

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

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**CONSTITUENCY PUBLIC HEARING HEARINGS, KILOME
CONSTITUTENCY, HELD AT ABC ENZAI**

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Baba katika Jina la Yesu, tunakushukuru kwa nafasi hii, na wakati ambao umetupatia asubuhi hii ya leo. Tunasema ahsante kwa ajili ya kuongoza Commissioners na wote watakao shiriki katika majadiliano na sisi sote tuliitoka sehemu mbalimbali tukaja mahali hapa Baaba tunahitaji usaidizi wako , tunahitaji hekima Yako, tunahitaji baraka Zako. Kaa pamoja nasi na baada tutakapona mwisho wa kila kitu tukiwa salama salimini tutakushukuru. Ndipo tunaomba hata kwa wale wako njiani wakija, Baba uwasaidie na uwalinde na wakifika tuendeleo pamoja na wao tunashukuru. Baba ndipo tunaomba sisi wote tulioingia mahali hapa, ukaweza kutupatia maoni na ukaweze kutupatia maneno yale yanaweza kujenga ama kutuwezesha kujenga Katiba, yale inayoweza kutuongoza katika nchi yetu inayotuwezesha katika kila mwananchi hata kushiriki katika Katiba. Baba utubariki na utuongoze katika kila jambo. Tukimaliza tutakushukuru kwa sababu wewe ni mwokozi wetu. Ni katika jina la Yesu Kristu aliye Bwana na Mwokozi wetu, Amina.

District coordinator Eric Mativa: Ahsante Pastor, Nitachukua wakati huu kwanza kuwaaribisha Commissioners katika eneo hii ya uwakilishi Bungeni ya Kilome katika wilaya ya Makueni. Pia nitachukua nafasi hii kuwakaribisha wananchi wa Kilome katika kikao hiki ambacho ni cha kutoa maoni yenu katika kurekebisha Katiba yetu ya Kenya. Majina yangu naitwa Eric Mativa nikiwa District co-ordinator Makueni. Nitachukua nafasi hii pia kuwajulisha ile kamati ambayo wanafanya kazi nao hapa na nitawaomba wasimame wale tayani wamefika. Ambaye, huyu amesimama upande wa right anaitwa Mr. Titus Maundu ndiye Secretary wa Kamati na huyu ndiye Mr. Charles Mutumbi ambaye ndiye mweka hazina –Treasurer. Kuna Mr. Kiluli pale nyuma ambaye ni member.Chairman wa kamati Mr. Wambua amekuwa hapa na amekimbia Nunguni kushughurika mambo mbalimbali. Wale wengine, najua wengine kwa sababu ya usafini wako njiani lakini watukua hapa. Sina mengi ya kusema kwa sababu leo ni siku kubwa kwetu na nitawapatia Commissioners nafasi watusalimie na waendeleze programme ya leo.

Com.Aroni: Habari zenu .Kwa niaba ya Tume tungependa kuwakaribisha katika kikao cha leo na tunamatumaini kwamba tutapata maoni yenu na kwamba watu wengine zaidi wako njiani wanakuja. Kabla hatujaanza tungependa kujijulisha na kuwajulisha wenzetu ambao wamefuatana na sisi. Kwanza kabisa nitamjulisha Programme Officer ambaye ni Maimuda Mwidau ,halafu tuna msaidizi wake ambaye ni Rosemary Mwazi, na pia tuna Josephine Ndungu ambaye anarecord mazungumzo ambayo tunakuwa nayo leo. Halafu nitawajulisha kwa Commissioner ambaye ni Prof Wanjiku Kabira.

Mr. Matheka: Disciplined forces should be established by the Constitution. Kwa sababu na pia hapo ndio nimesema kitu kidogo hapo mambo ya forces kwamba court martials ambao ndio wana discipline forces ziwe na Appealant Courts, kwa sababu already unasikia mtu akihukumiwa na court martial, one cannot appeal. Armed forces should have Parliamentary representative, it happens in Uganda. Army wawe na Bunge yao na army as an M.P.

The President should not be the commander of armed forces, chief of general staff instead apewe hiyo jukumu. The executive should not declare. War should be declared by another body. Parliament should deliberate on this. Its to be a joint responsibility of Parliament ndio wa advise President when to declare war.

Political parties. There has to be a maximum of 5 political parties in Kenya. Kwa sababu there are so many, zinazidi kudivide wakenya into tribal lines. There should be 5 political parties. Political parties with MPS in Parliament should be funded through a consolidated fund. Pia ile nyingine ya political parties, they should act as development agents.

Governance. I prefer a coalition Parliamentary system with a Prime Minister as Head of Government and a ceremonial President as Head of State. At the local levels we should have a Council of Elders in our local areas.

Legislature: Parliament should be the supreme body to make laws and also the following appointment should be vetted by Parliament: - that is Ministers and Assistant Ministers, P.S and Constitutional office leaders, Chief of parastatals and Judges of the High Court. Those are what I am desiring to be vetted by Parliament. Parliamentary job to remain part time, not always. I am preferring to have a two Chamber House, a Lower House and an Upper House ambayo ni Senate ambayo itakuwa ikideliberate on what the Lower House has discussed.

Voting age. I am proposing it to be 16 years, kwa sababu 8-4-4 system ya ukienda utaona unafika first year in law na huwezi vote so I am proposing 16 years. University degree to mandatory as a qualification for MP. And for Councillors, Form 4 division 3 or D in the other system. People should recall their MPs, na tunaweza futa mjunbe with a vote for no confidence. A system should be improvised so that we can be recalling our MPs kama they are not properly representing us.

Salaries of MPs should be deliberated by an independent ad hoc commission purposely selected for that job. Hapo again, participation of women. Women should have a third of parliamentary seats. President should have two five year terms and should be between the age of 45 and 60. Parliament should have powers to remove the Executive, that is the President, through a vote of no confidence.

Qualification of a Presidential candidate is a university degree and 45 years and above. His role should also be defined in the Constitution kwa sababu currently there is no role of the President. Its only the executive and we do not know what he is supposed to be doing. The President should not be a member of Parliament. He should only be a member of Parliament for the whole country. He should not specifically represent an area. Provincial administration I suggest should be under the Local Government ministry and chiefs and Assistant Chiefs should

act as development agents in their local area but under the local ministry.

Judiciary. We should be having an independent Judiciary. As I said previously, appointment of judicial officers should be done by Parliament. They should all be vetted by Parliament. Judges of the High Court and any other officer there, to be vetted by the Parliament. I'm proposing to have a supreme court which is a higher court headed by a judicial President. There should also be a Constitutional court to deliberate on the Constitutional matters. That also means establishing a ministry to see Constitutional matters in that manner. I'm proposing for judges to retire for the 75 years. Chiefs, Kadhi courts have appealant powers. Otherwise people who have been judged in this court do not have appealant power. There should be law courts at divisional levels so that every mwananchi can have access to the court, and we should also establish paralegal body, where every mwananchi have access to advice on cases.

Local authority. Mayors should be appointed by all the electorate. Their tenure of office should be 5 years as Chairman and Mayor of the local authority in question. Minimum qualification of a councilor as I said form 4 division 3 and above. Also they should be recalled if they do not measure to standard, they don't represent their people, they should also be recalled. Let there be improvised a system, maybe a register. Councilor's salaries should also be decided by an ad hoc commission purposely for that role.

Electoral process. I'm proposing for a simple majority process where whoever attains the higher vote should be the President or the Prime Minister in that sense, and also as I proposed earlier a two tier house. Parliamentary representation I'm proposing that the Constitution be pegged on population. I am proposing between 60 and 80 thousand for an MP and a councilor should represent 30,000 people. Now that is not with the current geographical constituencies. And also in electoral process, a President and Vice President party should be running mate to avoid a situation where the Vice President is a Presidential appointee. He should be having a running mate as vice President.

I am of the idea, opinion, that we should have that Parliamentary system where the Prime Minister in charge of the government and a ceremonial President to be the head of state. They should be elected direct. I am proposing the Prime Minister to be elected direct and also the ceremonial President to be elected direct by wananchi. Again appointment of electoral commission should be done by Parliament. That is the chairman and other commissioners and I am proposing to have a given number of 13 Commissioners. It is easier to manipulate 29 Commissioners than to manipulate 13 Commissioners.

Com. Aroni: Your time is up.

Mr. Matheka: My time is up? Okay . Basic rights. I am putting that health, shelter food and clean environment as

Kenyan's basic rights. Death penalty also I am proposing to be abolished. Free education up to primary and secondary level should be put in the Constitution and university to have access to loans and also the Constitution should be put that jobs will be created for all graduates.

All workers should have rights to trade unions. Rights of vulnerable groups. I'm putting women as one group who are vulnerable. So their interests should also be guaranteed in the Constitution by having a ministry of women affairs and also a third of Parliamentary representation. Also I'm putting youth as another group who are vulnerable by creating a ministry of youth affairs and also making sure that they have the required education. Also children and aged people I'm putting them in that group and they should also be compensated by a small pension, instead of taking them to homes. Let me summarise abit.

Succession. My suggestion is that there should be a Government during succession and security welfare and immunity should also be accorded to an outgoing President. So I think, let me give a chance to someone else.

Com Kabira: Thank you very much Mr. Matheka for the views I have maybe two clarifications. One, I wanted you to tell us if each party will identify a President, the running mate and a Prime Minister so that they are voted as a block you know as one and then let me give you the other one so that you can use the microphone and the other one you want a two tier house one house the House of Representatives who are the current MPs who will be in the other house?

Mr. Matheka: The first one is of every party that is to contest for the President or the Prime Minister in that sense should nominate a Presidential candidate and a running mate, Kanu one, DP one, etc. So the party that scores the highest majority, automatically provides the President and the running mate will then be the Vice President. I meant the same thing also for the Prime Minister and Deputy Prime Minister. The two tier house we peg an Upper House on population for example 60 to 80 or if maybe we could have the current representation and an upper house which I'm proposing appointment on district level to nominate a senator, and a certain fraction to be given to women, a third of those to go to women and another number to the disabled all these other vulnerable groups also to have representation in the senate and that house. That is what I meant.

Com. Aroni: Thank you, please register. Benjamin Mwangangi. Na tafadhali chungu masaa.Ten minutes, I'm going to be very strict here, ten minutes and stick to the point.

Benjamin Mwangangi: Thank you very much. These are my views, from my group and personal views. My name is Benjamin Mwangangi from Kabuko Youth Group. I'm presenting my views including views from group members.

On preamble, the Constitution should consider the philosophers, the heroes, the people who struggled for this independence and the resistance groups, MauMau and the others.

On national values we should also consider the national anthem, the coat of arms and the national flag. On supremacy the Constitution of Kenya should be the supreme law of this country and nobody above it. Parliament should concentrate on law making only. Before any amendment to the Constitution all Kenyan citizens should be considered.

On citizenship, Citizenship by birth be awarded where both parents are Kenyans regardless of place of birth. Registration should be only for professionals on special conditions, and should have been under scrutiny between eight and 12 years before award of citizenship. Any child born by any parent, any Kenyan parents should be given Kenyan citizenship automatically. All spouses either a lady married to a Kenyan or a man marrying a foreigner should both be given citizenship.

Political parties. A maximum of between 5 and 7 to be registered by a political party registrar, not registrar of companies. All political parties represented in Parliament to be funded by the Government. They should also have power if they are funded to act as development agents. During elections no party should be aided by the existing government. No interference at all.

Systems of the government. Prime Minister and a ceremonial President. All affairs of the government to be controlled by their particular department. For example no interference between the judiciary, executive and Parliament. On Legislature, appointments to Parliament to be done by a committee, a special committee. Parliament should control all its affairs and no interference from the government. They should master their calendar on operations, Parliament to be part time.

MPs' qualifications. Degree level as basic minimum. Minimum 40 years of age, and they should be people of good conduct and behaviour. They should be sponsored by the government regardless of all parties or whichever party they come from. Their salaries to be reviewed by an independent body. My recommendation is that there should be no nomination of MPs because they have no purpose. We should retain the Parliamentary systems of government.

The Executive. The minimum age of a President I recommended 50 years of age and retire at maximum of 65 years. He should run for two terms of 5 years each.

The citizens should have power to remove the President if he does not deliver by a vote of no confidence or whatever method the Constitution will prefer.

Provincial administration, the administrators should be transferred from office of the President because of misuse of power to local government to act as development agents. Local elders should receive salaries direct from the government and not commission from citizens.

Judiciary. All appointments of Judges, Chiefs Justice should be vetted by individual appointments. Judiciary should be independent from other arms of the government.

Local government. Mayors and Chairman of councils to be elected by the public. They should run for a period of 5 years as full period. On qualifications, councilors should have attained ordinary level of education at least grade C, so they will be responsible people representing their people, a minimum of 40years. We don't need language tests on councilors because they've passed ordinary level of education. No moral or ethical standards for Councilors. Councilors should be recalled by electorate if he does not deliver. This should be by a vote of no confidence passed by 1/3 of the electorate. No nomination of councilors.

Legal system I prefer secret ballot system then we retain the simple majority as the winner. Votes be counted at polling stations in transparent ballot boxes, so that everybody can see nothing remains. No defection or crossing the floor of elected persons. I would prefer we retain the geographical voting system, which should be revised after every 10years. A President and a vice-President of every party should be named before elections.

Ministers should be vetted by a commission before they are appointed . Parliamentary and civic elections to be separated from Presidential elections, because there is a lot of confusion there. Expenditure by candidates should be limited. Chairman and electoral commission members should be appointed by political parties and aided by Judicial Commission.

The land Act that is very sensitive to Kenyans: Every Kenyans citizen who has attained the age of 18 years, propose should have access to land, at least a minimum of 2 acres. For those people who have been able and had acquired land earlier I would propose they have a maximum of 10,000 acres. If not well used, improvise a way of them paying taxes to avoid idle land. Non-kenyan citizens only own land on special conditions. Any Kenyan can buy land anywhere they can afford.

Management and use of natural resources. Parliament can control or should control the use of natural resources. Controller and Auditor General should be vetted by Parliament and not appointed by Executive. This applies to all members of Public Service Commission or Constitution officers.

On culture I would propose, in case of Kamba people that administration of Oath, we call it Kithitu, to be included into the Constitution. I would also propose because there has been a lot of indiscipline after marriage, I

would propose the parent of the male pays dowry before marriage so that it can be respected.

Com. Aroni: Your time is up.

Mr. Mwangangi: Okay, thank you very much. Succession and power transfer. During Presidential elections we should have government run by the speaker for at least 3 months so that there is no interference. Results of Presidential candidates should be declared by simple majority and the swearing in should be at least not less than 2 months after declaration that he has won.

The Constitution will provide security, welfare and immunity to the outgoing President provided that he does not interfere with the country's politics when he's out. Thank you.

Com. Kabira: Now Kithitu, are suggesting that if you go, let's say to the High Court in Nairobi there should be somebody available to administer the oath for the Kamba's or how do you see it being translated into action?

Mr. Mwangangi: When I talk of Kithitu we don't go as far as the high court because when you administer it's the end of the case. The best way of separating the 2 people. If the Constitution says it goes to court let it be administered in court because there are special people who do that.

Com. Aroni: Ahsante. Esther Kikui.

Ms. Kikui: Ahsante kwa kunipa nafasi nizungumze. Kusema kweli, mimi nilikuwa sijaandika na nilikuwa nimekuja kujifunza kidogo juzi katika ile pamphlet iliyoandikwa.

Com. Aroni: Tuelezee kwa kifupi. Si lazima uongee kirefu kama wenzako. Pengine hayo yako machache yatakuwa na uzito zaidi ya hayo yamesemwa.

Ms. Kikui: Mimi nilikuwa nimechagua pale kwa namba tatu ile preamble. Mimi nilikuwa ninaonelea kama Constitution yetu itawalipa wale heroes ambao walishughulikia sana uhuru wetu.

Nikaondoka hapo nikaenda kwa namba tano kuhusu citizenship. Citizenship nikasema kwamba ile tuseme kama ni mkenya wazazi wawili wote ni wanakenya hao ndio citizen kamili. Lakini ikiwa ni mzazi mmoja wa Kenya na mwingine wa nje huyo pengine atakuwa sasa itategemea kama ni mama ni mzaliwa wa Kenya na bwanake pengine ni wa kutoka nje hiyo pengine itategemea huyo mtu anaka aje hapa ili kupewa citizenship ya Kenya.

Ile ingine nilichagua katika upande wa political parties nikasema kama ni mambo ya financing, mimi naona pengine kama ni political parties wajitafutie funds zao wenyewe. Waunde accounts zao watengeneze sio kupewa pesa kutoka kwa ile ya serikali au ya community funds.

Kuna hii mambo ya executive hapa, should the functions of the President be defined in the Constitution or should the President be fixed hiyo nikaona kama hiyo igekuwa vizuri tuweke terms mbili ya miaka tano tano kwa hivyo yote inakuwa kumi. Nafikiri sina mengi ya kuongea nilikuwa nimechagua hayo tu.

Com. Aroni: Mama swali kidogo, nataka utafafanulie hapa umesema kuhusu uraia kwamba ikiwa mama ndiye mkenya basi tufanye investigation naje baba akiwa ni mkenya na mama sio mkenya tufanye investigation pia ama ni upande wa mama peke yake.

Ms. Kikuvi: Nafikiri tuseme baba maaana sisi katika hali yetu ya kuishi watoto huwa ni wa baba kwa hivo ikiwa watoto ni wa baba na baba ndiye Mkenya basi hakuna investigations maana huyu sidhani watoto kama watakimbia waende na mama ama itakuwaje lakini hata wakikimbia huwa saa zingine tunasema wataenda warudi kwa baba. Hivyo kwa baba hakuna shida.

Com. Aroni: Mama ambaye amezaa bila kuolewa watoto wake tutawatupa wapi kwa sababu ni mkenya na hana bwana?

Ms. Kikuvi: Mama haonyeshi baba ni nani wanaeka watoto wake na yeye ni mkenya. Kwa hivyo hao hawawezi kutupwa Eeh!

Com. Aroni: Samuel Nianganya, Asante

Mr. Niangaya: Sasa unaona mimi simimi ninaomba msamaha kwa maana ni wakati tulipokuwa hapa nilipewa hii kitabu na nikahama hapa na nilipokwenda Kilome sikujua niliweka wapi, kwa hivyo sitafuata yale yaliyoko lakini yale yaliyoko kwa mawazo yangu ndiyo nilikuwa nikitaka kuongea, na sijui yatakuwa wapi katika category hizi.

Kitu changu cha kwanza ni kuhusu huyu mzee wa kijiji anayeitwa *mene* nilikuwa nikiona anafaa awe akilipwa, kwa maana hapa hawalipwi, na wao huwa na kazi mingi na kwa kukosa kulipwa anauliza ile inaitwa *ucuu* ile uji na hiyo inazidi kuwa nyingi na kwa maana hao huwa wana kazi nyingi sana nilikuwa nikiona inafaa hasa iwekwe kwa Katiba wawe waklipwa kila mwezi.

Jambo lingine ni kuhusu hongo, ikawa iweze kuchukuliwa vibaya, hizi tips. Nilikuwa nikiona serikali ihalalishe,

(to be legalised) kama nchi zile zingine tips, maana ukiwa England, it is 10% ya bili unayokula kwa hoteli, ni ya ile waiter that is legal. America ni 15% na ili hiyo iishe hapa barabarani kama illegal nilikuwa nikiona inafaa kuhalalishwa ili unapopeana uwe unapeana kitu ambacho si dhambi kufanya.

Na wale ambao wanahalalisha mshahara wa wale watu ulipunguzwa, kama ni hao wa hotelini inapunguzwa wanapewa kitu kidogo na wanamake up na zile tips. Kwa hivyo nilikuwa nikiona kwa maana hii hongo haitakwisha na hata ikipiganwa nayo namna gani afadhali ihalalishwe.

Na kuhusu hawa manamba ambao wametutaabisha, maoni yangu yalikuwa ni wapewe license na hapa juu ni ya manamba touts, ili waweze kufunzwa adabu kwa maana mtu akipewa licence anaweza kufunzwa na kuwe na mikutano yao ya kufundisha kwa maana wakifukuzwa watakuwa wezi, na wanyanganyi.

Kile kingine ni wale watu wa mikokoteni huko Nairobi. Hii ni katika traffic. Pia nao wapewe licence kwa maana wakati mwingine utakutana nao wanasukuma hii mikokoteni yao kupitana na watu. Juzi walikuwa karibu kunigonga kwa maana sioni ananigonga. Kama wanaweza kupewa licence hao itakuwa vili vile wanafundishwa, kutakuwa na shule yao ya kufundishwa ili wajue vile watakavyo kwenda hivyo.

Nilikuwa nikiona kwa ajili ya watu wengi kukosa kazi, kitu kingine iliyokuwa inaitwa ministry of National Guidance mimi nilidhani itakuwa ikionyesha watu vile watakavyokuwa wakilima, wakikaa na ikiwa kuna vijana wanao kuwa hapa sokoni kuna watu wa kuangalia kama hawa managers niliokuwa nikisema ili waangaliwe wanafanya nini. Kwa nini wanakaa bure lakini nakuta nikingine. Nilikuwa nikiona kama serikali ingeweka katika Katiba Ministry ya kuhusika na watu hao waangaliwe vile wanavyofanya kule nyumbani kusudi kusiwe na wanyanganyi wengi zaidi kwa maoni yangu yalikuwa haya Ahsante.

Com. Aroni: Haya, ahsante, Ahsante. Benjamin Muthoka.

Mr. Muthoka: Thankyou very much. My names are Benjamin Muthoka. The Constitution of Kenya must be the superior law of the State, must be above all other laws in the State. The Constitution must be respected by all citizens, nobody should be above law including the President.

