende anunue watoto katika Serikali yetu ya Kenya tunayo watoto ambao hawana nini, hawana shamba, hawana mama, tunawajukua. Na kwa hivyo nafikiri nimemaliza.

Tuche jambo lingine katika Rais awe ameo. Pia hiyo sheria ni sheria, mkauliza kama je mama angekuwa Rais awe ameo, kama ni Rais awe ameo, kama ni mama awe ameolewa hiyo tu, nilikuwa nataka kumaliza hii kama tunataka Rais awe ameo, na hiyo iwekwe manani sana, jambo hili ni zuri sana katika ulimwengu wa dunia tuliyo nayo kwa sababu kama ni kijana sijui niseme nini? lakini tuseme Rais akiwa ameo na mama akiwa awe ameolewa akiwa President. Hiyo ni mzuri. Katika upande wa Katoliki tulisema kuna mmoja hapa yuko mbele yangu ningesema kama, mnasema anaitwa Father na awe anataka kuwa Rais. Hebu nikukumbushe kikuweke kwa Biblia fungu la pili, America Father ndio moja waliopatia hiyo kanisa hasara ya million tatu kulipa kudungwa mimba kwa wasichana. Kwa hivyo inaonekana hakuna mwanaume timamu naweza kaa bila mke. Asikudanganye. Kwa hivyo kama ni nature, ikiwa nikisema, manaweza kuniambia namna gani, si hata Maria alipata Joseph na akazaa watoto wengine hata baada ya Maria kumzaa Yesu Kristu, waliendelea kuzaa na Yusufu hata ikawa Jesus alizaliwa na Baba wetu Ibrahim kupitia mke kwa mke hapo iko swali mbili, ninyi hii munataka kukuambia ni dhambi na hata katika Kitabu cha Timotheo wa Kwanza, nne, inaeleza siku itakuja watu watakuja kudanganya watu yakuwa kuo ni dhambi. Hiyo ni shida, hiyo ni shida kwasababu mimi ni mzima. Haya, swali hiyo nimetoka.

Hiyo nimesema kwa upande wa akitaka kuwa Rais awe ameo kama hajaoa aondoke kuwa Rais wa Jamhuri. Kwa sababu hata Gazeti tumesoma, ukisoma Gazeti utaona three million imetolewa katika kanisa la Katoliki ili walipe ile mimba wamedunga wasichana, kwa nini wanadunga mimba na wanasema hawazaai, hiyo ni point, you come to the point. Thank you. Kutoa mimba hapa vile nimeelewa umeuliza, nieleze kama kutoa mimba kama ni ile tu yiko na msichana hata ile mtu ametumia kudunga mimba. Hapa ningesema hivi ile mimba, mimi nataka kusema yule msichana na hata yule mtu yote alipata mimba yeye ndiye anajua ile njia ili ilivezekana akadungwa mimba, pengine aliibwa na katika hali ya kuiibwa ile apatiwe sex akakuwa na mimba, lakini akisha dunga mtoto ndani yake, awe mtoto, unajua, what do you call it?

Com. Kangu: to have a baby.

David Michuki : Kama amekuwa ni mtoto, hiyo ndio mimi nilikuwa nataka kumaanisha, asikunywe dawa ya kutoa huyo mtoto na unajua siku zijaso itakuwa, inaonekana kama itakuwa imefupishwa, be 30 na mi nilikuwako nimeona hiyo. Na kwa njia ingine kama, ninakuelewa vile unasema, yule alidunga mimba hata yeye tunasema alitoa mimba si ndio?

Com. Salome Muigai: Nimekuomba uniambie maoni yako, kwani watu wawili wanatengeneza mtoto sasa mmoja hawezi kutengeneza, sasa mmoja hawezi kubaki na yule mtoto, kwani yule mwenye kupeana hajui naye pia ametoa nusu ya nyumba yake kwani kulikuwa na mchango wake wa hamsini kwa mia kwenye ile hali. Lakini juu ya hiyo hata nataka kufwatisha swali lingine lenye umeleta, umesema huyo mtoto ni mtoto, Je huyu mtoto kwenye Katiba, na ni wa Kenya ana haki zake za kuwa na baba na mama?

David Michuki : Hapo huyo mtoto akishazaliwa, bila makosa ya kutolewa mimba, kama Serikali yetu itatoa, itatumia kodi

ambao tunatoa hii watoto wanaweza kuwekwa vizuri sana, kama vile America na nchi zingine unaona ukienda America utakuta ziko nyumba za watoto wenda wazimu hawezi ukajua kama Waamerica wako na wenda wazimu, lakini wanawekwa katika nyumba moja na hata hapa kwetu Kenya kama kodi, hapo nilikuambia mbele budget ya Kenya iwe ikigawiwa katika Bunge, tukigawa hii budget vizuri na mali ya raia ikilindwa, utakuja kukuta ya kwamba hata hii mtoto ambaye amezaliwa atakuwa na haki yake na awe mtu wa haki kuishi Kenya. Kwa hivyo hapo ndio niseme mimba isitolewe. Na pia, one minute please, a second. Hii aliyedunga hiyo mimba, hii alidunga ile msichana tuseme hivi, raping iwekewe under guard kwa hivyo kama yeye hakushikwa kwa nguvu, hiyo siyo raping, hata yeye akidungwa mimba na atoe..

Commissioner: (inaudible)

David Michuki: Ekari – Mlisema mtaniuliza habari ya mtu akiwa na ekari na watoto awagawie kila mtu akari mia moja, mia moja, hapa ile nilikuwa nikitaka kumaanisha ya kwamba unaweza pata Kenya hii kuna mtu mmoja ambaye ako na acres elfu tano,

Com. Salome Muigai: Nataka kukuuliza swali, ungeweka akari ngapi ndio zenye za juu kabisa?

David Michuki : Mimi ningeaona ekari ambao zinaruhusiwa mtu kuwa nazo ni acre mia moja. Nifike hapo.

Com. Salome Muigai : Okay, Asante sana

David Michuki: Na hapa sioni kama hii ya Bishop kuwa Bunge, okay ndio ya mwisho. Bunge kama Bishop hata yeye atakuja Bunge, anaweza kukalia kiti ya Bunge lakini asiwe Rais kama hana bibi.

Interjection : Hiyo kitu imekuwa tafu Bwana

Com. Salome Muigai: Mimi nina swali moja kwako. Kwani umetueleza vile Mungu anavyo wekea maanani uzaaji wa mwanaume na akamfanya kuwa kiongozi wa nchi na wa nyumbani kwanini sasa unamuomba kwenye huo uzaaji wake, umesema ni muhimu sana mwanaume kuwa anazaa alafu wakati huu amezaa na mtu mwingine ameleta mtoto duniani na umemuondoa kwenye ile uzaaji sasa umesema hiyo ni shida ya mama na mtoto na ya Serikali. Huyu mwanaume mwenye umetuambia ni lazima azaae asikuwe Rais kama hazaai, anawezaje kuwa na mamlaka kubwa hiyo ya kuzaa lakini hana jukumu?

David Michuki : Okay, hiyo ni swali nzuri, Mungu ametilia maanani sana hapo naukienda katika bibilia unaona, sina wakati wa kuhubiri lakini ningekuhubiri ungejua vile--

Com. Salome Muigai : Tunataka maoni tu, kuhubiri tutakuona Jumapili.

David Michuki : Kwa maoni yangu Bwana Commissioner ni hii, ili tuzuie kudunga akina mama mimba tunajua, na mimi nasema tunajua matunda ya kweli. Moja ni usherati, na unajua katika mwili kuna hii tunda la usherati, liko ukatae, ukubali liko. Naona hata tunaweza kufanya usherati na macho, na hata tunaweza kufanya usherati kwa kufikiria. Sasa mimi nilikuwa nasema hivi kwa sababu ile nguvu ya kuzaa iko kwa mwanamke na ile mtungi ya kuwekwa mbegu azaae ni mwanamke, sasa hapa inategemea na makubali yako. Na kama yule alikuwa amekubali na akadungwa mimba sasa asitoe alete mtoto .

Com. Salome Muigai : Asante sana.

David Michuki: Thank you.

Com. Salome Muigai: Sasa ningetaka kumpa nafasi hi Rhoda Mugechi, Rhoda Mugechi huko hapa nasi, okay karibu, Muthoni hapa nimeandikiwe Mugechi lakini nitabadilisha iwe Muthoni. Umesema hii signature ni yako kwa hivyo ni wewe. Okay,

My name is **Rhoda Muthoni Gachoka:** My recommendations to the Kenya Review Commission and Commissioners who are here.(inaudible) One, Projects in gazetted hardship areas by the Reviw. Accept medical check ups through mobile phone, through mobile clinic sorry. Total free education for all. Training of farmers on production for selling and marketing of farm produce. Computerized vote counting at the polling stations, during the general election. Direct election of Mayors and their deputies. Restriction by law of Government doctors, clinical officers, and other medical personnel from operating private clinics. The problem of street urchins, that is Chogora. Extention of training of the Armed Force personnel including the Police. The adminstration, housing and conditions of service. Eradication of poverty in Kenya. I will read them according to what I have written them: First

Com. Salome Muigai : Madam Muthoni, I would like you to highlight the issues because you had a document to give to us, so I want you to just tell us briefly about each one of those, because I will only give you five minutes.

Rhoda Muthoni: I will read them and finish

Com. Salome Muigai : Yes but with the five minutes I can assure you, it is not enough to read the whole...

Rhoda Muthoni : I will not read the whole thing.

Com. Salome Muigai: Okay

Rhoda Muthoni: The Government should set aside funds to cater for the percentages required from communities run by the NGO in order to raise up initiate and support projects in the gazetted country. This is because societies living in these areas have more need for percentages required by NGOs they are for voluntary aid.

The Kenya Government should start mobile clinics with qualified doctors in all regions in order for the citizens to have access to really medical check up on whatever you believe in, diseases like cancer, physical and uterine cancer or whatever problem e.g. cholera and typhoid. These doctors should train and advise for the same. This good medical services have become accessible to most members of the society.

The Kenya Government should be the main initiator and actor of training the farmers in different sector about the need for high production, high quality produce and for them contributing the high cost of transport and marketing of their produce. The farmers should also be trained for the need of having their own warehouse which should be availed to reduce the marketing cost. This Government should start the training from the grassroot level. Should buy centres, pork factories, dairy farm or such a farm . These responsibilities are currently vested or directed to the Directors elected by the farmers in different sectors of Agriculture. The Government should also ensure that, profit from produce is given to the respective farmers and on time. At least 2/3s of the produce be for the farmers. Delays in payment should be cut there is the interest part belonging to the farmers. This will enhance the farmers morale on production. They will feel proud of their labour and bring out the truth that Agriculture is the backbone of Kenyan economy. As a matter of fact those managing the processing and marketing of farm produce get higher pay package than the farmers who are the backbone of the.

Five, the Constitution should have a quote to allow for computerized vote counting which should be done straightaway at the polling station where the sworn agent of the given election party will have access in order to assist where necessary. The polling exercise should be also be given more days to allow for majority to cast their votes without complaint for polling station who look at. The Constitution should have a clause to allow for the director election of Mayers and their deputies. These will be the harbour of power in our local authority, enhances of projects initiated here or.

Seven, there should be a clause restricting Government doctors, clinical officers, nurses and other medical personel from operating private clincs. To succeed in this, these officers should be well remunerated and their terms of service taken care of with acceptability. Doctors and these other officers should be made to choose from either being public servants in total or being private practitioners in total. Again this will cut down in a big way.

The problem of Street Urchins, Chogoras, should be addressed constitutionally. The Government should start at least rehabilitation home and schools for these boys who are holding aside from the rest of our society. These homes and schools should be located far away from the urban centers, which they have made their natural homes. These homes and schools should

be have well trained personnel in order to bring change to the lives of many desperate Chogoras, and bring them to be peace loving, productive members of our society. This will help by reducing greatly the daily increasing crime and menace brought about by the presence of the kids.

The Government should give the Armed Forces including the police more training by extending from 6 months to 2 or 3 years. This will provide more time to train sociology, physiology and calpry the salary conditions of service and especially good housing for the Police officers should be made acceptable to all. Most of the houses in our Police Station are old, small and congested. Just as they were built by our colonial masters of long before our independence, by giving our Armed Personnel better training, good salary, better housing and good conditions of service. It will motivate them to work more effectively and affectively whereby the ever increasing crime rate, corruption and other home making activity will be reduced greatly among our society.

The last, the Government should eradicate poverty among our people by bringing the following: starting important farms, brought entirely in order to create better market for our local produce, negotiating for more and better foreign market for our produce on the long term by creating more healthy relations with more foreign governments, sealing of loopholes through which farmers are losing a lot from the profit of their produce and taking the farmers within, now, starting large and small industries which will provide employment and will serve many of our jobless youth, wooing of more foreign investors which will also create jobs for our jobless youth, subjecting those in our society with foreign accounts to withdraw the money and be sent to Kenya in order to help us field our country correctly, ensuring that farmers get farm input as considered for pricing in order to help reduce production cost.

Com. Salome Muigai: Thank you very much, okay thank you very much and please make sure that you register yourself and leave us your memorandum. Thank you, and now I have, I don't know whether this name is Mutusu or Mutuku J.M. or S.M. ulikuja pamoja na David Michuki, karibu ama mukafwatana na Mwangi P.A. kuna mtu mwenye ana-recognize position hiyo? Okay, Mwangi P.A. Councilor Magochi,

Councilor Magochi : Thank you Commissioner Madam, your fellow Commissioners, my name is Councilor Magochi Waithaka representing this area and this is my personal memorandum. I would like to continue in Kiswahili because I have observed that when someone is speaking in Kiswahili people are responding very well meaning that they are understanding what is going on.

Nitaanza na President powers – This provision of being above the law should be scrapped as it interferes with the written law when issuing degrees and directives. Madam, Commissioner, nasema imaliswe, hii power ya Rais imaliswe kidogo maana hata sasa tukikueleza hii mambo yote na muende muunde Katiba na tuachilie Rais na nguvu yote, atashika hiyo Katiba yetu aweke kando na aanze kutuongoza na degrees zake, and directives of the President. Na tumesha ona mengi ikifanyika hivo.

Number mbili let the Constitutional policy be vetted by Parliament and not the President. Imo kifumbofumbo ya Katiba, kama Cabinet plus cultures hiyo tupatie Parliament iwe iki-vet yenyewe.

Number three, let the duties of the President such as Counsellor of the University as Commander in Chief of Armed Forces, hiyo ipatiwe some men and women of Kenya who are able. Maana yake wakati tunapatia Rais hiyo kazi, anakuwa burdened na hiyo kazi, na wakati anakuwa burdened he cannot hear the cries of the people at the grassroot who are hopeless.

Nikitoka hapo Commissioner, Madam, tuende kwa President and the Party. Rais akiwa amechaguliwa let him or her not be the Chairman or the Chairperson of that party because it is going to make him less able in serving the Kenya people, kazi inakuwa nyingi anashindwa na kuyafikia mambo ya watu wa nchi yake. Hapo hapo tu, tuseme let the President not use the public funds or property when going for promoting party, unakuta, umejionea huko Nyeri kuna mkutano wa KANU Rais wetu akienda huko anafwatwa na magari ya GK yote na ni mali yetu hiyo na sisi apana wenye party. Kwa hivyo wakati ana-promote party yake awache kutumia mali yetu ya uma.

