

CONSTITUTION OF KENYA REVIEW COMMISSION

CKRC

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, NTONYIRI CONSTITUENCY,
HELD AT LAARE MULTIPURPOSE HALL.**

ON

WEDNESDAY 15TH MAY 2002

**CONSTITUENCY PUBLIC HEARINGS, NTONYIRI CONSTITUENCY HELD AT LAARE
MULTIPURPOSE HALL ON 15 MAY 2002**

Commissoners Present

1. Domiziano Ratanya
2. Abubakar Zein Abubakar

Secretariat in attendance

- | | |
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| 1. Roselyne Nyamato | -Programme Officer |
| 2. George Kariuki | - Ass. Programme Officer |
| 3. Zipporah Wambua | - Verbatim Recorder |

The meeting started at 10.30 am with Com. Domiziano Ratanya in chair.

Com. Domiziano Ratanya: Tunaanza tunaanza kabisa. Tuombe kwanza halafu mtarudi ku-register hapo. Tuanze na maombi kwanza halafu mtarudi kujiandikisha tafadhali. Mmoja atuongoze kwa maombi. Aje hapa tafadhali.

John Muchuria: Mimi naitwa John Muchuria Gichuru, na tuombe. Mungu wa rehema tuko mbele yako siku ya leo, ni siku ya maana kwa taifa hii letu, na hasa katika Constituency yetu ya Ntonyiri. Mungu tunakuomba uwabariki wote wale watatoa maoni yao ili yaweze kuhifadhiwa katika Katiba yetu, ili nchi hii yetu na vizazi vyetu ambavyo vitakuweko baadaye, viweze kuishi katika hali njema na hali ya kuelewana. Tunaomba ma-Commissioner wetu waweze kutusikiza, wachukuwe maoni yetu, na wayatekeleze vile tunasema. Tunaomba hayo katika jina la Yesu Kristo aliye mwokozi wetu. Amen.

George Kimathi Samuel (District Co-ordinator): Okay asante sana, **tutaanza** kwa maoni sasa, lakini kabla hatujaingia kwa maoni ningetaka kuwajulisha kwa hawa tuko nao hapa leo Ntonyiri. Chairman na ---- Leo tuko na ma- Commissioners kutoka kwa Tume ya marekebisho ya Katiba, pia tuko na kamati ya Ntonyiri ambao hao wamekuwa wakinisaidia katika kuendeleza shughuli ya kufunza wananchi. Na pia tuko na Civic Education Providers, lakini ni wachache hapa labda watakuja baadaye. Tuko na Chairman wa committee, Julius Kaithuru, tuko na mwanakamati Stepheni Hungu, hata huyu ni mwanakamati ni Chairman wa Tigane East anaitwa Jimmy Muketha, tuko na mwanakamati Nathan Kunja. Tuko na Councilor Amos Kiumo. Hawa ni baadhi ya wanakamati ambao wamefika leo, na tunatarjia kupata wengine, kwa sababu wengine wako mbali sana kama 50 km kutoka hapa. Tunadhani watafika --- kuanzia saa tano hivi.

Kuna ma-Commissioners: Domiziano Ratanya, na Zein Abubakar. Tuko na Programme Officer Mr. Kariuki, tuko na Madam Zipporah na Madam Roseline Nyamato. Kwa hivyo mimi sina mengi ila tutamuomba musikize kwa makini yale mtaambiwa, kwa sababu leo wako na utaratibu wao wa kupatiana maoni. Watamueleza vile mtafanya mkija hapa mbele. Langu ni

kumuomba mufuate vile mutaambiwa, kwa sababu wako na utaratibu wao wa kupatiana maoni. Sina mengi ya kusema kwa sababu tumeanza tukiwa tumechelea kidogo kwa sababu ya shida ndogo ndogo. Nitamuambia Commissioner Domiziano Ratanya amueleze utaribu mutakaoufuata mkija hapa kupatiana maoni yenu. Asante.

Dimiziano Ratanya: Okay, asante sana Co-ordinator na kwanza kabla hatujaanza, najua kila kikao lazima kiwe na jina. Na kijulikane na kikao cha namna gani. Sasa ningetaka kuwatangazia wote, kikao hiki ni kikao cha Constitution of Kenya Review Commission na tumeanza sasa officially.

Lingine, munakumbuka kwamba tulipokuwa hapa last time, ilikuwa mambo ya kumaliza kuwafamisha mambo ya Civic Education. Ninakumbuka kulikuwa na Commissioner Lenaola upande huu, na mimi nilikuwa upande ule mwingine. Na tuliwambia wakati mwingine tutakuja kuchukuwa maoni yenu ya kutengeneza Katiba. Sasa hii ndiyo siku hiyo ya kupata maoni yenu hapa katika Ntonyiri Laare maoni yenu ambayo yataingia kwa kutengeneza Katiba yetu mpya ama Review ya Commission ya Constitution yetu. Na kwa hivyo mumekuwa mumejitayarisha, ninajua mko tayari kupeana maoni yenu.

Kuna mpango ambao tunayafanya nao haya mambo, kwanza tukubaliane ni lugha gani. Lugha ambayo tunajua ni lugha yetu ya Kenya ni Kiswahili na Kiingereza. Lakini kuna pahali tunaenda mpaka kunakuwa shida kabisa mpaka mtu anataka kuongea kwa lugha ya asili na hata hiyo hatuwezi kukataa. Lakini tujue, sana tutumie Kiswahili. Mtu akiwa na memorandum yake ya Kiingereza, naye ataeleza. Tukitoka hapo kwa lugha, kama ukiwa na maandishi yako umetengeneza hiyo ndiyo tunaita memorandum. Yanaweza kuwa ni mambo mengi ambayo umeandika. Huwezi kusoma yote kwa sababu utakaa kama masaa mawili matatu. Kwa hivyo tumeona kwamba (na ni vile tumekuwa tunafanya kila pahali) ukiwa na memorandum, eleza tu yale ya muhimu. Kama ni education unataka kusema Constitution ipendekeze iwe education ya bure: sama ningependekeza elimu iwe ya bura kutoka standard one pengine mpaka whatever ile class ambayo utasema, kama ni university ama ni wapi, hiyo inakwisha. Si kwenda kusoma maelezo yote ati mtoto kutoka nyumbani kuja hapa, nini nini hayo yako katika memorandum na tutasoma. Kama ni mambo ya miraa- nayo upendekeze miraa pengine unataka iingie kwa Katiba kabisa, iwe ni zao nzuri ile inatusaidia hapa. Hayo mengine umeandika kwa memorandum yatasomwa si kueleza yote -----

Kwa hivyo memorandum ni kwamba, ni maelezo ambayo yatasomwa na hutaki kuendelea kuzungumza sana -be very brief. Tunapeana five minutes, dakika tano, just to give highlights. Tuseme point moja, mbili tatu na kuendelea, kwa sababu tutakuwa na watu wengi sana. Kama jana tulifanya kazi karibu watu five hundred upande wa Maua. Hata hapa mtakuwa zaidi ama kama hiyo figure, na tungetaka kila mtu asema kitu. Kwa hivyo usitumie wakati wote kwa maelezo, fanya kwa ufupi, halafu upeane memorandum yako.

Na tusema mtu ambaye hana memorandum: nawe kuja utaketi hapo, hapo tumetengeneza vizuri utaketi hapo, kwa sababu mtu ambaye wewe ni mtu wa heshima siku ya leo. Mgeni wa heshima ni yule anapeana maoni. Huyu ndiye mtu mkubwa hata zaidi ya sisi Commissioners. Kwa sababu ndiye anaeleza vile Katiba inataka irekebishwe, kwa hivyo yeye ndiye mtu wa maana sana, tumempatia pahali pa kuketi na microphone. Asome maoni ya memorandum machache, halafu anapeana, ana- sign. Kama ni kuzungumza kwa kichwa, I mean oral presentation: aketi hapo aeleze, na hiyo tumekubaliana tuwapatie dakika tano. Uwe na dakika tano, usitumie dakika nyingi kwa sababu utapoteza wakati kwa watu wengine.

Mtu anaweza kuwa na memorandum na aseme yeye hataki kusema lolote, maandishi yake yatasema, hata hiyo tunakubali. Just come here to present your memorandum, you sign, and go. Hata ukitaka kwenda kwa kazi yako, kutengeneza miraa yako ama kazi nyingine, unaenda, kwa sababu umeacha maoni yako. Commission itachukuwa na ita-analyse na tutaenda nayo. Ama tuseme upeleke maoni yako halafu uketi, hiyo ni sawa sawa. Mtu anaweze kuja hapa na andikishwe asema yeye anataka tu kuzikiliza, that is also allowed. Unaandikisha, unaketi hapa, unasikiliza ukichoka unaenda.

Kwa hivyo watu wajisikie wako free kabisa: hakuna kusukumwa, hakuna kufanywa nini, uwe unajisikia ya kwamba uko kwako katika nchi yako, na maoni yako, unapeana ya kurekebisha Katiba yetu. Wakati unapo zungumza, mimi kama Commissioner huenda nitakuwa na swali nataka kuuliza: kwa hivyo baada ya kupeana maoni yako, naweza kukuambia hebu nikuulize swali fulani ambayo sikusikia- kuuliza what we call clarification. Ama Commissioner mwanzangu anaweza kusema angetaka kitu. Kwa hivyo ukimaliza ngoja kidogo tutakuuliza, ama pengine kama hakuna, unaendelea tu unamaliza. Kwa hivyo hayo ndiyo ninaona ni machache na sasa kabla hatujaanza kabisa, nataka Commissioner mwenzangu awasalimia, na pengine kama kuna kitu kidogo anaona kwamba tunaweza kuwakumbusha, awakumbushe. Bwana Commissioner.

Com. Abubakari Zein: Asante sana Commissioner Ratanya. Habari ya asubuhi, nina furaha sana kuwa nanyi siku ya leo kwa sababu mbili kubwa. Kwanza sababu Tume ya kurekebisha Katiba haina maoni yake yenyewe. Katiba mpya itaundwa na maoni yenu. Kwa hivyo ni siku kuu kama alivyosema mwenzangu, na mimi nakubaliana naye kwamba leo ni siku kuu. Sababu ya pili ni kwamba, nishawahi kuja Meru lakini hii ni mara yangu ya pili, na ninafurahi sana kuwa na nyinyi hapa.

Ningependa tu kuwakumbusha mambo mawili matatu ambayo nitatilia mkazo aliyozungumzia Commission Ratanya. La kwanza ni kwamba ukisha kuja, kama tulivyosema sisi, ukiingia pale mlangoni kuna list kama hii, unaandika jina lako. Tutakuwa tunatumia utaratibu wa kufuatia list hii, lakini tutawaomba radhi ikifika wakati tunahitajika kumpa mtu fursa ya kuzungumza na hatufatili na ratiba hiyo kwa sababu maalumu. Sababu kama hizo ni kwa mfano aje bibi mmoja ambaye atakuwa mja mzito, na hataweza kukaa kwa mda mrefu, tutaomba mtupe ruhusa sisi tumruhusu bibi kama yule azungumze, sijui kama mnakubali? (interjection) Tumekubali.

Akaja mtu mzee sana, au mgonjwa au mlemavu au mtoto mdogo, tutawaomba pia mtupe nafasi hiyo tumpe fursa hiyo. Tukisha kuita jana lako hapa utakuja ukae pale kama alivyosema Commissioner mwenzangu, lakini utakapo kuwa ukianza, uanze kwa kutaja jina lako wewe mwenyewe. Kwa sababu gani tunasema hivyo? Kwa sababu mlipokuwa mkijulishwa kwa wale staff members, wale wafanya kazi wa Tume ya kurekebisha Katiba, pengine hamkuambiwa wanafanya kazi gani. Yule binti yuko pale ana Tape Recorder, na unamuona yuko karibu na speaker. Atakuwa aki-record kila neon. Kila neno linalotamukwa hapa atakuwa akili-record, kwa sababu hatutaki kupoteza hata neno moja. Na usitie wasiwasi pengine ukituona sisi tumesita hatuandiki, ujue kwamba tuna-record maneno yale. Tukimaliza ku-record yataandikwa kwa urefu wa mswada kwamba neno hili lilisemwa na mtu fulani fulani mpaka mwisho. Sijui kama tunaeleana mpaka hapo? ndio

Halafu ikiwa sisi tutakuambia muda wako umekwisha sasa tafadhali fupisha, tuheshimiane tufupishe hivyo, kwa sababu tunataka kuwa hapa watu wengi fursa. Jambo la mwisho ambalo pengine ningependa tukubaliane ni kwamba kwa mila, desturi

na ada zetu za ki-Africa,tunapokuwa katika umati kama huu, kikao kama hiki, huwa tunahitajika kutumia lugha kwetu Mombasa tuasema murua. Lugha ambayo wazee wanaweza kusikia, watoto wanaweza kusikia, haina matusi wala kukashifiana.

Na ikiwa una malalamiko yako kuhusu jambo au mtu fulani isngekuwa vizuri- hata kulingana na Katiba tuliyo nayo sasa- kuja kuanza kumtusi mtu Fulani.Uanze kusema fulani wa fulani na umutusi kifulani Fulani.Tutakusimamisha ukifanya hivyo. Sijui kama tumeeleana?

La mwisho kabisa, najua wengi wenu mtakuja hapa kusema, “baado la mwisho, la mwisho” kabisa.Mimi niseme hivyo mara ya mwisho, la mwisho kabisa----- kwamba ukija kuzungumza hapa, ujue ya kwamba unalindwa na sheria.Kwamba hakuna hatua yoyote unaweza kuchukuliwa wewe kwa mazungumzo unayo toa hapa.Uko huru kutoa mazungumzo yoyote yalioko moyoni mwako na hakuna hatua yoyote utachukuliwa, unalindwa na sheria. Asanteni sana.

Com. Ratanya: Yes, asante sana Commissioner Zein kwa kukueleza vizuri kwa lugha ya Kiswahili kabisa lugha yako ya Mombasa; na watu wengi wameelewa, na hivyo ni vizuri. Sasa straight away tunaweza kuendelea na kwanza kazi yetu ya leo, na tutaanza na Amos Kiumo.

Amos Kiumo: Thank you very much ma-commissioners wale tuko nao hapa, na wananchi wote wale wamefika hapa kusikiliza maoni ya Katiba.

Mimi nitanza straight away nina memorandum hapa lakini nitafupisha.

Kwanza nitaanza na vile naonelea hapa kabisa, ndilo linaniumiza na linaumiza wenzangu wote: hili neno la miraa. Ningependelea Katiba yetu ifanye registration ya miraa kama cash crop, kama chai that is majani chai au kahawa au any other cash crop in the country. Kwa sababu mpaka sasa Miraa siyo registered hata kama inaleta uchumi mwingi hapa Kenya,it is worth millions of shilings every year, every week.Kwa hivyo ningependelea Katiba ikiwezekana, kama itatengenezwa,iingize miraa kama one of the best cash crops of the country.Kwa sababu miraa ni customary hapa kwetu, imekuwa hapa kutoka zamani, tumeitumia vizuri sana kutoa mahari kwa wasichana wetu wakiolewa.All Meru contracts are sealed by using Miraa, kwa hivyo ningependelea ipewe nafasi hiyo. Na ishugulikiwe na serikali vilivyo, itunzwe na iwe promoted by our Government abroad.

Secondly, ningetaja tu kidogo juu ya the office of the President. Ningependelea Presidential powers ziwe limited kama for example: appointments kama za Auditor General, Chief justice, Commission of Police , Vice Chancellors, and all other big national appointments zitolewe kutoka kwa powers za President, ziwe zinafanywa na a Commission elected for those purposes.

Kwa hivyo isiwe ni mtu mmoja ana uwezo wa kua-appoint such crucial offices in the country.

Thirdly, Local Authorities: on local authorities ningependelea-maoni yangu, local authorities ziwe autonomous, ziwe separated from the Central Government.Kusiwe kuna officers wa serikali wanatumwa huko na Serikali-na Central government. Local Authorities ziwe zinajizimamia zenyewe ki-finance, ki- administration na kwa mambo yote. Minimum education for Councilors

iwe “O” level, na minimum number of Councilors in a council iwe less than 20, ili kusiwe na a lot of moving in the councils.

Kuwe kuna uwezekano wa Councilors kuwa recalled incase a Councilor is inefficient Kama hawezi kazi asikae miaka tano yote watu wapewe nafasi ya kumuondoa waweke mwingine. Kuwe na equal distribution ya resources na services za council, per ward. Kama council inapata income ya aina Fulani, services ziwe zinapelekwa equitably kwa wards zote. Kuwe na checks and balances za kuangalia kwamba kuna equilibrium in the distribution.

Parliament:Ningeonelea kuwe na established Commission na kuangalia vitu kama mishahara ya parliamentarians wetu hivyo inakuwa set na Commission.Si hawo wenyewe wawe na nafasi ya kujiwekelea mishahara vile wanataka,kwa sababu hawatajua ceiling yao, wataenda mpaka watachukuwa pesa yote ya Kenya.Kuwe na minimum qualification ya wale wanaenda Parliament kama “O” level.

Provincial Administration: ningependelea Chief’s powers ziwe reduced further, wawe wanafanya kazi vile mwananchi anataka. Na mwananchi apewe nafasi ya -----

Com. Ratanya: Bwana Amos maoni yako ni mazuri lakini naona unaendelea sana, memorandum tutaisome, so don’t go through it, just give the highlights.

Amos: All right, thank you very much, I am about to finish.

Com. Ratanya: I will give you a half a minute. You have even gone beyond five.

Amos: Okay, na mwananchi apewe nafasi ya ku-recall hata Chiefs au any Provincial Administration officer whose interests conflict with the interests of the subjects.

On education:Ningeonelea Serikali ipatie watu wote affordable education. ihakikishe kila mwananchi anapata education- yule ana uwezo wa kusoma. Nitaachia hapo. Thank you very much. Wengine watamalizia.(Clapping)

Com. Ratanya: Okay Asante sana Amos, sasa tupatie hiyo memorandum na upeleke hapo usa-sign, tutasoma baadaye. Justus Maore. Yours is an oral presentation, so try to be very brief.

Justo Maore: Okay, kwa jina langu ni Justo Maore, mimi ni mwalimu na kiongozi wa kanisa. Kwa hivyo kwa maoni yangu nitajaribu kuongea kwa lugha ya Kiingereza . Nitaanza na:-

The Office of the President: the office of the President is very important, therefore I propose the following-any candidate for Presidency should have a minimum of a degree from a recognized university.

A President should not be a leader of any party or a Member of Parliament in any Constituency. Anybody wishing to vie for Presidency should do so only twice whether he wins or loses. Siyo yale mambo ya mtu anasimama mwaka huu, mwaka

mwingine, mpaka mara karibu ishirini. A President, who commits any crime while in office, should be removed by a vote of no confidence by simple majority in Parliament.

The Court system: the present Court system in Kenya is prone to corruption; therefore I propose the following;

- a) There should be at least two Magistrates in District and resident Magistrate courts.
- b) Writing of Court proceedings should be done by an Independent person and not the Magistrate. If a Magistrate is bribed, he can write differently from what the accused or the complainant said.

There should be a council in every court paid by the government to assist those who cannot afford a private advocate.

- c) To enable appeals to succeed in court, all proceedings should be electronically recorded.

d) Also I would propose the following that pseudo-legal institution such as the Kadhis court and the councils of elders to be abolished in Kenya.

e) The Attorney General should not interfere with cases involving institutions or power for civil servants as it has happened in Kenya. In this case I suggest that his power to terminate cases by passing what is called nolle prosequi, should be abolished.

The Civil Service: to improve the Civil Service in Kenya I propose the following;

- a) That all civil servants should be appointed by the Public Service Commission, and nobody should be appointed by the President.
- b) A civil servant or any public servant, who is suspected of professional misconduct, should not be dismissed interdicted before his case is heard, as it has been happening. We know that when civil servants are suspected of or somebody suspects that he has committed a professional misconduct he is dismissed and after winning the case he still loses the job.

c) Salaries of civil servants and in this case also teachers, should be reviewed after every five years.

Chiefs and assistant Chiefs should be appointed by the Public Service Commission of Kenya, and should serve anywhere in Kenya, and not their own localities. Any Public Servant wishing to vie for Parliamentary elections should not be compelled to resign, he should be free to return back to his job if he fails to be elected, because we are likely to lose very important public servants with the name of vying for elections.

Parliament: to improve the strength of Parliament in Kenya I propose the following: that all constituency boundaries to be reviewed after every five years.

Candidates to Parliamentary seats should have a minimum of a degree from a recognized university.

Constituents should have power to pass a vote of no confidence in their MP if it is deemed necessary, and in this case I suggest the following;

a) That this should be done by mobilizing 60% of eligible vote voters in the Constituency.

Com. Ratanya: Okay, one minute.

Justo Maore: Okay, I am remaining with only one. I will talk about the most crucial part of it; that we have freedom of worship in Kenya, but it has not been practiced properly. We they have had conflict and animosities between Christians and Muslims, therefore I propose what we call the freedom of proselegism. That people should be allowed to preach anywhere in Kenya and without any interference from any quarters.

The last one Mr. Commissioner I was saying all that cap2 eleven of the Educational Act should be strengthened to allow schools in Kenya to have Chaplains paid by the Government, and churches to be presented in every institution of this country. Thank you very much.

Com. Ratanya: Asante sana Justo

, ume-keep time, you have any clarification---Okay hakuna swali lolote kwa hivyo peleka memorandum yako hapo. Tutaenda kwa Stephen Iriungu.

Stephen Iriungu: Thank you so much Bwana Commissioners, I am Stephen Iriungu. Mine is oral, I have no written memorandum. I am speaking here on behalf of retired officers that is, being one of them.

We are quite aware that people retire in this country at the age of 55 and above, when they have served this country at their prime age, they go home completely finished, and most of them go home with very very little money -especially the monthly benefits. What I am trying to say here is that, first of all, this person goes home with his lumpsum immediately after retirement then the monthly pension. I am appealing that the Constitution brings out a clause where during any general increment to the salary, the pensioners are considered. In the increment of the salaries the pensioners should be considered, because that is a crucial age when they need care, and therefore they should not be ignored, having served the country for so many years.

The other one Bwana Commissioner, I would also propose that the Constitution makes provision for all other fringe benefits that the civil servants enjoy, the pensioners should enjoy the same. These rights may be medical care, school fees, may or anything. Fringe benefits that citizens enjoy when they are in service I propose that the pensioners enjoy the same.

The third item these people being so old, advanced in age, I would also propose they get special attention in any public office, whenever they go there. We have seen cases where some are ignored, and waste a lot of time going to the office, simply because they are not recognized. They should be recognized as senior citizens of this country, having worked for this country for so many years.

The other one, the last item about them, I would propose also that the government through the Constitution, establishes homes to take care of the old, to take care of them at their old age. The last days are very important as most of them might have not established somewhere where they can retire properly in their last days. I would propose homes for the aged should be prepared by the government, where these old citizens retire to in their last days. Thank you so much.

Com. Ratanya: Okay, thank you very much Stephen for keeping time, that is a very good example. You are a good member of the committee I hope. Kwa hivyo sasa tutaenda kwa Baptista Ntotomwari, na mwende kwa mtindo huo tu ku-keep time, usiende sana, kwa hivyo Baptista endelea.

Hebu msaidie hapo kutengeneza hiyo microphone.

Baptista Ntotamwari: Bwana Commissioners na ma-officer wote akina mama na kina baba, mimi maneno yangu Bwana Commissioners--- Naitwa Baptista Ntotomwari. Nilikuwa Councilor na tena mimi zamani nilipigana na mukoloni, nikiwa mtu wa kwanza katika kupigana na ukoloni. Sasa Bwana Commissioner yale mimi nauliza ni :chama hiki cha Mau Mau kilipigania uhuru kabisa, tukapoteza mali yetu yote mpaka tukashinda mkoloni, na ikawa kazi nzuri tukanyakuwa uhuru wetu. Sasa kile ninauliza Bwana Commissioner, kweli sisi tulisahauliwa au Serikali inaweka maanani ile kazi tulifanya? Kwa sababu kama mtu anafanya kazi, anapasa kupewe (Inaudible) ili ajulikane kama kweli alifanya kitu. Sisi wazee, na a kina mama ambao tulipigania hii tunauliza haya mambo yatakuwa namna gani? Serikali itaweka maanani hii history yetu iandikwe na ijulikana kwa kila MwanaKenya ya kuwa, sisi tulipigania uhuru hatukupewe kwa sahani? Hiyo ndiyo nilikuwa nauliza.

La pili, huu wizi unaendelea na katika Kenya yetu, unaendelea kwa sababu Serikali kuu ina nguvu huko juu lakini hapa chini

Com. Ratanya: Hebu ngoje kidogo Baptista. Kuna watu wanapiga kelele hapo please. Hebu wazungumze pole na ile music ambayo iko nje kule, kama kuna member of committee anaweza kuwaambia wapunguze. Endelea.

Baptista Ntotomwari: Naomba kuwe na Serikali kubwa na Serikali ndogo. Sababu mwizi kama anatoka huko juu akiiba mali ya Serikali, akija hapa anakuta Serikali nyingine ile ndogo inamchunguza awe kama ako katikati ya maji ya (Inaudible) ya maji na hiyo nyingine akirudi hapa kwetu anarudi akiwa msafi, akiwa huko kwa serikali kuu, awe msafi. Hivyo ufisadi utakwisha.

Tena Bwana Commissioner, Chief ndiye yuko na nguvu ya kumaliza ufisadi-wale watu wabaya. Sasa akinyang'anywa madaraka yake risafuni ni hakuna mtu atakayetembea. Lakini akiwa na nguvu anaweza kuwahamisha wezi, wale wako ndani. Hii ninaomba, haya madaraka ya Chief au sub-Chief yasiondolewe, awe na nguvu ili asaidie Serikali kuu and Serikali ndogo.

Lingine Bwana Commissioner mtumishi kama anaandikwa kile kitu kinatufanya tuwe maskini kabisa ni mtu kama anaandikwa anafanya kazi ya ngombe: ni tajiri wa ng'ombe, duka, wa kila kitu, na tena anaandikwa na serikali. Sasa kama ni daktari, mwananchi atafaidika namna gani? Kwa sababu yule anatoa dawa kwa serikali, analeta kwa duka yake na tena yuko na kila kitu. Naomba mtumishi awe na kazi moja. Hiyo itawafaidisha watu, wananchi wa Kenya. Hayo ndiyo maneno yangu Bwana Commissioner.

Com. Ratanya: Okay, asante sana Bw. Baptista kwa hayo maneno yako mazuri, na tuende sasa kwa Joshua Kithela. Ukimaliza unaenda pale -----

Joshua Kithela: WanaCommissioners wetu wawili wa Tume ya kurekebisha Katiba, na wananchi wa Ntonyiri, kwa jina ni Joshua Kithela.

Yale nitaongea kuhusu Katiba ningelipenda ni mambo ya mazingira. Upane wa mazingira ningependa Katiba yetu itie mkazo kwa uhifadhi wa mazingira. Tuwe tunapanda miti mahali tunalima mashamba, huko kwa milima, na mahali kuna chemichemi ya maji, kusilimwe. Ikiwa tunapanda miti mahali kuna chemichemi ya maji iwe ni miti ya public land, si miti ya mtu. Nafikiri hapo nchi yetu haitakuwa jangwa. Kwa hivyo ningependa Katiba itie mkazo kabisa mambo ya mazingira. Yangu ni hayo wanaCommissioner.

Com. Ratanya: Okay asante sana, Bwana Joshua kwa hayo machache na tutaenda kwa Muroki Mujuri. Muroki Mujuri? Muroki ana written and also oral submission. So if you have a memorandum, please just highlight the points and hand it in.

Muroki Mujuri: Asanteni sana. Kwa jina naitwa Muroki M. Mujuri. Na nina maoni. Maoni yangu nitasoma kwa Kiingereza vile ambavyo nimeandika na nitafanya haraka.

The Constitution of Kenya should be the supreme law of this country which should not be amended by Parliament without the consent of all citizens.

- 1) The Constitution should limit the powers of the President.
- 2) The President should let all other organs of the government to operate independently without his interference.
- 3) The tenure of the Presidency should be two terms five years each.
- 4) The Constitution of Kenya should provide for the removal of a President for misconduct, corruption, murder, excessive powers, human right violation excetra and disrespect of the Constitution. Parliament should remove him or her by 51% of votes.
- 5) The President should not be above the law.
- 6) The Constitution of Kenya should provide for the separation of powers the Executive, the Judiciary and the Parliament

should be allowed to operate independently . Judges, Attorney General , Chief Justice , Auditor General, Central Bank Governor, Permanent Secretaries should not be political appointees.

- 7) The Electoral Commission: The Electoral Commissioners including Electoral Commission district co-ordinators and other personnel in that Commission, should not be political appointees.
- 8) The Constitution of Kenya should retrench all those retired officers holding public offices. Once one retires from office, he or she should not be re-employed for this is denying the young and unemployed graduates a chance of being employed.
- 9) Voter registration should be a continuous process supervised by (inaudible)
- 10) A member of Parliament should have an office at the constituency headquarters, with a secretary and a telephone for his or her Constituency in use when he or she is not in the office.
- 11) Primary education should be made free. University students should be given loans for their education.
- 12) All Kenyan citizens should be provided with free medical care.
- 13) Human rights watch body should be established at every division's headquarter countrywide. Freedom of association-speech should be accorded.
- 14) Cattle rustling should be viewed as a robbery with violence and communities should not be allowed to practice it culturally.
- 15) Land demarcation officers who take more than three years before completing their work should be sacked .

Com. Ratanya: Try to summarize. Okay.

Muroki Mujuri: Okay, Public land issues: Public land should be issued with a title deed, and the county council be given the mandate of being the custodian of such pieces of land. I think I will stop there and I will hand over my memorandum. Thank you.

Com. Ratanya: Okay, thank you very much Murjur for keeping time. Hand in your memorandum. Kaberia Robert.

Kaberia Robert: Asante ma-Commissioner wetu wawili na watu wa Ntonyiri kwa kunipatia wakati huu kuzungumza. Nitasoma maneno yangu kwa Kiingereza kwa sababu nimeandika kwa lugha hiyo, na nitachukua muda mfupi sana, kwa sababu nimeandika kwa summary.

As Meru people we have a very important plant called Miraa, so I would wish that one to be included in the new Constitution, because that is the only natural resource, which we rely on, in our daily life. It should be included in the agriculture Act, and be protected by the government as a cash crop, which is very important in our community.

Another point is that different groups which comprise our nation should be included or recognized by the Constitution for

example the Youth and disabled, women and the minority groups so the Constitution should recognize these groups.

Another point is that – an employment Commission to be formed to look into the mass evils, which are affecting our life today in Kenya. These, are corruption and tribalism.

Another thing is that punishment should be clearly defined for those who steal from the public.

Also, the President ---- the powers of the President to be clearly defined in the new Constitution. The excessive powers he uses to influence should be trimmed.

Also the Constitution should give the Parliament the powers to vet all resolutions imposed on us by Western countries which eventually end up harming us. For example resolutions passed by the IMF and The International Monetary Fund.

Another thing is that: senior public servants to declare their assets and how they acquire the same to avoid top level corruption.

Another thing education should be made cheaper through cost sharing, contribution by the government and the people. Another thing is that MPs who fail to reform their duties should be recalled by the people he or she represents.

Com. Ratanya: Kaberia try to summarise----

Kaberia Robert: I have already finished. Okay sawa.

Com. Ratanya: Okay, umemaliza sawasawa, Kaberia? Nimekusukuma ama umemaliza ? Asante sana Kaberia. Sasa tuna Rebecca Kaillu.

Rebecca Kailo: Unii mbitigwa Rebecca Kailo

Translator: My name is Rebecca Kailo. I am a widow-----

Rebecca Kailo: (inaudible) turejire mwaka muthuru na thaa ii ndi Rebecca Kailo guti wega nkuona ntigwa igatigwa itionaga wakumitethia unii ni nkuria thiina sana.

Translator: When my husband died my land was sold.

Rebecca Kailo: Unii au ndi nandi muku wakwa arigitwa ni mwene muunda jwakwa ni jwendetue

Translator: today I am seriously suffering I cannot even get----- (inaudible).

Rebecca Kailo: Thaa ii ni nkuria thiina uuni kinya gwakunyua ruuji ntona.

Translator: I want to bring all what is actually uplifting me because my husband is not there.

Rebecca Kailo: Mbwirite kuthitanga jonthe jaria nkwigua ja mpinyinte ndene ya nkoro niuntu thaa ni tina muku wakwa. Nibwirite kwea thiina riria muku wakwa arari na into nindirarujaga thaa ndene ya kithaa ntruga ntikinya gia kuria nyomba.

Translator: You find that when my husband was a live I used to get everything, and my land was not grabbed then. I am suggesting this one as an opinion because I am suffering seriously. Thank you so much.

