

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, MUKURWE-INI CONSTITUENCY,
HELD AT TAC HALL**

ON

TUESDAY 23RD APRIL 2002

CONSTITUENCY PUBLIC HEARINGS , MUKURWE-INI CONSTITUENCY HELD AT TAC HALL, ON

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Present:

Hon. Phoebe Asiyu	-	Commissioner
Dr. A. A. Nunow	-	“
Ahmed Issack Hassan	-	“

Secretariat In attendance:

Jeremiah Nyegenye	-	Programme Officer
Mary Kanyiha	-	Assistant Programme Officer
Regina Obara	-	Verbatim Recorder
Millicent Musyoka	-	Sign Language Interpreter

The meeting was called to order at 10.15 a.m.

Councillor Titus Maina: Msimame tafadhali tuombe, okay. Tuombe. Katika jina la Baba, Mwana na Roho Mtakatifu, Mungu muumba wetu uliyetuumba sisi na ukaumba nchi ama dunia yote; asubuhi ya leo tumekushukuru Mungu wetu kwa vile umetutengea siku hii ya maana sana katitka historia ya nchi yetu na hasa hapa kwetu Mukurwe-ini. Mungu wetu, asante kwa ulinzi uliotupa siku ya leo na asante kwa safari njema ulizotupa za miguu na magari, asante kwa kuwafikisha Commissioners na wasaidizi wake; asante Mungu wetu kwa sisi sote ambao tumefika. Siku hii ni siku ya maana sana na tunalo jukumu lililo mbele yetu, jukumu lililo nzito zaidi linalo hitaji usaidizi mwingi sana kutoka Mungu baba. Asante sasa tutakapo anza kutoa maoni yetu kuhusu Katiba mpya tunayo itaka baada yakuona ile ya zamani ambayo hatukuhusishwa sisi, utupe mawazo mazuri na kwa muda mdogo au mfupi hapo baadaye tutaona matunda ya kazi yetu uliotupa Mungu wetu, asante kwa sababu inaendelea katika nchi yetu, wengine Comissioners walipoenda Mungu wetu nao pia ukaweza kuwalinda na zaidi ya yote ukaweza kulinda nchi hii yetu. Watakao toa maoni hapa mbele yetu Mungu wetu tunawaomba ili ukaweza kuwapa nguvu na hekma ili mambo yote Mungu wetu yataweza kuhusishwa katitka Katiba mpya, haya tunaomba kwa jina la Yesu Kristo aliye Bwana na mwokozi wetu amina’.

Councilor Titus Maina: Naona District Coordinator wa hapa Nyeri amewasili na kama nilivyokuwa nimesema nitachukua nafasi hii ili niwajulisha kwa wanakamati ambao tumekuwa tukifanya kazi nao. Kwa sababu Coordinator wa Nyeri District amefika, ndio tujitambulisha tukisha maliza nakuwajulisheni wana kamati halafu ndio atawapatia Commissioners waendele. Kwa hivyo nafikiria ni jambo nzuri mje hapa mbele ndio Commissioner waone wale watu ambao tumekuwa tukifanya kazi nao. Bw. Commissioner, hii ndio team ambayo tumekuwa tukifanya nayo kazi hapa Mukurweini Constituency Constitutional Committee. Let me begin, to my extreme right is Mr. Mugo Nyumo, who is the District Coordinator. Next to him is Mr. James Kimemo Wanjau who comes from a location called Giathogo. Incidentally, we have seven locations in this Division therefore we had one representative from each of the locations. Then there is Mr. Erastus Karua he comes from Sane location, Rev. Julius Maina who comes from Rutune; Mrs. Leah Kimaru comes from Githii location. Mrs. Esther Ngare represents Gikondi location, next Mrs. Lydia Njoki Maina who represents Giathogo Rikindu location. Next is Mr. James Kinyumo Mutahi. That is the team that we have been working with together with the C.E.P's. that signed the memorandum of understanding with the Commission. I am Councilor Titus Maina representing Nyeri County Council. Thank you. So may I take this opportunity now to invite the District Coordinator to invite the Commissioners so that we can proceed on the rest of the programme. Karibu, ahsante.

Mr. Mugo Nyumo: Ninawasalimu nyote, hamjambo? *Kai mutakenete tondu mwakiari muhorerete uguo? Ii umuthi ti muthenya witu*, umuthi tukoretwo tukiaria. Tumekuwa tukiongea mambo mengi leo ni siku ya Commissioner. Na nitamuruhusu aendele na programme yake, leo ni siku ya kuchukua maoni na hatuna kazi ngine, hatuna la ziada, kwa hivyo mutayarisha maoni yenu na nitamuachia. Kamishna atajjulisha mwenyewe na pia atajulisha wale walikuja nao na vile vile najua kuna wengine wanakuja kwa hivyo tujitayarisha asante sana bwana Kamishna.

Com. Nunow: Habari zenu nyote, muache niseme kwamba tuna furaha kuwa nanyi leo na nafikiri ingekuwa bora zaidi tuwe tumekuja mapema kuliko wakati huu. Lakini, tulikuwa tume panga tuje tulale Nyeri ama Karatina jana usiku lakini tulikuwa na mkutano mpaka usiku, kwa hivyo ikawa ni ngumu tusafiri upande huu, tuka lala Nairobi ndio tukaondokea huko. Kwa hiyo mutatusamehea na baadaye katika mchana Commissioner Pheobe Asiyu atajiunga nasi; lakini tutaendelea kwa sababu leo ni siku yenu, yetu tu nikusikiza, nikusikiza nakuchukua yale maoni mnatoa. Ile muhimu sana ni yule anatoa maoni si yule anasikiza, kuna rekodiwa na kunandikwa na kunasikizwa, lakini maoni lazima yatoke kutoka kwa nani? Kutoka kwenu, kwa hivyo bila kupoteza wakati, nitawajulisha wale wametoka kutoka Tume. Mimi naitwa Abdirizak Nunow, na nimekuja na watu wa Secretariat, Commission ina ma Commissioners na ina Secretariat kubwa ambao wanatimiza yale yanahitajika kufanyika, pamoja na kuweka maoni yenu kwa Computer, pamoja na kufanya mambo yote ambayo yana rahisishia Commissioners kufahamu hayo maoni yenu na kuyandika, kwa hivyo sitachukua muda. Kule mwisho ni Jeremy Nyengenyeye ambayo ni Programme Officer, na amewasiliana na team ya hawa madada zetu, ambao vile munaona wanafanya kazi tofauti tofauti na vile tutaendele mutaona umuhimu ya ile kazi wanafanya.

Sasa ningependa kuwajulisha ya kwamba tutakuwa na utaratibu fulani wakupeana maoni:-

1. Ya kwanza; kama una maandishi ambayo umeandika tutachukua hayo maandishi, hiyo report na itachunguzwa vizuri sana kila neno ambalo liko kwa hiyo report litawekwa kwa Computer, kwa hivyo hauna sababu yakuisoma hiyo report hapa utatujulisha tu yale muhimu kabisa kwa madakika matatu manne.
2. Kama huna maandishi na unataka kuzungumza, utakuwa na dakika zisizo zidi kumi. Tumeelewana siyo? Kusudi ni kila ambaye anataka kutoa maoni aweze kutoa. Leo tuko hapa kesho pia tutakuwa Mukurweini, lakini kikao kingine, kwa hivyo tafadhali ukipata nafasi ujaribu iwezekanavyo uweze kutoa maoni yako ukiwa unajua una matatizo ya muda na hivyo ndio tutafanya katika nchi nzima si hapa peke yake.
3. Ya tatu, kama kuna maoni ambayo yameshapanwa umeshayasikiza yametolewa na wengine, hayo ni maoni ya Mukurweini pia, kwa hivyo kama kuna mengine ambayo hayakutajwa anza na hayo ili muda ikikuishia utakuwa umesema yako mpya badala ya kurudia maoni ambayo yametajwa na kuwacha yale hayajasemwa, tume elewana siyo?

Nafikiri mulikuwa mumeshafanya maandishi kwa register. Secretary aliniambia kuna list ambayo imeandikwa, okay very good tutaanza na hii na hiyo registration form nafikiri inaendelea, hiyo form tafadhali uonyeshe kama unataka kutoa maoni ama kama hutaki, na kama hutaki kutoa maoni na huna maandishi useme kwamba utazungumza tu, kama una maandishi useme una maandishi.

Sasa nitaanza na Anthony Macharia ambaye ameandika, anataka kuzugumza hana maandishi, Anthony karibu kuja huku mbele:-

Na tafadhali sana, unajua tunatengeneza Katiba ya ki demokrasia munaelewa hivyo siyo? Na demokrasia inasema kama unataka ya maoni yaheshimiwe heshimu maoni ya wengine, tumeelewana, hata kama hukubaliani na yale yanasemwa na mwingine utasema yako wakati wako, msikize amalize, kisha utoe yako, hatuko mabishanoni ya maoni, maoni yote yatachukuliwa na kutumiwa ipasavyo, kwa hivyo tafadhali tuendelea na programme kwa kiheshima awe kijana, awe mama awe msichana awe mzee kila moja apewe heshima zake atoe maoni yake kisha wewe ungonje fursa yako, asanteni, Anthony endelea:

Anthony Macharia: Habari zenu? Jina langu ni Anthony Macharia na nitaongea kwa kizungu kwa sababu hiyo ndio ile lugha ninajua kuongea nayo vizuri.

- The Executive. In my opinion the Executive of this country should be vested upon a Prime Minister who should have the Executive powers. The qualifications for a Prime Minister should; be a graduate, should have a fixed tenure of two terms of 5 years each. The functions of the Prime Minister should be defined in the Constitution and in writing to should facilitate the proper governance of this country. The President's position should be ceremonial and both should be

elected by the wananchi.

- Presidential qualifications; he should have at least 50% of the all the casted votes. If none qualifies to get 50% of the votes, we should have a run off of the two candidates with the majority votes. I think this will ensure a very fair election because at least we will have about 51% electing the President. The same case should apply to the Prime Minister. The difference between the Prime Minister and President is that, the Prime Minister will be an MP and expected to attend all the sittings in parliament.
- Provincial Administration; it is my feeling that we don't need a Provincial Administration in this country., his duties should be taken over by our Local Authorities.
- Legislature; the appointment of the legislature should be what we call a mixed appointment, i.e we should have representative MPs and we should have nominated MPs. In highly populated areas, a nominated MP should supplement the job of the nominated MP. For instance, for about every 150,000 people we should have a nominated MP, considering that we have 30,000,000 in this country approximately that means apart from the elected MPs we are going to have 200 more MPs who are nominated, each MP to represent approximately 150,000 people.
- MP Professional Qualifications: These MPs should be nominated not just on a popular vote but on their professional qualifications, because I believe we need professionals in Parliament; people who will be able to take care of different departments.
- Ombudsman; we should have somebody or an office that will counter check the powers of the Executive in other words I am talking about the office of the Ombudsman. The office of the Ombudsman should ensure that all that the Executive is doing in governing this country as is enshrined in the Constitution because the Constitution is for people. I feel that the office of the Ombudsman should be empowered such that an Ombudsman is not appointed by the Executive but answerable to the Parliament. He should have security of tenure of office of at least five years.
- Agriculture; about 70% of the livelihood of Kenyans are derived from agriculture, we should have Constitution that takes care of the farmer. We should have a Constitution that ensures that the farmers gets his dues. In Mukuruwe-ini for example, there is coffee and milk. For coffee we should have a very independent marketing agency. This should ensure that the farmers is not exploited and that proper taxes are deducted from his dues and used to improve the industry. This should also apply to milk production. There should be no importation of milk and milk products into the country to protect the producters.
- Devolution of power within government structure. We have a Central Government currently, and I feel that we should have some of the powers devolved to Local Authorities, i.e. things like infrastructures for example roads mainly. We should have a system whereby each Local Authority is given funds from the Central Government to take care of roads for example. . So some of the functions of the Central Governments should be devolved to the Local Authorities mainly these should be roads, hospitals, water and primary education .
- Political Parties; political parties should play a role in civic education. They should be allowed to teach the wananchi their rights. Only the two main political parties within the country should be financed. The others should finance themselves.

Com: Nunow: Anthony please summarize, you are running out of your time.

Anthony: Okay.

- Political Parties relations with the Government; this should be such that the official opposition party should be an overseer of the government. The office of the Ombudsman, in my opinion should be elected by the official opposition parties to maintain checks and balances in the Government. Thank you very much.

Com. Nunow: Thank you very much Anthony Macharia, will you please go across and register, give your name and submission so that we have records please. Next I will call upon Chrispus Kanguru, are you there? It is your turn. Chrispus you have a written memorandum? Could you please just highlight, don't read it, just highlight because we will take everything in the memo into the Computer. So just highlight the key issues in three minutes.

Chrispus: I don't understand you.

Com. Nunow: Umesha andika memorandum siyo? Kwa hivyo maoni yako yote yako kwa hiyo karatasi na hiyo utatupatia, tutaenda naye na maneno ambayo yote yako kule yaitaingia kwa Computer kwa hivyo usitusomee. Taja tu yale ungetaka wananchi ambao wako hapa wasikie, lakini kwa Tume yale maneno yote neno kwa neno tutaweka kwa computer, kwa hivyo usizidishe dakika tatu ukifanya hivyo.

Chrispus Kaguru: My name is Chrispus Kaguru Mwangi. I come from Rutune I am presenting the views from Rutune Locational Leaders. First of all, mutanikubalia nitumie lugha ya Kikuyu?

Com: Nunow: No problem. Tutakuwa na mtu wa kutafsiri.

Chrispus: Njitagwo Chrispus Kaguru wa Mwangi

Translator: Maina: My name is Chrispus Kaguru

Com: Nunow: Bw. Mugo Coordinator, okay.

Crispus: Report iria ndinayo nyandikite na githungu.

Translator: The report that I want to present is written in English

Chrispus: No ngwenda kuaria na gikuyu.

Translator: But I would like to speak in Kikuyu.

Chrispus: Tonde ndikihota kwaria na githungu.

Translator: Because I can't express everything in English

Chrispus: Andu aria turari nao nimaroigire ati nikubataire gukorwo na Commission

Translator: The people we were with said that there is supposed to be Commission.

Chrispus: Icaguritwe kana iappointitwa ni non-Government organizations.

Translator: Elected or nominated by Non Government Organisations among other parties.

Chrispus: To decide and to discuss the salaries and other allowances paid to the MPS, Ministers President's and Councillors

Translator: Kikuyu now, like you speak in English I am supposed to?

Chrispus: Nguthoma na githungu. No ngugite nyambe njitikirio njarie na gikuyu.

Translator: Language imwe, which one language?

Chrispus:

- Parliamentary terms of office; MPs and Councilors should not exceed two terms in their respective offices that is Parliament, and Councils respectively.
- Remuneration of MP's: the pension should be abolished completely. President's and MPs allowances and salaries should be banked in this country but not abroad.
- The President should not be above the law and the Constitution should create a free and independent Public Service Commission.
- The new Constitution should create Parliamentary Service Commission.
- During the General Elections a Presidential candidate should propose his Vice President before the elections and all the proposed Vice Presidents should be elected by the public.
- If the President is a man the Vice President should be a woman and vice versa.
- All elections in Kenya should be done by secret ballot.
- General Elections should be done at two different times. MPs and Councilors elections should be held first, Presidential and Vice Presidential elections should be held afterwards.
- For one to qualify for the seat of a President or the Vice President one must be elected as an MP.
- We should have a permanent Constitution Review Commission appointed by the political parties in collaboration with

other Non Government Organizations, that is in order to defend our new Constitution.

- Higher Education Loans Board should be independent and should offer loans to all students in the University and even those being admitted.
- No political party should use state funds or money for its campaigns.
- If a Police Officer shoots a suspect by mistake, the suspect should be compensated by the government directly .
- BOG's in secondary schools should be abolished completely and the PTA should replace the BOG instead. The PTA members in secondary schools should be elected by the parents concerned.
- Kenya should remain a multi party state.
- Public land in Kenya should be administered by an elected committee who's members discuss and value the property in those lands. The committee members should be elected by public from the respective areas e.g. Chiefs camps, health centers etc.
- Citizenship; A Commission should be formed to scrutinise all the foreigners before being considered as Kenyan citizens.
- Land Grabbing; If one is involved in land grabbing and setting and sets up some buildings on it, the new Constitution should administer a heavy penalty and the buildings demolished. Also such a person should be barred to contest for any seat in any public institution.
- Murder sentence should be abolished and life imprisonment should take its place.
- Aids drugs should be provided freely to the Aids victims.
- Abortion; Those involved in abortion should be given a heavy penalty like life sentence.
- Public hospitals/institutions; The Government should give free treatment in all public health institutions. An employed health technician should be barred from operating a private health clinic. Cost sharing and the district focus in Kenya should be abolished completely.
- Public amenities; The Ministry of Finance should set aside some funds in aids of constructing public buildings eg. Police Stations, Police posts, Chiefs camps, dispensaries, hospitals and others.
- All D.Cs should cease to be considered as appointed or nominated Councilors in our councils. They should leave the Councils to the Councilors.
- Civic elections; All candidates in the Civic elections should hold a form four certificate with passes in English and Kiswahili. Mayors and County Council Chairmen should be elected by the General Public. A Mayor or a Chairman should have an Electroral ward which he represents.
- Retirement age;The new Constitution should reduce the retirement age of its Civil Servants from 55 years to 50 years so as to create more jobs for the younger generations.
- Chiefs and Assistant Chiefs should be elected by the public, they should go for two terms of 5 years each. They should be between 30 and 40 years. They should hold a form four certificate with passes in English and Kiswahili. If a Chief or an Assistant Chief resigns or dies, a by election should be held. If Chiefs and Assistant Chiefs remain as Civil Servants they should be transferable like other Civil Servants.

- Pension funds; If one ceases or terminates his employment his or her N.S.S.F. due should be paid immediately regardless of his or her age.
- Court fines; The Constitution should minimize the Court fines so as to minimize corruption especially traffic.
- Suspects; An arrested suspect should be taken to Court immediately and charged or prosecuted.
- Landlessness; The new Constitution should cater for the landless. It should settle the landless in state lands or Government Estate e.g. Nyayo Tea Zones, all Kenyans can own properties or assets anywhere in the Republic of Kenya .
- Paternal responsibility; If a female is pregnant outside marriage the man responsible for the child for 18 years.
- If an elected person is caught misusing public fund e.g. in Co-operative societies, development projects and others, he or she should be prosecuted, imprisoned and pay back the public money he or she had squandered.
- Civil Servants retrenchments should be abolished completely in the new Constitution
- Employees striking should not be sacked immediately but their grievances should be put into consideration first before any action is taken.
- National Unity Government; The Kenya Government should be of national unity with two or more Prime Ministers. The new Constitution should eradicate ignorance, poverty and diseases.
- Devil worship; The new Constitution should give heavy penalty to the devil worshippers in Kenya.
- Foreign Government loans and grants; A free and independent Commission should be appointed to discuss and consider the Government loans from abroad but not the President.
- During the General Elections, the casted votes should be counted at the polling stations and an agreement signed by the presiding officers, and respective candidate's agents, this is meant to control the cases of rigging.
- Unemployment; The new Constitution should cater for the unemployed people, the poor and the disabled. The above mentioned people should have some allowances at the end of every month to cater for their basic needs. This should also be done for the older persons that is, from age 60 years and above.

May God bless you as you consider this views for the betterment of our country. Amen. I have another one from somebody else who had sent me.

Com: Nunow: Okay could you please, is it written? Hand in all both of them to will registered there. Okay? Thank you very much Bw. Mwangi. We would like to have Benson Wambugu. Benson endelea.

Benson Wambugu : Okay, distinguished guests, ladies and gentlemen, on behalf of the Kenyan Constitution Review my views have been aired, okay. My name is Benson Wambugu Gatuthu and I am going to air on one paper concerning the Kenyan Constitution Review.

- The Constitution should be delivered from the people, people of this country should have authority in making the

Constitution and changing any part of it when need be. 80% of the electorate be should given an okay in changing any sections of the Constitution.

- Number two, the Electorate should be given power to recall back those MPs who do not serve them well.
- Property ownership; People of Kenya should be given freedom to move to any part of Kenya and own property.
- The international covention on human rights should be promoted in this country.
- Multi- partysm should be allowed to thrive.
- The Constitution should be supreme and over ride all other laws of the land. The Constitution should state clearly how the people of this country are to be governed. The system of government, that is Executive, Judiciary and Legislature should be independent. None of the above should be more powerful than the other.
- Impeachment; The President should be impeached if he contravenes the law of the land.
- Anybody vying for the seat of Presidency should be of good moral character, he or she should be more than 45 years of age. He should serve at most two terms of 5 years each. For a person to be allowed to vie for the seat of the President, he should be a Kenyan citizen and his grand parents be citizens of this country.
- Members of Parliament should declare their wealth.
- Equality; The law of the land should be applied without any discrimination.
- The Constitution should allow for a coalition Government.
- Presidential and Vice Presidential elections should take place after MPs and Councilors are elected. President should appoint his Vice President and both should be elected.
- Nominated MPs appointed by the President should be scrutinized by a special Committee.
- Citizenship; There should be a Commission established to scrutunise, those people who would like to be citizens of this country.
- No property be it land should be given to any one without the knowledge of the indigenous people. The County Council should be given authority to take change of the land in its jurisdiction together with the indigenous people. P.C., D.C., D.O., Chiefs, Assistant Chiefs should be elected by the electorate. They should be indigenous in the areas they are elected to serve.

- Foreing grants and loans; There should a Commission in charge of foreign affairs. It should see that the money is properly utilised.
- Landless; Some people in this country have big and unutilised land whereas some may or some are landless hence the landless should be given this and allowed to cultivate in that land.
- Natural resources; Forests should be safeguarded especially where we have indigenous trees. The country's wealth and resources should be safeguarded and utilised for the people.
- Public rights; People's economic, political, social and cultural lives should be safeguarded. A Constitution should show

the supremacy of its people, power should not be concentrated on a few individuals.

- Public Officers; Parliament should give direction on some of the crucial issues for instance in the case of appointment of officers like the Chief Justice, Attorney General.

Com: Nunow: Mr. Wambugu tafadhali present your memorandum.

Mr. Wambugu: Okay, oh sorry. Okay let us come to the end with one point, the last one should be that we would like the Constitution to be taken very seriously.

Com: Nunow: Thank you very much Mr. Benson Wambugu. Please remember to register with Mr. Nyegenye and hand in your memorandum. John Kamau and please I will say again, ukija na una maandishi naona John Kamau ana maandishi musiyasome kwa sababu ni muda tu tuna poteza kwani yale yako tayari kwenye hicho kitabu yote neno kwa neno baadaye yataingizwa kwenye Computer na itatumiwa, tafadhali tu highlight tu karibu.

Mr. John Kamau: Hata sina kitu chaku ongezea nikupeana maandishi yangu.

Com. Nunow: Okay peana tafasi, asante, kwa sababu hata ukisoma na upeane ni hali moja. Sasa wacha nimuite mama mmoja, Mary, Mary Mwaniki, yuko? nitamuita baadaye. Joshua Karigiti, unataka kupeana?

Joshua Karigiti: nitapeana maandishi yangu.

Com. Nunow: Asante. Peana kwa Nyegenye, take that memo as well . Simon M. Koige, Simon una memorandum pia? kuna kitu muhimu ambacho ungetaja au utapeana utapeana maandishi yako?

Simon, ningetaka kutaja juu ya head of state kidogo.

Com: Okay, karibu, sema tu, tutakupatia tu three minutes.

Simon: Yangu nimeandika habari, no can I say in English or Swahili?

Com: Any, any of them

Simon : Any?

Com: Any language.

Simon: I have written about the head of state, My name is Simon M. Koigi.

Com: Endelea Mwangi

Simon:

- Attorney General's powers to be reduced, Member of Parliament, No. 5, No. 6 Independent Cabinet, No 7 defections, No. 8 Local Government, No. 9 Vacancy on Members of Parliament , finally its always comments on everything.

Com: Nunow: Thank you very much.

Simon: Yes

Com: Nunow : Please you can stay there then we will have to take that memorandum and everything therein will go into the Computers. Philip, Philip Kahihu, Philip, you can, unataka kupeana? very good okay sawa. David Nginye

David Nginye: Yes nitapeana maandishi yangu.

Com: Nunow : You have a memorandum? You want to hand it in or you want to say something?

David Nginye: I want just to give it.

Com: Nunow : Thank you. The few fellows who did not write anything can talk because written views are compact and together.

Peter Murigi: I have a memorandum and I want to comment on it

Com: Nunow : Please come.

