

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUTENCY PUBLIC HEARINGS, MWINGI NORTH
CONSTITUENCY, HELD AT KYUSO SECONDARY SCHOOL**

ON

3RD JUNE, 2002

**CONSTITUENCY PUBLIC HEARINGS, MWINGI NORTH CONSTITUENCY HELD AT KYUSO BOYS
SECONDARY SCHOOL ,ON 3RD JUNE, 2002.**

Present:

1. Com. Phoebe Muga Asiyu
2. Com. Dr. Githu Muigai
3. Com. Ibrahim Lethome Asman

Secretariat In Attendance:

- | | | |
|-------------------|---|-----------------------------|
| 1. Ismael Yusufu | - | Programme Officer |
| 2. Solomon Mastsa | - | Assistant Programme Officer |
| 3. Regina Mwachi | - | Verbatim Recorder |

The meeting started at 11.00 with Com.Asiyu in the chair.

Prayer: Baba, ninaomba katika jina la Yesu, ukasaidie kila mshirika katika mkutano huu ambaye amehusika, ukasaidie ma-Commisioner na karani na wote. Ninaomba wawe na maelewano. Ninaomba pawe na amani na mwongozo unaofaa. Tupatie amani tunapoanza mkutano. Ukatusaidie kutoa maoni katika jina la Yesu Mwokozi wetu tunaomba.

Com. Asiyu: Asante sana. Ningependa kuwakumbusha ya kwamba kikao hiki cha Katiba ni kikao cha maana sana na kutoka sasa kitakuwa rasmi kabisa, na sheria ambayo inatulinda. Sisi hatuna maoni juu ya Katiba mpya, sisi kazi yetu ni kusikiliza tu na kuandika vile mtu ameeleza halafu tutaenda kukaa chini na tutaangalia maoni ya watu wote wa Kenya vile ilivyo, halafu tutaandika Katiba ambao tunafikiria kwamba itachukua maoni ya watu wote wa Kenya. Katiba ambayo inaweza kuishi kwa miaka mingi ijao.

Munajua Katika Africa hii tunapoishi ni vigumu sana kwa nchi ya kiafrica kutengeneza katiba mpya au kurekebisha katiba yao kama mambo ni shwari. Tumeona nchi nyingi za Africa wale waliopata uhuru juzi juzi kama South Africa wameweka Katiba mpya. Nchi zingine ambao wamebadilisha Katiba yao wamebadilisha wakiwa na shida au wakiwa na mzugozugo au na vita.

Lakini sisi tulikuwa na bahati sana miaka arobaini sasa, hatujakua na vita ijapokuwa tumekuwa na shida za umasikini na mambo kama hayo ya uma.

Na ni wakati mzuri sana wa mtu kutoa maoni yake kwa maana hakuna kitu ambacho kinasumbua mtu sana kwa roho kama kusikia bunduki ikilia au nini. Ni ile tu mawazo ambayo inaweza kutusaidia kutengeneza Katiba ambayo itadumu kwa miaka mingi sana ijayo. Kwa hivyo ninawashukuru.

Kwa maana tunajenga mji mpya, tunajenga nchi mpya na ni lazima iwe nchi mpya ambayo tukiwawachia watoto wetu watatosheka kwamba tulijaribu. Na tunafikiria kwamba katiba hii tukimaliza kusikiliza mambo yote ya watu wa Kenya na wale ambao wanafika Nairobi kujadiliana siku ya mwisho tutakuja kufanya urafiki, urafiki ya watu wote wa Kenya. Bwana Mungu hakuwa mjinga kutuweka kwa nchi moja, ijapokuwa sisi tuko makabila tofauti tunaishi mahali mbali kwa kila kabila lakini ni watu wa Kenya na ni huzuni sana ukiuliza mtu hapa Kenya wewe ni wa wapi anakwambia mimi ni mjaluo. Ukienda Tanzania atakwambia yeye ni Mtanzania. Kwa maana wamezoea kufanya hivyo.

Hata sisi nafikiri nyuma ya hii katiba mpya tutaanza kujiita wakenya. Kwa maana tukiwa ng'ambo huwezi kusema mimi ni Mkamba, unasema tu wewe ni mtu wa Kenya. Ukifika hapa Mwingi ukiulizwa wewe unatoka wapi utasema mimi ni Mkamba au mimi ni Somali. Lakini hii katiba itusaidie kujiona kama watu moja, ambao Mungu aliwaweka nchi moja, waishi pamoja kwa upendo.

Mpango yetu itakuwa ni hivi: kila mtu ambaye atakuja kuongea ambaye ana maandishi yeyote ataongea kwa dakika tano na atatueleza tu mambo ya muhimu kabisa ambayo anataka iingie kwa katiba mpya ya Kenya. Just highlight points katika maandishi yako na upeana pale ile karakatasi, na yiho karatasi itakuwa ni mali yetu kutoka leo. Na kile ambacho umesema kwa hiyo karatasi itaingia kwa Computer yetu na hata miaka ishirini kutoka leo, itakuwa kwa archives.

Tunakaa hapa kama court si mahali pa kupiga makofi au kucheka kama hakuna haja kucheka. Kama huna haja ya kusoma, ya kuongea juu ya mambo uliandika, utayawacha pale tu na kuweka sahihi kwamba umeyaleta. Kama inakubidi kurudia mambo mtu amesema, kama mtu alisema tunataka education tunataka elimu ya bure kutoka kwa kilato hiki mpa hiki na wewe unaona unasikilizana na hiyo, hakuna haja kurudia, nikusema tu vile mzee fulani alisema juu ya elimu mimi nakubaliana na yeye. Halafu ili tuwapatie kila mtu aliyefika hapa leo nafasi ya kusikilizwa na kusikilizwa vizuri, na tukitii jambo hilo tutaenda haraka, na kila mtu atapata nafasi ya kusikilizwa.

Kama kuna mzee ambaye ametoka mbali na anataka kurudi tutampa nafasi. Kama kuna mama mjaa mzito ama mgonjwa, au watoto wa shule ambao lazima warudi kwa class tutawawachia nafasi waongee. Nafikiri tumesilizana kwa mambo yaho na kwa hivyo, I can now –

So Ladies and gentlemen I now declare this meeting as an official sitting of the Constitution of Kenya Review Commission for the purposes of collecting the views of the people of Mwingi North Constituency, in accordance with the Act that we are operating under.

Com. Asiyu : Sammy Nzao, halafu John Musyoka, halafu Rev Mishack Mumba. Kuna watu hawataki kuongea, lakini nasema ya kwamba nyinyi ni wananchi basi muongee tu. Kwa maana watu wa kisema Provisional Administration ifutwe kabisa nyinyi ndio munaweza kutueleza Kwa nini isifutwe kwa hivyo tafadhali musikatae kuongea.

Com. Asiyu : Okay Bwana Jeremiah Karuri, tafadhali kuja hapa mbele ukae, na uongee kwa dakika tano, halafu upeane hiyo document yako na mambo yale ambayo tumelezewa na watu. Nafikiri uki kaa ni vizuri, ukikaa ukituangalia sisi ndio unatuongesha kwa hivyo usiangalie wale ndio uongee na sisi. Ina onekana hii machine haifanyi kazi unaweza kuongea kwa sauti. (Inaudible)

Jeremiah Karuri: Hii memorandum ambayo nitapeana ni ya Diocese ya Kieni/Mwingi. Haya maoni yametoka kwa wakristu wa Kyuso Parish. (inaudible). Tuliongea juu ya.

Preamble. Unataka nisome?

Com. Asiyu: Ah ah.

Jeremiah Karuri: Kisha tukaandika juu ya: -

Principles of State Policy

Constitutional Supremacy

Citizenship

Defence and National Security

Political Parties

Strucutre and system of Government

Com. Asiyu: Unaweza kutueleza.

Jeremiah Karuri: Local Authorities being autonomous in order to have a say in managing their affairs Councilors should be paid salaries, which are pre-determined like other public servants. (Inaudible)

Legislative

Executive

Judiciary and the electoral commission.

Rights of land ownership: Land ownership procedures should be simplified to ensure that even women seek ownership. (Inaudible). own land property anywhere in the country, and the Constitution should guarantee. (inaudible)

(inaudible)Should be detained candidates should be allowed of other party defection should be outlawed. A 51% win in 5 provinces in elections should be abolished. We should have to reserve parliamentary seats. (inaudible) We said constituencies be reviewed each Member of Parliament to represent almost the similar number of constituents e.g 25 thousand people only. (Any other clarification?)

Jeremiah: About cultural, ethnic, regional (inaudible)

Com Asiyu: when you talk about those cultural rights, tell us briefly.

Jeremiah: We said there are ethnic groups for example some small communities, whose rights are not talked of in the Parliament. For example the Dorobo, they are small. Then the use of natural resources, which are scattered all over the country. Some of them are either (inaudible) we would like those to be known and to be used nationally.

Environmental and Natural Resources: Constituency planning should be encouraged and facilitated by relevant ministry. We suggest an alternative complaint channel, which should have well defined role. We suggest an alternative. Others recommended that we should have the Human Rights Commission, Corruption Commission, Gender Commission, Anti-corruption, land commission and each of these said we should have power.

Succession: (transfers and power) during presidential election let the Chief Justice exercise the power of the President. The result should be released on both Radio and Tv as they are received from various parts of the country.

Salaries: we should harmonise salaries so that we do earning three hundred thousand in gross income while part are paid by the same government, only 3,000 shillings. The salary awarding body should be completely de-linked from political leadership, so that we do not have some people being favored for political loyalty. Jeremiah Karuru of justice and peace Diocese of Mwingi prepared and presented this memorandum.

Com.Asiyu: Thankyou very much Bwana Karuru, just sit there for a while. I think these are same questions.

Com. Lethome: You mentioned the constitutional offices and the office of the Attorney General, officer of the Auditor General we would like know what have you proposed?

(Inaudible)

Dr Githu Muigai: I would like to ask a small question about land. Because you come from Kitui, and you have suggested that they should a land commission, if you have thought about it, you can give me an answer. If you haven't it is not a problem.

What would you want the land commission to do? *Kwa sababu mwenyewe unasema ni vinzuri* we do not want to create jobs in Government whereas just to have jobs. We must create jobs that are very important. What would you like the land commission to do?

Jeremiah Karuri: Infact they should study and ascertain who is the owner of this land. They should know what qualities would need in order to have this land. Most of the people here do not have a title's deed but you see someone fencing so many kilometers, and says this my land. We would like this to be really defined, the qualities one should have to claim that the land belongs to him.

Com. Asiyu: Unasema ungependa NGO's waingie Kwa Serikali. NGO's ni kama watchdog, sasa wakiingia huko kwa serikali nani atalinda Serikali?

Jeremiah Karuri: Tumesema wawekwe katika katiba wawe wanajulikana they are radically suffering.

Com. Asiyu: Na hii ofisi ya Ombudsman ambayo unafikiria ingefaa kuwekwa ingenda chini mpaka wapi, tu ikae Nairobi peke yake?

Jeremiah Karuri: Hapana upto the Local Authority.