Com. Ratanya: Okay, tumesikia maoni ya Rebecca.Hayo ni maoni kweli makali kwa sababu mashamba yana mambo mengi. Lakini tutaendelea kusikia zaidi. Tuende kwa Mzee Mikiara Mtombogori.

Mikiara Mtombogori: Asante sana Bwana Commissioner, pamoja na watu wa Ntonyiri. Nashukuru nyinyi kwa kuja, hata mimi nakuja kutoa maoni.

Mimi nauliza kitu moja kwa serikali ichukuwe hatua. Mwizi wa kuku anafungwa miaka saba wakati anaiba kuku, na hawa watu wa serikali wengine wanachukuwa ma-million ya pesa na wanaachiliwa. Na ndio wanaweka sisi katika taabu nyingi Sana kwa Kenya sisi wananchi wadogo hatupati kitu chochote. Sasa kwa hivyo serikali ichukuwe hatua sana kwa watu kama hao ambao wananyanyasa wananchi,wanamaliza pesa zao zile wanaweza saidia nayo watoto wao na mambo mengine.Mimi sina mengi ya kusema.

Com Ratanya: Okay,nashukuru sana Mzee Mikiaria kuwa yako ni machache kweli nina vizuri sana.Tuendelea kwa Peter.Peter Mituri.

Peter M'mituri: Mbitawa Peter M Itungu jakwa gitiuntu tutirii na untu tutirii buonthe nitwirii mantu jonthe (interjection) Endelea.

Translator:Many things have been said and others have not.

Peter M'mituri: na mantu jamwe jatikiinyite na jangi nijakiinyite.

Translator:Okay,(Meru dialect)-The education system is in a lot of problems.There is a lot of discrimination to the people in this area.

Peter M'mituri: jamwe jakiinyite na jangi jatikinyite kuuma na nandii igita ria kwaria mantu kirigua arigua okua iigita ririnene mono

Translator: He is saying that there is a lot of discrimination to the poor in this place. He thinks a provision of the law should be there to cater for people who are being discriminated. That is the poor people actually they have no way out in the current Constitution.

Peter M'mituri: Nkaria pole pole, unii twaikia kinya twana shukuru tukengwa twathithia guti untu tutithithituwe ni biongozi bietu kumania na nandi nituonete mantu ja maingi zaindi na muntu akoria akoruwa ni kanja karia. Kwou tulienda nandi batwi twendia twana twetu bwite naria rukunguni butwire onaria twana tuu twao nitufukuzwe kabisa tuckerwa ringi na tuthere tuckerwa babwi ibubui kuthomithia utheri twana ni twendue na muku uria ukarega kwendia na gwatwe. Mantu jau jongwa niturigarite ni mantu ja maingi sana na nandi ndauga ti antu bangi beeja ba biama biria bingi bamwe ni bakuite bangi barrio buru na nibwega antu bonthe beeri bagatethua kuumania na nandi nibeterete na batiatethua, na nandii thirikari nirate ikathiria bionthe nandii bii tugwitiwa bingi ni mbii. Ngombe kuthira mbii ibiri ni muthetu nimbi. Twojaga uhuru nikenda tumenya nkea iri na gitonga kiri

Translator: All our property has been grabbed that is land, our culture everything has been taken away. We are suggesting that a provision of law must be there to cater for this, or protect people against this misuse. That is all. Thank you so much.

Com. Ratanya: Thank you Peter. Kwa hivyo tutaendelea kwa mwingine. Hapa tuna Councilor Ngore.

Benjamin Ngore: Kwa majina ni Benjamin Ngore. Yangu yameandikwa lakini nitasoma kwa Kiingereza.

There is much and urgent need to review the Kenya Constitution. This is so because the former Constitution was prepared in a hurry. Because of the Mau Mau agitation it seems Kenya was at war when that Constitution was prepared. The European government or the English government was only interested in their own affairs and benefits, and those of there. (Inaudible)

The European educated Africans who participated had little knowledge about Constitution making if any.

The Kenya Constitution should be reviewed before the next general election, because those who may take power under the current Constitution, may disband the Constitution review exercise. It is therefore for my opinion that the following areas of the Constitution be reviewed among others.

Supremacy of the Constitution: the Constitution should not be amended by Parliament at all. It is known that the past amendments which have been pushed through Parliament were passed by MPs who were influenced by Party loyalty, bribery, and other forms of arm twisting.

On Political Parties: I will suggest that we have a minimum of three and a maximum of five. This could be got from the current parties which have MPs in our Parliament.

On Local Authorities it is my opinion that the Chairman should be elected by the Councilors. If the Chairman is elected by the people or the Mayor, itakuja kutokea ya kwamba tumeunda mtu mkubwa sana katika district ambaye atakuwa (Inaudible) kipimo chake. Kwa vile mtu akichaguliwa na wananchi wote wa district atakuwa mkubwa hata kuliko wajumbe na watu wengine wote, so it is our opinion that this man may be made greater than his size.

On education: Kuna jamii zingine katika Kenya ambazo hazijapata elimu. Nasema tena ya kwamba usawa wa masomo haukuweco na hautakuwako. Kwa hivyo jukumu la diwani liwachiwe wananchi, wao ndio wataangalia waone wataamchagua mtu wa university, mtu wa daraza la nane, au kile kiwango wataona, kwa vile elimu pia ni quality among other qualities.

The System of financing local authorities should continue as it is today under the Local Authority Transfer Fund.

On land: Land should be own by individuals. However, the family , the clan and the government should be put into consideration. County councils should not be trustees of people's land. Nasema ya kwamba council ndiyo imeleta wizi wa mashamba.Watu wa kijiji fulani wao ndio watapewa kama ni plot katika mashamba yao. Sehemu kavu na zile kame kabisa ziendelezwe na serikali. Na ikitokea ya kwamba mashamba yatagawanywa katika sehemu hizo, watu wapewe mashamba ambayo yatawatosheleza mahitaji yao.

Com. Ratanya: Councillor una dakika moja,

Benjamine Ngore: I am saying that substancial pieces of land be aportioned to people in the semi-arid areas. Kwa vile mtu akipewa kama heka moja au nusu, sijui kama ni (inaudible) au ni kitu gani atafanya. Mambo ya miraa yamezungumzwa na ndiyo nami naongezea ya kwamba, wenyeji, wakulima, wawe wakiuza mali yao.Serikali itusaidie kuondoa watu wa katikati. Tuweke soko kama ni Maua, Nairobi au mahali pengine, watu wa biashara wote wawe wakichukulia zao hilo hapo. Asanteni.

Com. Ratanya: Okay, asante sana Councilor Mathew Isaiah.

Mathew Isaiah: Thank you Commissioner sir. My name is Isaiah Mbariu. Ningeonelea litakalokuwa nzuri kwenye Katiba yetu ni usalama wa mwananchi wa chini kabisa.Kwa sababu unaenda kwa kituo cha police au kituo cha utawala, tuseme umekatwa katwa, na kitu cha kwanza ukiulizwa kama una shilling mia tano ndiyo uhudumiwe, hiyo muweke kwenye Katiba.

Elimu ya mwananchi wa kawaida kutoka daraza la kwanza mpaka kidato cha mne at least inatakikana.

Com. Ratanya: Okay, Mbariu naona umemaliza asante sana, ama bado Mbariu : Bado, bado bado.

Com.Ratanya: Hebu maliza, ni dakika moja.

Mbariu: Mali ya asili: mwananchi wa kawaida alindwe na Serikali ndiyo aweze kulinda mali ya asili ile iko karibu na yeye.Isiwe mali ya wananchi, halafu kama ni ma-officer wa serikali wanatoka huko juu, wanakuja kuharibu.Kama tusema misutuni wanakuja kupasua mbao, vikingi vyote vinaenda na wakubwa, hiyo muweke hiyo. Asanteni.

Com. Ratanya: Julius Kaiburu:

Julius Kaiburu: I am called Julius Kaiburu.My point is on land: There are people who have got a very chunk of land- thousands and thousands of acres- and I suggest that there be a ceiling on what one should own. A ceiling on land ownership:

so that those who are landless can have somewhere to be settled. I am saying this because you may find that somebody has got three hundred thousand acres and there are squatters on that piece of land. I wonder how someone can be landless in his own country. So the Government should ensure that all people are settled. Those who own large chunks of land should be given a minimum number of acres, and perhaps the rest of the land to be divided or to be given to those landless people. That is my point.

Com. Ratanya: I have a question for you sir. Do you have a specific proposal on how much this land ceiling should be?

Julius: I suggest that the highest should be a thousand acres, more than that should be divided or should be given to the landless. Thank you.

Com. Ratanya: Andika jina lako hapo Bwana Julius. Tuende kwa Mukalenjime Noah, huyu ni observor. Lakini kuna Mtonjira M'thabuchana---

Mtonjira M'thabuchana: Asante sana Bwana Commissioner, unii jaria ndinajo ni thiina cia wananchi.

Com. Ratanya: Hebu tuambie jina lako vizuri.

Mtonjira M'thabuchana:

Translator: My name is Mtonjira M'thabuchana.

Mtonjira M'thabuchana: Ni maneno ya kuhusu Miraa. miraa ndicho kitu cha mila yetu kabisa ile ilikuwa ya hapa kwetu Ntonyiri. Mababu zetu na baba kwao kitu kile cha kwanza ni hii miraa yetu. Ukikosana na baba ndiyo (Inaudible) miraa hiyo maneno yanaisha. Ukienda kununua mwanamke ndicho kitu tunapeleka cha kwanza. Sasa hiyo isiingiliwe hata na nani hicho ndicho kitu chetu kile muhimu. Kama hivyo waborana chao ni Ng'ombe, kila watu wako na mila yao.

Lingine muhimu kabisa ni maneno ya land ya kutoka huko upande wa huko Kaweru. Land hiyo inanzia 1969 na sasa (inaudible) barua hiyo mashamba inakuwa kama ni (Inaudible). Hiyo Serikali iweke hiyo maanani sana, kwa sababu hakuna mtu anajenga nyumba nzuri kwa kukosa pahali pa kujenga. Ukipatiwa shamba, wewe kama uko na number na mimi vile vile na ni shamba moja, hiyo Serikali iangalia maneno kama hayo sana. Unaweza jenga kwa shamba ya mwingine. Yaani kama wewe uko na acre kumi, hautatoa mbili au kiwanja kimoja unawekewa number mbili, hiyo serikali iende ichunguze sana.

(Unapeleka mwanadamu hata kwa DC huko Maua na hakuna maneno (inaudible) sababu hiyo ma-committee (inaudible) mimi nasema ukweli. Sasa mimi nitazungumza na iko na maana mtandika---) Meru dialect.

Sasa miraa ndicho kitu chetu muhimu na mimi ni mzee wa Njuri, mimi ninasema ukweli. Miraa ndicho kitu muhimu cha hapa, na maneno ya shamba yaangaliwe sana. Watu wanadhulumiwa sana. Hii miti, misitu ndiyo (inaudible) kama ni DC au kama ni mtu mkubwa, ndiye anakuja kupasua miti hapa.

Mpaka wazee wanakaa msituni wakanunua hata pikipiki. Hapa kwetu mang'aa ndiyo majibu, yanaweka mabibi wapikao chang'aa. Police hata akikuua leo hakuna maneno. Ukienda hapa Bwana Commissioner hii ndiyo area ya Chang'aa, ile pombe. Wanapeleka pesa kwa Chief shilling mia nne, kwa DO sijui ngapi? na mimi ninasema ukweli. Kwangu kunapikwa pombe. Nikaenda kwa DO nikamwambia mimi sitaki plot yangu ipikwe pombe, na DO akachukuwa plot (inaudible) mimi nikashanga kama ninawezingia nyumba iko na pombe. Sasa tukashindwa ni serikali ya aina gani. Unashindwa ---- Bwana Commissioner.

Com. Ratanya: Okay, umemaliza, umemaliza?

Mtonjira : Sasa ile itawekwa maanani kabisa ni hayo maneno ya huko Ruanda kunaitwa kaweru. ---- na maneno ya Miraa iwekelewe maanani.

Hiyo nyingine, hata serikali iaangalie maneno ya kupika chang'aa. Ni kiasi gani tunaweza kupelekea Chief kama wanaandikwa au sub-Chief.

Com. Ratanya : Okay asante sana Bwana Mtonjira---- kuna huyu mwingine tunamuita Stephen Kabaya. Stephen Kabaya?

Stephen Kabaya: Secretary, Kenya Constitution Review Commission. I am here to talk about problems of the disabled, especially the visually handicapped.

It has come to my notice that we are discriminated in the present Constitution. That is why I hope that the new Constitution is going to think about the disabled people. We have so many problems ranging from insecurity on our roads when traveling. Insecurity is even in our areas of operation, at home-our residential areas. I would like the new Constitution to think about the disabled people especially the visually handicapped.

To talk about, for example problems in the traveling areas, the blind people must go with somebody or an escort to show them the way. In my opinion the helper is not supposed to be (Inaudible) because that helper is just going because of the blind reason to assist him.

Another point is that some drivers need to be alerted about our mobility or about the use of the white cane, like this one, because some of them don't know actually the use of this one, and because of that, you find that there are many accidents, whereby a blind person is run over by vehicles, and there is no where to appeal. When you ask them will they say okay, the person was on the wrong. Actually I don't understand how he was on the wrong, because it was not his fault to be blind. In the new Constitution we should amend that rule whereby the drivers must be informed about the use of the white cane.

Blind people at work are out of discriminated. For example the teachers are, discriminated, especially when it comes to promotion. It is only sighted people or those people who can see who are promoted. I think this is not really very fair.

I have my memorandum and I will leave with the secretary hoping that it will be considered. We have also another point, whereby the blind people or generally the disabled people are not considered when houses are being constructed or when houses are being built. The Engineers and the builders do not put the blind person into consideration. You find for example some houses being built in a way that a blind person would not be able to go up and down safely.

You find some also some other disabled people for example the crippled people who use wheelchairs, you know they cannot really go up and down in some houses, because of the way they are constructed. I would the new Constitution to put this into consideration. I think I have finished.

Com. Ratanya: Umemaliza Bwana Stephen, umemaliza?

Stephen Kabaya: Nimemaliza kwa sababu niko na barua hapa

Com. Ratanya: Okay kama una memorandum -----

Stephen Kabaya: Yale ambayo sijasema hapa yatasomwa huko.

Com. Ratanya: Okay. Hebu taja jina lako vizuri Bwana Stephen wewe mwenyewe. Jina lako

Stephen Kabaya: Jina ni Stephen Kabaya.

Com. Ratanya: Asante sana sasa peana memorandum yako hapo, utaonyeshwa. Asante sana Bwana Stephen. Stephen akiwa anajitayarisha kwenda, Jackson J. Muturia ajitayarisha awe ambaye anayefuata. Kwa hivyo Stephen analize halafu Jackson uendelee.

Jackson Muturia: Kwa majina ni Jackson John Muturia, memorandum yangu imeandikwa kwa Kiingereza lakini nitajaribu kuisoma kwa ufupi.

I recommend the Constitution of Kenya Review commission to amend the current Constitution as follows;

1) Office of the President: there must be 2 ministries only-Provincial Administration and Internal Security

- 2) A Kenyan President is an executive one has powers to appoint ministers and other civil servants. A Commission is appointed to sack them and promote them.
- 3) Somalia and other neighbours have acquired Kenyan citizenship illegally let this citizenship be taken away from them and they be deported to their homeland.
- 4) In future, ineffective MPs and Councillors should be sacked by the people they represent in Parliament or world.
- 5) MPs should not have the right to vote or to discuss their salary. A Commission is set to look into their welfare.
- 6) Land Board Control should be headed by Priests or Pastors to avoid corruption. Members of church boards be persons of high repute in the society, and be learned.
- 7) The new Constitution should allow all Kenyan children to be given free education from primary level to university level, also to be given bursaries i.e students who are learning in foreign countries.
- 8) The new Constitution to allow retiring government officers to be given their retirement benefits on the retiring day, as at the present it take even five years for a retired officer to get his dues, even some die without receiving their dues.

Hiyo nimefika mwisho lakini kuna kitu kingine ningeongeza kwa sababu hii ni memorandum ya ukoo wangu. Ile ningesema Bwana Commissioners, ningetaka our cultures particularly hapa kwetu watu wa Meru kuna wazee wetu njuri ncheke. Ningependa hao wazee wawekwe katika Katiba yetu kwa sababu kutoka mwanzo wetu sisi waweru, hao wazee ndiyo walikuwa wanalinda sisi. Katiba iwapatie uwezo wawe wakikaa na kutazama mambo yetu. Kwa sababu naona case zinaenda kotini zinashindwa. Lakini kesi yeyote ile inakuwa refered kwa hao wazee, kwa sababu there is a traditional way of handling such cases, wa na dissolve hiyo case haiendelei mbele, na wananchi hawatumii pesa nyingi. Asanteni.

Com.Ratanya: Okay, Bwana Jackson kwa hayo machache umetumia wakati wako sawa sawa. Councilor Flora N'chororo.

Councillor Flora: My names as you have heard I am Flora Nchororo Councillor.Yangu yameandikwa kwa Kiingereza na nitasoma kwa Kiingereza.

I wish to bring my views and those of Ntonyiri community to this Commission.

Ndio imeleta mambo ya chokora katika miji yetu na serikali inaonekana imeshindwa sasa tunasema hata kama ni umalaya ukubaliwe hao watapewa licence, pesa ile inapatina inawalea hao watoto wa mita.

Com. Ratanya: Manyara umechukuwa wakati mrefu kabisa sasa maliza.

Councillor Flora: The Constitution should also do away with harambees especially in aiding the government institutions. Siyo ati kutoa mchango wa kujenga office ya serikali kama ya PC na kitu kingine na tunatoa ushuru kwa hayo maneno. The Constitution should recognize sheng' language as the language of the dot com generation.

On Local Authorities: Mayors and county council Chairman should be elected directly by people. The above must have at least a certificate in finance and personnel management. They should serve for two and a half years. In addition to having formal education, an aspiring Councilor must pass a language proficiency test.

The Constitution should guarantee the security of tenure for the City and Municipal authorities.

Land should be owned by wananchi up to one hundred and fifty (Inaudible)

Voting should be done in two days it must be compulsory.

KBC should serve all parties and individuals. Youth must be given employment. Thank you very much. Asante Sana.

Com Ratanya: Tuende kwa mwingine, lakini niliwambia wakati tulipoanza kutakuwa na watu wengi sana. Kwa hivyo ukichukuwa nafasi yote wengine hawatapata nafasi. Jaribu kufanya kwa ufupi kama wale wengine walifanya lakini huyo amendelea zaidi, lakini ana memorandum ametupatie. Tuende kwa karia na uanze hapo kutumia masaa vizuri. Karia yuko? Andrew Karia it is your time. Inaonekana una memorandum, have you already submitted? Okay, don't read your memorandum just give us the points because you know what you have written, then hand it in.

Andrew Karia: Asante sana. Yangu nimeandika kwa Kiswahili. Yangu mimi nikuhusu mamlaka ya Rais. Nitanzia kwa mamlaka ya Raisi. Raisi anapatiwa mamlaka mengi sana, ya juu zaidi, ambayo anaweza yaani ana-control kila kitu hata majaji, Mawaziri na office mbali mbali kubwa, hata wanaJeshi-wakubwa wa kijeshi. Kwa hivyo ningependekeza ipunguzwe kiasi. Hata akisema huyu aachishwe kazi anachishwa tu bila sababu bila makosa. Kwa vile ni mwanadam na lazima pia yeye huwa anakosea, kwa hivyo yapunguzwe kwa kiasi fulani.

Mbunge: mbunge anapochaguliwa kwa miezi, anapochaguliwa mwingine huenda akashindwa na kazi aliyopatiwa na wananchi. Ndiyo mimi ningependekeza kwa miezi mitatu tu wakiangalia huyu haendi vizuri, au mwaka mmoja yeye wananchi wandamane wamutoe wasema hawana imana naye, wamchague mwingine ikiwezekana.

Napendekeza, kuna kitu kinaitwa undertaker. Undertaker pengine wa kitu fulani kama tusema kama kwetu hapa maji. Nasikia maji yetu hapa sisi ile ya kutoka zamani imechukuliwa na Diocese of Meru wakiwa kama undertaker. Na wanakuwa peke yao hakuna mwingine anarusiwa hapa, kutengeneza maji yakipatikana mahali fulani. Kwa hivyo mimi ningependekeza hivi wangepatiwa

watu kama wawili watatu hivi ingekuwa ni sawasawa, kukiwa na ushindani ndiyo itaenda sawasawa. Kwa sababu pengine yeye atakuambia nitakutengenezea maji kwa pesa Fulani, na wewe ukose, si utakuwa hauna maji wewe. Hapo napendekeza kwa ufupi waruhusiwe wengine nao wajaribu kama wataweza. Pia yule wa kwanza siyo aondoke, aendelea. Kwa hivyo hayo ni kwa ufupi. Lingine la tatu, la nne----

COM.Ratanya: Kwa hivyo jaribu kumaliza sasa.

ANDREW Karia: Ndiyo ndiyo naenda haraka haraka. La nne ni serikali ya mitaa. Councillors wawe wakichaguliwa na wananchi, na pia chairman wa county council awe anachaguliwa na wananchi pia, siyo ma-Councillors, kama vile wanavyofanaya sasa hivi.

Na pesa zinazopatikana kutokana (Inaudible) au licence na malipo mengine iwe wale wanaotoa pesa hiyo wawe wanasaidiwa wawe beneficiaries wa hiyo pesa. (inaudible) kwa sababu sasa hivi tunaona tunatozwa kodi nyingi na county council lakini hatuoni kazi yake. Hawatoi kazi ya kuturidhisha. (inaudible) masoko na kila kitu ni kibovu. kwa hivyo inaonekana hiyo pesa wanatumia na njia nyingine --- Ningependekeza iwe ni lazima kwa location panapotoka Councillor, au soko, market inayotoa pesa nyingi kwa feji au licence wawe wakipatiwa wakiwa wa mwanzo kutengenezwa masoko, barabara na tuseme hata kama ni uwanja wa michezo wa watoto wao, uwe ukitengenezwa na hiyo pesa yao.

Com.Ratanya: Sasa wakati wako umekwisha asante sana.

Andrew Karca: Bado kidogo.

Com. Ratanya: Okay.

Andrew Karca: La mwisho la police: Police nao wanafanya kazi hata haituridhishi. Ukienda ukimuita ukiwa na kitu fulani kimetendaka, kitu kibaya, kama wizi au pengine hata mtu anataka kuua wengine au ameuua, anajaribu kuua au kuchoma nyumba: ukiwaita wanachukuwa masaa matatu wanakuambia pengine mkubwa hayuko atuamurishe au hakuna magari. Wanatoa sababu fulani ambayo itakufanya uende au ungojea zaidi ya masaa matatu ndiyo aje. Akija lile kitu jambo limetendeka na sasa hakuna usaidizi kwako tena inakuwa hasara na kazi bure. Kwa hivyo nayo hii Katiba yetu tunataka kutengeneza mpya, iangalie hapo. Sasa mimi nitamalizia hapo kwa ufupi.

Com. Ratanya: Asante sana kwa kumaliza. Na mjue wakati wa kupeana mambo yako ni heri upeana mapendekezo, hiyo ndiyo inatakikana sana sikufanya story ama history ndefu, lakini pendekeza kitu Fulani. tusema kitu fulani tunataka kiingie Constitution, na hapo unamalizia. Kwa hivyo ufanye kwa ufupi.

Kwa wakati huu ni Mutegi.

Mutegi: Asante, Commissioner na wananchi wote. Asante. Yangu ni machache. Na la kwanza Jina yangu ni Constantinos Mutegi. La kwanza ninasema hivi, tufuate muundo ambapo, mseto mamlaka ya nchi yamegewanywa baina ya Rais na Waziri

mkuu. Ikiwa ndiyo, uwezo huu ugawanywa vipi? Yangu ningesema Rais awe Rais peke yake.

Tufuate muondo wa serikali ya Majimbo? Yangu nasema majimbo hatutaki tulivyo.

Je? Na kiwango kikuu cha ukubwa wa ardhi unaoweza kumilikiwa na mtu binafsi yaani kuna mashamba mengi yanachukuliwa na watu, lakini wananchi wanataabika kwa mashamba, hatutaki hivyo. Je, kuwe na kanuni ya umilikaji wa ardhi muongoni mwa watu wasio raia? Yangu nasema mtu asiye raia wa Kenya asipate ardhi ya Kenya.

Je? Wanaume na wanawake wawe na uwezo sawa wa kumiliki ardhi? Ndiyo, wanawake na wanaume inafaa wawe sawa kwa umilikaji.

Tufuate muondo wa serikali ya majimbo, ambapo mamlaka ya nchi yamegawanywa baina ya serikali kuu na majimbo? Yangu nasema serikali ya Kenya ibaki hivyo Raisi awe ndiye peke yake. Asante sana.

Com. Ratanya: Asante sana Bwana Mutegi, na kuna kitu moja Bwana Mutegi nataka kukuuliza. Umesema land ceiling ama kiwango, unapendekeza kiwango gani cha shamba ile mtu anapaswa kuwa nayo. Kama acre ngapi, najua kuna watu wana nyingi, lakini wewe unapendekeza iwe ngapi, kiwango gani?

Mutegi: Napendekeza kuwe hivi, kama mtu ana ardhi yake, asinyang'anywa, lakini apewe kiwango fulani sehemu ingine inabaki igaiwe wananchi.

Com. Ratanya: Kama acre ngapi?

Mutegi: Kama acre humsini.

Com. Ratanya: Okay, sasa tuende kwa Julius Kaitumu and that is KNUT kutoka kwa KNUT. Kaitumu if you have a memorandum, just give the highlights and then present your memorandum, and I will only give you five minutes to do that.

Julius Kaitumu: Kwa majina ni Julius Kaitumu. I will straight to the point. That is on Political Parties: there should be a limited number of Political Parties at least five, because it is of no use to have 45 registered Parties in pretence of the democracy.

Structures and systems of government: We should retain the Presidential system of government retain a unitary government. A Commission should set the salaries and allowances of MPs. It is against the natural law of justice for people to judge themselves.

Abolish the concept of nominated MPs to avoid straining of the National budget. No special consideration should be given to

women in Parliament. It should be through the powers of the vote.

Adopt the coalition government:

President's term to be ten years, that is two each of five years.

Powers of the President should be defined in the Constitution.

Powers of the President should be limited.

Legislature: Parliament to vet appointments of Attorney General, and other Senior government officials, Commissioners of Police, Chief Justice, Commander of Armed forces, Head of Civil Service, (Inaudible) Central Bank and Parastatal heads, and also Permanent Secretaries.

Age should not be a factor on voting or being voted for either as MP or President.

The President should not have power to vet what has been passed by the Parliament e.g bills. Judiciary: Judicial Officers should be appointed by Judicial Commission and not the President. Judicial Officers retire at the age of 55 like other civil servants. Judiciary to be Constitutional independent, that is, no judicial officers should be appointed by the President.

Local Government: as council Chairman, Mayors should be elected by people for a period of five years, to avoid the two years system.

Minimum education should be form four.

Abolish the office of the nominated Councillors.

Civil Service: The Head of Civil servant should be vetted by the Parliament. There should be as a simulated mechanism of rewarding civil servants.

There should be a Commission to review salaries of Civil Servants.

The Police to be under the Judicial Arm of the Government, and not the under the office of the President.

There should be moderlities of promoting civil servants, for instance Civil Servants should be promoted after working for a certain period of time. e.g after five years a teacher should be promoted to another grade.

Lastly, the people killed by cattle rustlers, which is also a problem in this area, should be compensated by the Government, because it's, its duty to protect the citizens of this country. Thank you.

Com. Ratanya: Okay, asante Julius. Na sasa tunaenda kwa kuna mmoja hapa Charles naona anakuwa kama observer, lakini Job Ngujuri yuko? Kama Jobhayuko twende kwa Rebecca. Rebecca Kibundu. Huyu naona ni member wa committee. Okay Rebecca endelea. Naona una memorandum kwa hivyo utapewa dakika tano tu kusema yale machache ya

muhimu.

Rebecca Kibundu: My name is Rebecca Kibundu.-----

Women rights: a woman in Kenya is likely to amass property like only any other (Inaudible). She has no right over a family property, even if her husband is dead.

The properties are shared by the clan. The law should be amended to guarantee full rights over the family's assets.

A woman to be a man's helper in direct is the creation history, and all family affairs should be planned and followed (inaudible) by both including, second units in matters of (inaudible) marriage.

In the new Constitution we should recognize Miraa growing and put it in cash crop group. Miraa is a primary economic support in Nyambene in Meru North District. It also supports many other Districts either directly or indirectly. The Government earns a lot of money in revenue. Thank you.

Com. Ratanya: Okay asante sana Rebecca na sasa tunaenda kwa huyu Ernest Kirimi. Ernest Kirimi yuko? Endelea.

Ernest Kirimi: Okay, mine are very few. I have just a few points to make. On the system of education: I support that the old system of education was better than the present one, and I suggest that automatically this 8.4.4 system should be scrapped.

On the Presidential appointees like Commissioners to look at any problem in our republic: it has always been proving that the Commissioners that have been appointed always come out with a good thing but its never revealed to the public. I propose that the Parliament appoints these Commissioners, and then it is declared mandatory that the Commission should reveal whatever they have come out with to the public.

And then there are some areas that are always declared as political zones, either DP, Ford Kenya zones, and there are no other political parties that are supposed to campaign in those areas. I propose that Kenya should be made a free state wherer there is freedom of bringing out your wishes as political parties. There should be no political zones.

And on Majimbo, this will not work in Kenya, this time. The present Government, the unitary Government should continue.

And then on part of the devil worship: this has come about because of the freedom of the worship. I think the registrar of societies or organizations should be given more powers when trying to register any form of religious organization. Because this is

where even the cults be scrutinized or the devil worship are coming through as churches. They should first of all (inaudible) before they are given licences to operate.

Anti-corruption unit: I propose that the Parliament itself this work should be left to the Parliament to appoint a special station Commission, like the one that existed, the KACA, instead of the police unit that has been given this work, because it is not independent. Whatever they have to produce, they have to be accountable to the whoever appointed them. So I propose that corruption unit be appointed by the Parliament and they should be made independent.

Com. Ratanya: Okay asante sana umemaliza na tutuenda kwa Elizabeth Njulubi. Elizabeth yuko? Kama hayuko tuende kwa Francis Musafiri. Musafiri hayuko amesafiri. Japhet Murunge? Murunge hata huyu naona hayuko. Luke Kaberia, Luke hayuko, David Kobia? David Kobia hayuko, Kanja NtoMukaria. Na umepatiwa dakika kama wengine dakika tano tu kumaliza mambo yako.

Kanja Nto'Mukaria: Asante sana Commissioner. Jina yangu ninaitwa Kanja Nto'Mukuria

Kanja Nto'Mukaria: Gwetu ni ntunene location shinda ciakwa buria nkauga nkauga na Kimeru

Tranlator: I will speak whatever I have in Kimeru.

Kanja Nto'Mukaria: Bwatwi retere rwa ntunyiri nituthinite mono.

Translator: Those at the center of Ntonyiri have been oppressed for a very long time

Kanja Nto'Mukaria: Ngombe nithirite zaidi, antu niboraigitwe zaidi

Translator: People have been harassed here by robberies, no security has been provided.

Kanja Nto'Mukaria: Batwi nituinyiritue mono.

Translator: We have been oppressed for a very long time.

Kanja Nto'Mukaria: Tuti kuona aguturira na tutikuona muntu wagututethia rutere rwa ntunyiri.

Translator: A way of I has actually been affected seriously.

Kanja Nto'Mukaria: batwi hakuna mujumbe niturite thiina mono miaka akui ikumi.

Translator: We we are lacking leadership in this area.

Kanja Nto'Mukaria: Kuria turii tuti na mujumbe, batwi tukuthina, reka gupinga. Batwi ekeru ituritaga mbecha thokone, tokone nituritaga shilingi ikumi na ithanthatu na batwi neka tukaraga mitoro, batwi nitutethue ni thirikari.

Translator: We are asking for assistance from the government, that is to reduce the rate we are seeing in the market.

Kanja Nto'Mukaria: batwi nituinyi rutere rwa Ntunyiri bunene mono.

Translator: They have been oppressed in this kind of --- for along period of time.

Kanja Nto'Mukaria: antu bairiurwa bagatunywa nguo natu bageta kithunu.

Translator: This are actually everywhere in this place there is no protection from the police. Thank you so much.

Com. Ratanya: Tutaenda kwa huyu mwingine anaitwa Kobia Patrick.

Kobia Patrick: Thank you Commissioner Ndugu Ratanya. Mine will be very simple for I will later hand in a diskett with my views and the views of the group that I represent.