Peter Murigi: Now the points I want to comment on are :

- Human rights be considered.
- The constitutions statutes should be clear
- The country natural resources should be all protected

- The power of the President should be reduced and some given to the Prime Minister. The President should be of age 45 to 70 between there and a person who is a graduate. A Kenyan citizen of good moral standards, a graduate and the tenure of office should be two terms only
- We should have a Prime Minister with certain powers specified by the Constitution
- Parliament should vet the appointment of the Judges, and the Ministers and the Assistant Ministers.
- Property ownership should be liberal so that anyone can own property anywhere within the republic of Kenya..
- Culture; On our cultural values the traditional values, these should be respected. The good ones should be maintained and the bad ones should be eliminated.
- Elections; during elections, the counting of votes should be at the station and the electoral boxes should be transparent and we should have an independent electoral Commission. Electoral dates should be indicated so that every Kenyan can know it. The Constitution should state how many parties should be funded and the Government we need is a Government of national unity. Thank you.

Com: Nunow: Thank you very much Mr. Muri, please hand in your memorandum

Mary amekuja? Mary Wangechi Mwangi . Okay , Muturi Wachira, Oh Mary is coming Okay Mary Mwaniki, nafasi ni yako unataka kupeana au unataka kusema?

Mary: Kupeana

Com: Nunow: Hutaki kusema lolote? Sawa. That is Mary. Muturi Wachira, Muturi Wachira hauna maandishi, njoo useme basi tafadhali.

Muturi Wachira: Okay Thank you. My name is Muturi Wachira, I did not have time to prepare a memorandum. I will make my speech shortest possible and I will avoid the ones which have already been said.

- Abuse of power: We should have Constitution whereby public servants, those elected and those in professional capacities, declare their wealth. This should be confidential and only used publicly in courts of law especially where there is corruption. The other thing is code of conduct, similarly we should not have leaders who are immoral. There are certain things which are not well addressed in Law.
- Morals code of conduct; We should have a moral code of conduct at the moment, it seems it is only teachers who get punished for befriending students, whether they are girls or boys in schools. Others public servants are not punished.
- Presidential appointees; there has been abuse of this capacity where we have witnessed the President appoint only those people who serve his personal interests. Therefore if a vacancy arises possibly due to a retirement, this should be advertised. The Public Service Commission should come with at least a maximum of 5 people who can be appointed by the President. These appointments should include the Public Service and the Judiciary. Parliament should also have a

mandate to vet the selected persons.

- Political Parties; this is where sometimes there can be a lot of misuse of power. We may have about 30 parties, some people may manage to sponsor some candidates in such a way that the person who wins, wins with a very small majority. We should limit parties to a maximum of 3, so that even if an MP wins he will win with a reasonable majority. Where there is no clear majority, there should be a provision for a run off between the two candidates.
- Local Government, the Minister should not have power to abolish the local Government and appoint a Commission. If he is allowed to dissolve the authority, then new elections should be announced but not replaced with a Commission. And finally, I think with that I end up now. Thank you.

Com. Nunow: Thank you very much Mr. Wachira, it is brief and precise. We will have Ndirangu. Mr. Wachira please we would want you to register. Mr. Ndirangu,

Mr. Ndirangu : Asante.

Com: Nunow: I think you don't have a memo.

Mr. Ndirangu Yes

Com: Nunow : Okay.

Mr. Ndirangu: Haritwa njitagwo Dr. Karimi Ndirangu. Na Katiba ino turaariria umuthi ni ya Wanjiku neerathondekerwo Wanjiku. Kwoguo nikio ngwaria na gikuyu. Tondu thirikari ndiathomithirie “Wanjiku” amenye githungu. Ndirenda kwanjia kwaria uhoro wa migunda..

Translator: I want to start by talking about land,

Mr. Ndirangu: Nitui kuri andu mena migunda miingi na migunda minene.

Translator: We know there are people who have many big pieces of land

Mr. Ndirangu: Na riria ringi angi matiri onaki.

Translator: And others have nothing.

Mr. Ndirangu: Nituikinya President umuthi..

Translator: We know even the President today..

Mr. Ndirangu: No aheane migunda

Translator: Can allocate land just by saying even by giving those ones who already have

Mr. Ndirangu: Riria aria angi matari.

Translator: When some people do not have,.

Mr. Ndirangu: Nitukwenda hinya ucio weherio.

Translator: We would like that power to be abolished

Mr. Ndirangu: Tungirora migunda iria ingi.

Translator: If we look at other lands

Mr. Ndirangu. Teria iri Nairobi.

Translator: Like those that are in Nairobi,

Mr. Ndirangu: Nitui niikoragwo na kindu gitagwo lease...

Translator: We know that they are leased.

Mr. Ndirangu: Na lease iyo yarehirwo ni muthungu.

Translator: And this lease was introduced by the Colonialists,

Mr. Ndirangu: Kwoguo tutimenyaga yathira kana migunda hihi igagicokerio athungu.

Translator: So we do not know whether when the lease expires the land will revert to the Europeans,

Mr. Ndirangu: Kana migunda iyo no itu.

Translator: Or the lands are still ours.

Mr. Ndirangu: Nondi muririkanie ati migunda...

Translator: I would like to remind you that these lands

Mr. Ndirangu: Niyagiriire gukorwo iri itu.

Translator: Should be ours.

Mr. Ndirangu: No ti ya thirikari

Translator: That they should not belong to the Government.

Mr. Ndirangu: Umuthi ona korwo ni kioro urenja nduagiriirwo ni gukira fiti ithathatu.

Translator: Today know even if you want to build a latrine you are not supposed to excavate more than six feet.

Mr. Ndirangu: Kwoguo ona korwo no thahabu kana madini mangioneka na kuu thi.

Translator: If you get minerals down there,

Mr. Ndirangu: Nikuga we uri Wanjiku nduri kindu ungiona

Translator: That mineral does not belong to you.

Mr. Ndirangu: Kwoguo nitukwenda mugunda na tiri ukorwo uri witu kuuma iguru kinya thi.

Translator: So we would like those lands to be ours from top to bottom.

Mr. Ndirangu: Kuri mawatho mangi makuru

Translator: There are other old laws

Mr. Ndirangu: Ma muthungu.

Translator: which belong to Europeans or enacted by Europeans,

Mr. Ndirangu: Na riu no mumenye hihi amwe ona mundu uthiaga Nairobi.

Translator: and those who got Nairobi know,

Mr. Ndirangu: Kana hihi andu aria mari tene hindi ya muthungu.

Translator: Or those ones who are a bit older and were there during the Colonial times

Mr. Ndirangu: Ndwagiriirwo gukinya haria Town Centre uteri iratu.

Translator: you were not supposed to go to town center without shoes,

Mr. Ndirangu: Tondu ucio wari watho wa muthungu tondu nio mundu muiru ndakiona iratu.

Translator: Because that was a Colonial law,

Mr. Ndirangu: Uguo mawatho ta macio na mawatho kinya maibande.

Translator: so such colonial laws and laws relating to ID cards

Mr. Ndirangu: No muhaka meherio. Tutikwenda ibande.

Translator: must be abolished and we do not want IDs,

Mr. Ndirangu: Ibande ciari cia muthungu cia gutwia igoti.

Translator: because those are colonial relics associated with taxation,

Mr. Ndirangu: Kwoguo niciagiriirwo ni kweherio.

Translator: so these should be abolished

Mr. Ndirangu: Na ukorwo gwi kindu gikurehwo. No tureheirwo passports niundu wa gututetithagia guthii njaa ya bururi.

Translator: and may be replaced with Passports to enable us to travel abroad.

Mr. Ndirangu: Ningwenda Katiba ino itwire President nuu.

Translator: I would like this Constitution to tell us who the President is?

Mr. Ndirangu: President kuma hindi ya mucolony. Ari Presiding officer wa queen.

Translator: The President since colonial times was an Officer of the Queen,

Mr. Ndirangu: Na kwoguo tutii kana President uyu witu ni munene kuri queen.

Translator: I do not know whether that is the position even today or we are still ruled by the Queen of England.

Mr. Ndirangu: No muririkane kahinda kari ho.

Translator: You can remember back when the President had gone to Europe,

Mr. Ndirangu: Agiuka akiuuga. Andu marirutaga wira thiku ithano.

Translator: he came back and said that people will be working for five days.

Mr. Ndirangu: Agicoka akigarururwo ni muthungu tondu muthungu niarenda thiku iyo imwe atuhinyiririe.

Translator: And these decision was later reversed that the Europeans meant six working days because the Europeans wanted to it that way.

Mr. Ndirangu: Na kinya muhuhu uria urikuo umuthi, President no kinya athie abroad nigetha assign watho.

Translator: And the rumours going round is that the President must go abroad to sign the Law,

Mr. Ndirangu: No tutikwenda uguo.

Translator: We do not want that.

Mr. Ndirangu: Ningwaria uhoro munini wa kahawa, tondu kahawa niko gatutuirie guku.

Translator: I would like to speak a little about power because is the main stay of people around here.

Mr. Ndirangu: Na nitukwenda tugie na Ministry ya kahawa.

Translator: And we would like to have the Ministry responsible for Coffee,

Mr. Ndirangu: Wina minister wayo. Uria urirugamagirira kahawa.

Translator: With its own Minister who would be in charge of coffee.

Mr. Ndirangu: Nitukwenda arimi. Makorwo nio mariugaga.

Translator: We would like farmers to be in charge

Mr. Ndirangu: Uhoroni wa kwendia kahawa, gugakuria na tutikwenda broker cia kahawa.

Translator: of marketing, growing and we do not want middlemen.

Mr. Ndirangu: Tutikwenda andu aria marituikaga nio turirimagira. Makaria.

Translator: We do not want to work for other people who will be benefiting from our sweat.

Mr. Ndirangu: Kuri watho umuthi ugaga ati kuri indo tutangikuria kahawaini.

Translator: There is a law that stipulates that there are some things, some plants are grown in the Coffee bushes,

Mr. Ndirangu: Kwoguo no njurie indo iria tui itikuthukia kahuwa, no irorwa kana no ikurio. Watho ucio urorwo ringi.

Translator: So I would like to ask to be allowed, this law should be revised.

Mr. Ndirangu: Mwena wa Githomo.

Translator: On the side of Education,

Mr. Ndirangu: Githomo kia primary gikorwo kiri kia bure.

Translator: I would like primary school education to be free

Mr. Ndirangu: Tonduthirikari ina mbecha.

Translator: Because the Government,

Mr. Ndirangu: Mbecha iria moyaga magotini. Handu haguikagia muhuko makaria. Tukuenda ithomithie ciana ona kwahoteka ituike ni irathomithia kinya secondary ona University ta tene.

Translator: instead of the Government pocketing money from our taxes, we would like it to use it to finance primary education and if possible secondary education,

Mr. Ndirangu: Ona kinya ciana iria cia atumi. Cirumagwo igetwo cokora tondu ni cia atumia. Nitukwenda ona cio thirikari icithomithie.

Translator: and the street kids, we would like the Government to educate them.

Mr. Ndirangu: Uguo no muhaka kugia watho ukurora uhoru ucio.

Translator: So there must a law to address that problem.

Mr. Ndirangu: Arutani nao thirikari nimahatiirire. Nanitui uguo.

Translator: Teachers have been oppressed by the Government.

Mr. Ndirangu: Matuire mahenagio. Niturenda Constitution kana Katiba ikwaria yuge uria mishara ya arutani no uria masilahi ma arutani marirogwo.

Translator: They have been told that there is going to be a Constitution that is going to address their salaries and other benefits.

Mr. Ndirangu: Andu aria aingi nanikio njugire Katiba inoni ya Wanjiku.

Translator: Many people and that is why I say that Wanjiku's Katiba

Mr. Ndirangu: Matiui watho.

Translator: They do not know, what the Constitution says.

Mr. Ndirangu: Ithomithagio Primary ona akorwo ndiregeragio. Tutigatuike riu ati riu turi agima nirio turathomithio.

Translator: It should be taught at Primary school rather than later in life.

Mr. Ndirangu: Mwena ini ucio wa githomo. Nitui ni kuri bursaries ikoragwo kuu.

Translator: Still on the side of Education you know there are bursaries,

Mr. Ndirangu: Na ni mahitia muno gutuikage ati mbecha ta icio iri thiaga guthomithia mwana wa mbunge. Uria uraheo shilingi ngili magana matano. Na wanjiku haria mwana wa wanjiku ndari na gia guthoma.

Translator: and it is wrong when these funds are used to educate Mps sons and daughters when you know that such people are getting are over 500,000/- shillings when the sons and daughters of the poor cannot get education.

Mr. Ndirangu: Thirikari niiremetwo ni gutugitira.

Translator: Government has been unable to defend us or to provide security,

Mr. Ndirangu: Niundu wa ihaki kana corruption.

Translator: Because of corruption

Mr. Ndirangu: Na nitui nokio turahurwo utuku tiunduungi ni mikora.

Translator: That is why we are having thugs at night.

Mr. Ndirangu: Na nitukwenda thirikari tondu niyo iremetwo ni gutugitira. Twahuruo igaturiha.

Translator: And would like the Government to compensate us every we are attached because it has failed in its duties.

Mr. Ndirangu: Noturie Katiba iria iguka.

Translator: We would like for the new Constitution

Mr. Ndirangu: Ituhe matibabu ma bure.

Translator: that it should provide for free medical services,

Mr. Ndirangu: Na njuge o ringi ndawa cia giriirwo ni gukorwo ci cia bure. Ona iria turaigua cia guthondeka HIV.

Translator: Medicine should be free, even those meant to treat HIV Aids problems.

Mr. Ndirangu: Nituramenya thirikari umuthi irenda gutuiya githurano na gucenjia mihaka ya Constituency.

Translator: We know that the Government is planning to rig election by changing Constituency boundaries,

Mr. Ndirangu: Kwoguo no muhaka akorwo Constituency niigucenjio. Ikagayaganio kulingana na muigana wa voters.

Translator: So if these must be changed, there must be a provision that the number of voters be as nearly as equal as possible,

Mr. Ndirangu: Tondu turenda Mps aria mekuo magakorwo maiganaine, gutiri MP munene gukira uria ungi.

Translator: So that the MPs have equal weight,

Mr. Ndirangu: Gitumi kwina Constituency imwe ina andu akorwo ta Embakasi ina andu makiria ma ngiri igana rimwe.

Translator: This is because there are some Constituencies that have so many people like Embakasi with 100,000 people,

Mr. Ndirangu: Iria ingi tayakuria Biwott nayo ina andu anini.

Translator: And others like in Biwott's place with few people.

Mr. Ndirangu: Kwoguo no muhaka cigayanio kuringana na muigana wa voters.

Translator: So the boundaries must be demarcated in such a way that they take cognizance of the number of voters.

Mr. Ndirangu: Mwena wigie andu anini.

Translator: On the side of Youth

Mr. Ndirangu: Nitukwenda tugie na Ministry.

Translator: We would like to have a Ministry responsible for Youth and Sports.

Mr. Ndirangu: Mabururiini maria mangi akorwo ni ta Liberia. Andu acio nio mararehe mbecha bururiini.

Translator: These are the people who are generating a lot of wealth for the country.

Mr. Ndirangu: Niundu wa mathako.

Translator: Because of Sports.

Mr. Ndirangu: Na niundu ucio niturenda Ministry iyo ikorwo niyo iriroraga waagi wa mawira.

Translator: This Ministry should also responsible for unemployment

Mr. Ndirangu: Nigetha ciana ciitu itigathomithagio igacoka igatuika itiri na mawira. No muhaka thirikari nayo igie na Ministry iria irithondekaga mawira macio.

Translator: To provide jobs for our unemployed youth.

Mr. Ndirangu: Twina Jeshi ciitu na nitui kinya riria turaruaga Molo, marari otoro. Matiatutheirie.

Translator: We also have our armed services and know that during the tribal clashes of Molo they did not help us.

Mr. Ndirangu: Ona gwaka bara matituethagia.

Translator: They did not also help in constructing the roads,

Mr. Ndirangu: Wira wao no guikara barracks. Uguo ni tukwenda hagio watho, riria gutari undu mareka mwena wa mbaara.

Magakorwo magituteithia.

Translator: they only rest in their barracks, so we would like that when they are not involved in war they should also help in these duties.

Mr. Ndirangu: Abunge ao ariamaretha kura.

Translator: Aspiring parliamentarians

Mr. Ndirangu: Magatwira uria megwika. Thiku igana rimwe cia mbere.

Translator: should also articulate their plans for the first 100 days.

Mr. Ndirangu: Nigetha matikana tuhenie nitukamoria thiku icio igana rimwe.

Translator: So that they do not give false promises.

Mr. Ndirangu: Mangiremwe ni kuhingia uria matwiriire.

Translator: If they are unable to deliver on these promises,

Mr. Ndirangu: Kugie na Referendum tukamaruta, tukathura uria ungi ugutuhota.

Translator: We should have referendum so that we could recall them and elect one who can deliver.

Mr. Ndirangu: Asante sana, thank you muno.

Com. Nunow: Thank you very much Dr. Karimi, for your presentation. Tumbuti Mwangi, Thank you very much.

Tumbuti Mwangi: Okay first I would take issues with child labour especially in rural. Okay I am Tumbuti Mwangi.

Com: Nunow: Endelea.

Tumbuti Mwangi:

- Child Labour; First I would take issues with child labour especially in rural areas, Shamba boys and maids are under 16 or under 18. The Government through the Ministry of the Home Affairs should take up these issues and establish centers even at divisional levels to address the case. I suggest that sub-Chiefs and chiefs should be charged with the duties of seeing to it that the children in their respected villages are taken care of. The plight of the suffering children should be taken very seriously and their education should be catered for.

- Youth Polytechnics; these should be strengthened and funded to offer more skills especially for those who do not make it to the universities.

Com; Nunow: So thank you very Mwangi, Please register yourself here before you go back to sit. Next Jane? Ameenda kidogo, then next let me call Damaris Wakarima, Damaris mama kuja mbele.

Damaris Wakarima : Nii ndoka haha.

Translator: I have come here.

Damaris Wakarima : Ni undu wathiina umwe.

Translator: because of one problem.

Damaris Wakarima: ukoragwo na ciana cia thukuru.

Translator: one problem with the school children.

Damaris Wakarima: njetagwo Wakarima, Damaris Wakarima

Translator: My names are Damaris Wakarima.

Damaris Wakarima: ndoka haha.

Translator: I have come here,

Damaris Wakarima: ni undu wathina umwe.

Translator: because of one problem

Damaris Wakarima:ukoragwo na ciana.

Translator: that affect children:

Damaris Wakarima: ciana ici ni irutiirwo wira munene muno.

Translator: a lot of work has been done on these kids,

Damaris Wakarima: mwana ndari nyina.

Translator: some are orphans,

Damaris Wakarima: niakuire.

Translator: The parents died along time ago,

Damaris Wakarima: na muciar akendia muguda.

Translator: and the parents were forced to sell off their Shambas

Damaris Wakarima: akamuthomithia.

Translator: to educate them,

Damaris Wakarima: na agicoka.

Translator: and at the end

Damaris Wakarima: mwana ucio ndari handu angicoka kuona murango.

Translator: that child cannot find a door.

Damaris Wakarima: murango wa mwana ucio wathii.

Translator: When that opportunity is lost

Damaris Wakarima: ukuirwo no urutire mbea.

Translator: you are told that you have to give money.

Damaris Wakarima: mwana ucio niathire interview.

Translator: for such a child to attend an interview

Damaris Wakarima: gukoyo ciana ingi.

Translator: others students are given a chance to pass;

Damaris Wakarima: mwana uyu akaga kuoyo.

Translator: yours are failed.

Damaris Wakarima: uria wina mbea akoerwo.

Translator: those with money pass the Interview.

Damaris Wakarima: kiu ni kiuria giakwa gia kwenda kumenya.

Translator: this is my question

Damaris Wakarima: gia kwenda kumenya

Translator: that I would like to know,

Damaris Wakarima: niundu wakupinyirio ni therikali.

Translator: because of the oppression occasioned by the Government

Damaris Wakarima: na andu aya ni andu mena mbeba.

Translator: and these people have money

Damaris Wakarima: na nii ndi muthini.

Translator: and I am poor,

Damaris Wakarima: Ndiri kindu kingi.

Translator: I don't have anything else,

Damaris Wakarima:na mwana uyu nduraga nake na ndiri mugunda.

Translator: I don't have a shamba and I have had this child all along.

Damaris:Wakarima:na nyina niakuire.

Translator: and the parents died,

Damaris Wakarima:na ngikoragwo na thina muingi muno.

Translator: and I have a lot of problems.

DamarisWakarima: ni undu ndiri muguda wa kumuhe na ndamuruteire wira ucio kiendia kamuguda kau nigetha ageteithia.

Translator: I sold the shamba so that I could assist him or her.

Damaris Wakarima: haria hangi.

Translator: and the other point,

Damaris Wakarima:ni athuri, magathii kuria athuri makenaga.

Translator: men go to entertainment joints

Damaris Wakarima: agicoka kuma nja muthuri ucio nianyitirwo na ndekunyuwaga njohi.

Translator: when they leave they are arrested and they were not drinking

Damaris Wakarima: na atwarwo thero.

Translator: and then they are incarcerated in cells.

Damaris Wakarima: riria atwarirwo thero agetio ciringi ngiri ithatu, ngiri ithatu cia thii niki? Ni undu niwarega kuhaka muthigari ucio.

Translator: in those cells they are asked to give three thousand shillings, why should such money be given because you are unable to bribe the Policemen,

Damaris Wakarima: aria angi ni ciana cia nathari.

Translator: the others are nursery school kids.

Damaris Wakarima: ndari nyina.

Translator: they don't have their mother,

Damaris Wakarima: na aria angi mari na ma nyina.

Translator: others have,

Damaris Wakarima: mbeca, icio ugwitio na thukuru ni mwarikirie gwaka.

Translator: you are asked to give money to finish building the school,

Damaris Wakarima: riu ugwitio mbeca bururi mugima.

Translator: you are asked to cough a lot of money.

Damaris Wakarima: ugakihinyiririo, ogukihinyiririo.

Translator: so you are oppressed

Damaris Wakarima: kinya Kenya igathuka.

Translator: until Kenya becomes bad.

Damaris Wakarima: riu na nogukarigwo guku gutiri therikali.

Translator: so wonder whether there is a Government.

Damaris Wakarima: ni ciakwa ndiri na ingi.

Translator: I do not have anything else.

Damarias Wakarima: ni ndanina.

Translator: sawa sawa.

Com.: Nunow: Asante mama Damaris. Wacha tumpate Lawrence Wanjohi Thuo.

Lawrence Wanjohi Thuo: Yes

Com. Nunow: Lawrence you have a memorandum, please just highlight because the others have taken a lot of time.

Lawrence Wanjohi Thuo: I would like to comment on education, I would propose that education should be free at all levels to make sure that bright children from

Com Nunow : Lawrence say your names for the records:

Lawrence Wanjohi Thuo: I am Lawrence Wanjohi Thuo.

- Education; I propose that education should be free at all levels to make sure that bright children from poor families are able to get education to the highest level. This can be done by raising taxes to cater for free education.
- Medical care; I would propose that treatment in all Government hospitals and centers and dispensaries should be free. This can also be achieved by the Government levying higher taxes.
- Judiciary; I would like to see a situation where Judges inspite of having security of tenure to be appointed by Parliament This will make sure that the element of sycophancy is done away with. Contract of all Judges should be terminated and they should apply a new one through Parliament together with other qualified Kenyans. This will ensure that only men/women of integrity are on the bench.
- Local Authorities; the Mayors and Council Chairmen should be elected directly by the people and they should serve a five-year term. The Chief Officer should be under the Mayors and Council Chairmen. The minimum education qualifications for a Councilor should be O level, neither the President nor the Local Government Minister should have power to dissolve Councils because they can use these power to frustrate Councils dominated by the opposition.
- Parliamentary, candidates who fail to seek nomination from one party should be barred from seeking nomination in

another party. These can be achieved by making sure that all parties conduct their nomination at the same time. Mechanisms should also be put in place to make sure that all party nominations are free and fair. In case of an MP defecting from his party, he should automatically lose his seat and be barred from contesting in the subsequent by-election. For it amounts to misuse of public funds by having a lot of by-elections.

