CONSTITUTION OF KENYA REVIEW COMMISSION
(CKRC)
VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS, KIGUMO CONSTITUENCY, HELD AT BENDERA HIGH SCHOOL
ON
18™ APRIL 2002

CONSTITUENCY PUBLIC HEARINGS, KIGUMO CONSTITUENCY HELD AT BENDERA HIGH SCHOOL ON 18TH April 2002

Commissioners Present

- 1. Com. Charles Maranga
- 2. Com. Nancy Baraza

Absent with apology:

1. Com. Isaac Lenaola

Secretariat Present:

Maimuna Mwidau
 Charles Njenga
 Vivian Muli
 Eunice Kasisi
 Eliud Kariuki
 Programme Officer
 Asst. Programme Officer
 Verbatim Recorder
 Sign Interpreter
 District Co-ordinator

Meeting started at 9.30 a.m. with prayer and Commissioner Maranga chairing.

Eliud Kariuki - District Co-ordinator: Wale walio jikoni tunataka kuomba tafadhali. O.K. Let us pray.

Prayer: God our loving Father we want to thank you for yet another morning that you have granted us. We thank you for all the blessings that we have had, and we thank you because of the gift of life that you have granted us this morning. Thank you for everything that is in place, the commissioners who have arrived and the entire crew members and all the members who have come. We pray that Lord you be with us as we commence this forum, that we want to kick off with you, that your present and your spirit maybe with us all through, and whatever we are going to carry out this morning and this day, will be for the glory of your name and for the prosperity of this nation, Kenya, this is why we want to lay bare our grief and our desires and our aspirations Oh Lord, that you may bestow your blessings upon us and upon this nation, and all the work that is going to be done and that has already been done by the Commission, we want to pray that your blessings maybe upon thee, that Lord all that we do will be for our own good. Thank you and please we pray that you will help us all through. Inspire us and illuminate our minds Oh Lord, that all we are going to say maybe for the good of this nation. Be with us as we kick off Oh Lord we pray. Through Jesus Christ our Lord, Amen.

Com. Maranga: Tutaongea lugha ya kimombo. Wangapi hawaelewi lugha ya kimombo? So we can start. We can use English language then, but we want to give few guidelines on how you are going to present your views but before that, let me introduce the commissioners who are present. I want to introduce Commissioner Nancy Baraza. "Salimia watu".

Com. Nancy Baraza. Hamjambo Wakenya, hamjambo tena? Asante sana kwa kuja.

Com. Maranga: I also want to introduce the other staff who are here. We have our programme officer, Maimuna, raise up your hands, that is Maimuna behind there. Then we have Programme Assistant Officer, Charles Njenga, raise up your hand. Then we have our verbatim recorder, Vivian. Then we have our sign interpreter, Eunice Kasisi. Kwa wale ambao hawawezi wakaelewa, kama wale watu ambao hawawezi wakasikia, viziwi na wengineo, wanaweza, - - tunaye interpreter ambaye anaweza kuwasaidia. Kwa hivyo mtu kama huyo akifika hapa, tafadhalini munaweza mukatueleza. Mimi nataka kumpa wakati huu, bwana co-ordinator, Eliud Kariuki, ili aweze akawajulisha wenzake ambao ni 3C members.

Eliud Kariuki: Commissioners with the commission of Kenya, Dr. Charles Maranga, I would like to take this opportunity to welcome the commissioners to Kigumo Bendera High School, the second venue for Kigumo constituency in Maragua District. I would also like to welcome all the people who have come to give their views, I know the number will increase as the day goes on. It has rained all throughout the night, but I am happy that those who have already arrived are ready to give their views. I am Eliud Kariuki the District Coordinator. Just in front here in specs is Mr. Francis Mburu, the Chairman of Kigumo Constitutional Constituency Committee, next to him is Mr. Henry Kamanja, a member of the committee, and there in front Rev. Gumo, if you may stand up, he is also a member of the committee, next to him is Mrs. Beatrice Irungu, the secretary for the committee. Those are the people who are already here with us, the others will come later. Thank you.

Com. Maranga: Thank you very much, I now want to declare this meeting a meeting of the Constitution of Kenya Review Commission, and now we are going to start our meeting, and I want now to proceed and give the guidelines. Those ones who have memoranda to present, you are supposed to be given 10 minutes, sorry five minutes, to give out the highlights in the memorandum. Those ones who are going to have oral presentation we will give you 10 minutes, and please we want you to stick to time, don't wait for me to be able to save time. Do we have any members of the press? You are from? You are from KNA? Thank you very much, karibu sana. Now, I want to start by calling the first presenter, who is going to be Mr. Henry Murithi. Henry Murithi? Where is Henry Murithi? He is not there. Then we have Mr. Waiharo. Peter? Yes please. Do you have a memorandum? O.K. Oral presentation, you have ten minutes please start. Thank you.

Peter Waiharo: My name, majina naitwa Peter Waiharo Njuguna, ni moja wa wananchi wa Kigumo na ninafuraha kubwa kuwa katika kamati hii, ili kutoa maoni yangu. Ile maoni nitatoa, ni machache sana, kwa vile nchi hii ni yetu. Nchi hii ni yetu nchi ya Kenya, na sisi kama wananchi, tungependekeza, ama tungependa, mtu kama President awe mtu anaelimu, elimu kama ya university, mtu kama President lazima achaguliwe kwa terms mbili, atawale mara mbili siyo zaidi ya miaka kumi. Tena President, mtu kama President asiwe mtu ambaye ako juu ya sheria, above the law, hiyo si mzuri, na ikiwezekana, asihusiane na court. Kwa sababu kuhusiana na court ni kumaanisha hakuna uhakika. Yaani mtu hana nafasi ya kueleze, ya kuamuliwa vile anatakiwa kuamuliwa. Mtu kama President hatakiwe kuingilia mali ya wananchi. Yaani ku-misuse vitu vya wananchi vile apendavyo. Anatakiwa awe na mshahara wake. Hawa watu wengine, mtu yeyote lazima awe na kazi moja. Akiwa ni daktari, awe ni

daktari. Akiwa ni mtu ameajiriwa kama daktari, asiwe na clinic yake, kwa sababu akiwa na clinic yake, kazi yake ni kuiba madawa ya serikali, na kwenda kuuza kwa clinic yake. Tumesikia mara nyingi watu wengi, tunasikia madawa yamemaliza matumizi yake, na siyo ati hakukuwa na watu wa kuyatumia, kulikuwa na watu wa kuyatumia, lakini vile alikuwa hana nafasi ya kuuza hayo madawa apate pesa mwenyewe, hiyo madawa mda wake unaisha bila kutumika. Na hiyo ni makosa kubwa sana katika nchi yetu.

Mali yetu ile tunalima kwa mashamba yetu, ---- (interjection).

Henry Mureithi: Jina langu naitwa Henry Mureithi kutoka Kigumo, sehemu ya Maruru, na ni shukurani sana Bwana chairman kwa kunipa hiyo nafasi na ni pole kwa hiyo makosa nimeteleza kidogo, walakini ni bahati mbaya ilitokea kidogo. O.K. Yangu ni machache, lakini nitayasoma ndiyo uweze kuyasikia.

A good government should start from home, so the government should empower clans in land and domestic affairs. A divorced woman should not inherit the partner's wealth unless children or by approval by the clan be agreed. One should not sell a shamba or give as surelity without clan or family consent. Any unmarried person should not be promoted to administration posts. (interjection). Sorry, any unmarried person should not be promoted or employed in administration.

Com. Nancy Baraza: Any unmarried what?

Henry Muriethi: Any unmarried man or woman. Yah! Or promoted to administrate people. Children under 18 years should not be given casual work or employed unless approved by the residents. Bars or restaurants should not be allowed or allocated nearby residents. Parnographic pictures and films should not be allowed. La mwisho. Government should first recall all graduates in order to promote at least every graduate. (interjection).

Com. Maranga: (inaudible)

Com. Nancy Baraza: Mr. Muriethi, umesema divorced women should not inherit matrimonial property? What about the divorced men? And the other thing is umesema unmarried people should not be promoted? Why this discrimination?

Henry Mureithi: Or unmarried? Or divorced women? O.K. Kwa mwanamke ambaye ametegwa, nasema hawezi ama hafai yaani kugawa utajiri ama mali ya bwanaye kwa vile pengine ni yeye mkosefu. Ni kufukuzwa amefukuzwa, na ikisemekana atagawa, bado ata-encourage ama itapea nguvu wale wanakaa maisha ya ulaghai, waendelee kufanya kama yeye.

Com. Nancy Baraza: If it is the man who is bad? Why is it the woman who is in the wrong? Why this discrimination?

Henry Mureithi: Kwa vile mali yenyewe huwa inatokana na mwanamume ama imeshikwa juu. Kama nimeoa mwanamke anakuta mali.

Com. Maranga: Yale unasikia ni magumu una wacha tu, huwezi ukajibu. Kama ni magumu kwako. Endelea umalize.

Henry Mureithi: Nasema, mtu ambaye hajaoa, ama hajaolewa, hafai kuwa administrator ama kiongozi. Kwa vile katika maisha, siyo mkamilifu. Kulingana na maumbile ya Mungu, juu mtu anakuwa mkamilifu katika maisha kama ni mtu ameoa ama ameolewa.

Com. Maranga: Asante Bwana Mureithi. Nashukuru kwa maoni yako sasa enda na uweke sahihi na ninashukuru sana. Yule anayefuata sasa anaitwa - - wewe uko tayari Catherine? O.K., Catherine Ngigi. Una memorandum nakupa dakika tano utoe ile maoni ya muhimu tu, halafu hiyo maoni mengine utanipa.

Catherine Ngigi: My name is Catherine Wanjiru Ngigi. I am a Special Education Teacher and I was waiting for people with disabilities. They were supposed to come, and present their recommendation, mine was only to support whatever people with disabilities will say, and because I deal with the mentally handicapped, I felt that the mentally handicapped are not able to present their views. That is why I have written a short memorandum for them. It is true that people are born equal as human beings. There are however certain differences that people are born with or people develop after birth. For example, some are born with mental or physical disabilities. Some of these disabilities affect they natural ability to hear, see or move freely. Within the society, these affected persons are disadvantaged and considered minorities within their communities and they are ignored.

In the current Constitution, the interest of the people with disabilities have not been fully guaranteed, especially when we talk about education. people with disabilities need education as others and some areas need to be looked into. For example, provided for a barrier free environment, to enable people with disability have access to buildings, for example stairs, roads and other social facilities, for example toilets and bathrooms. The learning institutions should be equipped properly and updated teaching materials provided. The government fully to fund and support the learning institutions of people with disabilities instead of leaving them to survive on donor funds. All people with disabilities to get free education in all levels. People who have mental disabilities are usually sexually abused. The Constitution should have a provision for Affirmative Action with regards to people with mental disabilities. The education of people with disabilities to be made compulsory and parents can be prosecuted if found hiding a person with disability, so that they are helped to be self-reliant and independent like other normal persons.

The language used by people is very abusive. Unasikia wengine wanasema "Kionje giki". So it moves from kitu to --instead of mtu inakuwa kitu that is what I am trying to say, and therefore, we should have a law, whereas the disabled people can be protected from such and thank you.

Com. Maranga: Where are the people with disabilities, why didn't they come to represent their memorandum?

Catherine Ngigi: They are coming.

Com. Maranga: They are coming? O.K. We will give them a chance. You know one problem we have had with people with disabilities and their representation at the Commission is that they want to represent their own views, not people who are normal presenting on their behalf. Thank you very much. But anyway, thank you for the concern. Now, you can register and hand in that memorandum to the coordinator. Thank you. Now, the next person is Martin Irungu Wainaina. You have got a memorandum, I give you five minutes Mercy and summarize the main points.

Martin Irungu Wainaina: All political parties should be allowed one year to campaign. One year. They should be funded by the government. They should not be allowed to be funded by foreign countries or government. (interjection)

Martin Irungu Wainaina: In order for a candidate to qualify to contest the presidency, he should have served as a minister and he should be not more than 65 years old. And he should have served as a member of Parliament for at least one term. He should have more than 35% of the votes cast in four provinces and 20% from the other four provinces at least 20%. The ministers should be appointed by the President. They should have adequate and relevant education qualification for the relevant ministries they are appointed to run.

A member of parliament should be under 55 years old. Those who are above 55 years should not qualify, and they should not qualify for any other benefits apart from their salaries. No other packs.

If a Member of Parliament is convicted for an offence and is jailed for more than five years he should be disqualified. He should be suspended. Judges should be appointed by Parliament. Public Service Commissions should be appointed by the Parliament. Members of the Public Service Commission should be appointed by the Parliament. Everyone in Kenya should pay taxes. There should be no tax exemption for anybody.

No one should be allowed to clear our forests. Civil servant's benefits should be given to the ones who are receiving low salaries. No one should be above the law. Our MPs should be disqualified by courts if they are found that they are not giving the required services. They should be attending all parliament meetings.

Electoral commission should be independent and Commissioners should be appointed by the Parliament. Voter cards should be available at all times. Everyone should elect a leader in the areas he has lived for more than five years. There should be no nominated MPs. For a Bill to become a law, it should be voted by 51% of available MPs and MP votes should be the final one to make each law.

Another chapter in our constitution should be included to deal with benefits of employed people. Ministry of education and health should be given more funds than other ministries

Com. Maranga: Alright, you said every Kenyan to pay taxes? What does that mean? What about those ones who don't earn?

Martin Irungu Wainaina: In our country we are paying indirectly. Kuna wengine wanaruhusiwa kuingiza magari bila kulipa ushuru.

Com. Maranga: If you have to write in a language like Kiswahili or English, please present in that language because you will save your own time, otherwise if you are presenting in your local language and there is translation to be done, then inachukuwa mda. Kwa hivyo ninafikiri wale ambao wanaelewa lugha ya Kiswahili ama Kimombo, ni vizuri - - kama sasa huyu angetoa hii nakala yake kwa lugha ya kizungu pengine angemaliza points zake haraka.

David Chege: My nme is David Chege. Vile ninataka kusama, ni President awe na 50% votes in every Province The President should garner 50% in every province. The counting of votes should be done in polling stations. The government should consider cash crops like coffee, tea and milk. The government should protect the tourists because they bring a lot of money for foreign exchange, from harassment. The say government should provide security.

The President should name his running mate for the post of the vice president. Political parties should be given security by the government. That's all.

Com. Maranga: Everlyn Wangechi Muiruri. Where is Everlyne? O.K.

Everlyne Wangechi Muiruri: Ninaitwa Wangechi Muiruri. I have come here to present my views. We would like or I would like to know what has happened to our proceeds from our farm produce for five years. Because our children have not been attending school that period because of lack of money to pay fees, even those who were to attend university did not join the university.

The widows have suffered in the process because they didn't get the money from their farm produce and there are people who forced them to sell land so that they can raise money to pay school fees.

Is it fair to sell land so as to raise money for school fees? When we know that we should have being paid for the farm produce delivered five years ago? I am particularly concerned with widows because they have not received assistance from anybody

and their children have become thugs. The children of these widows have resulted in taking the cheap illicit brews. Those who might have continued with education have failed to get jobs so they are sitting idle at home. So my request is that people in this category, their welfare should be addressed in the new Constitution.

Com. Maranga: O.K. Mwambie atuwekee kidole hapo. The next person is Francis Mwangi. You have five minutes Francis Mwangi. No kuna Francis Mwangi, sioni jina ingine. Anaitwa Francis Mwangi. Kuna Francis Mwangi? Wacha nione alikuwa ame-register aje. Mercy Irungu ameongea - - we have David Chege amezungumuza, then we have Everlyne, amezungumuza. Then the next one is Francis Mwangi Gaturu. (inaudible).