Nitataja mambo kidogo kwa sasa, na nitanza na zile sheria zinazohusu land leases. the colonial land leases, that were drawn when non of us was alive. Infact when these leases were concluded, wengi wetu hata hawakukuwa wamezaliwa. Kwa hivyo. the current generation doesn't honour these leases for we were not party to their drawing. The rates at which that the lands have been leased, is one that no one can imagine. Ni rates ambazo ziko chini sana, na ambazo huko ku- lease hizo mashamba haifai kuwa zinalipwa namna hiyo. So I propose a review of the leases that were drawn within or immediately after the colonial times.

The Chairman of the Council, local councils, should be elected directly by the wananchi.

Local Authorities should be empowered.

Com. Ratanya: Hebu nyamaza kidogo---- antu bau bari au kuri ekeru bakiringa gicaari mono ikaba bugakira nikenda antu bomba kuuga mantu jao na njira injega. Oket nandi twomba guita na mbere na Patrick ita na mbere na mantu jaku nandi urina ndaika ijiri.

Kobia Patrick: I was saying that local authorities zipatiwe more powers. Whatever is generated in a particular local authority, mali ya jurisdiction ya local authorities, igawanywa: 75% of whatever proceeds have been gotten from the local authority ziwachwe hapo so that they can develop that particular place, halafu the rest goes – the rest is taken by the Central government ili ku-cater for things like security e.t.c.

There should be different days of Civic, Parliamentary and Presidential elections. Inakuwa ni kazi kubwa sana wakati mwananchi anaambiwa apigie watu watatu kura siku moja na kunakuwa na police katika vituo vya kupigia kura, and this intimidates the voters. Kwa hivyo pia kusiwe na police katika vituo vya kupigia kura. If anything awe mmoja au wawil, wa ku-maintain security peke yake. Lakini hatutaki wa police wengi sana wanakuja kwa vituo za kupigia kura, mwananchi anajisikia hayuko huru kupiga kura.

Jambo lengine, the counting of votes should be done, and I propose that counting of votes be done at the polling station, and not- wakati kura zinapigiwa kama hapa halafu counting station iko Maua, in the process of transportation of the votes, there is a likelihood that there maybe swarping of ballot boxes, and with that I belief we can do away with votes rigging.

The Constitution should also specify the number of ministries and ministers and this will cut on money spent on the Ministers.

Com. Ratanya: Okay, Kobia asante sana.

Kobia: One more thing please

Com. Ratanya: Okay just conclude,

Kobia: Just one

Com. Ratanya: Jaribu kumaliza.

Kobia: There should be a Preamble in the Constitution that puts into consideration the common experiences of Kenyans.

Also there should be, instead of the current system whereby we have the picture of the current President on our national currency, I propose that a monumental thing in the country, for instance Mt. Kenya or wale wanyama wa pori wanaotulea pesa nyingi kila mwaka, that is the image that is put on the national currency, because the leaders come and go but the currency is here to remain. Thank you.

Com. Ratanya: Okay, Thank you very much Kobia, huyu anaitwa Maurice Kinyua, is Maurice around? Maurice Kinyua, hayuko. Joseph Kiecha, ni wakati wako, you also have five minutes.

Joseph Kiecha: Thank you Commissioners. Now first may I start by saying that I am a little bit worried because we don't know if this exercise is not futile?

We no longer trust our government, most of the task forces which have been formed have never produced any results. Teachers have not been paid, yet there was an agreement on this, so I feel worried that this may be exercise in futility.

Commissioners, may I start by saying all the laws affecting our Kenyan society today have emanated from the Office of the President. Executive powers of the President and the operation from the Office of the President, I brought down the once prosperously, developing nation, economically, socially and politically. I am proposing the following changes to curb the exercise of the above named institution;

The President should not be above the law. Where the President has committed a crime or abused his office, he should stand trial, and impeachment practices should be provided for in the Constitution.

Presidential directives and decrees made in public barazas are known to have interfered with government policy and budgetary allocations. The new Constitution should have a mechanism in place to check this.

Senior government officials and parastatals, and judicial officials should be vetted by Parliament.

We should have a Constitution that denies the President playing double roles- that of Head of State and Party Chairman.

Once the President has been elected he should cease to be active in party affairs . The excessive powers of the Office of the President have interfered with separation of power in the three Arms of the Government.

Abuse of the office is the root cause of all the evil in our government today. Our new Constitution should make it illegal for anybody who has abused his office to continue occupying the office or any other office. We should do away with primitive notion that one who , was appointed by the President, can only be sacked by the President.

Financial accounts of the State house should be open to scrutiny. The Auditor General and the Parliamentary accounts committee should audit them.

Presidential exercises have increased the government expenditure on a large scale. The system where all senior government officials at the headquarters and provincial district offices are mobilized to join the President in the district project inspection has become the largest in money gambler in the country.

Our new Constitution should have a President who has Executive powers , a Vice President and a Prime Minister heading the government.

Now, provincial and district commissioners should not chair security committees, they themselves have become a security risk.

Security committees should be chaired by security officers appointed by the government, and this should be based at the provincial and the district level. A district security officer should have a designated number of administrative police officers, with the required logistics, Under him ready for rapid deployment. He should be the final say as far as security is concerned in the District.

Now providing civilian with arms in the name of home guards should be outlawed. The work of home guards should be taken over by the Administrative Police.

Administrative Police Officers are disciplined and well trained they are registered employees of the government. At present, APs don't play any significant role. They should take the work being done by home guards. APs should also replace municipal askaris , these municipal askaris serve the interests of Councillors, majority of these askaris are relatives of the Councillors.

The appointment of the Electoral Commissioners should be vetted by Parliament, and it should be independent.

Population should be used in determining a Constituency.

Mayors and council Chairmen should be elected by people.

Local communities should determine what should be done with public land in their area. A few people sitting in a council meeting or an office in the head office in Nairobi, or the Office of the President, should not dish out public land without minding the local community. We should have a Constitution which vests the power on public land on the local community.

In Meru North, cases concerning land should be determined by Njuricheke according to the customs. Some of the customary regulations discriminate against women. However the Njuricheke should be made to give women equal rights in land ownership. Thank you.

Com. Ratanya: Okay, asante sana Bwana Joshua. Na sasa tunaenda kwa ----- Kiecha just wait.

Com. Zein: Reference is made to the first comment you made to the Commission, concerning your fears about the outcome of the Constitution Review Process. I would just like to draw your attention to the fact that this is not the Presidential Commission. This Commission is made through a specific law chapter 3A of our Parliament, and it has in built mechanisms to resist the kind of fears you articulate. Thank you.

Com. Ratanya: Sasa napea Edward, huyu ni observer, Muriungi Saka ni observer, lakini kuna Nkariuti Bariti. Nkariuti endelea. Na ufanye kwa ufipi Bwana Nkariuti.

Nkariuti Bariti: Thank you Commissioners. I would like to start by saying that the Kenya Constitution, or our Constitution should have a preamble showing us the way forward because the current Constitution we have does not have that.

The other thing I would like to say is that on the amendments of the Constitution, previously it has been 65% of the vote in Parliament, but I also propose that the amendment of any section of the Constitution should only be done by 85% vote in Parliament.

And the section of the Constitution touching on land and human rights should be amended through a National Referendum.

The other thing is, all children born of Kenyans should be automatically Kenyan citizens, not be discriminated because they have other parents from outside the country.

Education in Kenya should be free and compulsory. And a times it has come to the knowledge of many that we are told we don't have finances. I propose that there should be an education and develop a levy established in tax to avoid that money being misused.

I propose also there should be a maximum of at least eight Parties with a National outlook. All these Parties according to candidates, they feel should be financed from the State coffers.

I also propose that any Civil servants, teachers inclusive, who intend or wish to vie for Parliamentary or Civic should not be forced to resign, but be given a leave, and if he is unsuccessful during after the election, he returns back to his job, to avoid only having people who can't serve properly in Parliament.

I propose also, because the way of this teacher's service Commission has been controlled by the Ministry, I propose that Teachers Service Commission be de-linked from the minister in charge of the education, and also should have the ability to draw finances from the consolidated fund with Parliamentary vote, instead of being controlled by the minister.

I also propose that the appointment of senior civil servants and parastatal. Heads should be vetted by Parliament.

Employment: because we have a great number of un-employed youth I propose that the qualified Kenyans should be guaranteed employment, failure to which, there should be a providence fund to take care of them, to avoid having thieves who are so much educated.

I also propose that Kenya be a republic --- and have a government of national unity. At times we have ministers who have been appointed to take ministries they know nothing about. So I propose that any ministers appointed should have qualifications for that ministry given, if its in agricultural somebody must be knowing something in agriculture, instead of having people who don't know anything about the ministries.

Any person intending to vie for any elective post should declare his wealth, to avoid that habit of stealing which has become a tradition in our republic.

On the land issue, I propose that there should be the law trustee, and the land which is not being used by individual be re-possessed, and be used as a public utility. I also propose that all Kenyans should have at least a piece of land, and the maximum one should have a hundred acres, instead of somebody having about three thousand acres, when we have got squatters in our country.

The government, because our current government has got a habit of even refusing to do what exactly they have agreed with employees, I propose the government must oblige to the agreement legally signed with employees.

Here is the case of the teachers, they have signed for five years, and this one the government says that it was illegal as if it was

not present during the signing.

I also propose that Kenyans should be allowed to sell their produce or for the republic with any restrictions, neither should it, all those farm produces be put under-prejudice, because of where they come from, and maybe because cultural background.

Com. Ratanya: Hebu jaribu kumaliza sasa Bwana NKaruti.

Karuti: Thank you. I just want to mention the last part, that there should be a Commission maybe to determine the salaries of the Civil Servants and also Parliament, because nobody can actually determine employment for himself.

And finally I want to say that I want to say that the basic rights be entrenched in the Constitution, and I propose that the death penalty found in our Constitution be scrapped. The rest you will get from my memorandum. Thank you.

Com. Ratanya: Okay, asante sana NKaruti hand in your memorandum. Kuna Isaac Kaunyangi. Kama yuko karibu ni wakati wake sasa.

Isaac Kaunyangi: ----- Ninaakilisha kanisa la Seventh Day Adventist katika sehemu hii ya wakilishi bungeni. Ningesoma mapendekezo kwa ufipi, maana niko na memorandum. Kwanza ni ya kwamba nitasoma kwa Kiingereza. Our Adventist students in schools, colleges and institutions of higher learning and Armed forces should be exempted from any duty: from sunset on Friday to sunset on Saturday. They should be left free to worship God and not to be forced to the following things;

Attend classes on sabbath or Saturday, sit for exams, participate in games, participate in work programmed on Saturday morning, attend functions like graduation or prize giving days or parents day e.t.c .

Elections or by- elections should not be conducted on Saturday, or if it is a must, to be conducted on weekends both Saturday and Sunday should be affected or open for the event. We prefer elections or by- elections to be conducted on a specified day, between Mondays and Thursdays.

Adventist's should not be denied job opportunities due to their sabbath or Saturday observance, because oftenly our members have been told to choose between job or Sabbath observance. Adventist groups in schools, colleges and Armed forces should be provided with chaplains of their own convictions, they should not be just labeled as protestants because our faith is different from protestants on the sabbath issue.

The Constitution also should guarantee the following.

- (i) Right to profess or not to profess religion

- (ii) Right to observe a day of worship of one's choice and not be forced to do any work on the day.
- (iii) Right to receive or not to receive religious instructions.
- (iv) Right to participate or not to participate in any form of worship.
- (v) Right to refuse or take oaths contrary to one's own convictions.
- (vi) Right to express openly personal religious beliefs, or to maintain silence about such beliefs.

Our country should be a five days working state, that is Monday to Friday. No public office should operate on both Saturday and Sunday.

Those in Armed forces training center or institution, should be given rights to observe a day of worship of their choice, and not be subjected to any work on that day.

Those elected or nominated to any office should serve for two terms, each, five years.

For one to be elected as a member of Parliament or President, he should be holding a degree from any university preferable in political science.

The Vice President should be elected by the citizens directly and not the President, preferably the second person in the National elections for Presidency.

The Attorney General should not be nominated by the President rather by Jury or The Law Society of Kenya.

There should be no taxation without services, this I am referring to taxations that are done by such as county councils, where people have been taxed and no services had been done, whereby we find that there are roads which are impassable and destroyed by rain.

Com. Ratanya: Jaribu kumaliza sasa.

Isaac Kanyangi: I am finishing. Nomination: during the nomination of Members of Parliament, during nomination process, there are those nominees who transfer or are beaten in the nomination process and transfer to another party. I find this to be time wasting and disturbing to people, because when one crosses to another party, he causes the representative of that party either to lose or causes some other problem. So napendekeza hapa ya kwamba mtu akishindwa katika nomination, huyu asiruhusiwe na Katiba kugombea kwa tikiti ya chama kingine. Asante.

Com. Ratanya: Okay, asante sana Bwana Isaac Kanyangi. Kimathi Laura ni observer. Peter Mutoingwe. Is Peter around? Peter Mutoingwe ndiyo tunangoja yuko karibu? Kama hayuko tuendelea. David Muthania huyu ni observer. Andrew Thomuthaka hata huyu ni observer. Na huyu mwingine Suleiman ni observer. Mwingine Bishop Mkaria. Is Bishop around? Naona huyu Bishop hayuko karibu, Living Thurania yuko? Okay, endelea toa maoni yao kwa ufupi.

Livingstone Thurania: Thank you very much. Mine I will just say them very shortly. The government should set measures to protect the freshly graduated people from the university from exploitation by employers who ask for experience when we for surely know that there is no experience in the university.

The public university should have autonomy from the Executive that is to mean the President should not appoint the Vice Chancellor neither should be in the Chancellor.

Also Chief Justice and Attorney General should have security of tenure in their offices.

Chiefs should be elected by the people so that incase they fail to serve people well they can be recall.

Finally a law should be enacted for the government to provide three quarters of the universities expenses inform of loans since they cannot stand for free education in the university. Thank you very much.

Com. Ratanya: Asante sana Bwana Muthanira. Huyu mwingine anaitwa Maroo Benjemine. Maroo yuko karibu okay . Okay Maroo anzia na kusema jina lako.

Maroo Benjamine: I am Maroo Benjamine. Thank you . I want to propose three points.

Preamble: The Kenyan Constitution must read that everyone, every citizen and every foregner in the country regardless of his status or his position in the government, should be under the law.

The new Constitution must enact a law to rule out corruption in our country. In matters of corruption whereby some powerful men in government institutes are got in the corruption and they are sacked, that is not fair for the Constitution I feel that it is good when this man is sacked, he should be followed and the money or whatever he has stolen should be put back or confiscated by the government.

The law should be protect the consumers who are consuming the commodities especially the water in our Division. The people who are concern by providing the people with water they are so much oppressing the people in our Division especially somebody whereby he buys his metre and then he pays three metre rent that is not fair. Thank you.

Com. Ratanya: Sasa anayefuata ni huyu Andrew Kiramuna, lakini Andrew nimeona ni Observer. Moses Mwenda. Moses naona hayuko. Kirema Njoyo, Kirima, kwa hivyo wakati huu ni wako Bwana Kirima. Are you Moses? You are Moses Ntonjira? No, what is your name, no I am calling Kirema Njoyo. Is Kirima there? So you are not Moses Mwenda but Moses ? -----so you are Moses Ntonjira Mwenda. Kwa hivyo keti hapo na useme jina lako in full.

Moses Ntonjira Mwenda: Okay, Thank you very much, asante Commissioners.

What I would like to say---- My names are Moses Ntonjira M'mwenda.

Here are my summarized points about the Constitution change. I would start by saying that the freedom of worship should be specified, that is we should practice either Christianity, Islam, judaism, Buthism, sheikism or other indegeneous religion part from devil worship.

Office bearers; that is the President, ministers and other government officers should declare their wealth.

We should also have a post of the Prime Minister created, whereby the President will be the head of state, and the Prime Minister would be the head of the government. We should adopt the hybrid kind of government.

Also in my own observation I have seen that the vulnerable groups that is disabled are not catered for in this Constitution. So the new Constitution should take care of that right of the vulnerable groups.

We should have two parties, that is the ruling party and the opposition.

We should elect all the Provincial Administration Office bearers, and dismiss them according to our will.

Miraa should be protected by the Constitution because it is our life plant.

Mayors of the local county council or Chairmen should be elected by people.

People should have more say on the natural resources, for example the water, we have been exploited by this person called the undertaker.

Constituency and wards should be based on population.

Land that an individual can have should be a maximum of one thousand acres, and if it is excess this land should be taxed by the government.

The Parliament should have powers to approve or dismiss the government, Ministers, the Heads of public institutions and Parastatals.

Also the duties to the Judicial system should be independent from the President.

We should have different dates of Presidential , Parliamentary and Civic election.

The President should be removed from powers through misuse of powers or misconduct.

Finally, our currency should bear the portrait of the founder father of our nation. Thank you.

Com. Ratanya: Okay asante sana. Nilikuwa Kiriimi Joel. Ni wewe Kirema . Endelea Kirema ni wakati wako.

Joel Kirema: Thank you Commissioners. My names are Kirema Joel.

I propose that the powers of the President should be scrapped or some of them should be eliminated .

The President should not have powers to elect Judges. Judges should be elected by the Law Society of Kenya, because they are the one who know the Judges who have higher experience, because he has worked with some of them and he knows their level of education and the experience.

The President should not have powers to fire the employees, for example he is saying that he will fire out the teachers if they continue saying that they will strike, this means that these employees don't have rights in their office. Also the Minister of education will not have a say before the President, because he is ready to fire the employees.

Now the employees should have their own Constitution and their own court.

Basic Rights: In the basic rights, we don't have rights whereby we hear that in case of public health, whereby when you start your butchery if you slaughter one cow the health officer asks you for five hundred shillings per cow, and I wonder if the government is employing that person, and he is getting another salary. If you slaughter thirty cows continuously per month, the public health officer would have collected, five hundred times thirty days, that means he will be having double salary which is not right and which is not specified in the Constitution.

Chiefs should be elected by people because some of the Chiefs are very corrupt, and when you want to remove them from the powers, we citizens we are not allowed. We are told that we are not the ones who elected him, that means he will continue with his duties.

Com. Ratanya: Okay, jaribu kumaliza

Joel Kirema: Another point is on the freedom of worship. The freedom of worship should be looked at. This is whereby there are some modes of worship which are coming from outside, which are banned from their foreign countries and here we allow them. Now the Kenyan Constitution should consider this one. Thank you.

Com. Ratanya: Asante sana. Tuendelea na mwingine anayofuata ni Yusuf Mutuma. Mutuma anzia na kusema jina lako.

Yusuf Mutuma: Asante sana Bwana Commissioner. Kwa majina naitwa Yusuf Mutuma mimi ni mwiislami. Yangu maoni nitanzia na taifa letu la Kenya kwa sababu taifa hili letu la Kenya ukiangalia tuseme kwa upande wa pesa ile tunapewa kutoka ng'ambo, kama mikopo pesa hizo inaonekana kama ya kwamba haifikii wananchi kwa miradi ambayo ilienda kuchukuliwa nayo. Kwa sababu ukiangalia katika taifa hili letu mambo mengi sana yanaharibika na tunasikia mikopo inachukuliwa. Naona Katiba ingeangalia kwa makini kama pesa inatoka ng'ambo na inakuja katika taifa la Kenya iangalie kwa makini kuona ya kwamba kama hiyo pesa imepitia miradi ile ambayo ilikwenda kuchukuliwa kwenda kuitengeneza. Kwa sababu ukiangalia kwa

maoni yangu, naona katika taifa la Kenya , unaona mpaka mwananchi wa kamili anaingiliwa na kushindwa kukaa kwa umasikini kizindi kusonga mbele, ni kulingana na hakuna ambao chama kiliundwa ya kuangalia mwananchi wa kawaida vile anangaliwa kwa maitaji yake.

Tuseme kama upande, ukiangalia upande wa kununua vitu katika maduka unakuta ni kali sababu ni nini? Kwa maoni yangu naona ni wale kuna vyongozi maulumu na hapo Katiba ikiangalia ambao wananyanyaza ma-kampuni na kampuni anambiwa kwenda uza mali yako bila utapata hasara. Kwa hivyo mwananchi anapitiwa na mambo kama haya basi anakaliwa na ndiyo umasikini unazidi kupanda katika taifa letu la Kenya kwa hivyo Katiba ikiangalia kwa sababu kulikuwa na Mhindi alikuwa akitwa (inaudible) alikuwa akisunga mwananchi na Katiba iangalia mtu wakuangalia katika taifa la Kenya kama wale walikuwa hapo mbeleni wawe wakiangalia.

Kwa upande mwingine, wanawake Katiba iangalie. Kwa upande ya wanawake, kuna wanawake wengine wanaruhusuwa mpaka wanakwenda kotini wanapeleka wanaume wao kotini na ukimpeleka kotini ujue hata akirudi nyumbani hawawezi kukaa kwa usalama mambo haya (inaudible) wazee wa kinyumbani kwa sababu ndiyo waweza kulinda mambo kama hayo Katiba iangalie mambo kama hayo ni hatari kwa sababu itakuwa matengano ya maisha.

Com. Ratanya: So Yusuf jaribu tu kumaliza sasa saa yako imekwisha.

Yusuf Mutuma: Kwa upande mwingine, ni upande wa police. Police wetu hapa katika taifa letu la Kenya hata ukiangalia kwa upande wa accident nyingi njiani kwa barabara nyingine zinaletwa na police. Kwa sababu gari ikiwa yako ikiwa ni mbaya na yule mtu amepata hongo kidogo basi gari yake ni sawa hata mguu ukienda ukinunua basi mambo kama hayo huletwa vifo vingi Katiba iangalia mambo kama hayo sana kwa upande huo.

Na upande mwingine, tuseme ukienda kule kwa kambi kama unakwenda kustaka mambo fulani na huna huwezo wewe ni maskini una kitu mfukoni utangaliwa na utambiwa kwenda na utakwenda na shida yako na ikiwa yeye ni mtu tajira mambo yake hata kama ni ya kuwekelea yatakuwa ndiyo sheria mambo hayo Katiba ikiangalia sana.

Ya mwisho, Yale nitazungumzia ni kwamba kwa upande wa ma-Chief, na Chief and sub- Chief Kwa maoni yangu ningea akiwa akipigwa transfer kwenda Mahali pengine ingekuwa ni sawa kwa sababu, ikiwa wewe unafanya uadui na yeye mnagombana atakalia kwa upande yako mpaka ile miaka atakaa, na hiyo itakuwa ni shida kwa upande mwingine. Na tena ikiwa kwa sababu wengi kuna wengine hawana maendeleosana, akiwa anakaa katika location miaka ishirini basi na yeye siyo mtu wa maendeleo ujue location au sub-location inafifia. Kwa hivyo hayo machache ndiyo maoni yangu Commissioner.

Com Ratanya: Okay, asante Bwana Yusuf. Jacob Mchugu ni observer lakini kuna Joseph Waingwe. Joseph Waingwe usema kwa--- usiendelea kusema mengi sana sema kwa ufupi.

Joseph Waingwe: Jina langu ni Joseph Waingwe I have a memorandum.

Serikali iwe ikiangalia maneno ya wananchi wote wa Kenya kutoka kwa Raisi hadi kwa mtu mdogo hata na chokora. Kwa sababu ukiwa baba na una watoto sita ama saba na watoto wako wote wamekuwa wazima kama wewe na wewe uko na shamba, shamba yake ni ya heka nne , heka nne yote utawagawa watoto hawa wako sita na hakuna mtoto anaachwa na heka ni point tu, na hawa watoto wako wote kwa sababu wamekuwa wakubwa hakuna mtoto atakuwa na heka moja ni point na hawo watoto wataenda wapi kwa hivyo serikali iangalia maneno ya watoto wote na wawe wakisaidia kwa masomo kwa sababu ukiwa ni Mzee na hakuna mapato unapata kwa serikali na wewe hakuna njia ya kupata mapato ukiwa unasomesha watoto wako watangamia kwa sababu hakuna mapato unapata. Sasa serikali masilahi ya wananchi wote iwe ikitusaidia kwa masomo iwe ikitusadia kwa ma-hospital iwe ikipunguzia watu gharama.

Kwa sababu ikiangalia hakuna mwananchi ataonekana awe ni chokora akiwa anarandaranda town na Kenya iwezi ikarudi nyuma serikali ikiwa (inaudible) masilahi ya wananchi wote.

Com. Ratanya: Okay, unemaliza, hebu maliza ---- kuna nusu dakika sasa.

Joseph: Kwa hivyo serikali iangalie sawa sawa wananchi wake hata kama ni misitu iwe ikipewa watoto wa squarter wengine wale wanafukuzwa kwa mashamba na hao watu wakubwa wenye mashamba, iwe ikipewa tu awe na kipande yake na awe misito kwa hiyo shamba yake ndiyo Kenya iweze kuendelea vizuri na mtu awe na kipande yake ya shamba na hiyo iwe sheria.

Com. Ratanya: Asante sana Bwana Waingwe. Huyu naona anaitwa Jipsim Makono ni observer. Kuna Benjamini Kaveria. Benjamine Kaveria naona hayuko. Mwingine ni John Kabwe, John Kabwe hata yeye naona hayuko , Alexinder Muthibiri hata huyu alienda, Peter Mbugua, Peter hayuko, Musa Peterikia, Okay, Mark Kitheka hata huyu hayuko, Rebecca Karema —ni wewe okay Rebecca.

Rebecca Karema: Asante sana----(talking in Kimeru)

Translator: My name is Rebecca Karema

Rebecca:

Translator: We as parents we have a great concern as our children are concerned.

Rebecca:

Translator: Because you will find our children moving from form four to university level and then they are not getting any job they are coming back to us at our homes.

Rebecca:

Translator: So we are requesting a special provision in the current the Constitution that we are reviewing, that it should come

up with an act or a provision that actually will see which favour a kind of ----that's for example you are through with your form four university it must provide a way a job that's for that matter let some job creating be enacted in this Constitution that we are changing in this country.

Rebecca:

Translator: The reason why I am pressing for this is that you find most of us parents, that are educating these children, you will find the only thing that the issuing of our land or some other little family that have to sell, so that we can sustain these children in the university or maybe in other colleges. We are actually saying and we are emphasizing, that the government should look upon this one, it is serious.

Rebecca:

Translator: Thank you so much this is my contribution.

Com. Ratanya: Mwambie mama Rabecca asante sana.

Translator: Asante mama.

Com. Ratanya: Peter Murunga, Peter Murunga, Peter Miiti, Recharad Meme, Richard Meme, Julia Mukono, Andrew mtonovia. Karibu Mzee wangu karibu sana.

Andrew Mtonovia: Lakini mimi nilikua nasema ni sisi tulikuwa na taaba zaidi.

Com. Recharad: Mzee wangu naomba utaja jina lako kwa sababu tuna-record taja jina lako kwanzia

Andrew Mtonovia: (Talking in Kimeru)

Translator: My name is Andrew Mtonovia.

Andrew Mtonovia:

Translator: I will like to say that we actually been oppressed so much, because you find that if you have ten acres of miraa, somehow, it is not for me ---- somebody who has money.

Andrew Mtonovia: When you claim this to the Chief you find that you are arrested. We actually are saying that there must be a provision to protect us together with our property in this area mostly.

Andrew Mtonovia:

Translator: You find that whenever you go to get assistant from the assistance Chief, or a Chief, or from the same Provincial Administration, there is nobody to help you and you will find now your property at the end of the day will be locked up and somebody will pick it.

Translator: Since you will find that now you don't have anything to protect your struggle, probably to use as bribe to give these people, you find you will never get justice in this area.

Andrew Mtonovia: You find that when we were fighting for the freedom of this country the main agenda was freedom and we got it. The second thing now we are actually suggesting is that we get freedom from land grabbers, freedom from people who are oppressing us, freedom from social justice that are being oppressed upon by the people we are living with, or other one they might people, people who have money.

Andrew Mtonovia:

Translator: We are saying actually this is a very booming business. That is the issue of land cases ---- people are making a lot of money out of it. Personally I am a victim of this, and now we are crying and saying that. This Constitution must be actually in a position to address this case because land is a life issue in this area.

Andrew Mtonovia

Translator: You find that all our land have gone and we are now living total mystery.

Andrew Mtonovia

Translator: You find that now like my case now my land went away when I was trying to protest I was arrested for five years came again to look where to settle and that I find it to be a very painful situation.

Andrew Mtonovia:

Translator: You find even in the area where say this piece of land which has been allocated to be a public utility, but you find part of it has already gone. We are saying this land is actually a problem here, let us have a provision in law that actually can address this issue seriously.

Andrew Mtonovia:

Translator: Another important thing I would like to address on the Constitution, what I am saying is the Constitution that we are trying to change should address this issue of life membership in our parties. You find we are capitalizing so much on the issue of somebody being a member of this party and then getting some favours out of it. So can we have a provision in this country that can regulate parties that are there. Let him become a member of a certain party, he should not get favours that nobody else can get from other parties. Let us have a regulation in the current Constitution that can address this issue of parties in this country. And thank you so much.

Com. Ratanya: Asante sana Mzee, ningeomba wananchi watukufu kwa isani zenu tunapokuwa na mtu anazugumza tusiyo tunamazungumzo huko pande hii ingine, ili tumpe fursa na yeye aseme kama tulivyo fursa watu wengine. Ikiwa kuna watu wanataka kuzungumza watoke waende nje wakazungumzie nje . Sawa hivyo jamani, ni sawa. Asante. Henry Mugambi, Henry Mugambi. Mnyung M'nguthiri.

(inaudible) Hallo, Hallo----

Henry M'guthiri: Talking in Kimeru:

Translator: My name is M'guthiri. I have decided to come here because of the form of oppression that I have seen.

M'guthiri;

Translator: When I go (inaudible)because of oppression in this area we formed allegation to go to the Office of the President. Tena from that office I went to the DCs office.

M'guthiri: Nderwa oja baruga tiji unkume kwa DC.

Translator: This I am trying to say to highlight the issue of the land problem that I have been in this area.

M'guthiri: Ndigukinya mucii ndethrwa ni asikari bathatu na M'Imanyara uria wangwatithitie, ndorua waumaku ndabera ndauma offisine ya President ndorua baruga ni ciau ii ndaiga ni cia Rais.

Translator: It has been very hard and very painful for me to follow the case of my land. For example when I was following, you find when I had the letters, the true documents to show the ownership of my property, they were taken away by somebody. It has been a fruitless effort for me to come up and onw my land or maybe to address the issue of my land.

M'guthiri: Nderwa rai ciaritwa cia tamburangwa nderwa ita Rais agakue munda.

Translator: And I am actually I have been having the document to show that I am the true owner of my property.

M'guthiri: Ndacoka ringi ndeerwa jukia baruga iji umikire aria kibande kiri ugetua ni thirikari. Na nandi ndina baruga iji aja kiondone oaja

Translator: Another big problem apart from the land that we have seen is lack of unity, so we are actually saying that the Constitution that you are coming up with let it be a Constitution that: has the capability and the ability, to bring Kenyans to have that form of unity, and the sense of understanding towards each other.

M'guthiri: Thirikari kunu nayo nikurega kugwatanira muntu agatunywa into biake agatura thinene, agachoka agaitithua ngongone kururu akaritwa intwene agaitithua ngongoine iguru.

Translator: Going back to the land issue ,we would like to say that another main problem is whereby people have been demarcated to other people's land. So let's have a provision in law that will guarantee and specify this area.

M'guthiri: thirikari yeja kunu yekirwa antu baaria bekirwa mpara ningi barina into biayo bikiendagua.

Translator: You find the reason I am saying this is because- the main effect of this banned land policy in this area, is that most of the people have become very poor, and they don't have means of livelihood.

M'guthiri: Batwi kunu thiina iri kunu guti muntu urinakainya niuntu niengirwe na twana tuongwa turebera shukuru.

Translator: We have actually been pushed to the ground, our children now lack education we don't have a way out because land as you know is a livelihood to this place.

M'guthiri: Miunda yanenkerwa itonga.

Translator: The rich are actually controlling in this area. The reason why they have been actually taking the advantage of this is because of this inadequate law- maybe having a provision law that is not protecting people. So that is actually land issue and corruption is the main problem that I have seen in this place.

M'guthiri: gakia Kathie ringi kagekwa ndeene. Nkea cionthe iracoka irakaranthi aana bonthe bairkuwa mashuru.

Translator: The gap between the rich and poor is so wide, to an extent that actually you cannot even think and imagine about it, because education- wise the poor have nothing to say.

That is a great problem in this area. Asante sana.

Com. Ratanya: Thank you so much Mzee. Daniel Bontai, Stanly Kubai, Moton Mbiga? Charity Karimi? Charity naona umeandika written memorandum utakuwa na mda wa kuchagua ile mambo mhimu peke yake.

Charity Karimi: Thank you. I will speak English. These are some of ---

Com. Ratanya: Charity, Charity, kwa sababu tuna-record because we are recording everything please taja jina lako kwanzia.

Chairity Karimi: My names are Charity Karimi. These are some of the issues which should be put into consideration to in the Constitution of Kenya.