- Presidential candidates; I also advocate the abolition of 25% for at least 5 provinces to be replaced with candidates getting at least 51% of total votes in general elections to be declared the winner.
- Election dates should also be stated in the Constitution to avoid it being used as a secret weapon by those in power.
- The Chief Justice should be the head of the Government during the Electioneering period pending the election of a new President.
- Electoral boundaries, the present demarcation of wards and Constituency boundary have been abused. They should all be demarcated again, population being the principal factor in making these boundaries. All the MPS should have voting powers in Parliament to commensurate with their Constituency population.
- Affirmative action. At least 2/3 of nominated MPS and Councilors should be women.
- I can also advocate a situation where the Presidency goes to man and a woman on rotational basis after every 5 years; this can be achieved by directing all political parties to nominate women as Presidential candidates if the previous President of the country was a man.
- Agriculture, the Government should try to subsidize farm inputs. These should help Kenyan farmers to compete fairly with farmers from other Comesa countries in marketing their produce. And that is all.

Com; Nunow: Thank you very much Mr. Wanjohi. Please hand in the memorandum and register. Muturi Muthigani, Muturi, Mr. Muturi you have nothing to say.

Muturi Muthigani: Mine is formal

Com. Nunow: Endelea tafadhali.

Mr. Muturi Muthigani: Thank you very much Mr. Commissioner. My name is Muturi Muthigani. Thank you very Mr. Commissioner the Constituency Committee, ladies and gentlemen. I would also say these things about the Presidency:-

1. He should be a mature person of proven ability.
 2. He should be a well educated person, or say a graduate
 3. He should be a person who is respectable. The President's power should be limited to. The President should be Executive but with limited powers.
- Vice Presidency; the President should not appoint the Vice President. The present constitution is silent on the

qualification and method of selecting the candidate.

- There should be put in place a method of appointing other senior government officials. These Officers must be vetted; they must be vetted by a certain authority.
- Our Parliament should have two houses, call them lower house and upper house as it used to be at the advent of independence. We had lower house and upper house, these houses should have authority to vet the appointments made by the head of state. They should have authority even to veto, that is disagree with what the head of state says, and also the high Court should be given that authority to veto what the presidency says which is inconsistent with the Constitution.
- Electoral boundaries here there is a very serious problem because we find that in some areas, we have Constituencies that have 5000 voters; less than 10,000 and some have 80,000 or even 100,000 voters. We have only 7 MPs in Nairobi, infact we should be having about 20. We have about 10 MPs in certain district in certain areas while we should only be having 2. So you these electoral boundaries should be adjusted.
- Human Rights: We should have a chapter written about human rights. This is not presently considered.
- Ethnicity: we have diverse tribes in Kenya. There should be a certain chapter there dealing with such ethnic tensions and it should be made a criminal offence for anyone to fuel tensions and insecurities on basis of tribes.
- Land matters; Land grabbing is rampant because the land laws are inadequate. We should have laws that protect trust or public land especially in catchment and forest areas. We also need to be explicit about how one can acquire land .
- National industries; Factories that manufacture goods in Nairobi are protected, but when it comes to our rural industries like coffee,tea, milk, forestry industries, there should be something written Constitutionally to protect these industries because they are the ones that assist the common man.

All laws should harmonize with the constitution. Thank you very much Mr. Commissioner.

Com. Nunow. Thank you Mr.Muturi. Please sign the register, over there at the corner. I would like to call upon Mr. James Kirimu, with his presentation, Mr. Kirimu you have a Memorandum?

Mr Kiumu: Yes.

Com. Nunow: You should just highlight and tell us what memorandum says rather than reading it.

Mr. James Kirimu: Mheshimiwa Commissioner,

Translator: Hon. Commissioner,

Mr. James Kirimu: Na atiethiria ake.

Translator: and your staff,

Mr. James Kirimu: Ritwa riakwa njitagwo James Kirimu Mutahi,

Translator: my names are James Kirimu Mutahi,

James Kirimu: na nikwenda kwaria kwa ukuhi maundu maya.

Translator: and would like to mention in brief the following.

James Kirimu: uhoru wa ithurano cia general elections

Translator: As far as general elections are concerned,

James Kirimu: No nyendete gukorwo kuri na muthenya na mweri na mwaka.

Translator: I would like to suggest that there should be a fixed date

James Kirimu: Igutura ho.

Translator: that would be there permanently.

James Kirimu: Na no nyende riria Parliament yabunjwa niundu wa ithurano.

Translator: And I would like when the Parliament is dissolved for the sake of elections,

James Kirimu: Chief Justice uria ungikorwo athuritwo ni bunge.

Translator: Chief Justice who will have been vetted by Parliament

James Kirimu: Akorwo arugamiriire giti kia President.

Translator: should take Executive control of the Government.

James Kirimu: Nigetha President ndagakoragwo agitumira hinya wa thirikari.

Translator: So that the President is not able to use Government powers.

James Kirimu: Indo cia guthurana.

Translator: The documents that should be required for elections,

James Kirimu: Ibataire gukorwo cionetwo ni ECK iria ibataire gukorwo onayo ithuthuritie ni ciana cia uteti.

Translator: they should be vetted rather they should be provided for by the Electoral Commission which should be vetted by Parliamentary parties,

James Kirimu: Na indo icio ibataire gukorwo, okorwo ni ta mathanduku mabataire gukorwo mahana gichichio.

Translator: and we should have transparent ballot boxes.

James Kirimu: Andu aria mekwenda guthurwo iti cia kanju

Translator: Civic aspirants

James Kirimu: Ni mabataire gukorwo moi githungu wega na githweri.

Translator: should have proficiency of the English and Kiswahili languages,

James Kirimu: County council chairmen hamwe na Mayors.

Translator: County Council Chairman and Mayors,

James Kirimu: Mabataire guthurwo ni athurani a area iyo yao.

Translator: should be elected directly by voters

James Kirimu: Na mabataire makorwo magiikara miaka itano.

Translator: and their term should be five years,

James Kirimu: Na makorwo mena term igiri ota President.

Translator: and they should have a maximum of 2-5 year terms just like the President.

James Kirimu: Na nimabataire gukorwo mena hinya wa kurora kanju ciao.

Translator: They should have Executive powers over their councils.

James Kirimu: Mundu uria unghotana Nihabataire gukorwo na thirikari ya matura.

Translator: There should be Local Government

James Kirimu: Iria yo yenyewe, ibataire gukora ikirora utonga wa area ciao.

Translator: which should be in control of the resources the areas under their jurisdiction,

James Kirimu: no kiu gitibataire gukorwo kiri gitumi gia kuga ati muikari wa Kenya ati gutiri kundu ata ngirutira wira kana gutiri

kundu atangiikara.

Translator: but these should not bar Kenyans from settling or working anywhere in the Republic of Kenya.

James Kirimu: Mundu uria ubataire guthurwo giti kia President abataire gukorwo na ukuru wa gatagati ka miaka milongo ina na milongo inana.

Translator: Presidential aspirants should be aged between 40 and 80 years,

James Kirimu: Kuringana na tombo wake uria ahetwo ni Ngai.

Translator: considering their intellectual powers.

James Kirimu: Gutiri mundu ubataire gukorwo ari iguru ria watho.

Translator: Nobody should be above the Law

James Kirimu: Na mutongoria o wothe ona akorwo ni President ni abataire gutwarwo igotini angihitiria bururi.

Translator: and all leaders including the President should be subject to the Courts of this land.

James Kirimu: Munini wa President ndabataire kuorotwo ni President, abataire guthurwo marugamite nake ni kiama kiao.

Translator: The Vice President should be elected directly by the voters.

James Kirimu: Ma Minister, anini ao

Translator: Ministers and their Assistants

James Kirimu: Mabataire kuorotwo ni President no ringi mathuthurio na bunge.

Translator: and all top Civil Servants above the rank of Secretary

James Kirimu: O undu umwe na andu a igotini. MaJudge, kuma principal Magistrate.

Translator: including Judicial Officers in the rank of Principal Magistrate

James Kirimu: Magetikirwo ni Bunge.

Translator: should be appointed by the President but must be vetted by the Parliament.

James Kirimu: Andu acio angi a thiini wa magoti, no morotwo kuringana na mitaratara iria iriho riu.

Translator: all other Judicial Officers could be appointed according to the existing Judicial Service Commission procedures.

James Kirimu: Mwena wigie ngirigacha.

Translator: On the side of agriculture,

James Kirimu: No muhaka thirikari yone ati kuri na irio cia kuigana thiini wa burur

Translator: the Government must ensure that there is food security in the country

James Kirimu: Na makiika uguo na njira ya kuona ati murimi niaheo maundu mothe magukorwo agikuria irio cia kuigana.

Translator: and they can only do this by providing an enabling environment for the farmer.

James Kirimu: No undu umwe niwa kweheria igoti hari indo iria tutumagira kuma nja wa bururi.

Translator: one of the ways of achieving this is by abolishing taxes on the agricultural inputs

James Kirimu: Na kuonera arimi acio thoko ya indo iria tutumaga nja.

Translator: and also sourcing markets for farmers in countries abroad.

James Kirimu: Ogi aria mangihitia ugoro wigie riera

Translator: Meteorological department officials,

James Kirimu: thirikari niibataire kuoya indo iria ciothe irendetio ta iria riria riandetio guku.

Translator: if they make a mistake in the predictions the Government must buy back all the that was being produced

James Kirimu: Na marihe mundu uria mahete licence.

Translator: and pay the person they had issued the license to.

James Kirimu: Utongoria wa ngirigacha nomuhaka umwe kuuma guku thi turi.

Translator: Agricultural leadership must emanate from the grassroots

James Kirimu: Kuumanagia na ithurano itari na uHINGA kana mahaki.

Translator: from free and fair elections.

James Kirimu: Na mabarabara maitu na indo ta thitima na mai.

Translator: our roads and other infrastructure

James Kirimu: No muhaka murimi akorwo ahotithitio gukorwo nacio ni thirikari.

Translator: the Government must provide an enabling infrastructure to the farmers.

James Kirimu: Undu wigie biashara na iganda.

Translator: As far as trade and industry is concerned,

James Kirimu: Aikari a Kenya nimabataire kuonererio na njira I gitumi.

Translator: Kenyan citizens must be shown

James Kirimu: Undu wa gukorwo uteri na mahaki.

Translator: without corruption

James Kirimu: Na makorwo mahetwo ugitari.

Translator: and they must be protected

James Kirimu: Nigetha makorwo makihota kuiga iganda na kuiga biashara.

Translator: so that they are able to invest in business and industry.

James Kirimu: Undu wigie githomo,

Translator: On education,

James Kirimu: Githomo nikibataire gucoka haria twari ya 8-4-2-3

Translator: we should revert to the old system of 8-4-2-3.

James Kirimu: Na tondu niturihagio magoti maingi muno Kenya.

Translator: and because we are heavily taxed,

James Kirimu: Githomo kuma nathari kinya form four kibataire gukorwo gikirihwo ni thirikari kulingana na igoti riria turihaga.

Translator: primary education right from Nursery should be free.

James Kirimu: Nakio kiu kingi kia form six kinya University aruti acio mateithio gicunji kiria kinene ni thirikari.

Translator: For the advanced level to University. The students must be helped to a great deal by the Government.

James Kirimu: Arutani nao ni thirikari. Thirikari niyo yagiirirwo ni kuona ati niyathomithia arutani uria kuagiriire.

Translator: It is the Government's responsibility that it has trained Teachers and promotion should be on merit.

James Kirimu: Arutani na madagitari matibataire guthiaga retire na miaka 55

Translator: Teachers and Doctors should not retire at 55

James Kirimu: Tonduni hindi iyo niguo makoragwo maninite ureri kwao mucii.

Translator: because at this time they have finished parenting in their homes

James Kirimu: Na rio akoragwo na uugi muingi.

Translator: and they are at their peak in terms of experience.

James Kirimu: Kwoguo mabataire ku-retire na miaka 65

Translator: So this retirement age should be pushed to 65.

James Kirimu: Mwena wa thibitari.

Translator: On hospitals, we would like Government-trained Doctors,

James Kirimu: Akuigana.

Translator: enough Government trained Doctors.

James Kirimu: Na nitubataire gukoragwo o sublocation ina dispensary ya thirikari.

Translator: And there should be a dispensary at each sub location

James Kirimu: Na location igakoragwo na health center.

Translator: and health center at the locational level

James Kirimu: Na division igakorwo na subdistrict hospital .

Translator: and a sub-district hospital at the divisional level.

James Kirimu: Dawa na indo cia thibitari ni ibataire gukorwo kuo itekwaaga. Na ni undu wa magoti maria tutiinagio ni thirikari. Ona kuu gutiagirire gukorwo na marihi thiini wa thibitari cia thirikari. Na kubataire gukorwo na thitima na mai hingo ciothe. Thibitari icio nacio cibataire kuheo mbecha kuuma o kuria headquarters. Ikahitukira kwi subdistrict, igacoka igathii health center na dispensary. No itigacoke guthii general hospitals.

Translator: Drugs and other medical supplies should be available all the time, and medical services should be free because we pay taxes. And there should be electricity and running water all the time. Funds to run these hospitals must be allocated from headquarters through the sub district hospital to the health center and dispensaries but it should not be routed through the

general hospitals.

James Kirimu: Hari Administration na security. Giti kia PC gutiri kindu giteithagia muingi naguo. DC niagiriirwo gukorwo ari kuu. Na machief na anini ao. No nao mabataire guthii gwikwo interview na DC. Aria atatu mekuoywo thiini wa list. Magathi magathurwo ni andu aria marathii guatha. Nigetha makuoywo umwe mwega biu. Nigetha mundu ucio akaigua ati ena uigiriki hari andu aria aratha.

Translator: On administration and security, the PCs position is of no use to the public, the DCs position should be retained and together with the Chiefs and their assistants but these should be interviewed by the DC and the best three who are short listed must be elected by the people that they are going to govern, so that the best is picked. So that the person feels that he is responsible to the people that he is governing.

James Kirimu: Polithi na GSU na flying squad mabataire magiathirwo giathirwo kimwe.

Translator: All these people of the Armed Forces should have a centralized command.

James Kirimu: Magoti nimo Judiciary. Gutiri mundu wa-retireire thiini wa magoti ari magistrate kana judge ubataire gucoka kwandikwo na kandarathi. Na gutiri mundu abataire gutuika magistrate Atari na degree ya law ya University.

Translator: As far as the Judicial system is concerned, all those retired as Magistrate and Judges should not be employed on contract. And the minimum qualifications should be a University degree.

James Kirimu: Nigetha cira urugamio igotini no muhaka ukorwo uragamitio na igitumi kiiganu.

Translator: For a person to sue in Court there must be enough reasons.

James Kirimu: Environment. Thiini wa environment nigukorwo na committee o sublocation.

Translator: There should be a committee in every sublocation.

James Kirimu: Nagutikae kugia na undu ugwikwo andu acio matoe. Na uhoro wa gutinia mititu. Thirikari ndibataire gwikwo uguo.

Translator: There should be an environmental Committee at every sub-location level and nothing should be done without the knowledge of this Committee. Forests should not be cut down or destroyed by the Government. Thank you very much.

Com: Nunow: Thank you very much Mr. Kirimu. You hand in your memorandum and register. Let me call upon Dennis Githaiga, Dennis Githaiga you have a written memorandum?

Dennis Githaiga: Yes

Com. Nunow: Okay

Dennis Githaiga: My names are Dennis Githaiga, a resident of Mukurweini I have a few points to make:

- Chief's Act; This should be abolished as it is colonial.
- Provincial Administration should be trimmed.
- The office of the President has immense power vested on the President. He should not make appointments arbitrarily. The President should not be Chancellor of the University nor should he/she be the Chairperson of all institutions of higher learning. Some of the powers that he has are very, you can say they don't fit. He should have no authority to create new boundaries be they political or administrative.
- The Police power should be checked. The power to extricate information from suspects should be controlled. Abolish the special units within the force such as the Flying Squads.
- On education; abolish the 8.4.4 system and replace it with the 7.4.2 system as it is not useful to our children.
- On health; we should have free health for all. Abolish the cost sharing system introduced the other day. We should also safeguard our professionals in the health sector. They are not enough and are now leaving the country to work elsewhere as our hospitals are left undermanned.
- Private medical practice: We should have a system of putting up private health centers or clinics. They should be licenced from Dental Board or from the Doctors Board so that not every quack can put up a health facility.
- We should have an equal distribution of the road network. We pay fuel levy for the maintenance of roads but come the rainy season, we can hardly use the roads.
- The County Council Acts, the County Council should not collect levy if it is not delivering services to its traders and residents, i.e. supply of water, collecting of garbage, providing of street lights, all that should be done by the council because we are paying levy to the council.
- Decentralization of the location of industries. We should not have all industries located in Nairobi. Put some up in the smaller towns like Nyeri, Kakamega, Mombasa or even Kerugoya.
- The Water Act is very clear that water is life and Kenya has policy that we should have clean water in every home by 2015. We should have a water supply system that works. The one in this area was set up in 1963 and has broken down forcing us to rely on rain water and collect some from the rivers. We have to protect water catchment areas.
- On corruption, we should create an office that is going to cater for corrupt elements in the society. Those responsible for public affairs just squander the farmers money and go scot free. There should be a law that curbs their activities including those of coffee societies.
- The creation and licensing of radio stations; us people here would like to enjoy the services of Nation TV, KTN. Right now we are just receiving it from KANU Broadcasting Corporation. Let the other stations be licenced to broadcast in the rural areas and not only Nairobi.
- On appointments, Public Service Commission, Judicial Service Commission, Teachers Service Commission and other

bodies employing should use proper credentials for employment. This will reduce nepotism.

- AIDS pandemic a lot of street children who are not catered for. The Government is taxing us, it should create in every Constituency or in every division a children's home to cater for the needy and should be educated. They should enjoy the rights just like other people. Thank you very much.

Com. Nunow: Thank you Mr. Githaiga. Please pass by and register. Henry Wareithi, you have memorandum?

Henry: Yes, I have one or two points to make.

Com: Nunow: Please be brief. Endelea.

Henry Wareithi: Thank you, Mr. Commissioner, and your colleagues, my name is Henry Wareithi, I have only two points to make.

- The new Constitution should be written before the next General Elections
- It should be plainly written and it should observe fundamental rights and also safeguard human rights and good governance. That way it also should cater for freedom of expression and association. Thank you.

Com. Nunow: Thank you very much Mr. Wareithi, particularly for being precise and brief. hand in the memorandum. James Kegua. James you have a memorandum,

James Kegua: Yes

Com. Nunow: Please be brief as well, or you want to present a memorandum, you may talk but please be brief.

James Kegua: I am James Kegua, from Gatura sub-location. I have few points.

Com: Nunow: Be a bit loud, start with your name because it is being recorded

James Kegua: I am James Kegua from Gatura,

- Federal government; Structure and system of government; Kenya should adopt a Federal Government, where regions would develop the citizens. They will collect taxes and forward 15% to the Central Government. The Prime Minister will be appointed from the ruling party and will run the Government, Government affairs and will be accountable to Parliament.

- Legislature. Parliament should vet the appointments of the Ministers and the Assistant Ministers, and also the Judges and Public Service Commission officers. Parliament should be empowered to impeach the President in the event of mis-conduct (interjection)

Com: Nunow: Please wacha tu sikilize, tulikubaliana asubuhi kwamba tutamsikiza kila mtu, wacha tusikie tafadhali.

James Kegou:

- The Constituents should be empowered by the Constitution to recall their MP's if there is any problem by collecting one thousand signatures in the said Constituency and register their dissatisfactions.
- MPs nomination; the Constitution should consider special interests, such as for the minority group, disabled, farmers unions, civil societies, women and youth representatives.
- We should also have our Constitution should permit the formation of a coalition Government.
- Also the President should not have powers to dissolve Parliament instead, Parliament should have a clear plan or calendar of events which they observe.
- The Executive; the President should be married, during elections he must have a wife, a legal wife with children. He must be a graduate, he must be of good morals, he should not have been convicted of a criminal offence, and he must not exceed two terms in office. He should not have a Constituency, and he should not contest a Parliamentary seat.
- We should not have a Provincial Administration and instead sub-locations should elect their administrative leader who would be elected in every five years. Electoral system, on Presidential elections, the president should garner at least 51% of the votes casted in which he wins 25% of the votes in every registered province. All votes should be counted in the polling stations and be announced immediately. The election dates should be specified by the Constitution so that it is not a secret weapon, by the ruling party. The Electoral Commission should be constituted, also civil societies should be involved in constituting the Electoral Commission and last. The Constitution should give room to independent candidates. Thank you

Com: Nunow Thank you very much. Mr. James Kegou, please hand in your memorandum and sign the register. Francis, Umeandika maandishi sio?

Francis: Ndio lakini nitasoma kidogo.

Com. Nunow: Tafadhali tupatie zile point ambazo niza muhimu,

Francis Kamoji Ndirangu: Nitafanya haraka Chairman, My names are Farancis Kamoji Ndirangu, my views are as follows:

- Extension of Parliament: Terms of the present Parliament should not be extended such it should end on 4th February, the year 2003.
- Members of Parliament and Councilors should be restricted to two terms of 5 years each.
- Amendments to the present constitution should not be fragmented.
- The coming General Elections should be held within a new Constitution. The terms of office of the Constitution Review Commission should not be extended. The 30 million people of Kenya have confidence in the Constitution Review Commission and its Chairman Prof. Yash Pal Ghai and as such the Constitution Review Commission must complete its work of reviewing and rewriting the new Constitution by 31st December the year 2002.
- The Presidential appointees, Judges, Permanent Secretaries, Ministers, Commissioners, Service Commanders, heads of Parastatals, State Corporations must be vetted by two thirds majority of Parliament.
- Importation of goods grown and manufactured in Kenya must be approved by Parliament to safeguard the economy of this country. Liberalization and globalization per se should not be allowed to destroy the economy of this country. The Controller and Auditor General be empowered by the Constitution to prosecute corrupt Civil Servants and those Civil Servants that are named in any public watchdog Committee be barred from holding any public office for life.
- Terms of Parliament must be entrenched in the Constitution that the President should not have powers to dissolve it at his will. That is dates for the General Elections must be indicated in the Constitution.
- The Vice President of this nation should be elected on the same ticket as the President and the President should not have powers to sack the Vice President at his own will. Parliament should be empowered to impeach the President if he fails to provide security for its citizen.
- The government should put an end to tribal clashes.
- Districts should be created only by Parliament Parliament should be empowered through the Constitution to appoint a Commission of experts to look the into issue of the districts created through political considerations to assess their economical viability with a view of dissolving some of them.
- The Constitution should be taught as a subject in Primary and Secondary school. Thank you very much Bw. Chairman.

Com. Nunow: Thank you Mr. Ndirangu. Please hand in your memorandum and sign the register. Let call upon Leah Kiragu, Leah Kiragu the floor is yours, you have a written a memorandum? Give it in or just present, you will just forward it? Okay that is fine. Esther Wambui Esther you have a memorandum, you want to say something about it? Please come round, Esther Okay.

Esther Wambui Ngare: Ritwa riakwa ni Esther Wambui Ngare.

Translator: My names are Esther Wambui Ngare,

Esther Wambui Ngare: Na undu uria ingienda kugweta ihinda riri ni ati Constitution iria twinayo ndiri handu yaragia uhoro wa

nu wathondekire Constitution. Kwoguo nitungienda Constitution itu ya ihinda riri yarie uhoro wa gwigigira kwa Ngai tondu niwe mutongoria witu thiini wa bururi uyu. Also yarie iguru ria atumia, athuri na ciana. Tondu nio ene bururi uyu. Na makiria muno iguru ria andu aria maruire wiyathi.

Translator: The points that I would like to mention regard, the current Constitution which does not speak about the people who made the Constitution, so we would like the new Constitution to speak about the fear of God because he is our leader in this country, it should also speak about women, men and children because they are the owners of this country. And especially on those people who fought for independence.

Esther Wambui Ngare: Uhoro wa Citizenship. Niati ciana iria iciaragirwo bururi ini wa Kenya ci cia airitu kana cii cia anake. Iria iciaragwo ni airitu niciagaga gukorwo igikuu cita ciana cia bururi uyu. Example riria muiiritu oima na ciana ciake ruraya kana outside nja ya bururi uyu. Cigagwota mirigo kiharoini kia ndege nigetha iregistwo bururi ini uyu.

Translator: On citizenship, those children who are born in Kenya by women or men citizenship is not conferred on those ones with single mothers, for example when somebody comes with children from outside the country, when a mother or a single mother comes with her children from outside the country they are kept like luggage at the airport before they are registered in this country.

Esther Wambui Ngare: Kiria kingi ni uhoro wa githomo. Nonyende Constitution ini itu, githomo gikorwo gia 7-4-2-3. Na githomo kia primary giothe gikorwo gia tuhu. Na uhoro uria wari kuo wa tene wa Kenya schools equipment team, ucokie na unengeraniririo uria kuagiriire. Na guo uhoro wa Universities na colleges, Igeranio ciothe cia Universtity nicia giriirwo gukorwo na ruhongo ruria ruri ciroraga. Nigetha ciana ciitu cia airitu na anake itigage kuhuthirwo na njira ya mahitia nigetha mundu ahituke kigeranio. Na nigetha tugiage na degrees njega kuma University ciitu.