Com. Asiyu: Tafathali uweke sahihi kwa register yetu pale na utuwachie hiyo document. Sasa hiyo ni property yetu huwezi kurudi nayo. Register iko pale langoni. Ningependa kuuliza wale ambao pengine kambia watoto wakae chini). Ningependa kuwa na majina wenu ambaye wenu ambaye amekuja kwa mukutano huu. Kwa sasa, Councillor Charles Mteti (inadible) utaongea na sisi. Unafikiri ukae hapo ndio watu wakuone na ukae hapa karibu. Hiyo ni mzuri tunakuona na wanaichi pia wana kuona.

Councillor Charles Mteti: Kwa jina mimi ni Councillor Charles, Kutoka Mufukoni ward. Kitu ambacho nilikuwa ninataka kuchangia kwa Commissioners wetu kwanza nilikuwa nataka kuongea juu ya selecting of this Constitutional team hawa wazee ambao wana tengenezwa na korti, au sijui nani, na wanazungumza juu ya kesi ya land. Hawa wazee kwanza ikiwa inawezekana wawe wakichanguliwa na wananchi, maanake sisi huwaona na hatujui wametokea mlango gani. Kama inawezekana hao wazee watumwe katika locations, ikiwa inawezekana wachanguliwe. Watu wa elimishe ya kwamba huyu anaweza na yule mwingine hawezi.

Ya pili, wawe na muda wa kukaa katika ofisi, maanake mimi ni councillor niliingia council 1983, Na yule mzee nilikuta akiwa kwa Land tribunal, ako tu mpaka wa leo. Sijui ni kumea amemea ama nini? Kisheria hatujui ni nani amemuchangua. (Inaudible) na kama hatutamchukuwa kule chini mashinani. Kumbuka juzi 92 nilikuwa nasikia huko Nairobi niliona mlolongo wa kina mama wakijifunga kwa hivyo kulia ya kwamba Koigi Wamwere atoke. Alipo enda kwake nyumbani akaanguka. (Inaudible) ni kuonyesha ya kwamba, mtu awe anatoka kule nyumbani ndio aletwe karibu na watu kama nimekosea mtanisamehe.

Nilikuwa nimesikia ya kwamba dume walikaa wakasema Councillor or Mps should be learned- being a form 4 leaver and above. I disagree with those people, because leadership doesn't come from education. Na kumbuka Ibrahimu na Moses, hakuna pahali tuliona wamesoma na walitumiwa na Mungu wacha nchi, Mungu. Kwa hivyo leadership ni vile mtu ameubwa na Mungu, lakini siyo masomo. Maana tunaweza kuenda kwa mtu mwenye ma degree kadhaa, anakuwa hana watu kwake anakuwa ni mtu mpotevu ambaye hawezi akachangia chochote ana kuwa ni mtu hana watu kwake, hawezi akachangia chochote. I disagree we those who are trying to say that a councillor should have the education level of form 4 and above, an MP should be a graduate. Because, leadership doesn't mix to be with education I mean even if you check in the bible you would agree with me, that there was no graduate with the bible. Nafikiri yule Mungu alikuwa kule, ndio ako hata wa leo. Viongozi wenyewe huchaguliwa na Mungu, sio vile watu wanathania na macho yao.

La mwisho, kama inawezekana, ni kuhusu habari ya wakina dada. Wazee wa huko ukambani, nataka kuchangia kama diwani, ninaona ikiwa ni msichana wako amesoma, na ameolewa na amegombana na bwana yake; akirudi pale kwa boma mzee akifariki wale ndungu zake wanamunyima kabisa pahali pa kujenga boma yake. Zile ngo'mbe alinunuliwa kule na yule bwana yake: walikuja wakaowa bibi zao na amerudi pale. hiyo ng'ombe na sasa wanasema aende kabisa. Sasa unashanga huyu mtoto ni wa nani?

Mimi nauliza, kama inawezekana, kwa Katiba iwekwe ya kwamba, msichana ni kama mwanamume. Babake akifariki, agawiwe ardhi ya babake vile mtoto ya kiume amegaiwa. akiwa ameolewa, pengine itajulikana iende imbandilishwe isemekane ameolewa, kama ameolewa na wamepatiwa dowery na ile dowery wamekula. Aki gombana na bwana yake, akikuja pale wanamwambia, toka kwenda kabisa", Sasa wanampoteza ni kama siyo kiumbe, na ni mtu, wamemunyanyasa vikali.

Nikimalizia, kama inawezekana, hospitali zetu (ikiwa Serikali itaudwa vizuri) wale watu watakuwa kule, kuwe na inspectors wakali zaidi wa kuangilia niakina nani ambao wanaiba madawa. Kwa sababu ninaona kuwa kila daktari akisha kuwa daktari, ni lazima awe na private clinic yake. Ukiangalia vile clinic zimekuwa nyingi katika hii district yetu, ama popote Kenya; ni kuonyesha ya kwamba madaktari wenyewe wamekuwa na practice zao, kutokana tu na yale madawa yetu yale tu ya Government. Because, si wezi nikajua ni kwa nini hospitali hakuna dawa na ukienda kwa clinic, yake unakuta ako na dawa. Kuwe na sheria ya kwamba: if you are a doctor you should not have your private clinic. Ikiwa ni private, resign from the government, ministry.

Ya mwisho kabisa commissioners niondoke, ni chiefs, ya kwamba, chiefs waondolewe kabisa katika land cases. Hii nimeizungumuza mara nyingi leo nikiwa na elfu zangu mbili na niende kwa chifu nimpatie elfu moja, aki ya Mungu kama yule

mama hana bwana nitampokonya hiyo shamba. There should be clear information to wananchi ya kwamba: chifu hana uwezo wa kuingilia pesa ya mwananchi kwani huko akina mama wengi wamenyanyaswa. Kwa haya machache Commissioner, mnamaswali mtaniuliza.

Com. Asiyu: Asante sana councillor

Com. Lethome: Kuhusu uridhi wa mtoto wa kike, kama amefukuzwa na mumewe, akirudi nyumbani babake akifa apewe haki yake. Je kama ameolewa yuko kwa mume wake, hana haki ya kumurithi babake?

Councillor Charles Mtetei: Naonelea kama ameolewa na ameenda kwa boma nyingine, sioni kwa nini arudi huko kwa babake, kwa sababu amesomeshwa; na wakati wa kuondoka na bwana yake tulimpangia karamu nzuri tukampea ng'ombe, mbuzi na ameendaa mekuwa na boma nyingine.

Akiwa ameolewa vizuri na yule bwana hasumbui wacha awe na ile boma, ndipo wale wengine ambao wamembaki hapa wapate. Lakini akiwa kule, na huko na hana shida, yule bwana yake ataweza kuwa mchoyo zaidi ataingia huku aanze kutusubuwa kwa sababu ako na pesa. Lakini yeye ikiwa bwana yake amemukataa amemutesa sasa ndugu zake wamuachie awe na boma yake kwani ni mtoto kama hao.

Com. Asiyu: Lakini Kwa wakati huu kuna wasichana wengi ambao wamepata masomo ya juu na hata wengine wao wananunua shamba kwa baba zao. Yeye mwenyewe ananunua kwa mzee, sasa unaniambia akisha nunua hiyo shamba kwa mzee wake na wale ndungu zake, akienda apate bahati mbaya kule hawezi kurudi kwa shamba hiyo ambayo alisaidia mzee kununua?

Councillor Charles Mtetei: Kama amaenunua hiyo Madam Commissioner.

Com. Asiyu: Amenunua kwa jina la Mzee.

Com. Charles Mtetei: Hiyo ni mali yake madam asipokonywe. Ninasema ile kama dada yangu ameolewa na sisi tumeachwa hapa," na ndugu zangu, saa zile bwana yake amefariki, akirudi hapa na hakuna namna ya kupata kitu chochote kule, akija na tumekula ngo'mbe yake, tunasema huyu mtu hana ukweli ya kukaa hapa," tunaweza kumufukuza sasa aende na ni mtoto wa hiyo boma. Imekuwa ni kama mtoto wa kike nasema, ni kama anaonewa. Kwa Sababu ile ngo'mbe kwanza aliolewa tukapatiwa, tumeoana, naye amerudi na watoto wake na sisi tutawafukunza. Sasa inaonekana tumemutumia bure.

Com. Asiyu: Umesema ya kwamba ungependa machifu waondolewe katika kesi za shamba, hiyo nikuonyesha ya kwamba wewe mwenywe huna amani na machifu wote. Wewe ningependa kukuuliza, tukibadilisha vile machifu sasa wana amuriwa, pia

vile machifu wanapewa ofisi. Kwa hivi sasa chifu barua yake ya kumpatia kazi ina toka Office of the President, inakuja kwa Dc, Pc na kwa huyu mheshimiwa Do, halafu anapata kazi. Tukimbandilisha ebuni tuseme chifu achanguliwe na wananchi wa kila sub-location yake, unafikiri hiyo itasaidia?

Councillor Charles Mtetei: Bwana Com. Kama ingekuwa ni uwezo wangu binafsi, haki hao watu wachanguliwe na wananchi. Mtu aliye changuliwa na wananchi, ni mtu capable na ambaye wanaona ni transparent. Mimi sisemi nina chuki na ma-chifu, lakini tunaonelea watu wengi wananyanyaswa kwa sababu ya kukosa pesa. Lakini kama ningekuwa na uwezo wangu chifu wangu wangu wangu wanachanguliwa kama vile Councillor anachanguliwa, ndio huyo mtu achanguliwe na mwananchi. Manake hii kuja kufanya interview hivi anaweza kupitia zigzag doors na akawa chief, kumbe ni mulafi anakula wananchi. Hilo ni changuo langu, mimi na uliza wachanguliwe.

Com. Asiyu: Kama hatukutoa mapendekezo ya kwamba machifu wachanguliwe, unaonaje kama tutapendekeza machifu wawe wanaweza kuwa tranferred katika district yao. Kuna mtu alitwambia ya kwamba yeye baba yake na chifu walikuwa na shida ya shamba sasa huyu mtu alipochanguliwa kuwa, baba ya chifu amefwatilia huyu kijana mpaka sasa anagonjea chifu huyu aidha afe au atolewe kazi. Maana sasa hiyo ni chuki ya daima. Ungependekeza namna gani? Kama hawawezi kuchanguliwa, wanaweza kuwa transferred?

Councillor Charles Mtetei: Mimi siungi mkono habari ya transfer, kwani officer akiwa corrupt, hata kama akienda district nyingine ataenda tu na ile tambia yake. Kwa hivyo naomba kuchanguliwa. Any other question?

Com. Asiyu: Can we have your document?

Interjection: Com. Register again

Councillor Wilson Mwanza: Nasema asante sana kwa Commissioner audience ambao tuko pamoja. Jina langu ni Wilson Mwanza, Councillor Kamwongo location. Ninasisitiza kwamba naunga mkono Central Government, badala ya kusema federal.

Kwa hivyo na sema ni heri

Serikali yetu iwe na muundo sawa tuliona sasa, uu wa central government.

Elimu ya msingi iwe ni free yaani free primary education. Pesa ambayo sisi kama wazazi tunatoa iwekwe kwa kordi, tuwe tunatoa tax halafu inaigishwa upande wa shule, ili watoto wapate elimu.