- 1) Cattle stealing should be made illegal in Kenya because of many people who have lost their lives due to this.
- 2) The Constitution of Kenya should make all tribes in Kenya to live as brothers and sisters .
- 3) The President should be made the symbol of unity and peace in a young nation like Kenya, not like superpower countries which developed long time ago.
- 4) Freedom fighters should have a say in the constitution .
- 5) Land issues should be taken care of. Tribal elders should have room in legal matters.

- 6) Structures of government should be as it is . eg Central and Local government.
- 7) Education should be a National issue.
- 8) The health of the nationals should be taken care of.
- 9) To have a common culture circumcision of men should be for all tribes to make men equal and brave.
- 10) Water problems in Kenya should be an issue in the Constitution.
- 11) All roads and electricity should be put in the reach every Kenyan.
- 12) The security of people in Kenya should be taken care of.
- 13) All workers should be treated equally, not to let few people to be corrupt.
- 14) The age limit of retirement should be 60 and not 55 years.
- 15) To make use of knowledge, these people have to bring a healthy nation. Asante.

Com Zein: Kama mnavyoona, umeme umepotea, jua wafanya kazi wakubwa wanashugulikia kuangalia umeme unaendelea vipi, huyu binti atakuwa akija na tape recorder karibu na wewe kwa hivyo atakuwa aki-record na tunandelea hivyo hivyo. Joseph Gitonga. Joseph Gitonga, ni wewe Bwana karibu sana, karibu.

Joseph Gitonga. Kwa jina langu mimi naitwa Bwana Joseph Gitonga. Mimi nataka kusema kwa upande wa officer wa land. Wanafanya kazi ambayo siyo nzuri. Kwa vile unaona mtoto anauza shamba la baba yake, anaacha ndugu zake bila hata point moja, wanabaki uchi. Wale ndugu zake wakiendelea kufuata lile shamba wanakuta hao ma-officer wa land washatoa hiyo shamba. Hapo wanatoa barua kwa ajili ya kuhongwa na anatia sign, and mama hayuku baba pia hayuko. Hiyo naona ni kosa moja vile Katiba yetu inaweza kutuchukulia kwa ajili watoto wale wengine wataona taabu sana.

Hapa tunaona sisi hii serikali inaitwa ya Majimbo hatutaki. Majimbo hatutaki, kwa vile ndiyo inauongozi ambao haufai katika nchi yetu ya Kenya. Haya, tukiangalia hata baba-mtoto msichana pia ni mtoto, lazima apewe shamba kama vile vijana wanapewa shamba, huwa hata yeye ni mtoto. Tukiangalia tunasema ya kwamba serikali yetu itukubalie utamaduni wetu tuwe tukiendelea nayo kama wananchi wa Kenya, tuwe tukiendelea na utamaduni wetu. Asanteni.

Com. Zein: Mzee wangu mwenye kofia na miwani. Asante mzee. Huyu alikuwa ni Joseph Gitonga. Kiringo Maroo. Kiringo Maroo hayuko, Shadrack Mutuma. Karibu Shadrack. Na kama tulivyomba saa ile wakati tulipo kuwa na umeme ilikuwa kelele inafanya watu wasikii sasa tukizungumza hakuna umeme hatutazikizana kabisa. Kwa hivyo ningepiga watu wasipige kelele tafadhalini sana. Endelea sana.

Shadrack Mutuma: Thank you Commissioners and my fellow residents. The following are my proposals:-

My names are Shadrack Mutuma. I will start by saying that the new Constitution of Kenya must be written in simple language that everyone will understand.

There should be no political rejects in our Parliament, that means a person who has been rejected or denied votes by an elector should not be nominated to the Parliament or council.

The government should reduce some of the excessive taxes charged on citizens for example service charge. What I understand by the service charge is that you pay some amount of money and then you are given service in return. So the service charge you are charged has no meaning at all.

Service charge and V.A.T: A commodity must be charged V.A.T from the manufacturers, not from the wholesaler.

Our Indigenous trees eg Mugumo, Miraa and Mukuyu must be conserved. For this reason Mugumo, Miraa and Mukuyu are considered sacred by many communities of Kenya.

The government must assist the disabled.

Local people must elect the Chiefs and their Assistance.

The government must ensure that there is adequate fuel in police stations. This will enable the police to take prompt action when the matter is reported. Thank you.

Com. Zein: John Gichau, John, and Erustus Mbiti.

Erastus Mbiti: Asante Sana kwa majina mimi ni Erastus mbiti. Mimi ningependa Katiba ya Kenya kwanza ikatae serikali ya Majimbo. Isiruhusu majimbo kwa sababu majimbo mengi katika Kenya ni maskini, na ukikubaliwa watu wengine watabakia masikini.

Uwezo wa Raisi upunguzwe, kwa sababu akishikilia uwezo zaidi atakuwa akitumia nchi kama ni yake peke yake, wengine hawatakuwa na chochote.

Lingine ni bunge ipewe uwezo zaidi ili iwe ikisimamia mambo ya nchi.

Chief na sub-Chief wawe wakichaguliwa na wananchi ili wawe wakiwatumikia sawa sawa kwa sababu yeye anaonyesha ni kama mtu anaajiriwa na mtu mwingine hana haja na wananchi vile wanaendelea. Kama ni miradi ya maendeleo inatokea katika location; sub-Chief au Chief akiwa ni yeye Chairman ule mradi yeye huangusha, kwa sababu anategemea ile pesa inatolewa na mradi, ile group inafanya mradi huo ikiwa haimuruhusu achukuwe ile pesa, mradi unanguka. Kwa hivyo wasiwe wakisimamia kama ma-Chairman ya vijijini.

Bunge, wakati wa vikao vya Bunge, Katiba iseme wakati kengele inapigwa- wale wa-Bunge watakuwa hawako huko ndani ya jumba la Bunge, kama ni mishahara wakatwe. Kwa sababu wengine wanaenda kutembea bure, hawaendi kwa Bunge. Kengele inakuwa ikipigwa, tena hakuna watu wa kujadilia miswada ile inawasilishwa Bungeni.

Land nayo iwe ikiangaliwa na sheria ya Kenya. Isipewe wazee, wengine wanapewa wakienda wanatumia. Saa zingine mapendeleo ni: wanasema huyu si wetu huyu ni wa hivi, unaona hata mtu ananyang'anywa shamba yake. Kwa hivyo Katiba iweke sheria maalum ya kusimamia ardhi. Asante sana.

Com. Zein: Zakayo Mwikali na Isaac Kubai ni watu wamekuja ku-observe peke yake. Mtuiti Andrew Gichuru.

Mtuiti Andrew Gichuru: Thank you Mr. Commissioner. My names are Andrew Gichuru.

First, I can say that there are some rules which says there is freedom of worshipping. There should be eliminated. They should state that there is freedom of worshipping but not devil worshipping. The government should take bribes as a serious crime in the Kenyan Constitution today.

Chief and sub- Chiefs should be appointed by Kenyans, or the area concerned but not by DC nor PC because they don't know him or her well.

MPs should adhere to their roles and if not they should be replaced.

Parents in-law should not rule their son's nor daughter's families.

Children of the poor people should be considered as the children of the rich people. For example when a child of the poor person has passed her's or his exams, and child of a rich person has not well, he or she is considered better than that of the poor person. Thank you Mr. Commissioner.

Com. Ratanya: Thank you very much Mtuiti. Margret Karimi, Margreti Karimi, Joshua Kithima na Julius Muthika wamesema wamekuja kuangalia tu na kusikilia yaani kuwa mashahidi. Stephen Makutho, Joshua Ngore. Karibu Joshua.

Joshua Ngore: My names are Joshua Ngore. The reduction of the powers of the President: for instance appointment of the Attorney General, should be by the National Assembly;

The Chairman of the Electoral Commission, should be a civil servant not a political sychophants.

Appointment of the Chief Justice: instead there should be Judicial council.

The President should not be a bove the law and should not nominate MPs.

The balloting boxes should be transparent.

Votes to be counted in the polling stations.

Land consolidation, adjudication and registration to be speeded up and people given title deeds. Corruption in the land offices shared be checked.

Gender parity: Women to be given pension, should have the right to own land, should have passports, should be given big posts in the government.

Free education should be compulsory.

Miraa should be classified as one of the cash crops.

Njuricheke should be classified as an institution to deal with petty cases.

Trained teachers to be employed.

Apart from the language test as regards the Parliamentary elections, academic qualification should also be included.

Inactive MPs should be expelled from Parliament. Thank you.

Com. Zein: Asante sana. Mzee Ngore andika jina lako pale----. Francis Moare Karibu

Francis Moare: Jina langu ni Francis Moare. Yangu ni kupendekeza. Yaani sheria inakwenda kutengezwa itengenezwa kwa sababu watu wengine wanaona watu kama mbuzi. Mtu anakata mkono wa mwenzake anauwachwa nusu, anakwenda anafungwa miesi mitatu anarudi hapa. Mtu anaua mwingine anaenda anakaa rumandi miaka miwili anafungwa mwaka moja tena anakuja. Zamani wakati mbele, kama mtu alikuwa anaua mwingine hata wazee wa zamani walikuwa wanamuua. Hakuna mtu mwingine ataingilia kuua mwingine sababu kama uliua na wewe unauwawa. Sina mengi ni hayo tu.

Com. Zein: Johana Mwaria, Yohana Mwaria. David Mbiti, David Mbiti, naona David mtoshaka, Mbariu, Gitonga, Benard Mathew na David Thiami wamekuja kuangalia mambo yanavyo endelea. Jacob Kithinji. Jacob Kithinji. Sebastian Mukunga, Sebastian Mukunga. James Kairira, James Kairira.

James Kairira: My name is James Kairira from Ntonyiri Constituency, Njuricheke Chairman.

Njuricheke ya Meru recommend the following to the Constitution of Kenya Review Commission-Legal stand of Njuricheke: The introduction of Njuricheke is as old as the Ameru's history. Traditionally, it was an instruction body that merges with the three Arms of government described.

Today as the Executive, the Judiciary, and Legislative. One most remarkable ---- of this (inaudible) is that it would perform all the three functions simultaneously and without any conflict in the exercise of the powers.

The colonial administration (Inaudible) on the Njuricheke (Inaudible) government. So long as the larger interests of the colonial government were not in this or threatened Njuricheke was left alone to do its things.

When the time came to (inaudible) Kenyans independence with Njuricheke (inaudible) tribal ends was strongly represented at

one of the Lachester house ----.

Since independence Njuricheke was working very close with the Kenyatta and the Moi government, mainly with the resolution of boundary disputes as those between the Igembe, Tharaka, Tigania, Imenti Borana, Isiolo and Meru.

(Inaudible) or even legal recognition was given to Njuricheke. We believe that with the seating of this honourable Commission the time has now come to give that recognition to the only organized institution of its kind in Africa indeed in the whole world.

Com. Ratanya: You should just give the recommendation. For instance you spend a lot of time to give us the historical background we will read the memorandum ourselves you should just give us the recommendation, for instance what you were saying is that you want the Njuricheke to be given his historical significance and to be recognized in the Constitution that is what you are recommending. Yes, just give us recommendation and then go on give us another recommendation like that. Is everything about Njuricheke?

James . K.: Yes.

Com. Ratanya : Okay, fine we will read the memorandum . Thank you very much . M'tmuta, samahani Mzee ikiwa nikutaja vibaya.

M' Gumuta: Riitwa riakwa mbitagwa M̂ribata M̂rimba.

Translator: My name is M'gumuta Tuerimba.

M'gumuta: Na gwetu noaja Igembe tu.

Translator: And I come from this place.

M'gumuta: Kuuma twaima nditiriu antu baria twari head quarters Langata tutona muntu wa gutubwithiria kiinya atia kana atubwithiria kiinya atia atua umuindta kana tuthithirua no atia ni thirikari.

Translator: You find that we the freedom fighters in this country we have not been compensated in any way.

M'gumuta: Nandi thirikari yachoka iitine nandi ya choka regico nandi ni tuorerie.

Translator: We are suggesting that, our opinion is that as we are write this new Constitution we would like to have a provision whereby people who fought for the freedom of this country are compensated, and paid in one way or the other.

M'gumuta: Antu baria bonthe twqa bungiri kuu gugwitwa Langata headquarter na baraia twa bungi Manyani tutona muntu wa gutworera na uriku ndene ya ntuura ii cia kuuma Nyambene division mwanka Ntunyi.

Translator: You find that all the people who weredetained in Manyatta and other places like Langata, from Nyambene District, actually there was nobody who was considered. We are saying we were never compensated, we were not given any form of initiative, to tell us thank you for fighting for the freedom of this country. So our suggestion is that the current Constitution that you are changing, must actually address this issue, must be in a position to address our problem and come up

with solutions that help us at the end of the day.

M’gumuta: Natwacwa thirikari nikenda itutethia niuntu ningi nitwainyiritue mono ni thirikari ya mubeberu twacwaga yetu twingwa nikenda itutethia niuntu muntu aciaraga mwana nikenda mwana amutethia athiria gukura

Translator: You find that the purpose of freedom fighting, or the purpose why we went to the forest to fight for the freedom of this country is to get the final fruits. But since we didn’t get these fruits in the first Constitution or when we wrote the first Constitution, it didn’t actually indicate our position. So what we are emphasizing and what we are saying today, is that as we come with this Constitution that is new to us, let it be new by the fact it will consider our position as freedom fighters, and emphasize this fact importantly.

M’gumuta: Migunda nayo nitutunyitwe yonthe ikathira.

Translator: The second issue is about the land problem in this area. All our land has been grabbed away.

M’gumuta: Nitubiritwe kuorerwa nteto iu sana ni thirikari yacoka gukarira iti.

Translator: So we are saying that as we now change this Constitution as we come up with the new Constitution, let it be a Constitution that will have a provision that will protect our land or that it will make it impossible for the land grabber to have it easy to pick our land. Thank you so much.

Com. Ratanya: Asante sana. John Kimathi.

John Kimathi: My name is John Kimathi. My proposal are as follows.

There should be only two political Parties in Kenya this is to enable the political parties not to be like tribal political parties.

The Political Parties should be funded by the government.

The Parliament should have powers when to seat and when to dissolve.

The President should not have powers appoint ambassadors, and all big Civil Servants.

There should be Prime Minister elected by Parliament who will run the government.

If a member of the armed forces is indisciplined, he should be sacked and prosecuted.

The President should only be the Head of the State.

There should be independent candidates.

The Mayors and council Chairman should be elected by the people.

There should be death penalty instead there should be life imprisonment.

There should be a Commission appointed by the Parliament to end the corruption in Kenya. Thank you.

Com. Zein: Thank you very much John. Joel Isiami, Joel Isiami. Motokairima Munyiri karibu.

Mutokairima Munyiri: Kwa majina ninatwa Motakairima Munyiri, Mimi nazungumza upande wa mmea wa miraa. Mmea wa miraa ni kitu muhimu sana kwa Wameru. Tungependa miraa iingizwe kwa Katiba ya Kenya, maana miraa ni kitu kinajulikana hapa Meru sana kwa kusaidia watoto hata kwa masomo. Na pia miraa hata ukikwenda kuoja wasichana, miraa ndiyo inapelekwa kwanza. Yule mtu awe anaheshimiwa akipeleka miraa kwa mzee. Ningependa Katiba ya Kenya iingize miraa, maana miraa ni mmea wetu wa Kenya, na pia sana sana wa hapa Meru. Asante.

Com. Ratanya: Asante sana mzee. Basilio Kainga.

Basilio Kainga: Kwa majina ninaitwa Basilio Kainga. Niko hapa nikizungumzia chama cha Mau Mau ya Kenya.

Kenya African Mau Mau union. First freedom fighter wamesema ya kwamba wemedhulumiwa kwa sababu maisha yao yako vibaya. Hata watoto wao hawakusoma licha ya kuwa ndiyo walioikomboa nchi hii yetu Kenya kutoka kwa minyororo ya ukoloni. Hiyo ndiyo point yao ya kwanza.

Wamesema ya kwamba wangependa Serikali ya ufalme itawale Kenya hii.

Mambo ya shamba: mashujaa wa uhuru, kila mmoja asipitishwe ekari hamsini, kwa kila mtu, hiyo wanataka iingizwe kwa Katiba.

Wamesema ya kwamba wamekaa wakasema kuhusu jinsia- mtoto wa kiume na kike wawe kitu kimoja wafananishwe.

Mau Mau wakasema wanataka walipwe ridhaa kwa kazi waliopigania nchi hii, yaani kukomboa nchi kutoka kwa minyororo ya ukoloni.

Tumesema ya kwamba hatutaki serikali ya Majimbo sisi Mau Mau.

Mtu akishikwa na police ashiwekwe rumande na police kwa siku nyingi ndio apelekwe kortini.

Mtu akifanya kosa ashtakiwe na ahukumiwe kulingana na sheria, lakini siyo kuhongana na kuwachiliwa bure. Tunataka haki itendeke.

Mau Mau wanataka mila ya Mwafrika na pia utamaduni ya Mwafrika itiliwe maanani katika kila jamii nchini Kenya. Juna yangu nimesema.

Com. Ratanya: Asante sana. Joshua Maore. Milly mberia M'tuange. Festus kimathi.

Festus Kimathi: Kwa majina ninaitwa Festus Kimathi. Kwa maoni yangu napendekeza wanafunzi wote walio wadogo wawe wakipata elimu ya bure nchini Kenya.

Rais asiwe na mamlaka makubwa, kama vile inasemekana ati kama chuo kikuu ndiye mkubwa mkuu wa majeshi. Tuwe na

mkuu wa majishi anayesimamia majeshi peke yake. Pia kama chuo kikuu kinasimamiwa na yule ambaye anasimamia akiwa mdogo kwa Rais.

Kuwe na mabadiliko, wale ambao wanachaguliwa wakiwa ma –Mayor, wawe wakichaguliwa na wananchi.

Katiba ibalishwe: wale ambao wanakuwa na mashamba makubwa kuwe na kiwango cha hector ambacho kitakuwa kikipatiwa kila mwananchi wa Kenya, iwe hakuna skuota. Wale ambao wanaandikwa na serikali kuwe na miaka ambayo itapunguzwa kutoka hamsini na tano, ili wale wengine wanasoma wapate kazi. Kama thelathini.

Wabunge wale ambao ni wabunge maalum., kuwa hakuna mbunge maalumu kuwe mbunge anachaguliwa moja kwa moja na wananchi siyo kuwe kuna wabunge maalumu.

Bunge liwe na uwezo wa kumfuta Rais akiwa amepatikana na makosa.

Katiba ikatae Majimbo.

Waziri yeyote akipatikana na ufisadi afutwe mara moja. Asanteni.

Com. Zein: Asante sana, andika jina lako kwenya register. Anayefuta ni Rebecca Kamuo. Zaitumu M'kalaime. , Moses Meme? Muriabu Kilanya. Ni wewe mzee asante karibu sana.

Murabia: Kwa jina mimi naitwa Murabia. Yangu mimi kuchangia kwa hii Katiba ya nchi yetu ya Kenya :

Mimi sitaki tuwe na Majimbo, nataka tuwe taifa moja la Kenya, sababu kila mtu akitembea pahali ataona Mkenya ni kama ni ndugu yake.

Miraa ni kama kahawa ni kama majani ni kama matunda mengine mimi nataka kwa niaba ya wananchi,iingie kwa katika Katiba za mali yetu ya Kenya, ili tupate kujinufaisha nayo.Kwa sababu sisi hapa kitu cha maana sana ni miraa, tuko naKahawa, Majani, na matunda nyingine ya aina mbali mbali lakini miraa ndiyo bora kuliko mambo yote.

Mimi nataka kila location kwa maoni yangu, iingizwe kwa Katiba wazee wa location wa LDC (inaudible) Development Committee, iwe ikisimamia ardhi yao. Kwa sababu kuna kitu kingine kinatokea hapa sana sana kwa upande wa councilors serikali za wilaya. Hapa tuko sasa ni katika location ya ----- (Inaudible). Unaweza kusikia council inaketi katika wilaya pale Headquarter, ikasema kama ni shule ikatwe iwekwe market, au iwekwe mradi mwingine.Kwa hivyo wenyewe waulizwe kwa sababu wako na baraza la wazee, ambayo inasimamiwa na wazee na kiongozi wa serikali akiwa ni Chief. Kila location katika taifa letu la Kenya, iwe ardhi yao ikisimamiwa na wenyewe, isisimamiwe na mgeni yeyote yule.

Wizi wa mifugo: Sisi katika ---Mkoloni aliweka katiba Katiba mwizi wa mfugo aadhibiwe kidogo.Lakini kwa Katiba ya sisi wananchi wizi wa mifugo unatusumbua zaidi zaid zaidi--- kwa sababu hatulali.

Mahalia pengine iwekwe kwa Katiba kabisa, ikanywe kwa Katiba ati kama Ng'ombe zinaibiwa zinafuatiliwa zinapatikana Meru, kuwe na baraza la wazee, siyo ati ni Meru, ni katika taifa la Kenya kila District.Katika makabila yetu ya taifa ya Kenya 42, kila kabila iwe na baraza la wazee ya kushugulikia wizi wa mifugo kutoka katika wilaya ile nyingine. Sababu sisi, kama kuna watu wengine hawajui kuiba mifugo, lakini sisi wako jirani wetu hapa, karibu District mbili, tatu au nne wanatusumbua kila wakati;kila wakati unasikia mtu ameuwawa. Tunataka hiyo iwekwe kwa Katiba. Kwa hayo machache mimi sina mengi ya kusema.

Com. Ratanya: William Mkunja? Isaac M'naba. Ni wewe mzee karibu mzee.

Isaac: Unii jaria ndinajo ni mantu ja ntariki ikumi nemwe kuri ugoro. Ritwa riakwa mbitagwa M`nkanatha.

Translator: My name is Isaac --- Sirari. That is my name.

Isaac: Mantu jakwa jaria ndinajo buthikiirie ni jantuku iria bendera yejire ireja kuri muthenya ja indi uu na niyo ituire aa.

Tranlator: My opinion based on the day we received freedom in this country.

Isaac: Na gutuka ugoro nitwenamire kugira bendera turi divison turantonya obicine na tugutonya obicine antu baria batonyere obicine batona kiewa.

Translator: We would like to emphasize that the people who fought for the freedom of this country didn't receive any form of compensation.We would like it highlighted in the current Constitution, I mean the Constitution that you are writing, that these people should be put into consideration seriously.

Isaac: Na bakari batuona kiewa nibo beragwa gutiri bo nandi ninkwenda kuonania bo mbikirwe inya ni thirakari nkabonia ndene ya obici Maua.

Translator: The reason that you have been given for our not being compensated is the fact that the law said that the people who fought for the freedom of this country are not existing. Today I am a living testimony to show you that people who fought for the freedom of this country are still alive. If I am challenged on this area, I can actually produce the rest of the people that we fought for the freedom of this country with, as a group.

Isaac: auongwa nio ngachokera nikenda thirikari imbikira inya tukiinya kuo Maua kwa DO.

Translator: I will stop giving points by emphasizing that the freedom fighting for this country was very vital very important.Let the Constitution that you are actually making be the key factor that helps us to get our compensation, or actually to put it into consideration that we fought for freedom, and then we will be recognized and have a way out of this problem. Thank you so much.

Com. Ratanya: Mzee wangu, mzee—andika jina pale mzee wangu. Roi Mwenda, Roi mwenda. Sylus Afula, Sylus Afula. M'tomchiri M'tomwenda, Samuel Mutua? Samuel Mutua, ndugu yangu wewe ndiyo Samuel haya karibu.

Samuel Mutua: Kwa majina naitwa Samuel Muta. Na haya ndiyo maoni yangu kuhusu Katiba ya Kenya:

Katiba ya Kenya ningelipenda iandikwe kwa lugha mbili Kiswahili na Kiingereza.

Katiba ya Kenya iwe ikifundishwa katika shuleni zetu kama somo kama masomo mengine.

Katiba ya nchi ilinde mwananchi kwa hali na mali, na akidhulimiwa awe akilipwa ridhaa na serikali.

Kuhusu uchaguzi mkuu: Chama ambacho kitashinda, Katiba ieleze na ifafanue wazi kuundwe serikali ya vyama vyote. Kwa wingi wa kura.

Ikiwezekana kila mwananchi wa Kenya awe na kitabu cha Katiba ili aelewe Katiba ni nini au maana ya Katiba ni nini.

Katiba iruhusu kustakiwa kwa watu ambao wamehusika na ufiisadi tangu mwaka wa 1999. Raisasiwe na uwezo wa kupinga miswada ya Bunge.

Nchi iwe na Bunge moja.

Katiba iruhusu ma-Chief wachaguliwa na wananchi kwa njia ya kura za milolongo.

Rais wa nchi awe mbunge.

Katiba ihakikishe kuna idadi fulani ya vyama vya kisiasa vitakavyochaguliwa, ikiwezekana kuwe na vyama vitatu hadi vinne na si zaidi.

Katiba ihakikishe kuundwa kwa Tume ya kikatiba kuhusu mishahara na marupumarupu ya wabunge.

Wananchi wawe na uwezo wa kumrejsha nyumbani mbunge wao kwa kupiga kura ya kutokuwa na imani na yeye.

Uchaguzi wa Bunge ufanywe katika nyakati tofauti, ili tuwe na wabunge wanaofanya uchaguzi nyakati mbalimbali na madiwani.

Com. Zein: Malizia

Samuel: Katiba iakikishe usalama wa mwananchi na mali yake bila kuzingatia kabila, cheo, tajiri au masikini.

Katiba ihakikishe mwananchi wa Kenya apate huduma ya afya bila malipo yoyote.

Katiba ihakikishe serikali haina uwezo wa kutoa ardhi ya mtu binafsi kwa lazima, na kama ardhi hiyo itatolewa mwenyewe alipwe ridhaa na serikali.

Katiba ilinde mahitaji ya kimsingi ya Wakenya kama vile usalama, huduma za afya, huduma za maji, elimu na mengineyo.

Asante sana.

Com. Zein: Michael Ngolua:

Michael Ngolua: Asante sana Commissioner, kwa majina ninaitwa Michael Ngolua. Yangu ya kwanza mimi nitazungumza kuhusu Katiba ya Kenya. Kwa vile ninajua Katiba ya Kenya: siku ile wananchi wa Kenya waliungana ati wapigania

ukombozi wa nchi hii, kuna Katiba ambayo waliandika, na hiyo Katiba waliandika haijafanya kazi katika nchi hii. Kwa hivyo ningependa, kwa maana kuna mabaki ya wale ambao walipigania ukombozi wa nchi hii- wako, waende waulizwe ni kwa nini hiyo Katiba yao haijafanya kazi, kwa maana ndiyo sababu wananchi wanauana, wananchi hawasilizani, wananchi wanaibiana wenyewe kwa wenyewe. Wakati wananchi wa Kenya waliungana kukomboa hii nchi yao kutoka mikononi mwa ukoloni hawakukuwa wanaibiana. Walikuwa wanatunziana na walikuwa wanajua huyu ni ndugu yangu na dada yangu, hawakukuwa na ubaguzi wowote ule.

Com. Zein: Haya mapendekezo yako ni nini?

Michael Ngolua: Mapendekezo yangu ni Katiba iangaliwa ile ambayo iliandikwa wakati tulipigania uhuru. Asanteni.

Com. Ratanya: Kecha Samuel. Stephen Ntobiri.

Stephen Ntobiri: Unii mbitagwa Stephen M itumbiri wa M iburu

Translator: My name is Stephen Ntobiri

Stephen Ntobiri: na gwetu sub-location ni Twambui.

Translator: I come from Amboi.

Stephen.: Thiina yakwa ndaiaria antu aa mashujaa kana mau mau.

Translator: I want to raise the issue of freedom fighters in this area.

Stephen: Twaruire uhuru bwa Kenya,

Translator: We fought for the freedom of this country.

Stephen: ndiumwe shujaa imwe yaari detained.

Translator: And actually I am one of the people who are detained for fighting for freedom of this country.

Stephen: Tukirujagira muthetu juu jwa Kenya nikenda tukomba kurima na tuona biakuria.

Translator: Fighting for our rights, our land and all aspects that we thought they are the white man and ours had no control upon it.

Stephen: Amwe na buu shujaa thirikari ya Kenya iria ikwathana igukarira itii bia Kenya batarikana shujaa.

Translator: Despite this great effort that we had dedicated to this nation, the government up to day has never recognized us. Now we are proposing that there must be a provision of law that will address this problem of ours.

Stephen: Banyunyaga iira bongwa thirikari na maguta bakanyua na nainchu bakaria iinto biria biri murio shujaa imami utheri ni cia thinikire.

Translator: You find that the beneficiaries of the fruits of freedom of this country are people who never knew what freedom was, and the people who fought for it were left out. So we are suggesting that we should be recognized, we must be compensated, the law must be there to protect us and address this problem of ours.

Stephen: guti shujaa iri kithaka kinya kimwe munda.

Translator: The funny thing is that all people who fought for the freedom of this country actually land in specific, there is nobody who has land or a piece of land that we fought for.

Stephen: Nibiajukirue ni masettler ja antu babairo.

Translator: This land that we fought for was taken by the black settlers or the black people who inherited from the white.

Stephen: bareta kumama toro batikurikana shujaa iria cia rwirire uhuru bwa Kenya.

Translator: People who took without putting into consideration who are actually the (inaudible) of the freedom of this country.

Stephen: Kuringana na hiyo mashamba jaria jakiasiri ja kifamily land irathitia haki cia kumiliki mashamba.

Translator: Another funny thing is that when we came up with the law in the old Constitution we find that this law actually was used by the same people again, to benefit from the little land we inherited from our fathers.

Stephen: Land irikwija kuthima mashamba jontu sub-location ya Ntwambui nkea niciengirwe katika mashamba yao na baroja.

Translator: You find now in the land policy that we are having today, or the land policy that is there in the old Constitution, it is one that actually doesn't address the issue of the poor people. So we would like to have a policy, a law for that matter, that addresses the problem of the poor people as far as land in this area as concerned.

Stephen: Maskini na ntigwa ya muka iria itimwene ni batunyirwe miunda jwojerwa juraikua rwongene Rwanda barengwa mucii yao baratunywa munda juri na into miraa, marigu na akengwa mucii na jugakurwa na inya.

Translator: You find that I am emphasizing the fact that we have problems because the policy itself that we have been having has a lot of loop-holes, and people have taken advantage of it. Meaning that our land and everything in it has been taken away, so let it be put into consideration.

Stephen: na akerwa ni thirikari yauga nibucunwe mashamba. Twaeta kuthitanga kiri chief, chief akarungama kiri baria bakuiya mashamba itonga bia mbeca na sub-chief bagasimama kiri amba baria bakuiya miunda.

Translator: Again we come up with this law or probably after we change this Constitution: as far as the land law or policy is concerned, let it be a policy that has some form of entrenchment, in such a way that Provincial Administration should be also be in a position to support us. Our main problem has been that land policy in this area has been lacking the support from the Provincial Administration.

Stephen: Mwene munda eta kuthitanga kiri chief na DO na sub-chief bakaria ginchunku bakaethia tutije kuthoma munda jukajukua ni baria.

Translator: The Provincial Administration has been a co-factor in taking our land in this place. Taking the advantage of

illiteracy in this area.

Stephen: Niuntu tutiji kuthoma antu babaingi baria batiji kuthoma miunda niitite yonthe. Nandi gankuga atiti thirikari ikuamirite shujaa iria cia rwirire uhuru bwa Kenya.

Translator: Going back to my first point about the freedom fighters of this country, I am saying that the government should think about us and put us into consideration. Asante.

Com. Zein: Asante sana shujaa wa uhuru. Sasa namwita Joseph Karia. Karibu Mzee.

Joseph Karia: Asante sana Commissioner. Mimi kwanza nitasema juu ya --- jina langu ninaitwa Joseph Karia. Nakuja kuzungumzia machache hapa.

Com. Zein: Ngoje mzee wangu. Tafadhali tusikizane, naomba tusikizane ukiwa una haja ya kuzungumza na mwenzako aliyo karibu na wewe mutoke pale nchi mzungumze mumalize maneno yenu mrudi ndani. Sijui kama tunaelewana, kwa sababu kwa vile hatuna umeme na si kila mtu anaweza kuzungumza ninavyozungumza mimi na nikasikika mpaka pale nchi. Tumpe fursa asikike ili tuli-record maneno haya ikiwa maneno haya itacharikana na kelele itakuwa vigumu kwa wale makarani wetu kuandika haya maneno. Ningeomba sana sana sana. Kama mzee pale shujaa wa kupigania uhuru alikuwa akizungumza na vijana wanazungumza pia,. Anazungumza kuhusu kujitolea kwao wakati wa kupigania uhuru ili nchi hii iwe uhuru na kuna vijana wanapiga kelele. Sasa heshima iko wapi? Sasa nawaomba sana kwa isani zenu ndugu zangu tuwaheshimu wazee na watu wengine wanaokuja kuzungumza wapati fursa ya kuzungumza sijui kama tunakubaliana hivyo. Ukiona mwenziako yuko karibi na wewe ananzia kuzungumza mwambia atoke nchi sawa asante.