Translator: On education, I would like the new Constitution; I would the education system to revert to the former 7-4-2-3-. And that primary school education should be free. And the former system of Kenya School equipments should be re-introduced. On Universities and Colleges all examinations done at the universities should have a centralized examination body so that our children both boys and girls are not manipulated by their Lecturers so that they can pass their exams so that we have legitimate degrees from our universities.

Esther Wambui Ngare: Kiria kingi ni indo iria ciingagirio thiini wa bururi kana ikendio nja wa bururi. Niciagiriirwo ni kuariririo ni bunge nigetha tutikarehagirwo indo iria turakuria guku bururi ini. Ta cukari, muchere, matumbi na iria. Na cio indo iria twendagia nanja wa bururi, niciagiirirwo ni kurorwa wega nigetha tutikendagie indo ciothe tugatigwo tutari na indo cia kuria ta mbembe.

Translator: On import and export, Parliament should talk about this, so that products that are already being grown here are not imported, for example, sugar, rice, eggs and milk. Concerning our export there should be policy that ensures that we do not sell everything and leave our granaries empty like for example in the case of maize.

Esther Wambui: Na guo uhoro wa andu aria manyuaga bangi na mendagia bangi. Na maundu mangi ta makunyita andu a nja na hinya, matua ma maundu ta macio ni magirirwo ni guikirwo ari kioho kia maisha. Tondue andu acio ona moima mokaga gucokera oro maundu macio.

Translator: As far as drugs users and traffickers are concerned and rape, Court fines should be life imprisonment, Court sentence should be life imprisonment because when these people are released they repeat the same offence.

Esther Wambui: Naguo uhoro wa migunda. Andu aria mena migunda minene. Na ingi ndihuthagirwo, nonyende Constitution ya ihinda riri, mundu uria wagirirwo ni gukorwo ari na mugunda munene muno . Akorwo ena acre magana meri. Naguo mugunda ucio ungi wothe utarahuthirwo, ucokio mokoini ma ene migunda na niyo Kenyans. Naguo ucoke ugairwo andu aria matari na migunda. Kwoguo mundu wothe niagiriire gukorwo ena handu angiaka kamucii ga guikara. Nayo iria ingi ingitigara itarahuthirwo ni mundu na ni gukorwo ena mugunda wa acre magana meri, niagiriirwo ni kuriha igoti. Thank you.

Translator: On land issues, those people with large tracks of land, idle tracks land, the new Constitution should provide that the maximum amount of land should be 200 acres. The idle balance should be reverted to the owners of that land who are Kenyans and re-distributed to the landless. Therefore every Kenyan should have place where they can build a house. If there is still idle land such land, should be taxed. Thank you.

Com: Nunow: Thank you very much. Esther Ngare. Can I have now Lydia Njoki Maina? Lydia I think you have a memorandum you want to hand it in? All right thank you. Jane Wanjiru, Jane you also have a memorandum but you want to say something about it?

Jane, Yes.

Com. Ok

Jane Wanjiru Wangara: My names are Mrs. Jane Wanjiru Wangara, now presenting recommendations for the Mukurwe-ini women

- Equality before the Law for all citizens regardless of Gender, freedom of expression and association.
- Citizenship: persons born in Kenya after year 1963 and persons staying in Kenya for a period of more than 5 years are automatic Kenyan citizens. A person man or woman married to a Kenyan citizen should be entitled to automatic Kenyan citizenship unless they choose otherwise. A child of less than 18 years whose parents are not Kenyans adopted by a citizen of Kenya should be registered as a Kenyan citizen.
- Rights and obligations of a citizen: The Kenyan Constitution should provide that all citizens are equally entitled to the rights and privileges and benefits of citizenship regardless of Gender. The following documents should be prove of Kenyan citizenship; Birth Certificate, National Identity Card.

- Basic rights and basic needs: The Constitution should guarantee basic rights which include health care, free health care, water, food, free education and especially the primary level, shelter security, and employment for all Kenyan citizens.
- Gender parity decision making should be a basic right to equitable representation in decision making at all levels.
- The Kenya woman should suffer no form of discrimination oppression that reduces her dignity and esteem as a Kenyan. The Affiliation Act that was repealed in 1967 should be entrenched in the new Constitution.
- The affirmative action policy: Current Constitution is silent on the rights of women and persons with disabilities. One out of 10 Kenyans has some of disability therefore it is crucial that their needs such as those related to vision impairment, hearing and speech difficulties, physical impairment should be addressed.
- Education opportunities: It is not enough to set quarters for employment if we do not have enough trained and qualified women to meet those quarters, the girl child, especially the girl child, the youth and the disabled need to be facilitated, especially- bursaries should be provided for girls, the disabled or any other marginalized communities like the pastoralists.
- Political parties, Legislature and the Judiciary; Recommendations; The Constitution must ensure the affirmative action policy if employed in the composition of political party structure e.g. at least a third of the officials in each of these organs must be of the opposite Gender.
- Political parties, the Constitution should regulate the formation, management and conduct of political parties, all national political parties should have a national outlook with membership drawn from at least 60% of the Kenyan 42 different ethnic groups.
- Electoral systems: The Electoral Commission should enhance women's participation in political leadership by developing and disseminating materials with an aim to educate society on the value of women leadership to change the cultural practices that may be against women leadership. Appointment of more women to positions of political responsibility via affirmative action e.g. at least 33% of the total seats in Parliament and Local Authorities should be for women. Political parties should be encouraged to have at least a third of the officials in the party organs as women to provide detailed politics on Women issues in their Constitution manifestos.
- Civic and Parliamentary elections should be held separately from the Presidential elections. Votes should be counted at the polling stations and the results announced immediately at the same place.
- Land and property rights: Women and children have in the past suffered most as victims of calamities, disasters, land conflicts clashes and other land related insecurity, it is on this basis that we the Mukurwe-ini women recommend the following:- Female offspring regardless of marital status should be entitled to inherit family property including land without discrimination. The land registry should be de-centralized countrywide and transactions be carried out at the district level. Kenyans living in communally and group owned land such as pastorals, hunters and gatherers should be guaranteed protection, security and ownership of the land that they occupy.
- Finally the title deed of family land should bear the names of both husband and wife. Kenyans living in trust land should be guaranteed protection, security and should the need arise to move them out of that land, they should be properly compensated and re-settled elsewhere and given ownership.

Com: Nunow: Thank you very much Mrs. Wangara, please hand in your memorandum and register. John Kanyi, John Kanyi, John you don't have a memorandum,

John: No its verbal.

Com. Okay. Please go ahead.

John Kanyi: My names are John Kariuki Kanyi. I am a resident of Mukurwe-ini division and I would like to air my views to this Commission regarding what I would like our Constitution be.

- Preamble: our Constitution needs a preamble stating why the Constitution is being enacted and in the preamble it should have a national vision setting. Common experiences of Kenyans, e.g. cultural and religious and economic experiences should also be enhanced the Constitution. I also feel that the Constitution should have a directive principle of state policy.
- The Executive; I feel that the powers of the President should be reduced. The President should be made to work under the existing laws of the country and should not be free from any of the laws since he/she is also a citizen like any other.
- The office of the Auditor General should have powers to prosecute those found to have misused public funds and all these should work with a team of Auditors in order to scrutinize properly and make the necessary findings, which are beneficial to the welfare of the Kenyans.
- The natural resources should be shared by all Kenyans. All public servants should account for their inflammatory statements. The wapende wasipende statements that give rise to tribal animosity must be stopped and measures taken to the initiators of these statements.
- The three arms of the Government, the Executive, the Judiciary and the Legislature should work independently.
- Ministers appointed by the President should be accountable to a Parliamentary Select Commission. The Committee or Commission should comprise of other elite Kenyans not necessarily members of the Parliament. Those members appointed outside the Parliament should comprise the majority of the Committee. MPs and Ministers must attend Parliament sessions always and punctually since they are also public servants. The President should have no powers to appoint Commissions or stop them.
- On development of the country, the Constitution should state clearly what percentage of the countries wealth, should be used for development.
- There must be equitable distribution of the country's wealth. Development must be focused in all parts of the country since all Kenyan residents contribute towards the countries revenue in form of the many taxes paid.
- A Government of national unity where the power is shared amongst the political parties must be exercised.
- MPs who do not foster unity and development in their areas of jurisdiction should be removed and new ones elected.

Citizens should be given powers to address Parliament in order that the Government of the day understands the sufferings of the citizens especially when their MPs fail to represent them adequately.

- Presidential powers must be curtailed such that the President has no power to appoint important citizens like the Attorney General, Chief Justice, the Governor of Central Bank, Chairmen of Parastatals etc and I feel strongly that there should be a board or a Commission that should be given these prerogative. A Judicial Commission should be set from elite Kenyans from all Government departments and the Clergy.
- Registration of political parties; on that issue it is my feeling that in our country we are having too many political parties and before any other new party is registered, those registering the party should produce a list of their supporters of not less than 100,000 thousand and these names must be appended with signatures and other credentials.
- The Constitution should state clearly measures to curb corruption, strict measures should be stipulated in order to recover what has been misappropriated or embezzled and jail terms set.
- Parliament should have powers to draw its own calendar. A Supreme, body should be formed to oversee the effectiveness of the Parliament and the resolutions passed by the Parliament; the body should also oversee the passing of bills into law. A National Commission to oversee salaries of all Kenyan workers should be set. This Commission should be independent and free from political influence and pressure. There should a free National Electoral Commission, independent from free political affiliation.
- Free education, medical services and adequate food services should be available to all Kenyans.
- Rehabilitation of street children in order to become useful citizens must be enshrined in our Constitution. Those people or culprits who misuse the street children for personal gains in order to carry out dangerous missions e.g. theft of precious materials and drug peddling must be arrested and be charged accordingly.
- A National Commission to oversee proper remunerations of Kenyans workers must be set. A Constitution that stipulates the terms and service of workers i.e. grading and salary increases. Workers Unions should be incorporated in this National Commission in order to give out their recommendations to the National Commission for consideration.
- A body that draws proposals to the Government on the economic growth of the country should be set up. Measures must be taken to increase domestic growth product and enhance industrialization and this body must assist talented Kenyans to build their talent to the benefit of the Nation.

Com. Nunow: Kariuki summarize,

Kariuki:

- The Kenya Bureau of Standards should be made to compensate for sub standard goods in the market since it is the body, which is responsible for standardized goods. Goods labeled new and are not really durable should not be in the market.

- The Government should educate the mass on the dangers posed by polythene materials to the environment and curb dumping of old and used materials that threaten the environment. The Ministry of environment must mobilize field officers to oversee the cleanliness of the environment and prosecute those citizens who endanger the environment. Protection of forest and water catchments areas must be looked into. Thank you very.

Com. Nunow: Thank you very much Mr. John Kariuki Kanyi thank for your views. Peter, Peter are you there? Okay, Julius Macharia, Macharia you have a written memorandum. Please take two to three minutes, just tell us the points that are there you don't have to explain everything because we will put everything in the computer.

Julius Macharia: Thank you Commissioner I am Julius Macharia from Mukurwe-ini. These are my views that I want to present to the Constitution Review.

- One no Kenyan should be above the law regardless of his status and an example is that of the President where currently the President above the law.
- Corrupt public Civil Servants should be prosecuted and made to refund the money or to surrender the items that they have gained.
- Ministers and top Civil Servants should use Peugeot 504 saloon as the official car, because this one will reduce the Government expenditure on fuel and maintaining them instead of using Mercedes Benz, Pajeros, Nissan Patrol like the one which outside this building, Volvos, because they are using tax payers money.
- Education should be made free from Nursery school to form four.
- There should be free medical services in all Government hospitals.
- Farm inputs should be made duty free from where they are bought.
- Parastatal bosses, Judges and Permanent Secretaries, should be appointed by the Parliament. Teachers, Doctors and Nurses are the only Civil Servants who are working tirelessly in their ministry and therefore their salaries and allowances should be higher.
- Kenyan currency should bear the portrait of the First President of Kenya like the way U.S.A do it .
- All political parties should be funded by the Government.
- National holidays should be reduced to avoid more Government expenditures e.g. Moi Day abolished.
- The D.O. should be a person from the Division he is working so that he will able to know the geography of that division. We don't need to have someone from very far away to come and be our DO here yet he or she knows nothing about our division.
- Tax-payers money should not be used to revive the ailing parastatals by the Government, instead the Government should sell all its shares to the members of the public.

- In future ruling parties should be made by law to share the national cake even with the opposition.
- Top Civil Servants should not be given other responsibilities, as this one will help the Government to create more job opportunities. A good example can be cited where a D.C. is a nominated Councilor. That post the DC held, as a nominated Councilor should be given to another person.
- New inventions and manufacturing concerns should be supported by the government so that we develop the industries and save on foreign currency used to buy the items from other countries. Thank you.

Com. Nunow: Thank you very Mr. Macharia, please hand the memorandum and register. Kabla ya kuendelea ningependa kuwajulisha ya kwamba saa saba unusu tutapumzika kidogo kwa muda wa saa moja halafu tuanze tena saa nane unusu. Kwa hivyo tuna nusu saa yakuendelea.

Titus Maina Macharia: Nii ngwaria na gikuyu.

Translator: I will speak in Kikuyu.

Titus Maina Macharia: Maritwa makwa ni Titus Maina Macharia.

Translator: My names are Titus Maina Macharia.

Titus Maina Macharia: Councilor wa Nyeri County Council

Translator: Councillor of Nyeri County Council,

Titus Maina Macharia: Kuuma guku Mukurwe-ini.

Translator: From Mukurue-ini.

Titus Maina Macharia: Ndirenda kuheana maoni makwa.

Translator: I want to give you my views.

Titus Maina Macharia: Maria ndirona magirirwo gwikirwo Katiba ini iria turathondeka riu.

Translator: That should be clearly stated in the new Constitution.

Titus Maina Macharia: Ni mo maya:

Translator: They are as follows:

Titus Maina Macharia: Ati Katiba iria turathondeka riu nonginya ikorwo ina kiongo.

Translator: The Constitution that we are making now must have a preamble.

Titus Maina Macharia: Iria ikuuga ati hinya wa guthondeka Katiba umite kure wendi wa andu a Kenya.

Translator: That indicates that the new Constitution must emanate from the wills of the public of Kenya.

Titus Maina Macharia: Na ati gutiri mundu wina hinya kana Parliament, kana ni President kana mundu o wothe wa kwihe mahinya macio ma guthondeka Katiba.

Translator: That nobody from the President downwards should have powers to hijack the Constitution.

Titus Maina Macharia: Ati Katiba iria njeru nonginya ikorwo na kiongo kiroiga ati;

Translator: The new Constitution must have a preamble,

Titus Maina Macharia: Kenyans othe mombitwo maiganaine.

Translator: That all Kenyans are equal.

Titus Maina Macharia: Na mena ihoto ciao cia kimuthingi,

Translator: That they have alienable rights.

Titus Maina Macharia: Ta, gutura,

Translator: Like life,

Titus Maina Macharia: Uhuru,

Translator: Liberty,

Titus Maina Macharia: Gukorwo na indo iria cionekete na njira ya haki,

Translator: Economic goods that come the right way.

Titus Maina Macharia: Guthii kuria mundu e kwenda,

Translator: Freedom of movement,

Titus Maina Macharia: Guikara o kuria mundu angienda oro hamwe na kunyitanira na andu aria mundu angienda.

Translator: Freedom of residence and cooperation among the citizens of Kenya.

Titus Maina Macharia: Ati thirikari iheagwo hinya wa guathana ni andu a Kenya.

Translator: The Government gets the power to rule from the people of Kenya.

Titus Maina Macharia: Ati thirikari ino turathondeka ingihuthira mahinya mao uru,

Translator: That this Government if it mis-manages the power,

Titus Maina Macharia: Kenyans mena hinya wa kumieheria

Translator: Kenyans have powers to remove it.

Titus Maina Macharia: Na guthondeka iria marona no ihote kumagitira maunduini mao.

Translator: And elect a new one that can cater for their needs.

Titus Maina Macharia: Ati kiongo giki kia Katiba nonginya kingihota kuuga uhoro wa mathina maria twina mao.

Translator: That the Preamble must indicate the problems that we have.

Titus Maina Macharia: To uhoro wa mahaki,

Translator: Like corruption,

Titus Maina Macharia: Uhoro wa ukabila,

Translator: Tribalism,

Titus Maina Macharia: Kuheana mawira kuri andu arata aku kana andu a family yaku.

Translator: Giving jobs to those close to you.

Titus Maina Macharia: Na yuge nonginya tunginina mathina maya.

Translator: And should say that we must eradicate this problem.

Titus Maina Macharia: Ati Katiba niyo watho uria munene biu thiini wa bururi.

Translator: That Constitution is supreme to the country.

Titus Maina Macharia: Na ati ndingicenjio gutari na kura ya maoni.

Translator: That it cannot be changed or amended without referendum.

Titus Maina Macharia: Ati andu aria mokaga guku Kenya matari na ithomo kana ugi ona uriku,

Translator: That immigrants and skilled labour,

Titus Maina Macharia: Matiagirirwo kuheo citizenship ya bururi uyu tondu maraheo magacoka magatutunya mawira maria

ithui tungirutira ithui ene.

Translator: Should not get citizenship of Kenya because they take over our jobs from our people.

Titus Maina Macharia: Ati kungihoteteka,

Translator: That if it is possible,

Titus Maina Macharia: O mundu o mundu agiriire gukorwo ena wira umwe

Translator: Each one of us should have one job.

Titus Maina Macharia: Na retrenchment ininwo.

Translator: Retrenchment should be eradicated.

Titus Maina Macharia: Ati hinya wa President wa gutangatha mbara,

Translator: The power of President to declare war,

Titus Maina Macharia: Wagirirwo kugawanwo na bunge.

Translator: Should be chaired by the Parliament.

Titus Maina Macharia: Ati President ndari na hinya wa kuga kugie na watho wa emergency.

Translator: That the President should not declare emergency,

Titus Maina Macharia: Gicunji kia milongo inana kia abunge othe matetikirite.

Translator: Without an affirmative quotation by 80% of Parliament.

Titus Maina Macharia: Ati Katiba nonginya yuge,

Translator: That the Constitution must say,

Titus Maina Macharia: Ati gutiri mundu wi iguru ria watho kinya President.

Translator: That nobody is above the law

Titus Maina Macharia: Na ati ithuothe no nginya tukorwo tuiganaine mbere ya watho.

Translator: That all of us must be equal in front of the Law.

Titus Maina Macharia: Kwoguo gicunji kia ikumi na inya gia Constitution iria twina yo ndagika ino,

Translator: So, our Constitution number 14,

Titus Maina Macharia: No nginya kieherio automatically riria watho uyu mweru ugoka.

Translator: Should be refilled.

Titus Maina Macharia: Ati Constitution no nginya yehererie President hinya wa kuohera mikora iria ya thitangwo na yaturwo magotini maitu.

Translator: So the President must not have powers to give clemency for this corrupt people.

Titus Maina Macharia: Ati Katiba nonginya ihe Parliament hinya wa ku-impeach President.

Translator: The Constitution must empower the Parliament to impeach the President,

Titus Maina Macharia: Angikorwo ni aremetwo ni wira kana niarahuthira mahinya make uru. Kana niaganire muno.

Translator: If he is mis-using his powers.

Titus Maina Macharia: Thiini wa bunge no nginya committee ya implementation icokio.

Translator: In Parliament, the committee of implementation must be revived.

Titus Maina Macharia: Nigetha ikarumirira maundu maria mahitukio thiini wa bunge.

Translator: So that it follows the Bills that are passed in Parliament.

Titus Maina Macharia: Ati Vice-President no nginya athurwo ni muingi.

Translator: The Vice President must be elected.

Titus Maina Macharia: Na mahinya make na mawira make mataririo wega.

Translator: His powers and responsibilities must be given clearly.

Titus Maina Macharia: Ati Katiba iria turathondeka no nginya igayanie mahinya.

Translator: That the new Constitution must give division of labour and powers.

Titus Maina Macharia: Ma mutongoria wa bururi,

Translator: Of the President of this country.

Titus Maina Macharia: Na mutongoria wa thirikari.

Translator: And the Head of the Government.

Titus Maina Macharia: Na nikingo ndiroiga ati kwagiriire gukorwo na mutongoria wa bururi kana President.

Translator: That is why I am saying that we should have a State President.

Titus Maina Macharia: Na mutongoria wa thirikari uria ugwitwo Prime Minister.

Translator: And have a Prime Minister as the Head of our Government.

Titus Maina Macharia: Ati Katiba iria tuguthondeka riu, uhoro wa guthura andu aria anene thiini wa thirikari,

Translator: That the Constitution we are enacting now the power to appoint senior officials of the Government,

Titus Maina Macharia: Ta wakili munene wa thirikari,

Translator: Like the Attorney General.

Titus Maina Macharia: Judge munene wa thirikari

Translator: The Chief Justice,

Titus Maina Macharia: No nginya ciithuthurio ni bunge na itikire.

Translator: Must be given powers by the Parliament.

Titus Maina Macharia: Na ati andu acio othe no nginya marumirire maundu

Translator: That those people must follow the criteria,

Titus Maina Macharia: Cia githomo na course.

Translator: Education and professionalism.

Titus Maina Macharia: Na nginya mitugo.

Translator: And the morals.

Titus Maina Macharia: Nigetha iti ici itige kunengerwo mikora na andu matarahota kuruta wira.

Translator: So that we do not give public.

Titus Maina Macharia: Ati Constitution iria njeru no nginya ingikorwo na wabichi ici.

Translator: The Constitution must have the following offices;

Titus Maina Macharia: Obichi ya ombudsman.

Translator: The office of the Ombudsman.

Titus Maina Macharia: Na ikorwo ina wabichi kinya guku thiini wa division.

Translator: It should come down to the Constituency level.

Titus Maina Macharia: Ni getha andu magatuaraga mateta mao riria mahetirio ni aruti a wira a thirikari.

Translator: So that people can take their complains to them.

Titus Maina Macharia: Kana maga guteithio.

Translator: Or if people are not helped.

Titus Maina Macharia: Ningi wabichi ino nigukorwo ina hinya wa guthitanga yo nyene.

Na guthitanga yo yenyewe na gwika utuiria. Na riria andu mahitiirio makoimwa ihoto ciao. Na no nginya ikorwo ina hinya wa guituiria yo nyenewe na guthitanga andu acio.

Translator: That office should have power to investigate and prosecute.

Titus Maina Macharia: Obichi iria ingi ya gatatu ndirenda haha ni wabichi ya kuhurana na mahaki.

Translator: The third office is the one to fight against corruption.

Titus Maina Macharia: Iri na mahinya o ta macio me hau rugongo.

Translator: With powers like the above.

Titus Maina Macharia: Kwoguo nindi ra propose ati,

Translator: So I propose,

Titus Maina Macharia: Section 26, III, B and C,

Translator: Section 26, III, B and C,

Titus Maina Macharia: Nigathira hinya biu.

Translator: Should be powerless or should be refilled.

Titus Maina Macharia: Riria Katiba ino turathondeka ikambiriria kuruta wira.

Translator: When the new Constitution becomes operational.

Titus Maina Macharia: Ndi ra propose Katiba no njeru

Translator: I propose that the new Constitution,

Titus Maina Macharia: Yuge ni gukorwo na system ya local government.

Translator: Should say that there will be a new system of Local Government.

Titus Maina Macharia: Na ati gicunji kia milongo ina hari igana ya mbecha ciothe cia thirikari,

Translator: That 40% of the Government funds,

Titus Maina Macharia: Ciri huthagirwo thiini wa thirikari ini icio cia guku matura ini.

Translator: Should be spent by the Councils.

Titus Maina Macharia: Mayor nao na ma chairmen ma kanju,

Translator: Mayors and the chairmen of the councils,

Titus Maina Macharia: Ndira propose makorwo magithurwo ni muingi.

Translator: I propose that they should be elected directly.

Titus Maina Macharia: Nigetha makorwo magiciria uhoro wa andu aria marari ha rate.

Translator: So that they will be thinking about the people who have paid rates.

Titus Maina Macharia: No ti makanjura maria mamathuraga.

Translator: But not the Councillors.

Titus Maina Macharia: Nake Chief Officer ugwitwo clerk nacio angi othe.

Translator: The Chief Officer from the County clerk or the Town clerk,

Titus Maina Macharia: Magirire gukorwo me rungu rwa Mayor kana chairman.

Translator: Should be under the supervision of the Mayor or County Chairman.