Lengine ni kuwa, tumeona uchanguzi kwa miaka mingi, lakini sisi wanainchi hatupati nafasi ya kuchanguana kwa njia inayo stahili. Siku ambayo tunachanguana, tunachanguwa Councillor siku moja mjumbe siku hiyo, na Rais siku hiyo. Basi Wanainchi hawapati nafasi ya kuchangua kiongozi ipasavyo kwani wana haraka, pengine ni siku moja na kuna saa. Tuwe na uchanguzi tuwe na siku kama tatu. Naonelea tuwe na Civic election- ma Councilors wa changuliwe siku yao. Halafu ifuate Parliamentary. Ya mwisho iwe, presidential ili wanainchi wapate nafasi ya kuchagua na nafasi ifaayo.

Lengine ni kuwa wakati watu wanachanguliwa kama MP wakienda Bunge. Kwa maana Constitution ya leo inaruhusu Rais achaguwe ministers, na Assistant Ministers, wakichanguliwa majina yao wapelekwe kwa bunge waangaliwe kama wana qualify kuwa Ministers. Kama bunge itawakataa, Rais apeleke majina zingine' kwa utakuta ameandikwa an appointiwa minister. Sababu ni rafiki ya President, na pengine siyo capable President anawacha mtu ambaye anaweza hiyo ministry, awe back bencher. Kwa hivyo nasema ya kwamba, wakichaguliwa kama ministers, ama President aki- appoint, hayo majina yawe yanapelewa bungeni, then inaangaliwa kama hao watu ni capable kuwa minsters or Assistant ministers. Hayo ni maoni yangu.

Wanainchi wa Kenya tuna mzigo mkubwa wa tax na councilors apewe allowance wana lipwe pesa ya kodi kutoka kwa Licences. Kazi ambayo councilor anafanya, ndio mjumbe anafanya. Ikiwezekana, Councillor awe analipwa na consolidated fund kama mjumbe kwanza wana tenda kazi moja. Tax imeongezewa wananachi wanaongezwa korti atleast Councillor Apewe allowance. Raisi aki wacha kazi kuna siku tisaini, the Vice President should be acting. Niliwa ninaonelea kama hiyo si mzui instead kama Rais pengine amewacha kazi, ya kuchukulia inchi inachikiliwa na Speaker wa bunge, lakini sio kwa siku tisaini, iwe ni 60 days, that is 2 months. Speaker aitishie uchanguzi . Mimi kama niko Vice- President. na nichikilie kwa 90 days hiyo inaonyesha ya kwamba sitawachia mwingine atleast nitafanya vile inawezekana niwe President na pengine I don't qualify to be the President kwa hivyo nilikuwa naonelea hizo siku 60 days Speaker wa Bunge awe anashikilia halafu anaitisha uchanguzi, ili watu wachaguwe President.

Ninamalizia nikisema kwamba, nilikuwa nimeongea mambo ya federal government. Kwa hivyo yangu ni hayo machache tu ningetaka ku -present kwa commission hii siku ya leo.

Com: Asiyo: Asante sana kwa maoni yako, andika jina lako na uandike sahihi. Councillor Robert Maluki.

Councillor Robert Maluki: Mimi ni Councillor Robert Maluki of Kase/ward na tena ni Vice-chairman wa Mwingi County Council. Maoni niliyonayo ni mara mbili nilikuwa nimetumwa na Kase catholic church, tuliketi na tukawa na maoni; na yale mengine ni yangu mwenyewe. We have written in Layman's Language, without people who do not know the old Katiba, but then our opinion. The first one, we feel that after our boys and girls are trained they should also be employed. There should be guaranteed employment after completing school.

Presently we are told that there is free education, we feel it is not done very well. We feel that there should be free education where books and other things are provided. Let there be real free education.

Members of Parliament should go up to 3 terms of service, that is the first one the second, and the third term. The third term should be the last one.

Com.Asiyo: Halafu wanawake kabisa?

Councillor Robert Muluki: Kabisa. Labda wapumzike kwa muda kidogo kwa term kadhaa. We said three terms so let me not add. Members of Parliament and councilors should be the people to supervise development within the constituencies and locations where they are elected.

Com.Asiyo: (inaudible)

Com.Asiyo: Wajue Fedha za maendeleo ziko, na zi pangwe na mna gani. Family quarrels zitaenda straight kwa court. Family quarrels should be listened by immediate family elders before they are taken to court. Chiefs and Assistant chiefs should be transferred within their districts for better services. Headmen are not paid but we say they should be paid from the consolidated fund just like the other civil servants.

Land ownership: after a person has stayed in a place for more than 12 more that land should remain his now. The Government should provide water to all people, and by that we propose that there could be (inaudible) dam and also pumped water. We proposed at least a machine like a tractor.

Com.Asiyo (inaudible)

Councillor R.Maluki: The Government should avail loans to all people that is in rural development.

Com. Asiy: Which people?

Councillor Charles Muluki: That is business people, farmers, everybody who will look for loans from the Government. The old people should be taken care of by the Government. Not the retired alone, but the but all elderly people. After they have grown old the Government should take care of them.

We say no to Majimbo. The girl child should inherit property from the parents equally with her brothers. The Government should find a way in which information from suspect's can be accessed. Kuna ile ina itwa minimum force used to obtain some information. It is there, but we said let there be deviced another way because sometimes people are beaten up to death.

Com. Asiy: Another system?

Councillor Muluki: We have very few courts in our country, where we have only one court in a district. We could have mobile courts to go down to the districts, divisions so that people have access to courts. The state and the public should punish all those who encourage corruption in the country.

Com. Asiyu: (inaudible interjection)

Councillor Muluki: When you travel to a place like from here to Mwingi or vice versa, unaona pesa inachotewa watu mukiwa muko kwa gari. This happens because you are over loaded, and also the vehicle is not in order. When this is given you are at a risk but somebody gets something. We suggested that the people come out of the vehicle and discipline the parties concerned. Even the police can do it.

Com. Asiyu: You're saying that if there is no police the people cannot take over?

Charles Muluki: Free Medical treatment should also be enforced, because for now we talk of free medical treatment, but it is just a mere saying. In hospitals you go for months and years you find that there are no drugs. Nobody in this country should be above the law.

The retired people should not be re-employed when there sons and daughters who are jobless. I laugh because I would like to be employed. Although abortion is illegal it is still practised in private hospitals, this should be discouraged under whatever costs.

Com.Asiyu: (Inaudible)

Councillor Muluki: That should be left out **Com.Asiyu** Go through your points.

I am through, unless I have skipped something, but it is all on this paper.

Com.Asiyu: Councillor Sammy Nzao.

Com. Asiyu: You did'nt what to talk okay fine.

Councillor Sammy Nzao: Siku kuwa nataka kuongea.

Com. Asiyu: Please register you name there so that we know you have already presented a document.

Councillor Sammy Nzao: I did't want to talk.

Com. Asiyu: You didn't want to talk you can give it to us.

Councilor John Msyoka: Asante sana Commisioners. Kwanza nimewakaribisha nyote muwe huru na fikiri munapumua hewa nzuri maanake huku hewa yetu haijakuwa polluted kama kule Nairobi mnakaa kwa hivyo karibuni sana. Nitaanza na defence na National security:

President wa Kenya are main tu Commader in Chief of the armed forces. The head of state apewe mamlaka ya kutosha asiwe ceremonial president at all. Katika siasa political parties zetu zimekuwa nyingi Sasa zingine zimekuwa kama zinaleta kuwa nyumba. Ningeomba political parties ziwe tatu tu katika Kenya yetu.

(**Com.Asiyo:** Presidential?) system of Government should be retained in Kenya, ile tunayo iendelee. Majimbo italeta mgawanyiko kwa Kenya maana tuna makabila mengi. Ndio tuwe Kenyans we kutosha, hata ninge- encourage Inter marriage, badala ya kuwa na Federal Government.

President tukiwa tunachanguwa awe above 45 years, married, amesoma ana elimu, ana experience kidogo kwa field nyingi, anaweza kuvumulia maanake siasa ni nzito, awe na experience na exposure ya kutosha katika field tofauti. Wajumbe wetu mishahara yao: tunaonekana tunajipenda sana. Wanakula mishahara mikubwa, ningeonelea iwe determined na special commission or independent body: si hao waende Parliament waseme tunataka hii na kupitisha.

President wa Kenya awe elected MP au achaguliwe kwao kwanza, ndio sasa akienda kule mbele awe amepewa kibali na wanaichi wake. Tunajua hata tukitaka kuuliza hao wanainchi tutauliza, mnatuletea huyu mtu awe President na alikuwa na hii na hii'' Provincial Administration naona iwe retained, ina tusaia sana ki security, lakini wengi wao are not trained. Wawe trained katika field -Administration wa pelekwe training ya management na wasomeshe political science. Ndio tukuwe tunaweza ku interact na watu wa siasa. Kama wangukuwa na political science wangukuwa wanavumilia mambo yetu.

Judiciary should be completely independent. Appointment ya Chief Justice or judge yeyote ifanywe na panel of judges manake hawa wana jua wenzao. Wakikutana wanaweza kuchagua mtu competent, na mtu ambaye hana mapendeleo. Chief Kadhi awe retained kwani ni qualified judge ahanguliwe na majaji. Munajua Chifu Kadhi anahusika kisilamu. Mayors and Chairmen wa County council wawe elected councilors kwanza. Wachaguliwe ndio wakienda kule mbele tuwe tunaletewa watu wa aina ngani ndio wachanguliwe huko kama vile wajumbe na Presidential candidates. Wawe na minimum education ya form 4 Mtu ambaye anaweza ku interpret language, karatasi. Tunaweza kumutuma nje akaenda ku- represent the county council, ikiwa ni ungereza au popote pale, na hata kuwa na problem. Naonelea, kwa wakati huu, Kenya tuko mbioni, kwa hivyo form 4 level iwe minimum.

Councillors' allowance: hiyo na unga mkono, walipwe kutoka kwa consolidated fund, maanake ni assistant wa MP wako ikiwa MP hayuko na wewe huna chochote? Local authority senior officers clerk, treasurer e.t.c. Iki wezekana walipwe na Central Government, itakuwa mzuri ile pesa tunapata kutoka kwa mapato council, hiyo zilipe subordinate staff, walipwe na ile collection. Kama shule vile zinafanya, unapata waalimu wameandikwa na Teacher Service Commmission, na subordinate staff tunalipa sisi wazazi.

Electoral Commmission Chairman na onelea achanguliwe na independent body ndio asiwe akawa biased. Awe ni mtu amechanguliwa independently, na ana uamuzi wa kutosha bila kushauriwa ama kushauri yule aliye mchangua. Education: it has to be compulsory kabisa: maanake utakuta watoto wachanga wa kiasi cha kwenda shule, na hawako shule. Lakini kwa kuwa chifu, assistant chifu, DO, Councillor, ama wazazi, area people hatuna hiyo power ya kumwambia lazima upeleke mtoto shule; utaona watoto wengi hawataki kusoma. Kwa hivyo iwe ni sheria kutoka primary mpaka form 4, iwe ni compulsory education. Hiyo Serikali iweke mkazo yeyote ambaye hataki kupeleka mtoto shuleni, ama mtoto ambaye anapatwa akirandaranda, anachukuliwa na kupelekwaa shule mara moja. Schools Equipment Scheme should be revived. Wakati wetu tulikuwa tunaletewa vitabu, kalamu, mpira, wall charts shule za rural areas siku hizi hawana hizo equipment, na tunafanya mtihani mmoja tu na mtu ambaye yuko Nairobi Nakuru na Mombasa. Kwa hivyo naonelea iwe sawasawa, kila shule ipatiwe equipment sawa Nairobi na ile iko Riftvalley, ndio mtihani ukifanywa unajua kweli ni national. Watoto wetu ni werevu ikiwa wana pita.