Joseph Karia: Jina langu ni Joseph Karia. Mimi nakuja kuzungumzia Katiba hii zaidi kwa sababu ya miraa.

Miraa yetu ni kitu ambacho katika Meru North, kinaitwa kitu kitukufu, miraa mitukufu. Hapo mbeleni ilikuwa inafananishwa na bangi, ambapo tulisikia hivyo tukaona hatuwezi kuvumilia. Tulikuwa tunachangia hata pesa tuweke wakili kwa huyo mtu alisema namna hiyo, alikuwa wa kutoka Mombasa, lakini alitoroka. Tulipofika wakati wa uhuru tulienda Nakuru tukakuta hayati Mzee Jomo Kenyatta ndiye alitoa ile chapter 339 yenye ilikuwa inaita miraa bangi. Kwa hivyo miraa ni kitu kitukufu kiangaliwe kiwekwe ndani ya Katiba kwa sababu mtu akiwa hana miraa-ukiwa na msichana wako kitu cha kwanza kukuletea ni miraa ili nipate msichana- kwa hivyo iwekwe ndani ya Katiba.

Kuna watu ambao----- Chama kinaitwa Njuricheke. Njuricheke iwekwe katika Katiba ya Kenya iwe na uhuru wake mwenyewe. Hata zamani za kale hiyo ndiyo ilikuwa serikali ya Meru, inachunga watu kwa vifo, inachangia kila kitu kisheria, na hiyo ndiyo inafanana na bible ya Mungu wakati huu. Hiyo isiwekwe chini ya--- mtu asije awe, hata Serikali isiwe ikiweka tuseme kwa mfano wakati huu-hata kama wewe ni Njuricheke, ukiwa na nyumba yako, kwa sababu ina nyumbani zake

inatawaliwa na serikali iwe huru. Hiyo Njuricheke iwe huru.

Bunge: Wabunge wawe wakiangalia watu wao wale waliowachagua. Kwa sababu wanakwenda Bunge wanapata mshahara kubwa hata hawangefikiria baadaye kupata. Lakini wakati anaenda Bunge hawezi kurudi kuangalia watu wake. Wakati anakwenda Bunge tunahitaji awe akirudi- kama ni hapa- kuangalia watu wake na kuwauliza taabu zao, na akishindwa. Ningeuliza Katiba iweke, kama huyu mbunge watu wanaona haifai asimalize miaka mitano, watu wawe hawana imani naye, yeye atolewe kwa Bunge.

Korti ya Kenya isiwe ikiendeshwa na watu retired kama Judge. Judge akiwa retired hana haja na wananchi, kazi ni kupokea hongo ili aende nyumbani na hongo zake, maana yake anajua ame-retire tayari hana mshahara. Kwa hivyo serikali iweke wale wanamaliza masomo ya sheria, wawe wakiingia kwa Korti waajiriwe na serikali kama mahakimu, kama ma-Judge, ili wale ambao ni retired warudi nyumbani maana yake kazi ya retired ni unyakuzi.

Katiba iangalie viongozi wengine wa serikali hao wa ma-kampuni wananyakua pesa nyingi sana, hata zikitoka ng'ambo, zile tunapewa kama misaada ama tunapewa kama mikopo, zikija zikingia kwa Ministry, yule anakatalia katika Ministry, ananyakua zile pesa, anachukuwa hata nusu yake au robo yake. Kwa hivyo serikali iangalie huyu mtu akishikwa na unyakuzi huo afungwe na arudishe hiyo pesa.

Taabu kama ile nilisikia mwenzangu akizungumzia hapa, na ninasikia katika Kenya yote watu wengi wanajitolea kwa kuiba ng'ombe- mifugo. Mifugo imeibiwa tunasikia hata Marakwet na Pokot na pahali pengine na watu wanakuja kuiba na bunduki, na sisi hapa hatuna bunduki, na serikali, inaangalia. Tunauliza serikali iwe ikiwapa watu bunduki wawe wakijulikana na serikali wale wanaitwa home guards. Tunaitaji tukubaliwe tuandikiwe home guards ili wachunge ng'ombe zetu maana tumefanywa maskini hapa na wezi wa ng'ombe. Wakija na bunduki hatujui wanatoa wapi, na serikali haifuati hiyo bunduki wanatoa wapi hao watu wamekuja kuiba.

Ningetaka Katiba iweke haki mazungumzo hata kama unazungumza maneno ya serikali mbele ya baraza, uzungumzie kama ni police au ni DC au ni Rais uwe huru asifuatwe na CID. Kwa sababu watu wengine wameshindwa kusema maneno ya ukweli kwa kuogopa kufuatwa na CID manyumbani yao. Ninamaliza.

Ya mwisho, hii miraa yetu tunazuliwa na matajiri kupeleka popote. Matajiri wale wanaweza kukomboa ndege wanapeleka miraa (Inaudible), London au pahali pengine. Magari tunayo ya miraa hapa yanajaa tulikuwa tunapeleka (Inaudible), Garissa, Mendera kila pahali tunakataliwa na sheria. Ukisikia PC anasema miraa isiende kwa barabara ili matajiri wawe wakipata pesa kwa ndege na sisi tunakuwa maskini hapa wenye kupanda miraa. Asanteni.

Com. Ratanya: Asante sana mzee Karia. Ningependa kuchukua fursa hii kutambua kufika kwa Mheshimiwa Mbunge wa

sehemu hii Mheshimiwa Mahaka Maore karibu tumekuwa hapa kutoka asubuhi lakini umeme umepotea ndio wakaona sasa tunatumia sauti zetu na koo pamoja na ku-record kuribu. Katika orodha yetu Mohammed Mwenda. Karibu Mzee.

Mohammed Mwenda: Mbitagwa Mohammed Mwenda,

Translator: My names are Mohammed Mwenda

Mohammed Mwenda: Unii nienda kuria nimbi igita riria twarujagira uhuru, gatwarujagira riiitwa mkenya wonthe ethirwe ari na uhuru na tutiari na ukabila igita riu twetagia, igita riri turi kana gukara twakara miaka iu yonthe nimbi itumite baarega kurikiranwa.

Translator: My concerns are the fact that we the freedom fighters of this country have been never been compensated, or actually there has never been provision in law for that matter that has critically stood on our side, to state what one should have got after fighting for the freedom of this country. We have actually never witnessed the fruits of the freedom.

Mohammed Mwenda: Riria twaringanagira uhuru na turagitanga minyororo ya anchinku baraita nimawega twaurachia tutaaurachia uthuku ni riiitwa mkenya twendaga tuonthe tugwatane turigintu kimwe na Kenya yetu tumibwithie turi gintu kimwe ojauria mau mau ya bwithirie nibiwo twacuite.

Translator: The main agenda or the main objective for us to fight for the freedom of this country was to get the freedom first, and then to be in one Nation, a unit We cherish our freedom at the end of the day.

Mohammed Mwenda: Na uni nandi nika batwi irika rietu rierekera gukura rionthe ritiagwtwa no ntuku noimwe, animbi na ntuku iria barujagira munchunku turengana nawe na araana kwao, aana kwao mawega jaria twaurachia gutijo twona ata kidogo.

Translator: You find that me and my age- mates who actually fought for the freedom of this country have never benefited from that freedom. You find even after the white person went or after we actually we got our freedom, we have never seen the fruit of it. The proposal is that let us have a provision, or let us have a law in the current the Constitution that we are changing. Let it be a Constitution that will recognize the task or the noble job that we did for this country.

Mohammed Mwenda: Na miunda, ithaka biria twarujagira twarujaga kenda turia na wega na kenda mbona biakwa na mwana uciari Kenya oone, nimbi gitumi kigutuma ni unii ndarwire kamunda nibwo kaana uu.

Translator: My second point is concerning the land that we also fought for seriously. You find that we fought for this land but during the land demarcation or maybe the sharing of this land, some of us have never benefited from the process. So let the Constitution that you are changing be in a position to address this problem.

Mohammed Mwenda: Bungi batwi tutiarujagira Kenya ithirwa irina majimbo ja uhuru, twarujagira kenda twithirwa turi thirikari imwe tutina majimbo. Tutikwinda thirikari ya majimbo.

Translator: When we are fighting for the freedom of this country to liberate ourselves out of the colonial rule, we were fighting for one nation, we never fought for Majimbo. We are proposing that let us have a unitary government or one government that has no regional representation, let us have one nation, one government.

Mohammed Mwenda: Thirikari yetu niirathithirie wega turauga ni wega baraungana bari antu bairi KANU na NDP turauga nibwega mono kiri thirikari iu yetu aja itirite kiinya twi nio tukwenda kuringira mubira juitire.

Translator: So we wish to have a government that has the will of the people at heart.

Mohammed Mwenda: Ni unii ntigukari na jamaingi nkuruki ya jau, nijo nkwendete nanii kuuga.

Translator: These were my suggestions or my contribution as you are changing the Constitution of this country so that we will be put in the consideration. I am sure they will be taken into consideration too. Thank you so much.

Com. Zein: Asante. Patrick Kobia? Patrick Kobia, Mariam koiti? Mariam koiti, wewe ndiyo Patrick, karibu Bwana.

Patrick Kobia: Thank you very much. What I wanted to say is about the education system. The current education system doesn't provide for those who don't reach in the university in the point. So I am proposing that there should be a provision in the Constitution that allows those who don't reach the cut off point for university intake, to get a chance also to pursue the other courses that they get from the secondary exams allows them. In this I mean at the point that the universities leave from absorbing those who are from the form part of education other colleges pick from where the universities leave so that we don't have a wastage of range as it is currently. Thank you.

Com. Zein: Asante sana. Mkamati M'tonyange, Paul Wathia, Paul Guathie, Andrew Mbiko?

Andrew Mbiko: Ningetaka tukifanya mpango ya kubadilisha Katiba county council au Ma-diwani----

Com. Zein: Taja jina lako kwa sababu ya ku-record.

Andrew Mbiko: Okay, mimi naitwa Father Andrew Mbiko. Ningetaka county council ma-Diwani wapewe uwezo wa ulinzi katika kila tarafa. Tuwe na security chini ya county council, Councillors wawe na uwezo wa kulinda mali katika location zao. County council iwe ndiyo responsible katika mambo ya ulinzi, kuzuia mambo ya wizi wa mifugo kama vile tunajua huendelea katika nchi yetu. Pia katika wizara ya kilimo tungetaka wizara ihusishe wananchi namna ya kutunzia na kupanda miti kama area hii kwa milima Miraa ipandwe kwa sababu ikiingizwa kwa Katiba itakuwa ikizulia umonyoko wa udongo na pia watu watapata pesa na makarani wa agriculture watakuwa wakielezea watu namna ya kutunzia mmea ikiwa uko kwa Katiba na unazuia mumonyoko na watu wanatumia kwa kupata pesa.

Ningetaka Katiba ikiwa itabadilishwa vizuri watu wahusishwe katika mpango wa masomo kutoka mashinana wizira wa

education wa elimu iwe ina watu wanafanya mpango kama vile unapanga wakati huu lakini wawe na authority wawe na muongozo wa kuzikizwa na watu wasiwe wakaenda Nairobi wakisema hati mambo yatafanyika katika Nairobi kusudi hao wanahusiswa.

Katika mambo ya ulinzi, pia county council iwe inahusishwa kwa sababu wawe na kibali wawe na uwezo wa kujua mambo ya kuendesha mipaka na location, na District zao. Hayo ningetaka yazungumzwe katika Katiba. Asante.

Com. Zein: Asante sana. Julius Mukunja? Julius Mukunja.

Julius Mukunja: Jina langu naitwa Julius Mukunja. Mimi kile ambacho nataka kuzungumzia katika Katiba ni idara ya sheria.

Idara ya sheria inaonekana kama shirika la biashara la watu binafusi na wala siyo za serikali za kuhakikisha sheria na utangamano.

Hadhi ya raia: kwa mfano Judge au Hakim uwanafanya korti kuwa mahali pa maonevu na maovu na sababu ni hii; mhalifu anaonekana ndiye bora kuliko mwananchi mwema, kwa sababu anawapatia kitu kizuri. Hawajali anatoa wapi bora tu awapatie. Kwa hivyo haiwezekani kuwa na Katiba nzuri bila idara ya sheria kuwajibika. Nimemaliza.

Com. Zein: Asante sana Julius. Philip M'tomari.

Philip M'tomari: Asante sana. Jina yangu ni Philip M'tokatharu, natoka huko A. Kiongo. Vile mimi ningesema kwa kuhusu Katiba ni hivi:

Masomo: 1963 tulikuwa na mafanikio ya vitabu. Saa hizi tukiambiwa ati mtoto asome bure bila vitabu, bila kila kitu cha kujenga nyumba kama hii, huo ni uongo mtupu. Lazima tupate mwananchi apate haki yake. Tupatiwe vitabu tusomeshe watoto.

Land: Tukiingia upande wa land, kulikuwa na mtu anapatiwa shamba wakati anakosa pesa, ukifiga kesho kutwa ---- miesi miwili ikipita unaingia tena, unaingia kwa shamba kama --- kwa pesa. Ukingia kama hii; town plot, kupatiwa shamba upande wa plot ule ulikuwa avenue, ugawanye na mwenziako, ukaambiwa wewe hauko hapa sasa hiyo ni ya public. Public ni nani kweli? Na ni wewe mwenye hiyo shamba. Shamba ni ya mwenyewe yule alikaa huko, shamba si ya public na siyo ati ni ya serikali.

Pendekezo zangu ni kuhusu land. Wakati waliingia kwa shamba (Inaudible) wakati waliingia kwa shamba wakapatiwa pesa wakaenda. Ukimaliza miezi miwili hivi tatu wakaingia tena (inaudible) shamba yako iko wapi, shamba inapata miguu kweli inafuata miguu haya minyororo hapo. Wakati hiyo nitafanya kama ilikuwa miaka kumi ulipanda Miraa ilipanda miti mingine

ukambiwa wewe hauko hapa na number zako ziko ulikuwa unagawa wewe mwenyewe na saa hiyo unambia uondoke hapo waweke mwingine, utaenda wapi na jaami uko nayo utapelekwa upande mwingine, tena kwa mwingine unang'ang'ana naye . Sina mambo mengine ya kusema.

Com. Ratanya: Daniel Muriera.

Daniel Muriera: Asante sana Bwana Commissioner na waakaji wengine. Pendekezo yangu kwa Tume hii ni kuhusu Miraa. Miraa iwekwe katika orodha ya mimea mingine kama vile majani Chai, kahawa na mimea mingineo ambayo inaletea nchi hii pesa za kigeni. Kwa hivi sasa, miraa kama ni vile hatuna hesabu kamili, huleta pesa kwa sababu inaenda nchi nyingi za kigeni, na inaleta pesa nyingi za kigeni. Kwa hivyo iwekwe katika orodha ile ya mimea muhimu. Vile umeelezewa ni mmea ambao ni kama mtakatifu kwetu sisi kama wameru. Ni mmea ambao umesikia ndiyo ulikuwa ukipelekwa kwanza ukitaka msichana wa mtu. Unapeleka miraa kwanza ndiyo itafanya introduction.

Wakati Njuricheke ilibadilisha Katiba yake mwaka wa 1958 nafikiri hata kwa sababu tulikuwa na shida sana ya ng'ombe Miraa walialalisha ikienda upige report kwa mzee fulani ati unataka msichana wake upeleke tu Miraa, wengi hapa wameoa na hiyo Miraa kwa hivyo Katiba mpya itambue kama vile sisi watu wa Meru North tunaitambua msipewe maneno juu juu mkitaka vizuri na mkitaka kufanya research vizuri mje kwetu siyo mchukuwe research Nairobi au pahali pengine au vile mnambiwa kule Miraa ni mmea mtakatifu na wale wazee mnaowaona hapa na wale watoto mnaona wamezaliwa hapa sisi tumezaliwa na watu wanatafuna Miraa kwa hivyo musiambiwe----- yeyote yule unaona hata Mheshimiwa vile mnamuona hana kasoro amezaliwa na mzee anatafuna hiyo kitu. Kwa hivyo msipewe mambo kule Nairobi ya Miraa hiyo ni mmea yetu mtakatifu uwekwe katika orodha ya ile mimea muhimu yetu.

Kuhusu wakulima: wakulima tupewe mikopo ambayo haina return ya kustawisha mashamba yetu, kwa sababu ule mkopo, ya mazao yakiharibika ufutuliwe mbali huo mkopo, uwe ukifutuliwa mbali ili kuweka wakulima wetu motisha wakuendelea na kilimo kwa sababu ndiyo uti wa mgongo wa taifa letu. Bwana Commissioner ningependekeza nisikizwe mzuri kwa sababu ni point muhimu ya kuhusu mkopo. Mikopo imevunja wakulima wengi moyo wa kulima kwa sababu mazao ikiharibika na yule mtu aende auziwe ile shamba mmekata huyo mtu moyo kabisa ya kulima tena hatakuwa na moyo wa kulima kwa hivyo naomba Katiba mpya kitu ya kwanzia wafikirie mikopo kwa wakulima, wakulima wetu wapewe mikopo ambaye haina faida isiwe ikilipwa faidi ni kurudisha ile mikopo na wewe upate kuajiri watu wengi kule na hiyo itakuwa ni jambo muhimu.

Kuhusu upande wa Malisho yetu, area yetu ya malisho itambuliwe kulingana na vile wazee wetu wameitambua, na mipaka yetu itambuliwe vizuri na iheshimiwe na jirani wetu wale wanakuja kuiba. Na pia ningependekeza Bwana Commissioner sisi turidie hali ya zamani Katiba mpya iweke sisi pale tulikuwa zamani county council ndiyo ilikuwa ikisimamia usalama wa wachungaji. Kama vile mnaendesha sana mambo ya wanyama wa pori, mnafundisha askari wa kuchunga wanyama wa pori ningependekeza Katiba mpya ikiandikwa ng'ombe pia wachungaji wapatiwe askari, wapelekwe mafunzio juu kama ni vijana wetu wale mnaitwa home guard, wachukuliwa wafanyiwe training mzuri vile mna-train KWS na wapatiwe bunduki wawe chini ya county council ili wawe wakiwa monitored na hao kwa upande wa usalama wawe train mzuri na wapewe mshahara na

serikali vile mnapatia wale wa KWS mshahara kwa sababu wale wanachunga wanyama na wale watakuwa wakichunga ng'ombe kuhusu usalama ya wachungaji ndiyo hiyo Bwana Commissioner.

Lingine ni wizi. Mwizi yule atapatikana ameiba ng'ombe kama ni wezi jirani wale wanachukua ng'ombe. Kulikuwa na declaration ya wazee wa Meru na wazee wa Samburu katika mwaka wa 1997 kule Laikipia. Laikipia agreement itambuliwe na Katiba mpya kwa sababu wazee wa Meru na wazee wa Samburu walikutana wakasema vile ng'ombe ikingia kwao iwe ng'ombe moja wanalipisha ng'ombe tatu. Ng'ombe moja iwe ikilipwa na ng'ombe tatu ili kukomesha wizi kabisa wa mifugo kwa hivyo hii agreement ya wazee itambuliwe.

Kuhusu mambo ya elimu Bwana Commissioner vyuo vikuu vyetu virudi kama zamani kwa sababu serikali hatuwezi kubali zingizio ya kuwa ati serikali haina pesa. Kuna mahali ya asili, kila wakati tunasikia kuna petrol imepatikana pahali na hiyo hanchimbi kwa hivyo mchimbe hiyo petrol vyuo vikuu na viwe pia elimu iwe ya bure kwa mwananchi wa Kenya Bwana Commissioner Katiba mpya mfikirie njia ingine ya kupata pesa kwa sababu maskini inaonekana hakuna mtoto ataenda university mtoto wa maskini watakuwa tu ni watoto wa matajiri. Hata secondary schools, ile bursaries mnapeana Bwana Commissioner hakuna kitu inazaidia kwa sababu wengi wao wale wanapata ni wale wako na nguvu wale maskini kabisa hawapati.

Njuricheke ilikuwa na role mhimu sana hata ingawa hakuna pahali hapakosi kasoro. Njuricheke ilifanya kitu muhimu hapa pale zamani. Bwana Commissioner, vile unionavya mimi ni member wa Njuricheke na kwa hivyo wale wanataja mambo ingine mbaya mbaya ya Njuricheke ni wale hawajui. Njuricheke ilifanya kazi mzuri kwa sababu ndiyo ilikuwa ikiamua makesi kabisa ata kabla ya serikali kuundwa ata kabla ya mkoloni kuingia hapa kwa hivyo wale wazee waheshimiwe yale mambo ambayo ni mhimu kwao watakiwa kwa uamuzi wapewe hiyo jukumu na watambuliwe kabisa kama chombo mhimu na sisi wameru. Kwa hayo machache ni asante sana Bwana Commissioner.

Com. Zein: Asante sana Councilor. Councillor tafadhali andika jina lako kwenye register kwamba umetoa maoni yako. Sasa ningependa kumualika Commissioner Mwenzangu Mzee Ratanya aendelea na shuguli hizi za kuongoza kuchukuwa maoni. Naoni mzee mmoja anainua mkono tunafuata orodha ya majina ya watu waliojiandikisha mzee wangu. Umeandikwa basi suburi utafikiwa. Bwana Ratanya.

Com. Ratanya: (talking in Kimeru). Kwa hivyo asante Bwana Zein sasa utapumzika dakika chache na mimi nitachukuwa sasa. Thank you very much. Umefanya hii yote ni wewe umekamilisha pale niliachia asante. Kabila hatujaendelea wananchi ninaangalia hapa nimeona Mheshimiwa wetu wa sasa Maore alifika hapa sikukua nimefika. Salaam sana Bwana Mheshimiwa, Hon. Moare asante sana, nakusalimia. Hukukuwa hapa wakati nilipokuwa hapa. Na hapo hapo ninaona Mheshimiwa wetu ambaye alikuwa mbeleni hapo kidogo kabla ya Maore former MP Bwana Joseph Muturia yuko hapa, so we recognize your presence Bwana Joseph Muturia. So Mheshimiwa umekaribishwa.

Na kwa hivyo kutoka hapo sasa tutaendelea vile yule Commissioner mwenzangu ameacha, pale ameachia is number --- Mutiri Julius. Is Julius Mutiri is he around? Julius yuko. Okay tuende kwa mwingine ni Francis Meme. Endelea Francis.

Francis Meme: Mimi yale maneno nitaweza kuzungumzia ni maneno ya hospital watu siku hizi hawapati dawa. Kwa Jina ni Francis Meme.

Upande wa hospital zile za serikali watu hawapati huduma sawa sawa. Mama anakwenda huko na mtoto anaambiwa achukuwe receipt ili apate dawa, akaandikiwa akaambiwa aende chemist, anarudi na mtoto bila kupata matibabu na watoto wanakufia nyumbani. Wale watu hawana idini ya kuuza madawa hapa ndiyo wanauza madawa. Watu wanapelekwa hata maternity huko wanakwisha kwa ugonjwa na ni daktari ambaye amehitimu.

Serikali yetu iruhusu kila clinic ifunguliwe kila mahali kwa madaktari (inaudible) watu wawe wakipata huduma sawa sawa kwa matibabu na hospitali kila Division serikali ifikirie iwe na hospital kuu ya watu (inaudible) na kupata matibabu. Hiyo ndiyo maoni yangu kama ni wasichana nao wazazi wasiruhusu wasichana kuolewa bila kijana kupelekwa kwa daktari kufanyiwa uchunguzi kama ako na ukimwi au ---- halafu ndiyo wazazi waruhusu watoto wapalekwe kwa hospital hiyo nataka ingizwe kwa Katiba. Mtoto awe akipata matibabu yule wa kijana na yule wa msichana, ili waruhusiwe kufunga ndoa, nataka hiyo iingie kwa Katiba ili tuweze kuzuia ukimwi. Asante hayo ndiyo maoni yangu.

Com. Ratanya: Okay asante sana Julius. Sasa nikiangalia naona kuna Richard Maore Mauka Hon. MP wetu wa sasa hebu endelea.

Hon. Richard Mauka: Wana Commissioners wote wawili, kwanzia naomba msamaha kwa kuja nikiwa nimechelewa lakini ningependa kueleza kwamba wajibu wangu sana siyo kutoa maoni hapa kwa sababu sisi tutakuwa na foruma nyingine nyingi za kutoa maoni. Kwanza itakuwa ile inaitwa National Constitutional Conference, baadaye ikamaliza hapo itatukuta huko Bungeni kwa hivyo ingekuwa selfish kwa Kiingereza ama ubinafusi kwa Kiswahili sanifu, Kuchukuwa nafasi ambayo nyinyi mngochukuwa wenyewe kueleza maoni yenu kwa Katiba, na mimi nitakaa hapa nianze kueleza yote yale nafikiria na nyinyi mkose nafasi ya leo. Kwa hivyo ningetaka tu kutaja machache kwa ubinafusi yale ningefikiria ni mhimu yawe yanazungumziwa. Ukiangalia ile Katiba tumekuwa nayo miaka karibu arobaine kwanzia ningependa kueleza haikukuwa na kasoro ama itilafu nyingi isipokuwa tamaa ya vyongozi kupenda kubalidisha mahali walikuwa wanataka wakiamka asubuhi wanafikiria hii inawasumbua wanatoa hiyo wakienda kulala usiku wakiona hii inawasumbua wanatoa mpaka wakiaribu.

Kwa hivyo kwenye zile zura ziko kwenya Katiba yetu ningependa tu kutaja machache.

The old Constitution has 11 chapters. Kutoka the 11 the last two were not much of a story. Ya kwanza ni utangulizi, ya pili ni kueleza maneno ya Raisi na Makamu wa Raisi na halafu na Mawaziri na Baraza la Mawaziri. Hapo ningependa kupendekeza Bwana ma-Commissioner ni vizuri wakenya wanapoongea juu ya neno Provinces, mahali imetajwa kwamba ukuu wa Raisi

lazima uwe na asilimia 25 kwa mikoa mitano, hiyo si mbaya. Halafu iongezwe pia yule atakuwa Raisi awe juu ya hiyo asili mia 25, kwa mikoa mitano awe na asili 51. Hiyo ndiyo ile njia ya pekee unaweza kujua yule anapendwa na wakenya wote. Ikiwa haufiki hapo ufanye ile inaitwa run—off, sababu ndiyo kwenye hiyo run-off utapata yule ambaye anapendwa zaidi.

Pili, hapa hapo kwa Provinces kwa Kingereza wanasema siyo Constitution entity. There is no where in the Constitution where we talk of the Provinces. Kama zimewekwa hii ni najua ni kinyume cha Katiba lakini hiyo mahakama ya siku hizi hata ukipeleka huko you will be wasting your money and your time, ndiyo tunasema kwenye huu mjadala wa Katiba, Provinces ziwe defined katika Katiba. Baada ya kuwa defined ndiyo inaweza kutumika as a Constitution entity.

Hiyo nyingine kidogo hapo hapo tu kwenye maneno la baraza ya mawaziri kuna haya maneno- anaitwa Assistant Minister. Wengi wanajua Mheshimiwa Muturi alipokuwa Assistant Minister wa transport and Communication, hakukuwa anauliza maswali bungeni na hakuweza kusema barabara ikuje hapa haraka, kwa sababu definition ya mawaziri, assistant Ministers, hawakuwi na zile Executive powers. Ndiyo tunaweza kupendekeza kwamba Assistant Ministers wabadilishwe wawe Deputy Ministers, ili waweze kwa-access hata cabinet memorandums. Unaweza kuwa Assistant kwa miaka zaidi ya ishirini, kama akina Moody Awouri ama Mathias Keya lakini hujawai kuona cabinet paper hata siku moja. Kwa hivyo ni vizuri waweze kupewa uwezo. Ukiwa Assistant Minister uwe una uwezo kama yule unaitwa Minister mwenyewe.

Baada ya kumaliza hapo maneno ya hii President najua hii maneno ya President ndiyo imeleta the all debate maneno ya Constitution katika nchi hii. Kuwe na uwezo ambayo President akiwa amefanya dhambi akiwa kwa office asiwe anafunikiwa na kitu tunaitwa above the law.

Above the law means the most crucade of the criminals. Ipangwe awe anakuwa impeached if he is found with the offences of abusing public office kwa hivyo iwe inaweza kuwa mhimu pia.

Halafu kwa haraka maneno ya Parliamentary boundaries. Tutumie idadi ya watu as the main measurement wakati unataka kupanga kubadilisha mipaka. Si vizuri kukuta Constituency kama hii iko na wapiga kura zaidi ya elfu arobaine ukute ingine chini kidogo ukitoka hapa ukienda Constituency unatoka pande unakuta iko na elfu mbili, tatu halafu unakuta ziko na the sama weight. It is only fair that when you are presenting you present the people not trucks of land. That is on top of the other provision that are there in the Constitution.

Halafu kwenye hapo hapo pia kwa maneno ya uchaguzi kuna nchi kama Australia ama Israel ambazo kila mwananchi amefika miaka kumi na nane alazimishwe kupiga kura. Iwe ni lazima upige kura kama umefika miaka kumi na nane ukatae huyu ama upende ule sababu kuna wengine wanasame wanachukia maneno ya wale wanasiasa wanasema. Lakini ukimfuata huyu mtu hata apige kura that person has no right to criticize anybody he never voted for or against.

Ukiwa unapenda mimi kwenye kura enda ukubali useme unapanda huyu ukiwa unakataa tumia kura ndiyo tunasema hiyo itumiwe pia kwenye Katiba tulindwe wananchi wote waweze kuhusika katika maneno ya Serikali.

Jambo lingine ni kwamba kuwe na elaborate clause kwenye Katiba kulinda mali ya umma kutokana na watu binafusi. Wengi wanakumbuka wakati bunge ilikata ile bill ya anti-corruption ilikuwa na ile kitu inaitwa armlessly unasema tumewasamehe wale wameiba lakini hata ukisoma bibilia yenyewe inasema ukiwa umechukuwa mali ya wenyewe kwanza kabila ya kutubu na kusema umesamehewa unaenda unafanya nini? Unarudisha. Sasa hiyo haiko kwenye Katiba yetu. Ukisoma gazeti ya leo-Nation- Headline ni yule mtu ambaye alirudi America baada ya kufanya maneno ya corruption hapa wa World Bank huku yeye yuko amenzia utaratibu wa kurudisha kile aliiba kutoka mambo ile corruption aliipata hapa. Lakini swali la kwanza ni kwamba wale wa Kenya walihusika je wako wapi? Usinijibu jilize mwenyewe ndiyo tunasema iwe elaborate clause kulinda mali ya umma kutokana na wajambazi ambao wanachukuwa mamlaka.

I have a major point I was interested in – Mr. Commissioners. Na hii maneno ya Provincial Administration: Hii ilikuwa njama ya wakoloni kuwanyanyasa na kuwatawala watu weusi. Ukienda Uingereza kwenyewe hakuna Provincial Commissioners, hakuna DO, hakuna DC hakuna ma-Chief. Ukienda America na ni Katiba yetu imetoka huko kwenye (inaudible) Britain na America hakuna hayo maneno, ndiyo tungesama Bwana Commissioners Katiba yetu iweze kutambua the local authorities wawe na uwezo wa Executive powers mahali wamechaguliwa.

Mayors ama Chairman wa county council anakuwa na uwezo wa commanding authorities to the local police officer and the local police station, halafu anaweza kuendesha maneno bila hawo majambazi kutoka nje ambao wanakuja kusema hapo. Unakuta DC kuna mwizi mmoja hapa alienda kwa msitu wa Nyambene anachukuwa mbao huko anaweka nyumbani kwake. Beams zile kubwa karibu million tano ziko kwa nyumba saa hii, nyumbani. Sijui ni nani ukitaka kuuliza kidogo utajua ni nani. Ndiyo tunasema huyu mtu kama angekuwa hapa angejua atakufa hapa hawezi kufanya maneno kama hayo.

Ndiyo pia ningeweza kuunga mkono Bwana Commissioners hii hoja ya maneno ya elimu. Ukiangalia chapter five, that is the protection of fundamental rights and freedom and (inaudible) of the individual. Hiyo iko na list ya maneno mengi watu wanasema MwanaKenya ana haki zake. Hiyo pia tuongeze maneno ya elimu. Ukisoma hiyo haisemi maneno ya elimu na hata afya. Elimu na afya hizo zinafuatana.

Halafu mwisho mwisho kabisa ni maneno ya chapter six kuna hii maneno ya Kenya citizenship. Section ya 91 inasema a woman who has been married to a citizen of Kenya shall be entitled upon making application, in such manner as maybe by or under an act of Parliament, be registered as a citizen of Kenya.

Mnasikia hapo inasema a woman. There are a lot of men who have come here and married Kenyan women and they have settled here, they have invested and they would wish to be Kenyans. So hiyo pia iwe amended to recognize both mwanaume

na mwanamke.