Titus Maina Macharia: Ndira propose ati Mayors na council chairmen,

Translator: I propose that the Mayor and Council chairman,

Titus Maina Macharia: Ona Councilors othe makorwo na githomo gia thi biu kiri kia Form four.

Translator: Councillors should have the minimum education standard of Form Four.

Titus Maina Macharia: Ningi nindira propose ati Chairman rather Minister wa local government ndagakorwo na hinya wa kunina organs ici cia local government.

Translator: I propose that the Minister of Local Government should not have power to dissolve the local authority.

Titus Maina Macharia: Ati bunge ikorwo ina hinya wa gwithondekera calendar yayo ya ikiro.

Translator: That the Parliament should have powers to make their own plan of action.

Titus Maina Macharia: Ati nake President ndagiriiruo ni gukorwo na hinya wa kueheria watho uria ugite ati mundu angitira cikaro inyanya kirumaniririo no amuohere.

Translator: That the President should not have power to say that he can give clemency to anybody who has missed eight sittings in Parliament.

Titus Maina Macharia: Ati muthuthuria wa mathabu ma thirikari,

Translator: That the Auditor General,

Titus Maina Macharia: Niagiriire gukorwo ena hinya wa guthitanga andu aria maiyite.

Translator: Should have powers to prosecute the thieves.

Titus Maina Macharia: Aria andikite report ini yake.

Translator: Those people he has given the reports about.

Titus Maina Macharia: Na ati report ciake ciagiririe gukaga quarterly.

Translator: His reports should be there quarterly.

Titus Maina Macharia: Tondu riu ciukaga thutha wa miaka iri neyo ni post-mortem na ndi tuteithagia.

Translator: Because now they come after two years and that is only a post-mortem.

Titus Maina Macharia: Ningi nindira propose ati mbecha cia ku-run ofici iyo ya muthuthuria wa mathabu ma thirikari.

Translator: I propose that the funds to run that office of the Auditor General,

Titus Maina Macharia: Cia allocatagwo directly kuuma consolidated fund.

Translator: Should be allocated directly from the Consolidated funds.

Titus Maina Macharia: Nigetha atigage kuhiurio ni andu aria mara-runaga ministry ya finance.

Translator: So that he will not be cheated anymore by those people who are running the Ministry of Finance.

Titus Maina Macharia: Ningi nindira propose obichi ya muthuthuria wa mathabu ma cooperations.

Translator: I am proposing that the Auditor General of the cooperations,

Titus Maina Macharia: Ikorwo na aruti a wira ao mari independent kuma ministry ya Finance.

Translator: Should be independent including the workers from the Government.

Titus Maina Macharia: Ningi nindi ra propose mwena wigie budget,

Translator: I am proposing about the budget,

Titus Maina Macharia: MP's magakoragwo mena mweke wa gucangira hari matanya maria me gukorwo ho.

Translator: The MP's should be able to contribute to the budget.

Titus Maina Macharia: Tondu ndagika ino mathiaga o kuhitukia.

Translator: Because right now they just rubberstamp.

Titus Maina Macharia: Na matiitikiritio gucenjia ona gaturumo ka E.

Translator: And they are not allowed to change anything.

Titus Maina Macharia: Ningi nindira propose ati githomo kia Primary school gikorwo gia tuhu na gukorwo ati no muhaka mundu atware mwana.

Translator: I am proposing that Primary education should be both free and mandatory.

Titus Maina Macharia: Mwena ini wigie atongoria a Universities kana Chancellors,

Translator: The University Chancellors,

Titus Maina Macharia: Ndiroiga magiirire gukorwo wira uyu ugitangathwo gathitini ta mawira maria mangi.

Translator: Those jobs must be advertised in the newspapers like any other job.

Titus Maina Macharia: Gugakorwo na interview panels ya senate na members a public anini.

Translator: So that they will face the interview panel of the Senate and the other people.

Titus Maina Macharia: Nigetha makoragwo mari andu athomu biu.

Translator: So that they will be qualified.

Titus Maina Macharia: Nii ni ndiraregana na uhoro wa kuheagwo degree ni mundu utari.

Translator: I refuse to be given degree by somebody who hasn't got one.

Titus Maina Macharia: Ningi nindira propose ati arimi,

Translator: I am proposing that the farmers,

Titus Maina Macharia: Magitirwo kumana na indo iria ciumaga na nja.

Translator: Should be protected from the imports.

Titus Maina Macharia: Either na guikira igoti inene biu hari indo ta cukari,

Translator: By way of imposing higher taxes,

Titus Maina Macharia: Iria,

Translator: Like milk,

Titus Maina Macharia: Matumbi,

Translator: Eggs.

Titus Maina Macharia: Ta maria maroima ciringi ithatu ma S. Africa.

Translator: Like the ones that cost three shillings from S. Africa.

Titus Maina Macharia: Nigetha matumbi macio na indo icio iri kinya guku matukaini maitu.

Translator: So that when they reach here,

Titus Maina Macharia: Cikorwo cina goro kuri indo iria tuthondekaga.

Translator: They will be more expensive than the local goods.

Titus Maina Macharia: Gitumi ni tondu twagura indo kuma na nja,

Translator: Because when we import goods,

Titus Maina Macharia: Tuthondekagira andu mawira na kuria na ithui tukoraga mawira maitu.

Translator: We create jobs outside the country and we kill our own jobs.

Titus Maina Macharia: Ningi nindi ra propose ati andu aria mekunyitwo na wuici wa mbecha cia muingi.

Translator: I propose that those people who are caught stealing public funds,

Titus Maina Macharia: Mathitangwo na moneka mena mahitia,

Translator: If convicted,

Titus Maina Macharia: Magakinyirwo kinya indo icio ciao.

Translator: Should have their properties attached.

Titus Maina Macharia: Igacokerio muingi.

Translator: And revert them to the public.

Titus Maina Macharia: Tondu riu ono korwo ni mundu aiya kahawaini no kubutwo abutagwo na mbecha agathii nacio.

Translator: When our leaders mismanage and misappropriate funds from the coffee, they just get sacked and nothing else.

Titus Maina Macharia: Ningi muena ini wigie githurano. Ndira propose ati mathanduku ma kura,

Translator: About elections, I am proposing that the election boxes,

Titus Maina Macharia: Ciiakwo na gichichio.

Translator: They should be transparent.

Titus Maina Macharia: Na ati uhoro wa gutara kura wikirwo hau polling station.

Translator: Vote counting should be done at the polling station.

Titus Maina Macharia: Nigetha tugachemanagia guku o kuongagirira mathabu maria twaruta o kundu o kundu.

Translator: So we shall just come adding from various polling stations when we meet here.

Titus Maina Macharia: Ningi nindi ra propose ati ciama cia uteti ciikorwo iri nyinyi.

Translator: I am proposing that political parties,

Titus Maina Macharia: Na ciheo mbecha kuma thirikari.

Translator: Should be fewer and get funds from the Government.

Titus Maina Macharia: Ngirikia, ndirenda kuga Katiba iria tuguthondeka,

Translator: I want to say that the new Constitution,

Titus Maina Macharia: No nginya tuge ni tukumigitira tondu ni itu.

Translator: We must say that we must protect it.

Titus Maina Macharia: Na no nginya yandikwo na thioni ciitu iria tuaragia guku.

Translator: It must also be written in local languages.

Titus Maina Macharia: Nigetha andu othe makorwo magicielewa.

Translator: So that everybody will understand it.

Titus Maina Macharia: Na nigetha tuiguage ni itu kinyi na nitukuhota kumigitira.

Translator: So that we feel that it is people driven.

Titus Maina Macharia: Ni thengiu ni guthikiriria.

Translator: Thank you.

Com. Nunow: Thank you Mr. Maina, I take the last person before we break. Mwangi Wambungu , Mwangi Wambugu are you there? Anaye fuata ni Gichuki Maingi, Gichuki? Gichuki unataka kuzungumza tu hauna maandishi. Uko na maandishi?

Gichuki Maingi: Hapana sina maandishi.

Com. Nunow: Haya Karibu.

Gichuki Maingi: Mbere reke nyambe njuge njitagwo Gichuki Maingi.

Translator: I am called Gichuki Maingi.

Gichuki Maingi: Thiini wa woni wakwa.

Translator: First, may I say in my contribution,

Gichuki Maingi: Ni andu ta Rais ni akoragwo no uritu muingi gukira uria tukoragwo tumuigirire.

Translator: That the President has got more powers than we have elected him.

Gichuki Maingi: Niundu athuritwo thiini wa gicunji kiao na miene inoingi tugathura o kundu mubunge wake.

Translator: Because we have elected him as an MP and in other areas we have got other MP's.

Gichuki Maingi: Oro nagutuika ni aricokaga agatuika President.

Translator: Even though he becomes automatically the President.

Gichuki Maingi: Ona aya angi nimagiriire gukorwo mena mweke wa gukorwo ndunduini akihutukia kaundu.

Translator: The other Members of Parliament should be in the committee as he is passing the other affairs.

Gichuki Maingi: No riu thiini wa Kenya atuathaga na wathani o wake e wiki.

Translator: But in the current Constitution, he is above everything.

Gichuki Maingi: Ona nii ngiuria korwo no kuhoteke gukorwo na waziri mkuu,

Translator: I would like that we have an office of the Prime Minister,

Gichuki Maingi: Ni getha magateithania nake.

Translator: That they should assist one another.

Gichuki Maingi: Uria ungi ingiuga niwa thibitari.

Translator: The other point is concerning health.

Gichuki Maingi: Mundu wakwa niekuruara na ngamutuara thibitari.

Translator: If I take a sick person to the hospital,

Gichuki Maingi: Na arikia gukinya thibitari, agathondekwo ta atarenda guthondekwo yaani madagitari riri nimarona ndethondekeka.

Translator: After my person is treated, the doctors treat him not so much willingly.

Gichuki Maingi: No magaikara oro nake.

Translator: But they stay with the person.

Gichuki Maingi: Ugicoka guthikiriria mundu uria agakua.

Translator: Later on the person dies.

Gichuki Maingi: Makiria ma hau ngaigua ndirendwo ciringi ngiri magana matatu mari milongo.

Translator: Thereafter I am called to contribute three hundred thousand.

Gichuki Maingi: Na mundu ucio naiakuire.

Translator: And the person is already dead.

Gichuki Maingi: Na ndiamutwaraga agakue.

Translator: And I was not taking the person to die,

Gichuki Maingi: Na ndagitari ndarutire wira uria wa muagirire nigetha mundu uyu ahone.

Translator: And the doctor did not give the proper treatment.

Gichuki Maingi: Kagunda gakwa nako kangiendio no koimire cilingi ngiri igana tu kana magana meri.

Translator: If my piece of land is sold it can give only a hundred or a hundred and fifty thousand.

Gichuki Maingi: Nayo thibitari irenda ngiri magana matatu mari mirongo.

Translator: And the hospital demands three hundred thousand and above.

Gichuki Maingi: Na mundu niakuire,

Translator: And the person is already dead.

Gichuki Maingi: Naringi ndina mutumia na twana.

Translator: And I have a wife and children.

Gichuki Maingi: Riu andu acio matuika squatters.

Translator: And my family is left to be squatters.

Gichuki Maingi: Na mbecha icio matiariire,

Translator: And they did not eat the money.

Gichuki Maingi: Ira thii na mundu ucio urathire.

Translator: The money is being used for the dead person.

Gichuki Maingi: Riu undu ucio no twende kuehererio.

Translator: So we would like the hospital bill to be removed.

Gichuki Maingi: Angikorwo uria wathondekagwo ni akuire.

Translator: If the person who was being treated is already dead.

Gichuki Maingi: Riu makiria ma hau no njugire ati Kenya ni turi na ciama nyingi,

Translator: Then, I would say that in Kenya we have so many political parties.

Gichuki Maingi: Na thiini wa ciama icio nyingi, woni ini wakwa, tutiagirire gukorwo ciigana ta makanitha.

Translator: In my contribution I would say that we do not need so many political parties like the churches.

Gichuki Maingi: Tonde makanitha twina mo matangimenyeka ni magana maigana.

Translator: Because we have churches that cannot be numbered.

Gichuki Maingi: Riu nacio ciama cia uteti.

Translator: So, political parties,

Gichuki Maingi: Icio ciagiririe gukorwo iri ciama ithatu inya.

Translator: I would say that they be three or four.

Gichuki Maingi: Na ciaingiha muno ciuke ithano.

Translator: And if they are so many, to be five in number.

Gichuki Maingi: Ngwiciria ngwamba gutigira hau.

Translator: I would stop there.

Gichuki Maingi: Nigetha mundu ungi agie na mweke wa kwaria.

Translator: That somebody else may have an opportunity. Thank you..

Com. Nunow: Thank you very much, Mr. Maingi kufikia wakati huu sasa tutahairisha kikao hiki kwa muda wa saa moja kutoka sasa hadi saa nane unusu. Asanteni sana tunatarajia kikao kingine ambacho tutakuja kurudia pia kitakua chenye manufaa ni kama hiki tulikua nacho asubuhi. Kwa hivyo tukutane saa nane unusu.

AFTERNOON

Com. Nunow: Karibuni tena. Niko hapa mbele na Commissioner mwenzangu, asubuhi niliwaeleza kwamba ma Commissioners wengine watajiunga nasi. Com. Phoebe Asiyo, amefika na tutakua naye mpaka mwisho wa vikao vyote vya Constituency ya Mukuruweni, yaani ya leo yaliobaki katika kikao hiki na cha kesho. Kwani kikao hiki ni kikao kimoja katika vikao viwili vya Constituency ya Mukuruweni na kwa hiyo chochote ambacho hakitaweza kumalizwa leo, mwisho wa siku, tutaweza kuendelea nacho kesho katika kikao kingine, pamoja na wale wengi ambao watakuja kuhudhuria kikao hiki. Kwa hivyo bila kupoteza wakati tutamuuliza Com. Phoebe Asiyo awazungumzie kisha tuendelee na kwani ni siku yenu ya kusikizwa, yetu ni kuketi hapa na kuwasikiza. Lakini wacha awasalimie kabla hatujaendelea.

Com. Phoebe Asiyo: Asante sana Mwenyekiti, ninataka tu kusema furaha yangu kwa kuweza kuwa hapa Mukuruweini leo ili kusikiliza maoni ya watu wa Constituency hii ya Mukuruweini kwa maana ni jambo la muhimu sana ambalo linatendeka nchi hii ambazo halijatendeka – tangu tupate uhuru na mulifundishwa mnajua hata ile Katiba ilio hapa leo hamkuulizwa msem mnataka iwe namna gani.

Kwa hivyo ni vizuri watu wengi wamekuja na ingefaa tusikie maoni ya kila mtu ikiwezekana na tunajua ya kwamba mwenyekiti amewaeleza ya kwamba maoni ya kila mtu yataingia kwa Computer na ndio yatatusaidia kujua vile tutaweza kuandika maoni ya wana-Kenya wote. Na washukuru sana kwa kufika, nasema pole kwa maana nimechelewa kidogo lakini tutakaa na nyinyi leo mpaka jioni kabisa tena kesho mchana mzima. Asanteni sana.

Com. Nunow: Basi wacha tuendelee. Nilivyo waeleza asubuhi, kwa wale ambao wana maandishi, memorandum ambayo umeandika wengi asubuhi walipeana na naona wengine bado kwa line nadhani ni wale pia wanapeana memorandum. Tafadhali wale wana maandishi ya memorandum kama unataka kusema jambo moja ama mbili kuhusu hiyo memorandum ni sawa, lakini hapo umeshafanya kazi muhimu sana kuandika, kwani hiyo itaenda kwa Computer moja kwa moja, kwa hivyo ningefaa wale wana memorandum tayari umeandika wafupishe maneno yao kwani ni maneno ambayo wametupatia kwenye maandishi ili wale hawajaandika chochote waweze kuzungumza. Kwa sababu mwishowe ni maoni ya Mukuruweini ndio itahesabika kama Constituency.

Kwa hivyo watu wengi wale wamejitokeza, kwa maandishi ama kwa kuzungumza itakuwa inatutia nguvu zaidi maoni yenu kwa hivyo kama unamaanishi fupisha maneno yako kama ungeweza kama una kitu ambacho kinakusumbua ungetaka kueleza wananchi, unapeana hiyo memorandum. Lakini kama kuna kitu unataka kuisisitiza ni sawa, lakini ufupishe. Asanteni nami namuita James Wahome Mugo kutoka Ruthanji Community. Ni wewe, James karibu tafadhali. James unamaanishi.

James Wahome: Nina maandishi na nimepeana.

Com. Nunow: Umepeana. Very good. Kuna jambo unataka kuzungumza kuhusu kile umepeana? Ama unaona maandishi tayari yalikuwa yametosha.

James Wahome: Imetosha lakini ninaweza –

Com. Nunow: Rudia jina lako kwa sababu inaandikwa a fresh.

James Wahome : Mimi nitazungumza kwa Kikuyu kwa maana wale wako hapa ni Wakikuyu.

Com. Nunow: Kabisa, una ruhusa.

James Wahome: Niwega mutongoria wa mucemanio witu Chairman. Nii njitagwo James Wahome.

Translator: My name is James Wahome.

James Wahome: Kuuma itura ria Kabaya.

Translator: From Kabaya.

James Wahome: Division ya Mukurweini.

Translator: Mukurweini division.

James Wahome: Ndina ngatho muno makiria,

Translator: I am very thankful.

James Wahome: Niundu wa gukorwo haha muthenya wa umuthi,

Translator: Because of being here,

James Wahome: Twi hamwe na inyui nigetha tuthondeke Katiba iria igutuagirira.

Translator: So that we can make a new Constitution.

James Wahome: Na yagirire mundu wothe wa Kenya.

Translator: That will favour all of us.

James Wahome: Makiria muno undu wakwa wa mbere.

Translator: The first thing,

James Wahome: Uria nii ingienda kuga. Ni uhoro wa gucirio andu aria metagwo chokora.

Translator: Concerns the issue of street children.

James Wahome: Andu acio nimakoragwo mahana ta andu matiganiirio.

Translator: These people look like they are abandoned.

James Wahome: Na andu acio ni andu a bururi wa Kenya.

Translator: Yet they are Kenyan citizens.

James Wahome: Kwoguo Katiba igithondekwo iria igithondekwo,

Translator: So the Consitution should make provisions,

James Wahome: Niyagiriire gukorwo ikirumbuyania na uhoro wa andu acio muno.

Translator: To cater for them.

James Wahome: Undu uria ungi wa keru, ni uhoro wa andu aria makoragwo matari wira,

Translator: The other issue is joblessness.

James Wahome: Uguo nohoe Katiba ikigarurwo, iria igithondekwo, ikorwo ikirumbuiya andu acio matari mawira.

Translator: The Consitution should address the issue of those who are unemployed.

James Wahome: Nigetha kuhane ta mabururi maria tuiguaga ma ruraya.

Translator: So that we have a welfare system like other western countries.

James Wahome: Nigetha andu acio makonaga uteithio, makaheagwo mishara o na korwo ni rimwe.

Translator: So that these people are able to access some finances.

James Wahome: Nigetha matige kuhatiririka muno.

Translator: So that these people are not so intimidated.

James Wahome: Undu uria ungi wa gatatu,

Translator: The third issue,

James Wahome: Ni ingihoya Katiba ikigaruruo thiini wa Kenya,

Translator: The new Constitution,

James Wahome: Githomo giothe kuuma gia standard one kinya haria mundu akarikiria githomo akorwo agithomithio tuhu.

Translator: Education should be free right from Standard one upto wherever a person reaches.

James Wahome: Undu uria ungi niingihoya riria bururi wa gia na ngaragu,

Translator: I would also wish to request that in times of famine,

James Wahome: Utige kurorwa kana ni wa kياما kiriku kana kiriku ugakoragwo ugiteithio ni thirikari.

Translator: People should be helped by the Government irrespective of their political persuasions.

James Wahome: Undu uria ungi ni wa thibitari.

Translator: The other issue is on public hospitals...

Mary Nyamu Nyambura: I have a memorandum which talks about the following points:-

- Education, security and employment.
- Gender equality in decision-making should be guaranteed as a basic human right.
- We propose that the law on maternity leave be reviewed as it is discriminatory for women to have to forfeit their annual leave when they take maternity leave. Some employers are known to terminate the contract of service after women take the maternity leave.
- Cost sharing should be done away with as the people suffering the most are women as they often don't have sufficient money to pay for hospital bills that they often end up dying outside maternity wards. We have also said no to female circumcision.
- Family property should be equally shared between the boy and girl child.
- We propose that the Constitution provide for the issuance of the title deeds and other documents of ownership under both husband and wife's name, this is to prevent the sale of land by either spouse. These should be the case even in polygamous households.
- The Constitution should clearly spell out how much land an individual should own and that a fine is imposed on land lying idle.
- We propose that during land transfers, the law requires consent of family members including wives and daughters. The Constitution should provide for equitable distribution of public finances for both men and women.
- Enshrine the principle of affirmative action for the allocation of resources for women and other marginalized groups in the Constitution. Thank you.

Com. Nunow: Thank you. Please hand in your memorandum and sign up. Regina, you have a written memorandum as well and you represent Ikamalu –Kuna maandishi? Okay unaweza kupeana na kuongea kidogo.

Regina Wambura: My name is Regina Wambura, nataka kuzungumza kwa Kikuyu kwa sababu hiyo ndio lugha mimi naelewa. Haritwa njitagwo Regina Wambura. Ndirenda kuuga ati uhoro wa athini othe ni makoragwo mahinyiiriio muno.

Translator: My name is Regina, I would like to talk about the poor who are very much oppressed in this country.

Regina Wambura: Tondungithii borithi,

Translator: Because if you visit a police station,

Regina Wambura: Ukorwo nikuiywo wuiyitwo,

Translator: And you have a theft case,

Regina Wambura: Ukwamba kwirwo wikire ngari maguta.

Translator: You will be told to fuel the vehicle.

Regina Wambura: Na niwe uthiini tio ni aici.

Translator: And yet it is you who has been suffering in the hands of thieves.

Regina Wambura: Ungithii igotini na uria muracira nake ni gitonga,

Translator: If you are in a court of law and you have a case with a rich person.

Regina Wambura: Akoragwo athiite mbere yaku na agakuhita.

Translator: That person will have made an advance visit,

Regina Wambura: Ugatuika we ni we muhitia.

Translator: And then they say it is you who is in the wrong.

Regina Wambura: Ngwendaga athini mathondekerwo watho,

Translator: I would like the new Constitution to provide for a law that will protect the poor.

Regina Wambura: Nigetha matige kuhatiririo.

Translator: So that they are not oppressed.

Regina Wambura: Undu uria ungi ni uhoro wa ithui atumia.

Translator: The other issue is on us women.

Regina Wambura: Ithui atumia nituitikitie ati athuri nio kiongo kia micii.

Translator: We believe that men are the head of our households.

Regina Wambura: No ni matuhinyagiiria na miena imwe.

Translator: But sometimes they oppress us in certain ways.

Regina Wambura: Mundu arakara na nja okaga kwiruta marakara mucii.

Translator: For example when they get annoyed elsewhere, they come in the homes and **they** want to display their anger there.

Regina Wambura: Hathondekwo watho matumenyerere ta turi kiga kimwe kiao.

Translator: There should be provision in the Constitution to force them to take care of us just like a part of their bodies.

Regina Wambura: Ngukinyia hau.

Translator: That is enough.

Com. Nunow: Thank you very much Regina, asante sana, tafadhali andikisha kule. Daniel Waweru Njoroge. Daniel una maandishi?

Daniel Waweru Njoroge: Hapana, sina maandishi,

Com. Nunow. Okay endelea

Daniel Waweru Njoroge: Ha ritwa njitagwo Daniel Waweru Njoroge.

Translator: My names are Daniel Waweru Njoroge.

Daniel Waweru Njoroge: Ndi muturi wa Kenya.

Translator: I am a Kenyan citizen.

Daniel Waweru Njoroge: Njiarirwo guku.

Translator: I have been born here.

Daniel Waweru Njoroge: Kiria kiratuma ndute maoni ma Katiba ino turathondeka,

Translator: Why I am making these contributions about the new Constitution,

Daniel Waweru Njoroge: Ni kuonania ati thutha wa twaheo wiyathi, twathitwo na Constitution njuru.

Translator: It is because we have been governed by a bad Constitution since independence.

Daniel Waweru Njoroge: Na nikio umuthi uyu,

Translator: That is why today,

Daniel Waweru Njoroge: Andu aria maruiire wiyathi metagwo Mau Mau,

Translator: Those who fought for independence the people called Mau Mau.

Daniel Waweru Njoroge: Angi nimarakua matangihota kwigurira kinya ndawa iria itagwo aspirin yumaga shilingi igiri.

