

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONST. PUBLIC HEARINGS, IMENTI NORTH CONSTITUENCY,
HELD AT TIMAU CATHOLIC CHURCH**

ON

Thursday May 23, 2002

**CONSTITUENCY PUBLIC HEARINGS, IMENTI NORTH CONSTITUENCY THURSDAY, MAY 23, 2002, AT
TIMAU CATHOLIC CHURCH**

Present:

Com. Ibrahim Lethome
Com. Githu Muigai

Secretariat in attendance:

Solomon Mukenion – Program Officer
Vincent Wataku - Asst. Program Officer
Grace Gitu - Verbatim Recorder
Muriiki Ruthiru - District Coordinator

The meeting started at 9.15 am with prayers and Com. Githu Muigai in chair.

Prayer: We pray that you may guide us through out the course of this day (inaudible) responsibility of taking our views so that every thing we say as people of Timau (inaudible) and then Lord, we pray that we may have a good constitution that will guide our nation upto the future generation. We ask this through our Christ Lord. Amen.

Com. Githu: Wananchi wa Timau tunataka kuwakaribisha kwa kikao hiki cha Tume ya kurekebisha Katiba ya jamhuri ya Kenya. Mimi jina langu ni Githu Muigai na mimi ni mmoja wa Macommissioners wa Tume hii. Pamoja nami hapa, ni Bw. Ibrahim Lethome ambaye pia ni Commissioner wa Tume hii. Kwa upande wangu wa kushoto kuna maofisa wa Tume ambao wanakili yale yote tutakayosema hapa na kuirecodi kwa tape ndipo tukirundi Nairobi, hiyo yote iwekwe kwa maktaba ya Katiba, na zingine murudishiwe hapa ndiyo muangalie kama zinalingana na yale maoni ambayo mmetoa. Pale tena kuna District Coordinator wa Meru, ambaye amefanya kazi ya kukusanya na kuwaleta pamoja watu wa Meru ndiyo watoe maoni yao kwa Tume. Pia, na huyo hapo ni officer kutoka Nairobi ambaye tumekuja naye na pia kazi yake ni kuwasaidia nyote kutoa maoni yenu na kuchukua yale mumeandika na kuyapeleka kwa Tume, ndiyo yatumiwe kulingana na sheria iliyowekwa.

Ningelipenda kabla hatujaanza niwaeleze vile kawaida yetu huwa tunaendesha kikao hiki. Kwanza, tungependelea sana tuwe na heshima ya maoni ya wenzetu. Mtu akisimama kusema lolote au kuchangia lolote tusipige makelele, tuwe tunashurutisha kuketi chini au tunamwingilia kwa maoni yake. Ningependelea sana tuheshimiane, kila mtu atapewa dakika zake tano tano na tungalipenda sana mtu awachwe kusema lolote lile ambalo anapenda kwa maana hii tume ni tume ambayo ni huru.

Hii Tume si Tume ambayo imetumwa na Rais, au imetumwa na DO au imetumwa na DC, au imetumwa na wabunge-hii ni tume huru. Kwa hivyo usifikirie ni lazima useme mambo mazuri ya serikali ndio usikilizwe au ni lazima useme mambo mabaya ndio usikilizwe. Hii ni Tume ya kusema yoyote ungelipenda hata ukitaka kusema hii Tume inapoteza wakati, inapoteza fedha na inasumbua wananchi ambao wangekuwa mashambani wakilima, useme hivyo- hakuna shida yoyote. Hakuna polisi hapa wengine wamekuja kusikiliza kwa lugha. Ukipenda kusema kwa kizungu uendele. Ukipenda kusema kwa Kiswahili utaendelea hivyo hivyo, ukitaka kutumia Kikuyu utaendelea hivyo hivyo; na lugha ingine yoyote ile ya Kenya. Ukitaka kutumia lugha zingine za mbali pengine tutakuwa na shida kupata yule mkalimani. Tena tungependa sana tuheshimu ule muda tutakao pewa. Tukisema dakika tano tano tafadhali chukua hizo tano na usizidhishe kwa sababu utaingilia muda ule ambao tungepatia wenzako.

Ukiwa una memorandum ambayo umeandika, tafadhali jaribu usiisome kwa sababu sisi tutaisoma. Itasomwa kule Nairobi, itawekwa kwa rekodi ya computer, itakusanywa na zingine. Kwa hivyo, usisome utajaribu tu kufanya kwa mahtasari wa yale maneno unayosikia ni ya maana zaidi na ni lazima tuyasikie hapa. Ukiwa umeandika memorandum na hutaki kusikilizwa na hutaki kutoa maoni, utapeana pale halafu itaandikwa na unaweza kuketi kuzikiliza au unaweza kuondoka tutaonana siku nyingine tutakapoleta ripoti.

Wakati mtu anazungumza jaribu sana kwa heshima tuwe kimia, kawa sababu ile kazi inafanywa na hawa maafisa ya kuweka hayo maoni yote kwa tape itaharibika kwa sababu, makelele yana haribu zile tapes zinapotapiwa.

Mwisho, uketi mahali uliko na tutakuletea microphone (interjection: voice in the background)- poleni leo hatuna hiyo microphone kwa hivyo tukikuita, na tuajaribu kuifuata list vile mlivyo ingia na mlivyo jilandikisha, tukikuita utakuja usimame hapa mbele halafu uanze kutoa maoni yako. Mwisho kabisa, tumetembea sana nchi ya Kenya, tumesikiza watu wengi sana, hata tumekuwa hapa tena na munajua hivyo. Kwa hivyo mujaribu sana utakapoanza kutoa maoni yako jaribu sana kupendekeza yale unayotaka yawekwe kwa Katiba. Kwa hivyo ukisema hapa kwetu Timau barabara ni mbaya usipoteze wakati mwingi sana na kusema Kilometer 15 ni mbaya, mbili ni nzuri na tatu ziko hapo katikati huko kote tuache tuende kwa mapendekezo. Tuseme, tunapendekeza hapa kwetu Timau sheria ifanye hivi na hivi na hivi. Ikiwa ni sheria ya mashamba, tungetaka useme kwa maoni yangu sheria ya mashamba ifanywe hivi na vile na vile. Tukifanya hivyo tutafanya vizuri. Kuna maswali yoyote kabla hatujaanza? Asanteni sana. Sasa tutaanza na ndugu mmoja Joseph Mwenda. Hajafika? Julius Gichuhi Maina. (voice in the background inaudible). Asante sana Bw. Gichuhi Maina, maoni yake yamechukuliwa na sasa tutaenda kwa Bw. Muriithi Muthuri. Bw. Joseph Karamuki.

Joseph: Macommissioners munaohusika na hii kazi, na wageni ambao tuko nao hapa, yangu nimeandika memorandum. Nina memorandum kubwa kidogo, na mambo ambayo tuliangalia zaidi ni yale yako kwa kile kijitabu tulipatiwa na tuligusia mambo hayo yote ambayo yako kwa hicho kitabu. Kwa hivyo sitayarudia sana ni yale mambo ambayo tumeandika na kazi yangu ni kupeana hii report halafu mkienda mtaisoma. Asante.

Com. Githu: Asante sana Bw. Joseph. Tunasonga vizuri sana. Livingstone Murai. Bw. Livingstone Murai.

Murai: Yale ambayo ningetoa kwa (interjection)

Com. Githu: Utaanza tafadhali kwa kusema jina lako ndiyo tuishike vizuri kwa tape halafu utoe maoni.

Murai: Naitwa Livingstone Karuim Murage. Mimi si mkaaji wa hapa lakini nimekuja juzi. Ok, yale ambayo ningetaka iwe kwa Katiba ni Bunge iwe na gavy zaidi kuliko nguvu zile ziko kwa Rais. Ya pili, the Provincial administration should be abolished. We don't want PCs, DCs, DOs all of them (inaudible) every Kenyan should own land, because we are living as squatters in our own country, in our own land, others have big land that they don't use.

The third one 8-4-4 system should be scrapped and be replaced with the old system. Jobs ziwe zinapeanwa bila tribalism ama corruption - kutumia pesa ili mtu apatiwe kazi. Halafu, councils should be decentralized. Hatutaki council iwe maneno yake yote inapelekwa Nairobi. Halafu all political parties should be given money for the management of the party welfare and then all civil servants salaries to be reviewed; there are others that are given poor salaries than others. Parliamentarians' salaries that was added I think, should be reviewed and reduced to a certain amount of money. Parliamentarians also should be recalled whenever they don't carry their duties well, before the term of 5 years is gone - may be they are given 3 years and then they don't do it, wananchi should be given powers to elect others.

Com. Githu: So?

Livingstone: And then water: the government should provide water in each and every place, because in our country water is too important. Rent should be reviewed ie housing policy, for each and every person and then non-governmental workers (inaudible) workers, their salaries should be reviewed and their working conditions should also be reviewed by the government. All retirees and people who have worked for the government may be for 50 years, should not be appointed to lead others because we have others who have not worked. Thank you.

Com. Githu: Thank you very much Livingstone. Burunga Mwenda Duncan.

Mwenda: My names are Burunga Mwenda Duncan. These are my views. Every Kenyan citizen should have a right to land. Civic Education should be broadened in our schools syllabuses starting from Primary level. The Constitution should provide an Act for the electorate to vote out an inefficient Member of Parliament. MPs should set up offices at their constituency level easily accessible to local people and at least attend twice in a week. The provincial administration should be abolished. Anti corruption bodies should be empowered by the Constitution to carry out cases independently. The Constitution should set up an election calendar. The Constitution should stipulate the number of relevant government ministries. Thank you.

Com. Githu: Thank you very much. You are keeping time very well. Joseph Maina Thuo. Stanley Kirimi Machuguma.

Kirimi: Mimi naitwa Stanley Kirimi Machuguma na niko hapa nikiwakilisha watu wa Timau Division. Niko na maoni wawili kuhusu kwanza, misitu yetu. Tungependa kupendeza kwa misitu iwe na known acreage ili watu wasije kukata - whether it's the government of the day ili kwa Constitution, tuwe na acreage ambayo inajulikana na iwe kama tunataka kugeuza hiyo mipaka Parliament should pass a resolution by a vote of 2/3 of the House.

Ya pili, sisi watu wa Timau tumekuwa kama masquatters tuko kwetu, wengi wetu ni wale ambao wamepata mashamba, kupatiwa au kununua na sisi tumetaabika hapaTimau sana. Sababu ya kutaabika ni kwa sababu sisi ni aina ya watu bali bali Wazungu - kila aina, kila tribe's in Timau. Walakini tuko na problem moja ambayo ni, tumechukuliwa kama satellite ya North Imenti na hii imefanya mambo mengi ya kisiasa isiendeleo vile inatakikana. Mapendekezo yetu na niko na memorandum hapa, ni Timau division iwe independent of Abothogosi or North Imenti. Na niko na map hapa ambayo hata inaonyesha watu wa North Imenti wanavuka kutoka Meru town, wanavuka Ambothogosi halafu wanachukua Timau. Na hii ilifanyika wakati wa zamani for political reasons ili watu wawe wanapigia kiongozi mmoja kura. Na sisi tumetaabika kwa hiyo and I will leave this memorandum here, na niko na hata names za wale wamependekeza hiyo, na tungetaka kuwa huru politically. Hata tukiwa upande wa Meru administratively, we have no problem. But politically we have been marginalised and we feel this is the right time the Constitution should be able to look at these people; most of them are squatters most of them are new settlers and we need to be looked at and our problems which we are very peculiar from Meru to be looked at independently. Thank you very much.

Com. Githu: Thank you. Major Retired Mugambi. You are in the same group? Thank you very much, gentlemen. Cllr. Mugambi, you're in the same group. Cllr Asante sana. Mutuma Mworira.

Mutuma: Asante sana kwa Commissioners wale mumekuja kuchukua maoni yetu. Mimi niko na maneno ambayo Jina yangu ni Mutuma Mworira. Kwanza kabisa maoni yangu ningependelea kuwe na tume ambayo inaaminika kabisa ya uchaguzi. Pili, ningependelea kuwa wakati wa kutoa maoni ama matangazo kwa radio, kila chama ama kila mtu maoni yake yawe sawa na wale wengine. Pendekezo lingine, ningependelea kuwe na serikali ya muungano, ambayo imechaguliwa na majority ya asilimia hamsini na moja. Na kila chama kiwe na uhuru wa kuweka mikutano na kutoa maoni. Security iwe inapeanwa kwa

kila mgombeaji wa uchaguzi hata awe ni wa chama gani. Ningependekeza sheria hii mpya ambayo Kenya tunaandika, iyandike swara la mashamba kwa sababu Katiba ya zamani haihuziki ama hakuna sheria ambayo inasimamia ardhi. Kama upande wa masquatters, Kenya tuko na squatters wengi na sheria hiyo iko na hakuna mahali ina, simamia squatters.

Ingingine ni unyakuaji wa ardhi. Kenya inaonekana watu wamenyakua ardhi sana mahali kumetengwa kuwe ni kwa kufanyia maendeleo, kumenyakuliwa na watu wakubwa wa serikali. Mimi kwa pendekezo langu ningependelea hii Commission itengenze Katiba ile itarudisha hayo mashamba na ile itasimamia yale mashamba ya umma. Pendekezo langu la mwisho ni council ipewe uhuru iwe inasisimamia na iwe inatoza ushuru wake na ipangie katika wilaya zao. Asante sana.

Com. Githu: Asante sana Bw. Mutuma Mworira. Silas Mwongera.

Mwongera: Asante sana Bw. Commissioner. Jina langu ninatwa Silas Mwongera. Na sina memorandum, ningependa kuongea hapa kwa Commission juu ya hongo. Ningependa Katiba ile itatengenezwa iangalie sana mambo ya hongo - rushwa. In Kenya today, ukitaka jambo lolote ni lazima uhongane. Tumehongana kama ni wewe unauziwa kama ni ardhi mtu anakuja anahonga Commissioner wale wa ardhi anapewa ardhi, ambayo ingetumika na public. Sasa hongo, ukifika hata maofisi ya serikali tunahongana na hakuna hatua yoyote inachukuliwa. Lastly kabisa, tumefika kiwango ya kuhongana hata madaktari - tuna honga daktari! Ukienda general hospitals unakuta hakuna daktari unakuta nurses hapo, wanakwambia sasa hakuna daktari. Wanakwambia hata ukitaka daktari toa elfu mbili, elfu moja mambo kama hayo. Sasa inaonekana serikali yetu ya Kenya hakuna sheria ambayo inasimamia hongo. Inaonekana ni uhuru kuhonga kila mtu na hiyo ningependekeza mimi ama all Kenyans, ningependa hiyo sheria iangaliwe sana na irekebishwe ndiyo hongo ikome. Asanteni, sina mengi.

Com. Githu: Asante sana Silas. Gerishon Wamae, Bw. Wamae. Frank Kinoti, Simon Katuruma – mko pamoja na numerithika na yale yamesemwa? Ok; William Kimondo. Bw Kimongo yuko? John Karanja, Patrick Kirimi, Erastus Mwale, Johannah Marangu Karibu, mzee.

Marangu: Asante mwenye kiti. Mimi jina langu ni Johannah Marangu kutoka Ekisewa. Nitasema maneno ya Katiba vileni nataka ikae. Ningependekeza kwa Katiba, Mwanakenya yeyote yule ako chini sana, awe na acre 25 na hiyo anaweza kukaa mzuri. Tena, ningesema kama tulipigania uhuru kutoka kwa ukoloni, ukoloni wa wazungu, wazungu hao wafukuzwe kwa mashamba hayo wako nayo makubwa, kwa sababu kuna watu masikini katika Kenya hi hawana mashamba kwa sababu imechukuliwa sana kama hata Ekisewa ah Timau. Wazungu wote walihamia hapa na wako na mashamba makubwa sana. Sasa wanachukua watoto wote bila hata masomo, wanaandikwa kuchuna 'michiri', kila kitu na mshahara ni kidogo. Kwa hivyo tuwe na sheria ili kila mtu akianza kazi mshahara iwe kubwa ya kuweza kurisaidia. Kitu kingine ninaweza kusema ni kama kunawezekana, kila mwanafunzi anayezaliwa Kenya hii awe anasoma shule ya serikali kwa sababu watu masikini wanaachwa nyumbani wakiwa ni watoto werevu zaidi lakini wanashindwa kusoma kwa sababu ya pesa. Kuwe na sheria, kila mtu akizaa mtoto achukuliwe na serikali na kujengwe shule kunaweza kuwa vizuri sana na hiyo umasikini unaweza kuisha. (interjection:

inaudible) masomo yawe ya bure kabisa, mtoto asaidiwe kwa sababu kuna shida hiyo ya kusomesha watoto.

Kitu kingine ni maneno ya Chief, Assistant Chief wawe wanachaguliwa na wananchi kwa sababu akiandikwa anatandika watu vile atakavyo. Kwa hivyo achaguliwe akifanya makosa, wananchi wachague mwingine haraka iwezekanavyo. Na kuwe na uhuru wa kuabudu. Mtu asisumbuliwe akiwa kanisani na tujue siku ya Mungu ni gani ile mwenyewe alisema. Kwa hayo machache Mungu awabariki.

Com. Githu: Asante sana mzee. Charles Muthura (interjection: Charles Mathira I am an observer) You are an observer, Sir. Ok Josphat Ngaku ni observer. Osugo Evans. Kuja hapa mzee.

Osugo: Nashukuru sana. Eeh Constitution (interjection not clear). Mimi ni Evans Osugo kutoka Kanisa la Seventh Day Adventist Church. Na kulingana na mpangilio wa kanisa na serikali, mambo huenda sawa ikiwa wanashirikiana. Kwa hivyo memorandum yangu nitiasema sehemu nne ama tano kuhusu hali ya maoni yetu kama kanisa, mpangilio wetu kama kanisa, na hitaji letu kwa ajili ya serikali. Basi ni jambo la muhimu kuwa na Katiba kwa maana inatetea nchi yeyote ile. Kwa hivyo tunapofanya marekebisho ni haki ya mwananchi kuhusu maisha yake ya kiroho na maisha yake ya kawaida, ili aweze kuona mambo yanaenda kulingana na vile anavyojihisi yeye mwenyewe. Kwa hivyo sisi kama kanisa la Adventso Sabato tumekuwa kimia kwa muda mrefu, kwa sababu mara nyingi hatutaki kuingiliana ama kupigana na serikali ama mtu yeyote yule.

Lakini wakati umefika ya kwamba tunahitaji kutumia haki yetu kama kuangalia Katiba mahali inahitaji kufanyiwa marekebisho. Kazi yetu kama wananchi kwa serikali ni mambo kama yafuatayo. Tunahitaji kutii serikali, kuiheshimu katika uongozi na kuilinda na kuitetea na kuendelea kuona ya kwamba mambo yote yameenda vizuri kulingana na neno la Mungu. Kwa hivyo, hata wakati mwingine tunaiombea na tunahitaji kuona mahali ambao kuna makosa, tuweze kurekebisha. Sasa, shida tunayopata ambayo tunahitaji tuweze kufanyiwa marekebisho:

Katika nchi hii tuna kitu kinaitwa uhuru wa kuabudu. Kunakuwa na vita mara nyingi katika mambo ya elimu katika shule, unapata kanisa letu halipatiwi nafasi kama inavyotakikana kwa ajili ya kuabudu kwa wanafunzi katika mashule. Kwa maana unapata wakati mwingine wanafunzi madarasa wanahudhuria hata siku ya sabato ambayo ni jumamosi. Unapata kuna kuwa na mafundisho ambayo yanaitwa coaching siku ya sabato. Kwa hivyo, mtoto kama huyo hawezi kupata uhuru wa kuabudu ikiwa anaendelea na mambo kama haya. Katika hali ya wanafunzi, kunakuwa hawana wakati wa PPI, wengine wanafanya mitihani siku ya sabato.

Michezo mingi inaingia wakati huo wa sabato ambako si haki ya mtoto kuenda kwa mchezo wakati anatakiwa kuenda kuabudu. Kingine, kuna kitu kinaitwa work programme katika mashule: inapokuwako, unapata mwanafunzi anaendelea na kazi asubuhi kabla ya kuenda kuabudu. Kwa hivyo ingekuwa watolewa katika mpangilio wa kazi hiyo ili iweze kuwekwa siku

nyingine. Hata wazazi katika mashule wanaigiliwa kwa njia hii. Unapata wakati mwingine kunaitwa siku ya wazazi – parents day, fund raising na graduation ceremonies - haya mambo yote hayaitajiki kufanywa siku hiyo yangefanyika siku ingine yoyote isipokuwa hiyo siku kwa maana kulingana na amri ya Mwenyezi Mungu, ni kwamba hii ni kinyume cha mwananchi wa kawaida kwani anahitaji kuwa na nafasi nzuri ya kuabudu kwa wakati wake.

Jambo la pili - hizo points zote nimesema ni kuhusu elimu kwa watoto wetu na wazazi. Jambo la pili, democratic rights; unapata mahali pengi mikutano inafanywa on Saturdays. Kwa hivyo Katiba ingerekebishwa iweze kuwa ya kwamba, siku za kuabudu siziwe ni siku za mikutano yeyote ile.

Mambo ya siasa - ndiyo naingia katika jambo hilo. Unapata wakati serikali inataka kuwachagua wabunge - hata wakristo wako na haki ya kuchagua wabunge wao. Kwa hivyo sio vizuri na sio halali ya kwamba waweze kuweka siku za mwisho katika wiki. Ingekuwa bora kama siku ya kuanza mambo ya election yanaanza Jumatatu na kumalizika hapo katikati kabla ya siku zile zote za kuabudu, ingekuwa bora kuliko vile inavyofanywa mara nyingi inafanywa siku ya ijumaa na hiyo ni siku ya kuabudu kwa watu wengine. Kwa hivyo ingekuwa haki ikiwa itanza siku ya Jumatatu ikiendelea hadi Jumatano ama zaidi ya hapo, ikifika Alhamisi iwe imemalizika, itakuwa hakuna yoyote ameingiliwa katika hali ya kuabudu.

Jambo la tatu, katika hali ya kikazi ukiangalia katika public and private sectors washiriki wetu wananyanyaswa mara nyingi. Kwa maana anapata ya kwamba unapotaka kupata uhuru wake wa kuabudu siku hii ya Sabato kulingana na amri ya Mwenyezi Mungu, anaambiwa aenda utafuta kazi mahali pengine kokote kule. Yeye hakuchaguliwa azaliwe mahali amezaliwa, hakutuma application akae mahali yeye yuko, lakini kama mwananchi wa kawaida, yeye pia anahitaji kuangaliwa kwa masilahi yake na kuonekana ya kwamba hiyo kazi anapofanya, anafanya kulingana na mawazo yake vile imemwamuru katika siku zile sita za kazi, ili aweze kujihudumia vizuri katika kazi hiyo.

Jambo la nne ni mikutano ya social meetings and other development projects. Hii unaona ya kwamba mambo kama harusi na mambo kama mipangilio mingine ya mikutano ya Chifu na mingine inaingia siku hii ya sabato na si haki ya kwamba mipango inapofanywa ifanywe na siku hiyo, maana huyu mwananchi hawezi kuwa na nafasi ya kuenda kuabudu siku hiyo.

Kwa hivyo ingekuwa bora kama yeye angepatiwa ruhusa wa kutoa maoni yake hata wanapochagua watenda kazi katika sehemu hizo, inakuwa ni vigumu waweze kumchagua na yeye hayuko pale. Kwa mfano, nchi hii yeu ni nchi ya ukulima, inakuwa na uongozi katika mambo ya maua, inakuwa na viongozi katika majani chai na tunakuwa na viongozi katika kahawa na mambo mengine. Na haitakuwa haki, ikiwa Mkristo huyu ako kanisani na wengine wanaendelea na mipango katika upande ule mwingine. Kwa hivyo pendekezo ni ya kwamba, mikutano hii inapofanywa, ama wanapofanya mikutano ambayo ni social kokote kule, iweze kutengwa siku ambayo si ya kuabudu ili kuweze kuwa na uhuru wa kuabudu.

Mambo ya ukulima nimesema mara nyingi unapata huyu mwananchi wa kawaida ana shida katika hali ya mipangilio yake kwa maana mambo mengi yanafanywa siku ya sabato. Ni haki ya mwananchi aweze kuhudumiwa katika hali ya maisha yake, ni

haki aweze kuwa katika uhuru katika mambo yote, na aweze kulindwa na sheria kutokana na kunyanyashwa kokote kule. Tunapoangalia tena mambo mengine kuhusu hali ya torture unapata ikiwa katika familia hakuna sheria inayozuia mwananchi wa kawaida, unapata watoto wengi wameteseka kwa sababu ya imani yao. Unapata wanateswa na wazazi, unapata wanateswa na watu wa kawaida wananyanyaswa kwa hivyo hawahudimii haki yao kama watoto.

Com. Lethome: (inaudible) Pendekezo.

Osugo: Mapendekezo yangu ni haya. Jambo la kwanza Constitution iwe na sehemu, katika mambo ya elections, kama sheria ya kwamba kusije kukafanywa elections mwisho mwisho wa juma. Yanzie kama jumatatu na kuendelea.

Pendekezo la pili, kuwe na sheria inayo zuia, inayo linda na kukinga mwananachi katika hali ha kuabudu.

Pendekezo lingine ni ya kwamba katika mambo ya judiciary, mwananchi ama mshiriki asije akaambiwa kufanya kazi siku ya sabato.

Pendekezo lingine kukiwa na ownership of property, yeye mwananchi wa kawaida aangaliwe na akingiwe kulingana na vifaa vile anavyo.

Pendekezo lingine ni hali ya kuabudu. Tunasema ya kwamba kuwe na uhuru wa kuwabudu. Unapata wakati mwingine badala ya kuzuiwa upatiwe nafasi uweze kutoa maoni yako kulingana na vile Mwenyezi Mungu anavyokuongoza. Kwa mfano, unapata mikutano mingine unanyimwa haki ya kuongea. Kuna freedom of speech. Kwa hivyo mtu aongee kulingana na vile anavyosema na ndivyo wale wanamsikiza waweze kusikia maoni yake yako namna gani. Sio ya kwamba hata unapataka kufanya mkutano mahali, mshiriki wa kanisa anaambiwa ‘hapa huwezi kufanya mkutano’. Kwa maana hakutuma application aweze kuwa mahali pale, azaliwe pale, aishi pale, ama akae pale-ni Mwenyezi Mungu alipanga aweze kuwa pahali pale. Kwa hivyo, kuweze kuwa na uhuru wa kuongea. (inaudible) kulingana na maandiko matakatifu, tunapoangalia. Kutoka ishirini na tatu fungu la nane, inaelezea kwamba mambo yote yaweza kutendeka kulingana na haki ya kila mmoja. Kwa hivyo, ninapoendelea kutoa pendekezo lingine, ni haki ya mwenye nchi yeyote End of tape 1 side A

..... Kulingana, ama kutopata mafundisho kulingana na sehemu ile anayokaa. Ni haki yake yeye kushiriki katika hali ya kuabudu. Jambo lingine; wakati mwingine mtu analazimishwa kutoa ushahidi wakati hangetoa. Kwa hivyo, ni haki ya mwananchi kutoa ama kukataa kutoa ushahidi kulingana na mawazo yake. Kwa mfano mtu badala ya kusema vile ilivyofanyika analazimishwa “fanya hivi, sema hivi” ili awe na uhuru. Lakini harassment hii, isifanyiike katika sehemu yeyote ile. Maana ikiwa ni conviction yangu not to give an oath. I say that as my personal conviction.

Com. Githu: Asante sana.

Usoga: Jambo lingine ni kwamba, ku-express openly personal religious beliefs and maintain silence about that belief if possible. Lastly, to observe the day of worship as one's choice is, and not to be compelled to do any other work on that particular day. It is our right to worship on the sabbath, and we respect equal rights of other faiths and beliefs of their choice. May God bless you.

Com. Githu: Thank you very much. Elias Kinoti, not in? Daniel Miriti, Charles Mureithi.

Mureithi: Asante Commissioners. Kwa majina mimi naitwa Charles Mureithi, I am a Councillor representing this ward, the Mara location. Langu la kwanza nitaongea kuhusu mambo ya land Act. Land Act of late tunaona inatunyanyasa sana kwa sababu mwananchi inaonekana kama hana haki. Tuseme kama ni upande wa government land, the common man hana uwezo wa kusema vile land ama mashamba yatakuwa utilized. Unakuta, tuseme kama iko mahali kuna public land/government land, the local community wenyewe hawana haki, mashamba tunaenda kwa Commissioner of lands akiwa Nairobi, ndiye anajua vile itakuwa utilized kwa area kama hapa tuseme, Timau, na ni area ambaye hajui and there is no consultation kwa wananchi. Kwa hivyo langu nilikuwa nataka kupendekeza hiyo land Act ibadirishwe, ili the common man ama the local community wawe consulted on how the land wanataka iwe used.

Pili ni upande wa local authorities. Of late, local authorities zile tuko nazo hazina uwezo kwa sababu powers zao za local authorities zimewekwa kwa Minister of Local Government na kwa hivyo Central Government ndiyo ina-dictate to the local authorities vile watafanya na tukiangalia, tunakuta hakuna effective services local authorities zinaweza kupea mwananchi mahali ako ama pahali hiyo local authority iko situated. Kwa hivyo pendekezo langu ni, local authorities zipewe autonomy, ziwe zinajiongoza zenyewe na ku-consult the local people vile wanataka kuwa managed, kama ni mambo ya resources zile zinatoka kwa that local authority ziweze kufaidisha mwananchi wa kawaida lakini sio pesa zikipatikana zinakuwa controlled by the Minister of Local authority.

La tatu, ni kuhusu uchaguzi wa President. Tukiangalia wakati huu Kenya iko kwa multi-party tunakuta wakati election inafanywa, vile President ametangazwa yule ameshida, inakuwa saa ingine na matatizo. Na ningependekeza kama iko President atachaguliwa, awe amepitisha 51% vote. Yule ambaye hajafikisha hiyo kiwango waende kwa run-off between number one and two.

La nne, ni kihusu appointment of judges and parastatal heads. Of late, tumeona tukiangalia tunakuta vile majudges wanakuwa appointed, ni kama inafanywa saa ingine maendeleo na hakuna utaratibu mzuri unafuatwa unakuta wale wanachaguliwa kwa parastatals, ni watu ambao ni incompetent kwa sababu they are serving a certain person or group or a certain community. Pendekezo langu ni kuwe majudges na Parastatal Heads wawe selected by the parliament ndiyo tupate qualified people to lead those parastatal organizations because, hizo parastatals ni za wananchi na zinatakiwa kuwe na competent people ambao

watafanya hiyo kazi.

Ingingine ni kuhusu ofisi kuu ya Head of State, nataka kupendekeza kusiwe na overall, yaani mtu asiwe ni above the law, kwa sababu mtu akiwa above the law anaweza kuwa ana abuse the office. Kuwe hakuna “above the law” bali mtu akikosea, iwe sheria iko na anaweza kushtakiwa kwa yale maovu anaweza kuwa ametenda akiwa kwa ofisi - kusiwe na u-dictatorship.

