

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

KILOME CONSTITUENCY, KASIKEU CATHOLIC CHURCH

ON

Wednesday 22nd May 2002

CONSTITUENCY PUBLIC HEARINGS, KILOME CONSTITUENCY, HELD
ON WEDNESDAY 22ND MAY 2002 AT KASIKEU CATHOLIC CHURCH

Present:

Com. Prof. Wanjiku Kabira
Com. Abukakar Zein Abubar
Com. Ahmed I. Hassan

Secretariat:

Maimuna Mundo - Programme Officer
Rosemary Mwanzia - Assistant programme Officer
Josephine Ndungu - Verbatim Reporter

The meeting was called for order at 10.00 a.m. with Com. Kabira in the Chair

Titus Maundu: It is very necessary to have a preamble in the Constitution. It should state the date of independence and the heroes who suffered greatly on the war for independence. It should also include the ethnic, ethnic Communities in order for it to reflect a sense of ownership of the constitution. Direct (not clear) of state policy, according to the book they are proposing

that, it should point the bidding principles and their basis. They are saying, cultural, these cultural values should be put into consideration like, marriage, initiation, and courting not to forget worship. They should be enforceable in law, by way of defining their limit, for example is the Kamba people.

They are very much putting into consideration the Kamba oath "Kithitu, which they are saying should be legalized, to enable them cut short, the long stories in court and in the villages. Then on constitutional supremacy, they are saying. The constitution should be respected by all, and nobody should be above the law and they are saying even the amendments, should be 70% majority vote. In which case, they are saying, out of the 70%, 25% should be women representatives.

The other thing, it should be reviewed after 14 years x 2, when amendments are required. That is the review should be amended, or should be done after every 14 yrs to see the new changes that might have come. On citizenship, they are saying, by the way of birth, in case these is where both parents are Kenyan citizens, it should also be by registration, but they are saying it should be vetted by the group registering the person, to avoid registering people who are not morally upright. Spouses of Kenyan citizens should be entitled, to automatic citizenship, and we are saying, since they have undeclared interest and the interest here is the spouse, since they have engaged in a marriage. These then is the interest, therefore, they are saying it should be automatic. We are also saying all the citizens should be entitled to full rights, and obligation of the country, and the constitution should not allow dual citizenship, in order to avoid divided interest of the citizen. Our citizens should have ID's, Birth Certificates and registration Certificates as evidence of their citizenship. When we come to defence, and national security, they are saying, there should be a court Marshall, to facilitate discipline of armed forces, and they the President should not be a Com.ander-in-Chief of the armed forces. They are also saying, there should be a defense ministry, whose representative should be a Member of Parliament, to represent the interest of the people from the constituency. There should be an appointing Committee to facilitate for appointment of heads for various armed forces departments, but not the President or a few individuals.

They also say, war should be declared, only by the Parliament, and the members of the local Authority should be consulted when these one comes. Emergency powers should not rest on Parliament, or should they be declared by Parliament, but there is need for consultation from the members of the public.

Then when we come to political parties, they are saying, political parties should be limited to six, and the role of political parties should be to initiate development, and therefore they should be funded by the government.

They say, the constitution should define and regulate the role of political parties in our country, that we could avoid the problems that we have had before. Then the parties should account for the allocated funds, from the government.

Then on the structures and systems of government, there are only two points raised. Should retain the Presidential system of government, that is the unitary system of government. On legislature, they are saying, all appointments should be made by a Parliamentary Select committee, but vetted by the whole group of Parliament. Parliament should be controlled by a

commission, whose Chairman should be the Speaker, and they are saying the commission should constitute, MPs and members ready to go for government and MP should be declared a full time occupation. Since when not in Parliament, they are out serving the Community. An MP, or once qualified to be an MP after 30 years should be a Kenyan Citizen, should be of good conduct and render up-right. Should have a degree education and above. Should be able to express interest that calls for a need of a language test, since they will represent the needs of people, and they love to talk to the people, and may be to offices, andy, we are saying an MP should be recalled by the constituency if they are not delivering, and these once are saying, by “kura ya maoni” that should be conducted maybe after 2 years, to see what they have been doing. They are saying that salaries should be determined by a set committee, named above. That is where the speaker is the Chairman, but also agreed upon by other members of the Public, through Select committee.

MPs should be nominated on regional basis considering vulnerable groups, and they are saying they should be 1/3 representation of women, that’s a minimum 1/3 representation of women in Parliament. On executive they are saying, the President should hold a degree and above. He should be a renown person, whose conduct is known. Should be a family person, and we are saying his powers should be vetted in the constitution. They are also saying, he shouldn’t be the one to determine the number of ministries we have in the country. They also said, he should not also control the arms of the government fully and we are saying, he should also not appoint heads of the arms of governments but should be done by a Select Com.ittee of the Parliament and they said should not be a member of Parliament, but should be just like the speaker. They said the President to be removed from office, because of misconduct and he should be led by a legal team of commissioners to advice him, and if these one does not work again, the group sees it important that we conduct the same kura ya maoni after the 2 years to remove him, or to allow him to continue his office.

Provincial Administration, the group says is very necessary and should continue, but they are saying, their level of education should be considered, and also they said that they should be provided with means of transport just like any other department, because some come from wide and very rough geographical areas, and therefore, moving from one place to another they are not awarded allowances. On Judiciary, the group said, present structure is adequate. They said it should be independent. High court and court of appeal judges should not be appointed by the President, but Commission, and vetted by the Parliament.

There is need for constitutional court, to regulate, control and manage the constitution. We also said judicial offices, should be a degree level and above. Judicial offices should be in office for a period of 10 years, the transferred to other judicial zones. Discipline of Judicial offices should constitute a Commission, which should be vetted by a select Com.ittee, or Parliament.

The constitution should state and define the courts for every geographical region, and here the group says. For every 10,000 people, they should be served by a court. There should be courts along the highways, at intervals of about 60 kms, and this one, they said is inorder to control transportation, which has lead many Kenyans to lose their lives.

On the Local Governments, the group said, mayors and council chairmen should be elected by the people. They should be of

degree level of education and above, and we are saying, they should remain in office for 3 out of 2 terms, that is 10 years, and the Language test here the group says, is very important since they should be people who are able to express themselves, both to the people they represent and in the offices they are serving. Councilors should be holders of Form Four certificates, a division 3 or it's equivalent, and they are saying members of the public should recall a Councilor if she or he doesn't deliver and these one they are saying it will need "Kura ya Maoni" the same way it took after 2 years in office. There should be 1/3 vote of women councilors in each council. That what the group said. There is no need of nominated councilors, the group has said one, and they are saying, a Select Committee whose Chairperson is mayor and two other members from the Ministries of Local Government should discipline councilors and here we are told the members of the select Com. ittee, should come from the Councillors and should be 13 in number. That is the designation. Then the electoral system and process they say there should be at least 1/3 representation of women MP, that one we are repeating. President should win a 30% vote or any 2/3 of the provinces and they we are saying MPs who have failed to seek nomination from one party should be allowed to cross over, and seek nomination to other parties. Infact, the group says it is not necessary, to know where the MP belongs. An MP should represent a maximum of 120,000 people, irrespective of the geographical consideration and we are saying, Presidential elections should come after 6 months after Parliamentary and Civic elections which are simultaneous, and we also say, should also use transparent boxes on counting done at the polling halls, but should not be counted at the constituency headquarters as has been before. Councillors to represent 30,000 people irrespective of geographical areas, and the constitution should set an election calendar date, to know or to regulate its work. Electoral Commissioners, we have said should be increased to 27 and they are saying there should be a representation of 2 Commissioners from every province. That's a requirement they had given, it's a proposal, and they we come to basic rights. Here they say death penalty should not be abolished. Free education, primary level they are saying should be compulsory and they are also saying, all graduates of both University and College should be assured employment, and they are saying citizens should be awarded an automatic 60% medical care cost, at every healing health care. All workers should be guaranteed the right to trade union representation, and they are saying after 80 years of age, should enjoy old health care and they are saying the government should establish old age homes to take care of the elderly who have served the country in various ways. All people should enjoy piped and clean water and here the group says, it has been before that, clean and piped water is used to serve agricultural purpose while people have no water, and therefore, they are saying, first priority should be given to people. Then the said traditional herbs should be legalized and encouraged by constitution.

Then rights of vulnerable groups. Here the group has taken women to be one the vulnerable groups and they are saying all beating should stop and should be banned completely.

They also said they should own land just like men because they have been born just like any other. Should not suffer genital mutilation and they are saying to enjoy job opportunities like men. To the disabled, they are a vulnerable group. They are saying should be represented in Parliament, and should enjoy free medical care, education and guaranteed employment. They they are saying they are taking "chokoras" to be another vulnerable group and the saying, they should be awarded mandatory

education, and should enjoy employment opportunity and they say here they should be helped to choose their careers quite in time. They say that they should be allocated land just like any other wananchi. Children is a vulnerable group of the group and they are saying caning should be less done. They are saying children should enjoy free education and free medical care. Children should be allowed to participate in decision-making, and we are saying here they should be consulted when major decisions are being made. May it be at home or in the Community, since they are the leaders of tomorrow, and they are citizens of tomorrow who will suffer the consequences of their parents who might have made a mistake, and then land and property rights. They say every Kenyan should be guaranteed a 4 acre plot and then they said, all land above that, that's the 4 acres should be taxed and these one is per acre, and these will be a way of ensuring that there is a proper use of land, and they said one should own land from anywhere. That is all over the Republic, one should have a right to own land, and the last part the group has tackled is cultural ethnic and regional diversity, and they said all classes should be constitutionally recognized as a moulding factor and they say there should be one national and one official language as has been before. They said indigenous language should be promoted by the constitution, constitution, and here the group comes by pointing out, that indigenous language, what we call 'mother tongue' should be made compulsory in low levels of learning, and here the point from pre-school to std. 3, since, they say, they form part on the basis of the indigenous cultures.

Then there is the last part that I have, the group has made some points on, management and use of natural resources. The group said there should be a Parliamentary select Committee, to vet appointment by the Public Service Commission, and they are saying all Kenyan should be required to declare their assets. Not only the public civil servant but all Kenyans, and here the group proposes that anybody above 18 years should be required by the constitution to submit an annual report that shows his income and expenditure, as has been done elsewhere, any they said there should be a constitutional penalty to those overspending or spending above their income and they said there should also be a defined routine by the constitution to investigate in the sources of income of those which are unclear or wealthy. Thank you.

Com. Kabira: Thank you very much Mr. Titus, which is the group you came from (not clear)?

Titus: I come from Kuinuana group.

Com. Kabira: Can you spell for us. Okay.

Titus: Kuinuana is Swahili, K.U.

Com. Kabira: Ooh Kuinuana (not clear) I wanted to tell you that we have been joined by my fellow Commissioner Dr. Kabira whose on my rights. I also forgot to, introduce our colleague Maimuna Mwidao whose the programme officer of the commission, she's (not clear) by her Rosemary Mwanzia the verbatim recorder Josephine Ndung'u (not clear) come from the (not clear). Can we have Mr. Arthur (not clear) Nzomo.

Interjection: (not clear).

Arthur Nzomo: I am Arthur Nzomo to represent views of certain (not clear). I will start with the preamble. We suggest that we have a preamble in the new constitution which shall state among other issues:-

- a) that the will of the people shall be the basis of government
- b) that the constitution being the voice of the people of Kenya shall be held supreme by all. So on constitutional supremacy. Considering that a constitution is a solemn agreement between the ruled and their rulers;

These fact should be clearly stated in the reformed constitution. It should clearly state fundamental principles that all Kenyans must remain unendingly comitted to, for example democracy, liberty, equality, economic prosperity etc.

The constitution should contain a provision blessing the people of Kenya above other organs of the government and

Considering that the people are supreme there should be a provision, that, they be consulted through referendum whenever there is a major amendment being considered. There should be a provision in the constitution to make it available to all Kenyans through one (1) being written in a such a language which is easy and understandable to all (2) continued civic education, and (3) being included in the full syllabus as an examinable subject as from primary level. Structures and systems of government. We suggest that there should be a clear separation of powers in order to create room for a head of state and that of head of government.

One. The head of state, shall be the head or leader of the country (b) He or she shall be above party politics, and shall not belong to any political party. There should be a provision as to how, he or she shall be choosen. The head of govt should be a politician who's party wins election. He or she, should be invited by the head of state on the basis winning election to form the government. He or she shall be the head of the affairs of the country. He or she shall be answerable to Parliament. Number 4.

The executive chapter 2 of the current constitution dealing with the executive should be reviewed so that (a) the powers of the executive are clearly defined, limited and distributed. There should be a provision for the approval by Parliament of major executive appointees, like ministers and other constitutional officers (c) There should be a provision for the impeachment of the chief executive in case he or she violates the constitution. In case of incapacitation, the chief executive shall be removed by the people representative in Parliament, that is the MPS and not the cabinet as it is of now. There should be a provision that the cabinet be drawn from professionals and not necessary members of parliament. Cabinet shall be answerable to Parliament. There should be a provision that the head of govt attends Parliament and answers questions. The Attorney General Prosecutivon. Each role should be separated, so that the office of director of public prosecution be transferred to an independent judiciary. Legislature. The legislature: shall be independent of the executive. A provision to enable Parliament get and approve all the executive public appointment should be put in place. The Parliament should be empowered by a provision in the constitution, to summon and ensure Ministers and other public offices. The Parliament shall have powers to impeach the

chief executive. It should also have power to create and dissolve ministers. It should be empowered to decide its own calendar. Should be vested with powers to take up Commission matters of national importance, and there shall be a provision that Parliament shall not have the power to enact Laws that undermine the basic structure of the constitution or limit the rights of the individual as stipulated in 1948 united nation declaration of human rights.

The judiciary: It also starts by stating that the judiciary shall be independent of the executive. Appointments of the chief justice and other judges shall be approved by Parliament. We suggest a division of our court system to establish for example family court, land cases court, criminal court, constitutional matters court etc to speeden up cases. We suggest that a supreme court be established as the highest court in the land. There should be a provision that the muslim Community nominate a Kadhi for appointment to the Kadhis court. For justice to be truly seen as our shield and defender as per the words of our National Anthem, we hereby repeat that our Judicial Arm of the government shall be set free from the executive arm.

And lastly, we believe on the rights of the minority. We believe there should be a provision to guarantee the right of the child. The child should have a right to a father and mother in order to avoid the issue of illegitimate children. Even though to us there are no illegitimate children. It is the act which is illegitimate for it involves two people stealing what is not there's legally. Otherwise, all children should be legitimate if our morals were checked by such a provision in the new constitution. Thank you.

Com. Kabira: Thank you very much Arthur. Paul.

Paul: (not clear)

Com. Kabira: How do we do after listening (not clear) we can translate for them. You should realize that you are talking to us. Okay they (not clear) Yeah.

Paul: I thought the constitution of Kenya must (not clear) for the people (not clear).

Com. Kabira: What (not clear)

Paul: Okay. Also the constitution should be written in our mother tongue'. The constitution also should prevail the number of (not clear) that should be in our country. Also in the executive, the Ministries or the Ministers should have or should be appointed by a commission but not the President. Such President should not appoint.

Com. Kabira: Paul, you wanted to talk in (not clear)

Paul: Yeah

Interjection: (Not clear)

Com. Kabira: But why you see (not clear) you see (not clear) talking to us as a commission and if we translate we may not do it adequately.

Paul: Okay, lets do it through English.

Com. Kabira: You have not answered my question up to now.

Paul K: Yeah

Com. Kabira: I asked you one question. Do you want to talk (not clear) or people to understand you.

Paul K: I want people to understand.

Com. Kabira: Then go ahead because those people do not have to understand you (not clear) Okay.

Paul K: Okay. The Provincial Administration: The Chief and the Sub-chief should be elected by the Wananchi and if they don't perform work there should be a (not clear) where can recall not (clear). Also, we need them back where we can recall back our MPs if they don't support. The past should be dispended and also judiciary should also be dispended. Should not be appointed by the President. There should be a Com.ission. Human Rights (not clear) freedom of expression.

That is to own property and also we need freedom of liberty. Also there should be no torture. Many people are tortured by Police in cells. So they should not be tortured. Death penalty should be abolished and instead there should be found another means or way. Also the constitution should offer free education for all our school children, and also clean water to all of us.

Also in our constitution, should prevail or show that there is nobody is entitled to be a squatter in Kenya, while we have a very big area not occupied. Our constitution also should specify a date for election. If it's 20th or 29th December, it should be said in the constitution. Also there, it should be separated, the time for election for the president, and the MP, and the Civic Leaders. Also the constitution should talk about the disabled people. They should be cared, the people with disabilities and the constitution of Kenya should allow those who are detained to vote, because it is their right to vote. The constitution of Kenya should detain a person while there is enough evidence. Not as such, one person should not be taken as suspect without enough evidence. Also the President should not be appointing the Ambassadors, and Controller Auditor General, there should be a Com.ission. Also as I said, in Ministries, there should be a Com.issioner who can determine who is able to serve that Ministry.

Also the constitution should talk on finance or our financial (not clear). That's our money. How finance can be distributed equally to the wananchi. Also the people of Kenya are taxed very high and in return they don't gain or they don't see the fruits of the tax they are taxed heavily, and that is what I have (not clear) Commissioner.

Com. Kabira: Thank you very much Paul Kimundu. Those of you who are here we wanted to be just very clear on the form of the Language you want to use. Please try to use any Language you are comfortable in talking, if it's Kiswahili, English or Kikamba but I think if you want to talk in Kamba you should have the informed Co-ordinator so that we can immediately make an arrangement for somebody to translate for us, but otherwise, if you feel free to talk in the Language you want to talk to us, because you are talking to us. Can we have Mr. Andrews Kitenge. Unataka kuongea Mzee?

Mzee: Naweza kuongea na Kiswahili.

Com. Kabira: Lakini hapa umeandika dash (-) nilikuwa nataka kuona kama unataka kuongea.

Mzee: Naweza kuongea kidogo.

Com. Kabira: Okay sawa endelea tu.

Mzee: Yangu naweza kuongea ni kidogo tu. Naweza kusema kama inawezekana kwa upande wa upigaji wa kura, naweza kusema, kura zaweza kuhesabiwa kwenye vituo vile tunapigia kura. Ya pili naweza kuongeza kusema kwa upande wa ugawaji wa mali kamila, kama niko na wasichana na wavulana, wasichana kama wameolewa siyoni kama inafaa kuwagawia mali, lakini yule amekosa bwana iko nafasi ya kumugawia. Hapo mimi nafika hapo. Asanti sana. (laugheter).

Com. Kabira: Okay will settle these, Alfonse Mutuku.

Alfonse Mutuku: (Not clear) whereby we can (not clear) continue offering until the end of July. These are the views from the citizens that I have been getting when I'm conducting the civic education.

- (a) It's on basic grades and basic need. The constitution should guarantee basic rights including, free health care, water, food, free education up to secondary level and cost sharing in higher education, shelter, security, and employment for all, and how these rights would be achieved.
- (b) On the basic rights. Rights of women and persons with disabilities, need to be addressed given that 1 out of 10 Kenyans have some form of disability. It's clear that in the current constitution, is silent on these:-
 - i) We are on political parties. The constitution should regulate the formation and Management and conduct of political parties.

- ii) All political parties should have a national outlook, with membership comprising of atleast 60% of the Kenyans - 42 different Ethnic groups.
 - iii) Should be financed by public funds to avoid individual domination
 - iv) We should have several government management of political parties.
 - v) Political parties should not be run as private enterprises from which the most economically able can benefit.
- (c) we are on the electoral system.
- (i) Civic and parliamentary election should be held separately from the presidential election.
 - (2) Electoral Commission to enhance women participation in political leadership, by developing educational materials and availing them to women.
 - (3) we should have a limit for money used for campaigns
 - (4) Vote to counted and announced at the polling station.
 - (5) We should have transparent ballot boxes and
 - (6) The electoral Commission should be independent.

On the legislature:

- (1) the law should provide security for all candidates during nomination, campaign, and election period, to avoid physical injuries
- (2) The minimum qualification for MPs and Councillors to be "O" level and they should portray good moral and social status
- (3) Mayor and Council Chairpersons and Vice-Chairpersons to be elected by people directly
- (4) It is a view from the people that we have a decentralization of powers by local governments towards councils to enhance local development by the locally available resources
- (5) MPs tenure to be limited to two 5 year terms.
- (6) The president should not have a constituency. That is he should not be a member of parliament
- (7) Citizens should be allowed to re-call their councilors and (8) the age of councilors and MPs to be at least 30 years.

On land and property rights,

- (1) the people say that female offspring, regardless of marital status to be entitled to inherit family property including land without discrimination
- (2) we should have de-centralization of land registries country wide to district levels.
- (3) The constitution should be supreme to the customary law on Land and Property inheritance.
- (4) Title deeds of family land to bear the name of husband and wife.
- (5) No individual should own more than 100 acres in Kenya, and those currently owning such should be compelled to sell the excess to the state, for redistribution to the Kenyan landless persons.

(6) Communities living in areas where we have exploitation of natural resources should own 75% of the total value of benefits accruing from such

(7) A constitutional land Commission to be maintained with 50% women representation.

The other issues were management and use of natural and local resources.

(1) The people saw that it is wise to have local committees elected by the community to manage local resources at their respective community level. (2) The people also saw it was wise, that we have de-centralization of industries, to those areas where we have exploitation of these resources towards local development of these areas. We still have a section on economic justice. It was a decision, by the people to put it forward to the Commission that, in the current constitution we should have a session on economic justice introduced. The current constitution needs to stress retirement at the required age inclusive of the legislature (3) Retirees ought not to be called upon for duties, in the event of strikes or during fresh employments, as in the case of the electoral Commission of Kenya (4) on economic justice, one person holding multiple jobs should.

Kiviu: Itakuwa kwa mamlaka. Iwe inaangalia sana mambo ya wananchi si kuenda kuketi huko Parliament na kuongea maneno mengi na kusema tufanye hii na hawafuati. Ile makosa ya kubwa ni kwa sababu wakienda huko Parliament, wanaenda kuongea mambo yao huko lakini mambo ya wananchi hawafuati sana. Kwa hivyo kwa upande wa education, mzazi aangaliwe sana. Labda wale wanapanga hii mipango wengine hawana watoto wanaenda shule. Labda wengine ni wazee, wengine ni akina mama na wanatumia ile akili walikuwa nayo huko, walikuwa wanasomesha watoto yao. Lakini wale wameoanza kupelka watoto yao shuleni wanaona hii mambo itawasumbua tu! Wale wanaweza kuongoza vizuri ni wale wako na watoto shuleni, wale wana mtoto, lakini si mtu ambaye yeye hana watoto shuleni anaongea juu ya mambo ya watoto sababu akiongea atasumbua watoto.

Na ile ya mwisho ni hii mambo ya small communities, sisi tunasikia serikali inasema tuwe na umoja, tuungane. Na kama watu wanaungana, serikali wanasaidia wale wanaungana. Lakini kikundi wanaungana akina mama, wanaungana, wazee wengine wanajaribu na wanaelezwa; “mkiungana na mkifanya hivi, serikali itafanya hivi, itafanya hivi” vikundi inangoja miaka yote. Hawa wanaanzisha kikundi, wengine wanaenda kutafuta mambo mengine, wengine wanaingia wanadanganywa, wengine wanaingia wanaambiwa watamfanya hii lakini hakuna kitu wanafanya. Kwa hivyo hii mambo ya Community, wale wanaangalia mambo ya community, wawe wanaangalia vizuri, sababu wale wanakuja kueleza watu, wana waeleza lakini, wanawadanganya. Yale mambo wanaongea yote ni ya uwongo. Kivau anasema mkianziasha labda small businesses, mkianzisha kilimo, tutamtafutia mkopo, labda mfereji ya maji ama tutamtafutia pesa mpewe mkopo muendeshe, lakini watu wanadanganywa mpaka anaenda kuuza ng’ombe nyumbani, ama anauza shamba akaendeshe ile kazi kwa sababu alianzisha. Kwa hivyo wale wanaunganisha watu, wawe katika vikundi, wasiwandanganye. Labda kama ni kuchelewesha, wacheleweshe mwaka moja ama miezi michache halafu baada ya hiyo waone kile walikuwa wanataka kufanya, waone wafuata. Kwa hivyo, ile serikali tunataka, si serikali ya kudanganya watu. Sababu kama serikali inadanganya hawatakosa kuona watu wanapigana, hawatakosa kuona watu wanaiba, hawatakosa kuona watu wanafanya maovu mengi sababu yale makosa sio kutoka kwa raia, ni kutoka kwa serikali na kiongozi, sababu ya kuwadanganya, kuwaambia maneno hii na wananyamaza. Na kama mtoto analala na njaa siku moja, siku ya pili

mzazi anamwambia ngoja nitakuja na unga, nitakuja na mboga, analala.

Siku ya tatu, atatoroka tu. Mahali atakuta chakula, hata kama ni kwa nani, atachukua. Kwa hivyo, serikali mkiona raia wenu wakifanya maovu, msiseme ni wabaya angalieni kama ni nyinyi wabaya ama ni watu sababu watu sio wabaya na wanaogopa authorities sana na kama wale wako na mamlaka ya kuwaongoza, hawataki kuwaangalia, wataendelea tu na kufanya maovu. Kwa hivyo, ile serikali tunataka, iwe ni serikali ya kuona nchi yote ya Kenya, tutafanya nini watu wawe na maisha mema. Hasa watu wa rika, watu wazee wako na mashamba, wako na ng'ombe, wako na mbuzi, wako na kila kitu lakini mtoto ako na nini? Mtoto hana kitu. Hata vijana, wengine kwa sababu ya umaskini, hawana uwezo wa kuoa. Na sasa, mimi nikioa, tutaanza kupigana na msichana? Msichana anaona huyu akinioa, tutakaa kwa umaskini? Afadhali kukaa peke yangu. Na wazee wakiona vijana wako katika hali hiyo, wanaanza kuwaandika. Anafanya kazi kwa shamba yake anampa shilling mia tano.

Na hiyo mia tano, mvulana atafanya nini nazo? Wasichana wengine kwa sababu ya umasikini, wanaenda kuandikwa yaya, kulea watoto, yaya, na kusafisha masufuria. Na hiyo maisha yao ya kesho, itakuwaje? Na hiyo ndio sababu, hata katika upande wa ndoa, zinavunjika kila siku, hata makanisa wanasaidia watu kuishi maisha mazuri, lakini ukiwa masikini utaishi namna gani? Kanisa inakusaidia, Mungu, weka mungu mbele akusaidie. Lakini serikali nayo haioni. Inaacha tu wavulana na wasichana waone. Msichana ako na mahitaji yake, kijana ako na mahitaji yake, na bila kusaidiwa, hawataweza. Na ule usaidizi mkubwa, sio kwa mzazi, mzazi anaachana na mtoto akienda nursery. Wale wanaongoza watoto wetu ni mwalimu na serikali na hiyo ni jukumu yao kufikiri sana. Mzazi kazi yake ni kutafutia mtoto shamba, kuku na mbuzi na akishindwa, basi! Anasema serikali iangalie. Asante sane, yangu ni hayo. Namalizia kwa kusema serikali ione watu wanaishi maisha ya furaha na ya amani.

Com. Kabira: Asante sana bwana Kiviu kwa hayo mawaidha yako. Labda tungekupatia sasa Bwana D.O. wa Division Kasikeu, Karibu Bwana D.O.

D.O. Kitui: Hamjambo wote?

Audience: Hatujambo

D.O: Naweza ruhusiwa niongee (not clear)

Interjection: (Not clear)

D.O. Kitui: Okay, basi kwa Commissionersambao wako hapa, kwa Review Com.ittee, wale wananchi ambo wameweza kufika hapa, nawasalimia tena, hamjambo?