Translator: Some are dying without being able to buy aspirins.

Daniel Waweru Njoroge: Nikio kungikorwo thirikari ni ihotorete ni gwitikira Katiba ino ikorwo iya raia,

Translator: That is why if the Government is serious the Constitution would be people driven.

Daniel Waweru Njoroge: No njigwe wega muno maundu maria ndirathii kuheana angikorwo nimegwickirwo.

Translator: I would feel gratified if my contributions are going to be included.

Daniel Waweru Njoroge: Kindu kia mbere kiria nii ingiamba kuuga thirikari yagiiriruo,

Translator: The first thing that I would require the Government to do,

Daniel Waweru Njoroge: Ni gukorwo ikihe andu ayo ugitari muiganu.

Translator: Is to provide enough security to its citizens.

Daniel Waweru Njoroge: Na angikorwo ndikuhota kuhe aturi ayo ugitari muiganu,

Translator: And if it is unable to do this,

Daniel Waweru Njoroge: Ndiagirire gwitwo thirikari ona atia.

Translator: It should be referred to us as the Government.

Daniel Waweru Njoroge: Gitumi ni tondu ta riu bururi uyu ni wari na mundu wa mbere uria wa ruirire wiyathi uria wetagwo Dedan Kimathi,

Translator: The reason is because there is somebody who was called Dedan Kimathi who fought for independence,

Daniel Waweru Njoroge: No handu hagwikirwo muthenya wetanirio na muthuri uria waririe na muthungu ugitwo Kenyatta, ugitwo Kenyatta day.

Translator: But instead of a day being dedicated to him, it was dedicated to Kenyatta.

Daniel Waweru Njoroge: Na no twende ithui ta aturi kana ciana cia Mau Mau.

Translator: And we would like us as the children of Mau Mau,

Daniel Waweru Njoroge: Muthenya ucio wa Kenyatta day witwo Mau Mau day.

Translator: That Kenyatta day be renamed Mau Mau day.

Daniel Waweru Njoroge: Nigetha Mau Mau itige kuriganire tondu niyo yambire kuingata muthungu.

Translator: So that the Mau Mau movement is not forgotten because it is the one that chased away the Europeans.

Daniel Waweru Njoroge: No twende muthenya ta uyu witagwo Moi day,

Translator: We would also like the Moi day,

Daniel Waweru Njoroge: Naguo witwo Kimathi day.

Translator: To be renamed Kimathi day.

Daniel Waweru Njoroge: Gitumi ni tondu Kimathi niariganiire.

Translator: The reason is because Kimathi has been forgotten.

Daniel Waweru Njoroge: No tuende thirikari ya Kenya,

Translator: We would like the Kenyan Government.

Daniel Waweru Njoroge: Ihinyiiririe muthungu tondu ni oragire andu aitu aingi muno.

Translator: To emphasize the Europeans,

Daniel Waweru Njoroge: Marihe andu aria makuire hindi iyo na ciana ciao iria ituraga iriaga thina bururi uyu.

Translator: To pay compensation to those people who died at that time and their children.

Daniel Waweru Njoroge: Ni ugoro wi kieha na giconoko,

Translator: It is a pity and shameful,

Daniel Waweru Njoroge: Angikorwo kwi muthungu Kenya wina acre ngiri igana.

Translator: If there are still Europeans with one hundred acres of land,

Daniel Waweru Njoroge: Na nikuri mukenya utari mugunda.

Translator: Or rather one hundred thousand acres and there are Kenyans who do not have a single acre.

Daniel Waweru Njoroge: Thirikari ya Kenya niremagwo ni kurugamirira andu ayo.

Translator: The Kenyan Government is unable to stand for the rights of its people.

Daniel Waweru Njoroge: Angikorwo ni guitikiria muhindi utari na ujuzi oka kuruta wa iganda.

Translator: If it can allow illiterate and unqualified Indians into our industries.

Daniel Waweru Njoroge: Oke arute kawira karia karutagwo ni peasant wa guku.

Translator: To come and do the petty businesses that are done by the poor of this country.

Daniel Waweru Njoroge: Ngirikia, Kenya twihokaga urimi.

Translator: In conclusion, in Kenya we depend on agriculture,

Daniel Waweru Njoroge: Na nituagiriire ni gukorwo andu aria mari thiini wa bunge,

Translator: And the MP's should,

Daniel Waweru Njoroge: Makorwo makionania urimi na ciiko na ti kanua.

Translator: They should show an example in agriculture by actions but not by words only.

Daniel Waweru Njoroge: Uguo nii ta muturi wa Kenya,

Translator: Therefore I as a Citizen,

Daniel Waweru Njoroge: No nyende kugie na nyamu ciitagwo migunda ya parliamentary.

Translator: Should propose that there be parliamentary shambas or land.

Daniel Waweru Njoroge: Na o mbunge o wotho muthure angikorwo ti kionje,

Translator: And every elected MP unless they are disabled,

Daniel Waweru Njoroge: Agairwo nuthu ika,

Translator: Should have a half acre of land.

Daniel Waweru Njoroge: Na akorwo niwe urichimbaga we mwenyewe.

Translator: Which he or she will be tilling.

Daniel Waweru Njoroge: Gitumi ni tondu ni tukugiriria guathagwo ni andu aria monjete kinya meciria.

Translator: This will help us not to be lead by people who have poor intellectual capacities.

Daniel Waweru Njoroge: Tondu gitumi kiu ni gigutuma mundu ucio agicirira murimi wa Kenya,

Translator: This will enable that person when speaking on behalf of Kenyans,

Daniel Waweru Njoroge: Niarimenyaga ruo rwa thigino iria ikoragwo na murimi.

Translator: He will appreciate the difficulties faced by farmers.

Daniel Waweru Njoroge: No nyende tugweta uhoru wigie kahawa.

Translator: I would like to stress especially on coffee.

Daniel Waweru Njoroge: Murimi agakorwo fertilizer endagirio thogora ni endia.

Translator: That farmers when they are assessing fertilizers,

Daniel Waweru Njoroge: Nake akiendia kahawa gake akoiga ekuendia atia.

Translator: When marketing coffee, the farmers should have the final say just like when they are assessing fertilizers, the producers have a say on the prices.

Daniel Waweru Njoroge: Maundu macio mothe mangikuo,

Translator: If all that is done,

Daniel Waweru Njoroge: Andu aya a Kenya no makorwo na imani na thirikari iria ingigia.

Translator: The people will have confidence in the Government that will be instituted.

Daniel Waweru Njoroge: Nigetha commission ino ndikae kuhana ta ingi cianathurwo na andu makerorera.

Translator: So that this Commission will not have the same fate as that of previous Commissions.

Daniel Waweru Njoroge: Tondu to mwe wanatuirio ni commission na akoneka mahitia,

Translator: Like the one who has been in the past, there is somebody who has been investigated by the Commission and been found guilty.

Daniel Waweru Njoroge: No umuthi nowe Chairman wa migunda ugutwo Charles Njonjo.

Translator: And today he is the Chairman of the Commission on Land. His name is Charles Njonjo.

Daniel Waweru Njoroge: Nii makwa mathirira hau.

Translator: That is the end of my contribution.

Com. Nunow: Tafadhali andikisha, sasa tumpate Leonard Maina Githinji, tunataka tuendeshe haraka iwezekanavyo tuweze kuzumza wengi. Evantus Maina, unamaandishi?

Com. Nunow: As briefly as possible.

Ephantus Maina: I have got some comments concerning a memorandum from Mutito village.

- President should not be above the law. The President should have at least two degrees because when he is sitting in the Cabinet, he will be talking about education in this country. He should also have a stable family whereby when one has a family and a wife. Another issue is the Presidential tenure should be two terms of five years each.
- Provincial Administration. We have observed that the Provincial Administration should remain but they should be appointed by an independent body such as the Public Service Commission. The Chiefs should have a scheme of service that caters for their cadre. A Chief and an Assistant chief should at least attain an 'O' level standard of education.
- Constitutional supremacy: The Constitution should be very supreme, higher than any other law in this land. In case there should be a change in the Constitution, there should be a referendum.
- Representation through the Constituency level: You find that in some cases we have an MP who is representing around 3,000, 5,000 people and find others where we have got 100,000 or more being represented by one person. In order to harmonize that, we propose a minimum of 30,000 people to qualify as a constituency. The Electoral Commission should re-draw the boundaries in this country on that basis.
- We should have free education from Nursery school to class 8. Concerning the secondary school sector there was a time when the Government was thinking about the parents because of the poor economy. The government should revive the development grant system in the secondary schools sector.
- We should also have free medical care in all the Government public hospitals. Private hospitals should be limited.
- Political parties: We should have at least three political parties and almost five of them and these parties should be funded directly from the consolidated funds to avoid a situation whereby the ruling party will misuse public resources to finance its own campaigns. There should be a level playing ground for the political parties.

Com. Nunow: Thank you very much Mr. Maina. Tafadhali andikisha na mchukue hiyo memorandum. Stephen Kibiti? Stephen you have a written memorandum also? Please give in because we will pick word for word and put everything in the computers., nothing will get lost.

Stephen Kibiti: My names are Stephen Mutonyi Kimiti I come from Mukurweini in Kareini sub-location. What I have here most of it has been said and so I am just going to highlight the few areas because you do not have enough time for all of us.

- Presidency; the President should not be above the law and the President should not be Commander in Chief of the Armed Forces, he is also not supposed to be the Chancellor of the Public Universities, he is also not supposed to appoint senior public Civil Servants like the Chief Justice, Attorney General, Auditor General other people like Governor of Central Banks, Permanent Secretaries and Chairmen of Statutory Bodies. There should be a body to appoint these important personalities. This body is supposed to comprise people from all walks of life for example the Clergy, Lawyers members of Parliament, Judges and other professional bodies. the Presidential trips should be vetted or controlled by Parliament.
- The other issue is on President's salary and allowances, his salary and allowances should be taxed. The other issue on the presidency is that the President prerogative of mercy should be scrapped. We are not supposed to have more than 18 Ministries in Kenya.
- Members of Parliament should have at least one degree from a recognized University and these includes the President. These should not be honorary degrees.
- Local authorities; A Councilor should have attained at least KCSE or 'O' level standard of education. He or she should be above 30 years old.
- Provincial Administration; I will touch on the lowest cadre and these are the Chiefs and their assistants. The Chiefs and the Assistants should be appointed by the Government and they should have at least attained 'O' level standard of education, in this case we need servants of the people who are able to write.
- Land ownership; the Constitution should provide that every Kenya citizen should own a piece of land anywhere in the Republic of Kenya. The Constitution should also state clearly that individuals should not own more 100 acres. The rest should be forfeited to the state and this land should be given to the landless. No land should remain idle.
- The Co-operative Act should be reviewed so that we follow the simple majority rule when electing leaders. Those leaders who embezzle funds from the cooperative should be prosecuted and made to pay back the funds.
- All agricultural output should have a price ceiling to curb exploitation of farmers.
- Constituencies should have at least 30,000 voters. Constituency boundaries should be reviewed so that we have equal representation.
- All amendments to the constitution should be done under a national referendum.
- The government should create more job opportunities to cater for all youth who complete their education. We should ensure that an individual only holds one job to enable others get a chance.

Thank you.

Com. Nunow: Thank you very much Mr. Mutonyi, please let us have your memorandum and I would suggest that you sign as well. We call upon Caro, Rose Wamuyu, Rose una maandishi? highlights, just highlight, just mention don't read.

Rose Wamuyu: My names are Rose Wamuyu Kirugumi, I wish to highlight the views of the Mwireri Women group from Ruthanji.

- The Gender Commission should be established as a Constitutional office and the principal of Gender balance should be adhered to in the composition of all offices and governance. Women should also comprise a one-third of the total composition in the following organs of the government; the Cabinet, the Judiciary, Civil Service and Military Forces.
- Property rights: institutionalize the land Commission in the Constitution that has 50/ 50 presentation of women and men and a mandatory 1/3 membership to both.
- Family protection and children rights, provide an appropriate family environment and alternative care to all children.
- Elections: there is need for creation of suitable and favorable electoral system. Civic education should be reinforced.
- Citizenship: women and men should have equal rights to confer citizenship to their spouse or children.
- Public finances: equal contribution of public finances for both men and women must be ensured. Thank you.

Com. Nunow: Thank you very much Rose, tafadhali tuwachie memorandum kule na u register. Lucy Mbitu, Lucy okay, let us have David Kariuki, David karibu, una maandishi? nataka useme machache sana, kwa sababu tutachukua maandishi yote, sawa sawa?

David Kariuki: Sawa. Well my name is David Kariuki Kabatha, I want to give my opinion.

- Equitable distribution of land; those without land should be given to enable them live a comfortable life. The jobless should be given opportunities to work in government offices.
- Citizen, For a foreigner to qualify as a citizen, he should have lived in Kenya for a period not less than five years.
- The Presidents should be vetted by Parliament when appointing the other leaders, or nominating the Members of the Parliament, who are not elected.
- The President should be elected by the people of Kenya
- The local Government; the Chairman of the Local Government should be elected by the public.
- The government should emphasize on the unity of all Kenyan tribes.
- Equality, everybody in Kenya should be taken as a person like the other.
- Education; there should be free education for all those who cannot afford to pay for fees and are qualified.
- Land allocation; those who do not have the land should be given about 4 acres to stay on, instead of keeping more animals when people are suffering.

Com. Nunow: Please finish because we will take everything you are reading, every word will go to computer so if you repeat it here it will only be spending more time. We will take every work I assure you, if you leave it with us every word will go into the report.

David: I am completing only one.

- The freedom of worship, every Kenyan, should be allowed to pray as we want but the Government will have to look out and see everything is going well. Thank you.

Com. Nunow: Thank you very much. Kariuki. And now let us have Victoria Wangui, Victoria are you there? Okay, James Waitha, James, Samuel Kariuki, Samuel you have a memorandum?

Samuel Kariuki: Just a few points.

Com: Nunow: Okay

Samuel Kariuki: My name is Samuel Kariuki Giteri, I should provide my views to you.

- There should be a law protecting parents from their sons and daughters above eighteen years who may harass them in any way and that should be called parent abuse. Because their some daughters and sons who harass their parents.
- Secondly, General Elections should be within a period of not more than 5 years, and the date of the election should be fixed.
- That all farm produce be given first priorities as far their payment and marketing is concerned.
- President's powers should be limited. President should not be above the law.
- Opposition parties should be given rights to hold their rallies without any harassment from Government or intimidation from the ruling party.
- Primary school education should be completely free.
- Teachers from Private Colleges who have passed their Government examinations should be directly absorbed by the TSC
- Security should be improved. Thank you very much.

Com. Nunow: Asante sana Bw. Samuel Kariuki, asante kwa sababu umeeleza pendekezo na hivyo ndio inatakikana. Pendekezo ndio points ambazo muhimu yaku-highlight kama kuna maandishi.

Samuel Kariuki: I have another one I was given by somebody else to present,

Com. Nunow: You can hand it in and register the name of the other person. Peter Muraguri, Peter Muraguri – Nani anawakilisha PCEA Mukurwe-ini, imeandikwa kama PCEA Mukurwe-ini.

Councilor Titus Maina: Somebody has written their name but they are coming.

Com Nunow: They are coming? okay, let us have James Wachira, we had David Wachira or it is another Wachira, okay Mr. Maina, Wilson Maina, Humphrey Mungura, Humphrey Mungura, George Kanyoko, George are you there?

George Kanyoko: Yes.

Com. Nunow: Okay, George uko na maandishi? Utazungumza tu, sawa endelea tafadhali.

George Kanyoko: The Commissioners and my fellow patriotic Kenyans, my names are George Kanyoko and here I have some highlights which I would like to make to the Constitution.

- The Constitution should safeguard the rights and freedom of individuals with necessary structure for good Government.
- Political parties be limited to a maximum of three either Democratic, Republican or Independent, each party should select two members to be state party advisors.
- Candidates vying for any seat who do not qualify should not be nominated to Parliament. Moral and ethical qualification of the candidate should be verified.
- The President should not be a member of Parliament. Educational requirement should be O level.
- The marginalized groups in should be given special consideration in politics, i.e. youth, women, workers, and people with disabilities. Set aside some seats for them in Parliament for nomination.
- Free primary education, with a compulsory Aids syllabus, since Aids is now turning to be a national disaster.
- Provision of clean water to all and rural electrification.

- The Constitution should strengthen anti corruption agencies.
- Set up a unitary system of government and not a federal one
- Equal distribution of resources in all section either in work, not some tribes gaining favour because of their patronage in politics.
- National anthem, loyalty pledge since they promote peace and unity of the state should be compulsory in primary education.
- All tribes should be represented in the government. Since we have 42 tribes in the country, there should be a representative from each of them to set up a Cabinet. They should be given the job of appointing members of Electoral

Commission, Chief Justice Attorney General, Permanent Secretary, Vice Chancellor and heads of Parastatals.

- Mode of election should be changed, we should have two phases. Since we should have 3 parties, first phase should involve all the three participants. Then after that the two people who are going, the number one and two should be involved in the second phase whereby the one who will win with majority votes will be declared the winner.
- Then bribery of voters; action should be taken against both the giver and receiver of the bribe.
- There should be no dual citizenship. You either be a Kenyan not a citizen of two countries.
- Land issues should be resolved, and all settlement schemes given to squatters. Thank you.

Com. Nunow: Thank you very much Mr. Kanyoko. Sasa kuna watu wengi wameandika kwa maandishi, kwa sababu ya muda ningeomba wale wana maandishi, mukiwa mumepeana hayo maandishi hapo na mengine tutaweza kusoma. Ili usibaki na hayo maandishi, Tafadhali kama una maandishi yapeleke na u register jina lako kwa register na upige sahihi na nitaendelea kuwaita watu ili tukikupisha bado utakuja kusema kwa sababu tunajua nyinyi munaandika lakini msipo pata nafasi kutoa maoni mtajua maoni yenu yameenda.

Tume elewana siyo, na ningetaka baada ya nusu saa kutoka sasa tuweze kufunga hiki kikao kwa sababu watu wametoka sehemu mbali mbali na hiyo sasa inamaanisha yule ana maandishi ampe mwenzake ambaye hana maandishi nafasi ili aweze kutoa maoni yake. Na sasa namuita Austin Githaiga, Austin Githaiga, kama Austin Githaiga hayuko namuita Joseph Githinji uko? kama Joseph hayuko, Francis Maina Tabiri, Francis Tabiri Maina, Kimotho Wanjau, Samuel Kariuki, John Kiragu, Njoroge Macharia, uko? naona una maandishi, sema tu hizo point don't go into the details because we will do that work so that others may an opportunity. Thank you.

Njoroge Macharia: So my names are Njoroge Macharia, I want to highlight my points,

- Education; I would like to see the quarter system abolished, and I would like to support the old system of education.
- Armed Forces; The representation from the President's tribe should form the minimum in the Armed Forces
- Parliament should have its calendar of events.
- Then on security I would wish that the Government puts great emphasis on security of wananchi.
- Gender; I would support the banning of the circumcision of girls, wife beating and support education for all girls. Then I would also support freedom of expression by ensuring that during libel cases we don't have excessive awards when newspapers are taken to Courts on libel cases.
- The VP should be a running mate of the President.
- And on succession, we should have a clear sequence of events of how succession should take place.
- The government should protect all natural resources especially water catchment areas. Thank you.

Com. Nunow; Thank you very much Bw. Njoroge Macharia that is called highting, kwa sababu maandishi ina details

tutoyasoma yote. Jeremiah Wachira, uko, you have something? okay go ahead.

Nelson Riitho Maina: My names are Nelson Riitho Maina, I have a few points to make.

- One is the qualification of the politicians, I would like to say that the MPs should have a minimum qualification of Bachelor's degree from a recognized University, and two, the Councilors should have a minimum qualification of form 4. This will enhance professionalism in the sector.
- The job vacancies in the Civil Service from the Chief Justice and all the other Civil Service jobs should be competitive and should be advertised in the media.
- The Presidential decree should be abolished such that we should have the system whereby the President does not carry all the Executive powers to dissolve the Parliament at will. Fix a date for dissolution right after the election.
- Primary education should be free and compulsory while the higher education loans board should fully sponsor the University education and the HELB loan should be automatic such that after they finish, the graduants they should be given jobs so that they can repay the money.
- The Constitution should ensure that we don't have a lot of taxation whereby you are taxed more than once.
- As far as education is concerned, teachers should be highly paid. Their pay should be more than that of MPs.
- Councilors should be paid at least 25% of the MPs salary, that is a minimum of 150,000/- per month.
- About land, no land should be idle and none of us should exceed 100 acres of land. Thank you.

Com. Nunow: Thank you very much, you have memorandum isn't it? okay please hand in that. Nicholas Mburu, Nicholas not there, David Mukoma, Please give us a highlight of the memorandum. *I Have just few points to make.* Okay.

David Macomb: My name is David Mukoma Chiera, I am a farmer, a retiree with Ministry of Agriculture .

- Public Service Appointments; these should be done on merit whether Minister, Permanent Secretary. Those selected to this positions should have a basic background in the area.
- Elections should be done as scheduled say, after 5 years.
- Ministries should only have one Minister; When you go in the office we don't know who is to consult.
- Agriculture should be taken seriously and farmers assisted in marketing their produce. We should ban imported on commodities grown locally such as sugar and maize to market the farmers output locally.
- Education should be free
- Medial facilities should be free. With those few points we would like ask our honorable Commissioners just to concentrate on the work given by people, for the people. Thank you.

Com. Nunow: Thank you very Bw. Mukoma I can assure you will that we will work very hard. We would like to stay with

you and talk to you and listen to you talking from morning to evening, so we will do our best and produce a Constitution as soon as possible.

Rev. Richmond Macharia Kariuki: P.C.E.A. Mukurweini Presbyterian memorandum to the Constitution of Kenya Review Commission. The Presbyterian of Mukurweini make the following recommendations:-

Com. Nunow: Tafadhali ungesema jina lako for the records in this tape so that we know who presented for who.

Rev. Richmond Macharia Kariuki: On behalf of Mukurweini Presbyterian.

- We recommend a Unitary and not Federal form of government; we feel that Federal System is jeopardized by tribal inclinations which is so prevalent in Kenya today. Also Unitary form of Government encourages sharing of resources which is important because of the less advantaged zones will be assisted by the others. That Federal or Majimbo entails eviction of members of different ethnic communities from certain areas in favour of the indigenous people.
- Political parties: The Registrar General should control the political parties and their operations. All political parties should present annual returns of their parties and the number limited. We recommend that for any party to be registered, it should have two million members with a national out look.
- Presidential elections, for one to be a President he/she should be between 35 and 65 years of age. He should be a well-learned fellow with at least a first degree from a recognized University, be a registered voter, be of sound mind and nominated by at least two million voters. He should have a stable family.
- Presidential elections: The President should be elected by at least 51% of the total votes cast, this should also include at 25% in at least 5 of the eight provinces in Kenya. In case the Presidential candidate does not meet the required percentage, there should be a run off between the first two candidates and the Presidential candidate who gets a simple majority should be the winner. He should also have a running mate who would automatically become the Vice President after the elections.
- In case the President is in-capacitated either by sickness or any other eventuality, the Vice President should assume office on interim basis for 90 days after which Presidential elections should be conducted. In-case the Vice President is in-capacitated the ruling party should nominate another Vice President and he should be vetted by Parliament.
- Presidential powers: The President should be the head of state and Government Commander in Chief of the Armed Forces. He should not be above law and should be impeached and arraigned in the Court of law in case of misdeeds.
- The Ministry of Defense should be separated from the office of the President.
- Presidential appointments; the University should have a mechanism where the senate appoints or nominates a

Chancellor and the Vice Chancellors of each individual public University.