Francis Mwangi Gaturu: My name is Francis Mwangi Gaturu. I have come to present my views for incorporation in the new Constitution.

The first thing is inheritance from our parents. (interjection)

New Presenter - David Ngure: (*Starts half way*) Hata hapa, anafuata hiyo kifungo ya Bibilia. Na akiulizwa kwa nini haapi, akisema, anaambiwa sheria inasema ni lazima aape. Sasa mimi ninauliza, hilo jambo liangaliwe ili lirekebishwe. Ya pili, ni ma-chief, awawe kuwa wanachaguliwa na raia. Mimi niko na hiyo tu.

Com. Maranga: David Ngure, uende hapo chini, halafu ujiandikishe katika kitabu chetu rasmi, na uweke sahihi hapo. Tunasema asante. The next one is Gabriel Gitau. Mr. Gabriel Gitau.

Gabriel Gitau: Mimi kwanza nasema ni shukurani wakati huu tunatoa maoni ambayo ...

Com. Nancy Baraza: Hii sauti itasikizwa hata 40 years from today. Hatutaki kuipoteza . - -

Gabriel Gitau: Sasa natoa shukurani kwa nyinyi kwa kuchukua maoni yetu. Kwa vile tuna taabu nyingi sana hapa nchini kuhusu mambo mengi. Hata ingawa wengi wetu hatujawahi kufikia hali ya Katiba, lakini sasa tuko katika njia kuelewa ni vipi na ni nini. Na hii machache, nataka kuunganisha kwa kusema, tumejaribu sana kuomba mwenyezi Mungu tujue ni kitu gani kinatendeka katika hii nchi yetu. Kwa vile tangu wakati wa hayati Mzee Jomo Kenyatta, hadi wa leo, tunaona tofauti kubwa sana. Umasikini umezidi kuwa mwingi, na taabu nyingi ambayo hatuwezi kutatua sisi wananchi. Kila kwa sector unakuta kuna upingamizi ambao hata huwezi ukiwa peke yako. Kwa hali ya pesa, na hata kwa masomo kuwa ni duni sana, kwa mfano, wananchi wa kawaida, watoto wao, wanafika tu darasa la saba au la nane kama inayoitwa wakati huu 8-4-4. Nikiangalia sana kwa maoni yangu au kwa wale tumezungumuza hali hii na wao, tunaona hii masomo ndiyo inadunisha mambo mengi hapa kwa vile ikifika 8, huwezi pata kazi yoyote. Baadaye unakuja kuwa wewe ndiye utakuwa hawa watu wanaitwa kwa Kiswahili chokora. Kwa vile hakuna ofici utaandikwa. Na hii mambo inaleta tatizo kubwa sana ki-uchumi, hata kwa mazao huwezi pata

kwa vile nyumbani ukishatoka na kwenda mjini, kutakuta kazi, unapotelea huko bila la kufanya na kubandikwa hiyo --kubadilishwa jina lako na kuitwa chokora na uko katika pahali kwenyu. Nchi ni yenu. Serikali iko tu, na hakuna kushughulikia hawa watoto mpaka hata wao wanakuwa watu wazima. Sasa, hii ikawa tatizo kubwa sana, hata heshima katika nchi hii inakosa.

Ninashangaa kwa kusikia watu wanaitwa waheshimiwa, na hawa waheshimiwa, ukijaribu kutafuta kwa nini wanaitwa waheshimiwa, tunakuta kuna matatizo mengi ambayo hata hatufai kuwaita waheshimiwa kwa vile heshima ambayo tunaweza wapa hatuoni. Kila sector ina tatizo na tuna wabunge wetu. Wanapokwenda kututetea, hatusikii mambo, tunasikia mambo mengi tofuati hata siyo yale tunatarajia. Hapa kwetu sisi ni wakulima na tunao hata machokora hapa tu. Wengi wetu ama wengi hawa chokora ni wale tu wanakimbilia katika kutafuta riziki yao kwa kuvuna majani chai, au kahawa wakati kuna kahawa, na hawana lingine la kufanya kwa vile wengi wao walitoka Standard 8 kuelekea chini hivi. Wale walibahatika ni wale wa kutoka form four kwenda juu hivi, na si wengi. Sasa, taabu imezidi. Sasa yeyote anayetarajia kuja kuona wananchi na kupewa hiyo hali ya heshima, haipatikani kwa vile tatizo ndiyo kubwa kushinda hiyo heshima anayotarajia kupewa. Hata waheshimiwa wengine hata kama ni rais Moi, akija pahali popote nchini, unaona tu watu hawafurahii hii mambo kwa vile taabu imezidi.

Ukiona kwa upande wa utalii, mambo mengi kutokea huko Mombasa, watalii wanakuja kuangalia wenzetu Wa-afrika Wakenya, kama wao ndiyo wanyama wa porini kwa vile hata hakuna heshima. Wanaanzia hapo tu wakifanywa wanakwenda kuangalia wanyama wanaona desturi zao si nzuri kwa vile hao watu wanakaa kama hawana walinzi wala hawana mbele wala nyuma. Chochote watakaoambiwa wafanye, unakuta wanaanzia hapo tu, na wale wanaanza ku-enjoy, ama kufurahia hiyo mambo ya uchenzi, kuna kuwa ni kama Sodom na Gomorrah. Unakuta majina mengine hata hatuelewi hapa, ndiye unasikia eti kuna - - hawa watu wanafanya kinyume hata na mawazo ya Mwenyezi Mungu, shauri ya njaa na taabu nyingi. Hii ni kuhusu kulawiti na mambo mengine, yaani unakuta mwanamume anajifanya kuwa ni mwanamke na hii ni kinyume ya Bibilia. Sasa hali ya uheshima inapotea kuanzia hapo tu na bado tuko na serikali. Kwani hii serikali inalinda nini? Hata ninaona tu serikali inafurahia tu kuchukuwa pesa kwa watalii kutoka na wanayama wa porini hata kushinda wananchi waliohapa, hawa wananchi wachokora hatuna kasi na lingine la kufanya. Kwa hivyo, serikali yetu, wakati huu tunaona kama tu ni maiti. Si kama tuna serikali hapa. Ukienda pahali bila pesa, unakuta wewe hakuna kitu unaongea. Ninaunga mkono mzee aliyesema ukienda kazi official mahakamani, kuanzia mashinani pahali chief ako, ukiwa huna pesa hiyo case yako haitasikilizwa. Na ikisikilizwa, ukiwa mnang'ang'ania shamba na mwingine ana pesa, utanyaganywa na hiyo pesa, vile itaandikwa kwa ofici ya chief, itapitia tu kwa DO hivyo hivyo, na utakuta wewe hauna chochote kwa vile hata pesa huna. Sasa tunaona taabu inaanzia tu hapa mashinani, kutokuwa na masomo ya kutosha na pesa. Hii inafanya nchi nzima kuwa hata wale wanahitaji hiyo heshima, hawezi tembea miguu pahali parefu kwa vile chokora ni wengi hata kushinda police, anaogopa atafanywa nini - - atanyanganywa alicho nacho. Kwa vile mtu anafikiria tu hali ya pesa, kile atapata akule. Sasa ukiona hi hali yote imekosa dunia - - nchi yetu yote iko hivyo hivyo.

Ukija ki-uchumi, unakuta mkulima anaanza tu kulalamika. Pesa alichuna, majani ama kahawa, ama aliuza maziwa, vile vile pesa

anakosa. Akiuliza hawa wajumbe wa hii mambo, anaambiwa hivi na hivi na hatosheki. Sasa taabu ni hivi, haoni pahali pengine pa ku-report hivi, ili asaidike, kwa vile unaona wakati mnaitwa mkutano utakuta chief ako hapo, na mwingine wa serikali, ma-councilor hivi hivi, na hawezi kusaidia kusema chochote. Hiyo yote inapotea wakiwa hapo. Ikiwa ni kwa upande wa mashamba ya umma, unakuta hawa tuliwachaguwa, ndio wanasimamia kuiuza. Tunashindwa, tuliwachaguwa waende wakauze na hii pesa hatujui wanapeleka wapi, au tuliwachagua ili wapige kura yao eti ni mali yao? Kama area kwa plot hivi, unakuta inapewa watu matajiri wanajenga, na ni mali ya umma. Makaburi yetu hapa nasema hivyo imeuzwa. Ya uma. Sasa hata mtu akifa hapa ukiwa huna pahali ya kwenda kumuzika, huwezi kwenda huko utakuta kuna makanisa, kuliuziwa matajiri wengine, hata unakuta hata viwanja vingine vya michezo vimeuzwa. Sasa tunashindwa hawa wakuu wetu ndiyo watatufanyia hii mambo na ndio wanatutawala? Hii ni tatizo, tutashtaki wapi? Hiyo ndiyo swali nauliza, na hayo machache, hivi katika kwa katiba yetu, mjue vile mtafanya nini, mta tusaidia. Tena tunataka kuwe na kipengele, yeyote atakaye tutawala, tuwe tukisikilizana hivi, akiuza mali yetu, au pesa yetu apuuze kwa njia ambaye hatuelewi, awe pahali atakuwa akishtakiwa na mali yake kushikwa ili irudishiwe wananchi wenye hiyo mali. Kutawala si kusema mtu aende akaliye kiti halafu anauza mali iliyo yetu. Tunataka tu mtu atafanya mambo itakayostawisha sector yoyote aliyochaguliwa ili tufaidike lakini siyo kutunyanyasa eti ndiyo anashika watu. Hiyo mengi tushaona. Mimi najua wengine wako hapa lakini siogopi kwa vile wakisema si ukweli, nitamuonyesha tu, hiki na hiki kiko, hata wa leo. Kwa hivyo mimi naongea nikiwa mbele ya Mwenyezi Mungu.

Sasa, kuna mambo mengine tunajua hata ikawa wengi wetu hawana masomo ya kutosha. (interejetion). O.K Kwa hayo machache nasema asanteni.

Com. Maranga: Asante, mimi nafikiri nimeelewa yale ambayo umezungumuzia na ninakushukuru, nafikiri enda hapo chini kwa kitabu chetu uweke sahihi halafu u-sign. Asante sana. Thank you. The next presenter anaitwa Dedan Gachanga. Dedan? O.K.

Dedan Gachanga: My name is Dedan Gachanga. I come from Kigumo Division.

Com. Maranga: Do you have a memorandum? O.K. I give you five minutes. Summarize the main points.

Dedan Gachanga: O.K. I would like to say that our current Constitution left out some important things like vision, introduction, and the word people and God. I would ask the commissioners to include those because even in our national anthem we have the word God and people, so why should they be omitted when it comes to our Constitution?

We hear of the Bill of Rights. But when it comes to a matter of effecting the rights of an individual, you might find even in an open market, somebody who has carried the goods to the market to sell, he is made to carry them like a donkey only when they go down the hill on the way to Kigumo or elsewhere, he is asked to give something. Is he now treated in the right manner? So, if there is provision in the current Constitution that people should possess, express and move freely and be protected, why

not such Kenyans who want to earn rightfully, his daily bread. He is being harassed there by the people who should be enforcing the law. Then when we come to the issue of the citizenship, the current one gives the provision for three, namely, by birth, and the other one is registration and marriage. According to the observation, we should eliminate the citizenship by registration because that one opens an endless room for visitors and this picture can give us the story of the Arab and the camel because those with money can come and buy all our land and they are not born in Kenya, they only come and buy the citizenship, so I would recommend to have two. One, by birth and the other one by marriage.

Then land and property rights. Men and women are all Kenyans They should not be discriminated when it comes to matters pertaining to land. As we know, land is the backbone of our country, I would also note that no anyone Kenyan should be allowed to own probably a ¼ of Kenya whereas there are other people who are landless, even when they die, if they die today, they may not have a place to be buried in, so there should be a limit as to what one should have.

The other thing which is giving people headache is when the parent dies. They inheritors are facing a hell of problems, because there is all that lengthy process before they can be able to be entitled to inherit. There is a very sad situation where there was a boy, he is an orphan, father and mother died, the land is there but because he is disabled, he cannot be able to till, so he was forced to go and sell the door, a metal door, and he was followed and the case, I don't want to talk more because the case is not finalized. So if now that boy had the access to own something, he would not be forced to get the door and sell it to earn the livelihood. So, succession if it is speeded, I think it would be of benefit to many. The other one is about political parties. Political parties should be treated equally. Why? Because they originate from the Kenyans whether they are opposition or whatever, they are also contributors because they are tax payers, so they should be treated equally and when necessary, if it comes to the time of elections, they should be given, even if not equal amount, they should also be aided during their campaigns from the consolidated funds because even if it is followed very accurately, they may not miss contributions to that fund.

The form of government I would recommend that it should be a unitary government with three arms of government, namely, the Executive, Judiciary, and Legislature. There should be allowance for the separation of power, that one institution is not too powerful to overlook or forget the existence of the other institutions.

The structure of government: A Parliamentary government should replace the present one, where more power lies within the Parliament and the Legislature, must have supreme authority. A two chamber house should be put in place, Lower House made of MPs elected from their respective constituencies, and two, Upper House, made of representatives or delegates of two from each district or region.

Powers, functions and laws of the Executive: The three arms of government should be independent of each other. Kenya should have a ceremonial Head of State who is the President. He/she should be above party politics and should be the focus of the national unity. The new Constitution should have room for a Prime Minister who should be the head of government and

answerable to parliament.

Qualities of President or Prime Minister. He/she must be a Kenyan by birth. Must have at least a university degree or its

equivalent, because sometimes he could be invited to go and give the degrees and he should be able to understand the structure

of the university, not externally, but internally. Age of the President or the Prime Minister should not be less than 35 years and

not beyond 70 years. There should be a Commission, a Judicial Commission to be appointing the judges and magistrates. The

Auditor General and the Controller should be independent, they should not be interfered with. Let the professionals do their

work and we shall have a better Kenya in future.

Com. Maranga: Thank you.

Com. Nancy Baraza: Thank you Mr. Kachanga. One, the first question. You say under the Bill of Rights that Kenyans are

harassed by law enforcers, how do you want us to curtail this in the new Constitution? If you are harassed by policemen, you

are harassed by law enforcers, how do you want us to deal with it? Or how do you want this to be done away with, not to

happen again in our new Constitution?

The other one is, you say, no one in Kenya should be allowed to own too much land, what limit do you have in mind? Do you

have limit? And the other one is political parities, how many do you want them to be? Should we go on funding 46 political

parties or what do you have in mind?

Dedan Gachanga: I appeal to the commissioners to see to it that the rights are not there by paper, there are there by action

or by deed, so that when we hear that we have the freedom of movement and we are moving within our localities, we are not

interfered with as long as we are not offending the government or the law. (interjection) Such offenders or wrong doers are

followed or punished so that the others may learn from the punishment. The other one is about too much land. Is it? one should

not have thousands of acres. Oh, I see. I think those who are very well above the average wealth, and properly acquired

wealth, not grabbed or stolen wealth, if a 100 hectares can be O.K. The other one political parties. Oh yes, when it comes to

elections, we here some parties being funded from the government money. Why not the other parties? (interjection). As long

as they are registered by the registrar of parties I think they are allowed, so we should provide something for them

Comm. Baraza: What do you want the constitution to provide so that it does not curtail the

freedom of movement?

Com. Maranga: I thank you very much and you can sit down. Hand over your memorandum and register and sign.

Thank you very much. Now, the next presenter is councillor Harrison Njoroge.

13

Cllr. Harrison Njoroge: Thank you Chairman, I will try. My name is Councillor Harrison Kamau Njoroge, kutoka Kangare location. Marekebisho ya Katiba, maoni yangu. Type of the government. Coalition government. Funds. There should be President, Prime Minister and two Vice Presidents. All these four leaders should be elected by the wananchi.