Tuende kwa Local Authorities – Commissioner Madam, I would like the Chairman and Vice Chairman of the Councils and the best of their really duties, to be elected directly by the members of the public na wawe Executive, we have Executive Mayor and Executive Chairman, na wawe, the Ministry headquarter should not interfere with them. Commissioner madam, tumejionea, unakuta Chairman wa Council, Mayor ndio huyo hata Councilor ndio huyo, mashamba inagawanywa ikiwa ya area yao but this is done by the Executive without the presence of the Councillors or the Chairman, lakini wananchi huko nyuma wanasema ni Chairman, ni Councilor, lakini ikipeanwa, inapeanwa na the Executive, the clerk who is a public servant, without the knowledge of that Councilor or the Chairman, kwa hivyo nataka Mayors and their deputies Chairmen and their Vice to be Executive Officers.

Commissioner Madam, tuende kwa upande ya voting – I would like those who have reached the age of 18 years, wale wanaona kama they have the right to vote, wakubaliwe ku-vote kama wana-produce the ID card, the Passport, Driving Licence and the Birth Certificate, any of those, wakubaliwe kutupa kura yake. Na wakati hiyo hiyo sisi tunatupa kura, kura inahesabiwa kwa ile station hapo, hapo, there and then. Kura zinatupwa, zinatupwa na zinahesabiwa hapo, na result inakuwa announced at the sport. Watu wanajua kwa ile station, ilikuwa namna gani.

Madam Commissioner, niende kwa Representation of our leaders in Councils and in Parliament. Ningetaka Mbunge akiwa Bunge awe anasimamia almost equal people. Tumesha sikia kama Parliament hii inaitwa Sichala Constituency at Mbunge anachaguliwa na 7000 people. Ukienda huko kwa Mwenje 140,000 people hiyo tunaona ni mbaya, hiyo tunaita ni completely rigging in advance, unakuta mtu akienda kwa Bunge wakisikiliza mambo Mwenje anapitisha kura yake ni moja on behalf of 140,000 people, na yule Mbunge wa Sichala, watu elfu saba tu. Kwa hivyo wawe na almost equal representation even in the

Councils.

Bwana, Madam, niende kwa Mashamba – Let the Land dispute be settled by family elders. Ma-case ya mashamba hapa nyumbani inapelekwa kotini, inaenda mbali, inaenda mahali ingine, ningeuliza family elders wawe wakikubaliwa watatuwe hiyo matatizo ya mashamba nyumbani. Na kwako, juu ya mashamba tu, I would like Land tenure and ownership be constitutionally secured and not in this tenure, during 1997, 92 and 97 tribal clashes ...and those incitors should be taken to court for tribal clashes.

Commissioner Madam – we go to the Basic Rights –Let the basic rights be observed and enjoyed. Mambo ya basic rights for example ni kama hii here in Kenya, Commissioner madam, we have no peace and it is through corruption lack of basic rights kwa people kama education, security, kwa hivyo ningetaka all basic rights be given to walato wakati nilikuwa mtoto sikuona kwa hospitali. Security, tuko na taabu ya security, why can't we be given free security. In the opion unasikia tena mtu akija hapa, ni masomo, mtoto akizaliwa na atakuwa akiwa hana masoma that the basic right. Hebu tupatiwe na Serikali yetu free education bila kulipa fees. Isiwe ni budget, ndio hiyo ifanyike.

Ningetaka madaktari, na ma-police na walimu walipwe mishara yaho comfortably, walipwe mishahara kubwa ndio walimu wakubali kusomesha watoto wetu, Madaktari walipwe mishahara kubwa ndio waweze kutuhudumia, Ma-police wenyewe wapatiwe mishahara ya kutosha ndio security iwe sawa sawa na ikiwa hivo let corruption Madam Commissioner, be criminal offence, a capital one, mtu akishikwa na pesa ya corruption iwe a capital offence.

Tuendeleo Madam Commissioner, Provincial Administration – this should be completely abolished. Hii kutoka chief, assistant chief kuendelea juu yote iondolewe. Tumesha pata taabu Commission Madam tangu tulipata multi-party, multi-party kusema kweli tuliona ni nzuri kwa wakati hatujaongea kutaja mtu tukiwa pamoja hiyo uwoka imekwisha, vile tutakwambia, hatujakwambia Serikali yetu ni mbaya tunarudi upande ile au upande ile maana yake tunajua hatutakwenda kwake nyumbani lakini sasa wakati ule wakusema vile tunaona makosa . Nataka kusema wakati multi-party iliingia ukipatikana na assistant chief or chief, hiyo itapatiwa the youth who are supporting that particular party, hata akiwa na criminal record known by the people he is going to lead unakuta ni yeye ameandikwa na Commissioner Madam, kondoo, au Chui hawezi kuwa kondoo. Akiwa ni criminal akiandikwa awe chief or assistant chief hatakuwa mzuri. Ataendelea tu akiwa nyoka akiwa chui lakini si kondoo. Sasa unaona tuko na taabu right from the grassroot, kwa hivyo ningetaka iondolewe mana yake wanaandikwa hivo with an intention of harassing our people and progressing that particular party. Tuwachwe na community based governance, kama Uganda tuko manna hiyo.

Commissioner madam, niende upande ya ugonjwa tunaita HIV Aids – Ukitazama hii ugonjwa tuko nayo na tukubaliane kabisa iko na sisi na itaendelea kuwa na sisi maana yake hatujui kama itakwisha haraka. Na utakuta ukienda upande wa Nairobi, hata ukiwa na mtoto yako yiko pahali uwezi pitia, unakuta kina mama, we have women there, wanaenda karibu uchi. In the

manner, recently assaulting men, unamkuta na mwenzake yiko pale wengine ni mini skirt, mwingine ako na cut, huyu yiko na cut kubwa, sasa unaona sisi--. Na let it be a criminal, let be a crime for those people, those women who are bearing naked ndio hii mambo ya HIV tuone kama tutaweza.

Commissioner Madam, tuende kwa Ombudsman office - Matatiso tuko nayo hapa, especially hii watu mnawaita machiefs wako na taabu nyingi hapa grassroot. Kama wanakosana ki kazi. We have no where to go, ukienda kwa police akikupiga the investigation will be done by the police. Kwa hivyo hakuna mahali unaenda, ukienda kama, ukikosana na yeye uende kwa DC tayari simu imepigwa yiko watu wengine wanakuja, ukifika huko unakutana na wasimu. Kwa hivyo ningeliza tupate office, mahali pa kupeleka complaints, where we can lodge our complaints against these kind of people who are untouchable.

Langu la mwisho – Governance – let us have good governance by allowing participation by all people whereby, and the governance – we call it community based governance. Mtakuta kuna mkokoro, wananchi wanataka kujenga, lakini the assistant chief himself anataka tujenge secondary schools. Na itakuwa kama amesema amesema. Kwa hivyo unakuta kuna mung'ang'ano, hakuna kitu inaendelea mbele. There is no development, ni friction we have. The best one is community based.

La mwisho Madam Commissioner ni hii tunaita ya Permanent Secretaries – Siku hizi ningeliza hio jina ibandishwe iwe inaendelea namna hio. Utakuta Permanent Secretary the word permanent unaona hata kama ingekuwa unasema Ibadilishwe the word goal it is said boy 2 x 2 it makes 4 page boy week ingine. Yes he is a permanent Secretary.

Com. Salome Muigai : Asante sana naibu wa mwenye kiti na ningetaka kuomba radhi kwani umesubiri muda mrefu lakini nimekupa pia nafasi ya kusikiliza wananchi wenye mania vile hoja zao ziko. Na nimefurahi sana kwa kuwa ulikuwa mvumilifu mpaka mwishoni umepata nafasi ya kumsikiliza. Kuna Maswali kwa

Com. Kangu : Now, Bwana Magochi Waithaka ile community governance unaelezea unaweza kujaribu kukufafanulia what kind of structures do you have in mind yenye itatupatia, tunawetumia kuwa na hiyo Community Basis Governance.

Two umezungumzia upikaji wa kura, watu watumia passport, watu watumia birth certificate na si wewe pekee wengine wengi wamesama hivo na jambo la muhimu ni kwamba tunasema lazima uwe Mkenya ndio uweze kuruhuziwa kupika kura, lakini ukichugua birth certificate hata ukisoma hapo wanaandika kwamba hii certificate is not automatic proof of citizenship na wengi wana swali wanasema kwanini birth certificate isiwe automatic proof. Lakini ukweli ni kwamba a Ugandan travelling in a Kamba bus going to Tanzania may go into labour in Nairobi and asalia mtoto Nairobi apate a birth certificate of Kenya, that doesn't mean he is a Kenya citizen, so those documents you are mentioning, tutafanya namna gani kuhakikisha ati kweli ni Kenyans who are voting not foreigners?

Com. Salome Muigai : Ngoja kwanza bwana Naibu kuna swali lingine kwako.

Com. Ratanya : Bwana Councilor, hapo umesema kwamba ungetaka kuwa na office ya malalamiko, kupeleka malalamiko hapo ambayo tunaita Ombudsman office, sasa hii ungetake ikuwe badala ya Provincial administration, kwa sababu umesema Provincial administration itoke yote, kutoka pengine subchief kwenda juu. Sasa ungetaka hii office ingine Ombudsman iwe badala yake, na ikuweco itakuwa kwa level gani, ni kutoka sublocation kama vile tunao hawa provincial administration ama ni wapi?

Councilor Magochi waithaka : Swali ya kwanza ilikuwa ya Community Governance- Bwana Commissioner tuko na masomo ingine tunapatiwa inaitwa ya (inaudible) through the Local Government. Tuwe tukiendesha mambo yetu kulingana na watu wa grassroot vile wanataka, lakini si vile vingozi wetu wanataka. Tunaenda Nyumbani kama Kenyenyeni sublocation tunawambia yiko pesa, that is not enough amount na tuko na watu kumi, tunataka wasaidie wananchi yetu kwa njia gani. With a point now, bila councilor, mimi tunakuwa na Bursary why, inakuwa kazi ingine yangu, yiko na 50,000/- na hiyo pesa ni ya kusaidia wale watoto hawana mtu. The great truth is, provincial administration ni...na mimi mwenyewe nikiwa kiongozi wao naenda nikiwa pekee nakaa chini kwa meza yangu nafikiria watoto wale mimi napatia that money, kichwa yangu inaniambia dada yangu ako na mtoto, my brother ako na mwingine, my aunt ako na mwingine hiyo tunatumia, lakini vile mimi nasama juu ya hiyo pesa iangaliliwe through the location I go through the council and share for the people of Kenyenyeni in a way. Naita wale wamechaguliwa from the grassroot, from such area, such area, such area wanakuja this is the 50,000 kati yenu ni nani ako na taabu. Kutoka pale chini mpaka pale juu, hiyo kama nakwambia grassroot kama itakuwa very easy, na hiyo pesa itaenda to the right right person. Kama ni mambo ya development wananchi wenyewe, at the grassroot, wawe wanauliswa. Ie kitu ilipatikana inaonekana ni wananchi wenyewe wanajipatia kazi, Another example Bwana Commissioner, a certain County Council inataka kujenga daraja pahali, na wanajenga hata bila kuuliza wananchi, na hiyo daraja kesho unakuta kijana anaanza kukatakata ile machuma, wazee wakifika wanasema hii kijana ameharibu daraja ya Council wanajua si yao Council's bridge, walakini kama wanguenziwa iwe, they took part, they participated in that, wakikuta kijana akiharibu wanamuuliza eh, kwanini unaharibu daraja yetu? Ingekuwa yaho, lakini mbeleni haikukuwa yao, ilikuwa ya Council. Kwa hivyo ndio nasama everything going on should be with the blessing of the grassroot people.

Swali la pili ilikuwa ya hii Passport, I thought Bwana Commissioner, hata hiyo birth certificate inasema, kwenu ni wapi, na ulizaliwa wapi. Kama niko na yangu, na ile ya watoto wangu, inaandikwa mzuri, nilimzaliwa huko Marsabit. Lakini, yanaoneka alizaliwa Marsabit lakini kwao ni Kangema.

I thought tutoke hapo tuje hii Office ya kupeleka malalamiko, hii office inatakiwa kuwa under the Judiciary, na iwe na level ya division. Vile tunaona kwa DO tunaendanga huko tunangoja complaints against the untouchable ones.

Com. Salome Muigai : Asante sana Bwana Diwani tumeshukuru kwa maoni yako. Sasa nataka kumuuliza Joseph Mugi,

Joseph Mugi, wewe ni Joseph Mugi? Una swali kwangu? Basi uliza,

Joseph Mugi (Swali inaudible)

Com. Salome Muigai : Point taken it is okay. Basi endelea wamesikia, wamesikia, umesikia hoja za wananchi wenzako wakitaka uzungumze kwa kifupi ndio kila mtu apata nafasi.

Jina langu ni **Joseph Mugi** kutoka (inaudible) :

Kwanza the date of election- Rais mimi ningeonelea awe akichanguliwa na over 50% so that if we can do that our President is elected by the majority, but not by 5 provinces and over 25%. Ya pili – General Election: (inaudible). The President should not appoint these parastatal bodies - inaweza kuwa kama wakati wa kama (inaudible)body guard kama reports we are receiving that aki-appoint mtu this person should be appointed by Parliament.

Ya tatu- This is Provincial Administration : especially the chiefs and their assistants, I would request that these people should be elected by the people. Councillors – (inaudible) also the Mayor should be elected by the people.

Com. Salome Muigai : Asante sana kwa kuweka machache kama vile tulikubaliana. Tafadhali ukija hapa jaribu kuzungumza upesi ndio kila mtu apata nafasi masaa ya alasiri ni chache kuliko ile ya asubuhi. Joseph Ngaruiya, umesha zungumza, oh we ni kijana ulipata prent ya kuwa near. Benson Waiguru, James Njuguna, karibu utupe maoni yako

James Kagechu : Asante. Kwa majina yangu ni James Kagechu kutoka location hii: Kwa maoni yangu nimefurai sana kwa mambo inayoendelea.

Okay, kwanza nataka kuongea kwa machache juu ya upande wa mashama sababu hapa sisi mali yetu ni mashamba na ndiye imeleta shida zaidi hata hapa kama imeongewa nimeona hata mimi niendeleo hata kama imeguzwaguzwa kwa upande ya mashama naonelea, kwanza nataka kuzungumza kwa upande wa mahali inaitwa Kwa Land Board, kwa land board, mwenye kiti wake anakuwanga DO na ukienda hapo kwa Land Board iko na koti ingine iliundwa hapo Tribunal Kenyan Koti ya wazee na niliona vile nilienda nikaona kabisa ile Board ya Bwana DO ina wazee wale wanamsaidia, na katika hiyo Board yiko wazee wengine wanatoka katika hiyo Board na wako katika board ya Tribunal. Nikaona kesi ingeangaliwa na bwana DO hii mzee kesho yake tukienda pamoja Tribunal ndiye unakuta katika hiyo Board sasa nikaona hapa hakuna haki inaweza fanyika kama hii mzee ndiye alikuwa amekaa katika ile Board na tena ndio amekaa kwa hivyo nikaona hii wazee kutoka kwa hii Board watenganishwe na Board ya Tribunal wawe wako pale.