- Electoral Commission should be appointed by the President but the names should be taken to Parliament for vetting. All appointments of public officers should be vetted by at least 2/3 of MPs in Parliament. All Senior officers e.g Permanent Secretaries, Ambassadors, High Commissioners, Auditor General, Chairmen of Parastatals, should be people who are professionally qualified and once they are nominated by the President the Parliament should vet their names and look for the best.
- Parliamentary and Local Authorities elections: The MPs and Councilors should be allowed 2 terms of 5 years each.
- The President should also run for only two terms of service. The President and all other officers of the Government should have the terms of service/pension well arranged in advance, this will avoid a vacuum when it comes to retirement.
- Local Authorities should be allowed to determine the expenditure and sources of revenue within their jurisdiction; this will help to control funds.
- Provincial Administration: The current Provincial Administration should be scrapped and it should be replaced in its place every County Council or Local Authority should have its own administration for example, the Chairman of each County Council or the Mayor of each Municipal Council should be elected directly by voters and then he should be in office for 5 year term and that can be revised as a second term. Each Chairman or each Mayor in every County Council should have at least a first degree from a recognized University. Councilors should have at least an ordinary level of education. Scrap the Provincial Administration and replace it by elected leaders that is Chairman to the County Council. At locational level we have the Councilor, at the village level or sub-location level we have a Village Elder. All these should be between 21 and 65 years of age.
- Social welfare: Basic needs should be provided by the Government, free education for all, good shelter, medical facilities and legal representation.
- Bill of Rights, The Constitution should guarantee Bill of rights, it should bring to an end bartering of spouses, abolition of child labour and provision of education and food to all children. The Constitution should protect children from early marriages or early forced marriages.
- Right to citizenship: Citizenship should not be withdrawn from anyone under any circumstances.
- Freedom of movement, should be guaranteed by the Constitution where every Kenyan citizen has a right to travel or own property anywhere in Kenya.
- Natural resources: These should be safe guarded by the Government and shared equally among all citizens and it should not be used either for political or personal gains.
- Agriculture: Farmers should be protected by the Constitution such that there is not flooding of market through

imports that make the farmer suffer. The pricing of goods should be determined by the farmer in respect of the cost of production. The Government should make sure that it protects local industries, so that they can compete favourably in business but not killing them by importing similar goods as those produced here.

- **Government borrowing:** There is need for Government to identify priorities and Parliament should be involved during borrowing so that no money is borrowed without proper arrangements for its use. Parliament should also ensure that the money borrowed is properly used in endeavoured activities.
- **Security:** The current Government has failed in this area of security. Security and law enforcing officers are becoming inefficient every other day and we losing lives of innocent citizens. In order to sort out some of these problems, the Police force should have further training at least instead of the current six months; we need at least one year for professionalism and moral guidance. The standard of education of any Police Officer should at least be a little bit advanced from the current level where it is a matter of getting an ordinary level certificate no matter how poor it is.
- **In conclusion,** the Constitution should make this country free from all manners of corruption, it should put necessary machinery in place such that Kenya is zero tolerant as far as corruption, graft or high handedness. Such bodies like Kenya Anti Corruption Authority should be strengthened. Thank you very much.

Com. Nunow: Thank you very much Rev. Macharia. Is there any disabled person around kunao ilitupatie wengine nafasi? Okay kama hakuna tutaendelea Charles Kairu uko, okay, Charles una maandishi?

Charles Kairu : No but niko na personal notes here.

Com. Nunow: Okay, endelea

Charles Kairu: Nitaongea kwa Kikuyu. Ha ma ritwa makwa ni Charles Kairu.

Translator: My names are Charles Kairu.

Charles Kairu : Kuma guku Constituency ino ya Mukurwe-ini.

Translator: From Mukurueini Constituency.

Charles Kairu : Makwa maria ndinamo no manini.

Translator: I have a few comments.

Charles Kairu : Megie Constitution ya bururi uyu witu,

Translator: Regarding Constitution of this country.

Charles Kairu : Na ningukimaria haha o riu. Wambere uria ndirenda kwaria ni uhoro wa murimi wa guku gwitu Kenya in general.

Translator: I want to talk about the farmers in general.

Charles Kairu : Murimi wa majani kana kahawa kana iria kana matunda kana pyrethrum,

Translator: Coffee farmers, Dairy farmers, Pyrethrum farmers,

Charles Kairu : Nimagiiriire gukorwo marugamirirwo ni watho, ni tondu uthini uria wa mbere guku gwitu Kenya ukite niundu wa murimi kwaga kindu.

Translator: They must be protected by the law because most of the poverty has been introduced because there are no controls in the agricultural sector.

Charles Kairu : Tondu mbecha imwe cia arimi itihotaga kumakinyira, irorira njiraini.

Translator: Farmers' money does not get to the farmers.

Charles Kairu : Uhoro ucio ungi,

Translator: The other issue,

Charles Kairu : Ni uhoro wa aruti a biashara,

Translator: Concerns business people.

Charles Kairu : Kwina aruti a wira anene na angi anini.

Translator: There are big business people and small business people.

Charles Kairu : Ni kuroneka matiri na watho uria umarugamiriire.

Translator: It appears there is no law that governs their operations.

Charles Kairu : Tondu we uri na biashara nini ta kiosk,

Translator: Because small-scale business people like kiosk owners,

Charles Kairu : Niroka igathukaangio o riria ungiendeka.

Translator: Have their premises demolished any time.

Charles Kairu : Na cio ciana ciaku ikaga githomo.

Translator: Leading to your children failing to get education.

Charles Kairu : Igatuika miitu irirathwo.

Translator: And they become thieves who are later shot in the streets.

Charles Kairu : Kwoguo no nyende kugie na watho urarugamirira muruti wa wira wa biashara munene na munini.

Translator: So I would like the new Constitution to provide for protection of both big and small business people.

Charles Kairu : Uria ungi ni wa Members of Parliament.

Translator: The other issue concerns the MP's.

Charles Kairu : Ni takuga nimoimitwo hinya.

Translator: They have been denied their powers.

Charles Kairu : Makaga kuiguika kinya thiini wa Parliament kuria tumatumite.

Translator: Even within Parliament.

Charles Kairu : Tonde uria moiga, nimoigaga, kana njuge nigutuhenia magituhenagia tondu ni matakiiguikaga bunge ni tondu MP niekuga ati nieguikiirithia rami, na thutha wa kuingira bunge, rami iyo ereira kirindi ikaga.

Translator: Sometimes it appears that their promises cannot be met because during campaign time they promise roads and other things but they are unable to deliver on the same.

Charles Kairu : Na ningi twarikia kumachagura makagaga guchera kinya thiini wa Constituencies icio machaguritwo.

Translator: Some of them after they are elected, are not seen in their Constituencies again.

Charles Kairu : Na nigetha maigie mathina ma andu acio mamathiurukiirie.

Translator: So that they can listen to the people's problems.

Charles Kairu : Kwoguo nimagirire gukorwo mena chance ya guthiaga thiini wa Constituency na kuchunguza ni mathina mariku mena andu acio mamacagurite.

Translator: So they should have a chance to go back to the Constituencies and find out the problems afflicting their constituents.

Charles Kairu : Namba ithathatu ndirenda kwaria uhoro wa arutani.

Translator: I also want to talk about teachers.

Charles Kairu : Twina arutani thiini wa bururi uyu witu.

Translator: We have teachers in this country,

Charles Kairu : Mathomete kuuma primary kinya magathii thiini wa colleges.

Translator: Who have been educated right from Primary level to College level.

Charles Kairu : No mishara yao igatuika ya kuhatiririo.

Translator: But their salaries are poor,

Charles Kairu : Gugatuikaga ati murutani no akire riria oete loan.

Translator: Teachers can only build houses when they have taken out a loan.

Charles Kairu : Kana ukona murutani nginya mwana wake niarikinya kuingatio kuria arathomera.

Translator: And in some cases their children are chased out of school because of lack of school fees.

Charles Kairu : No ni tondu wa kuaga law irarugamirira mishara yao.

Translator: This is because there is no law that takes care of their salaries.

Charles Kairu : O undu umwe na ndagitari.

Translator: And also doctors.

Charles Kairu : Twina ndagitari thojmu thiini wa bururi uyu witu.

Translator: We have educated doctors.

Charles Kairu : Na nimararemwo nginya niguthii mawira uria kuagiriire niundu wa mishara yao kunyiha.

Translator: And they are unable even to go to their work stations because of low salaries.

Charles Kairu : No cio ni mwena wa civil servants.

Translator: This is on the side of civil servants.

Charles Kairu : Kunina uici bururi ini witu no kugiire na watho uratuma aruti a wira a thirikari marona mishara ya kumaigana.

Translator: In order to reduce theft in this country, there must be a law that guarantees good salaries to civil servants.

Charles Kairu : Tuthii mwena wa ciana cia ndigwa na atumia a ndigwa.

Translator: On the side of orphans and widows.

Charles Kairu : Nigutuike ati kinya mutumia wa ndigwa niaraguirwo ni nyumba.

Translator: Sometimes widows have their houses collapse.

Charles Kairu : Riria itonga iraria ikahuna,

Translator: When the rich are having enough to eat.

Charles Kairu : Na anene aria mari thirikari ini mararia makahuna.

Translator: And top Government officials having enough to eat.

Charles Kairu : Nacio ciana cia ndigwa nicio ireka umalaya barabara tondu matiri na maundu mangihota kwiikira.

Translator: Orphans are forced to turn to prostitution because of destitution.

Charles Kairu : Ni hagiriire watho,

Translator: So, there should be a law,

Charles Kairu : Kuuma thirikari,

Translator: From the Government.

Charles Kairu : Nigetha mwana wa ndigwa onage kanyamu gake muico wa mweri.

Translator: So that the orphans can get something small at the end of the month.

Charles Kairu : Na mutumia wa ndigwa akonaga kanyamu gake muico wa mweri.

Translator: The widow should also get something for her at the end of the month.

Charles Kairu : Nigetha ciana ciake onacio ahote gucithomithia.

Translator: So that they are able to take their children to school.

Charles Kairu : Akorwo ti uguo, thirikari niyagiririe guthomithia ciana icio.

Translator: If not that then the Government should take care of those kids.

Charles Kairu : Undu uria ungi ni wa mwana uyu tureta cokora thiini wa Kenya.

Translator: The other issue concerns street children,

Charles Kairu : Thiini wa Kenya gutiagiriire gukorwo na parking boys.

Translator: In Kenya we should not have parking boys.

Charles Kairu : Tondu thirikari ina mbecha ingihota kunyita ciana ici, gucirera na gucithomithia.

Translator: Because the Government has enough funds to take care of these children.

Charles Kairu : Tondu nio marakinya handu magatuikaga miitu ya micinga.

Translator: These kids later on develop to hard core criminals.

Charles Kairu : No korwo no manyitwo na mekirwo handu hamwe na mathomithio gutingigia na miitu.

Translator: But they were put in a place where they can be educated,

Charles Kairu : Uguo nihagiirire na watho urarugamirira cukura nigetha Kenya igie na utheri mwega na utongoria mwega.

Translator: They would not become criminals and therefore there is supposed to be a law to take care of them for their basic needs.

Charles Kairu : Undu uria ungi ni uhoro wigie President uria wagiirire ni guathana thiini wa Kenya.

Translator: The other issue concerns the President,

Charles Kairu : President ndagiriirwo ni gukorwo ati niwe urarugamia Vice President.

Translator: The President should not appoint the Vice President.

Charles Kairu : Vice President agiriirwo ni guthurwo ni muingi.

Translator: The Vice President should be directly elected by the people.

Charles Kairu : Nigetha tukahotaga kumenya weaknesses ciake.

Translator: So that we are able to know his weaknesses.

Charles Kairu : Tondu ni kuuga we utuikite appointed uguo nduri na hinya wa guthurwo.

Translator: Because when you are appointed, you do not have sufficient funds.

Charles Kairu : Ni kuga nduri undu unghota kwihitukiria nigetha ndukainainio niuria ugachagurite.

Translator: You cannot make independent decisions because you are fearing the one who appointed you.

Charles Kairu : Undu uria ungi ni ati President ni agiririrwo ni guthii term cia miaka iri thiini wa Parliament.

Translator: The President should have two five year terms.

Charles Kairu : Na ndagirio gukorwo na hinya wa kuvunja parliament.

Translator: And should not have powers to dissolve Parliament.

Charles Kairu : Thiini wa law,.

Translator: In the law,

Charles Kairu : Bururi uyu turi kwina maundu maingi muno marahinyiriria bururi.

Translator: There are so many things oppressing people.

Charles Kairu : Ugithii gukira kira barabara, ugekirwo ngono,

Translator: When you are crossing the road, you are arbitraly arrested.

Charles Kairu : Tondu ringi uma maombolezini kana uma keshu.

Translator: And may be you are coming from a morning...

Charles Kairu : No ugakorwo uratuika niurathuguma barabara, na ringi nduri wacama njohi.

Translator: And when you are taken before the court, you are accused of having been drunken and dishonest.

Charles Kairu : Thigari ni ciagirire ithomitio wega ni tondu wa right ya mukenya.

Translator: The police officers should have sufficient training.

Charles Kairu : Ni tondu wa right ya mukenya.

Translator: To recognize the rights of Kenyans.

Charles Kairu : Nigetha makahota kumenya uria wagirire ni kunyitwo.

Translator: So that they know who should be arrested.

Charles Kairu : Undu uria ungi ni uhoro wa aria maroho mieri itandatu, itatu, kinya ina.

Translator: The other issue concerns who have prison sentences of six months, four months and three months.

Charles Kairu : Matiagirirwo ni kuohwo kiohwo gia thiini.

Translator: They should not be put in custody.

Charles Kairu : Magiriirwo ni kuohwo kioho kia nja nigetha mahote guteithia public na ciana iria mena cio.

Translator: They should serve their sentences outside the jail system.

Charles Kairu : Uguo hau nihagiriire gukorwo hena agenda ya kuhitukirio thiini wa watho ni tondu wa muraia ucio.

Translator: So there should be a law to provide for public.

Charles Kairu : Ndiuma na maingi,

Translator: I didn't have much.

Charles Kairu : No ninguongerera haha.

Translator: But I will add something.

Charles Kairu : Thiini wa aruti a wira a thirikari,

Translator: In the public service,

Charles Kairu : Ni turaigua makiheo ngiri magana na magana,

Translator: We have that they have been given hundred and thousands of shillings.

Charles Kairu : Na no turaigua uria bururi economy ithukite.

Translator: And yet we know the poor state of the Kenyan economy.

Charles Kairu : Ni hagiriirwo ni kumenywo mishara iyo ni getha mundu wothe wa Kenya akorwo na part yake.

Translator: There should be harmonization of salaries so that each and every Kenyan gets his due salary.

Charles Kairu : Economy ni thuku,

Translator: The economy is poor.

Charles Kairu : Na noturaigua mishara no irahanwo minene.

Translator: And there are people who are having high salaries.

Charles Kairu : Ona ngari nene irathii barabara cia anene a thirikari.

Translator: We can see big vehicles of big people.

Charles Kairu : Ikanyuaga maguta maingi,

Translator: Gazzling a lot of fuel.

Charles Kairu : Na maintenance ya goro.

Translator: With high maintenance costs.

Charles Kairu : Mangihota kunengerwo mitokaa ino itaranyua muno,

Translator: If they are given less fuel consuming vehicles,

Charles Kairu : Ngwiciria economy ya Kenya no yuke wega.

Translator: May be the economy of Kenya can improve.

Charles Kairu : Nake murutani niagiriruo kuheo mushara uramuigana,

Translator: Teachers should also get sufficient salaries,

Charles Kairu : Nigetha ahote guserve public uria kwagiriire.

Translator: So that they can give the public good service.

Charles Kairu : So God bless the Constitutional Commission. Thank you very much.

Com. Nunow: Thank you very much asante kwa hayo maoni yako Bw. Kairu. Na sasa ningependa kumuita Fr. John Mwai, kama Fr. John Mwai hayuko ningependa kumuita John Mungiki, (inaudible) John Gakuru, Elija (inaudible) John Njagi (inaudible) Robert Wanjohi, Nelson Mwangi, Peter Munga Gitonga, yuko? Mary Mwaniki, Kanyi Kamau, Antony Mwangi, George Maina, Michael Wambugu, James Kabatha, Joseph Ngunjiri. Joseph utazungumza,

Joseph Ngunjiri Mwangi: Ndio.

Com. Nunow: Baada ya Joseph tutakuwa na Joseph Githungi Machira uko? Uko okay Joseph endelea.

Joseph Ngunjiri: Ngwenda kwaria na gikuyu nii. Nii njitagwo Joseph Ngunjiri Kamau.

Translator: My names are Joseph Ngunjiri Kamau.

Joseph Ngunjiri: Na kiria gia tuma njuke haha,

Translator: The reason why I have come here,

Joseph Ngunjiri: Ni tondu President ni ahetho powers nyingi muno.

Translator: Is because the office of the President is vested with so much powers.

Joseph Ngunjiri: Ona ahetwo uguo,

Translator: Even with those powers,

Joseph Ngunjiri: Gukonekana mundu unite nja agoka akahura bururi witu.

Translator: There are people who have come from outside and fought our country.

Joseph Ngunjiri: Riria mekite uguo,

Translator: When they have done it,

Joseph Ngunjiri: No tuteithirio ni andu a kuuma na nja.

Translator: We can only assistance from external sources.

Joseph Ngunjiri: Uhoro ucio ni undu muritu muno.

Translator: This is a difficult situation,

Joseph Ngunjiri: Tondw wagukorwo na thigari trained.

Translator: Because we have trained officers,

Joseph Ngunjiri: Cithomete ota andu acio moimite na kuria nja magoka guku

Translator: Who have undergone the same training,

Joseph Ngunjiri: Na magatuteithio wega.

Translator: And who have been able to help us.

Joseph Ngunjiri: Ni thengiu ni undu woguo.

Translator: Asante sana.

Joseph Ngunjiri: No riiri, ni mathiite cukuru?

Translator: But I wonder which school they went to.

Joseph Ngunjiri: Part iria ingi,

Translator: The other part,

Joseph Ngunjiri: Ni ndigagwo ni andu ariku mahota kuhura andu guku riu.

Translator: I wonder who comes to attack people here and yet we should be having security.

Joseph Ngunjiri: Niundu riri,

Translator: Because.

Joseph Ngunjiri: Gwi thirigari nyingi muno na iri ugi muingi thiini wa maratathiini.

Translator: There are so many members of the armed forces in this country,

Joseph Ngunjiri: Na nio marekagiriria.

Translator: But they are the ones who allow these people to attack us.

Joseph Ngunjiri: Handu ha uhunjia.

Translator: On the side of evangelism.

Joseph Ngunjiri: Niwagiririre kugia na uhuru,

Translator: There should be freedom,

Joseph Ngunjiri: Uri kuo.

Translator: And it is enshrined in the current Constitution.

Joseph Ngunjiri: No ni kuri thina umwe umakagia,

Translator: But there is one problem that shocks me,

Joseph Ngunjiri: Mwana akoima ruraya agoka kuhunjia guku.

Translator: A young person comes from Europe and comes to evangelise here and does a good job.

Joseph Ngunjiri: Akaruta wira mwega muno no muico wo uhoro a gaku.

Translator: But the end of it he or she dies.

Joseph Ngunjiri: Undu uciio ugatuika ni wathigithanio.

Translator: And nobody knows what happened.

Joseph Ngunjiri: Uyu ni guo ingienda kumenya atiriri kari business iriku.

Translator: So I would like to know what is this business of being above the law.

Joseph Ngunjiri: Tukiuma route iyo ni kuri arimi,

Translator: We also have farmers,

Joseph Ngunjiri: Mahana ta nii.

Translator: Who are like me.

Joseph Ngunjiri: No matiteithikaga ni urimi ucio wao.

Translator: But they do not benefit from their farming.

Joseph Ngunjiri: Uguo Ministry of Agriculture,

Translator: So the Ministry of Agriculture,

Joseph Ngunjiri: Twathii thiini wa mutaratara,

Translator: When you go to procedures,

Joseph Ngunjiri: Niukuona waziri ari na seventy million na ndarihire.

Translator: You might find somebody who has seventy million and yet has not paid.

Joseph Ngunjiri: Andu acio marutio kuuma na iguru mundu uri na thiiri.

Translator: All those rich people from the top who have bank loans,

Joseph Ngunjiri: Ni ndirarigwo niki ria bururi witu uragia na thina

Translator: I wonder why our country is getting financial problems.

Joseph Ngunjiri: Angikorwo andu ta acio mari na mathiri.

Translator: If people like those are owing banks big debts.

Joseph Ngunjiri: Wa muico,

Translator: The last point,

Joseph Ngunjiri: Ni kuri culture,

Translator: It concerns culture.

Joseph Ngunjiri: Nayo iyo niratuma tuhane ta turakiga.

Translator: We are regretting because of it.

Joseph Ngunjiri: Kuruithia airitu,

Translator: Female Genital Mutilation,

Joseph Ngunjiri: Nii ndoiga arume no marue.

Translator: I am comfortable with men circumcision,

Joseph Ngunjiri: No airitu matiganwo nao.

Translator: But the female should be left alone.

Joseph Ngunjiri: Ngirikia,

Translator: In conclusion,

Joseph Ngunjiri: Ninguokeria commission ino ngatho.

Translator: I would like to thank the Commission,

Joseph Ngunjiri: No matwarithie haraka,

Translator: But they should hurry up this process.

Joseph Ngunjiri: O june githurano gike atia.

Translator: So that we can have our elections by June. Thank you.

Com. Nunow: Thank you very much Bw. Ngunjiri Kamau. Now I would like to call the last person. Bw. Kamau please register.

Wanjiru Mwangi. Mwathani agocwo. Nii ngwaragia o kaundu kanini gakonie githomo. Ritwa ni Wanjiru Mwangi.

Translator: Jina ni Wanjiru Mwangi.

Wanjiru Mwangi. Na gwitu ni Thiha Sub-location.

Translator: And I come from Thiha sub-location.

Wanjiru Mwangi. Nii ngwendaga kwaria uhoro ukonie githomo.

Translator: I would like to speak about education.

Wanjiru Mwangi. Aruti aria metagwo githomo na iguru, mathiaga magac Jennerio subjects.

Translator: Those students who pass and then go upwards and change subjects.

Wanjiru Mwangi. Na riu iria aratanyite gwika akerwo ti cio ni ingi.

Translator: And the courses that they had selected, they are told that they are going to do different courses from the ones they had selected.

Wanjiru Mwangi. Riu muico wa kuruta wira muritu wa kugira kiria aratigite na kugirwo kiria ekwirigiriire.

Translator: So, eventually they are in a difficult position because they do not do what they had purposed to do.

Wanjiru Mwangi. Haria hangi ndi o gwa githomo.

Translator: Still in education,

Wanjiru Mwangi. Ni ihoya riakwa,

Translator: It is my prayer,

Wanjiru Mwangi. Cukuru uria wa Kagumo College,

Translator: That Kagumo college,

Wanjiru Mwangi. Hindi iyo Katiba ikugarurwo o na guo riu unenehio utuike University.

Translator: Be made a University in the new Constitution.

Wanjiru Mwangi. Na aruti metikirio kuraraga nja.

Translator: And students should be allowed to be dayscholars.

Wanjiru Mwangi. Tondu andu a guku turimaga kahawa na gatikirihagwo,

Translator: Because we are coffee farmers and we no longer get payments.

Wanjiru Mwangi. Na ciana no ikuhituka ona kahawa gatararihuo.

Translator: And our children will still pass even without coffee payments coming in.

Wanjiru Mwangi. Bwana asifiwe, Mwisho kwangu.

Com. Nunow: Asante sana mama, sasa Charles endelea.

Charles Njuno Muriu: Maritwa makwa ni Charles Njuno Muriu.

Translator: My names are Charles Njuno Muriu.

Charles Njuno Muriu: Katiba yagirirwo ni gukorwo ihana ta wiyathi.

Translator: Because the Constitution is like freedom,

Charles Njuno Muriu: Ni ngwenda irorwo maita matatu.

Translator: It should be checked three times.

Charles Njuno Muriu: Turore mwena wa uchumi nigu economy,

Translator: We should look at the economy,

Charles Njuno Muriu: Political,

Translator: Politics and the Ministry.

Charles Njuno Muriu: Uchumi uhana muri wa itimu wa ikumbi kana ihindi ria mukururu.

Translator: The economy is like the taproot or the spinal cord.

Charles Njuno Muriu: Na niyo ikoragwo inyitirire bolithi na Ministers.

Translator: And it is the one that holds together politics and the military.

Charles Njuno Muriu: Riu tondu mathaa ni mathiru ngwamba kugweta mwena wa uchumi.

Translator: On the economy,

Charles Njuno Muriu: Kenya tuendagia tuindo tunini twa mbecha nini, no tukagura indo nyingi cia mbecha nyingi mabururi macio mangi.

Translator: We sell few commodities at a little price but we buy in bulk at high price.

Charles Njuno Muriu: Riu bururi ugathii hadhara wa miaka miingi muno.

Translator: So the country is disadvantaged.

Charles Njuno Muriu: Riu nihekwenenda watho ati bururi ugurage indo cia mbecha nini ono korwo ni nyingi no tugakiendagia muno nigetha tugakiona faida kana utonga.

Translator: So the new Constitution should provide for a law stating that we should sell more and buy less.

Charles Njuno Muriu: Na maundu ta ma migunda tondu guku gutiri indo ta madini, gutiri minerals,

Translator: As far as land is concerned because we do not have minerals,

Charles Njuno Muriu: Migunda iria miingi ti mirime.