Type of the government: Electoral Commission should be independent. Multiparty politics should reflect nation's outlook. The government should be able to protect its citizens. The President should not be above the law, but should be given other powers. The President should govern for only two terms, ten years. The President should be educated with wide knowledge of leadership. Powers of the government. President can be elected anywhere in Kenya with majority of votes cast, in the republic of Kenya. County Councils and town councils: All councillors should be given pensions after wining the two terms in one ward or location. He should be given his allowances at least half of what the Member of Parliament receives because he meets the voters everyday at the grassroot level.

Chief and assistant chief should be elected by people. Civil servants should be appointed as per their education and knowledge. No retired officer should be appointed to any other government office. Nobody should be allowed to hold two citizenships.

Education. Education and medical services should be free. Government should give people free water services. 8-4-4 system should be abolished and replaced with 7-4-2-3. Civic education should be introduced in schools.

Agriculture: The government should fetch good prices of tea and coffee for the farmers. Land cases should not stay in court for more than two years. Thank you chairman.

Com. Maranga: Nauliza mwenzangu Commissioner Nancy Baraza, kama ana maswala ama swali lolote kwako ili tutatoka kwako Nancy Baraza anasema hana swali na pengine mimi ningekuuliza, unataka councillors walipwe nusu ya mishahara ya wabunge, na unajua tuko na ma-councillors zaidi ya elfu mbili katika Kenya. Si hiyo unaona itakuwa pesa nyingi sana? Hizo pesa zitatoka wapi?

Cllr. Harrison Njoroge: Hiyo ni swali nzuri Bwana chairman, lakini ile councillor anafanya kwa Ward yake ama location yake, anafanya mengi. Anakutana na kila wananchi kila siku, kwa grassroots, na wanataka usaidizi kutoka kwa councillor na hiyo inakuwa ngumu sababu ile mapato tunapata ni ndogo sana. Kwa hivyo mimi naonelea kama wangelipwa kitu juu, halafu - sababu mama akiwa na taabu, anakimbia tu kwa councilor, sababu yeye anakaa tu huko nyumbani. Hata akilemewa analipa hosptiali, akipewa mtoto anakimbia tu kwa councilor. Harambee tele, kila kitu.

Com. Maranga: Asante sana Bwana Njoroge. Peana memorandum yako hapa na uweke sahihi yako, na ninashukuru wewe sana. Ah, sasa namuita - - lakini wacha niwaambie namna hii. I have just noticed we have students who have come, and they

are also free to give their views, if you have any views to give, you only need to register and then I will be able to know. You have your own concerns, you are free to appear before the Commission and give your comments. So, musiwe na wasiwasi eti hapa namna gani. You have come here, you are before the commission, and you can be able to say anything you want as far as the new constitution is concerned. (Views towards the new constitution). Sasa mimi ninataka kumuuliza, Bwana Henry Mureithi aje, lakini nataka kuwaambia hivi, kama wewe tukiita jina lako, na wewe hauko hapa, hatuwezi tukarudia tena, kwa sababu tuko na watu wengi sana ambao wanataka kuongea. Lakini Henry ninampa na hiyo nafasi na Catherine.

New Presenter – Hon. Onesmas Kihara Mwangi - The elections should fall anywhere in May next year, or June or there about. The reason for that is that when the Parliament is dissolved in October, we normally have elections in December, which means there is that time. We require that time, two three months, for preparations for elections, and therefore, the elections will come there without extending the life of parliament. (interjection). You can go to June, ya! Because if Parliament is dissolved on 31st March, then there would be time for preparation. That will be April and May and then we elect in June, and then -that way, we shall have a new government under a new Constitution. Now, the next one Mr. Chairman is on the Bill of Rights. There should be a Bill of Rights to define the extent and boundaries of Kenya, and the citizens of Kenya, and also the aims and objectives of Kenyans within the borders of the country, irrespective of ethnicity, race, creed or office. Every Kenyan should be equal to the other before the law.

On Parliament, first and foremost Mr. Chairman I would like to recommend, that there should be thorough education to the Kenyan people on the roles of Parliament, because as we have today, the government has abdicated its responsibility and placed it on the member of Parliament. It is the member of parliament who should education children, it is the member of Parliament who should make roads, it is the member of Parliament who should build hospitals, and name it, anything, development. All development has to be placed on the shoulders on the members of Parliament. The role of a member of parliament should be legislation, and not implementation. The implementation is on the part of the Executive government. There should be a national assembly comprising of elected representatives of the people, elected by the people on the basis of constituencies which should be equal in terms of numbers of inhabitants to the extent that no one constituency should have more than 10% of the inhabitants than any other. The constituencies should have tax boundaries and names as prescribed by the Electoral Commission, but Parliament should have power to review, change, alter, increase or reduce such number and or boundaries.

Parliament should function in the following manner: It should have its own calendar to determine when it opens and closes, it should not be dissolved for any reason other than the normal holidays for members. It should be vested with legislative power. It should determine its own spending and should draw directly from the consolidated funds. It should have its own regulatory rules and form its own committee. It should be managed by a Public Service Commission established under the Constitution by Parliament itself. All administrative functions of parliament, placing, drafting, financing and hiring and firing should be done by Parliamentary Service Commission. This would ensure a democratic independent parliament.

On the executive, that is parliament. The Executive Powers of the country should vest in the presidency not on the President. In the Presidency. There should be an elected President and Vice President. This powers should limited and shared among other institutions of government. The president should be elected directly by all Kenyans. The presidential candidate to such an election should be nominated by registered political parties which should also nominate a running mate for Vice President. For any presidential candidate to be declared a winner, he should obtain at least 51% of the total votes cast. On the events of there not being an outright winner, there should be a run off between the two top contenders in 21 days thereof. The President and Vice President should not be Members of Parliament.

The president should be Commander in Chief of the Armed Forces, but should not declare war or emergency without the approval of Parliament. All presidential appointments must be approved by Parliament. The President should not authorize any government spending without the approval of Parliament. The President should not have powers to control the functions of Parliament. The President should serve for a maximum of two terms of five years each, Parliament should have power to impeach the president on proven misconduct or breach of any Constitution provision provided that 65 of all members of parliament vote in favour of such impeachment.

The President should address Parliament on important functions of Parliament. The Vice President should deputize the President on the direction of the President and on the event of demise, resignation or incapacitation of the President, the vice should complete the term of the President. On the occasion of the vacancy in the Vice President's office, the President should appoint a person validly nominated by his party to fill the vacant position.

Prime Minister. I am recommending that there should be a Prime Minister. There should be a Prime Minister who is a Member of Parliament and who should be appointed by the President. The Prime Minister should be leader of government in Parliament. The Prime Minister should be appointed from the party having a majority in Parliament. The President should appoint ministers in consultation with the Prime Minister in accordance with the ministries approved by Parliament. That means the ministries to be filled by the Prime Minister must first be approved by Parliament to determine the numbers and what they are.

The President should preside over all cabinet meetings, in his absence the Vice President. The Prime Minister and the Cabinet should be answerable to Parliament.

Well, what system of government would be appropriate for Kenya? In my opinion, there should a unitary system of government in Kenya, that means, is one solid government. Central government. There should be a Central Government headed by the President. There should be a strong local government system broken down into county councils. The county councils should be based on counties which should be equal in terms of numbers of inhabitants except the urban areas which

could have higher populations. The chairmen to county councils and the mayors to urban councils for that matter should be the chief executives of that local authorities and there should be no provincial administration whatsoever. The county councils should comprise elected councillors who should make by-laws to govern the operations of the country. There should be departmental staff of the county councils, cities and municipalities, to help in the management of local authority. There should be never be a majimbo structure of government in Kenya. If there should be majimbo at all, it should be total partition of the country for each jimbo to be self sufficient and boundaries of such jimbos to be negotiated and defined. This would be to limit the desire and the will of some human beings who like tormenting others and who would want to take advantage of the others. When there are no sufficient - - if they happen to be in the Central Government, and then there are jimbos, then they use the Central Government to take resources from those jimbos which are more efficient taking to the others. That is why I am saying if there should be any majimbo whatsoever, then it should be total. That every jimbo should be self-sufficient economically, socially, politically, whatsoever. There should be no question of a Central Government and a jimbo, it would be superfluous.

The councillors should have minimum academic qualifications of form four because a lot of problems that we have with the local authorities emanate from responsibility given to people who do cannot make appropriate decisions. Their interest is actually to enrich themselves. Grab and steal and all these things. That is why we should have an enlightened local authority and I don't know if I have already said that. The chairmen of the local authority and the mayors of cities and urban areas should be elected directly by the people.

The Judiciary. We have got a big problem currently with the Judiciary of this country because emanating from the manner in which they are appointed because all judicial officers other than the magistrates, the senior officials seem to be appointed by one person. They are appointed by the president and then therefore their loyalty is not to the country, but to that person and that is why they can afford to be corrupt, they can afford to be partisan, and therefore there is no justice whatsoever. I am recommending that all judicial officers should be appointed by a judicial service commission including judges to the High Court to the Court of Appeal, to the Supreme Court and the rest and all appointments, those appointments should be subject to approval by parliament so that when the judicial commission recommend a judge for appointment, that recommendation should be taken to parliament for approval.

There should be District Courts, High Courts, Court of Appeals and Supreme Courts and a Constitutional Court. The Supreme Court should be the highest Court of the land, so that disputes which have being determined by the lower courts and are not satisfactory, any party can find re-court to the higher courts.

On education, there should be universal, free and compulsory education to all Kenyan children. In this respect Mr. Chairman, a Kenyan child is any human being, according to the Children's Bill, under the age of 18. Therefore when we say there should be universal, free and compulsory education to all Kenyans, that is upto form four. And the country cannot come and say it cannot afford. We can afford, we have afforded it before, therefore I don't see why we cannot support - - it is only because, you

know, our economy has being placed under the management of people who are corrupt, we don't care about the country, in fact we were more interested of taking the resources of the country and deposit outside, that is why we can't operate but the new Constitution, should recommend that we should have free and compulsory education from nursery school to form four. Later when the economy is stabilized, then we can think about the free university education.

Entry into secondary school or university should be by merit and not by ethnicity or geographical location, like we have today quota system, so it doesn't matter what best you have done, what matters is where you come from. If you come from Kigumo and you have scored 600, you may not go to a national school and a child maybe from Nyamira (this is for example, Chairman), who has got 400 marks finds a way into a national school. So it should be on merit if we are talking about a Kenyan nation.

On electoral system. There should be an electroral commission charged with the responsibility of organizing and supervising presidential, parliamentary, and civic elections. There should be constituencies. Kenya should be divided into constituencies which are equal in terms of inhabitants, not in terms of districts or divisions or locations like we have today. We have today some constituencies which have got more than 100,000 people, registered voters, when others have got only 7,000 people. Infact our Minister for Agriculture was elected by less than 3,000 people, and he is the minister for agriculture. When other people in Nairobi have being elected by more than 100,000 people, so the constituencies should be equal in terms of inhabitants, not interms of the districts or the goats or whatever you have there. The registration of voters should be continuous irrespective of whether one has got a kipande, a passport a birth certificate a what have you, it is only a question, it should only be a question of approval, that he has attained the age of 18, and from the age of 18. And he is a Kenya, because if he has being going to school all this while and we have said in other legislation in other laws that only Kenyan children can be Kenyan primary and secondary schools, and if he is known by the chief, the local chief, and if he has got a birth certificate, and the mother has got a birth certificate and a kipande and a driving licence and a passport and what have you, that child after the attainment of the age of 18, should be registered as a voter on attaining age 18.

On the elections themselves, after the casting of votes, votes should be counted at the polling stations to avoid this question of transporting votes. Others are stolen on the way, others are added on the way, so by the time you get to the counting hall, you find there will be more boxes for KANU than DP Mr. Chairman, with that, I think I would like to end my verbal contribution now, because I have got other aspects which I have not put in place, which I would want to do and submit to you tomorrow together with my written presentation, so thank you very much.

Com. Maranga: Thank you. Please wait at that place because we might seek points of clarification and I want to give this chance to Commissioner Nancy Baraza.

Com. Nancy Baraza: Mheshimiwa thank you very much for your presentation. I would like your clarification on elections and

electoral system. You do say that you want constituencies drawn in accordance with population? That is fair, and then the act, the Constitution of Kenya Review Act which you gave us to help us in achieving this process thus says that we have to look into the issue of marginalized people, of minorities, it says that, and an observation has been made, there has been this clamour of creating constituencies in whichever manner to take into account that. I don't know if you have any alternative suggestions as to how we can deal with that issue of minorities, marginalized groups in this country.

Hon. Onesmas Kihara Mwangi: First of all we've got to understand what are minorities because in every area of this country, whether you would be taking about minorities on tribes, like the Elmolo or the Dorobos, but they are living in an area where there are other people and we should not be talking about ethnicity when we are talking about election representation in Parliament because a member of the Luo community, what is wrong with him representing Luhyas? What is wrong with him representing the Kikuyus. Say like in Nairobi? We have members of Parliament who are representing the people across the board. (interjection by Nancy Baraza). The role on the constitution review, it did not mandate you to determine the boundaries of the constituencies. These are different. It is on your receiving views like you are doing today. You must take into account the minorities. You don't disregard them just because they are Elmolo's or because they are disabled. That is what we were talking about we were not talking about the electoral boundaries and in fact in my earlier presentation, I had said no one constituency should be more than 10% of the other. That would mean - - that would allow, if you went to a place like say one of the North Eastern areas and you find, you know, - - the area is too large, the population is not that dense to allow for a constituency, then you can consider that, but it should not be more than 10%. What I mean by that should be that if that minimum - because that will help to determine the number of members of Parliament. You don't have to have 10, that is in the new Constitution, the current one allows for 210, but they don't have to be 210, they can be 300 or 400 because it is going to serve this country for the better. What does it matter having 300 instead of 200? So, if the minimum is going to be 10,000, then in Kigumo here, we have got 60,000 registered voters so we should have at least 5 MPs. That is what it means.

Thank you very much. And you remind me commissioner, something I had forgotten. This is on Section 27 of the Review Act. I remember we talked about it with you at Saba Saba and I would like to talk about it now, that it is on the National Constitutional Conference which will be towards the end of this endevour of creating a new Constitution. The Act provides that there will be 3 representatives from every district. When districts are just boundaries and some of them have no population at all. You find a district with 50,000 people, you find another one with more than a million people, and you are saying that the delegates who are going to determine the Constitution of this country should be 3 from one million and 3 from 50,000 and 3 from 20,000 just because it is for the district? I have alot of misgivings with that. Thank you very much.

Com. Maranga:

Hon. Onesmas Kihara Mwangi: I am saying chairman I am not one of them! (laughing).

Com. Maranga: You said that the President and the Vice President should belong to political parties. How about a presidential candidate who is supposed to not belong to any political party, that is independent candidate? You didn't comment about that, maybe what is your view on independent candidates?

Hon. Onesmas Kihara Mwangi: ...

Com. Maranga: O.K. That is one point. Another point is that you gave a minimum education for councillors and your forgot, conveniently, about your parliamentary colleagues. What should be the minimum?

Hon. Onesmas Kihara Mwangi: I forgot conveniently! Thank you for reminding me (*laughing*). The minimum requirement, the minimum qualifications to be in Paliament must be a university degree.

Com. Maranga: Must be? University education. The last question is about - - the last question I want to ask you is about this unitary system of government, plus provincial administration. You said we abolish provincial administration? You know that provincial administration goes all the way to sub-location. Whom do we put at the sub-location level? Managing the affairs?

Hon. Onesmas Kihara Mwangi: We have the county council which is elected by the people.