We need preamble in our Constitution stating each ethnic group with their historical origin. Examples Kambas, Kikuyus, Luhyas, must be shown where they originated from. E.g Bantus cluster which originated from the west central Africa and these clans e.g. Kambas have other clans such as Ambua, Amutei, Amutii, Aombe, Ameu, Akitondo etc. the resistance group, such as those which struggled for independence such as the Mau mau should also be shown, and the heroes should be recognized such as Mzee Jomo Kenyatta, Tom Mboya, Paul Ngei and people like Kisoi wa Munyao who lowered the colonial flag and raised the Kenyan flag after

independence. The state must pay those who are still alive, to enable them live a comfortable life and those who lost their relatives be compensated.

The Constitution supremacy: We should not retain the 65% of the majority vote in Parliament to amend a Constitution should any part of the Constitution be required to be amended the public should be involved through a referendum and conducted by an independent body like the Human Rights commission, NCCK, etc.

Citizenship. A person born by Kenyan parents should be regarded automatic citizen, of Kenya. If a child's father is a Kenyan citizen married to a foreigner and they stay in Kenya then that child should be regarded a Kenyan citizen. Kenyan citizenship should be acquired by a foreigner who has stayed in the country for more than 15 years. The rights and obligations of citizens: promotion of freedom, political freedom, economic freedom, social freedom, promotion of equality, promotion of justice. Freedom should not be enjoyed at the expense of the other people eg freedom of worship. We have been having problems with the freedom of worship. Somebody comes to your house or the estate with very loudspeaker and start preaching to mid-night and children want to do work so that should be controlled. The documents that should be carried as evidence of citizenship eg identity card, passport, driving licenses these should be given at the age of 18 and by the DO without much delay.

Defence and national security. The President should not be the Commander-in-Chief of the armed forces. This should be given to the Chief of General Staff neither should he have exclusive power to declare war in an emergency situation. Parliament should be involved to make such a decision.

Political parties. Political parties should play other roles other than political mobilisation, such as civic education and the Constitution should regulate the formation, management and conduct of the political parties . The number of the political parties, I propose to be reduced to a maximum of 4 political parties and be financed equally from the public funds, no condition that they have more than a hundred registered members.

Structure and system of government. We should adopt a Parliamentary system of government in which a Prime Minister is appointed from the majority part in the Parliament and the President remains more or less ceremonial. A Prime Minister should form the government and the President remains in charge of state affairs. The function of the Parliament should be extended to at least four full days per week, work at least four months before they go on recess and have powers to control their own calendars.

The age requirement for voting should remain 18years. Anybody above the age of 60years should not be allowed to vote. The Parliament and civic candidates should be above 25years. The President should be 45 but not more than 65 years. The language state required for elections are sufficient but one has to have at least Form four certificate, O'level and above or equivalent.

The people should have power to recall their MPs who do not deliver after a year. They can sign a two third majority of the total votes and inform the Speaker of the National Assembly. There should be a commission like the public service commission who should determine the salary and the benefit of the M.P.s. We should do away with by nominated MPs unless on special condition where we require some professionals like doctors and engineers to run the ministry but these must be advertised and applicants be vetted by Parliament.

The Executive. The Presidential candidate should have at least an A level certificate of education and above or equivalent to that and be between the ages of 45 to 55years. The tenure of office should be ten years of two terms of 5 years each. The Constitution should limit powers on the President such as giving trust land to individuals, appointing Judicial Officers, Electoral Commissioner and Chief- of- General Staff etc. the Constitution should also provide removal of a sitting President for misconduct such as corruption. The Parliament in this case should cast a vote for no confidence to the President. The President does not need to be a Member of Parliament.

The provincial administration does a good job and this must not be under Executive. I propose to be under the local authority. The public should elect mayors and council representatives, serve at least two terms each 5years. The education qualification for the councilors should be at least O' level of education. I like to add a few things on the Executive.

Separation of power. I would like the power of the three arms of the government to be separated each to work individually without interferences from other body.

Basic rights: Basic education from standard 1 to standard 7 to be free and compulsory to all citizen. Health should be provided. The 8-4-4 system to be scrapped and retained the old system of the 7-4-2-3-3.

Land. Every Kenyan to given at least 2 acres of land and those who have more than they require to be taxed on what they are not using. I think for now I stop there, I will put the rest in writing and deliver to the office. Thank you very much.

Com. Kabira :Can you explain a little why you are recommending people over 60 not to vote?

Mr. Muthoka: Because at the age of 65 I think I said 65, okay, at that age, some people do not know actually what they are going to do because like here in ukambani we have at that age somebody is not aware of what he is going to do, his brain does not function properly.

Com. Aroni: Okay , thanks for your views. Judas Mutua Maweu. Dakika kumi tafadhali. Judas. Nitakupatia dakika tano. Uko na karatasi umeandika si ndio? Dakika tano ujaribu kusummarise halafu tutasoma hiyo karatasi yako, so summarise it in five minutes please

Mr. Mutua: Mine is a very long presentation and I have given several points that I wrote, number one, two and so fourth.

The first point was about public funds / property. On this point I suggest that officers in charge of public funds / property who ever misuse be forced to pay and failure to pay, his or her property or asset should be taken by the government, and be sold and money to be returned to the state treasury regardless whether its registered under the name of his wife or sons. Because some officers hide the property funds by using such names.

The other one is about corruption. Here I say that any corrupt civil servant if found and proved corrupt should be dismissed and lose his retirement benefits and forced to pay. I kindly request the Commissioners to include this in the new Constitution so that we may eradicate or minimize corruption in our country.

The other one is the Land Policy. In Kenya there are some individuals who have acquired the former white settler land through unfair means. Those who bought them- apart from the ones bought through cooperative societies- the rest were bought with tax payers money and gived to some individuals. I don't see the reason why an individual should have thousands of acres while there are many people without even a single 0.4 acres. I kindly request you to include this in the Constitution to be reviewed in Parliament.

Secondary schools fees. After the government and the ministry of education set secondary school fees head teachers and BOGs should be prevented by the Constitution not add a single cent. Building funds and teaching facilities should be suggested by the parent and not head teachers and BOGs who are all corrupt because they seat down and prepare a budget while including some money to go to their pocket.

The next one is about our traditional oath administering. Here I suggest that traditional oath administering be given to kamba people in the Constitution because many people have lost their shambas through corruption in the land adjudicating and settlement offices and even courts. We had oath administering and it was removed from the Constitution by people who wanted to take other people's shambas through unfair means we want this to be included in Constitution so that people may follow their lost shambas through Kamba traditional oath administering.

Appointments of the key senior government officers. Here I suggest that power to appoint key senior government officers be removed from the Office of the President or the President himself. This is because the

officers will be doing the wishes of the bosses who have appointed them. I propose that appointment of these officers should be done by a selected committee from either MPs who will have power to appoint and dismiss them. This committee will be considering the officers levels of education and academic qualification, experience, character and conduct. These should be included in the Constitution. Unless these conditions are written it will be impossible to dismiss such officers

Provincial administration. On this particular issue I will say, from Assistant Chiefs to DCs, these officers should be drawn from the areas they know the traditions better than any other officers from a different tribe. Also they know customary laws better. I kindly request this be put in the new Constitution also these chiefs as civil servant should be transferred like other civil servants.

Political Parties. In Kenya political parties should be reduced to a maximum of three parties. This will avoid tribal parties.

Introduction of Constitutional history. Constitution preamble should include our history from 1920 to 1963 and to date. Our heroes should also be mentioned herein.

Election of the President and qualifications. He should have a minimum education of University level with a degree, should not be implicated in any police case, should be married with family, should be forty five years and above, have qualities of leadership, should not be associated with any sort of corruption or misuse of public funds through unfair means.

MPs should have a minimum of education of University level with a degree. This will minimize the number of candidates who simply come up during election and confuse people to elect the wrong person. They should be married with a family, should be 35 years and above, should be popular to the people and not associated with any form of corruption or misused any public funds through unfair means. Should be interested in development affairs in his or her constituency.

Election of councilors qualification. Minimum education form four with a minimum grade of C+ this will minimize the number of candidate, should be married with a family should be 35 years and above should not be associated with any form of corruption or misuse public funds through unfair means. Should be interested in development and should be social with the members of the public.

Discipline of MPs. The speaker should be given more power to discipline MPs on the following points by the Constitution. MPs who don't attend the Parliament without permission from the Speaker should not be paid. All members should be in Parliament except he/she is out of the country on official duties or he/she is sick but not in

his own business. MPs who fight in the Parliament should be dismissed from the Parliament and new elections held in their areas because they are leaders and they should set the best examples to their people. MPs inciting people to go to cause chaos should be dismissed for good from Parliament and new elections conducted their areas. Paying MPs who do not attend Parliament is stealing taxpayers' money. MPs should be prevented by the new Constitution from increasing their salaries as they wish. This should be done by a select committee.

The other thing and the last thing is marriages. Any married man or woman should be given marriage certificate inspite of whether she/he got married through traditional marriage, Christian marriage or Islamic marriage. If a man got married to one or more than one woman those women should be included in the marriage certificate. Thank you.

Com. Aroni: Tungetaka utufafanulie jambo kuhusu hii Kamba oath. Tungetaka utujulishe kwa vile mnazungumza, ni kama imepigwa marufuku na sisi hatuelewi utueleze kama imepigwa marufuku ikiwa haikupigwa marufuku utueleze ni kwa nini hasa ungetaka iwekwe kataka Katiba na jambo lingine, pengine mwenzetu alisema kwamba wazee wa miaka sitini hawawezi kutoa maoni mazuri ningetaka kujua umri wako out of record.

Mr. Mutua: My age is 63 years. Now with this traditional oath we realize that long ago people here in ukambani if I refuse to pay or if I get your property through unfair means. Pengine unaweza na pesa mingi mimi tukienda kotini mimi nitaanguka. Ndiyo nilikuwa nikisema nipatiwe hiyo kithutu niende nikatafute mali yangu. Na kuna wazee ambao wana jua hiyo kazi.

Com. Aroni: Saa hii hamuwezi kufanya

Mr. Mutua: Sasa nikienda nitafunwa, nitaambiwa wewe ulinda huko ukapiga Kithitu bila ruhusa, eh, alafu, nifungwe siwezi kukubaliwa, eh. Thank you

Com. Aroni: Thank you (.....inaudible) Are you going to give us views at all so that we can allow you from the list so that we can tick once and for all are you going to give any views? What is your name please? We just want so that we give you an opportunity to speak once and for all and explain to us. Justus Mutungi. Could you please register so that we give you an opportunity once and for all to explain further and give us your views in the mean time. we don't have your name and you been here for quite a while. Gwishon Kilonzo as we wait to know the fate of the chief, iko mtu anaitwa Grisham Kilonzo?

Mr. Kilonzo: (Kikamba)

Translator: Nimekuja hapa mbele zenu, niseme neno moja na neno hili ni hili. Nashangaa sana nikipea bibi

yangu viazi apelike kwa soko na akaiweka hapo kwa soko anaitishwa fees. Analipa pesa kwa council naakiuza hizo viazi saa zingine hazinunuliwi na pesa amesha lipa. Jioni akija namuuliza wapi pesa zile uliua viazi anapeana receipt badala ya pesa. Ie shida ilikuwa ya aende sokoni bado iko, pesa ya ametoa, nabado shida inazidi kuwa kwa sababu, kama ni ndizi ziko nyingi hazija nunuliwa sasa wanakula hazikwishi. Hivo hivo kwa mihogo hazinunuliwi kwa sababu cess pale...Anauliza tutafanya nini kwa sababu cess hapa amelipa hajauza sasa anaenda na hizo vitu nyumbani, sasa itakuwaje. Anauliza kwa nini kabla hajauza hii mali yakeanalipa cess, anauliza usaidizi wa wazee ni nini? Anauliza sasa hao watu wa cess wananyang'a nya mali ya bibi zao sasa watafanyiwa nini. Sasa ndio namuuliza,una taka wafanywe nini.... Ana mambo mengine pia anasema ataongea nyuma anasema hivo.

Com.Aroni: Wanalipa pesa ngapi

Translator : (Kikamba) 10/=, 5/=, 6/=.

Mr.Kilonzo:(kikamba)

Translator:Kumi ,wakati mwingine tano,sita hakuna kanuni.Na huwa hawapimi ni kiwango ganicha ndizi ama viazi,sasa ni kunyang'anywa unanyang'anywa.Ni hayo tu.

Com.Aroni: Okay bwana Chief Joseph Kioko.If you could give your views now .Ten minutes please.

Mr.Kioko:Thank you very much.I just want to reiterate some issues talked maybe views by some of our residents .This is in connection with Land Adjudication Act Cap.284.This Act of Land Adjudication is somehow unique.It has about four tribunal courts starting with the committee stagewhere by it is supposed to be with the local wazees of the area after the demarcation .After that we go to the Arbitration Board and this Arbitration Board we have the executive person who determines the decision and proceedings of what transpires on the case. This is somehow unique because such executive officers is a government officer and he might maneuver or manipulate the decision and the old wazees who are ignorant of what is happening need not to know what will happen into the judgement.

I concur with one of the viewers whosaid that this where we are asking for the traditional oath . I must say that it has been banned in the present Constitution because it is not given either by the chief or by the D.O.or neither by the D.C.We think we pray that if it can be reintroduced and be given maybe the powers be given to the local chief plus the assistance of the old wazees to determine if the oath has to be given.

The other issue on the Objection committee which follows the education board also this issue of oath should also be introduced .I rather say in all the courts that are provided in the Adjudication Act oath should service so

that we Wakambas believe that this is the issue I don't know what I can describe it as, it is the justification of what someone tries to say if it can be provided in our Constitution it will favour the Wakambas.

The other issue is on the title deeds land adjudication like some areas in this Ukambani came in around 1975 and to date we have not seen a paper written title deed. We only hear of a title deed and these wazees from 1975 to date have not seen it so we're trying to suggest if some of the plots have no objection either these people to be allowed to be given title deeds so that they can enjoy the fruit of what's entailed in this paper.

The other issue is inheritance of land, I am suggesting that the girls be accorded fair deals of inheritance like the brothers because you find that I might have five girls and one boy and maybe I have ten acres, the ten acres will only go to my only boy and the four girls might go and suffer because maybe they might not get husbands so we are trying to suggest that they be accorded same privileges the boys because they are equal children.

The other issue is about; I concur with another viewer who said we need to have free and compulsory education, for our primary kids.

The other issue is of the old age. I am suggesting that if people reach sixty, they be given, the government provides better care, maybe given allowances for these wazees' because maybe they will be inactive and will have nothing to care for their lives, for their remaining life. So maybe if the Constitution would provide this, the wazees will not die. Many of them are dying because when reach that age they have nothing to eat and blood pressure ails them leading them to lose their lives. So if the Constitution can provide something of the kind, it will help. That will also go along with the health care, because lack of health care leads to death in most cases.

The other issue is on natural resources. We want the Constitution to state that local resources, from the area should benefit local people from the proceeds. In this area, it is where the sand is from. Sand from here is sold in Nairobi and the local residents have nothing to show for it. The Constitution should ensure that the locals benefit from the trade.

The other issue is about those able bodied persons who just stay idle out of lack of jobs. The Constitution should provide them with some work to do, and in return they can get some pay or, could assist to build their own area.

My last point is on Harambee drives because normally we are told it is of voluntary basis, but somehow you find that you might be asked through some hierarchy or some system that you need to get some Harambee to take somewhere. When you go to the able people and the knowledgeable people, they will tell you, well, Harambee is voluntary. Then when you do don't bring what you are asked to somehow you are being victimised for that.

Thank you very much.

Com. Aroni: Before you leave, I would like to know because you didn't quite explain to us, atleast for me. I don't still understand the oath. What is the difference between that oath and the oath that people take lets say in a court of law, so that they can tell the truth? Why are you giving it so much weight, for us to appreciate because the way you are talking? Surely I have not appreciated.

Mr. Kioko: Okay, Okay.

The oath we are talking of in context, when we go to court and you raise a Bible I say I am a Christian, inwardly nobody except God, knows whether really I am a Christian. But in a, when we talk of a oath of a Mukamba, Mukamba knows that this issue called oath, he will never cheat, he will never take anything which, he or she knows, it does not belong to him. In old days we were brought up and we were taught about oath since we were young people, so it is an issue, it's a special case, may be with a Mukamba, but not with any other tribes because it happens that if now my district commissioner is not a Mukamba, if somebody apply's for the oath, or may be the district officer, who is my boss is in the office and he gets an application for a mkamba wanting that oath, he will call me as a chief and ask what is the person after I will explain but he will never understand because like a like a kikuyu, they don't believe. We had one a D.O, he told us we don't belief in this thing called oath, but a mukamba believes that an oath, that is what will make somebody say the truth. So that is why I am trying to say this is something inborn it is a tradtion that a mukamba believes that if this paper is yours, can you prove to by getting the oath, but not the bible and not anyhthing you say because, that is something for a disguise so that you pass and go.

Com.Abida Aroni: What happens if one takes the oath on a lie?

Mr. Kioko: Definitely he is going to die and this is a belief.

Com. Aroni. Asante, Asante. I think we are learning. Zachaeas Kamayu

Mr. Kamayu: Mimi naitwa Zakayo Kamayu, kwangu ni hapa. Kile nazungumzia, ni juu ya maofisi yetu, ile kama kama P.C wetu. P.C wetu iko mbali. Na Wakamba kufikia ofisi yetu ni mbali. Kama inawezekana aletwe karibu na sisi. Eeh.hapa Makueni ni karibu, Kitui ni ingine anaweza kuja hapo, hapo Makueni ni karibu.

Lingine, hata D.C wetu kutoka hapa kwenda Makueni, ni mbali sana, ile na zungumzia ni juu ya watu kutoka hapa kwenda kwa P.C. wetu, ni mbali. Kama Kilome na kwenda kwa P.C. wetu ni mbali. Ehh kutoka hapa kwenda. Ni mbali, lakini kilome kama inaleta D.C.hapo ni nzuri, watu wakarimbie, kuenda kuona D.C.ni karibu.

Ile lingine, ni kulete watu kuona mambo ya kama lokesheni kama ni sabu lokesheni. Sabulokesheni zingine ni kubwa sana, zigawanywe, mtu afikie chifu ama sabu -chifu hata hapa kwetu, Kitalngo Mkoa na Kiima Kiu, zigawanywe hasa sublocation mwananchi apate kwenda mahali karibu ni mzuri. Barabara zetu ni mbaya, ifikiriwe kama kule kwingine, kama ni kweka maramu, iwekwe kila mwananchi afikiwe kwenda mahali anataka, yangu ni hayo tu Asante

Com. Aroni: Asanti, Rael Muoki. Rael, usikue na wasiwasi kuja aseme. I thought Rael is a lady's name. Pardon so can we also have Rael join you, because we would like to hear from her. Usimuache nyuma sasa maendeleo gani hayo. Asanti sana. And may be you should give her an opportunity so that she is not intimidated, to give us her views first and then we give you an opportunity...tafadhali, wewe ndio David Muoki? Basi ni mimi nilichagua kama chairperson kupata Rael Muoki kwanza halafu tu narudi kwa David Muoki. Sasa Rael Muoki tafadhali aongee.

David Muoki: Utapendelea kidogo sababu ni mama?

Com.Aroni: Eeh....

David Muoki. Asante sana

Com. Aroni. Mpatie nafasi basi aongee halafu wewe.

David Muoki. Tulikuwa na yeye, tukitengeneza hii maneno, na yote ambayo nimezungumza, hata yeye.

Com.Aroni: Wacha tusikie sauti yake hata kwa dakika moja mzee, asante.

Rael Muoki: (Kikamba)

Translator. Ya kwanza ni kushukuru kwa Mungu

Rael Muoki (kikamba)

Translator. Kwa kupata nafasi hii kuona viongozi wananawake mbele yetu.

Rael Muoki. (Kikamba)

Translator. Na nafurahi pia kujua, Kenya yetu iko amani, kwa sababu imetoa nafasi kwa kina mama kutuongoza. Nawasalimia katika jina la Yesu, hamjambo kwa sababu sikuwa nimeandika chochote nakuja siku hii ya leo. Ndio nikasema nikuje na bwana yangu akuje aongee. Yale ningesema ni, natakia amani nchi yetu na shida ambazo ziko na akina mama ambao wameolewa. Shida ambazo ziko kwa shule.

Kuna shida ambazo ziko na akina mama amabao wameolewa. Shida zinginezo zilozoko kwa shule kuna shida za watoto kufukuzwa wakati wowote ndio wapewe pesa wapeleke shule, hayo yaangaliwe, ndio tukiwa huku mashambani, yale yanafanyaka town mjini na wanawake pia wananwaake wa mashambani wamefikiwa, kwa sababu kuna vikundi vya akina mama vimeungana wasaindiane, ndio tupate kitu kidogo cha kusaidia huku nyumbani.

Na pia hasa hasa wale wame “retire’ na kina mama, kina baba, wako na shida huku nyumbani, ndio naomba kina mama, na kina baba wazee, wasaidiwe na usaidizi. Na kwa sababu sina mengi sana, naomba Mungu awasaidie na awaongoze, na muendeleo na kutengeneza Katiba.

Naitwa Raeli Muoki, Asante. Huyu ndio Muoki...

David Muoki: Ninyi mapurofesa, na wale wengine ambao wamekuja kutengeneza Katiba, hamjambo? Sasa mimi nimekuwa kwa giza sana. Kwa sababu, nilipewa hiki kijitabu, na nikakosa kupata, kile ambacho ni cha Katiba ile ya zamani, na kikawa nikiwaza, kwa sababu tuko na maprofesa ni watu “educated” kabisa. Nikajua wanajua kila kitu muzuri ambayo wangetutengenezea wakiwa hapa mbele yetu, waseme, kifungu ya zamani hile ya sasa, inasema hii na hii na sisi tumeonelea ili nchi yetu iwe sawa, vile raia mnataka, tungependa, tumonelea hii ni muzuri. Na sisi tufikirie tuone ni mzuri ama hapana mzuri tuwaambie hapana tungependelea hii. Halafu, sasa nimeshangaa, kuona hii hapana iko, lakini, nikionelea, nije nisikize maoni ya wenzangu.