Translator: Many of our shambas are not cultivated.

Charles Njuno Muriu: Na no uria Ngai ombire.

Translator: And they are virgin lands.

Charles Njuno Muriu: Ni tukwenda tumithondeke tondu migunda niiganite iturehere utonga muingi na kwandikitwo.

Translator: We should cultivate this because they are enough to bring a lot of riches and employment.

Charles Njuno Muriu: O na korwo ni kuria gutari mai na guku N. eastern,

Translator: For the dry areas like the N. Eastern province,

Charles Njuno Muriu: Iria ta L. Victoria tondu ni fresh water no rirutwo mai na thitima icio irutwe.

Translator: Water can be sourced from L. Victoria and electricity.

Charles Njuno Muriu: Ona no tukihuthire thitima cia atomy kana nuclear, tondu nitui kuri thitima ta icio ihuthagirwo handu ha icio cia mai tondu icio ni cia hadhara muno.

Translator: We could also generate atomic energy,

Charles Njuno Muriu: Kundu guku kuu guothe ta kuo N. Eastern na kuu kuaraga muno ona Ukumbani no kurutwo mai. Ona korwo ni kuriithia ngombe kana kuhanda miti.

Translator: We could irrigate all these places or may be engage in livestock farming or afforestation.

Charles Njuno Muriu: Kurorwo na njira iria ikurehe faida.

Translator: So the issue of the profitability of those areas should be looked in.

Charles Njuno Muriu: Ona iria ria Mombasa kana mai macio ma chumbi ni kuri machini cimahuthagira makanyihio cumbi na makahuthirwo na njira ingi.

Translator: There are desalination plants that can be used to desalinate the waters from the Indian Ocean.

Charles Njuno Muriu: Tondu nikiu muthungu nio igaga Kenya ni ikumbi ria British empire.

Translator: There are times when the Europeans say that Kenya is the granary of the British Empire.

Charles Njuno Muriu: Uguo no tuhote guthondeka bururi witu handu ha gukuaga ni ngaragu, kana kuhuta kana kwaga mawira, andu aitu no mahote kwandikwo ni urimi.

Translator: So we can make our economy to be one that can support our people through employment and jobs.

Charles Njuno Muriu: O turi mwena wa economy tondu niguu wina bata muno,

Translator: Still on the economy because it is a critical issue.

Charles Njuno Muriu: Ni kuri andu aya athomu makaga mawira guku, no tu-support human export niundu wa andu aria mangiona wira na kuu njaa agathiaga agatumaga mbecha na guku cia gukuria guku.

Translator: We can export our qualified but unemployed people.

Charles Njuno Muriu: O korwo ni andu aya angi mokaga na guku andu a nja. Katiba icenjio ati gutiri kugura citizenship tondu kuri andu oru muno mokaga guku kinya mikora.

Translator: The new Constitution should provide that no immigrants should buy Kenyan citizenship because some of them are criminals.

Charles Njuno Muriu: O hari uchumi okorwo ni kurera ciana. Ta githomo tondu no undu umwe na kuheo irio,

Translator: Still on the economy because education is as important as,

Charles Njuno Muriu: Kana hibi ndini. Ni hekwenda mundu o wothe agathoma kinya miaka sixteen. Ni tondu githomo no muhaka mundu athome nginya akinyia miaka ikumi na itandatu.

Translator: People should be in schools at least upto the age of sixteen.

Charles Njuno Muriu: Na githomo kiu kingihoteteka gikorwo gia tuhu tondu tutiri turakinyia miaka igana ria milongo itano kuma twaheo wiyathi.

Translator: And if possible this education should be free because we are not yet one hundred and fifty years old as a nation.

Charles Njuno Muriu: Population ya Kenya andu ngiri ta twenty nine, aria aingi muno ni athini tondu mangitarwo per capital income in dollars ti andu aingi mahotaga kuona dollar ngiri na magana matano o mwaka.

Translator: Many of the people in Kenya live below the poverty line because many of them cannot get a hundred and fifty dollars per year.

Charles Njuno Muriu: Riu nihegukienda Ministry okorwo ni ya Labour, mundu utari wira kumenyeke nuu makooyagwo uguo utari wira kana wabutwo.

Translator: The Ministry of labour should compile statistics of the unemployed.

Charles Njuno Muriu: Niundu wa kurigirira wuici na umaraya na Aids.

Translator: To control theft, prostitution and Aids.

Charles Njuno Muriu: Na mundu utari wira akaheagwo mbecha na nii no nyende mushara ume muico wa mweri uke o week, nigetha mbecha ciingihe bururiini.

Translator: The unemployed should be given unemployment benefits and if possible this should be paid on a weekly basis.

Charles Njuno Muriu: O mwena uyu still Kenya no tuhote kuguraga, tondu Africa niyo namba iyo. Niyo ndongu muno thiini wa thi no niyo thini muno.

Translator: Africa is the richest continent in the world in terms of resources but it is the poorest.

Charles Njuno Muriu: Kwoguo no tuhote kugura indo icio itari thondekete tondu notuhote gucithondeka wega tugaciendia tukona mbecha nyingi.

Translator: So we should be able to import things and then add value to them.

Charles Njuno Muriu: Ona handu ha athungu mokage moimite o kuraihu, o aya turiganitie no tuhote kurehe utalii ucio guku na tuonage mbecha.

Translator: We could also encourage tourism from neighbouring countries.

Charles Njuno Muriu: Okorwo ni mai maria mari guku no mahote kwandika andu ta milioni inyanya gutegaga thamaki na mawira mangi.

Translator: The water bodies that are currently present in Kenya can employ about eight million in fishing.

Charles Njuno Muriu: Riu tondu ndina ihenya na ngwiciria mutwe wina maundu maingi na ngwiciria kaba ingiandikire handu. Tukuputa hutio icio iri iguru hanini tondu uchumi niguo wina bata muno.

Translator: The economy is the most important thing.

Charles Njuno Muriu: Okorwo ni mundu ta murimi aheagwo subsidized.

Translator: Farming should be subsidized.

Charles Njuno Muriu: Akiandagirio o korwo ni fertilizer itari na igoti.

Translator: Things like fertilizers he should get them taxfree.

Charles Njuno Muriu: Tondu arimi aria aingi guku marimaga na moko.

Translator: Because most of the farmers are peasant farmers. They have little funds.

Charles Njuno Muriu: Ni tubecha tunini monaga. Tondū okorwo ni arimi a kahua, na tumigunda tunini na matiri na machine.

Translator: They get little proceeds. For example coffee farmers have very small shambas and plots of land and they are not mechanized.

Charles Njuno Muriu: O hau ha Uchumi, turore maundu ta okorwo ni reli ituarwo kundu guothe tondū no uria cia tigurwo ciekirwo ni muthungu ekira na mabarabara.

Translator: The railway network should be expanded because it is just as it was left by the British colonialists.

Charles Njuno Muriu: O korwo ni kindu ta maundu ma meri guthondekwo Mombasa ingi tondū iria rikiri inene tu.

Translator: Another port should be opened, we should not have only the port of Mombasa.

Charles Njuno Muriu: Riu tukiuma hau ha Uchumi, tungiuka hari uhoro wa politics,

Translator: As far as politics is concerned,

Charles Njuno Muriu: Siasa nayo ikorwo iri democracy wega.

Translator: There should be democracy in the country.

Charles Njuno Muriu: Tutikanarore kabira,

Translator: We should not look at tribalism,

Charles Njuno Muriu: Bata ni mundu ucio akorwo ni healthy, na ena ugi wa Ngai. Tiga uyu wa githomo kana wa degree.

Translator: What is important is not education but wisdom from God.

Charles Njuno Muriu: Tutikarore kana ni muhindi kana niki bata ni mundu Citizen wa guciarirwo guku.

Translator: We should also not discriminate on whether somebody is an Indian or not. What is important is that, that person has been born here.

Charles Njuno Muriu: Riu hari mwena wa military, thigari cia guku ni nyingi muno tondū ni kuri Navy, Airforce, na ingi branches nyingi.

Translator: On the side of the Armed forces, we have so many branches, we have Airforce, we have Navy, we have Flying squad and so many other branches.

Charles Njuno Muriu: Riu ti hindi ya muthungu hindi iria British mahotaga guathaga mabururi maingi makiria ma forty nine.

Translator: These are not the days of the British Empire when the British Government had colonized as many as forty-nine countries.

Charles Njuno Muriu: Riu mabururi macio nimateithanagia o enyewe.

Translator: Those countries used to help one another.

Charles Njuno Muriu: Riu Kenya ni bururi umwe tu. Riu kanyamu karia gothe gokaga burui umwe.

Translator: So Kenya is just one single nation,

Charles Njuno Muriu: Na hatikiri na ugwati kana hihi thu cikiri guku.

Translator: And there is no danger or threat from external bodies.

Charles Njuno Muriu: Mbecha icio cieherio kuma mwena ungi.

Translator: The Armed Forces should be reduced so that the money liberated through the system can be channeled elsewhere.

Charles Njuno Muriu: O korwo ni Mabilionaires na matillionaires ma Kenya nimekwenda manyihanyihio mushara tondu arimi ni mathinite muno na itonga cigatonga muno.

Translator: The richest people should have their salaries reduced because the rich have become very rich and the poor have become very poor.

Charles Njuno Muriu: Na ni hatari tondu no kugie na civil war.

Translator: This is not good for the country because it could spark civil war.

Charles Njuno Muriu: Riu na macio manini,

Translator: With those few points,

Charles Njuno Muriu: Mukirute wira na kio no ndina maundu maingi no ndikwandikite. Thank you.

Translator: I had so many points but I had not written them down. Thank you.

Com. Nunow: Thank you very much Bw. Charles, tuendelee na sasa tumpate Johnson Kamau.

Johnson Kamau Gachoka: My name is Johnson Kamau Gachoka.

Translator: Johnson Kamau Gachoka is my name.

Johnson Kamau Gachoka: Ningucokeria Commissioners aria mokite ngatho o hamwe na aria mokite.

Translator: I would like to register my thanks to the Commissioners who are here.

Johnson Kamau Gachoka: Maundu maingi nimaritio na memorandum yakwa nineanite na ni ngumaira uria ngwandikite.

Translator: So many points have been made and I also have my memorandum but I would like to highlight a few points.

Johnson Kamau Gachoka: Ngwaririe na kindu gitagwo pension.

Translator: I would like to start with pensions.

Johnson Kamau Gachoka: Pension iria iheanagwo guku Kenya ti njega,

Translator: The pensions currently being given in Kenya are not good,

Johnson Kamau Gachoka: Tondu andu amwe maheirwo tene riria Kenya yari na mishara minini.

Translator: Because some people are awarded a long time ago when salaries were at a low scale.

Johnson Kamau Gachoka: Na mundu wa thi muno riu aheagwo magana matano.

Translator: The lowest paid is currently five hundred.

Johnson Kamau Gachoka: Riria mongagiirira mishara iyo review iyo ndiekirwo wega tondu,

Translator: When they were increasing the salaries, the review was not done properly because,

Johnson Kamau Gachoka: Mundu ucio ndakihota kwigurira ki kana ki muthenya wa umuthi. O na ndawa ya kunyua.

Translator: Those pensioners cannot buy themselves anything including drugs.

Johnson Kamau Gachoka: Wagirirwo ni kuongereria na kindu ta 500% to 2000%.

Translator: So this pension should be increased within the range of 500% to 2000%.

Johnson Kamau Gachoka: Nigetha uhote gutuarana na uria bururi ukurite.

Translator: So that these people can move with the progress in the country.

Johnson Kamau Gachoka: Ngitigana na uhoro wa pension, njarie uhoro wa thitima.

Translator: Leaving the issue of pensions and going on to electricity.

Johnson Kamau Gachoka: Thitima mundu acanjagwo uria company ya thitima ikwenda.

Translator: People are charged according to the wishes or the wills of the electricity company.

Johnson Kamau Gachoka: Uguo mundu akareherwo bill atangihota gukararania nayo.

Translator: So people are given bills that they cannot dispute.

Johnson Kamau Gachoka: Uhoro wa thitima uthii urorwo wega tondu ti mwega.

Translator: This issue should be looked into because it is not good.

Johnson Kamau Gachoka: Thitima ni ikuhota kuhitukira gwaku mugunda kana ikahitukira haria uri, no ndungitikiria umihuthire.

Translator: The power cables can bypass your shamba or where you are but you are not allowed to use it.

Johnson Kamau Gachoka: Ona mangirwo mete andu transformers nigetha mahota kugaya mwaki uciio. Matingitikira na niundu mangiika.

Translator: Even when they are requested by people to install transformers, they refuse yet it is something that is within their powers.

Johnson Kamau Gachoka: O undu umwe na telephones, nao machargaga uria mekwenda.

Translator: The telephone people also charge the way they like.

Johnson Kamau Gachoka: Magiriiruo ni gukorwo makirorwo na gukorwo kwina conditions cia kurora maundu macio ma corruption.

Translator: There should be commissions established to look at corruption within those institutions.

Johnson Kamau Gachoka: Tondu corruption ni nyingi o miena yothe.

Translator: Because there is a lot of corruption in different sectors.

Johnson Kamau Gachoka: Especially police force, kuu nikuo corruption ihiire.

Translator: Especially in the police force, that is where there is a lot of corruption.

Johnson Kamau Gachoka: Tondu ona andu a mitoka ndiui niki monaga niundu ndakihota kuhitukia ngari atarutite kindu angiaga gwika uguo no anyitwo na athii atuirwe na hinya.

Translator: Infact I wonder what profits the people who operate transport business get because they cannot pass police roadblocks without giving some money.

Johnson Kamau Gachoka: Na ngari iyo ni njeru ona ni hindi yambiriria guthii barabara.

Translator: This goes on even when the vehicles are new.

Johnson Kamau Gachoka: Ikandikirwo mahitia o uguo.

Translator: They get charges and they are ascribed arbitrary charges.

Johnson Kamau Gachoka: Undu ucio ni ku-affect tondu o no okorwo uri igoti ini ukwirwo wambe uthii rumande ciumia igiri.

Translator: This happens because even if you are taken to the court of law, you are told to go to the court of remand for two weeks.

Johnson Kamau Gachoka: Tondu ona magotiini ma Kenya mothe nduri undu unghotana utari na kindu uraruta kiinua mgongo.

Translator: Because the judicial system in Kenya is so corrupt that you cannot get anywhere without bribe.

Johnson Kamau Gachoka: Uguo Mwananchi wa Kenya niahatirirwo na corner ciothe cia Kenya gutiri handu angihota kuumirira.

Translator: So the Kenyan citizen is oppressed left, right and center.

Johnson Kamau Gachoka: So, Kenya bururi ni kundu kwa guoya kana gwa kuhahura andu. Tondu unghithii kwaria uhoro wa ma ukurigwo nia urera.

Translator: So Kenya is a country that people live in fear because even if you speak the truth, you wonder who you are telling.

Johnson Kamau Gachoka: Ngwiciria nigetha heho ino ithire thiini wa Kenya, noguethirwo independent commissions duty officers,

Translator: In order to get rid of this fear, there must be commissions or duty officers,

Johnson Kamau Gachoka: Aria mari consultagwo ni President na Parliament,

Translator: Who should be consulted by the President and Parliament,

Johnson Kamau Gachoka: Magathii me hamwe,

Translator: and go together,

Johnson Kamau Gachoka: Nigetha uhoro wa kuhahura kana mundu kuaga gwika uhoro wa ma wage njira.

Translator: So that people are not frightened because of nothing.

Johnson Kamau Gachoka: Undu uria ungi ingithii kuuga,

Translator: The other issue that I would like to touch on,

Johnson Kamau Gachoka: President, ndagiirire gukorwo akiheo mushara munene ta mundu muandike atiga wira.

Translator: Is that the President should not get high salaries like somebody who is employed when he retires,

Johnson Kamau Gachoka: Akandikagirwo kinya mawabishi, kinya magari ma goro ati mbia ciake ciothe cigiuka aiguaga e mundu umwe ara thii na million and million of shillings, hindi iria andu mena thina.

Translator: He should not have an expensive vehicle when people are in problems.

Johnson Kamau Gachoka: Undu ucio wi Kenya umuthi na ni muru.

Translator: That situation is in Kenya today and it is not good.

Johnson Kamau Gachoka: Wagiriirwo ni gutuika abolished.

Translator: It should be abolished.

Johnson Kamau Gachoka: Undu uria ungi ni uhoro wa migunda.

Translator: The other issue concerns land,

Johnson Kamau Gachoka: Migunda niyagirirwo ni gukorwo na commission ya kumenya maundu ma thirikari.

Translator: There should be a Commission to deal with land issues.

Johnson Kamau Gachoka: Ni tondu migunda ituanagirwo riu na hinya.

Translator: Because divisions on land are done faulsively.

Johnson Kamau Gachoka: Ona unghithii kwa migunda utari kindu ukuruta nduri undu waku unghingirio.

Translator: When you go to the Land offices without bribing you cannot get services.

Johnson Kamau Gachoka: Kwina mawakiri maigitwo a kuhenania kuu.

Translator: There are lawyers who are kept there to keep outkeep.

Johnson Kamau Gachoka: Uguo maundu ma migunda kuma hari sub-chief guthii na iguru, guothe no corruption theri ikuo.

Translator: So there is corruption as far as land is concerned right from the sub-chief's office.

Johnson Kamau Gachoka: Uhoro wa kugawaya kwa migunda wagiriiruo ni gukorwo ikigaywo ni andu a mundu ucio kana mwene title deed iyo.

Translator: As far as inheritance of land is concerned, the right to inherit are the children of that person,

Johnson Kamau Gachoka: Na angikorwo ni muiiritu na ni ahika.

Translator: If a daughter gets married,

Johnson Kamau Gachoka: Watho wagirire ni kuhitukio ndagiriire ni kuruta indo icio atware kuria ahikire.

Translator: There should be a law that should be enacted to prevent such a daughter from taking that property from her father's home to where she is married.

Johnson Kamau Gachoka: Tiga no ikorirwo ni case njiguanire ni commission ya migunda. Etikirio eke uguo tondu ringi ithe na nyina matiari na mwana ungi.

Translator: Unless there has been agreement between herself and the Commission if she is an only child.

Johnson Kamau Gachoka: No angikorwo ni kwari ciana ingi ndagiriirwo ni kuoya mugunda uciio atware kuria ahikire.

Translator: If there were other kids, she should not inherit that land,

Johnson Kamau Gachoka: No uciio ni watho wa gikuyu kuuma tene.

Translator: That is Kikuyu Customary law.

Johnson Kamau Gachoka: Uhoro wa kabila icio ingi ndiui magayaga migunda atia.

Translator: I do not know how the other tribes are going to deal with this issue.

Johnson Kamau Gachoka: Nonyende igayage uguo.

Translator: I would like them to use the same method.

Johnson Kamau Gachoka: Uhoro wa marua ma andu a nja. Matiagiriire makionekana thiini wa bururi.

Translator: Female Genital Mutilation should be outlawed in the country.

Johnson Kamau Gachoka: Tondu matiri na bata.

Translator: Because the custom is useless.

Johnson Kamau Gachoka: Uhoro wa kuhinyiriria andu a nja nduagiriire gukorwo ugithii na mbere.

Translator: Women should not be oppressed.

Johnson Kamau Gachoka: Nao atumia angi nimahinyagiriria athuri muno.

Translator: But there are some women who also oppress men.

Johnson Kamau Gachoka: Ona athuri magakinya gukua na ihenya niundu wa kuhinyitirio ni atumia.

Translator: Sometimes this leads to early deaths of the husbands.

Johnson Kamau Gachoka: Haria hangi ni kuaga ugitari.

Translator: The other issue concerns insecurity.

Johnson Kamau Gachoka: Nikuagiriire ni gukorwo guthondekete groups cia kugitira bururi tondu thirikari niya remirwo.

Translator: There should be groups formed to defend the country because the Government has been unable.

Johnson Kamau Gachoka: Na undu umwe ungiikwo ni retired officers aria mari jeshi,

Translator: One way is to utilize retired army officers.

Johnson Kamau Gachoka: Maheo michinga manyitanire na arangiri a itura ini.

Translator: They can be given guns and they should work together.

Johnson Kamau Gachoka: Na maheo migui nigetha mahote kurangira utuku tondu uici ni muingi muno, utuku andu mahuragwo muno.

Translator: They should be given bows and arrows because there is a lot of burglarly at night in our villages.

Johnson Kamau Gachoka: Korwo armed forces no ihuthirwo wega, urogani na uici uria wi Kenya no uthire.

Translator: If the Armed forces were used properly thefts and people being frightened would be a thing of the past.

Johnson Kamau Gachoka: No riu ndungithira tondu wa uria andu mahinyiriirwo ni kuaga gutuika protected.

Translator: But it cannot happen now because people have been oppressed because of lack of security.

Johnson Kamau Gachoka: No twende Commission ino,

Translator: We would also like this Commission,

Johnson Kamau Gachoka: Yandike watho uhitukio toria thi cia America ciathanaga na Britain guathanwo uguo Kenya. Nigetha uhoro ucio wa uragani wage bururini.

Translator: We would also like the Commission to enact registration just like in Britain and America so that the state of lack of security should be a thing of the past.

Johnson Kamau Gachoka: Ona wagi wa uma uthire.

Translator: And lack of truth.

Johnson Kamau Gachoka: Ingikinyia hau no njuge ati niwega tondu maundu ni maingi ingiuga,

Translator: I would like to conclude at that juncture.

Johnson Kamau Gachoka: Njokerie aria mokite ngaatho na njuge mwathani atuteithie maundu maya nimekuhinga.

Translator: I would also like to register my thanks to those who are....

Johnson Kamau Gachoka: Before I close, no nyende kuuga atiriri, kwana thondekwo commissions nyingi muno.

Translator: I would like to say that many Commissions have been formed in the past.

Johnson Kamau Gachoka: Na tondu cianathondekwo nyingi muno maundu macio macokaga gutuika ni cia tuhu.

Translator: And their recommendations and their reports have become useless.

Johnson Kamau Gachoka: Ino yanyu no turie power ya President wa Kenya ndikahuthirwo nigetha ndigathire, undu ucio wikwo na ihenya.

Translator: As far as this one is concerned, we would like the powers of the President to be waived so that this business is concluded speedily.

Johnson Kamau Gachoka: Urimi naguo ni muru.

Translator: We are sustained by Agriculture,

Johnson Kamau Gachoka: Indo iria turehagirwo kuuma nja cina thogora munene gukira uria twendagia. Undu ucio ri ucookie thi nigetha tuone gia kuria na kunyua tondu ni tuguthira. We are being diminished and yet our farming is being operational. Thank you.

Com. Nunow: Thank you very Mr. Gachoka you have a memorandum? Very good. Let me call upon the Coordinator Mr. Mugo, una maandishi mzee? ni patie maandishi tafadhali, lakini kama una kuja kesho tafadhali, kikao kitarudi kesho nitakupatia nafasi ndio useme, tafadhali.

Mr. Mugo: My dear Commissioners, our committee, and the people who have come to present their views, upon this juncture, I think it will not be prudent to say any words because many words have been spoken. I just wish to inform you that tomorrow, rucio tugakorwo kuria mihuti PCEA Church. Mukaroka tene aria magathii matanona kamweke. Let us all meet there so that we can continue with this issue of collecting views. I would like to call upon Rev. Maina, to close this meeting with a

word of prayer. Thank you. Welcome.

Rev. Maina: Asante Mungu Baba, Mungu wa mbingu na nchi, tulipoingia hapa asubuhi Mungu wetu tuliinamisha vichwa vyetu ili tuombe ruhusa ya huu mkutano uliokuwa mbele yetu, asante watu wetu Mungu wamekuja kwa wingi sana, asante wametoa maoni yao kuhusu Katiba mpya tunayoitarajia kabla ya mwaka huu kuisha, asante kwa Commissioners wetu ambao wamekuwa wavumilivu zaidi na wametupa nafasi kuzungumzia juu ya hali, tutakapo ondoka hapa Mungu wetu kama unavyo ona usiku unaingia twakuomba safari njema yakufika nyumbani kwetu, watakao enda kwa miguu, watakao panda magari, Mungu wetu ukaweza kuwafikisha salama salimini, tukifika kwetu Mungu wetu wale ambo hawakutoa maoni yao, wengine hata wako nyumbani wakiongonjea kesho, huko Mihuti PCEA twakuomba Mungu wetu hata siku ya kesho ikaweza kuwa siku ya mafanikio, haya na hayo hatujaona Mungu wetu ukaweze kututimizia kwa jina la Yesu Kristo aliye bwana na mkombozi wetu, Amen.

Muendeni salama.

Meeting ended at 6.30 p.m.

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