Com. Maranga: O.k. Thank you Mheshimiwa, thank you very much and I know we are going to interact with you tomorrow, so that you very much. Please register with us that you have being able to present, and you will be given a number therefore you will receive the verbatim report. Thank you very much.

Hon. Onesmas Kihara Mwangi: I will also request that I be considered to present again, later

Com. Maranga: It is O.K we will decide, we will decide when you come. If there are any problems - - You will give us points which you have not given us today, then you go and add.

Hon. Onesmas Kihara Mwangi: I am also glad, Mr. Chairman and I wish to excuse myself.

Com. Maranga: Thank you very much for coming, leave granted.

Hon. Onesmas Kihara Mwangi: Andu aitu tigwo thayu.

Com. Maranga: The next presenter is Anthony Marenye, Anthony Marenye? Anthony Marenye you have a written

memorandum? then you present for five minutes if you have a written memorandum. Give us the main points. You start by saying your names. Ah! Sawa tu

Anthony Marenye: O.K. My name is Anthony Marenye and I have some views about the Constitution review. First, the President should not be above the law so that what he does is liable and can be showed in a free court of law.

I am Anthony Marenye. First, the President should not be above the law so that what he does is liable and can be sued in a free court of law. The Judiciary, i.e. the judges and the Chief Justice and other Judiciary personnel should not be appointed by the President. This powers should be granted to the Parliament. Voters' registration should be continuous so as to register as many voters as possible. This will also pave way for a far election free of rigging. Identity cards should be rendered to the Kenyan citizens who have birth certificates on the spot. i.e. on the particular day which the Africans reported for it. This will reduce corruption in the administration, i.e. chiefs and headmen will have not time to waste for those who have applied when they go for signing.

The President should garner at least 52% of the total votes countrywide and have at least five provinces majority cast votes. Education should be free to every Kenyan citizen for primary, secondary and university and colleges. However, health services should be free of charge. This will to culminate deaths which will not have occurred if the nurses and doctors were not asking for the money prior of the service.

The traffic policemen should not be along the roads because they facilitate road carnage in one way or another, i.e. they usually do not take into it their doctrines, for example, the vehicle is being driven or its precarious conditions are in hectic conditions. They usually ask for T.K.K or take as they malinger around the vehicle with intentions that they will be given something in form of money. In my conclusion, all that I can say is that they are toothless bulldogs. Chiefs and headmens should be elected by the location inhabitants. The President should be a member of Parliament of the whole nation so that development cannot be retarded in those areas where the opposition inhabit.

Youth should be given an allowance to earn a living and this in future give them time to have a living that could help their children and their parents. Basic ones should be rendered to the street children and this will curb crimes and idleness in the streets. Human rights should not be violated by anybody or the government whatever the circumstances. Devil worshipers should be prosecuted accordingly and in my opinion they should be killed. cigarettes and brews should not be advertised and in any case they should be highly taxed and then banned to alleviate the problem of drug abuse and crimes. However, other drugs should be banned e.g. bhang and other addictive drugs.

The Attorney General should be appointed by the Parliament. The Auditor General should also follow suit. T.V. programmes should favour children, e.g. "channel O" and others like "Bold and Beautiful" should be available in the local screens and radios.

The President should not have supremacy in the parliament. The speaker of the national assembly should assume the power to prolong and dissolve or open the house. Separation of powers should be a thing to reconvene in the next Constitution, i.e. the teachers union is under the Ministry of Education and there is no way that the Judiciary should tamper with it by dictating their salaries whatever circumstances.

Double taxation should be terminated, e.g. the owners of the vehicles have to pay customs duty, then P.S.V and then TLB among other burdensome taxes irrespective of their accountability in the government. Anti-corruption and other commissions should not suffer from abortus meritus infection and hence, should be free from invaders. The Attorney General should rule one tenure of office. Old people should be given free health services and support.

Com. Maranga: Thank you. Just sit, I am going to ask my colleague Nancy Baraza whether there are any issues to be clarified. Non, I have none. Thank you very much. What you do, you register here and you will give us your memorandum. Thank you very much.

Daniel Mwangi: The new Constitution must be showed to show the guarantee of our security, health care, educational rights, gender equality, rights of farmers to determine the price of their crops in the market, right to protect their natural resources, good governance, and the right of Kenyans to be having referendum in case of a national crisis. On Constitutional supremacy, Mr. Chairman, this we should have public involved in matters of electoral matters, security, government appointment, Executive, Legislature, Judiciary and also very importantly, Electoral Commission should be conducting referendum when it comes to matters of national importance. On national security in defence, Mr. Chairman, the district forces must be established by the Constitution. Also, there should be parliamentary committees, which must be disciplined by parliament.

The President should be the Commander- in- Chief, but generals in the armed forces must be appointed with the approval of Parliament. Also Mr. chairman in times of war, the President should not have absolute authority of declaring war. If there is anything to go by, a referendum must be held in the country with the consultation of Parliament. Also, Parliament should have powers to invoke these powers. On political parties, because I have this memorandum, I will not dwell so much on them, but on the structures of the government, we should adopt a parliamentary system of government, in which a Prime Minister is appointed from the party with majority in Parliament, if the President will remain ceremonial, but if he is going to be executive President, then even the Prime Minister should be elected by Kenyans direct.

On the other hand, the authority between prime Minister if there is going to be any, should be separated with that of the President. Also, we should not retain unitary system, therefore we should have Central Government and local authority powers. This one will in fact strengthen governance in the grassroots. On the legislative structure, the appointment to be vetted by Parliament, which is very important, ministers, even if they are appointed, they must be vetted by Parliament. Chief of General Staff of the Armed Forces must also be vetted by Parliament and his commandant. Also the police commissioner should not be

an appointee of the President. Commissioner of prisons, all permanent secretaries, all Parastatal heads, Comptroller of State House, which looks to be a very very senior post, Auditor General, Ambassador, clerk to the National Assembly, Provincial Commissioner, while chiefs must be elected by the people, because that is the grassroots of governance. Also, chairman, the Parliament should have unlimited powers to control its own procedure through standing orders. The age requirement of voting and the contesting for presidency should be maximum of between 65 and 70 years and not more than that. The language test for required parliamentary contestant is sufficient because it is not all Kenyans who go to university. It does not mean if one does not go to the university he cannot take other courses. Also, chairman, the people should have the right to recall their MP through a referendum conducted by the wananchi themselves if it does not give service to its electorate. Also, the MP's should act on the basis of conscience and conviction on instructions from their constituency and the party because he or she were elected by the manifesto of the particular party and the togetherness of the particular constituency. Also in the same paragraph we should retain nomination of MP's particularly of people with disabilities.

Also we propose, I am proposing, another chamber of Parliament, other than the Lower House of House of Representatives and this one should be Upper House or Senate. Where the composition should be between five to eight senators from each province and the boundaries of those Senators should not be drawn through administrative boundaries of the districts but must be drawn through the population distribution in that province. Also, chairman, Parliament should have power to remove the President and also he can be removed through a referendum or impeachment. Because I have this one, I will leave the other points because you are going to go through it, but let me come to the Executive. The Executive and the Prime Minister if there is going to be any, must be a university graduate. The tenure should be fixed for the Constitution of the president to be two terms of five years each. The functions of the President must be defined in the constitution because it is very important because for me I believe the President should be the Commander of the Armed Forces, and he should be the custodian of our constitution. Thirdly, he should be the symbol of unity in the country. The powers of the President must be limited in such a way that he should not be executive authority of the government. O.K. I am just going through, I will not be able to finish, but let me come to the last one, which in fact is the economic basic rights, with your permission chairman, because this is where all Kenyans life depends with. And this one chairman is that the Constitution should guarantee the reserve price of all crops grown in Kenya so that the high quality and high production can be sustained, and especially coffee should have reserve price, tea should have reserve price, milk should have reserve price, cotton and sugar cane. Also, importation of crops grown in Kenya should be prohibited by the Constitution, so that our people will not be in the kind of poverty they are in today. Also, the fertilizer should be tax free because we want to help our economy. Also, farmers should be given mandate by the Constitution to be setting their prices. Brokers or middle men should be put out by the Constitution.

Finally, in that economic basic rights, I said no farmers' money should be invested in the government treasury bonds or any other business institution without considering the daily welfare of farmers because I don't see why farmers money should be invested when children are not going to school, when children are going naked and they are not having any food. With those few remarks chairman, I wish to conclude by highlighting the last one which is the succession and transfer of power, which is

very important. With this chairman, as our constitution is today, and we are making our Constitution which will take us to the elections in 2002, I am proposing to the new Constitution that the Chief Justice should hold power when we are going for elections and in the meantime, I am asking the commissioner for the Chief Justice who will share the power when we go for elections, be elected by Parliament, because the Chief Justice we have now is an appointee of the President.

Two, because we want to have an independent Electoral Commission, the Commission we have today is answerable to the President. Therefore before we go to elections, we should have another Electoral Commission which will be answerable to the commission and the people and when we come to swearing the President, or declaring the results of a presidential election, the Electoral Commission with religious and Islam community should be the ones to announce the results of presidential elections. The order of declaring the presidential results should be three days after that elections and not more than three days. Also, the Chief Justice and the Islam community should swear in the incoming president on a neutral ground where all wananchi will attend that swearing in. The instruments of power should be transferred to the new President when he takes the oath immediately. The other one is that the mode of transfer of instrument of power is by naming the cabinet and occupying the office the same day the swearing in takes place and the national seal should be given to the incoming President. When the President retires, the Constitution should give him security, welfare and nothing more than that. Thank you very much.

Com. Maranga: Point of clarification by Commissioner Nancy Baraza.

Com. Nancy Baraza: Yah, I have one clarification I am seeking, is the Importation Bill. You do say that under basic rights, you are proposing that importation of crops grown in Kenya should be banned?

Daneil Mwangi: Importation of crops like coffee. For example now in the current Act we have, Coffee Act, section 2 in fact states that coffee can be imported from another country to this country while the coffee we have in this country has not even met the market value.

Com. Nancy Baraza: You know globalization and liberalization of the world economy.

Daniel Mwangi: Liberalization does not mean that we abuse our economy. By that I want to say, Japan is the country which produces Toyota and if Kenya now starting to produce Toyota, it cannot export those Toyotas to Japan. Therefore we must have a section of the Constitution which is guaranteeing the safety of our economy.

Com. Maranga: I have one question. How do you want us to set an independent Electotal Commission?

Daniel Mwangi: The way of in fact putting in place an independent Commission is because the kind of politics we have today is politics of transition and because we have politics of transition, this is why we should have an independent Electoral

Commission.

Com. Maranga: How do we get the people to constitute this Commission?

Daniel Mwangi: By making Kenyans apply for those posts of Electoral Commissions through Parliament so that Parliament will nominate the commissioners.

Com. Maranga: Now, the next presenter is Mr. Michael Mureithi Maina. Let me remind those members who have come that you need to register with us at the entry, then from there we will be able to have your names. If you want to present, then you indicate, if you want to come and listen, fair enough and if you have any written memorandum you can hand over. So, mimi nasema kwa wale ambao wamekuja, ya kuwa sasa wale ambao wanataka kuongea ni lazima muwe mumejiandikisha huko, kwa mlango halafu ndiyo tutapata majina ili tuweze kuwaita sisi kama ma-commissioners, lakini kama hutaki kuongea, sawa sawa that is O.K. unaweza ukaingia, ukaketi ukasikiza, kwa hivyo hatuna tashwishi yoyote kwenyu. Asanteni.

Michael Mureithi Maina: Mimi nitatumia lugha ya kiswahili. Jina langu ni Michael Mureithi Maina. Nazungumza hali ya mashamba. Michael Mureithi Maina. Nataka kuzungumza hali ya kuwa na mashamba. Kupunguza umasikini katika nchi yetu, ni vizuri kila mwananchi, au mtu yeyote ambaye ametimiza miaka ishirini, kuwa na sehemu ya shamba kama acre tatu. Isipungue acre tatu, ili apate chakula, na apate hata kuendeleza maisha yake na kiserekalini.

Yeyote ambaye atakuwa na shamba, asizidi kuwa na shamba kama acre mia moja. Kuna pahali pengine watu wana mashamba lakini hawatumii na mbali tunazidi kusema watu hawana mashamba au ni landless, na kuna sehemu kubwa kubwa ambazo hazitumiki. Hali ya case. Case ya mashamba, ningeonelea case ianze kwa wazee wa kijiji badala ya kuanza kwa ma-chief au assistant chiefs, sababu hata hawa watu wakati mwingine wananyanyasa wananchi.

Ukosefu wa kazi: Ukosefu wa kazi, nchi yetu ina kazi nyingi za kufanya. Vijana ambao wametimiza au vijana - - nasema kwa wote, wake na waume, ambao wametimiza kama miaka ishirini, na wanaweza kufanya kazi katika ma-forest au misituni yetu ya kiserikali, wanaweza kuandikwa kule na wafanye kazi, wapande miti, na wapate riziki yao. Kwa hivyo, hali ya kusema hakuna kazi, watu wengi wanaweza fanya kazi misituni kwa sababu kuna nafasi nyingi za kazi.

Habari ya barabara: Barabara zetu zote zirudi zitengenezwe na serikali badala ya kuambia raia watengeneze barabara pahali imebomoka na bado tunatoa pesa ya kodi. Habari ya masomo. Masomo ni vizuri watoto wote, yeyote ambaye amehitimu asomee pahali popote kulingana na uwezo wake vile amehitimu bila kusema eti hapa ni quota system au hawezi kusomea pale sababu ya hali fulani.

Hali ya makanisa: Ni vizuri kuchunguza makanisa. Sababu makanisa mengine huwa kama uombaji wa shetani, na ikichunguzwa

ionekane ni kweli kuna mambo kama hayo, hiyo makanisa ifungwe na tuendelee na yale makanisa ambayo inafundisha watu ukweli wa mambo. Nitafikisha hapo Bwana Mwenyekiti.

Com. Nancy Baraza: Yes, on your last issue sir, you talked of freedom of worship. What did you say about it, I didn't get it?

Michael Mureithi: Ninasema, tumewahi kusika kuna uombaji wa makanisa hii ya devil worship, na ikichunguzwa iwe ni kweli, makanisa kama hayo yafungwe.

Com. Maranga: Unasema kila Mkenya ambaye amehitimu miaka ishirini awe amepata acre tatu ili aweze kujisaidia kwa chakula na tegemeo. Je, hiyo acre tatu tutatoa wapi? Swali la pili. Umesema ni vizuri kila Mkenya na acre mia moja ya shamba. Wale ambao wako na kama zaidi ya mia moja, tutawafanyaje?

Michael Mureithi: Kama ninayo acre zaidi ya mia moja, na pengine silimi, na bado tunazidi kusema umasikini, na hii shamba imekaa msitu, sasa hii ni upendo gani tunayo katika serikali yetu? Lazima tuwe na upendo ambao utasaidia kila mtu katika nchi, badala ya ku-declare kila kitu wewe peke yako.

Com. Maranga: O.K. Asante Bwana Michael. Is it Michael? Yah. That is Michael Maina. Asante sana sasa unaweza kwenda kwa desk hiyo ili uweze ukajiandikishe halafu utuachie hiyo memorandum yako kidogo inaweza kutusaidia. Kwa hivyo usiende nayo. Asante sana. The next present is Patrick Karanja. Patrick Karanja? Yes, una memorandum? Hapana, unayo memorandum? O.K I give you five minutes to summarize please. Give us the main points in your memorandum.