Halafu mwisho kabisa Bwana Commissioner ningependa kusema pia maneno ya mashamba ama ya ardhi.

That land tenure system ya Kenya has been deliberately left without any policy because the weilders of powers have always wanted to steal it. Kwa Kiswahili ama kwa Kimeru

Nthii na ithaka biria twatigirwe ni bajuju na nthii iria twagwatirwe ni bakiujuju ibwiritwe kumenyerwa. Nyambene county council mwaka muthiru mwaka juria jungi bageta bakauga bakugita yonthe na bakunenkerwa nyomoo. Na bari na power nibukumenya bwibwingwa kiri shiria ya local authority county council iri na power cia kugita kithaka na ikanenkanira nicio tukuga nandi niunto turi na kaanya gakwaria. Nyomoo ii ni ciakua nyomoo rimwe, nichunanwe na power iu trust land ithirwe ni public trustee iritwe kiinya kiri county council, public trustee therwe niwe uri incharge of all that land na kwithirwe kwina difined powers cia nuu ubwiritwe kuejana, niuntu mwanka thaa ii the boss agiua nakwenda gukua acre ngiri fifety agakunenkerwa atikuria kethirwa ni ruuji ruri kuo kana ni makuyu jarikuo kana ni ingangi birikuo kana kurina anything for prosperity irikuo.

Na ya mwisho buru ni mantu ja environment, bwana commissioners masingira yetu ni jabwiritwe gukarua ndene ya katiba ujauria tugukaria maisha ja antu, niuntu tukeja kuthukia environment, our future generation itithirwa iri na kaanya kana chance ya gutura mono mono baria baari mwithu jwa Ngaya kana na mwithu jwa Nyambene bwiji bwithe jukeja kuthira guti kinya miraa buanda guku itikura kairi, guti mbura bwona ringi, bwithirwa bukari ja Mandela kana Wajir. Kwaou nitukwenda katiba itukarie kiri mantu ja masingira kiinya jo, kwaou bwana commissioner ntigukari na jamaingi kiinya kethirwa tukethirwa turi na chance ya kwaria collumune iingi inkwenda bwi bwona kaanya gakuejana maoni jenu na butikaigua buri bwingwa na teka iri rasima mbithirwe ndio nika nkwenenda tu kwonania ndiamwe na babwi na moini jaria bukuejana ni sawasawa. Asante.

Com. Ratanya: --- mafupi na marefu kidogo lakini asante yametusaia. Umesema marefu lakini ni mazuri. Mheshimiwa, I think you need to go there Mheshimiwa and sign the register. Okay, baada ya Mheshimiwa amesema mengi lakini mengi yanatuzaidia zote. Kwa hivyo tutaenda kwa mwingine hapa anaitwa Pual Kidhia. Paul Kidhia.

Paul Kidhia: Kwa majina naitwa Paul Kidhia. Nataja kuongea juu ya Majimbo: Serikali ya Majimbo isiwekwe katika Katiba yetu kwa maana kuna ukoo mwingine ni maskini ambao ukitengwa utaendelea kuumia. Na ule mchango mwingine inaendelea kuchangia ni kusema katika kuweka Katiba, Serikali ya wilaya ile kodi inalipishwa katika mahali pale, iwe ikiendelea kutengeneza mahali pale. Kwa upande wa kodi za Serikali nazo, Serikali isilipishe kodi zaidi, ilipishe kodi kulingana na vile-na kusaidia wananchi waliolipa kodi. Sina mengine.

Com. Ratanya: Okay sasa tunaenda kwa huyo anaitwa Joel Ipiano.

Joel Ipiano: Asante sana WanaCommissioners. Kwa majina Joel Ipiano. On Constitutional Review, kwanza ni mambo ya

Presidential established Commissions to investigate on issues like the Ouko murder, tribal clashes, mambo ya cattle rustling, those Commissions, have spent lot of money, that has run the economy of this country down. So those reports should be made public, and once made public, action should be taken or if not, none should be established.

Environment: We have had a lot of soil and water wastage, that there is no soil and water conservation. I don't know whether the Minister for agriculture has forgotten his duties. But let me ask through this Commission. We had hills like those which were looking like forests in the past, but these days they have been dug, no planting of trees, no digging of terraces, so this has caused a lot of havoc to many farmers, where there is eroding of soil, (Inaudible) of people's farms leaving them with nothing. So this one must be taken seriously, that the Government should ensure that there is complete control of soil and water erosion.

In a way they can compensate those people who have been allocated those places and then the government take care of them.

Cattle rustling: this one has caused a lot of insecurity. I am proposing that where there is stealing of cattle the owners of the cattle be compensated and if the owners happen to be killed in cause the government should compensate because there is no security offered as concerned to the rearing of cattle in these places or in all over of the country.

I am also proposing that there should be age limit of retirement to the Members of Parliament. You see one is ageing and becomes 60, 70 he becomes like a small child so there should be age limit that you retire at the age of 60. Also the terms of office for the Members of Parliament must have a limit 2 terms, there are other leaders who are capable also leading the public.

Education: I would like the quota system to be abolished. There is also free education: freedom education to many Kenyans means nothing, because you find that a parent has everything to do for their child to get education in our Primary schools. So when you talk of free education it must be free education in total, where the government supplies text books like in the past years. This one happened some years back. Maybe the parents can be left to provide uniform and maybe--, Okay thank you.

The other one is on those who will complete schools let us say form four, university e.t.c. I think we have a lot of people which also becomes and discouragement. Parents get discouraged when they find their children tamacking now and then. The government should at least find a way of paying those people something to keep them if they have satisfied what is required. You also find in our country that there are aged people men and women who have no relatives, no sons there should be an establishment of a home where those people can be taken care of. Thank you very much.

Com. Ratanya: Asante sana Bwana Joel. Tutaenda kwa mwingine anaitwa Pascal Mberu, Pascal Mberu yuko? Okay George Kariuki, huyo ni observer lakini kuna Makuyu Meme yuko? Then we have Hon. Joseph Mutulia. Joseph Mutulia.

Joseph Mutulia: Wana Commissioners na team yako yote pamoja na wananchi wote wale wamekuja hapa Ntonyiri yangu yatakuwa mafupi.

Kwa jina ni Joseph Muturia mwenye kiti wa National Water (inaudible) Board na Secretary wa KANU katika Nyambere Meru North. Thank you very much Bwana Commissioner kwa kunipatia nafasi hii na mimi nitoe yangu maoni kidogo najua mengi yamezungumzwa na huenda tukarudia mengine na ukisikia ati tumerudia mengine ni kusema kwamba yule alisema mbele alikuwa na maoni kama hayo na itakuwa na maoni ya mhimu.

Yangu nitaanzia na kitu kinaitwa Miraa.

Com. Ratanya: ----- (inaudible)

Hon. Joseph: Yes sir

Com. Ratanya: Kabila ya kuendela na kutoa maoni yako tulikuwa tumesema hapo mbeleni tumesam asubuhi tumpa kila mtu dakika tano, kwa hivyo limit your -----

Hon. Joseph: Mimi ninajua kuna wengine walichukuwa dakika tatu, mbili kwa hiyo hiyo pengine nitachukuwa ----

Com. Ratanya: Dakika kumi? Okay

Hon. Joseph: Asante sana, Thank you very much.

Sasa kwa ufupi nitanzia ni kitu kinaitwa Miraa Bwana Commissioner.

Miraa ni mtu ambao umeishi kwa miaka mingi katika dunia ya Africa na katika dunia ya China na hata katika dunia Middel East. Kwa hivyo nikisema vile ninasema mira nchi ile number one kwa Miraa katika ulimwengu ni China (People's Republic of China). Ikifuatwa na Republic of Euthiopia, kutoka hapo ni Kenya, halafu kutoka hapo ni Yemen hii nyingine ni kidogo kidogo mpaka South America. Sasa huyu mtu anaitwa Mkoloni amepigana na Miraa kutoka mwaka wa 1887. Professors wa Dunia wamejaribu kuharibu Miraa ma- Professors 21 katikati mwaka wa 1887 na 1983, na kile wanatafuta ni kitu kama bangi. Wanatafuta kitu kama bangi lakini hiyo wote wameshindwa. kila mmoja anapata PHD akitafuta bangi, lakini akishindwa anaweka jina lake, anaenda.

Kwa hivyo ndio tukaja mpaka mwaka wa 1948, 1946 wakati Mkoloni alikuwa na estate ya Kahawa Ruiru, Thika na Nyeri. Alipanda Kahawa alikuwa hana factory ya ku-process Kahawa, kwa hivyo alikuwa anauza mbuni na soko lake kubwa lilikuwa Middle East. Alikuwa ameona siku hizo hakukuwa na mambo ya pesa ya kufanya transaction ya pesa aki – bank. Kwa hivyo alikuwa anabeba pesa mwarabu alikuwa na pesa zake na gunia anakuja nazo mpaka Mombasa, Mzungu naye settler wa Kahawa anabeba yake mpaka Mombasa wanakutana. Anachukuwa pesa, Mwarabu anachukuwa miraa.

Na siku hizo Kahawa ilikuwa muhimu sana, hakukuwa na mwa-Africa ambaye alikuwa na ruhusa ya kupanda Kahawa.

Lazima ufanye application juzi juzi walikubali tu Kisii na Meru. Sasa wakati Mzungu Kahawa yake inaenda Mwarabu naye akaona Miraa. Sasa walikuwa wanachukuwa miraa Yemeni na walikuwa wanachukuwa Miraa Ethiopia. Na hiyo Miraa ya Ethiopia na Yemeni hakukuwa na utamu kama hii ya Kenya. Kwa hivyo Mwarabu akabadilisha kidogo badala ya kuchukuwa Kahawa, akapunguza kiasi cha Kahawa, akaanza kuchukua Miraa.

Basi kutoka hapo ikaendelea kukuwa kidogo mpaka Mwarabu akaingia miraa full time. Mzungu alipoona hivyo 1946, alitafuta njia ya kuharibu miraa akashindwa. Basi alikuja hapa NFD Isiolo mahali kuliwa na PC wa NFD, aka-organizewanawake wa Somali na wa Borana, akawambia wapeleke delegation kwa governor na msememe maneno haya nimi nasema. Msememe mabwana zenu wamekataa kurudi nyumbani wanakula Miraa mpaka usiku kucha, na ile kazi inatakiwa na ni national duty, ile kazi ya kitaifa ya kutengeneza watoto, hao wanaume wamekataa. (Clapping) sasa-na hiyo iko katika record za archives ya Kenya. Basi Mzungu sasa kusikia hayo maneno, basi akapata nguvu ya kuweka hayo mambo ya Miraa katika legico, ili kwamba wapige marufuku Miraa, wakisingizia kwamba hii Miraa inajaribu kuharibu wanaume wasiende ku— (Laughter) sasa hiyo imechukuliwa.

Com. Ratanya: Toa mapendekezo Bwana— pendekezo kabisa kabisa

Hon. Joseph: Sasa pendekezo hili ni kwamba katika Katiba yetu ya Kenya kila mtu katika nchi ana Miti yake na hata hii miti tunapata dawa zote ambacho hakuna ugonjwa isipokuwa ukimwi haujapata dawa hii miti ingine yote ina---- ugonjwa ingine yote iko na dawa na kwa hivyo kuna ile miti ile protective ile inasemwa huu mti hata usikatekate ovyo ovyo kwa sababu una dawa na Miraa ina dawa ilikuwa ina ina a great asthma hakuna mtu wa hapa ako na asima. Miraa inaondoa ile common cold.

Com. Ratanya: Sasa unapendekeza nini Mheshimiwa?

Hon. Joseph: Napendekeza Miraa ichungwe kwa (inaudible) iwe protected kabisa. Isije ikawa na kitu kingine, iwekwe ndani ya Katiba katikati ili kwamba hakuna mtu ambaye kuifanya hata kidogo.

Basi ya pili Bwana Commissioner ni mipaka ya Meru. In 1963 ilipoingia ndiyo sasa Katiba ya sasa iliarabu mipaka ya Meru. Shida ilikuwa ni kwamba mpaka wa Meru mpaka wake ulikuwa Kariobatula. Mpaka wa Meru ulikuwa Isiolo ilikuwa ndani ya meru. Na hata saa hii ukiangalia Isiolo county council ilikiwa inakodeshwa na Meru county council shilling eight thousand shillings kwa mwaka kulisha mpaka Isiolo na sasa hiyo mpaka hata isiolo ndani ukiangalia map ya Meru utaona vile kamekuwa kama matiti ya ng'ombe kameingizwa ile iwe headquarter ya Isiolo. Wana Commissioners tunasema mpaka wa Meru urudi mahali ilikuwa zamani hiyo ndiyo recommendation yangu.

Ya tatu, kuna kitu kinaitwa Presidential election. Wakati Rais ametangaza mimi nitafanya- kwa sababu kuna Parties ziko hapa Kenya zetu, kuna Parties kama KANU, kuna DP, kuna NDP (Ilikuwa KANU hiyo), kuna FORD KENYA, kuna hizo zingine. Sasa, yule ambaye atataka kuwa President, iandikwe katika Katiba Bwana Commissioner kwamba, President akitaka

kusimama election, na yeye ataje Vice President (Clapping),yule ambaye watakwenda na yeye, akishindwa washindwe pamoja.Akishinda washinde pamoja ili taifa liwe linajua ni nani atakuwa Vice President, awe anachunguzwa kuanzia mwanzo.Kwa hivyo kama KANU inataka kuchukuwa President, yule wa KANU achague Vice- President wake, yule wa DP achague , yule wa FORD KENYA achague wake, basi waende namna hiyo.So that wakati uchaguzi unakwisha, basi tumepata President na Vice-President automatic.

Com. Ratanya: Baado dakika tatu Mheshimiwa.

Hon. Joseph: Asante sana. Sasa ile ingine katika Kenya---

Com. Ratanya: Kwa hivyo maaliza hiyo kwa dakika kama mbili hivi.

Hon. Joseph: Hiyo ingine ni ,katika Katiba ya Kenya, I recommend kuwe na Prime Minister na huyo Prime Minister asiwe appointed na mtu yeyote awe ni Bunge linafanya appointment ya Prime Minister ili aki-mess kama analeta wasi wasi au mambo ingine Bunge linapiga kura linatoa imani yao kwake ili serikali ingine President ambiwe sasa hiyo imekwisha leta ingine.

Com. Ratanya: Ya mwisho –

Hon. Joseph: ya mwisho Bwana Commissioner ni mambo ya Katiba.Katiba ya 1963 ilimalizika kwa mwezi moja na ilikuwa mbali sana London Lancaster House tunaomba kwamba hii Kitabu tafadhali Bwana Commissioner mjikaze sana mkasee sokisi mkasee kila kitu hii Katiba imalizikia before December kuwe na elections.Ya mwisho kabisa, do you get me that -----(interjection) mwisho kabisa.

Hon. Joseph: Mwisho kabisa kabisa. Katika Kenya kuna post ya PC, kuna DC, kuna DO, kuna Chief kuna Assistant Chief, na hao watu ile kazi wanafanya si wao wanafanya. Kuna watu wanaitwa Sub-areas. Bwana Commissioner, hawa ma-Sub-areas pia wawe katika Katiba, wawe recognized by our Constitution, yaani watambulike kwamba wako na Serikali si Chiefs peke yake.Kwa sababu Chief akichukia huyu anamtoa.Wawe recognized na wajulishwe kabisa ni watu wa utawala, kwa sababu wanasadia ma- Chief na Assistant Chiefs mambo ya utawala.Kwa hivyo na pia wawe wanapata kitu kidogo inform of allowances, kama vile committee za land kama vile committee za county council, wanapata hicho kitu. Sasa nikimaliza ninasema ninakushukuru pamoja na mwenzako kwa kunipatia hii nafasi ingawa umenikimbiza sana. Thank you.

Com. Ratanya: Makuyu Meme Yuko? Makuyu. Makuyu Meme--- ni wewe Makuyu Meme.

Makuyu Meme: Riitwa mbitagwa Makuyu Meme.

Translator: My name is Makuyu Meme.

Makuyu Meme: Ndiuga atiri, ekuru ni tuinyiragua mono batwii.

Translator: I am saying that we women we have been oppressed for a very long time.

Makuyu Meme: Niuntu bwa akuru betu beeta naja obicine bakendagia ithaka tugatigwa utheri tugatigwa na thiina na twana.

Translator: Because during the issue of title deeds it is only the name of the husband that appears, and then the husband may sell the land without assent from the wife. So we are suggesting that during the issue of title deeds, two names must appear so that one of the people should not just share the land the way you want.

Makuyu Meme: Na ringi biria turatetagira mono, twatetagira oo ithaka biu bikujukua bikendua tugatigwa thinene ekuru bagatigwa thinene na twana tugatigwa thinene.

Translator: So since this has been the problem, we are suggesting that let us have a provision or in the Constitution that you are making, let that Constitution protect us from this problem.

Makuyu Meme: Biria bia tumaga twinga mukoroni twamwingaga niuntu bwa ithaka biu kenda turijaga uhuru batwi.

Translator: This was the main reason that was making us fight for the freedom of this country- to get our land and live in it peacefully.

Makuyu Meme: Nibwo jontu uuni ngutetaa na ringi tuckerwa batwi ikundi bia ekuru batwi kuririo tuthethagua kuririi turatethagua baria barujagira ukoroni beejwaga kiinya ithaka na bagatethua baria bati na iinya riu rii tutitethagua.

Translator: We are also saying that we the women groups should be assisted as it used to be before. In the past the Government used to assist us through the women groups. So we are suggesting, let us have a provision or let us have somewhere in the Constitution, that we will be protected and have a way to help us.

Makuyu Meme: Na bii tugutetura batwi tutiumba kurega gutetera miraa, miraa niyo tuendete kiinya Kenyatta itwamwira oriu nitwamwonagia iinto biria biumba guthethia Kenya.

Translator: The land point is about the Miraa. We are also advocating that there must be a provision to protect Miraa, because even during the last regime we were advocating for the same thing, because Miraa has actually helped this place. Thank you so much.

Com. Ratanya: Tunaweza kwenda kwa mwingine hapa anaitwa Isaiah Kibuli, naona kama hayuko, ama yuko karibu. Bornface Mbavu, George Karuti, John Itiame. Yako ni jina gani? George Karuti.

George Karuti: Jina langu ni George Karuti. Yangu ni haya. Nilitumwa na hawo vijana wa rika la (Inaudible) wakaniambia kuwa niwauliziekama kuna nafasi wanawezapata kwa serikali, wakati wanaweza ungana vikundi vikundi, na kuungana kiasi ambacho wanaweza kupata mtu wa kuwafikisha kwa serikali, wapewe loan ndiyo wawe wanafanya kazi.

Lengine ni hili. Kwa hawa vijana kama vile Mr. Muregi alisema ati katika hii county council ya Nyambene watakuwa wakichagua vijana wale watakuwa home guards hawo vijana ikiwezekana serikali yetu iwahusishe kwa hiyo kazi ni hayo tu sina mengine.

Com. Ratanya: Tumesikia mambo. Joel Muchane? Dennis Muthee? Charles Kiringi? Charles Kiriangi. Gideon Kobia Gideon.

Gideon Kobia: Mimi naitwa Gideon Kobia ningetaka kutoa hii maoni ili ingizwe katika Katiba inatarajiwa kuundwa.

Kwanza ni elimu: Vitabu vya shule visibadilishwe kila mwaka kama vile inavyoendelea wakati huu. Kila kitabu kikiwekwa katika utaritabu wa masomo kitumike kwa miaka mitano ama miaka nane. Walimu wawe wakiajiriwa kila mwaka. Watoto werevu wapewe misaada kutoka kwa serikali na mashirika mengine.

Vita vya ukabila vikomeshwe na serikali. Mipaka ilindwe ya kabila lolote. Hatutaki wakimbizi katika hii nchi yetu. Wakimbizi hawa wanaletwa na vita vya makabila mengine. Mwananchi wa Kenya ana haki ya kukaa pahali popote katika nchi yetu.

Hapa Kenya hatutaki serikali ya Majimbo, kwa sababu nchi yetu ya Kenya iko na makabila mengi.

Wakuu wa Mikoa wateuliwe kwa masomo waliofuzu kutoka chuo kikuu. Wakuu hao wawe wakitembelea hata sehemu ndogo kama sasa.

Com. Ratanya: Kama ni juu ya vitabu pengine ungefanya summaryongee machache. Dakika moja imebaki.

Gideon : Haya. Rais awe akitumika kwa miaka 55 hapana zaidi. Si vizuri mtu kuwa Raisi au achaguliwe kuwa Raisi akiwa ajasoma hata chuo kikuu.

Na waziri wachakuliwe kulingana na masoma waliopata.

Uchaguzi uwe uhuru na haki. Sina mengine.

Com. Ratanya: Asante sana Gideon. Andah Mwet, Andah Mwet yuko. Mwingine ni Joseph Mithika ? Joseph Mithika endelea.

. (interjection) utakaa ama utasimama)

Joseph Mithika: Wacha nikae tu. Jina langu ni Joseph Mithika:

Maneno yangu ya kwanza ni hii watu wa Chief. Pahali pa Chief na sub-Chief uondolewe ama akizidi akae wawe wakienda transfer kama wafanye kazi wengine wa serikali siyo Chief amalize miaka 55 kwa office peke yake.

Mbunge: Mtu akishindwa kuwa na kura asichaguliwe Mbunge maalumu.

Mtu aki-retire asipewe kazi ingine ya serikali kwa sababu kuna vijana wengi hawana kazi. Asanteni sina munge.

Com. Ratanya: Okay, asante sana. Tunataka namna hiyo kwa ufupi na mambo yako ya kweli. Kwa hivyo tuende kwa mwingine huyu anaitwa Isaiah Kaenga. Isaiah Kaenga yuko. Kama Isaiah hayuko tuna Gitonga Stanly. Gitonga Stanly hayuko. Kuna Cypriano Maore? Cyprian Maore? Ni wewe Cypriano? Gitonga Stanley. Endelea.

Gitonga Stanley: My views are that the government should outlaw genital mutilations for girls who are under 16 years.

The government also should root out corruption in all sectors by vanishing those court taking--- or giving price serverely.

(interjection) Ongea Kwa sauti.

Gitonga Stanley: All children should have equal Right to inherit land irrespective of their agender.

Majimboism should not be allowed in this country.

The government should tighten security in all parts of the country so that cattle rustlers are brought to book wherever they commit the crime. The powers of the President should be reduced. Many Thanks.

Com. Ratanya: Okay, asante sana Gitonga. Cyprian Mwaore?

Cyprian Maore: Kwa jina ni Cyprian Maore.

(interjection) Unataka kukaa

Cyprian Maore: Yes. Ningetoa pendekezo yangu kuhusu kwa upande wa Judicial ama wa Sheria.

Ningetaka Rais asikuwe na uwezo wa kuchagua Judge Mkuu, iwe ni idara ya Mahakimu ya kuchagua Judge Mkuu, ndiyo ikuwe na justice.

Ningetoa proposal nyengine kuhusu sheria ile, ikiwe mtu wa Serikali amekosea ni lazima uende kwa Attorney General ndiyo upewe barua ya kumushitaki. Ningependelea ikuwe huru, mtu yeyote akashitakiwe ikiwa amekosea. Sina mengi ni hayo tu.

Com. Ratanya: Tunashukuru sana kwa hayo mengi na ni mazuri haya umetaja. Sasa tuende kwa Isaiah idani ? Isaiah Idani yuko? Hayuko. Hosea Akubia, Hosea hayuko. Joel Mbavu, Joel Mbavu, Joel hayuko. Francis Mjumbe? Na huyu nyumae ni obsever Kaveria na Peter ni oberver lakini kuna Charles moria, Charles Moria . Are you Chales Moria?

Charles moria: Mimi ninaitwa Charles Moria na ninataka kuto maoni yatengenezwe katika Katiba Mpya. Kama vile imesemwa ya Miraa, Miraa iwe secured katika Katiba ya nchi yetu.

Security , mwananchi pamoja na mali yake awe secured.

Political Parties: ziwe mbili, siziwe nyingi sana kwa sababu zinawachanganya watu.

Presidential power: Rais awe chini ya sheria, chini ya Katiba kama vile tunaona hata kanisani hata pope ako chini ya

Constitution ya kanisa hata President asiwe overpower over the law.

Hatutaki serikali ya Majimbo.

Executive, Judiciary na Legislature ziwe uhuru. Executive isingilie hao wengine.

Education: The government should provide free education. Kama vitabu, na health, na land. Land ni common good na hatutaki mtu mmoja awe na ekari elfu moja na kuna mwingine hapa ako hata na point 50.

Sasa kwa land wale wako na ekari kubwa sana zigawanywe kwa wale hawana.

Corruption: Kuna ufidadi mwingi sana katika serikali yetu ya Kenya-kama mtu anataka kuajiriwa kama mwalimu ama kwa police, anatoa elfu 30 ama 50 thousand, ama hata mtu akitaka university college anatoa pesa. Ufidadi usiwe katika nchi yetu.

Ingingine ni haki ya kuishi: Kila mwananchi ako na haki ya kuishi. Hatutaki abortion iwe legalized as it is said in the NGOs.

Com. Ratanya: Kwa hivyo jaribu kumaliza.

Charles Moria: Nimemaliza sina mengine.

Com. Ratanya : Sasa tuna Stanley Njuki: Na useme jina lako Stanley.

Stanley Njoki Mugambi: Kwa majina naitwa Stanley Njoki Mugambi. Mimi nikiwa mwana Kenya halisi maoni yangu kuhusu Katiba ningetaka kusema hii. Sisi tulindwe kama wakenya wengine. Ng'ombe zetu zimeingiliwa na wezi kila siku sisi hatulali usiku na mchana mahali tunapata kwa kuchunga Ng'ombe lakini wezi wanatuangaisha sana.

Miraa yetu sisi tukiwa watu wa Nyambene huo mmea ni mzuri, ni kama Majani Chai na Kahawa pia Miraa ikiwa mbaya hata Majani na Kahawa iambiwe ni mbaya. Sina mengine hayo ndiyo maoni yangu.

Com. Ratanya: Okay, asante sana Stanley Njoki. Sasa kuna Daniel Inyinge is a Retired Officer. Sasa Daniel wakati ni wako sasa, lakini dakika tano tu mzee. Okay, endelea, endelea Daniel. (interjection) Utasimama ama utakaa.

Daniel Inyinge: Nitasimama.

Daniel Inyinge: Okay asante sana Bwana Commissioner. Kwa majina naitwa Daniel Inyinge na tena naitwa Kibanga. Mahali unaona tuko sasa hivi hapa ni Laari katika Ntonyiri Constituency. Lakini kile tunachangia ni Katiba ya Kenya marekebisho ya Katiba ya Kenya. Kwa hivyo Bwana Commissioner ningetaka kuchangia hii maneno ya Katiba ya Kenya kuhusu economy, economy ya nchi hii imeharibika na Katiba isipochunga uchumi wa nchi hakuna nchi hakuna Katiba. Kwa hivyo kama munataka kuchunga economy ya nchi, lazima kuwe na few Ministries, the Ministries are so many in Kenya that they are using a lot of money within those Ministries n watoto wetu hawandikwi kazi kwa sababu unaona kila Ministry iko na Assistance

Ministers, Ministry iko na magari mengi na ile kazi anafanya hakuna kwa hivyo Bwana Commissioner lazima Katiba ya Kenya ichunge economy ya nchi na economy----

Com. Ratanya: Umependekeza wawe wa ngapi, Minister wawil au kumi au wangapi?

Daniel Inyinge: Ministers wawe kama watano hivi katika hii nchi ili pesa zipatikane na Ministry iwe na Assitane Minister mmoja na awe na magari y kutumia siyo meng ya kumaliza pesa.

Kwa hivyo Bwana Commissioner hii economy ikiwa sawa watoto wetu wale wamemaliza college, wengine wamemaliza kidato cha nne wakamaliza college lakini wanalala nyumbani kwa sababu economy ni poor kila mtu akienda hapa economy ni poor haiwezi nzuri kama kuna pesa ya kutumia bure.

Powers of the President: The President is so powerful that anaweza kukuteremusha madaraka mara moja, anaweza kukupandisha madaraka moja, kwa hivyo kama mtu anapandisha mara moja ni mzuri lakini akiteremusha mara moja si atakufa? Kwa hivyo iwe ni Katiba ina President ambaye apandishi watu mara moja na awateremushi mara moja.

Com. Ratanya: Pendekeza

Daniel Inyinge: President awe hakuna kuteremsha mtu madaraka mara moja. Awe anachunguzwa aone kama atapandishwa cheo ama kama atateremushwa cheo, siyo mara moja.

Mambo ya kuchunga Katiba lazima yawe implemented. Tukitengeneza hii Katiba iwe implemented kwa sababu ile Katiba ilikuwa imeandikwa ilikuwa inasema itachunga afya ya mwananchi haijachungwa. Ilikuwa imesema itachunga security ya mwananchi, security haijachungwa. Ilikuwa inasema itachungwa education ya wanananchi wote haijachungwa kwa hivyo ile Katiba tutatengeneza sasa iwe ni Katiba ya kutumika siyo ya kuandikwa.

Kitu ingine kile ningesema ni kuhusu wazee. Kuna wazee ambao wameanda retire kama mimi wengine wametoka katika Ministry mbali mbali na lazima wapatiwe heshima na economy ikiwa mzuri hata hao retire wawe wakiongezewa kitu kitu kidogo mukiwa mumesha andika watoto wale wamemaliza shule kama economy ni mzuri halafu mrudi muangalie wazee na hata wazee wale bado kuandikwa bado ku-retire kama wale wenye miraa hii wawe wanachungwa kwa sababu nchi ingine katika dunia hii zinachunga wazee Katiba yao inachunga wazee na kwa hivyo Bwana Commissioner ningependekeza Katiba yetu ya Kenya iwe inachunga wazee, wazee wale wamepanda hii Miraa, wachungwe na njia ya kuchunga Miraa yao hamtakuja kuwaongezea mshahara kwa sababu hawajandikwa lakini mkichunga Miraa yao mtakua mumechungu wazee wa Miraa ile Katiba ya zamani cap. 339 ile ilikuwa ya mkoloni iliondolewa na Haiyati Mzee Jomo Kenyatta mwaka wa 1977 January 17th ilikuwa ni January 17 ndiyo hiyo cap 399 ya mkoloni iliondolewa na huyo mzee Jomo Kenyatta katika State House Nakuru wakati alitembelewa na wazee wenye Miraa na Mzee huyo Haiyati Kenyatta alipatiwa Miraa n Bwana Muturia na akatafuna

hiyo Miraa na hakuaribika na ni President kwa hivyo kama hiyo cap ilipotea ipotea kabisa kabisa katika Katiba hii na mtakuwa sasa ikipotea mtakuwa mumechunga wazee wenye mashamba ya Miraa. Asante sana Bwana Commissioner. Kwa jina naitwa Daniel Ntonyinge Kibanga.

Com. Ratanya: Asante sana Bwana Kibanga kwa hayo maoni yako kwa hivyo sasa tutaenda kwa Richard Mbabu, kama Richard hauko tuendelea kwa mwingine, kuna Kabwe Syllas, Kabwe Syllus huyo ni observer. Richard Mbabu ameingia.

(interjection) Unaitwa Richard? Sema jina

Richard Mbabu: Jina langu mimi naitwa Richard Mbabu. Maoni yangu ni haya. Mimi vile napendekeza hii nchi yetu ambayo tuko nayo tulipigania ili tupate haki. Ningependelea kila mmoja awe na haki ya kwamba yeye yuko na haki katika nchi yake. Unajua ukisikia kama wewe una haki ya nchi yako utaona vibaya yaani kwamba una haki. Kama mwananchi anatembea barabarani asiwe akikutana na askari anamchapa mbao bila kuwa na makosa.

Ya pili kuna pombe yetu inaitwa marua ambaye si pombe ya haramu, ningesema hiyo Marua tuwe tukubaliwa tunakunyua maana yake---. Nimemaliza maoini yangu.

Com. Ratanya: Okay sasa, wananchi hebu nyamezeni halafu tuendelea. Kuna Simoni Meme, Simon Meme yuko, can you see whether he is coming. Samson Ntomungania?

(interjection) Useme jina

Samson Ntomungania: Mbitagwa Charles Mungania, naninkwenda muntu uria ukaria na giswahili ntimenya giswahili nkaaria na kimeru.

Translator: I am Charles Mungania.

Samson Mungania: Na ndienda kuuga uria kuuga bwa gatiba ya Kenya ndienda kuuga muntu igwitwa DC naewe jukumu inene niuntu niwe uriragirwa ni antu baria baranjirua kuthukua kuu ni committee baendu kiinya kiri machief na kiri bangi bonthe bakaingiliwa ni DC niwe ubatethagia ja uuni ni ntethagua ni DC.

Translator: What I am proposing to the Constitution that we are making that we are in the process of making is that the office of the DC should be an office of responsibility let that person who will be elected --- let us have a law that says that whoever is to own that office must be someone of responsibility because this is an office that us in grass root connection to the people.