Kwa upande hiyo hiyo ya mashamba, ningeonelea iko mtu moja anakaa pale juu naye anaitwa Commissioner wa Lands, na iko shida mingi, imenenwa, na imenenwa na inaendelea katika nchi yetu na hii mtu sijui kwanini hafutwi na hafutwina na aondolewi

katika ile nafasi. Na Commissioner huyu ndio anang'oha mashamba ile imewekwa ni ya raia. Na ndio mimi nikaonelea huyu ndio shida kubwa na bila hii mtu kuondolewa shida ya mashamba haitakwisha Kenya. Kwa hivyo mimi nikaona tumechoka na hii office ya Commissioner wa lands itupiliwe mbali, na tuitoe katika Katiba ya Kenya hii na pahali yake. Na hii mashamba irudishiwe. Ma-Councillors mahali hii shamba iliko ili wawe wakifunga hii kwa (inaudible) wa wanawake. Watu karibu sabini na tukaweka kwa Nissani,(inaudible) Mambo ingine hapo hapo kwa Lands. Mimi naonelea Ma-chief wangukuwa nasi sababu ukitoka kule kijijini lazima upite kwa chief kwanza ili hakupe barua ili uwekwe kwa line. Hapa wazee kweli nikisema hivo yiko shida kubwa sana ya ma-chief unawekwe na kuwa mambo mengi uende ulete hii, ni kama hii kazi wanafanyia raia ni kama kuuza wanaiuza. Hapo ndio wazee wanaumia, wanaumia, na wamama wanaumiya hata wengine wanapelekwa kuangalia wanaambiwa hii hapo mapendeleo yiko. Hapa yiko shida mingi lakini naona hiyo (inaudible) Inapelekwa kwa chief ikuwe ngumu ziondolewa na kuchaguliwe wazee kutoka hapo, wawe wakishugulikia hiyo mambo ya mashama na kuyapeleka kwa (inaudible) bila kuingia ma-chief. Hapo nimemaliza.

Kwa upande mwingine iko vitu vingine (inaudible) lakini inakosa kwa sababu imepewa wanawake ndiye nilionelea itafanywa. Hii mambo ya barabarani na (inaudible) unaona Mama kukosa shilingi ishirini wanachugua mboga wanaenda nayo. Sasa ninauliza hivi ni unyang'anyi au ni kitu gani kinaendelea . Hapo ningeomba Bwana Commissioner mboga au vitu vyovyote viwe vikilipishwa vile tumeweka kwa magunia au vile tumeweka kwa ma-lorry ili tusiweze kunyang'anywa. Kwa mfano ingene nilikuwa ile hii upande wa chief na (inaudible) Wakombolewa kabisa na (inaudible)

James Kagechu: Na wa (inaudible) waondolewa kabisa na tutafute njia ingine. Hii askari wanatumwa nyumbani anakuita na unaamka hauna nguo, hata badala ya akuwache uvae nguo muende anakwambia twende hawezi kuwacha hata uoshe macho au uvae nguo muende anakufukuza tu na anakwambia muende. Kwa hivyo hapo ningeomba iwekwe sheria tuwe na uhuru hata kama mtu amefanya makosa akikutwa na askari aombe nafasi aoke macho, avae nguo alafu aende, lakini siyo kuharakisha mtu.

Upande hiyo mwingine naweza sema sisi hapa ni wakulima na tena ni (inaudible). Na nimeongelea na ninajua na nina hakika iko kitu inaitwa Board, ukienda huko inaitwa Kenya Tea Board, the Kenya Coffee Board, Pyrethrum Board, Sugar Board na ma-Board mengine. Hii mtu anaitwa Board mimi naulisanga ni nani. Lakini vile nilichunguza and kwenda kujua ni wapi wanakwenda. Na hii watu ndio wanauza majani, ndio watauza kahawa, ndio wanauza sugari. Na hiyo watu wanaweka pesa, watatoa wakati wanapenda na watatoa hiyo wanataka. Mimi naona hawa ni (inaudible) kikubwa na kidogo. Ninyi Wana-Commissioner hii nchi yetu iwekwe sheria hizi Board zote zinawekwa na Serikali katika Jimbo ziondolewa kabisa kuwe hakuna Board sababu Board hasina kahawa, hasina majani, hasina sugari. Kwa hivyo ukulima uajiliwe yule analima kama niko shamba nitachunguzwa na majani itawekwa, iwekwe kutoka kwa mukulima na kama ni Board ya Serikali wanajua wale wanaweza pata na kuchugua sehemu yaho.

Kwa upande mwingine---

Com. Salome Muigai : Jaribu kumalizia tumekubaliana, sasa ni dakika tano kila mtu.

James Kagechu: Yee, naenda kumalizia. Kama ni upande wa (inaudible) iko pesa ingine watu wanapata kwa Board ikiletewa. Wengine wanalipwa Shs1000, Shs.800 na hata wengine Shs.70. Naunaona hapo County Council inaingia inataka pesa, serikali inataka pesa. Mtu wa shilling elfu moja shilingi mia tano, atakatwa kodi ya aina gani? Sasa mimi naona kama ni kitu ingine. Hii pesa iwekwe kiwango kama mtu ni mukulima wa Chai au wa Kahawa, au mkulima mwingine kama hatafikisha kiwango kama elfu tano au moja tu, iwekwe sheria isikatwe chochote kutoka kwa huyu mtu, kwa sababu huyu mtu ni masikini hana chochote.

Pahali ingine naweza guzia kidogo ni pahali ya job. Unaweza kuona kama hapa kwetu Kenya mtu mmoja anapewa kazi kama hata ni kazi nyingi anapewa hii anapewa hii, na akapewa hii na yeye ni mmoja tu na watu wengine hawana kazi, yeye ni mkubwa na anapata mshahara kubwa, yeye ni chairman wa hapa na yeye hata ni MP. Mtu moja anapewa kazi tano, kazi kumi na wako watu wengine wamesoma kama yeye na wana uwezo wa kufanya kama yeye. Kwani wengine, hawana watoto, hawana tumbo na mimi ningomba Bwana Commissioner, kuwekwe sheria mtu mmoja kazi moja katika Kenya kulingana na uwezo wake.

Com. Salome Muigai : Ningetaka sasa umalizie

James Kagechu : Kwa upande wa kodi ya serikali ile tunatoa, nayo hapo nimeonelea

Ile kodi tunatoa ikapewa ..ya mkoa. Iwe ikirudishiwa pahali imetoka kwa percentage fulani kama ni 50 au 70 percent, tuseme kama ni Murang`a tumetoa kodi ya shilingi million moja turudishiwe 70 %, irudishwe mahali imetoka na ili ingine iende mahali pengine isaidie watu wengine kwa sababu unaona tungeuza wakati huu tunatoa kodi mingi mingi na inaharibika na ile mambo ndio wanataka hata wakati ujao, tunajenga shida na kodi tunatoa na hatuoni (inaudible) kwa hivyo ndio nilionelea kuwekwe kiwango ya hiyo watu wametoa wawe wanarudishiwa hii iweze kusaidia.

Com. Salome Muigai : Asante sana kwa maoni yako. Na sasa nataka kumuita Bi Magdalena Bolinge, Magdalena Bolinge. Ni Bi Kanani, basi ache achukue nafasi yake ametusaidia kazi nzuri za kuandikisha watu.

Magdalene Murigi Waithaka : (inaudible)I mean the Preamble they expect the true feelings of Kenyan, now that they have managed to reach the conclusion of their goal. Their contributions also should define the value of our culture, morals and religion.

Parliament should not have power to amend the Constitution and in the Constitution we should have parts that are limited and should not be amended by the Parliament. Members of the public should have the right to make amendments for this Constitution and if there are any parts...they should be made before they reach of parliament to amendment them.

Automatic Kenyan citizenship should be guaranteed to children of both Kenyans.

The President should not be the Commander in Chief of the Armed Forces or the Vice Chancellor of the Universities, rather they should have qualified people to hold the same.

We should have a maximum of two strong political parties and which should be funded through the public fund and should deliver. We should retain the interim system of Government and this should include the two strong political parties or the political parties that we have.

Members of Parliament should hold two terms of five years each and those Members of Parliament who do not deliver should be recalled and these Members of Parliament should have qualified and should be qualified with diplomas and from recognized institutions.

The Constitution should allow for a coalition government.

The President should have a degree from recognized university. President powers should be limited and should not be allowed to hire or appoint Judges, PSs, and Ambassadors. The Constitution should allow for impeachment of the President. And the President should not be a member of Parliament or former any political party.

Provincial Administration should be scrapped and instead be replaced by elected members of the public and we should have the service of elders instead of the chief or the assistant chiefs we have.

Constitution vote should be established to deal with corruption mainly. Judges should not be recruited by, I mean should not be appointed, but should be recruited and they should be graduates from Law School and hold necessary certificates or qualifications.

Com. Salome Muigai : Do you have a memorandum to give madam?

Magdalene Muringi Waithaka: Yes

Com. Salome Muigai : Okay don't read just highlight the issues that you would like us to share with you, then give us the memorandum.

Magdalene Muringi Waithaka: Mayors and Chairmen should be elected directly by the people.

Members of Parliament should not review their own salaries.

The Constitution should cater for basic rights such as education, health, shelter, food and others. And should not have room for retrenchment. Women rights should be applied to the Constitution e.g. ownership of property and they should have a greater number nominated to the Parliament. And this may fight cases of marginalization coming in. And also marginalized groups should be protected.

The Constitution Commission that is the Judiciary, Electoral Commission, Teachers Service Commission and even the Review Commission should be constitutionalized and by this, well we had said that there are areas that the Parliament should not have yet known, the Review Commission should be consulted and amended as required. Also we realise that there are cases taking long, too long in courts and with this we should ensure that they don't take more than 2 years even if they are the murder cases, and a criminal should not be held in police cell for more than 48 hours, this is why we are finding so many deaths are happening in the cells.

Boundaries, the Constituency boundaries that we are having today they should be demarcated as according to the number of voters but not for political gain as we are having so many unnecessary constituencies in Kenya today.

And Kenyans should be guaranteed access to the information, as they are realizing that not so many people are conversant with what they are changing, okay the Constitution we are changing to, they don't have access to the old Constitution so even when they change this Constitution we ensure that they are accessible to the common man.

Com. Salome Muigai: Asante sana: Unaitwaje? Umesungumzia haki za akina mama, you talked about women rights, and you said something about affirmative action, can you tell us a bit more about that, and then you also said that MPs that don't do well should be called back, how, would you like to share with us the process if you have thought about how it should be done and you have said that MPs should not review their own salaries, who should do that?

Magdalene Waitheka: I thought, may be we can establish, we could hire qualified Accountants conversant with economy or holders of degrees from university and if they should be recruited through Parliament where their names are drawn and they are taken by Parliament.

Through the affirmative action, we realise that women even if they go for votes they are not elected as easily as men, so we should have (inaudible) for women reserved for them and they are appointed or they are nominated.

Com. Salome Muigai: Do you have an idea of what the percentage is, do you have a proposal?

Magdalene Waithaka: May be 30%, in cases of, they are MPs once they are able to vote even in our locality with that we know we are the ones to (inaudible) Parliament if it is not coming to our village we can write a letter to the Attorney General or you can even tell us who to choose and it is better to know who we want to call for this election.

Com. Salome Muigai : Thank you Magdalene, we thank you for the good work you have done in registration also. Timothy Mwangi x 2. Sorry, oh Timothy hukutaka kuzungumza pole. Stephen Gitahi

Jina langu ni **Stephen Waithaka:** Na mengi yamezungumzwa lakini nitaiguza kidogo:

Ya kwanza Wabunge wakae kwa Bunge kwa term mbili peke yake, na isizidi hapo. Kwa maana wanakaa huko mpaka wengine wanakuwa wazee. Hata tangu nizaliwe tuseme nimekuwa na Wabunge watatu, tunataka wawe wengi. Wabunge wawe wakiwa na office zao hapa na iwe lazima kamavile wanaenda kwa Bunge technically wawe wakikuja hapa kila wiki mara moja na wakikosa kukuja, Sheria iundwe ya kuwafukuza Bunge, sisi wenyewe tuwafukuze, kwa maana tunaenda Nairobi unakuta anasema sionani na watu, wakati huo umetumia pesa yako mingi na umetoka nyumbani na akisema wewe utoke yeye yiko huko ndani.

Haya, eh, eh, mtu akiwa na ekari, mtu moja awe na ekari mia moja, iwe mingi, mtu yule yiko na mingi awe mia moja, kwa maana hapa ekari mia moja hapa kwetu ina watu karibu elfu tatu. Na mtu moja ana ekari mia moja.

Serikali iunde Sheria ya wakulima, kwa maana ile unaona wakulima wanaenda hasara kubwa, ni Serikali kukosa kuwalinda, yiko wakora wanakula pesa ya wakulima wengi sana. Na sasa kama siku zingine mkulima anazungumza kwanza hata ukienda dukani kama kununua unga mwenye duka anakwambia ni 40/- na anakaa, na sisi naye tuwe na Sheria ya kuwa sisi mbele ya kupeleka majani yetu ya chai, sugari, kahawa tuwe tuna-control bei, bei kama ni shillingi hamsini kwa kahawa mkulima awe akipewa pesa yake kama anapeleka kwa (inaudible) kwa sugari nayo namna hiyo.

Watu nao wenye manyumba, siku hizi watu hujenga manyumba hakuna plot, tuwe kila mtu yiko na plot yiko na gorofa anapewa Title Deed ya kila flat ndio watu wawe, ukitaka kuuza moja, unauza moja unabaki na ingine.

Miaka ya ku-retire iwe 50.

Sheria iundwe kwa maana mwizi ya kuku anafungwa miaka 7 hiyo Sheria iangaliwe, Naye mwizi wa ma-million anapewa protection na Serikari. Unaona mtu anaenda Ulaya Serikali nafwata yeye, na ni mwizi, analindwa na amekula pesa ya uma karibu million kumi. Akitaka kuweka baadhi ya biashara zake Ulaya unaona anatoa askari wawili, wale wameharibiwa na mali ya, ile iliibiwa, hiyo iangaliwe. Igeuzwe mtu ya kuku awe akifungwa miaka kidogo na ile million awe akifungwa miaka mingi.

Watu wenyewe wamegoma Serikali ikome kuwapatia kazi. Watu wa Form 4 watu wa degree, wameshindwa kupatia watu kazi. Na jukumu la Serikali watoto wetu wakisoma wapewe kazi, sasa Serikali ikishindwa kuunda kazi, wawe wakilipwa mshahara kila mwezi, kitu kidogo. Mtu akiandikwa mahali ya uma maali yake yote ing'athiwe abaki bila kitu, Sheria itengenezwe namna hiyo. Watu wawe wanabebwa kwa ukabila, mashamba ya ukabila huko, watu wanapigwa huko shauri ya mashamba. Wapewe shamba yao ile walipigwa, wasikae kwa refugee na wako kwa nchi yaho.

Watu ya ma-DC, ma-DO wawe wakichaguliwa na watu lakini siyo Rais kwa maana wakichaguliwa na Rais watakuja hapa wanatusumbua.

Wabunge wasitunge Sheria ya kujiongeza mishahara iwe inaangaliwa na watu wengine wale wanaweza kuangalia mishahara yao kwa maana tuliwapeleka wakatuchunge wakae wakijichunga wenyewe.

Rais achaguliwe na kura mingi kama Kenya ni million kumi akichagua na million tano yeye ameingia, tuseme habari ha mikoa tuache.

Tuangalie kwa Welfare, kuchaguliwa kwa wale wanaenda shule za secondary hiyo ni national cake, na national cake inataka bidii mtoto aende kule anakaa na ile riot mask ndio kusema kwa provincial sisi hapa wazazi wetu wakatoa, hawezi kuitwa national school, anaitwa "Mugoi" na hiyo ni mbaya.

Koti itunge sheria, sorry Koti itenganishwe na Serikali kwa maana politicians wanatumia Koti kudhulumu wale watu hawana kitu.

Minister awe akijihudhuru kama mambo inatokea kama ile ya watu walikunywa pombe ya kumi kumi wakakufa wote, minister na ajihudhuru hapo hapo bila kungoja, na kama ile ya Mtongwe na ile ingine itatokea.