Audience: Hatujambo

D.O. Kitui: Kwa jina naitwa Ole Kutui, mimi ni (not clear) hapa Kasikeu, bado ningali mgeni sana hapa, I have only three weeks or four here. Ningependa kusema niko hapa kwa shughuli moja tu! Shughuli moja peke yake, kuwakaribisha Commissioners katika tarafa ya Kasikeu na pia kuwajulisha kazi yao ambayo wanafanya, wananchi wote wanajua hata sisi katika Provincial Administration, tuna wa-support. Kwa hivyo hiyo ndiyo sababu nimekuja hapa, singelipenda kukaa zaidi kwa vile mengi yamesemwa kuhusu administration, hata wengine watasema tunakosa kuja hapo ama tumekosa kuzungumza, kwa vile D.O alikuweco na labda ya kutoka ataniita kuniuliza, “Mbona ulisema hivyo?” So we want them to be very free wasione kama kuna intimidation yoyote hata namuona chief ako pale na uniform, na hiyo pia intimidation (laughs) kwa hivyo tutawaachia ili mpate kusema yale yote ambayo mngelipenda ifanyiwe katiba yetu. Kile tu ningependa kusema kuhusu katiba, labda wananchi wengine wakisikia kubadilisha katiba or review the Constitutional Review Com.ittee, wanafikiria ile katiba ambayo tuko nayo iko suspended. Until we get a new constitution, the constitution we have ama ile katiba ambayo tuko nayo wakati huu, bado iko na bado inatulinda sisi wote. Kwa hivyo, tunapeana yale ambayo tungependa yabadilishwe. Lakini kwa commissioner, we stay with these people (spoke kamba) Ukimuuliza mwananchi wa kawaida, ni nini anataka katiba ibadilishwa, hajui. You come to ukambani, juzi nilikuwa Coast, nilitoka Coast nikija upande hizi. Kuwa uliza watu wa Coast, especially the Mijikenda, wote watasema kile wanataka ibadilishwe ni mnazi uhalalishwe, (Laughs) Sasa kwao hiyo ni katiba. Na sioni vile mambo ya mnazi, unaingilia katiba. You come to Ukambani, kile watasema pombe, inaitwa Karop iwe free. Watu wasisumbuliwe wakinywa Karop.

Mamba ya ile kitu inaitwa Gethito, pia iwesawa. I don't know how those things, sione vile hizo vitu zinatokana na katiba. Kwetu Maasaini, where I come from, utaenda mtaelezwa kile tunataka ibadilishwe kwa Katiba, mambo ya kuambiwa hakuna Moran, tunataka Moran iendelee and that mambo ya Moran haihusiani na katiba. Kwa hivyo, in most places, the Commission will face a lot of difficulties because wale tunawaita Civic Educators, sijaona vile education ambayo wamepeana as far as the Constitution is concerned, because you find most of them, they give the opposite. Katiba inahusu maisha yetu vile tutaishi. Kwa hivyo, bado so many Kenyans need a lot of that – is my personal, not an opinion from the D.O, my personal opinion – they need a lot of education, if they will have to give out the correct views on how the Constitution will be reviewed.

Kwa hivyo, nilisema sitaongea mengi, kwa vile ninaweza ongea mpaka nianze kuweka mambo ya kazi, mtaniruhusu niwachie hapo na niondoke nikashughulike na shughuli zingine. I am in the office until 5.00 incase of anything you get me. So thank you for listening – Asante.

Hasan: Thank you very much Bwana D.O. I'll fortunately have the Vice-Chairperson of the Commission here with us in this panel, Abida Ali, and we are going to ask her to respond to some of the points you have raised but I also assure you that the Provincial Administration is also part and parcel of the Kenyan people and we also expect them to give their views in this process and even the chief and the D.O., whether he's in uniform or out of uniform he can still come and give his views. So, I

don't think there should be any bar for anybody that we are trying to segregate people. I think everybody has a right to give the views that they want to give. But on the points you have raised, I do not agree with you but I will let Abida Ali to respond to that.

Abida Ali: Asante Hassan. Bwana D.O., nitazungumza kwa Kiswahili ndio wenzetu ambao hawaelewi Kiingereza waelewe. Tuna shukuru kwamba umefika ili kutukaribisha katika mkoa wako na ingawa tunakubaliana nawe kwamba kuna haja ya elimu ya raia kuendelea, tungependa kukuhakikisha kwamba katika constitutencies ambazo tumetembea wananchi wanaelewa ni mambo gani wangetaka yabadilishwe katika katiba. Kwa hivyo pengine mawazo yako na yetu, yanatofautiana but from experience, hata tangu tumefika hapa na kwanza kazi yetu, saa tatu unusu, hadi wakati huu, hawa wananchi unoona hapa, wamezungumza mambo yakikatiba na wanaelewa sawa sawa. Na pia, pengine utaona ajabu katika district zile tumetembelea za sehemu za Ukambani, hakuna mtu ameomba pombe ya kienyeji kuwa legalised. Kwa hivyo ukiwaona watu hawa ni watu ambao wanaelewa kama pengine wamesomeshwa kiasi au wamesomeshwa zaidi but they know. Na kama ulivyosema, ni kwamba katiba inahusu mambo yetu ya kikawaida. Kwa hivyo you can be rest assured that we are getting very good views kutoka kwa watu ambao wako hapa na tunakushukuru na mumshukuru chief na pia tungependa kukueleza kwamba Civic Education itaendelea hadi tumalize kazi ambayo tunafanya. Ahsante. Pengine Dr. Kabila angetaka kusema chochote. Thank you.

Com. Kabira: Well ahsante sana Abida. Sasa nafikiri tunaweza kuendelea na ile shughuli nyingine ya kuchukua maoni na ningetaka sasa kumuita Bwana Julius Maundu kutoka Nuane sub-location.

Julius: Ahsante yangu ni machache kwa majina ninaitwa Julius Maundu, kutoka Muane. Nawakilisha clear Women Group. Langu la kwanza ni kuhusu President. Ningeomba, kwa maoni yangu, ningeomba President asiwe ana Constituency yoyote anawakilisha. Two ni elimu. Elimu siku hizi imekuwa kali zaidi kwa wazazi. Tunaposema imekuwa kali ni kwamba mtoto akiamka asubuhi, akienda shuleni, kabla saa moja amerudi nyumbani. Ameambiwa na mwalimu mkuu, "Nenda ukachukuwe pesa nyumbani ulete" Na maybe ulilipa pesa jana. Sijui hiyo itakuwa namna gani. Tungeomba zile amri za ama constituency hizi za sheria kuhusu elimu, ziwe zikiwekwa kwa ofisi ya D.Os kulingana na any kind of association, iwe ikisomwa na kila mtu. Langu la tatu ni kuhusu Local Government; Councillor anatakiwa awe ni mtu amehitumu Form Four na awe na certificate ya elimu ya Form Four. La nne; ningeuliza kama hawa councilors ama MPs wale tunawachangua kwa sababu anachaguliwa na mwananchi kama ameonekana sio productive ama asaidie mwananchi, ningeomba iwe na Com.ittee ya tukiandika barua ya vote of no confidence na tuna-elect mwengine. Kwa sababu akikaa pale kwa ile miaka tano, mwananchi ndiye atazidi wa kuumia. Halafu la tano ni kwamba naongea kuhusu chief act. Naona kwa upande yangu mi naona ni afadhali chief act iwe irudishwe sio vile ilikuwa imeondolewa, kwa sababu ulialifu mwingi umekuwa kwa sababu ma-chief wengi wamekuwa, hawana powers kwa kulinda mwananchi. Two hapo, kwa upande wa chief act; chief, assistant chiefs, ningeomba wawe wakienda transfer like other civil servants. Kwa sababu akikaa pale kwa location yake ama sub-location, hapo ndio ana-encourage watu kuwa wanafanya yale maovu. Ya sita: Serikali ya Kenya, kama mtu either ni MP ama ni Permanent Secretary ama ni nani, na

umemisuse pesa ya Ministry ama ya any other association either society, huyo mtu tunaomba awe akifikishwa kortini na anafungwa na mali ile yake inaenda inachukuliwa inarudishiwa mwananchi.

Ile ingine ni: Any association ama society kwa sababu kuna watu wanachaguliwa mahali na wanasumbua wananchi. Anachaguliwa na hajui katiba ya Kenya inasema namna gani. Kama ni association, tungeuliza zile yaani mtu akichaguliwa sababu katiba ya Kenya inasema association iwe ikichanguliwa after one year ningeuliza kama hiyo inaendelea mpaka wa saa hii iwezikiwekwa kwa ofisi za D.O. na mtu akitaka kusoma anaenda ananunua pale na anaenda kujisomea yeye menyewe. Langu la mwisho nitarudi pale kwa elimu tu. Ofisi ya D.O.s na A.O. ama ofisi yoyote ya education mimi naona wanasumbua mwananchi kabisa. Kwa sababu gani? Kwa sababu, unakuta kuna pesa saa zengine zinaitwa za levies. Unakuta saa zingine mtoto anaambiwa aende akalete hizo pesa na hizo pesa kama ni za levies office either za D.O. Offices D.E.D. mimi sioni zinasaidia mwananchi. Na hazisaidii mtoto kwa hivyo tungeuliza hizo vitu ziwe clarified kwa mwananchi ni za kufanya nini ama nini zinaendelea. Na mimi nitakoma hapo. Asante.

Ahsante sana. Nelson Mayoli. Nelson Mayoli? Amerudi Councillor Justus Ngoromo?

Interjection: (Not clear)

Umerudi? Basi utakuwa baada ya Nelson, eh?

Interjection: (Not clear)

Nelson: Nami kwa jina naitwa. Nelson Mayoli kutoka kiu location Muane sub-location.

Background Interjection: (Not clear)

Nelson: Maoni yangu nitaanza kwa President. President akichanguliwa, awe hana constituency. Na President akiwa kazini kwa hii miaka mitano asiwe na madaraka katika serikali. Akifanya makosa wabunge wanaweza kumfukuza. Ya pili, Vice President. President naye achaguliwe kama mbunge. Akisha chaguliwa kama mbunge naye vile vile awe hana nguvu. Akifanya makosa anafukuzwa na wabunge wenzao MPs. MP naye awe hana mamlaka kwa watu wa constituency yake. Akiwa hafanyi kazi kwa njia ifaayo wanaweza kumfukuza. Na yeye wakati wa campaign MP naye awe na kiwango cha campaign. Vile vile, hata president awe na kiwango cha campaign. Tatu, local Government. Local Government ni kama assistant chiefs, chiefs naye awe anapatiwa transfer kama watu wa Serikali na kuwe na (not clear) awe anapatiwa mshahara. Akipatiwa mshahara awe naye amechaguliwa na watu wa sehemu yake. Na akifanya makosa, awe anaweza, huyo (not clear) akifanya makosa anaweza kafukuzwa na wachague mwengine. Nne Police. Mtu akiwa na makosa awe anapewa ruhusa ya kuandikisha statement na asipigwe wala asilazimishwe hata kidogo.

Sehemu ya tatu. Hali ya elimu. Watu wa huku shambani wako taabani sana. Elimu ishakuwa kama tunafungwa, kwa sababu katika ofisi ya elimu hawajui watu wa kawaida ni nani. Kazi yao, kuanzia mwalimu mkuu, tunataka (not clear) pesa kidogo ya mtihani na awe anapatiwa siku tatu, ya nne ni mwisho. Siku ya mwisho ikifika kama siku ya nne ni watoto kufukuzwa. Katika hali ya katiba, ningependa iwe mtoto hafukuzwi kwa shule. Akiingia kwa shule anasoma mpaka wakati wa kutoka kwa shule naye mzazi akiwa hataki kulipa pesa, apelekwe kortini na awe anapatiwa kwanza notisi safari tatu. Akikataa kutoa pesa, apelekwe kortini badala ya mtoto kufukuzwa, kwa shule nayo, masom inaendelea naye mwalimu naye akikataa kupata watoto kwa darasa yeye, kazi anaendelea katika elimu naye mwalimu mkuu apaswa akae kwa shule moja miaka mitatu na ikiisha apatiwe transfer pamoja na mwalimu yake mdogo. Asiwe atakaa kwa shule zaidi ya miaka tano ataendelea sio kazi anafanya ni kama mahali tu anakaa kwa sababu ana kila kitu, anajua kila mtoto, kila mzazi hata saa zingine akimfukuza mtoto kwa shule, aweza anasema, “Oh, rafiki yangu, anamwacha watoto wake, anafukuza wale wengine kwa sababu anasema rafiki yake. Kwa sababu wanaingia kwa bar pamoja. Wanakula pamoja, basi rafiki yake. Na hayo nakoma hapo.

Com. Kabira: Ahsante, Bwana Councillor now you can come. Tulikiwa tumekuita wewe lakini nafikiri ulikuwa umetoka kwa hivyo utatu.

Councillor: Basi kwa ma-Com.issioner wetu, wananchi (greeting in Kamba)

Audience: (Answer in Kamba)

Councillor: Hamjambo?

Audience: Hatujambo

Councillor: Yangu ninasimama hapa nitoe maoni na maoni yangu ya kwanza ni; Mtu yeyote akiwa chairman wa kampuni kama (not clear) kama kahawa, akipatikana na hatia ameharibu kampuni akiwa chairman, atolewe na asipelekwe pahali ingine na apelekwe kortini alipe mali hiyo ameharibu.

Ya pili. Mtu yeyote hapa Kenya astahili, na kuwa na shamba ya acre elfu mia moja na kwenda mbele. Wale wengine jaa wakitaabika. Wale wazungu wamezaliwa hapa Kenya wamepewa title deed ya miaka 100,000. Hiyo ni mbaya. Wapewe miaka ile inastahili kukaa kwa hiyo shamba na wanastahili wakae na acre 30 na zile zingine zipewe mwananchi wa kawaida. Hata kama ni kununua, tutanunua na pesa ile tunaweza.

Ya tatu: Local Authority kuna kifungu Cap. 265 ndio imemaliza council za Kenya. Tunasema itolewe na zile pesa inakusanywa kwa masoko tunasema irudi kwa mwananchi kwa njia ya kutengenezewa bara bara na njia ya material of the schools na njia za

busary. Na ma-councillor ule atakuwa kwa kiti hata kama ni nani, pesa yao itoke kwa pahali wajumbe inatoka. Nakuja kwa mne Chief, assistant chiefs, ninauliza wawe wanachanguliwa na wananchi, hata kama wanachanguliwa watatu ndio waende wakafanye interview huko kwa ofisi, ndio wakuje kufanya kazi kulingana na matakwa ya wananchi. Wajumbe wale wako kwa bunge na wale watakuwa kwa bunge nataka wakizungumzia kitu kwa mbunge, tuseme kwa mfano, wamekubaliana wale wabunge 222, eti huko Kasikeu ama Kilome, tunataka sipitali na imepitishwa, ninasema hatutaki kuona akienda kwa minister akaulize tena ama kwa Permanent Secretary.

Ya sita: Wale wazee wa kijiji ndio wanafanya kazi nyingi kuliko assistant chief, wawekewe mshahara, walipwe, wafaidike.

Mambo ya shule: Ninaongea kuhusu school fees ya secondary. Imepanuka sana, school fees ya secondary ikawa mtoto atakosoma ni wa tajiri. Kwa hivyo ninaomba iteremshwe. Mambo ya councilor. Councillor: anachaguliwa na wananchi, awe amesoma awe hajasoma ule wananchi wametaka, ndio huyo. President na mjumbe. Mtu kama mjumbe amefanyia wananchi nzuri na amerudi kwa kiti, wananchi wenyewe wanamrudisha amerudi tena? Hata President, namna hiyo. Tunasema mtu atolewe kwa kiti na kura. Si ati na degree. Kuna watu wana degree na hawawezi kusaidia watu. Ya mwisho kabisa. Primary Schools, Wananchi vile wamesema hata mimi nawaunga mkono, elimu ya primary school inateremshwa kwa sababu ya watoto kufika shule, kurudi nyumba nyumbani, kufika shule, kurudi nyumbani kwa sababu ya pesa. Tunaomba wale wanahusika, term ikianza waifanye budget yao waweke pale kwa D.O. administration office tusome pesa inatakikana ni ngapi ndio tuwalipe, watoto wetu wasiwe wanakimbia hapa na pale sababu ndio mkubwa wa elimu ndio wanateremsha education ya primary. Na kwa hayo, ninasema ni ahsante.

Com. Kabira: Ahsante sana Councillor Reuben Mutie. Reuben?

Reuben: Mimi kwa jina ni Reuben Mutie. Maoni yangu kwa kii timu ya katiba ni upande wa chief kwanza. Pande ya chief kwanza, nasema habari ya chief. Lazima awe akichaguliwa na wananchi maanake ndio atawatumikia. Si achanguliwe vile wanafanya eti afanye interview na huku kidogo unasikia jina inatangazwa kama katika province na pengine huyu mtu mnaletewa sio mtu ambaye ni capable kwa wale wananchi Ma-assistant chief pia wawe wakichaguliwa na wananchi. Kuna wazee wengine wale wanaitwa managers, wale wanasaidiana assistant na chief, hawa wanasema kazi yao ni ngumu sana kuliko ya D.O., ile anafanya maanake ndio wanajua kila nyumba, kila sehemu na wanaleta report. Nauliza ikiwezekana kwa serikali kwa katiba hii mpya, wapewe mshahara.

Habari ya education. President alisema education ya primary ni bure lakini ile malipo inalipwa kwa ile nusu nusu, kimbia lete, inashinda hata secondary schools. Hiyo kama ni bure, iwe ni bure. Kama ni pesa isemwe ni pesa, mtoto akienda shule ajue mtoto wake, akuwe ame-budget mapema ana watoto wangapi primary, budget ipangwe ya kuenda na huyu mtoto shule.

Habari ya mashamba; Nasikia kuna kamati pia inaundwa na serikali, ati mimi nikitaka kuuza shamba yangu lazima niende,

nichukuwe kamati hiyo niwalete wafanye evaluation ya shamba yangu, baada ya evaluation hiyo niwalipe pesa, halafu nianze kuuza shamba. Hiyo nisikizana na watu wangu, kama shamba ni langu, bibi na watoto iwe hiyo ndiyo mwisho. Si kamati nyengine ije, ati serikali ilichaguwa watu, ati waje ku-value na waseme bei na shamba ni yangu. Hiyo nasema haifai. Tena habari ya mashamba pia, tukifanya kesi na wewe kwa shamba na kwenda kuchukuwa wakili huko Nairobi, na sehemu munapigania hamjui. Tunaonyesha kwa meza kama hapa, shamba yangu, inafika hapa, inafika hivi na akiulizwa kwa corner fulani kuna mti aina gani, hawezi kujua. Hiyo nataka katiba iteremshwa iseme kwamba, wale wazee around wa sehemu hiyo ndiyo wanajua huyu fulani alikuja siku fulani na huyu fulani, alikuwa na shamba hii yake, ilikuja kwa njia fulani au ishikiliwe iwe hivyo hao wazee ndio waamuzi wa hapo.

Tena habari uuzaji kama kwa maduka, zamani hizo zilikuwa zile zinaitwa price control. Siku hizi hiyo hakuna. Vile mtu anataka kuuza, hivyo tu! Hati sasa mlikuwa mnafikiria mnafuatana, ndio hiyo. Na hiyo ndiyo ilikuwa inazuia kufanya magendo na magendo inazidi kwa sababu hakuna kiwango fulani. Kwa sababu kukiwa na kiwango kuuza wanaogopa, kwa hiyo kiwango. Unaweza kushikwa. Kuma watu walikuwa wakizunguka kuona kitu kama sukari inauzwaje, kitu hii kinauzwaje, ili walete bei ile ya kawaida.

Habari ya ma-councillors. Wawe watu ambao wanahitimu form form mtu anaweza kujiandikia na kusoma. Pia mshahara wao sio ati tungojee soko inauzwa nini ili tuwape mshahara pale. Mshahara iwe ikitengezwa, kama mimi siku zingine na mshahara huo, pesa inakusanywa pahali pesa inakusanywa iko na shida. Kama barabara mkitembea, hapa mnaona vile ilivyo, na mashida pia ya shule. Hiyo pesa ya ma-council inakusanywa kwa masoko igawe kama ni soko kasikeu inakuja ni maelfu ngapi, soko ile ingine ikawa ije ikasaidia hapa na kama mabarabara itenatengenezwa iingie kwa mashule kama busaries ambapo kunaweza hata kununua madawa kwengine kule. Kuna hospitali ya mission, inaweza kusaidia pia. Si ati wangojee mshahara pesa ikisanywe ndio wapelekewe wapate mshahara. Watu wakichagua mbunge si vile iko siku hizi, ati sasa mtu akija kama ule Commissionerswa Bunge, halafu mimi nakuja ninasimamia Bunge, anaambiwa kama in wa chama kama Kanu, anaambiwa, kwenda tulettee fulani. Kama mimi hivi, ukienda kule, lete fulani na ukikosa kumlete, basi mambo yako hatujui itakuwa namna gani na mimi wananchi hawanitaki Je, wakichagua ingine, na huko aliambiwa yeye yuko hatarini, kwanza hata maisha yake inahatarishwa, hiyo itupwe na itaktwe kabisa. Wananchi ndio wanachagua mtu anakuja kuwakilisha wao. Si kuletewa mtu awe ndiye anakutumikia na huku hamuelewani na mwenye kukuletea, yeye ameenda zake. Zile shida ziko pale hazijui. Sasa kuwe kama democracy. Tunataka wewe, wewe. Pia yule atakuwa President hata akiwa mtu wa constituency Fulani, awe yuko independent na achaguliwe na wananchi maanake ndiye atawatumikia. Akiwa ni mtu wa constituency Fulani, vile vitu atakuwa amewachia hiyo ndio line ya kupitia kila kitu, pesa, nini na everything, atakuwa yote anasoma inaplekwa pande ya kwao, constituency hiyo hiyo. Lakini kama ni mtu wa wananchi, akipata kitu kama ni hiki nitakuja nafanya watu wangu, nawaambia zile nilipata lea ni hii. Mnaona tufanye nini? Wagawe.

Tena katika bunge, wakitaka hata kama ni msahara, wanakaa hapo hapo tu kama tulivyo hapa, wanasema, tunataka mshahara kiasi Fulani. Wanapitisha. Basi, inaandikwa ni hiyo hiyo tu! Kama mimi siku zingine, mshahara zikiongezwa kuna tume ile

inazunguka kama vile nyinyi mnazungukia hii katiba ati ichunguze. Inafaa watu waongezwe mshahara ama nanma gani? Kama vile juzi, wabunge waliongezwa mshahara na watu wengi wakafutwa kazi na hawa kufukuzwa na hawa kupewa pesa wanafukuzwa wanaenda kukaa wanaambiwa kwenda ngojeeni? Sasa hii ngojeeni, ile pesa walikuwa wakilipwa pengine ndizo hizo hizo zinarudi kulipa hawa. Na tena, mashida watu hawa ni binadamu kama wale pia. Wana watoto shule, wanashida binafsi kama wengine. Na hawa wanafutwa, kama ni watoto wao sasa wako nyumbani. Wengine hawasomi. Sasa watasoma ya nini na mshahara hapo ndipo walikuwa wakitengemea? Hakuna kitu.

Tena nasema habari ya elimu, nilikuwa nafuatiza kitu ingine nabakiza elimu, pengine mnisamehe nirudie. Kuna shule inaitwa Starehe boys. Hiyo Starehe Boys ilikuwa shule kwa wale watu, hawajiwezi lakini kwa leo, hiyo shule inakuwa ya matajiri. Ati ukitaka mtoto aende pale, unaandikisha mtoto kabla mihani hujafanywa na kama hii division ya Kasikeu, wanaweza kuchukuwa mtoto. Inginge namna hiyo na hii watoto wanafaa hata kwenda huko. Sasa matajiri utawapata kule na wao hawaandikishi hivi, hawaandikishi kabla mihani. Anakwenda na kuingiza mtoto wake kwa pesa tu, anaingia. Mkiingia Starehe, mtakuta watoto wengi pale ni watoto wa matajiri na hiyo pia ningetaka iwe vile ilikuja na njia ilivyo. Nazungumza habari ya watoto wasichana. Mtoto msichana kama hajaolewa ni sawa na wavulana na mji huo.

... na bwanake au na familia hiyo anaendea. Kwa hivyo, naonelea kwangu, mtu msichana yule hajaolewa ni sawa na wavulana wa mji huo, wa boma hiyo. Yule ashaolewa, akajitafutie pahali pake. Na ni hayo kwa kupa mengi mnisamehe pale. Ahsante.

Com. Kabira: Ahsante John Ngili?

Intejction: Ametoka kidogo

Com. Kabira: Okay. Julius Nzuve?

Julius Nzuve: Nakwa ne nena kwa kikamba

Translator: Mimi nitaongea kwa Kikamba.

Julius Nzuve: Kwe swita ne tawa Julius Mutuku wa Nzuve

Translator: Kwa jina anaitwa Julius Mutuko Nzuve.

Julius Nzuve: Mbee neamba unena yulu wa muthanga

Translator: Kwanza nitaongea juu ya mchanga.

Julius Nzuve: Nthino nyitu ya Kenya ne nene muno na hadu ala mevyu ne hadu ah nini na kwoyu hadu ala mevu waele kwithia twina maximum ya uthiwa ne twisi mudu ena heca theana

Translator: Nchi hii yetu ya Kenya ni kubwa na watu si wengi na iko na mchanga mwingi. Kwa hivyo, nasema kila mtu awe na sehemu;

Julius Nzuve: Na kela mudu haenewa title-deed

Translator: na kila mtu apewe title deed.

Julius Nzuve: Wesikwithia kela mudu ne wathukuma muthanga husu wake nna ne wathii kwosa maloan kula haundu muosa loan

Translator: Iwe ni kwamba mtu anafanyia kazi kwa hiyo mchanga na kama ni loan, aende akachukuwe loan.

Julius Nzuve: Kela ke'nge ne yulu wa athukumi haa ma serekale

Translator: ya pili, ni juu ya watumishi wa serikali.

Julius Nzuve: Weetha mudu ne waathi uthukuma na serekale ethukwa atwika Assistant Chief kana DO kama PC ndaele kwithiwa ena business vaandu

Translator: Mtumishi wa serikali yeyote hapaswi kuwa na biashara,

Julius Nzuve: Nudu ela wena viashara husu ndakathukuma nesa nudu akethwa aanitye chingo chake

Translator: Kwa sababu wakati anafanya biashara, hatafanya kazi kwa sababu amegawanya akili yake kwa kazi na biashara.

Julius Nzuve: Kela ke'ge ne yulu wa afunguwa

Translator: Nyengine ni juu ya wafungwa.

Julius Nzuve: Wethuya ne vatontheka ne valetwe kwithuya ve kamati ya usisya afunguwa huudu ma komaa na huudu maamukaa

Translator: Kama inawezekana, kuwa na kamati ya kuangalia vile wafungwa wanafanya kazi, vile wanalala na vile wanakula.

Julius Nzuve: Anga neye ne viikaa oh vau

Translator: Ahsante ni hayo.

Com. Kabira: Ahsante sana Julius . Fredrick Makao Mutinda

Fredrick: Kwa jina ni Fredrick Makao Mutinda kutoka Muane sub-location.

Ya kwanza mimi naongea juu ya strength or power. Mimi nataka yule rais ataingia asiwe juu, asiwe above law.

Ya pili: Rais wa nchi asiwe na safari nyingi za kuenda nje kwa sababu anatumia pesa zetu. Kwa kuwa anaweza kuwa na mkutano nje na ni wa siku mbili, na atoke hapa wiki nzima kabla mkutano haijaanza. Analala lake huko njiani, hizo ni pesa zetu anatumia. (laughter).

Ya tatu: Sisi wanaKenya tunashangaa sana. Mtu akipewa kazi, anafanya hiyo kazi na kazi iharibike kwa sababu ya wizi wizi, ile kuibaiba. Sasa huyu mtu akifukuzwa kazi, Rais anachagua bunge ya kufuatilia hayo maneno. Sasa hiyo bunge ikipewa kazi, sisi hatuoni matokeo yake na pesa inaendelea na kutumika. Kwa mfano, kuna ile inaitwa Goldenberg ile scandal, sasa hiyo kitu, watu walikula pesa zetu na bado ni wafanya kazi ya serikali. Kwa nini hawakutolewa kazini na walitumia mali yetu? Ile ingine, hiyo ya shule. Sisi kama wakaaji wa Kenya, sisi tunashangaa sana. Sasa nchi kama hii, sisi wakati tulikuwa naitisha uhuru, tuliambiwa tutapata elimu ya bure. Hiyo elimu sasa imepandishwa hata yule mtu wa kawaida hajimudu.

Ile nyengine ni mashule. Sasa kama hii district yetu ya Makueni, haina hata shule moja National school na serikali ilisema wanafunzi wakifanya mtihani, 85% ichukuliwe huko kwao. Sasa hii 85%, wale watu watasoma watachukuliwa wapi na hakuna mashule hapa? Hiyo tuangalie kama ni national case, igawe kati kati. Hiyo nyengine ni hiyo, hapo hapo, tu kwa elimu. Sisi tunashangaa sana, elimu iko na wizara yake ya ya elimu na sasa D.O akiwa Makueni anatumia pesa hapa kwa wazazi. Tupatiwe pesa ya maintenance office maintenance. Hii serikali haigawii pesa hiyo pesa ya Makueni. Sisi tunashangaa sana. Saa hii hata asubuhi watoto walikuja wakasema wanataka shilingi 31 ya kuenda Makueni sasa hii pesa kama hao watu wanapewa pesa za serikali, hizi zengine ni za kufanya nini? Tunataka kama ni serikali inaitisha hizo pesa tuone kitu iko na mpango. Kama ni pesa, tupewe risiti lakini si pesa ya exercise book.