Patrick Karanja: Mine is very brief, and I propose that the following. So I want to propose that constituency boundaries should be reviewed to make people fairly represented. That is the more populous a region, the more the constituencies are. The second one is, Chief's Act must be review. The chiefs, DO's and DC's should go because they are doing more harm than good to the public and if there must be a chief or a DO, let them be elected by the public. The third point is government properties, lets say income generating properties in an area should benefit that particular region. For example, the Nyayo Tea Zone, forests, e.t.c. should benefit the local people.

The forth point Mr. Chairman is matters concerning the Judiciary. They should be streamlined to give people access to their rights. The fees charged for filing a private case should be scrapped because many people are unable to meet the cost. In case of arrest, one should not be forced to sign a statement written by a police officer, and let's say if one is charged with drunkenness or smoking or taking drugs, he or she should be examined by a doctor, to prevent the so-called planting by corrupt officers. The other point is, torturing of people or suspects should be criminalized and the culprits be made to pay for the crime. The other thing concerning the elections, I think the registration of voters should be made continuous to make as

many people register as voters at any time.

The other thing is the President should not appoint the Electoral Commission. They should be appointed by religious leaders, and during the period of elections, a care-taker government should take charge. I had only those points Mr. Chairman.

Com. Maranga: Thank you very much. Comm. Baraza you seem to have a question.

Com. Nancy Baraza: Thank you very much Mr. Karanja, I just wanted to inform you that the Chief's Act was repealed following the 1977 IPPG Bill, I think so. If they are still exercising those powers, then they are exercising them wrongly. Isn't it? Some sections. Yaeh, some very oppressing sections, the whole of it done away with? That is what you want? O.k. fine.

Com. Maranga: Now I am sorry I think I will jump the list here, from 41 to 60, Then the next presenter is Thomas M. Wamugunda.

Thomas M. Wamugunda: Thank you Mr. Chairman. My presentation touches on agriculture. (interjection). My Name? O.K. My full name is Thomas Njuguna Wamugunda, a farmer. My presentation touches on agriculture and first and foremost I would like to say that the appointment of ministers should go according to academic qualification but not to the party alignment or whatever. My issue here is the Minister of Agriculture. Because it is the backbone of our country. We have so many boards, e.g. Tea Board, Coffee Board, Cotton and Milk Board and others. All these boards are connected to Central Agricultural Board which is non-functional. I would like these boards to be delinked from the government, and its members should come from all those small boards.

Government in-participation should have a maximum of three members in that board. This board should be constituted through Parliament Act which will empower this board to be the source regulatory body of agricultural products coming in to this country. Also, to be the licensee of importation of farm inputs. Incase of a natural disaster or calamity, this board should be the one to advice the government on which steps to take. For sometimes when a drought occurs in some areas, the farmers in that area are not compensated because of political alignment. So the Constitution should have that board which will consider all Kenyans equal when a disaster occurs. E.g. floods, drought or anything else. We have a case of Goldenberg where somebody was being paid money after his was got outside. Our country's backbone is agriculture and the revenue returns from foreign exchange is through agriculture. The farmers should be given subsidies to support them on what they are doing for the country.

Finally Mr. Chairman as I said myself I am only touching on agriculture. When farmers food is destroyed by animals. He is paid peanuts. There should be law in the Constitution protecting farmers products when they are destroyed by animals and compensation be paid immediately and fairly. Currently if you kill an elephant, the fine you will be asked to pay, penalized, is higher than what a farmer will be paid. So farmers products should be seriously protected. My issue Mr. Chairman was on

those small issues of farming because it is the backbone of this country, constituting of a law on Central Board. Thank you Mr. Chair.

Com. Maranga: Thank you Mr. Wamugunda, I think your name suggests you are really a shamba man. Isn't it? That is what it means? Wamugunda in Kikuyu means what? Mtu mwenye shamba ama namna gani? Thank you very much. Now I wish to ask Commissioner Nancy Baraza if there is clarification. I have no clarification so thank you very much, and I want to request you to sit and hand over your small memorandum if you have, but even if you don't - (interjection). O.K. then, you go down and register that you have given us views, because your views have taken a number in our sitting. Now, nataka kuombeni wananchi kuwa sisi kama Tume ya kurekebisha Katiba, sasa ni saa saba na dakika ishirini na tisa, ningetaka tupate break ya dakika arobaine na tano, kwa hivyo tuna sema tutarudi hapa saa nane na dakika kumi na tano, na wale ambao wanatakiwa kuongea, saa nane na dakika kumi na tano, wa kwanza kabisa atakuwa Major (Rtd) P.C. Taabu, followed by Councillor William Kigo, followed by Joseph Muniu, followed by James Njiru Mbuthia, followed by Edward Kariuki Karugu. So please, if you have heard your name, you know that we are convening at 2.15 p.m.

James Nguru: First of all I want to say that the Attorney General is not supposed to be the head of prosecution because he is the one who terminates he sometimes terminates cases that are supposed to be followed in court, like the one we know of Dr. Richard Leakey who is not now in power, and that is why he is being followed. For instance I can ask, how many people are in power who cannot be sued or prosecuted because they are under the shade of the A.G. so that is one.

Two, also I want to speak about the powers of the Finance Minister, that is in the preparation of the budget. There is supposed to be a committee that is selected from all political parties because there are things that he does that shows that he is ignorant of current situations in Kenya. For in taxation, we know that things or commodities like bicycles right now, in the current budget, or the previous budget, the taxation was reduced, but ironically, in commodities like fats and things that are used by the majority of Kenyans or all Kenyans, taxation was increased. So for that I can say there is supposed to be a committee to look in such issues. In that, I also want to add, companies are supposed to be looked into, because sugar companies in Kenya, many of them are closing down because we are taking sugar from COMESA countries that are charging low tax to their companies. So there are no job opportunities because companies are closing down whereas else we are taking sugar from outside countries, which are coming at low price than sugar manufactured in Kenya.

Also, I want now to go in suspects who are caught - - if you are suspected of a certain crime. Cells are constructed to hold suspects. There are supposed to be in good condition because a suspect is not a criminal. Once he is found guilty, he is supposed then to be taken to jail where he is supposed to suffer because of the crime, but in cell, he is not supposed to suffer because he has not been proven guilty, he is supposed to be in good condition because a suspect I say again is not a criminal.

I want to also say, Constitution is supposed to be reviewed maybe after 15 years, because things go on changing and we

cannot just write one Constitution then say it is all over. It is supposed to be reviewed for every 15 years.

Com. Maranga: Thank you. I can see Com. Baraza has a question.

Com. Nancy Baraza: Who should review that Constitution after 15 years? Who should be doing the review of the Constitution? Who should be doing the review?

James Nguru: The government is supposed to select a committee, a committee selected by the government, then --but it should contain people, because this is a multiparty state, people from different political parties.

Com. Maranga: O.K. Thank you, and now you can go there and sign. Now, the next person is going to be Peter Irungu Gachiri.

Peter Irungu Gachiri: Kwa majina ni Peter Irungu Gachiri, here are the few points concerning our Constitution. We come to the side of campaign. Campaign ile ilikuwa ikifanywa, haikuwa wazi kabisa. All members or all registered members have not been free and fair to do their campaign. So, tungetaka wawe wamelindwa vizuri wakati wa campaign ili wasiwe harassed. Upande wa uchaguzi kama polling station, tungetaka iwe ikihesabiwa, kura ziwe zikihesabiwa mahali zimepigiwa, yaani polling station. Kuhusu upande wa administrator, Police wamekuwa waki-harass wananchi sana. Hatujui kama wamepewa ruhusa, kwanza tungetaka Katiba itakayolinda wananchi vizuri. Upande wa hongo, imekuwa kama wameruhuswa, kwa hivyo tungetaka Katiba ambaye italinda wananchi. Pia upande wa watu kuwekwa cell, mtu akiwa suspect anawekwa cell, anakuwa treated kama mtu amekosa tayari. Tena kuna this local beers. Inaonekana kama imekubaliwa. Tungetaka Katiba ambayo itakuwa na uwezo wa kumaliza hiyo pombe kabisa kwa maana imeharibu boma zetu.

Upande wa kilimo, kilimo haikuwi vile inastahili kwa maana wakulima wamenyanyaswa sana na hawa watu wanaitwa brokers. Kwa hivyo tungetaka, brokers, yaani Katiba itakayomlinda mkulima. Corruption iko kila pahali. Tungetaka Katiba itaweza kumaliza corruption. Pia tungetaka budget iwe ikitayarishiwa katika Bunge. Kwa hivyo kuwe na committee kutoka Parliament, wawe wakitayarisha budget. Kila mtu akiwa Mkenya ama citizen, awe under law. Hatungetaka kusikia kuna mtu ambaye ako above the law. Chairman of universities hastahili kuchaguliwa kutoka kwa Bunge. That is all.

Com. Maranga: Excuse me, some clarification. You know in the university we have a chairman of the university council and you have the chancellor. Maybe you meant the chancellor? Thank you. The next one is Eliud W. Mwangi. Eliud W. Mwangi. The next is Johnson Macharia. He is not there, then we have the next is Patrick Mwangi Njuguna. Wewe ni nani? Wewe ni nani? Johnson Macharia? O.K. Una dakika tano.

Johnson Macharia: Majina yangu ni Johnson Macharia. Maoni yangu ni moja tu, sina mambo mengi ya kuongea. Mimi

nitaongea kuhusu hali ya wafanyi kazi. Nataka kumaanisha, mtu yeyote ambaye ni mfanyi kazi, analipwa pesa, na analipwa pesa kutokana na kodi, yaani wafanyi kazi wote wa serikali, ninataka wawe na chama kimoja cha kuwaakilisha, wanfanyi kazi wote wa serikali. Kusiwe na iko watu wengine wanaongezewa mishahara, wengine hawaongezewi, wakitetewa watetewe na chama kimoja. Hizi zingine zote ziondolewe. Jambo lingine ni kuhusu hawa wakulima wa kahawa. Wakulima. Wakulima wana katwa kodi kwa njia zote. Wakiuza vitu zao zinakatwa kodi, wakinunua kitu kama raia wengine wanakatwa kodi. Tunataka hii kodi ya wakulima yote hii, kuhusu - - zile vitu zao wanauza, ziondolewe zote. Hiyo kodi yote iondolewe. Na ministry ya agriculture, kwa sababu haisaidii wakulima, hiyo iondolewe kuwe na kamati ya kuchunguza hii maneno ya wakulima. Kuwe na chama chao, ile itahusika na wakulima. Hii Ministry ya Agriculture iondolewe. Yangu ni hayo tu.

Com. Maranga: O.K. Thank you very much, register and sign. Next is Patrick Mwangi.

Patrick Mwangi: My names are Patrick Mwangi Njuguna. I have come here to give my own views about the amending of the current Constitution. The Judicial Commission should be independent. It should not be politically motivated. Political parties should be funded by the State during campaign. They should be regulated not to be so many, a minimum of two or a maximum of five. Ministers should be appointed according to their courses, that is, if a member of parliament is graduated with a degree in agriculture, he is fit to be a Minister of Agriculture.

Electoral Commission should be appointed by the Parliament and be independent in its work. Votes should be counted at the polling stations and should not be transferred in other areas to be counted there. The President should not be above the law. Appointment of Commissioners, University Chancellors, Chairmen of Parastatal Bodies, the Head of the Civil Service and Permanent Secretaries should be done by the Parliament. That is all.

Com. Maranga: Thank you very much

Henry Kariuki Kigira: My names are Henry Kariuki Kagira. One of my points is that because women do not come forward, they should have sits reserved for them in Parliament. Districts in Kenya should be decided on population basis of each district.

The Constitution Review should finish by December and should not go beyond December because even the old Constitution did not take so long.

The Chairman of the Electoral Commission should be independent and should be chosen by the Parliament. There should be a government with a Prime Minister who should have the madate to run the government.

Com. Maranga: (interruption). You are who? Edward B. Njuguna? You are very lucky.

Edward B. Njuguna: O.K. My names are Edward Benson Njuguna, the KANU Chairman, Kigumo KANU branch. First and foremost, I have said that the public are not given proper civic education by the Commission. from there, my second point is that the powers of the president should be trimmed because currently, the President of the Republic of Kenya has been given more powers by our current Constitution. The President and the Vice President to be elected directly by the voters and should not be Members of Parliament representing any constituency in Kenya.

The ministers should be appointed by the President but should be professional but not a Doctor of Medicine being appointed as a Minister of Agriculture, or a lawyer ending up being appointed as the Minister for Finance. Free education from Nursery, Primary and Secondary schools to all Kenyan children to compulsory because the government can provide if it is willing. Agriculture being the backbone of our nation, our Constitution should provide all farmers with all the requirements such as farm inputs, so as to promote the agricultural products.

In the current Constitution, the Government of Kenya promised that the citizen it will provide them with free health services, education and food, but, nevertheless, it has not done so for this should be in force during the new Constitution. The Constitution should provide more powers to the Minister of Public Works, to find that all revenue collected from motor vehicles, petroleum products are properly utilized to reconstruct our public roads. The salaries of the members of the National Assembly should not be left in the hands of the Members of Parliament, we should have a board which should be responsible for the same.

Protection of life and property to all Kenyans regardless of tribal, political, social and religious beliefs and any Kenyan can own and live in any part of the country without fear or panic. That means, if anybody will incite a certain tribe to arm itself against any other group will be dealt with by the laws of the country. Ministers can be sacked by the National Assembly because of misuse of power. Death sentence should be abolished and replaced with life sentence and those serving life sentences should not be left to die in jail. They should have a specific period to stay in prison.

In the current Constitution, section 70 to 86, which guarantees the fundamental rights of groups and individuals are quite O.K., but the problem with it is that there is no implementation. So it is my request that those sections be introduced in the new Constitution and be enforced.

All accused persons to be provided with legal representation by the State. The Agricultural sector, Board of Directors to be directly elected by farmers and be under one umbrella board, by the name Central Board, with a representation of one Director, from every sector, such as KTDA Board of Directors, Coffee Board, Cotton Board, Rice Irrigation Board, Milk Daily Board, e.t.c. but to be supervised by the Ministry of Agriculture.

Land Act to be amended to allow clan members to be the sole arbitrators of land dispute because they are more informed about the ownership of the land than a court, unkike where find an Asian hearing a land dispute. Finally, electoral areas to be created going by, the population of the area because today, we have some MPs in Parliament, who represent over 200,000 people, while others are representing about 30,000 people. quota system to be scrapped and selection to be done on merit. With those few remarks, or many remarks, thank you very much Bwana Chairman.

Com. Maranga: You have said that constituencies should be demacated according to population, but what about a place like North Eastern and tomorrow maybe you get some oil or something like that. It will be a very rich place. So what will happen when the population moves there?

Edward B. Njuguna: There, I would request the Commission to add or to insert that the area should also be considered.

Com. Maranga: Thank you. We have James Mwaniki

Betty Ngugi: My name is Beth Ngugi, but I am not going to read, I will leave it with you.

Com. Maranga: Hutaki kuongea?

Com. Nancy Baraza: I can assure you we've talked about this.

Com. Maranga: O.K. just say you have represented a memorandum.

Betty Ngugi: Jina langu ni Betty Wanjiku Ngugi. Nimepeana memorandum yangu.

Com. Maranga: Thank you. Is this the one who is handing a diskette? You have a diskette, alright, you hand it to us, but I suggest that you tell us what is the content of this diskette? Just give us the outline.