Rais asichagua ma-Balozi, ma-Judge na wengine kwa maana anaweka misingi ya ukabila akichagua hawa watu, wawe wakichaguliwa, kama mtu ikitangazanwa kwa gazeti na kazi yake kama ni DC inatangazwa kwa qualification yake, lakini sio kutoa mtu huko, kutumia ongo alafu anachaguliwa na kuwa DO na watoto wetu wako nyumbani. Rais asifunje Bunge, Commission kama hii isiwe ikichaguliwa na Rais. Katika nchi hii tumeona Commission mingi yaani ile Rais anatoa, lakini hii yenu inaoneka kama ingetoa lakini hivi Mungu, Mungu ndiye atasema, kwa maana Commission zile zinaundwa hapa na Serikali hatuna ile hata moja ijatoa, hii ya Sheria Mungu yuko.

Tusiwe na refugee katika nchi yako, mtu asiwe refugee, sasa tuko na refugee na ni watu wako nchi yaho, na hiyo ni mbaya sana, mtu awe anapelekewa chakula kwa kanisa na alikuwa na shamba. Ziko tusheria tuingine tunataka tuondolewa kama sheria ya trespass, ukienda kwa Railways unashikwa, mimi nimeshikwa mara mingi, five times, na niko kwa nchi yangu. Yiko

wakati moja nilitolewa, nilipelekwa Makadara na nikaelezwa, nirudishwe mpaka Murang'a ati kwa maana sina pesa. Mtu anaweza kuwa bankrupt akiwa kwao namna gani. Ile sheria iangaliwe. Ya kuzurura – Yiko Sheria zingine sijui, kuzurura watoto, mtu anashikwa Nairobi akizurura miji hii mikubwa mikubwa, na yiko kwao.

Haya, mtu asikae rumande zaidi ya mwaka moja, hata kama ni muuaji, apelekwe kotini mara moja. Eh, na kitu ikitokea kitu kibaya katika miji asiendeleo na safari yake kama anaenda safari, mwananchi wa hapa hata akisikia ndege imeanguka hawezi kurudi safari yake na kwenda kukula watu (laughter) na watu yake wamekufa.

Watu ya Industrial Area, industry iwe controlled na Sheria kwa maana utengenezaji chuma, mimi kazi yangu ni ya chuma na mabati, anatengeneza chuma Industrial Area na huko ni ma-office, na yake ndio kubwa, anajiumbia tena anaenda River Road anauza , (inaudible) na yeye ndio (inaudible) Serikali ya Majimbo,

Com. Salome Muigai: Endelea kumaliza.

Stephen Waithaka : Sasa niko karibu mwisho kabisa.

Serikari ya Majimbo sasa tumeona ni mzuri, kwa maana sisi tuliambiwa siasa mbaya maisha mabaya na hiyo maisha sasa tumeikundua. Kumaliswa Bunge iende mbele, sijui kama (inaudible) hiyo mambo iangaliwe, kwa maana kama yiko majimbo sasa sisi watu ya hapa kungekuwa na mtu yetu anaona Kahawa imeharibika, na majani tumeelekea lakini ndio maisah mabaya.

Sasa DC na PC na DO waondolewa mara moja na badala yake tuwe na Ma-Councilor na chief na yeyote. Lakini kuwa kwa Jimbo siyo kusema ati hamuezi kununua kitu Rift Valley, hauwezi kununua kitu Mombasa, hata huwezi kukaa Mombasa. Majimbo ya kuangalia masilahi ya wananchi, hiyo ni mzuri sana.

Pesa za mapambo ya Serikali wauzao bidhaa, wako sawa, kama barabara haitolewi na sisi na inawekwa lami kilometer mia moja, ya Central mia moja, Mombasa mia moja, Nyanza mia moja, siyo kusema mwananchi aende akiwa, siku moja Balozi wa America alikuja hapa, alichoka, kutoka Nairobi kwenda Nyeri. Alipofika alikataa alisema hajaenda barabara kama ya Kangema na Nyeri, hiyo igawanywe sawa sawa. Nimemaliza?

Com. Salome Muigai : Tafadhali, asante sana sasa, kuna swali?

Com. Kangu : Na, mzee yiko mambo umezungumzia sisi, moja ni la kukujulisha tu, kuhusu mambo ya mashamba, Already tuko na Sheria inaitwa Sectional Properties Act. Chini yake unaweza uza Title Deeds. Kwa nyumba kama uko na ya gorofa unaweza uza one floor even if not the whole floor, just one family unit, ile ingine, hiyo yiko. Hata kuna ile inaitwa Title sharing kama ukienda Mombasa kuna wale wako na mahoteli sasa unaweza nunua wiki mbili unajua December ikifika wiki mbili ya

mwezi katikati ya tarehe fulani tarehe fulani hiyo numba ni yako, wewe unaenda kukaa huko kama unataka kuuzia mwingine those two weeks unauzia yeye. Nchi zingine hata wamefika ile wanaita Development of the Air space, vile tumekaa hapa kama hii ingekuwa bara bara, na yiko nyumba upande huu na nyumba ingine huku, kama County Council yenye hii bara bara wanaweza uza hapa juu wakijadiliana, kwenye nyumba ya huku na huku, so that yule ananunua hapa juu apate support ya huku na huku and thewill be given, tukiendelea tunaweza fika huko.

Lakini kwa upande wa swali, nataka ufafanua kidogo, umesema majimbo, Serikali ya Majimbo inaweza saidia na vile kama Central iko dominantly busy waendelea to implement their own policy, jaribu kufafanua sharing of powers, katikati ya Central Government na sects or the regions iwe kwa njia gani, which powers should remain on regional level and which one with central government

Stephen Waithaka: Ile nilikuwa nataka kusema hapo.

Com. Salome Muigai : Nina swali lingine. Una swali lingine?

Com. Ratanya : Bwana Stephen Waithaka nina maswali mawili, moja ulisema MP awe anapewa two terms lakini kufafanua kama ni mara mbili ya miaka mingapi, miaka mingapi? Ingingine, Umesema Provincial Administration, wachaguliwe na watu, hapa ningetaka kujua kama, unataka wachaguliwe kama wanasiasa au wana-parties? Sasa Provincial Administration watakua na political parties wakuwachagua ama watachaguliwa namna gani? Na tena kwa hiyo hiyo Provincial Administration, kuna pahali ingine ulirudia ukasema kwamba waondolewe kabisa, sasa msimamo wako ni upi? Wachaguliwe na watu ama waondolewe kabisa?

Stephen Waithaka : Okay, vile nilikuwa, ya kwanza, nilikuwa namaanisha wakati ya kusema ma-chief, katika ile census ya mwaka ile ingine, tulikuwa na ma-chief wengi sana kwa ile form, tuseme watu yote, ilikuwa kama ile ya police wanauliza unatoka wapi, unaenda wapi, we kisirani nini, ilikuwa inamulika vile tunakaa, inaulizwa unalala wapi, unachumba ngapi, ukitaka choo, unaenda kwa chumba gani, au nje au kwa kichaka. Ilikuwa ni maneno mingi sana. Na hiyo ndio ilituletea hasara kubwa katika Central Province. Kwa maana hii census ilitumulika mpaka tumbo ndani ni kama Ex-Ray ilipigwa watu wote. Na hiyo Ex-Ray ukipigwa unaonekana hata, kafupa kale kana hapa nyuma. Na sasa message za watu wa NGO na watu ingine haiwezi kuletwa kwetu hawana petrol, wanaenda kwa choo kwa nyumba, na iko watu wengine wanaenda kwa kichaka, sasa sisi tena hatuwezi kupata, kwa maana tumemulikwa mpaka kwa kitanda. Ndio niliona kama hii mali yote tunakwisha hapa yote inaweza kutusaidia kwa maana Serikali imekataa kuturekebisha mabarabara na maisha ya wakulima hao, naona sasa, imeendelea kufifia. Sababu ni watu wako bidii hakuna pesa watu wako bidii kama watu ya mlima Kenya. Lakini hii bidii yao inamulikwa na census na mambo mengine. Sasa nilikuwa naonelea chief ni mzuri kwa maana mali yetu itatumiwa kwa hapa.

Com. Ratanya Swali langu lilikuwa, nilikuwa sijakataa vile ulisema but unajua sasa tuko unitary na tukisema tuweke Majimbo,

hiyo maana yake tutakuwa tunagawa resources kwa Serikali zingine zibaki na ile itakuwa Central Government na zile zingine zenye sitapeanwa kwa ile Serikali ya Majimbo. Sasa tunataka utueleze tukianza kugawa hizo powers, ni kiwango gani kinawachiwa Serikali ya Majimbo? Na ni kiwango gani kinawachwa kwa Serikali ya Jumla, ni kama vile anakuwa nyumbani na watoto, kijana wako akioa, ukipeana kwa kila mojayake una maneno unaachia yeye ya nyumbani kwake, kuna ingine utasema hii kijana yangu ikitokea lazima uite ndugu zako ndio mkae pamoja mtengeneze, na kama ikifika kiwango hii lazima uite clan, ndio tunataka kujua kama tunaweka Majimbo ni kiwango gani ya Serikali itawachwa, tuseme kama ya watu ya Central, na ni kiwango gani nayo itakuwa ya Serikali ya Jumla?

Stephen Waithaka : Mtu moja ange (inaudible) hapa kidogo

Com. Salome Muigai: Na mimi pia ningetaka kuongezea, kama mwenye kiti. Kama ni mambo ulikuwa umefikiri tafadhali tuchangie, kama ni jambo lenye ulikuwa ujafikiri, usijaribu kulifikiria ukiwa hapo kwani hatutaki kuwa tunakuweka hauko kotini, ni ile tu kuchangia yenye umefikiria.

Stephen Waithaka: Sema tu kwa maana yiko mtu moja alikuwa anasema mahali ikiuzwa yetu irudi 75 % irudi pande hii na ile 25% iende na Serikali. Kwa upande wa mzee, Ma-MP ni miaka kumi, tano tano.

Com. Salome Muigai : Asante sana. Ulikuwa na provincial administration? Ati ile ya DC.

Stephen Waithaka: Badala ya kuchakuliwa waende kabisa.

Com. Salome Muigai : Sasa ningetaka kumuuliza Bi Damaris Wairimu, kama yuko, Damaris Wairimu. Ningeomba na Damaris azikilizwe tafadhali, asante.

Damaris Wairimu : *(in Kikuyu dialect)*

Damaris Wairimu: Nii njitagwo Damaris Wairimu mutumia muohere mehia ni Jesu

Translator: Anaitwa Damaris Wairimu

Damaris Wairimu: Nii wira wakwa uria ingithii kuria haha

Translator: Mimi swali yangu ambayo nitauliza hapa

Damaris Wairimu: Nguria atiriri?

Translator: Nitauliza hivi

Damaris Wairimu: Kai andu aria maruire bara kai mathire ku tondu ciana ciao nicia ndigwa?

Translator: Kwani watu wale walipigania uhuru walienda wapi na watoto wao ni mayatima?

Damaris Wairimu: Na atumia aria matigirwo aa ndigwa?

Translator: Na wale akina mama waliwachwa wakiwa yatima

Damaris Wairimu: Matiri handu mari maririkanagwo

Translator: Hakuna mahali popote ambapo wanakumbukwa

Damaris Wairimu: Angikorwo maruagira ma ri

Translator: Kama ni kweli kama walipigania haki

Damaris Wairimu: Ni magiriirwo kuririkanwo ni thirikari

Translator: Inafaa wakumbukwe na Serikali

Damaris Wairimu: Na akorwo hatiakiri ma ri

Translator: Na kama hawakuwa na haki ya kupigana

Damaris Wairimu: Akorwo hatiakiri ma ri, nguria atiriri macungwa maria marario Kenya yothe

Translator: Hii machungwa inakuliwa Kenya mzima

Damaris Wairimu: Nio matumite macungwa mau moneke

Translator; Hiyo machungwa ni katikati kwa sababu yao

Damaris Wairimu: Njoke njurie atiriri?

Translator: Pia niulize

Damaris Wairimu: Ciana icio ciatuikire ciana itangionera wira ri?

Translator: Hiyo watoto wamekuwa watotoa ambao hawawezi kujipatia kazi

Damaris Wairimu: Na ni cianyamarikire na itiri manyina na itiri maithe ri?

Translator: Na walitaabika, hawana baba wala mama

Damaris Wairimu: Indo cia maithe mao niciakuirwo ciothe na ighithii kuria ciathire ri

Translator: Vitu ya baba yaho ilibebwa na ikaenda mahali ilienda

Damaris Wairimu: Makoragwo mari au?

Translator: Sasa hawa wako upande gani wa akina nani?

Damaris Wairimu: Njoke njurie atiriri?

Translator: Pia ni ulize

Damaris Wairimu: Tutiri hinya andu acio matiri na hinya

Translator: Hiyo watu hawana nguvu

Damaris Wairimu: Na ngithii gutwara mwana thibitari ndangiona gia kumutwara nakio

Translator: Na akienda kupeleka mtoto hospitali na haoni kitu ya kumpeleka

Damaris Wairimu: Onawe ndangiona gia guthii thibitari nakio

Translator: Hata yeye hana kitu ya kwenda hospitali

Damaris Wairimu: Kuringana na ugio thirikari niimenye ati ni chokora iri guku

Translator: Kulingana na hiyo mambo yote, serikali ijue hapa ni chokora yiko

Damaris Wairimu: Na uici uiyure guku

Translator: Na wizi utajaa hapa

Damaris Wairimu: Maundu maingi maiyure guku

Translator: Mambo mengi yamejaa hapa, tena pia ni wizi

Damaris Wairimu: Njoke njurie atiriri?

Translator: Tene pia niulize

Damaris Wairimu: Kai andu aria mari kuo na nikiu uroma maundu maingi maingihite, ciana ciitu iri guthira ni njohi

Translator: Kwani watu wako wapi na watoto wetu wanamalizika kwa pombe?

Damaris Wairimu: Turi gutigirwo ciana cia andu aitu na tutingihota kumarera

Translator: Tunawajua watoto wa watoto wetu na hatuna nguvu za kuwalea kwa sababu wamekunywa pombe wanakufa

Damaris Wairimu: Ithui twagicoka tugikue megutigwo nau?

Translator: Sasa pia sisi tukikufa, hawa watoto tutawachia nani

Damaris Wairimu: Thirikari imenyere bururi uyu

Translator: Serikali ilinde nchi yetu

Damaris Wairimu: Magika Katiba yao

Translator: Wakitengeneza Katiba

Damaris Wairimu: Mathondeke bururi tondu bururi uyu ti mwega

Translator: Watengeneze nchi kwa sababu nchi hii ni mzuri

Damaris Wairimu: Ninjokete ngona ati ndathii Rift Valley

Translator: Nimeona pia nikienda upande wa Rift Valley

Damaris Wairimu: Ni kuri barabara ingihurirwo mboco

Translator: Kuna barabara unaweza pigia maharakwe kwa barabara

Damaris Wairimu: Guku guitu gutiri

Translator: Na hapa Kenyenyeni hakuna

Damaris Wairimu: Ni marima

Translator: Hapa, barabara ya hapa ni malima na mashimo

Damaris Wairimu: Njoke njurie atiriri thirikari ri kai yariganiirwo ni raia nginya njira cia thirikari ciathirwo ni survey gutiri

Translator: Tena ni wizi, kwani Serikali iliteuliwa na raia, hata ile barabara imewekwa na Serikali hakuna

Damaris Wairimu: Andu acio marithiagira ku?