Mimi kazi yangu leo nimekuja kuunga mkono ile Katiba ambayo ni mzuri, na ninaunga, maoni ya bwana Wambua, Bwana Mwangangi, isipokua kwa Wambua, hii serikali ya “coalition” hii, ningeeonelea, kama tungekuwa na demokrasia hile ya haki kabisa, isiyo na President ambaye iko na uwezo wa kila kitu. Demokrasia ile ya haki kabisa, na vile vile, mahali ambayo sasa mimi niko ni mzee. Yule mwenzangu alikua hapa, akaongea kidogo, akisema bibi yake akienda sokoni analipa badala ya kulipwa hile kitu ambaye ameenda kuuza.

Ningeazimia vile vile wazee wakifika miaka sitini, watafutiwe kitu ya kuwasaidia, wakingojea sasa kuenda kuuza maembe yakiiva, isipoikuwa hawawezi kufa wakisaidiwa, watakuwa wanaendelea vizuri. Na vile vile mambo ya Bunge, eh.. Vyama vya Bunge, maoni yangu ni kwamba tuwe na vyama vitano tu, lakini siyo hii arobaini na kitu, hizo zote ni za, kulete utengamano.

Na hii mambo ya Kithitu, vile umesikia, Kithitu ni kitu ya Mukamba, ile ambayo wanaamini kabisa itasema ukweli hiyo ni kusema ukweli, na ikiwekwa pale, itakua mzuri kabisa.

Na jambo lingine, kuna watu ambao, hapana sikiliza Kiswahili hawasikii, Kizungu, hawasikii hiyo lugha ya Kisahili, tungependa, vile wakati hule mwingine mlete mwenye kutafsiri hapa, kama angekuwa hapa na twendeleo.

Na mimi sina mengi nimesema nimeunga mambo ya Wambua, Mwangangi, nime yaunga mkono.

Thank you.

Com. Aroni: Asante bwana Muoki, na bwana Muoki, tafadhali pengine tungetaka kukujulisha, kisababu ambayo tumekuja kuchukua maoni yako, ni kwa sababu Wakenya waliomba kuandika Katiba, hawataki maprofesa, na waBunge kuandika Katiba, na tunashukuru kwa maoni yako, unaweza kudhania hauelewi, lakini tunashukuru sana kwa yale umetueleza. Asante.

Isaac Wang'ong'o.

Mr. Wang'ong'o: (kikamba)

Translator: Nachukua nafasi hii, hebu kidogo...

Mr. Wang'ong'o: (Kikamba)

Translator: Nachukua nafasi hii naongea kikamba. Natoa maoni ya wazee wa sehemu, na ya 'clan'. Wazee wa 'clan' na vijijini tuna kazi nyingi sana ambayo tunafanya wakati tuko huko nyumbani.

Mr. Wang'ong'o: (Kikamba)

Translator: Moja ni kuweka mipaka baina ya watu wanachi. Pia tunafanya kazi ya kusaidia ku'share' kugawanya mali ya wale, ya familia, Wakati wazee wanafanya hiyo kazi, wanaonelea ni vizuri, wazee hao walipwe na serikali. Hilo ni oni moja la kwanza.

Mr. Wang'ong'o: (Kikamba)

Translator: Maoni mengine ni kuhusu 'clan' za Wakamba ambazo ni ishirini na nane. Sheria hizo za 'clan' ziwekwe kwe Katiba. Moja ni hii za kutoa mbuzi mbili za mahari za kwanza. Ile ya pili ni kugawanya mali ya urithi.

Maoni mengine ya wazee, mashamba ama mchanga, itoke upande wa serikali, mambo ya shamba ije pande ya wazee. Kwa sababu hao wazee wa 'clan' na wa sehemu hao wa vijiji ndio wanajua mipaka ya mashamba hayo. Wakati wanafanya kesi huko, kotini ya serikali, wakati mwingine huwa wanapendelea upande mmoja ambao ndio uko na pesa. Ndio wazee wa kijiji na wazee wa 'clan' wanasema kesi zote za shamba zifanywe na wazee. Hao wazee pia wakikaa chini, wanaona wakinyang'anywa na mawakili kwa sababu wakiuliza Kithitu hawapatiwi.

Sheria ya kikamba ni kwamba hii kitu inaitwa Kithitu ndio msema kweli.

Wazee wakati walikaa chini, kwa lingine, walionelea mtu mzima wote wa Kenya akiwa na kipande/kitambulisho anapaswa kuwa na shamba lake. Wale wote wako na mashamba makubwa, kuna, wengine wako na elfu tatu eka na zaidi inapaswa hata kama hatutapata sehemu hapo, inapaswa tupate 'shares', tuwe na shares katika hayo mashamba.

Mr. Wang'ong'o: (Kikamba)

Translator: Na pia hao wazee wakati waliketi kutengeneza maoni pia, wanasema mjube wa mBunge anapaswa afanye kazi siku tano kwa wiki, kwa sababu alichaguliwa aende Bungeni kufanya hio kazi.

Mr. Wangongo: (kikamba)

Translator: Pia oni lingine, wanonelea 'councillor' awe, na miaka thelathini na tano na zaidi, kwa sababu akiwa na miaka na miaka michache chini ya thelathini na tano, hataweza kusikizana na wazee ambao wako, na pia, mambo mengi ambayo yanahusu.

Mr. Wangongo: (Kikamba)

Translator: Pia maoni ni kwamba mBunge asiwe na miaka chini ya thelathini na tano.

Mr. Wangongo: (Kikamba)

Translator: Pia ono lingine la wazee 'councillor' asikuwe chini ya 'form four' asikuwe chini ya hapo. Awe na form four' na juu ndio tuwe na kiongozi ataweza mambo mengi.

Mr. Wangongo: (Kikamba)

Translator: Lingine pia, Rais asikuwe mBunge, aje achaguliwe kiurais.

Mr. Wangongo: (Kikamba)

Translator: Hii ni maoni ya wazee.

Com. Aroni: Mzee nataka unieleze, unasema turudie mila ya urithi ya kikamba, hiyo mila, nataka uniambie insemaje kuhusu wamama au wasichana au wanaume, ili tuelewe.

Translator : (Kikamba)

Mr. Wangongo: (Kikamba)

Translator: Mila ya Mkamba, kuhusu kina mama na wasichana, hapa tunasema pia iwe mbuzi mbili, ambazo huwa zinatanguliza kwanza kurithi kutiwa(kikamba)

Mr. Wangongo: (Kikamba)

Translator: Nikiongea majidiliano juu ya hiyo mila Mkamba bado haijafikia kiwango, cha kupatia.....

Com.Aroni: I want to know the current position, because he wants us to revert theme, what does he say and about the position for women, what does he say about women?

Translator: (Kikamba)

Com.Aroni: Nieleze vile kunafanyika

Mr. Wangongo: (Kikamba)

Translator: Anarudia tu, mila ya kikamba hairuhusu mwanamke apate mali... kwa kuwa ameolewa.

Com.Aroni: Na akiwa hajaolewa? Ataenda wapi?

Mr. Wangongo: (kikamba)

Translator: Anasema, wakati huu wazee wengi wanapea yule, msichana....

Com.Aroni: Sitaki wakati huu, nataka mila ya kikamba, what is the mila ya kikamba,.... What is the kamba traditional law..

Translator: (Kikamba)

Mr. Wangongo: (Kikamba)

Translator: Anasema mwanamke hapaswi kupata chochote.

Com.Aroni: Unajua tuelewanwe sawa sawa. Justus Ngunga,

Mr. Ngunga: Kwanza, la muhimu sana ni, President. President wa Kenya mimi naonelea, 'qualification' ya kwanza, awe 'graduate'. Ya pili awe 'age' ya 'between forty eight na sixty'. Ya tatu, President awe kwa two terms na nne President awe M.P. kutoka constituency, hiyo ni ile tunaita under presidency era, era post presidency, President akitoka, apatiwe pension mzuri, good pension, probably awe tax free, na wafanyi kazi, ili awe comfortable na, lakini, president akitoka, President should not participate, in politics. President should not hold a post in political party. Atoke aende retire kama mzee wa nchi, na President after that he should be tuseme a Kenyan diplomat. Anaweza kutuwakilisha out, kwa sababu anajua policies za nchi yetu vizuri.

The other thing President should not participate in business, active business, zile zake zilikuwa zinaendelea,

ziendelee, lakini kuanzisha zingine mpya, President shouldn't participate kwa sababu, here I have got a reason, kuwa kwa kile kiti cha President, you have access to a lot of information, mwananchi wa kawaida hana, na President pia, akienda ku-compete kwa biashara na other wananchi kutakuwa na unfair competition.

Ile nyingine, President wakati nakuwa afisini, pale State House, a lot of information comes ther, zinakuja pale lets say kutoka nchi zingine a a lot of gifts na artifacts zinakuja pale. These gifts and artefacts wakati presedent yuko office, these should be owned by the Kenyan Government. Mtu asiingie pale kwa kiti na achukue zote, hata historia yetu inapotea na vitu vingi vinapotea.

Lingine nazungumzia, ni juu ya consumer court, Kenya mwananchi wa kawaida has no right. Napeana example kidogo tu, ukienda kwa duka akuuzie kitu, bei ambayo is higher than the usual, an ordinary Kenyan, where can you complain. Uingie kwa watu wa matatu, waku mistreat, mwananchi wa Kenya, uta complain wapi? Lakini hawa watu wa matatu, wako na association yao kali sana, ukiona Nairobi wanapiga watu, you can do nothing. Kwa hivyo we should have a consumer court, headed, by retired judges. Na it should be on divisional, basis, kila division iwe nayo, na yake. Ili nikipatwa na shida, I don't need to kwenda Wote na kwenda hapa kawa division yetu, na report shida yangu na it is solved. Consumer court should be able to decide immediately, hawangojei court zile zingine, they should be independent of the other courts.

Ingingine, nimeonelea, Kenya we have got a serious problem of unemployment, kuna watu wengi wanatoka mashuleni, wengine wanatoka hata universities, na hatuna, kazi za kutosha, Now, Kenyan Government, has a lot of money, na pesa zingine zinatumiwa ovyo ovyo, now, vile mimi na suggest there should be a fund created by the Kenyan government to give, soft, interest free loans kwa wakenya ambao labda wametoka shule na universities ambao they should establish a system, wawe self employed. The loan should be payable and should be monitored by department amabayo inatoanga hizo loans, probably through a bank or through another system but should be there that will create employment.

Lingine hapa ni kugawanya Kenya. Kenya should have states, majimbo, tuwe na majimbo na that hata tunaweza kufuata the present provincial administration boundaries, Na these provinces, states, or whatever we' ll call the, we should have governments, na these governments, should sit in the states, kwa sasa sisi huwa tunazungumza, about local government, actually Kenya, we do not have local governments. Kwa sababu hii tunaita local government, to have a government, we have to have a Parliament hii ministry tunaita local government, labda tunaipatia jina wrong. Hivyo we should have local government, na within the state, and these should control, the natural wealth, na activity of that area.

So mpaka natural resources, na zinaonekana kama, ukambani sisi huwa tunaambiwa, tukipatiwa hii ukambani tutakuwa na nini. Ukambani we have got a lot natural resources, ambazo zinakwenda, to other places, and we

never benefit.

Now Kenya, a lot of money has gone out of Kenya, na tumeona, watu wengi wamefanya biashara ama wametengenzeza pesa with whatever way, na hizo pesa amechukua zote akaweka akaficha in foreign countries. We should have a control in our Constitution as to how much an individual should remove money from the country. Kwa sababu, nchi yetu inawachwa maskini.

You make money, here, kwanza hao watu, its rape, they are raping their mother land, (?). Wanatengenzeza pesa, na zinakwenda, kesho pesa zile zawesa kusaidia everybody, you find we do not have money.

Now, business opportunities. Kwa sababu actually business opportunities Kenya, zimekuwa zikishikiliwa na wahindi pekee yake. Business opportunities in Kenya should be available, available to Kenyans on equal basis. Kwa sababu, Waafrika, tunafanya tubiashara, tute tudogo tudogo tu, ukienda pale juu, utakuta, izi wahindi na foreigners wanafanya hizi, so Kenyans, should be given equal opportunities.

Here, I have a point on citizenship, citizenship ya Kenya, imekuwa, one of the easiest in the world. Unaingia Kenya leo, after a few days, you become a citizen. Hii tunaona, inakuwa na people from Asian countries. Me am suggesting that Kenya should stop issuing citizenship to Asians, or I mean people from Asian countries and here, I am particular about Pakistan, India, Sri Lanka and Bangladesh. We have enough of those people, wale wako hapa wametutosha, hata ikiwa ni daktari wa namna gani, we have enough Kenyans madaktari we can train our Kenyans also, hata engineer.

So I think it would be good, na wale ambao, wamezaliwa, hapa Kenya, they should be checked, ikiwa actually huyo mtu ni genuine kuwa, Kenyan, citizen. Kwa sababu, wengi wao wako na , what we call dual citizenships. Utakuta yuko na passport ya Kenya, yuko na passport ya India ama Pakistan. Mwingine aweza kuwa na passport ya Amerika. So hao, watu wakati Kenyans, we go to compete with the, unakuta, Mwafrika aki compete na hao watu, Mwafrika, I mean a black person.

I am particular about this, Mzungu, Leakey is not a , kusema he is an African lakini Mwafrika ni mtu mweusi, ukienda ya yule mtu, ukienda na Leakey Britain, he will be given a preference, although he is having a Kenyan passport na wewe uko na Kenyan passport. Ukienda, na mhindi that muhindi, India, he will be given a preference. So this is the thing that , Waarabu wale wako Kenya, ukienda nao Middle East, they will be given a preference, so this is the thing that the Kenyan Constitution should take care of.

Formation of government. Hiyo nilisema tu ya local government na nitaongeza. There should be political parties, political parties ziwe unlimited. Ikiwa XYZ, anaweza kutengenza, political party, jenga. Hii habari ya kusema tuwe na tatu, nne, that is not democratic, hiyo ni kuweka restrictions. Watu wawe na freedom ikiwa

naweza kutengenza yangu, niingie nishindane nishinde hii KANU , what's wrong with that? Lakini kule kuwa restricted, hiyo itokea. Now, but there should be conditions. Tuseme, all political parties should participate on equal basis in politics of elections.

Okay, ingine in kwamba, political parties, should grow kutoka pale chini, na ziwe national. A national political party should beat some qualifications. Tuseme iwe na, inaweza kulipa some certain, amount of money to the registrar, iwe na a certain number of members iwe na certain number of strengththrough out the country hiyo inakuwa national party na ndio, itaenda ku-compete national elections, na hiyo ndio itakuwa na nafasi ya kushinda , uchaguzi, wa kutengenza serikali.

Now, Kenya should have a Presidential system of government . There will be a President, an President of Kenya, mimi na suggest, awe anatoka from the political party, ile ambayo imeshinda, national electoins. The President of Kenya will be, a controller of that government. The political party that wins, I am suggesting that political party should form a government. A government with a Prime Minister and Ministers. The Prime Ministers will be elected by the party that wins, and the Prime Minister will elect the Ministers.

But then Ministers should be people, who have qualifications relevant to the Minister that they are going to head.

Itakuwa funny kuona mtu ambaye alikuwa askari, anakuja kupatiwa ministry of health. Au unakuta, mtu ambaye amekuwa somewhere else anapatiwa Foreign Ministry, because ministries are very sensitive, kwa hivyo kule kuchaguliwa, kwa Minister, should be having a relevant background, preferably ya education na ministry ile amepatiwa.

Now, ili kuinua the living standards za Wakenya, mimi na suggest kwamba, government of Kenya, isaidie Wakenya kupata biashara nje ya Kenya, na kazi, kwa sababu foreing trade, ndio itaweza kutuletea move funds, na kuinua the level of living ya maisha ya watu wetu.. Recently kama hii kitu inaitwa AGOA, hii ya Amerika, but then Wakenya wengi hawajui na surprisingly ukifika Amerika leo utakuta akina mama wazee wa Tanzania, wanauza 'ndungi' in Los Angeles lakini Wakenya wale wako hapo, I mean Wakenya wale wetu although those opportunities are open, it is just for some few.

I have got some few points; one of the things is the electoral commission. Electoral commission, should be headed by a commissioner who has rank, and powers of high court judge.

Land. Land in Kenya, ni kitu, kilicho na a lot of controversy lakini, me I am suggesting, no Kenyan should own more than a hundred and fifty acres, in one particular place, kwa sababu kuna watu wako na thousands and thousands of acres, do they really need that? For a human being kuishi comfortably how much land does one need, I suggest one hundred and fifty acres in one area is enough. Now if that person kwa sababu, a lot of

grabbing of land has happened, if that person has more that that land individual, that land should be reverted back to the government and nationalized and that is the land ambayo itagawiwa vizazi ambavyo vinavyokuja. Ili tutuoe chances of having neo-colonialism- colonizing another black man.

Kenyan judicial system. Judges of Kenya should retire like other civil servants, akifika sixty-five years, let them retire kwa sababu wazee wako hapa, they are judges and what is happening now, tuko na high-tech crimes, hata I can challenge Chunga he cannot understand them. These are very high technical crimes, which need young people.

Wazee wakitoka, young people wakuje, kulingana with the way technology and the world is changing. Mtu anaiba pesa za Kenya, akiwa New York, through a computer, anaingisha, Kenya Commercial Bank, pesa zinakwenda. Ukiingia kwa koti, hata lawyers, they can't understand this, na pesa zilikwenda, kitambo, halafu, kwa sababu hawaelewi, hiyo kesi tu inafanyafanywa namna hii, inapotea.but money went.

So this is where we require people educated in this relevant sort of areas. Now na hawa ndio wawe the younger, judges. Ikiwa ni kwa technology, kabla hajaenda kufanya Law, and this is happening in other countries, kwanza afanye, such degrees, na Law iwe secondary. Kwa sababu Kenya mtu anaenda anafanya Law na anaenda ku-handle kesi ya rape. Many of them because they do not know the medical complications of that, they can't handle the case properly. I am giving the case of this case ya Kyanguli, wale walikuwa wana handle the case and wale wengine wote, nobody, had come from, educational profession, kwa hivyo sometimes unakuta the case is no fairly handled, either kwa wanafunzi ama kwa waalimu.

Now there is another issue ya protection of intellectual property. This is something we are going into, protection of intellectual rights and patents against foreign, encroachment. A lot of rights za Wakenya zimechukuliwa bila sisi kujua, surprisingly hata jina la Kikamba, I mean Kikamba hii yetu tunazungumza Kamba, Kamba, you can to to Australia useme mimi ni Mukamba and you are put in jail kwa sababu that has been patented by somebody in Australia. This is something that many Kenyans do not know e.g Muluhya anaenda anasema Muluhya in U.S.A, anaingia jela, kwa sababu this is right ya mtu. Kwa hivyo Kenyans we should be, safe protected against this sought of naziita wizi. Now our traditions should be protected. Hii ya Kithitu, kwa sababu Kithitu kwa sababu Kithitu yetu ya Kikamba inaua, madam.

Com.Aroni: Being a successful commissioner I am reading and writing.

Mr.Ngunga: Lakini that is important, Kithitu yetu Kikamba inaua! Ukichukua kitu chako na uende upige hiyo Kithitu, mi nakufa, and if I don't own up early, our family members wanaanza ku disappear moja by one. This is where it is very important. Na traditions zetu ni kama Kithitu, madawa, Wakamba sisi tuko na madawa ya

kiafrika kwa wingi sana. Education, ile masomo yetu ya kiafrika, ile mzungu alipokuja alisema, hii ni kitu ya, kishetani. After all ni kitu yetu na, tuko hata na michezo, nimeona nchi zingine, hata michezo ile yao yaki tradition, ndio inaenda kucheza mpaka Olympics. Kuna michezo mingi ya Kiafrika ambayo has been disregarded. Kwa Kikamba tuko na mchezo unaitwa 'kiima' let the rules be modified to suit the present applications. Ni mchezo wa kikamba. In English it is sort of something like javelin. These should be revived, and they should even be nationalized. Now kwa sababu muda umekwenda sana nimewachana.

Com. Kabira: I want to ask you about the issue of the Prime Minister/ President, again and I was wondering about whether this Prime Ministers is going to be elected or appointed by the ruling party, sorry the party that has won and if like we talked about, a little earlier, if every party has election process, with President and then the Vice and Prime Minister, what about if the Prime Minister gets more votes but belongs to another party.

Mr. Ngunga: What I am suggesting ni kwamba kuwe na parties ambazo, they have grown from the grassroot. Zitoke pale chini and grow, and that party will grow to become national level and as they grow, as they will, eliminate each other na votes. Hapa kuwe na party, hapa kupite in our constituency Kilome, kupite whatever party itapita, halafu that party ipande, tu-count how many votes imepata this area, tuone if that the party can go for the next elections. Waende for the next elections, mpaka wafike national level. That party on the national level, that will be having most candidates will be allowed to form the government.

Now that party had a leader, naturally there will be a leader, that should be the President. That's what I am suggesting. Now after having the President, the party will have a council of Ministers, according to the Constitution of Kenya, tuseme tuwe na,seventeen Ministers, that party will have seventeen people, who will be going for ministries. Now, out of that, one of them will be the Prime Minister whom they think is capable, and infact we should be having a President and a vice President, then they will be a Prime Minister. Okay, Now after the Prime Minister is elected, then he will form his government with the cabinet Ministers.

Com Kabira: So the Prime Minister will actually by appointed by the President or by who or by the party?

Mr. Ngunga: He will be appointed by the party.

Com Kabira: But he is only elected as an M.P.

Mr. Ngunga: He is elected as an M.P. Everybody should be elected as an M.P. including the President and the Vice President.

Com Kabira: But they don't have, they have direct election of the President, when you go to vote you vote for

the President, for the M.P and now you are suggesting we vote for the vice President...

Mr. Ngunga: No, but I am suggesting otherwise. The President should represent a constituency, the President should have constituency within otherwise atakua akifanya nini pale Parliament.