Ingingine ni kuhusu elimu na mambo ya afya. Of late tumeona mwananchi wa kawaida, mwananchi ndiye analipa taxes to the central government. Tukiangalia mambo ya masomo watoto wetu wanaenda bila masomo na kodi inalipwa na mwananchi, hospitali hakuna madawa, hakuna ... iko shida nyingi kuhusu hospitali ama elimu. Kwa hivyo pendekezo langu ni kuwe na free education and free health facilities kwa sababu mwananchi ndiye analipa kodi inatakikana ahudumiwe.

Langu la mwisho, itakuwa ni kuhusu misitu. Our local forests, tunakuta mwananchi- the local common man hafaidiki kwa misitu ambayo iko area yake. Tunakuta miti for example hii Mt. Kenya forests miti inatoka hapa, kama ni timber miti inauzwa inaenda mbali. Mtu wa kawaida ambaye ako karibu na hiyo misitu hafaidiki hata kupata kuni ama kitu kingine ambacho ama resources ambayo inatoka kwa msitu anatakizika. Kwa hivyo pendekezo langu ni misitu iwe managed by the local community wenyewe. Ni hayo tu ningependa kupendekeza asanteni.

Com. Githu: Cllr. Geoffrey Mureithi, Joseph Mwaura, Nguhi Hono, Samsom Rutere, Bw. Rutere.

Rutere: Hamjamboni wananchi? Mimi niliona nikuje kwa mambo jina yangu ni Samson Rutere.

Com. Lethome: Je maoni..... (inaudible)

Rutere: Maoni yangu kuhusu Katiba, naona kama tunakaa vibaya sana sisi wananchi wa Kenya kwa sababu kuna huduma nyingi naona serikali inatakiwa kuhudumia wananchi wa kawaida lakini hiyo iligoma kabisa. Sasa kama shule, hospitali, makao - na ndiyo naona watu wengi hata nasikia huko Nairobi, Mathare wanasukumwa tu. Lakini, inaonekana huduma ya Kenya wanahudumiwa watu wengine wa juu zaidi. Wananchi wa kawaida walisahaurika na hawa ndiyo nchi. Sasa ninauliza, hata tukirekebisha Katiba tutarekebisha namna gani? Au nchi zingine zinakaa hivi zile za democracy? Hiyo ni kama swali naweza kujibiwa na wale wameelewa na mambo ya Katiba ya nchi zingine za democracy, kwa sababu mimi sielewi.

Com. Lethome: inaudible

Rutere: Mimi mwenyewe, vile naona ni kuwa Katiba ya ardhi ibadilishwe. Kila mwananchi apate makao ya kuishi. Hi haki inaitwa ya haki watoto, naona Katiba mpya iwe inarekebisha huduma ya watoto; masomo ni ya juu sana na mtoto hawezi kuwa na uwezo wa kujisomesha mwenyewe na mtoto ndiye mwenye nchi, ndiye raia, ndiye mkubwa wa kesho.

Com. Lethome:

Rutere: Ihudumiwe na serikali. Ifanywe budget na ijue hiyo budget itaenda vipi (interjection)

Com. Lethome: (inaudible)

Rutere: Free education: Na hii ingine ya afya iwe ni free. Hiyo ingine, ni hiyo juu ya ardhi; wengine wana makao wengine hawana ni kama wao sio wananchi wa Kenya (interruption)

Com. Lethome: Wananchi wapewe (inaudible)

Rutere: Wapewe makao. Hiyo ndiyo nilikuwa naonelea.

Com. Githu: Asante sana Bw. Samson Rutere. Pancras Gaita, Elias Babu, Leonard Mwai. Bw. Leonard Mwai. Ok.

Mwai: Asante sana. Yale mimi ningetaka kusema ni juu ya President. Yaani tuwe na government ambapo President atakuwa figure head, awe non-executive President halafu tuwe na government ya Prime Minister na katika Prime Minister, (interjection, Com Lethome: Hiyo memorandum ...) tuseme upande wa President, hapo tuwe na President peke yake na tusiwe na deputy President ama vice tusiwe na vice tuwe na Prime Ministers wawili. President awe tu kazi yake ni kuweka signature na ku-confirm mambo ambayo yanahusu State.

Mambo ya Judiciary judges wakiteuliwa wawe confirmed na Parliament. Parliament to confirm mtu ambaye atateuliwa halafu ndiyo iende kwa signatory otherwise yangu ni hayo tu machache. Asante.

Com. Githu: Asante sana Bw. Leonard Mwai. Rudi hapa kidogo ndiyo tuandike majina yako yote kwa kitabu yetu. Kujeni kujeni. Nani atazungumza kati yenu? Wewe ndiye Chairman? Chukua hii mic tafadhali. Kuna mtu mwingine ambaye amepeana jina na sijamuita? Nani huyo? John Karanja wewe uko kwa hiyo group, mtakuja pamoja. Mzee unaitwa aje? Unaitwa aje mzee? Kuja hapa mbele. Elezas.

Elezas: Mambo yangu ninayo (Com. Githu: Sema jina) Elezas M'irware. Mimi nina shida na ile shida iko, mimi nilifukuzwa kwa shamba na shamba nilikuwa napewa. Baba akafukuzwa hapo tukaenda kwa korti kukawa na mambo niliyozungumza hayawezi kusikizwa. Baba akafukuzwa kama mbwa, sasa tukatupwa barabarani pamoja na watoto wangu. Sasa nataabika ninajaribu kuenda kwa DC ninajaribu kuenda wapi - hatuna pahali pa kutosha. Hata sasa niko na shida. Kwa hivyo ndiyo nimesikia wacha niseme labda ninaweza kusikiwa huruma pahali popote serikali iko.

Com. Githu: Mzee tumesikia, imandikwa chini asante sana.

Com. Lethome: Nani mwingine anayezungumza?

Com. Githu: Unaitwa aje Bwana? Umeandikishwa jina. Chukua mic, Mureithi.

Mureithi: Mimi naitwa Muriethi Muthuri David kutoka Abaguthusi. Mimi kile ningependelea kirekebishwe kwa katiba yetu ni maneno kuhusu ardhi or land tenure ship. Kwa sababu, unaona kuna wananchi hawana mashamba whereas there are other individuals who own land as big as a location. Kwa hivyo, the land Act should change and consider each and every citizen of Kenya. Ya pili, local government: Serikali za mitaa hasina uwezo an ningependelea zipewe uwezo wa kutosha ili ziwe na nguvu kuhudumia mwananchi. Tatu, kuna hizi organs of government; Executive, Legislature na Judiciary. Hizo organs tatu kunaonekana kuna ile imekalia zingine sana, na ina-control the other two where as legislature and judiciary should be free and fair.

Ya tatu, ningependa tuwe na federal system of government where we have central government na regional government Central government will look after internal or national concerns and the regional govt., where we would like every region to be represented with the local community involved in this regional government.

Four; in our country, the boundaries which we use today are the boundaries which were fixed by the colonial government and they were not considering some certain issues. So, I would like the Constitution to look into those colonial boundaries and re-set them considering the communities who live there and what those communities practice.

Five; in my opinion, nobody should be above the law because, we have seen here in our country some people mis-using the office because they are above the law. I would like everybody to be the same so that if you misuse the office, you can be accused and even be removed from the office.

Also, the administration. I think the administration we have today should be elected by the community because if it is appointed by one person, then that person so appointed will not be free and fair in serving the community but will serve mostly his senior.

Seven; The Vice President: I would like him to be elected by wananchi because that is where the wananchi will elect a person who has the support of almost the whole nation. He will have the support of all the citizen of the country.

Nine; the office of the Attorney General should be fully independent so that it will cater for each and every citizen of Kenya, because we have seen like now, it is interfered with by the executive and the legislature. Also, I would like in the current Constitution our children be protected from child abuse, labour and commercial sex. You have seen many of our young are suffering from all sorts of bad things, like commercial sex and the government or constitution has no power **(End of Tape 1)**

(cont.) ok the laws protecting our children are not stiff to punish whoever has done that. Also I would like to say the Constitution should cater for the natural disasters. We have seen many of our Kenyans suffering from natural disasters like here in Meru in Giubu, where there was a landslide in Murang'a, where there was a landslide but there were no funds set aside to cater for all those who were affected. I would like in the Constitution, the government to set a commission which will cater for and fund those institutions so that when there is a disaster, we should not wait for outsiders like during the bomblast in our capital city. We had to get outsiders to come and assist us while we have a government to whom we are paying taxes, which can set aside money or some items to assist those who are affected.

Last, the internal security; we see the police force is the organ that protects the wananchi. We have seen that our police force is poorly equipped. They are not paid well, they are not catered for well and that is why you hear there is a lot of misunderstanding because, if you have an issue and you run to the police station you find there is no vehicle. How will those organs serve you and they are not fully equipped to react immediately when you report the matter. So, the police force should be fully equipped. A station can be given even 3, 4, 5 vehicles so that if you go there- they are not serving one person at a time they are serving many many issues. Pengine unaenda unaambiwa gari imetoka na mkubwa, anaenda mahali fulani sasa unaona you wanted to be assisted immediately but they are not able na tunawafahamu tukisema ni corrupt lakini wakati mwingine hata serikali haiwaangali vizuri. They should be protected equiped and paid well. Thanks.

Com. Githu: Thank you very much. Geoffrey Mureithi.

Mwenda: Basi na mimi nasimama hapa kuchangia mambo kama haya na jina langu ni Joseph Mwenda.

Com. Lethome: (inaudible)

Mwenda: Niliitwa nikiwa wa kwanza. Mambo yangu ya kwanza ni haya; Kwanza, Katiba ya kwanza wakati watu wa nchi hii walipata uhuru. Katiba ya kwanza ilisahau kuingiza mambo ya mashujaa waliopigania uhuru katika Katiba hiyo iliyokuwa ya kwanza. Na wao ndiyo walikuwa waanzilishi wa nchi hii, na wakashau na mambo mengi.

Ya pili ni hii; katika nchi hii watu wa Kenya walipigania uhuru na mashamba. Mashamba ya nchi hii, Katiba ya kwanza haikuweka kiwango chochote cha mashamba na ikawabidi watu wachache wanyakue nchi hii karibu yote. Ikawabidi hata wananchi wa nchi hii kulima barabarani na wengine kuenda hivyo hivyo na wengine kuwa masquatter. Wakawa masquatter na nchi hii ina ardhi! Kwa hivyo ningepomba, Katiba ya sasa iwe na kiwango cha mashamba ili nchi isimilikiwe na watu wachache na wale wengine ambao wanasema nchi ni yao. Inge ya tatu nayo ni hii katika nchi hii, utajiri wa nchi hii, unaweza kukuta mtu mmoja amechukua utajiri nusu ya nchi hii na ndipo unaona ufisadi unakuwa mwingi kwa sababu kila mtu anataka kupita mwingine na utajiri. Katiba yetu ya kwanza hakuna jambo ambayo ilipendezwa ya kwamba kuna kiwango ya utajiri mtu asiwe

na billion au awe na trillion kama ya nchi hii yote. Kwa sababu mtu moja anaweza kumiliki kama ana utajiri wa nchi hii yote - anaweza kusimamia nchi hii na nchi yote iwe ni kama yake. Kwa hivyo ningepomba Katiba ya sasa iwe na viwango ambako mtu mmoja anaweza kuwa na kiwango fulani ili naye asiwe na nafasi ya kunyakua utajiri wa nchi hii yote umalizike na wengine wakose mahali pa kwenda.

Jambo la nne, ni kama kule kama kiongozi wa nchi, tuseme kama Rais; Rais anaweza kwenda sehemu zote za Kenya - anaweza kwenda kote nchini Kenya. Ningepomba Katiba ya sasa, Rais awe akitoa hotuba yake akiwa Ikulu. Kwa sababu wakati Rais anazunguka nchi anaenda na gari zote za wilaya, zote, na ni pesa nyingi za nchi hii zinatumika kwa njia moja. Kwa hivyo, tungeomba Katiba itilie maanani kwanza Rais atakaye kuja au yule atakeyekuja nyuma wawe na mahali pa kutoa hotuba kwa nchi hii au kama ni wakati wa mkasa, Rais anaweza kuenda kuona mambo ya mkasa. Lakini asizunguke kama daktari katika nchi hii. Tunaomba kwa Katiba hu hiyo iondolewe na Rais awe na mahali ambako ni pa kutoa hotuba kwa watu wake.

Ya tano, ni kule kuwa na mambo kama yale ya ufiadini. Ufiadini unaenea kwa kila mtu. Unianza huko juu mpaka chini. Sasa ukiuliza mtu ni kwa nini, utasikia ya kwamba hata polisi unaona wa kihongwa njiani huwezi ukasema kwa sababu mambo yametoka kwa wakubwa mpaka kwa hawa wadogo. Kwa hivyo tungeomba Katiba ya sasa ikataze mambo hayo kabisa.

Ingingine ningechangia ni kwamba, kuna mambo yanashanaaza kabisa watu wa nchi na tuko nchi yetu ya Kenya. Tunayo mali ya asili katika nchi hii. Sisi wananchi hatujui kama haya mali yetu ni yetu kwa njia gani? Kiwango cha mali ya asili tuna vitu vingi vya mali ya asili lakini, sisi wananchi hatujui mali ya asili ni yetu kwa njia gani. Kwa sababu tunaona hata watu wanauawa na ndovu na ni kama ndovu ndiyo ina dhamana kushinda mtu. Kwa hivyo tungetaka Katiba ya sasa ionyeshe wazi kwamba mali ya asili inasaidia wananchi wenyewe na njia gani, na ni vipi mambo hayo yanasaidia nchi hii na watu wake.

Ingingine ni juu ya uwezo wa Rais. Hebu tuseme kama sasa Bunge yetu imehairishwa, mambo yakitokea makubwa, ni nani angefaa-na Bunge inawezwa kuitwa namna gani kwa sababu bunge haina uwezo? Tungeomba hivi bunge yetu ya Kenya iwe na uwezo mkubwa kwa sababu ndiyo wako karibu sana na wananchi. Uwezo huo Mbunge akiona pale kumeleta hatari kubwa kuwe na sheria ambayo mbunge anaweza kuwa na sheria ya kuita Bunge na watu wafaidike.

Ingingine ni kule kuwa na mahakama ya kikatiba. Tunaweza kuangamizwa tu na jambo moja kwa sababu hata sasa ukienda kule unaweza ukitaka kupeleka kesi yako kortini unakuta mambo yote yako kwa Mkuu wa sheria. Na kama yako kwa Mkuu wa sheria unaambiwa bado barua haijatoka kwa Mkuu wa sheria, unamaliza miaka mitano. Kama ni mtu wako alikuwa umeuwawa ama mambo mengine kama hayo, hiyo mambo inakwisha. Inakwisha hapo kwa sababu imefika mwisho. Ningepomba Katiba ya sasa kuwe na mahakama ya kikatiba. Mwananchi akiona mambo yameleta shida kabisa anaenda kwa mahakama ya kikatiba. Iwe ndiyo ina nguvu kushinda mambo yote.

Kuchangia kwingine kwangu ni hii, watumishi wa umma kustaafu. Mtumishi wa umma akistaafu, unasikia amechaguliwa tena na

kupewa ile kazi kubwa tunashangaa. Huyu mtu kweli na alistaafu amekuwa na akili nyingi tena kushinda ile miaka amemaliza kumi na tano? Tunaomba Katiba ya sasa mtu akistaafu, amestaafu. Kama anataka shule yake ya kushauri ajenge shule yake ya kushauri, ashauri watu vile alikuwa akiendelea lakini sio kupatiwa kazi kubwa na watu wengine wako na wamesoma wameendelea kabisa. Sasa nchi hii ni ya wale tu watu walianzisha, akitoka kazi hii anaenda kazi ingine. Sasa tunaomba Katiba ya sasa iangalie vizuri sana na iwe na kifungu kinachosema kwamba mtu akimaliza miaka yake na anastaafu, hana haja kwenda kurudishwa tena kwa serikali.

Ingingine langu la kumaliza ni hii; tunashaanga sana kuona ya kwamba Katiba yetu imesahau na kila kitu - mambo ya Katiba ambayo ilikuwako. Ni kuwa kuna watu ambao wao wako kwa serikali na wameajiriwa na serikali kabisa, na ni wakubwa katika serikali, biashara ya nchi hii yote ni yao - ndio wanafanya kazi na biashara zote ni zao! Kwa hivyo, wananchi wengi wa nchi hii hawana nafasi, wale wana nafasi ni wale tu wako serikalini. Tunaomba katika Katiba ya sasa wale watu ambao wameajiriwa wasiwe ndiyo wanaenda na biashara, ndio wanaendelea na kila kitu katika nchi hii. Kwa sababu, yeye amefanikiwa kuwa na kazi. Na kama amefanikiwa kuwa na kazi, sijui kama itakuwa iwe biashara yote ni yake kwa sababu ndiye ana nguvu, ndiye wakubwa. Kama Waziri anachoma makaa wale wengine watafanya kazi gani? Kama Waziri ndiye anauza mayai hawa wengine watafanya kazi gani? Kuwe kwamba Katiba ya sasa iwe ikilinda mali ya nchi hii, na wale watu wanayoiongoza, ili mtu anayeongoza watu awe ni watu anaongoza sio kuongoza mali yote na watu na kuwa watu wa nchi hii, hawana nafasi yoyote ile ya kufanya. Asante kwa haya machache.

Com. Githu: Asante. Bw. Paul Mutwara.

Paul: Haya sawa sawa. Na mimi nataka kuchangia mambo machache. Ya kwanza mimi ningetaka hivi. Katiba ya sasa iwe Judge Mkuu akichaguliwa na Wabunge kama vile wanachagua Speaker, ili aweze kujua amechaguliwa sio mtu mmoja. Ya pili, hata Mkuu wa sheria mwenyewe anastahili kuchaguliwa na Wabunge asiwe anateuliwa na mtu mmoja kwa sababu wakati wa kuchaguliwa kwa kura ndio atajua mambo ya wananchi wote.

Ya tatu, Mheshimiwa Mbunge yule anachaguliwa na wananchi awe na uhuru wa kutembelea wananchi wale wamemchagua asiwe akifuatwa na polisi mahali anaenda - polisi wanamfuata. Kwa sababu sasa kuna maneno mengine yanashikitiza sana. Unaweza kukuta Mheshimiwa mbunge yule amechaguliwa na watu, akikuta watu kama ishirini hivi anaongea na wao, anakamatwa, anapigwa hata ile heshima anapewa na wananchi imeshushwa kabisa anafanywa kama mharibifu. Na huyo ni mtu amechaguliwa na wananchi wote, anastahili kuwa na uhuru wa kutembelea wale watu wamemchagua.

Tena tatu iwe wakati ule Bunge inavunjwa kuwe kukiletwa mswaada katika Bunge ili Wabunge wakafadiliana kuhusu kuvunjwa kwa Bunge. Ili Bunge nayo isije ikavunjwa na mtu mmoja kwa sababu wakati mwingine tunasikia Bunge imevunjwa wakati miswaada ile maalumu sana ya kusaidia wananchi imeingizwa kwa Bunge. Ikifunguliwa tena ile mambo ya kusaidia wananchi yakawa yale yamesahauliwa. Hayo ndiyo mambo mimi nataka kuchangia kuwa mambo yote ya Kenya yawe katika mikono ya

waheshimiwa Wabunge wale tunaowachagua. Ni hayo tu.

Com. Githu: Asante sana Jeremiah Mwiti, David Mutembei uko? Anzia na jina lako tafadhali.

David: Jina langu ni David Mutembei I would like our Constitution to offer free and compulsory education up to university level. For you can see that illiteracy has brought about poor status of living among our youth and also high crime rate.

Another thing, our govt. should ensure equal distribution of resources and public posts. For you can see that in our country, someone may be holding six posts and at the same time he is the President. Another thing, our government should respect the church, for you find that in most cases when politicians are asked to come to church, the police go after them even in the church. So, our government should ensure the church is well respected. Thank you.

Com. Githu: Thank you Mtembei. Daniel Njoka? Ufuate uongozi wa Mtembei. Kusema tu kwa mktasali yale mambo uko nayo.

Njoka: Jina langu ni Daniel Njoka na niko na mambo kama manne hivi hata ingawa mengine nitasema yaliyosemwa maana kama nimeandika nitayasema tu. Ya kwanza, kwa sheria ya wakati huu hii tunatafuta, ningetaka power ya President ipunguzwe asiye kuwa na power ile zote akisema kitu hakuna mtu mwingine anaweza kumuuliza.

Ya pili, ningechangia kwa watu kama madaktari na waalimu wafikiriwe zaidi maana ni naona wamesahauliwa wanasubuliwa kila wakati na wao ndiyo wanashikilia kila kitu kwa mwananchi. Maana mtu akitoka mahali popote atapitia kwa mwalimu na unaona wao kila wakati hawalipwi vizuri, na kutolipwa vizuri inachangia kuharibu shule maana hawa furahii na wanatisha kugoma goma. Sasa ningetaka Katiba ya sasa iangalie mwalimu na daktari. Hao ndiyo wanashikilia hawa wengine wanafuata.

Ya tatu, Mkuu wa hesabu anayelitwa Auditor-General, asiingiliwe na watu. Watu kama President tusema au watu wengine. Awe ako free kufanya kazi yake maana ndiye anachunga uchumi wa nchi hii ya Kenya.

Ya nne, ningependekeza kuwa huyo Auditor General awe akichaguliwa na Commission au Parliament.

Ya tano, ningependekeza maneno ya mashamba, kuwe na kiwango kama ilikuwa, ikisemekana zamani wakati uhuru ulipeanwa, kuna mjumbe mmoja alisema kwa parliament akasema kila mtu hata kama ni millionare, asizidi 50 acres, ili hizi generations zingine zitakazokuja ziwe zinafaidika na mashamba. Na ndiyo unaona sasa watu wamenyakua mashamba kwa sababu-sijui kama iko na sheria kama hiyo! Sasa ninafikiria sheria ibadilishwe namna hiyo.

Ya sita, hao watu kama administration police wamekuwa - sijui kwa nini wamekuwa namna hiyo, maana wanaua watu bila

sababu. Kama juzi nilisikia kuna watu wawili waliowawa Nairobi na mara nyingine inakuwa ni bila sababu, ni watu wasio na makosa. Kama ni uwezo umekuwa zaidi ningependekeza uwezo wao upunguzwe, ili waweze kufuatana na vile maneno yako kwa maana wananchi ndiyo maneno yote na ndiyo wanachunga. Sasa kama wanaenda kuonyesha behaviour mbaya kua watu watafundisha watu hata mikora wawe wakijua hawa ni watu wa kuuwawa.

Ya saba, ningependekeza, juu ya produce hizi zinalimwa na watu tuseme mambo kama ya kahawa isiingiliwe na serikali maana yote imeharibika. Sijui kama ni mtu anapiga simu anasema “niwekee hii” sijui namna gani. Hiyo sheria iangaliwe - ya kahawa na hii ya majani. Maana ndiyo ilikuwa inatusomesha zamani na sasa wale walikuwa wanatumia hiyo kama mali ya kusomesha watu, wamekuwa nyuma. Unaona watu werevu wemerudi nyuma.

Nyingine ni kuhusu maneno kama ya hizi pesa zinazochukuliwa zikiambiwa ni za kuenda kusomesha watoto werevu lakini wa masikini. Sheria iangalie huko maana, tunakusanya pesa inaenda kuwekwa na mtu, halafu hata wale walikuwa wanachangiwa wanapotea. Sheria iangalie huko kama mchango unafanyika, iangaliwe kuwe na sheria ya kushtaki mtu akipitisha kiwango fulani. Sio mchango unafanywa halafu unakaa miaka kumi hata wale walikuwa wanachangiwa pengine watakufa ama watoke kwa mashule. Ni asante sana sina mengine.

Com. Githu: Asante sana. Bw. Jonh Karanja.

Karanja: Asanteni. Ninashuku Tume ya leo kwa kuwa wamekuja Timau. Mimi ningetaka kuchangia tu kidogo kwa siku ya leo. Nimesema ni asante kwa kuwa Tume imetukaribia. Tumekuwa na hamu sana kuchangia kwa hii Katiba na muda huu, tungesema asante kwa muda huu tumepatiwa leo. Tumetuma barua hapa na pale na sasa tumeona kama Mungu ametujibu kwa sababu tutaongea tukiwa nyumbani. Yangu sio mengi ya kusema ni machache tu, ninaonelea (inaudible) tangu asubuhi. Kwa sababu tutoka asubuhi (inaudible) ningetaka kuchangia kuhusu mashamba na kulingana vile tuko hapa Meru district, tuko na hiyo shida sana, kwa sababu mashamba ya hapa yalikuwa yamenyakuliwa hapo zamani na Wazungu ama Waingereza na hata wa leo, inaonekana iko katika mikono ya Waingereza. Kwa sababu ile sheria inafanyika hapa si sheria ambayo iliundwa wakati mababu zetu ama mababa zetu walikuwa na uwezo wa kujua. Hiyo sheria tunaona inatufunya sana kama wananchi na tungependa Constitution ibadirishe hiyo sheria. Kwa sababu, mpaka wa leo tukiangalia kwa nchi hii yetu kuna mtu ako na mashamba karibu mia moja kutoka area ya kaskazini, kusini na hata katikati ya nchi. For example, ako na acre karibu mia moja Nakuru, pengine ako na acre mia moja Kisumu, acre mia moja Nairobi, na kuingeneko kwingi. Na pengine huyo mtu, hiyo shamba haitumii. Inakuwa tu ni ya kufuga wanyama, na pengine inafugwa tu nyasi peke yake.

Na katika Kenya tuko na maskini wengi sana ambao hawana mahali ya kuishi. Na hiyo Katiba wakati iliandikwa, haikuangalia maskini ambao wangezaliwa badaye. Ningependa Constitution ama Katiba mnapoirekebisha, tafadhali mkumbuke wananchi wa Kenya wanazidi kuwa wengi, na mashamba ambayo ya hapa, inaonekana yanaenda kupungua kwa sababu kuna mtu alichukua title zake zamani na hiyo shamba ni kubwa, na pengine hana watoto jamii yake pengine wameaga dunia, ama ni wawili

watatu na katika Kenya kuna mwingine hata hana pa kuishi. Ningetaka hiyo kazi, katika Constituion ambayo tunaandika sasa, masilahi ya wananchi yachungwe zaidi.

Jambo la pili, ningetaka ma plot ambazo zinafanyiwa na council ama vile Katiba iliweka ati lazima shamba ipitie kwa council ibadirishwe. Kwa sababu hayo mashamba inaonekana katika maofisi, inaweza kuwa kuna mwingine alifukuzwa pahali fulani anako na mashamba karibu kumi. Na vile vile, masikini anapotoka shamba pahali fulani akipatiwa, yule mnyakuzi anaingia pahali pale na ananyakua tena na – na sio ati anafanyia kazi, mbali ni rasilimali yake ya kuja kuuza baadaye. Hiyo, ningependa Constitution inaporekebishwa tafadhali muangalie sana kuhusu kibali cha kutambulisha kiwango cha mashamba mtu ako nayo, kama vile tuko na kitambulisho inayonyesha wewe ni mtu wa Kenya, umezaliwa pahali fulani na kwenu ni fulani. Lakini mashamba nayo iwe ikionyeshana ya kwamba wewe umeishi pahali hii uko na shamba Timau na uko na shamba kwingineko. Kwa hivyo kuwe na kiwango cha serikali. Kurithi mashamba kuwe kuna kiwango kimewekwa ndiyo mashamba yawe hayanyakuliwi.

Jambo la tatu, iwe kwamba maskini ndiye anastahili kuangaliwa sana kuliko tajiri kwa sababu katika Kenya wengi watu ni vilema, hawa na nguvu, hawana macho, hawna masikio na wengine hata hawasikii. Lakini huyo mtu katika serikali hakumbukwi; awe na nafasi yake ija kutenda kazi na kupata shamba yake. Vile vile, tungeomba hata serikali iwe inachangia hawa maskini kwa usaidizi wowote ndiyo kama hawana ardhi wapate mahali pa kuishi kuliko kukaa katika mjini.

Jambo la nne, ningeomba serikali iangalie masilahi ya korti kwa sababu inaonekana korti ambayo iko Kenya ina favour watu wengine na wengine wanakuwa hawana pahali pa kuishi. For example, tajiri akinunua shamba pahali fulani awe na allotment ama awe title deed maskini anayeishi pale, itabidi afukuzwe pale kwa nguvu, akikataa anawekwa kortini na anahukumiwa kulingana na sheria iliyowekwa na mkoloni. Kwa hivyo ningeomba katika Tume hii, tuangalie katika ile Katiba iliwekwa zamani ya Muingereza kuhusu mashamba. Vile vile, tuangalie maslahi ya mwananchi vile anaweza kukaa akiwa mwenye kurithi nchi ya dunia hii. Sina mengi ya kusema isipokuwa kushukuru kwa wakati huu mmekuja hapa kwetu kuona ile shida tuko nayo. Asanteni.

Com. Githu: Asante sana. Regina Karwira. Regina yuko? Ok kuja Regina, na afuatwe na Florence Wahito. Florence yuko?

Regina: Asante. Naitwa Regina Karwira. Nimesema asante sana kwa vile mmeweza kufika hapa kwetu. Ninasikia mnataka kuchukua maoni kila mtu asema shid yake. Huwa ninawasikia kwa radio lakini sisi bado hatu chaonana. Sasa sisi tumefurahi sana vile mmekuja kwetu. Kusema ukweli, tuko na shida sana watu wengi hata sehemu hii wanakaa kama wamewekelewa tu. Sasa, mtu kama mimi siwezi hata kueleza. Mtu hana makao wala nini, anakaa tu na ni mtu wa Serikali. Na ni mtu wa serikali. Yenyewe hata mtu akikufa yule hana pahali ya kukaa, akae pale kwa barabara serikali ijue itamrokota. Lakini kurokota haiwezi kusaidia lolote kwa vile hatutajua alikuwa ametoka wapi. Angalieni mijini hata watoto wa chokora

wamejaa huko, tunauliza hawa watoto wanatoka wapi lakini wanatokana kuwa watu wengi hawana pahali ya kuishi.

Na muangalie kama sisi tumekuwa na shida sana kuishi bila masomo, tuko na watoto nyumbani na hawaja soma. Tumejaribu, kwa vile hata hatuna shamba ya kulima, mtoto anashidwa kuenda shule. Unampatia tu chakula na unalipa nyumba pesa inaisha. Muangalie sana tuko na shida zaidi. Mambo mengine muangalie mambo hata ya hospitali; kumekuwa shida zaidi. Ukienda hospitali ya serikali na ni hospitali yetu tukufu, (inaudible) Katiba yetu ni kama imetusahau. Unaenda hospitali ya pesa unahudimiwa vizuri zaidi hata ikiwa hauna shilingi - unaenda unatafuta unapeleka baadaye. Lakini ukienda hospitali ya serikali wanakuangalia tu. Tunataka muangalie hiyo kitu sana. Wanaangalia mtu tu anakufia hapo kwa sababu wewe hauna pesa.