Translator: Kwani watu watapitia wapi? Akina barabara zilitengwa zikinyakuliwa

Damaris Wairimu: Nii ndiri na miario miingi

Translator: Mimi sina mambo mengi

Damaris Wairimu: Tondu ndi muku na ndingihota kwigirira kana kwiyoera

Translator: Na kwa sababu munaona mimi ni mzee siwezi kuchugua wale kubeba

Damaris Wairimu: Nii ona ciana icio tutigiirwo tutiramenya kuria tukuihira nginya ona mirimu ni iiyurire guku

Translator: Lakini hata watoto tumewachiwa wengi tuwapeleke wapi na kwa sababu ya magonjwa yamekuwa hapa

Damaris Wairimu: Ciana ciitu irakuiru bara ni njohi

Translator: Watoto wetu wanakufia kwa barabara kwa sababu ya pombe

Damaris Wairimu: Ciana ciatigirwo atumia aa ndigwa

Translator: asa watoto wamewachiwa pia watoto yatima

Damaris Wairimu: Ciatigirwo athuri aa ndigwa

Translator: Imewachiwe wazee yatima

Damaris Wairimu: Twacoka tuima haria itigiirwo andu acio

Translator: Sasa tumetoka hapo tumewachiwa hao watu

Damaris Wairimu: Tuturi na mashamba

Translator: Hatuna shamba

Damaris Wairimu: Na hatiri kindu tuonire no thina mutheri\

Translator: Hakuna kitu tulipata, badala tulipata tabu

Damaris Wairimu: Ingitwara kanyamu gakwa kwendia ndingiona kuria gwendia

Translator: Nikipenda kuuza kitu yangu sioni mahali pa kuuzia

Damaris Wairimu: Tondu indo ciothe ni ironganirio na kuria ironganirio ndingiciona

Translator: Vitu vyote vinachuguliwa mahali pote na inaenda na sijui inaenda wapi, sioni

Damaris Wairimu: Niturenda ciana ithome

Translator: Tunataka watoto wasome

Damaris Wairimu: Nigetha tukona athamaki aa ruciu

Translator: Ili tukaone wafalme wa kesho

Damaris Wairimu: Na nindaigania

Translator: Na nimetosheka.

Com. Salome Muigai :Asante sana mama Damaris Wairimu. Na sasa nataka kumwita mama mwingine Teresa Wanjiku, Teresa Wanjiku yuko? Teresa Wanjiku. Basi Samueli, Samueli Kamau amesha zungumza? Samuel Kamau, ulizungumza? Basi, huyu ni Samuel Kamau, una written memorandum? Basi wewe siye yeye huyu ana memorandum yenye imeshaandikwa. John Mwangi Kihunyu , John Mwangi Kihunyu ni wewe? Haya basi, unataka kuzungumza? Okay.

John Mwangi Kihunyu : *(in Kikuyu dialect - translated)*

John Mwangi Kihunyu: Nii ninii John Mwangi Kihunyu. Ha uhoro uria ingihutia munyinyi

Translator: Anasema kwa jambo ile anaweza gusa kidogo

John Mwangi Kihunyu: Ni ati

Translator: Ni ya kwamba

John Mwangi Kihunyu: Ithui ta athuri aria akuru haha

Translator: Sisi kama wale wazee mnaona hapa

John Mwangi Kihunyu: Twina mathina maingi muno

Translator: Tuko na taabu nyingi sana

John Mwangi Kihunyu: Tondu ciana twagiire mwaka wa 63

Translator: Kwa sababu watoto tulipata mwaka wa 63

John Mwangi Kihunyu: Na ithui

Translator: Na sisi

John Mwangi Kihunyu: Ciana icio niturikitie guthinika nacio muno thukuru

Translator: Hiyo watoto tumetaabika sana nao katika kuwasomesha

John Mwangi Kihunyu: Tondu nii tanii ugio ndina ciana ta ikumi

Translator: Kwa sababu hata mimi naona hapa niko na watoto kumi

John Mwangi Kihunyu: Ciothe ningeretie guciteithia na cukuru

Translator: Na wote nimejaribu kuwasaidia kwa shule

John Mwangi Kihunyu: Andu ta atano uguo nimakinyite form four

Translator: Kama watano wamefika darasa la Form 4

John Mwangi Kihunyu: Na oothe hatiri mundu uteithikite

Translator: Na wote hakuna hata mmoja amefaidika

John Mwangi Kihunyu: Oothe me mucii

Translator: Wote wako nyumbani

John Mwangi Kihunyu: Uikaro ni munyinyi muno

Translator: Katika hali ya kukaa ni kidogo sana

John Mwangi Kihunyu: Kuoguo ni ingihoya

Translator: Kwa hivyo ningeomba

John Mwangi Kihunyu: Thiini wa thirikari

Translator: Katika Serikali

John Mwangi Kihunyu: Mahitukie sheria

Translator: Wapitisha sheria

John Mwangi Kihunyu: Hangikorwo nama ningoretwo thiururukite thiini wa Rift Valley

Translator: Kwa sababu kama kwani mimi nimezunguka katika Rift Valley

John Mwangi Kihunyu: Kwina na mundu umwe tu

Translator: Kunaye mtu mmoja peke yake

John Mwangi Kihunyu: Mundu wina mashamba meri matatu

Translator: Ambaye ana mashama moja, mbili, tatu

John Mwangi Kihunyu: Na ithui wiyathi tugikiruira

Translator: Na watu wale wengi hata ni wakati tulipigania uhuru

John Mwangi Kihunyu: Nitwari na kirigiriro ati tungigatoria

Translator: Tulikuwa tumeahidiana kuwa tukishinda

John Mwangi Kihunyu: Nitukona oo mundu kindi kinyinyi thiini wa bururi uyu

Translator: Tutapata angalau kila mtu kile kitu kidogo katika nchi yetu

John Mwangi Kihunyu: Riu nii ingihoya

Translator: Sasa hivi ningeomba

John Mwangi Kihunyu: Thirikari sheria iyo ingithondekwo

Translator: Hii sheria ikitengenezwa

John Mwangi Kihunyu: Oo mundu niagiriirwo ona aria twinao thiini wa gicagi ini

Translator: Wafikiriwe kila mtu hata ambao wale tuko nao katika kijiji

John Mwangi Kihunyu: Tondu nikuri andu matari ploti

Translator: , kwa sababu kuna mtu ambaye hana hata plot

John Mwangi Kihunyu: Ungi niwa ploti imwe tu

Translator: Mwingine ako na plot moja

John Mwangi Kihunyu: Noho family yake iri

Translator: Na ako na family ya pili

John Mwangi Kihunyu: Hau mundu ucio angigiteithika niwega

Translator: Hapo kama huyu mtu anawefaidika tunaona ni mzuri

John Mwangi Kihunyu: Kwa hau njoke ngiurie kiuria

Translator: Kwa hapo sasa nitauliza swali

John Mwangi Kihunyu: Thiini wa mahinda mau mathirite

Translator: Wakati uliopita

John Mwangi Kihunyu: Twakirikia kuheo wiyathi

Translator: Tukisha maliza kupatiwa uhuru

John Mwangi Kihunyu: Ithui nitwari migunda yacokanirirwo kuri ploti ciaigagwo

Translator: Wakati shamba ziliunganishwa pamoja kuna plot ambazo

John Mwangi Kihunyu: Ona nimoire kuma kuri andu aria matari

Translator: Hata wamenyakuwa kutoka kwa wale hawana

John Mwangi Kihunyu: Ungi niwa acre nuthu

Translator: Wengine ni ekari nusu

John Mwangi Kihunyu: Na niari nginya ploti

Translator: Na alikuwa na plot

John Mwangi Kihunyu: Na acre iyo yarutitwo niarikitie kweherera mundu ucio wagiriirwo ni gukorwo nayo

Translator: Hiyo plot ilitolewa kwa hiyo mtu wa nusu ekari, sasa imemuondolewa

John Mwangi Kihunyu: Kuogwo nii ingihoya ihoya

Translator: Kwa hivyo ni ombi langu

John Mwangi Kihunyu: Thirikari ikorwo igitwicingira muno makiria

Translator: Serikali iwe ikitufikiria sana

John Mwangi Kihunyu: Tondu kindi kiria twina kiingi ni mathina

Translator: Kwa sababu ile kitu tuko nacho ni taabu

John Mwangi Kihunyu: Na thirikari niyo ingihota gututeithia

Translator: Na Serikali ndio inaweza kutusaidia

John Mwangi Kihunyu: Kuoguo ithui tuikarite na thina tugakirigwo kana hihi ... kana hihi turi ngombo cia muhiriga uriku

Translator: Kwa hivyo sisi tuko hapa na tumeshindwa tumekaa katika nchi tukiwa watumwa au tukiwa maskini wa nchi

John Mwangi Kihunyu: Hau ingigicoka hoe

Translator: Hapo ningeomba

John Mwangi Kihunyu: Thiini wa muikarire witu

Translator: Katika hali ya kukaa kwetu

John Mwangi Kihunyu: Hari hothe mundu angiona wira thiku igiri ona okorwo nigwa chifu

Translator: Pahali popote mtu anaona taabu tukienda tuingie kama ni office ya sub-chief

John Mwangi Kihunyu: Gwa chief ona kwa DO

Translator: Kwa chief hata office ya DO.

John Mwangi Kihunyu: No muhaka mukirwo murute muhothi

Translator: Ni lazima ukienda hii office utoe sadaka

John Mwangi Kihunyu: Na kuogwo mundu ucio angikorwo ndari na uhoti

Translator: Na kwa hivyo kama huyo mtu hana uwezo wa kutoa

John Mwangi Kihunyu: Mundu ucio niegucugulika gucoka mucii giikaro-ini giake

Translator: Inalazimika huyo mtu arudi mpaka nyumbani kwake makao yake

John Mwangi Kihunyu: Na thina wake

Translator: Na taabu yake

John Mwangi Kihunyu: Na hau agagikorwo thina umugiite

Translator: Na hapo inakuwa taabu ikimsumbua

John Mwangi Kihunyu: Akaga wa gwika

Translator: Anashindwa na la kufanya

John Mwangi Kihunyu: Na nokio ona ciana ciitu ciikarite

Translator: Na ndiposa hata watoto wetu wamekaa

John Mwangi Kihunyu: Oo maikarite uguo ugakiiguaga kwina mikora miingi muno

Translator: Hata wakikaa namna hiyo unasikia ukora umezidi ni wingi

John Mwangi Kihunyu: Na kuoguo

Translator: Na kwa hivyo

John Mwangi Kihunyu: Thiini wa ukora ucio ri

Translator: Katika ile ukora

John Mwangi Kihunyu: Tukona ukora ucio nitaaurarerwo ni andu aria magiriirwo guteithiriiria bururi uikare na thayu

Translator: Tunaona ile ukora yiko sasa umelelewa na umeletwa na ile watu wanao stahili kulinda nchi yetu

John Mwangi Kihunyu: Nigukorwo angikorwo ni uhoru wa ma

Translator: Kweli lilikuwa ni jambo la kweli

John Mwangi Kihunyu: Na aria aingi nimakiaritie makoiga mundu umwe nikwenda akorwo anyitiriire ofisi ya haha na haria

Translator: Ni kweli watu wengi wamesema mtu moja anaweza kuwa ameshikilia upande huu na upande ule mwingine

John Mwangi Kihunyu: Na andu makiri kuo

Translator: Na watu wangali wako

John Mwangi Kihunyu: Nimendagwo kaingi magakiirwo ati mathii mageke interview

Translator: Na wanaita marafiki wache wafanye interview

John Mwangi Kihunyu: Na ona kungi magagitumira garama nyingi muno kuma haha guthii District

Translator: Hata wengine wanatumia karama kubwa sana wakitoka hapa mpaka kwenda District level

John Mwangi Kihunyu: Na hau hatiri kindu turi turakiona ona handu ha miaka twenty

Translator: Na hapa hatupati kitu karibu miaka ishirini hatujapata jawabu ya hii

John Mwangi Kihunyu: No nii nonginine mahoya makwa

Translator: Kutoka hapo nimemaliza maombi yangu

John Mwangi Kihunyu: Na ngiurie ko kwahoteka ona sheria ya gukorwo mundu niegukirwo akinyia kiwango kia miaka ta

ikumi, itano uguo,

Translator: Na ningeomba ni ombi langu kama Rais akifikia miaka tano kumi, ikimalizika

John Mwangi Kihunyu: Ucio riria gake gakeehera

Translator: Wakati wake aondoke

John Mwangi Kihunyu: Nigukorwo hau mbere moigaga mundu aciara kahii no ta karia kang'i

Translator: Kwa sababu hapo Kikuyu wanasema ukizaa kijana ni kama yule mwingine

John Mwangi Kihunyu: Kuoguo agakieherera mundu ungi nake ukorwo ni gutwarithia agatwarithia makinya maigana una

Translator: Kwa hivyo hata yeye ondokea wengine waendeshe hatua Fulani

John Mwangi Kihunyu: Angikorwo mundu ucio no mweka na raia no igucoka ikorwo ina bata nake

Translator: Kama Rais kama huyo mtu mwema ni raia yiko na haja nayeye itamrudisha

John Mwangi Kihunyu: Kwa uguo igatwira ati

Translator: Kwa hivyo ninaona

John Mwangi Kihunyu: Angikorwo Rais we mwenye andu nimarona ati niagiriire nigukiehera

Translator: Kama watu wanaona Rais anastahili kuondoka

John Mwangi Kihunyu: Niundu wa kahinda gake guthira

Translator: Kwa sababu ya kazi yake kumazika

John Mwangi Kihunyu: Uguo noguo nii ingihoya ona kuri andu aya angi oothe

Translator: Ningeomba kwa watu hawa wengine wote

John Mwangi Kihunyu: Acio me mawira-ini

Translator: Hata wawe katika kazi

John Mwangi Kihunyu: Wa utongoria

Translator: Wale wanaongoza

John Mwangi Kihunyu: Gitumi ona angikorwo ni chief kana ni sub-chief

Translator: Kwa maana hata ikawa ni subchief au chief

John Mwangi Kihunyu: Na twinake itura-ini

Translator: Tuna yeye katika kijiji

John Mwangi Kihunyu: Angikorwo niarakorwo atari na wendo nanii

Translator: Ikiwa anaonekana hana upendo kwa huu mzee

John Mwangi Kihunyu: Na agiture

Translator: Na aishi pale

John Mwangi Kihunyu: Riu nii ngugitura ndina thina uyu wakwa

Translator: Kwa hakika mzee ataishi na taabu kwa sababu anadharauliwa na yule chief

John Mwangi Kihunyu: Kuogwo hangikorwo hena ihinda ria mundu ucio agakorwo niakinya hindi ina, ucio akahuruka

Translator: Kwa hivyo ikiwa inawezekana mtu huyo ikifika wakati fulani apumsike aondoke

John Mwangi Kihunyu: Na niarona hena mundu ungi.

Com. Salome Muigai : Mzee tafadhali jaribu kumaliza.

Translator: Werwo urikie kurikia

John Mwangi Kihunyu: Nii nongitigire hau

Translator: Hapo nikimalizia hapo

John Mwangi Kihunyu: Na ngiuge niwega

Translator: Na niseme ni mzuri.

John Mwangi Kihunyu: Niundu nituhatiriirio oo biu biu tugakinywo muico

Translator: Tumesungushwa kabisa, kabisa tumewekwa corner.

Com. Salome Muigai: Nii ndina kiuria he mzee, riria mugikuyu oigire mutumia aciara kahii no ta karia kangi, oigire atia uhoro wa guciara kairitu

John Mwangi Kihunyu: Mutumia ngwiciria ni hari na gitumi kiu

Translator: Unaulizwa vile unasema kwa lugha ya Kikuyu kijana ni kama kijana mwingine ulikuwa unamanisha nini?