Ya tano: sasa sisi tunashangaa sana kama watu wa Ukambani tukiwacha tuseme, sisi tualima natuko na mashamba na tukilima, tunashangaa sana sababu msimu uliyopita tulilima mahindi mingi sana. Na mahindi ikateremshwa ikawa shilingi tano hata shilling tatu. Na ukihesabu gharama ile uliingiza kwa shamba, huwezi kupata kitu ukiuza hii mahindi kwa shilling tatu. Sisi tunataka ile serikali itaingia itafutie sisi masoko lakini si chakula ya sehemu Fulani inateremshwa, pande ingine inapandishwa. Hiyo ingine ni juu ya administration. Administration, especially chief na assistant chiefs na hawa askari wa AP, sisi tunashangaa sana mtu

akifanya makosa halafu wewe uende upige ripoti huko kwa serikali, unasema unataka mtu akachukuliwe kwa sababu ya fulani fulani amekufanya hivi na hivi na ni karibu tu. Unaabiwa uweke gari mafuta. Sasa hii gari, serikali imepeana pesa nyingi kuweka mafuta mimi? Huyu mtu ukimpeleka pale labda unam dai shillingi mia tano. Unaenda mnakaa chini, mnazungumza, wewe unaitishwa ile uji ya wazee, shillingi mia nne na huyu mwingine mia nne na wewe ulikuwa unadai mia tano. Ulikuwa unachukua hii pesa umpe huyu mwana serikali ama ulikuwa unadai yako? Sisi tunasema hatutaki, kama mimi, kangaroo court ziondolewe kabisa huku. Mtu akipatikana na makosa apelekwe kortini. Ile ingine, ya hospitali. Sasa vile mnasikia magonjwa yamekuwe mengi sana na hospitali zote za serikali, tulikuwa tumeambiwa tutakuwa tunatibiwa bure, lakini saa hii serikali inaitisha cost-sharing. Sasa hii cost-sharing, ni sawa tu lakini hawajui yule wanaitisha cost-sharing ni nani. Pengine ninaweza kuwa nimetoka kilometa tano kwenda hospitali, sina hata hela ya kuingia kwa gari. Nikifika hospitali mimi naambiwa, “Wewe uko na ugonjwa ya typhoid, hii na hii na hii, leta shillingi mia nne tupatie dawa”. Sasa mimi nauliza serikali imeacha kujali masilahi ya mwanachi. Kama utawacha watu wakufe na magonjwa, mtatawala nani? Yangu mimi nasema, serikali ipeane dawa bure ndio watu wafaidike.

Ya nane: Juu ya wabunge. Maoni yangu ni naona wabunge wamejipatia pesa nyingi. Hii pesa ya MPS imekuwa mingi zaidi kwa sababu hata hao watu tukihesabu ile siku wanafanya kazi kwa mwezi, ni siku kumi au siku kumi na sita. Na unakuta mtu mwingine mwalimu ndio amesomesha huyu mbunge. Mwalimu alisomesha mtoto na anakatazwa pesa. Mwalimu anapewa shillingi elfu nane, M.P. anapewa shillingi elfu mia tatu. Maoni yangu, nasema mwalimu aangaliwe na M.P. apatiwe ile pesa inaweza kusaidia watu wake halafu atufanyie sis kazi vile tumetuma wao huko. Kwa sababu tunashangaa, mtu anaenda tunasikia iko pesa imetolewa ya mabarabara. Sasa hii pesa serikali ikipeana iwe inafuatiliwa kuona kama hiyo pesa inafanya kazi. Iwe na tume ya kuangalia hiyo pesa, kufuatilia kama hiyo pesa inafanya kazi. Sababu mtu anapewa pesa, anaweka kwa mfuko, analeta tractor hapa, anaweka mafuta elfu tatu, anasema pesa million tano imekwisha. Hiyo tunasema pesa iangaliwe ifanye kazi. Katiba, hiyo ya mashamba: sisi tunashangaa sana Kenya kuona watu, ni kama hawa watu wako kwa army, hii army officers. Mtu alikuwa anaandikwa, analipwa pesa huko halafu kama ikikuja wakati wake wa ku-retire inafika, anapewa mashamba kama elfu kumi ekari. Sasa huyu mtu anapewa shamba ya nini na iko mtu mwingine kama mimi niko na nusu acre. Tunasema kama mtu anataka kulipa pengine mtu alipwe tu pesa, si shamba. Mashamba ni yetu. Hiyo mimi naona ikifanywa hivyo itakuwa mzuri. Hiyo nyengine ni hiyo ya councilors. Councillor wawe wamehitimu form four, na ikiwezekana kutoka C kuenda juu. Lakini si councilor yule anakuja tumbaku. Sababu tunaona mkienda huko kwa councilor huko Makueni, vitu inanyanga’nywa kinguvu siku hizi si kalamu. Na wewe kama hujui kukoroga lugha, watu watakoroga lugha ukiwa hapo watawale mali uwe wake. Kwa hivyo tunaona Councillor awe mtu amehitimu sawa sawa. Lugha yoyote ikisemwa awe anasikia lakini si gumbaru.

Na ile mshahara yao, saa ingine serikali iangalie kama vile mwingine alisema, mshahara yao itoke huko lakini si walipwe kwa county council. Sababu saa ingine tunawaonea huruma sana, tuko na miezi kumi hatujalipwa, huyu mtu ako na watoto wako shule, kwa hivyo waangaliwe. Na ile ingine ni ile pesa wanapewa huko ya kuja kusaidia mashule huko na barabara. Hatujui inafuatwa na nani. Mtu akipewa elfu mia mbili anaweka kwa mfukoni tu! Anakwenda huko, anakuja huko, anajenga choo

moja.

Ile nyengine yote anaweka kwa mfuko. Pesa ni zetu, zifuatiliwe tuone kama imefanya kazi. Na hiyo yengine, ya mwisho ni hii title deed. Tunaona hii serikali yetu haigawi cake sawasawa. Sababu Ukambani hatujui ni wapi watu wako na title deed. Ukambani mzima na ukienda Kikuyu wote wamepewa title deed. Hao watu ndio wanatumia pesa za serikali. Sababu wanaenda wanapewa ma-loans ndio, sababu unaona Wakikuyu ni matajiri, Wakamba hatuna utajiri. Kwa hivyo tunaona hii serikali iwe ikifanya mambo sawasawa, katikati. Na ikiwa President anaenda trip hatujui hizi pesa anaenda akifika mahali akihudumia watu anatupa hivi, hatujui ni za nani. Hizo pesa ni zetu. Hatutaki pesa zetu kutupwa tupwa ovyo ndio sababu unaona economy inarudi chini.

President awe akitumia pesa kwa mpango lakini si kutupa tupa pesa zetu ndio kwa sababu unaona hatuna dawa, hatuna masomo, sasa hii nchi itarudi mahali tulikuwa zamani. Watoto hawatasoma tena sababu kama hakuna mali mtoto atasoma na nini? Kwa hivyo mimi naonelea pesa zetu zitunzwe, the President atumie mali yetu vizuri. Ahsante.

Fredrick Makao Mutinda. Are you here? Ibrahim Kimanga?

Ibrahim Kimanga: Kwa majina naitwa Ibrahim Kimanga. Yangu ya kwanza ni kuhusu Rais. Nataka Rais akuwe na miaka kuanzia 45 mpaka 55. Ya pili. Nataka Rais awe na kazi moja tu, sio awe ndio Chanellor wa University, awe ndio anapewa kazi nyingi. Iyo kazi apunguziwe. Iyo kazi yake iwe rais tu, aangalie nchi. Nataka Rais asiwe mbunge wa sehemu fulani, kama amechaguliwa kama Rais na alikiwa mbunge wa mahali Fulani, mahali alikuwa pachaguliwe mtu mwingine, kwa vile akiwa Rais haingii kwa bunge na hatatetea watu wake. Wakati wa campaign, mali ya serikali isitumiwe na mtu yeyote hata ikiwa wewe ni Rais, usitumie gari za serikali, mali yeyote ya serikali usitumiye. Tumia mali yako wewe mwenyewe. Pia pesa, nataka ziwe na picha ya mwanzilishi wa taifa hii. La sivyo, waweke kitu ingine lakini si picha ya President mwingine. Mzee akifikisha miaka 60, hata ikiwa hakuwa akifanyia kazi serikali ama hakuwa wakitumikia serikali, inafaa apewe pension kwa vile hata kama ni shamba alikuwa akilima, alikuwa akisaidia serikali. Awe anapewa pesa kiasi fulani kwa vile saa ingine ako na mahitaji yake, pengine wajukuu wake wanaowa, anataka pengine apate pesa kidogo yakupeleka mahari kwa huko kwa nani, kwa huyo mjukuu wake na ... hiyo ndio unaona saa ingine, mabibi za watu wengine hiyo wanadharau sana, wazee, kitu wakipeleka kwa vile hakuna kitu chochote walitoa, walipeleka kwa wakwe zao. Kile kingine, watumishi wa serikali wasifanye biashara kwa vile wakichanganya biashara na kutumikia serikali, itakuwa hawatafaidi mtu yeyote kwa atakuwa amegawanya akili yake pande hii na pande hii kwa hivyo hatatumikia watu vizuri. Mbunge awe na miaka kuanzia 35, mapka 55. Uchaguzi wa ubunge na udiwani ufanywe pamoja na wa Rais utengewe siku yake na sio lazim uwe na chama ndio ugombe kiti cha urais ama cha ubunge ama cha udiwani, kwa vile imekuwa kama biashara. Watu wengine, unaenda una picha, unataka chama hii ikusponse, wanakataa. Ukienda huku wanakataa, kwa hivyo maoni yangu naona unaruhusu ya kuingia bunge ikiwa huna chama. Ma-chief na assistant chief Kwa vile ni watumishi wa umma, inafaa, wawe wanapigwa transfer kama vile wakikaa mahali pamoja, watazoena na hao watu na pengine watanyanyasa wengine. Kwa maoni yangu, naona serikali isomeshe mayatima.

Pande ingine naona kuudwe kamati ya kuchunguza mishahara ya wabunge ama watumishi wengine kwa vile wabunge ndio wanajiongezea mishahara na wao wanafanya kazi siku kumi na mbili tu na wako na mishahara kubwa na wengine wanaumia. La sivyo, nao wao wafanye, wawe wakiwa wanafanya kazi kama watumishi wengine. Kuanzia Jumatatu mpaka Ijumaa. Mambo ya cost-sharing. Hiyo iondolewe kabisa. Nataka kusiwe na uhuru wa kuabudu, kwa maana makanisa yakuja iko na mambo mengi. Lazima kwanza hiyo kanisa ikiingia, inachunguzwa kwanza vile iko. Kuwe na kamati ya kuchunguza kama nchi ina kisasi kupita na ingine kwa vile vile, mambo ikiwachiwa Rais, pengine tunaweza kuwa na rais kijana kijana, ule naye anapenda vita na anajiamukia tu kwa vile hiyo uwezo saa imeachiwa Rais na akiwa pekee yake, tunaweza kuchagua mtu ambaye ako na roho mbaya. Pande ingine, nataka wanajeshi kwa vile kama wakati huu hakuna vita, hakuna nini, wawe kazi fulani wamepewa hata ikiwa nikujenga barabara, wejenge barabara ndio wasikae bure na pia wametumia pesa zetu bure. Naona sina mengi, ni hayo tu, shukrani.

Com. Kabira: Ahsante sana, Bwana Ibrahim. Tungependa kumtambua M.P. wa hapa Kilome constituency, Bwana mheshimiwa Mutiso ... Karibu. Sijui kama utakuwa tayari kutoa maoni pia, lakini kama huko tayari, utuelezee. John Naili amerudi? Eeh, amerudi, haya kuja.

John: Nitashukuru hii kamati ya kwenda ikiteka kutaka kujua hali ya sheria za nchi hii. Mimi naitwa John Mulwa Ngili, mimi ni mkaji wa hapa Kasikeu na nimesikia watu wengi wameguzia wakisema President awe na miaka 45 ama 55, lakini kile mnasema, kiwe kiende kingaliwe asiwe na nguvu kama ni vita anataka kuanzisha kwa nchi hii, aanzishe bila kuita, wabunge wa chi hii, kwa sababu tukimwachia mamlaka yote, itatubidi atugonganishe na nchi ingine kama Tanzania. Kama tumepea uwezo nyingi, atakuwa hana nguvu, wabunge wetu wawe ndio wako na nguvu ya kuangalia kila kitu inaweza kuendeshwa na President, kwa sababu akijiita amirijeshi akijiita amirijeshi na hajasomea itakuoga kwa yule amesomea na ataweza kutusaidia kwa njia gani? Kwa hivyo, tumesema iwe haina nguvu zaidi ya hiyo kama ni, nazungumzia kama ni assistant chief, chief na D.O., wawe wanachanguliwa na wanachi na wawe kabila ile wanafanyia kazi na isiwe mtu awe ni Mjalu na awekwe sehemu ya Ukambani. Hatakuwa akielewa tabia za wakamba.

Ile ingine nimezungumza maoni yangu ni kuzungumuza. Uko na watoto wawili, mwanamum na kike, na wameenda sehemu za ngambo. Wakianza kurudi, mwanamke anaweza kurudi na mschichana amezaa akiwa huko ng'ambo akisoma na akifika airport ana matatiso, anaanza kuaambiwa hii mtoto angewacha wapi? Kule ng'ambo nje, na hii haiwezekani, kwani wanaume wakienda ng'ambo siwanakuja na mabibi zao? Huku nyumbani? Kwa hivyo, tunatarajia mwanamke na mwanamume wapewe uwezo mmoja. Wawe wanaweza, ukiwa uko ng'ambo na unapata mwanamume yule anakupendeza, unamleta Kenya na anakuwa mwana Kenya. Anakuwa Kenya citizen, iwe namna hiyo.

Ile ingine ingezungumzia ni hali ya wabunge. Wabunge wameendelea nakujipatia mishahara mikubwa nayo walimu wakiendelea na kuumiya, kwa hivyo tungeomba mishahara ya wabunge ni kubwa mno na mwalimu anahangaika hapa nchini na ndio

amesomesha akafikia kuwa mbunge. Ile ingine, nikuwa wabunge wawe wakifanya kazi from Monday to Friday kama kazi ile ingine sababu hii yao ni kazi. Na mbunge awe na elimu kama elimu ya degree and above hata kama ni Profesa hatuna neno. Naye Counsellor, awe ni mtu wa Form Four.

Kwa hivyo, nitakoma hapo naniseme hiyo ikifuatiliwa na serikali, tukiingia mwaka ujao itakuwa mafanikiyo kwetu na msiwe mtatucheleweshwa mkitwambiya katiba mnatengeneza kumbe sio katiba mnatengeneza, mnarudia ya zamani. Naye ile ya zamani iko na maovu mengi sana ama makosa mengi unasikia ufika Nairobi unaambiwa lete kitambulisho, na kitambulisho katika katiba ile tuko nayo haufanyi kazi na mtu unasikia askari akikuambia lete kitambulisho saa yote na hufanyi kazi, kwa hivyo, tungeomba vitu zingine kama hizo, tusiwe tunasumbuliwa zaidi na askari, Asanteni.

Com. Kabira: OK, Karibu Mheshimiwa

Interjection: (Not Clear)

Mheshimiwa: Eeh, kwanza ningeshukuru sana, eeh, Commissionerswalio hapa, wenzangu, eeh, wa kutoka sehemu hii ya Kasikwa Division wa kujitolea kwanza kutoa maoni yenu kwa Review Commission yetu ambayo tuliunda sisi wenyewe waKenya eeh, kama mjuwavyo, ulikuwa ni mkusanyiko wa stakeholders kutoka mbalimbali, kutoka makanisa, majumbe, watu kutoka takaba mbali mbali, kwa hivyo kitu cha kwanza ningependa kuwahakikishia kama mjumbe wa sehemu hii tuko na imani na Commissionyetu, tuko na imani kwamba tutafanya kazi na kutupatia, eeh, katiba mpya ama maoni ambaye tutaleta bunge na bila shaka tutasema kwamba kama yatakuwa haya maoni ya watu tutakubaliyana nayo katika bunge, ningependa kuomba radhi kidogo kwa sababu tungependa sasa kuzungumza na lugha ya kimombo ndio niweze kuweka maoni yangu kwa, kwa njia ambayo ni safi. Eeh, Review Commission, I'd like to take this opportunity first of all to thank you and present my views eeh, which I'd say that are I am not going to dwell much on eeh, certain aspects of (not clear) the views which we would like to receive. There is a whole, eeh, there is a whole arena starting from our institutions, governance, also rights affecting the people and also our state. I think as a matter of fact, we as a country, inherited a constitution from the colonial government. And all what we have today, the institutions we have in this country are institutions which we just inherited after we negotiated a document in Lancaster, we would say at that point of time 1963, the most important thing we had was we wanted to see our national flag, we wanted our independence we wanted freedom, but more than that, we had a fair constitution at that point in time which could run this country to guarantee a fair standard of living to our people.

However, change is inevitable where we have a dynamics of societies changing of the culture, of the values, the ways of doing things. Now let me just say that at the outlet, one thing which is very important is the introduction to the constitution, the spirit of the constitution is always very important, our constitution does not have a preamble, a preamble to show or rather to show the spirit, the aspiration, the wishes of the people. As we know, we all know that human beings ah, its very difficult to modify certain aspects of their feelings.

But I believe across the board, among the 43, 42, Communities in Kenya with a population of about 30 million people I think there is a burning spirit amidst these people and it is the high time this Commission considered how it can consolidate these aspirations, these cries you have been hearing here about land rights, you have been hearing about land rights, you have been hearing about how we want the governance to be. Will you please come up with a preamble and for that matter, let it not reflect the interests, the aspirations of a particular group, let it be all inclusive, to show the nationhood of this country and for that matter something which is very important, I think we should make our preamble to be secular, that is it should not lean on any religion or creed or faith, I think that would be very important. I think, let me just come back abit, and say that if it was not a conflict of interest, kutoka madhehebu mbali mbali, labda, hii Commissioningemaliza kazi yake. So in the same way, I think the spirit should be very clear when you bring out your documents, let's first of all have immediately by inspection the preamble to be very big welcoming, let us show the spirit and let it be secular, and, besides, that we have all the fundamental rights, haki zote za kibinandamu zimewekwa katika fundamental rights, katika ukurusa wetu wa katiba and that is ok.

Na uhuru wa kuabudu, uhuru wa kufanya biashara, uhuru wote, all the human rights, I think in one way or another, they have been covered. But there is more than that because these are rights which can be enforceable, they are fundamental, they are guaranteed also under classical declaration of the Human Rights and all these rights I think somehow they have been reflected in our constitution but also I think there is one still which needs to be guaranteed and this is the freedom of owning property, I think we should make the right to own land and the right to own property to become a fundamental right because there is no way we are going to have the confidence of the people if you can be dispossessed by a law by an act of Parliament then I think, we shall not be doing much as far as investment in this country is concerned. So as far as that one is concerned, I would like to add this small addition about the fundamental rights, let's have the right to property or land turning to a fundamental rights. Besides, that, much as we would like to have the government, the governance, to provide for the welfare of the people, it might be very difficult to provide some of these rights, we have talked about the rights to education, we have talked about rights to health, rights to all these basic needs but we should know that all these needs, their function of the performance of the economy.

So in one way or another, we should have a guiding policy of the government of the day, we do not know x, y, z, government, whether it will be in government tomorrow or not but whoever comes to power, can he have a guiding principle and in this case I am suggesting we have the directive principles of state policy to govern the exercise of state power, let's have the guidance of state power entrenched in the directive of state principle and I have just seen a few of them which I think are very important owing to certain aspects we have experienced late.

Right now, this country is experiencing economic turmoil, recession for that matter, we would not say exactly, we cannot be able to pass the buck and say it's the governance or the government, the government is us, so when members of public, all of us are stake holders in the government, there is no government, I think we have been taught during our civic education that state compose of three elements, the first element is the people themselves, the second one is the land and then the government or the

state itself. So all these three organs compose the state hence the statement. So when we talk about tunataka serekali, tunataka serikali, tukumbuke kwamba sisi tuko bado serikali kwa sababu serikali ni vitu vitatu, wananchi wenyewe, serikali yenyewe na ardhi yetu, kwa hivyo tukisema tunataka serikali, tujue ni sisi wenyewe serikali kwanza.

Usiongee kwamba serikali ni kitu ambayo utaenda kuchukua kwa mahali kwa duka tununue, tulettee hapa, hapana, serikali ni sisi na vile tunataka. So in this case, I would suggest that, the first declaration, this principle, let's have the state secure a social order for the promotion of welfare of the people to secure a social, in other words, let's have any government or any party that comes to power to secure a social order which promotes the welfare of the people. At the same time, the second one, I would suggest equal justice and free legal aid. I think these things will be afterwards because these are experts, I think when you mention this, how we can how, they can be able to amplify them, eeh each free equal justice and free legal aid, inapeanwa kwa watu binafsi, NGOs and so on and so forth. Can it be a state function? If it is in the office of the Attorney General, let it also have a by the way guiding principle, for us to perform its duties in the definition of its function let us also provide this as a matter of force.

Then there is a third one which I will suggest as a direct principle of state policy to guide any government which comes to power let's have the right to work, from us to education, public assistance in certain cases. For example, unemployment, old age, sickness, disablement and in any other case of (not clear) This one is a very important one, as I told you earlier on we know that the directive principles are not impossible but they can be used by our courts to interpret and also guide our, our, our, faith or whichever government is in power, ah, also let's have provision of just achievement condition of work and maternity relief if it is possible. That is provision of just the main condition of work and maternity relief. If I just want to make to put one or more line, I think because of the demand and supply factor, of the job matter, some of our brothers and sisters whom we say are in employment, I would say they are working in very pathetic conditions. Eeh, because of the economics, people are just surviving, because some of these factories for example the agricultural sector, heavy industries where labour is expensive, I think the abuse of rights as far as the working conditions are concerned. I think they are too much and I think if something (not clear) society, I think we are going to have a better country.

Another important issue which we should also address ourselves is the living wage for workers that is also another issue for state policy. Let's have a living wage for workers. And this stage, I would like to amplify for him. Today, we know very well that when state is given mandate to rule it also has a mandate to take care of the welfare of the people. We are not going to have, for example, the civil servants to start moving all the way attending the meeting at the treasury of the government of the Parliament, which policies they should adopt.

Everyone has his own vocation, he has also his own employment and I think as much as they give their service to this country, they should also be rewarded accordingly. When we say accordingly, we should have a fair wage which can afford that person at least a fair living. Now recently, we have been having this tussle of teachers fighting with the government, about they need a

salary which they had agreed and even have stated. Perhaps, we don't know why the government is saying that it cannot be able to pay because some of my colleagues wamesema hapa, wabunge wanapata mshahara mkubwa. It is true, we get high salaries depending on how you perceive a high salary it is. But mimi kama mjumbe wenu, na sina loan, niliingia.

Mheshimiwa: It is true, as we get high salaries, depending on how you perceive a high salary it is. But mimi kama mjumbe wenu na sina loan, niliingia bunge four months ago and my net salary is 273,000. Ile sasa nataka, hiyo half million na million moja wabunge wanasemekana wanapata, sijaiona (laughter) si mnasema tunapata million moja?

Audience: Eeh

Mheshimiwa (Hon Mutiso): Na hiyo (not clear)? I earn 273,000 that is my net discount. Labda hata Commissionersnyingi uko na salary kubwa kuliko mimi. (Laughter). It is true but now you see, there is a mistake notion that we are paid a million shillings. Si mimi mjumbe wenu?

Audience: Eeh.

Mheshimiwa: Now in a month. I'm not trying to defend myself, my justified central bill moving from one constituency to another, just one month, na kama mnataka niwaoneshe receipts yangu (laughter) in one month, just the Petrol alone hata sijalala na sijakula. I give 120,000, petroli pekee yake. So just imagine, I'm also dependant and I also have to live like an M.P. Yah, and I'm an M.P and every weekend, I have two or three harambees. So, can you now calculate 273 halafu msembe ile mshahara M.P. analipwa ni gani. That's why three's corruption. Why? Because I have to sustain your wishes and your aspirations. (not clear). The next thing I have to do, kama vile moja anasema hapa, nikiputana na pesa ya barabara nitaleta zingine ndio niwalete kwa haraka si sawasawa? Kuna kitu ingine. Labda pesa ya sipitali, ya dawa. Nikienda nikishikwa huko, niwezesha kuangalia. I'm not concentrating on Parliament, I'm concentrating on other aspects which can get me money, so that I can be able to serve private needs of the people. So, I'll give that view when I come to the Parliamentary section. But I'm saying this for correctional purposes only. Msikuwe na hio nia ama maoni ya kusema wabunge wanalipwa milioni moja. Mshahara wa mjumbe consolidated yote ni shilingi mia tatu na karibu (not clear). Tukitoa pension, nini na hiyo mambo serikali wanakata, unapata mia mbili sabini na tatu. Kwa hivyo hiyo ndiyo pesa. Kwa hivyo kama wewe mwenyewe na sisi tunaambiwa ni baba wa constituency sasa angalia kam ni baba wa constituency and the household zile ziko huko, tuone huyo baba atagawia nani. Sasawa? Kitu kingine ningependa ku-correct, hii kama mmoja alisema hapa that President anaenda akipewa pesa, akifika mahali anapeana pesa. I think that also is very wrong. Wrong in the sense that, the President is also a person. He has also investments and also the state, kwa bunge, we give him an allowance. Kweli mtakubali President akuwe anatembea na watatu hapa?

Audience: Hapana.

Mheshimiwa: Mtakubali President akienda huko akuwe anaonekana si President ana represent (Hon Mutiso) Kenya?

Audience: Hapana.

Mheshimiwa: So, let's not fight for very small things. Hizo ni vitu ndogo. Najua kwamba yeye ndiye baba wetu, si ati Moi. Kutakuwa na wengine na wengine na wengine. Mnasikia? Moi atakuja na ataenda. Mwengine atakuja na ataenda. The country will remain. The institution of the President will remain but let's respect the institution, sasawa? Kwa hivyo, nasema let's have a living wage for workers. Hata kama inawezekana, let's have the salaries based on the inflation of this country. How? Inflation, hebu niongee kwa Kiswahili kidogo, gharama ya maisha inapimwa na kiasi cha gharama ya maisha. The living index, inflation. Kama serikali ikongeza mafuta, itathiri sisi kama wananchi. Vipi? Kwa sababu vile vitu ambavyo vinaundwa lazima visafirishwe kutoka mahali vinaundiwa viletwe wananchi. Kwa hivyo, inamaanisha kodi itaenda juu, taxes na kwa hivyo budget ikifanywa vitu vingine vitaingizwa ambavyo vinaundwa lazima visafirishwe kutoka mahali vinaundiwa viletwe wananchi.

Kwa hivyo, inamaanisha kodi itaenda juu, taxes na kwa hivyo budget ikifanywa vitu vingine vitaingizwa ambayo vitathiri kama watu. Sisi hatukai Treasury, hatukai kwa Ministry of Finance, hapana. Lakini vile tunaweza kufanya kama gharama ya maisha ikienda juu, mshahara, kama ikisemekana ni elfu tano, hiyo, mshahara iwekwe kipimo ambayo gharama ya maisha ikienda juu hakuna maana ya (not clear) kuenda ku-argue na government. Hiyo gharama inabadilisha mshahara yako, kama ni gharama ya maisha imeenda juu na elfu moja, hiyo elfu moja inakuja juu kwa sababu si makosa yako. Makosa ni ya yule yule mtu amekaa kwa serikali anafanya hivi. So I'm suggesting, let's have regulation index incorporated ni adjustment of wages. In developed countries, nchi ambazo zimeendelea, what do they do? Wanachukua hard currency kama dollar. Leo unasikia dollar iko 75, gharama ya maisha ikienda juu ntasikia imeenda 80. Kwa hivyo, unakuta mtu atapata mshahara mwezi huu elfu 10 labda mwezi labda atapata, elfu 20, wakati biashara iko nzuri na economy iko nzuri, hata anapata elfu 5 lakini magharama ya maisha iko sawa sawa. Kwa hivyo mweke hiyo kama moja ambayo ile government itakuja iweke hiyo pasi tutajua vile tutafanya. The sixth one, Management ya industry. That is there should be participation of workers in management of industries. Wafanyi kazi wakuwe stakeholders katika zile nyanja wanafanya. Ama mnasemaje? Let's have the workers being part of the management of industries. This is to protect workers' rights to be heard in winding up proceedings, wakati wanafunga, ama retrenchment.