Semi- arid areas tuna seasonal rivers. Maji mengi mvua ikinyesha ina flow kwa sea. Naonelea all seasonal rivers should be converted into water catchment, by building earth dams and so Forth: ndio maji yale tuzuie baadala ya kuenda kwa bahari. Serikali yetu tukufu ina weza ku-reclaim Semi-arid areas through water catchment, seasonal rivers. Inajenga dams mpaka inakuwa a greenland, tuna fanya irrigation, tunaongeza chakula na tunaaza kuwa na matumbo makubwa, tuache kuwa vile munaona nime konda.

The Government should avoid excessive borrowing: tuna kopa mikopo miingi hata nafurahi IMF imesimamisha. Tunajimudu, na wakati wa kukopa tuna lipa tunakuwa kama tumetawalwa kupitia hizo borrowing. Kwa hivyo tuwe na borrowing kiasi ambayo is specified kwa kazi fulani, inafanya hiyo na from that itajilipa nyenywe. Hiyo ita revive economy na sisi tuwe encouraged kufanya kwa ma saa mengi si mtu aweke koti kwa ofisi halafu anaenda zake. Serikali iweke mkazo, tuwe tunafanya more hours ndio tuwe na production nyingi na economy yetu iwe Imekuja juu.

Ninaunga mkono kwamba Mkenya yeyote should own land anywhere. Ukitaka kwenda Lamu uende ukitaka kuwa Rifvalley uende, hata Busia niwe na land. Hiyo itafanya Kenya moja

Kenya iwe moja, lakini si kuwa wewe uende ukambani wewe mukamba. Hata Mjaluuo akitaka hapa, apatiwe. Constitution yetu ambayo ni Katiba iweke wazi the size of land an individual should posses, maana kuna watu wanachukua tuzo yote maanake wana pesa. Utakuta watu wengi hawana mashamba, they can afford to buy only little. That big land an individual is not unutilized land, iwe specified kwa Constitution mtu anaweza kuwa na ardhi kiasi gani ile ambayo haitumiki. Sasa, shamba nyingi ni kubwa, na watu wetu wanataka kulima na hakuna mahala pa kulima.

Com. Asiyu: (inaudible)

Councillor Musyoka: Survey wafanye juu chini. Upande Semi- arid areas kama Mwingi hatujafanyiwa survey, sasa niikiwa pahala najua sina kwangu. Kwa hiyo iweke watu kidogo wawe wajivunia land yao.

Upande wa Culture: Kenya tuna very rich culture yetu. Ningeuliza Serikali I -encourage hiyo iwe promoted. Hata mother tongue zisipotee sana. Saa nyiingine culture lazima iende na lugha, ingiwe ndani ndio iwe hatujakuwa wapotevu.

Natural resources zote ziwe katika constituency ni za Serikali. Kwa mfano seasonal rivers ziwe za Serikali, ndio ziwache ku-benefit mtu mmoja. Mtu akijenga hapo, na ajue tu kuna sehemu za natural resources zake, hata anaanza kufanya kazi kwa ubinafsi na watu hawatafaidi. Ningeuliza Serikali hapo tufanye hiyo. Kusaidia mmonyoko wa udongo: ningeuliza iwe ni sheria -hakuna mtu kulima kando kando ya hizo rivers, along the slopes of mountains; ndiyo tuzuie erosion yetu katika area hii.

Ikiwa kutakuwa na sucession, ninaonelea kama Chief Justice awe akishikilia ofisi wakati Parliament imekuwa dissolved. Tuwe na an independent Judiciary. Sasa Chief Justice akiwa pale na ashikilie, tutakuwa na transition nzuri, kuwacha Serikali hii kuingia ile nyingine.

Com. Asiyu: (inaudible)

Councillor Musyoka: Land cases ziwe zikifanya na headmen, Na wazee kwanza Katiba ionyeshe allowance itakuwa gani. Mananake kama vile watu wengi wanapokonywa ardhi zao, ama wanakosa kupeleka malalamishi kwa headmen maanake ile imewekwa kama allowance ni kumbwa sana. Ningependelea kila mzee alipwe minimum ya mia moja badala ya kuulizwa elfu mbili nikiwa maskini elfu mbili nitapata wapi. Hata naweza kukaa mwezi mzima mbila kupata mia moja. Nauliza allowance hiyo iwe reduced- uji wazee uwe minimum -100 shillings kwa kila mzee. Nasema asante sana kwa kunisikiza.

Com. Asiyu: Asante sana. Rev.Meshack Momba waweza kuja.

Com. Asiyu Sema na sauti.

Rev. Meshack Momba: Iam Rev.Meshack Momba. Haya ndio maoni yangu kuhusu Katiba yetu ambayo tunabadilisha Kwanza ningependekeza hivi ilivyo sasa, kuwe na uhuru wa kuabudu katika nchi yetu ya Kenya, the freedom of worship should be guaranteed into our Constituion. Katiba ikibadilishwa, with time kunaweza kuonekana haja ya kubandilisha sehemu zingine, wananchi wa husishwe kwa maana inapoundwa kama wakati huu, wananchi wanahusishwa. The Parliament should not be left alone to handle of Constitution. The public should also be involved, because this will help us become tunabadilisha katiba na baada ya muda mfupi iwe imebadilishwa vipengele vingi na bunge.

Tuwe na viama vichache katika nchi yetu, ukiwa vingi na pendekeza vifike tatu. Hiyo ita guarantee ya kuwa hatuta kuwa na vyama za ukabila na kila chama kitakuwa na wafuasi kutoka maeneo mbali mbali. Wakati wa uchaguzi, labda kila chama kitengewe pesa fulani za ku-ran campaign ya uchaguzi. Pawe na free and fair election. Chama kitakachoshida kiunde Serikali ya mseto, ili u- encourage mashindano au maongozi mema katika Serikali.

Ninaunga mkono central system of Government. Nitapeana kwa points ili nimalize haraka. Tuwe na kipindi ambacho kimewekwa cha uongozi wa Rais, na pendekeza vipindi viwili vya miaka tano. Rais akichangulia kwa vipindi viwili aende nyumbani, na tupate Rais, mwingine. Raisi yule ako katika mamulaka aki – abuse offime, maana kuna uwezekano atumie vibaya ofisi.

Parliament iwe na uwezo wa/ku vote huyo Rais atoke mamlakani na pawe na uchaguzi wa Rais mwingine. Hii ni ku- Avoid Rais ambaye ako mamlakani ana ongoza na ilhali haongozi

kadri ya vile ina hitanjika. Therefore, be abusing if is office, he should no longer remain the president, and the Parliament can vote against the ruling of that president, tuseme kwa75% ya Kura.

I support the current Central Government pamoja na Rais kuwa na kura nyingi. Lazima awe ameshinda katika mikoa mitano, ili awe ni mtu popular katika Kenya yote. Katiba yetu inapasa kuguzia na ku- guarantee mahitaji ya wananchi yamesikiwa kama vile afya- tupate free medical services. Wananchi wengi hawana uwezo hata wa kununua madawa, na hospitali nyingi hazina dawa. The constitution should guarantee free medical services, elimu, maji, na mambo kama hayo.

I proposing that we should introduce the office of Ombudsman appointed and vetted by Parliament with assured security of tenure, who will deal with corruption and other crimes in high ranking places. Huyu kwa sababu kazi yake imelindwa kikatiba aiteleze bila woga- wa maswala kama ya ufisadi. e.t.c Ombudsman ni mtu ambaye atakuwa appointed na Parliament. na mbunge.

Kama mtu ni waziri ama Permanent Secretary, ama ni chifu of a parastatal body: aki fanya kazi vibaya ama akiwa associated na mambo ya ufisadi, na uongozi mbaya wa rasilimali za Serikali, asimamishwe kazi, pending investigation. Uchunguzi unapo endelea na kufaywa kama hakika ametenda kitendo cha uhalifu. Hiyo italeta uwajibikaji katika kazi za wakubwa serikalini. ili kila mtu akitenda jambo mbaya anaweza kusimamiswa kazi.

Law enforcement argents should be let to operate freely. Hawa ni kama police, judiciary, na wengine. Tuwe Na uhuru wa kufanya kazi bila kuingiliwa -without interfearence. Appointment ya viongozi wa law enforcement argents: wawe approved na Parliament kuzuia kuwa na tuseme kama commissioner wa polisi ambaye, he is not delivering hafanyi kazi jinsi ipasavyo. Kwa hivyo this argents should operate freely without interference. Nikimalizia watumishi wa serikali kama mkuu wa Sheria ama Chief Justice even when appointed, the Parliament should approve of them, so that we can have effective running of these organizations.

Even distribution of Government resources: mali ya serikali iwe imegawiwa kwa usawa katika pembe zote: Ukienda mahali kwingine maybe kuna uwezekano ukute kama ni barabara maeneo mengine haya pitiki, na labda maeneo mengine yako na good infrastructure. Serikali ina classify roads unaweza kusikia hii ni class A, hii ni class B na hii ni. Utaenda kwingine ukule C Class A ina tarmac na class B mahali pengine hata baiskeli haiwezi ikapatia. Pawe na even distribution of Government resources, kwa maana sisi wote ni raia na tunahitaji better services. Nashukuru kwa kunisikiliza.

Com. Asiyu: Asante sana. Pastor Samuel Musyoki, Jenifer Marete?

Jeniffer Marete: Naitwa Jenifer Marete niko na maoni machache kuhusu Katiba yetu. Maoni yangu sana sana ni kuhusu wa mama. There should be a law against the girls informed education, because if they don't go to school, lowered in social economic and political they will be regarded as areas in these country. Hiyo ni kumaanisha ya kwamba kama vile tutaona watoto wetu kike wengine hawaendi shule, na pengine wanaweza kuhusishwa kwenye kitu kama hiki wa represent maoni yao ama views zao, itakuwa shida sana. Ikiwa mtoto msichana hajaenda shule, itakuwa ngumu sana kuongea hata mbele ya watu. Hata kama vile haitakuwa raisi kuongea mbele ya watu, tunasema tuwe na equal decision making involvement wa mama hata kuwa na uwezi wa kuongea kwa sababu pengine haja pitia shule, akawa na social discussion group hata economic na political. Ndiposa naonelea ni vizuri kuwe na law: against kila mtoto wa kike iwe ni law ya Kenya aende shule.

Constitution Review of Kenya should set a law against domestic violence. Hiyo iko lakini wa mama tunaona it is not followed, it is abused. Pengine kuweko mkazo, ama ikiwa kuna section ili wachwa kidogo iongezewe. Wa mama wengi wanauwawa hata na mabwana wao wana chapwa, wana wanachijwa fukuzwa wana fanywa mambo mabaya sana na wanaume wao. Hiyo inanyamazishwa, inaishiya hapo, hata ukipeleka kortini itatupiliwa mbali. Sijui kama ni law imewekwa Kenya bwana akikasirika na bibi yake amuuwe, ama ni namna gani? Sasa hiyo tunaona iwekwe mkazo sana kama wa mama domestic violence.