Com Kabira: So are you saying we should be voting for parties, not for the President and MPs?

Mr. Ngunga: The system ambayo tuko nayo will be voting for parties but then the people whom we are voting for, in the parties we will also consider the capabilities of an individual. Unajua? And this system has got a lot of weak points. We can vote for a party, natuchague weak candidate because he is backed by a strong party, that chance is there, kwa sababu vile mimi nilikuwa naonelea, Kenya tunaingia kwa Constitution review, after very many years. Hii ipite na after sometime not very long we should have another review, of reviewing what we are doing after tumeona imefanya kazi namna gani. What we are reviewing we should not say ati itaendelea miaka mia mbili, no it should in fact not go for more than fire years. We should after three years tuketi tena, we review tena, na tuipolish. Na before the next elections tuketi tena tuipolish, ili tuwe na Constitution ambayo, we are satisfied kwa sababu, tumetoka from some mess and I don't think we are going to be absolute with this one exercise.

Thank you.

Com. Aroni: John Mulwa.

Mr. Mulwa: Asante sana commissioners na wale wengine wanahusika hapa. Yangu, nimekuja kama kikundi, kwa hivyo kikundi changu hakikuwa kikituandikia, ni kama watu wawili na ambao hawakuwa wazuri upande Kiswahili, kwa hivyo nilikuiwa sijapata nafasi ya kuenda through, nikaona kama kuna makosa ama bado. Na vile naona, makosa yako mengi, kwa hivyo nitajaribu kufuata hiki kitabu mlio tupatia.

Na hapa, mambo mengi, tuliona na kashida kidogo manake Kiswahili hapa mtaani inashinda watu vibaya. Tukaona, tukaruka, tukaruka dibaji, tukatoka pale, tukaingia utangulizi, tukaruka, tukafikia kanuni za uongozi, tukaruka, tukaanzia ukuu wa Katiba.

Tulianza hapo. Basi hapo ukuu wa Katiba, tumeonelea kwamba, Katiba katika nchi ya Kenya, iwe ndio sheria, ya juu kabisa, kusiwe sheria nyingine, ambayo yaweza kushinda hiyo.

Zile zingine, zinatungwa na Bunge, zingine zinatungwa ni Attorney General, zisiweze kuvunja hata moja, katika Katiba. Hiyo tulionelea hiyo.

Ya pili, uwezo wa Bunge, uwezo wa Bunge, kulingana na vile Bunge inavyoendelea siku hizi, Bunge inaweza kubadilisha, sheria fulani ovyo ovyo. Kwa hivyo tukaona, Bunge, wasipitishie sheria kwa vile 'percentage'

wamepewa ya 65. Ipande iwe 85, naona hivyo. Mara kidogo iwe sheria ikibadilishwa, iwe ni vigumu. Na hiyo sheria ikiwa kuna sheria nyingine, inanuiwa kupitishwa, an iwe tukiona pengine Bunge wanaweza kuibadilisha ovyo ovyo, irudishwe, kwa mwananchi. Mwananchi aume, yeye mwenyewe kama anataka sheria hiyo ibadilishwe ama hataki.

Ile nyingine, mnisamehe maanake, nina jicho baya, miwani sina, kwa hivyo wacheni niende pole pole tu. Wananchi wahusike, wananchi wahusike kwa upande wa kubadilisha sheria, tumeona dnio, kwa sababu sheria zingine, sisi tukiwa hapa nyumbani tunasikia Bunge wamebadilisha sheria Fulani na mwananchi hataki hiyo, ibadilishwe. Sasa, mwananchi hana uwezo kwenda Bungeni na alituma mtu ambaye anakwenda kudanganywa na wengine, tubadilishe hii. Naye mwananachi anabaki kulia tu, ilibadishwa kwa nini?

Ile nyingine, kuna swali hapa linalouliza, kuna mikutano ambayo wananchi, wanaitwa, ya kujadili mambo, kama haya. Hiyo mikutano isimamiwe na nani? Sisi tuliamua, commisssiioners ndio wanaweza wa kusimamia hiyo mikutano. Nafikiri upande wa ukuu wa Katiba, mabo yakie in kama hayo.

Sasa tuingie upande wa uraia. Uraia, sisi tulionelea ya kwamba, ikiwa mwanachi amezaliwa hapa hapa nchini Kenya, hakuna, kuuliza, hana swali la kuwa raia, kuna swali? Hana kwa sababu ni mwanachi amezaliwa hapa, rangi yake, lugha yake, kila kitu chake, kanonyesha yeye ni mzaliwa wa wa hapa Kena. Kwa hivyo apate uraia bila swali.

Ile nyingine utoaji wa uraia, katika hapa nchini Kenya, ufuata, uwe na muundo mwingine. Kunaweza kuwa na njia nyingine ya kupata uraia, ndio, kunaweza, kwa sababu kunaweza kuwa na mtu fulani, akaingia hapa chini Kenya, na analeta mali yake, anataka kufanya biashara hapa Kenya, na ni mali nyingi basi huyo akiamua, kuishi hapa nchini Kenya, si anapewa? Akisema ameamua apewe. Okay. Hiyo tuliamua hiyo.

Ile ingine je ikiwa mtoto amezaliwa na mama ama baba, ambaye, ni raia wa nchi ya Kenya, na amezaliwa Ng' ambo, yafaa awe raia wa Kenya ama vipi? Tuliona, ndio. Anaweza kuwa raia wa nchi ya Kenya, kwa sababu mama, kama mimi ninaye, mimi hivi unaniona iko wangu anaishi wapi, anaishi Ulaya, na akija hapa si ni raia tu, mtoto wangu. Kwa hivyo tumeona ya kwamba, ikiwa amezaliwa nje, na mama ni mzaliwa hapa, amam baba ni mzaliwa hapap, huyo anaweza kuwa ni raia tu, bila swali.

Lingine, raia anajukumu gani hapa nchini Kenya, kama wewe ni raia wa hapa, anajukumu, kubwa ya kutumikia, nchi yake. Ikiwa unatikiwa kufuanya kazi hapa nchini Kenya unafanya, sababu ni nchi yako. Ikiwa unataka, unatakiwa kuwa mwanajeshi, si unakwenda, kufanya kazi ya jeshi? Kama si askari ya polisi, ama ni kazi gani kazi yoyote, ya kutumikia nchi yako nchini Kenya, hiyo ni jukumu, yako kufanya bila nini, bila manung'uniko, ama bila kikua katika hali ya, ingine ya ushawishi.

Katiba inaweza kuruhusu raia wa nchi mbili? Tuliamua ndio, kwa sababu nakumbuka, iko mzee mwingine hapa kwetu, alikua akiishi Ulaya na alioa huko Ulaya na akazaa watoto huko Ulaya, lakini ikafika wakati mwingine watu wa Ulaya, lakini ikafika wakati mwingine watu wa Ulaya wakamkataa, kwa sababu yeye ni Mukamba. Wakaona amekua na mali nyingi, amepata vitu vingi huko Ulaya halafu, wakaamua wakafukuza yeye. Alikuwa na suitcase tu, mali yote, watoto, akawacha wapi, Ulaya. Akaja bila chochote, mpaka hata wa leo angali hai, na anataabika hapap, anaishi pale, na anataabika watoto aliacha Ng'ambo, mali yote iko Ng'ambo, akaja akaachwa uchi, bila chochote si ni uchi tu.

Basi mali yake kama angekuwa yeye ni raia wa Ulaya, si angefukuzwa pamoja na watu yake na mali yake, lakini, kwa sababu, yeye hakuwa raia wa huko, alikuwa raia wa Kenya, akonwa. Kwa hivyo inawezekana? Tukaona nawededana, hata akiwa raia huko na akiwa na imani na nchi yake apatiwe uraia.

Lile lingine, mwananchi awe na kitambulisho chake, tulionelea kwamba, mwananchi wa Kenya, kitambulisho cha kwanza anachofaa kuwa nacho, ni kipande. Ikiwezekana, ikiwa unataka passport, upatiwe hapo hapo, unataka passport, upatiwe sababu wakati mwingine unaweza kuwa unataka kwenda Ng'ambo na kuna haja Fulani unakwena kutimiza, huko Ng'ambo, naitakiwa huko uende kwa mwezi mmoja, au wiki mbili. Sasa ukienda kuapply, passport, sijui inachukua miezi mitatu, sijui sita, na jambo lile ulikuwa unatakiwa uende utimize Ng'ambo, ni la wiki moja mbili. Sasa haya mambo yote yatchelewa, yatapita, yataharibiwa, yatafanya nini, yatakwishwa. Na bado passport itatoka, lakini mambo yamepita, sasa hiyo passport ulikuwa unapewa ya nini.

Com. Aroni: Mr. Mulwa... nataka tukubaliane vile utaendelea, kwa sababu, ukiendelea kusoma, na kujibu maswali, pengine tutwakosea wenzetu ambao wakio hapa. Unaweza kutupatia, hiyo memorandum yako, hata na makosa, makosa, hata kama ni ya spelling, halafu, tukupatie nafasi, dakika mbili, u-summarise, sisi tutasoma, na tujaribu kuielewa, tafadhali. Tusije tukakosea wenzetu.

Mr. Mulwa: Basi wacha nizungumzie jambo lingine amalo halikuwa limeandikwa. Sasa upande wa Bunge, sisi tumeonelea ya kwamba wabunge, ikiwa Mbunge, amekosa kuhudhuria Bunge, ama amekosakosa, ndani ya Bunge, wengine, huenda pale kuna, vilabu, wanapata pombe wanatumia pombe, kulewa, na kuwa mlevi, ikiwa, ataendesha mambo ya namna hiyo, wananchi, wachukue sahihi, za watu ambao watakua 85%, wapeleke kwa Speaker, waseme huyo mBunge wao, hafai, alafu, isimamishwe. Wananchi waruhusiwe, wapige kura mara ya pili. Hiyo ni upande wa Bunge.

Ile ingine, manake ninataka kufupisha, hapa nchini Kenya, kumekua na, madhehebu mengi ya kanisa, haya madhehebu ya makanisa, mengine, yamekuja, ni kama vitu vichafu, hapa nchini Kenya, yanaleta mambo

ambayo hayafai kwa hivyo, madhehebu yale yaliyoko, yasiungezwe mengine, yabaki hayo hayo tu.

Kuna jambo lingine, ambalo tunaona linatatiza wananchi, hapa nchini, Kenya sana. Wananchi wanakwenda, kuuza, mali zao sokoni, ikiwa ni ng'ombe, kama ni mbuzi mnakwenda kujadiliana na pale, mnagonjewa na mwenye soko, ukiuza ng'ombe yako achukue pese kwako. Tunataka, ikiwa itawezekana, sokoni pawekwe ratili ya kupima ng'ombe. Akisimsema kwa ratili hiyo ng'ombe, iko kilo fulani na kilo moja imeandikwa pesa fulani ilikuzuia, wananchi, kunyanyaswa na wale wengine. Nafikiri kwa sababu yale mengine, yameandikwa lakini si vizuri, sana, lakini tupatie tu namna hiyo mtajaribu kutengeneza.

Com .Aroni: Asante sana mzee. Obadiah Muteti. Aweke kwa file halafu tutasoma baadaye.

Mr. Muteti: Asante sana ma-commissioners, afisa wa serikali, waalimu wa kutoka civic education, wazee, na kina mama ambao mmeingia kwa mkutano huu. Ninayo nafasi, hii kili nipeane maoni yangu, na wazee ninokaa nao huko kamuthini Secondary school, juu ya Katiba. Jina langu ni Obadiah Muteti kwa vile tumeenda, kwa kitabu yote, nimeandika, nikifuata zile pages, kama vile 'preamble' iko page three kwa hivyo hii notes zangu nikiziwacha, zitakuwa, zinaonyesha vizuri. Kwa hivyo, kwa hapa, nitashika point moja kuruka, naenda nyingine, and then ile ingine mtaona huko, asante.

Katika preamble nimeona vizuri preamble yetu, iwe inaonyesha, vile Katiba ya kwanza tulivyoipata, ilitokana na mwaka wa 1962, wakati, waafrika wetu walitaka uhuru, wakaungana na wakoloni, wakaenda, huko Lancaster house, wakaenda ya kwanza. Hapa tumeonelea imekuwa ni giza, kwa mwafrika hapa Kenya kukaa miaka arobaini bila Katiba. Na kwa sasa ni kama tumepotea, na kwa vile, mwingine hapa amesema, hii, Katiba, ikitengenezwa, irudishwe, baada ya mwaka mmoja tuone vile ilivyo, tufanye, marekebisho ndio tutengeneze Katiba nzuri. Katika hiyo preamble pia, tumeonelea, pangukuwa pamewekwa tarehe, sahihi, ambayo ni Heroes day. Hero, wa kwanza tukimuona ni Kenyatta, ambaye alisperhead, uhuru wetu, na wale wengine Kagia, Paul Ngei, Dedan Kimathi, na hao wote, na hiyo siku, iwe ni national celebrated day, kama vile tunasema Kenyatta Day tuwe zote tunatokea nje, tunasherehekea hiyo.

Zile philosophy ambazo tungeziweka, maanani, ya kwanza in spirit ya Harambee. Ni kama siku hizi tumeipuuza, lakini, tunaona katika maoni, ya mwafrika, Harambee, imesaidia sana, tunajenga nyumba zetu huko kijijini, tukiwa tumeshikana, kama harambee, na tunaipuuza lakini, ndiyo imejenga Kenya, ikafika pale tulipo. Zile zingine tungeweka, pia za hizo 'philosophies' ni peace, yaani amani, upendo na umoja.

Constitutional supremacy, ule umaana wa Katiba. The Constitution should be amended by the citizens, and later only endorsed by the Parliament, without, altering any part. Hii Katiba tukitengeza, sisi wananchi tuletewe tujadiliane na wale mia sita watakao kaa huko Nairobi, wakisha sahihi hiyo isiwachiwe Parliament tena, iingize

maoni mengine. Yake tu ni kusahihi ya kwamba hiyo ndio 'document' inaweza fuatiliwa, katika hii nchi ya Kenya. No part of the Constitution should be amended by a Parliament.

Referendums should be involved being conducted by the electoral committee or commission and people taking part should be age 18 years and above, using their election cards, I.D. and passports to prove that they are bonafide *wananchi*. We have seen here there are people who go in for voting and they are to in our census. We don't know where these people come from, so it means they are just people imported when the time comes for voting and a person taking such a national exercise, should be really checked and fully seen that he is a man from this country. Pengine mtanisamehe kwa sababu hapa nimeandika kiingereza.

Citizenship. An automatic citizen of Kenya is one born of a Kenyan father, mother in Kenya, or anywhere in the world. There are, other places where if a child is born there you are told that child is born in Australia he is an Australian. This should not be with our Kenyan people. A baby born of a Kenyan woman by a foreigner is a Kenyan, if they are not married officially. Also a baby born of a foreign woman by a Kenyan man, outside wedlock is also a Kenyan, a left out baby by his mother, or collected in our Kenyan soil is a Kenyan. A baby born through scientific methods, sometime we take the male power he is inseminated somehow, from a Kenyan man, that person if he comes out to a man, he is a Kenyan. So, we should also protect that one, in our Constitution.

Defence and national security. The armed forces should be formed by the Constitution. The President should not be the commander – in- chief, of the armed forces, but a patron. The Prime Minister with the overall charge of the armed forces. Why am I including the, Prime Minister in commanding the army? Because he has to check whether this nation really needs to go to war or not yet because at times he may decide to do it, I mean the army officer may decide to do it, while it is not yet, and the Prime Minister, obviously will have called the Parliament to discuss and see whether, it is right to go to war.

During remand days, a suspected person should not be punished until court trials prove the fate. We have had cases where people in remand are probably beaten, we don't know, they are reported dead and the case is never held. That one should not happen, let the person, come to court, is proven guilty and is given the right sentence, according to the law. Defaulters who do minor offences, can be punished by working in their surrounding home areas to improve the area. Courts for civil cases can be situated at divisional level, to avoid expense of the local people and also for the government.

Political parties. The Constitution should say the number of political parties we need, and for our group here we say they should be three. One party should take the role of national stability. The other one democracy of the

nation and the other one social. Parties with 45% of members in the Parliament, should get some funding from the government so that they are able, to support their members and promote their well being.

All , parties, should plan and show how to promote production in the state in relation to natural resources and the way forward for improving the republic, nationally, democratically and socially. What do I mean by this, kama ningetaka kueleza. Ikiwa kuna chama ya taifa, ambayo imejengwa, ya kisiasa isiwe tu ni siasa ya kuchokora wale wengine, iwe ni chama ambacho kimundwa, ilikitengeze mambo ambayo yanaweza kuendeleza inchi yetu mbele, tunaweza jua kuna njia za kutoa kodi kama hii yetu ni cess. Kuna ingine inaweza kuwa ile kodi ya kujilipia 'graduated' personal tax. Kunaweza kuwa na kodi namna nyingine.

Kila party iwe inaeleza njia inchi yetu inaweza kwenda juu, lakini ile inayotokea hapa, tukiona party moja imepata nguvu tunaanza kuchimbachimba hio, that one will take us into total confrontation, and it will become a messy country, so let everybody come up with his views. Kila mtu atokee na mafikira yake, atuonyeshe vile angetosaidia kujenga hio nchi, tufikie pahali ambapo ulimwengu mwingine ulipo, asante.

Structures and systems of government. We should not retain the present Presidential system of government, we should follow, a Parliamentary form of government. A Prime Minister runs the government, with Ministers, the Presidents will conduct only ceremonial openings, and dissolving and closing of the Parliament. The President together with the Minister for foreign affairs, maintains best possible cordial relations with foreign states, we need to have very good relations with other states.

The point I am seeing important here is if a public officer is found losing a public property, money and anything else, he should pay for it lose the job and be even imprisoned ten to twenty years, because, we don't want to lose the property the way we are losing it.

Legislature. My point, picked here is, their powers should be limited in that they should not decide, their pay. In Kenya, people have to paid with a certain formular, and our thought was, we follow a formular of, a person who has never gone to school, but has a knowledge of some job, begins as a basic pay. After a certain class of education a certain amount is added to that tax, then another course, adds another still, so as we go up you find that your education, and your what any skill you have tells us what amount of salary you should get. In Kenya, its funny because we are only discussing between the worker and the employer what pay you should be paid, the mostly and usually the employer is more, cleverer than the employee so the employee is always surpressed. Thank you.

An M.P. of an area should at the beginning of his term, plan and show his local people, what work he intends to carry out during his five year term, and after a year he has to be assessed to see if he has done anything. If he

hasn't then he has to be recalled and may be we do another election because some have gone into Parliament and they don't do anything for five years only to come out after that period, to ask for another five years.

Coalition Government. Coalition should not be entertained as it demeans the other parties' principles. Therefore, each party should, maintain its principle, carry on with that principle, even if you fail twenty times, a hundred times, there is no problem, because the government is paying you for the upkeep of your party, so that we don't have people trying to cross from floor to floor, party to party, it becomes a confusion and at last, people don't keep their own stand. In...

Com Aroni: Please wind up

Mr. Muteti: Yes. We are, we thought of having two chambers, the national assembly, and a senate, and for the Senate we were suggesting we get members from the 42 ethnic groups, so that whatever is being considered as final, of serving out the law, is considered by the tribe representative of a country.

In judiciary, I will pick a point here. We thought there should be a Constitutional court. This court is not a supreme court in the country, a court which will listen to cases against a person who has contravened the Constitution, and also this court will be there to supervise the other courts and ensure they are really passing sentences, as per the requirements of the law.

Basic rights. For security, we need to have guards, on duty, even in villages. A guard should be paid by the government to work in the village shops, markets, bus stops so that in case something happens, people in that area, know who they can report the matters to.

In healthcare, apart from the vaccinations of TB, Polio, Measles that are given to our babies every time, there should be other officers who go round the community advising on animal husbandry, the kind of latrines they should have, health facilities and the water.

On education and especially for our youth. Our group thought of proposing that funds be kept in a reserve like the NSSF for children from 0 years to school going age to provide a fund to educate the child. This will help our people learn to plan for their children's educational requirements.

Com. Aroni: Thank you very much, we shall take time to read your memorandum. Mtu ambaye anafuatia ni John King'oo. Kioko, tafadhali ujaribu kufupisha. Josiah Mwendwa.

Mr. Mwendwa: Thank you very much Commissioner and everyone. My view was towards, gender equality

and basic rights, to some marginalized groups, that include children born out of wedlock. Actually we can see the plight of these children is very desperate and sometimes they have nowhere to be placed. So far instance, they do not have inheritance rights. Single mothers are already a very neglected lot which makes their children's plight worse. In the basic rights of children, there should be a law setting out the rights of the children by single mothers.

Due to the lack of basic needs, they are less endowed. For instance, a child born out of wedlock to a single mother, he will not be able to compete with those who have been in a fairly normal environment. So the government should set aside a project of counseling so that these people cannot be left out. They should provide guidance for them. On the same issue is respect; you find that some are not given respect by the society and therefore they feel intimidated. They should be given a sense of pride to know that they are themselves and they are part of the other family.

The single mother status should be recognised as independent. For instance, when a child of a single parent applies for something like a certificate for anything, he is asked to identify the father. The mother should be recognised as being adequate authority for the child's requirements.

Corruption in the court. We should look for an independent court whereby there is a council elected by the Parliament to punish or to judge the court's performances of the court. Also, the Law Society of Kenya, should be given the mandate to nominate judges for the approval of the Parliament.

On the youth; you find the youth are people who are very vulnerable to society in terms of corruption theft, so they should be given sometime to have what we call tax free services.

On moral values, they have said about Kithitu, but we should also have moral values governing some communities for example witchcraft. Witchcraft is always there in Kamba community. In Kisii we see they are always stoned and killed, and we see the community is not given a chance to entrench them into the Constitution. With that, thank you very much.

Com.Aroni: Asanti. John Kyule.