Prison should also be included. Nafikiri hiyo ikiingia hapo, itakuwa kitu ya kawaida. Juzi, Castle Breweries, watu waliingia asubuhi, wakafanya kazi vizuri na jioni saa kumi na moja kutoka kwa mlango, mnapatiwa cheque yako unaambiwa. "kutoka kesho, kazi hii imekufa. Na kwa kweli walikuwa wanafikiri ni mchezo wakakuta imefungwa. Sasa hawa watu wote watarudi huko nyumbani, hawakuwa wameji-prepare kufanya kazi field nyingine, wataanza kuangahika huku na huko, wengine wako na watoto. Kwa hivyo, wafanyi kazi kama inawezekana, kuwekwe policy ya state, katika katiba yetu, ya kuonyesha kwamba wafanya kazi field nyengine, wataanza kuangahika huku na huko, wengine wako n watoto. Kwa hivyo, wafanyi kazi kama

inawezekana, kuwekwe policy ya state, katika katiba yetu ya kuonyesha kwamba wafanya kazi wako na haki ya kusikika wakati kampuni inafungwa ama watu wanotolewa kazini.

Ile nyengine imeongewa, provision fee and compulsory education, hiyo tulipitisha last December, katika children's act. Vile tunataka, tunangalie pesa itatoka wapi. Kwa hivyo, hii ikiwezekana, watu wamesema. The eight one, the protection and improvement of environment as regarding our forests. Misitu yenu ya these should be protected by any government which comes into power. The ninth one, protection of monuments and places of national importance; monuments zetu, kama inawezekana, zihifadhiwe kwa (not clear) Na the tenth one, katika hizo directive principle of state policy. Ningependa kuwe bifurcation ya korti zetu, the impression of judiciary from the executive. Today, the Attorney General is also part and parcel of the judicial process I think that should be bifurcated clearly, there's overlapping of functions there. All there is the legal advisor in the government and the executive is also a minister by the judiciary. So let's have these two clearly separated. We cannot do that automatically. Let's have a clear line but let's have this duty clearly defined between the judiciary and the executive and more so, the office of the attorney general. I will just make a small Comment about the constitutional supremacy and especially when we have a new document. I don't know where we are going to get that document. Let's have also when we need a change, when we want to make amendments, let's retain 65%. Kwa sababu wabunge wakichaguliwa na watu, they represent the interests of the people.

Kama hiyo katiba mtatoa hapa, mkiona kitu ambayo iko na shida, wabunge wapatiwe hiyo idhini, katika 65 kwa 100, ikishakuwa wabadilisha katiba. Kisha tuingie katika another Review Commission. Sasa tuingie katika another process. Let's have 65% of the majority votes to be the reasonable settle in amending the constitution. By the way, I'll just pass this one as a Comment, so that we finish that we have used more than over 2 billion or a billion? I don't know how much. They use that money just do provide water and all that.

Interjection: (Not clear)

Msheshimiwa: 0.2 billion. But I'm saying, towards the process it will almost nearly a billion. That is a lot of money by any standard but for a good cause, it's okay. But is it going to be possible, we, make arrangements we go back to another one million? Is it going to be reasonable? It's not going. Let's have parliament being the custodian of the rights of people and at the same time amending the (not clear). The (not clear) which I would like to talk in detail, and this actually pertains the land and property rights. I think this actually pertains the land and property rights. I think this is a very touching issue and kama you've gone round the scene you've had so many, crimes about the land and the rights affecting that place. I think we are somehow late to addressing this issue of land but we as a country we can still correct injustices which were done maybe during the colonial times, at this point of time. We respect possession of property, we're said ownership of rights of life as a country. But there's something we should also acknowledge as a nation, as a Kenyan nation, as an African today, that our interests in the International Community, the African Community, they are only subservient to this western region. That should be a clear

phase for everybody should understand, that the interest of Africa, the interests of Kenyan in the international Community as much as you would like to tell it right and say that we are accessible of a Community of national and an umbrella of United Nations, we should always know that we are the people that our interest are sub-servant to this wealth and power. We know very well that British came to our country, they oppressed us, they incorporated our land and I'm going to give you a very simple notice here dated 1920, the East African protectorate, a document dated December 23 1980 stated by the provincial Commissioner, addressed by you. Just a memo, a pen and a paper. Kalamu na karatasi, what used to be known as the East African Country, boundaries in 1903, just by stroke of a pen, all that land is today known as Ukambani province was just expropriated by just a stroke of a pen. Now, the question is this, the indigenous rights, when you talk about indigenous rights people maybe feel frightened because they tend to think that perhaps we talking about tribal things which might bring some kind of animosity, and therefore, with regards to indigenous rights, especially when it comes to land rights. Our land was just expropriated by just a stroke of a pen. There after, this issue was not a trade.

The settlement scheme through the land trustees, was given as an idea to rectify that injustice, sawa? Look at this extract. I think will give you a copy of it, there was a controversy. When this land was taken, kutoka hapa Ngulu, Machakos, Southern (not clear) yote, kuingia (not clear) mpaka huko after they took the camp there. That time, there was no time, it was a township. Now there were trying to look at which law are we going to use. Ni sheria gani tutatumia kuchukuwa hii ardhi, and our locals cannot control this. Now, besides this I will give you another document attaining to especially according to the Kamba customary law because I think hasn't known us to all look at some of the documents which give credit to the indigenous land rights. We as a proper Community, tuko na haki yetu, we had a very clear system of land tenure. Tulikuwa na jinsi ya kufanya mambo ya arhi yetu. Ukisoma hapo utakuta what we could vacant land. Well, how it could be transformed to become (not clear) and how it should be passed when you have to be patient. Even us we had, tulikuwa na urithi na wanawake. All these things by a stroke of a pen (click) they were expropriated. What is even more, today in this country. I will give another document here. This is a title deed. A title deed, a title number part of my constitution. Title number AR 33. Re: inachukuliwa, watu wanakaa chini kama vile tumekaa hapa. We have the representing of inflation levy, (not clear) the government through the (not clear) whether you are the governor, self-appointed, having come to the country without a contract, these people we never associated with them. I think you know very well the historical developing and how the resistance hao watu walikuwa wanaingia huko, ilikuwa vita, hawakuingia hivi bure. Kutoka kwa Mazrui, kwa wamaasai, hapa mpaka Nandi, ilikuwa ni vita. Then there after, wakachua ardhi yetu halafu wakakaa chini kwa meza kama hii.

Mtu anasema kwa karatasi kama hii tunampa Harold Donn Hill of (not clear) Machakos in the state colony, we shall refer him a tag of 999 years from 1st of January 1931 to 1st January 2930 to occupy that land (laughter). It is here and they put caps, within 160. Then that land right it is conferred to that person by a stroke of a pen, I have said will take no (not clear). Leo tunasema mambo ya ufukara. Nasema, we are a nation. Wale watu ambao wako na pesa na wako na urithi ya hii nchi, ni wangapi kweli wanaweza kusema wanishi kama binadamu? Labda, volcano juu ya moshi. Halafu tena mnakuja katika bunge, unakuja katika serikali tunasema tunataka kufukuza ufukara. Kama urithi wa nchi wetu wote iko kwa mifuko ya watu chache na karatasi kama

hii, mimi mwenyewe nikiwa na pesa kwa mfano, naweza kununua shamba yoyote ambayo nataka. Sasawa? Na, je yule mtu ambaye hana njia ya pesa, kwanza, hiyo kazi haiko. Halafu, tunaweka sheria kama nini. Halafu, hata wa leo, tunasema katika katiba iko ile (not clear) iko hapo, it is there, I think in section 11A of the constitution huko mwisho. Ukisoma, hiyo (not clear) na hiyo ingine, mamba ya county council. I think in section eh... where we have all those chapters pertaining to priced land, from section 11A, I think it's chapter 9, section 114 to 120, interpretation of the chapter, trust land rates to invest in country council, registration of legal titles to past land, all that chapter, because, I have the document. What I'm saying is go to Ardhi house saa hii, mwananchi wa kawaida hapa, he cannot be able to extract a document from that office the laws is there. So many Caps. Kuna (not clear) Cap 130, kuna ingine sijui ngapi, kuna land control, kuna nini. Wale watu, kuna mtu hapa anasema hatuna title deed.

Ukimuuliza ni kwa nini, ni makesi nilifanyiwa lakini the process is next to impossible. One thing which, I want you to take as a point is, we want our land back. Tunataka arhi yetu irudishwe because we are not going to have to launch a second guerilla. We are very patient, like myself. I have that problem. I have a problem of squatters, 300 . Tulichanguliwa juzi and I have been talking to the government were negotiating. I don't know how for it's going but the problem is maybe the system, maybe the government maybe out before another one comes in and before I discuss the process, it might be too late. You will have time maybe, you are in that part of Kilome yesterday. I think you saw the human habitation there. Watu walikuwa wamekaliana juu na juu na ukitembea, vile mlifika hapa nikienda walk, ukitembea pande hii, is it not amazing? Have you not been struck by that?

Upande moja watu wamekaliana kama kuni na upande mwingine, kuna gazelles na sijui ni wanyama wa pori, wanawindwa wakifanya mkia namna hii na upande hiyo nyengine watu wanalia kwa shida ya kukaliana juu. That is why I've said we want our land back. What I'm suggesting to you is very simple. One: We want equitable free distribution of land to indigenous land owners whom were dispossessed and rendered landless. And after that is done the second thing. We want security off tenure for all. The third one: Tunataka accountable effective administration of public land. Ile ya serikali nayo ikuwe administered in a proper manner. Okay? Four: Pia tunataka historical injustices to be redressed. I was this is not for the record-blunt about a month ago, tulishuhudia the burial ya malikia aliyekufa akiwa miaka 102. Na kitu ya kushangaza sana, vile casket, ile coffin yake, ile jeneza, ilikuwa inasemekana ilikuwa imebeba kilo 10 ya dhahabu ikimetameta. Sasa, katika ulimwengu wa biashara, what we call international standard for exchange ile inakuwa na IMF and World Bank, they have a basket of incurrencies and also the gold tranche is there. That's how it comes in the International currency, the international exchange. Now I'll give an example of our African Countries, we are involved in the best minerals, gold, kila kitu. Wakati huu wa nyuma, more than 100 years back. 200 years back the same standard that is being used 200 years and years after the deducting dispossession, they come and say, 'now what actually are we trying to say. We are saying, after imekimbia, umemaliza rent yako na umekaa chini umepumzika, na ule mwingine umemkata mguu, unamwambia, ' Anza kukimbia ndio tukuwe pamoja. Is it possible? I don't want to give a statement which is popular just for the sake of being popular. Can this issue also be re-addressed. I can wind up. I'm winding up.

Interjection: (not clear)

Mheshimiwa (Hon. Mutisa) : So what I'm saying is, let's please re-address this issue as far as the injustices were committed. Again, as I have said our Communities should respect genders, we have these rights but now gender has come in also gender is still in access to and control of land. That will be a very important thing that should be included in the policy because it is now you expect whom now you're drafting the final statement, the constitution statement, let's have this one's coming in. I'm also giving a sweeping statement there because I'll give you something to read, I'm giving a statement there of that. Let's also have classification of land, small holders, medium holders and large scale holders and those who have been expropriated. We are not saying let them regard the land, no. Hatasemi hivyo, we are saying, let you have whatever land you have. But let's also justify whatever you are doing there, because it's a natural resource. Hata kama ni yako private, ni yetu sote. Kama ni ya mahindi ikitoka hapo tupeleke treasury ndio wale wengine wapate pesa. We are not saying tutachukua, but we want a living. Let's have a living. And that living should be reasonable to the extent that if you have much more than that, let's not have them paying rent and all those things. Then the final one, I'll just go to the last portion without elaboration and I think that is the most crucial, the legislature.

About our Parliament. And when I talk about Parliament, I think talking about the institution of the Presidency, the institution of the ministers, the institution of members of Parliament. On that matter also the house Speaker. For sure, this country has never enjoyed Parliamentary (powers). What we inherited was a colonial legacy. That colonial legacy was totally autocratic and there was no democracy at all. It is a question of dictatorship. Indigenous act 63, we stated that legacy, we modified a bit then we had a very powerful executive who was almost crowned with so much power that the institution of the Parliament, the institution of the judiciary are almost clouded. I think time and again, we have talked about the importance of judiciary. Who appoint the judges? The President, the Ministers? The President, the M.P.? By the people. Who pilot the policies after they have been passed by the Parliament? The ministers and the executives who is above law? The President. Then the question is this, we Parliamentarians we debate on bills, we debate on policy papers professional papers, cabinet papers very good policies. From sub-location, we have sub-locational development Committee. Divisional development Committee to the D.D.C. which is actually the apex of development in that area. It's the one actually which implements the policies of the government. Ask anybody here, ask any person, any corner of Kenya who even does not come near to the administration, ask him, 'what is the development plan of your area? And yet every year, now we are going to the budget, tunapitisha budget tunasema, we are providing agriculture this much' The 52 districts, this division, this sub-location, that money is there. Health, road, water, call it very good policies. Nobody knows like now, si mimi ni mjumbe? I do not know what is going to be mentioned in the coming budget and I'm representing these people.

The executive has shrouded the budget process in secrecy and mystery (cheers). What we are saying is we are saying, let's have the Parliament having a Parliamentary budget office which we will collect plans from the district. After debating them, it

can oversee upto the sublocation and the village level, wanafuata hiyo hiyo pesa vile inaingia. Let's have that one, the Parliamentary budget office and it is not something which is unique, I'm also giving an annexe here of developed countries here. How they have been able to have in U.S.A, they have the central budget office in full time. They also have also budget office in Poland, U.K., Germany, Israel and so on and so forth. In these countries, the welfare of the people is taken care of. Let me tell you something, and take this one from me, we do not even need to know who is the President, who is the minister. If these people, welfare wakuwe fed, wakuwe na maji, there all the better, nobody will bother to know who sita where because the welfare is taken. But we are above, that because like me, I'm ashamed. Itaenda kwa budget, tutapiga, miguu tunarudi, huko, wengine waseme. The budget was good. After the budget, the minister of finance himself is taken to a seminar for two weeks to be taught the budget, he read. Now if the finance minister anaenda kusomeshwa budget na yeye, mjumbe ako wapi? Mwananchi ako wapi? That is the truth and that is where the problem is so what I am saying this, including contract saa hii tuko na dept, 600 billion foreign debt wacha domestic pesa ya kulipa, ukizaa mtoto saa hii, ako na shingo na debt ya 24,000 na inanza ku-accumulate by the time I die, if I live another twenty years, I will die with a debt of almost 250,000.

All government contracts, all international contracts, should be brought to parliament, they should be graded by parliament. All the money which we enter to contacts like loans, let them be endorsed by parliament, because it is us preventing these people. So, I can go one and on and on explaining this but I'll not for the interests of the members of the public. I think with those few rematka, I think my views will also form part of the larger constitution and I hope, please, we are ready to provide anything possible to make sure we have a constitution in time. If you think you need more Com.issioners, you need more resources, you need more don't be cheated by anybody that hakuna pesa, there's money for this, (chapa and cherra). And let not anybody feel, uchoyo akisikia at Commissionerswamelipwa. We are ready to pay you any amount so long as we have a constitution in time so that we can go to elections. Gahawa? (clapa) Kama mnataka kuniiamini niwasaidie kwa vita, nitaongea hiyo because I know this is the most crucial thing than anything we have in Kenya thank you (Clapa).

Thank you very much (not clear)

We have been told about the KNOT problem and apparently they have been talking about a land that has been taken from the indeginous people, either national parta

Interjection: (Not clear)

The (not clear) I don't know how you some of the suggestions that were being made was that one of the benefits we forget to get 75% successful whatever the resources that come from the park.

Mheshimiwa (Hon. Mutiso) : Yes

But of course you know people are talking about redistributing the land back to them. How do you nourish interest of the

indigenous people in terms of getting the lands and the national interest?

Mheshimiwa (Hon. Mutiso): I will answer that may be, I don't know who are talking to myself, I have property there and a place actually where people settles there, that's what I'd call, newly settled areas. Because of the pressure of land as I before told you, people went down looking for land and pasture. And what happened is that is between 1969 sat 70 that is when we had the first (not clear). That was a trust land and it was named like a game reserve. So after people settled there, they somehow were living in the game reserves, not the national parks. That is Kyulu ranges hapo so later on, the government recognised that habituation. Okay? After it recognised that habitation if conferred some loose rights to those people, to live harmoniously with the game. So long as there's no interference with the game because this interest of that time was at least to these people somewhere. Now, after they settled there, the provincial administration was set there to help the people at least to survive. Now later on what happened is, the government de-gazetted part of the game reserve and came to these people but in 1990-91 there, the truth let it be said, when they had the emergence of the opposition, because I remember even the president himself decree event those people be given title deed. Then because of the emergence of the opposition. I remember one time one of our leaders went there, he was heckled, he was abused and he was told, you are not taking care of our interest, and as such, they were left alone.

Those title deeds, they had processed them but they were stopped. But we went there last month and I assure you that matters is going to be sorted out what I would suggest, there's a genuine concern. The residue which is coming from the adjoining regions, (not clear), obviously we have a factory built here may be for processing fruits or plants or whatever the case may be, we expect the County Council to benefit and the same way we also expect the County Council to provide the basic amenities. Just the same way, what we are saying is as much as you would like to say that building that land is this and that and that the point is can we have a small fraction of the residue passed to these people, just like in Maasai Mara, Narok, they are paying something out of the gate collection, they give 5% to the local Community just as a good gesture because this country is ours. So where is the money going after all. It is our money. But that money is collected there, and I am maybe X, Y and Z, I am the minister and when I go to treasury, because I have been blessed by God to be a minister, maybe by design or whatever have the privilege of dipping my hand in the public copper and taking the money as I want. So, what we are saying is, at least as we have other people putting their hands in the public copper, let us also have the local people having the right to also put their hands to the public coppers. That's all I can say. Are you satisfied? Thank you.

That you very much bwana mheshimiwa for that long sufficientThomas Kimeu?

Thomas: Kwa majina naitwa Thomas Kimeu , mimi niko na machache ya kusema. Na kwanza ni kuhusu rais: Rais akuwe chini ya sheria. Fikira ya kwanza.

Interjection: Endelea

Thomas : Ya pili, Bunge ikiichaguliwa, bunge ikifungwa, speaker awe anashikilia hiyo (not clear) sio (not clear). Tatu : Wakati bunge imefungwa kila mtu anapolea hii kiti ya rais awe anatumia mali yake, kama ni magari na serikali, irudishwe afanye uchaguzi na gari yake. Ya nne kama unagombea hii kiti ya Urais na ulikuwa rais, hii jina ya rais iwache kutajwa. Iwe inasemekana mtu fulani anatoka sehemu fulani. Labda huyo sio rais. Ya tano: Mawaziri wachaguliwe na bunge. Nataka kufika hapo.

Wacha tupatie Pastor Job Wafula.

Job: Asante kwa nafasi hii kama mlivyosikia jina yangu ni Job Wafula nataka sasa katika kiu location. Hapa kasikeu division. Ninayo machache ambayo ninayoangalia kama inaweza kutusaidia katika sheria zetu nchini. Labda ninaongea katika kiswahili maana unaandika kidogo, ningenelea kama maoni yangu yenyewe yameshawahi kuzungumziwa lakini katika maoni pia yangu, naonelea President au raise wa Kenya, mamlaka ile aliyonayo ipunguzwe kwa kiasi kwamba kuna sehemu zingine ambazo yeye anachukuwa au yeye anafanya ambazo wananchi wanaumia pia. Kama vile wamesungumzia, kuchagua chief justice, hangekuwa ni yeye ambaye anachagua maanake, akimchagua, anamamlaka juu yake. Tunaoelea ya kwamba chief justice, ofisi hiyo iweze kutangazwa halafu watu wawezi kutuma maombi yao. Na katika hao wawili wawezi kuangaliwa kati yao anayeweza kufanya kazi hiyo. Na akiwa amechaguliwa na president, wakati wowote atafanya lolote lile ambalo linampenda president na sio katika kazi yake kwa hivyo ningependa president asichague chief justice, katika hiyo ofisi kama una feel pia, katika hali hii ya makampuni au zile sectors ambazo zinazotumia pesa nyingi, utakuta katika sehemu nyingi, pesa zinaibiwa na watu ambao wamewekwa hapo kama wakurugenze. Halafu baada ya muda watu ndio wanatambulikana kwamba wamekula hizo pesa. Lakini hakuna njia ya kurudisha hizo pesa, turudi mahali pale, tufanye kazi ile ambayo imedhaminiwa kufanywa.

Kwa hivyo, kama mtu akipatikana ameiba katika sehemu fulani au amenyakuwa kwa mfano kama mbunge wetu alikuwa akasema, akiona mahali ambapo kuna pesa kidogo na anataka kuwafikia wananch, akichukuwa hizo pesa na zisifanye hiyo kazi ambayo zilikusudiwa kufanya, huyo mtu afuatwe arudishe pesa hizo ziende zifanye kazi hiyo kwa sababu watu wanaumia katika sehemu ingine na wengine wanakula. Jambo lingine ni kwamba kimezungumziwa kwa upana, kuhusu sheria ya ardhi. Ardhi kama vile umeona kwamba sheria hizi wengine tumerudiwa katika wale wakoloni waliketa katika nchi hii yetu. Ningenelea kwamba hii title deed, ambayo inachukuwa nafasi kubwa ya mwananch ambaye hata subuka kupata hiyo title deed, ni ngumu haingekuwa na mamlaka kwa mwananchi kutumia hiyo title deed kuomba loan ama kufanya nini. Kungekuwa na kikao fulani na inaweza kukaa na kuona kwamba huyu mtu anahitaji loan na wawe wanadetermine wale wanaweza kusimamia na apate loan bila hiyo title deed. Kwa sababu inaumiza watu wengine na wengine hawaumii jambo lingine ni kwa upande wa mashamba tu, uanluta mtu amechukuwa kama acre maelfu kadhaa na na mwingine hana mahali hata ya kuweka nyumba peke yake. Mimi naona kwamba sheria ingetumiwa ya kwamba kila mtu awe na kiasi fulani ya mashamba. Kama kuna mtu ambaye anashamba kubwa, agawie wengine maanake si sote ni raiya wa Kenya, ili kwamba hivo ambaye ana acre kubwa agawie wale watu ambao wanaitwa maskowtas. Maskowtas hawa wanatoke wapi na ni ria wa Kenya wanafaa kuwa na nchi yao, wanafaa kuwa na

mahali pa kulima. Kwa hivyo wale watu ambao wamechukuwa hata kama wamenunua na pesa zao hizo pesa ambazo zinaitwa zao hao ndio wanadhailisha serikali, kuita katika indampuni halafu wanakuja kusema pesa zao. Kila mtu aweze kuangaliwa hata kama amenunua shamba, hiyo shamba amenunua na pesa za wananchi ambao amewaiia halafu anakuja kunyanyasa tena kuwanyang'anya shamba lao.

Kwa hivyo ningenelea kwamba, mashamba yawe na kiwango fulani kwa kila mtu ambaye anachukuwa shamba. Na la sivyo hawa watu waangaliwe na waondolewe, ili wape nafasi wengine pia katika hali hiyo tu ya masomo, unaona kila wakati tunaambiwa ya kwamba, masomo ni ya bure. Lakini pamoja na hayo wale ambao watalipa hata ingawa masomo niya bure huku chine, masomo si ya bure. Watu wananyanyaswa. Mtoto akiwa hana pesa hawezi kuenda shule lakini katika wimbo wetu tunaimba kwamba primary education is just free. Lakini ukiangalia katika (Not clear) it is not free, maana wazazi wanaumia. Pesa hata kama ni ndogo ndogo, lakini maisha wakati huu imekuwa ni ngumu sisi kuna watoto hawasomi bure. Inafaa waangalie hiyo maneno. Kama ni masomo bure, wa provide kila kitu ambacho mtoto anafaa kutumia shuleni kama vitabu vya kuandika, vitabu vya kusoma. Serikali itoe au ipeane kwa hawa watoto. Maana kama hapo awali kulikuwa ni kwamba watoto walikuwa wanapewa vitabu. Kaka sisi tukikuwa tunapewa hivyo kitabu exercise na whatever. Lakini kwa sasa hiyo vitu haviko na hiyo pesa ambayo ilikuwa inatumika katika hiyo zilienda wapi? Ndivyo niliweza kuonelea kwamba, hayo kama wanataka ku-implement wacha ifanye kazi kama ni bure, hiyo vitu pia ipewe bure. Wabunge

Mheshimiwa: It is true, as we get high salaries, depending on how you perceive a high salary it is. But mimi kama mjumbe wenu na sina loan, niliingia bunge four months ago and my net salary is 273,000/= pesa mimi napata half million na million moja wabunge wanasemekana wanapata, sijaiona (laughter) si mnasema tunapata million moja?

Audience: Eeh

Mheshimiwa (Hon Mutiso): Na hiyo ina record I earn 273,000 that is my net discount. Labda hata Commissioners nyinyi muko na salary kubwa kuliko mimi. (Laughter). It is true but now you see, there is a mistaken notion that we are paid a million shillings. Si mimi mjumbe wenu?

Audience: Eeh.

Mheshimiwa: Now in a month. I'm not trying to defend myself, my justified petrol bill moving from one constituency to another, just one month, na kama mnataka niwaoneshe receipts yangu (laughter) in one month, just the Petrol alone hata sijalala na sijakula. I use 120,000, petroli pekee yake. So just imagine, I'm also dependant and I also have to live like an M.P. Yah, and I'm an M.P and every weekend, I have two or three harambees. So, can you now calculate 273 halafu msembe ile mshahara M.P. analipwa ni gani. That's why three's corruption. Why? Because I have to sustain your wishes and your aspirations katika harambee.

The next thing I have to do, kama vile moja anasema hapa, nikikutana na pesa ya barabara nitaend niile ndio niwalete kwa harambee. Si sawasawa? Kuna kitu ingine. Labda pesa ya sipitali, ya dawa. Nikienda nikishikwa huko nikipata tena, niwezesha kuangalia. I'm not concentrating on Parliament, I'm concentrating on other aspects which can get me money, so that I can be able to serve private needs of the people. So, I'll give that view when I come to the Parliamentary section. But I'm saying this for correctional purposes only. Msikuwe na hio nia ama maoni ya kusema wajumbe wanalipwa milioni moja. Mshahara wa mjumbe consolidated yote ni shilingi mia tatu na karibu sabini. Tukitoa pension, nini na hiyo mambo serikali wanakata, unapata mia mbili sabini na tatu. Kwa hivyo hiyo ndiyo pesa. Kwa hivyo kama wewe mwenyewe na sisi tunaambiwa ni baba wa constituency, sasa angalia kama ni baba wa constituency and the household zile ziko huko, tuone huyo baba atagawia nani. Sasawa? Kitu kingine ningependa ku-correct, hii kama mmoja alisema hapa that President anaenda akigawa pesa, akifika mahali anapeana pesa. I think that also is very wrong. Wrong in the sense what, the President is also a person. He has also investments and also the state, kwa bunge, we give him an allowance. Kweli mtakubali President akuwe anatembea na matatu hapa?

Audience: Hapana.

Mheshimiwa: Mtakubali President akienda huko akuwe anaonekana si President ana represent (Hon Mutiso) Kenya?

Audience: Hapana.

Mheshimiwa: So, let's not fight for very small things. Hizo ni vitu ndogo. Tujue kwamba yeye ndiye baba wetu, si ati Moi. Kutakuwa na wengine na wengine na wengine. Mnasikia? Moi atakuja na ataenda. Mwingine atakuja na ataenda. The country will remain. The institution of the President will remain but let's respect the institution, sasawa? Kwa hivyo, nasema let's have a living wage for workers. Kama hata inawezekana, let's have the salaries based on the inflation of this country. How? Inflation, hebu niongee kwa Kiswahili kidogo, gharama ya maisha inapimwa na kiasi cha gharama ya maisha. The living index, inflation. Kama serikali ikongeze mafuta, itatuathiri sisi kama wananchi. Vipi? Kwa sababu vile vitu ambavyo vinaundwa lazima visafirishwe kutoka mahali vinaundiwa viletwe wananchi.

Kwa hivyo, inamaanisha kodi itaenda juu, taxes na kwa hivyo budget ikifanywa vitu vingine vitaingizwa ambavyo vitatuathiri kama watu. Sisi hatukai Treasury, hatukai kwa Ministry of Finance, hapana. Lakini vile tunaweza kufanya kama gharama ya maisha ikienda juu, mshahara, kama ikisemekana ni elfu tano, hiyo, mshahara iwekwe kipimo ambayo gharama ya maisha ikienda juu hakuna maana ya union kuenda ku-argue na government. Hiyo gharama inapandisha mshahara yako, kama ni gharama ya maisha imeenda juu na elfu moja, hiyo elfu moja inakuja juu kwa sababu si makosa yako. Makosa ni ya yule yule mtu amekaa kwa serikali anafanya hivi. So I'm suggesting, let's have regulation index incorporated ni adjustment of wages. In developed countries, nchi ambazo zimeendelea, what do they do? Wanachukua hard currency kama dollar. Leo unasikia

dollar iko 75, gharama ya maisha ikienda juu unatasikia imeenda 80. Kwa hivyo, unakuta mtu atapata mshahara mwezi huu elfu 10 mwezi ujao labda atapata, elfu 20, wakati biashara iko nzuri na economy iko nzuri, hata anapata elfu 5 lakini magharama ya maisha iko sawa sawa. Kwa hivyo mweke hiyo kama moja ambayo ile government itakuja iweke hiyo pasi tutajua vile tutafanya. The sixth one, Management ya industry. That is there should be participation of workers in management of industries. Wafanyi kazi wakuwe stakeholders katika zile nyanja wanafanya. Ama mnasemaje? Let's have the workers being part of the management of industries. This is to protect workers' rights to be heard in winding up proceedings, wakati wanafunga, ama retrenchment.