Parents wa kike tuwe tunahisishwa kwa maoni ya watoto yaani we women we feel that both parents should have equal rights over their children, especially when they are getting married. Tuwe na uwezo wa kujandiliana wa mama tulusishwe kuhusu dowry. Inaonekana kama ni wazee tu wanaongea mambo ya dowry ya wasichana.

Tuwe na uhuru wa kuongea na watoto wetu ama counseling issue: tunaona mtoto akikosea tunasema wacha tungojee baba yako, akija nitamwelezea hiyo na utaona vile utafanywa. Bwana anaweza kuja pengine akute nimechapa mtoto, ama pengine nimemfanya chochote kile, anauliza kwa nini hukungojea hukunielezea ninajua vile ningefanya huyo mtoto. Sisi wa mama hatuna uwezo kwa watoto.

Disabled and elderly should be considered in the public transportation- ie buses trains wa mama Vikogwe ama wazee kikongwe, hata wengine disabled, kwa basi: huyu mtu akingia kwa basi hata viti vime jaa atakuwa akikanyangiwa hapo chini na wananchi, hata kama ni mtoto ameketi tunaambiwa tuko uhuru na kuna mtoto mdogo ameketi kwa kiti hawezi kuondokea mkongwe. Ni vizuri kuwekwe a law, mtu kama huyo akingia kwa public transport, apewe special attention kwa sababu siyo mapenzi yake akae hivyo.

In Kenya, in many areas, we have problems of water being brought from far distances. Hospitals should be provided with

necessary materials. Maji: shida ya maji iko sana mahali. Hii katiba itakapo kuwa iki tengenzewa, waangalie sana sana areas zile ziko na need, wapatie first priorities to some areas, binadamu bila maji ni kama unampeleka kifoni issue ya maji iangaliwe sana iwekwe first priority. Hospitali zetu za Kenya: hospitali ni hakuna dawa, na sasa serikali tunasikia inapeana dawa nyingi. Hata kuna shortage ya staff, na hospitalini ndio mahali binadamu anangaliwa afya yake welfare yake, napendekeza serikali iongeze wafanyikazi wa hospitali, na wa equip hospitali na madawa. Ambulances are for referrals.

Kenya's president should be elected from the grassroots as a Member of Parliament. President achanguliwe kutoka kwake nyumbani awe MP Member of Parliament alafu akienda huko mbele ata test kiti chake cha Parliament, akikosa awe MP wa kawaida. Unaona ofisa akiwa retired, anakuja nyumbani amemaliza kufundisha watoto, amepata mali, kila kitu ako nacho yeye ni kukula na kupumzika saa zingine na anaitwa arudi kazini on contract. Army mtu amekuwa Retired, anaitwa akafanye kazi, yet tuko na watoto wetu ambao wamemaliza shule hawana kazi wange pewa hiyo kazi inaitwa retired offers. Yangu ni hayo tu.

Com.Githu: Asante sana. Francisca peana jina lako zungumuza kwa tape ndio tusikie.**Interjection: Com. Githu.** Just say women are being provided with adequate rights of succession, therefore we are recommending that the Constitution should do that, ndio tukate. Ile problem tuna ilewa sote? Kwa hivyo unachukuwa problem na solution ndio tusonge mbele. Turudi kwa kina mama. Ungependa tuandike nini kwa sheria?**Francisca:** Wanawake wawe na uwezo wa ku- inherit land after the death ya mzee. The police have been known to ignore the law on cases reported by women, tunataka kama ni mwanamuke akienda ku- report awe recognized, kwa vile anafanya station. Kama wale watu disabled wawe more recognized. **Com.Githu.** Asante sana. Kuna Gathoni Munyoki, yuko? Naomi Musyoka? Hawa waliondoka. Turudi kwa David I.K Muthegi. Tafadhali.**David Lk Muthegi:** I have a memorandum to give. **Com. Githu:** Do you want to add anything to your memorandum?**Com.Githu:** Nothing? Ok. Asante sana. Sasa twataka Patrick.C.K Maki, yuko? Ameondoka. Peter Kaseki. Kuja. Uko na memorandum unataka kuongoza chochote? **Peter Mnyoki Kaseki:** Thank you Commissioners My names are Peter Mnyoki Kaseki. I am here to present. **Interjection: Com. Githu:** Tulieni wanainchi watukufu kwa sababu msipo tulia, hii tape recorder itachukuwa kelele nyingi kutoka nyuma halafu hatusikia vizuri.**P.M.Kaseki:** I am here to represent constitutional review views from (inudible) I wish to start with the preamble of our current Constitution. We feel that it is too short and too brief and we wish that it would reflect identity; it should have a vision, and also have an objective. Objectives can be poverty eradication, ensuring there is absence of illiteracy. The Executive: We proposed that some changes need to be implemented and examples are: There is no need of the president being above the law, also it is not good that he exercises the right of mercy, the judiciary should be left to do that. There is no need of him being the Commander in Chief of the armed forces, let the relevant body do this duty. We feel that his age should be between 35 and 60 there is no need of going on with the duty. **Interjection: Com.Githu.** Mama atarudi sasa hivi, wewe chungu atakukuta, na yukop sixty years. **P.M. Kaseki.** The president should not be a Member of Parliament it is good that his seat of MP -hood is given to somebody else, than and his earning twice. The Legislature should be empowered, for example it should be responsible for vetting such appointments as the Chief Justice, Attorney General, commissioners and if possible ministers. It should be responsible for determining who should be the central

bank governor. Mps should be monitored to ensure that they avail themselves in each Parliamentary sitting, and not technical presence. Some Mps avail themselves, once they are seen they disappear. So it is good that they are monitored to ensure that they are always present in each parliamentary sitting. People should also be allowed to recall their MPs by a half of the number of the registered voters. Mps should work best basically under their constituents. Their salaries and allowances should be determined by the Cabinet. Nomination should be centred on marginalised groups. Nominees should be none-aspirants. If you have been vying for a seat you should not be nominated because if you did not qualify at that particular time, then it shows that you were not quite able.

Local Government: We proposed that Mayors and council chairpersons should be elected directly by people if they are elected we can have a fair Election. They should serve for 5 years only. They should be paid by the Central Government and their minimum certificate in education should be that one of O level. This issue primary level being considered for one qualify is not good. People should recall their councillor by half of the number of registered voters. This issue of 1000 signatures is not good because it is very easy to mobilize one thousand people. This may see some deserving Councillors lose their seats. Their salaries should be determined by the central government, and nominees for Local Government should represent marginalised group, the disabled.

Human rights: we felt that more basic human rights need to be included with the current Constitution. These are rights like- we need to have free and attainable education up to O level if possible, because it is important to have a country whose citizens are well educated. There should be free and attainable health services. If possible, we propose guaranteed employment. Each citizen should have a right to get food. Also water should be included as one of the basic human rights. Electricity is an important human right which needs also included. Social economic and cultural right should to be paid attention. To. LastlySecurity.Thankyou.**Com.Githu:** Thankyou very much. Ben Masila, afuatiwe na John Mutunga, Yuko? Start with your name and organization.**Ben Musila:** My name is Ben Masila Iam a private representer of my views. My first view pertains to the Kenya currency: I think we saw a scenario whereby after the first president died, when the second president Power, there was a change of currency. The Kenya currency should be maintained with only one appearance yaani sura moja ya pesa, ijulikane, such that there is no change every now and then. Incase there is need of any Change, then the Parliament should be involved in doing so. National holidays: I would propose that the Parliament should debate on any day that is to be passed as a national holiday. This should be done under the guidelines of whether the day is of any use economically politically or socially and also avoid unnecessary expenses. Presidential candidates: this is where by I would or propose that the President be a university. graduate. He should also be elected and not appointed. This appointment occurs: incase the country having no President, we very well know that the Vice -President is the one supposed to take over. This is, according to my views a risk because there is a possibility that once the Vice president who is appointed comes to power, he just gets to learn the tricks of the game in politics, then he does whatever he can in order to maintain himself in the position. The Parliament Speaker be the one to take over in case of such a need. When the president is appointed I propose that he serves a maximum of two terms only- no more no less. Communication and access information: currently there are only a few people have access to good information that is of benefit to one as a citizen. Inorder to avail this information I would request that the press/media be left alone do the work, the airwaves should be liberalised, where by, any type of telephone service, Radio and stations, Tv should be left to operate. This would benefit the citizenly. MPs and how they are appointed: MPs (members of Parliament) I/am proposing that their duration of service be a maximum of two terms strictly. This is in order

to give room to some people who can represent the electorate, to avoid some of the things that we have been witnessing of late.

Under MPs representation - impeaching of MPs (kuwafuta kazi) kwamba if we elect an MP and he goes to Parliament, and just sits there he is never heard in the Parliament, there is nothing. That he is saying, he is not contributing anything or representing those people who elected, him. Tuwe tunauwezo wa sisi wanaichi tunaketi we make a proposal to the concerned people if an MP has already been elected na hakuna kazi anafanya tuwe kama nusu ya watu ambayo kazi chochote watu wanaitana, elections held, so that we elect someone who can deliver. If half of the electorate says that they are not satisfied, they should be given the liberty to impeach any sitting MP.

Com.Githu: Thankyou very much.**Mzee John Mutunga:** Mimi ni mzee, nikitupa macho upande huu na ule mwingine ni watoto wangu. Ukienda ukiingia, mji wa watu, ukikuta mzee na watoto wake, watoto hawana nguvu ya kusema maana yeye ako. Sasa watoto wangu wote na wazee wangu wako hapa. Mimi nakuja Kusikiza mambo ya katiba mambo namna gani, na yule anachanguliwa na hawa watoto, mimi nitafuata hiyo hiyo.Sina mengi ya kusema, sababu mimi nilikunja kuangilia.

Com.Githu: (inaudible)**Peter Mwilu Mukabala:** nitaendelea tu kukumbuka vile nimeandika Ile response yangu niliacha mahali lakini sikujua hii mukutano italetwa'**Com. Githu:** Halafu ukiipata utuletee.**Com. Githu:** Tuna officer mmoja tutakuonyesha hapa, ambaye hata tukiondoka unaweza kumpatia na itatufikia. Lakini kwa hivi sasa sema tu kwa muktasari.**Peter Mwilu Mukabala:** My names are Peter Mwilu, Mukabala is a very well known name Nitaendea kukumbuka ambao nime andika. I admitted that our Katiba should have a Preamble- that is introduction. It should give us time. Katiba should be written in every possible language, for example, according to the tribes we have in Kenya. So that a mukamba can undertand what is happening there. It is general and for everybody. Luos also should have the Katiba in their language. Katiba should be taught in various institutions in the nation: primary school, secondary school university and elsewhere is not something to be hidden, it is for everybody to understand, whether a girl a boy young and old people. Kulingana wale na wabunge: if it is a president, the right age for him to be elected a president of 45 years old. Every location needs to have a nominated councilor also a nominee of every district. To wind up, for political bodies: we should have three political parties in Kenya. Haya ni maoni yangu. Thank you very much.**Com. Githu.** One question? Ngoja tu kidogo mzee.