Mr. Kyule: Mimi yangu ni machache. Mimi naonelea katika nchi yetu ya Kenya kuna matatizo sana. Kwa hivyo, kwa maoni yangu, ningenelea kwa Constitution yetu, tusiwe na kitu kama foreign exchange. Hiyo ndio kitu ile imeleta shida sana hapa nchini kwetu, kwa hivyo utakuta watu wengi wamekuja hapa kwa sababu foreign exchange ni rahisi kuipata. Ndio wahindi wanakuja hapa usiku na mchana kutoka kwao. Kwa nchi zingine, foreign exchange ni ngumu sana kuipata. Ndio utapata lakini uta apply through Central Bank upate.

Ile nyingine ni kuhusiana na mambo ya rais asiteue mjumbe maalum au councilor maalum asiwe na hizo nguvu za kuteua na hizo nguvu. Lingine ni rais asiwe mkuu wa majeshi ya Kenya, kwa sababu yeye, huo ujuzi anaye yule mkubwa ambaye anajua mambo ya majeshi.

Lingine ni pesa za kutoka nje za msaada. Utakuta pesa zimetolewa na nchi zingine kama Saudi Arabia au mahali pengine popote, halafu hizo ni zile tunaziita za development. Hizo pesa zinaletwa kwa Treasury na utakuta kama zimeletwa kwa mradi Fulani hizo pesa zimepotea zimetoweka. Kungekuwa na kamati maalum ambayo ingeweza kusimamia pesa kama hizo kutoka nje zisiingizwe katika treasury.

Lingine ni hao watu wanaingia kutoka nje hawa foreigners wanasemekana wanaitwa ma-expatriates. Utaona tunafanyad kazi moja mimi na yeye na utakuta mshahara wake ni mkubwa kuniliko na mimi na yeye nina elimu kumliko. Sasa hii nchi yetu imetuweka nyuma sana kwa sababu ya mambo hayo. Kwa hivyo foreigner yeyote hapaswi kupewa mshahara mkubwa kuliko mkenya. Mwenye nchi apate mshahara mdogo haiwezekani hiyo pia iwekwe kwa Constitution.

Lingine ni kama mimi nimetoka cheo kikuu nimeenda kwa kampuni Fulani attachment, nitaenda nakuta mtu mwingine hana masomo na mimi nimetoka university na mimi nimepewa huyo mtu anifunze hiyo kazi, yeye kwa kweli ako na degree na yeye hana. Yule anayemfunza huyo kazi, ile akonayo ni practical lakini theory hana. Maneno hiyo inafaa kuangaliwa iwekwe katika Constitution. Tuwe watu wale wako na ujuzi na hawa elimu ya kutosha na wafikiwe.

Mambo mengine ni security. Utakuta security hapa kwetu imeenda chini kwa maana ukifika mahali kama airport utakuta mikoba ya watu wakubwa haikaguliwi na hata kama inakaguliwa inapita kwa njia zingine. Utakuta nchi zingine watu wakubwa mikoba yao hukaguliwa. Kwa hivyo ndiyo manake hata vitu zingine zinaingia hapa kwa sababu vitu vingi vyetu havikaguliwi. Kwa hivyo nayo hiyo inapaswa ikaguliwe.

Jambo lingine ni juu ya masomo. Mtu yapaswa kutoka standard one mpaka standard eight, masomo yapaswa kuwa ni free kwa sababu nchi yetu tunaamini iko na pesa. Kwa hivyo education kutoka standard one mpaka standard eight iwe ni free. Zaidi ya hapo tutajitahidi kupata hiyo mambo mengine. Asante, nitafikisha hapo.

Com.Aroni: Asante. Edward Mutisya; Joseph Ng'ang'a, James Mung'ata. Cecilia Tito, you want to speak?

Ms. Tito: I have a memorandum.

Com Aroni: So do you want to highlight or do you want to hand it over. Okay please.

Ms. Tito: I'm Cecilia Tito from Kisaingo. Mine are just on basic rights especially for women. The first basic right I would want women to be granted is land and property ownership. May any land or property of any family be equally shared between the children regardless of their sex please and let this be part of the amendment of the Constitution. Especially in Ukambani women are not supposed to own anything. I should say that as far as women are concerned in this area, no one has been issued with a title deed as one colleague said here. So I request that this should be part of the Constitution and every Kenyan child regardless of sex should have a title deed and access to the land of the family.

The other basic right I have is that women should have access to control of family resources and this is in order to make them self-reliant. Elaborating on this, may I say that a woman is not allowed to slaughter a chicken without the permission of the husband or any male in that family. Sometimes even a son is able to slaughter or sell anything but a mother cannot.

The other thing I request the Constitution to include is that wife beating should be banned completely in our country. This has made women not comfortable in their families and this has hindered development in the community.

The other thing I request the government or whoever is concerned is to ban all harmful cultural practices. These include female genital mutilation, I request that this be banned completely and any community found practicing it there should be action taken against them. The other thing I am requesting the Constitution is if for example a husband dies and this man had written a will and it doesn't favour the legal wife. I am asking, can it be revoked such that the legal wife be in custody of what belonged to this man and may it be stated that this legal wife should be the owner of everything this man had. Because sometimes we find we have a problem with these widows left behind. Can this be made legal, that the wife of this man should be the owner of everything that this man left behind.

Another thing I have as a human right regards rapists. If possible please, can the Constitution include that any man who rapes a woman and we are calling it a rape, because it was done against her will can there be something like life imprisonment or may be hanging. Those are the few points I have the rest is written.

Com. Kabira: You are talking about a legal wife are there other wives that are not legal because we would like to be very sure. You are saying the legal wife to be the one to inherit. Who's a legal wife?

Ms. Tito: A legal wife especially in Ukambani is the one who's married traditionally. May I elaborate on this, two goats and a third one have been sent to the father of this woman. The one who's traditionally married, and

she has a legal document the marriage certificate or an affidavit so that is a legal wife.

Com. Aroni: Naomi Wambua, Sammy Mutiso

Mr. Mutiso: Sina mengi, yameongewa laking nitaongezaa kidogo kwa sababu ya ukosefu wa kazi naonelea vijana wetu wapatiwe kazi ya vikundi na serikali ili wajipatie riziki, ili ujambazi na unyang'anyi upunguzike.

La pili wazee wakifikia zaidi ya miaka sitini, wapatiwe allowance na serikali ili wajisaidie kwa siku zilibakia za maisha yao.

Tatu, wale waliopigania uhuru wapewe usaidizi na serikali kwa hali na mali.

Nne. Uwezo wa rais usiwe zaidi kuliko kiasi kama ilovyokuw hapo zamani.

La tano, kwa sababu sisi ndio tuliwachagua wabunge, naonelea wafanye kazi kwa siku tano kwa wiki kwani muda wao wa kupumzika ni mwingi.

La sita, wasichana ambao hawajaolewa na wadmezalia nyumbani serikali itenge pesa ili wapatiwe kazi ya kufanya hata kama ni kwa vikundi ili wasaidie watoto wao. Itakuwa ni njia moja ya kupunguza magonjwa kama ukimwi.

Saba, machokora wahusishwe kwa ujenzi wa taifa kama, wawekwe pamoja kwa njia ya kuwa unganisha kwa kazi kama useremala, umechanic, au kazi maalum ambayo itawasaidia kupata pesa ya kuwasaidia ili wajiskie wakenya halisi.

Kiapo ya Wakamba iwekwe maanani kikatibu kwani Wakamba manaamini ndicho utambua ukweli wa mambo ulivyo.

Nane, wazee wa kijiji wawekwe maanani kikatibu kama ndio wanoweza kusikiza malalamiko kijijini kabla kufikia Assistant chief au chief. Kwa hivyo wapewe mshahara kama wafanyikazi wengine wa serikali. Asante.

Com.Aroni: Asanti. Paul Mwau. Paul Mwau.

Mr. Mwau: Asanti sana Commissioners. I've written some points in English and I'm going to read them to you. They are around ten. My recommendations.

The Constitution should be written or renewed reflecting to minimize the gap between the poor and the high

class people. I agree with the Constitution making for any society without no or Constitution is not a society not is it there.

Two, I suggested that the judiciary which is the third arm of the government should be completely independent. The executive and the legislature should not tamper with it at all.

Three, I have the view that the salaries and the benefits of the M.P's should be determined by the legislators, but it must be controlled by the economy of the country. I suggest that we remain with the unitary government for some are poorer than others to practise majimboism. Neo-colonialism should be avoided.

Next one, I have the view that the Constitution provides free education in primary, standard one to seven or eight or if the economy improves, free medical facilities. I suggest that Kenya should start diversifying and look at the possibility of mining and industrial plants to avoid relying on agriculture only.

I suggest that in the succession of the President, he or she should remain or attend the Presidential college for three months to be advised by seven or nine statesmen also handing over and taking over.

Next one, I have the view that should be owned individually, but those who do not utilize it fully should send it to the landless. Large scale farming should be to a certain limit for the landless. Owners should sell it to them willingly.

I have recommended the care of disabled for free education, basic standard one to eight and be trained the right job to make him or her earn a living.

I have just three points and then I finish. In defence, the national security in declaring war or the use of force, the President should be advised by seven to nine advisors who he/she calls to the state house time to time for advise.

Next one, Constitution supremacy should remain but should be reviewed to suit the Kenyan or citizen and reflecting to poverty reduction.

Citizenship should be regarded as a birth right. Where non-citizens break the law, they should be repatriated back to their original countries.

Last one, Taxation should be imposed without exception to make sure the needy persons are catered for. That is the end.

Com.Aroni: Asante. Philip Mbinda.

Mr. Mbinda: Asanti, wana commission na wananchi. Mimi ni Philip Mbinda. Neno yangu ya kwanza na uandike vizuri bwana D.C. President achaguliwa kutoka (?) pale. Hiyo ni maono yangu. Akiingia awe President hapana fikiria upande wa hapa, hapa, pale. Huko kuna Minister. Na kama mimi ni mzee na nina mtoto wangu wa kwanza na wa pili na wa tatu. Kila mmoja na mgawia kazi yake, na mama ndio vice. Sasa vile President na vice-President hawa ndio wenye kiti, asiteremke huko chini. Awachie watu wale wengine nafasi. Hiyo ni maoni yangu. Akae kwa Bunge kwa miaka kumi.

Kile kingine ni Bunge. Hii Bunge ilianza na hii kazi tangu marehemu Mbolu, na Kenyatta huko. na ilikuja vizuri kidogo kidogo, kuja kupitia President Moi, inakuja tena inakuja kidogo mzuri mzuri, ikipika mahali, ikaanza kuchezea kichwa ya wanadamu. Wananchi kucheza namna gani? Hii inapangwa hii kesho inageuzwa hii. Ie inapangwa ile kesho, inageuzwa hii na hiyo mimi naona ni sababu ya ile watu kidogo tuna wachagua akili zao ndogo. Hiyo akili zao bado komaa mimi naogopa hile kitu inaitwa kiapo amini ya mkamba, ninaogopa kitu ingine inasema (?) Simunajua hiyo ni mbaya lakini hao hawajui. Wanavaa viatu wanasema kama ni laana, nitaingia kwa gari haitanifuata, hiyo ndio shida ile inatusumbua. Kama mtu anachaguliwa, ajue nimechaguliwa na division Fulani na hapo ndipo mimi na kulia na akienda pale ile ka-mkate kana ng'ang'aniwa huko, akate kidogo atuletee. Hiyo ni maoni yangu.

Haya kwa elimu hapana kuchagua mjumbe mjinga, yule wa standard eight kwa sababu anajua kuzungumza vizuri sababu ukoo wao ni wa uongozi, hati anasema degree sio mbomu. Watoto tunawasomesha wa nini? Si kila mtu ako na mtoto asukuma paka apate degree, si sawa, na ni ya nini? Kuna mmoja, ana ma-degree matatu, mbili, nne na hiyo ukifuata hiyo degreee, utakuta kuna nyakati fulani na ingine ya kazi fulani. Na kama ni ingine ya agriculture, achaguliwe mjumbe si hiyo niile taabu sasa. Na hiyo, hiyo tuangaalie.

Hapa kusema ukoo fulani ama mtu Fulani anajua kuzungumza elimu ndio msingi, sababu hata anaweza kuwa President si hati yule anakuwa preasident ndio kwao kuzuri. Hata mkamba anaweza kuwa President, hata kikuyu amekuwa, hata jaluo, hata maasai, hata ile watu ako chini anaweza kuwa President. Kwa hivyo hiyo muandike vizuri hiyo mchezo ya kuchezewa hapa kifiani kwetu, wananchi hatutaki.

Kile kingine ni hii mambo ya usalama. Taabu iko na sijui kama ni taabu ya pesa sijui ni taabu gani, nikipeleka maneno yangu polisi, na hii mzuri kabisa, ile wazi kabisa naambiwa wee mzee angaia wewe pinduka pande hii, ala, kwani mimi natoka nyumbani na taabu hii yote na sina kitu sasa unaniitiza ingine. Ninaambiwa kama gari wewe apana weka mafuta wewe kwenda tu. Kwa sababu ukiwa na pesa nyingi, unakuja kunyang'nya mimi maskini. Na hii amini yetu hii, vile iliondolewa, basi matajiri umeona mwingine, alikuja akafanya kesi shamba,

sasa watoto ni kidogo, saa hile watoto wanakuja kuingia kazi wanapata pesa nyingi, haya mzee akaondosha kesi, wacha uone. Kesi inaendelea, inaendelea, mimi nataka kiapo, hakuna kiapo Kenya, mpaka sijui hao watu wameokolewa na Mungu.

Kile kingine ni hii wajane. Mimi nimeenda nikatongonza msichana na baba aliniambia wewekijana tafuta bibi. Hii mambo ya ukora ukora, mimi hapana taka. Na mimi naenda natafuta ile bibi yangu, ile msichana mzuri tunapendana, basi tukaoana. Tukakuja nyumbani. Tukaanza kuzaa mtoto wa kwanza wa pili wa tatu, wane mimi nakufa. Wacha uone wandugu sasa, hii shamba ni yetu, hii mali yetu, hawana hawa, hata hawajui Mungu anaweza kuuwa mmoja saa hiyo. Hiyo kile kitu mimi naweza kiandikwe hapo, kama ni mjane anawachwa na baba yake, kama ni mnyama mwingine anaingilia hapa na ni ndugu, sikiza, kama ni mnyama anaingilia hapa na ni ndugu, huyo afungwe miaka ishirini. Ndio wajane waone vizuri, kwa sababu, kwa nini hamukukataza hii mtoto yenu kuo. Na sasa yule anaoa, watoto ndio hawa shamba amepata, na kesho yake, mzee ameondoka, haya mali ni yetu sasa, basi, wengine wanavaa tai, wengine wana suti wengine wana magari, unaona. Andika hiyo iondelewe, miaka ishirini maoni yangu. Hiyo mnyama afungwe miaka ishirini.

Kile kingine ni hii wasichana hii, hii wasichana hii. Kuna wasichana karibu tano, na wane wameolewa, mmoja bado na, nitakuja, nimukatie shamba, nimwambie wewe kaa hapa na ujenge hapa. Haya watoto wangu wa kiume ni wanne. Saa hile mimi nitalala, wewe utatoka wewe ulikosa kuolewa, huoni hii mabibi yetu hii, sisi tumetoka kwao kwao, hii tabia yako ndio mbaya unafukuza bwana yako wewe toka uondoke, ataenda wapi? Na hiyo uandike. Kama ni msichana, anawachiwa haki yake ni, baba yake, pasiingilie mnyama mwingine hapo. Hiyo mnyama na iondelewe, kama anaingia miaka ishirini ndani andika hivyo.

Sababu shida imeingia, miaka raiia hatuna uhuru, hata mkisema iko uhuru, hakuna, ni bendera tu. Pesa zinatolewa huko, zinaiingia hapa, zinaiingia mradi fulani haya tafadhali pesa inakuja wapi? Inaibiwa huko. Sijui ni umaskini gani hii. Haya andika hivi bwana D.C. Hii party hii, imetuingiza kwa umaskini. Kama ni chama ya kparty, andika chama tatu, kwa kupigana hivi, tatu. Sababu nyumba ikiwa hapana iko bibi, hiyo siyo nyumba. Na kama ni serikali haina upinzai ina peleka sisi vile inataka. Lakini kama upinzani unateta huko unapingana huko, raia pengine wanpata nafuu kidogo. Kwa hiyo andika chama tatu hapo.

Vice President, kama huyu wetu aliteremka akakuja kugawanya mashamba, na land iko. Ile kitu ingine mimi naweza kusema, kama ni mimi mwana Kenya peke yangu, hii kasumba ya muingereza hii, ya land, ingeondolewa kabisa. Mzungu afungiwe kiombo yake, aende naye. Kama ni mashamba ikae vile tulikuwa. Niliamka nikakuta baba yangu anaweka sehemu hiyo ni ya watoto wa ng'ombe ile kidogo, baba yule mwingine huko, hii shamba ni ya kuchonga ng'ombe. Sasa hakuna ng'ombe hakuna chochote. Nje nasokotwa, paka inakuja kumalizika, sababu ya hii land hii, na ninasikia ilifanya survey ya kwetu, ninasikia ah, sisi hatutaki tuwekwe na kwa shamba moja sisi ni wa baba moja na hatutawekwa hapa. Tugawane. Tukagawane. Mimi

iko na watoto watatu, yule ndugu yuko na watoto watatu. Si hiyo sehemu yake tena ni nini hiyo tangi. Sasa hiyo, kama ni mimi mzungu, na makonge yake ameleta huku, angeondolewa naye. Sababu sasa mweupe ameondoka, mweusi ndio hodari, hata angalau wakati tulikuwa tukipatiwa unga huko kwa makonge huko. Sasa ni wangapi, ukifika hapa, toa kitu, ukifika hapa toa kitu. Sasa hii kitu, utatoa wapi, basi kwa hiyo, sitasumbua nyingi sana wacha tupike hapo. Asante

Com Aroni: Musau Kimonye.

Mr. Kimonye: (kikamba)

Translator: Katiba ama sheria ndiyo msingi wa maisha ya kukaa na watu. Sheria ndiyo yafunga mtu akifanya makosa na ndiyo inafunza binadamu. Leo nimesoma Bibilia, tunaambiwa kwa sababu ya ubaya kuenea, upendo umekwisha. Wakati wa ukoloni watu walikuwa wakiogopa sheria, kwa sababu walikuwa wajinga. Ukipatikana na makosa ulikuwa unafungwa. Na leo watu wamedharau sheria, kwa sababu ya uerevu umekuwa mwingi. Kwa sababu wale wanatengeneza bomu sio wajinga, na wale wanapindua serikali si wajinga. Leo nasema serikali ambayo iko, iangalie watu wote, wale wajinga hata wale werevu, iwaangalie kwa sababu mjinga hawezi tengeneza bomu, lakini mwerevu aweza. Kitabu cha Danieli kinasema, uerevu utazidi na ubaya utazidi pia. Serikali iendeleo kusaidia wazee ndio watu wengi wasizidi kutengeneza bomu. Kwa sababu ujuzi ikikuwa mwingi, watoto wetu pia watatengeneza bomu, na inaweza kutuumiza. Serikali iwe macho zaidi. Asante.

Com Aroni: John Mbondo. Raphael Kisuka, Ezekiel Musyoki, Peter Sukali, Mary Maithia.

Ms. Maithia: Kwa majina mimi naitwa Mary Maithia, na ningependa kidogo kuchangia kuhusu urekebishaji wa Katiba. Na ingawaje ile mambo nilikuwa nataka kuchangia, imezungumzwa na watu wachache, pia nitaongezea. Kwanza, ningetaka kuzungumza juu ya haki zetu sisi akina mama, kwa sababu sisi akina mama saa zingine hatuna haki, kwa nchi hii.

Kwa sababu ukiingia kwa mashamba, utakuta title deed ni ya baba peke yake, huwezi kuta akina mama wako na hako yao. Pamoja na kupewa ardhi kwa baba yako, unaweza kupewa ndio. Na hata saa zingine unaweza kosa kupewa kwa sababu, umeolewa na saa ingine mtu akiolewa, unaweza kuwachana na hiyo mtu. Saa zingine kunaweza kuwa na separation ama divorce. Mama anaenda wapi? Ile Katiba inasimamia mama anaenda wapi? Na pahali pa mama ni wapi tuseme kama kwa baba hakuna na kwa bwana hakuna. Saa ingine unaenda bila kujua mahali unaenda. Na saa ingine utakuwa na hao watoto na hujiue mahali utaweka. Hiyo ndiyo nilikuwa nataka nichangie.

Jambo la pili, nilikuwa nataka niongee kama mambo matatu hivi. Jambo la pili ni tuseme juu ya. Si ya pili lakini

ni kuongea tu juu ya kina mama. Mimi nawakilisha group ingine ya akina mama. Iko shida ile naona ya viongozi, haswa kina mama. Saa ingine unaweza kuwa umechagua kiongozi na hata sio anaongoza group. Saa ingine iko machairlady wale wa maendeleo. Iko mambo ingine kina mama wanaongoza bila mshahara. Ndio nimeona ile shida nyingi inapata group kupotea.

Unaona waanzisha group mara moja, halafu wanaendela halafu inaisha kwa sababu kama ni kiongozi hapati chochote, ni kuenda unakalisha watu chini, halafu mnaweza kaa hata masaa kumi hakuna kitu unapata na mnaachana.

Kwa hivyo, ningependekeza kama sisi akina mama, kwa sababu ndio tunajukumu kubwa katika jamii kafikiriwa tuone kama tukiwa mtu akishikilia pahali Fulani kwa kuongoza anapewa kiasi fulani ya pesa ya serikali kama usaidizi wowote, na tukiwa kwa hiyo kikundi, ndiyo vikundi view havivunjiki ovyo ovyo. Tunaweza kuwa tunafikiriwa zaidi kwa, kama tunapewa mshahara fulani ili tuzidi kuungana. Kama kuko na hiyo sheria nafikiri vikundi haviwezi kuvunjika ovyo ovyo. Vinaweza kuendelea.