Prison should also be included. Nafikiri hiyo ikiingia hapo, itakuwa kitu ya kawaida. Juzi, Castle Breweries, watu waliingia asubuhi, wakafanya kazi vizuri na jioni saa kumi na moja kutoka kwa mlango, mnapatiwa cheque yako unaambiwa. "kutoka kesho, kazi hii imekufa. Na kwa kweli walikuwa wanafikiri ni mchezo wakakuta imefungwa. Sasa hawa watu wote watarudi huko nyumbani, hawakuwa wameji-prepare kufanya kazi field nyingine, wataanza kuangahika huku na huko, wengine wako na watoto. Kwa hivyo, wafanyi kazi kama inawezekana, kuwekwe policy ya state, katika katiba yetu ya kuonyesha kwamba wafanya kazi wako na haki ya kusikika wakati kampuni inafungwa ama watu wanotolewa kazini. Ile ingine imeongewa 71, provision fee and compulsory education, hiyo tulipitisha last December, katika children's act. Kile hatuna sasa tuna ngojea, tunangalie pesa itatoka wapi. Kwa hivyo, hii ikiwezekana, watu wamesema.

The eight one, the protection and improvement of environment as regarding our forests. Rasilimali yetu, misitu yetu all these should be protected by any government which comes to power. The ninth one, protection of monuments and places of national importance; monuments zetu, kama inawezekana, zihifadhiwe kwa kizazi kijacho. Na the tenth one, katika hizo directive principle of state policy. Ningependa kuwe bifucation ya korti zetu, separation of judiciary from the executive. Today, the Attorney General is also part and parcel of the judicial process and I think that should be bifurcated clearly, there's over lapping of functions there. All there is the legal advisor in the government and the executive is also a minister by definition. So let's have these tow clearly separated. We cannot do that automatically. Let's have a clear line but let's have this duty clearly defined between the judiciary and the executive and more so, the office of the attorney general.

I will just make a small Comment about the constitutional supremacy and especially when it comes when after we have a new document. I don't know where we are going to get that document. Let's have also when we need a change, when we want to make and amendments, let's retain 65% as the vote majority as a reasonable legality for amendments 65%. Kwa sababu wabunge wakichaguliwa na watu, they represent the interests of the people. Kama hiyo katiba mtatoa hapa, mkiona kitu ambayo iko na shida, wabunge wapatiwe hiyo idhini, katika 65 kwa 100, ikishakuwa wabadilisha katiba. Kisha tuingie katika another Review Commission, sasa tuingie katika another process. Let's have 65% of the majority votes to be the reasonable settle in amending the constitution. By the way, I'll just pass this one as a Comment, so that our view that we have used more than I think over 2 billion or 4 billion a lot of money. I don't know how much. If today use that money just do provide maybe water and all that.

Interjection: (Not clear)

Msheshimiwa: 0.2 billion. But I'm saying, towards the process it will almost nearly 1 billion. That is a lot of money by any standard but for a good cause, it's okay. But is it going to be possible whenever we, make amendment we go back to another one million? Is it going to be reasonable? It's not going. Let's have parliament being the custodian of the rights of people and at the same time amending the (not clear). There is something which I would like to talk in detail, and this actually pertains the land and property rights. I think this is a very touching issue and kama you've gone round I think you have heard so many, crimes about the land and the rights pertaining that. I think we are somehow late to addressing this issue of land, but we as a country we can still correct injustices which were done maybe during the colonial times, at this point of time.

We respect possession of property, we're said ownership of rights of life as a country. But there's something which we should also acknowledge as a nation, as a Kenyan nation, as an African today, that our interests in the International Community, the African Community, they are only sub-servient to western region. That should be a clear phase for everybody should understand, that the interest of Africa, the interests of Kenyan in the international Community as much as you would like to paint it right and say that we are acceptable or we are a Community of national under the umbrella of United Nations, we should always know that we as a people that our interest are sub-servient to this wealth and power. We know very well that these people came to our country, they oppressed us, they incorporated our land and I'm going to give you a very simple document here dated 1920, the East Africana protectorate. A document dated December 23 1980 stated by the provincial Commissioner, addressed by yah. Just a memo, a pen and a paper. Kalamu na karatasi what we know today or what used to be known as the East African Country, boundaries in 1903, just by stroke of a pen, all that land is today known as Ukambani province was just expropriated by just a stroke of a pen. Now, the question is this, the indigenous rights, when you talk about indigenous rights people maybe feel frightened because they tend to think that perhaps we talking about tribal things which might bring some kind of animosity, and therefore, the mis-regard of the indigenous rights, especially when it comes to land rights. Our land was just expropriated by just a stroke of a pen. There after, this issue was not a trade. The settlement scheme through the land trustees, was given as an idea to rectify that injustice, sawa?

Look at this extract. I think will give you a copy of it, there was a controversy. When this land was taken, kutoka hapa Ngulu, Machakos, Southern (not clear) yote, kuingia veti mpaka huko after they took the town there. That time, there was no time, it was a township. Now there were trying to look for which law are we going to use. Ni sheria gani tutatumia kuchukuwa hii ardhi, and our locals cannot control this. Now, besides this I will give you another document attaining to especially according to the Kamba customary law because I think these commission has a honour to also look at some of the documents which give credit to the indigenous land rights. We as a Kamba Community, tuko na haki zetu, we had a very clear system of land tenure. Tulikuwa na haki zetu, tulikuwa na jinsi ya kufanya mambo ya arhi yetu. Ukisoma hapo utakuta we had what we used to call vacant land. Well, how it could be transformed to become (not clear) and how it should be transformed to become (not clear)

and how it should be passed. When you have inheritance. Even us we had, tulikuwa na urithi na wanawake. All these things by a stroke of a pen (click) they were expropriated now. What is even more, today in this country.

I will give another document here. This is a title deed. A title deed, a title number part of my contribution. Title number AR 333. Ardhi inachukuliwa, watu wanakaa chini kama vile tumekaa hapa. You are the representing of inflation lady Her Majesty (not clear) the government King labda whether your are the governor, self-appointed, having come to these country without a contract, these people we never negotiated with them. I think you know very well the historical development and how the resistance hao watu walikuwa wanaingia huko, ilikuwa vita, hawakuingia hivi bure. Kutoka kwa Mazrui, kwa wamaasai, hapa mpaka Nandi, ilikuwa ni vita.

Then there after, wakachua ardhi yetu halafu wakakaa chini kwa meza kama hii. Mtu anasema kwa karatasi kama hii tunampa Harold Donn Hill of kataleo Machakos in the said colony, we shall confer him a term of 999 years from 1st of January 1931 to 1st January 2930 to occupy that land (laughter). It is here and they put caps, within 160. Then that land right it is conferred to that person by a stroke of a pen, I have said will take no (not clear). Leo tunasema mambo ya ufukara. Nasema, we are a nation. Wale watu ambao wako na pesa na wako na urithi ya hii nchi, ni wangapi kweli wanaweza kusema wanishi kama binadamu? Labda, tano juu ya mia moja. Halafu tena mnakuja katika bunge, unakuja katika serikali tunasema tunataka kufukuza ufukara. Kama urithi wa nchi wetu wote iko kwa mifuko ya watu chache na karatasi kama hii, mimi mwenyewe nikiwa na pesa kwa mfano, naweza kununua shamba yoyote ambayo nataka. Sasawa? Na, je yule mtu ambaye hana njia ya pesa, kwanza, hiyo kazi haiko. Halafu, tunaweka sheria kama nini. Halafu, hata wa leo, tunasema katika katiba iko ile transparent iko hapo, it is there, I think in section 114 of the constitution huko mwisho. Ukisoma, hiyo (not clear) na hiyo ingine, mamba ya county council. I think in section eh... where we have all those chapters pertaining to trust land, from section 114, I think it's chapter 9, section 114 to 120, interpretation of the chapter, trust land rates to invest in country council, registration of legal titles to past land, all that chapter, because, I have the document. Now what I'm saying is go to Ardhi house saa hii, mwananchi wa kawaida hapa, he cannot be able to extract a document from that office the laws is there. So many Caps. Kuna (not clear) Cap 130, kuna ingine sijui ngapi, kuna land control, kuna nini. Wale watu, kuna mtu hapa anasema hatuna title deed.

Ukimuuliza ni kwa nini, ni makesi nilifanyiwa lakini the process is next to impossible. One thing which, I want you to take as a point is, we want our land back. Tunataka ardhi yetu irudishwe because we are not going to have to launch a second guerilla. We are very patient, like myself. I have that problem. I have a problem of squatters, 300 . Tulichanguliwa juzi and I have been talking to the government we are negotiating. I don't know how for it's going but the problem is maybe the system, maybe the government maybe out before another one comes in and before I discuss the process, it may be too late. If will have time maybe, you are in that part of Kilome yesterday. I think you saw the human habitation there. Watu walikuwa juu na juu na ukitembea, nilipita hapa nikienda walk, ukitembea pande hii ya barabara, we have vast land which is un-occupied, mume ona hiyo, is it not amazing? Have you not been struck by that? Upande moja watu wamekaliana kama kuni na upande mwengine,

kuna gazelles na sijui ni wanyama wa pori, wanaimba wakifanya mkia namna hii na upande hiyo nyengine watu wanalia kwa shida ya kukaliana juu. That is why I've said we want our land back. What I'm suggesting to you is very simple. One: We want equitable re-distribution of land to indigenous land owners whom were dispossessed and rendered landless. And after that is done the second thing. We want security of tenure for all Okay? The third one: Tunataka accountable effective administration of public land. Ile ya serikali nayo ikuwe administered in a proper manner. Okay? Fourth: Pia tunataka historical injustices to be redressed. I was this is not for the record-blast about a month ago, tulishuhudia the burial ya malikia aliyekufa akiwa miaka 102. Na kitu ya kushangaza sana, vile casket, ile coffin yake, ile jeneza, ilikuwa inasemekana ilikuwa imebeba kilo 10 ya dhahabu ikimetameta. Sasa, katika ulimwengu wa biashara, what we call international standard for exchange ile inakuwa na IMF and World Bank, they have a basket of currencies and also the gold tranche is there. That's how it comes in the International currency, the international exchange.

Now I'll give an example of our African Countries, we are involved in the best minerals, gold, kila kitu. Wakati huu wa nyuma, more than 100 years back. 200 years back the same standard that is being used 200 years and years after the deducting dispossession, they come and say, 'now we are using a standard including your wealth, kariandus hapa walikuja wakachukuwa gold yetu yote. actually are we trying to say. We are saying, after imekimbia, umemaliza race alafu wakasema hiyo dhahabu tena watatumia kuweka fedha yetu. Kupima, now what are we actually trying to say yako na umekaa chini umepumzika, na ule mwengine umemkata mguu, unamwambia, 'Anza kukimbia ndio tukuwe pamoja. Is it possible? I don't want to give a statement which is popular just for the sake of being popular. Can this issue also be re-addressed. I can wind up. I'm winding up.

Interjection: (not clear)

Mheshimiwa (Hon. Mutisa) : So what I'm saying is, let's please re-address this issue as far as the injustices were committed. Again, as I have said our Communities should respect genders, we have these rights but now gender has come in also gender is still in access to and control of land. That will be a very important thing which could be included in the policy because it is now you experts whom now you're drafting the final statement, the constitution statement, let's have this one's coming in. I'm also giving a sweeping statement there because I'll give you these to read, I'm giving a statement there of that. Let's also have classification of land, small holders, medium holders and large scale holders and those who have been expropriated.

We are not saying let them regard the land, no. Hatusemi hivyo, we are saying, let you have whatever land you have. But let's also justify whatever you are doing there, because it's a natural resource. Hata kama ni yako private, ni yetu sote. Kama ni ya mahindi na hupandi mahindi mwaka ukiisha tupaties ile ingetoka hapa upeleke treasury ndio wale wengine wapate pesa. We are not saying tutachukua, but we want a limit. Let's have a feeling. And that feeling should be reasonable to the extent that if you have much than that, let's also justify that excess and the small holders let's not have them paying rent and all those things. Then the final one, I'll just go to the last portion without elaboration and I think that is the most crucial, the legislature. About our Parliament. And when I talk about Parliament, I think talking about the institution of the Presidency, the institution of the

ministers, the institution of members of Parliament. On that matter also the house Speaker. For sure, this country has never enjoyed Parliamentary democracy. What we inherited was a colonial legacy.

That colonial legacy was totally autocratic and there was no democracy at all. It is a question of dictatorship. Immediately after 63, we inherited that legacy, we modified a bit and then we had a very powerful executive who was almost crowned with so much power that the institution of the Parliament, the institution of the judiciary are almost clouded. I think time and again, we have talked about the independence of judiciary. Who appoint the judges? The President, the Ministers? The President, the M.P.? By the people. Who pilots the policies after they have been passed by the Parliament? The ministers and the executives who is above law? The President. Then the question is this, we Parliamentarians we debate on bills, we debate on policy papers processional papers, cabinet papers very good policies. From sub-location, we have sub-locational development Committee. Divisional development Committee to the D.D.C. which is actually the apex of development in that area. It's the one actually which implements the policies of the government. Ask anybody here, ask any person, any corner of Kenya who even does not come near to the administration, ask him, 'what is the development plan of your area? And yet every year, now we are going to the budget, tunapitisha budget tunasema, we are providing agriculture this much' The 52 districts, this division, this sub-location, that money is there. Health, road, water, call it very good policies but nobody knows like now, si mimi ni mjumbe? I do not know what is going to be mentioned in the coming budget and I'm representing these people. The executive has shrouded the budget process in secrecy and mystery (cheers).

What we are saying is we are saying, let's have the Parliament having a Parliamentary budget office which after we collect plans from the district. After debating them, it can oversee upto the sublocation and the village level, wanafuata hiyo hiyo pesa mpaka inaingia. Let's have that one, the Parliamentary budget office and it is not something which is unique, I'm also giving an annexe here of developed countries here. How they have been able to have in U.S.A, they have the central budget office in Philippians.

They also have also budget office in Poland, U.K., Germany, Israel and so on and so forth. In these countries, the welfare of the people is taken care of. Let me tell you something, and take this one from me, we do not even need to know who is the President, who is the minister. If these people, welfare wakuwe fed, wakuwe na maji, there roads are better, nobody will bother to know who sits where because the welfare is taken. But we are above, that because like me, I'm ashamed. Tunaenda kwa budget, tutapiga, miguu tunarudi, huko, wengine waseme. The budget was good. After the budget, the minister of finance himself is taken to a seminar for two weeks to be taught the budget, he read. Now if the finance minister anaenda kusomeshwa budget na yeye, mjumbe ako wapi? Mwananchi ako wapi? That is the truth and that is where the problem is so what I am saying is, including contract saa hii tuko na dept, 600 billion foreign debt wacha domestic pesa ya kulipa, ukizaa mtoto saa hii, ako na shingo na debt ya 24,000 na inanza ku-accumulate by the time I die, if I live another twenty years, I will die with a debt of almost 250,000. All government contracts, all international contracts, should be brought to parliament, they should be debated by parliament. All the money which we enter to contacts like loans, let them be endorsed by parliament, because it is us preventing these people.

So, I can go one and on and on explaining this but I'll not for the interests of the members of the public. I think with those few remarks, I think my views will also form part of the larger constitution and I hope, please, we are ready to provide anything which possible to make sure we have a constitution in time. If you think you need more Commissioners, you need more resources, you need more don't be cheated by anybody that hakuna pesa, there's money for this, (claps and cherra). And let not anybody feel asikie, uchoyo akisikia at Commissioners wamelipwa hii. We are ready to pay you any amount so long as we have the constitution in time so that we can go to elections. Sawasawa? (claps) Kama mnataka kunita mimi niwasaidie kwa vita, nitaongea hiyo because I know this is the most crucial thing than anything we have in Kenya thank you (claps).

Thank you very much (not clear)

We have been told about the KNOT problem and apparently they have are talking about a land that has been taken from the indiginous people become, either national part chulu hills and so on.

Interjection: (Not clear)

Com. Kabira: The (not clear) I don't know how you some of the suggestions that were being made was that one of the benefits we forget to get 75% successful whatever the resources that come from the park.

Mheshimiwa (Hon. Mutiso) : Yes

Interjection: But of course you know people are talking about redistributing the land back to them. How do you manage interest of the indiginous people in terms of getting the lands and the national interest?

Mheshimiwa (Hon. Mutiso): I will answer that may be, I don't know who are talking to myself, I have property there and a place actually where people park settles there, that's what I'd call, newly settled areas. Because of the pressure of land as I told you, people went down looking for land and pasture. And what happened is that is between 1969 say 70 that is when we had the first (not clear). That was a trust land and it was named like a game reserve. So after people settled there, they somehow were living in the game reserves, not the national parks. That is Kyulu ranges hapo so later on, the government recognised that habitation. Okay? After it recognised that habitation if conferred some loose rights to those people, to live harmoniously with the game. So long as there's no interference of the game because this interest of that time was at least to these people somewhere.

Now, after they settled there, the provincial administration was set there to help the people at least to survive or to live. Now later on what happened is, the government de-gazetted part of the game reserve and gave to these people but in 1990-91 there, the truth let it be said, when they had the emergence of the opposition, because I remember even the president himself decree

event those people be given title deed. Then because of the emergence of the opposition. I remember even time one of our leaders went there, he was heckled, he was abused and he was told, you are not taking care of our interest, and as such, they were left alone.

Those title deeds, they had processed them but they were stopped. But we went there last month and I can assure you that problem is going to be sorted out what I would suggest, there's a genuine concern. The revenue which is coming from the adjoining regions, for example new here, obviously we have a factory built here may be for processing fruits or plants or whatever the case may be, we expect the County Council to benefit and the same way we also expect the County Council to provide the basic amenities. Just the same way, what we are saying is as much as you would like to say that land is this and that and that the point is can we have a small fraction of the revenue coming to that passed to these people, just like in Maasai Mara, Narok, they are paying something out of the gate collection, they give 5% to the local Community just as a good gesture because this country is ours. So where is the money going after all. It is our money. But that money is collected there, and I am maybe X, Y and Z, I am the minister and when I go to treasury, because I have been blessed by God to be a minister, maybe by design or whatever have the privilege of dipping my hand in the government coffers and taking the money as I want.

So, what we are saying is, at least as we have other people putting their hands in the public coffers, let us also have the local people having the right to also put their hands to the public coffers. That's all I can say Okay. Are you satisfied? Thank you.

Thank you very much Honourable Mheshimiwa for that long suffitionsThomas Kimeu?

Thomas: Kwa majina naitwa Thomas Kimeu, mimi niko na machache ya kusema. Na kwanza ni kuhusu rais: Rais akuwe chini ya sheria. Fikira ya kwanza.

Com. Kabira: Endelea

Thomas : Ya pili, Bunge ikiichaguliwa, bunge ikifungwa, speaker awe anashikilia hiyo waadhifa. Tatu : Wakati bunge imevunjwa kila mtu anayegombea hii kiti ya rais awe anatumia mali yake, kama ni magari ya serikali, irudishwe afanye uchaguzi na gari yake. Ya nne kama unagombea hii kiti ya Urais na ulikuwa rais, hii jina ya rais iwache kutajwa. Iwe inasemekana mtu fulani anapiga campaign mahali fulani. Sababu saa hivo sio rais. Ya tano: Mawaziri wachaguliwe na bunge. Nataka kufika hapo.

Com. Kabira: Wacha tupatie Pastor Job Wafula.

Job: Asante kwa nafasi hii kama mlivyosikia jina yangu ni Job Wafula naka Sultan katika kiu location. Hapa kasikeu

division. Ninayo machache ambayo ninayoangalia kama ikiweza kutusaidia katika sheria zetu nchini. Labda ninaongea katika kiswahili maana unaandika kidogo, ningeonelea kama maoni yangu yenyewe labda mengine yameshawahi kuzungumziwa lakini katika maoni pia yangu, naonelea President au Rais wa Kenya, mamlaka ile aliyonayo ni makubwa ipunguzwe kwa kiasi kwamba kuna sehemu zingine ambazo yeye anachukuwa au yeye anafanya ambazo wananchi wanaumia pia. Kama vile wamesungumzia kama vile, kuchagua chief justice, si hangekuwa ni yeye ambaye maana akichagua anamamlaka juu yake. Tunaoelea ya kwamba chief justice, ofisi hiyo iweze kutangazwa halafu watu wawezi kutuma maombi yao. Na katika hao either wawili wawezi kuangaliwa kati yao ambao wanaweza kufanya kazi hiyo. Na akiwa amechaguliwa na president, wakati wowote atafanya lolote lile ambalo lina favcur president na sio katika kazi yake kwa hivyo ningependa president asichague chief justice, katika hiyo ofisi jambo la pili pia, katika hali hii ya makampuni au zile sectors ambazo zinazotumia pesa nyingi, utakuta ya kwamba katika sehemu nyingi, pesa zimeibiwa na watu ambao wamewekwa hapo kama wakurugenze. Halafu baada ya muda utakuta kwamba watu ndio wanatambulikana kwamba wamekula hizo pesa. Lakini hakuna njia ya kurudisha hizo pesa, turudi mahali pale, tufanye kazi ile ambayo ilikuwa imedhaminimwa kufanywa. Kwa hivyo, kama mtu akipatikana ya kwamba ameiba katika sehemu fulani au amenyakuwa kwa mfano kama mbunge wetu alikuwa akasema, akiona mahali ambapo kuna pesa kidogo na anataka kuwafikia wananch, akichukuwa hizo pesa na zisifanye hiyo kazi ambayo zilikusudiwa kufanya, huyo mtu afuatwe arudishe pesa hizo ziende zifanye kazi hiyo kwa sababu watu wanaumia katika sehemu ingine na wengine wanakula. Jambo lingine ni kwamba kimezungumziwa kwa upana, kuhusu sheria ya ardhi. Ardhi kama vile tumeona kwamba sheria hizi nyingi zimebuniwa katika wale wakoloni waliketa katika nchi hii yetu.

Ningeonelea ya kwamba hii title deed, ambayo inachukuwa nafasi kubwa kwa mwananch ambaye hata subuka kupata hiyo title deed, ni ngumu haingekuwa na mamlaka kwa mwananchi kutumia hiyo title deed kukopa loan ama kufanya nini. Ingekuwa na kikao fulani ambao inaweza kukaa na kuona ya kwamba huyu mtu anahitaji loan na apendekezwe au awe na wadhamini wale ambao wanaweza kusimamia na apate loan bila hiyo title deed kukopa. Kwa sababu inaumiza watu wengine na wengine hawaumii jambo lingine ni kwa kwamba katika upande wa mashamba tu, unakuta kwamba amechukuwa ma acre kama maelfu na ile hali mwingine hana hata mahali pa kuweka nyumba peke yake. Mimi nigeonelea kwamba sheria ingebuniwa ya kwamba kila mtu awe na kiasi fulani ya mashamba ile kwamba. Kama kuna mtu ambaye anashamba kubwa, agawie wengine maanake si sote ni raiya wa Kenya, ili kwamba hivo ambaye ana acre kubwa agawie wale watu ambao wanaitwa maskowtas. Maskwotas hawa wanatoka wapi na ni riaya wa Kenya wanafaa kuwa na nchi yao, wanafaa kuwa na mahali pa kulima.

Kwa wale watu ambao wamechukuwa hata kama wamenunua na pesa zao hizo pesa ambazo zinaitwa zao hao ndio wanao filisha serikali, kuiba katika kampuni halafu wanakuja wanasema ni pesa zao. Kila mtu aweze kuangaliwa hata kama amenunua shamba, hiyo shamba amenunua na pesa za wananchi ambao amewaibia halafu anakuja kunyanyasa tena kuwanyang'anya shamba lao. Kwa hivyo ningeonelea kwamba, mashamba yawe na kiwango fulani kwa kila mtu ambaye anachukuwa shamba. Na la sivyo hawa watu waangaliwe na waondolewe, ili wape nafasi wengine. Pia katika hali hiyo tu ya masomo, unaona kila wakati tunaambiwa ya kwamba, masomo ni ya bure. Lakini pamoja na hayo wale ambao wanaimba uko ya kwamba ingawa masomo niya bure huku chini, masomo si ya bure. Watu wananyanyaswa. Mtoto akiwa hana pesa hawezi kuenda shule lakini

katika wimbo wetu tunaimba kwamba primary school education is just free. Lakini, ukiangalia kutokea katika grassroot mtakuta ya kwamba it is not free, maana wazazi wanaumia. Pesa hata kama ni ndogo ndogo, lakini maisha wakati huu imekuwa ni ngumu sasa watoto hawasomi bure. Inafaa waangalie hiyo maneno kwamba. Kama ni masomo bure, wa provide kila kitu ambacho mtoto anafaa kutumia shuleni kama vitabu vya kuandika, vitabu vya kusoma. Serikali itoe au ipeane kwa hawa watoto. Maana kama hapo awali kulikuwa ni kwamba watoto walikuwa wanapewa vitabu. Kama sisi tukikuwa tunapewa hivyo kitabu exercise na whatever. Lakini kwa sasa hiyo vitu havipo na hiyo pesa ambayo zilikuwa zinatumiwa katika hiyo zilienda wapi? Huyu ndio nigeweza kuonelea kwamba, hayo kama wanataka ku-implement wacha ifanye kazi kama ni bure, hiyo vitu pia ipewe bure. Wabunge

Twenty five percent pia katika every province kumchagua President. Na isiwe kwamba miaka fulani ndio inapaswa President, President ni mtu ile ambaye watu wa nje wanaweza kuona ya kwamba ni President anaweza kutuongoza yeye achaguliwe bila kuangalia miaka ni mingapi bora awe ni mtu mzima ambaye anaweza kuamua mambo. Sio kwamba ni vijana ndio wanaweza kuongoza na wazee waende nyumbani, mzee, mzee anaweza kuwa mzee lakini ana hikima ya kuongoza nchi wacha aongoze maana uongozi unatoka kwa Mungu.

Naye makamu wa rais mimi ninge, ninge, ningeonelea ya kwamba makamu wa rais asichaguliwe na President tena. Maana wakati ma president anapomchaguwa makamu wa rais, mara nyingi hakuna kitu kile ambacho atafanya pasipo kumconsult president au kufanya kama vile anavoonelea. Makamu wa rais angechaguliwa na wabunge, wale ambao sasa baada ya president kuchanguliwa sasa katika bunge wachaguwe makamu wa rais hapo, maana president anachaguliwa na wananch naye makamu wa rais achaguliwe na bunge ile ambayo iko imechaguliwa kuingia kwa bunge. Iyo itaweza kurahisishia mambo ya kuzungumza kama kucorrect kama kuna mahali ambapo pa kusahisha asahishe, kwa ujasiri kwasababu hana mtu yule ambaye labda anaweza kusema ya kwamba atamuogopa lakini ana anasahihisha kazi hiyo na tutaweza kuendelea vizuri. Pia, katika hali hii ingine, eeh, wamezungumzia pia lakini nitaguza; mtu ambaye anayefanya kazi ya serikali astahili kuwa tena na business yake yoyote ile kwasababu akiwa nafanya hivyo mara nyingi kwa mfano kama madaktari, daktari ana anafanya kazi kwa serikali na pia ana nini pia Private clinic. Madawa yale ambayo yanapelekwa katika hiyo Private clinic inatoka kwa serikali. Hata ingawa wanaweza kubadilisha vibandiko ya kwamba ikikuwa ya G.K. lakini wanabadilisha kwasababu wakati huu ufiada umezidi na unaona ya kwamba mahospitali ya serikali haina dawa na inahali eeh, watu wale ambao mabinafsi madaktari wana madawa. Hayo madawa wanayapata kwa njia gani? Kwasababu wanataka kujinufaisha kwa njia isiyofaa kwahivyo ningeonelea ya kwamba kama ni daktari yule wa binafsi yeye angaliwe na akaguliwe yakwamba anatowa wapi madawa na hiyo mwananchi wa kawaida ataweza ku kuendelea. Pia cost sharing kwa upande mwingine inaumiza wananchi wale ambao labda hawana mahali pa kupata pesa. Kiasi kwamba akienda hospitali hata kama ni shilingi ishirini peke yake, huyo mtu hapati shilingi ishirini za kuenda kupata hiyo kadi. Ningeonelea ya kwamba hiyo katika ushuru ule ambao wana wanapata kwa serikali kama sasa kwa mfano kama budget inavyosomwa unakuta yakwamba kwa upande wa medical, au upande wa hospitali wamepeleka pesa fulani. Ingefaa kukadhiriwa pesa zile ambazo zinazo weza kutosha ku kumfikia mwananchi wa kawaida kama akiwa ingonjwa. Ndio unakuta people being unakuta wale ambao ni masikini wanakufa ovyo ovyo hata ugonjwa wa malaria kidogo tu kununua

madawa hiyo inamshida. Na sasa kama serikali ingeweza kuingia kwa jambo hilo kusaidia mwananchi wa kawaida bila shaka mwananchi wa kawaida angeweza kufanikiwa kupitia kwa mambo kama hayo. Kwa hivyo na hayo mengine ambayo sitaweza ku kuyataja maana tayari yamesomwa ningemba yakwamba nifikie mahali pale na Mungu wa uziwa awabariki.