Com.Lethome: Kuhusu umri wa Rais uwe miaka 45 minimum na maximum?**Peter Mukabala:** Say 50.**Com.Lithome:** Miaka mitano peke yake? (Laughter) sasa anaweza kukaa kama president how many terms?**Peter M.** Oh pole. Terms ziwe tatu, five years each. **Peter Mukabala:** 60 years.**Com. Githu:** Asante sana. Nthege Ngolia, Charles Mwaniki, Muasya Musyoka. **Muasya Musyoka:** Thankyou very much my names are Muasya Musyoka. Commisioners appointed by the president. I propose that the names should be presented to Parliament for approval voters contributions and views: All voters should be allowed to give their views to those people there have elected, when Iam talking about all voters, I am also including the civil servants who should. Presidential candidates should not contest for parliamentary seats. Vote of no confidence: it is currently only used for the president and the vice-president. I propose that it should be extended to the parliamentary representatives and councilors who fail to deliver. Legal jobs: no one should be holding more than one legal job. You find that the president is also the chancellor of all public universities. Income: every citizen who does not earn, or is not employed, should be entitled to some allowance on monthly basis, to enable the sustaince of such a person. Qualifications for ministers in each ministry should be specified. This will enable all the ministries to have qualified personnel. Thank you.**Com. Githu:** Asante sana you did very well Mwendwa. Karibu, tufuate hivyo kwa mkhatasari tu. **Mwendwa Kithome:** Jina langu ni

Mwendwa Kithome. Mapendekezo yangu kwa Katiba kwamba lasilimali ya uma kama vile ardhi ni sharti ziwakiliswe vinzuri katika katiba ijayo. Isiwe kwamba mtu mmoja anaweza kumiliki ulimwengu mzima huku wengine hawana ardhi hata ya kulima. Secondly those who do business in Kenya, they should be a law that you must bank your money. In Kenya, so that the Kenyan money is utilized in Kenya. People should bank their money outside while they have made it here. The Government should account for the taxpayers' money. Kila June tunapewa makadirio ya Serikali, vile pesa zitatumwa; lakini baada ya matumizi hatuambiwi kama tuna balance pesa zimeisha zote ama zimetumika vipi. Kila mwananchi wa kawaida ni sharti apewe maelezo jinsi Government business has been transacted and the balance that is there. Education they should be free education the next constitution should give priority to free education from nursery school to university. Let the tax payer cough that money, so that every Kenyan -whether male or female, regardless of sex- has an opportunity of being in school (from nursery school to the University) There are many brains are drained because people have no money to further their education. The opportunity to advance education should be there even after completing university degrees even after you are through with education and you are working, there they should be an opportunity for you to go back to further your education and it should be free. Some people would apply for study leave and they are not given the leave. **Com. Githu: Interjection** that point is well made. **Mwende Kithome:** More tax payer's money (In terms of Education) should be committed to research. This country is wealthy and research is important, so that we can come up in new things, to benefit the citizens of this country. Health, there should be free medication for everybody regardless of tax; from a young child, an expectant mother to a very old person; there should be free medication. There should not be special services for rich people, like government dignitaries getting special treatment, and other people are treated with lesser strong drugs. Medication of every citizen should be of the same standard in Kenya, because the taxpayer's money is to take care of every citizen of that country. Equipment and personnel in government institution should be the best, so that people do not go to private health care. This is becoming popular in Kenya because the services that are being given in the Government institutions are sub standard. More money should be devoted to that so that, we have the correct kind of personnel and the equipment and must be private institutions they must also be controlled by the government, so that those people who go there are not over charged, then they can afford those services. Let those services be given in the public institutions. Security: is like in Kenya, we get security when insecurity comes. The security officers know how curb crime has taken place. Security officials should be vigilant to stop Security come after crime has taken place. That is, there should be prevention, which is better than cure suspectes criminal can be interrogated. There should be security in our homes in our marriage institutions. By this I mean that the next Constitution should stipulate the roles of a husband, of a mother, and of child. That is the rights of an individual in the family should be defined in the next constitutions and should be made into a law. Today we are talking about the rights of: the child, the mother: and nobody is talking about the rights of a man, while men are also deprived of their rights. (laughter) Politics: naunga mkono Serikali ya mseto, so that there is no anarchy.

If one party rules, it wants to subject the other parties to oppressing pressing situations so that these people can join that party. Serikali ya mseto is necessary, so that people from different parties are represented in the Government. That way people will not subjected to a situation where they have to get married to the ruling party should be secure. A leader should be considered as per his ability, not convenience. People should not say we want a leader, from this tribe, from this corner of Kenya, from this one, from what. It should be a question of ability not convenient if a leader is able, whether his from whatever

corner or whatever tribe leadership should be considered in terms of ability, regardless of the geographical location of the home of that leader. A leader should be a moral person. The morals of a leader should be of paramount importance before he is elected into headoffice, whether a leader is a woman or man. Kenyans need people who are morally up right as this will stop corruption and other evils etc that happen here ranks. Since independence our goal was to fight disease, illiteracy and poverty. We have stopped to evaluate where we are right now. Even after, 39 years, there is a problem with illiteracy diseases; are there is problem with help of Kenyans, who are dying because they have no money In the next Constitution those things should be considered as of paramount importance. They should be evaluated every year to ascertain we are whether promoting the health of the nation.

Com. Githu. Mwende Kigothe, Linda Muku, Augustine Mutua, Naomi Musyoka? **George Matei:** My views are individual. My first contribution is on the social security systems like NHIF, NSSF; I want them to be voluntary, so that if it is a good thing people will join, if it is not performing they just walk out. Ceiling to the age of the president: I propose it to be 65 years so that we do not relieve the President of his duties where he is frail or dead. (Inaudible) Leaders of both political and people, should be role models economically and economic and socially. So he should not be a person to scandal, with who is a thief. That a person should pay tax. We don't want the issue of MPs: importance vehicles duty. So the more the pay the better the tax. and they have more money the ordinary Kenyans. Language test for councilors and MPs: I think they are not sufficient. I would like a councilor to be at least have a form 4 certificates, MPs at least a post secondary certificate, and the President should be at least a graduate. The country will deal with social problems like globalization, structural adjustment and we would like the a leader be able to interpret these papers, because he is our leader. We don't a leader who does not understand these processes. The functions of MPs councilors should be known to wanainchi, so that mwananchi anajua my councilor should do this for me, my MP should do this for me. This will help the mwananchi, the councilor who and MP because there is a person who comes to the councilor. "nipe fees ya mtoto," when probably that is not one of the duties of the councilor. There is a Councilor who will not perform because he will not know what we are expecting them to do to us. We want that known to everybody so that we can evaluate them. Nomination: there should be no nomination because it is over (inaudible). We have a person serving and then you put another on top of that one, so that even the one who was popularity elected as if he can't perform the whole, duty, he needs an assistant feels insecure. Whenever we have a bill: like children's bill or women's bill -we can't talk of children in isolation from the parents; we can not talk of the wife in isolation from the husbands. So that when I am told not to battle my wives he should also be told what not to do to me. (Laughing) if I am told to say yes to the child, he should be told what to ask for, because whether I say yes or no depends on what he has to me. Land: I think every individual should have access to some land, long as he is a citizen of Kenya. Enough land to have a house and at least a shamba. **Interjection: Com.Githu:** How many acres will that be. Will I be allowed to own 500 acres or half a million acres? **George Mutei:** At least 2 acres. I have not thought of maximum. Although there should be a ceiling. **Interjection Com. Githu:** Maximum? Think about that. **G.Mutei:** Social Security systems: a public servant should be able to afford public services. For example there are some Government employees in the lower job groups who can not even pay fees in a public school, and they cannot also afford medicine in the public hospitals, so I find it ironical that the Government should give someone money which can not even meet his basic needs. You find a person, the kind of money he is earning, if his son to Alliance, which is public school, he cannot pay that fees and he is he is public to servant already on duty. I propose the salaries

of public servants to be pegged on minimum requirements. So that the lowest salary can afford education, healthcare, water, electricity etc. For the unemployed, I also propose a stipend, capable of sustaining that person in terms of medicine and services like food and water. Education: the quota system right now is that district schools should take children from the district, and provincial school from the province I find this going against the policy of education to ensure national unity: because you never get to see people from other places. I propose that a student sitting a KCSE exam in Kenya should be able to apply to any school in Kenya. If the East African community comes, he can cross boundaries. The school efficient equipment unit to be right now, unit for revived, so that we can have relevant education or materials. The kind of things we have some are from juakali, they are not functioning, we want them to be made by a specialist from the ministry. Another proposal is on public works: I would like to propose the ministry of public works be responsible for repair and maintenance of infrastructure. I want to avoid a situation where by we have a ministry of public works, they are supposed to grade the roads and we give a tender to somebody else to come do it when there are still in office; I find that one like double payment. their salary, there job has been given to somebody else and then ana itisha this one opens doors for kick-back. Cost sharing should be stopped, it also opens the doors to this corruption, because you don't know how much you are supposed to cost share. Unawacha leo cost sharing in 20 shillings ndio upewe dawa, kesho unaambiwa ishapanda now it is 50/=. Inheritance of property: I propose women to inherit properties from their fathers only if they are not married. Mtu akiolewa aende akakule huko kwa kwa mzee wake, aache wale hawajaolewa wakule huko kwa baba yao. I want to avoid the situation where a women is sitting on the fence; anakula kwa mzee na anakula kwa baba. Personnel manuals: those people who are employed, usually what they are given is code of conduct- fanya hii, usipofanya hivi; - utafanya nini but nobody gives them a manual showing them what they expect from employers. So that you don't know how much your pension will be, utachukuwa ile uta pewa; you don't know how much is your graduaty. I propose that these personnel manuals be available with every head of department, for the purpose of his staff, so that people can be aware of what they expect for their work.

Com.Githu: Thankyou very much. Father Joseph?