Ile ingine ya tatu, ni mambo ya walemavu, kwa sababu hata mimi naishi kwa town fulani, naona wanashida nyingi, mwingine tuseme hata si mkamba kama mimi ati ataelewa lugha, mwingine anasungumza na mkono ati anataka usaidizi. Mtu hana macho na hana chakula ni mpaka aombe. Lakini kama kungekuwa na hiyo sheria ya kusaidia walemavu, tuseme kama mwisho wa mwezi iko kiwango fulani ile inapangiwa na hao walemavu, my anaenda anachukua kila mwezi. Na kama sio hiyo, wao wanaangalia mtaa, tuseme kama chiefs na macouncillors wapewe jukumu ya kuangalia hawa ndio wawe wanaridhika kama sisi kwa sababu hawajiwezi.

Lile lingine na nila mwisho ni la kuhusu serikali za mtaa. Tuseme kama Mayor, mimi naonelea, asiye anatoka kati ya macounnallors. Mtu awe meajiliwa. Kwa sababu alitoka katika councilors anaweza kufanya mambo akiharakiswa kwa sababu ili wakati yake ikiisha atatoka. Kama ako na hukumu ya kuuza ploti Kama ni 1town, anuza haraka haraka ile ndiye wakati yake ikiisha anaacha hiyo iko na shida. Na kama ni mtu ameandikwa, atachunga kazi kwa sababu ziko sheria zile zaweza kumpata akitoka.

Kwa hayo uashukuru.

Com. Aroni: Pauline Mbola, Alice Mutunge.

Ms. Mutunge: Mimi kwa majina naitwa Alice Mutunge na mimi ni mchunganji. Niko na umri wa miaka 65 ningetaka kuchangia kidogo na nimapendekezo tu yangu, vile mimi nimeinelea nikiwa mama mzee. Nimeandika tu pointi moja moja nikiruka ruka kwa hivyo mtanivumilia mtajua vile mtafanya kulingana na mipango yenu.

Jambo la kwanza nimezungumza juu ya ubaba, wenyeji, mwanakenya. Kwa upande wangu nimeonelea kuwa baba ndiye kichwa cha boma. Kwa hivyo mahali popote ambapo baba amesaa mtoto, huyo mtoto basi ni wa hapo. Kama mzee mwanakenya amesaa mtoto wake basi nikaona mtoto ni mwanakenya. Ikiwa babake ni mwana Kenya, si mtoto pia ni mwanakenya kwa maana kulingana na Bibilia, mwanamme ndiye kichwa cha boma.

Nikaona ya kwamba, katika mambo ya uchaguzi, wananchi wapewe uhuru wa kuchagua. Wachague yule mtu ambaye wanaona. Yule kiongozi ambaye wanapendelea. Wamchague. Na tena uchaguzi uwe wa kisiri. Usiwe ule wa mlolongo. Mlolongo utupiliwe mbali na watu wawe wakifanya uchaguzi kupitia “secret ballot” ndio mwanachi awe na uhuru wa kuchagua yule kiongozi ambaye anataka.

Haya nikatoka hapo nikaenda mambo ya, ningetaka watu wawe na uhuru juu ya kuabudu. Uhuru wa kuabudu. Wanapoabudu Mungu wao, wapewe uhuru. Aabudu Mungu wake vile anapendelea, maana kuabudu Mungu ni kuabudu yule ambaye aliye kuumba. Kwa hivyo, nikaonelea hakuitaji kuwe na kipimo. Nipimiwe vile nitaabudu Mungu aliye niumba. Nikaona kukiwa na uhuru wa kuabudu, liakuwa ni jambo nzuri. Na nikaendelea nikaona ya kwamba, ninaenda nikirukaruka kwa hivyo mtanivumilia,

Nikaenda jambo lingine juu ya wazee wa vijiji. Nikaona wazee wa vijiji wanafanya kazi ngumu sana. Akiamka anapewa kesi. Anaamua kesi mingi. Siku hiyo haendi shambani. Kwa hivyo nikaonelea, wanafanya kazi mingi ya bure. Wangepewa malipo na serikali.

Haya, pointi ingine ni juu ya madawa ya kulevya na bangi na pombe. Nikaonelea, serikali ingetia maanani sana Katiba, ione vile inaweza kupunguza haya mambo. Maana ulevi ukiendelea vile inavyo endelea, na uvutaji wa bangi, na madawa ya kulevya, hatutakuwa na taifa la Kenya kesho. Litamalizika kwa sababu ya huo ulevi. Kwa hivyo, nikaona ni jambo nzuri. Kama serikali ingekubaliana kuweka kwa Katiba kujaribu sana kupunguza mambo ya ulevi na madawa ya kulevya na uvutaji wa bangi.

Jambo lingine ni hongo. TTKK imefanyilia watu sana. Nikaonelea, mambo ya hongo, Katiba ingejalibu kupunguza sana, maana wasafili wanashindwa kusafiri. Ukifika pale, TTKK, kufika Nairobi TTKK zinakuwa ishirini. Na kurudi ni ishirini. Kwa hivyo, mwenye matatu amefanya TTKK hajapata kitu. Kwa hivyo, Katiba ingechunguza sana kujaribu kupunguza mambo ya TTKK. Jambo lingine juu ya vikongwe na mayatima na wajane na wasiojiweza. Nikaonelea ya kwamba vikongwe, na mayatima, wajane na wasiojiweza wangetafutiwa msaada na serikali maana ulimwengu huu tulio nao ni ulimwengu wa kushangaza maana wajane wamekuwa wengi sana, na mayatima wamekuwa wengi sana. Ukijaribu kuhesabu hata kijijini kwenu, utaona vikongwe, mayatima, wajane ndio wengi na wasiojiweza. Wakiwachiliwa hivyo wataangamia. Kwa hivyo nikaona kama Katiba ikiwekwa vizuri na hawa watu walindwe vizuri inaweza kuwa ni jambo nzuri.

Jambo lingine, kuna taifa la chokora. Nimekuwa nikishughulika na mambo ya chokora kule Nairobi, na nikaona limekuwa taifa nzima. Maana kuna msichana aliyeenda chokora, kijana chokora wameona, wakazaa kachokora kengine. Sasa si hilo limekuwa taifa? Nikaona kama serikali ingejaribu sana na iwekwe ndani ya Katiba, hawa chokora waangaliwe vile wanaweza kuangaliwa na serikali kama ni kupatiwa mashamba, kama ni kufundishwa ukulima, na mambo mengine, waweze kufaidika, waweze kukaa kama vile binadamu wengine wanavyoishi. Wakipatiwa mashamba na mambo mengine kama yale.

Haya, juu ya mambo ya biashara na mashamba kwa wanakenya. Nikaonelea ya kwamba lunaweza kuwa jambo nzuri mwanakenya anunue shamba mahali popote maana ni mwanakenya. Afanye biashara mahali popote maana yeye ni mwamakenya. Bila kuambiwa juu ya majimbo. Mwanakenya afanye biashara na anunue shamba mahali popote anapopata nafasi maana yeye ni mwanakenya.

Elimu ya primary school ningependelea, kama kunawezekana – maana katika nchi yetu ya Kenya kumekuwa na umaskini mwingi sana, kama nilivyotaja mayatima na wajane, na wake na watoto, hawana mapato – kama serikali ingekubali, kuwa na elimu ya bure primary school. Ili kila mtoto aonekane amesaidiwa na serikali mpaka form IV. Maana hiyo form IV atapata tu elimu tu ya kuomba maji, ya kujua njia, ya kujua ni mahali gani pako na hatari aweze kujilinda na pengine awezea kujua vipimo vya dawa wakati anapanda mboga. Kwa hivyo, nikaonelea, kama serikali ingekubaliana, kuwe na elimu ya bure ya primary school inaweza kuwa ni vizuri.

Jambo lingine ni juu ya wamama na watoto. Walindwe na serikali kuhusu unajisi. Wamama wamekuwa wakinajisiwa sana na watoto. Na mimi nimeomelea ya kwamba ingekuwa kwa Katiba wamama walindwe. Maana wamama wamekuwa wakitumiwa kwa njia mbaya na watoto. Sana sana siku hizi ambazo ugonjwa wa ukimwi umeingia, watu wengi waneapatwa na ukimwi na wakaamua kuambukiza kila wanaekutana naye njiani. Kwa hivyo wanawashika wamama, wanawa rape wanawaambukiza hayo magonjwa. Kwa hivyo mimi nikaonelea ya kwamba mtu yeyote atakayekuwa akicommit jambo kama hili, inapasa achukuliwe hatua kali ili wamama na watoto walindwe kuhusu mambo ya unajisi. Lile lingine ni juu ya bunduki. Mimi nikaonelea kwa upande wangu ingekuwa ni vizuri bunduki zisipeanwe ovyo ovyo, lakini zipaenwe kwa yule mtu ambaye anahitaji kukaa na bunduki. Kama ni MP, anajilinda kwa hatari, ama ni watu wengine kama viongozi wa serikali lakini bunduki zisipeanwe ovyo ovyo kwa kila mtu maana zikipeanwa ovyo ovyo uuwaji utazidi kuwa mwingi na nchi yetu itakuwa taabani. Kwa hayo machache nasema ahsante. Mbarikiwe.

Com. Aroni: Asante Alex Sioma

Mr. Sioma: Ahsante sana. Mimi ni Alex Sioma. Yangu ni machache, ni matatu. Kitu cha kwanza nitazungumza juu ya Bunge. Ningeonelea akiwa mtu anataka kiti cha Bunge aonyeshe assets zake kwa sababu ya kwamba

tumezidi kuwachagua waBunge ambao hawana chochote na mwishowe tutapata shida. Shida kama nini? Juzi katika Parliament, waliform commission na tukaona wamemove kutoka salary ya kshs. 70,000/= kshs.500,000/= na tukichunguza, wakenya wanazidi kutaabika wengine wakifaidika. Hatukuchagua mtu aende akafaide mwenyewe. Tulimchagua aende akazungumze masilahi ya wale ambao walimchagua. Tukirudi nyuma, tutakuta, katika every constituency, hakuna income ambayo inaweza kufikia 500,000/= ambayo wabunge wanalipiwa kwa hivyo, hasa nikionelea mimi menyewe naona iletwe watu waangaliwe katika kazi wafutwe ovyo ovyo ili mbunge apaete mshahara.Kwa hivyo tuonyeshwe mjumbe ako na mali gani akichaguliwa .Even the President akichaguliwa aonyeshe mali gani akonayo ili tuje kujua sio mtu kwenda kufaidika pale na wananchi wana shida.Hicho ni kitu ambacho ningependa kuchangia.

Lile lingine ni habari ya makanisa. Mambo ya makanisa ningependelea iwe limited kwa sababu tukichunguza, inalipuka siku kwa siku.Tukichunguza ndani waanzishi wa makanisa ni wale ambao wamefukuzwa kwa kanisa zingine kwa maovu ambayo wametenda. Halafu kesho yake unasikia amekuja na hii. Serikali imefungua wazi kila mtu aombe mwenyezi Mungu lakini hata tunakuta hii devil worship wakaingilia hapo. Hii ningeomba Katiba ichunguzwe habari ya makanisa kwa sababu wengine wanahubiri mambo ambayo ni ya kustaajibisha.

Uone mtu ni ndugu ya huyu, na kwa hakika hawawezi kula sahani moja, hawawezi kwenda njia moja kwa sababu hii kanisa imeenda hivi. Hii imeenda hivi. Na hii ni kutawanya watu wa Kenya kupitia kwa makanisa hata sio mambo ya siasa. Hii makanisa imelete ugonjwa katika nchi hii, na ndio hata wengine wanasema ni kanisa unasikia wasichana watahirishwe ifanyike hivi, utakuta ni kama watu wa makanisa. Inginge hajulikani ni kanisa aina gani. Kwa hivyo, hii ichunguzwe na iwe imepunguzwa.

Hilo lingine ni juu ya vyama vya siasa. Vyama vya siasa kama KANU na hizo zingine. Zingepunguzwa ziwe kama vyama tatu, nne kwa sababu nchi hii ni moja tuu. Ili pawe na opposition ambayo iko na nguvu. Tuwe na chama kinachoshinda kiwe na nguvu kuzidi chochote. Tunaelewa ya kwamba, chama ambacho kitashinda kutakuwa na President, Vice President, Prime Minister kama katiba ya sasa ambayo itakumwa. Chama kitakacho shinda ndicho chama kitakachotoka Prime Minister. Chama kinashinda ili Prime Minister aunde serikali. Katika nchi zingine za nje, hakuna nchi zingine huchagua Prime Minister. President ambaye amechguliwa ndio anappoint Prime Minister kupitia chama. Ni bahati yetu katika Kenya tunatengeneza Katiba lakini tunataka tuwe na mweleko kwa sababu nchi nyingi zinatengeneza katiba lakini tunataka tuwe na mwelekeo kwa sababu nchi nyingi zinatengeneza katiba zikiwa na shida, lakini hii yetu tunatengeneza tukiwa katika hali safi. Hakuna vita. Nchi nyingi zinatengeneza katiba kukiwa na mapinduzi. Lakini hii yetu tunatengeneza tukiwa na katiba inatawala nchi hii haina shida. Kwa hivyo, tuwe na mwelekeo wa kujua tunarekebisha nini. Hicho ndicho kitu ambacho wengi hatuwezi kuwa tukielewa.

Jambo lingine ni habari ya elimu. Tukichunguza kwa makini tumekuwa na shida hapa na pale kwa sababu

mambo imechafuka kutoka upande ule, na ukiuliza hili unasikia inatoka juu. Kile kitu kinatoka vizuri ni kile kinatoka chini kinaenda juu. Kwa sababu hili limetoka juu, na ukifuata ni kitu fulani kimepitia kando tu, mvunguni wa meza inasemekana imetoka juu. Kwa hivyo, hilo tunaomba likomeshwe ili watoto wetu wawe katika mstari wa kusoma kwa sababu imekuwa corruption katika elimu. Ni mingi, sio moja au mbili au tatu. Na hiyo ni shida. Na watoto wamekuwa wakiangaika hapa na pale. Mimi sina mengi. Ni hayo tu, machache.

Com Aroni: Andrew Muindi. Mumo Kennedy, Lilliam Nyiengo Nzuni. Justine Kasinga.

Ms. Kasinga: Kwa majina ni Justine Mukami Kasinga. Yetu tumeandika, lakini niko na mbili au tatu nataka kutolea mkaza.

Moja ni juu ya citizenship. Ningeomba serikali yetu iwe na kiwagno fulani ya pesa ambayo watu wenye wameretire wawe wanapewa. Zile pesa wanapewa ziwe zinatoka kwa ile kodi tunalipa. Lngine ni kuwa, watu waliofikia umri wa 50 – 60 wawe pia wakipewa pesa kwa sababu hawana nguvu ya kujisaidia. Kuna mataifa ambayo watu waliozuka wanalindwa. Si mapendeleo ya Wakamba kuwa mtu aishi nao mpaka wakafa. Kwa hivyo ningesema serikali iwe inatoa pesa ya kulinda waliozeeka ambo wamekaa kwa hii nchi wakifanya kazi na hawajaenda popote.

Lngine ni juu ya tradition. Traditions, sana sana za Wakamba ziangaliwe. Zitaangaliwa vipi? Tuende kwa hili tunaita circumcision. Wakati watu walikuwa wakipitia circumcision, prostitution haikuwa juu kama wakati huu wa leo. Na wengine wenu wazee mnajua hiyo. Kwa hivyo, nasema traditions ziheshimiwe kabisa.

Lngine ni, wakati wazee walikuwa wanaenda kutoa sadaka kwa shrines. Hiyo kitu imekataliwa. Ni kama imeisha. Na imemaliziwa na wazungu. Wakasema tunaabudu shetani. Lakini hii haikuwa ya shetani. Kwa hivyo nasema sacrifices at the shrines should be practiced. That is under traditions.

Lile lngine ambayo iko under traditions ni marriages. Zamani watu hawakuwa wanaowa watu wa ukoo mmoja. Ikiwa ni ukoo wa Ambua, hawakuwa wakiowa Ambua wengine. Walikuwa wakiowa pengine Wakitondo au Amutei. Kwa hivyo, tradition ya marriages should be practised. Zingine zetu tumeandika, and my group and I will be very happy to see our views incorporated into the new Constitution. Asante.

Com Aroni: Before you go, we would like some clarification. Are you saying we should legalise Female Genital Mutilation (FGM)? Unataka turudishe na kuhalalisha hiyo tohara kwa wasichana, kwa sababu imetoa hiyo kama mfano.

Ms. Kasinga: Eeh! Juu sasa kwa wasichana Wakamba hiyo imeisha. Hata kama...

Com Aroni: What is the connection between prostitution na tohara kwa wasichana? What is the connection really? Nisaidie kuelewa kwa sababu nadhania tumeong'onezana hapa hatuelewei. Ina uhusiano gani?

Ms. Kasinga: Ni hivi. Ikiwa wasichana hawajapitia circumcision huwa influenced na prostitution.

Com Aroni: How? Eleza na kizungu.

Ms. Kasinga: Hapana. Sasa siwezi nikaeleza kwa kizungu vizuri.

Com Aroni: Asante. Joseph Mutungi

Mr. Mutungi: My names are Joseph Mule Mutungi and I am presenting a report on the group. However, our report is written, I will expand on several other important issues.

I will start with a preamble. The national vision which is to be set out in the preamble will include the national unity, peace, sovereignty or integrity of the State, security, justice, promotion of welfare and liberty or freedom. The common experiences of injustice to Kenyans to be reflected in the preamble should include inequality, discrimination, exploitation, corruption, poverty, diseases, unemployment, poor governance, lack of sufficient basic needs and suppression of human rights. Directing principles of state policy, the democratic principles to be included in the Constitution, the rule of law, recognition of human rights, good governance, equality and non-discrimination, devolution of power, reflection of the will of the people, promotion of justice and participatory governance.

Important values to be reflected include the building of a free society, unity and peace, recognition of the solidarity rights, socio-economic. Constitutional supremacy. Parliament should not have the sole power to amend any part of the Constitution. This can be done by the re-institution of the Senate and such that amendments are recommended after 65% of majority vote of both Houses. Requirements of some few months before the introduction to provide proper public facilities for discussion and reflection in case of a review. Some part of the Constitution should have restriction to be amended. They should require higher percentages majority votes in both Houses like 75%. Some other parts of the Constitution should be unamendable; the human rights.

Where amendment can be referred to the people, the public should be involved through referendums. Such referendums should be conducted by the legislature through Parliamentary Committee. Citizenship may be

acquired through birth. I won't explain much about citizenship by birth but I will talk about Kenyan citizenship acquired by naturalisation. This is the naturalisation of aliens or foreigners who have willingly adopted Kenya after satisfying the following qualifications: having lived in Kenya at least for the last ten years; a person who understands the rights and duties of a Kenyan citizen.

It should be granted to a person who can use Kenya's national languages, a person of impeccable character, a person who intends to continue living in Kenya, a person who has attained 18 years of age and above, a person who knows and understands the history, geography and government of Kenya. Such a person must give up citizenship in his or her motherland upon accepting citizenship, the person must accept the oath of allegiance in a court of law.

Com. Aroni: You are going to read the whole document?

Mr. Mutungi: No, I am not reading all. I am looking at the important ones. On defence and national security. The disciplined forces, the military, paramilitary, the police, prisons etc. should be established by the Constitution and that there should be mechanisms for disciplining such armed forces. The Parliament should have the power to define and punish pirates and fellow thieves and offences committed against the law of our country. The power to invoke emergency should be vested in the Prime Minister who also has to get affirmative action in effecting such emergency powers from Parliament.

Political parties should be co-operative and their Constitutions should be consistent with that of the State. Internal organisation of any political party should conform to the democratic principles and should not contravene the Constitution of the State.

Legislature; the central functions of Parliament should be expanded. These include; the power over the government taxing and spending. The Parliament should have power and veto over the budget proposals brought in by the Prime Minister and his cabinet. It should also entrench the power of reviewing its own members. Entrenchment of the office of the leader of the Opposition with enough resources to carry out functions of the opposition and to assist the other political parties.

Speaker: (Kikamba)

Translator: Namba sita ni juu ya kuabudu kanisani kwa sababu watu wote hawawezi enda kwa kanisa moja au dini moja kuna wengine pia hawaendi kanisani kama nchi yetu iko na uhuru. Kila mtu pale anaabudu hata kama ni kwa shrine aachwe aendelee kuabudu hapo. Nikawa na mambo sita mengine nimeandika.

Com. Aroni: Josiah Kituku, Zipporah, Jonathan, Allison, Esther Mweu, Monicah Mutua.

Ms. Mutua: Commissioners na watu wa Kilome. Mimi naitwa Monicah Ngina Mutua Kutoka (?) Location. Niko na machache kama manne hivi. Ya kwanza ni inheritance yaani utiwa. Naona wakina mama wazee huko wacha saa ingine mi sema hivi ile heritage inatakiwa iangaliwe na Commission hii ya sheria.

Kama ni mali mzee akiwa kama 60 hivi aite watoto wake agawanye kila kitu. Na akipeana asisahau yeye mwenyewe kama ni shamba na bibi yake maanake akigawa huenda watoto wake wakaharibu kila kitu kama vile tunasoma kwa bibilia na arudi na akute mzee na bibi hawana kitu.

Ile ingine naomba Commission iangalie ni widows na widowers na orphans. Kenya hii kuna wakina mama hata na wazee na watoto wengi sana. Kama ni mama akiachwa na bwana yake wale brother wa bwana wanamwingilia hata wengine wanaanza kusema hata naona sura hii ya huyu si wetu. Kwa hivyo mama you are to go kwenu. Kwa hivyo naonelea serikali iwe macho sana na ianzie hapa chini kwa villages na mama akiachwa, manager, assistant chief, chief waangalie. Na kuna widows wengine na widowers na orphans wale wanaachwa kama ni mama anaachwa na watoto wake mzee amekufa na ukimwi na tunajua mama hata yeye atakufa na pengine hawana mahali pa kukaa na ukiangalia Kenya hii kuna mashamba kubwa sana.