Com. Salome Muigai: Nauliza umesema kuwa Wakikuyu walikua wakisema, ukizaa mtoto wa kiume ni kama yule mwingine, je walisemaje juu ya kuzaa mtoto msichana?

John Mwangi Kihunyu: Mwana wa kairitu

Translator: Mtoto wamsichana

John Mwangi Kihunyu: Onake erirwo oro uguo

Translator: Alikuwa ana ambiwa hivi

John Mwangi Kihunyu: Mwana wa kairitu erirwo oro uguo

Translator: Hata mtoto wa msichana alikuwa namna hiyo

John Mwangi Kihunyu: Ni gukorwo hindi iyo moigaga uguo makoragwo

Translator: Kwa sababu wakati huo kulikuwa na kuwa katika dhabihu, dhabihu ya kuoana

John Mwangi Kihunyu: Yaani, ugoro wa kugurana

Translator: Dhabihu ya kuoana

John Mwangi Kihunyu: Nigukorwo haria meragwo ha kongo na waciara kairu ota karia kang'i

Translator: Hawa walikuwa wanasema ukizaa kijana kama yule mwingine

John Mwangi Kihunyu: Tond'u maracindana na aria ang'i aa kairitu

Translator: Kwa sababu wanashikana na mwingine wa msichana

John Mwangi Kihunyu: Uguo riu gwatuika kahii no ta karia kang'i

Translator: Kwa hivyo ukija kijana kama kijana mwingine

James Mwangi Kihunyu: Kairitu nota karia kang'i

Translator: Msichana ni kama huyo mwingine

James Mwangi Kihunyu: Nimanyuithanagia na makanyitanira

Translator: Walikuwa wakikubaliana kushikana pamoja

James Mwangi Kihunyu: Na undu ucio magautigira hau

Translator: Na hii jambo wanafikisha mwisho.

Com. Salome Muigai: Asante sana, Gilbert Gikonyo, Gilbert Gikonyo, Patrick Munathi, Peter Kamau, Harold Muthondu Kabiru.

Harold Muthondu Kabiru: Madam Commissioner, fellow Commissioners, Ladies and Gentlemen, I would like to have the opportunity, my name is Harold Muthondu Kabiru. I would like to have this opportunity to come to you and express some of my views regarding the writing up of a new Constitution for Kenya. I have tried to explore the areas of our economy, which have really made this country poor the way it is and I have come up with a few suggestions. I have noted with concern that there are some professionals in the country and these professionals appear to have been placed where they are to exploit the Wananchi. The professionals I have in mind are Lawyers, Auctioneers, Liquidators among others.

I will try to expound a bit about why I say these professionals are (inaudible) Let us take the case of a lawyer – if somebody wishes to purchase a piece of land or if you want toyou go to a lawyer to ask for the service if the piece of land you are buying is worthy, let us say, one million, the lawyer will simply search out his books and tell that person, I am charging you about 100,000 if you want me to handle this deal for you. You can see one hundred thousand is too much considering what this lawyer is going to do, it is going to cost him very little in terms of time and money so this, I consider it an exploitation and our Constitution, the second one, the one that needs to be amended, it must. If it considers some of the (inaudible) aspect and it is considerate for may be 2 or 3 months. If you have to do anything be given for the insurance you will notice the lawyer will take almost 3 times what the little will be paid so this I consider as an exploitation and they are infact, I feel that there are so many Kenyans with some problems which can be solved very (inaudible) but due to, because of the high legal fee charged by the lawyers these people are just languishing, just like that so this one area I noted is contributing to poverty of the people.

Another example is these Auctioneers: Auctioneers are also protected by the current Constitution. You will find that an auctioneer will charge about 10% or so of whatever, of the value of `the item to be reclaimed while we consider the fate of the person who sells Kenyan Coffee or Tea, you really wonder because in one year, Kenya will produce coffee worthy 20 million or Tea worthy 30 million. If the arrangement of the, this Government that all Eastern Country produce should be sold through auction, so while.....auction you will find the auctioneer in one year he is pocketing about 2 billion shillings for himself only when the farmer are almost dying in their farms. What does the ..farmer do even approve some of this foreign exchange earning profit so this is one way of making Kenyans poor.

There is also another area which is contributing to the poverty of the country . This is the other provision the Liquidators. Liquidators are also protected by the Constitution and they are asking almost the same amount as Auctioneers. They ask about 10% of the value of the assets, total assets of the firm they are liquidating. So you will find we have some very large Co-operative Societies, which are taking long due to the economics of the scale. These firms, these Co-operative societies are all wishing to split into smaller and manageable But because of the fee charged by the liquidators, the farmers felt we just forget it because if the assets that are involved has a value of may be 300 million the liquidator will need 300,000 shillings and

the farmers are already counting any profit from their Co-operative society, so the farmers just felt they continue making profit and if losses whereas if the liquidator was judging less, they could easily do it. Now considering those three professionals, Madam Commissioner, I feel my humble submission that these three professionals should be liberalized, liberalized in a way, if you go to one lawyer and he charges you 100,000 shillings, you can always go to another one who charges 50,000/- you can even go to another one who will charge you even 20,000/-. The same case would happen with Liquidators and Auctioneers. As for the marketing of the Agricultural produce e.g. coffee and tea. From '99 Coffee and Tea are auctioned by a group of companies that happened to be there we don't know why they have to be there. So I am also feeling that it could be a good thing if this contract for auctioning coffee and tea and other, may be, agricultural produce should be renewed every 6 months and to be renewed by way of inviting competitive tenders. This way those people who have the monopoly on marketing coffee and tea will definitely just make what they want to take that job.

The other thing I have, Madam Commissioner, is the counting of ballot, hizo ballot za election, you will find that the system we have practiced, this standard creation, is the, has a lot of loopholes, because we all know that after an election the ballot boxes are carried away from the polling centre to the counting hall, so anything can happen to the boxes and even the votes enroute..... To the counting hall. So it is my suggestion that after the election, after the polling, the ballot papers should be counted there and then witnessed by the polling agents, a way of which a document should be prepared showing exactly what they have from that election work. That document, the counting agents should be given copies of that document and should accompany the presiding officer to the counting hall not counting hall this time, to the office of the Returning Officer. The Returning Officer will prepare the final document showing the outcome of election but before he announces the outcome of the election, the polling clerk must also endorse that result, to be fair I think we would minimise chances of rigging.

Something else I have was removing of MPs and Councillors from their positions for working against the wishes of those who elected them.

Com. Salome Muigai: Please shorten your speech I gave you some few minutes because you were talking about economics and we had not heard much about that, now you are going to where others have spoken. You just highlight the issues that you would like to share with us.

Harold Muthondu Kabiru: Okay, you are saying, I highlight those other points that I wanted to speak about. This is just removing Councillors and MPs from their positions working against the wishes of those who elected them or have.

And this is about the fourth one is about the marketing of agricultural produce which I think should be done right at the port of manufacture, this is in particular coffee and tea. They should not be transported from places like Mombasa, you know just to be sold here. I think that what I have.

Com. Salome Muigai: Thank you very much. Mmesikia saa kumi unusu, ningetaka kuona kwa maoni ya mkono watu wangapi bado wangetaka kuzungumza, hawa ni watu wengi ngoja nihesabu na usiweke wengine. Nataka kuona kwa kuinua mkono watu wangapi bado wanataka kuzungumza, nikikuhesabu uweke number yako, one two three four five six seven eight ndio na....nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen, tafadhali shikilia number yako, mkiniambia watu wawili mna number moja nitawakataza kuzungumza nyote wawili, yuko wapi sasa? Siwezi kuwajua kwa uso lazima mshikilia number yako. Where are we? You are what number? Wewe nilikupatia, nilimpa yule mwenye kofia, mwenye kumalizia hapa alikuwa na twelve. Sijui ni yupi. Basi wewe sikukuona endelea kuweka mkono ndio nikuone. Tuko wapi na tuko number ngapi sasa? Mama wa koti ya yellow ni fourteen sivyo? Fourteen basi tuko wapi fifteen, seventeen ni mwenye koti ya green, eighteen nineteen twenty. Wewe mwenye ulikuwa na thirteen, kwani thirteen ilikuwa si number yako? Nimekupa number mpya thirteen. Nilianza upande huu mzee. Okay twenty-one twenty-two twenty-three twenty-four. Basi sasa kila mtu ana two minutes, kwa hivyo uje hapa utueleze mambo yenye haijaleswa mbeleni. Ukiwa na jambo geni utueleze lakini usituambia tena yale yote bado tuliambiwa kutoka asubuhi, ndio tusikie yale mageni. Mwenye atapata nafasi tafadhali ukiwa na Memorandum yapitishie kwenye ile meza. No.1, nani alikuwa No.1 sasa tukianza kuwa na confusion kitambo tufike No.20. (Kikuyu).

Ni Gitau Maina wa Kirathi : *(in Kikuyu dialect)*

Com. Salome Muigai: Naomba mtafsiriaji mmoja tafadhali.

Translator: Naitwa Maina Kirathi – na maoni ambayo nimeleta hapa ni kama hii:

Com. Salome Muigai : Just one moment, Maina unajua kiswahili? Tafadhali zungumza Kiswahi, tafadhali zungumza Kiswahili ndio tuwache, kutafsiri kunachukua twice as much time. Kwa hivyo tutumia, tutatumia kutafusiri kwa wale tu wenye hawawezi kujieleza. Maina toa Kiswahili Endelea.

Maina wa Kirathi: Ningetaka kusema ya kwamba kuna watu wengi ambao wamesha kutimu katika ma-college na hata mpaka wa leo hawajawahi kupata kazi kwa hivyo ningetaka Katiba mpya ishugulike na mambo hayo. Tena wale watu ambao wamesha ajiriwa, ufundi wa kazi bila kufikisha umri wao na tena hawana hatia, kwa hivyo ni heri wao waendeleo na kazi kwa kuwa wakirudishwa manyumbani wizi na ukora huongezeka

No.3 wakulima wa maindi, majani chai, kahawa vitu vinginevyo, ni heri wawe wakilipwa kwa bei nzuri ili waweze kufaidika na kusomesha watoto wao.

No. 4

Com. Salome Muigai : Una dakika moja Maina.

Maina wa Kirathi: Ni heri Katiba mpya iangalie vile utajiri wa nchi unavyohusika bila kusimbuliwa hapa kupita kwa njia mbaya kwa kuwa huo ni wizi tena ni unyang'anyi. Tena ni heri Katiba mpya isimamiye vitu vya mwenyewe kwa kuwa zingine huchuguliwa na wale walio na huru kushinda wao. Tena ni heri nchi yetu iwe ikichungwa isije ikachuguliwa na wageni kutoka inje. Tena uchaguzi ukifanywa ni heri uwe ukiangaliwa ili watu wasije wakaiba kura. Kwa hivyo namalizia pale.

Com. Salome Muigai : Asante sana Maina kwa kuchunga masaa. No.2

Jina langu ni (inaudible) Maoni yangu ni hii. Langu la kwanza ni President (inaudible) 35 years andthere should be a maximum of course, I suggest that maximum age for one to be a President, may be at 75 years so that if one is already 70 year or above one should not contest for presidency, because by the time the 5 year service is over, one will already be above 75 years. We all know that the medical ability goes with age, so with that maximum age for the President ..a minimum

The other is about land, many people have spoken about land here and I am suggesting that so that we don't have land which is not being used when there are so many people who want land but have no where to ..., that idle land be taxed especially any land which is above 10 acres and that should be the ceiling for one person so that if one has got, people don't want to admit that they own land for....by having several different plots, nine another one seven somewhere and so on, so that if one has got twelve or more than 10 acres and they don't have to be one piece, if it is more than 10, it should be taxed so that at least the Government benefits from that land, even if there is nothing being produced there. And the best thing would be to reach that limit. It would be best put there, I would suggest that really nobody is allowed to own more than 20 acres. 20 acres is more than enough for anybody and if that is not possible to do, then let us tax.

Com. Salome Muigai : You have voiced that point and it is taken.

Maina wa Kirathi : Okay then there is one, it is about plots, these Council plots here, I have seen, we have got an example here even in our courts everyday, some of the cases of plots here are.....people in the Council. They obtain them and sell that plot for very high price. I suggest that the Council continue giving these plots freely but if one is not able to develop one should hand it back to the Council so that they give it out to somebody else. He won't be allowed to sell the plot a piece of land that -- . I suggest that one gives it back to the Council so that it can be allocated to someone else.

Okay, the next one is Voter Registration - from the time this voter registration was posted here, we know that one of the posts this year is to maintain so that when you attain the age of 18 years, one registers to be a voter. And we know every day there are people who are getting 18 everyday. From the day this registration was closed there are very many people now who were not able to register but they.....so that continues up to now, and forget that it should be continuous throughout.

Okay, the next one is about the, a question which I am finding here about fixed MPs` salary and the big issue and my suggestion is that that salary be tied to the country per capita income. Yea, so that the, when you see...quality there, for the purpose of arranging our income, we would not be working because we are serving for eight month, it doesn't help people but it can be a certain percentage or part 5 days, 8 days that can be a brief one, the PP the per capita income.

And the next thing is, that one is, I find this system of President, I find it okay myself, because these other systems that people are coming up with of having a Prime Minister, a Depute Prime Minister, I find it more to be very selfish on their part because what I thought they are doing is just how the people you want in your life and to give the fact that there are 5 of them and their total and when they find that they are 5, they won't like it. There will be a Prime Minister, there will be President when they are 5 of them then they will find ...out of favour then it becomes worse than this one. So I find that the system we have now was to be ... and we have people.....They are fine even now and we had people to this , I don't find this to be... thank you.

Com. Salome Muigai : Thank you very much Mr. Thank you very much especially for keeping the time. No. 3

Sospeter Irungu :Asante sana Madam, Jina langu ni Sospeter Irungu. Nimekuja kuakilisha Seventh Day Adventist Church – Kangema. Yangu ni machache. Juu ya mwendo ya Katiba naona Sheria iwe ina uweza kama kufungwa kwa watu ambao wamefunja sheria tusiwe na watu ambao sheria haiwauzu.

Pili – Ubatiliyo wa Serikali Bunge na Rais, na Waziri Mkuu wawe wakigawana mamlaka. Tatu – Bunge, na husu wa Bunge – kila Mbunge awe na elimu ya kutoka Kilato cha nne na kuendelea na wawe na nidhamu wawe wakitumika kwa vipindi viwili kama ile naibu. Rais naye awe akitawaliwa na Sheria kama Wakenya wengine. Kuuzu haki za mzingi - Wafanyi kasi wote wawe ni askari na watu wa mashamba wote wawe wanakubaliwa kuwa na vyama kuingia katika vyama vya wafanyi kazi.

Wizara ya afya ipewe pesa ya kutosha kuhudumia wagonjwa wote bila (inaudible)

Kuhusu uhuru wa kuabudu, sababu nchi yetu imepeana uhuru wa kuabudu, tungeuliza mambo haya yafikiriwe. Siku ya Sabato ambayo ni Jumamosi itambuliwe kisheria kama ya kupumzika, wale wanaopumzika siku hiyo ya Sabato wasidhulumie kama kufutwa kazi ama kutopewa madaraka. Wanafunzi nao, unajua madam tuko na wanafunzi wetu katika mashule ya Serikali, saa ingine yule mkubwa wa shule anaweza kuwa ni mtu wa CPK, Catholic na watoto wetu wakienda huko wanakuwa hawapewi hata nafasi ya kupumzika Jumamosi, kwa hivyo uhuru wake wakuabudu na imani yake wananyimwa na kisheria, kwa hivyo tunaona wawe wakipewa hiyo siku kwenda kanisa na kupumzika. Wanasabato wasisuhiliwe haki zao kama uchaguzi kwa kuweka uchaguzi siku ya sabato, hali kadhalika mikutano ya Serikali ama ya wana hiza. Naona sana, sana wakati wa uchaguzi inakuwa uchaguzi unawekwa Jumamosi na Serikali, mikutano ya DC, Subchief, Chief inawekwa siku ya Jumamosi na kwa hivyo mtu wa Sabato anakuwa ako na shida ya kufanya ...ya mwisho. Wale wanaoweza kudhulumwa wapewe fidia na wenye kuwadhulumu.