Father Joseph: My name is Father Joseph. Iam Catholic Priest in Kitui Diocese. I say may God bless Kenya and all the people it is the wish of the majority in Kenya that before the coming election's we have a new well-defined Constitution. Why? There is great fear after election this might be forgotten what we are now doing. For this to be possible, the commissioners the people sitted here, who are listening to us, there is a need that you be fully devoted to this work, which is vital, that is why we left our work to come here. The founder of this nation the late Mzee Jomo Kenyatta had a vision for the people of Kenya. When said in his opening remarks, that there three things to be fought e.g disease, ignorance poverty. When look at the way the medical sector in this country, drugs have become very expensive at government when you go to hospitals and KANU are also more expensive you go to our district hospital in Mwingi, one is given list of many things to buy. A case in point somebody was referred from one health center in kimagan, the girl was delivering. When she went these she was had to should desert from the cows operated then the mother is given so many things to buy (and we have only one pickup which goes to Mwingi). They arrived there at around three, People who go to medical training, are trained five years after a river, she prematurely... (Inaudible)Poverty: this is very serious for many people in Kenya are living below the poverty life while the minority are really living in the luxurious life, that is the have and the have nots. The have are a few who have accumulated some wealth such that even if somebody was to live for 9 hundred years they will not finish what is in their account. Ignorance i.e education should be

provided for all in education should be free which is affordable if there is this thing of cost sharing some can be provided that is this something is little but not in such a way been able to pay fees for her own child. Natural resources should be equally shared can be possible by grouping is available and if money put in common pool- in common treasury. We believe this is there but in quotes, since we don't get it Infrastructure should be maintained. We have very bad roads from here to Mwingi, while when you go to other places, even feeder roads are tarmarked. Kenyans should be free to have meetings i.e world gatherings for their intentions with no permit providing this does'nt breach the law. If I have to convene a meeting, like me who has church meetings there is problem; but if somebody else calls for may for why are they not arrested? does it mean they are not competent? Then they should be taken back to the Kinganjo or where they have been trained. When they are graduating they say, they always vow, I committed I going to serve years and make funny things but when they go out they are shooting everybody. This should be put in the law If a police kills should be sentenced. But what is happening is that Mr. so and so was caught, his the one who was killed it is put under law then the next day somebody is transferred to Garissa if he working in Kajiado. All adults with proper qualification should be allowed to contest any seats in Parliament, if I want to become a president I should be allowed. If one retires should not be transferred to another work or system, they should stay at home and people retire when their old 60, 70 those are good advisers. Even I as priest, I would go there and pick advise on how am I going to run my parish. Representatives for all e.g an MP should be represent for the disabled, the old in the Parliament. If one does not vie for a and not qualifies if somebody vies for sit in the KANU election then I don't qualify it means I have been rejected by those who should appoint me first. It is now appointed to be the minister while I was rejected it is amazing that I the rejected. Vote of no confidence. It should not be like other commisions whereby we have had once the meeting is over the papers are collected, they are taken to archives. Thankyou.**Com. Asiyo.** We have a question. **Com. Lethome:** Umezungumzia ya kwamba police wasipige watu risasi wawe wanawashika. sababu relationship between the public and the police force in mbaya. I would like you as a Father and as person who deals with the people, and listens to the crys of the people niambie ni vipi tunaweza kufanya ili to improve the relationship between the police force na wanainchi. Because they suppose to work together?**Com. Asiyo:** Kabla hujajibu hata mimi nina swali kuhusu mambo ya polisi. Tulipo kuwa Machakos msichana mmoja wa secondary school alitaka kutoa maoni yake, aka tuwambia yake akatwanbia kila mara akiona polisi anaona muuaji, rapist na mwizi. Tena haoni mlinzi. Kwa hivyo anaona raping. Tunataka kutafuta jambo katiba kutengeneza utumishi kwa wote kwake, ni utumishi kwa hivyo huyo mmoja. Uuhusiano mwema katikati ya police force na wananchi, including this young schoolgirl ambaye in the eye of the beholder, anaona huyo ndiye polisi.**Father Joseph:** The 5th commandment of God says thou shall not kill, it does mean thou shall not kill the people, the wananchi. The police have also life like myself, so even the police should not be killed police have also lied like myself so even the police should not be killed if you get a police stealing in some cases in the past is the way harasass people. **Com. Asiyo:** There are some countries no fire-arms there is nobody carrys fire arms Can you recommend that nobody carrys fire arms in this country?**Father Joseph:** At this stage I wouldn't say that it can work, because sometimes you are put in dilemma. Iam not calling for doing away with use of fire-arms, **Com. Lethome:** Afisa wa polisi alikuja wakatoa memorandum yao wakasema wao wanakuwa accused na mambo ya hongo, brutality. Wanalalamika kuwa the terms of service ni mbaya sana. If the terms could be improve, then the relationship with the people will also improve. Kwa sababu polisi anakuwa frustrated na mkubwa wake na they are no allowed to join

trade unions. Polisi anakwambia anaajiriwa mshahara shilingi elfu nne and he has a family to take care of. Anapewa room moja, wanapewa 2 families room, moja and his married wanangawanisha na curtain na wako na watoto. In short the terms of services ni mbaya.**Com. Lethome:** I suggest they should be improved they are also Kenyans**Com. Lethome:** Walikuwa wanatwambia hata kitu kidogo kitaisha.**Father Joseph:** I say they should be improved the terms of service, so that they are comfortable. If they are carrying on like that.**Com. Asiyu:** What sort of (inaudible) would you recommend to the police, because in one area we were told that if the police were paid well kitu kidogo kita kwisha? Roughly, give us a guide what do you recommend?**Father Joseph:** What is the current salaries?**Com. Asiyu:** Maybe they can tell us.**Father Joseph:** Oh, this is confidential**Com. Lethome:** How much is the salaries of a police officer? Interjection: Starting salary of a police officer is 5,900- it includes everything? (Inaudible) Father Joseph: the salaries should be standadised You can see somebody may be earning 20,000 while somebody is earning a hundred thousand, so why don't they standadize their salaries? Teachers they may be equal to say and other people who are getting something good, those who are teaching secondary or those who are p1. They can get something like that then. But we must be assured that they are practicing corruption because of the salary.**Com. Asiyu:** In some cases, as some people suggested, as soon as the economy of the country improves, give the police up to 30.000/= (inaudible). What do you say about that? That was genuinely from somebody who was concerned.**Com. Asiyu:** If money is available, people cannot serve in every sector the teachers can't be policemen and the police cant be teachers. Father Joseph: Harmonization of payment in relation for all public servants, not selective payment for certain officers no, let it be standardized. The policeman is dealing with the ordinary mwananchi everyday, commissioners should be able to pray that standard of salaries is hermonized, for all the civil servants not selective. People are talking about moving away from the civil servince and making themselves parastals e.t.c Who is going to remain in a service which is not well remunerated. I think the question here is that all the salary should be standadised depending on the profession and qualification. Thankyou.**Interjection:** (inaudible)**Speaker:** Most of the work that police do is 10 percent 90 percent is done by the public. You find that it is the public themselves who come to the police from the community, seeking assistance. For istance somebody was raped and another witnessed it, but when you go to him it is like you are forcing that person to give information, so you find if you are acting against his wishes. But if the police is to gather information from the public without hindarance, **Father Joseph:** When Iam a victim, lets say that I am accused of stealing, they will beat me and sometimes I will agree that I can say I stole so that they may stop beating me. So they are wickness- the defendant reporting. When there is this interrelationship, wananchi will know there people who are serving us they should be our friends. If you go to other countrys the police are loved and people like them. When you have an issue you will go to them. They should listen to those who are being accused.**Com. Lethome:** I agree with you that many Kenyans don't know their rights, and also the role of the police. I think it is a two way process and the people should also be educated. Istead of looking at the police as enemies, they should see them as servants.**Com. Githu:** We can Jones Musya, Henry Marete.**Jones Muasya:** Nataka kutoa maoni yangu kama raiya wa nchi hii. Kuhusu Our present constitution has no preamble.I propose the current Costitutution to be written should have a preamble. In the preamble it should be indicated that the people of Kenya are sovereign. State policy: the constitution should empower the citizens to present leaders and officials (inaudible). Mwananchi ni kama ako number two mbele ya maofisa wa Serikali, au viongozi wengine. Katiba iwe ina weza kurekebishwa na parliament to carry out lakini kwa wakati huu asilimia 65. I suggest that for

the parliament minor amendments the percentage should be 85. is supposed to be edible. The public should be involved in major constitutional amendment by the referendum. The present system of citizenship should be filled on continuous basis. It should continue from January to December. Defence: it is my opinion that we should establish a ministry of defence divorced from the president's office. The minister of defence will be answerable to the Parliament. Minister hana uwezo sana, kwa hivyo minister awe na uwezo wa ku-answer maswali kutoka kwa Parliament. bila kuangalia upande huu au ule. On the Executive the constitution should specify the qualifications for the presidential candidates. Functions of the President should be specified in the Constitution. The tenure of office should be limited to 2 terms of only 5 years. Presidential powers should be limited- nobody should be above the law. The Parliament by the majority of its 85% should remove the President for misconduct. The president should not be a member of Parliament. He should be elected by the people of the entire country since he will represent a given constituency Thus he should be an overall elected candidate. Legislature: legislative power should reside and only belong to the parliament without interference by the president or the executive. The parliament should control its own calendar.- Not some to say "I have my secret weapon when I'll declare elections". The parliament should appoint electoral commission chairman who will be accountable to the Parliament. The parliament should appoint the Attorney General, Chief Justice, Auditor General and other (inaudible) As for the Judiciary: it should have both constitutional and supreme court. Independence of Judiciary should be constitutional guaranteed. The executive and legislative must keep off the judicial functions. For Local government: Mayors and council chairmen should be elected directly by the people' and should remain in office for 5 years, on like the present where they are in office for only 2 years. Councils should operate outside the control of the central Government; they can get some assistance from the Attorney but when they make decision then a minister oversees, then the council is of no use. If we elect representative who is a nominated councillor. People should have a right to recall their councillors work. Human rights, which is basic rights: death penalty should be substituted with life imprisonment. Education should be compulsory and for all, and the state should have a education. Security, health care, food, and employment should be guaranteed. The provincial administration and the regular police must recognize the supremacy of the citizen. Sometimes they man- handle us and we wonder why: sasa wewe kuja hapa," huyu ni mwananchi mshimiwa anatoa mashahara wake walipwe, wana muchukulia kama a boy. Wahindi walikuwa wanasema we boy. Katiba I-guarantee heshima ya mwananchi. Polisi wawe trained for for 2 years watakuwa an ample time ya kusoma mambo ya nayo husu uhusiano wa polisi na society. We run away from police officer. Tunataka tuwe tuki-wakimbilia tukiwaona. Management na use natural resources, collection of revenue, management and distribution of finance, management of human resources; all should be left to the Parliament. Hiyo ni kazi ya Mbuge bila kuingiliwa. Budget ikifanywa ifatiliwe na bunge. The controller auditor general should have the power to prosecute the embezzlers of public funds. Kama amepata mwizi ametumia mali ya uma vibaya ampeleke kortini, awe na uwezo wa kushitaki. Public servants waji ondowe kwa siasa kabisa, they should never be involved in politics. Methods to bar them from this should be devised in the constitution and the code of ethics ifwatiliwe sawa sawa. Mpango wa pension: uwe revised na iwe improved- sio kama wazee tukirudi nyumbani tusiendeele kuhangaika. The new Constitution should specify the other laws that must be amended or repealed or otherwise, after the present Constitution has been It should say which other laws should be changed to cope with the present situation. Thankyou very much.**Com.Lithome:** Kwa habari ya uraia-citizenship, unasema ibaki hivyo hivyo?**John Masya:** Mimi naona hivyo.**Com. Lethome:** Wacha nikulize swali. Leo mimi Mkenya nikiowa