Mtu ameretire amekuwa ofisa wa serikali anapatiwa acres kama ishirini, 30, 40, 100 sasa ninaomba serikali na Commission hii ichukue hii maacre ipatie mtu huyo hana acre mingi apatiwe kumi na hizi zingine ipatiwe wale watu ambao hawana mahali ya kukaa maanake akiwa anasumbuka hata watoto ndio unaoona wananarandaranda, tunawaita wachokora. Si wachokora ni taabu imezidi. Na kama ni mzee naye aangaliwe. Asiwe kama ameachwa na bibi yake labda bibi ya brother yake ndiye amebaki huyu brother asiingilie huyu bibi labda amekufa na ukimwi, asipelekewe bibi yake naye ukimwi.

Na kama iko taabu fulani nayo serikali iwe inaangalia, watoto hivi. Ile ingine ni wale watoto wamesoma. Kuko na watoto wengi sana wametoka university na wako huku nyumbani na unaona mtu anakalia ile ofisi yake ama mahali, miaka nenda miaka rudi. Naomba hii Commission mtu akifikia tu miaka kama 60 ama 55 ile ilikuwa ya zamani atoke kwa hiyo ofisi na asiseme ati yule wao aandikwe hapo.

Wale watoto wamesoma wapatiwe preference waandikwe makazi. Na asiwe ati kuna wakati mwingine huu mtu akienda aitishwe rushwa. Serikali iangalie sana hii rushwa ya mtu akitafuta kazi anaitishwa pesa nyingi hata kama ni kwa armed forces ukituma mtoto huko akafanye interview anaitishwa Kshs.50,000 na hata ile fare alienda nayo huko tueseme Makueni ni ya kuomba. Mzazi alienda akakopa fare yake na kukuja kufika huko anaambiwa apeane Kshs.50,000, kama si Kshs.50,000 you are to go. Hiyo iangaliwe sana. Mtoto akimaliza shule aandikwe kwa ile kitu alisomea aandikwe huko ikiwezekana.

Ile ingine ni kama serikali imesema kitu ifanye. Wacha tuseme ati tunasikia kuko na sub-district na ukienda hapo Kilome unaambiwa enda huko Makueni uende ukachukue kitu yako ya title deed what what. Tunataka ikiwezekana serikali ikisema hapa ndio Enzai pawe Enzai, si ati panaitwa Enzai kimdomo na officially si Enzai. Maanake unasikia hata wengine unaona unasikia headquarters waende huko wakapatiwe shamba huko but wakifika huko wanapigwa. Sasa hata tunajiuliza serikali gani hii. Mtu anaambiwa mnatakikana mwende kule. Mkienda huko mnapigwa sasa hii hata saa ingine mnapelekwa huko kortini. Hii yote tunataka serikali ikisema kitu kifanywe kwa mwananchi kifanywe. Hata kama ni pesa inatoka mahali ipelekwe mahali fulani wale wengine wasiwe ati wanaeka kwa mfuko. Hiyo iende kwa huyo mwananchi kabisa.

Sasa ile ingine ni ile inaitwa tradition kama ni ya Wakamba. Naonelea hii circumcision na hata na ile ingine ya kuomba. Saa ingine na of course wanawake wasikuwe wakitahiri na of course ile hivyo naoppose hii iwe final. Asante.

Com. Kabira: Thank you very much mama Monicah. Is it correct? Okay. Na tunauliza kama Peter Kamuya ako. Peter Kamuya Okay.

Mr. Kamuya: Commissioners, siku ya leo ni siku muhimu sana. Yangu ni kusema kuhusu administration. Mambo matatu nne. Naitwa Peter Kamuya.

Sasa tungeomba serikali ama Katiba tuliyotengeza leo iseme maasistant Chief na Chief waajiriwe na wananchi kutoka mashinani. Hiyo ni moja.

Lile ya pili ni mashamba, kuna mashamba kubwa imetengwa katika Katiba tuliyo nayo. Miaka tisaini na tisa mtu akiwa na hiyo shamba. Ningeomba hiyo Katiba tuko nayo leo ipunguze hiyo miaka 99 iwe kama hamsini hivi. Tuko na watu wamemiliki shamba acre kama mautu kumi na kuna vijana ambao hawana acre moja. Tungeomba Katiba ambayo tuko nayo tupunguze hiyo miaka 99, turudishe kama hamsini ndio wengine wapate ingawa robo acre.

Lile lingine ni kuhusu kimila ya Kikamba na kiapo. Lile ya tatu, wazee wa vijiji wanafanya kazi nyingi na tungeonelea serikali yetu tukufu ingewalipa kwa vile wanatumikia wananchi tukufu.

Lile ingine, mimi niko na miaka 45. Katiba iliyoko naonelea hayo mambo tungeendelea kutengeneza hayo halafu mimi nasikia niko katika sheria ya nchi yetu. Rais Moi asiwe chini ya sheria ama President yeyote atakuja Kenya hii. Asante

Com. Kabira: Asante sana bwana Peter Kanga, Nahashon Mugela. Hayuko. Geoffrey Muindi, hayuko.

Mr. Muoki: Asante sana kwa Commissioner. Kwa jina ni Jonathan Muoki na nina machache ya kusema. Mimi nasema hii Katiba iendeleo na kuongozwa na maexperts wa law, lakini sana waangalie Kamba Customary Law ama the Customary Law. In case of men Kamba marry and women are married and they stay firm and fair to their men. They will be given anything that remains to the man. Hii ya kusema pengine msichana apatiwe mwanamke akiolewa hawezi kukaa miguu mbili kwa baba na kwa bwana. Kwa Kikamba na usikae mguu mmoja pale na hapo hii ni kuangalisha judgement ya mkamba. Hiyo ndiyo masema kwa customary law.

Mbili ndiyo hiyo care for the aged. Nikisema kama mkamba mimi nimekaa na babu na grandmother na mother na father kwa kimila kikamba. Siku hizi kwa sababu ya interaction ya culture mimi naweza kuoja Mjalu halafu tunaenda kukaa town. Mwingine Mcoast anaenda kukaa town baba anakaa bila mtoto. Pengine mtoto wa kwanza ameenda nje, wa pili ameenda nje sasa baba na mama wakiwa wazee hawana mtu wa kuwahifadhi kama ukichukua pesa ya kiserikali ya kusaindia wazee hao wazee wa kileo hawangepata taabu ile unaona siku hizi.

Ya pili ni free education to Kenyans. Mimi ni chairman wa Enzai Youth Polytechnic, na ni chairman wa primary school. Naona wale watoto ambao hawana wazazi wanamapato ndio wanafanya vizuri sana kwa mitihani, na huenda wanafukuzwa kwa sababu baba yake hana hela. Kama sasa kulikuwa na njaa Ukambani bei ya chakula ilienda juu, sasa itaendelea kuwa chakula mingi na bei ya shule itakuwa juu. Sasa ikiwa ni free education to all Kenyans kila mtoto atakuwa na haki yake ya kujisimamia kimasomo na kimaumbile. Hiyo inaweza kuangaliwa kwa hao watoto wasifukuzwe shule kwa sababu ya makosa isiyo yao.

Na tatu ni land buying companies. Kuna zingine hapa zinafanya ranching na watu walinunua hiyo mashamba wakakatazwa walime na wale madirector wanasema hapa hakuna shamba ya kununua. Nasikia kwa radio large companies wana subdivide to the buyers lakini huku si hivyo. Sheria, vile mwingine amesema iwe North Eastern iwe Ukambani. Kama ni hivyo watu wapatiwe mashamba walime wapatie watoto chakula. Hiyo ndio nasema mtu asiruhusiwe kuwana ardhi kubwa wengine wakiwa hawana. Kama wale wamekuwa ni shareholders, kwa mwaka wanapatiwa Kshs.1.50 kwa share 5,000 sasa ukigawa kama ni share tano ni 75. Kama ungepata acre tano ungetoa kwa acre tano ukilima 75. Kwa hivyo hiyo ni kunyang'anya mwananchi haki yake ya kufanya faster development.

Ya nne, Ukambani ni dry. Kuwe na bore hole. Kuchimba visima kusaidia wakulima Wakamba kwa sababu shamba ya Wakamba ni kame. Kwanza hapa Kilome na hapa chini Kimatiu tukiangalia hivyo. Kele mashambani ni makubwa lakini kukiwa kiangazi upande wa Kimakiu, Kaganzoni hakuna maji na kuna mifugo kuna watu. Kama kungekuwa na borehole ingewasaidia.

Ya tano, aina ya masomo tunasomesha, hapa kama nasema mimi ni Chairman wa Polytechnic, hapa nchini tunaona watoto wa technical schools hawapatiwi bursaries na wale wako kwa secondary wanapatiwa bursary. Tofauti ni talanta, kuna wale ni slow learners ambao si talented for higher learning lakini akipatiwa kazi ya kufanya mikono kama ni mechanic, kama ni welding anaweza kuendelea vizuri kama yule secondary school. Huyo mtoto ambaye ako kwa technical school asaidiwe. Kenya Technical facilities in schools are not there, ikiwekwa tunaona mkila nchi inataka kuwa na industry na bila technical managers hakuna kazi ya technology inaweza endelea.

Ya sita, hapa nchi yetu ya Wakamba kuna changarau, sand, kuna mawe na vitu vingine ambavyo tunaweza kuleta industry in the rural area. Sasa industrial areas ziko Nairobi ziko nini. Hii milima hapa iko na mawe mzuri inaweza kuchukuliwa inaenda kutengeneza cement Nairobi. Mchanga ingine kuchukuliwa hapa inaenda kutengeneza cement Nairobi. Kama hiyo ingefanya watoto wangeajiriwa.

Ile yangu ya saba ni consumers court. Tunaona unaweza kuuziwa kiatu ukiambiwa ni Bata ama nguo. Na ukifika nje hiyo kiatu ya Bata inatoka. Sasa huna mtu wa *kuclaim* maskini bila mtu wa kikusaidia na hiyo mizigo inatoka ngambo ikiwa substandard kwa hivyo hiyo inahusika kwa hiyo katika Kenya waangalie.

Yangu ya nane, katika area yetu ya Ukambani ni ukubwa na Wakamba Province ya Waluhya, Nyanza province for Luos na wengine. Hapa Ukambani ukiambiwa uende ukaone P.C. unasema wacha akae kwa sababu ni mbali mno kufika Embu kutoka hapa uende siku mbili. Kama ingekuwa provincial headquarter karibu, mambo ambayo yangeshughulikiwa na P.C. ingehudumiwa na huyu mtu angesaidiwa haraka bila kusema wacha pakae na hana haja ya kuona bwana Commissioner.

Ile ingine naweza kusema ni mambo ya Agriculture. Kenya tunaambiwa Agriculture ni wa uchumi na nasikia mtu akitoka university akiwa ameandikwa Agriculture hapati kazi na hapa Kilome kulikuwa na watu wa Agriculture. Kuna mtu alikuwa anaitwa Kang'ong'o mwingine alikuwa anasaidia mtu ambaye hajui kusoma na kuandika kutengeneza mitano na kusaidiwa day after day. Such follow up is not tuene. Hiyo kama ingeandikwa ile chakula ambacho tunapoteza kwa ajili ya watu hawajui kulima na kufiatishwa wakipatiwa watu ambao ni wazuri kwa hiyo wanaweza kusaidiwa. Pili kama sasa kuna mahindi nyingi kuna ile mdudu anayeitwa scania. Huyo mdudu ni mharibifu mno. Bila hawa Wakamba kusaidiwa kujua kuweka pesticides itakuwa hasara tupu na tutapata njaa.

Kwa hayo machache nasema mwisho vile nimesema tuwe na university ya Wakamba, province ya Wakamba. Wakamba hawana higher learning institution, wale wanajua Machakos hakuna. Kitui hakuna, Makueni hata ni zaidi ya hakuna. Sasa hawa Wakamba ambao wanasoma sasa kuna ile quota system. Vile mwingine

anasema tuwe na ile majimbo Mkamba ataumia sana kwa sababu hakuna mahali atapeleka mtoto university.

Hiyo ya majimbo ningesema kwa sababu ya masomo iwachwe mbali kwa sababu najua Mkamba atakosa na atapotea. Lakini ikiwa na hiyo tufunguliwe shule mbili, tatu ya university kama Makueni Secondary School ilijengwa tungepata msaada. Kwa hayo machache nasema Mungu awasaidie na tuangaliwe kwa hayo machache. Asante

Com. Kabira: Ahsante sana bwana Jonathan Muoki na tafadhali tuaachie hapa hiyo karatasi. Martin Kisenga.

Martin Kisenga: Thank you very much. Mimi kwa majina ni Martin Kisenga na mimi nina kikundi cha Uhuru Welfare Association ambacho ni cha Mau Mau. Kimeundwa na wale walikuwa wakipigania uhuru. Sasa hapa nitaenda haraka kwa sababu kuna kitu tumeandika background yake iko hapa kwa sitapeana hapa.

Struggle pia vile ilivyofanywa kwa sababu ya wakati nitaruka lakini hapa nitasema kidogo kuhusu vile Katiba ilifanywa Lancaster kuandika Katiba iliyoko kwa wakati huu politicians waliwaacha wale walikuwa msituni nje. Kwa hivyo ndio tunaomba kuwa Katiba hii tuweze kuwa tunaweza kusaidika.

Kwanza kile kitu tunachokitaka kwanza ni kuwa recognised kwa sababu as there was a clear omission and Commission in not including the freedom fighters in the negotiations and preparation of the constitution leading to independence following some proposals which the exfreedom fighter called maumau would like.

Recognition. The role played by those who fought and died for the independence of this country has never been recognised. There is therefore a need to include in the proposed review of Constitution the following: History of Mau Mau be taught in our schools as an essential subject in the history, a day be set aside to remember those forgotten heroes. There be a seat in civil and parliament for a nominated member to represent the interest of ex-freedom fighters, of this country.

Adequate compensation should be made in the form of land and financial aid to the many of them who have lived and died never having seen what they fought for.

Third, those who did not want to associate themselves with Mau Mau then are today's direct beneficiaries of the fruit of the struggle.

The Mau Mau were seen as ex-terrorists this has never changed since. A monument should be erected in their memory, and a day is set-aside for the followers and then flowers can be placed to the honour of unknown

heroes. Kenyatta Day should be renamed Heroes Day for those because there are others who fought for independence along with him.

The Constitution to have a clear and defined policy on ex-freedom fighters. This should spell out clearly on the method to be used in compensation as it is being done in other countries where ex-freedom fighters are given priority in participation and governance of their countries. They are also given priority in compensation.

The Government of Kenya have a Government arrangement with the ex-colonial Government of Britain in dealing with this matter of compensation. Note this matter has remained unaddressed for years resulting in ex-freedom fighters remaining poor and insignificant to this day. Thank you.

Com. Kabira: Thank you very much Bwana Martin na tumechukua hiyo maoni. Now, Peter Kii. Hayuko. Jackson M. Ndusa, hayuko. Mary Kimeu, uko okay. Na Joshua Mwendwa ako! Hayuko. Okay.

Mary Kimeu: Kwa majina naitwa Mary Kimeu. Nataka niseme... (started talking in *Kikamba*).

Translator: Nataka kusema, sisi kina mama tumefinywa sana. Mabibi kama wajane kama mimi alifariki wakati wa kupigania uhuru na tuliambwa wakati ule wale tumeachwa tutapata msaada na haijakuwa hivyo. Kwa hivyo naomba Katiba hiss wale tumeachwa wajane tusaidiwe. Sina mengi ni hayo.

Com. Kabira: Ahsante sana Mama Mary Kimeu, David Kole, ako? Hayuko. John Mutisya, hata huyo hayuko. David Kithika. Okay.

David Kithika: Ahsante sana kwa hii nafasi nimepewa na ninashukuru sana. Ile yangu nasema hatukupata ile utaratibu iko kwa ile kitabu lakini mimi ni village elder na tulikaa pamoja na tukaandika na ile tuliandika, ninafikiri nitasoma kwa kiingereza, na tuliandika point kama 12.

Ya kwanza inasema, Wakamba customs na customary laws zile nzuri zihifadhiwe na ziandikwe vizuri katika Katiba kwa vile zinapeana kila kitu kulingana na mila za Wakamba. Kama ni msichana ambaye ameshaolewa amepata uridhi kwa bwana yake kwa hivyo hakuna shida.

Ya pili yasemekana zile executive powers should be reduced to be under the law of the country.

Ya tatu, young turks have to be supervised by the elders that is to have two houses, Lower House and Upper House.

Ya nne, yasema, all village headmen in Kenya should be salaried in other words paid. Ya tano, nasema dual citizenship should not be allowed in the country.

Sita, political parties should be reduced to at least 3 parties in the Constitution. Ya saba, Presidential candidates should be graduates and above. Ya nane, the Government should be one, no majimboism.

Ya tisa, inasema good governance should meet the wishes of the people. Ya kumi, education should be free up to university level.

Ya kumi na moja, if one attains the age of 60 years the Government should give allowances that is something like pension

Ya kumi na mbili na ya kumilizia yasema jobs should be shared equally. One man, one job. Unakuta mtu mmoja ana kazi ishirini, director hapa, director kule kwa hivyo hiyo ndiyo yetu kwa sisi kama watu wa kijiji inayoitwa Munila. Ahsante sana.

Com. Aroni: Thank you very much Mr. David Kithikia. Paul Mutua.

Paul Mutua: Kwa Commissioners na watu wa Kilome kwa general. Nafikiri mko sawa na tuko pamoja kurekebisha Katiba. Hii yangu ni kama memorandum na kuna point zile important kidogo nitasoma na nitasoma kwa lugha ya Kiswahili.

Ya kwanza, kulingana na Katiba yetu iliyoko sasa haina utangulizi na tunaomba ama kulingana na maoni yangu mimi napendekeza Katiba tutakayoiunda iwe na kitangulizi ndiposa wale watakaokuja nyuma waweze kujua hii Katiba iliundwa wapi na ni ya kina nani na iliundwa kwa madhumuni gani. Na nitaenda haraka haraka kidogo kwa sababu muda hauniruhusu.

Pointi ya pili, Katiba yetu ni lazima iwe ni ya kila mwanakenya. Katiba yetu iwe ni ya kila mwanakenya, isewe ni ya watu Fulani. Kama ni kugeuzwa Katiba inapelekwa kwa Bunge, wanageuza wao wenyewe halafu tunasikia baada ya muda mfupi Katiba iligeuzwa ikasema hivi na hivi, hiyo tunaonelea sio nzuri. Katiba kama inageuzwa tunaletewa tunageuza pamoja kama vile leo tunafanya.

Ya tatu, Katiba yetu lazima iheshimiwe na kila mtu, hata kama ni Rais aheshimu Katiba, maanake Katiba imeundwa na wananchi na wananchi had ndio wale wale waliomchagua. Hata kama ni mimi mwananchi niheshimu ile Katiba maanake nimeinunda. Eeh, kila mwananchi kama wewe ni mwanakenya uheshimu Katiba tutakayoiunda leo.

Katiba yetu iwe na kanuni za kimaendeleo kwa mfano, wananchi wawe na haki ya kujumuika bila kusumbuliwa na watu. Kama mnataka kukusanyika mahali mko Kenya kwenu, mnaitana mnaenda mnakusanyika, mnamaliza mambo yenu mradi tu isiende kinyume na Katiba. Basi hiyo ni ya kwanza. Mfano ya pili, sehemu zote za nchi lazima zipewe sehemu zinaanagaliwa na kuna sehemu zingine hazijulikani. Kenya ni Kenya na Katiba itaundwa ya Kenya. Na kama ni kuangalia kimaendeleo maendeleo yapeanwe kwa kila sehemu ya nchi ya Kenya.

Mfano wa tatu, Katiba na sheria ni lazima zifuatwe na wote. Kusiwe kuna wale wa kuruka sheria wanasema mimi niko above the law na wale wengine wa kushikwa mtu akishikwa ameiba tu kitu kidogo ama kuku anafungwa miaka ishirini. Kuna wale wengine wanaiba mamilimoni hawaangaliwi na hawajulikani. Hiyo ni lazima tuangalie Katiba ilinde na iwe kama ni kuangalia iangalie katikati.

Watu wote wawe na haki sawa kiraia. Unaweza kukaa mahali popote, unaweza kufanya kazi mahali popote, unaweza nunua shamba mahali popote so long as wewe ni mwananchi wa Kenya.

Watoto, vijana, wazee na kina mama na makundi mengine ya watu wale ambao hawajiwezi, ama wamesahulika lazime walindwe ndani ya Katiba. Watoto waangaliwe, kina mama waangaliwe, walemavu vile vile waangaliwe vizuri maanake ni wananchi.

Usalama wa kijimia. Usalama lazima utolewe kwa wanawake sawa na vile kwa wanaume.

Ningependekeza Katiba itoe uwezo wa kuwezekana kuwa na serikali ya mseto.

Pointi ingine, raisi asiwe na mamlaka yasio na kipimo, ya kumpa mamlaka kama ya kufuta wafanyikazi wa serikali ovyo ovyo.

Raisi ataweza kuondolewa kwa mamlaka ya uraisi akiwa ana mambo kama haya. Maybe hajiwezi kimwili, amekuwa mgonjwa, Raisi hajiwezi kiakili anaweza ondolewa. Raising anaenda kinyume na Katiba ama sheria za nchi anaenza kuondolewa.

Bunge yetu ya Kenya ipewe uwezo wa kujiwekea calendar yake. Huo uwezo utapita kwa Speaker, ajue ni lini atafunga Bunge, ni lini itafunguliwa lakini sio ofisi ya raisi wala sio mahakama, kila sector iwe ikifanya kazi yake. Raisi upande wake, Bunge ipewe mamlaka yake na mahakama iwe kando.