Lakini ukienda kwa mtu wa pesa ukimwambia utamletea na hata hajui kwako, anakusikiliza. Kwa nini pesa ndiyo imekuwa mambo yote na hatuwezi kuwa na pesa sisi wote. Muangalie hayo mambo sana imekuwa shida zidi. Na hawa watu wa private kwani wanatoa madawa wapi na hawa wa serikali hakuna? Imekuwa serikali ndiyo imekuwa maskini kabisa? Sasa muangalie zaidi na muangalie watu wale hawana pahali pa kukaa na masquatter. Tuko na shida zaidi na ndiyo munaona wezi, wakora wamekuwa wengi hata huko town Nairobi najua watu wanauwawa kila saa. Sababu wengi wanaiba ni shida hakuzaliwa akiwa mwizi. Naomba serikali yetu ituangalilie sana. Sina mambo mengi nimesema ni asante sana.

Com. Githu: Asante sana Regina, Florence.

Florence: Kwa majina ni Florence Wahito Macharia kutoka (inaudible) Kile kitu nimeleta katika Tume ya kurekebisha Katiba ni elimu ya bure, ya lazima na ya hali ya juu. Kama sasa ukipeleka mtoto kwa shule wanahitaji pesa na sisi ni maskini na hatuna ile pesa wanahitaji. Na mtoto ukifukuzwa shule amalize siku tano nyumbani tu mwalimu anakushtaki kwa kamati anakwambia urudishe mtoto kwa shule haraka sana.

Ya pili, hali ya masomo katika shule za umma ni ya hali ya chini sana kwa ukosefu wa vitabu, maktaba na hali duni ya majengo. Kama sasa shule ya Timau tuko na ukosefu wa vitabu isipokuwa ni vile donors wametutumia pesa za vitabu na tukaona hapo wametusaikia. Lakini kwa maana hatupiti mzuri ama hawajaelimika vizuri vile wazazi hawana pesa ya kununua hizo vitabu ama kulipa karo vizuri ndiyowaingie shule.

Tatu, Katiba inapaswa kuwapa watu haki sawa, wanaume na wanawake. Isiangalie kizazi, kiuchumi au kijamii. Kama sasa, hiyo Katiba kwa mume na mke; baba amekufa, mama ameachwa na hayo mali. Hiyo mali ni lazima mama awe katika korti agawigwe mali yake. Na kama Katiba ingetusaidia hapo, katika village ile baba na mama wanakaa, kuna kamati kwa area hiyo ama Chief. Huyu mama angeenda kwa hawa kwani ndiyo wako karibu naye na anajua mali yake ndio agawanyiwe hapo.

Katiba sehemu ya nne, sheria ya kurithi mali inafaa kuwa inawashugulikia akina mama ili mali iwe inaongozwa na inawekwa katika jina la bibi na bwana bila kujali malalamiko ya utamaduni. Katiba inafaa kutilia maanani elimu ya mtoto wa kike.

Ya tano, Katiba inafaa kuweka sheria inayohusu watu wawili, kama bibi na bwana kukaa pamoja bila ya kufunga ndoa inayotumburiki ni kisheria. Kunafaa ikuwe na kifungu cha sheria kinacho mlinda mtoto wa kike anapopata mimba kabla ya kuolewa. Aliyehusika na kumweka mimba afaa kumtunza huyo msichana.

Com. Githu: Asante sana. Sasa tutaenda kwa Florence Wahito. Florence umezungumza. Asante sana. Tutaenda kwa Susan Warigia.

Susan: Kwa jina ni Susan Warigia, kutoka Kitarage. Ningetaka Katiba iangalie masilahi ya vijana ambao wanazurura bila pahali na hawana kazi. Ningetaka Katiba iyangalie pia masilahi ya vijana; tumesoma tumefika darasa la nane, Form 4, University na hata hakuna kazi na kuna watu ambao ni wazee wako na nayadhifa kama kumi na sisi hatuna kazi tunasumbuka.

Ningetaka pia, Katiba iangalie masilahi ya vijana ambao wanaenda kazi kwa Wazungu na huko tunaenda tunafinyiliwa sana. Pesa ile tunapata ni kidogo sana na tuko na watu wakuu. Ningetaka Katiba iangalie masilahi ya sisi wenyewe.

Ningetaka tujue, ama Katiba iangalie kazi ya Chief ni nini. Mimi nikienda hapa sasa niende kwa Chief sijui kazi yake ni nini kwa sababu simukuti hapo, nasikia ako kwao ama ako kwake. Kwani tulimwandika awe analima na ni sisi tunamlipa tukiwa ni serikali kwa sababu serikali ni mimi na wewe.

Ningetaka vijana waangaliwe sana kwa masomo. Na lazima kila kijana awe amesoma kwani kuna haki unisomeshe na ulinileta hapa ili unisomeshe. Kwa hivyo ningetaka tuanaaliwe sana. Vijana kama vile wasichana hawasomeshwi na wazazi wao ni kwa nini hawasomeshwi na wazazi wao, na kijana mwaname na mwanamke hawana tofauti? Hapo ningetaka waangaliwe sana. Ningetaka Katiba iangalie mambo ya watoto kwa sababu watu hawasomeshi watoto wadogo. Ningetaka iangalie hapo sana. Kwa hivyo sina mengi ya kusema ni hayo tu nikiwa msichana.

Com. Githu: Asante sana umesaidia zaidi. Edward Mutweri.

Edward: Majina yangu ni Edward Mutweri na niko na machache ya kusema kuhusiana na Presidential powers. First, the President wa Kenya anaonekana ni kama ako above the law. Anapaswa kuwa anashtakiwa. He should be prosecuted in the court of law incase of any offence.

Second, he should have no powers to appoint electoral commissioners because for one, if he is the one who is appointing the electoral commissioners he is the referee of that game between him and his opponents. For doing so, that will come automatic that the electoral commission will favour him because he is the one who has appointed them.

He should not also have the powers to appoint the Chief Justice or any other Civil servant. We can hear for instance, that he has appointed so and so to take a public office. For example, he might go there to seek-kama kuhudumiwa- you can imagine, wewe umeajiri mtu fulani halafu uende pale ukahudumiwe atakupa huduma namna gani hata ile ya mapendeleo utapata. Kwa hivyo President asikuwe na powers kama hizo.

Kuna hii ingine ya electoral offences. The President has powers to pardon them. I wonder how he should have powers to pardon any kind of mistake or offence. The President should not have the power to pardon any offence no matter what. That should be taken to the court of law. The court of law should be independent, so that it will be able to offer good services to the citizen.

Nitaongea kidogo mambo ya uchaguzi. Kama sheria sasa inasema, Rais kuwa Rais wa nchi awe amepata asilimia ishirini na tano katika mikoa mitano ya nchi. Hiyo itakuwa per cent kidogo sana atakuwa akiwakilisha watu wachache sana; 25% of the population of Kenya the voters - who are registered voters kwa 5 provinces only, hiyo ni minimum, ni kiwango kidogo sana sana, ya kufanya mtu aingie kama Rais. Rais anapaswa kuwa na, kwa maoni yangu - 65% of the votes ndio awe President kama si hivyo, a re-run of the election should be held whereby him and the follower – mtu wa pili wawe sasa wanapigania watu wawili ili mwananchi aweze kuchagua Rais sio Rais apite kwa asilimia ishirini na tano katika mikoa mitano hiyo si mzuri.

Kwa constituencies, sometimes we vote for our MPs and the moment they enter Parliament, that is the last time we see them. Kutoka wakati huo, hawaingii kwetu tena. Tunataka, endapo tutamchagua Mbunge aingie Bunge aende akae miaka mbili, tuwe na uwezo kumuita tena, sheria huruhusu sisi wananchi tumuite tena aje, na akija tuweze kuchagua mtu mwingine – si kungojea miaka mitano. Miaka mitano atakaa huko, alale huko hakuna kitu ametufanyia. Kazi yake alienda kununua manyumba makubwa kubwa kama Karen na kwingineko, sisi hajali masilahi na sisi tulimchagua ili akatutetee.

Basi, sheria inapaswa kuwako ili, after 2 ¹² years or 2 years exactly, tukiona hatufanyii kazi tunaweza kumuita tena. We withdraw aje akirudi hapa sasa wasimame na mwingine wapigane tena tumchague mwingine because 5 years are much and he should have done something for those 5 years. Ningetaka kuongea mambo ya kupata pesa kwa njia isiyo halali – conning. Kuna kisa ambacho kimetokea juzi may be last year but one ambapo prison warders walipata accident wakafa. Wale watu wao walienda wakastaki serikali wakaweza kulipwa pesa nyingi sana. Ile pesa walilipwa yote, kuna wakili alikuwa anawasimamia na alilalia ile pesa yote more than 50 million. Sheria ya Kenya.....

(End of side A. cont.) inasema ya kwamba mtu anapaswa kupigwa fine ya 800,000/= only! You can imagine, mtu ali-con mwananchi wa kawaida 50 million halafu apigwe fine ya 800,000/= you can imagine that, - hiyo ni mbaya sana. Kwa sababu uta-con; I can also make myself a conman, I go and con 20 million and I am 100% sure that I will be fined 800,000/= only. Hii sheria inaruhusu conmen waweze ku-obtain money from citizens kwa njia isiyo halali. Hiyo sheria inapaswa iangaliwe sana. Tena nitazungumzia maneno ya media.

Com. Lethome: Lakini umalize sasa.

Edward: Ok. Mambo ya media kidogo tu. Tunaona kama KBC ni media ambayo inafikia mwananchi kila mahali pahali popote nchini lakini hii media imekuwa mouthpiece ya the ruling party only whereby, ni yangu ni yako wewe mwananchi wa kawaida inapaswa kuwa inahudimia vyama vyote. Chama kitawalacho na vyama vya upinzani kawaida wote wawe wakipatiwa air-time ya kawaida. Na pesa za uchaguzi nazo ziwe distributed, za campaign - sio one party to be given more money than the others. Thanks.

Com. Lethome: Asante sana. Kabla sijamuita mtu mwingine, kuna ombi fulani. Najua wengi hapa ni Wakristo na ninafikiri mnapo ingia Kanisani, kuna heshima fulani kwa nyumba ya Mwenyezi Mungu ya kutoa kofia. Kwa hivyo, tungeomba wanaume wote tafadhali isipokuwa ule amevaa sababu ya dini kama Sheikh ninajua amevaa sababu ya dini, tuheshimu nyumba ya Mwenyezi Mungu tutoe kofia tafadhali. Tumeombwa na wasimamizi wa Kanisa tuweze kuwatangazia hivyo. Asanteni kwa kuheshimu nyumba ya Mwenyezi Mungu. Haya, Davis Gatobu.

Gatobu: Majina ni Davies Gatobu kutoka hii area ya Timau. Mine is just to air views on matters pertaining to the Executive. This is; let the presidential powers and all that he holds or all the titles he holds in the country, be constitutionally the govt. itself. For, you will find that the President is the Head of State, he is the Head of the Armed Force, Chancellor of all the public universities, the former number one and so many other titles that he holds. On these matters, you find that the President and all these titles and the work that he does is cumbersome or it's too much for him. I don't know how much he can make on the matters pertaining to these issues. So, I would like the constitution to define the functions of the presidency itself.

On the other hand, is the President being the main appointer of every Minister in any ministry, he is the person to appoint the second-to-follow in the forces. I mean he is the commander in chief of armed forces - he is the person to appoint the person behind him in this matter. I think, the Constitution should not allow this. On this issue, you will find that he will elect the people who will follow his suit and do what he says and on the same issue, when talking of the Ministers or the people he will appoint to be the Head of Ministries, he'll appoint people who do not have the knowledge of the same field. For example, you will find that he is appointing a person who is not familiar with a certain field lets say its agricultural field or lets talk of this Power and Lighting Company. He will appoint the Minister of Energy, who is familiar with Agriculture more than Energy, he is being appointed to be the head of that ministry.

On the other issue, the Constitution various of ministries. On the same issue of the executive, is the tenure of the President or the time he is to spend in the leadership. I think the time should be defined by the Constitution for, you find a president has been if we take an example of this country, you find that the President has been in the office for the last 20 years no change. Before Kenya came to multi-partism he had been elected for the last 10 years. He will be elected again for another 5 years. I think there should be a limit in the same issue.

Com. Lethome: Why don't you recommend... (inaudible)

Gatobu: What I recommend I think, the period should not exceed 10 years. He should be elected for the first five years, the second 5 years and then he should step down for newcomers in the same field. The other issue is on basic rights. I think the Constitution should guarantee the right of life e.g. In this regard, therefore, I think the death penalty should be abolished, for you find that people who have been victimised for some offences that they did not do, will die for what they do not deserve. When we talk of this, I think, it should be replaced by life sentence and may be in the process of time the people concerned may come to get the person who participated in the offence and the person imprisoned and set free. So victimisation won't be an issue and it will be a forgotten issue. On basic rights is that the Constitution should provide for compulsory and free education from the starting point to form four level and if at all a person qualifies for that field he should be sponsored. When I talk of these, I think that the non-governmental organizations may support him and let it be like cost sharing when a person reaches the level of form four being sponsored by the government. Now from there, if a person is qualified to proceed, let it be a cost sharing between the government, the people or the community itself or the other parties willing to participate in general.

Com. Lethome: Sasa tumpatie mama. Marion Mwendwa.

Marion: My names are Marion Mwendwa and I come from Kibirigwi and I am a student in the wildlife department of Moi University. What I wanted to pass across is about human-wildlife conflict in this region - the Timau region. It has been a problem to the people and we would like the Constitution to look into that. We as conservatives, we are getting a problem from the people, the wildlife is destroying their property but this one is not looked into by the government. The people's farms and crops are destroyed and that is where they get their livelihood. So, we would like the Constitution to look into that to look into the welfare of the people. The wildlife is important to us, we cannot deny that but also the people need somewhere to get their livelihood, so this one should be considered.

Com. Lethome: Marion, we want specific recommendations from you. It's clear that there is conflict between the human beings and the wildlife; for example when a human being is killed by a wild animal, what do you recommend? What specific recommendations?

Marion: There should be compensation. They should consider the person's role in that family, may be he's the head of the family so they should consider the children who are in school and the way they should be catered for. And also, for the destruction of crops, there should be benefit that are extended to the community for this reason because these people benefits from their crops so if they are destroyed, there is no way they can get their livelihood.

Com. Lethome: Do the local people benefit from the wildlife that is conserved within the locality do they benefit?

Marion: They benefit yes – a nationally- everyone benefits but these people, they have their farms. If the wildlife come and destroys their crops they have nowhere to get their food. They may receive relief but relief cannot help them especially in educating their children.

Com. Lethome: Would you like may be whatever government gets from the wildlife within this locality also to benefit the people here a certain percentage to go to the local people or something like that?

Marion: Yes, yes. It's very nice this will even be easy for those who are conserving to be convince the people in conserving the wildlife.

Com. Lethome: Thank you register there. I think may be we call another lady. Wamama wengi hapa wamejiandikisha kama observers. Lucy Muthoni ni observer pia? Hataki kuzungumza kwa hivyo tuendeleo na list yetu. Stephen Muriungi.

Muriungi: Jina langu naitwa Stephen Muriungi. Rais awe na kiti kimoja sio viti vingi. Ukisika Rais ndiye amri-jeshi-mkuu, ukisika ni mkubwa wa universities zote za nchi. Mimi vile napendelea tena, hii hukumu ya kifo iondolewe kwa sababu ukiona mtu anahukumiwa kifo, hiyo familia yake nani atakuwa anashughulika nayo? Especially ukihukumiwa kama uko na watoto watano nani atakuwa anasimamia familia yako? Ni hayo tu nilikuwa nataka kuchangia.

Com. Lethome: Asante sana Muriungi. Tumpate Silas Karafa.

Silas: Tunashukuru sana kwa nyinyi kututembelea ndiyo mjue yale tulionayo.

Com. Lethome: Ngoja kidogo; Nimeabiwa kwa waandishi wa magazeti wangependa kupiga picha wale watu wako na placards. Kwa hivyo mwende nje mukasimame na watu wa magazete wawapige picha halafu mtoke au mnaweza kurudi mkitaka. Kwa hivyo wale wote wako na placards na poster muende watu wamagazete wanawangoja nje - hata wewe uko huko? Enda nitakuita tena. Kitambo hao waende, Samuel Mwangi? Ama ako katika hao youth? Shadrack Njoroge? Ngoja nitakuita tu Lawrence Mariti Marete, Lawrence? Unaitwa nani wewe? Ok, Shadrack Njoroge. Haya zungumza.

Njoroge: Mimi naitwa shadrack Njoroge. Lile nilikuwa nataka kuzungumzia, nilikuwa nataka kusema Katiba iangalie masilahi ya watu disabled yawe yanachunguzwa juu unaona mtu ni disabled lakini masilahi yake hayangaliwe. Akisema kitu watu hawawezi wakamzikiliza juu yeye ni disabled.

Ya pili, mimi ningetaka tu kusema kwa mkhtasari tu. Rais apunguziwe mamlaka juu ako na mamlaka nyingi sana unaona ya kwamba kama hii Tume ya uchaguzi ni yeye anawateua. Na hivyo ni obvious mtu akiteuliwa na mtu lazima atamfavour. Yaani

atafanya kazi akiwa kwa akili yake kwa sababu yeye ni mkubwa wake. Kwa hivyo, ni lazima hii Tume ya uchaguzi ichaguliwe na Wabunge juu hawa Wabunge kuna watu wa KANU na opposition. Kwa hivyo hakuna yule ata favour the President ama ata favour upande hii mwingine.

Pia, vijana wawe empowered yaani wapatiwe mamlaka ya kuongoza nchi juu unaona wazee wanongoza na yale mambo ya zamani tu ndiyo wanaendeleza kwa Kenya hii yetu mpya. Kwa hivyo, vijana wapatiwe mamlaka wawe wanaongoza juu wanajua the current Kenya. How the current Kenya is, so they should be empowered.

Ingingine ni executives; hawa watu tunaita executive sijui tunawaita aje kwa kiswahili?

Com. Lethome: Sema tu executive.

Njoroge: Executive wapunguziwe mamlaka yaani madaraka. Ukiangalia wako na kazi nyingi sana wanafanya, wao ndiyo wamesimamia tuseme ukifanya kitu wao ndiyo wanaingilia mambo yako. Unaona mtu anatoka kwa executive anaingilia kwa judiciary ama pengine kwa Parliament. Kwa hivyo, iwe independent.

Mimi ningependelea tu kuongea juu ya hii Katiba iangalie masilahi ya wafanyi kazi, yaani hawa wananchi katika haya mashamba ya Wazungu. Juu ukienda kwa mashamba ya Wazungu, wanafinyiliwa sana. Unaenda unakuta restriction and they are doing their job it's not favourable for them. So the current Constitution should look upon their rights. Ni hayo tu.

Com. Lethome: Asante sana Shadrack. Jiandikishe huko. Haya tumpate sasa David Mbarire.

Mbarire: Asante sana. Mimi yangu ni machache ile ningetaka ku-recommend kwa hii Tume. The first thing ningetaka hii Tume irecommend ni kuhusu kilimo. Unaona ya kwamba mkulima haangaliwi vizuri kwa sababu, serikali inatakikana iwe inalinda mkulima kutoka kwa vitu kama hivi vinatoka nje. Ikiwa ni wakati tunajua tuko na mafuno ya kutosha serikali inatakiwa iwe inasimamisha bidhaa zote zinazotoka nje mpaka wakulima wetu wauze mali yao. The other thing ningetaka ku-recommend ni maneno ya citizenship. Nafikiri sheria yetu inakubali tuseme ukiwa msichana kutoka nje anapewa automatic citizenship ya nchi hii. Lakini msichana akiolewa na kijana kutoka nje huyo kijana hawezi kuwa automatic citizen wa hii nchi. Kwa hivyo ningetaka hiyo sheria iwekwe ya kuonyesha kama msichana akiwa meolewa na kijana kutoka nje, huyo kijana anakuwa automatic citizen.

The other thing, sheria yetu haifafanui vizuri jinsi ya ku-handover tuseme Rais wetu leo akishindwa. Tungetaka kuwe na sheria ile inaonyesha kwamba leo, tuseme ameshindwa, ata handover serikali kwa njia ya aina gani?

The other thing, ni sheria iwe inaonyesha jinsi ya hizi religious organizations zinakuwa registered kwa sababu mbeleni tulikuwa

tunasema ni churches lakini sasa tunasema kwa hii nchi, tumekuwa ma-sects na ma-cults nyingi sana. Kwa hivyo, ni lazima sheria ihimize kwamba wale wanakuwa registered, kuaangaliwe kwamba it's a true church lakini sio cults and sects zile zinakuja ku-confuse watu. Ningetaka pia, kuwe na sheria- ihimize kuwe na Accounting officers kwa katika ministry zetu wale tunasema ni ma PS. Wasiwe ni political appointees, iwe ni jobs well advertised. Kwa hivyo mtu akiajiriwa kuwa PS tunajua ni mtu very important, awe ni mtu wa a very well advertised jobs asiwe just an appointee. Na ndiyo unaona most of the ministries are falling because, if you are a political appointee you have to serve those who have elected you. Kitu ingine ningetaka kusema, ni appointing of the Chief Justice, Attorney General and Auditor General. These people should also be discussed before the Parliament, before their appointment so that, we can know their behaviour and records are well analysed. Also, the Chancellor should not, I recommend, should not be the President, but should be a well advertised job whose occupant should be somebody who will always in that university.

The other thing I will recommend is the land issue which is a very serious issue in our government. Unakuta kuna watu wengi sana wana mashamba makubwa na huyo mtu hayatumii. Kwa hivyo, ningeonelea hata kama sio kuwanyang'anya, kuwe na a heavy tax imposed. Ikiwa mtu hatumii hiyo shamba kuwe kuna ile kodi analipa serikali. Kwa sababu unakuta kuna watu ambao who not using their shambas.

Ya mwisho, ile ningetaka ku-recommend, ni maneno ya child labour. Unakuta siku hizi mtu anaajiri mtoto wa miaka mitatu, au miaka minne. Sheria iwe kali sana. Mtu akishikwa anaajiri watoto ambao ni wachanga, awe ana-face the law. Ya mwisho ninge-recommend uchaguzi wa Rais, tuwe tunaifanya separately na hizi zingine. Asante.

Com. Lethome: Asante sana Mbarire. Stephen amerudi? Njoo sasa umalize. Stephen Murungi.

Silas: jina ni Silas Karafa kutoka area hii ya Timau. Yangu ni machache tu, ni yale yana- tuzingira tu. Unajua chanzo cha maisha ni masomo na ndiposa sasa siku hizi masomo yamekuwa ni ghali sana na ya juu sana na ndiyo unaona sasa sisi vijana tumekosa elimu, tunakaa bure kwa maana serikali imetusahau. Na imetusahau kwa njia moja; hakuna youth polytechnics kama sisi hatujaenda masecondary - hizo hatuzipati, ama maplot kamaza jua kali hatuna, na kazi zingine ambazo serikali ya nchi hii inaweza kuwa inasaidia vijana. Na hivyo ndiyo naona dirty jobs zinaendelea kwa vijana kutokana na ukosefu wa hayo. Ndiyo sasa ningeona Katiba iangalie sana sana juu ya vijana kama hana masomo, hana pesa ya kuenda mbele iangalie pahali akitoka shule anaweza enda akajisaidia.

Jambo lingine ni la maisha vile sisi tunakaa kwa mashamba yetu; sana sana, kuna mashamba mabaya sana ambayo sisi tunapewa. Unaweza ukapewa mahali kuna baridi zaidi ama pahali kuna joto zaidi. Na sasa pahali huko kote, ni pahali kubaya sana na hakuna chochote unaweza ukapata. Kwa maana sasa pahali kuna baridi, ni karibu na mito mibaya ambako kuna wanyama hatari, ukipanda kile upependa wanyama wanaokota. Vile vile hata maisha ya mtu wanaokota! Hata huko majangwani kuna jua kali, hakuna maji na kile utapata wakati mvua imenyeshwa kidogo, wanyama pia wanaokota huko. Sasa

haya maneno ya mashamba, na tukiangalia, tuseme kama hapa Timau, $\frac{3}{4}$ ya Timau iko na Wazungu - labda ni Wazungu kama watano tu na sisi million yote tuna $\frac{1}{4}$ tu tunafinyana na shida nyingi sana.

Ile inengine ninaweza nikasema ni kwamba Katiba inaweza kuangalia vile inaweza kutulinda kutokana na wanyama hawa. Kama ni serikali, iangalie mahali kuna wanyama, tutengwe tuwekwe sisi ama waweke vifaa vile vinaweza kuzuia wanyama kutusumbua.

Ya tatu, hospitali. Hospitali hapa kwetu zilituchokesha kabisa hata tukasahau kama tunakuwa na hospitali! Kwa maana ukiingia kwa hospitali unaitishwa pesa ya kuandikisha na baadaye unaambiwa uende ukanunue dawa. Sasa unaona hata hakuna haja ya kuenda hiyo hospitali, unajipeleka pahali pengine ambako unaweza kujisaidia. Sina mengi ni hayo, ninasema asante.

Com. Lethome: Asante Stephen. Tumpate sasa Lawrence Mariti Marete. Yuko? Kama hayuko tumapate Reuben Munene.

Munene: Kwa majina yangu naitwa Reuben Munene. Kwa Katiba kitu cha kwanza, nobody must be above the law. Hiyo ndiyo kitu ya kwanza. Kwa sababu wakubwa wengine wakichaguliwa hawafuati sheria wanafuata fikira zao wenyewe. Badala ya kuwa wanafuata sheria, wanatumia fikira zao. Na kwa viongozi wote wa Kenya - we as Kenyans kama watakuwa wakifuata sheria, sheria iwe juu ya viongozi wote, itakuwa ikienda vizuri. Kwa sababu kama sheria itakuwa chini ya viongozi wote, wote watakuwa wakitumia fikira zao badala ya sheria iwe ikiwaongoza na Katiba ya sasa ikipitisha sheria, viongozi wote wawe wakifuata sheria. Kwa sababu sheria kwa maskini kwa matajiri, itakuwa ikitumika na wote watakuwa wakitumia sheria kutoka yule ameandikwa na serikali, maskini, tajiri - wote.

The second thing, land grabbers; kitu ya kwanza, hii inakuja kwa tribalism. Ni watu wengi sana wako na acre kutoka mia, elfu, elfu tano and at the same time, tuko na freedom tulipata uhuru na tuko na squatters. Squatters wanatoka wapi? Kama mtu mmoja ako na acre elfu nne, na hayuko Kenya, yuko ng'ambo ni sheria gani imepitshwa ya kufanya kazi kama hiyo? Kitu ya kwanza, shamba hiyo iko na acre karibu elfu nne. Hata squatter wakigawiwa squatter elfu nane, itakuwa afadhali. Hata mwenye shamba hapatikanangi. Squatter kama elfu nne, zikigawiwa hizo acre elfu nane, kutapatikana nafasi squatter wataisha kidogo.

The third point, ukabila. Ukabila nao unapitia kwa category ya kutofuata sheria. Kwa sababu naweza kuwa nimesoma, na kuna illiterate na ndugu yake ama mwenzio hajasoma hata hajui kuandika. Lakini kwa sababu ako kwa ukubwa wa serikali, mkienda kuuliza kazi tuko na vacancy ya watu kumi hivi - hakuna vacancy today, tomorrow, the day after kila wakati nikienda hata nani akienda hawezi akapata kazi ndani ya serikali hivi tu sababu ya kukosa katiba ya kutengeneza sheria. Kama kuko na sheria, hakungekuwa na illiterate kwa kazi. Illiterate atakuongoza namna gani na wewe umesoma unaelewa hii ndiyo njia ya kunywa maji safi at the same time illiterate hajui maji safi na chafu akwambie hii ndiyo nzuri. Atakwambia- how can you accept

such nonsense. Huwezi ukakubali kitu kama hicho.

Inginge ya nne. Katiba ikitengenezwa, ningeomba ile itatengenezwa iwe ikisimimia human needs. Kwa sababu Katiba ikitengenezwa ya kusimamia serikali, serikali ni nani? Ni wewe na huyu na huyu nani atatengeneza Katiba? Ni wewe na mimi kwa sababu wewe na mimi ndiyo serikali. Lakini tukiongoja polisi, jeshi ama armed forces itengeneze Katiba, it will be out of order, completely fantasizing. Hakuna kitu utakuwa ukisema. Ukingojea serikali aje kwako akwambie unafanya makosa, hakuna kitu utakuwa ukifanya. Ukubwa wote unatoka huko nyumbani. Askari ni wewe umemuandika. Kama sio wewe umemuandika, hangekuwa analinda nani? Hakuna.

Kwa hivyo ningeomba katika Katiba, kitu ya kwanza iangalie umaskini, utajiri, wajaribu ku-equalize kila mtu awe anatosheka na rights yake kwa sababu tuko na freedom Kenya. Lakini huwezi kuwa na freedom and at the same time, unang'ang'ana na mwenzako. Anakwambia “hapa ni kwangu”, ukienda pale unakuta mwingine anakwambia “hapa ni kwangu”. Utakaa wapi? Utakaa juu mbinguni kama ndege? Hakuna. Katiba ndiyo itajua hayo maneno. Kwa sababu huwezi ukaongoza Kenya yote, ukaenda ukiambia kila mtu enda ukachote maji”, “enda ukavuje kuni”. Inastahili kuwa na committee, yule mkubwa ana tuma moja enda Mombasa, mwingine enda pahali anamletea repoti vile inaenda.

Com. Githu: Pendekeza, pendekeza sasa tafadhali. Upendekeze-ungependa sheria ifanye nini?

Munene: Sasa (interjection)

Com. Githu: Umesema yale yote ambayo ni mabaya tumesikiliza tumeelewa sasa tueleze ungependa sheria ifanye nini na nini na nini?

Munene: Haya, kwa upande wangu ningependa ile Katiba itakayoundwa iangalie upande wa sheria sana. Sheria kila Mwanakenya, kila nani - mkubwa, mdogo wawe chini ya sheria. Hata viongozi. Kwa upande wa grabbers, na tribalism kila kitu, itakuwa imepangwa na committee ya Bunge ile itachaguliwa.

Com. Githu: Very good. Endelea.

Munene: Ok. Another thing hospitali. Kweli, mtu mmoja akiwa mgonjwa hapa, akienda kwa ile hospitali nani atapata dawa? Asubuhi nilikuwa kwa hospitali, nilikuwa naumwa na kichwa. Nilienda, nilikosa dawa nikaandikwa “enda ukanunue dawa” Naenda kununua dawa wapi? Na ile ndiyo hospitali nina-expect kupata dawa. (interjection)

Com. Githu: Pendekeza tu. Tumekuelewa, tumejua hiyo shida yote, sema unataka Katiba isema hospitali iendeshwe kwa njia gani?