Com. Kabira: Thank you very much pastor, aaah before I come to the councillor let me give Mr. Benard Mutinda a chance.

Benard Mutinda: Kwa majina ni hayo munasikia, Benard Mutinda na mimi na anzia na uchaguzi wa bunge. Tunaonelea kwa maoni yangu kama tunachagua wabunge wawe wakichaguliwa pamoja na councillors lakini uchaguzi wa rais uwe tofauti uwe peke yake. Kama rais tunachagua rais pale alikuwa amesimama kama chama vitatu ama vinne, ule anashinda na wapili warudishwe tena, wagombe wawili tuone ni nani atapita na percentage kubwa.

Eeh ya tatu rais anatakiwa ile mamlaka amepewa inarudhishwa chini kidogo kwa sababu unaona anasema leo huyu ndio vice president na akionelea anaanza kukaa kando kidogo, na vile yale yake anataka anamuambia hapana, wewe kaa kando lete Munyua Waiyaki, haya ya nne ni kuhusu elimu. Hii mambo ya elimu tuambiwa ni ya bure sio ya bure. Kilasiku unaona watoto wanakimbia hapa njiani. Na hii imevutiwa na wengine kuhusu hii kusema at office maintainance, haya trophy whatever, kwa hivyo tunaona hii constitution munayo itengeneza sasa iyanziwe muelekeo kuwe munaweka kitu ikitoka kule juu, iwe ni hiyo, hiyo, hakuna ingine hapa kando.

Eeh ile ingine ni kuhusu hii pombe haramu; tunasikia kuna pombe haramu hii, na inakataliwa na serikali na inaendelea kua watu hapa. Tunaonelea kama kitu inasemekana ni mbaya, hapana kusikiza hata ikiwa ni mkubwa, na mimi ninanyimwa kwasababu sina uwezo na were mkubwa unapewa na unakuja ku-uwa watu hapa. Kwa hivyo tunaonelea kama sheria inatungwa, inatungwa ya watu wote, sio ya wakubwa na wadogo.

Ile ingine ilikuwa unaona mukiwa pahali mtu anasemekana msheshimiwa ametokea. Msheshimiwa ndio tu mumemchagua na atupatie heshima, na sasa naye msheshimiwa anafaa kupatia heshima kuna wengine wana wakiwa kama ni msheshimiwa akienda pahali ana watu wanamchukuwa kama msheshimiwa lakini yeye haichukuwi kama msheshimiwa kwa hivyo tunaona, tunaonelea hao wawe kiwango moja mtu apewe ile heshima yake na hao wananchi apewe heshima yake. Kwa hivyo yangu ni hayo. Asante sana.

Councilor Musau: Basi kwa Com.issioners eeh, msheshimiwa wetu, members wale wamekuja kutoa maoni ya kubadilisha katiba. Kwanza mimi naomba radhi kwa jana nilijaribu kufika kazi mingi imekuwa, leo nikajaribu kufika kukakuwa na kazi ya kutembea na watoto mpaka karibu mbali mbali kidogo kama kilometre kama kumi. Hivi sasa nimetembea more than about fifteen kilometres na miguu.

Yangu Commissioners nataka muandike, nitalete karatasi baadaye. Commissioners zote zile zimetolewa Kenya hii, kuanzia ile

ya zamani ilikuwa ya Njonjo Commissioner ya kuangalia mchango, Commissioners wa kuangalia mambo ya kila kitu. Sasa mimi katika hii nakalia labala ya nane ya kutengeneza katiba. Na katiba hapana kitu mchezo, katiba ni kitu unatengeneza kesho inakuwa taabu kwako katiba ni kitu unatengeneza kesho inakuwa mzuri kwako kitu ya kwanza mimi nataka kutengeneza pande yangu sababu mimi ni councillor, watu wanasema ile mtu bado soma na bado fike form four hapana chagua. Audience (Laughter) Councilor Msau. Na mimi nasema Rais wa nchi hii x 2 kama anapendwa na wananchi hata kama mezeeka, tuchague huyo kwa sababu ni watu wengi wanapenda yeye, sio katiba ni mwananchi. Na mimi ni chaguliwe hata kama bado soma, sababu ni mwananchi.

Ile ingine nataka sema hapa iko eeh cap.265 ya local government, imeumiza councils zote Kenya. Kwa sababu ikienda katika Nairobi utakuta the clerk of Nairobi ndio boss ya mayor. Na Councillors hawawezi kufanya chochote. Ukija hata mpaka hapa kwetu unakuta councillor analipwa mshahara wa elfu saba. Na saa hii tunasema tutengeneze katiba, elfu saba! Na wewe unasimamia watu ishirini na kitu elfu, sasa kwa nini hii kitu hapana pelekwa huko pale wabunge wanalipiwa, ma councillors nawao waende wakalipiwe hapo.

Audience: Laughter.

Councillor Musau: Ile kitu ingine, uwezo, katika Nairobi pale pako mayor, pale pako mayor ni Nairobi, Machakos, na Mombasa, wapi sehemu hizo. Katiba iangalie wakiongeza mshahara, hapana kuongeza sababu wako Nairobi! Alichaguliwa akaitwa councillor, kabla hajachaguliwa kuitwa mayor, alitwa councillor, kwa hivyo mshahara yake na councillor ya mashambani kama hapa tulipwe pamoja. Sababu the living of the standard imeenda juu, saa hii nikitoka hapa nje nitaanza kuitisha tobacco. Na mshahara attanza kuitishwa ndizi. Wewe ukija kutoa maoni, utaitishwa nini? Haya kwa hivyo sisi tuongezwe mshahara, sababu tuko na kazi mingi. Kitu ingine, katiba hii tunaitengeneza hapana ya katiba hii imeletwa shauri tuu ya watu wana angalia Moi tu! Moi tu! Moi tu! Moi. Leo Moi akitangaza aseme nimetoka kwa kiti hii katiba utasikia wazungu wakisema isimamishwe. Hii katiba, si hao Commissioners wako hapa? Saa hii saa saba Moi aseme mimi mtukufu Rais Daniel Arap nimewacha kazi eeh! Utasikia mzungu akisema eeh katiba ya Kenya simama. Nitafute namna nyingine, Kenya sisi hapana tengeneza katiba ile ya haki, tupewe nafasi hii maoni wewe umekuja hapa leo hapana tunataka ikuje tena.

Maoni ipeanwe kabisa, ipeanwe na yule mtu ambaye yuko kiziwi, kiwete nani! Apeane maoni ya katiba. Kwa sababu sisi tunapelekwa tu kuingizwa kwa msituni. Tunapelekwa tu tuingizwa kwa taabu, tunapelekwa tu tuingizwa kwa miti juu, hatujainizwa kwa mto ndani saa ile tunaletwa na maji mzungu hapana iko! Mzungu atakuwa America, mzungu atakuwa London na watu wa Kenya tunapata taabu hapa. Katiba yetu tuachiwe tutengeneze tukiwa na umaskini au tukiwa na pesa. Tusipelekwe mbio, halafu katiba hii mukishachunguza nyingi mkichukuwa maoni, mupeleke bungeni hata kakaliwe chini sasa sababu hapo ndio panatengezwa act! Hii nyingi mnachukuwa iko Pal Yash Ghai, iko ufungamano Mutava, iko Raila, na ya Raila ni ya bungeni ya Mutava wale wamekuja hapa ambao wana hakilisha Mutava ni ngapi? Hakuna! Wale wamekuja hapa na wanahakikisha ya Pal yash Ghai in hawa! Na sis tumekuja hapa kuwakilisha mjumbe yuko hapa na laini yetu ya Raila.

kwa hivyo katiba hii mpaka ikae iangaliwe sawasawa. Iendelee na isongee, mpaka siku ile katiba ya Kenya itapelekwa bungeni isemwe ndio hii na hii na hii na hii. Ndio sasa tutakubali hiyo ni katiba. Na ikiandikwa, ikikubaliwa tuletewe kwanza tuseme, hii tumekubi, hii tumekataa, hii tumekubali hii tumekataa, sisi wananchi, kwa sababu nyingi mumeleta kwa sisi na mumechukuwa maoni kwa sisi. Mukipeleka huko mturundishe tena, tuje kusema sisi bado zungumza hii tulizungumuza hii lakini muafrika, saa hii anazungumuza saa hii na kesho anasema sio mimi nilikuwa na sema namna hiyo kwa hivyo tuangaliye sawasawa katiba, tuangalie vile tunapeleka huko. Wajumbe, nimesikia watu wanasema wajumbe wanataka wale wako na degree ndio, si umeona wale wako na degree siumesikia hii moja hapa, eeh si-imekuonyesha mtu amechukua shamba tangu 19 siji ngapi mpaka elfu mbili 2930, wewe hutakuwako hata mimi, hata wale wenye kutengeza katiba, tutakuwa tunatengeneza katiba ingine na huyo mtu yuko hapa na nyinyi munaona.

Namunatuambia tutengeneze katiba, kuanza tutaondoa moyo, colony protection tuondowe hawa halafu tutengeneze katiba yetu ya Kenya sababu yeye bado iko na kaa tuu, ni shamba yake na anaka na ile ya zamani, ataendelea na kukana ile ya colony na ile yetu ya langas ilienda kutengeneza ikamwabiya endeleo nakuka. Kwa hivyo commissioners, sisi tunataka muendeleo kuchukua maoni, maoni ya katiba ya Kenya baado. Maoni ya Kenya ya Katiba baado, saa hi utapewa hapa na watu karibu mia mbili, mia mbili, mia mbili, mtu akisimama unaona tuu Moi. Mtu akisimama anaona councillor, mtu akisimama anaona mjumbe siache kitishwe tuu, tutakutana, eeh, kwa sababu wakati ule intakua nikitumiya katiba ile yangu, ile yakuitisha kiti ile yangu na wewe unatengeneza ile katiba ya Kenya, kwa hivyo ni mambo mbili mwenye kuitisha na mwenye kutengeneza.

Kwa hivyo wakati mtu anatoa maoni anatoa ile yake, na hapana guza huko juu (kicheko) sababu huwezifika kwa Mungu kabla pitao kwa Yesu. Tuangalie hapa chini, tutengeneze vile mheshimiwa ameseme, tumeyangawanya mashamba, na Wazungu, Mzungu anaka hapa, na huko kwao London, hakuna Mwafrika. Wanataka kuzungumza, nitawaachia hapo wazungumze ile yangu watoe. Eeh, nitawaacha hapa. Kwa hivyo, sasa tunasema hivi, nyinyi kama mnaona hii Katiba tunasukumwa na Mzungu, museme mbunge ivunjwe, tuitishe kiti. Kama mnaona hii Katiba mtatengeneza i-come sawasawa, muendeleo na kutengeneza, muendeleo na kukaa, hata kama ni 2003 December, mpeane ile haki, hapana neno. Kwa sababu hii Katiba iko mtu anaumwa hapa, anasema “paa” na hapa siku ile tutapelekwa njela hapana pelekwa na yeye.

Com. Kabira: Peana mawaidha.

Cllr. Musau: Ni sawasawa, haya, ile ingine ni kitambulisho, wengi tunatoa maoni, tunasema mtu wa kitambulisho, akisaliwa, kama mama amezaa mtoto na baba, tumezaa mtoto, kitambulisho yake awache kuangaishwa nayo. Kitambulisho yake apewe na ile inaitwa, birth certificate, ni bibi tu, na mama tu au baba atapeleka picha, na kitambulisho anarundi nayo nyumbani siku hiyo. Hii ya kukaa, inaka miaka mingi, birth certificate tu, mtoto amechukua picha, na kitambulisho yake.

Shule, siji tutasema nini. Shule, iko act hawa wanafuata, lakini ile act ya shule, ni kama imeachwa. Siku hizi shule inaenda kama

vile mtu anafikiria. Iko pesa, office maintenance, iko pesa, sijui nini, iko pesa sijui nini, mpaka njioni. Mtoto anakwenda nyumbani asubuhi na jioni. Tengenezeni Katiba, mtoto kama iko miaka ya kuenda nursery, hapana weza kufukuzwa shule upto 18 years, naye atakuwa amemaliza. Akiingia nursery tu, hapana fukuzwa, ni kukaa huko, na kuendelea, na kusoma, kama hapana iko na pesa, baba hapana iko pesa, serikali ilipe baadaye, serikali ilipe. Mtoto akizaliwa America, analipwa pesa, na wetu Kenya, tunataka wakizaliwa na sisi tunaanza kuhesabiwa wetu pesa. Sababu pesa iko, mtoto wangu anahesabiwa pesa kutoka leo nimezaa, mpaka siku ile Mungu atachukua yeye.

Pesa ya wazee, wazee wale wako hapa, wamepata taabu. Iko wazee tunawaita Headmen, na hawa ma-headmen, ndio wako pale chini, huko watu wamegombana usiku kwa kijiji, ni headmen, headman anapeleka kwa assistant chief, assistant chief anapeleka kwa chief, inaenda namna hiyo. Headman muangalie, pahali councillor atalipiwa, na mjumbe atalipiwa, naye headman alipiwe hapo, sababu yeye ana kazi mingi. Na kama hapanalipwa, muangalie tu, itatoka kwenu, na hata nyinyi hakuna account, sijui itatoka wapi, maangalie mtatoka wapi. Maangaliwe, hata kama watapewa kama pension, wewe wakipewa namna hiyo pension, namna hiyo.

Sasa tutaondoka, na tutangojea siku ingine maoni hapa, na hapa tumezikizwa, na iko kitu inatuzikiza pale na iko ingine hapa, (kicheko), na imekamata sauti yangu na imekamata yako. Kwa hivyo, wakati ambayo mtarudisha tena mtuletee, nije nijisikize kama ni mimi nilizungumza hivyo (kicheko) au ni nani, nikumbalie hapo. Kwa hivyo mimi nitafika hapo (kicheko)

Com. Kabira: Asante sana Councillor Musau, Musi Kisuna.

Kisuna: Asante sana, nawasalimu nyote hamjambo.

Audience: Hatujambo.

Kisuna: Maoni yangu ni kidogo tu. Ile ningependa kuongea sana ni upande wa mashule. Upande wa shule, sisi kama wazazi tumeumizwa sana, sana, kwa sababu ni kila wakati kwa wiki, mtoto anawezasoma siku moja. Kwa sababu ni kila asubuhi, mtoto akiamka akienda shule, ikifika saa mbili, mtoto amerundi, leta pesa, na hatujui hizi pesa zinaendaga wapi, ni pesa ambayo hazina receipt. Mwalimu akijaribu kuulizwa na mzazi, hizi pesa, zinaingia namna gani hakuna receipt, nataka receipt, anaambiwa hizi zinaingia mradi mwingine. Na hiyo mrandi hatujui ni mrandi gani.

Ya pili ni upande wa ma-MPs na councillors. Uchaguzi: uchaguzi wa MP na councillor uwe tofauti, wawe na siku yao ya kuchaguliwa.

Ule mwingine, ni upande wa rais. Tukishaachagua ma-MPs na councillors, uchaguzi wa Rais uwe wa baadaye. Na Rais ule atachaguliwa, sio lazima pesa, anatoa pesa na picha yake. Kwa sababu ikiwa ni kutoa pesa na picha yake, kipindi ikiisha,

akikuja huyu, akitolewa, kukikuja president mwingine, naye anatoa pesa na picha yake. Hio sio mzuri. Nataka picha ya pesa iwe tu moja, kama itabeba miaka mia moja iendele, kama dollar.

Upande ule mwingine ni, sub-chief na assistant chief. Chief na assistant chief, hawa ni watu wanaweza kuchaguliwa na raia. Diposa, wawe wanatumikia raia vizuri, kwa sababu chief ako na mamlaka ingine ambayo amejipatia mwenyewe. Na chief anaweza kupewa transfer, awe akikaa mahali kwa muda, anatolewa hapo, anapelekwa kwa muda, hivyo tu.

Ile ingine ni upande wa, huku kwetu sana, Wakamba tunajua kutumia kitu inaitwa kiapo “Kithitu”. Ma-chief wanajua kunyanyasa watu, wengine wale wako na pesa, anaabiwa huyu ni maskini na pengine wanapatana, anataka kunyanganywa kashamba yake, na ni lazima mkamba afuate “kithitu”, hiyo ni lazima iwe iko, muandike hio. Tunajua kutafuta mchanga na njia nyingi.

Ile ingine, upiganji ya kura. Upigaji wa kura, ni lazima kula zote mahali zimepigwa, zihesabiwa hapo. Sio kura, watu wakipiga zinachukuliwa, zinaenda kuhesabiwa mahali hakujulikani. Kula sihesabiwa mahali zimepigwa, na wale watu waliokuwa wanasimamia kula, kama ma-MP’s ni watatu, tunajua mu-MP alikuwa na kura fulani, huyu mwingine mia moja, huyu mwingine mia mbili, huyu mwingine mia tatu. Hiyo mahesabu ipelekwe huko iende ikaongezaniwe huko, tujue ni nani ameshida, katika ma-MP’s na ma-councillors. Ni hayo tu, sina mengi ya kusema.

Com. Kabira: Ahsante sana bwana Kisuna. John Kakui Mutsembi?

Interjection: Ametoka.

Com. Kabira: Ametoka! Justine Kiseli? Mbona leo hakuna mama amekuja hapa kutoa maoni?

Watu wa Kasikeu, hakuna wanawake hapa? Benjamin Mutungi?

Interjection: (Not clear)

Com. Kabira: Benjamin Mutungi? Sorry, Mr. Ole Sutui? That is the D.O.

Interjection: (Not clear)

Com. Kabira: Kennedy Ndambuki?

Interjection: Ameshatoa.

Com. Kabira: Amepeana? Jacob Mwina?

Interjection: (Not clear)

Jacob: Our electoral Commission, wananchi kwa jumla, hamjambo?

Audience: Hatujambo.

Jacob: Yangu ni kidogo, machache.

Interjection: (Not clear)

Jacob: Yangu ni mawili ama matatu. Ya kwanza ni kuhusu electoral Com.ission. Ningependelea zaidi electoral Com.ission iwe independent body sio ati nashindana na mtu na yule nashindana na yeye yeye ameandika yule anahesabu. Hiyo iwekwe kando. Ile inengine limeguzwa kidogo na M.P. wa Kilome, ni judiciary. Hiyo iwekwe kando na Rais. Hiyo ni kama kupunguza uwezo wa Rais kidogo. Judiciary, Rais asitupe mkono ndani, ikae kando na yeye. Ile ya tatu ni wafungwa ama si wafungwa ni washitakiwa. Ni kama wanumia. Tuseme nimeshikwa saa hii, na napelekwa kwa chief camp, nakaa siku moja. Siku tatu huko kwa polisi, nakaa siku tatu bado nangojea tu. Napelekwa kortini (not clear) ikipika siku mbili, nawekwa rumande tena. Siku kumi na nne nangojeahuko na siku ya mwisho inagunduliwa sina kosa. Sasa, hiyo maneno ya 'sina kosa na ninaambiwa niende nyumbani na nimeumia kwa siku nyingi, nitalipwa na nani? Mwandike (laughter). Hiyo iangaliwe, naona ni kama mbaya, na sina mengi, yangu ni hayo.

Com. Kabira: Ahsante sana Bwana Jacob. T. Kimwili? Hayuko? D. Kilonzo of N.C.K.? D. Kilonzo? J. Kiongo? T. Mwema? Munguti Mundo?

Munguti: Ahsante sana kwa nafasi hili nililopewa. Yangu ni maneno mawili tu, si mengi.

Com. Kabira: Mzee songea hivi kidogo watu wakuone. (Not clear)

Munguti: Ahsante sana. Sasa maneno yangu ni hii. Nina (giggles) Mimi ninasikitika sana kabisa sababu toka mimi, mwaka ya 52 hivi, nilikuwa hapa duniani (giggles) na basi tulikuwa tunaitisha ile uhuru. Lakini mimi nafikiri hii location ya sisi hii ya kukaa, sisi hatupati uhuru. Hatuna uhuru. (giggles) sababu yake, kule kikuyuni wakati tulipata uhuru, Kenyatta alinyang'anya wazungu wote ile mashamba yao akawapa watu wao. Lakini sisi hii kwetu hapa ni Ukambani, kutoka. Nairobi mpaka sijui huko karibu kikuyu, wazungu wanapewa hapa, kule wanatoka kama Ndolo, wanapewa shamba hapa, akina Msomba, akina Muyuu hawa wakona mashamba makubwa kabisa na sisi tulikuwa tunapigania turudishiwe hiyo mashamba. Sasa mimi nauliza, tulipata kweli

uhuru tukapewa mashamba yetu? Hapana, sasa hii tunangoja tupate nini ingine kama Moi hivi, tujue kama tunarudishiwa mashamba kidogo na ningependa kama hawa wange gawiwa mashamba. Lakini hapa kwetu, ndio palionekana mahali yakuweka wale watu ile tusha shida kwa vita? Sababu hawa walikuwa wakubwa kwa nini kwa kupigana.

Hapa kwetu ndio iko namna hiyo? Toka Nairobi mpaka Voi. Ukiona hapa, iko mahali ya wazungu, na wazungu wakishaondoka huko, wanakuja Wafrika wengine na Waafrika ndio wabaya kushinda wazungu kwa sababu tulikiwa tunachunga huko kwao. Tunachunga ng'ombe zetu lakini hao watu wetu hii watu weusi, hatuwezi kupeleka ng'ombe yetu huko.

Lakini ningependa hawa, hii mashamba wagawiwe kidogo kwa sababu hawataki kunyang'anywa yote na ile nyengine tupewe. Tukatafutiwe kama acre kumi hivi, tukatakatiwe. Mimi nasema hata ukiondoka hapa uende hapa siku gani hivi uende hivi, utaona mashamba makubwa. Si ndio mimi nasema, sisi bado kupata uhuru. Bado kupata, uhuru sababu mashamba hii tulikuwa tunapigania huko tupate hizo mashamba. Tunangoja katiba hii iwe kama tunaweza kurudishiwa kidogo mashamba. Hata ikiwa wewe huwe umepewa acre 10 hivi ulime, hapana mbaya. Hapo mimi nasema ya pahali ya mashamba.

Ile ingine ya pili ni hongo. Hongo ndio ina zidi sana katika kazi hii ya watu, kama mtu anaingia ndani ya kazi kidogo kubwa anakuwa yeye yuko mbele ya watu au walimu wowote au hata nani. Hongo ni nyingi kabisa. Hata machief, wanataka hongo tu! Kwa nini hawatosheki na ile mahahara wao wanapewa? Hawezi, kutosheka na hiyo. Wanataka hongo tu! Kwa hivyo hongo iishe katika dunia hii. Sijui kama itakwisha. Itakwisha kweli? (Laughter) Hong o? Sijui kama itakwisha lakini iishe. Kwa hivyo, yangu ni hiyo tu kutoka nilikuwa naandika kama hiyo tu. Hongo na kutoka Nairobi mpaka Voi, mashamba, sisi bado, kupata mashamba. Kenyatta yeye kwisha rudishia watu yake huko, ukiona huku ukitoka Kiambu, ukiona huko utashangaa sana sababu vile wazungu walikuwa wanakaa kwa ile kahawa. Hao Waafrika ndio wanaongoza huko, lakini hapa sisi wapi. Hii nchi yetu ndio inapewa hiyo watu kweli? Ambao wanashinda kwa vita ile captain walikuwa wanashinda kwa vita ndio wanapewa. Hii nchi yetu ndio wanape hawa watu kweli? Sisi bado pata uhuru uhuru.

Com. Kabira: Ahsante Mzee, lakini ujiandikishe jina lako tafadhali. (not clear) what is his name? (Not clear).

Thing: I'm Thingi and I'm giving these proposals for the new constitution. One. That we should have free and compulsory education for all children as a mean of poverty eradication. The second: Government Ministries should be abolished and replaced with government departments headed by professionals and experts in the relevant fields as a means of promoting sound governance and professionalism. Third: The powers of the president should be extremely trimmed as a means of separating powers because if he had the three branches of the government, obviously we cannot, have justice in our country.

Fourth: The Parliament should have power to impeach the bearer of the office of the president, incase he commits economic, ills social and political crimes. The fourth proposal is that. All bearers of constitutional offices should be vetted by the Parliament, to ensure that only the qualified hold these offices. The fifth one is that. The constitution should devisely protect the natural resources in particular the taxes paid by the citizens. Seventh: The constitution should provide for tough penalty for

corruption crimes individual who ground institution should not be transferred but instead should be sucked and sued in courts of law. The last one is that. The idle land that we have in our country owned by individuals should be confiscated and given to those who are ready to develop the land. Thank you.

Com. Kabira: Thank you very much Thingi. Do we have Musila.

Musila: Ahsante sana kwa nafasi lakini naomba niruhusiwe kutumia the white man's language. I'll be very brief. The kind of government we have currently, with the President at the top and the Vice-President, to me isn't good system. The only problem is the the powers of the President are excessive and need to be trimmed, so that the separation of powers be seen to be in force so that we have the judiciary, the executive and the Parliament seen to be acting separately. I would suggest that, we would have provision for impeaching the president for abuse of office whether in matters of economic ills , social ills or otherwise.

I would also suggest that there should be provision in the constitution to restrict the number of ministries strictly, maybe not more than 15, and if there is any need to make variations, that should be done by Parliament, at least on a basis of 65% approval. As it is at present, we have too many ministers too many assistant ministers which is gross misuse of public resource. We need few ministries each with one Minister and one Assistant Minister. I would also suggest that all senior appointments be vetted maybe by commissions and the public service be done by public service commission or the Parliamentary commission or any thing else but be vetted by Parliament so as to ensure that people elected or awarded such appointments, have the integrate and competence required so that they are not loyal to the appointing authority. As it is at present, all senior appointments are held on basis of loyalty to the head of state and many of the those appointed to the office is misuse them because they have the protection from the powers that be.

I would also suggest that there should be a code of ethics and conduct, requiring those implicated in scandals to resign forth with pending investigation. I would also suggest that we have an Anti-Corruption Authority, fully entrenched in the constitution and completely delinked from the Attorney General. As we have in Kenya today, the A.G. is quite partisan. I would also suggest that we do not require ordinary offices like that of the auditor and controller general. The auditor and controller general in this country has done wonderful, kind of work but all the reports of the auditor and controller general end up being thrown in the dust bins because his office is toothless.

Reports are tabled in parliament, we read them over the papers and nothings is ever done to these who are implicated by his report. I think there is something technically wrong with that office. We need tenure of office and at least some memo.

We need tenure of office and at least some "memo" for the office of the auditor and controller general, and I think that will work closely with an independent and proper un-corruption authority. I would also suggest that provisions be made during elections

to cater for those out of the country, those in prisons, and those in hospitals. they are still citizens and they have a right to choose leaders in this country. We should not take them as condemned. I would also suggest that the (not clear) distribution of land equitably taking into account the interest of the indigenous people. I would also suggest that the public land corruptly acquired or allocated be possessed and the guilty arraigned in court of law. I would also suggest that we need a unitary constitution as opposed to Majimbo constitution for purpose of enhancing and promoting national unity.

To address un-employment in this country. We need the policy of one man, one job, but qualifications should not be set aside. We should have free and compulsory primary education to create awareness, and address poverty issues effectively. I would also suggest that ministerial appointments although done by the head of state should be pegged to qualifications, and that the parliament be empowered to move a motion censure against any person unfairly appointed to such a position. Thank you

Com. Kabira: Thank you very much Mr. Silas Musila and Peter J. M

Peter J. M.: Thank you very much, for the Com.issioners and fellow electorates. My views are in point forms and I hope that I got to be very brief. I have bout six points to give. One is, since our government has been unable to manufacture more jobs for qualified personnel in this country. I would suggest that one man or one lady be mapped to just one job, and we should shun these habit of being Miss or Mr all knowing in this country, because of these, one person has been holding several jobs or portfolio's for that matter, where as a better qualified person has none.