Wabunge maalum lazima wawe, kulingana na maoni yangu naonelea waBunge maalum wachaguliwe na Bunge

kutoka kwa mikoa yote ya Kenya na wawe ni waBunge ambao watateuliwa kulingana na tuseme walemavu katika mkoa, tuseme mambo sasa ya Eastern. Eastern sasa kuwe kuna wale walemavu, kina mama na kuna vijana na vijana ndio wengi na hawana kazi. Kuwe kuna nominated MP wa vijana atakayeangalia masilahi ya vijana Bungeni. Kuwe kuna MP nominated wa wanawake atashughulikia mambo ya wanawake Bungeni na kuwe kuna MP nominated wa wale wasiojiweza awe akishughulika na mambo ya wale hawajiwezi na ni kila mkoa; mkoa was mashariki, wa kati, coast na kila pahali Kenya.

Upande wa MPs. MP akichaguliwa na watu tuseme kama upande ile ya Kilome tumechagua MP tumempeleka kule akatuwakilishe ashindwe na kazi yake ile tulimtuma pale, Katiba ipatie wananchi uwezo wa kumwita nyumbani na kuja kumfuta hiyo kazi na wanaajiri mwingine, maanake hiyo ni kazi, na kama hawezi akawakilisha vizuri aitwe nyumbani apumzike. Kuna wale wengine ambao mtu anaweza kuparticipate vizuri katika cheo hicho aangalie masilahi ya wananchi.

Naingia upande mwingine wa elections. Wakati wa elections tunaomba maanake kuna vyama vingi. Kama ni wakati wa elections watu wa civil servants wasiingilie mambo ya elections, Katiba iwakataze kabisa wakenya.

Wawe kando waachie wakenya mambo yao wachugue ni nani wanayempenda akawaakilishe kule mchali watamtuma. For example PC akatazwe kabisa na Katiba, DO, DC, Chief na Assistant Chief wawe kando wakiangalia vile wananchi wanachagua mtu ambaye wanampendelea, na kama ni wakati wa kupiga kura, mimi maoni yangu ningependekeza masanduku yawe ni transparent na yakiwekwa transparent tuwe tukipiga kusikuwe na wakati wa kubeba tupeleke mahali pengine tukahesabie huko, tuhesabie hapo hapo kila mtu akiona vile mambo inaendelea ndio tubebe hiyo na wale wengine wabebe yao tukipeleka pamoja ndio sasa ile hesabu tumechukua itakuwa ni sawa na hakutakuwa na mambo ya wizi wa kura.

Mahakama ya Kenya iwekwe iwe kando. Yaani isiinginiliwe na upande wowote, upande wa raisi, usinigilie mahakama, upande wa Bunge usiingilie mahakama, kila mkono was serikali ufanye kazi kivyake, kama mahakama, mahakama iachwe ifanye mambo ya mahakama, Bunge ifanye kazi ya Bunge na mambo ya raisi iendeleo na mambo ya ofisi ya raisi lakini hakuna mambo ya kuingilia mkono huu huingilie mkono mwingine.

Nafikiri hiyo ndiyo, itakuwa ya mwisho na ningenelea ni vizuri kama vile PC ameajiriwa, DC ameajiriwa, na DO ameajiriwa, vile chief ameajiriwa na assistant chief wameajiriwa, hao wote ni watu wanaofanya kazi kwa chain moja na PC anapewa transfer, anatolewa mahali fulani anaenda pengine kuhudumu huko, na if not so, tupewe jukumu sisi wananchi wa Kenya tuwe tukifanya election.

Tuwe tunaelect kama ni chief tunachagua sisi wenyewe, maanake ni wetu atakuwa akituhudumia lakini kama ameajiriwa na ameletwa hapa na amekaa miaka ishirini au thelathini hapo mambo yatakumwa sio kama vile wananchi wanapendelea. Thank you.

Com. Aroni: Thank you very much Bwana Mutua. Tutamuuliza Bwana Kilonzo Maitha. Ako? William Mutunga.

William Mutunga: Honourable Commissioners, niko na mambo machache tu hapa yako ambayo nimeyaandika kwa summary na nitayasoma moja kwa moja. Jina langu ni William Mutunga.

Kwanza, once the Constitution is made, naona haya kwamba, employment in Government service, one man, one job.

Election to Parliament, education limit be Form 4 and above but not the degree level only.

Three, a retired officer from Government service or parastatal body should not get another job once he/she retires. Kwa sababu siku hizi unaona mtu anaretire kwa Government service after 55 years anakuwa chairman wa Kenya Ports Authority, Director wa Sugar Authority, here and there, hiyo si nzuri.

Four elderly persons over 65 years naona kwamba should be given something like pension to enjoy the rest of the period.

Five, elders should enjoy monthly wages because they play a very big role. In fact, the work of an assistant chief and District Officer is done by elders.

Gender equality. Naonelea ya kwamba women should not be equal with men in respect of our traditional society, but in job opportunities where education is considered this is possible because they deal with paperwork and they were in classroom at the same time.

Eight, political parties be limited to 3. This will minimise tribal wars and division of minds of people around the country, kwa sababu tumeonelea kuwa siku hizi kuna vyama vingi na watu wamegawanyika kabisa na ukabila umeingia. Tukiwa na limited parties, people will know them and they will form a good government.

Nine, during elections I think it is my own opinion that counting of votes should not be transferred to another counting place, another hall because this invites corruption in the process of transfer of counting of the ballot boxes to the counting hall. They should be counted at the polling station. This will give transparency of the outcome of the person elected at a particular polling station.

Ten, if a Government officer steals public funds in the Government he should be sent to a court of law, and if

found guilty should receive a severe sentence like hanging. I refer this to Kamba traditional judiciary which was referred to as *King'ble*. Once a person was found to be stealing maize as it is in this season once the maize has ripened this person was taken to a judicial group of men who were elderly and he was sentenced for hang. Down here at our place, we call the place where the thieves were hang *Ngungambale*. So these people who steal from the Government should be treated likewise.

Eleven, Kenya's ethnic and cultural diversity be protected. As far as it is concerned with the tribe that is all tribes have their own traditions in our country here, Kamba have got their own Kamba customary laws and these were written down by the colonialists and therefore I think these customary laws and traditions preserved our people will be well served. That is once a person is accused by another one in a court of law or elders where they are solving a case and oath is brought by *wazees*. If I say customary laws if oath is there then the customary laws are preserved because those who have money will prevail and cases will qualify to get to erode other peoples property if there is no oath.

Twelve, I think the present Government is a Presidential type of government and I think that we should have a parliamentary system of Government where we have a Prime Minister, there is also a President and two Houses, Upper House and Lower House. I mean National Assembly and Senate because in the Senate there will be representation of people from all areas in the country.

Thirteen, review of Constitution. I propose that our new be reviewed after every 7 years. I read in a book where a person who had knowledge about law called Hammurabi law giver in the Egyptian history. He maintained that he would follow Moses of the Bible and review the law after every 7 years. So I propose that our Constitution be revised after every 7 years and be sent to the wananchi. Thank you very much.

Com. Kabira: Thank you very much Mr. Mutunga. Please sign our book. Mwambi Musau.

Mr. Musau: Aah, ahsante sana. Yale nilikuwa nataka kusema ni kama yamesemwa yote, lakini nitasema mbili tu. Ya kwanza ni to legalize our traditional oath that is the Kithitu for it is fair to those without money. This is because we have met cases whereby a wrong doer is caught and handed over to police and within no time or even before he is taken to court he is released and the person wronged continues to suffer.

The second one is let Kenyans be issued with passports as they are issued with I.D Cards. This will avoid inconveniences when one is expected to travel abroad due to the long and delayed process. Thank you.

Com. Aroni: Thank you very much Mumbi that was very fast. Do we have Esther Kyalo, Okay. Stephen Maundu Okay. Ahsante Stephen. Erastus Muluma. Oh, you are there.

Mr. Muluma: Kwa majina yangu naitwa Erastus Katua Muluma. Nina mambo machache. To this Review Commission I have to say that the Government has caused more harm than good because of retrenching civil servants. The Government after retrenchment did not give enough money for those civil servants to continue with normal life, so government should give compensation to those retired civil servants because they suffered a lot following that money and spent sleepless nights.

The government on the other hand is fighting diseases and it has also caused diseases to the retrenched. The government should not retrench any more civil servants, because it is encouraging poverty.

The third point is on food security. The government should control all the extra food that is going into waste because of let's say these pests.

The other one is the government should provide water to every mwananchi so that farming can be a major activity in this country, because in Ukambani we know it's a dry land the government has relaxed and looked upon those people just giving food during elections which is of course is bad governance.

Another point is that the government should decentralize. Lets say ministries or whatever so that the people can benefit in whatever it does. The other thing, the President should not be above the law. For this government the President has been a power broker to every Kenyan. That's all. Thank you.

Com. Kabira: Thank you very much Mr. Erastus. Paul Masila.

Mr. Masila: To the Commissioners, my views are very brief and they revolve on land and property rights. In my view the government should not own or control land that it cannot profitably use. For example around this area the government acquired large tracts of land especially the mountainous areas from individuals in the name of afforestation. 50 years since they were acquired, nothing has ever been done in fact those areas have remained wastelands and I should feel that the government should surrender such land to the original owners.

The other area is the trusteeship, county councils or local authorities. The local authority here has been entrusted with land. In market centres you find when the land is being surveyed for registration market centres here are normally registered, surveyed and registered as a block in the name of county council. The county council then you know proceeds to change land rates the rate of 30 shillings per foot. You find that is you know, some kind of exploitation.

I feel that local authorities should not own land, individual plots should be given individual title deeds. You may

find in an area someone having property that cannot help like the shops you see around here are all useless in the sense that you cannot use them as security anywhere, in banks, in courts anywhere.

So if they were surveyed and you know given individuals title deeds then those plots could be useful. Its one way of you know eradicating poverty. At least 80% of the rural poor you know live in these areas I feel that the government should try to help them by making sure that land rests entirely in the hands of people.

Coming to large tracts of land which were acquired from colonial settlers they are in very few hands and I feel you know the government should come in Constitution and make it mandatory that you know there is ceiling for land that one should hold, and when you come to the Constitution itself, the Constitution you know being a document that will guide us, I think should have a period of review to find out whether the Constitution has actually achieved the intended you know, goal. In other words the Constitution is working and this can be a review to see how the Constitution is working and this can be done after 10 years. Thank you.

Com Kabira: Ahsante sana Mr. Musila. Do we have councilor Musyoki. Okey. So the two councilors David and Musyoki. Okay so do we have Grace Alex?

Ms. Alex: Thank you very much Commissioner. My names are Grace Alex. The following are my views. No. 1, during election time women should be given a 1/3 of the seats to be contested.

No. 2 civil education or voter education should or voter education should be allowed to continue throughout, that is a person should be employed in every division to give voter education, as it is allowed by the Constitution in election. Registration of voters should also be done throughout to avoid crash hour during the time they allow for registration. The people in jail should also be given allowance to vote.

As per inheritance, girls should inherit from their parents just like boys because they are born just like the boys and somebody can may be married in a poor family so they should inherit from their parents.

Political parties are many at this time and they should be minimized to two or three parties in Kenya. If a member of parliament or councilor does not meet the people requirements there should be a provision that a vote of no confidence should be passed and elections held again even if 5 years are not over.

Nomination of MPs or councilors should not be by hand picking but I suggest that number two of the contestant should become the nominated person. If an elected member especially the MPs elected by the community does not attend parliamentary sitting there should be a law enforced for that person to be sacked and another person to be elected who will serve the people through the parliament as expected. Elected councilors should

have a minimum of division three in form four education but not standard seven or eight.

Bribery should be strictly caution by enforcing the election law that anybody found bribing during elections should be disqualified so as to have free and fair election. That's all.

Com Kabira: Ahasante sana Bi. Grace Michael Muguti

Mr. Muguti: Thank you very much. Now I will start with the local government. To ensure a functional local authority every aspirant of a civil post should have a minimum of O level education.

Parliament should have its own calender, that is when to sit and adjourn and dissolve except during general election. Here when it must dissolve by August to prepare for elections to be held in the second week of December. Parliament should be empowered to ratify international conventions, which then automatically become part of Kenya's domestic law. Parliament in addition to making law should have a significant monitoring role over the executive in tems of confirming appointments, financial management and the security of the nation. Parliament should not be given autonomy to determine their salaries, which should be transferred to the public service Commissioner of Kenya.

And now to human rights. Death penalty should be scraped and detention without trial done away with. No.2, all form of torture meted to suspects by police should be scrapped. An independent human rights commission be crated to monitor maladministration by the officers and violations of human rights as an additional safeguard to human rights abuses. Other provisions. Any Kenyan citizens who attains the age of 60 years should qualify for an automatic pension from the Government. Education should be guaranteed by the Government up to at least O' level.

Bills of health to be harmonised at distric level. That is all private hospitals should charge the same levies for services rendered.

The Constitution should not be amended without the approval of the public in a referendum. Thank you.

Com. Kabira: Thank you very much Mr. Maguti Sijui kama kuna mtu mwingine hajzungumza kaw sababu tunachukua yale majina yalikuwa yameandikwa nyuma. Kuna mtu anataka kuzungumza na hakungumza. Kwa hivyo nyote mmetosheka ? Hakuna? Okay.

Mr. Maundu: Asante sana. I am Williamson Maundu. I will start with the preamble. I think I have some vision which can be included in the preamble. These are equity and development for all. Then I will go to directives,

principles of state policies. Kenyans have some values which should be added to this Constitution. One value is peace, unity, harmony, humility, love and uncorruption.

Then Constitution supremacy. There are these referendums. Constitution of Kenya can be made through including people in making of referendums by first of all considering citizenship and basic rights of all Kenyans. Then we have this question about citizenship. Who should be a citizen of Kenya? A citizen of Kenya should be person whose both parents are Kenyans or who has been born by parents, or a woman who comes for Kenya.

We have defence and national security. What mechanisms should be used to discipline the armed forces? We should form a ministry of defence. The armed forces should be disciplined by well laid out strategies in the ministry of defence.

Then we have political parties. They should be limited. We need to have three in number. Where it will be mandatory for every Kenyan to join one of the three parties.

We have structures and systems of government. Presently, we have a unitary system of Government. I think a federal system will do better in Kenya.

Then about legislature. Councillors should be 28 years and above, MPs 35, and the President 45, councillors, President and MPs should not exceed six years in office. The language tests of MPs, Councillors, President. Councillors should have form four education and get a D+. MPs should have a degree even the President. This is because this is a world of technology and things are changing drastically.

The executive. The qualifications for one to be a President; should have a degree, should not be an MP of a given place because he is a President of the whole country. Resources will not be well distributed. Simply because he will tend to boost where he comes from. He should be a person who is morally upright. For example in America they do scrutinisation to see how you grew up and how you have been conducting yourself in the community.

Also, the Presidential tenure should be two terms. After two terms he or she should not vie again for that seat. Then we have the judiciary is not adequate. Why? Because courts are not accessible to the common mwananchi. They should be distributed evenly and more judges to be employed and also all citizens should be guaranteed equity in terms of how their cases are tackled in these various courts.

About local government. The mayors and council chairmen should be chosen by citizens, and inhabitants of that

given town. They should not be elected by councillors. Also chiefs and councillors the way they now work you see a chief in charge of a location. This is the side of administration, the other one is the side of local authority, then they tend to collide. Because a councillor will come and do the work of a chief then a chief will do the work of a councillor.

Therefore, I think chiefs, assistant chiefs, the provincial administration should be in the council, so that the chief will see what the councilor has been given in terms of money to come and develop that location so that has he goes down now to put down the project the chief can say yes I saw him being given this amount. This should be done and this should be done because I was where this was given.

Then we have, should there be minimum education qualifications for councilors. Yes. What I have told you D+ Form 4.

Then we have the electoral system and process. I think the electoral process in Kenya is somehow rotten. Why? Because there is no fairness. How? I don't see how the chairman of the electoral Commission will be appointed by the President and fail not to do the will of the President. Then it's a question of how to appoint the Commissioners. I think the Commissioners should not be appointed by the President, they should be appointed by the MPs in Parliament and also the electoral system should be independent, and should be conducted in a way that the boxes used for balloting are transparent and more so because we have money they should be computerized.

Then we have how we can increase the participation of women in this parliament. I think women have been victimized and they need to be increased. How can we increase this? It is my view that the ratio of MPs should be 3:1. For every 3 men we get 1 lady, or for every 2 men we get 1 lady and how can we do this? Suppose now our govt has 210 MPs.

We will now let the normal election allow 5 ladies to be elected. Then after they are elected we go for other 65 so that ladies can be 70 and men can be 140 something of that sort. Then now the 65 we will announce that in any given constituency where there is no representative of an MP who is not a lady now they go for their own elections when men are not there because men have an advantage of having property and also they are aggressive, so that we can get the 65 now 65 + 5 that will be 70,140. I think that now will make ladies be well represented in parliament.

Then we have about the conducting of civic and parliamentary Presidential elections. I don't, this thing of them continuing simultaneously is not good. They should be conducted at different times. Tunaanza na macouncillors, then after a given period we go to MPs then for the presidency. Simply because the local

wananchi get confused. Why? Wanaambiwa jogoo tatu. Now they will get confused once they go to the polling station wanaambiwa tu ni jogoo tatu then they get confused wanaweka X jogoo, jogoo, jogoo.

Com Kabira: Are you winding up?

Mr. Maundu: Ya. I am summarising. Then we have about basic rights water, shelter, food, employment, these should be guaranteed for citizens, because these are their rights and they are citizens of that country, and our country is Kenya.

Then right of vulnerable groups. I will consider first of all the women of which I have dealt with of how to increase their number in parliament and also these old wazees and women they need to be pensioned. Also I'll talk about another group, which is the youth.

We've learned, we have obtained a lot of education but there are no jobs. Then the Government should give soft loans. How? If we have somebody who has done degree in bachelor of education, they should gather several then be loaned by the Govt. to start a school then they will now create employment, but if the Govt. will leave it the way they're doing now things will not go the way they expect them to go.

Then finally we have these Akamba customary law, I think should be included in the Constitution. Simply because some of the discipline cases which are taken to court are not necessary especially in Ukambani.

In those days wazees had power to discipline some of the minor cases, of a boy misbehaving, of a girl misbehaving, but nowadays once they are taken to the court there they bribe and when they come back they will go boasting and saying mlinipeleka nimetoka tutaonana. But if they are disciplined by those wazees they will not repeat that again. Kwa hivyo I thank you.

Com. Kabira: Thank you very much. Thank you very much Katui. Yes Thank you. Hakuna mtu mwingine. Kwa hivyo kila mtu amepeana maoni yake. So I want to take this opportunity to thank the people of Enzai for being very well prepared to present their views to the Commission and for very very good attendance and we are happy that we still quite a number of people who are in this church so we can end this session together. I hand over to Abida.

Com. Aroni: Thank you. So eeh, normally we end with a prayer as a way of you know asking God to bless the whole of this process but probably before we do that we'll ask the district co-ordinator whether he has anything to say and as he is coming here I want to say that this is not the end of the process if there are other people that you meet that tell you they would have wanted to give the views and they were not able to give the views to us

today, let them know that we are going to be in Kimakiu they can still write their views and give them to the district co-ordinator for on forward transmission to the Commission or send the memorandum to the Commission and maybe the district co-ordinator can give other districts. Thank you.

District Co-ordinator: Thank you Commissioners for taking us through this process. Nitachukua nafasi hii kuwashukuru nyote kwa kufika hapa kushiriki katika mkutano wa leo. Nitarudia vile Commissioner amesema ya kwamba yule ambaye hajapata nafasi leo ya kutoa maoni yake anaeza kuandika, akileta kwa ofisi yangu nitapatiana kwa Commissioner, ukipatia wale wanakamati ambo mnawajua vizuri pia watahakikisha imefikishwa kwa Commission. Kesho watakuwa kaskei yule ambaye hajapata nafasi leo ako na nafasi Kaskei na kutoa maoni yake. Eeh, nitakoma hapo kwa sababu masaa yameenda sana, tulize mtu mmoja atuongoze kwa maombi ndio tuweze kutawanyika, Mr. Wambua.

Mr. Wambua: Hapa patakuwa na education ya voters on Friday 24th na tunauliza wale ambao wako hapa mwende mwanangazie wale wengine waje kwa wingi, ili wapate education ya voters. Ahsante sana. Ninauliza Mr. Ndaisi atufungie kwa maombi.

Mr. Ndaisi: Ahsanteni sana kwa wote ambao mmefika hapa, najua wengine wameketi hapa tangu saa tatu mpaka saa hizi ni shukrani kwa mungu kwa kutulinda mpaka saa hizi. Hebu turudishe ahsanti kwa mungu basi tuombe. Ahsante Baba mungu, mwenye enzi yote, tunakushukuru kwa kutulinda tangu tuingie ndani hapa na kuanya mazungumzo ya leo. Tulijipeana mbele zako kwa mazungumzo ambayo ilikuwa mbele yetu na tumeona mwongozo wako kwa kila neon kwa mawaidha yote ambayo yalipeanwa na watu wako. Ahsante sana Bwana Mungu haya mawaidha yote na mazungumzo inaelekea ili tujenge taifa letu, ili tuweze kujenga Katiba ambayo itakuwa ni mzuri na kutulinda sisi wananchi wa Kenya. Ahsante sana kwa kupta Commissioners. Ahsante sana kwa wote ambao wamesaidia ili kufanya hii kufaulu na kwa wote ambao wamesaidia ili kufanya hii kufaulu na kwa wote ambao wamefika hapa tunakushukuru. Sasa tunafumukana na tunapeana wale wanaenda kwa magari uwe msaidizi wao mpaka watakapofika manyumbani kwao ili waweze kukushukuru. Wale watakao baki hapa, ubaki nao kwa sababu wewe ni Mungu kwa wote, na kufikia hapo tunashukuru kwa kila jambo. Mpaka tutakapokutana wakati mwingine chukua shukrani zetu Bwana Mungu, na ni kwa jina la Yesu Kristo Mwokozi wetu. Amina.

Meeting ended at 6.00 p.m.