James Mwaniki: My names are James Mwaniki Njeri. I have just handed in a diskette containing something about what I would want to be changed in the Constitution. Briefly talking about it, it would be about the accountability of the government, namely, maybe they audit their own accounts, preferably by a private and independent auditor and they should publish the result of the books of account which have been audited to the public so that they can see where the money is going. The taxes and the levies. Also, they should not be any overlap of levies for example there is fuel levy and there is road levy which are made for the same purpose of maintaining and repairing roads. They are overlapping. They are both of the same purpose but different names. Then, I also want the government to have a pre-budget consultations which will be helpful to those who are responsible for the formation of the budget, but they may help or they may take into consideration the different aspects of the country, like

the employers, the industries, trade unions, ministries and so on. Then before the pre-budget consultation, there will be or preferably a post-budget review, which will seek to see what happens or how the money was spent during the budget year. That will help in knowing what we need to add for the projects, how much funds maybe required. Just to add, the pre-budget consultations may include the Kenya Revenue Authority which is overall in the collections of the funds which the Kenyans give out.

Something else I would also want to look into is the minister and the ministries. There are very many ministries in the country recently. Some are overlapping and I would prefer there be a fixed number of ministries in the Constitution, so that the president will only call them or name them concerning - - or towards the ministry that are available for the country. The number of ministers also should correspond to the number of the ministries on a one to one basis. If there is work overload in the ministries, maybe the task should be delegared the Assistant Ministers and Permanent Secretaries rather than increasing the number of ministers per ministry. The ministers should also be qualified for the ministries they are going to work for. There is no point of having someone heading the Minister of Health and doesn't know anything about health in the first place. There should be corresponding qualifications. So He should be qualified for the job, have a background in it, and maybe you have some background in Public Relations or administration. Same thing may go to the Assistant Ministers and Permanent Secretaries.

Coming to the presidency, I would want or I would think it would be wise for a president who is qualified for the job. Mainly being a leader he will require some proven experience of management, lets say property estate, staff of different levels, and should have formulated and implemented policies that brought forth some positive improvement in the organization he was in. He also should be patriotic and strongwilled and should be motivated by the success of the country other than by his own personal motives. The person sponsoring him should declare him early enough so that public can scrutinize him for what he is qualified to do. Just to add on, I would think or hope that the ministers would go through a panel that would qualify them before being appointed by the President, by that way, they will be scrutinized and checked on their qualifications, then the President will appoint from the number of the least given through the Parliament. The panel could include the ministers, cabinet ministers, MPs, or people involved in the sector. Let's say it is about health, some doctors who think they should want someone from their own place. Then, about some police work, since the police know the law more than anyone else, or they should know more than anyone else, when they become criminals after they have left the force or are still in the force, they should be awarded the maximum sentence for the crime they have committed because they know what it all entails. There should be some creation of a way to safeguard that if they break the law, someone is responsible over them, and checks their records. We should try and delegate the functions of the chief to the councillors, rather than have councillors in wards and still have chiefs in the same locations.

Then I would hope that prosecution to be carried out by people of legal background and the defendant be awarded a lawyer at the expense of the government if he does not or if he is represented by someone outside if he wishes to have representation, then he can have, if he doesn't wish to have it, maybe he can withdraw the representation. (interjection). O.K. On the last note, nominated MPs and the councillors who are nominated, should come from the different groups and not parties. They should not be partisan. They will be from religious groups, women groups, groups for disabilities and blind, or something like that. Thank you.

Com. Maranga: O.K. Thank you very much. The next presenter is Macharia Kirugu.

Macharia Kirugu: Kwa majina yangu ni Macharia wa Kirugu, niko na haya nimeleta mbele ya Tume hii ya kubadilisha Katiba. Kwanza, nominated MPs should not be appointed as ministers or assistant ministers because they were rejected by voters. There should be no creation of more districts. If there should be, not to serve political people. MPs or civic leaders: For one to qualify, education level should not be considered, e.g. degree. Anything which is grown in Kenya should not be imported from any other country.

There should be a law which should allow Kenyans to own property anywhere in the country. Teachers are internationals and they are supposed to be posted anywhere within the country but not in their home areas. They should not own any business in the area which they are teaching in because they are the cause of education downfall in the country. Government doctors should not own private clinics. Some of them are the ones who milk the government medicines and the medicine is for mwananchi.

Police: There should be people, not CID to check corruption on the road block. Eight, there should be a law to guard clothing, e.g. Women should not either wear mini skirts, transparent clothes e.t.c. because they are the ones who are contributing towards these diseases and many others.

Last but not the least. This long debated so called genital mutilation. My view is that this thing should be made optional. For one, it is beautiful to be circumcised, otherwise we are Africans and we are not supposed to copy from the whites. Thank you very much.

Com. Maranga: O.K. Bwana Kirugu, pengine ukae hapo utaulizwa maswali.

Com. Nancy Baraza: Mr. Kirugu, you want us to curb AIDS by telling women not to wear mini skirts and transparent clothes? What about men who bare their chests? And are you saying that in Masaai land where people hardly put anything the people have uncontrolled sex in Masaai land? Do you think it is purely because of dressing?

Mr. Macharia Kirugu: There should be a law passed because macho hayana pazia, and if you expose yourself, they will be forced to follow you.

Com. Maranga: Thank you very much. The next person is Mwangi Muringi, Mwangi Muringi? Mwangi Muringi you have five minutes.

Mwangi Murigi: My name is Mwangi Murigi, I will dwell on education. First, on higher education, the Vice Chancellors should be appointed by the universities themselves not by the President.

Secondly, we should streamline the Higher Education Loans Board, whereby students should be provided with enough money, and there should be no interest on loans awarded to students. Third, girl education should be made compulsory whereby if a girl becomes pregnant in school, she should be given a second chance if she needs to go back to school and no teacher should prevent her from going back to school. Also, we should disband the Joint Admission Board and let each university take its students directly from the school to avoid time wastage by students that are joining the universities. That is all.

Com. Maranga: Thank you very much. The next person is Francis Mwangi Chege. Francis Mwangi Chege? He is not there, then we have Wathigo. Are you the one? O.K. Go ahead.

Steven Wathigo: Thank you very much commissioners. My contributions are as follows. The first one is on the powers of the President. My names are Steven Wathigo Wathea. The President's powers in the next Constitution should be trimmed. The second contribution is on the electorate. The votes or the people should have equal representation in Parliament. This is whereby very few people are represented equally with a constituency where an MP represents very many people. On the disabilities: People who are disabled should also be given a chance. We have got the national disabled funds, which is normally distributed into schools or organizations. We have adults who are disabled and are not working. It is my own view that these funds should also be channeled through the constituencies and the disabled persons who are adults and have businesses should be given a share through maybe their constituencies.

Then the other one is on establishment of schools. We have had schools, especially the early childhood education, these are nursery schools which are established under lodgings or in very small quarters. There should be law which should govern the size of land and the area under which such establishments should be made. This actually has contributed to the moral decadence and drug addition in our children.

On employment: The next Constitution in my view should focus on provision of employment. We have so many graduates yet they have no jobs. This should be taken care of. The other one is on the Higher Education Loans Board. All university students should be given financial assistance by the board. All Kenyans should have equal opportunities in education. And with those few remarks may I say thank you.

Com. Maranga: Thank you very much. May be one point of clarification. You want us to go back to the postion where

universities were giving equal amounts irrespective of where you come from or what you have?

Steven Wathigo: Yes, because people are deducted equally.

Com. Maranga: Next person is Wilson Kweri. Wilson Kweri? He is not there. Then the next one is Julius Karanja

Kariuki. Julius? Then next one is Muiruri Kariuki? Muiruri Kariuki? Then we have Samuel Mwangi Thiga? Samuel Mwangi

Thiga? Then we have Faith Njoki Mwangi? O.K. Karibu .Okey you can hand over

Paul Maina: My names are Paul Maina. Yes I want to hand over the memorandum, I don't want to read it.

Faith Njoki Mwangi: My name is Faith Njoki Mwangi My problems concern farming. We have a problem with the Union.

The union has brought problems to our coffee, and I am requesting the Union to be removed.

The other point is on education. I urge my child to work hard and the child does very well in school. I have used my title deed

to secure a loan for my child to continue with education. My child gets good grades; A, B, but the child from a rich family and

the parents who are rich just tell their children not to work hard and even if they get a D, they will still get employed. When the

child from a rich family finishes education, money is used to secure him anything. No longer is wisdom or education required.

The child from a rich family now gets the job, while the child from a poor family, although he has good grades does not get a

job and the parent keeps on moving from office to office with those good grades. I am told that no job is available.

The land which is now remaining is sold, I am left with no land. I am left with no land for cultivation. Now what shall I do after

having sold my land, and my child is educated and there is no job? Thank you.

Com. Maranga: Thank you very much. Next presenter will be Njuguna.

Mr. Njuguna: In parliamentary democracy, I don't see any need for nominated seats. It should be a level playing grounds.

The nominated seats both in Parliament and the county council should be scrapped. We come to the presidency. (interjection)

O.K. Other than presidential appointees, no person should work at the pressure of the president. That means civil servants,

judges should not work at his pressure, they are not appointed by him. The President should also be subject to the rule of law

like any other Kenyan. He should be impeached for misuse of office and perversion of justice. That is all.

Com. Maranga: Thank you very much.

Com. Nancy Baraza: Mr. Njuguna, you want the jury system in all cases and all courts?

Mr. Njuguna: That's in all civil and criminal cases

Com. Nancy Baraza: Yeah, we have the assessors only in murder cases, so you want it to be everywhere?

Mr. Njuguna: Yes.

Com. Maranga: Thank you, you have given us very good ideas and please if you could sign our book and then you can leave us with your memorandum. Now, before I give John Kiluki, are you present? O.K. If you are there just hold on, before you talk, let me give a special attention to the Member of Parliament because he wants to leave. I want to give him only seven minutes. He has requested kindly so that he can be able to leave so that he can go back to Parliament and so, Hon. Kihara the time we are going to give you is seven minutes. Your constituents are getting five, but I have added you two minutes, so you have seven minutes.

Hon. Onesmus Kihara Mwangi – MP Kigumo: Could you allow me to speak standing (interjection), because I am in that hurry and I would want everybody to hear. Mr. Chairman, thank you very much for giving me this opportunity. First and foremost ningetaka kuwasalimia wote mmehuduria na kusema kwamba nasititika kwamba nimechelewa kidogo kwa sababu nilikuwa na mkutano mwingine kule Bunge. Na hapa sasa nimeomba radhi, nisamehewe nisema hiyo ni mistake kurudi kwa Bunge. Tuna safari tunaenda, inatakiwa twende Jumamosi sijui bado kama tunaenda, ndiyo sababu kulikuwa na hii mikutano. Na jana, wale walikuwa Kangare mnajua nilikuwa Kangare na nikasema mengi, ndiyo sababu nataka kusema tu machache.

Ya kwanza Bwana chairman, I would wish - - although I talked about this one, I would wish you to allow me to talk about this extension. Sababu ningetaka watu waelewe tunasema nini kuhusu extension hii ya Commission. Sababu juzi kunamfurugano kwamba Commission walisema hawawezi kumaliza kazi ile tuliwapatia ya kumaliza hii Katiba mpya. Na wengi wanasema ni lazima tuende uchaguzi kwa Katiba ya mbele, ile ilioko sasa, wengine wanasema hapana, wengine wanasema mbili. Tunajua commissioners hawawezi sana kumaliza kwa sababu walipoteza wakati mwingi wakituunganisha wakati tulikuwa na wengine wa Ufungamano na wengine wa Parliamentary. Kwa hivyo, ningetaka wananchi waelewe hivi, kwamba wakati tunasema commission iongezewe muda, hatusemi Bunge iongezewe muda. Na kwa sababu hatutaki iwe ati kamati I mean Commission itatengeneza Katiba ambayo ni ya muda, tunataka Katiba ambayo itakuwa ni ya kudumu na itatumikia nchi hii kwa muda mrefu.

Ndiyo sababu ni maoni yangu kwamba inafaa sana muongezewe huo muda na nikapendekeza kwamba iongezewe hadi December. Na kwa sababu katiba ile ilioko sasa, inapendekeza kwamba Parliament's term, term hii ya Parliament tulioko sasa, inakwisha on 31s March. Siyo ati December kwa sababu elections zilikuwa December because Katiba inasema Bunge inaenda kwa muda wa miaka mitano, kutoka siku ambayo ilianza na hii sisi tulianza tarehe thelathini na moja, mwezi wa March 1998,

kwa hivyo term yetu inaenda mpaka 31s March. Ndiyo sasa tunasema kama Commission wanaweza kumaliza kazi yao by December, na wawe na miezi mingine, January, February, March, ya kutengeneza mambo ya National Constitution Conference, kutengeneza mambo ingine, referendum kama hakuna kukubaliana na mambo kama haya, hiyo itawafikisha 31s March, wakati ambao muda wa Bunge unakwisha, na basi hatutakuwa tumeongeza muda wa Bunge, na hatutakuwa tumekosea commission, watakuwa na nafasi ya kumaliza kazi yao, na ndiyo sasa, uchaguzi mwingine, uje kutoka kama mwezi wa -- sana sana mwezi wa tano, mwezi wa sita, kwa sababu lazima kuwe na mwiezi miwili, na Wakenya ndiye -- afadhali Wakenya wafikirie kwamba sababu tukiwa na elections any time before we have the new Constitution, itakuwaje kama serikali itachaguliwa, ile itachaguliwa, kama tunatumia current Constitution au ni hii ingine, siyo serikali itakuwa imekalia viti, halafu, nayo commission wakimaliza Constitution mpya, itakuwaje? Tutawaambia watoke kwa viti hizo tulete Katiba mpya au tutafanya nini? Ndiyo sababu, kulingana na Katiba ilioko, kunaweza kuwa na formula nzuri ya kumaliza Parliament where it should finish, halafu nao Commission wawe wamemaliza kazi yao, halafu sasa together kwa uchaguzi tunaenda na katiba mpya, na hiyo sasa itakuwa ime- settle ambo yote. So, I just wanted that clarificiation.

Now, the beginning of my 7 minutes. Now, Mr. Chairman, let me come on the -- because I was just going to add a little on what I had given yesterday, and for continuity, I would like to start with the Judiciary, with where I left. on Judiciary. Although I touched one or two things. Now, there should be a Judicial Service Commission to appoint all judges and magistrates. There should be District Courts, High Courts, Courts of Appeal, Constitutional Courts and Supreme Courts. All appointments of judges by the Commission should be subject to approval by Parliament.

Parliament should revoke the appointment of any judge who fails to honour the code of ethics pertaining the Judiciary on advice from the Judicial Service Commission. The Supreme Court should be the highest court on the land. The magistrate's courts should be established in every county or district. Judges should have security of tenure and should retire at the age of 65 years.

Education: There should be universal, free and compulsory education for Kenyan children below the age of 18 years, that would bring our children to form four, and therefore everybody given free education compulsory, so that no parent keeps any child at home for marriage, or circumcision or for looking after ngombe, or looking after coffee, until he attains the age of 18 years if education is free and compulsory. Admission into secondary schools and all universities should be by merit and not by ethnicity or geographical consideration. Siku hizi watoto wanachaguliwa kwenda form one na kile wanaita quota system na quota system nikusema kama mtoto yuko Turkana na mwingine yuko Kigumo, wa Kigumo wanaweza kuwa 600 marks, hawezi kwenda kwa national school, na Wa-Turkana wanaweza kuwa na 300 marks anaenda national school, hiyo ndiyo tunasema the ½ system in education in selection should be scrubbed.

Electoral system: There should be an Electoral Commission charged with the responsibility of organizing and supervising presidential, parliamentary and civic elections. I hope my time is not over. Registration of voters should be a continuous process and should be for every Kenyan, on the attainment of of 18 years, only on proof of being a Kenyan citizen. For

example, by birth certificate, by passport, driving license or parents identity cards or any other means. Kenya should be divided into parliamentary constituencies of equal inhabitants irrespective of ethnicity, race, colour or creed. Mnajua siku hizi kuna constituencies zingine za watu elfu hamsini, na zingine za zaidi ya elfu mia moja, and when we go to Parliament, unakuta ati their votes in Parliament are equal. So, to help equality, if Kenyans must have equality, we must have constituencies which are equal in numbers.