Samson Mungania: Uuni ndikurikia gutethua ni DC ampa baruga ndeeta mwanka kwa njuri, ndigwita kwa njuri muunda jwatui jwakwa ndacoka antu baeta baukumana kairi ndacoka ndaumara oo ndeeja muunda ndarega nkunenkerwa. Kireii, nika

bukaigua muntu utiji kwaria neka butikiira akaria, nijo nkwaria haya kuuma au muunda jukurema ndikuuma au na ndikunenkerwa ndaita mwanka human right haki ya binandamu.

Translator: You find the reason I am emphasizing that the office of the District Commissioner should be an office that is possibility of that type is the reason is that its an office that have actually helped me and I have a testimony of what it means to be in that office so I am emphasizing that office to be an office that should be protected in the new Constitution.

Samson Mungania: Ndikurikia gwita ndeerwa muntu uu human right haki ya binandamu atukuu na atija kuu ugwe nyomba yaku gatukugitana na (inaudible)..... Ndachoka ndeeta gwa commissioner ringi.

Translator: There is a time I had been oppressed for long time---

Samson Mungania: Ndiena bwa miunga kubwa niuntu ninkwona batwi tuthithagua uu muntu athimirwa muunda jwawe kethirwa nijukiringwa nthii niuntu juu nakuria jugachoka jukagitwa pupblic, public ithano kaa puplic ithatu.

Translator: My second point concerns the issue of land. We are saying that the demarcation of land has been a big problem in this area. We are saying let us have a law or a policy that actually will protect the people at the end of the day as we make this Constitution. Thank you so much.

Com. Ratanya: Okay, kuna Julius Kabira. Na mtu sasa akiitwa, ukisikia jina lako kama uko hapa ufanye mkono namna hii tujue msipige kelele kama hayuko hapo halafu tuta-council na hautarudiwa tena . Kwa Julius Kabira hayuko. Tabitha Kario yuko? Okay Tabitha kuja.

(inaudible) asubuhi tulipokuwa tumekubaliana mashariti ambayo tumekubaliana ya watu kutoa maoni yao, shariti la kwanza au mipaka ya kwanza tulioweka ni kwamba akaja mtu kutoa maoni yake hapa hata wewe ukawa hufurahii maoni hayo, au unaona maoni haya hayana maana; huna ruhusa kumwingilia huko, kumpigia kelele, halafu tunaenda hivyo kazi inakuwa rahisi. Mkinyamaza vile mnisizikize mnavyonisikiza mimi na nawashukuru kwa kunipa heshima hiyo, mkampa bibi huyu heshima namna hiyo, kazi hii tutaimaliza haraka na kila mtu atakwenda nyumbani amefurahi kwa sababu ametoa maoni yako. Au si sawa hivi? Basi twendelea.

Tabitha Ngariu Ngore: My name is Tabitha Ngariu Ngore. My proposals are.

All women should be honoured because on the side of the land men sell their land and they ask us if we came with land from our fathers. So in this Constitution I would like a provision to be enacted in the Constitution.

The elected MP: We would like the MP whom we are going to elect to have their office in their Constituency where anybody can see him . Those are my proposals. Thank you.

Com. Ratanya: Mwingine anafuata ni Edward Mwicha. Edward kama hakuna mkono ninaona huyo hayuko. John Kang'etu? John Kang'etu. Joseph Kitaitari, Joseph Kinyua, Charles Kichugu. Charles ingia ni wakati wako.

Charles Kichugu: Mimi naitwa Charles Musungu.

Ningependa kupendekeza ya kwamba Katiba ya sasa iandikwe iwe ikisomwa primary and secondary ndiyo wananchi wapate kujua (inaudible).

Ningependa kusema police wazungushwe, wana uwezo mwingi sana, wanaweza kukukamata wewe na wakushitaki wewe kwa kile kitu hata hujafanya. Hata huyo police ukimushinda kwa mahakama awe anakulipa kitu, au serikali inakulipa wewe maana yake anakuweka bure.

Tunataka uwezo wa MP, MP maana yake ni mtu alichaguliwa na mwananchi na kwa wingi wanazoea kukaa Nairobi hawaonekani hapa awe sheria ipunguzwe kukuwezekana wananchi wandamane asimamizwe kazi kabila wakati kufika.

Uwezo wa sub-Chief, Chief maana yake wanatumia power yao kwa uwezo mingi sana kama ni mwananchi akiwa na makosa awe akitumiwa huwa anaitwa anapewa heshima kwa mwananchi wa kawaida. Sasa ikiwezekana anaweza kuchaguliwa na mwananchi ndiyo atambue mwananchi ndiye nani. Sina mengine ya kusema ndiyo hiyo.

Com. Ratanya: Twenda kwa Patrick Mungera, Peter Kang'endu, Simeon Mailu? John Mututwa.

John Mutua: Thank you. Kwa majina naitwa John Muta katibu wa DP Ntonyiri. Kwa maoni yangu kwanza kabisa ningetaka sheria za Rais ziwe reduced, at least asiwe na powers za ku-appoint: Chief Justice, Judges of appeal and Attorney General. Maana yake ndiyo unakuta kama ni kortini, hakuna haki tunafuata, kwa vile hao ma-Judges saa nyingine wako na yule wanataka ku-please. It is not that they are there because they are to serve the people lakini kuna yule wanataka ku-please. So Rais asiwe na uwezo wa kuwa ana-appoint hawo Judges instead kuwe na Commission ambaye itakuwa inawa-appoint na kama ni Chief Justice ama ni Attorney anaonekana afanyi kazi yake iwe ni ile ile Commission itakuwa na uwezo wa kumtoa madaraka.

Tukiangalia kwa education system yetu kama vile ilikuwa sasa hii ya 8.4.4 system tunaona ya kwamba imekuwa as per total failure. Na hii imetokana na uwezo wa mtu mmoja tu kuangalia kulala siku moja akaona education system ibadilishwe bila hata ku-consult wale ambao ni professionals. So in future in our Constitution let it be made clear that if education system has to be changed kuwe na Commission ambayo itakuwa appointed inachunguza na inaona kama kweli kuna haja ya kubadilisha hii mwenendo ya elimu.

Tukiangalia in Kenya we have been having so many Commission of inquiries zile ambazo Rais ukiwa na jambo fulani kwa vile

ana uwezo anasimama leo anasema nime-appoint this Commission of inquiry inaenda inachunguza mambo inatumia pesa ya serikali ambayo pia ni pesa ya mwananchi halafu mwishowe ikirudisha ile reports pengine Rais akiona haifai ama akubaliana na hiyo anakalia hiyo atowi ile report kwa public ambaye ni pesa ya public alitumia.

Com. Ratanya: Unapendekeza nini

John Mutua: Napendekeza in future let the Parliament be given powers to appoint the Commission of inquiry ama ikiwa kuna uwezo kuna haja hiyo Commission iwe ni Parliament itawa-appoint na ndiyo itarudishiwa results sa hiyo matokeo ya inquiry.

Kwa vile Kenya tumekuwa nchi ya multiparty, na kila chama kina haki ya kuhapa mimi ningependelea wakati wa campaign kwa vile zile pesa zinatengwa huwa ni pesa za mwananchi tax payers money every Party and every Presidential candidates awe anapewa pesa wawe wanapewa equal siyo hati kwa vile huyu ndiyo pengine alikuwa the incubate President ana uwezo wa kuchukuwa ile pesa ni kila Presidential candidates awe anapewa pesa sawa na yule mwingine na security pia awe yule security amepewa kama ni wa DP awe anapewe security kama vile wa KANU anapewa ama wa chama kile kingine wote wawe wamesawazisha.

Education system: Our state universities unakuta zote yule ana-head hizo universities anakuwa ni Vice Chancellor lakini Chancellor anakuwa ni Rais, ambaye saa nyingine hata hana degree lakini wale ana-lead ni Professors, ati ndiyo mdogo wake. Let it be that every state university be lead by a Chancellor ambaye ni wa hiyo university, ndiyo atakuwa na uwezo wa ku--- bila kuliza uwezo kwa mtu mwingine ambayo ni Rais so Rais asiwe ati ndiye kiongozi wa kila university hapa nchini.

La mwisho ni kwa wale MPs ambaye tunachugua. Saa zingine ukiangalia kwa Katiba yetu haisemi kama vile unakuta kwa wafanyi kazi wengine Katiba inasema vile wanapaswa kufanya kazi kama wafanyi kazi wa kawaida lazima wafanye kazi kutoka asubuhi wawe kazini sa kumi na moja anaondoka. Hiyo ni sheria inaleta hiyo, lakini ukiangalia kwa wabunge wetu hakuna pay day unafanya ile inaitwa technical appearance. So ningependelea ya kwamba kuwe na sheria ambayo inasema ile siku yoyote ambayo ni siku ya Bunge kukutana, at least awe ako huko kwa nusu ya masaa yale anapaswa kuwa uko, hata ikiwa si siku mzima at least a half of the day kwa kila siku ambayo anapaswa kuwa Parliament, kwa vile tunamu- elect awe kwa Parliament kutusaidia huko.

Com. Ratanya: Jaribu kumaliza.

John Mutua: Namaliza. So iwe kila MP ni compulsory awe ana-take Parliament in all the stating ndiyo kusiwe ati hakuna chorum hakina hivi iwe ni compulsory ki-sheria. Kwa haya machache ndiyo ningetaka kuchangia asante.

Com. Ratanya: Tuende kwa Pius Miriri, Pius Miriti. Okay, Miriti endelea.

Pius Miriti: Kwa majina naitwa Pius Miriti.

Kile kitu ningesema ni kwamba kuna wakati mwingine watu wanakuwa wagonjwa na wanaenda hospital, na they are admitted na wanalipa bill ya total to something to do with five hundred thousand or even a million. Sasa ningependekeza serikali ichukuwe jukumu hilo, itenge hazina fulanikwa Ministry of health, wawewakishugulikia watu kama hao. Kwa vile mwananchi wa kawaida kupata shilling elfu mia tano ama million its very hard, sasa ningependelea hazina iwekwe.

Com. Ratanya: Unapendekeza matibabu ya bure ama vipi?

Pius Miriti: Napendekeza kuwe na matibabu ya bure kwa mtu wa bill ya more than 50 thousand. Upande wa uchaguzi: Kura ziwe zinahesabiwa pale zinapigiwa siyo ati kura ziwe zinasafirishwa kwa sababu wizi wa kura unatokea barabarani ama sehemu zingine kura ziwe zinahesabiwa mali zimepigiwa. Kwa hayo machache sina mengi.

Com. Ratanya: Bwana Pius, enda kwa register uweke sign yako. Sasa tutaenda kwa Philip Mtowadheru, naona hayuko, M'tomungania Murithi? Charles M'tomungania? Charles M'tomungania yuko? Huyu tunaita ni Charles. Samson Itari kama uko hapo inua mkono halafu uje. John Mucheke. Ni wewe Mucheke sawa sawa.

John Mucheke: Kwa majina naitwa John Mucheke. Yangu ni machache tu. Nataka Katiba yetu iangalie miraa zaidi kwa maana miraa kwa upande wetu ni kitu cha maana. Sisi hata ukileta million hatuwezi kukuuzia mwanamke, lazima utoe Miraa. Sasa Miraa isi chukuliwe kama mmea mwingine kama vile maharagwe, matunda na mahindi. Saa hii naelewa ya kwamba hata serikali iziangatie miraa kama mimea mingine.

Nataka kusema tu kitu kidogo kuhusu serikali, hongo iondolewa upande wa serikali kwa maana serikali ndiyo inaleta hata umaskini sana kwa wananchi. kwa maana ukikutana na majambazi utakatwakatwa, pale ukienda kuomba usaidizi kwa serikali lazima utoe hongo, akuitishe kitu kidogo ili aondoke aende kukusaidia. Naonelea kwamba anaajiriwa, anaandikwa, anachukuwa mshahara kila mwezi, sasa anataka nini kwa mwananchi wa kawaida. Lazima amsaidia. Hongo ziangaliwe sawa sawa kwa Katiba yetu.

Tunataka kuangalia kiti --- manyumbani: Ukiangalia uhondo ni lazima uingie na uweze kuangaisha watu karibu wote nyumbani. Serikali iangalie mambo ya uhondo saana wakati ambayo unaona mtu analala hospital anatomia elfu mia na hana kiti za kulipa ile serikali imulipie kitu kidogo kwa maana tukiangalia yule mtu zaidi anaweza kuuza hata shamba yake ako na watoto watano kumi hivi na watoto wakaachwa maskini na unajua ugonjwa ni lazima wa kila mtu.

Upande wa masomo: serikali hata isaidie watu upande wa masomo. Kwa maana tunaweza kuona watu ambao wanataka

kusomeshwa lakini hawana mapato, akashindwa na kusomesha watoto. Serikali itusaidie kidogo.

Tunataka kuangalia mambo ya pombe ya haramu. Pombe ya haramu ndiyo inaleta mambo muhimu ata umasikini unaweza kuona wazee wengi wanauza mashamba yao wakienda kukunywa pombe ya haramu na wanaacha watoto bila kitu sasa nataka Katiba ipatie wazee ---

Neno la mwisho kabisa ni Chief ama sub-Chief kwa maana anaenda kuajiriwa na serikali na aingie kupewa kazi na mwananchi. Ni lazima achaguliwe na wananchi ili ata serikali ione ya kwamba yule Chief anapendwa na wananchi na akiajiriwa kazi anaenda kutoa (inaudible) wakiwa pamoja na wananchi.

Com. Ratanya: Okay asante sana Bwana John Mucheke. Tuliacha Charles Mungania lakini tunatafuta jina lako. Huyu amemaliza ni John Mucheke lakini kuna mwingin tuliacha hapa anaitwa Joseph Kamayi yuko?

Joseph Kamanu: Bwana Commissioner, jina langu mimi naitwa Joseph Kamayi.

Com. Ratanya: Endelea Joseph.

Joseph Kamayi: Vile mimi naomba ma-Chief na ma-Sub-chief wachaguliwe kwa siri. Miraa: Miraa ndiyo kitu important ya kutusaidia kuliko vitu vingine Ntonyiri hii.

Com. Ratanya: Okay asante sana Kamayi inaonekana (inaudible).

Joseph Kamayi: Ile ninasema Miraa iwekwe maanani zaidi.

Com Ratanya: (inaudible) Joseph asante sana tumesikia hiyo ----- weka hapo uweke sign yako hapo. Wananchi kuna mambo ningetaka kuakumbusha. Tumesikia mengi yale ambayo yamesemwa na wengine na yale pengine mtasema baadaye lakini kama unasikia kwamba mengine yalisemwa kama Miraa badala ya kusema story yote ya Miraa nikusema ya kwamba unaunga Miraa uwe sawa sawa kama wale wengine na umalizie wapi hapo badala ya kusema tunatumia ya kwenda kuoia nini na yote tunajua tumeambiwa, si tumeambiwa? Sasa mnataka kuaribu hiyo mambo yenu? Kama ni mambo ya mashamba isipokuwa kuwe na kitu kipya kwa hivyo musiwemnarudia kila kitu unga mkono ama kama una kitu kipya uongeze kidogo umalize tunakubaliana hapo? Okay asante sasa-----tuliona hapa hakuna Charles M'tongania ni Samson M'tomungania kwa hivyo Samson ingia.

Samson M'tongania: Mimi naitwa M'tomungania. Nitaka Katiba hii ya sasa iondoe uvutaji wa bangi kwa maana hiyo bangi inaharibia jaama wengi sifa zao. Mimi namaliza.

Com. Ratanya: Okay asante sana hiyo bangi ni mbaya asante sana Samson Mungania. Sasa tuende kwa John Mundwa, nilisema kama hebu tuzikizana mwananchi nilisema kwamba ukiitwa kama uko hapa weka mkono juu. John Mwenda. John Mwenda hayuko. Joseph Kamayi huyo tumamaliza. Julius Ngolia, Julius Ngolia hayuko, Cyprian Ukunja? Justice Nguku? David Kamakia endelea.

David Kamakia: Asante sana. Maoni yangu ya kwanza--- kwa majina ni David Kamakia. Maoni yangu ni kwamba nataka hayamarekebisho ya Katiba, yaani Katiba ikitengenezwa kuwe kama ni Minister au DC au mtu yeyote Diplomat akipatikana na corruption, awe kwanza aondolewe kwa serikali, halafu apelekwe mahakamani na akitoka ashitakiwe kama shamba yake iuzwe.

Upande wa traffic: Katiba yetu tunaona watu kwa magari wanang'ang'ana kama ni Nissan inawekwa watu 30 sasa tunataka Katiba iwe kama na msimamo wa watu kama ni kumi na nane yule atapatikana akiweka access awe akichukuliwa hatua.

Ufisadi: Ufisadi unaenea hapa sana. Kama sisi tunaenda kwa office tukikuta kama ni askari ni lazima utoe kitu ili utengenezwe mambo kama unaenda kuchukuwa kitambulisho ni lazima utoe kitu kama unaenda kwa office unataka barua fulani ya mashamba ni lazima utoe kitu sasa tunataka Katiba iangaliye hiyo mambo na kuwe mtu akipatikana na ufiisadi ni hatua gani atachukuliwa. Vyama vingi: Kuwe kama ni (inaudible) ya KBC iwe ikishugulika na kama ni chama cha DP, KANU, NDP chochote kile kitakuwepo, wawe wanapewa masaa yanafanana. Kama ni chama upinziani inapewa masaa mbili kuongea na hii ya KANU inapewa masaa mbili na SDP siyo kuwa ati ni ili chama kinatawala inaongea tu. Sina mengine.

Com. Ratanya: Okay, tuende kwa huyu mwingine James Ngore, James hayuko? Samuel Imunya, Samuel Imunya? Isaiah Njoki? Isaiah Njoki? Gichugu Mngatia hakuna mkono ninaona kwa hivyo hayuko. Syllas Mutuma. Jacob Njoro, Sebestiano? Kimathi Syllas. Jeremia Kobia? Mwirigi. Francis M'tongai. John Meme? Isaac Muchugu? Francis Muchiri, Andrew Kobia? Julius Michugu? Ibrahim Michugu? Joseph Ngalu.

Joseph Ngalu: Asante sana Ma-commissioner kwa kufika kwetu hapa Laare. Mimi napendekeza ya kwamba Katiba mpya ijayo iweke mambo ya elimu kwanzia siyo ati kugawana gharama na serikali. Hiyo iondolewe. Mtoto awe akisoma kutoka standard one mpaka university kama nchi nyingine zile zinaendelea.

Hali ya afya ya mwananchi ilindwe kwa sababu gharama ya hospital siku hizi ni kubwa sana. Mtu awe hata akienda Kenyatta hospital alipiwe bill na serikali siyo kuuza mali yake.

Hatutaki kusikia nchi uhuru kama Kenya iko na ma-squota hiyo ma-squota ifikiriwe na itejengewe ardhi na serikali.

Mwananchi alindwe na mali yake. Asanteni.

(interjection) enda ukaandikishe jina pale.

Com. Ratanya: Jacabo Mwenda? Jacob Mwenda hayuko. Mkivicho Laiboni? Ni wewe okay.

Mukivicho Laiboni: Yangu itakuwa ni machache kuhusu ufukara au kumaliza umasikini. Majina yangu ni Zachearia Loiboni. Yale ningetaka kupendekeza katika Katiba mpya iwekwe ni upande wa kupunguza umasikini sisi wote hata pia Commissioners na wengine wote kama wazorora amani wa Kenya na wajumbe wetu wanajua pale umasikini inatuingilia sana mali tumelemewa na umasikini na hatutajua mpaka sasa ni michoro yetu ya barabara. Ningeomba Katiba mpya ipitishie sheria, barabara itachorwa mpya, maana yake sisi mtu akinunua gari, gari yetu humalizika na mwaka mmoja, na ya Mzungu ikiishi miaka kumi itakuwa imetembea kilometers ile yako inatembea mwaka moja. Kwa sababu hii --- sisi tukitoka Meru hapa tunapita Eastern Province, tunapita Central Province, tunapitia Rift Valley wakati tunafika upande wa Kajiado tukienda Mombasa, tunakuja tena mpaka Kitui ile tunapakana nayo. Hiyo nikuonyesha gari yako haiwezi kudumu kama ile ya mzungu maana yake barabara yetu imechorwa kwa urefu ihudumie Mzungu tu, yaani pale Mzungu alikuwa amelipa katika highlands ikawa ndiyo itapitia.

Com. Ratanya: Sasa unapendekeza nini?

Joseph: Yaani barabara zetu zichorwe upya, na Katiba mpya ikubali zichorwe upya. Sisi wa-Meru au watu wote ndani ya Kenya yaani serikali itoe sheria ya mila yetu ziendelee kama yule ametoa pesa ya kuendeleza waswahili Mombasa au wabaliya wamepewa pesa ya kuchukua mila yao. Mila yetu ichukuliwe sisi tukubaliwe kutengeneza ile nguo yenye tulikuwa tunaitwa kwa Kimeru nguo ya Muruku ndiyo wa-Meru wakienda huko kushona hiyo nguo awe na huyo kiongozi wao anaitwa Muruku na wawe wakishaurayana pamoja wawe wakitoa maoni pamoja ndiyo wawe wakilinda hata vijana yao na kujuana hao wenyewe ni wa-Meru.

Kitu ingine ningeongezea ni kuhusu Kilimo. Yaani serikali iweke kilimo number three kutoka Ministry ya education, kutoka Ministry ya health, kilimo kiwe ni cha tatu. Wawe (Inaudible) mambo kuhusu kilimo ndiyo watu wajiokoe. wakulima wapewe bank yao. Yaani kuwe na bank ya wakulima isiyo ambatana na zile zingine za serikali na isiwe na mawazo ya kiserikali.

Hii ingine kuomba ni makao ya wazee ianjishwe kote yaani katika Constituencies kuwe kuna makao ya wazee siyo huwa ukitunza watoto na mtu akizeeka naye awe hakuna mtu wakumtunza kuwe kuna makao ya wazee katika kila tarafa kwa hivyo hata wazee wataona kuna serikali ya kulinda kila mtu.

Mengine ningewaletea ni kuhusu survey yaani tumepewa mashamba katika minyanda za juu ambao kuna maporomoko na inaribu mazingira na wale (inaudible) yaani kunakuwa saa zingine ile mlima umepewa ndiyo hata --- mazingira ungepewa yaani

mashamba ya tambarari au serikali iongezewe kilimo ya maji ndiyo tusipewe milima au mabonde ya maji au chemichemi ya maji ndiyo tuchunge mazingira yetu sawasawa. Ni haya tu machache.

Com. Ratanya: Kamaru, Kamaru Joseph endelea.

Joseph Kamaru: Kwa majina yangu mimi naitwa Kamaru Josepha.Vile napendekeza ni kwamba katika hii election ya President the term should be reduced, ili awe anakaa term ya miaka tatu, and the Vice President awe anakuwa elected by the Members of the Parliament themselves. The Ministries should be reduced to a minimum of twelve, so that kuwe na ---- there is money in the economy so that we should not be claiming of jobs.

Na pale tunapo-elect our MPs tuliona ni lazima awe anakuja kuangalia watu wake at least kama siku ya Monday siku ya Wednesday na Saturday ili awe anatuambia ati yale tumempatia kama ameyapeleka huko. Pia ili tuwe tukimpatia shida zetu, halafu anatuambia vile tunaweza solve. Akiwa amezipeleka huko, anatuambia walisema nini siku ya Saturday, siku ya Alhamisi.

Tunaona hapo kwa land: kuwe na even distribution of land, kwa sababu tunaona pale kuna watu wale wakubwa wanachukuwa land ile kubwa.For us kuna watu ambao wana-suffer hata hawana mahali pa kukaa. Kwa hivyo napendekeza kwamba serikali ihakikishe kwamba kuna even distribution of land.

Na watu wale wafungwa wawe wanapewa ruhusa ya kuongea na watu wao kwa sababu kama wana kitu ambacho wangejizaidia nacho ama wangetaka kuzadiwa nacho ni vizuri kama wengepewa ruhusa waongea nao halafu wajadiliana ili waweze ku-set hiyo mambo kwa urahisi bila kukawia huko saana inaweza kufanya yule mtu akufe bila kufuata hiyo kesi ilikuwa imefanya ashikwe.

Kwa upande wa Miraa ningesema kwamba ati iwe protected na kuwe na ata external market ili tuwe tunauza hata huko nchi zingine kwa ushuru kidogo.

Kwa security: Ningetaka kusema kwamba serikali isitumie security wengi wale ambao ni mashujaa bila kuogopa wale watu wengine na wawe wanafanya kazi yao kwa uangalifu kwa sababu wakati mwingine tunaonanga wanakujanga kujifanya ati wanangalia shida zetu na wanaenda kujificha huku na tunakaguliwa na shida zetu.

Na kwa communication ningesama ya kwamba ile kama busta iko pale Nyambene iwe at least watu wa-meru tungetaka kuwe na kama satellite ingine iwe inatuletea zile habari zinazikika station zingine ili tuweze kuzungumza na ile ulimwengu ingine.

Kwa education ningesema kwamba hii education system ambayo inabadilishabadilisha na syllabuses ziwe zinabadilishwa kwa wakati ule unaofaa.Watu wanapewa mda ili ili kwa sababu ikibadilishwa kama leo wale walikuwa wanasoma saa ile unaona

sasa inawadhuru wale wengine walikuwa wanasoma hiyo system tunaona kwamba kama wale watu walikuwa wanasoma mpaka form six hawandangi tamacking sana kama sisi watu wa form four tunakaa kama hata hatukusoma. Asante.

Com. Ratanya: Gerald Ntonjira? Gerald?

Gerald Ntonjira Maroo: Mimi jina yangu ni Gerald Ntonyira Maroo. Kwa vile mimi ninasema Katiba nasema hivi. Serikali ichukuwe watu wakubwa kwa sahanati zote za serikali wasimamie wananchi maana yake wananchi wote huko sehemu za mashamba kwa wale wasiojeuza kwa maana awe na pesa ya kulipia pesa ya hospital. Sisi kuna wale wanajiweza na wale wasiojiweza.

Com. Ratanya: Unasemaje kwa wale wasiojiweza?

Gerald : Mimi ninasema serikali isimamie zahanati za serikali ziwe zikihudimia wananchi baadala ya kuhudumiwa kwa Private.

Serikali isimamia elimu maana yake watu wengi wanasoma elimu ya gumbaro lakini hawawezi hawataki kwenda shule maana yake ni wazee sasa hawa watoto tunazaa sisi badala ya kukaa bila kusoma serikali isimamia masomo iwe ndiyo inasimamia masomo watoto wote tunakaa wawe wakisoma.

Serikali isimamia habari ya mashamba maana yake ile watoto wanazaliwa na wazee iko watoto wanateswa na wazwe na wakitezwa wanakosa mashamba au wengine wataona mashamba na wazee wakauza mashamba watoto wanaachwa bila mashamba. Sina mengine.

Com. Ratanya: Jafeth Ngunja, kuja useme mafupi kabisa usirudie yale yote yamesemwa.

Japheth Ngunja: kwa majina naitwa Japheth Ngunja. Ningetaka kuchangia katika marekebisho wa Katiba juu ya elimu.

Ningeonelea ya kwamba elimu iwe haki ya kila mtoto anaye zaliwa katika nchi yetu ya Kenya kwa sababu katika Katiba ya sasa hayalindi watoto ambayo wanazaliwa kuna wale watoto ambao hawapati elimu kwa sababu wanatoka kwa jamii masikini.

Kwa hivyo ningeonelea ingekuwa ni bora Katiba yetu iwe ina angalia juu ya watoto wote watoto wale wanatoka kwa jamii masikini, watoto wale wanatoka kwa jamii ambayo iko na mali wote wawe wanajiriwa na serikali sawa.

Powers of the President should be minimized katika kuteuwa wale head of departments iwe ni kazi ya bunge. Bunge iwe na uwezo wa kuteuwa hawo department heads na ma-Judge wakuu kwa sababu hii uwezo wa President ndiyo unachangia corruption kushindi katika nchi yetu.

Kuna jambo lingine ambalo ningependa kupendekeza nalo ni early marriages.

Watoto wengi wasichana wanapoteza masomo yao kwa sababu ya kuolewa mapema. Unakuta mtoto ambaye yuko under 18 years ameolewa na yuko na watoto wawili ama watatu, kwa hivyo Katiba iangalie watoto hawaolewi bila kufikia umri wa miaka ishirini na kwenda juu. Kwa hivyo kwa hayo machache asante.

Com. Ratanya: Okay, asante sana. Tunaendelea kwa Justus Kiriamburi. Ni wewe Bwana, inua mkono. Ukiitwa hivi unainua mkono.

Justus Kiriamburi: Mimi naitwa Justus Kiriamburi. Nataka kusema ya kwamba Miraa yalalishwe kama mimea ingine kama Kahawa au Majini.

Nataka kusema ya kwamba Chief awe akichaguliwa na wananchi sababu anakwenda kuhudimia wananchi.

Ingingine nataka kusema ya kwamba elimu iwe ikisimamiwa na na serikali kutoka (inaudible) mpaka class ya juu. Sina nyingine. **Com. Ratanya:** Okay, asante sana. Luke Kaberia? Luke Kaberia yuko? Jacob

Jacob Mthiabiri: Majina yangu ni Jacob Thiabiri. Yala mambo nataka kuchangia katika Katiba kwa ile bidha inarundika katika nchi hii ni bidhaa zisizo za quality. Kwa hivyo napendekeza Katiba ilinde zile bidha zimeingizwa hapa kwa sababu zimekuwa za poor quality. Hata ukinunua haistahili hata ile pesa unanua nayo. Napendekeza irudishe ile price control ya bidhaa muhimu.

Nataka community iwe mobilized iwe inaweza ku-protect environment. Hapa kuna ile watu wanachaguliwa tuseme kama Rais watu wanapendekeza awe anatumika vipindi viwili napendekezo hivyo hivyo awe anatumika vipindi vya miaka tano tano ata wale MPs wawe wanatumika hivyo hivyo na Councillors wawe wanatumika hivyo hivyo.

Nonimation badala ya iongezwe, inatakiwa iwe ile ya 1997, na qualification ziendelea zile zile. Yaani hiyo ya language test iwe inatosha kumu-qualify mtu kuteuliwa. Wale wanateuliwa, I mean elected, kama Mayor ama Chairman wa Council wanatakiwa wafanyiwe election ya watu wote. Rais akiteuliwa ateuliwe pamoja na makamu wake siyo watu kuchagua makama yule anamuondoa wakati wowote ile anataka.

Kuna hawa Executive wengine badala watuliwe na mtu mmoja kuna ile special Commission wa kuwateu ama bunge. Nimeunga mikono wale wamesema Miraa isiwekwe kwa class ya dry iwekwe kama cash crop na ilindwe kwa vyovyote vile.

Kuna ile insecurity: Security inaendelea kupotea sana kila pahali kwa hivyo naomba Katiba iweke nguvu sana kwa security.

Kun hii vyama vya kisiasa, hii vyama vyetu vya kisiasa naomba Katiba ikubali viwe vinakuwa funded na public fund.

Tusema kama chama kimoja Kimeshinda kwa uchaguzi kuwe na coalition government ili vyama vyote viwe vinapata haki hiyo na sehemu zile ziko na upinzani pengine ziwe zinapata ile uhuru wa kuendelea na kazi zile za kawada. Kwa vile saa zimenda sana na mambo ingine imesemwa naachia hapo.

Com. Ratanya: Tuenda kwa Andrew Kaiga. Andrew Kaiga ni wewe? Okay endelea. Kama una memorandum hasa naona umebeba tuambia machache halafu peana hiyo.

Andrew Kaiga: Mimi nataka kusema maneno kidogo kwa sababu mengi yamesemwa, halafu nipeana hii report.

Com. Ratanya: Okay, dakika mbili.

Andrew Kaiga: Sawa sawa hata moja inatosha.

Kwa majina mimi ninaitwa Andrew Kaiga Munoru mimi ni Chairman wa Nyembene Miraa Train Association ambayo inaitwa Nyamita. Sasa (inaudible) tunasema an appeal itu-include and recognize Miraa as a major cash crop in Kenya.

Maneno mengine hapa yamesemwa kama vile Miraa. Tunaoa nayo vile tunapewa wakati tunaka kutairi watoto --- sasa hiyo yote sitarudia wacha – sababu Miraa iko na maneno kama number tano. Mimi nilikuwa nimeandika wacha niende number sita sasa.

Miraa is an important herbal medicine among the Wameru. It has been used for medicine curing heartburn, nusea---gonorea and depression. Its stimulating effect is good for delacation. Gankuuga miraa gwetu nituguraga iri ndawa jau jangi ni bugite, ni ndawa iritaga ngugi ya kirungurira, nithiragia kiinya nkoronjiru, ni nyomoo ithiragia gukora, nirijagwa niuntu bwa kiinya mpio taiji bugwita hasma na kiinya ngonoria miraa iri ndawa yayo mirii. Ningi still miraa ni iri ndawa ingi kiri ngombe, ngombe ikethirwa ikiaragwa ciongwa ukeja kumirugira miraa nirekaga kwarwaa kwou kiri ameru.