Vyama vya kisiasa viwe tatu nazikaramiwe na Serikali.

Pesa za nchi ziwe na picha ya Mwanzilishi wa taifa hili Mzee Jomo Kenyatta, na zisiwe zikibadilishwa mara kwa mara kama Rais mpya amechaguliwa. Sheria tunaomba ziwe zinawekwe kisizini bila mashtaka. Asante

Com. Salome Muigai : Asante sana kwako. Juu ya siku ya Sabato, tunasema Waislamu wanaenda kwa swala siku ya Ijumaa, wa SDA siku ya Jumamosi, wale wengine, Wakatoliki na wengine na CPK na PCEA, naweka ingine Jumapili. Sasa unataka tuwe na siku ya Sabato 3 na juma ya kufanya kasi yenye siku 7.

Sospeter Irungu : Kile naona Bwana Commissioner, naona watu wale wanaoabudu Jumapili huwa wengi wetu hawana kazi kwa hivyo hawana problem ya kazi, wale wako na problem ya kazi ni wa Sabato.

Com. Salome Muigai: Asante sana No. 4

John Ruhangi Kimiru : Asante sana kwa majina yangu ni John Ruhangi Kimiru : Kwa hivyo nina machache yangu.

Ya kwanza, kwa vile mmekuja hapa kwa shauri ya Katiba nafikiria kwa maoni yangu mko campaign na ile maoni, mimi nasema Rais apunguswe madaraka yake. Hilo ni neno moja.

La pili, ukabila unasidi kila pahali. Katika pesa ya Kenya kulingana na maoni yangu ikipigwa picha kama Rais anachaguliwa leo na tena kupiga picha yake, mwingine akichaguliwa anapigwa picha yake, naona si mzuri isipokuwa katika Kenya kuna mambo mengi inaweza picha yake kuwekwa katika

Tena sisi watu wa Kenya tunasema tuko na uhuru, lakini tunachanganya uhuru ni wamuhindi pekee yake kwa sababu Muhindi akiwa na biashara zote nazi wananchi tunataabika hata ile tu ya kula bidha tunakuja nyumbani. Muhindi bidha zote amechugua. Sisi hatujui million ya pesa ni nini lakini muhindi kwa duka yake, saa ikifika saa nne, Muhindi anajua million inakuja, kuna msemu Muhindi anasema, “Ninyi watu wa Kenya chungeni pendera nazi tuchunge pesa zenu. Kwa hivyo asante kwa kunipatia nafasi hii na sina mengi ya kusema.

Com. Salome Muigai : Asante sana, tafadhali enda hapo kujisajilisha sasa nataka kumwita No. 5

Paul Githaiga : Shukrani Bi. Mwenye Kiti kwa majina ni Paul Githaiga: Kwa vile tumeka muda mrefu tukisubiri basi tutaenda haraka kidogo na tuna furaha kuwa mmefika lakini furaha yetu ambao tuko hapa na wananchi wa Kenya itatimia punde tu tutapata Katiba hii ambayo tunaisungumzia hapa ikiwa vile ambavyo tumesema, wakati huo ni furaha yetu kubwa kwa hivyo

sasa ni nusu nusu bado.

Lakini tunasema kwanza yangu ingawa yametajwa sana ninaona kuna umuhimu wa kuitaja na kuirudia, na ninasema ni juu ya mashamba. Sheria ya mashamba iko na ukorovi na kwa hivyo tungeuliza ichunguswe upia ili kusudi mwananchi wa kenya ajifunia kuwa mwananchi wa kenya na kisha mwananchi wa Kenya ajifunie nchi yake, akitawala, akikanyaga, akiimba akifanya chochote. Ie sheria iangaliwe vizuri. Si vizuri mwananchi akiwa akitaabika mara kwa mara akienda office hii and ile ingine na hali ana haki yakuwa katika nchi yake.

Pili katika hiyo office ya mashamba pia, jambo ambalo limezungumziwa sana ni kuhusu hizi Boards. Hizo tungeuliza ziondolewa maana yake hiyo ni njia moja ya watu wengine kujipatia pesa kwa sababu ukiingia kwa hizi office, utakuta hata kama kimeundwa kusudi lake wakati mwingine wakipenda, na inategemea ni mwenye kiti gani yuko kule wakati ule. Kunawakati tumeenda katika hicho kikao tukatoka bila kuambiwa chochote wakati mwingine tukiingia tunakuta pale mezani kuna bahasha kubwa, kwamba mambo yako yakipitishwa sharti utoe chai kwa wale wazee, swali langu ni hili mama kama yule alikuwa hapa mzee, amesumbuliwa na watoto wake wanataka shamba labda ni yatima kama vile alivyosema watoto wake wamekuwa wakimuachia watoto wanataka shamba wanaenda huko kusudi wasaidiwe na wale na baada yake warudishwe kutoka hapo mpaka kule badala yake kusaidiwa anaenda kuitishwa pesa na wenye kufanya hii wanadai kwamba ni wakubwa, which is very serious. Kwa hivyo hilo jambo lifikiwiwe, tupewe wazee ambao hata kama wanaitisha chai, wanaitisha chai ambao ina haki wamekaa kwenye kikao wamejifunza wanaambiwa ...na huku na mama wakurudia na kuna haki kwamba wale wazee wataitisha chai sababu wanashinda pale. Na kiwango ya kwamba wanafanya hivi makusudi sababu wamekaa pahali pa kuokota kitu. Pahali wamekaa, nisadiki wanaondoka na...

Uwezo wa Rais upunguzwe, Rais awe ni kwamba anaenda kushtakiwa kama amefanya kosa na ikiwa anapatikana na kosa ile kazi yake aachishwe mara moja na Tume lichugue..

Serikali iwape wananchi wake mahitaji. Serikali yeyote ambayo inaweza kujifunia ambapo inatawala nchi na wananchi wake hawaitambui ama wana shida, hata hospitali wakienda hawawezi kupata madawa hao wengine ni SerikaliKwa hivyo tuwapatie wananchi wake mahitaji ya chini ambao sasa inatajiwa. Wakulima nao wapewa haki zao ili waweze kuindelesha kazi, wanaweza kufanya kilimo cha nchi hii iendelee kwasababu tunajua ..kuu la nchi hii inatokana na kilimo. Hali ya kumiliki mashamba pia ipitishwe kwa office ya mashamba isingatiwe sana kwa sababu unakuta siku hizi shamba moja ina watu saidi ya fourty na kila moja ana haki ya kumiliki kwa hivyo unakuta kama kuna mmoja ambaye ana haki pande ile na ukiingia kule akisutuwa wale wengine anakuambia, sijui hii hatokani na kitu kwa sababu anayo sasa hatujui..... ...unakuta kwamba mambo yanafanywa kijuju tu na hali mambo ya shamba ni mambo ambayo yanatakiwa kuangaliwa....

Na pia ningependekeza kwamba sheria iwekwe kwamba kuumbwa kwa mtu usiwe kwamba chochote chaenda juu. Huu kuumba kwa mtu....freedom of worship iangaliwe ni nini kinachoabudiwa ili kwamba Mwenyesu mungu asije akatuletea laana

katika nchi yetu and this time tulikuwa tunamjua mungu moja...wa Kirinyaga. Lakini.. kama kuna mambo mengine inayotengenezwa kutoka mahali kwingine hii si ya Mungu mambo hayo wale ambao wanapatikana kama wamefanya hivyo wasitakiwe na kama wana kanisa ifutiliwe mbali kisheria na hayo yaishe.

Com. Salome Muigai : Asante sana, asante kwa kuangalia masaa.

Eliud Chege (inaudible): Vile tulionelea, Serikali yetu (inaudible) police walikuwa wanataka kwenda kugoma, nini, nini, kuna taabu, kuna kisirani and we are thinking if we have a provision in a Constitution where we would have probably a kind of a group or Commission well set Commission which will be composed of men with high dignity, people with a lot of economic stature from our country, that is composed of very important men who could look at the idea of wages of Government workers to avoid what we are seeing currently. And this body should also be the one in total to look at the salaries of MPs we don't want to see MPs forming a forum thinking about their salaries in that case. We want to accept ourselves through that situation, we are looking at the problem of how, we are talking of how our country is getting poor and poor.

And looking at it, can we also have a kind of a law because most of the economists have looked at the situation and have found that our country is getting poor because of corruption. That is the cause of poverty in our country and let our Constitution have a clause somewhere where we have very tough fine for, very high fine, ya, kwa wale wote watahikwa na mambo ya kitu kidogo, hii mambo ya KK because that one will probably safe our country a lot of money. Before, I wanted to break to comment on why still corruption is going on, this is because from the knowledge that somebody was complaining that you people you earn the wrong money and you are going to do that (inaudible) after somebody (inaudible) to retire you should have something.

Now can we get our Constitution to have a provision where those servants of the Government or the poor public service would have an (inaudible) be to are voted. We have noted currently where people are retired and after retiring the government has a lot of work, retirees are very specially honoured ...people who have retired at the same time wale wanao-retire, unasikia wengine wanakaa kama miaka nne wanakufa hata kama kabla hawajapata decent Government benefits. Can it be that a law be there into the provision that when one retires he will not go home on retirement before you find you have changes at the bank and in case it is not so, if you stay in the job you will be getting your salary double. Nimetoka hapo.

Com. Salome Muigai: One more minute, because the last six speakers have take half an hour, we have one more hour and at six o'clock, nitamaliza huu mkutano. Kwa hivyo tafadhali watu wengine wanataka kuzungunza.

Eliud Chege: Tuna mambo ya chai

Salome Muigai : Sasa umechugua dakika mbili ukituambia, naongezea, naongezea, naongezea. Can you go on please? And

you have only 45 seconds.

Eliud Chege : We have, where Professor our Constitution should have a provision, law how as far as tea and coffee are concerned how, we have received a lot of money, a lot of money when our tea and coffee is at Mombasa in the godowns the godowns in Mombasa. Suppose our Constitution allows and have a kind of provision ... watu wale walinunua majani au kahawa wanakuja mpaka hapa kangemi factory kuchugua majani hapo si maderi yetu. Ni sisi tu wakulima tuwe tukichanga pesa ya kupeleka chai yetu mpaka Mombasa godown ni sisi wakulima, sisi ndio tunateswa yule ali(inaudible) chai .. Nimetoka hapo.

Mambo ya Agricultural Products, Madam Commissioner, we have seen this in our country, we are still complaining that our country is getting poorer and poorer, we are complaining we are (inaudible) people we are not. Here we have so many Agricultural plots which have been normaly, we are always been impossible. We have noted cases where even in schools you find a ruler, a ruler made from China one in ... this things a ruler ya mbao na imeandikwa made in China kwa nini kununua China na hapa kuna mbao kuna nini. Tuna (inaudible) kama provisional Constitution ikiwekwa. No imported things should be imported, hakuna kitu kitatoka hizi nchi zingine ikiwa hii kitu inauswa hapa..... Na mtu akitoa nje tuseme kama tuwe na provision awe anakuwa fined na fine iwe ndio itakuwa what is imported and what is not imported, but up to now why did this woman So

Com. Salome Muigai : Why don't you write us a Memorandum now that we have heard your voice write your memorandum, give it to Mr. Kanjeru who is our Co-ordinator, so that No. 6 can have a change. No.7, you want to start a debate on your issues, while the others I was having other ...Excuse me Sir, who is No. 7, okay.

I am **Keiru Kuria:** My proposals, I am going to propose the Constitution of Kenya Review Commission.

To start with, I would like to say that all people should be highlighted to law and the current Constituion, that means it will be very compulsory and especially so to be a subject to be taught in schools and for general distribution. It should be done in their local languages, the languages that they can understand. Consitution should not be changed, becauseright now should not be changed unless we call for what we call a Referandum, in order for that Referandum to pass with ,,.....90% of the Members of the National Assembly should vote for it. It should protect what we call human rights and provide that no part of the Constitution contravenes that. That New Constitution it should provide for an Economic Commission to oversee, sorry to oversee.

Com. Salome Muigai : I think that.. registration, so that we can have Mr. Chege

Keiru Kuria: Okay, the New Constitution should provide for an Economic Commission to oversee the distribution of

Economic opportunities to all parts of the Country irrespective of the political affiliation. That they should provide when corruption ends economic crimes court that is a court to use the cityand not the other crimes.

That new Constitution they should be separation of power between the Executive, Legislature and Judiciary. That the president should not be above the law and the Constitution should provide for impeachment of a President.

There should be provision for the people to manage the resources that come from their areas of restriction but if, these cases of where we have tea growing areas those left there they should manage their tea and this applies to coffee, sugarcane and the rest.

I am quite conscious of time.

The Constitution again should provide for (inaudible) of Provincial Administration

And again the National Identity card should not be a prerequisite for one to get a voter`s card, because (inaudible) should provide for pre-primary school education and also free health services.

The term of the President should be two five year terms with no provision of any further extension. The Constitution should provide for freedom of Press with no interference whatsoever from the Government. Again free.... out and guarantee access to information.

The New Constitution should provide for proportionate representation of Constituencies that is, all Constituencies should have an almost equal number of electorate as opposed to today, where some constituencies have the number of twice the number of more people than the others.

The Vice President should not be appointed by the President, but elected by the Members of the National Assembly from among Cabinet Members. In case of the death of the President while in office the Vice President should automatically take over as but an election, also Vice President should be done again.

Thank you.

Com. Salome Muigai : Thank you very much Mr. Keiru. Number 8. Please could you just give us the new points because if you do that it will take about one or two minutes, but when we keep repeating ourselves one person might miss a chance to tell us the new points because others are repeating the old points that we have heard.

My name is **Alex Macharia:** And here are my views regarding the Constitution. I want to start by the burning problems.

Madam Commisioner, I would suggest that ...and bodies like KTDA and other boards, their duties should be reduced and be

left to the leaders of the (inaudible) other duties. Farmers should constitutionally be meant to decide on the price of their produce. Farmers should constitutionally be meant to participate in discussing any bill involving (inaudible) before it is tabled in Parliament.

Concerning the land Madam Commissioner, there should be no landless or squatters when few people in Kenya hold thousands of acres.

On Education, Madam Commissioner, I would suggest, major changes concerning education should not be introduced through Presidential Directive but through a National Referendum. Any changes, be it major or minor which can affect education should affect both public and private schools.

Legal Proceedings against Government, a person, Madam Commissioner, I would suggest a person with a claim against the Government should have a right to introduce legal prosecution against the Attorney General, while at the time the Government should sent legal assistant unit to help the poor and unfairly treated citizens.

Madam Commissioner, I would suggest that the Government should at least give full support to any Kenyan who is talented to discover anything new in order to boost his or her talent, for example, if one discovers free medicine he should be assisted by the government institution.

On Presidency, Madam Commissioner I would suggest that, President should not be an MP. Presidential election should be done separately with other elections. President should not be Chairman of any political party. President should be bear the Constitution be a party to be Chairman of a party or of any political party after he or she leaves office. He should be allowed to contest for Parliamentary seat after leaving the office. There should be provision of a She President in the New Constitution. The President should make our country`s stand on international matters only with approval of us.

Vice President, should the President leave office pre-maturely, the Vice President who is directly elected by public should not act as President in order to avoid manipulation in election, instead a (inaudible) should act.