My second view is that, let us this time around unlike in the past be very strict on job professionalism in this country. One should only qualify for a job for which they have studied at a certain level of study to ensure proper, effectiveness and efficiency at all our work places.

The third view. I am requesting the government to make arrangements to educate, all the rural dwellers on modern information technology, it is very important.

Point number 4, and this one is in Kiswahili. I am requesting the government to institute an act of parliament which take care of "Migogoro ya uridhi baina ya wavulana na wasichana. Sheria iwekwe iwe kwamba wote wanapata pato sawa kwani hata usichan ni uwana pia, na huend maisha ya ndoa yamemshinda".

Hoja ya tano pia iko katika Kiswahili. Sijui ni sheria ipi ambayo Rais wa nchi hutumia kuwapatia high ranking retired military men huge tracks of land. Kwa hivyo na sema hivi Rais apokonywe uwezo huo wa kuwapatia hawa ma-officer wa kujeshi huge tracks of land. Kwa mfano tunayo hapa kina Major retired Musomba Muiyo Mulinge to mention a few. Hiyo ardhi inafaa ichukuliwe na kurudishiwa raia wa karibu ambao wanaihitaji zaidi.

Hoja ya sita na ndio ya mwisho. These one is in English. I think there should be an act of parliament, supporting that our currency should not have the face of a human person anymore. My reason for these is that it generates a feeling that all the money is his or hers, or the person ethnic group. For these matter, I suggest there be a picture of our national flag, on our currency. For those views thank you very much.

Com. Kabira: Okay thank you Mr. Mutisya. May I have Cosmus Mutuku.

Cosmus Mutuku hayuko? B. K. Nzioka, Chekindu group, B. K. Nzioka not here? Samuel Mabwavywa. Endelea

Samuel: Kwa Com.issioners na wale ambao wako hapa, nina furahi kupewa hii nafasi ili nionge kidogo juu ya katiba hii amabao tunataka iingie katika nchi hii yetu. Kabla sijataja kitu, naomba usamaha maanake hii si nzuri exercise. Lakini nitataja kitu. Naanzia na free education ili Kenya yetu iwe na wate ambao wanaelewa, kutoka Std. 1 mpaka Std. 8, na form 1 mpaka form 4, nauliza kama inawezekan iyo iwe kata kata ni free education Kenya nzima.

Nitaenda sehemu ya pile ni mbunge. Namna ya kuchagua mjumbe au mbunge. Mbunge, wale amao wanafanya interview maana kuna watu ambao wanazaliwa wakiwa, wanajua kila kitu lakini hawana education kubwa. Hawa form 4 na form 6, wale wafanye interview na yle ambaye atafanikiwa kupita aingie katika election. Maana kuna born (not clear) na akipita aingie uchaguzini. Graduate na B.A., N.A. na doctor kwenda juu, wasiulizwe ni miaka mingapi maana, kutoka Std. 1 kwenda apite graduate aingie kwa ile nyingine, miaka yake inatosha aingie katika uchaguzi bila pingamizi yoyote. Ana education ya kutosha, anafaa kila kitu, na mataabu yote aliyapata kutoka Std. 1 mpaka doctor or bachelor or arts.

Namba nne, habari ya President. Kiti kikubwa, awe na miaka arobaine na tano na kwenda juu, na awe amekoma kwa kila kitu, na achaguliwe kutoka mahali fulani. Na chama kile chake kikimchagua kupewa hicho kiti (not clear) atakuwa president. Retired officers kwa kile department waendeleo kuongezwa mishahara yao hata akiwa nhe. Wate wengine wakiongezwa deapartment yake na yeye apewe ‘fraction’ fulani, maan yeye ndiye aliendelea na hiyo kazi kwa miaka mingi sana, afikiye hiyo retirement.

Administration: Nitatoka hapa chini tu, sita kwenda kwa mkoa au huko juu. Ni hapa kutoka kwa chief, assistant chief na sub-headmen. Wapewe pesa ya kutosha, maana wakikosa kufanywa hivyo, wanaangamiza wale ambao wanahudumia. Hata wakiambiwa wasifanye chochote, akiwa apatiwi pesa ya kutosha, hiyo mambo itatokea, kwa ma-case, kwa kile njia wanaendelea namna hiyo, na shida ni kupewa mshahara ambao hutoshi. Ya pili, wapewe transfer kama watu wengine. Asikae mahali fulani maana ni kwao, aende mahali pengine x3, na ajue mengi, lakini siyo kukaa mahali pamoja. Sub-headmen yule mtu ambaye hapewi kitu chochote, mzee wa kijiji, afikiwi katika katiba hii ambayo tunahitaji nchi. Sana sana maana kazi ile mingi iko kwa mzee wa kijiji, apewe mshahara kama wengine, aende sawa sawa kama wale watu wengine.

Habari ya mashamba, Kuna mashamba ambayo ilitajwa na watu wengi. Wale wakubwa zaidi. Mtu apewe acre elfu mia moja, elfu mia mbili na kadhalika, na kuna watu wengine ambao wanasumbuka hapo karibu wanaweza kupata. Huyu squatter

anaweza kuishi ndani ya katiba hii yetu. Squatter na ni mtu wa Kenya, hiyo inaweza kuisha katakata. Wagawiwe mashamba kana watu wengine. Watu wa Kenya waitikie tumepewa katiba ambayo inakwenda chini ikafikie yule mdogo sana, na inakwenda juu ina mfikia yule yuko juu zaidi. Kwa hivyo nitkoma hapo, maana mimi sisikie sawa sawa. Asanteni.

Com. Kabira: Asante sana mzee Samuel na pole kwa ugonjwa. Julius Mbithi Kimeu hayuko ? Mutie Muteti

Mutie Muteti: Nawashukuru sana nyinyi ambao mlikuwa kukusanya maoni ya wananchi hapa, kuhusu katiba. Mimi ningependelea sana kuchangia msawaada wa uwezo wa Rais. Ningeonelea vizuri sana huo uwezo wake upunguzwe, kiasi kwamba iwe, hasa sana sana kazi yake ni kuangalia mambo ya serikali yanaenda aje, mambo ya kijeshi ama mambo mengine ya upande wa kihela, upande wa budget awe akiachia mamlaka bunge iwe ikifany budget yenyewe bila (not clear). Sehemu nyingine ningependa kuchangia ni upande wa mishahara kwa wafanyi kazi wote wa serikali. Hasa tukichukua mfano wa walimu na wabunge. Tutapata walimu ni watu wamelipwa kiwango ya chini sana na hali ni wafanyi kazi wa serikali kama watu wengine wa serikali. Ambapo utawakuta wabunge wakikaa kule badala ya kutetea watu wote sana sana wanatetea mishahara yao wenyewe, wanaongezwa. Utapata mtu anapata kama laki tatu, Naye mwalimu anapata kama elfu nne, elfu tano. Hiyo nayo iangaliwe sana kwa upande wa haya marekebisho ya katiba. Mfanyi kazi wowote wa serikali awe atleast amelipwa kitu ambayo inaweza kumsaidia na family yake. Mengine tuangalie upande wa maaskari wetu, Police force. Corruption imeingia sana kwa upande wa police force, na either labda hii kwa ajali ya kulipwa vibaya, ama hawana ma-qualifications ya kuwa ma-police ama haop sijajua.

Pia nayo hiyo iangaliwe sana. Upande mwingine ni upande wa mkuu wa sheria, chief adviser wa serikali awe akichaguliwa na wabunge sio president amchague hapana. Sine mengi ni hayo tu.

Com. Kabira: Asante. Nickson Nzioka, Dennis Mandina, Duncan Kamani, Nickson N. Nzioka Ametoka (not clear) So you want to inherit his vacancy fine go ahead.

Nickson Nzioka: Nitasimama upande wangu (not clear) Nickson K. Nzioka. Hiyo ndiyo majina yangu na kwanza kabla kuongea kitu, narudishia nyinyi asante sana kwa ajili ya kufika upande huu. Pia mimi nakaa sana Nairobi. Nilikuwa nikiomba sana vile naweza kukutana na nyinyi tuongee kidogo, kuhusu hii marekebisho ya katiba. N ile kitu mimi ninaomba kama itawezekana ni katiba tuendele na kurekebisha, nitaongea maneno ya N.S.S.F. kama mtu amepatiwa retrenchment awe anapatiwa pesa yake aende kusaidia watu wake, kuliko kungoja ile miaka 55 years, kwa sababu ukiangalia ile miaka wa akina mama kama nyinyi, for example yule bibi yangu nikikufa, na ninawaambia nyinyi ukweli ile kitu mimi nimeona, kupata hiyo pesa wewe mwanamke ni ngumu sana, kwa sababu utaenda hapa kwa N.S.S.F. au hapa kwetu ni Kasikeu. Bibi yangu atoane na mtu hapa mzee kama wewe, waende Nairobi ambiwe tuu achelewechelewe mara ya mwisho mtu akuje amwambie si unaona tumechelewa?

Tutaenda kesho, na unajua kwa vile mimi nimekufa, bibi anaona wewe mzee utamsaidia, na kumbe sio kumsaidia, utamsaidia kwa mambe ingine. Iyendelee namna hiyo na hiyo pesa ipotee na niko na watoto wanatakiwa kusaidiwa hapa nyumbani. Kwa hivyo nilikuwa naomba nyinyi, kwa kweli kam itawezekana mtu akipatiwa retrenchment, ile kitu inaitwa retrenchment siku hizi alipwe pesa yake. Kuliko pesa ikae hapo, kama for example mimi nipatiwe retrenchment, nipatiwe pesa yangu, nitumie na watu wangu. Nikipata kazi mahali pengine hiyo pes itaendelea nitaenda niingie kwa N.S.S.F. na niendelee na kukatwa pesa tena kuliko pesa ikae hapo na sina income ninapata, na hakuna mshahara ninapata .

Ile kitu ingine nataka kuongea ni maneno ya hii maneno ya Ghai muendelee kupindua katiba. Naomba nyinyi kama mtaweza, kwa sababu hapa ni ukambani mnatoka hapa Sultan Hamud unakuja hapa kazi, Kasikeu, lakini mama yangu hawezi kufika hapa. Na uko na gari ya serikali au gari zenu vile mnapata, au ikiwa gari yako na unawekewa mafuta. Ningeomba nyinyi instead mkuje hapa Kasikeu, muingilie hapo ukambani kidogo iko ma-centre zingine for example iko shule inaitwa hapa juu kidogo Kithina primary school, iko ingine inaitwa Nduluni primary school. Mahali unaweza kufikia mwananci wa kawaida, wacha mimi najua kuendesha baiskeli na ninaweza kuja hapa, au ninaweza kusikia mko mahali Nairobi na mimi naenda huko. Lakini iko ile kina mama wazee au vijana wengine na wanataka kufika hapa, na kauajili hawana uwezo, mtu anakwama huko nyumbani na anasikia mko hapa. Kwa hivyo ningeomba nyinyi wacha hapa Kasikeu, kwa sababu Com.inication hapa ni haraka sana. Mjaribu muingie, mtoke hapa Kasikeu mnaenda mahali pengine. Ile kitu ingine nataka kuongea, ni hii mikutano ya campaign. Kama campaign iko hakuna haja ya kupendelea mtu ya KANU, na Ngilu akiwa hapa juu na IPK anakuja kufukuzwa ni polisi, na mtu ya KANU anabakia hapa. Kibaki akija hapa Kasikeu wanakuja kufukuzwa, na anaitisha wananchi kura, si kura za mtu. Kwa hivyo inafaa hio kitu ikuwe hata kama mkutano ya KANU iko mahali fulani hapa Kasikeu, na Kibaki ako wapi , Sultan Hamud, wacha kuenda kufukuza Kibaki na unawacha KANU hapa ndio inaendelea, hapan. Hiyo ni mbaya sana.

Wacha kila mtu akuje atoe maoni yake, kama ni Kibaki, kama ni Moi, kama ni Ngilu, kama ni Kijana wamalwa, wakuje, kura sio video tuko nazo, hawana kura, tuone policy zao, tuitikie, tuwapatie kura au tu (not clear) lakini sasa, kama Ngilu hapa na Kibaki, Kijana Wamalwa wanaunga pamoja, halafu polisi wanakuja wanakimbiza hawa, iko haja gani? Na tunasema tuko nchi independent. Hiyo kwa kweli mnaona kitu ama hiyo ni mbaya sana.

Ile kitu ingine nataka uongea, ni upande hii ya kwetu kutoka Sultan Hamud, mpaka mahali panaitwa Mumela, tulikuwa na ma-councillor watatu. Sijui huyo kama ni ya Kivuitu ama ni ya nani, si fununu ni ukweli. Hiyo area ni kubwa sana, na 1/2 ya Kilome constituency na inatakiwa ipatiwe Councillor mmoja. Councillor mmoja atatumikia hiyo 1/2 constituency akiwa pekee yake? Na hiyo imejaribiwa mbele na ikakataa. Tulikuwa na councillor moja na ikajaribiwa ikakataa Ndio ikaja juzi, ikanza kusemekana ma-councillor walikuwa wangapi? Watatu, ili wafikie yule mwananchi wa kawaida na awe anatusaidia. Lakini sasa sijui hio amri ya Kivuitu ama ni ya nyinyi au ni ya nani. sasa inasemekana councillor akue mmoja kutoka sultan Hamuds mpaka huko mahali kunaitwa Mumela. Hata saa hii wewe ukianza kwenda na gari yako unaenda 3 hours ndio ufike mwisho ya hio mahali panaitwa Mumela. Ni kwa ile mzee alikuwa nakaa hapa. kwa hivyo ningeomba nyinyi hiyo kama itawezekana hata kwa sababu ni kitu imetolewa kama amri, pakatanishwe. Pande hii ya Kasikeu, kukuwa na ma-councillor wawili, kuliko una,

ukieleza mtu mwingine, hio area ni kubwa sana kwa councillor moja. hatakuwa anaweza kutumikia wananchi. Ndio unasikia councillor anasemekana ni mbaya, kumbe councillor sio mmbaya, anashindwa vile atafanya. atafika kwangu lini, atafika ile area ingine namna gani?

Ile kitu ingine ni upande hii ya ma-M.P's, tungeomba nyinyi au niombe MP, hayuko ameenda kwa bahati mbaya. Ile kitu tungeomba, tungeomba wakati MP anachaguliwa, mahali isipokuwa hio imeongewa lakini nitarudisha tena. Mahali tunachagua MP na councillor, hiyo kura ihesbiwe hapo. Kuliko ibebanwe na gari, hii by-election ilikuwa hapa juzi, mimi nilikuwa hapa, na ninaeleza nyinyi kitu mimi nimeona na macho yangu. Iko mtu nilikuwa nikisimamia, tianza kupiga hiyo, kura na tukabeba kutoka hapa, kutoka mahali panaitwa Nduluni, tukaja hapa Kasikeu, tukakula na masanduku yako ndani ya gari. Hatujui ni kitu gani kinaendelea, tukatoka hapa tukapita hii njia tukapita tukaenda tukafika mahali huko Kilome, mahali ile ilikuwa ikihesabiwa. Lakini tukiwa kwa njia gari ikakwama, na njia kidogo gari haiwezi kupita ingine. Gari ingine inabebe masanduku ikaja ikakwama, ikasimamia hapo, gari ingine, gari ikawa tatu. Ikatubidi hii masanduku, mimi na mwenzangu tubebe na mkono kwa sababu sasa tulikuwa tunabakisha mahali kidogo tufike, lakini gari ikaleta shida. Kwa hivyo nilikuwa naomba kwa huzuni lakini wacha nikuje kwa ufupi. Kama kura inapigwa mahali kama ni kituo, polling station, tunahesabia kura hapo. Ninajua labda (not clear) kura kumi, si wewe umepata tatu, na mwingine amepata hi, na tunabeba hio tunaenda ku-combine together tunaenda kuona ule mtu amepita ni gani. Kuliko kutembea na masanduku, anything can happen au gariiyanguke. kw ahivyo ikihesaiwa mahali tuko sawa sawa.

Ile ingine ni hii maneno ya polisi ku-harass watu, wakati tunapiga kra huko. Unaweza kuona tu, ni mama mzee haui kupanga mstari ile polisi anakuja na ile karung yake anaanza kusukuma mama, sa unaona, una-threaten ule mama kwa sababu huyo mama siyo kama mimi. Mimi nita-insist niseme "wewe mze wachana na mimi". Lakini mama akiona ile kiraoni ya polisi wanaanza kukimbia. By doing so unaona mtu anakwenda kabisa hta kuja kupiga hiyo kura. Hatukatai ulinzi kwa polling station lakini wakuwe in order, wanasimama huko kando. Kama ni kitu inakuwa mbaya, tutawaita wakuje watusaidie. lakini sio kuja kupanga watu kwa laini, kitu kama hiyo, kwa hivyo hio ndio maneno nilikuwa nataka kuongea na kile kitu ingine ningeomba ni hii extension ya mwendelee na kusikia maoni ya watu, lakini ikifika wakati ule kama hii mwaka katikati kama tutakuwa election sijui ni lini. Kama itawezekana kwa maoni yangu, kama itawezekana mjaribu juu chini muone kama mnaweza kumaliza, kwa sababu hii pesa inatumika ni ya umma. Siyo yangu hata tukikutana mahali unaweza kuninunulia chai, lakini sawa, wawa, lakini unaona hii pesa inatumika ni pesa mingi sana kwa sababu najua ile mshaharamnalipwa. Inaweza kuwa kidogo vile watuwanalalamika au ikuwe mingi, na mnaona ile shida tuko nyo.

Kwa hivyo tunaomba nyinyi kama mtaona hii maoni tumepatia nyinyi inatosha na mnaweza kutengeneza Katiba naye mpeleke mbelena ikifika December, kuliko turke mwaka ingine kabla ya kupiga kura, mumalizie hapo na msemi haidhuru. Kwa hivyo, hio ndio nilikuwa nataka kuongea, na ni asante sana kwa anjili mumejaribu sana, niingilie huko interior si hapa Kasikeu peke yake. Kuna watu wanataka kuona nyinyi sana, waongee, for example, ile area nimetoka ni kubwa sana wapigaji kura huko mahali mimi nimetoka ni mia nne kumi na saba. Lakini hapa hakuna amefika isipokuwa mimi, na iko mahali pahali ingine

panaitwa Ndulume pako na watu mia tatu na sitini kwa hivyo mjaribu sana. Asnte sana. Thank you so much.

Com. Kabira: Thank you,Williamson Matheka.

William Matheka: Thank you again yesterday I gave some recommendation that I also want to add something small. I am on Judicial abit. I'm proposing that public prosectuion department be delinked from the Atorney general and maybe be given to Minister of Justice and constitutional affairs. This means the director of public prosecution to be from another ministry or that prosecution should also be done by academic qualified Legal Officers and state counsel assisted by the police officers that's the public prosectuion. Police officers are not law experts, so I suggest that it should be done elsewhere. I am proposing that police officers do the arresting or they arest the suspects and hand them over to these other departments who will draw the charge sheet (not clear). This will reduce these forced confession of suspects, through torture by police. On maybe human rights. Kenya police cell and prisons are totally unfit human habitat. I propose that standard of those cells should be improved with maybe a provisionof mattress and other facilities and other facilities and better beddings.

Also I am proposing that inmates have access to information maybe through a TV, radio and also newspapers. I am also suggesting that once one is convicted to maybe serving a jail term, he should be given sometime maybe to the probation period to go and reorganizehis home. It happens that the thing (not clear) and maybe Germany or somewhere in France, apart only with an exemption of those who will be going to the gallows, but the other convicts should be given time, go and re-organize the families. Otherwise we know that families of convicted infact go astray. You come back again and you find everything has been, no home again.

I am also suggesting that we trim; we put in the constituion that we have a 19-member cabinet. On local authroity I am suggesting that those councillors who have proposed form 4 standard of education which will also inco-operate the provincial administration in the councils have all our taxations drawn to the local authority. That is the powerful Local Authority that is where all the taxation will be kept for re-distribution to the residents, with 10% going to the central government. Something else, I am proposing an office of Obudsman. There is a very important office. it has served well in Uganda, it has served well in other countries where all public complains will be charnelled, if complains are genuine somebody should be prosecuted.

I am also saying on the international relationship the executive should not be the only sole signatory to international charter signature. I am saying Kenyans should be consulted, especially when such convictions are being signed by the executive. We had the children and about an international things but we should have been consulted. You don't train a small child (not clear) so I propose that let themembers of the public be consulted, be heard in some of these things.

I am also talking about the land ownership. These 999 years ownership of settlers, 99 years of lease, other leases 33 years for urban plots, should be abolished and let kenya own land throughout. If two ways acres minimum be proposed let that acres be

yours work for life. so these are the few remarks I add to the remarks I made yesterday.

Com. Kabira: Thank you very much, Mr. Matheka, Charles Murumbi.

Charles Murumbi: Kwa majina ni yale Com.issioner amesema, Charles Murumbi. Nimekuja mbele yenu kusema maoni yangu. Kwa utangulizi, those philosophers heroes who struggled for independnece shold be recognized in the constituion. Supremacy, constitution to be a supreme, there should not be a person above the constituion, that's law. Parliament to consenstrate on law making. Before any amendement is changed in the constituio, Kenyan citizens should be involved.

Political parties, I suggest there should be a minimum of 4 parties in Kenya. I suggest also MP's in the parliament to be funded by the government of Kenya equally. Legislature, parliament shold be allowed to control their affairs without the interfearence of the government of Kenya. MP's to be elected should be a minimum of degree level of educaiton. Minimum of 40 years of age. Conduct and behaviour should be observed. MP's salaries to be reviewed by an independent Com.ittee. Executive, to be a president, pme to hve minimum of 55 years. to have 2 terms of 5 years each. Minimum of 70 years to be the head of the state. Provincial administration, I go down to the grassroot, local elders that is village leadmen, to be paid by the government as they do alot of work in the grassroot. Judiciary, the appointments of judges of high court including the chief justice to be vetted by the parliament, and it should be independent from all the arms of the government.

Councillors to be elected shold hae a minimum age of 40 years. Education level 'O' level grad C. There should be no nominees of councillors becuse some of them are not educated. Land and property, all Kenyans are equal, an every Kenyan with an ID to be allocated the smallest areas 4 acres, an non-Kenyan not to own land, as a special condition. every Kenyan can own land anywhere in Kenya. Culture, there Kamba tradition to be in the constitution that is including "Kithitu" and traditional medicine and there I stop.

Com. Kabira: Grace Nduti.

Grace Nduti: (Kikamba).

Translator: Sitaongea kizungu nitaongea kwa Kikamba nikisema maoni ya wanawake amabo wamepata shida sana. tunaendelea na hii shida kabisa hata wanawake wale wakongwe na hata wale wengine waiko na watoto wanasikia maumivu. Kila mtu anasikia uchungu ya hii Kenya. Kenya inaendelea inapita pande hii.

Grace Nduti: (Kikamba).

Translator: Kenya imeenda vibaya inasemekana wale watu karibu na maofisi ndio wanafaidika kuliko wale wako mashabani.

tunaendela na hii kazi ya kupiga kura, na hiyo kura kama unapata unaenda hata tukawachwa. na sisi tunalia, tukaenda na hii viatu, hatuna nini, na nyinyi mnvaa tai na kila kitu. Tunataka kila maoni, kila mtu ajulikana Kenya, ni mwenye Kenya.

Grace: (Kikamba)

Translator: Tunataka Kenya katika kila mtu ajulikane Kenya, iwe Kenya hakuna mdogo na mkubwa.

Grace: (Kikamba).

Translator: Ndio wale watu wako na watoto na wale wazee tujulikane kwa sababu pia tunapiga kura kama wale watu wengine. Hata wale wanava atai, hawpigiki kura, sisi tunapiga (not clear).

Grace: (Kikamba)

Translator: Kwa sababu wakati tulipata uhuru kulikuwa hakuna na vyama vingi vya siasa, sasa zimekuwa nyingi kwa sababu ya pesa. Kama mtu anaenda kwa KANU anakuwa makarui, sa zile anataka ananza chama chake. Anajenga ingine yake hapo kombo. Sisi tunataka chama moja tu kenya. Tuongee lugha moja ya Kenya. Kama wewe uko Kisumu na mimi Ukambani, mwingine yuko Kikuyu, tuongee lugha moja. Kenya hapanataka lugha mbili, tatu, tunataka lugha moja tu. Kama Kenya haionekani hapa ndani, sisi tuna watu, chama kiwe cha watu. Kamani Kenya ni Kenya. Kama ni kuingia kwa ofisi hapana ambiwa mimi ni nni. Niambiwe ni mtu anaingia kama Mkenya. Hata ukiona D.O. (not clear) ni hii watu, wanavaa ngozi. Sisi tuataka tuonekane kwa macho. Kama unakaliakiti uwonekane. Kama mimi niko kombo uwone mimi. Tunataka kenya ikuwe lugha moja, n monge moja. Kama Kenyatta anasema umoja ni nguvu watuwanaingia kwa umoja, nataka (not clear). Kama ni wanawake wachungwe kwa maana hata kura ni ya wanawake.

Nataka Kenya iyangaliwe ndani, kama mtu anapewa kiti, mwingine anapewa Nairobi hio kitini ya nini? Na mnasema mtu apewe kiti hapa (not clear) ni ingine Nairobi, tunasikia uchungu Kenya. Kenya inaendelea na uchungu kwa maana kila mtu anapend mwingine kwa chama nia saa za kua hakuna upedo. Tunangangania kura tupate kiongozi. Tuone mbele hta watu waone sisi, na sisi tuwaone, tunataks hivyo, Kenya ikuwe chama kimoja, hio ukabila inakuwa kila mtu anataka kabila yake kama ni mkamba anataka chama yake, kama Kikuyu anataka chama yake, kama Luo anataka chama yake. Tunataka chama moja.

Grace: (Kikamba)

Translator: Tufikiwe na maendeleo tusiendeleo na mkondo ya maji bila kupata chochote.

Grace: (Kikamba).

Translator: Mkienda kukaa chini na kuandika mjue kina mma wanashida na watoto muelewe hivyo.

Grace: Hata vikundi vionekane.

Grace: (Kikamba)

Translator: Mkienda kuka chinimwandike maoni mazuri ambayo yataona yule yuko hapa na pia yule yuko kule, kwa sababu, sisi tumepata shida sana akina mama. Shid mingi, umtatuwe hiyo shida.

Com. Kabira: Maweu Mwendwa - Mbooni Boys High School.

Mwendwa: I am going to Com.unicate in English, my name is.

Com. Kabira: Your name,your form and your class.

Mwendwa: My age is 15 years old.

Com. Kabira: Which form are you?

Mwendwa: Form one, the first point is about the secondary educaiton. The poor children must be offered free education. You find that a rich man has children in school but they are given busary, instead of poor children being given. The second is about the poorness in the village. Tribalism is bringing about poorness. The third point is about orphans, children without parents, instead of being given free education, they are asked for fees, while they don't have parents, and they go home. They stop contributing towards building the country, and those are my points.

Com. Kabira: Thank you, John Musumbi.

John Musumbi: My names are John Musumbi and I am 26 years. My points ar owners of land, the land which have been given to big people by the government, should be given to poor people, instead of cutting national reserves. The second one is the individual who have been surveyed should be given title deeds. Children plight, children who are under 18 years should not be employed. any person caught employing such child should be taken measure against. Children from poor families should have free both primary and secondary education. Orphans should have the same. Electio of the president MP's and the councillors. MP';s and councillors should have a separate election from that of a president in order to control the rigging, which has been going on since 1992. Incompetent MP's should be suspended and then the DO's should assume the role's of the MP,

while the people should be given another opportunity to elect a new MP for example, if the MP had 6,000 votes, and 3/4 of these are complaining against him, then he should be suspended. Salaries of MP's should be reduced because the work they do is not much and the reduced amount to be given to the poor families.

Councillors, the councillors should be educated up to form 4 and should have attained at least a C. Money collected by councils for example, at Kasikeu, money collected from the market should not go out of the division. The money should be returned to repair roads that feed the market. I've finished.

Com. Kabira: Can we have Paul Mulwa.

Paul: Habari zenu?

Audience: Mzuri.

Paul: Mimi nitwa Paul, Mulwa.

Com. Kabira: Sasa kwa nini ulisema (not clear)

Paul: Naitwa Paul Mulwa, mimi sina maneno mengi, nataka kuongea kidogo tu kuhusu uchaguzi wa countituency hii yetu. Hapa sisi tunakuwanga na uchaguzi lakini vile tunachaguana siyo vile inatakea. kwa hivyo tunataka wakati tunakuja kuchagua mnaleta watu kuja kusimamia uchaguzi. Mwwangalie, hatutaki kusikia kura zimeibiwa. Tunachaguana hapa vizuri na unasikia hapa tumeenda hivi na kumeenda kombo.