Munene: Ningetaka ile Katiba itakayotengenezwa, iangalie upande wa mahospitali kwa sababu dawa inajulikana kuwa madaktari wameandikwa wa kupeana dawa lakini dawa hakuna na wanapata mshahara tu na wagonjwa hawapati dawa. Kwani wameandikwa kufanya kazi gani? Hiyo Katiba iangaliwe.

Com. Githu: Asante.

Munene: The other thing, my last point. Kwa serikali, ile Katiba itakayokuja iangalie kuwa kila mtu, mtu ambaye amesoma, hajasoma ako serikalini, tajiri, mbunge ama nani iangalie kila mtu wajaribu ku-equalize kila mtu. Ajue wewe umesoma, kuna watu kumi wamesoma, katika serikali tuko na nafasi kumi ya watu wa experience fulani, Engineering iko hivi, hivi, lakini wewe badala ya kuangalia wale wamesoma uwaweke hapo, wanaenda kuleta ndugu zao, rafiki zao- hata kama ni illiterate hawataki kujua wanawafix wapi? Hapo. Itatengenezwe namna gani? Hiyo katiba iyangalie. Haya. Thanks.

Com. Githu: Asante sana. Sasa tutamsikiza Bw. Peter Rutere. Yuko hapa Rutere? Peter Rutere atafuatwa na Lawrence Marete dakika tatu tafadhali. Kwa mukhtasari tu.

Rutere: Mimi naitwa Peter Rutere. Mimi niko na mambo machache ambayo ningetaka Katiba irekebishe. Serikali itakayo kuja, Katiba ibadilishwe. Kwanza, ningetaka kama minister wa misitu, ako na powers nyingi ambazo hazifai, ako na powers za kukata misitu na kugazette wala ha-consult wale wananchi walio karibu na misitu. Ningeomba, Katiba itakayokuja, ipunguze hizo powers za Minister. Wananchi wa areas hizo wawe consulted na community yenyewe, iwe ikiangalia masilahi ya watu wasio na mashamba.

Jambo la pili, hapo mbeleni wakati tulikuja kwa settlement kama hii, tulikuwa wa tukiambiwa na Wazungu wale wako na mashamba kubwa kubwa, wataachwa na acre kama mia tano 'PI' za nyumba. Sasa kuna Wazungu ambao wamekalia mashamba makubwa kubwa, tatu, nne, tano tungeomba Katiba itakayo kuja, wale wako na mashamba makubwa kubwa, wawachwe na 'PI' wauze hayo mashamba mengine kwa wale watu maskini.

Number tatu, serikali itakayo kuja hatungetaka kuwe na monuments hizi zinawekwa za kumaliza pesa. Ukienda Meru pale, unakuta monument imenjengwa na wananchi wako na taabu; monument hizo, ningepuliza serikali itakayo kuja, hizo vitu visiwe vikiendelea katika Kenya hii.

Pia mambo ya pesa unaona President akija anabadilisha pesa kwa kichwa yake. Tungetaka pesa zile tuko nazo, Kenya wakati mwingine serikali ingine ikija, pesa sisiwe zikiwa na picha ya kichwa cha mtu.

Jambo lingine, DDC yetu ningeomba wakati mwingine wakati wa kubadirisha Katiba, DDC zetu sisiwe zikienda katika district, zirudi katika division. Maanake, wakati mwingine tunaenda, tunapatiwa mambo na donors, tukipatiwa na donors unasikia DDC

inauliza ya district, ‘hii mambo ilipitia katika district’? Kwa hivyo tunauliza hayo mambo DDC zirudi katika division.

La mwisho, ni hizi appointees za President. Appointees za President unasikia ana misuse pesa. Anakuwa na powers nyingi za kuteua tume, mara unasikia tume yakufuata hiki, tume ya kufuata watu wamechomeka, na hizo tume ni za kukula pesa. Serikali ingine ikija, tunaomba Katiba ibadirishwe kusiwe na appointees nyingi za kuharibu pesa za umma.

Com. Githu: Asante sana Bw. Rutere. Lawrence Marete.

Marete: Thank you everyone. Well, my name is Marete. I would like to air my views first in relationship with our sitting MPs, the way they are handling matters related to their salaries. As everyone here knows, Kenya is running on a very bad parallel economy crisis.

Our MPs are the ones who are supposed to look, understand and direct everyone in Kenya as to how this and that should be handled, per the economic stability. Recently they awarded themselves a salary package of about half a million. And when the checks and balances are looked upon, you find that in their salary, the percentage which is taxed is only 10,000. Now the question remains, really, those people whom we have elected to go and represent us, to go and argue for us in Parliament so that we can fight poverty, are they really doing it? To me the answer is no. And on this, I will suggest the government to create an independent body, or an independent organ to look upon or rather to be reviewing the MP’s salaries. In my view that group or organ, or commision should not elect an MP to be a member of the committee.

Another factor that I would like to look upon in relationship to our MPs is that once we elect them and they enter Parliament, I am sure, none of them remembers who really made them or really who made there way to Parliament. They go to Nairobi and they forget what really matters for them to be in Parliament. I would like in every constituency, if it is possible, to have an organ that will be balancing what they are doing, where they are assisting, where they are not assisting and when if anything confirms that everything is negative then, the government can create a means by which the MP can be questionable.

Point two. In Kenya today thuggery robbery broad light robbery – banks, individuals robbing, beating by thugs has become a daily occurrence. You can’t figure whom to relate with thuggery either you, the police force or the government because we are all one. But then, the person who is blamed for everything that goes wrong here is the police officer who is in the station or who is not in the station. Who is in uniform or who is not in uniform. What makes it happen? Why is thuggery so rampant in Kenya today?

In my view, I believe its all related to poverty. And when you talk of poverty you are taking of so many factors that relate to one becoming poor of which the government, is it assisting? Yes, it is I can’t say it’s not - it is. The little the government is doing to curb poverty is not adequate. And that is why you find that because of the poor community in Kenya today, those who are robbing others want to justify that the government is not doing this for us, the government is doing that for us, and at the

end of the day, you just find that unangojewa pale njiani, unanyang'anywa vitu vyako unaenda kwa polisi to report (interjection).

Com. Githu: Conditions please Mr. Marete specific recommendations what do you want in the Constitution?

Marete: I am coming to that, Sir.

Com. Githu: But you understand that we have 160 people, Sir, so we need to move forward.

Marete: Well, on that my point is, how can the government assist to minimize or rather to end these day light robberies and thuggery? I believe it should start with the police force there. The police officer in Kenya today is not fully equipped enough to fight a thug who has a bigger gun, who has a bigger room because when a thug starts shooting he doesn't discriminate whom to shoot. So my point is this, the government should equip the police force with good training. They should be equipped with good arms and the relationship between the police and the public should be brought to an upper understanding. That is, the public should be made not to fear the police as they do today. And that is why mtu anafanyiwa makosa hapa anashindwa kupiga report kwa polisi.

So the government should train the police officers in public relations so that the public could be able to give information there without fearing to be intimidated. Education in Kenya today, I believe, is what everybody believes in today. And to my understanding, it is as if, for one to secure a place in the university he should be above average-almost to be genius today, for one to secure a place in the university. And we are not all genius. The few universities we have in Kenya today are catering or rather, they are taking not even a quarter of those who have done the Form 4 examination. I would like the government to give each province if possible – on administration basis, a room to create their own university because the government brought a quota system of education I can't find the reason why the government can't even bring the quota system of university education.

So, I would suggest the government to look on that or rather the coming government to look on that so that as we have secondary schools from the locations, we have universities on provincial basis.

Agriculture: As everybody knows here the backbone of the Kenyan economy is agriculture. Na hivi majuzi the government liberalised through what you call COMESA, for countries who are COMESA members to export (interjection).

Com. Lethome.... (inaudible) just give recommendations.

Marete: I'll recommend that the coming government should not to liberalise anything related to agricultural sector for a very simple reason that these days you find that we get foods from South Africa....

Com. Lethome: Interjection. (inaudible).

Marete: Thank you. Medical. Kenyans are poor and I would like to recommend that the coming government that since it promised since independence that it will cater for education and medical - on medical, very few Kenyans can attend to their medical needs today. That's the field I would like the government to check and balance on. Thank you very much.

Com. Githu: Thank you very much Mr. Marete. Reuben Munene. Umezungunza tayari? Uko wapi Bw. Munene? Hayuko. Patrick Bundi, Koome Marangu. Sema jina lako.

Com. Githu: Endelea. Sema jina lako.

Marangu: Jina langu ni Koome Marangu kutoka Timau. Jambo ambalo ningetaka kuongea kuhusu Katiba ni ya kwamba, President asipewe powers, yaani asipewe powers za ku-appoint civil servants juu hapa tunaona akipewa hizo powers anaenda ku-appoint watu wale ambao anajua wataenda kama- favour. Hapa tunasema civil servants kama ni kwa kila ministries, iwe head of departments ama ministries wanakuwa elected na officials kutoka kwa sub-branch ama kwa grassroot level. Wawe appointed na ma-delegate, members of the board na other agents.

Jambo lingine ningetaka kuongea kama mnavyjojua huku tuna depend kwa kilimo. Yaani kilimo ndicho uti wa mgongo. Lakini tunaona Katiba haihusisi mkulima "tewe wala sikio". Hatuoni Katiba mahali inasema hapa mkulima hafai kulipa kiwango namna cha riba. Unakuta vitu zote mkulima anatumia kama ni ferlizers, madawa hizi vitu zote analipa taxation nyingi. Hapa tunaona katiba inafaa kumuhusisha mkulima. Halafu hata soko, Katiba iongee soko ya mkulima inaweza aje kupanuliwa.

Com. Githu: (interjection) Pendekeza ndugu. Kwa hivyo unapendekeza nini?

Marangu: Napendekeza, Katiba iwe inahusisha mkulima. Halafu jambo lingine kuna hapa sisi tuna-elect Member of Parliament. Tukisha mu-elect akienda huko Bunge, tutamwona after 5 years ndiyo anakuja kuomba kura tena. Hatuoni service yake. Ndiyo naomba Katiba ipee wananchi nguvu vile wanaweza kumtoa huyu mwana bunge. Halafu awe kwa kila wiki, anakuja siku mbili kwa constituency yake. Halafu siku tatu, ako kwa bunge. Sio ati anaenda Nairobi huko kuanzisha biashara hatukumchagulia hilo jambo.

Halafu jambo lingine, ni kutoajiriwa kwa vijana na Katiba ihusishe vijana kujenga nchi. Halafu tunasikia vijana ndiyo viongozi wa kesho. Tutaongoza je kesho kama katiba haituhusishi kwa uongozi tutaongoza aje?

Com. Githu: Pendekeza sasa.

Marangu: Sasa napendekeza Katiba iwe na kipengele ambacho kinatoa kwa ufafanusi vijana wanafaa kuhusika aje kimaendeleo.

Jambo lingine kama mnavyo jua huku Timau kuna kampuni nyingi hizi za ukulima, hizi za multinational enterprises, hizi za kilimo tuseme matunda ama french beans. Huku tunaona management, ama watu wanaongoza hizo companies ni foreigners - watu kutoka nje. Na sio ati huku Kenya hatuna watu wangepanya hiyo kazi. Halafu wafanyi kazi wananyanyaswa na hakuna good working terms. Hawalipwi mshahara vizuri. Kwa hivyo, tunaonelea Katiba iangalie haya maswala.

Halafu swala lingine, tunaonelea Rais asiwe na uwezo wa kuchagua Electoral commission. Na kuwe parliamentarians ndiyo wawe wana elect hawa electoral commissioners. Ni hayo tu niko nayo.

Com. Githu: Asante sana. Stanley Mburugo.

Mburugo: Asante. Maoni yangu kuhusu Katiba ni kama yafuatayo. Mahali hapa tunakaa Timau, ni mahali pa settlement area, ambayo ilikuwa ya Wazungu. Na ikiwa ya Wazungu, half yake ni ile ile tu inakaliwa na Wazungu, na Wazungu wale wale, ni wale walikuwa retired wakapewe asante na serikali zao. Serikali yetu ya Kenya, katika Katiba tuliyo nayo, haijalingilia mashamba kama haya. Unaona inasema square kilometers ya ma acre yake. Katika Katiba ya sasa, tunaomba hayo mashamba yatambulikane kwa wananchi wa Kenya, wazungu hawa waachiwe 1/3, 2/3 ipewe wananchi wa Kenya. Tunao wale retired kama hawa waliopigania uhuru wa Kenya na wale ambao ni landless katika Kenya. Na hawa ndiyo serikali ya Kenya katika Katiba hii, iwatabue wapewe ili wasiwe hawana mashamba.

Lingine, area hii tuko ni mchanganyiko maalum ya tribes zote za Kenya, na ikiwa ni mahali ya tribes zote za Kenya, katika Katiba, tunaomba kuwa area ambao settlement zimeuwa ziwe zinapewa katika Katiba priority, wawe na Mbunge. Kama hapa tuko Timau division, tuko kama voters 20,000. Na katika constituency tuko, iko na 90,000. Kwa hivyo 70,000 iko upande ule mwingine na hapo unakuta tunaruka inakuwa hivyo. Kama Timau hapa iwe sasa ni mahali ikubaliwe katika Katiba kama settlement kama hizi ziwe na priority wakati wa kutambulikana kwa sehemu ya ubunge Timau na area zingine kama hizi katika Katiba ionyeshe ya kwamba zimekubaliwa katika Katiba ziwe na Mbunge wao.

Kingine, kama hapa kuna njia zingine imekuwa introduction ya colonialism again. Timau hapa tuko, kuna mahali pengine ambao si Mwanakenya anauziwa mashamba - kwa sababu watu wana pesa. Kwa njia ya “come and invest in Kenya”. Ikiwa ni “come and invest in Kenya”, hii imeingiza ukoloni mwingine. Katiba iwe inazuia mtu mwingine asiye Mwanakenya, asipate nafasi ya kuwa na shamba Kenya hii.

Mali ingine, ni kama area ya settlement. Area ya settlement, PS amekuwa na nguvu nyingi sana ambao anaweza kunyakua shamba ya mtu, inapewa mtu mwingine regardless ya yale maendeleo amefanya katika shamba hiyo. Na inakuwa katika settlement anabakisha kama shilingi kama hamsini na development amefanya ni millions and millions za pesa ya development yake asije akatolewa. Katika Katiba hii, wale wamekuwa settled wawe wanaheshimiwa hata familia hiyo ipewe nafasi ya kulipa hicho kimebaki. Hii imekuwa kama kampuni ya kuuza magari mtu akiwa na elfu mia moja ya milioni kumi, inaenda shamba ya mtu inaenda. (interjection)

Com. Githu: Hapo tumeelewa tafadhali songa mbele.

Mburugo: Ok. Asante. Mahali ingine ni kwa mashule yetu. Title deed iwe ni kitu ya mhimu shule ambazo ziko area au institutions – public institutions ziwe zikipatiwa title deeds free of charge kwa sababu wakaaji wa kule wamelipa huko. Na kwa hivyo, title deeds ziwe zinapeanwa mashule kusiwe na unyakuaji wa shule. Mahali ingine ni misitu powers inyimwe Minister. Kama kuna kupeana mashamba katika misitu iwe through Act of parliament sio minister au mtu mwingine awe anapeana misitu. Mashamba iwe inaangaliwa kulingana na Act of Parliament. Nchi hii tunaambiwa economy yetu ni mbaya, kile kilioko ni Katiba haitambui maneno mengine mazuri kwa wananchi kama maji serikali ikiangalia ione kila mji uko na maji kwa sababu tuko na lakes, na rivers, tuko na boreholes. Na hii ingine katika Katiba yetu, ikiwa serikali imetambua umuhimu wa maji, na maji yawe yanatambazwa kila mahali, kutakuwa economy yetu inasaidika. Na kwa hivyo tunataka Katiba hii ionyeshe ya kwamba, maji ni kitu cha muhimu na kila Mwanakenya awe na maji, yule yuko katika rural areas. Pia, stima ni asset mzuri na Katiba hii isiwe inaiwekwa powers and lighting kwa private sector, iwe ndani ya Katiba kuwa Kenya Power & Lighting - mwangaza au stima iwe ni ya serikali na inapatia kila Mwanakenya stima, na stima hizi, ziwe ndiyo economy yetu itainuka-kama hii imekuwa asset katika sheria zetu za Kenya.

Communications- Vile watu wana mawasiliano. Kama mawasiliano imefika kila kijiji, hata wizi na kila kitu haitakuwepo. Kwa hivyo, Katiba itambue mawasiliano - communications kwa kila pahali.

Registration of persons; tunasema katika Katiba mtu akiwa amezaliwa kuna kuwa na maneno mengi – unakuwa na certificate of birth, driving licence, PIN na maneno mengine. Hapo ndiko kunakuwa na maneno mengi na magendo nyingi. Kama mtu amezaliwa inatajikana awe registered na akiwa registered, hiyo registration ndio inatajikana iwe kama kitambulisho mtu huyu akipata passport inaonyeshwa kwa hivyo registration kuwa amepata hiyo ama cheti chochote kile kwa maana huyu mtu ni huyu huyu Mwanakenya na wengine kutoka nje hawatakuwa. Kwa hivyo registration of persons ianzie siku mtu amezaliwa.

Kingine ni kutambulikana kwa property ya kila mtu. Mwanakenya mahala atapokuwa achungiwe vitu vyake katika jamhuri ya Kenya au nje ya Kenya hata kama ni hizi zingine serikali katika Katiba iwe inachunga mwanachi wa Kenya mahali popote atakapokuwa na property yake katika nchi yoyote kama ni mwananchi wa Kenya. Katiba hii iwe inatambua mwananchi wa Kenya na vitu vyake pahali popote aliko.

Nyingine ni katika local authority: Mayor na Chairman wa county councils, hawa wawe wanachaguliwa na wananchi. Wananchi wawe ndiyo watakuwa wakiwachagua. Na hii itakuwa kitu ya muhimu. Na pia, katika counties zinataka vile vile zitambuliwe katika Katiba. Vitu vile vinakuwa katika counties viwe vinatambulikana na wale watasimamia wawe wanasimamia hizo vitu katika county zao, katiba iwe serious. Isiwe kwamba mtu wa kahawa ndiye anaenda kule kwa samaki kusimamia na hajui samaki iko namna gani. Mtu wa kule kwa samaki anaingia katika county planning kusimamia kahawa na hajui maneno ta kahawa ni nini.

Com. Githu: Pendekezo, pendekeza tafadhali na wakati wako umekwisha, tafadhali Bw. Mburugo. Fanya kwa mukhtasari.

Mburugo: Niko karibu kumaliza, naingia kwa education. Elimu iwe ya kila mtu. Kama Katiba hii, education inasemwa ni free education, iwe kutoka primary mapaka secondary ili mwananchi wa Kenya yoyote awe anasoma. Akifika university apewe soft loans ili awe anaendelea na masomo. Kwa hivyo, masomo isije ikawa ni ya bure- na vitu vile vinatakikana serikali lone ya kwamba kama ni library, kama ni kitu kinahitajika kule mashule, ili watoto wetu wawe wanasoma.. Asante. Nimefupisha tu.

Com. Githu: Asante sana Bw. Mburugo Wilson Riungu. Bw. Riungu ujaribu tafadhali, na utueleze kwa mukhtasari tu.

Riungu: Asante jina langu ni Wilson Riungu. Mimi nitaingia kwa mapendekezo. Siwezi ku-expect nitakuwa na county council mzuri ikiwa sitamchagua Mayor na Clerk wake. Na si-expect kuma nitakuwa na Mbunge mzuri kama mbunge wangu atakaa miaka tano nikiwa sijamuona katika constituency. Iwekwe kwamba ninaulizwa maoni yangu mkitaka nimuondue. Kwa hivyo, maoni yangu haikuwa mengi ni hayo tu. Asante.

Com. Githu: Asante sana. Tafadhali wananchi tufuate example ya huyo mzee. Mwalimu Mrs. Miriti. Ok could we we have Mr. Julius Gichuru, Martin Mugambi yuko hapa? Asante Bw. Mugambi.

Mugambi: Asanteni. Majina yangu ni Martin Mugambi kutoka Timau. Mambo yangu ni mafupi. Kwanza ningependa kusisitiza Katiba iyangalie elimu. Elimu ya wasichana ni duni sana. Kila wakati tunasikia 50% ya wasichana drop out. Kwa nini? Tunataka competition. Sisi wanaume si eti sisi ni werevu kushinda hawa wasichana. Tunataka pia watupatie competition. Kwa hivyo hii ina-render to inferiority of women, so ningetaka katiba iyangalie mambo ya wanawake.

Com. Githu: Asante songa mbele.

Mugambi: Jambo la pili. Haduma ya afya. Kila wakati tunasikia madawa yameimbwa. Ukienda pale hospitali unaandikiwa dawa. Pale unaenda kununua hiyo dawa ni chemist ya huyo daktari ambaye amekwandikia hiyo danwa. Kwa hivyo, ningependa Katiba iyangalie mambo ya afya.

Jambo la tatu, ni security. Security ya Kenya imekuwa bure kabisa. Kila wakati tunasikia, thugs, gangsters, cattle rustlers. Na ukienda pale kwa police station, unaambiwa “toa kitu kidogo”. Kitu kidogo ya nini? Why can't we be good citizens to mind about the welfare of others.

Com. Githu: Pendekeza, pendekeza.

Mugambi: Ningependa Katiba iangalie jambo hilo. Jambo la nne, ni kumchagua mjumbe. Tukimchagua mjumbe tunapitia njia mrefu, ya nini hiyo yote? Kwa hivyo ningependa Katiba iangalie jambo ya Rais kumchagua mjumbe. Sisi wananchi ndiyo tunamchagua huyo mjumbe si Rais. Kwa hivyo, we need freedom and liberty to choose our leaders. Asanteni.

Com. Githu: Asante sana. Kenneth Marete. Sorry, Bw. Kithinji Marete. Asante.

Kithinji: Thank you so much wanakamati wa Tume, wananchi wenzangu asanteni kwa huu muda ambao tumeona tukutane ndio tufanye hii kazi. I will be very brief. Defence and Security: The disciplined forces should be established by Constitution and not as a preserve of the President as it is today. Parliament should play a role in the appointment of the Commander-in-chief of the armed forces, and not where the President is the one who appoints in everything.

Currently, there is little to be desired from the operations and maintenance of the security in country. Especially I want to mention something to do with traffic department. I would propose we have a separate office that we can be reporting all our grievances to unlike where we have everybody talking about kitu kidogo na kama you have any complaint una report kwa yule yule police ambaye amekufanyia haya madhara. Pengine tukiwa na serikali ambayo iko established in our new Constitution, ambayo inasema incase you have any complaint about any civil servant, any officer munaenda kurepoti kwa ofisi fulani. Nafikiri hilo litakuwa wazo nzuri.

We need also to have powers to invoke the powers of emergency, removed from the presidency and vested in parliament.

Political parties. The Constitution should regulate the formation and management of the political parties in this country. This can be done by giving citizens an opportunity to register in the existing parties and then we zero out the percentage we want for every political party to have, then we face out the others. By this I want to propose that we can have a maximum of 4 to 5 political parties that will be funded from tax got from the exchequer. The other parties or the other members of the other parties should dissolve and join those parties that will get those requirements.

Ninaenda briefly because I have put all recommendations together. Lakini kwa vyama nimesema tuwe na vyama vya siasa vitatu ama vitano. Wananchi wapewe nafasi ya ku-register kwa hizo vyama. Yule anaona hiki hakifai anaenda kile. Vile

tutabaki navyo a percentage ipatikane then the others wa dissolve tuwe na 3 or 4 or 5 political parties.

Structure or system of government in Kenya: In Kenya, we should have a system where the head of government is a Prime Minister and we have a ceremonial President. Currently the President has no time for the government issues; even when in parliament, he performs only ceremonial functions. Mostly we have ceremonies that end up taking most of his time as a party stalwart rather than the Head of the Government. Powers and functions of each should be enshrined in the Constitution. This shall also make our parliamentarians take their work seriously. Currently, parliament isn't a proper House of Legislature but it has been watered down just to a rubber stamp.

The level of education of our MPs should also be spelled out in our new Constitution. We should have only graduates in various fields. The most suitable form of government for Kenya today - I have mentioned this, we should have a federal government. What do I mean by a federal government? Serikali ya majimbo ambapo, we should sit down as a people, we redefine our regions in a more palatable manner and not necessarily on tribal issues.

I am proposing we have seven jimbo or regions, each region will have its legislature, ama kila sehemu iwe na parliament yao. We should also do away with provinces and replace them with autonomous regions with their legislature and executives. Kama ni jimbo ambayo tutaita Eastern, iwe iko na serikali yake, parliament yake, we devolve power from Nairobi to the regions. Local authorities should be maintained but with representatives in the Regional Assembly. This shall make it more efficient for resource allocation from the grassroots and also from the central government.

The Provincial Administration is not currently playing its role effectively and therefore, this I mean, they are busy collecting wealth from their various posting stations and especially now that they know they are passing by,, they don't have the interest of the people they are serving - not all of them...

Com. Githu: Recommendations.

Githinji: Here I want to recommend people electing their own people to represent them and we do away with provincial administration. Because today one is in Kisumu, Meru and the other place so they are not serious with the work they are doing (interjection)

Com. Githu: Next? we have heard that recommendation next please.

Kithinji: Legislature: We should maintain just one supreme law making body in Kenya. What we urgently need today is to change our appointing system. We have a good calibre of MPs, by this I mean educated ones, and there is room for everybody to climb the ladder today in education through the parallel education. I am almost finishing.

People with charisma and appropriate educational background should be our leaders. University education today is available to our old people through parallel education so those who aspire to be leaders can have time to learn and also make themselves good leaders for our country. Currently Members of Parliament are mere rubber stamps because some of them do not know how to read and write. By this, I am proposing we have mandatory education for our sitting MPs.

Parliament should not be a part-time job but a full time job we should have Members in session throughout the year with their offices in their constituencies with a set term of service ambayo sisi kama wananchi tunatalajia - wewe ukiingia huko hii kazi utafanya hii utafanya. Hiyo ni kazi ambayo utafanya throughout. Appointing and sacking of various key positions should be done through parliament, through vetting.

Com. Githu: The last bit.

Kithinji: The concept of nominated MPs should be retained in our new Constitution, but with appointment of people who represent special groups. Currently, the President appoints those who suit him if he feels you are here you are just appointed. But now I am proposing this; we have people - the disabled being one of the groups, labour movements we have the civil service, the TSC and the others. Farmers – livestock farmers also have their interests, so they need somebody to take care of interests, wafanyi, biashara na wale wako na various industries should also have their representatives in parliament. So these are the only kind of nominations I want to propose for parliament in our new constitution.

Constituency boundaries should have a minimum population for them to be created. Not where one has 10 thousand people, the other one has 150 members and all of them doing the same job, paid the same amount of money - the millions that we are always talking about. Political parties should appoint its presidential candidate and his running mate during election. Hapa nina propose ya kwamba, President kama tunachagua wa chama fulani atumie “mimi ndiye nitakuwa President, Makamu wangu atakuwa huyu”. Kwa hivyo tupigieni kura kama chama chetu not where the Vice President is just a stooge just doing the work he is given by somebody. So iwe kwa Constitution namna hiyo.

Tatu, concept of free education should be enacted in the Constitution. Resources to run schools should be allocated from the budget, issues of chalk, textbooks, exercise books watchmen, school development should all be taken care of in our new constitution.

Com. Githu: We have got that mention; Please next.

Kithinji: Ok. The next and the last one, Children rights; Children rights should be enshrined in our Constitution. As we encourage family planning, we should also as a country think of if it is palatable, we have a policy where we have a maximum number of children. May be we shall propose, if possible, 5 maximum (noise in the background). I am proposing in our new Constitution what we can have - a maximum may be of 5, despite the large number of resources that we have.

And the last one, Sir, is our currency. Our currency should not have the portrait of the President but rather, we put key features like Mt. Kenya, Lake Nakuru, our wild animals which will make it more economical for our country. (interjection)

Com. Githu: Point taken.

Kithinji: Lastly, Sir, we can do something in our Constitution; that is, the process of training Kenya to be good learners ili tukitengeneza Katiba isiwe inawekwa tu kwa shelves. I propose that in all the locations, we have public libraries that will be manned by the government and this will take care of our people in keeping themselves abreast with what we have made. Thank you and may God bless you as you continue doing this work.

Com.Githu: Thank you very much; it looks like you took longer than the time you were allocated but that is ok for now. Sall we have Sheikh Ibrahim.

Sheikh: Mimi naitwa Sheikh Ibrahim kutoka Makutano au Meru, na ni member ya 3Cs katika hii North Imenti. Maoni yangu ningezungumza juu ya freedom of worship nikisema hivi; kuna malalamishi mengi yanakuja kwamba kuna watu wanafanya kazi ofisini au sehemu fulani na ikifika wakati wa maombi, labda ni kazi ya kubadilishana of duties imefika wakati wake wa kufanya ibaada au maombi akitaka kufanya maombi yake, anaambiwa “wewe uko kwa kazi”. Kwa hivyo kwa hii Katiba ambayo inaendaelea kutengenezwa, iwe kuna uhuru wa zaidi.

Halafu kwa upande mwingine mostly Fridays, students should be having freedom of worship by giving them time to go to Mosques. On the other hand, girls in schools should be wearing long dresses as Muslims do or teach. Tukisema hivyo, kuna wanafunzi wengine pia wanavaaa nguo zingine kama hizi wanaita miniskirts na hii hatujui upande mwingine, lakini katika Uislam iko prohibited. Hiyo kitu imekatazwa. Na katika mila ya Waafrika pia, nafikiri hiyo haifai. Kwa hivyo iwe ni kitu ya lazima katika hiyo Katiba.

Com. Githu: Haya.

Sheikh: Ya pili, ni yaani uhuru au democracy. Waislam iwe ni kufuata Koran, the holy Koran na Hadith means, the word of Prophet - peace be upon him. Iwe ni lazima. Tukiangalia upande mwingine ni judiciary yaani Chief Kadhi. Huyu Chief Kadhi to have the same power with the Chief Justice. If Chief Kadhi fails to have the same power with the Chief Justice, who will help

us on our side we Muslims? They do not have equal power. So we would like equal power in all sides.

Halafu upande mwingine ni upande wa national holidays au hizi likizo Muslim holidays should be public, yaani holidays za Waislam iwe public. It seems that there are some holidays here in Kenya that are considered most beneficial than others. Holidays like Labour day, Moi day Kenyatta day (interjection).

Com. Githu: Sheikh, umependekeza tumeelewa holiday za Kiislam ziwekwe kwa Katiba next?