The Electoral Commission should be appointed by the president and should comprise 11 members nominated by parliamentary parties. Hii si kusema ati President atasema ati Kamau, Njoroge, au Onyango, au nani. Hii ni kusema, wakati watachaguliwa na vyama vya Bunge, sasa president anaenda anaweka sahihi. Ile appointment ati sasa wewe Nguru umekuwa Member of Parliament. So by saying that they should be appointed by the President doesn't mean that they would be selected by the President, that is only for signing as the Chief Executive of Government.

Half the number of the members of the Commission should retire 2 ½ years after general elections and others elected into it. Members of Electoral Commission should be nominated proportionately by parliamentary political parties depending on strength of a party in Parliament.

Natural resources: The natural resources including forests, minerals, rivers, lakes and seas and anything else, natural resources should belong to the state and not to the government. Here, there is a lot of difference between State an Government, because the State is the people of Kenya, contained in the preamble. But the government is the elected government at that time, that particular time, but the state is universal, it is everlasting, because it will be set as long as it is Kenya - - I know you want to stop me I have just got maybe one paragraph. These resources should be managed by the Natural Resources Commission, so there should be a Commission, subject to approval by Parliament, the Commission should have power to repossess what was unlawfully acquired. Like ile yote tumepoteza hapa, imechukuliwa imeuzwa na country council na wengine, na DC's na kila mtu.

Land. All public land and trust land should be vested in a permanent commission. The local authority should seek authority from the Commission on any intended allocation of trust land. The Ministry of Land should submit all intended uses of public land to the Commission for approval. The laws governing land matters in Kenya should be harmonized. Rights to private land should be absolute. Inheritors of private land on the events of demise of the proprietor should be to the surviving spouse on trust of supreme. Hiyo nikusema mtu akifa, mzee akifa, shamba zake zote zinatakiwa ziende kwa mama, naye mama anazishikilia kwa watoto wale wa jamii yao. Wale wamezaa. Na mama naye kama ana ardhi, mimi sisemi ati mama should not acquire land; ati mutumia ati ndakagie na githaka, no, mimi nasema, angikoruo muthuri niakua, na niwe wandikitwo ithaka iria mwinashio, akuwa, githaka kiu kana ithaka ciagiriire guthii kwi mutumia, nake achigire ciana, ti athii akendie kana akaheane. No niagire ciana, na noguo nake mutumia angikoruo ena ithaka andikirwo, na niakuwa, ciagiriiri guthii kwe muthuri, nake aigire ciana. (interjection by Com. Maranga). Thank you very much. I am just finished. In fact I have got two paragraphs.

On the event of demise of both spouses, the land should devolve to the children in equal shares. Citizenship: The right of citizenship in Kenya should be the following: anyone born in Kenya by Kenyan parents, any child legally adopted by a Kenyan citizen, any woman married to a Kenyan citizen on application to the high court. I know Commissioner Baraza would want to ask me a question on that one. Any child born on Kenyan soils whose parents have lived in Kenya for at least 20 years.

Now, Bill of Rights is my last chapter. Every Kenyan citizen should be guaranteed the following rights, rights to life and protection against a natural death, right to food. Every Kenyan should be entitled to food, and all able bodied people should work. Hata bililia inasema mtu kama hafanyi kazi asipatiwe chakula. Lakini yule yote anafanya kazi naye, inafaa, hata kama ameshinda akifanya kazi na hakupata, inafaa apatiwe chakula.

Freedom of movement to any part of the country without hindrance and molestation. Freedom of worship of the living God. There should not be devil worshipping whatsoever. Hii Katiba mpya inafaa iweke kwamba hata kama tuna uhuru wa kuabudu, si kuabudu kila kitu mtu atakuta hata kama ukikuta jiwe unaabudu, unaabudu Mwenyezi Mungu, Muumba wa ardhi na bingu.

Freedom of thought, conscience, assembly, association and expression. Protection from forced labour and of torture. Right to ownership of private property and right to privacy. Kuwa, mtu hawezi kuingia kwako nyumba anakukuta kwa bedroom na anakuvuruta nje. He should not entrer into your bedroom. Wewe uwe na uhuru ya kuwa when you are private, you are just private, hata kama ni police wasiwe na hiyo haki ya kuungia popote. Kama wanataka kukushika, waje kwa nyumba, na walete cheti cha kukushika halafu na wewe ujitokeze. Thank you very much.

Com. Maranga: Mheshimiwa sasa ngonjea hapo uulize maswali.

Com. Nancy Baraza: Yeah, Mheshimiwa, just answer me this one. The problem we have on land management in this country, because there are so many laws, in fact there are over 50 different laws governing land. We don't know, I mean there are so many ultimate title holders, there is the State, there is the government, they are communities, they are individuals, now to harmonize the management of land, who should be the ultimate title holder in this republic?

Hon. Kihara Mwangi: It is only the question of law. The law should be harmonized so that even if a piece of land is owned by Mheshimiwa Kihara it is his, absolute. If it is owned by the government, public land, then it is should be owned by the public. If it is owned by the government, it should be owned by the government. That is why there should be harmonization of the law, so that there is clarity of who is the owner of what piece of land.

Com. Nancy Baraza:

Hon. Kihara Mwangi: No, because we have got a problem here of our ancestral land which we hold dearly to ourselves. Now if it comes that shamba ilikuwa yako, sasa it is no longer yours, it belongs to the government na cheti cha hio shamba the State inakuja inampa Commissioner Maranga. Sasa tutachukuwa panga!

Com. Maranga: If the government in power, assuming there is no land available and they want to acquire some land for development, what should happen?

Hon. Kihara Mwangi: In that case for the people with much land, ther should be compulsory acquisation by the government.

Com. Maranga: Thank you Mheshimiwa Thank you very much for coming

Hon. Kihara Mwangi: Ahsante sana. Sasa nyote mbaki salama juu nataka kuondoka. Thank you very much.

Com. Maranga: Now, the next person to speak, I would like to call Mr. John Kiluki. Come and sit there. I want to announce this, if they are people here, kama kuna watu hapa ambao wako na memorandum, na pengine hautaki kuongea sasa lakini unataka kuacha hapa memorandum, unaweza ukakuja kwa huyu mzee ama mniletee hapa, itakuwa registered. Kwa sababu naona kuna watu wale wanataka kuongea, kwa hivyo sasa ni mpe John Kinuthia. Dakika tano.

Mr. John Kiluki Kinuthia: My name is John Kinuthia. I am saved and I am also a farmer. I have had coffee for the last 17 years. For some ten years we had been getting good money from coffee, but for the last five years we have had a lot of problems, we used to get money from coffee, Ksh. 30/=, Ksh. 40/= but currently I cannot afford a pair of shoes, I cannot afford even bus fare.

Our wish as coffee farmers is that the bodies that sell coffee like KPCU and Coffee Board of Kenya, we should not continue with them, we should be allowed to sell our coffee, just like we sell our cows in the market because of the problems we have had for the last five years.

My wish is that coffee should be allowed to be sold by farmers and not by KPCU. Peace be with you.

Com. Maranga: Thank you. Now the next person to present is Edward B. Mutula....., Joseph Macharia, Joseph Macharia? Benson Gichia. Benson Gichia? Now, there is this gentleman who was here what is your name? Allan? O.K. come and present.

Allan Muthea Kabiru Maina: I, Allan Muthea Kabiru Maina, believes if the current Constitution making process can come up with a Constitution that distills off corrupt paranoid leadership. With progressive people centered leadership especially in the institution of presidency, then the nation will achive development and the citizens will have the enjoyment of human rights and economic well being. In reference to the same, I propose the following to be enacted in the new Constitution of the institution of the presidency.

Age: 30 to 65. Sex: both sexes male or female, educational background: Minimum educational background to be diploma or its equivalent but preferably a university graduate. Moral standards: no criminal records. Source of wealth: from impeccable sources.

Election of the President: To avoid the current pitfalls characterizing Africa of hopeless, corrupt, myopic persons contesting presidency, who are appealing to their ethnic background or buying voters, or using state machinery especially police administration e.t.c, I propose creation of electoral colleges. Universities and colleges to account for 30%. Professional bodies like LSK, doctors, nurses, and workers and employers to constitute another electoral college to account for 20%. Again, universities and colleges to account for 30%, professional bodies, employers and employees to account for 20% and the general public to account for 50%. So it is 30, 20, and 50%. Do I give an example or do I proceed on. For example, if universities and colleges have 300,000 registered voters and assuming that they are three presidential candidates A, B, C. if A, goes to universities and colleges and electoral college and gets 200 votes cast on him, that will account for around 67%. B, 60,000 will get a percentage of 20, and votes cast for C 40,000 percentage 13%. When competed at electoral college level, A gets 20%, B gets 6% and C gets 4%.

Professional bodies, workers and employers, assuming that the registered voters are 500 and votes cast for A is 300, B is 100 and C 100, percentage votes cast is 60%, 20% and 20%. Electoral college percentage is 12, 4 and 4. You go now to general populace, registered voters, 10 million for example. Votes cast for A is 3 million, percentage 30%. B, 4 million and C 3 million, percentage vote is 30%, 40%, 30%, electoral college percentage is 15%, 20%, 15%, so total votes cast for A is 3.5 million, B 4.2 million and C 3.14 billion, but when you come to electoral colleges total, A gets 47%, B gets 30% and C gets 23%. So the winner is A, while he has relatively lesser votes than B.

The reason why I am saying on universities and electoral colleges is because I believe that universities and employers and employees constitute the cream of this society, the most intelligent, and therefore they should have more say than a woman in Turkana who relatively is forced to cast a vote to a Presidential candidate under even knowing where he is casting a vote, so I suggest creation of electoral colleges.

I suggest that the president should be within the law he should be impeached if he absconds his duties or if he moves out of the office of law, by either being corrupt. He can be sued while in office, he should be impeached while in office. Appointment of

ministers, minimum education background should be a diploma or a university degree. They should be vetted by universities. T

The number of ministries, I suggest we should have around twelve ministries. That is Finance, Agriuculture and Livestock,

Edcuation, Health, Foreign Affairs, Local Government, Defence and Security, Tourism and Natural Resources, Justice and

Human Rights, Culture and Social Services, Water and Public Works. Maximum twelve ministries. Now, office of the

President should only have employees to facilitate management of ministries, therefore no specific ministries should be in the

office of the President.

Office of the Vice President should be in office of the President to facilitate deputizing the presidency, thereby ensuring smooth

running of all ministries and other government departments. He or she should be appointed by the President in approval of

Parliament. He cannot therefore be a minister in any ministry, his role is to deputize the presidency, he should not be a minister.

Now, hiring of employees. I suggest other than the ministers, an assistant minister who are appointed by the president through

approval of parliament, all the other employees should have an employing panel. Other than the V/P, Ministers, Assistant

Ministers, all other employees should be employed through advertising for vacant posts. Credentials should be put in public

media for applicants to apply. A panel of experts of hiring and employing should be constituted free from prejudice to hire

those employees. That expert panel for hiring employees must publish all applicants of jobs, their respective CV's names of

successful candidates and copies sent to all applicants. Reasons why they select those successful, if any applicant feels agrieved

or have a cause to believe he or she was more qualified than the other employee, can sue that panel in court to nullify that

selection. If that is actually proved in court, he should declare that interview null and void select most qualified candidates. The

previous panel should be dismissed and barred from being selected to such a panel in future.

Com. Maranga: Try to wind up.

Allan Muthea: And then the last is Parliament. Parliament should have the powers to pass a vote of no confidence on

presidency, to vet all the ministers and any civil servants. The parliament can sack anybody within the ministry. Thank you.

Com. Maranga: Now, the next person is Raphael Njoroge. O.K.

Raphael Njoroge: Jina langu ni Raphael Njaramba Njoroge. Maoni yangu kwa Commission hii ya Katiba mpya ni hii.

Serikali ya wakati huu ina mikono mitatu. Mkono wa kwanza ni Executive, ambao uko na Rais, mdogo wake, Ministers,

Assistant Ministers, na Permanent Secretaries. Mkono wa pili ni Judiciary ambao ni Korti ya Sheria. Mkono wa tatu ni

Legislature ambao ni Parliament. Na mimi ningeongeza niulize Commission hii, katika Katiba mpya, muweke mkono wa nne

ambaye ni Ombudsman court or Constitutional Court. Kazi ya hiyo Constitutional Court iwe ikiangalia ile ofici ya Executive

ambayo ina mamlaka makubwa kwa wakati huu, sababu yenyewe ina nguvu, ndiyo inateuwa ma-judge, wadogo wao,

inawateuwa parliamentarians, wawe ni ministers, PS, na kwa hivyo inaonekana Parliament ya wakati huu, ni kama simba hana meno. Kwa sababu hiyo, ukiwa una maneno mengi unasema kwa Parliament hata kama wewe ni Mbunge, hata ikisikizwa, lazima ipitie kwa mkono wa Executive office ambayo ndiyo ofici ya Rais na wale wanahusika. Ni hayo tu.

Com. Maranga: Peter Irungu Njoroge.? You have a written memorandum so it is five minutes.

Peter Irungu Njoroge.: Reports and submissions to the Kenya Constitution Review Commission Process presented by Peter Irungu Njoroge. Kwanza ni congratulations to the appointed commissioners.

Preamble: We need a preamble in our Constitution, the current one has no preamble. It does not identify or recognize the supremacy of Kenyan people. Respect and honour to the freedom fighters. Directive Principles of State Policy. Unity in our diversities. Equal treatment for all before the law. Supremacy of the Constitution. Guarantee individual freedom. Guarantee basic rights to all. Constitutional Supremacy: The constitutional amendments should be subject to a referendum and not the 65% majority. The Electoral Commission should conduct the referendum.

Citizenship:. Automatically all children inside and outside Kenya born by a Kenyan citizen by spouses of a Kenyan citizen regardless of gender. Foreigners and their children who have lived in or worked in Kenya for 25 years. Adopted foreign children by Kenyan citizens. Other ways of acquiring citizenship. Application, marriage and adoption. Rights and obligations'. Basic rights, rights to vote and rights to own property. Also a citizen should be identified by passport, or identity cards.

Defence and National Security: Discipline forces, military and others should be established by the Constitution. They should be treated like any other civil servant. The President should not be the Commander- in- Chief of the Armed Forces. The prerogative to declare war should be subject to the parliamentary debate. Constitution should have power in emergency cases. Parliament should have power of effecting the emergency powers.

Political parties role: Involvement in all areas of development like power, roads communication na kadhalika. Enhance access to useful education for all. Health and insurance for the aged, low income earners and the disadvantaged. Social amenities involvement. Advocate for basic human rights, protect and manage natural resources.

Political parties: There should be a minimum of three to four strong political parties. Avail finance to political parties from public resources. There should be rule and regulation to safeguard stability of the parties. There should be a provision for a coalition government. The parties should be transparent and accountable to party members and to the relevant audit bodies.

Structure and system of government. The presidential system of government should be retained. We should retain separation of powers between the 3 arms of the government. The President should be a parliamentary candidate to be elected by 75% of the

voters. He or she should not belong to any party. The President's age must be from 30 to 60 years. The President should be

married, have a stable family, house/home. Minimum education qualification must be a form four level and above.

Parliamentary system of government: No parliamentary system of government. No Prime Minister. Roles of president.

Oversee the process and implementation of the Bills, laws, government and policies. Representing Kenyans in international

forums matters.

Devolution of powers. Powers should be shared. Unitary system with a Central government. A government that unites and

develops all regions. All provincial Administrators should be directly elected and would be relieved off their duties if they don't

perform within a period of three years.