Kuna kitu ingne pia nataka kuongea kuhusu, hawa watu wanaitwa sub-chiefs. Kama inawezekana, sub-chief wawe pia tunawachagua. Si kwenda kufanyiwa interviews kule tunletewa mtu, hata kule kitu anakua kutusimamia hapa havezi kufanya. Wengine pia ni ma-councillors. Councillors uchaguzi ni sawa, lakini pia nao tuwangelie wale watu wanafaa kuchaguliwa

Si kila mtu tu akisimama ana nini, kwa maana ako na 'god father'. Anakuja anaingia na unasikia yeye amechaguliwa councillor kwa hivyo mimi sikuwa na mengi. Ie kitu nilikuwa nataka tu, ni sub-chief achaguliwe na wananchi, si kufanyiwa interview halafu mnaletewa mtu namna hii. Thank you very much.

Com. Kabira: Onesmus Ngili Mwangangi

Interjection: Ametoka

Com. Kabira: Okay Justine kasinga from South net

Justine Kasinga: My names are Justine Kasinga. I am not giving many views, mine are the

Com. Kabira: Did you give views yesterday because (not clear)

Justine Kasinga: They are of the rights of famine gender. Zangu ni nne tu. Nataka niongezee. Kuwe kuna right ya wanawake, wakati mtu ana decide when to give birth, how many children, these men sometimes (not clear) on children, to have the right to advance with education, socially, economically, but not the men who have married her. Right of bride over property in time of marriage and (not clear). To be free from traditional culture.

Interjection: (Not clear)

Justine Kasinga: (Laughter) what?

Interjection: They just have to hear what you are saying, so that they don't have conversation (not clear) so they are talking about doing 3 concurrent and yesterday you were talking about using the (not clear)

Justice Kasinge: You know not all of them are to be followed. Yeah. Then the last one is to have the right to be recognised as human beings on human grounds. Not to be beaten, not to taken as women for we are women. Thank you.

Com. Kabira: Thank you. Very much Rebecca Nzuki

Rebecca Nzuki: I am Rebecca Nzuki I am from the Salvation Army. I have 2 points. Women (not clear). Women violence. Discrimination should be eliminated from grassroot and officer opened to deal with the issue. Second, Girl child, should be empowered and supported for education because it's right for her to have education. Third, widow, Wa mama (not clear) should be empowered with small scale business to prevent them from sexual abuse that will infect them with HIV Virus (not clear) so these mother should be empowered. Second, they should be honoured when their husband dies, the land should not be taken away from them sake of them are abused and violated by the brother of the husband to be left without any. So the widows should be taken care of. Thank you very much.

Com. Kabira: Thank you, Sabina Varu

Sabena: Habari Zenyu?

Audience: Mzuri

Sabena: Mimi yangu intasema kidogo sisemi sana. Nitasema juu ya wamama. Wamama wanashida sana. Wamama wana shida sana, kwa maana wamama ndio wanatafuta karo ya shule, ndio wanatafuta chakula ya kuliwa na chakula. Mimi sijui kiswahili sana lakini nitasema ile najua. Sasa wamama tunataka mtu wa kutusaidia. Na mtu mzuri wa kusaidia mama ni councillor nzuri, ni yule mjumbe mzuri, ule anaongoza watu. Sasa hatutaki uchaguzi wa hapa chini, tunataka uchaguzi wa huko juu. Sisis wenyewe tuchaguwe wale wanaweza kutusaidia. Na sina mengi sana ni hayo tuu.

Com. Kabira: C. Justus K. Kibnaga.

Justus K. Kibnaga: Mweaseo.

Translator: Hamjambo?

Audience: Hatujambo

Joseph Kiminga: Nakwa ne museo

Translator: Mimi niko salaam.

Joseph Kiminga: Kielelo chakwa cha kuka vaa

Translator: Madhumuni yangu kuja hapa,

Joseph Kiminga: Neukete kwete woni theni wa kelungu kemwe cha kela nietete vyata wa cho

Translator: nakaya kutoa maoni kwa sehemu moja ambaye nataka kuzungumzia, K/nayo sehemu hiyo ni ya wapiganiaji wa uhuru, K/ile wanaita mau-mau.

Na undu wa mbee ula ngendaa kukweta ni uu, kukweta kana

Joseph Kiminga: Nayo ne ya uwokite ma wewathi

Translator:

Joseph Kiminga: Ela yetawa ne syitwa Mau Mua

Translator:

Joseph Kiminga: Na undu wa mbee ula kwendaa uweta ne kana Mau Mau undu netayo ya uketie serekale eno ya Kenya umuthe

Translator: Jambo la kwanza ambao nitasema, mau-mau ndio walipigania uhuru wa nchi ya Kenya,

Joseph Kiminga: Nakuka vou twee yuu neasyia twina miaka meungo etatyu na thatha

Translator: kufikia hapa tuko na miaka thelathini na nane ya uhuru.

Joseph Kiminga: Na hadu hasu twaukitia wewathi ethwi twielye kuu ta kutwekwo kwitu

Translator: Wale wote tulipigania uhuru tunaka ni kwamba huku siyo kwetu,

Joseph Kiminga: Na ketumi ethwe tuye vyandu tutua

Translator: kwa sababu hatuna mahali pa kukaa. Pahali mimi naka ni pale nilikuta baba yangu akikaa.

Joseph Kiminga: Vala nekalaa novala netheyei naanu ekalaa

Translator:

Joseph Kiminga: Na nevu yuyu nena syana syakwa yuyu aume thathato

Translator:

Joseph Kiminga: Na me aka

Translator: wako na mabibi,

Joseph Kiminga: Na tutwei oh vau na novu twisaa na novu twithasya

Translator: Tunaka hapo ndipo tunalipa na ndipo tunafuga.

Joseph Kiminga: Na tenye neyooka okiiti ma wawethi pala pavika othe

Translator: sio mimi pekee yangu bali ni wote wale walipigania uhuru.

Joseph Kiminga: Na kielelo kela cyai tuyetekela wawethi cyai tukiteyai nthino yaitu ya Kenya ne kana twethuwe na kundu kwa kutua

Translator: Niya ya kupigania uhuru ilikuwa ndio tupate makao.

Joseph Kiminga: Na ela kwateeyei twakwata wewathi edi hadu ala twokitiya wewathi twatwikeye tatutwisykewe nethwe twokitia wewathi

Translator: sasa tangu yaonekane ni kama kwamba, wale tulipigania uhuru ndio tuonekane tulipiganis uhuru.

Joseph Kiminga: Nudu aala twokitaa namo ma-africa wezetu maitethezia mwegereza nuyu nemo twametaa ma homeguard nemo matwikeye hadu na serekale nudu syito syothe syangagiwe na ela twokitaa

Translator: wale ambao tulikuwa tukipigana nao wakisaidia waingereza, ndio home-guards, ndio wamepata mamlaka na ndio wako na mali, na sisi tuliyepigania uhuru hatuna chochote.

Joseph Kiminga: Kwohu ethiwe twena thena muno na kindu kee ketwekeye ne kutohya kuuka Katiba ena utothi wa unenea mwatheke eketheneka na etona kwenda undo kwa Africa neyekea nesa muno.

Translator: ndio nasema kwa sababu sasa imekuwa kuna marekebicho ya katiba na wale tuliyepigania uhuru ndio tunaleta maoni yetu,

Joseph Kiminga: Nasyia yuu nudu negumatha uthena twevaa kwitu vee vuuka we ngaliko syothe

Translator: Na sema kwasababu najua shida na ziko hapa kwetu pekee yake, ziko kwa sehemu zote,

Joseph Kiminga: Ela syi na wokiit mawewathe

Translator: Pale ambapo pana wale walipigania uhuru.

Joseph Kiminga: kwoyu neasyia yuu ethuywa ne vatoneka

Translator: Kwa hivyo nasema kama inawezekana,

Joseph Kiminga: Kitaba ela ye yu ya ma-frika ekwnda kwika wendi wa mafrika

Translator: Katiba ile inatengenzwa na mwafrika, ifanye mapenzi ya kwafrika.

Joseph Kiminga: Yu evudue Katibani wethyie Mau Mau nethiwa ye syitwa Katibani ya kenya

Translator: Iwekwe jina hilo mau-mau iwe katika katiba ya Kenya.

Joseph Kiminga: Na nekana wethyie yu sereakale ela ewithiwa

Translator: Ndio hivyo serikali ambayo itakuwa,

Joseph Kiminga: Ethiwithe yena uthoye wa kuthuva ajumbe ma kuwakilisha Mau mau

Translator: Ndio tuwe na uwezo wa kuchaguwa wa-wakilishi wa mau-mau katika bunge.

Joseph Kiminga: Na ma-councillors otawuhuu mawakilishe Mau mau

Translator: Pia halikadhalika wa kichaguliwa ma-councillors wa wakilishi wa mau-mau

Joseph Kiminga: Ne kana mavaata maitu ha mevetha kwitu netukwenda huyu twone edni Kenya syou totuthya kweatha

Translator: Ndio shida zetu zisikike kwa sababu tunaona ni kama kwamba ndio tutakuwa uhuru tena kwa hii katiba.

Joseph Kiminga: Wetheye yuyu ne twoneka tatwiothe onaethwia ndithi ne ya haiwe ya theleka thino ya Kenya ne nene watheyia hadu ala ma Mau Mau ne methiewa na elugu syo cianei kwikala na kutoa na mwiema

Translator: Ndio tuonekane kwa hii nchi na wale wote tulipigania uhuru tupewe sehemu ambayo itatukosea sisi wale tulipigania uhuru.

Joseph Kiminga: Kwoyu neye ndinena yuu nena wuo mwingi

Translator: Kwa hivyo naongea hayo nikiwa na uchungu mwingi,

Joseph Kiminga: Ndilikana

Translator: Ni kikumbuka,

Joseph Kiminga: Vaala ne elyie neye

Translator: Pale mimi nakaa sasa,

Joseph Kiminga: Na thena uola nathenei nudu wa theno ya Kenya

Translator: Na shida niliyo pata kwa sababu ya nchi hii,

Joseph Kiminga: Gethyia nudu ne nse nthiye kwiwa yuu ne weka ne kala mukiti wa wewathi wothe

Translator: Na tambua siyo mimi nasikia hivyo, ni wale wote ambao tulipigania uhuru.

Joseph Kiminga: Edni Katiba hesu vaata husu uuthi wethiwe muelezwe nesa huu na utiandikwa nesa una ethuwa ala tunena vaata husu twenena mavvyito munitata kulunga, mlunge ne kama kendu chu ketileke

Translator: Hiyo shida ambayo tumeisemeya tunaomba iwekwe kwa katiba na kama kuna matatizo ya kuenezea, tutengeneze, tupewe mashamba.

Joseph Kiminga: Kwohu ndiwenda kwanaga wakati

Translator: Sitaki kuharibu wakati,

Joseph Kiminga: Neasyia kiu ne keweeka na ethuwa kinewiika kialulewe kithyumo kela mwishyi ena kana eleweke

Translator: Natarajua yale yote tumesema yamesikika, na kama yajasikika mtafute lugha muwekw isikike. Asante

Com. Kabira: Asante sana mzee. Margaret Mutua

Margaret Mutua: Uvyoo wethu

Translator: Habari zenu

Audience: Mzuri

Margaret Mutua: Ne nena Kikambo nudu neyu lugha ela nemesyage munago

Translator: Naongea kikamba kwa sababu ndio lugha na elewa sana,

Margaret Mutua: Na neumia mawoni makwa yulu wa chokora

Translator: Na toa maoni yangu kuhusu chokora.

Margaret Mutua: Chokora ela syi Nairobi na ela metaane ela enge yothe

Translator: Chokora ambao wako Nairobi na mtaa ingine yoyote.

Margaret Mutua: Chokora hesu syiuma misyii

Translator: Hao machokora wanatoka kwa ma nyumba mwetu,

Margaret Mutua: Na tiate ne twaemiwe ne kumakua ta cyiana citu

Translator: a si kusema ya kwamba hatuwa wezi kuwasaidia hawa watoto,

Margaret Mutua: Lakini ne huudu syiana su emaa na ethi na utheya vala syathi asyai matothana kwatia

Translator:

Margaret Mutua: Na noo msyai hatataa kuatea chokora nesiuso evinda ya kuatha asyai hasu mou makeka-joint uthiyai ne matotha na mai

Translator:

Margaret Mutua: Na nejo kituumi tukweumwa ne syiana citu syi kou

Translator:

Margaret Mutua: Woni wakwa ne waksya serekale nudu yena viina na yena maale.

Translator:

Margaret Mutua: Moobathyi syiana husu na nudu ne syio

Translator:

Margaret Mutua: Na ne matotha kusoma

Translator: Na wanaweza kusoma,

Margaret Mutua: Matwawe vandu maumwe ma-town

Translator: Wa pelekwe mahali watolewe kwa town.

Margaret Mutua: Na meisomethwa ne mekwatwa eviida yukeete

Translator: Na wafunzwe wapelekwe shule ndio tuwe na matumaini yao ya siku za baadaye.

Margaret Mutua: Kwohu ne asyia woni kwkwa nesya serekale yusye hatua ya kusya syiana hiisu emametheie vaadu hiesome

Translator: Maoni yangu ni kwamba serikali ichukuwe hawa watoto, iwatafutiye mahali wasome.

Margaret Mutua: Woni wakwa wa kele

Translator: Maoni ya pili.

Margaret Mutua: Woni wakwa wa kele ne tundu wa kwaekwa aaka

Translator: Ni female genital circumcision ya waakina mama.

Margaret Mutua: Haaka tene ne maikawa ooh nayu no maekawa

Translator: Zamani wanawake walikuwa wanatahiriwa, hata sasa wanatairishwa,

Margaret Mutua: Na ala maekithasya haaka mou ne tukwona baa tewaeliu wa haaka kwaekwa

Translator: Na wale ambao wanatairishwa, hata sasa wanatairishwa,

Margaret Mutua: Hudu umwe ukristo ne wokie

Translator: Kwanza ukristo umekuja,

Margaret Mutua: Na wooka newou tutwasyia ethye hadu ma eviida ethie hadu maekwe kuakwa

Translator: Na ndio tunasema ukristo watu wakati huu tu ache kutairisha wanawake. Wanawake wakitahiriwa, hawana haja ya waume.

Margaret Mutua: Aka maamina kwaekwa

Translator:

Margaret Mutua: Maethukwa mena vaata wa aume

Translator: Hawana ladha au tamaa ya wanaume kimapenzi,

Margaret Mutua: Yaane mathuewa maimeda

Translator:

Margaret Mutua: Kwohu tweona una ukimwi kwingi wegevete nudu waa hadu kweakwa na aume maito makeeka kweiwa toteumeda

Translator: Na ugonjwa wa ukimwi umeletwa kwa sababu ya wanawake kufairishwa kwa sababu wanaume wao wanaona hao wanawake hawa tamaa ya kuwapenda. Inabidi wanaume wao waende nje, kwa sababu wanawake wao wametahiriwa na hawana tamaa ya mabwana

Margaret Mutua: Kwou woni wakwa wee husu na ne asanti

Translator: Maoni yangu yalikuwa hayo mawili na ni asante.

Com. Kabira: Phylliz Mamuri

Phylliz Mamuri: Habari zenu?

Audience: Mzuri

Phylliz K.: Mimi nitaongea lugha ya mama na msijali ni kwa nini

Com. Kabira: Laughter endelea

Phyllis Kamuru: Unene wakwa wa mbee ne hudu wa retrenchment

Translator:

Phyllis Kamuru: Ne kulya serekale kitheuya ne vatotheka

Translator: Na uliza serikali kama yawezekana,

Phyllis K.: Retrenchment eikaithewithe egni

Translator: K/retrenchement isirudiwe tena.

Phyllis K.: Nudu unamwasisyia retrenchment ne taayu yugelele ugei yulu wa nthiii na wowani mwingi

Translator:

Phyllis K.: Ketumi nudu ethikwa ne nathukumaa na nenaevawa

Translator:

Phyllis K.: Na nemwambuuta ndena evaago

Translator: Halafu mnanivuta bila mpango

Phyllis K.: Ne lazima ne ende ne kamaathe hudu syiana syakwa etotha kuvyona

Translator: Nilazima niende nikatafuta jinsi watoto wangu watashi

Phyllis K.: Nakethwa ne kuwaa ne guwaa.

Translator: Kama ni kuuwa nitauwa

Phyllis K. Kwou kwethya ne vyatotheka serekale ethiekwe egni na woni wa kuvuuta hudu egni

Translator: Kama itawezekana serikali isikuwe na maoni au jambo hilo tena la ku-retrench watu.

Phyllis K. : Point egni ela yakwa ya kele ne yulu wa AIDS

Translator: Point ya pili ni juu ya AIDS

Phyllis K.: Nekulya serekale nudu nethyu thembwaa na uthoni wothe

Translator: Nauliza serikali juu ndio iko na uwezo wote

Phyllis : Emathe hudu kela mwana-damu uotha uvikiwa ne dawa ya ukimwi

Translator: Itafute jinzi kila binadamu au kila mwananchi wa Kenya anaweza fikiwa na dawa ya ukimwi.

Phyllis K.: Ketuumi nudu maalea kwika hou mudu ula wena besa newe ukotiwa yulu wa thii nudu aka-fford kuowa dawa

Translator: Kwa sababu kama usipofanya hivyor wale watu wako na pesa ndio watabaki hapa duniani ama hapa Kenya kwa sababu ndio wako na pesa ya kununua madawa.

Phyllis K.: Na nege ti ukimwi wewyoka

Translator: Si ukimwi peke yake

Phyllis K.: Matibabu yothe huiti wothi waele kuitwa maana nudu hadu ne metheiwe matena besa

Translator: Matibabu yote yanapaswa kuwa ya bure kwa sababu watu hawana pesa.

Phyllis K.: Nege ela mukwasyia uchumi ne wa zoroteli wazorotele kwa kila mudu

Translator: Mkisema uchumi umezorota, umezorota kwa kila mtu.

Phyllis K.: Point ya tatu

Translator:

Phyllis K.: Retirement

Translator: Retrenchment

Phyllis K.: Kethikwa ne vatotheka

Translator: Kama yawezekana

Phyllis K.: Mudu aviicha ela miaka meugo eh tano na etano

Translator: Yeyote akifikisha miaka hamsini na tano

Phyllis K.: Haele kwinuuka

Translator: Anapaswa aende nyumbani

Phyllis K.: Nudu kuu misyi kwi syiana sya somie ne syaiewe ne wiyia na uyieda withyi mudu wa miaka miugo thanya eyo wiane

Translator: Kwa sababu huku nyumbani kuna watoto wengine wamesoma na hawana kazi, na utakuta mtu yuko na miaka themanini bado yuko kwa kazi

Phillis K.: Yuu keyuu ne kedu ketekutwelea kabisa

Translator: Hilo ni jambo moja ambalo halieleweki

Phillis K.: Kwou mudu avicha miaka ela yaele unethya nuu unethya ne President miaka hesu ya viika aele kwenuka

Translator:

Phillis K.: Ya kwisho. Keidu chakwa cya muthya ne

Translator:

Phillis K.: Ne asyia kwena usanguani utwetelee

Translator: Kuna uchaguzi ambao tunangoja

Phillis K. Waumatha mshumbi

Translator:

Phillis K. Woni wakwa ne mshumbi ethuywa wa mhudume makamu athekwa wake ethkwe wa mudumuka

Translator: Maoni yangu ni kwamba Rais akiwa mwanamme, makamu wa Rais awe mwana mke.

Phillis K.: Kwa heri

Translator: Asante

Com. Kabira: Asante sana Josphine Mutua

Josephine Mutua: Hunjambo?

Audience: Hatujambo

Josephine Mutua: Mimi naleta (not clear) hapa. Point yangu ya kwanza ni hii, wale ambao wasiyojiweza wawe wanapatiwa kiwango fulani kwa serikali, kwa sababu, wengi wao wana kipawa kama wale wengine ambao wana hizo vipawa. Ya pili, free education to all Kenyans. Tunaona huku kwetu kuna shida sana, na wazazi wetu wengi wameachwa na watoto wao ambao wamekufa juu ya ukimwi, na wengine hawana mapato ya kuwasomesha hao watoto wengine, na ukienda shuleni wanaitishwa vitabu, wanaitishwa development fund, na watoto wamekaa nyumbani kwa sababu hao hawawezi ku-afford hiyo nini. Naomba serikali itoe free education kwa Kenyans.

Ile ingine ni medical funds. Ukienda mahospitali mengi huku kwetu, ukienda Kenyatta ama wapi, unaenda unaambiwa toa pesa. Haya na mengine, unaona mtu hana pesa, sasa mtu anakufia hapo kwa sababu hawezi ku-afford hiyo matibatu. Sasa hunaomba serikali itoe matibabu ya bure kwa all Kenyans, kwa sababu wengi hatuna mapato, kama wale wengine. Kwa hivyo tuwe equal wote Kenya, tupatiwe matibabu ya bure.

Ile ingine ni wasichana wale tumezaa na hawajapata mabwana wa kuwaoa. Tunataka serikali itoe kama ni amri mzazi ampatie huyo mtoto share pamoja na yule mvulana yuko pale. Hatakama ni land, na kama ni land alee watoto wake pale na vitu vyake amepatiwa title deed ya sehemu fulani ya land na wazazi wake. Hayo ndio maoni yangu. Asanteni.

Com. Kabira: Asante Julius Kolile

Julius Kolile: Asante sana. Mimi maoni yangu yale ninayotaka kutowa ni upande wa wafanyi kazi wa serikari, kutoka assistant chief hadi chief. Inafaa sub-chief aende transfer kama wanayi kazi wengine. Kama ni mkamba aende area ya ukambani sababu anajua utamaduni wa kikamba kwa hivyo chief, sub-chief waende transfer.

Maoni yangu ya pili. Nitaongea juu ya mahakama. Mahakama huchagua watu wote hali moja, kama ni mfungwa ni mfungwa, na mfungwa huwa tofauti. Unaweza kufungwa kwa kupigania area ya kichaka yenu na uwe saa zingine hauna nguvu unasukumiwa huko ndani, na tukiangalia kweli hakukuwa na makosa ya kukujunga. Lakini ukisha ingia huko ndani, unachukuliwa kama yule mtu mnyang'anyi, ama muuaji. Inakuwa matendo ni hali moja. Kwa hivyo ningesema kati ya mahakama iwe na viwango ya kufunga wafungwa kulingana ameungwa na sababu gani.

La tatu ninaongea kwa juu ya ma-plots ama vichaka yale tunayopewa huku. Huku kwetu survey imepita mwaka wa 1992, na hata waleo uko na kale kanamba tu ulipewa na officer yule alikuwa akipia nyingi namba. Na ningeliza ujue hiyo ardhi ni yako ingefaa upatiwe ile title deed ya kumiliki hiyo shamba ni yako uwe na uwezo wa kusikika. Kwa hivyo yangu ni kufika hapo. Asanteni sana.

Com. Kabira: Daniel Mololo, kuna mut mwingine ambaye amebaki anataka kutoa maoni?Kuja

Jina ni Nickson Willie Nzioka. Kwanza naongea juu ya elimu. Serikali inapaswa kutoa elimu ya bure kwa kila mwanafunzi, na hiyo iwe lazima, na kama ni hawa watoto wanazurura hapa mijini wanaitwa chokora, wote wkusanywe wapelekwe kwa mashule, na hiyo inaitwa approved school, iwe ni lazima mwanafunzi asome.

Kile kingine ni, mtu akienda college ya uwalimu au polisi, huyu mtu apatiwe kazi kwa sababu wakati ame enda, ametumia mali yake, ya baba yake na akirudi hapa apatiwe kazi, kwa sababu wakati ame enda, ametumia mali yake, ya baba yake, na akarudi hapa apatiwa kazi. Hiyo tunaona ni kuhangaisha wananch wa Kenya.

Ile ingine nitaongea ni juu ya mashamba. Tunaona kila mtu Kenya ameletwa na Mungu, na kila mtu ana haki ya kuwa Kenya, na Kenya kila mtu ni sawa na yule mwingine. Lakini Kenya inanyakuliwa na wale watu wako na pesa. Wale wakubwa, kama tuseme general wa army, brigadier, major, lakini wale watu wengine wako na shida. Utaona mtu analima nusu acre, na ukienda mahali pengine utakuta mtu yako na acre mia tano, na mwingine ana acre moja, na hiyo ndio sababu Kenya utakuka watu wako na pesa. Wale wakubwa, kama tuseme general wa army, brigadier, major, lakini wale watu wengine wako na shida. Utaona mut analima nusu acre, na ukienda mahali pengine utakuta mtu ako na acre mia tano, na mwingine ana acre moja, na hiyo ndio sababu Kenya utakuta watu wanakufa na njaa, kwa sababu watu wengine wako na mashamba makubwa na wengine hawana shamba. Hiyo inatakikana Kenya, kila mtu apatiwe land kama yule mwingine.

Ile ingine nitaongea ni juu ya Provincial administration. Chief, D.O. na sub-chief. Hiyo administration inatakiwa itolewe kabisa, kwa sababu hiyo ndio inaleta corruption Kenya. Unaona chief ndio anaenda, akizurura, ukija kwa chief anakwambia leta shilling mia tano. Akija kwa yule mwingine anakwambia leta shilingi mia tano, na hawa chiefs ndio wanaleta taabu Kenya. Kwa sababu ukienda huko vijijini ndio wanaitisha pesa za 'karubu' na ndio wanafanya watu wakenya wasifanye kazi kwa sababu ya corruption. Kwa hivyo tunaomba serikali hiyo provincial administration itolewe, na badala yake, kama ni chief awe akichaguliwa ni watu, na awe akitumikia kama miaka miwili, halafu atoke.

Kile kingine naongea ni juu ya Rais. Rais wa Kenya anatakiwa kuwa mtu anaye miaka thelathini na mitano. Lakini awe ni mtu amesha soma awe na degree ya economy kwa sababu bila degree ya economy ndio unaona economy ya Kenya inaenda vibaya. Kama President angekuwa na degree ya economy, Kenya haingekuwa na taabu kama hii, na mawaziri wawe watu wameshaa elimika, na katika hiyo baraza lake la mawaziri. Iwe na waziri abaye shughulikia mambo ya watoto, yani youth affairs, kile kingine makamu wa Rais awe mwanamke, lakini amechaguliwa na watu. Awe siyo mtu wa ku-appointiwa na president. Hata hao mawaziri wawe ni watu wamechaguliwa na bunge, isiwe watu wale president anapenda wamfanyie kazi ile yake. Mawaziri wawe ni watu wana chaguliwa ni wabunge, ili wawe hawana uwezo, na Rais awe si mtu ako juu ya sheria. Kama anafanya jambo mbaya, awe ni mtu ambaye anaweza fikishwa kotini na kujibu mashtaka.

Ile ingine ni election. Hi ya councillor na MPs Hii election inatakikana kama ni wakati wa elect Councillor, hiyo ifanywe wakati wake, na ya M.P. wakati wake. Lakini MP awe ni mtu ako na degree, naye councillor awe ni mtu ambaye ame elimika, ni mtu wa kidato cha nne, ako na C au division 3.

Ile ingine ni kama vile Kenyatta alisema, wakati tulichukua uhuru, tuliambiwa, tutafukuza umaskini, upumbavu, na shida. Kwa sababu Kenya, hii health serikali iwe ikipeana dawa ya bure kwa kila hospitali, kama vile ilikuwa ikifanywa zamani. Na ile ingine naonea ni juu ya akina mama. Akina mama wapewe uwezo kama nchi zile zingine, kama Tanzania, Uganda, wawe wanajulikana wakiongea. Asante sana kwa maoni hayo.

Com. Kabira: Asante! kuna mtu mwingine ambaye anataka kutoa maoni, ambaye hakuitwa?

Interjection: Kuna mmoja alitwa lakini anasema (not clear) moja akiluwa anasema kama anaweza kukubaliwa (not clear)

Com. Kabira: Nani? Wewe?

Reuben M.: Kwa jina ni vile nilisema Reuben Mutie.

Com. Kabira: Sema jina kwa sauti inatupiwa

Reuben M.: Eeh?

Com. Kabira: Kwa sababu inatupiwa rudia tena majina yako

Translator: Yeye anasema kwa jina ni Reuben Mutie. Alisema saa zile.

Reuben M.: Kuna point mbili ambao nilisahau wakati huo. Moja ni hii Act, Chiefs act, irudiwa. Inge ni wale wazee wali retire, sababu walifanyia serikali kazi mingi, kwa miaka ile walifanyia service. Kufikia miaka hamsini na tano ni miaka mingi. Sa zile wanaongezwa wafanyi kazi wengine wa serikali, civil servants, pia nao wafikiriwe waongezwe kitu ni hayotuu, asanteni.

Com. Kabira: That is the

Meeting ended at 5.30 p.m.