Sheikh: Holiday za Kiislam ziwekwe kwa Katiba kama hii Iddu-al-hur. Yaani hiyo ni Idd kubwa, iwe ni lazima kila Waislam au wasio kuwa Waislam pia, washerekee na iwe siku hiyo ni public holiday ili ijulikane Kenya.

Ya mwisho kabisa, Muslims au Waislam lazima wawe na freedom to mobilize their religion anywehre in Kenya, without any permission or permit from any government office. Thank you.

Com. Githu: Thank you very much Sheikh. Tumesikiliza Bw. Hudson Njuguna. Hayuko. Wanafunzi wa shule ya our Lady of Visitation. Freda Karimi, Grace Miriti, Tabitha Kagwiria muko tiyari? Are you ready? Ok can you all come there two minutes, two minutes each of you.

Grace: Thank you very much. My names are Grace Miriti from Our Lady of Visitation. I am ready to represent our school. My first point, I would like to recommend about our home areas that is Timau. You find that we have no factories and Jua kali industries and I recommend that we be**End of tape 3 side A.**

Grace Miriti: The next point, is about the teachers that are in public schools or even in the private schools should be given house allowances apart from the salaries they are paid.

Next point is about the science teachers. For example the chemistry teachers, biology teachers and the maths teachers, I recommend that they be added some allowances-that is, the salary they are paid be increased because those subjects are very hard and they are mostly needed in our country for the development of our country. You find that, a subject such as mathematics is very much needed in our country and most people can't get a job without it.

Then I would also like to recommend about the road transport where you find that the roads have become very bad and there are many cases of accidents. For example, the road here from Mia Moja to Komomero, the road there is very bad and the drivers there go competing with one another, each wanting to pass and road accidents can occur there and people can die. So, I recommend that the constitution should compel to concerned persons in this area, that is the Ministry of Works, to at least do something on our roads to reduce the accidents that are happening in our country.

Then also on the traffic police. You find that most of the traffic police wake up very early in the morning to come and stand by the roads and when they are there you will see a car will come then they will ask for a bribe “wewe toa shilingi ishirini hakuna kupita. Kama hujatoa twenty bob wewe hupiti”. But then if the vehicle is not overloaded and may be by mistake the Makanga after allowing passengers in is still hanging outside the vehicle, the traffic police will stop the vehicle and will book the Makanga and charge him in court. So, I recommend that the traffic police should stop this habit and this has to be put in the constitution.

Then also, I would like to talk about the schools. For example you find that most of the schools are not having computers and you find that this is a country that is developing. We need youth that know well what is going on in the world. For example, if you are in a the school that does not have computers once you go outside you cant even get a chance to compete with the people who know much about the computer. So I recommend that the government to at least do something like giving the schools some computers to enhance on the sciences and also the improvement of our country so that when the youths go outside they can get a chance at least to improve on some of these areas.

Then, I would also like to talk about the ID cards. You find that most students nowadays they get them in schools. But when outside you can't get an ID card without passing through the sub-chief, the chief and other people. And once you pass through those people you have to pay some amount of money and even others you have to bribe them so that at least you can get an ID. I recommend that we should get ID cards the way we get election. Those are my recommendations thank you.

Freda: Thank you very much, my name is Freda Makena. My first point I would like to say that the government should consider the payment of teachers. This is because, I think that teachers are the most important people in our country, because if it were not for teachers we couldn't even be having the President. So, the teachers' salaries should be looked into by the government.

My second point, soldiers or police should take time before taking actions. This is for instance where there is robbery somewhere and the police go there even without thinking, they start shooting people, slapping them even the innocent people. So the government should look into that.

Then my third point, government schools should reduce school fees. This is because in government schools, teachers are paid by the government so I don't see the need of paying a lot of fees and most of the people in our country cannot afford that fees.

Then my fourth point, more colleges and universities should be set up. That is because we have many secondary schools and pupils they are doing well, but after they complete their school, they do not place in those universities or those colleges and of course, if they fail to get places in those universities they cant go any further. They become useless people. So, I think, the government should check on that.

There is much bribery in our country and that is why people are not getting positions in jobs, because everywhere you go, you are just asked to give a little amount. I think also that the government should check on that. Thank you.

Doreen: Thanks once more. My names are Doreen and I propose that the Constitution should set standards for children's wellbeing, e.g. survival rights. Development rights that is the second point, the development right. Children should have access to education skills training, rest, recreation, informations, parental care and social security.

The third point, protection right. Legal and social provision to protect children from exploitation, drug abuse, sexual abuse and cruelty. I would give an example here. You see that most of the students or the children in the cases of employment aspect, you see that some are just being exploited. We see that the kind of preparation in a family in case of divorce, the children will just lose their education when the parents, separate – they are not able to continue with their education.

Onto my fourth point, participation rights: Children should be elected or allowed to have that participation right, opportunities and means given to children to express their opinion on matters relating to their life such as freedom to worship, access to information about oneself and freedom to give evidence where applicable.

The other thing is that I would like to propose that the Constitution should check on exploitation of children. You see that they are children below 20 years who are employed either as housegirls, shamba boys and as a result you see that most of the children end up not attending school.

The other thing is that, I would like the Constitution through this system of education - you see that in some families where there is one sick person - as you know, that the whole country is affected by AIDS and we all know that there is no cure. If one parent dies the children are left lonely, there is no one to take care of them and we see that as a result of that they are not able to get the little education - that of primary! Now, I would like to emphasize that at least the government looks into their education so that they could get primary education and for the secondary, they reduce the fees. Thank you.

Com. Githu: Thank you very much. Is Mr. Magachu from the same school? Ooh there is another lady. Please

Tabitha: Thank you. My name is Tabitha Mungaria. I would like the Constitution of Kenya to look into these points and to fulfill for us. My first point; the concept of nominated MPs should be abolished. This is why we find that our people the ones that finish school are at home. Some have Bs, As and yet they do not have anywhere to go and work, yet there are some people old men in the Parliament who are still doing that work. So, they are supposed to give those people who are at home a chance to practice their talent.

Com. Lethome: What do you mean .. (inaudible)

Tabitha: I would recommend that the maximum age of an MP to be 55 years of age. Yes 55 and not more than 55 (clapping).
My second point the President's minimum age should be 50 years maximum 55 years no more no less, please. (laughter)
(interjection)

Com. Lethome: inaudible

Tabitha: No, I am saying that if you are nominated as a Member of Parliament you will be there only if you are less than 55 years, then you to give the ones that are at home a chance to practice that talent.

Com. Lethome: At what age should the youth be allowed to go the Parliament?

Tabitha: 35 years of age.

Com. Lethome: inaudible

Tabitha: Yes, (laughter) and my second point, the President should have the power to dissolve the Parliament. This is where by flashbacking, in 1983 there was this event that occurred due to 1982 coup de tat which did not succeed. That is why I am saying that after 5 years, the President should have the powers to dissolve the parliament if the Members of Parliament pass a motion that there is no confidence in a certain member of parliament. For instance if we can go back to our places, there is corruption, there is social segregation due to these Members. Some of our MPs are giving us fake promises. They are telling us they are going to construct roads when they know that they are going to be elected next year. This promises are as old as the republic of Kenya because (interjection)

Com. Githu: Recommendation, recommendations. What would you recommend?

Tabitha I would like the President to dissolve the Parliament after 5 years.

Com. Lethome: You are saying that MPs give false promises when they go to the Parliament they don't fulfil...?

Tabitha: Yes, they don't fulfill. So they be giving us..

Com. Lethome: Hold on a minute. What would you do (inaudible)

Tabitha: They are supposed to be told to be transparent to their citizens, yes.

Com. Githu: And when should the President dissolve the Parliament- may be each day he is unhappy? he wakes up on the wrong side of the bed, he says today “I have dissolved the parliament” Or should there be reasons why he should dissolve parliament?

Tabitha: There should be reasons.

Com. Githu: Like?

Tabitha: Let’s say, like if the MPs are not transparent to their citizens then the President can dissolve the Parliament.

Com. Lethome: Do you want to dissolve the Parliament because of one reason like this?

Tabitha: Yes even that (laughter) On my third point, Mau mau fighters. I would like the Constitution to check on this - please. Wazee wale walitupigania uhuru. I would like the President to check on them because some of them they are not considered at all. Some of them are at home crying, they don’t have anywhere to go because they are exploited by people who didn’t fight for that independence. So ninataka wazee wale walitupigania uhuru waangaliwe tafadhali. Thank you. (clapping)

Com. Githu: Thank you very much. I think that is all from your school? Thank you very much you are not our future leaders, you are our leaders already, we will take your views very seriously. Samuel Mwangi, wananchi sasa Mr. Mwangi uko hapa? Na atafuatwa na Mr. Marangu Mutwiri na Geoffrey Mutungi. Kujeni hapa mbele mketi tayari. Fanya haraka haraka ndiyo tumalize.

Mwangi: Ok. Asante. Kwa majina ni Samuel Mwangi ningependa kuongea tu machache. Kwanza, mimi kile ningependa kwa Katiba, kuwe na equal distribution of resources to all political parties. Wapewe nafasi ama zile mechanism wakati wanafanya campaign. Pia, kuna hawa youth - mimi kama mmoja wao ambao tumemaliza masomo hatuna nafasi ya kazi, hatuna pahali ambako tunaweza enda kukaa tuko tu manyumbani. Ningependa Constitution iwekwe pahali ambapo pengine, watuambie tutakuwa tukifanya nini wakati ule tumemaliza shule tutakuwa tunafanya kazi gani.

Pia ningependa kusema Constitution - sisi tuko kwa viwango vingi; kuna wale wamesoma wengine hawajasoma, wengine hawakuenda shule kwa hivyo, iandikwe katika lugha zote za mama ambazo tuko nazo Kenya. Pia, tungependa kwa Constitution mimi nikiwa kijana mmoja tuwe na Ministry ambayo itashughulikia tu maneno ya vijana. Asante. (clapping)

Com. Githu: Asante. Songa mbele mzee.

Mutwiri: Asante sana. Mimi naitwa Mutwiri Marangu mimi ni mtetezi wa haki za vijana - Young peoples rights. Ninafanya kazi na international organization inayoitwa IPPF as a voluntary member. Kwa hivyo, kwanza tuanze na hoja ya vijana. Vijana

as the future leaders - nyinyi wazee mumetundanganya sana. Tuko na hii situation ya future leaders, future leaders ni lini? Kuwe na clause inasema specific time ya vijana kuongoza tuseme ni 18 years, ndiyo kijana anaaza kuongoza. Lakini future leaders ni nyinyi wazee. Unaona mtu anashika fimbo at the age of 80 years ndio anaambiwa wewe ni future leaders pia. Wewe ni future leaders. Kwa hivyo Katiba ishughulikie hii hoja kuwe na specific years vijana waaambiwe wanaanza kuongoza hapo.

Sasa tuangalie hii issue ingine ya democrasia. Democrasia inasema it's a country of people - democrasia ni nchi ama ni Katiba imetengenezwa na watu kutetea haki za watu. Sasa kama kuna clauses ama visiki vinazuia democrasia itekelezwe itaendelea aje? Democrasia itatekelezwa? Sasa kwa Katiba iwe inashughulikia, democrasia iwe inashughulikia hoja kusiwe na visiki vinazozuia Katiba kutekelezwa.

Tukiangalia hii issue ingine, kuna Constitution Review Commission -ni Commission kama zingine. Kutoka 1994, kuna Commission zilikuwa set. Kuna Commission ya kuchunguza juu ya kifo cha Ouko, kuna Commission Inquiry ya Bombolulu, kuna Constitutional Review Commission, sasa ndiyo na muuliza, hizi commission zote huwanga na rights na huwa na ile repoti wamepewa. Sasa sisi, how are we certain that our views today, zitafuka huu mto uko hapa?

Com. Githu: Pendekeza. Pendekeza

Mutwiri: Pendekezo ningeseema, hii elect Constitutional Review Commission isiwe inachaguliwa na President. It will favour the President and the views of the President. Sasa kuwe hivi Tume ichaguliwe ya kuangaliwa kuwa kweli zile hoja nyinyi mmetoa zimeangaliwa na zime, pendekwezwa na zinafuatiliwa. Asanteni sana.

Com. Githu: Asante, Geff.

Geoffrey: Mimi naitwa Geoffrey Mutungi Kabutu (interjection)

Com. Githu: Na ufanye tu mzee kwa mukhtasari, ndiyo utuachie maandishi.

Geoffrey: What I would like the next government to do we should have a parliamentary system of government whereby, the President proposes the people to hold the office and the parliament should veto - if those people do not meet the criteria of that job. The president should not be above the law. The judiciary in Kenya is so corrupt, in Kenya we should have a local court of wazees, based in locational levels to determine petty cases e.g. land disputes, domestic differences, minor thefts, and then wazees should be the retired civil servants of good character and other wazees who are selected by that particular community.

The land issue we have many squatters and many unutilized land lying idle owned by a few. I think this land should be at least shared by all. We should have an office of the Ombudsman in every district.

Sixth, Timau should be curved as a constituency because it can qualify on population and land mass.

Seven, the case of the farmer should be looked into by the next government. We should have the farmers bank where the farmer may be awarded loan with low interest rates.

Eight, the local administration is so corrupt. I think it should be replaced by people who are selected of good character from that location instead of having chiefs and sub-chiefs who do nothing to the people.

We should have at least two political parties in the country to lower the tribal sectionalism in Kenya. At least two political parties because if we have two political parties, we should not have the party for Wajaluo, Wakikuyu, Wameru.(interjection)

Com. Lethome: We should have how many possibly?

Mutwiri: I think we should have a maximum of three or four. Ok. on the currency, we should have on our currency a portrait of Mt. Kenya as a binding factor for our nation and at least, the founding father of our nation.

In Timau in particular, we have very big land masses owned by white people whereas we have got so many squatters. This land I think should be halved to cater for the squatters that we have in our area.

Ten, is on the military. I think since independence - the armed forces are employed to go to the war of which, we have never had any war - people go in the military forces, they stay in camps and they retire without doing anything to the nation. These people should be deployed because they have the machinery, to repair our roads, bridges and many other communal work that we have.

Lastly, we should have what we call, 'the calling back of the MPs' some of the MPs just buy their way to the Parliament with false promises to the Constituents and immediately they go to parliament, they do nothing to the people. That is why I am asking the Constitution Commission Review, we get the clause of calling back the MPs. If the people do not need the MP he should be called back and the people should elect another MP who is going to cater for their needs. Thank you very much.

Com. Githu: Thank you very much, Sir. Mr. Julius Magaju.

Magaju: My names are Magaju Julius and these are my recommendations to be incorporated in the new Constitution. Mine are mainly in the area of education, employment and environment. In education, I propose that we should have free and compulsory education up to form four. This education should have a strong bias in technology especially computer. On the

same issue of education, I propose that government should take the responsibility to equip or to provide facilities particularly the laboratories for our sciences.

On the same issue on education, I propose that the Joint Admission Board which is currently responsible for admission of university students should be given more autonomy to recruit students for degree courses, diploma courses and certificate courses. You remember right now as we are talking, if a student does not qualify to go to a university, one is tortured to go and do other interviews which I feel is not really very necessary. So, specifically, I propose that we should have - we should recruit this people purely on merit.

On the same issue of education, I propose that once somebody has finished a professional course, be it a degree course, a diploma or a certificate whether it is in medicine, nursing or whatever, they should be taken by the government for a compulsory working programme so that they gain some experience. You know right now as we are talking whenever you finish your course and go for a job, the companies will tell you have no experience. So I really wonder where can one get experience if he or she is not given an opportunity to practice?

On the area of our economy, we know that our economy is agro-based economy. The economy that is basically and almost entirely relying heavily on farming. So, I propose that in our new constitution, the farmers must be protected. Particularly those who grow cash crops, bring a lot of foreign exchange to our country. Therefore, I believe that if we are to get more and more income for our country, this is the high time that we should protect such farmers for example coffee farmers, tea farmers etc.

On the area of environment, we all know that our environment is being polluted day by day, as a result of by-products from those industries. So, I propose that any company that wants to set up an industry in this country must pay some specific amount which must be meant specifically to fight pollution. Such money can be used in for example in re-cycling some of the by-products.

Another important area where I want the Constitution to look at is the mineral exploration. I believe that this country of ours has a lot of minerals and I believe they are not exploited to the maximum. So I would urge the government to intensify mineral exploration specifically giving more incentive to governments or companies that may wish to do some mineral activities. The other area is on natural resources. As we are aware the forest, catchment areas and wetlands all of them are almost entirely wiped out due to many human activities and of course due to corruption. It is on this basis, I propose that forests, catchment areas and wetlands must be managed by one body which must have an autonomy to even recruit people and even take care of them and as they do this, I propose that the community where those resource are must be given more powers in appointing and managing those resources.

Another area is on the armed forces. Well, basically armed forces were really set up to protect our country against external attack but as someone said I don't really feel that these people are doing enough for our country. These people have the best personnel in terms of - in the areas of medicine, in the areas of engineering and other areas. So, I feel that we should give them more work to do, particularly they should be able to repair our roads, also build hospitals, drill boreholes. You know right now as we are talking, very few boreholes are operating in this country and I believe it is not a very expensive thing. So, why can't we give them perhaps tenders to drill boreholes perhaps in every constituency and by doing so, I believe that we will have a lot of water which we can use for irrigation purposes.

Another area that I want to talk about is something that is called 'kitu kidogo'. This has become a cancer in almost everyone of us because every where you go whether it is in office or wherever you are told to give kitu kidogo. So I want the new Constitution to be very strict on those people who get kitu kidogo and also those who give - something must be done and I propose that there should be a very heavy fine for those who take kitu kidogo.

The other thing that I want to talk about is the Parliament. It is true that the President dissolves the Parliament after a certain period of time, but as we all know actually there are no specific dates for dissolving Parliament. So, I propose that the Parliament should have its own calendar, whereby each one of us be it MP, be it President or whoever, should know when the Parliament is starting and when it is ending. And I propose that it is the Speaker who should be given powers to dissolve the Parliament. Thank you.

Com. Githu: Thank you very much. Can we listen to Isaiah Onditi. He is not here. John Gitonga, is not here. Cosmas Mureithi, Joseph Kimathi, not here either. Tarsicio Muthiora.

Muthiora: Asante, Jina langu kama mlivyo sikia ni Tarsicio Muthiora. Nazungumzia juu adabu jema - discipline. Maoni yangu naonelea, hii maneno ingeruhusiwa wazazi wenyewe, kama vile kulikuwa kunakaa mbeleni. Kwa sababu kama mnavyojua panapo wazee hapaharibiki neno. Hii maneno ikianzia grassroot, juu tunajua ni mtoto gani mbaya katika kijiji yetu, hapo tunaweza kuchagua wazee wale wanaweza kusaidia maneno kama hayo. Hii ni nasema kama adabu njema ikiingilia kwa kijiji au jijini kule kwa manyatta, mambo ireigeshewe wazee wa area hiyo - village unit. Halafu, wakifanya hivyo, watoto wataendelea kukaa kwa njia nzuri. Na hawatakosa adabu. Hata wizi wenyewe, hauwezi ukaendelea kwa sababu tunaweza kujua maneno ya mtoto fulani, huyu ndiye analeta maovu katika kijiji hiki. Halafu hapo tuna-cane, tunakomesha hayo maneno, tunakaa.

Kuongezea, kazi ya hawa vijana wanawacha shule. Ningeuliza serikali hiyo ifanye kwa Constitution wafanye organization ya hawa vijana wawe wakifanya kazi pale kijijini bila kukaa idle sababu unaweza kukuta wengine jioni jioni, wanaungana mahali fulani ndiyo maovu ya inaongezeka. Hivyo hawa wazee wale wanaopenda amani ndiyo wanaweza kushughulikia waone watoto wao wanafanya kazi yao vizuri. Kama organization ya kupanda mti, nursery trees, na ingine kama ya kufuga kuku, na serikali

ikipata hawa wanaitwa NGOs, waelekeze hiyo mapesa kwa hao vijana badala ya kukaa idle.

Hii ingine nimesikia ikizungumzwa sana inaitwa “kitu kidogo”. Hapa barabarani hiyo ishazungumzwa. Lakini wale wanaitisha hongo hakuna yeye ambaye ni mzuri - yule anatoa hongo ni mbaya, yule anapokea hongo ni mbaya. Yeye atamwambia shika kitu sababu anataka amwambie “mimi napenda Bwana” tutoe hii maneno ya hongo sisi ni Wakristo wazuri. Akitaka kukupeleka mahali popote pale aje ajitete thereafter. Hii ikomeswe. Hakuna hapa (in vernacular) ndiyo wewe mbaya kupatia ule nguvu.

Ingingine, wewe Bw. Commissioner umefanya vizuri sana umekuja Timau. Hapa viongozi kama hawa Chiefs - wanaitwa Chief na hakuna kazi wanafanya katika area zao. Wengine wanakaa idle tu, lakini wanatafuta kitu kidogo. Wanafuata watu wengine wanafanya biashara huko, akina mama wakijisaidia kuchoma makaa kidogo, angalau apate chumvi, anakwenda kuitishwa kitu kidogo. Ndiyo tunasema hii yote izimwe kabisa. Na kuajiriwe mtu development conscious. May he be a Chief or Assistant chief, ni mtu ana haja na watu wake. Charity begins at home. Ndiyo ninauliza serikali inayokuja iandike mtu ambaye ni conscious of development.

Tape 4.

Muthiora (cont): Sio kuandika mtu anataka kazi pengine alitoka wapi akandikwa kazi. Mwisho yangu na sema hali ya vikundi hata vya akina mama ama wasichana wawe wakiwa na vikundi vyao wakati wanatoka shule badala ya kuenda hapa na pale ili wawe wakijipatia pesa. Asanteni.

Com. Lethome: Asante sana Muthiora. Jiandikishe hapo tumpate sasa Jeremy Ndwiga. Hayuko? haya tumpate Jonathan Kabui.

Jonathan: Naona kwa vile muda umeenda, nitatoa tu mapendekezo yale ninayo kwa ufupi. Mimi kama mkaaji wa hapa Timau na nimekaa hata mahali kwingine, kuna kitu ile Katiba inatengeneza ningetaka ishughulikie wakati huu. Watu wengi sasa Kenya hii yetu ni maskini watu wengi sasa tunaishi katika mitaa ama tunaishi katika hizi town ndogo ndogo na zingine zile kubwa kubwa kama Nanyuki.

Sasa taabu iliyoko, ama pendekezo langu, ni kuhusu hawa watu wapangaji na matajiri ama landlords. Unakuta landlord wamejenga nyumba tayari na ni asante kwao wamenjega hayo manyumba kwa sababu wanasaida wale wasio na pesa nyingi zakujenga nyumba. Lakini tabu iko sasa hapa. Ukiingia town kama Timau, unakuta kuna wengine wamejenga nyumba mzuri, wamefanya mpangilio mzuri katika hiyo plot nyumba zenyewe ni mzuri tuseme niza mbao ama ni za mawe kuna bathroom, kuna choo, kuna zile basic facilities ambazo mtu wa kawaida anataka.

Lakini kwa wengine, wanajenga tu nyumba hawashughuliki watu watajisa idia wapi. Hawashughuriki. Unaona katika plot moja kuna watu kama ishirini wanapangisha huko, room moja moja. Katika that same plot, kuna video room, kuna watu wanakuja kufasama video katika hiyo plot. Still, in that same plot - that particular plot, kuna bar na hoteli na choo ni moja - just one latrine hata urinal ni moja tu na ni kidogo sana hakuna bathroom. Sasa unakuta watu wale wanakaa hapo waki-complain, landlord akija asikie wewe fulani wa fulani ndiye unasema hivi, hizi facilities zinatajikana anakupa notice. “You either leave my place wewe kama hutatekeleza, wewe kama hutakaa hapa ama kama hujisikii na kukaa hapa wewe hama”.

Sasa hiyo ningependa kwa ile Katiba itakayo kuja ningetaka ishughulikie hiyo neno. Kuwe kuna kama sheria inashughulikia ati umejenga nyumba fulani, hiyo nyumba inatajikana kukombolezwa pesa fulani, na hizo nyumba zina angaliwa those basic facilities zinaangaliwa. Hiyo ni moja.

Tukija upande wa masomo, wale walisoma hapo mbeleni kidogo ilikuwa akawaida yetu miaka ya 60’s, 70’s unasikia mtoto wa fulani ameitwa na kwenda kusomea shule Dar-es-Salaam, Makerere, Malawi mambo kama hayo yalikuwako siku hizo. Sasa kuna mahali mambo yalienda murama kidogo, kwa sababu tangu tulipouchukua huu mfumo wa masomo ilio hapa, hii 8-4-4, hakuna mtoto anaweza kutoka hapa aende university Makerere, ama aende Dar-es-salaam ama aende Malawi ama aende pahali popote in East and Central Africa.

Na mambo ya biashara tukiangalia kwa Comesa tunashirikiana sisi wote. Sasa inaonekana huu mtindo wetu wa 8-4-4 haufai. Kwa sababu, tulikuwa na watu kama wale wazee wana retire, unasidia mimi nilisomea Makerere” “mimi nilisomea Dar-es-Salaam” “mimi nilosomea Malawi”. Hawa watoto wa 8-4-4 sasa isipokuwa yule mtoto baba ake ni tajiri ama mama ake ni tajiri ambaye atapata kitu kinaitwa bridging courses, yaani akimaliza form four kuna course zingine zinafanywa ili apate mahali kam Makerere ama Dar-es-salaam. Mtoto wa kawaida ama wa maskini wa hapa Timau hatapata! Akimalizia form 4 anakwshia hapo. (interjection)

Com. Lethome: Unapendekeza?

Jonathan: Ninapendekeza, ile Katiba itakayokuja sasa, ifanye marekebisho ili masomo yale watoto wanasoma hapa, hata akikosa mahali hapa Kenya hii, anapata mahali Makerere ama Dar-es-Salaam ama mahali kwingine. Ama turudi kwa ile system ya zamani ile inaendela nchi hizo zingine sasa. Kwa sababu wale wanasoma hata nchi hii yetu kwa system ya zamani

Com. Lethome: Hiyo nisawa. Hiyo imesikika sasa.

Jonathan: Asante; Kitu ya mwisho, ni kuhusu mashamba. Wengi wetu hapa hatuna mashamba hata baba zetu wale walipigania uhuru hawakupata mashamba....

Com. Lethome: Unapendekeza nini?

Jonathan: Ninapendekeza kuwa ile Katiba itakayo kuja, tukae chini, tufikirie sasa, wanaoshikilia haya mashamba makubwa hata kama ni hawa watu wakubwa kwenye serikali na wana mashamba makubwa na haifanyi kazi, inawezekanaa je hayo mashamba serikali iyanunue ama kufanyiwe kitu hayo mashamba wawachiwe kidogo tuseme ukiwa na shamba ekari elfu moja wewe ukiwa pekee yako, unaachiwa at least 200. Hiyo ingine mia nane itagawiwa wale watu hawana mashamba-squatters. Tupunguze squatters wale wako nchi hii. Asante sana Bw. Commissioner.

Com. Lethome: Ok. Anthony Mwangi? Antony Mwangi hayuko. John Murungi, James Kimathi ni wewe? Ok.

Kimathi: Kwa maoni yangu ningependelea tuwe na Bunge ambalo liko na uwezo zaidi ya Rais ambalo litasimamia sheria zote ambazo tutatengeneza wakati huu. Pia, Bunge liwe lina uwezo wa kuteua majudge sio Rais. Pia, Bunge liwe na uwezo wa kuchagua Makatibu Wakuu, kulingana na ujuzi wa mtu.

Pia, ningependa serikali itakayoundwa ya Bunge, iwe ya umoja, government of national unity. Sio serikali ya party mbili au moja. Kama party fulani imeshinda kila pahali fulani, wawe na uwezo wa kuwa hata na Waziri ndiyo tumalize corruption na tribalism.

Pia, ningependekeza kwa usalama wa nchi kuwe na kamati ambayo imechaguliwa na Bunge ambayo itateua Macommissioners wa polisi, Kenya Army, Airforce majina yaende through Bunge yaenda kwa kamati ya Bunge.

Pia, ningependekeza special branch - hicho kikosi kinaitwa special branch, hakina kazi sababu kinalinda mtu mmoja. Kivunjwe na tuwe hatuna special branch. CID wafanye kazi ya criminals. Pia upande wa Administration police pia ivunjwe haina kazi hii ni kupoteza pesa ya umma. Kuwe na polisi wanaosimami traffic. Upande wa GSU, wanalala tu. Pia wawe wanahusika na usalama wa nchi - ile kazi ilikuwa inafanywa na polisi. Polisi wasimamie traffic peke yake.

Pia, ningependekeza Bunge iwe na uwezo wa kukaa chini na kupanga maneno ya maendeleo. Pesa yote iwe inasimamiwa na Bunge, sio chama sio nini. Bunge ipewe uwezo ipange Meru inapata pesa fulani, pesa fulani inaenda kwa barabara, kwa mashamba.

Pia, ningependekeza serikali ya mtaa - Local government iwe independent. Kwa njia gani? Kama ni Meru County Council watu wa meru wanajua wanataka nini. Income ya mashamba ya kahawa, viazi iwe utilised kwa barabara zile ziko sehemu hiyo.

Kila sehemu isimamiwe kulingana na County Council. Waziri wa Local government asiwe akifikiria kama amelala, anasema “Ninaesimamisha mayor, nimesimamisha chairman”, hapana.

Pia, ningependekeza chairman wa Council, County Council ama Local government Chairman-Mayor achaguliwe moja kwa

moja na wananchi ndiyo tuwe na popular leader. Pia ningependekeza Rais ambaye atachaguliwa, ahusike na maneno ya maendeleo sio kila wakati tunahutibiwa chama – hapana! Rais awe anahusika - Meru barabara mzuri elimu mzuri. Wakati wa uchaguzi ningependekeza yule ambaye ako na kura mingi - the majority votes atangazwe moja kwa moja ndiye mshindi.

Pia, ningependekeza wanawake wasitengewe viti, sababu ni wengi Kenya. Pia wang'ang'ane kama wanaume. Wasimame na wapigiwe kura if they are development conscious. Kwa kuwa Rais wa nchi, napendekezo apate asilimia 35% kwa 5 provinces ndiyo awe cleared kama Rais wa nchi. Ningependekeza ndiyo kusiwe na uhamiaja wa chama defectors; serikali ikiundwa ya umoja wa taifa, mtu akifail kwa party yake asiende kwa party ingine. If you are defeated you remain in that party. Kwa hii, ndiyo unaona watu wanahama leo sababu wamepewa pesa na hii pesa ndiyo inaharibu uchumi wa nchi, badala ya kupeleka kwa masomo ama kwa barabara.