(Interjection) si utaongea Kimeru

Andrew Kaiga: Hapana, hawa wamejua nitakupatia hii, naambia hawa sababu wote hawasikii lugha ya Kiswahili tunayoongea.

Com. Ratanya: Andrew, lakini maaliza---

Andrew Kaiga: Yes, niko karibu kumaaliza si nilikuwa hiyo ndiyo ---.Sasa hapa kuna ma-resolutions tunataka tu kuongea hapa. When miraa is used without (inaudible) chemicals like drugs it still remain the very same plant, just like chewing of sweet gum or taboo chewed by the Indian community, miraa itibati kurujanirua na bingi, miraa itakunagwa yonka niuntu riria utakunaga utakunaga sitingamu kana uria wonaga aindi bagitakuna tabuu iria ciao naitibathukagia, kwou bugekira miraa mantu jangi.

Maneno mengine we are the Miraa farmers hereby status and believe that Miraa it is our cash crop and the government of Kenya should recognize and gazetted it together in the act that registers all the cash crops farmed and showed for the betterment of the Kenyan economy. Gatukuria turi arimi ba miraa atirii, thirikari ikire miraa sheryene iria ikirite kauwa na yakira bingi bira biendacua oome na biendacua Kenya biria tethecia nthii ii niuntu bwa utonga acia nimwe yayo. Miraa consumers should be informed not to (inaudible) with any chemical which shall be used for wound and --- changes. Gukeja kwithirwa wanywa bangi yaku, waeta kuria miraa niuntu antu bakuga noomiraa kiinya wakunda coobi yaku ukeja kuria miraa wija gukara ja miraa itumite ureba miraa tiu iethagia uu indi miraa itirijanagirua na bingi miraa irijagwa yonka na utibwo ithacia indi ka antu beenda gukira bungi tutikwenda buu miraa yetu nirijagwe na njira ya heshima.

We the farmers of Miraa are requesting the government, the new Constitution should enlist Miraa as a cash crop produced in Meru North District, commercially, although it grows --- in some other part of our country. Gatukuria thirikari iricognize miraa iri cash crop yetu ja antu ba Nyambene kiinya kethirwa niuma mwithune kungi niuntu ugeta gungu kungi ja Kerio Valley irikuo na kungi na kiinya Ethiopia irikuo kwou gwetu niyo minene thirikari nimenye niyo cash crop ya Nyambene. It is noted that Miraa is bought both locally and internationally and brings in foreign exchange. Apart from that, it improves the standard of living among the Wameru. Itwije miraa niyendagua oome na niretagira thirikari mbeba inyingi cia kigeni na still nituretagira mbeba itu tutura ukiene buu buri au kwou nibatikumenyekana. We farmers, we appeal the Ministry of agriculture to assist on the best way we can improve on the yield per plant. Gatukuria ministry of agriculture niuntu muti ni muti juri na maana nibashunguse batwone kiraa kii kibati kuandwa ruteere ruu kii gika ndwa kii gika andwa ruteere ruu kenda kiria giciaraga kilo jiji njira ii kiandwe kiandwe njira ee kigaciara kilo ithatu kana inya nibuo tukuria buu.. Thank you.

Com. Ratanya: Asante sana, saa hii nikwenda huyu mwingine anaitwa Vestus Muriungi. Vestus Muriungi. Peter Maore.

Peter Maore: My names are Peter Maore: I have this recommendations to be made in the Constitution we are going to have.

Our MPs should be accountable to the electorate, because once we elect our MPs they go to Nairobi and stay there forever, for four and a half years. They will stay in Nairobi only to come when the election is near. So the MPs should be accountable to the electorate.

The other thing Mr Commissioner Sir, our MPs should visit their Constituency every weekend, to hear the problems of the

electorate he should not stay in Nairobi alone.

The other thing is I would like to recommend that in the coming Constitution the MPs should not be allowed to increase their salaries as they want because the other workers have no pay because recently they increased their pay. The government should provide free education and health facilities to go (inaudible) this is our government should provide free education to every citizens from nursery schools to university because we pay taxes and it is the duty of the government to pay for these services.

The other thing is handling nursery school teachers should also be employed by the government. Nursery schools teachers those from the school and nursery school teachers should be employed by the government.

The forest act should be reviewed there are those individual who wants to destroy our Flora and Fauna for example our forest have been destroyed, have been grabbed by some people so the forest act should be amended so that those who are caught interfering with this forest because (inaudible) should be charged with a capital offence. Thank you.

Com. Ratanya: Sasa ni Mathia --- mwingine ni Gideon Muragwa.

Gideon Muragwa: Asante sana kwa kunipa nafasi hii. Okay yangu ni machache nataka kuomba serikali wakati Katiba inaenda kubadilishwa, kuwe na vyama vitatu tukipendekeza kwa sisi tukisema sisi ndio waundaji wa Katiba hii na kuwe vyama vichache kama vitatu kwenya Katiba hii.

Rais akichaguliwa awe ni kama anahitimu katika chuo kikuu.

Rais awe na umri wa miaka 45.

Rais anapaswa kuwa anapata asilimia 55 kwa kushinda kwa wingi wa kura. Tuna Donna wanatupa misaada kutoka nchi za nje na hawo donors wanatuletea misaada hii ya kusaidia kama wale watu wasiojiweza nauliza kwa Katiba hii ikiandikwa hivi sasa wawe ni kama siyo watu kupatiwa pesa hata kama pesa itaingia kwa tresurey ya serikali iwe inapasa kuwa ni kama zile zilikuwa za uhuru zinapewa watu na kushinda barabara za mashambani na zinatengeneza barabara na zinatengeneza milima ambaye inaleta mmonyoko wa udongo ili raia hawa wawe wakingia kwenye hizo kazi wakifanya kazi ya mashamba yao na wananzaidia kwa hiyo pesa kwa njia kupitia kazi hiyo ili isiwe ni pesa yakupewa watu iwe inazaidia hawa kwa njia hiyo ingine ya kuchimba mitaro wa mmonyoko wa udongo.

Naomba kwa Katiba hii ikiwekwa Assistance Chiefs hawana ma-camp ya kukutana na wananchi wanawakilisha wale wameajiriwa na serikali lakini ma-subchief ni watu manyumbani kwao hata raia wakitaka kuwaona hawampati kwa maana ni manyumbani mwao wako sasa naomba serikali ituzaidia ma-subchief hawa wanawandike wawe tukipata mahali wanaweza kukutania na wananchi ili waeleze maoni yao na shida zao zile wako nazo ili raia hawo wawezi kufaidika vizuri.

Serikali nahimiza upande wa security mahali wananchi watakuwa waki-report ma-report na kukutana na ma-subchiefs nahimiza kwa hii Katiba wawe wakitusikilia mzuri ili hii security iwe tukipata huduma za haraka kwa maaana tunapeleka huduma zinakawia zinamaliza siku mzima kama ni ng'ombe zinaenda zinaenda kabisa hatuna uzaidizi hapo tuwe tukizaidia serikali wakisikia tumetokea na mambao kama hayo wawe wakituzaidia na huduma za haraka ili tufaidike kupata vitu vinayoibiwa.

Yangu ni machache kwa hivyo kwa hayo machache ninasema asante sana.

Com. Ratanya: Sasa tuendelea na wengine lakini kwa sababu naona ya kwamba inaendelea kukuwa usiku kabisa tunataka kutumia njia ingine sasa nigetaka kuwaita wale ambao wako hapa wameandikwa kwa hii list tuona ni wangapi ili tujua kugawana masaa. Kama ni dakika tano tugawane kila mtu nusu dakika ili mtu aseme jambo asema kitu kidogo. Pengine mtu aweke mkono juu tuone kama yuko aseme yuko na tueke right tuone kama yuko.

Kariuki Karini, Julius Omolo, Muriuki, Ahmed Kabui, Severiko, Mtongoi, Lawrence Kithia, Peter Mito, Mito wapi hayuko, Mungania Mungathia, Joseph Kobia hata huyu hayuko? John Peter, Maritin Ntobutua, David Mugambi hayuko, M. Kinanga yuko, Julius Mwenda, Julius ulichelewa asubuhi. Ander Mwethi, Kiramburi, Joseph Kawaida, Kwa hivyo inaonekana tumemaliza na kwanzia sasa tutakuja kwa hao. Yes hebu hawa waje hapa wale ambao wameinua mkono, hata weka viti hapa hapa tu tuwe tunakuona tu. Wale walisikia majina na walikuwa wamejiandikisha wako hapa, walikuwa watu watano lakini hawo tumesoma sasa kama hukusikia kaa hapo. Sasa hawa ni watano na kila mmoja atakuwa na dakika mbili mbili. Ahmed Kabui, Ahmed Kabui?

Ahmed Kabui: Kwa majina mimi ni Ahmed Kabui. Kwa maoni yangu ama ningependekeza kutoa maoni yangu ni kwamba kuhusu Katiba tunayo na ile tunataka kuitengeneza. Katiba ambayo tunataka kutengeneza tunataka Katiba hiyo tuwe kama Rais anachaguliwa moja kwa moja na wananchi siyo kupitia kwa jimbo la bunge.

Pia tunataka Chiefs au sub-Chiefs wachaguliwe na wananchi.

Pia tunataka raia walindwe. Katiba ambayo tunaitarajia iwe inalinda wananchi kikamilivu, kwa vile inaonekana wakati huu Katiba tunayo inalinda tu wakubwa, siyo wananchi wale wanyonge. Inalinda tu wakubwa, ambao wengi ni watu wezi ambao hata wakiiba ng'ombe wanaenda nazo, ukiibiwa shamba inapotea hivyo hivyo; kwa hivyo tuwe na Katiba yenye wazi.

Pia ningependekeza upande wa dini: kwa vile dini pia ni haki yetu. Upande wa dini ya ki-Islam, napendekeza itambulike katika Katiba hii tunayoitengeneza. Kwa maana upande wa wa-Islam hawana siku kama wale wa-Kristo. Wa-Islam pia wapewe leave ikiwa ni Ijumaa waruhusiwe kwenda kwa ibaada zao, sio iwe unafanya kazi na ni siku yako ya maombi. Lazima kuwe na uhuru huo katika Katiba hii tunayoitengeneza.

Pia tunaomba watu kama Mayor wenye kiti ambaye za Ulaya pia nawo wachaguliwe. Kwa hivyo asante.

Com. Ratanya: Sasa tuenda kwa Lawrence Kithia.

Lawrence Kithia: Jina langu ni Lawrence Kithia na nashukuru sana kwa kuletewa hii Katiba hapa mwisho. Mambo yangu ni matatu tu nitaongea.

Nitaongea upande wa mwananchi wa kawaida, hana huruma kabisa. Kwa sababu tunaona hii Katiba ifinye kabisa, hii Katiba ya ku-mwananchi wa kawaida, akiwa mwingine akisha kufa kabla hata machozi yajakwisha kwa macho ya mwenye, huyo mtu mara moja tunaona huyo mtu hata hajafanyiwa hata kitu. Mbeleni tulikuwa tunaona mwananchi wa kawaida akiua mwingine hata rumandi anawekwa kwa rumande apate bond. Lakini siku hizi hata bila machozi kukwisha kwa macho ya wenye kuuwiwa yule mtu tunaona yule mtu amekuja.

Sisi tuna mwananchi wa kawaida; tunasikia kuna majangili, wanachukua ng'ombe. Tunasikia ng'ombe zimechukuliwa hapa kama ng'ombe mia moja, na zimeenda. Tunaona serikali ni wengi sana. Ng'ombe ikienda pale ukifuata unapata barabara kubwa lakini tukisikia sisi kwa Serikali yetu zile ng'ombe hazipatikani. Sisi wananchi wenyewe ndio tunanunua ndege, tunanunua kila kitu. Serikali ni yetu, lakini tukienda tunaambiwa ngojeni mukatafute ng'ombe hiyo. Katiba iwekwe mkazo kabisa. Ikiwekwa mkazo pale ng'ombe inapitia, mpaka pahali itapatikana mmoja hawa watu ---- sababu hii wizi wa majangili umekuwa mwingi sana, na umekuwa ukisumbua mwananchi.

Ukisha enda mashambani uko unakwenda kukuta watu wakilima shamba hata akina mama wasichana wa watu wanaokotwa na Serikali wanajaa hapa wanaandikwa. Ndiyo naomba Katiba kabisa ifinye hicho kitu mwananchi wa kawaida hata kama unamchangia elfu mia moja hakuna kitu umeaaidia.

Tufungiwe kutoka huku mpaka swariri ya ndani, halafu tujue mwananchi wa kawaida ametawala. Ni hayo tu sina mengine.

Com. Ratanya: Asante sana. Kuna Peter? John Peter.

John Peter: Kwa majina ninaitwa John Peter Kihoria. Mambo yale ningependa kuzungumzia ni mambo machache kwa sababu mengi yamezunguzwa. Jambo la kwanza ningezungumzia kuhusu the National cake. It should be shared by everybody kwa sababu kila mwananchi wakati huu inaonekana ya kwamba chochote mtu ananunua ushuru anakata. Kwa hivyo ni vizuri mwananchi yeyote awe ana-share katika National cake.

Jambo lingine ni kuhusu watu wale wote wamesoma. Kama mtu amesoma ako na right ya kuwa ameajiriwa na Serikali. Ukianda Serikali za ng'ambo utakuta ya kwamba kila mtu analipwa kwa sababu amesoma na kila mtu Serikali inajua ya

kwamba kila mtu anapata share kidogo kutokana na zile peza inapatikana. Unakuta Kenya wakati budget inasomwa unasikia ya kwamba kila mwananchi anahesabiwa peza zake ikiwa ni 70 shillings, lakini yule mwananchi wa kawaida afikiwe na ile pesa kwa sababu there are some people wale wako juu ndiyo wana-take the whole amount. Kwa hivyo jambo lile ningenelea katika nchi yetu ni vizuri kila mwananchi ama mtu yule amesoma, tuseme kutengenezwa a system ya kwamba huyo mtu ni lazima aajariwe. Kama vile watu wamesema mambo mengi kuhusu Rais awe na tenure mbili au miaka mitano mitano mara mbili, naye kila civil servant anatakiwa hata yeye awe hivyo kwa sababu kila mtu ako na right to ku-share this National cake.

Jambo lingine lile ningepanda kusema ni kuhusu the Cabinet ya Kenya, ya kwamba Rais amepatiwa huo uwezo wote. Kwa hivyo anaweza kuku-appoint today na akienda njiani unasikia kwamba amekufuta kazi kwa hivyo jambo lile liko mzuri hapo ni ya kwamba Cabinet yetu ile mtu asikiaye kwamba ako na uwezo na aweze kusimamia ile kazi vizuri bila kuogopa ni vizuri awe akichaguliwa na Parliament. Kwa hivyo Parliament ipatiwe uwezo wote.

Na kama vile wengine wengi wamesema hapa mbeleni sitarudia kuhusu Chief justice na Attorney General, wachaguliwe na Parliament, hiyo ningeeunga mkono.

Halafu District zile ziko katika Kenya ni nyingi sana ya kwamba tuko na DCs wengi na DC anataka watu wakumtumikia. Kwa hivyo tunaona ya kwamba kila wakati kunaongezwa District kila wakati kunaongezwa kwa hivyo District kwa maoni yangu mimi ningeeona katika Constitution mpya na District guaranteed katika Kenya na Constituencies nazo ziwe minimized ili economy ya Kenya iwe mzuri kwa hivyo iwe Constituencies 150.

Katika Ministries tuwe na Ministries 12 na Assistance Ministers wawe assistance 24.

Vice President: Ni vizuri Vice President wa Kenya awe anachaguliwa na Parliament kwa sababu unakuta ya kwamba Kenya wakati mmoja tulikaa one and a half years bila Vice President na jambo hilo lilikuwa mbaya sana kwa sababu President jambo lolote lingetokea kwake hatungekuwa na President yule angekalia kiti for 90 days. Kwa hivyo kwa hayo machache ninasema ni asante na Mungu awabariki.

Com. Ratanya: Okay asante sana Bwana Peter---. Julius Mwenda.

yale mambo mimi nakuja kuongeza ni ile ilikuwa ya Miraa hata ile result nilikuwa nayo ilikuwa ya kusema Miraa. Ni kitu muhimu badhi ya kwetu kwa sababu sisi hiyo ni kitu ile mungu ametupa sisi Serikali iangalia sawa sawa. Hata wakitaka kutuma watu huko ndani ya mashamba wakute wenye mashamba wakute wajue Miraa ni kitu kizuri. Na mimi ninasema Serikali ituangalie ituongoze hata mahali ya kuuza hii kitu chetu badhi ya nje. Asante.

Com. Ratanya: M. Kinanga.

M. Kinanga: Jina langu naitwa M. Kinanga. Nataka kusema tukifanya hiyo mambo ya Katiba mimi ninasema Rais ndiye controllowe ndiye anaweza controller watu wake wote vile mwenyewe anataka. Hapa Kenya sisi tunaumia sana kwa vitabu, kwa kununua vitabu ya watoto wa shule na wakati Mzee Hayati Jomo Kenyatta alikuweco tulikuwa tunapata vitabu ya kusoma mzuri sana.

Na jambo lingine lile mimi ninasema kwa hii Katiba hata hospital, ukienda hospital ya privat unapata dawa, lakini ya Serikali hakuna dawa unaweza pata.

Ile jambo lingine nasema kwa hii Katiba yetu ni kuhusu kama ni magari, hongo iishe, kama ni abiria ndiyo wananinginia kwa gari si wanambia ati waingie kwa nguvu hawa ndiyo wanatakiwa wastakiwe kwa sababu hawa ndio wanaingia kwa gari ikiwa hata inajaa watu.

Mambo mengine yale mimi nataka kusema ya Katiba ni ya waalimu. Kwa sababu mwalimu anafanya kazi ngumu sana ya kusomesha mtoto, hata anasomesha mtoto asiye na macho na anajua kuandika. Sasa hiyo ndiyo Katiba mimi nataka ipinduliwe hapa Kenya yetu. Asante sana.

Com. Ratanya: Sasa ati wewe unasema ulikuwa umeandikwa. Sasa wananchi --- kumekuwa karibu kabisa saa yetu ata imebakishwa kidogo dakika kama ishirini hivi. Sasa tungetaka kuona wale ambao --- unajua kuna watu ambao wanakuja sasa hivi na wengine walikuja saa mbili, kwa hivyo mtu wakuja jioni huyo alichelewa. Lakini wale waliitwa lakini wakakosa hebu mkono juu tuone mikono juu. Mikono juu, na hawa ndiyo wanataka kusema kitu. Excuse me hata wengine kwa sababu tutaomba mketi tu, tuwe tunaomba pamoja kwa sababu tunaenda sasa. Sasa wale wanataka kuongea ni hawa. Wale wanataka kuongea, keti mzee, keti tu keti, kwanza keti hapo.

Kuna mwingine anataka kuongea hapo. Sasa hawa pengine hawa ni observers. Wengine nyinyi mmetosheka ni sawa sawa, munangoja tuombe pamoja. Sasa hawa ndio wanazungumza yule mzee zaidi ya wengine wote.

Mugambi Mulu: Jina langu naitwa Mugambi Muli:

Basi kina kitu kimoja mimi ninauliza.

Mimi ni Mukunga wa kienyeji ninajua kutengeneza zile dawa zile za kienyeji naomba Katiba yetu itupatie pesa za kutengeneza zile dawa zetu za kienyeji maana tunakosa nini nguvu za kufanya hizo dawa zetu.

Ingingine ni kitu ambaye mimi naomba kwa serikali yetu tukufu kuna ndugu wako alipochukuwa shamba lako na akiwa alichukuwa alichukuwa tittle na shamba hilo lako ulikuwa umeandikiwa na number yako na akawaga dunia akakuwacha na shamba lile lako. Ndugu wako akapima wakati alipopima, ukimuuliza anakuambia mimi nina tittle, nataka serikali yetu tukufu ichunguze

title kwa sababu ndiyo zaidi ya mzazi.

Com. Ratanya: Umemaliza sasa.

Mugambi Muli: Kunaye njia nyingine nayo maskini wale hawana pesa wananyang'anywa mashamba yao kwa kuwa hawana pesa. Unanyang'anywa shamba, ukienda kusema unaambiwa hakuna shamba lako liliondoka. Basi naomba Serikali yetu tukufu wakati itakayo kubadilisha Katiba, ibadilishe ikijua maskini ndiyo wengi kuliko watajiri.

Com. Ratanya: Sebastian Kimathi. Sema jina lako haraka.

Sebastian Kimathi: I am Sebastian Kimathi Isaac. I have two points.

First point is about the employment: For all Kenyans to have equal chances of enjoying cake I propose that in all areas of jobs where there is --- let all those who have the same profession be divided into groups whereby first group can serve for a specified period of time lets say two years and then the second group can serve the same period.

No there is no need for government to terminate some colleges from progressing for sometime. Really if the same Kenyans have used the same resources to get the same profession let them also be given equal chances to gain out of their profession.

Polical engineering: All politicians should be holders of degrees, Diplomas or certificate in Political engineering. I propose this so that we may have competent and confident leaders to quard our nation effectively. This will avoid double involvement of leaders in various business. e.g somebody being a doctor should not become an MP nor a teacher become an MP. This is because some being a doctor can decide to run a clinic, while he is serving as MP, hence paralyzing the service of being an MP and this is whereby you see someone if he is in Parliament, anaingia tuna that door, anatoka na hiyo door, and he goes to another business.

Com. Ratanya: (inaudible)

Sebastian Kimathi: Also I propose that when the President appoint a certain Commission and after sometime he nullify that Commission he should be held responsible of all the expenses which have been used by that Commission. Thank you.

Com. Ratanya: Asante sana. Endelea.

M'tomuchiri Kaimwenwa: Mimi kwa jina naitwa M'ntomuchiri Kairmwendwa niliandikwa pale asubuhi.

Yale mazito ni machache. Serikali yetu ya Kenya Katiba yetu ikibalishwa kwa maoni yangu naona mtu au vikundi vipewe

katika Mikoa yetu yote ikiwa ni maji ikiwa taaba ni ya maaji vikundi vinafaa kupewa nafasi wakachimbe maji yao mahali watapata.

Maskini haina mwenyewe siku hizi. Kila Mikoa ina mahali yao na sisi hapa kwetu Ntonyiri hatuna ulinzi wowote hakuna security. Kwa haya yangu machache ni hayo.

Com. Ratanya: Asante sana. Tunaenda kwa mwingine.

Francis Muturia: Jina ni Francis Muturia Kwa maoni yangu kuhusu Katiba yetu mpya, sitarudia sana yale ya Miraa yamesemwa lakini wale wote wamesema mambo ya Miraa nawaunga mkono. Nikisema Miraa ni rasilimali yetu, ndiyo tunaoa nayo, ndiyo tunasomeshwa nayo watoto, na Miraa iwekwe umuhimu sana katika Katiba.

Mambo ya shule: hapo zamani tulikuwa tunapewa kule shuleni vitabu, na ile ingine kiti cha kupaguza number kama rubber, na kalamu; lakini siku hizi zimepotea. Ndani ya Katiba yetu mpya hiyo irudi tena.

Yale nikimalizia kabisa, ni kuhusu mambo ya kilimo. Mambo ya kilimo: Katiba yetu mpya ishirikishe kilimo, watu wafanye makundi ile tuweze kuweka nafaka yetu vizuri. Katiba ilinde bila kuuzia watu huko mashambani huko ndani kule, ili kwa kuchukuwa vitu vyetu halafu wakaenda kuuza, kama vile Kahawa wanasema wanafanya siku hizi. Kahawa kuna watu wengine wanajifanya kama manager wa Kahawa huko ndani, wanachukuwa Kahawa ya wananchi, wanauziwa kule, wakapeleka factory kwa njia yao wenyewe wakafaidika, na sisi tukakonda kwa sababu----

Com. Ratanya: Sasa unapendekeza nini?

Francis Mururia: Sasa napendekeza serikali isimamie wale wanachukuwa licence ya kununua kule ma-shambani waache. Kwa hayo machache asante.

Com. Ratanya: (inaudible)

Kanuru Mithika: Jina langu ni Kanuru Mithika. Ya kwanza nitaongea kuhusu mambo ya Katiba. Kwanza upande wa hii area ya Ntonyiri hata Mtukufu Rais akiongea maneno ya kuhusu zile pesa ya activity fees kila wakati mwalimu Mkuu watoto wetu wanasumbuliwa kuonekana barabarani ----wamesoma half day.

Com. Ratanya: Pendekeza

Kanunuru Mithika: Hiyo -----

Com. Zein: Ndugu yangu sisi ni ma-Commissioner tunapendekeze tu----- hadithi ---**Kanuru Mithika:** Nitaongea kuhusu

Administration Police ile (inaudible) Bwana Commissioner ukiambiwa ati ilimaliza mashamba. Copral akipigwa transfer kituo Fulani, naye analemea, anachukua misaada double, mbili kila one week. One thousand analipa na wale wamepika ile pombe ya haramu, hongo iishe.

Ya tatu nitaongeza wazee wa Njuricheke waweke katika laini ya mawakili kulingana na vile mutapanga arrangement yenu. Hata mtu akikodishia mwingine Miraa ama kumuzia mashamba bila agreement, sababu inaweza ----- at night ukaenda ukakimbia kwa mwenzako ukachukuwa elfu tano, umemuruka kortini halafu ukirudi hapa kwa wazee wa Njuricheke, wanakubali. Asanteni.

Com. Ratanya: Andika jina pale kwenya register.

Festus Kanyanu: Mimi naitwa Festus Kanyanu na mimi nataka kuchangia hii Katiba mpya ya Kenya, maana ndiyo itatulinda.

Nataka serikali ifikirie kuhusu wale ambao ni wanyonge, iwaelekeze katika mradi wowote. Tena iwe katika ma-office yetu ya serikali iwe haina ubaguzi, maana unaweza kwenda hapa kwa police ukipiga report kama una chochote kile unatupwa ikawa wewe hushugulikiwi, ukawa kama wewe si raia. Ukifanywa jambo na mtu unanyamaza, ukachukua hatua ya kuamungamiza maana hakuna sheria ya kusimamia wewe, kama hauna chochote.

Ya mwisho: ningetaka yaani kama ni rasilimali ya Kenya, iwe ikigawiwa wa-Kenya kwa jumla. Raia wa Kenya nao waishi mahali popote pasipo ubaguzi wowote. Katika Katiba yetu iwe raia wa Kenya anakaa mahali anataka bila kubagaliwa na bila kuambiwa ni mbara au ni mtu wa kabila gani. Aishi mahali popote katika Kenya.

Com. Ratanya: Mwingine.

Paul Mathindi: Jina langu naitwa Paul Matindi. Napendekeza Katiba yetu ya Kenya mwaka huu tunaenda tuwe hakuna corruption. Tuwe na sub-Chiefs wa kutosha. Tukimaliza hizo zote hata wa raia wale wachanga wale wanyonge, watafaidika na hawatakuwa wezi.

Tukiwa na security ya kutosha hakuna yule mtu atawawa akose mtu kupata yule mtu anaua mwingine. Hata wale viongozi wetu wengine wafisadi wawe wakipewa nafasi ya kuongea vizuri.

Com. Ratanya: Na mwingine.

Bunge Mungathia: Jina langu naitwa Bunge Mungathia: Thank you Bwana Commissioner mimi napenda kuongea nikiwa nasimama. Yangu yale mimi ningetaka kusema, nitasema mambo tatu. Katika Katiba ya Kenya, ikienda kuangaliwa vile itapendekeza---- Akiwa hawafanyii kazi, wale wanaenda na wana-report. Sababu tunachagua wajumbe wanaenda Nairobi na

sisi hatujui wanaenda kufanya nini Nairobi.

Ya pili Commissioner ningetaka kusema hivi Katiba yetu, Chiefs au sub-Chiefs wachaguliwe kwa kura.

Ya tatu Bwana Commissioner, mimi ningesema haya maneno yote yamezungumzwa hapa sitarudia, maneno ya Miraa Miraa, sitarudia.

Com. Ratanya: Micheal Koome.

Michael Koome: Asante Bwana Commissioner kwa majina mimi naitwa Micheal Koome. Kwenya haya marekebisho ya Katiba hii nataka kuchangia mambo mawili.

Jambo la kwanza ni jambo ambalo linahusu kitambulisho. Unapoenda kwa hao ma-officer ambao wanahusika naupeanaji wa vitambulisho, unambiwa ati nende ulete kitambulisho cha mama yako au baba yako (inaudible). Sasa na hapo pengine unaweza kuwa ulizaliwa kuwa chokora ata hujui mama yako. Sasa ningependekeza hivi, Chief ndiye ako karibu na mwananchi na ndiye anamuelewa vizuri. Chiefu apewe uwezo kutambulisha huyu mwananchi.

Jambo la pili ni juu ya waalimu: Mwalimu kwa kweli anafanya kazi ya maana. Katika hii Katiba tunarekebisha wakati huu, iangalie mambo ya mwalimu vizuri, na apewe mshahara mkubwa. Angalia kama hawa wabunge, ile mishahara yao inaweza katwa ikaongezewa waalimu ndiyo kuepukana ni hizi migomo migomo ya kila wakati. Asante Bwana Commissioner.

Com. Ratanya: Okay, asante sana. (inaudible)

Jacob Nchunga: Ntiji kwaria githwairi ni tabutirwe. Mbitagwa Jacob Mnkubitu wa Kiunga.

Translator: My name is Jacob Nchunga.

Jacob Nchunga: Uuni buu kuga nikakuga indi buumbona au ndina miaka mirongo mugwanja na kethrwa tii miraa

Translator: I am 70 years old, and were it not for Miraa

Jacob Nchunga: kethirwa tii miraa ntikithirwa nkari uu bumwe bunene ndina jontu nandi baruga ii ngwete aa ndina antu bairi secondary.

Translator: I want to emphasize the importance of Miraa in this place it has maintained even my children in school.

Jacob Nchunga: Nindiina umwe form four Mikinduri ungi Kangeta.

Translator: Through the money that I get from Miraa, I have been able to support my family I have children in high school.

Jacob Nchunga: Gutiri mwana umbikiraga baaba bangi akuru.

Translator: It is only through Miraa that I get this money .

Jacob Nchunga: Itu nika nkwerenka katiba thirikari ya Kenya itu nitethie akuru ba Ntonyiri na Igembe na kwanja North Nyambene.

Translator: I am now suggesting that the new Constitution that we are coming up with should be put into consideration the issue of Miraa and a provision for it must be there.

Jacob Nchungu: Uuni buu nkuga au nika nkuuga thirikari ya Kenya nioririe yone batwi jontu naa turi mwankene jwa Borona batwii turi ameru baria bamuthia guti antu bathoma naa bangi nibatwi tweja kuthomihtia aana.

Translator: We want to put it that we border the last part of this Nyambene district, and the issue of security is very important for us.

Jacob Nchungu: miraa iu ndikomborithia muntu eja agankana, eja ankana kethirwa batwi niungu kuuga gatiba niorerue bwega nkethirwa ndi wa Kobia ngeeta kiri Kobia kethirwa ndi wa Kaberia ngeeta gwake. Nandi ngeeta kiri njuri niyo intethagia.

Translator: So I am still emphasizing on the issue of Miraa,.It should be given a provision in the Constitution.

If I go to local elders organization, I get some help there. Thank you.

Com. Ratanya: The Chairman of 3Cs. Chairman yuko wapi?

Chairman sasa utasema machache halafu uombe na tufunge.

Julius Kaithuru: Let me say, thank you very much to our commissioners for having availed themselves throughtout the day so as to hear our views. May God bless you. May I also thank those who have given their views, for having found time to come and help in preparing the Kenya Constitution. Thank you.

Com. Ratanya: Una kitu cha kusema halafu tuombe? Okey, kwa hivyo tuone mtu wa kutufungia kwa maombi. Ningetaka kusema asante sana kwa wale wote tumekuwa nao, wananchi ambao wamepeana maoni yao, na wale ambao wamekuwa wakitayarisha hiki kikao kama Chairman, Coordinator, na wengine wote ambao wanamsaidia, tumesema asante kwa --- watu wa Laari. Kesho wale ambao hawakupeana maoni hapa, lakini hakuna kwa sababu tumemaliza,tutaenda upande wa Mtuati. Tungali tuko katika Ntonyiri, na kwa hivyo tumemaliza na tumefunga kikao hiki cha Constitution of Kenya Review Commission. Lakini tuombewe.

Julius Kaithuru: Let us pray: Father in the name of Jesus, we are in your presence this particular time. We thank you for giving us an opportunity to have a wonderful forum like this one.We thank you for it.We thank you because, Lord, we have