Disadvantage of a federal government. Ethnic differences, inequitable distribution of resources. Thanks.

Com. Maranga: Thank you Peter Irungu. Com.Baraza wants to make a clarification.

Com. Nancy Baraza: Mr. Irungu you say there should be devolution of power? That power should be shared? Tell us where

we are to take powers from and take to. You are for devolution of power. You said power should be shared, tell us how it

should be shared. Where do you feel like power is are concentrated?

Peter Irungu: To the Parliament.

Com. Nancy Baraza: From where?

Peter Irungu: From people

Com. Nancy Baraza: From the Executive?

Peter Irungu: Yeah.

Com. Nancy Baraza: What about the equal distribution of powers?

Peter Irungu: We need.

Com. Nancy Baraza: Yes, tell us how much of that power. That is what we mean by devolution.

Peter Irungu: To devolve the power, we as Kenyans should be listened to.

Com. Maranga: Thank you. Now, the next presenter is Bernard Kamande. Bernard Kamande? O.K. Now next one is Walter Wambu.

Walter Wambu: My names are Walter M. Wambu. (interjection by Com. Maranga.). I start with? (interjection). I have already written Walter M. Wambu. The new Constitution must state that the will of the people must be the basis of the government. All Kenyans must be guaranteed to democracy and liberty, equality and economical prosperity.

Two, the three arms of the government, e.g. Executive, Parliament and Judiciary should be independent of each other. The three arms should have equal powers such as that one is not stronger than the other, and their powers should be clearly defined and limited in the new constitution.

Farming: Kenyan is claimed to be an agricultural country of which about 80% of its population live in the rural area, while they receive all sorts of advices from their leaders and what is best to grow and keep in their small holdings. They are advised to grow all sorts of crops, such as coffee, tea, maize, bananas, rice and keep cattle, keep chicken and keep maziwa mbuzi. All this is meant to keep them alive, and at least earn an income and the other expenses. All these is meant to keep them alive and at least earn an income to buy clothes, to pay school fees for their children, to buy fertilizers, chemicals, insecticide, and contribute in harambee. At the end of the day, after spending all the capital, some borrow from banks and government institutions, all energy of both the parents and children ends up to be the poor people in this country whereas beneficiaries are some of advisers mentioned who exploit all the way by selling and supplying fertilizers, chemicals, insecticides, transport, buying products at general prices, marketing the products. By doing all that, the farmer is left, -- by doing this, the farmer is left as the most poor person to die or to go the church to pray. In order to protect the poor farmer from all sorts of exploitations, the new Constitution must state that farmers are supreme authority of all their farming matters including marketing.

Political system: the people of Kenya should have right to choose a political system of their choice through a referendum. Kenya must continue running a unitary government. Qualification of President. He or she must be a Kenyan citizen by birth. He/she must reach her O'level and above academic standards. He/she must have achieved 30 years and above old. He must be above party politics.

Election of president: A presidential candidate must obtain 50% of valid votes cast. Where the president candidate got 50% of the varied, a second election should be held in which the two candidates who obtained the highest number of votes, are the only candidates. Improvement of the - - election of the President. A President must not be above the law. He must be impeached for the abuse of office or wilful violation of any code and misconduct or misbehaviour

Executive powers: The Constitution must provide for approval by Parliament or major Executive appointees. The Executive should be removed from office by parliament. The office of Attorney General and Director of Public Prosecution should be separated and be independent of each other. Independent and impartial Judiciary. There should be a parliamentary judicial committee to vet appointees and determine terms of the service. Appointments of Chief Justice, Judges of Appeal and any other should be approved by Parliament. All judges should have security of tenure. Magistrates should be appointed by an

Election of members of parliament: Constituencies should be based on population but not on tracks of land. The Constitution should specify general elections are held at a fixed date in December of fifth year of the term of Parliament. The election ballots should be counted and results announced publicly at the polling stations where voting takes place. The party in power should not be allowed to used state resources during elections and campaigns.

Provincial Administration: In today's life, most of the young people who are employerable are infected with viruses of corruption, and in order to start a system for reducing corruption, all Provincial Administration including sub-chiefs, divisional officers and district commissioners should be elected by votes.

Local government system: In order to avoid future fights in the elections of the chairmen, or Mayor of the Town County, Municipal and City Councils, they should be elected directly by voters of relevant local authorities.

Ministries. Government ministries should not exceed 15 or be headed by nationals of 15 cabinet ministers and not more than 30 assistant ministers and should be professionals of ministries they hold where possible. All government ministers should be elected but not nominated Members of Parliament who were rejected by voters.

Finally, salaries and all allowances for any kind paid to all MPs, ministers including - - should be determined by an independent body but not MPs themselves.

Com. Maranga: Thank you.

independent Judicial Service Commission.

Com. Nancy Baraza: Thank you Mr. Wambu, you have given a very comprehensive submission. How do you suggest that we take into account marginalized people in this country in terms of probably parliamentary representation?

Mr. Wambu:

Com. Maranga: I now want to call upon Hannah Wanjiru. O, sorry Hannah Wanjiku. Is she there? O.K. Now, O.K. Now maybe I want to ask my last question. According to our programme we have gone through the list. Can I see anyone whose

name was not called and you wanted to give views? You are who? O.K. the other one is who? O.K. just come. You two come. You should be the two last ones and then the young man. Come and sit here, you are the three young ones. No, the students I did ask them. did you have any views? Students of Kigumo Bendera? You don't have. O.K. then sit there and listen on. So, you have five minutes to present.

John Kamau Mwangi: My name is John Kamau Mwangi. My views concern old people who have retired from employment. The government should take care of such people because they delivered exemplary service to the nation. These old people who have retired have delivered services in form of farming, paid employment, they have brought forth children who are serving the government, so they need or deserve to be assisted. But after all this, after doing all this, when they retire in the old age, they live in misery.

These old people have now an added responsibility: they have to look after orphans resulting from the AIDS epidemic. So I suggest that the Constitution should include a provision specifying that such people should be assisted by the government. I would also like to suggest that any Kenyan citizen, senior citizen aged 60 and above and who are not drawing any pension for any place anywhere, the government should provide some allowance for them. There are certain short comings in an old persons health such as joints aching, failing memory and so on. His eye- sight becomes defective and it becomes impossible for him to fend for himself therefore he cannot participate in national development. Such a person, the government should provide free medical attention to people aged 60 and above. The people listening should realize that today's children will be tomorrow's old men and women.

Com. Maranga: Thank you very much.

John Karanja Gituhu: O.K. I am John Karanja Gituhu. John Karanja Gituhu, and these are my views. O.K. my view number one it pertains to the polling days. On the polling days I feel it is better they be extended for at least 3 days instead of one day. Another point is that before the election time, we as the Kenyans especially the old people, sometimes they have a problem, so they need at least civic education before that time. They require at least civic education, to teach them more about how they can go about the elections and other things pertaining the elections.

Then, the other issue is the issue of the President. I think it is better for this for the President as per Constitution, we should need a maybe a President to be elected after the civic and the parliamentary election has been carried upon. Then still on the President, we should at least have President who is not more than 65 years of age. Somebody who is below 65 years,can be a better leader.

O.K. Another issue, when it comes to our currency, that is the currency. I think, it is better we have, instead of having the portrait of the Head of State, neutral face. Maybe we can have the map of Kenya or something of the sort.

O.K. Another issue is the issue of the land whereby we should have a limit as pertains to the ownership of the land. We should at least have maybe individual ownership of land. People should not have thousands and thousands of acres and at the same time we have many people who are landless, (squatters) in the country. So, that ownership of the land, something to do with the individual ownership at least, let maybe not have a -- one person to have thousands of acres at the same time we have squatters and landless people.

Another issue, is the issue of education. This Constitution, enforce free compulsory education based on specialization from nursery school up to form four

O.K. Another issue is the issue of extreme torture in our prisons. Suspect are totured by the police as if they are criminals, sometimes leading to death. This should not happen somebody is proved guilty. O.K. at the same time, another point is on the person who has been arrested, that somebody who has been arrested.hould not be taken in a cell for more than. He should be held for a few some hours and then taken to the right place. Then to cater for those people in cells (because they are human beings), there should be at least health centres in the major police stations and prisons, instead of people being taken to the government hospitals.

Then, the last point, all the MPs should at least undergo an assessment test before they vie for elections and any minister appointed should be appointed according to his or her area of specialization especially in the crucial ministries which deal with the social life. Thank you.

Com. Maranga: Thank you very much.

Michael Kamau Kimani: My name is Michael Kamau Kimani. Michael Kamau Kimani, and this are my views. Concerning basic rights, that is right to life. Any Kenyan should be given this right. Having capital punishment should be abolished. This is because the culprit is not given time to repent his or her sin according to the Holy Book. Also, Kenyans should not be tortured to death by anyone, and anyone who will be found guilty of murder should be sentenced for at least 15 years.

Citizenship: Any person born in Kenya, or parents to be a citizen of Kenya. All Kenyans should be equal regardless of their status. Any person should have the right of expression, life and free primary education and medical care.

Concerning defence and security, the president should not be a Commander- in- Chief of the Armed Forces. Also, the police should not be allowed to shoot any Kenyan regardless of what crime done, but to be taken to court for trial.

System of government: The president should be elected for only two terms should be a Kenyan citizen aged between 30 to 60

years, elected by at least 50% of Kenyans, not declared bankrupt, fluent in speaking English and Kiswahili, and a graduate from a recognized university. The President should be a member of Parliament and not above the law. He or she can be sacked out for misconduct while in office.

About jobs: The short time contract jobs should be given to jobless citizens, e.g. graduates and form four leavers, not to old retirees. Also, there should be low taxation of agro-based industries or any other industry that affects citizens directly. E.g. Telecommunication and KPLC, and those ones which can play major jobs to Kenyan citizens should be encouraged to invest in Kenya.

Also, concerning the rights of children, the rights of children should be enacted in Constitution as proved by the Geneva convention, that is e.g. universal free primary education for all children. Thank you.

Com. Maranga: Thank you Michael. . Now my last speaker for the day. O.K. The last speaker for Kigumo constituency will be Mr. Njuguna Mbote.

Njuguna Mbote: My name is Njuguna Mbote and I am a resident of this area. I would like to say that because we acquired independence and we have not developed our industrial development for example iron mongery, we should develop that. In the past, people here used to do it, I don't see why it should not be done now.

At this stage of our development we should be able to manufacture motor vehicles and spare part, I don't see why we have so many educated people and this cannot be done. The government should encourage that.

The current government since it took over from the colonial government has not developed, has not increased that number of prisons, yet the population has increased. There is too much congestion in the prisons. The facilities there are lacking and the government has not looked into that area. I would like the Constitution we are writing now to take care of that.

Another area which needs to be looked into is government workers. They don't work. They report to the office, hang their jackets on the chairs if they are here at Kigumo, go to Nairobi the whole day and come in the evening. The only time they are around is when they are bribes to be collected.

Another area where this government has done absolutely nothing is about the railway. It has not constructed a single inch of railway line since independence. The only railway lines around are those inherited from the colonial government. Why can't it build more railway lines?

Another issue is that the freedom fighters like me have been neglected. Land was distributed to those who did not fight for

independence, some have 300, 400 acres which they don't even need while we are landless. This new Constitution should consider doing something for the freedom fighters. They are not even respected. (Freedom fighters). They are so poor that nobody respects them.

Another issue is that the government should consider re-introducing price controls on goods because the market forces are not dependable. Some people are over charging their customers because of liberalization.

Com. Maranga: Asante sana. Tumefurahia kama commissioners. O.K. Now, mimi kwa niaba ya Tume ya kurekebisha Katiba, tunataka kusema asante sana kwa watu wa Kigumo, muwakilishi Bungeni wa Kigumo, na sisi tunasema pengine panapo majaliwa ya Mwenyezi Mungu tutakutana tena, lakini kwa sasa tumemaliza Kigumo, na sisi tutakaa Gichugu pamoja na Kandara. Pengine wale watu ambao wanatoka upande huu wa Kigumo ambao wamewachwa, wanaweza kufika Kandara na wapewe nafasi ya kuongea. Lakini mnajua reporti ya Tume ya kurekebisha Katiba, vile vile itatambazwa katika sehemu zote za uakilishi bungeni, muone kama hii maoni yenu mumetoa hapa yako ndani ya hiyo report, na baadaye tutakutana Nyeri kama kuna marekebisho yeyote ya hiyo report. Kwa hivyo muna wakati na maneno ya elimu ya kiraia inaendelea, kwa hivyo mtu asije akawaambia ati tumemaliza kuchukuwa maoni. Maoni inaendelea na na mnaenedelea kuongea. Kwa hivyo mimi kwa niamba ya wanatume wenzangu, Commissioner Nancy Baraza, na wale wenzetu ambao wanatoka kutoka national secretariat, nataka kuwaambieni asante sana, na tumeshukuru na asante sana kwa ukarimu wenu, na ningemuomba yule Pastor aje atuombee ili tuweze kuondoka. Astanteni, kwa niaba ya Tume.

Prayer by Rev. Ngumo: Tusimame, ili tuombe. Asante Mungu Baba Mwenyezi kwa neema na fadhili zako, kwa vile umekuwa nasi tangu asubuhi tulipoanza kikoa hiki. Umetuwezesha na ukatuongoza kwa yale yote ilikuwa mbele yetu na umetusaidia kumaliza yote. Hasa tukikumbuka vile umewajalia ma-commissioner wetu, umewasaidia na ukawapa nguvu ya kuelekeza mambo yote yaliokuwa mbele yetu na tumefika kikomo Bwana. Sifa na shukurani ni kwako. Na sasa twaomba baraka zako kwa yale yote ambayo baba tumenena, yale maoni ambayo yametolewa na wananchi wa Kenya kutoka hili eneo la Kigumo, ili Bwana yale yote yalio ya manufaa kwa nchi yetu ya Kenya yawe ni wakati mzuri sana ambao Bwana yamepeanwa, na uwe nasi na uendelee kuwa nasi na hasaa kuwa na commissioners wetu Bwana, wanapoendelea kuokota na kuzunguka nchi yetu wakichukuwa maoni ya wananchi, ili mwishoe tutakuja kusema ni asante na umekuwa nasi katika jukumu hili la kurekebisha Katiba yetu. Tujalie yalio mema na hasa wawe na ma-commisoner wetu waondokapo hapa kuelekea Gichugu, Kigumo, na wale wengine wanaozunguka nchi yetu na hasa eneo hii ya katikati mwa Kenya, ili Baba baraka zako ziwe nao na ziwe juu yao nyakati zote, waondokapo na warudipo kule wanapotoka, Bwana wanyunyizie baraka zako. Kazi hii twaomba uibariki na committee yote ya hiyo Commission Bwana uibariki ili kazi hii iwe ya manufaa kwa wakati huu na wakati utakapokuja. Tuondokapo tuongoze na utupe neema zako, tupe baraka zako njiani, tuondokapo wale wataenda na magari na waendapo miguu, sisi zote twaomba uwe nasi na utuongoze katika yale yote tutakapo pitia. Kuwa nasi tumeomba na uzidi kutubariki Bwana. Utubariki na ubariki kazi hii yote. Sababu tunaomba haya yote tukiamini ya kwamba, ni wakati mzuri sana na maombi yetu umeyasikia, katika Jina la Yesu Kristo aliye Mwamba na Mwokozi wetu. Amen.

Tumalizie na neema. Neema ya Mwenyezi Mungu, na upendo wa Mungu Baba, na ushirika wa roho mtakatifu, ziwe nasi sote, sasa na hata milele. Amen.

Meeting ended at 5.15 p.m.