Ningependelea kwa Bunge kuwe na wawakilishi wafuatao. Kiti kimoja, kuwe na nominated leaders - sio kuwe na nominated MPs only. Kuwe na mwakilishi wa wanawake, mwakilishi wa retired officers watu wa serikali wanaenda retire hakuna mtu anawashughulikia - wapewe kiti kimoja. Pia ningependekeza, wasiojiweza, disabled and handicapped wapewe kiti kimoja. Pia ningependekeza, vijana wapewe kiti kimoja, ndiyo maswala yao - hawapigani kwa uchaguzi, indirect: Na hizo viti kipendekezwe na kamati ya Bunge sio Rais. Ningependekeza pia, press wawe independent. Tunasikia kuna Bill ilipitishwa ambayo kuna masharti fulani ndiyo utoe habari fulani.

Pia, KBC isiwe na favour upande mmoja; tunataka pia iwe neutral sababu ni corporation ya mwananchi sio ya mtu binafsi. Kwa upande wa mashamba, kuna areas, kama sehemu ya Timau there was a white highland. Ningependekeza, yale mashamba ambayo yanasimamiwa na Wazungu yapewe wale hawana mashamba - kama Kisima, Mbole na sehemu zingine. Hakuna haja ya kukata msitu na tuko na areas kama hizi za chini (interjection).

Com. Lethome: Hiyo tumeandika, point nyingine umalize.

Kithinji: Pia ningependekeza kamati ya DDC ichaguliwe na Wananchi sio Chief wala DC - wachague kulingana na wananchi vile wanapenda. Pia kuna plots - kuwe na kamati imeundwa na Bunge la kusimamia mashamba. Kama plot yangu imenyakuliwa ninaenda kwa hiyo kamati na inashugulikia ambayo itakuwa imechaguliwa na Bunge na sio administration.

Pia kuna kupeana towns. Town zingine hatujajua vile zilipeanwa na hii kamati ya wazee itakayochaguliwa na wabunge tunawezapeleka kama hii Timau hatujui vile ilikuja Timau. Pia kwa sababu tunasikia tunapata elimu ya bure - hatupati elimu ya bure- ningependekeza huu mwito wa harambee uwe abolished, ndiyo kiongozi akichaguliwa asiseme atajenga shule, atajenga barabara. Serikali kuu ile itakayoundwa ya umoja wa taifa, isimamie pesa yote, shule zijengwe kila kitu kijegwe, tusahau maneno ya harambee tukae kama nchi zingine. Asante.

Com. Lethome: Haya, Asante sana. Hatujasikia akina mama kwa muda mrefu. Charity Kimathi uko hapa? Ameenda. Wamama wengi wa Timau wamejiandikisha kama observers tu - wamekuja kuangalia tu hawana maoni? Yaani akina mama wa Timau hamna kitu ya kusema? “Mutinakindu” ya kusema hata moja? Haya. Mtabaki nyuma. Wazee wanaendelea tu. Tupate Daniel Kinoti. Afuatwe na Nelson Mbogori yuko? Ok you will follow him.

Kinoti: My names are Daniel Kinoti. First I would like to take into consideration trust lands. Concerning trust lands, currently in Kenya we have so many people who are landless and in this case, we have so many with big tracts of land. Why should the government itself decide for the squatter so that they will give them the land which is sold by the powerful and the rich who owned large tracts of land.

Secondly, our Constitution is “unmoving” it is an “unmoving” Constitution. By the time it was made, it did not take into consideration the people with disability. Now, I would like the Constitution itself, to put a Bill whereby the people with disabilities will be considered.

Thirdly, citizenship. Regardless of gender if a spouse; concerning spouses if a woman is married out of Kenya, she should be given a chance if she wants to retain the Kenyan citizenship again, she should be given that chance.

In the ammendment Act No. 34, of 1964, the president is allowed to appoint the Chief Judge and other Judges. This should not be done by the President but it should be done by the parliament.

Fourth; Act 1 of 1975 - power to pardon people with electoral offences. This one should be done away with. For this reason, the President himself will be eager to pardon the people in KANU or the ruling party itself who have electoral offences.

Fifth, President should not elect the electoral commissioners, for in this, it will favour him during polling. Act 6 of 1985, which says 25% of votes cast in 5 provinces and the majority votes. This should not be done unless the president gets $\frac{3}{4}$ of votes so as to be declared President.

Concerning current geographical constituencies; This one must be considered on the basis the people in the area. Right to life should be guaranteed by the Constitution so death penalty should be abolished. Thank you.

Com. Lethome: Thank you very much. Mzee nilikuwa nafikiri ulikuwa unataka kuzungumza? Mzee, unataka kuzungumza ama kupeana tu? Haya hebu sema jina lako na usomee watu - isipokuwa sijakuita, lakini tumeheshimu umri wako. Haya sema jina.

Mugo: Jina langu ni Dedan Mugo Njeru. Hapa tuko watu watano ambao wameandika kwa Tume ya Marekebisho ya Katiba. Tumesema hospitali na shule zote ziwe zinasimamiwa na serikali. Two, sheria zote za “kanyaga” katika mashamba ya Wazungu zifutiliwe mbali. Zimetuangaisha sana.

Number three, umaskini; serikali iwe imesimamia wote ambao hawana kazi, ili umasikini ukwishe Kenya. Pesa, yaani sarafu: Pesa zote za Kenya, ziwe kama za America Kiongozi aliyeanzisha taifa la Kenya awe ndiye ako kwa pesa zote, ama tuwe na namna ingine ya kuonyesha pesa ni za serikali ya Kenya, kama mlima Kenya, chai, kahawa, wanyama- sio ati yule President anaingia apigwe picha kwa hizo pesa zetu.

Five, viwanja vyote ambavyo vimepeanwa na Commissioner of lands, siziingiliwe na County Council kwa vyovyote. Hiyo ni maoni ya watu watano.

Com. Lethome: Maoni mazuri kabisa hayo. Nelson sasa endelea. Nelson Mbogori.

Nelson: Kwa majina najulikana kama Nelson Mbogori. Kwanza kabisa, nazungumzia (interjection)

Com. Lethome: Hebu, hebu, ngoja. Hebu ngonjeni. Tuna rekodi proceedings, mkipiga makelele itarekodi makelele tafadhali. Kwa hivyo kaeni kimya. Thank you. Haya endelea.

Nelson: Kwanza kabisa ningependeza Rais ambaye anachaguliwa Kenya awe na $\frac{3}{4}$ of the votes and it should be a must. Halafu kama itawezekana, kuwe na coalition government, DP, Ford K, na vyama vyote viwe na Cabinet representatives. Halafu kama itawezekana tusiwe na political failures ambao wanakuwa nominated. For instance kama vile tunaona, Local government minister, he is a political failure na sasa ni Minister. Hawezi akawakilisha watu with sincerity. Administration interference with police cases inakuwa common sana hapa Kenya. Unaona Chief tunapigana na yeye nikimpeleka police anaenda police anasema the “case is mine”. Kama hawana elimu, watofautishe between criminal and civil cases. It is very common here. Ikiwezekana, hapo waonyeshwe mipaka yao. (interjection not clear) May I repeat it. Inakuwa very common, watu kama ni criminal assaults tukikosana ni-repoti kesi kwa police, kama wewe unajua mambo ya hongo unaenda unaona Sub-chief, in your sub-area for instance unampea kitu kidogo anaenda police station anatoa kesi huko - that is not his case. Atofautishe between administration and crime.

Com. Lethome: (inaudible)

Nelson: Wawe wanatofautisha; hata kama ni illiterate awe na know how (interjection not clear) ajue boundary ya kazi yake. Ok. Kenya ikiwezekana iwe na Prime Minister to minimize Presidential powers, please. Prime Minister hiyo nimesema.

Land equality. Watu wengi hatuna mashamba tuna request this serikali iwe inasaidia watu wale hawana mashamba for instance either financially ama kwa chakula. Its upon the government to sponsor them. True statements, hiyo hatuna Kenya kabisa. Mfano, DC akikosa tunaambiwa ni disciplinary transfer. Kusiwe na disciplinary transfer. Instead kuwe na sacking or jail. Government civil servants should not be assisted to educate their children. Kwa mfano nasikia Permanent Secretary watoto wake watatu wanasomeshwa na serikali, watoto watatu wa DC, wanasomeshwa na serikali. Na wakati huo huo yeye analipwa over a hundred thousand. Hiyo ni kutuumiza. That should be cancelled immediately if possible. President asiwe na excessive power. He should be under the law not above the law. Kwa sababu anatomia ofisi vibaya kwa vile anajua sheria haimuhusu he is above the law. Kwa hivyo, ili awe na uwoga afanye kazi mzuri he should be under the law.

Armed forces interviews ikiwezekana, iwe inafanywa kwa location level kwa vile vijana wengi wanashidwa ku-travel mpaka district headquarters na tena hatuku na fair representation. Kwa hivyo, wakati kuna interview tunafanyiwa locational level Wakirimara wawili, Wabaguthusi wawili na mambo kama hayo.

Upande wa mahakama, kama itawezekana, mlalamishi na mshtakiwa wote wawe na wakili na hao wakili wawe wakilipwa na serikali ili ukweli upatikane. Kwa sababu matajiri wamezoea kututupa ndani, akinitupa ndani analipa wakili mimi nashidwa na hata nikitoka nashindwa kurudisha appeal. Kwa hivyo serikali iconsider tuwe na advocate both for complainant and for the accused. Assault cases sio lazima vile sheria ya sasa inasema, kama umenipiga naambiwa niwe na mashahidi watatu ama watano kuonyesha ukweli kama nimepigwa. Moja akubaliwe na sheria ikiwezekana.

Pia iko shida ingine; Period of appeal ya Kenya inakuwa siku chache sana, kwa hivyo wananchi wa kawaida wanashidwa kufanya appeal ya kesi zao wakati wameambiwa kwa sababu they are given only 14 days. That period should be extended if possible. To avoid congestion in courts, ikiwezekana, serikali iwe na court mbili. Civil case iwe na court tofauti, criminal case iwe na court tofauti, ili tusiwe tunaenda Nanyuki miaka miwili ama mitatu because of a small case.

Na tena, criminal cases kama itawezekana inaweza kuwa directly registered in court of law instead of being registered by the police. Kwa sababu police wanaitisha pesa kabla kupeleka mtu kortini. Kwa hivyo, kama itawezekana kazi yao iwe arresting and remanding not charging -the police. Mahakama nazo pia zitofautishe kati ya ushahidi na ukweli. Kwa sababu tukienda kortini hatufuati ukweli wa mambo tunafuata ushahidi. Kwa hivyo judges wawe na special training ya kutofautisha between evidence and the truth kwa sababu hizo ni vitu viwili tofauti na criminal ndiyo wanachukua advantage ya kutufinya.

Point nyingine, President wa Kenya anatomia pesa nyingi sana ya kusafiri kwa ndege. His travels should be limited ikiwezekana kwa sababu hiyo yote ni pesa yetu. Tena, ningeomba watu wa Timau kwa niaba, yao tusiwe na adopted constituencies. Sidhani kuna mahali nyingine Kenya kuna adopted constituency. Is there any other place?

Com. Lethome: (inaudible)

Nelson: Kwa sababu sisi watu wa Timau hatukuwi na Mbunge. Tunawakilishwa na Mbunge wa North Imenti.

Com. Lethome: Wewe sema unataka nini? Watu wa Timau mnataka nini?

Nelson: Wapewe Mbunge wao.

Com. Lethome: Sawa

Nelson: Issuance of passport iwe easy and free if itawezekana. Na kwa hayo machache, mimi nasema thanks very much.

Com. Lethome: Asante sana Nelson Mbogori. Stanley Manyara. Afuatwe na Martin Kinoti. Haya endelea.

Manyara: Asante sana kwa Commission hii ambayo iko Timau. Na kwa majina, naitwa Stanley Manyara. Maoni yangu ni mafupi sana. Ya kwanza ningezungumzia power ya Rais. Power ya Rais inafaa ipunguzwe. Maana yake, hawa wajumbe tunachagua ndiyo wana sheria ile wanatunga kule parliament, ya kuchagua tuseme kama Chief Justice, Attorney General, PSs, hawa wote wawe wakichaguliwa na Bunge. Sababu inaonekana Rais, hata kama yeye ako above the law sisi ambao tunawachagua wajumbe hatuna hata nguvu. Yaani hatujulikani huko. Hata ule mjumbe tunachagua hapa, hana uwezo huko. Kwa hivyo power za President zipunguzwe. Hiyo ni moja.

Jambo la pili, MPs, wale MPs tunaochagua hawana uhuru kama vile tunafikiria ndiyo tunawachagua waende wakafanye. MP akitembelea constituency yake aone watu wake, police wako nyuma hapa, “unaweka mkutano usio halali”. Kwa hivyo, naomba MP wapewe uhuru wa kutembelea constituencies zao, wawe free.

Kuna kitu kingine hapa ambacho kilisahaulika kitambo na nimesikia mwanafunzi moja hapa akitaja hayo maneno, hata nimejiuliza ametoa wapi hayo maneno. Kwanza, chama cha Maumau, kijulikane kwa serikali kama vile CCM Tanzania kwa sababu ni chama ambacho kilileta uhuru Kenya. Kama si hicho chama, hata President hangekuwa President sasa. Hiyo ni ingine.

Mwisho, sio mwisho tulizungumzia hapo kwa pahali ya wajumbe. Naomba Timau tupewe constituency. Uchaguzi ujao tuwe na Mjumbe wetu wa Timau. Kwa sababu, yule mjumbe anayetuwakilisha hapa, sijui tulimuona siku ile alichaguliwa hapa kwa sababu ana constituency kubwa sana. Kwa hivyo naomba Timau tuwe na constituency yetu, tuwe na Mjumbe wetu.

Com. Lethome: Je hiyo constituency iitwe aje?

Manyara: Timau Constituency (clapping). Jambo langu la mwisho, kuna tatizo sana kwa wazazi nyumbani. Na hii tatizo

linatokana na watoto wetu ambao tuna wazaa. Hapo nazungumzia mambo ya urithi. Naomba, Commission hii, ipitishie ikiwezekana urithi wa mambo ya nyumbani isiwe ya vijana wavutana peke yao. Hata hawa wasichana ni wewe umezaa. Ikiwa ni shamba unagawa gawa yote ukiwa unajua mtoto wa kike na wa kiume ni wako. Hata hao wasichana wahusiswe katika urithi wa mali. Hayo ndiyo maoni yangu, asante.

Com Lethome: Asante sana Stanley. Martin Kinoti. Hayuko? Mimi mpaka sasa nashangaa kuhusu wanawake wa sehemu hii ya Timau. Mmenishangaza. Bernard Mugambi. Kuna mtu anaweza kuwambia hawa wamama kwa Kimeru eh? Tell them I am surprised kuwa sehemu zote tumeenda wamama wamezungumza wamesema shida zao - ngoja District Coordinator atawambia - isipokuwa Timau peke yake, wamama wote wanajiandikisha observers. Hiyo maana ya observer ni mtu kimya anaangalia tu kwa macho vile kunaendela. Ni kama kuwa hii constituency haiwahusu wamama wa Timau!

District Coordinator: Kabukurua eekuru ba Timau ri, naangi kunthe twitite uti nao eekuru batiraria bauga matatizo yao jaria bakwenda jatonya ndene ya katiba. Eekuru ba Timau bwinthe kabwijite kuthikiira utwee ukwenda kwaria auga matatizo ja eekuru jaria bukweenda jatonya katibeene na babwi ibwi bwi thiina inyingi kinya nkuruki ya baa bangi ibwiji njira ira bwinyiritue nachio inyingi mono. Tontu buu eekuru ba Timau buriurua ukireeni nandi, amkeni, sawa? Twigue thiina chia eekuru nacio beendaga atia. Arume bakwaria tukwariria mantu aa nthiguru eekuru nabo ibatwire, bukwigua aritwa bakiaria, butiraigua aaritwa bakiaria, akuru baakwaria na nthaka ikwaria, eekuru nabwi tubwigue, ibwega.

Com. Lethome: Ok Kwa sababu hakuna mtu amezuiwa kuzungumza. Haya tumsikize mzee, Bernard Mugambi.

Mugambi: Asante sana. Kwa majina naitwa Bernard Mugambi, kwetu ni hapa Timau. Kitu ya kwanza ningezungumzia Asante sana nitarudia. Kwa majina naitwa Bernard Mugambi. Kitu ninataka kuzungumza mambo yake, ama maoni yangu ni kidogo sana. Katika katiba ile inaenda kuundwa mimi mwenyewe ningependelea kusema ya kwamba waliopigania uhuru wa Kenya, kusema ukweli wamesahaulika kidogo. Ikiwezekana Katiba ikiundwa iwahusishe wale waliopigania uhuru wa Kenya katika Katiba yetu ili waweze kukubukwa kwa njia yote ile.

Ya pili, nitagusia upande wa misitu ama ile tunaita ownland forest ambaye ni miti ya watu kujipandia wenyewe. Kwanza tuseme umepanda msitu wako mwenyewe na ulipanda ili ukusaidie. Lakini, wakati wa kuomba permit inakuwa ni vigumu kukata miti kulingana na vile wewe unataka. Kitu ya kwanza, ingekuwa ni vizuri ili tuweze kupanda ama kuweka misitu kwa wingi, tuwe tukubaliwa kupanda miti halafu tukubaliwe kukata kulingana na vile mtu mwenyewe anataka.

Ya tatu, upande wa security inaonekana imeenda kwa corner sana. Mimi kwa maoni yangu tangu zamani wakati mbeberu alikuwako, ili security iwezekane tulikuwa na kitu inaitwa movement permit. Sasa inaonekana siku hizi tuko free sana na ndiyo unaona mambo yote imeharibika upande wa security. Ikiwezekana upande mwingine, ikiwa ni within the Province, ukienda ingine uwe umekubaliwa ili ukiwa pale mambo yako itajulikana hapo katikati.

Hiyo ingine, turudi upande wa crown land na forest. Hii inaonekana imemalizwa na individuals. Na hawa individuals ni kuonyesa - unajua forest ni kama pesa ya serikali ama ya taifa. Ni vizuri sana ikichukuliwa hatua kwa maana karibu forest ni sawa sawa na kuiba pesa ya serikali ili tuweze kulinda misitu yetu.

Hiyo ingine tuko upande wa administration. Tuseme kutoka President mpaka sub-area wote hao ni administration tuseme. Lakini tukirudi pale chini watu wanaitwa sub-areas hawa watu wanafanya kazi hata zaidi ya chief, lakini hakuna kitu wanalipwa. Sasa ningeliza kama itawezekana hawa watu wanaitwa sub-areas waandikwe ama wapatiwe kazi mtu ambaye ana uwezo wa kusoma na kuandika na awe akipata mshahara.

Ya mwisho, ni upande wa Councils. Macouncil ndio wamepatiwa uwezo kabisa wa kumaliza taifa. Kwa njia gani? Wanatumia vile vitu tunaita-tuseme maplot kwa njia zao wenyewe vile hata kuhusisha wananchi kwa sababu kama wananchi wangekuwa tuseme ni plots zinataka kupewanwa hapa, wajulishwe na waitwe mikutano waonyeshwe tuko na plot number hii na hii ili iwe advertised kwa kila mtu. Nafikiri hiyo ingekuwa vizuri kwa sababu yule angeweza kiasi kidogo anaitishwa atalipa bila taabu yoyote na mambo yote itaendelea vizuri. Kwa hivyo mimi mwenyewe sina mengi, yangu ni hayo machache tu, asanteni.

Com. Lethome: Asante sana. Akina mama nafikiri wameshtuka kidogo nimewashtua wakashituka. Jacinta tunaanza na Harriet ufuatwe na Jacinta Ntere.

Harriet: Kwa majina mimi naitwa Harriet Ndereba na nimesema nitaongea kwa maana wakati niliingia hapa, niliulizwa kama nitaongea nikasema kwanza niangalie vile mkutano unaendelea. Ya kweli nimekuta mkutano ni mwingine nimesoma na nikajua katiba ni nini. Sasa, nimekuja kugundua kuwa sisi wanawake wa Timau tunaweza komea maneno yetu na tuende na shida. Tuko na mashida mingi wanawake, na tuko na mashida mingi ya watoto wetu, hata ya wanaume wetu na hatuwezi tukanyamaza kwa maana saa hii ni ya kuongea ukweli. Na kama unaongea ukweli utafaidika.

Kile kitu kimenileta hapa, ya kwanza nataka kujua kama human rights ile ya mtu kitu yake kuwa naye hawezi kugombea. Unanyang'anywa kabisa kwa maana huna pesa. Wakati mwingi unakuwa na vitu vyako kama mnang'ang'ana na mtu wa area yako anakwambia "hii ni yangu" na ataenda hayo kwa sababu yeye amefanya ile "mfukumo"? Anapatiana pesa na wewe hauna nguvu. Unanyang'anywa ukweli ukweli hata sub-chief anaangalia lakini hataki kusema ukweli. Ndiyo nauliza hii Katiba, sub-chief wanachaguliwa na nani? Ni watu wa area ama ni wazee wa area ama ni nani kwa maana ukiangalia, vitendo za huyo subchief hata hashughuliki na wewe na anaona kitu yako kimeenda bule kabisa.

Com. Lethome: Wewe unataka achaguliwe na nani?

Harriet: Mimi nataka achaguliwe na watu kwa uwaja kwa maana ndiyo tutajua yule anaweza kwanza amelinda nyumba yake tuone kazi yake ile amefanya (clapping). Tuchague sisi wenyewe.

Ingingine ni kama mimi nimeolewa na bwana yangu na nimefanya na yeye arusi, nimepiga sign mimi ni bibi yake. Wakati mimi tutagombana na tuweke divorce, sitagombea hizo vitu hiyo miaka yote nimekaa nitalipwa na nani?

Com. Lethome: Wewe unataka.. (inuadible)

Harriet: Mimi nataka tukigombana na amenikataa kabisa, ile mali tumetafuta yote sheria iwekwe tugawane kwa maana nimemwacha na vitu vingi sana (clapping) na anaoa bibi wa pili akuje kulala kwa vile vitu vyangu eeh nataka tujue ni nini inaendelea hapo kama hakuna sheria.

Ya tatu ni hii; watoto wetu tumesomesha, na tumesomesha ukweli unaona mtoto amepata number mzuri. Lakini hakuna ile barua ya kuita yule mtoto ndiyo aende kwa university. Kama mimi sina pesa, atakaa nyumbani. Lakini mzee yule ako na mali, anapeleka wake university. Kwa nini?

Com. Lethome: Sasa wewe ungependa namna gani?

Harriet: Mimi ningependa tufuatilie hii. Kama ni government ifuate- kwa maana huyo mtoto ndiye atatusaidia kesho na amefanya mzuri na ako na akili, aitwe kwanza, wewe uko na pesa utakuja nyumaye. (clapping) Kwa nini hayo mambo inaendelea na iko kwa serikali? Nataka wafuatilie hayo maneno.

Ya nne ni hii, wale watoto wengine wamezaliwa na mama na mzee wasiojiweza na amepita mtihani kama ni ya std. 8. Ukweli kabisa, amepita na kuna ile pesa wanasema ni msaada ya serikali. Ilikuwa inapeanwa mbeleni na mtoto akachukua, sasa iliisha ama ilienda wapi na niwakina nani wanachukua?

Com. Lethome: (inaudible)

Harriet: Na serikali sasa nakuuliza hii swali wanapeana huo msaada ama iliisha?

Com. Lethome: Sasa wewe unataka aje mama?

Harriet: Mimi, nataka ule msaada kwa maana mbeleni ulikuwa unaanzia kwa sub-chief na sub-area kwa maana sub-area ndiye anajua ule mji, ikaenda kwa sub-chief ndio apatiane maneno ya mama hii ama mzee hii, sasa haipatiwani. Kama iko,

iletwe kama vile mbeleni... **End of side A cont....** Nyingine ni ya kuchunga kondoo sasa ingine tunafanya hata (inaudible) tunaendelea namna hii. Hakuna pesa tunaweza saidiwa ili tuweze kuendelea mbele kuliko hivyo?

Com. Lethome: Wewe unataka nini?

Harriet: Mimi ni nataka tuwe tukisaidiwa kwa maana wakina mama ndiyo wenye nyumba, tusaidiwe ili tuweze kusomesha watoto (interjection: not clear). Niulize.

Com. Lethome: Tumepata habari kwamba kuna wakina mama ambao wanapiga wazee wao nyumbani wamama kama hao wachukuliwe hatua gani?

Harriet: (laughing) Wamama kama hao mimi nimeshindwa vile nitakwambia lakini nitakuelezea kwa kifupi

Com. Lethome:...(inaudible) hii maneno ya bibi

Harriet: Saa ingine wanapigana kwa vile walikuwa wametafuta mali wao wawili naye bwana anakula yeye mwenyewe na watoto wananisukumia.

Com. Lethome: Unaona je wewe - ule mama yule anapiga mume wake.. (inaudible).

Harriet: Mama yule anapiga bwana yake kwa nyumba anakosa heshima kwa bwana ake (interjection: not clear) ile sheria anaweza fanyiwa (laughter) eeh nitajibu hiyo.

Yule mzee anapiga bibi yake nyumbani kwanza, aitwe aseme kama hataki bibi yake. Ya pili, waheshimiane

Com. Lethome: (inaudible)

Harriet: Nitachukua kwa maana bibi atakufa.

Com. Lethome: Asante

Harriet: Afanywe nini?

Com. Lethome: Apelekwe kortini, ama ashtakiwe?

Harriet: Sasa akishtakiwa na hujui vile wanapendana utamshtaki aende wapi?

Com. Lethome: Haya

Harriet: Hapo sijui, siwezi nikasema upendo wao labda ni wa siku hiyo wamepigana kesho wanapendana huwezi ukawatenganisha watu wawili Mungu akiwa amewaweka.

Com. Lethome: Haya asante. Jacinta Ntere. Jacinta.

Jacinta: Hamjamboni? Mimi naitwa Jacinta Ntere. Nilikuja hapa, nilipitia hapa nikienda kwa hospitali nikakuta kuna mkutano hapa. Nikasema hebu nisikie vile wanasema. Sasa, wakina mama tuko na shida sana. Shida kwa watoto wetu, shida kwa shamba, hata kwa magari tuko na shida. Tuko na shida hata tukivuna kitu tuko na shida kwa sababu tunakaa kwa shamba tunalima, hata Timau kuna viazi, hakuna watu wa kushugulika na hiyo. Wakati tunavuna inaenda chini, na unasomesha mtoto. Sasa hayo mambo ya shamba yaangaliwe na bei ya mavuno yale ipande kwa maana bei ya vitu vingine pia inapanda kwa maana hayo ndio matumishi yetu hapa Timau.

Com. Lethome: Ungetaka ... (inaudible)

Jacinta: Iende juu. Inginge, sisi akina mama hatawezi kuenda kununua kitu kama meza, mbuzi ama kitu ingine uje nayo nyumbani

Com. Lethome: Kwa nini?

Jacinta: Kwa sababu hiyo ukinunua hiyo upeleke kwa nyumba, bwana ataona kama hicho kitu ni ya bure. Hashughuliki. Sasa akina mama wanataka wakinunua shamba ama hata kitu ya nyumbani hiyo iwe ni yao, ya mama na ajue hiyo ni yake. Hata yeye anafanya kitu hapo aonekane amefanya kitu hapo. (discussions in the background)

Inginge, hata magari tunapanda haya ya matatu makanga pale, mwanamke akibeba mtoto na mzigo anasumbuliwa akaambiwa ingia hii enda kule – hajui anaenda wapi.

Com. Lethome: Sasa ungependa nini?

Jacinta: Sheria ya abiria iangaliwe vizuri kwa akina mama wazee. Kuna wale wanapotea hawajui wanaenda wapi. Inginge, tuko na watoto nyumbani, sheria ichukue hivi: mwanamke nyumbani asiachiliwe watoto wote. Kuna wale wanawake au akina

mama wako na watoto nyumbani akienda kwa chief akiwa na shida, chief anaongea vile anataka. Akienda kuomba msaada kwa MP anaambiwa arudi kwa chief na huyo Chief hata hashughuliki na mambo yako.

Com. Lethome: (inaudible)

Jacinta: Ni baba

Com. Lethome: Sasa na hao wamama wasio na watoto... (not clear)

Jacinta: Ukienda kusema hiyo iangaliwe (interjection)

Com. Lethome: Sasa umesema nini hapo wakati ... huyo mzee utafanya aje? (not clear)

Jacinta: Huyu mzee, ukienda kusema mambo ya mzee akuje aangalie nyumbani anonekane ako nyumbani na kuwe na sheria ako kwa nyumba si nje.

Com. Lethome: inaudible

Jacinta: Akae nyumbani na achunge watoto. Inginge, tunaambiwa sisi akina mama - wakati wa uchaguzi tunaambiwa hivi. “Mimi mkinipigia kura nitafanya hivi na hivi kwa akina mama hata barabara nitafanya barabara muwe mkienda vizuri, gari ziwe zinakuja nyumbani”. Akina mama wanapiga kura kwa wingi lakini yule anasema namna hiyo akienda kwa Bunge hata kumuona hatujui ni njia gani ... (interjection)

Com. Lethome: Sasa ungetaka Mbunge kama huyu afanywe nini?

Jacinta: Mbunge kama huyo, akichaguliwa aangaliwe mpaka nyumbani kwake si kwa bunge akiongea vile anafanya. (interjection)

Com. Lethome: (inaudible)

Jacinta: Hata kutolewa atolewe kwa miaka miwili hivi tuambiwe tuchague mwingine. Chief na “sub- area”, watu wawe na nafasi ya kuchagua wenyewe kwa sababu ni wao wanajua ni nana anajua mambo ya watu kwa sababu, kuna wale hata wanatenganisha manyumba. Ukienda ukiongea kwa sub-area ama sub-chief atatenganisha kwa sababu hajui. Lakini tukiambiwa tuchague sub-area hata chief, tutachagua ule tunajua hana taabu kwa shida ya manyumba.

Com. Lethome: Hawa sub-area wawe wamesoma ama hawajasoma?

Jacinta: Wamesoma. Wale wamesoma kwa sababu hata sub-area awe amesoma kwa sababu kuna hata wale hawajui hata kuandika

Com. Lethome: Sasa unataka wafikishe kiasi gani ya elimu?

Jacinta: Ya elimu?

Com. Lethome: Wawe wamefika std gani?

Jacinta: Ni yule mwerevu - kuna wale wamesoma, wanajua kuandika - hata tukichagua tuchague sisi tunajua ni nani.

Com. Lethome: (inaudible)

Jacinta: Inginge ndiyo hiyo nilikuwa ni nataka kusema. Sisi tunaambiwa sasa, baba anapatia watoto wake mali yake. Lakini upande wa wasichana sisi akina mama tunaachwa nyumbani tukilia kwa sababu huyo mtoto mvulana anacukua yote. Ikiwa ni kijana mvulana mmoja atachukua mali yote. Ukiwa una wasichana watano au sita hawana - ni glass utampatia ama blanketi ile unaweka kwa nyumba? Mambo ya shamba watoto wote wawe the same.