On Review, Madam Commissioner, I would suggest the decision of whether the Constitution should be reviewed be done after every 5th year through a National Referendum. Civic education should always be conducted before any step is taken on the change.

On Elections – in order not to exclude many capable people from participating in election exercise, acquired candidates should not be necessarily be `O` Level leavers but instead they should be literate people who can read and write in Kiswahili.

Provincial Administration. All Provincial Administrators, it could be sub-chief, chief, DOs and District Commissioners, should be elected directly by Wananchi.

Com. Salome Muigai : Thank you very much.

Alex Macharia : Chiefs and subchiefs should be transferred like other people ...

Com. Salome Muigai : Thank you very much Alex Macharia, now, let somebody else have a chance, we still have about 20 people

Alex Macharia : Commissioner, onJustice Madam.....

Com. Salome Muigai: Excuse me. Thank you very much. Next No. 9. I am sorry don't force me to be my because we have other other 15 people waiting to be heard.

Solomon Kamau : Thank you very much, my names are: Solomon Kamau. I have few points to present to you.

The first one, I am going to go swiftly because I know time is against us. Time is against us. The first one, chiefs should be elected by people who know his work through the people who is supposed to go and talk people liberty so that everybody should feel comfortable, nowadays chiefs are having to go to the people because they are asking for something little, if you go you want to do an interview you need to contribute few pints and you don't have. You have come from the school, you don't have money and you are asked to pay something little. That is something unheard of to the Government. So the chief is being paid money and he is asking money from the student. That is something illegal.

The second point is Urban Rural Migration should be ex(inaudible) by the Government. The Government is telling people that its state is representing me in the, rural while it is not. If there is any industry in the rural that is one example of escalating urban rural migration and private schools.

The third one is why Government is recruiting people in their institutions who are not undergone further learning, this (inaudible) knowledge of how to manage the Company constitution that is why Government.....concerning breakdown of the Company. That is why literacy in the Company, that why we have the breakdown of, and also that one I can add point whereby if you are an MP in a certain or you are a Manager you go and collect your people to come bringing now confusion who are not literate people that is what we call tribalism and nepotism, that means the Company has corrupt office.

The fourth one – The Government Recruiting from Mathare directly - The Government, as somebody said from now education

if for free and if you are a teacher and you have not brought the chalk and you have not ...the chalk and pen and say the reason say the reason so the ...the people, you are saying now that cannot be allowed because that one something unheard of. And if I am a teacher I am not going to bring the third of my salary to the chalk. I am not going to continue to buy a chalk and the like, so the Government should stop coming invisible to the community.

Another one is comparison of the salaries of the MPs, the civil servants and the teachers – MPs, Ministers are being given a large amount of the money when you compare to the teachers the other salary. So that money is notthey have the insurance and teachers will not have.

The sixth one is eradication of the poverty in a way that Government should bother or cater or keep aside some amount of money to cater for those who are without shelter, homeless people. The Government should also make sure, shall cater for homeless people or people who ...Nairobi.....and the like, so they should cater for them before they be homeless people.

The seventh one is corruption in various areas. In the country nowadays, is what we call `Do you know anybody do you know anybody (Vernacular) unamjua huyu mtu? Ikiwa hujui mtu kwa Company yote utaajiriwa.

The other, the ...one control of the charges and the price. During the Kenyatta era, there was what we call the controlling of the price nowadays, if I am a seller of my unga, I can say my unga I will sell 50/- nobody to ask, so I am exploiting the community. I will stop there thank you very much.

Com. Salome Muigai : We also thank you very much, No.10, No. 11, No.12, No.13

Thank you Madam Commissioner : I am going to talk about only two points that is water and importation of goods.

Com. Salome Muigai : Your name Sir,

My name is **Peter Njoroge Kimani** : I am going to talk of water and importation of goods. Kenya is populated, there are many people. On the part of the water you know water is life it should be used by all human beings. Going to the point the water in Kenya is too costly it is having an (inaudible) The Government should beto legalize the ...to cater for all the people even a common man in this case it can turn to irrigation. The Constitution of Kenya should cover with all means by helping the citizens as far as water conservation is concerned.

Reclamation of goods – The Constitution should curb the importation of goods simply because it has killed out local industries and this has caused problems in our society especially employment, poverty, and people have no place to sell their goods. With these few remarks, thank you.

Com. Salome Muigai : Thank you very much Mr. Peter Njoroge, that is a record. No. 14

I am **Susan Komu :** And my point is in Kenya there should be more public universities where students are allowed to go for further studies. This is because the Kenya we have large franchise District Schools, National Schools and Provincial Schools and here after people fail in Form 4 they fail to get their place to join public universities and there some of the parents cannot afford to take their children to private universities so there should be universities whereby more people who have lower grades than the accepted one in public universities can be allowed to go further. Also the rule of law should be adhered to this is where innocent Kenyans are being jailed without trial.

Com. Salome Muigai : (vernacular) Okay can you continue please

Susan Komu: I am saying the rule of law should be adhered to this is whereby some innocent Kenyans are being jailed without trial and this is whereby those who cannot be able to pay are being jailed but those who can be able to bribe, may be the judges, are not being tried. Then innocent Kenyans are supposed to be given their rights according to the bills of rights. Thank you.

Com. Salome Muigai : Thank you very much Susan, how old are you? Susan are you, how old are you. Thank you, so you are a youth, thank you very much. No.15. You are not the No.17 that gave up in .. you are not the No. 17

My name is **Samuel Gatitu:** No.1 the President – The President should not be above the law. The President should be impeached..... No. 3 on the President, the President should not be allowed to employ and to sack chief officers of the Government at will, notably the Chief Justice and other Judges etc. The President when out of the country should hand the affairs of State to the second right Arm. The President should be away out of the country and at the same time, and the Vice President is not there, by that I mean one of them should be around to avoid chaos. In case of having an eventuality one of them should be there. In case the President dies, then we should know who is second to him either the Vice President, the Attorney General, the Chief Justice or the Speaker of Parliament. Then the Constitution should be a big one, we should know clearly who should call the order. The President should not take the prerogative of appointing Senior(inaudible) of the State. There should be an arrangement in the Constitution whereby Senior Members of State should be appointed.(inaudible).

Constituencies - They should be people they should not favour Constituencies whereby, we should not have a situation whereby there are 10,000 voters in one constituency and in another 100,000 voters. There should be ... whereby the Constituencies are nearly the same.

Districts - we should improve ...why should we have for example Kisii District, Meru District, Kuria District for example let us

get other names whereby tribal tags are removed.

Capital punishment should be abolished. It is too kind to have it too kind actually, they should be imprisoned for many years so that they could be made to do work which is of use to the republic. On the same issue apart that is being us ,.....a boy of say 15 can today rape or even kill therefore a boy of 18 should be made to face the law not to be seen as the situation now.

General Public – Officers of the Government arechiefs and subchiefs the office of the DC and like the Police is notthey should not be allowed in our Constitution.

Members of Parliament should not be allowed to say how much they should be paid. Already they are being paid too much, some of them are not even reasonably educated yet they earn so much, let us not do that. The Constitution should be, state that they do not do that.

And if there are going to be nominated members $\frac{3}{4}$ of them should be women. Women can be seen to be more (inaudible) as far as the population is concerned, especially educated women. They are not ... as male Members of Parliament are so if they are going to be made Members of Parliament let 70 women ..

Com. Salome Muigai : Well those are very wise words, thank you very much, now can I have No. 16?

Thank you Honourable Commissioners, my name is **Fr. David Kagunya** from Kiangoi Catholic Parish. This is Fr. David Kagunya. This is an additional to what I presented last time at Kangema.

My worries are aboutthis is rigging. Rigging I consider it as a cancer in Kenya. Election rigging, it started up from the time ofalso during identity card issuingbribery during elections, administration, personnel who are partisan. And so an election claim that why is the extra fee up. We need an independent Electoral Commission, reasonably elected chosen from the many judges and from the Law Society of Kenya combined with ...enjoy and security of tenure.

No.3 The Law of succession needs to be formed before the next election that is Presidential succession. I am talking here for the last time and the House is debating on the Succession Law. And also law of Presidential retirement and its package should be passed before the next election.

No. 4 I am worried that we do not have a New Constitution before the forthcoming elections. No.5, the five year term of Parliament should not be extended.

No.6 nobody below the age of 30 years of age should be allowed to take alcohol. Our elders are the only ones who are allowed to take alcohol, so I thinktaking alcohol.

No.7 the issuance of Identity Cards should be continuous. No.8 the delegation of Political parties I suggest should be five. Lastly I suggest that the detention of the law should be reduced to nearly 8 hours as it (inaudible).

Com. Salome Muigai : Thank you very much Father, I would like to say that the issuance of Identity cards is continuous, it is voter registration that is periodical. No.17, No.18, No.19, No.20 No.21, No. 22, the gentleman who was sitting in front has gone also 13, is gone.

Kwa Jina naitwa **Charity Wanjiku Kanitha :** Ningetaka kusema juu ya akina Mama – Wakati watu wanachaguliwa akina Mama hawana nafasi kung'ang'ana na Wanaume, ningeonlea kwamba wanawake wawe wakiwachiwa nafasi iwekwe kwa kila uchaguzi ikiwa ni ya Mnada, ikiwa ni ya Majani Chai, akiwa ni ya Guest, wanawake wawe wakipatiwa viti katika kila vyote.

Mambo ya wasichana na baba zao – vile baba anagawa vitu vyaka kwa kijana yake hata wasichana wawe wakifikiriwa namna hiyo.

Point ya tatu. Ningetaka kusema hii Katiba tunasema wakati huu iwe tumeandikisha na iwe imetumishwa si tu tuandike alafu iwekwe watu watumie mambo ingine.

Katika Constituencies, kuna Constituency moja watu wanakaa wamehumilili, kwa upande moja wako kwa Constituency, kwa administrative wako kwa upande mwingine, hiyo inaonekana si nzuri kwa hawa watu kwasababu kwa upande moja wanasaulika, kwa upande wa uchaguzi wanashikana kwa Constituency wakati wa uchaguzi, na hiyo imeoneka inafinya watu wa ka-location kama hiyo. For example kama ka-location ya Rwathia inakaa namna hiyo. Wakati kunafanya uchaguzi huko na mambo mengi na inaoneka ni kitu chafu kwa kuchaguliana majina kutukana watu wa ile, hiyo inaoneka, ni vizuri Serikali iangalie vile campaign kutafanywa na bila hii ya kutukana watu wengine, watu waombe kura kwa njia yiko na Katiba na ikiwa haitafanyika namna hiyo, Serikali ijue vile itafanya. Kwa hayo machache, nasema asante.

Com. Salome Muigai : Asante sana Charity kwa hayo mawazpo mazuri, wewe ndio ulikuwa wa mwisho? Kuna 23, okay na Mama mue munainua mkono mapema mapema.

Kwa majina Naitwa **Lucy Wanjiru:** Ya kwanza ningetaka kuzungumzia juu ya the powers of the President.....

Com. Salome Muigai: Put the mic nearer to your mouth please.

Lucy Wanjiru: The powers they should be reduced. And whenever the President makes a mistake he should be taken to court.

The other thing is we should put in consideration all things which have happened within our Government, for instancee clashes which have been caused by the Government or what language which has not been good, therefore we should put into consideration all the people who had fought for independence because they did a good job and that is why you and me and all the people enjoy.

The next thing I should say is, gender should be thought of women are left out of National issues. You find, everywhere you go you find men are the ones who are taking top positions for instance you are one So when you come to that completely women you find that the men....which are formed within the Government, we should have a Government which should act on what we think.

The Commissions are formed (inaudible) therefore what has been passed.....and therefore I recommend whatwill compiled taken back to Wananchi, before it is finalized, so that we shall see what is in the Constitution. A Constitution should fight for people not the Country.

The next point is the first political we find that in our country political, all the security is not for the people whom they are chosen to look after but is ah, there are people who only work there because of money harrasing people if you are trying to go to Nairobi, there are no jobs, mama, woman or man is paying house rent is not allowed to hawker anything, and you find so many cases whereby robbers are so many, street children are so many, prostitutes are somany and all other bad things which goes to our Government which does not allow us to work freely in our country.

The next point is on the Land, Water and all the others. This one should be and it should be looked into seriously. You find in Kenya we start.....area water comes from the riversand at the end of heavy.....will take for water which has not been manufactured by anybody. Water is free you only pay for pipes and the water is not treated as drinking water you cant really plant during dry season cabbages or anything because you will be taken to court, therefore this should be taken seriously for it is something which the natural has provided for us.

The next, the Judiciary – Nobody should be allowed to tamper with any case in court or outside the court. The next thing is the Parliament – It should not be a House of abuses, fighting and so on. Any Parliamentarian who misbehaves should be closed in Parliament for about two months and if he... should be thrown out, the members choose another Member of Parliament.

Then comes the gender issue, I wanted to say that women outside are harrassed everywhere they go. A woman is beaten by

her husband, a girl got married, and when you go to court you find nobody is willing to listen to a woman, therefore women should be given prioritylike any other citizen in Kenya. That should the Constitution of Kenya ah, be in the favour of the people of Kenya and not the Country itself. Thank you.

Com. Salome Muigai: Thank you very much , ah madam Lucy. Anybody else, that was my last speaker, wasn't it? Now that I see hands, which number were you, No. 27, I think hatukuhesabu 27. But you are not 27 because I didn't have 27, anyway you may speak but you will be my last speaker.

I am **Charles Ibuchio** from this location: Just a few words to say.

Poverty in our country (inaudible) I think, ah, Some people here in the country are earning a lot of salary (inaudible). Those people who have very little, those who earn (inaudible) their salary or their money areby those who visit our country that is the (inaudible) employee. I would request that to lower the right salary starting from the grade and increase the salary for the growers pay...that the may pay some amount because (inaudible) be collected the burden is that this, the population of the Council and therefore anybody is given security (inaudible).

About the governance – (inaudible) the and the Judiciary be increased to give people time to (inaudible) Akitaka kuzaidia President an MP or a head of . Because of lack of education he or she be made desparate within the Community therefore, I request the Government to do something and to ...those who are uneducated..... education throughout that is from primary level to university. Thank you.

Com. Salome Muigai : Thank you very much kwa hayo mazungumzo yako chache, lakini kabla sijaufunga kabisa ningetaka kuwashukuru sana wakaaji wa Kenyenyeni katika hii kikao cha Bunge cha Kangema kwa uvumilivu wenu kutoka asubuhi mpaka saa hizi na ninawashukuru sana nataka kumshukuru Mzee mwenye alitutangulizia leo nataka kumshukuru, Mzee mwenye kutufanyia hizi machine za kutuwezesha kuwasiliana kina mama wenye wametuweka bila baridi kwa kutupa chakula, nashukuru sana watu wa kutoka ofisini yetu wenye wamekuja pamoja nasi, Co-ordinator wa Wilaya ya Murang`a Mr. Njiru asante sana kwa mipango yako na Wa-Tume wenzangu tungetaka kuwashukuru sana. Na kwa hayo machache ningetaka kumuomba mtu mmoja atufungia kwa maombi.

Com. Salome Muigai: Mama tuhoere.

Maombi : Kwina andu mari nja. Andu aria mari nja nimahituke tuhoe. Mwathani Ngai ithe witu ihinda riri ria hwa-ini uyu mwega nitwacokia ngatho na twakwira niwega Mwathani nitondu wa ndungata icio ciaku igukite Muthamaki gututara ona ithui tumahe mabata maitu maria menamo Muthamaki mwega Jehova. Ngai witu maundu maria maritio giikaro-ini giki Mwathani