Com. Lethome: Hata kama ameolewa

Jacinta: Hata kama ameolewa hata kama ako hivi, hata akiwa kiwete, akiwa mwanamke apatiwe mali ya babaake. (discussions in the background) Hii ingine mambo ya kupigana manyumba (interjection)

Com. Lethome: Wazee bona mmeanza kulalamika nyamazeni tusikie maneno hapa. Iko maneno hapa. Zikizeni vijana huko nyuma.

Jacinta: Mambo ya kupigana sisi kwa sisi nyumbani. Kuna vile ningefanya kwa sababu watu wanaenda kortini hata mzee akafungwa mama akaachwa na shida ni watu wa nyumbani. Hiyo iyangaliwe kutoka kwa chief halafu isiende kortini straight. Kwa sababu kuna mambo hata kukata mtu ni rahisi lakini au sijui nitasema nini. Zamani watu walikuwa wakipewa kitu ya kusameheana mambo ya zamani.

Com. Lethome: Kwa hivyo mzee akipiga mama amtoe macho moja, amfunje mguu, anatoa kitu hii maneno inaisha nyumbani?

Jacinta: Apana si kama hiyo ni iwe kwanzia chini eh lakini akikata mtu, kukata mtu hiyo ni ya kortini straight, ukiumiza mtu lakini ukipigana hivi hivi apana hiyo si straight kwa kortini lakini kuumiza mtu ni vibaya.

Com. Lethome: Asante.

Jacinta: Hata mimi mama nikimumiza nichukuliwe hatua kwa sababu nimemkata, nimemuumiza.

Com. Lethome: Haya, thank you.

Jacinta: Sasa hayo ndiyo mambo niliyokuwa nafikiria. Lingine ni kwamba sisi akina mama tuko na shida na akina mama wale wameajiriwa kwa kazi waongaliwe vizuri kwa sababu, kuna umri wanawake wanakaa kwa kazi hatatu wanatolewa. Kuna mahali hata serikali iangalie mambo ya private- hii kazi ya private washughulikie watu. Kwa sababu mimi nikiandikwa kwa private na nitoke bila sababu nikienda kwa serikali hakuna hata (inaudible). Nitaambiwa hiyo ni ya private. Kwa nini serikali haishugulike nini kwa hiyo? Waangalie hata kwa private sector kina wale wanaumiza watu. Asante.

Com. Lethome: Asante Jacinta: Unaona wakina mama mlikuwa mumenyamazana mambo mazuri mko nayo. Sasa tumpate Roba Mburu, huyuko? Tumpate Isaiah Murungi, SDA.

Isaiah: Jamboni? Kwa majina mimi naitwa Isaiah Murungi vile mnasikia. Langu la kwanza, ni kuhusu kanisa. Mimi nasema katiba ikianza, kanisa iheshimiwe sana na zipewe heshima. Kwa maana kanisa ni kitu muhimu kulika mwanadamu maana mwanadamu ni mwanadamu na Mungu ni Mungu. Na Mungu ndiye aliumba yote akiwa Rais akiwa nani akiwa mkuu wa aina gani, Mungu ndiye amemumba kwa hivyo ninaomba kanisa iheshimiwe sana.

Tuseme kama mimi, kanisa langu ni lile linaitwa SDA- ile inasoma ama ile inaomba Mungu siku ya Jumamosi. Tuseme wakati tunaenda kanisani, mtoto wangu naye pia anatakikana aende shule. Kwa hivyo ninaona ni shida na ni vigumu sana mtoto wakati anaenda shule, na mimi naenda Kanisani (interjections)

Com. Lethome: Wewe unapendekeza nini sasa? Unapendekeza nini kuhusu..

Isaiah: Ninapendekeza, mtoto asiende shule siku ya Sabato. Kwa maana akienda kule, sio vizuri. (interjection inaudible) Basi ingine, ni mtu ambaye tunaita “sub-area”. Katiba ikianza ishugulikie mtu anaitwa “sub-area”. “Sub-area” ni mtu anafanya kazi muhimu sana. Kwa hivyo serikali iyangalie ile itakuweko wakati wa Katiba hii, sub-area apatiwe kitu kama mshahara kulingana na kazi yake ile anafanya. Na kwa hayo machache, Mungu awabariki.

Com. Lethome: Asante sana Bw. Muriungi. John Ntari. Hayuko. Karani, Albert Karani, Geoffrey Mutongi, George Kithure afuatwe na Kennedy Mutia. Kennedy yuko?

George: Asante sana. Kwa jina mimi naitwa George Kithure, kutoka hapa Timau. Yangu ni mafupi na nittoa mapendekezo yangu kuhusu education. Ningeomba, Katiba ile ambayo inaenda kutengenezwa iwe ikihusisha masomo kwa mwananchi yeyote wa Kenya kuanzia mashinani up to primary 8 iwe ni masomo ya bure.

Pia hapo kwa upande wa masomo, ningeomba Katiba ambayo inatengenezwa ihusishe hata wasio jiweza, kwa sababu tayari,

tuko na wasio jiweza wengi ambao pia hajaweza kufika hapa, hawajaweza kutoa maoni yao sababu hawajiwezi. Pia wakati wa constitution ikifanywa, iwe na njia ya kuwafikia wale wasiojiweza ambao wako mbali na sisi hapa.

Ningeomba pia upande wa administration iwe katika division, DO, Chief na Assistant Chief wawe wakijua katika area fulani ni watoto wangapi hawaendi shuleni na ni kwa sababu gani ndiyo serikali iwe ikiweza kusaidia kwa upande finances.

Upande mwingine ningetaka kuzungumzia kuhusu ni land ownership: Imekuwa ni ajaabu kuwa (inaudible) mtu akifikisha miaka kumi na nane anapewa kitambulisho na ana uwezo wa kupiga kura lakini, huyo mtu hana pa kuenda. Ingekuwa ombi langu ukipata identity card, na upate kura yako uwe unauwezo wa kupata at least 5 acres of land pahali fulani iwe serikali imekutengea kiasi cha – sio mahali hata umezaliwa pahali popote ndani ya Kenya uwe una uwezo wa kupata at least 5 acres of land. Na limit kwa yule ana shamba kubwa zaidi, serikali iangalie ama Constitution hii inatengenezwa hasa mtu anatakiwa awe na kiwango cha shamba ambacho ata utilize vile inatakikana.

Com. Lethome: (inaudible)

George: Mimi ningependekeza ceiling, iwe not more than 50 acres. Yule ako na zaidi ya 50 acres, anyang'anywe apatiwe yule ambaye hana. Na yule ana, awe na kitambulisho na kura huyu ndiye atakuwa mwananchi anayetabulika.

Ingene ni Constituencies. Ningeomba sana upande wangu wa area hii, wapatiwe Constituency kwa sababu wana qualify. Na kwa upande wa Constituency ningeomba Parliament, wakati inakaa sababu inajua mwaka wa Budget, na wakati inafanya budget ifanyie Budget kila constituency hata iwe ni wa upinzani, hata iwe ni ya serikali inayongoza wawe wakitengewa kiasi fulani cha maendeleo katika Constituency hiyo.

Ingene ni political parties. Ningeomba Constitution ile inatengenezwa iwe na limit. Sio mtu akiamka asubuhi akifikiria kutengeneza chama halafu anaingia na chama kingine, ndio tunasikia sasa tuko nazo arubaini. Kunatakikana vyama kama vitatu – tuwe na vyama vitata vya upinzani.

Ya mwisho ni equality - equality ya sheria. Nikisema equality ya sheria nitatoa mfano. Saa hii mimi George nikitoka hapa na simi, na nitoke na rungu, nipitie Timau pale utanikuta ndani. Maasai akipitia hapo saa hii utasikia 'Ero Pita'. Hiyo sheria, hatuko pamoja. Tutengenezewe law ambayo inachunga mwananchi wa Kenya equally. Asante.

Com. Lethome: Swali moja tu. Katika mila ya watu wa Timau, huwa wanabeba nini wazee wa zamani ni kitu gani wanabeba?

George: Ningesema, hakuna mila ya Timau kwa sababu tumechanganya. Utakuta Mjalu, utakuta Mhindi, Utakuta Mchuka...

Com. Lethome: Mila ya Mmeru ni gani?

George: Mila ya Mmeru kawaida ni fimbo kama ile iko na yule mzee.

Com. Lethome: Na mila anabeba nini?

George: Maasai anabeba rungu pengine na simi na mimi nikibeba hiyo nipitie pahali kama town hapo nitawekwa ndani.

Com. Lethome: Sasa ungependa sheria iheshimu mila za watu ama isiheshimu mila za watu?

George: Ningetaka mila ziheshimiwe zaidi, lakini ziwe na areas zao ziko. Pengine kama mimi ni Maasai sina haja nibebana na rungu hadi Meru town. Kwa nini? Mila yangu iko pale pale kwa wale wanajua mila yangu. Asante.

Com. Lethome: Judy Karoki yuko hapa? Judy Karoki. Mama unaitwa nani wewe? Hebu kuja hapa. Wewe tuambie tu kile kitu unataka kusema kuhusu mambo ya sheria. Sema jina halafu useme vile unataka.

Beatrice: Mimi naitwa Beatrice Kanyua na nkaria Kimiru

Translator: Nitazungunza na Kimeru.

Beatrice: Na ni untu bura nkwigua bumpinyite kana bura mbikuaga bumpinyite.

Translator: Na ile jambo inanifinya.

Beatrice: Imbiguaga ta rimwe rira tugitanagia mashambene nau kea achunku.

Translator: wakati tunapitia kwa mashamba ya Wazungu.

Beatrice: Rimwe nitugwatagwa “kanyanga”.

Translator: tunashikwa na kanyanga.

Beatrice: na tugaikua kwa borithi.

Translator: na tunapelekwa kwa polisi.

Beatrice: Na tukaingirwa

Translator: na tunafungiwa,

Beatrice: Na rukiiri muntu agaikua kotini

Translator: Asubuhi mtu anapelekwa kortini.

Beatrice: na agatuirwa.

Translator: na anahukumiwa.

Beatrice: Nandi irio nkugaa atiri, katiba igikurukua untu buu burekebishwe ni untu untu buu tijuo muturire.

Translator: Katiba ikirekebishwa hiyo jambo irekebishwe.

Beatrice: na riu ta batwi twi eene uhuru, na nitwi twarwirire uhuru.

Translator: sisi ndiyo wenye uhuru na tulipigania uhuru.

Beatrice: Nkinya murimi rira eetaga kurima muundene nikurima arimaga na nikenda muunda jwoona gia kuria.

Translator: Mkulima akienda kwa shamba ni kulima analima apate chakula

Beatrice: Na kwou riria twarwiire uhuru tucoke tugwatawe kanyanga tukiringawa...

Translator: Na kama tulipigania uhuru na sasa tunashikwa kwa “kanyaga”, si jambo mzuri kwa Mkenya.

Beatrice: Nandi irio nkugaga kinya achunku bau butugwata kanyanga no mwanka kinya bo miuunda iu yao inyigwe ieewe antu baria bati na miuunda.

Translator: Pendekezo langu ni, haya mashamba makubwa yagawanywe yapewe wale hawana shamba.

Beatrice: Miuunda iu inyigwe ieewe antu baria bati na miuunda nuntu inya guku Timau kwina aathini babaingi mono bati na mashamba.

Translator: Kuna maskini wengi sana hapa Timau wale hawana mashamba

Beatrice: Kwou nitukwenda miuunda iu inyigwe baria bati na miuunda baewe.

Translator: wale hawana mashamba wapewe hayo mashamba ya Wazungu.

Beatrice: Untu bura buungi nkugaga

Translator: Jambo la pili,

Beatrice: antu bau batibwiiri kinya bo kwithirwa beena uhuru nuntu nitwi twarwiriire uhuru na nibo bakwoonania beena uhuru zaidi.

Translator: hawa Wazungu ndiyo wanaonekana wako na uhuru zaidi ya Wafrika na sisi ndio tulipigania uhuru.

Beatrice: Na riu itwi twarwirire uhuru baritugwaata baatwikia ndene tukaingirwa na tukathiinua mono, na nitwi tubwiri kwithirwa twi na uhuru zaidi.

Translator: Mwafrika ndiye anatakikana awe na uhuru zaidi ya huyo Mzungu.

Beatrice: Kwou uuni nika nkuugaa katiba igikirukwa katiba untu buu burekebishwe achunku baria bari na miuunda iminene igitwee ieewe

Translator: Uko na jambo lingine, wiina untu buungi bwa kuuga.

Beatrice: ii.

Translator: uuga buungi lakini ugachookera buu, buria itugiire na bwatonya.

Beatrice: Nandi kinya inkugaga antu baria bati na ikaro bashughulikirwe mono, ii nandi irio nkugaga ati untu buu nibuo

kwigua buntuurite mono nuntu nintegaga kaingi mono nkoona antu bau ni gutunyanyasa batunyanyasite batwi ?
nikunyanyaswa niuntu uhuru ni bwetu.

Untu buungi nabuo ni mantu jamaingi mono jakurukaa guku Timau antu bamwe batikumenya.

Translator: Yako mambo mengi sana yanafanyika hapa Timau na watu hawajui.

Beatrice: ta iwanja bibingi kana guntu gukwingi kura kwejanagwa ndiuga katiba igikurukua antu ba itura riu bageetwa bakeerwa nitukweenda kuthithia untu buna.

Translator: Wakati viwanja vinapeanwa, watu wa Timau wawe consulted,

Beatrice: Baakeerwa nitukwenda kuthithia untu buna, nibugwitikania na untu buu bakauga ii kana ari.

Translator: waulizwe kama watakubaliana na hilo jambo kama ni ya kugawanya maplot, ili wakubali ama wakatae.

Beatrice: Niuntu guntu kuu nikwao na muntu agitaira guntu kwawe.

Translator: Kwa sababu hapo ni kwao. Sasa unapendekeza nini?

Beatrice: uuni ndirienda katiba igikeruka antu bau ba itura riu kithira ii Timau kana Gutithi bageetwa bakeerwa baatwi nitukweenda kuthithia untu buna na niu tukweenda uu bakauga ii kana ari na boona ni untu bubweega bakauga ii na boona buti bubweega bakauga ari.

Translator: Wakati jambo lolote linataka kufanyika hapa Timau, watu wa Timau wote wanaitwa wanazungumzia hilo neno. Wakikubaliana wanakubaliana, wakikataa wanakataa.

Beatrice: Nti na jamaingi ibubweega mwathani abuthaarime.

Translator: Sina mengi asante sana na Bwana awabariki.

Com. Lethome: Samson Kimathi utafutwa na (inaudible)

Esther: Kwa jina langu naitwa Esther Wanjiru Nderitu na watu wengi wananjua hapa. Mimi nimeishi Timau miaka thelathini na mitano. Na kwa hivyo, ninaweza ulizwa na watu habari ya Timau. Wengi hapa wamezaliwa kama niko hapa Timau na mimi ninaweza kuzungumza mambo ya Timau. Timau ni nchi kavu, na Timau ni nchi iko na taabu na mimi nimeishi huku mpaka sasa. Kwa hivyo habari ya Timau yote ni pesa hata wensi wa wamepata wale wanapata mashamba hapa wamepata kama mimi niko hapa Timau.

Kitu kile inanisubua hapa Timau ni vile watu wanaishi wana taabu zaidi. Watu wale wako hapa Timau wako taabu nyingi zaidi hata kushinda watu wote. Labda watu wale wako town ya Timau labda ni Wakamba peke yao. Hapa Timau ni (inaudible) wanapata chakula. Hapa ni nchi kavu hakunyeshi mvua na kwa hivyo kuna taabu sana. Kwa hivyo mnavyosungumza habari ya vile tunaishi ninajua siku moja - kulikuwa 1963 siku ile tulipata uhuru, Wazungu wale wako hapa Timau walisitikika sana. Na wengi walisema 'mnataka hiyo jogoo yote; - mtu yule ako na jogoo aende akachinje. Wakasema hawataki kuona jogoo Timau au kwa shamba yao. Walinyonga hizo jogoo zote na hiyo jogoo sasa ndiyo inatawala hapa. Kwa nini munakubali wao wakae pamoja na sisi? Walinyonga jogoo zote hapa Timau. Wakaambia watu wale wako kwa shamba zao, wakate jogoo zote na

hao ndiyo wanakalia sisi hapa.

Watu wengi wamekuwa maskini kwa sababu ya hawa wazungu ambao wako hapo. Nataka uende useme hivyo. Tunapata umaskini wengi na Wazungu ndiyo wanakula uhuru. Walinyonga jogoo wote wakasema wanyongwe kwa maana wamepata uhuru. Na uhuru umekuja kwa njia ya jogoo kwa hivyo wakakata jogoo wote vichwa. Na sasa nauliza, nyinyi mlisikia hivyo? Ama ninasema uongo? Kwa hivyo, mimi ni nasema ile shamba iko hapa, muende msem Katiba ikipitishwa, ile shamba iko hapa ndani ya Timau irudishiwe wenyewe waache kupata taabu.

Ukienda hapa utaona vile watu wanazungushwa hivyo. Wanapatiwa nyumba na hakuna mahali wanaweza hata kwenda choo. Wanapatia mtu tu mahali pa kulala na hawa ndiyo wameishi hata miaka thelathini, wamezaa watoto na mtu anapatiwa pahali kidogo tu akae. Na mashamba iko ya kukaa watu. Yako Kisima, Bole yako kila pahali - hakuna pahali watu wamekataa. Na watu wanarundikwa hivyo kama kondoo. Kwa hivyo, uende useme Timau tulipata uhuru lakini sisi tunasitikika sana kwa vile tunavyokaa. Makao yetu si mazuri. Hiyo ni ya kwanza.

Ya pili, tunasitikika kwa vile hata ukiona akina mama hawako hapa, wana taabu sana na ndiyo wanakataa hata kuzungumza. Wacha nizungumze tu hata nikiwa sijui Kiswahili wacha nizungumze tu. Hapa iko taabu - wamewachiwa watoto wengi - wale akina mama wamekuja, wazee wamekuja, watoto wamebaki hivyo wengi sana. Mama anasumbuka sana vile atafanya hao watoto na vile atapata chakula; kwanza sasa unaona ni kavu sana. Uende useme Timau, kuna watoto wengi na hawana mama, hawana baba. Hata tunaona vizuri kidogo kwa hawa Padri walikuja hapa wanatusaidia sana. Amerokota hao watoto ndiye anasaidia wao kidogo kidogo kwa chakula.

Ukumbuke Padri alitusaidia na yeye hana shamba hapa na mashamba imejaa hapa yale yanafaa kupewa watu kama hawa huo ni ungwana sasa? Niseme kama vile Leonard Mambo anasema. Shamba iko, watu hawajashidwa na kulima na padri ndiye anapatia watu chakula. Hiyo ni kuonyesha sisi tuko nyuma zaidi. Kwa hivyo, enda useme Timau hakuna usalama hata kidogo

Sasa ngoja iko mambo kidogo. Sasa hasa kwa hospitali ukienda, huwezi kupata dawa kwa hospitali. Ukienda ati ni dawa unataka, unaandikiwa tu kwa karatasi uende ukanunue. Kwa nini sisi hatupatiwi dawa? Mama anasumbuka na watoto, anaenda juu hakuna pesa. Iko taabu ya kila aina Timau-kuna masumbuko ya kila aina. Kwa hivyo watu kama hawa wewe unaona, ni watu wa scheme wako mbali kidogo huko laini ya mwisho.

Na sisi tuko hapa, mtu hawezi kuchunga hata ngombe moja inayoweza kupatia mtoto maziwa. Ukifuga ngombe lazima ulale ukiwa chonjo na uwe ukitazama kama bado yuko. Hapa watu walikimbizwa mpaka mguu ikafunjika hata wengine wakapigwa risasi miguu. Timau kuna mambo; mambo iko Timau yale mambo machafu yote (interjection)

Haya, polisi? Hakuna polisi Timau. Hatujaona polisi Timau huo na uongo - polisi hakuna (interjection: Com. Lethome not audible) labda Chief ndiye anasaidia sisi kidogo kidogo. Ukienda kuwambia polisi mambo yako yameharibika ng'ombe yako ameenda, anakwambia "leta kitu kidogo, halafu nipate kuenda huko kuangalia ngo'mbe". Sasa kama hakuna kitu kidogo ng'ombe inaenda. Eeh?

Com. Lethome: Unataka sheria ifanye nini?

Esther: Ninataka sheria ishikwe kamili na ishikwe kanuni kwa njia ya huruma na njia ya Kimungu-mujue sisi ni watu tu - hata kama sisi Timau tuna tabu. Sasa ile ingine.(interjection)

Com. Lethome: Maliza sasa.

Esther: Wacha niseme moja. Kuna wengine hapa kuna wazee wa mau mau. Wazee wale walipigania uhuru. Wana shida pahali moja, na hawa wanalia tu wanauliza, "sababu gani serikali ilisahau sisi". Sababu gani serikali ilisahau na sisi na sisi tuliwapigania uhuru na kila mtu, kila kabila ikapata matunda. Na sisi walituchukua aje?

Com Lethome: Sasa unataka aje?

Esther: Kwa hivyo, nataka serikali ikumbuke mau mau ndiyo wenye dunia na ndiyo walianza mwanzo. Mtu hawazi kusau baba yake. Hata wewe ukisahau baba yako huwezi kuwa mzuri.

Com. Lethome: Ni kweli.

Esther: Utapata kile sisi tunaita kuu Kikuyu "Keumi". Sasa walisahau na mau mau na ndiyo wenye nchi na ndiyo walipata taabu na ndiyo watoto wao - hata watoto wale walibaki hakuna hata mmoja anaulizwa yeye ako na kazi, ako na nini - wanafanywa tu temporary halafu wanawekwa na wengine.

Com. Lethome: Asante, mama asante.

Esther: Sasa kwenda usema mau mau - na ndiyo walikuwa wa Mt. Kenya wanalala msituni huko miaka kumi na tatu, hakuna hata mmoja anajulikana hapa Timau. (interjection)

Com. Lethome: Haya Asante.

Esther: Kwa hivyo, uende salama sisi tuko na mambo mengi tunaweza kukupatia wewe lakini - sawa sawa enda salama na

ukumbuke hiyo ya mau mau vile walifanya; uende useme hakuna mtu wa mau mau hata mmoja anajulikana na ndiyo wenyewe.

Com. Lethome: Tumechukua hiyo.

Esther: Hata wao wamepatiwa madaraka – freedom hata wao wapatiwe madaraka na watoto wao wapatiwe makao kama vitu vingine vile inafanywa.

Com. Lethome: Asante mama, asante. Jiandikishe hapo. Samson Kimathi, halafu George Mwenda utafuata

Samson: Ok. Asante. Kwa majina kamili ni Kimathi Samson. Ningetaka kuchangia hivi. Katiba inapobadilishwa kila mtu ambaye ni Mwanakenya awe na uhuru wa kuabudu, ikiwa ni masaa yoyote yale, siku yoyote ile, na wakati wowote ule. Maana, kunatokea mambo mengi ambapo mtu anapoajiriwa ananyimwa ruhusa ya kuabudu. Kwa hivyo Katiba inaporekebishwa, hilo jambo litiliwe manani juu ya kumwabudu Mungu.

Jingine ni kura zinapoenda kupigwa, Katiba ihakikishe kwamba kura hasipigui au kuhesabiwa siku zile watu wako hospitalini kama siku za ijumaa, jumamosi au jumapili. Siku hizo ziangaliwe sana kura sisije zikalingana na siku hizo. Kwa hivyo hayo nayo yatiliwe maanani Katiba inaporekebishwa. Jambo lingine ni kuhusu shule. Kama nikiwa Msabato, shule zinapoendelea, nanyimwa ruhusa ya kumwabudu Mungu, siku hiyo ya Jumamosi na inatengwa kama ni holiday. Kwa hivyo, sio holiday, (inaudible) sawa.

Basi wanafunzi nao wawe na haki, wawe na uhuru hata wakiwa mashuleni wakiwa wanamabudu Mungu siku ya Jumamosi, Jumaa, wapewe uhuru na waalimu wasiwaonee watoto kama hao. Kwa hivyo sheria iwekwe, mwanafunzi naye pia, awe huru wa kumabudu Mungu anapokuwa shuleni.

Lingine, hali ya dini nayo, watu wasije - tuseme nikiwa niko kazini - kazi isisemekane hii ni ya dini fulani ndiyo inaajiri watu hivi, au ni dhehebu fulani ndiyo inatakiwa watu wa dhehebu hilo wawe na nafasi hiyo. Tafadhali sheria inapowekwa, watu wawe kwa kazi yoyote ile wawe ni wa dini fulani, au ile ile itakayokuwa, awe na uhuru wa kufanya kazi pale mradi anajenga nchi. Asante.

Com. Githu: Asante sana. Tungetaka sasa kumsikiza Beatrice Kinyua. Yuko Beatrice Kinyua? Felix Maina, hawako? Duncan Mathai, Peter Mwangi, yuko? Kuja mzee.

Mwangi: Mimi naitwa Peter Mwangi. . Asante sana Bw. Commissioner. Kile kitu nitasema, serikali ya Kenya tangu tupewe uhuru - watu wengine walipewa mashamba na wengine hawana. Kwa hivyo, ningeliza serikali ya Kenya iulize Queen Elizabeth, arekebishe mashamba ya wale Wazungu waliokuja hapa, hawakuzaliwa hapa. Mashamba mengine watoe kidogo ipewe wananchi (interjection)

Com. Githu: Bw. Mwangi tungependa sana utuambie yale mambo ambayo unataka tuandike kwa Katiba. Ukiwa unataka Katiba iandike watu wasio na mashamba wapewe mashamba na serikali, useme hivyo.

Mwangi: Ningesema watu ambao hawana mashamba, wapewe na serikali.

Com. Githu: Hiyo tumesikia. Songa mbele

Mwangi: Ya pili, ile jina mau mau ibadilishwe wasiitwe magaidi waitwe wapiganiaji uhuru na iwekwe kwa Katiba.

Com. Githu: Ok.

Mwangi: Ningeliza serikali ya Kenya ijenge factory nyingi ili watoto wetu wapate nafasi ya kazi. Ningeliza wale ambao wanachukua silaha, kama mabunduki, serikali iwambie wasichukue silaha bila kukubaliwa na serikali. Wengine wanaua wengine ovyo ovyo kwa kuwa wengine wana bunduki, wengine hawana, anakukuta wewe huna chochote na anakupiga risasi. Kwa hivyo, ningeliza serikali ijaribu kuwanyang'nya ama kurekebisha hiyo sheria, mtu asiwe na bunduki bila kibali. Na, ningeliza kila Province iwe na university ndio watoto wetu ama nchi yetu isiwe chini sana katika Afrika. Tujaribu kidogo hata tukiwa hatuna chances tuwe tuna watu wana elimu. Ningeliza Assitant Chiefs na Chiefs wawe wakichaguliwa na wananchi. Ningeliza serikali ya Kenya ipunguze Waarabu na Wahindi wale wako hapa kwa biashara zingine kwa sababu sisi wananchi hatujui vile inaendelea kwa biashara. Kwa hivyo tuko nyuma sana na serikali ijaribu kuwapunguza hao na ifundishe wananchi maneno ya biashara - hiyo ndiyo ina faida.

Com. Githu: Asante sana. Esther Wanjiru yuko? Nyamu, Kibaire yuko, na George Okatchi yuko? Na Peter Mwangi? Ok endelea na maoni yako.

Nyamu: Jina langu ni Nyamu Ntaibari. Mapendekezo yangu ni kuhusu katiba. Ningependekeza katika Katiba, Rais yule atakuwa awe hana madaraka zaidi ya Bunge. Bunge iwe na madaraka zaidi.

Nyingine ni kuhusu mambo ya polisi. Ningependekeza hii kikosi ya - kama hii CID, wakifanya kazi wawe hawafanyi kazi ya mtu mmoja. Kwa sababu saa ile wameona makosa yamefanyika na polisi, wanaenda wanaficha ukweli. Ningependekeza hayo

mambo yawe wazi iwe sio ya kuficha mtu yule ako na haki yake. Na hii ofisi yao ya kutoka kwa CID kuenda kwa OCPD iwe wazi, isiwe ikifichwa au kuingiliwa vile inaingiliwa na watu hawa wako na pesa. Kwa sababu wakiona wewe uko na haki yako, wanaingia huko, wakiingia huko, wanasema hayo maneno wanapeleleza na hayo maneno ni wazi kuhusu kitu ambacho kimetendeka. Nikisema hivyo, ni kitu ambacho kilitendeka hata kwangu mwenyewe. (interjection).

Com. Githu: Unapendekeza aje?

Nyamu: Ninapendekeza, hao wasiwe na mambo ya kupendelea - kuficha ukweli; iwe kitu kikitendeka wanachukua hatua mara moja kulingana na sheria ya Kenya vile iko au kama sheria haitoshi, Wabunge watunge sheria ile ambayo itakuwa ikitetea mwananchi wa kawaida.

Com. Githu: Songa mbele hiyo tumeelewa

Nyamu: Na tena, kuhusu Human Rights; wenye kuhusika na hii, wana maofisi mengi - ya ukweli na uongo. Saa ile mtu anapeleka maneno yake, inakuwa ni kama ya familia moja inapita. Hiki kitu kinatumiza sisi roho sana. Kuna kingine juu ya Chief. Chief amepewa madaraka makubwa zaidi kupita kiasi na nimependekeza hiyo yake iwe ya kiasi kulingana na wananchi vile wako (interjection).

Com. Githu: Katiba ipunguze nguvu za chief.

Nyamu: Katiba ipunguze madaraka ya Chief kabisa awe kama raia - awe akisikizana na raia. Na huyu assistant Chief, awe akichaguliwa na raia. Sio kuenda kwa ofisi kuhongana huko, akiandikwa huko ukimwambia maneno, hasikii. Hiyo tunakataa. Nimependekeza hiyo ipelekwe kwa yule atakayekuwa madarakani. Kuhusu kudhurumiwa kwa watoto hiyo kitu iwe ikiangaliwa sana. Hawa polisi wawe wazi, mtu akipeleka ripoti wasiwe wakitaka hongo ili wamfanyie hiyo kesi. Iwe wazi, nimependekeza hivyo.

Com. Githu: Ingingine Bwana Nyamu?

Nyamu: Kuna ingine ningetaka kutuma hii Tume. Ningependelea hivi; kuwe ofisi hii ya Mkuu wa sheria iwe wazi isiwe kama kitu ya mtu binafsi. Iwe ikipeanwa (inaudible) nikiwa nimefanywa sana, nitume ripoti yangu mwenyewe huko. Ninapendekeza hivyo kwa sababu hiyo inakuwa kama siri na receipt yake haipatikani

Com. Githu: Ok endelea mbele.

Nyamu: Ingingine ni juu ya CID Headquarters tuwe tukipata address yake

Com. Githu: Bw. Nyamu, Umetueleza kwamba CID na Polisi wote ungependa wafanye kazi kulingana na Katiba na sheria na wakikosea wadhibiwe; hiyo tumeandika. Kuna ingine?

Nyamu: Rais naye atakayechaguliwa asiwe na mamlaka kushinda Bunge.

Com. Githu: Kushinda Bunge tumeweka hiyo pia. Umesema Chief and Assistant wake wachaguliwe na na wananchi na wafanye kazi (interjection)

Nyamu: Kuna kitu kingine kama miradi. Hii tumekuwa tukifanya sisi wenyewe. Naye Chief anaingilia anavunja hiyo miradi, wanasikizana na wale wamechaguliwa na wananchi, wanaweka kwa mfuko wanaharibu hiyo pesa yote. Ninapendekeza Katiba iangalie hiyo (inaudible) inatumiza sana. Wanaweka pipe mzee na pesa imetolewa na serikali. Hiyo iangaliwe sana.

Com. Githu: Asante sana Bw. Nyamu. Kuna lingine limebakia? Ukikumbuka ukiwa umeketi chini, hitarudi tena. George?

Nyamu: Kuna ingine nimekumbuka; kama 1991 mtoto wangu alishikwa akaibiwa ...

Com. Githu: Yote ya kulingana na polisi, umetueleza kwamba kwa maoni yako, polisi wote na CID na maafisa wa aina hiyo ni lazima wafanye kazi yao kulingana na sheria. Na wasipofanya hivyo Katiba itoe maamuzi ya vile wataadhibiwa. Kwa hivyo usirudie vile wewe mwenyewe uliona kitu, kwa sababu hiyo tumechukua na tumeandika na itawekwa kwa Katiba.

Nyamu: Kama hiyo ile iko haifanyi kazi hata kidogo kabisa inajulikana wazi.

Com. Githu: Hiyo tumeelewa. Ukikumbuka lingine utueleze yote.

George: Asante sana. Maoni yangu mimi nataka kuomba Tume ya kurekebisha Katiba idhimishe kwamba Wakenya hatutaki kusikia kwamba kuna wananchi wanaitwa squatters na kuna Wazungu wanaitwa settlers.

Com. Githu: Pendekeza.

George: Mimi ninapendekeza kuwe na wananchi kusiwe na squatters. Napendekeza kwamba, kwa Katiba ya Kenya Wazungu wa submit yale mashamba wako nayo igawanyiwe wananchi wale wasio na mashamba.

Com. Githu: Unapendekeza serikali ya Kenya kwa Katiba, ipatie wananchi wasio na mashamba, mashamba?

George: Ndio.

Com. Githu: Basi songa mbele.

George: Tena, mimi nachangia kwamba Katiba ya Kenya iidhinishe budget iwe inatayarishwa na Bunge - sio serikali Naomba tena, Katiba ya hii nchi ya Kenya imuzuie rais kuhusika na nchi zingine, kutatua mizozo ya nchi hizo akitumia pesa ya serikali. Naomba tena, Katiba ya Kenya iwaruhusu wanajeshi wawe wakienda kusaidia mahali kumetokea mkasa na sio lazima wangojee mpaka waamrishwe – kama ile ilitokea Abathugusi pale.

Tena naomba Katiba iidhinishe kwamba walioharibu misitu ama kuhusika kunyakua mali ya serikali wayasalamishe bila kung' ang'ana na serikali. Naomba tena Katiba iidhinishe ma MPs wale wanaotaka kugombea viti vya ubunge wawe wakitendea vile wameahidi wananchi kufanya. Sio kusema kwa midomo halafu wanaenda kukaa huko.

Naomba tena, Katiba iidhinishe ya kwamba raia wa Kenya kutoka miaka kumi na nane awe akilipwa na serikali kiasi fulani cha pesa kama elfu mbili kwa mwezi. Kwa sababu umaskini umezidi sana na mwananchi mwenyewe hana kitu na yeye tayari ako na course fulani na hapati mahali ya kufanya hiyo course yake. Kwa hivyo naomba serikali iwe inalipa mwananchi wa kawaida akiwa amefikisha miana kumi na nane.

Naomba tena Katiba iondolee haya mambo ya kuri-new hii licence ya ma-drivers, wawe wanapigiwa stamp bila malipo yoyote. Kwa sababu unaona driver amejitahidi akapata license, kama mwalimu ama daktari, lakini yeye analazimizwa kulipa mia tano kwa mwaka ati ndiyo a-renew hiyo barua yake na ujuzi wake kuhakikishwa.

Com. Githu: Pendekeza

George: Sasa naomba hiyo pesa inaitishwa Katiba izuie. Tena, naomba Katiba ya Kenya iwazuie hawa watu wanaoingia na ma-companies kama ya madrink ama kutengeneza masabuni ama vitu vingine wale wanatengeneza vitu ambavyo vinaharibu maisha ya watu. Kama vinyuaji vingine vinatengenezwa Kenya, watu wakikunyua unasikia wameshikwa na ugonjwa kama vile – kuna vinyuaji vingine vinatengenezwa hapa (inaudible) na hizo makampuni.

Mimi naomba Katiba iwe inalinda masilahi ya wafanyi kazi wa mashamba ya Wazungu nchini Kenya. Wananyanyaswa sana. Wengine wanatumia ma-chemicals ya hali ya juu sana wanaumia, halafu hao Wazungu wakipata faida wanaenda zao, wanaacha wananchi wa Kenya wakiwa wanataabika. Kwa hivyo naomba Katiba iwe inawasimamia wananchi wa kawaida na inanzuia, na kuwe na kiwango fulani ambacho huyu Mzungu atanyanyasha huyu Mwafrika, mwafrika alalamike. Na ile sheria ya “kanyanga” itolewe hakuna kuwa na Mzungu au Mwafrika sote tuko Kenya.

Com. Githu: Hapo ndipo ulipoanzia.....

George: Ya mwisho naomba kwa traffic-askari wa traffic: Mwafrika akiwa na gari lazima asimamishwe lakini Mzungu akipita na gari lazima apite. Kwa hivyo, Mwafrika na Mzungu wote wawe sawa. Kama ni hongo watoe wote ...

Com. Githu: Pendekeza pendekeza. Ndugu.

George: Napendekeza, Katiba iweke kuwa Mwafrika na Mzungu wote ni raia wa Kenya kama wako Kenya.

Com. Githu: Unataka sheria iseme nini au Katiba iseme nini juu ya askarii wote mpaka wa traffic?

George: Wafuate sheria ya barabara.

Com. Githu: Asante George. Mama sema jina lako na pahali unatoka halafu upendekeze yale mambo unataka yaandikwe kwa Katiba.

Mama: Mimi naitwa (inaudible) kwetu ni hapa Timau. Mimi nataka kuuliza au kusema kuwa wakati mwingine hao wabunge wetu wanakuwa na harambee ama mchango wa mtoto wako akiwa mgonjwa ama mambo mengine. Halafu wakati huo unamwita Mbunge wa kwenu. Sasa ikifika siku ile ya kwenda Nairobi kwa Mbunge, yeye anasema anaenda Bunge. Lakini njioni hiyo utasikia kwa mswaanda fulani hakupitizwa kwa kuwa Wabunge hawa kutosha. Hapo nauliza, kwa nini? Yeye alienda kufanyia nini? Na tena anakwenda kwenye ile inaitwa tembo anakwenda kunyua halafu analewa huko ama....

Com. Githu: Hapo mama tumesikia. Unataka Katiba imshurutisha Mbunge kwenda Nairobi na kufanya kazi yake aliyopewa na wananchi na asipoifanya, wananchi wamuondoe - sana sana asiposaidia wale wananchi waliomchagua. Hiyo tumesikia, tumeandika asante sana. Kuna Peter Mwangi? Hayuko, twende kwa Joseph Kaumbu, Stevenson Wahome, asante, afuatwe na Domiciano Gatara yuko? Afutwe na Samuel Mungania.

Wahome: Iam Stevenson Wahome

Com. Githu: Na afuatwe na Stevenson Riungu. Go ahead.

Wahome: This are the things I would like to talk about. The first one is insecurity. In most cases – I am describing this place- you will find some people carrying some weapons for there are no restrictions. Again on the other hand, if others are found carrying then ... Ok nitarudia tena. I am going to talk about insecurity. Sometimes you find that some people - not particularly in this place - are allowed to carry some weapons like simis, rungus and so on while some members of other communities

within, are not allowed to do so I believe that if we should have a new Consitution it should take into consideration this fact and therefore restrict the carrying of dangerous weapons that are run against....

Com. Githu: So you recommend - what is your recommendation, Sir? That all dangerous weapons should be restricted by law?

Wahome: Yes; and if it is a custom, it should operate within the area of that community.

Com. Githu: Go ahead, Sir.

Wahome: The second thing that I would like to talk about is labour. And I am drawing my example within the same place again. Here, we have many people who call themselves settlers and have employed people within this place and those people, I feel are normally exploited by way of the salaries they get. They get very minimal amount and once may be an accident happens there is no compensation and should they be sick then they are made to meet the bills and so on, whereas their employees keep on dodging very well making a living out of whatever output they get from the labour.

Com. Githu: Your recommendation Sir is?

Wahome: That, a law should be passed whereby those people should be fully responsible for whatever happens to such a person.

Com. Githu: That is to say all employers should be required by the Consitution to take care of their employees in accordance to the law.

Wahome: You are right.

Com. Githu: Ok, Sir move on.

Wahome: The third thing I would like to talk about is about MPs and Councillors. Infact, the common man is the person who gives these people the duties they are supposed to perform for them. Once elected, they actually have to take whatever course they were supposed to carry out for the constituency and so on.. Therefore, I believe, that a law should be enacted in Parliament whereby if these people in one way or the other, do not help the constituency then, the people should be in a position to do away with them mid-course. That is half way of that 5 year term.

Freedom of worship: In our Constitution or the current Constitution there is a lot of freedom of worship that is why we get that many many churches are cropping up every other day and in particular – I am not against the Muslims. Though I am a christian, I feel that christians are misusing this freedom and therefore, I think, something should be done so that at least, if somebody has come up with his own church, then he has to give details and what he intends and therefore there should be a little bit of restriction on this thing.

Then, I would like to talk about (inaudible)squatters and again, I am referring to this place, in respect to what (inaudible). In this place in particular - not because there are many (inaudible) but there are some few people who assume that they have a right to availability of this resources. I believe that in the next Constitution such a thing, or such resources - or there should be a law that should be enacted to make sure that all resources are equitably distributed and accesible to each and every person.

Lastly, I would like to talk about the President. As much as I respect that office or the person, I would like to say that sometimes we see the President making- often visits to other countries and I think this is, or whatever cost this is, comes from the tax payers money. I believe there should be a minimum of such visits and such visits should only happen if and only when it is necessary. Thank you.

Com. Githu: Thank you very much for being very brief and precise. Wilson Migwi. Joseph Kaaria. Mzee unaitwa Wilson Migwi? Ok. Joseph Kaaria, Karibia hapa Bw. Kaaria, Joseph Kihato, Mary Kirigo, Mwangi Muriithi. Karibieni hapa mbele. Ok. Tuanze na wewe Bw. Wilson Mwigwi.

Migwi: Asante sana. Jina langu ni Wilson Migwi kutoka hapa timau. Mimi ningeomba Katiba ikitengenezwa neno hongo lichunguzwe sana sana sana sababu hongo ni kitu kibaya sana. Ukiangalia kama tumeseme kama hii barabara yetu; hata kama mtu akikataa kutengeneza gari yake sawa sawa na anabeba watu atatoa hongo. Atakubaliwa apite.

Com. Githu: Ok pendekeza mzee, pendeza. Kwa hivyo ungependa Katiba ifanye nini?

Migwi: Kwa hivyo, kitu ama tuseme hiyo gari inaweza kuna watu na kitu ingine kama hiyo. Kwa hivyo, ningeomba neno “hongo” lichukuliwe hatua kali sana sana ambayo mtu akishikwa na hiyo hongo hata kunyongwa anyongwe kwa sababu anaweza kufanya kitu kibaya sana kama kuua watu na akihongana atakubaliwa. Kwa hivyo, mimi naomba neno hongo lichukuliwe hatua kali sana sana. Asante.

Com.Githu: Asante sana Bw. Migwi. Joseph Yuko Ok Bw. Kaaria ufuate vile Bw. Migwi ametuonyesha. Useme tu kwa Muhktasari.

Joseph: Mimi ni Joseph Kaaria kutoka hapa Timau. Ningependekeza - mimi naongea kuhusu mali ya asili. Mimi ningependa Katiba ijayo, hiyo inatengenezwa sasa, mali ya asili kama vile maji yaangaliwe vizuri sababu maji ni uhai. Maji na damu na upepo ni uhai na ninasema hivyo kwa sababu, maji-kuna watu wengine ama wakati mwingine unakuta kama vile tunasema watu wa hapa Timau, ni watu wanakuja kwa mashamba yale yalikuwa ya Wazungu. Na maji yanatoka kutoka msitu wa Mt. Kenya. Na kuna watu wana mashamba ile unasikia watu wakisema kuna mashamba makubwa. Wakati wa kuenda kutoa maji kama tulikuja hapa, wakati wa kutaka ile maji tukaomba serikali maji ikatupatia maji. Kufika tu kwa yule tajiri mwenye shamba, maji yetu yakaishia hapo

Com. Githu: Pendekeza:

Joseph: Akasema maji haipitii hapa kwa sababu hilo shamba ni lake. Sasa tunataka serikali iangalie mambo ya maji ili mtu mmoja asizuie maji kutumiwa na wale walio wengi na ni maskini. Na yeye mwenye shamba hilo kubwa ni tajiri. Kwa hivyo mambo ya maji, yagawanywe kwa usawa sababu maji ni uhai (interjection)

Com. Githu: Hiyo tumeshika.

Joseph: Kwa upande mwingine - niko kwa upande wa msitu; mali ya asili ya hapa kwetu - hiyo maji na msitu mawe na mambo mengine. Ningependekeza kwa mambo ya misitu kama wananchi wale wako kwa hiyo area hiyo, ama kwa hiyo environment, hiyo wawe na uwezo wa kulinda hayo mali ya asili yao. Wahusishwe katika kulinda hayo mali yao. Kwa mfano, sisi tuko katika mteremko wa Mt. Kenya sasa tuhisiswe katika kulinda mali yetu ya asili na ndiyo kulinda hata environment.

Na kwa upande wa elimu, ningependekeza upande wa elimu, iangaliwe sana na serikali isikae kama imeachiliwa watu fulani kama kitu ya kibinafsi. Serikali isimamie ili iwahusishe waalimu wetu kuzungumza katika mambo kama haya ya sasa. Waalimu wetu wafanyiwe vizuri ili waweze kuendesha elimu mbele. Kwa sababu mwalimu ndiye chanzo cha kila kitu cha elimu, na mwalimu ndiye anafundisha hata President na hawa wengine. Kwa hivyo mwalimu afurahishwe hata kama maofisa wengine aendeshe gari kama ofisa wengine, ili elimu iweze kuenda mbele. Kwangu ni hayo tu ninasema asante.

Com. Githu: Asante sana Samuel Mungania.

Samuel: Hamjamboni? Jina langu ni Samuel Mungania kutoka settlement scheme Timau. Yangu ni moja tu. Ndani ya Katiba, hakuna Katiba inaweza kufuatwa kama watu wako na njaa. Kitu kinacholeta umaskini ni njaa. Mimi napendekeza kwa wakubwa walio mbele yetu tunaowachagua, ndiyo hawafanyi kazi kwa watu wao waliowatuma. Kitu cha kwanza Mungu alitupa nchi hii, ni maji yanayoteremka bure hayatumiki. Mimi napendekeza, katika nchi ile iko kavu, maji itolewe inayoteremka bure, ipelekwe nchi kavu watu wapate makao na pahali pa kuishi pazuri. Na kama Katiba hiyo inatengenezwa na kushirikiana, maji yanapelekwa kutoka hapa katika kuzunguka mlima huu wa Kenya, ni maili tano tu watu wanazunguka nchi nzima. Na nchi

inabaki kubwa yenye rutuba na haina watu. Maji yapelekwe huko watu waweze kuishi mahali pazuri. Wanatumia pesa bure haifanyi kazi kwa watu.

Com. Githu: Kwa hivyo unapendekeza aje Mzee - unapendekeza nini?

Samuel: Napendekeza (interjection)

Com. Githu: Katiba ifanye nini?

Samuel: Katiba, itengenezwe ya kuweka kutafuta makao kwa maji- irrigation ili watu wapate kukaa na kuishi bila njaa. Na hiyo, Katiba ichukuliwe kama kitu muhimu. Hakuna mtu anaweza kuheshimu sheria kama ako na njaa.

Com. Githu: Asante sana Mzee. Tumesikia hayo. Mzee kuja mbele utwambie jina na pahali umetoka.

Kihato: Asante: Jina yangu ni Kihato. Joseph Kihato. Nimetoka hapa Timau. Yangu ningeliza Katiba ya jamuhuri ya Kenya izuie kitu kinaitwa, “hongo”. Hongo ni kitu moja mbaya sana kwa maana hongo - mtu akihongana anaweza hata kuuza hata nchi, hata anaweza kumaliza korti, kwa hivyo, ningeliza hongo imalizwe kwa kila kitu na kwa njia yoyote. Asante.

Com. Githu: Ndiyo Bw. Kihato. Tumesikia asante sana. Nani mwenzangu pale? Tueleze jina lako na pahali unapotoka halafu utupatie maoni yako.

Mureithi: Mimi kwa jina naitwa Mwangi Mureithi kutoka hapa Timau. Mimi kwa maoni yangu ninataka tu kutumia wakati huu kutetea mambo matatu yenye ni muhimu zaidi katika maisha ya binadamu. Hata wakati tulikuwa shule tulifundishwa maneno haya matatu: chakula, makao, na mavasi ndiyo vitu vile muhimu sana katika maisha ya binadamu. Na isipokuwa ni hizi tatu, hakuna nyingine unaweza fanya. Sasa kile kitu ningetetea, ni hizi vitu vitatu. Chakula na makao katika sheria ya Kenya iwe ni bure.

Shamba, hapa katika nchi yetu isiuzwe. Kwa sababu katika America tunasikia mtu akifikisha umri wa 18 years, anapata mshahara hata kama hajaajiriwa. Kwa hivyo hapa sisi Kenya hatuna Mshahara watu over 18 and still we are paying tax. Sasa, tunalipa tax and we are not employed, hatuna makao, tunakomboa manyumba

Com. Githu: What do you recommend Sir? Recommend something, recommend.

Mureithi: Nataka shamba hapa Kenya mtu akifikisha miaka kumi na nane akipewa kitambulisho hiyo ndiyo number ya shamba yake. (interjection)

Com.Githu: Anapewa shamba?

Mureithi: Anapewa shamba. Jambo la pili, kutenganisha siasa na administration. Watu wa siasa wawe ndiyo wanalipwa mshahara lakini administration tuwe ni watu wa kujitolea. Kama ni askari police, irudishwe kwa administration kwa wazee na vijana watu wasiolipwa. Kama ni wanasiasa, iwe Rais aongoze jeshi letu la kututetea mipakani. Security yetu turudishiwe hapa manyumbani iwe ni ya wazee na vijana wale hawahitaji malipo yoyote.

Com. Githu: Kuna watu wawili nitaita hapa mbele; Joseph Kimathi, yuko? Abinul. Ok. Wacha niulize hivi; wananchi wenzangu, kuna mtu hapa ambaye angependa kuzungunza na hajaitwa? Ikiwa kuna mtu kama huyo kuja hapa mbele. Mtu ambaye amekuja kutoa maoni yake lakini jina lake halijatajwa. Basi kunaoneka .. ah kuna jamaa mmoja. Kuja hapa ndugu. Tuambie jina lako na utwambie pahali unapotoka na utupatie maoni yako.

Moses: Majina yangu naitwa Moses Mureithi kutoka hapa Timau. Mimi ningependelea upande wa hawa investors wawe wanaruhusiwa kukaa - wale wame invest, waruhusiwe kujenga kitu kama njia pahali wanafanyia kazi. Ni hiyo tu nilikuwa nayo.

Com. Githu: Asante sana. Karibu Mzee, tueleze jina. Kuna mwingine pale nyuma? Kuja hapa mbele mzee.

Abdi: Jina langu ni Abdi Noor. Nina maoni madogo kuhusu serikali. Ningependa kusema, nataka serikali iundwe iwe ni serikali ya majimbo. Kwa sababu tunataka nchi yetu iendeleo kila sehemu iwe inaendelea. Kwa wakati huu, kuna sehemu zingine inaendelea na zingine zinabaki nyuma. Kwa hivyo ningependa serikali iwe ni ya majimbo.

Com. Githu: Asante sana Bw. Noor. Kuna mwenzangu pale, ni nani?

Clement: Mimi naitwa Clement Wambugu Kariuki. Mimi maoni yangu ni kuhusu maji hata ingawa watu wengi wameongea juu ya maji. Kama sisi wakaaji wa hapa Timau tuko na taabu ya maji sababu kuna Wazungu wako hapa juu karibu na Mt. Kenya. Hao Wazungu, ni matajiri kutoka nchi za ng'ambo. Wanafunga maji saa ingine - hii mito inakauka kabisa hata inamaliza karibu week mbili week tatu. Watu wa chini wanakosa maji. Hiyo sasa mimi nataka Katiba iweke hiyo nguvu kabisa hali ya maji kwani maji ni uhai.

Tena ya pili - kuhusu maji tu - wakati maji tukipata kutoka juu, sasa watu wengi wamejaa hapa area hii ya Timau na wamejenga maplot. Saa ingine, unaeza kwenda kwa mto unakuta wanawake wanafua nguo na hayo maji machafu yote yanarudi kwa mto yanateremka. Sasa, inaonekana, Katiba ikikosa kuweka nguvu, hii mito yote hakuna mtu atakuwa akikunywa maji miaka ijayo. Asante.

Com. Githu: Basi, Asante sana. Kuna Mwananchi yoyote? Ok ndugu, sema jina.

Kinoti: Elias Kinoti. My contribution first is on gender and I wish that our new Constitution states that the nomination of MPs and Councillors should be done half-half - that's half the number of women nominated as that of men. Then, the land distribution: I wish the new Constitution could distribute land in terms of need and not capacity. So, those who have no land first are given, those with much should have some taken from them.

Then MPs; before one is allowed to sit in Parliament, to declare his wealth, where he has got what he has. I wish also the new Constitution to give Parliament power to form any commission when need arises. You know the difficult we had in forming the one we have presently. And the first commission to be formed under the new Constitution, I wish it a lot of peace and reconciliation. Kenyans have great pains in many things they have experienced. They wish to release that psychological pain so that we can live in harmony.

Then, I wish that the new Constitution recognizes food, shelter, education health and water - not just as human needs, but as human rights; so that the government has responsibility to give those rights. Recognizing them as human needs is not enough but as human rights. Thank you.

Com. Githu: Asante sana. Wananchi watukufu, kuna mwananchi ambaye angependa kuzungumza? Mama tuambie jina lako.

Wangare: Naitwa Milka Wangare. Ningetaka wakati Katiba inarekebishwa, kuna miradi mingine hapa ni yetu imejaribu kusaidia Wakenya wetu, hata machokara wamewasaidia kwa kuwajengea shule. Ningependekeza serikali wakati hii Katiba imerekebishwa, wapewe kama ni mashamba ama mradi kama pesa, halafu wanaendelea kusaidia Kenya yetu.

Ya pili, ningependekeza wakati Katiba inabadilishwa, sana sana haya mashamba ya Wazungu yako hapa, Katiba itoe amri kiwango ya pesa employees kwa hayo mashamba wangelipwa kwa maana hawa employee wanafinyiliwa sana kipesa. Asanteni.

Com. Githu: Asante sana. Akina mama hapo nje, kuna mtu angependa kuzungumza? Tumemaliza sasa. Tungelipenda kusikia watu wengine, kuna mtu angelipenda kuzungumza? Ulizungumza asubuhi mzee, sasa hatutarudia tunataka mara moja moja. Wewe ndugu ndiye utakuwa wa mwisho, tueleze jina na kwenu nyumbani na utupatie mawaidha.

Mwangi: Kwa jina naitwa Johnson Mwangi. Nina furaha sana kujua ya kwamba Katiba itabadirishwa. Kulingana vile nimeona na kwamba, hizi sheria zinatumiwa ni za wakati wa ukoloni kama mambo ya masquatter. Jambo linashangaza sana, mwananchi wa Kenya ako na kitambulisho, ni citizen, anaitwa squatter anafukuzwa hapa mara anafukuzwa huko anafukuzwa

huku. Ningependelea Katiba ibadilishe na kuwe ya kwamba, mtu akifikisha miaka kumi na nane, na ni mwananchi wa Kenya-citizen of Kenya asiitwe squatter. Kwa sababu hilo ni jina la aibu sana kuita mtu squatter na ni mtu mwenye nchi. Apatiwe kama acre moja ya shamba pahali, au alipe pahali fulani pengine yule hajiwezi, alipe pesa kidogo, yule anajiweza alipe nyingi.

Kuna wengine wako na ma acre elfu moja, elfu mbili, elfu tatu na unasikia mtu ako na elfu saba na kuna Wanakenya masquatter hawana kitu, ni maskini hana kazi, ako na nguo matambara, na tajiri kuna tajiri mmoja ako na ma-acre - district nzima inakuwa yake. Kama for example upande huu wa Meru, kuna mashamba yako kule makubwa makubwa mtu anatembea na ndege ndiyo afike mwisho. Na huku kwingine kuna maskini hohahae, yeye ni squatter katika nchi yake!

Ningependelea ya kwamba kuwe na kiwango fulani. Ikiwa mtu ako na acre elfu moja, kutoke sheria ya kwamba, hakuna mtu atapitisha acre kama hamsini hivi au sitini. Na wale wananchi hawana shamba, wanapatiwa acre moja, acre mbili hivyo hivyo.

Jambo lingine ni power za President ziwe reduced. Kwa sababu ile Katiba ilikuwa kule Lancaster House, ilipatia Rais powers nyingi sana. Kwa sababu kuna watu walikuwa wanataka kujipendekeza kwa Rais ndiyo wakampatia powers nyingi, nyingi, nyingi mpaka sasa Rais akisema kitu fulani inafanyika. Powers za President ziwe reduced na ziwe distributed equally. Ikiwa ni Executive iwe imesimama upande wake, Judiciary upande wake bila interference.

Na hii ingine ya powers kama za Parliament, iwe na powers za kusema kwamba serikali haiendi vizuri. Inasema ya kwamba hatuna imani - kama nchi fulani sijui ni nchi ya Philippines. Philippines walimuondoa Rais mmoja aliyekuwa kule, kwa sababu ya ufisadi. Wakasema ya kwamba, huyo Rais amefuja pesa ya serikali na kwa hivyo alisimamishwe kazi, na sasa yuko kortini anaendelea na mashtaka. Kuwe na powers kama zile zimepatiwa pengine kama Judiciary au Parliament. Na kusiwe na ma-godfathers au nini au nini. Upande mwingine, wa civil service, kama civil servants – sijui kama hiyo ni muhimu?

Upande wa civil servants; Ikiwa ni civil servants, wawe na ruhusa au kuwe katika Katiba, ikiwa wamefinyiliwa wanasema wamefinyiliwa. For example, kama kazini, pengine kuna boss pale mkubwa anapiga mtu transfer tu hivi hivi kwa sababu ya kumchukia. Kuwe na Katiba ya kusema ya kwamba, “mimi nimefinyiliwa kama civil servant”. Kama mimi nilikuwa ninafanya kazi Tana river, nilifanya kazi huko 6 years, na sheria ya civil service inasema ya kwamba mtu akifanya kazi about 2 years in a hardship area, anapaswa kupewa automatic transfer. Lakini nilifanya 6 years nikaitisha transfer sikupatiwa, naona wengine wanakuja wanatoka college, wanatumwa huko wanafanya kazi one year wanapigwa transfer mara moja, lakini mimi nilikaa huko 6 years. Hiyo ingekuwa sheria ya kwamba, mtu akipitisha 2 years anaandika barua automatically na anapatiwa transfer. Na analipwa hasara kwa sababu amewekwa kule kinyume cha Katiba. (interjection)

Com. Githu: Umezungumza sana ndugu

Mwangi: Ok sawa sawa.

Com. Githu: Kuna swali moja utaulizwa ngoja kidogo

Com. Lethome: Ulikuwa civil servant wewe? Are you a civil servant?

Mwangi: But now I am not a civil servant. Nilikuwa depressed sana kukaa hardship area huko Tana River.

Com Lethome: Ok. Were you a police officer?

Mwangi: No. Nilikuwa ninafanya kwa ministry of health.

Com. Lethome: Ok. Then I will not ask you the question I wanted to ask.

Mwangi: Ok. Kitu ingine ni wakati watu wanafinyiliwa na watu wako na nguvu. Ningeona ya kwamba, tuwe na ofisi ya Ombudsman. Ya kwamba, ikiwa ni mtu amefinyiliwa anaweza enda pale, na apate mtu wa kumtetea. Kwa sababu, siku hizi mtu ambaye hana chake, yeye anafutiliwa mbali - tu anafinyiliwa. Sina mengine ya kuongeza.

Com. Githu: Asanteni sana. Wananchi wa Timau kwa niaba ya Tume ya Kurekebisha Katiba nataka kuwashukuru sana. Tuliingia hapa leo asubuhi mapema na mlitulaki vizuri sana na tumefanya kazi mchana wote vizuri. Ningetaka kuwahakikishia ya kwamba, yale mambo yote ambayo mumesema, na yale maandishi yote mumetupatia tutarudisha Nairobi na yatatiliwa maanani. Ile Katiba ikitengenezwa, itatubidi kurudi kusikilize vile mlisema na tutarudisha repoti hapa hapa. Na nyinyi wenyewe mtaangalia, mtajiuliza mambo tulisema juu ya shamba yako wapi, mambo tulisema juu ya dini yako wapi, mambo tulisema juu ya watoto wetu na mengineo. Kwa hivyo, tutakoma hapo Mungu awabariki sana na mzidi kuwa na moyo kwa sababu hii ni nchi yetu na hii ni Katiba yetu. Asanteni.

Com. Githu: Sister, would you be very kind as to help us with a short prayer.

Sister: Ok. Tusimameni wote. Kwa jina la Baba na la Mwana na la Roho Mtakatifu. Mungu tunakushukuru kwa kutupa uhai, kwa kutuwezesha kufika hapa siku ya leo, kwa yale yote tumependekeza kwa Katiba yetu, Mungu tunakuomba uendelee kutusaidia ili maisha ya baadaye tuweze kuishi vizuri. Kila mwanadamu akiwa anasikia ako na furaha, akiwa nyumbani akiwa mahali popote. Tunakuomba sasa Baba, wakati huu tunapoachana, tunakuomba utulinde katika njia tutakazoenda, kwa magari, kwa miguu uwe nasi na uendelee kuwa nasi siku zote. Tunaomba hayo kwa jina la Kristo Bwana wetu. Amina. Kwa jina la Baba na la Roho Mtakatifu. Amina