mwanamuke kutoka nje huyo mwanamuke ana haki ya uraia automatically. I can confer citizenship to my foreign wife, but my sister akiolewa na huyo foreigner she can not confer citizenship to that foreigner. Should that law remain like that? Mwanamuke wa Kenya hawezi kumpatia uraia mtoto wake nje.**John Muasya**: Iwe ni vice vasa wawe sawa. (Kwa nini tuwaruhusu uraia, na wao huko nje wanatunyima? Let us ask the floor. Kuna dhuluma kiasi kwa akina mama.**Com.Asiyo**: Umesema hakuna haja ya kufanya nomination kwa councillor lakini unajua mara nyingi nomination zinawekwa (kwa ajili hatungependa kupendekeza, ni watu watakumbali kwamba wale walemavu, kina mama ambao hawawezi kupata nafasi ya kungombea viti na watu kama hao na professionals ambao wanaweza kutowa mawaita kwa mambo ya Local Authority wapewe nafasi. Watu wengi wametambia hivyo, wewe unatwambia hakuna nafasi ya kuwa nominated.**John Muasya**: Kama ni special case hiyo ni tofauti, lakini si kwa sababu fulani, ni rafiki ya fulani hiyo ni shida, asante sana.**Henry Mwanzia Marete**: Jina langu ni Henry Mwanzia Marete natoka kyuso, nanimetumwa na location yangu. kuleta maoni ya sub-location mbili. Moja inaitwa kimu na kinanga (very Inaudible) Ukinganisha nchi yetu na Kwa mfano nchi kama Somalia, Uganda hapo mbeleni, Burundi, Rwanda – zinazozana. Tunaweza kusema serikali yetu tukufu imefanya kazi nzuri sana kuchunga maisha wanaichi. Hawa hatuwezi kusahau kurundisha shukurani kwao kwa sababu. Kama kungekuwa na vita kama Somalia akuna mtu angeona haja ya kutoa maoni kwa Katiba. Tunaona wengine wanakuja Kenya hata bila kupewa ruhusa. Chama: Serikali yoyote ambayo imeundwa, hakuna hata moja ambayo haina chama. Serikali inatumia wanainchi kadha wa kadha ili wakumbali kuwa wachama ili hicho chama kitetee Serikali. Kuna mwanzo wa kitu katika kutengeneza katiba yetu tukumbuke kabisa tumeweka kiwango fulani. Tunatetea Councillor achanguliwe na pia mheshimiwa kichanguliwa President achanguliwe kila kimoja ukiwa uko na harambee unaitwa kwa harambee, hakuna pesa unapatiwa hata councillor hapatiwi hata pesa kidogo hata muheshimiwa na pendekeza chairman wa chama chochote walipwe kila mwisho wa mwezi sababu ndio watu wanafanya kukutanisha watu.**Interjection: Com. Asiy**: Ma chairman, secretary wale wana fanya kazi ya ofisi.**Henry Marete**: Kuanzia sublocational level kuendelea, na pia wale wako katika kamati wanaweza kuangaliwa kwa wango mbalimbali kama vile watu wengine na chama chao. Ndio wapate kukaa na wanainchi na kuwaonyesha mambo ya Serikali. Polisi officer wanatoka kazi, an retired officer halafu katika ile process ya kupata pesa yake alikuwa anatengemea mshahara wake ili asomeshe watoto officer anamaliza miaka mitano anasahau kama alikuwa kazini. ningependekeza hawa watu wakimaliziwa mambo yao mara moja apatiwe pesa yake kati ya miezi miwili na sita. Masomo siku hizi kwa wanainchi yamekuwa magumu sana. Kama Katiba yetu kwa kweli inaweza primary schools, tungangane. kuhakikisha kuna wengi ambao hawatasoma na ni werevu wamepita. mzazi ako na pesa ya kiwango cha kusomesha mtoto wa university. Na apate elfu moja kila mwezi. Shida moja tunayo upande wa Atuyi. Hawa watu wanaitwa atuyi- elders ni watu ambao wanafanya kazi na wanaichi kuhusu mambo ya Serikali na hawalipwi hata shilingi moja. Na pendekeza wapewe mshahara.

Com. Lethome: kwa mfano kama tuko hapa atuyi kazi yao ni nini?**Henry Marete**: Kazi ya mutuyi anakaa katika village moja ambao iko na watu. Tukikosana mimi na wewe, mutuyi anakwambia wewe ulikosana na fulani, yeye anaweza kusikiza mambo yetu akitaka kumalizia huko anamaliza? Kama anaona ni makubwa anapelekea sub-chief. Akiona yamezidi sub-chifu anapelekea chifu. Yeye husuhisha mambo madogo madogo. Anasaidia sana. **Henry Marete**: Councillor wetu wanapata pesa wanalalamika wakisema pesa ni kidogo wanataka itolewe mahali. Wanapopata mishahara yao. Mimi sipingi hilo, kwani wao wakubwa wao wanapopata pesa wanasahau chama lakini sisi hatusahau wapatiwe kile wanacho kitaka, asante sana.

Com.Githu: Mzee Mthui Kioko kijana kweli. (laughter)**Muthui Kioko:** I represent the Gura Youth Alliance. It is a group of young people who feel that the current Constitution is more or less cheating them, They feel unrepresented.**Com. Githu:** Speak loudly wazee wasikie kule nyuma. **Speaker:** The Constitution that is currently in use today does not consider them as the future generation of this country. I therefore they feel that education should be made free up to a level that can make somebody be able to produce for himself. It should be paid for through taxation. That is whatever is required should be paid for from the public finance. The education given to the students should also include the technical part of it, so that whatever he gets out of class enables him to come up with some form investment, or be able to do something that he can sell to earn some money for himself and his family. Employment: jobs should be available for all graduates, because the Government and the citizens have invested so that in this person. Once his skills are unutilized, that is trying to technically lick the public clean financially. Such case being the all graduates should be given jobs. All young people who are able to work should not only be given a chance to work here in the country, but should be also be given a chance to work outside the country abroad. That way, the Government earn some tax from those people who have been deployed outside the country. The President: he should not be a Member of Parliament he would seek election along with Vice- President so that whoever becomes the chief executive and his deputy, should be elected by the citizens. He should not be above law. All appointments that he makes should be vetted by the Parliament, so that his appointments are authenticated and validated. If he just picks on somebody who if taken to Parliament might be rejected, and installs him in any and parastatal or whatever department, this is somebody who has been picked by only one person and who is going to serve many people. Therefore democracy should be used in picking of whoever head whatever department. Members of Parliament should only be people's representatives and not ministers. So that whatever people send them to do, to go and seek some financing from the Government of developmental issues should be maintained. All their debates in Parliament should be given a live coverage so that in television we are able to see the debates they are in the process. Whenever a Member of Parliament fails to deliver, a system should be set to recall him from that Parliament so that we can be able to access him and see whether he is going to be given a chance to seek re-election, or we get rid of him. Ministers should be nominated members of Parliament people who are nominated by the President who will also be taken to the Parliament to be vetted and when appointed, their service should not take whole 5 years. It should take about 3 years, and then they are taken back to Parliament for more vetting and be accessed. So that whatever he has done as a minister in that ministry is ascertained. This minister should be academically and technically trained or exposed to all aspects of the ministry that he is heading. The Parliament should have 2 chambers- that are the upper house and the lower house. Parliament business should be for four days that is Tuesday, Wednesday, Thursday and Friday: so that the participation in Parliament should be a little bit lengthened. The President should not proceed to Parliaments just openly because we should want this Members of Parliament who are earning this big money they should be made to participate in whatever we send them to go and do because if they work for four months or 3 months or 5 months per year they come to waste all their time and they are earning this big money, then I think we hold the responsible for whatever economic problems that are be falling us. Political parties should be financed by the Government. Nomination of candidates to vie for the seats should be done at once to preempt any form of defection from of party A or party B. If somebody has been neglected by the electorates, shifting from party 'A' to 'B' a to b does not give him that recognition, that shows there is some trickery. To preempt that, let all parties nominate their candidates at the same time. All political parties

should be partitioned by the electorate, in case the councilor they proposed and who was elected by the electorate does not deliver. Departmental heads should be vetted by Parliament. After they have been appointed, the auditor in the ministry under which they are serving should assess them. They should be educated and trained in a field led by the organization they are leading. The armed forces should recruit from all regions and some form of balancing should be done. These people should be involved in other services apart from fighting. We have battalions that are trained surrounding construction, building roads, building bridges these members should be deployed into doing such things this will reduce the costs of offering such services by the government. While in the service, these members of the Armed Forces should undergo training so that their promotion should centre more on the academic and disciplinary capacities. Thankyou.

John Kimotho: Although we had given a joined memorandum that was earlier presented there are two points, which I wanted to add. First, the qualification of women and election to Parliament: women are the majority in Kenya and they should not be given extra chances or a special privilege towards election. What should be given is equal playing ground. Maybe women to exercise themselves than maybe show interest to Parliament affairs. Here for example, there is no woman who has shown interest to compete out with the Mps the former and even the current one. It is the interest that is lacking but not the playing ground the second point is on agriculture: Agriculture in Kenya has been neglected since 1985. The Government has embarked on other things like even provincial administration, the office the President, but the ministry of agriculture is very much neglected. Like here, it's the NGOs that are doing it, the government is doing very little though it has officers. The provincial administration should be reduced. With headmen the Atuyi. Many we should have maybe one chief in the division, and maybe 2 assistant chiefs, then people will be working that office should be change its name from provincial administration may be to a development office or a community office, whereby this office will be in charge of development activities and mobilization of the community, instead of doing the same work the police. Here, in most cases, although they play a very major role in mobilizing the community in other things but they also do what the police do. So that offices should be a development office and even the staff there should be transferred like any other government officers, like any other civil servant, you can be transferred even to Nairobi. It is not supposed to be static office like it has been. The state should ensure wanaichi have the right to employment. Here in Kenya currently an employment is actually becoming a crisis. On Police we feel they should be given further training, even if is after 6 months they re-trained.

Com.Githu: Thankyou very much, is there anybody who is here sitted, has given his name and wants to give his or her views.

Samuel Mwenga: Jina langu ni Samuel Mwenga niko upande wa provincial administration. Maoni yangu Bwana Commissioner, ningependelea Provincial Administration iwekwe kwa sheria. Kwa maana tuko na Provisional Commmissioner, District Commisioner na wale wengine. Iki wekwa kawa sheria, mambo mengine yanaongewa hapa, yatajulika na siyo ya kutengeza ni mambo bayo yana julikana, kwa sheria kwa Constitution. Maana wale wanasema itolewe, na naonelea pengine hawajui kama iko kwa sheria. Ikiwapo iendelee kuwa hivyo, kama haiko iwekwe kwa sheria. Retirees - wale wana ritaya: tunaonelea wakati mwingine mtu ana pata shida. Kwa hivyo iwekwe kwa sheria mtu akimaliza miaka yake aki ritaya akienda nyumbani, awe analipwa baada ya miezi mitatu au 6 months wengine wakuwa na family wakipata shida ya kuwatolea karo na mambo mengine na domestic affairs za nyumbani iwekwe sheria ya kwamba mtu akiritaya anapata pesa zake. NSSF nayo pia ile miaka wameweka, miaka hamusini na tano au hamusini lakini iwekwe kwa sheria mtu akifikisha hizo akienda kule anapata pesa zake bila kuhangaishwa, na iwe transparent. Watu wanapata shida wakienda kutafuta pesa zao. Mtu anatoka kazi, anakaa

na hajafikisha hiyo miaka yake. **Com. Asiyu:** Asante sana. Kuna mahali tumeambiwa kwamba mtu akiwa tayari kwenda, kama ataritaya mwenzi fulani, pesa yake itengenezwe ili atoke nayo. Kama hii pesa haiko tayari akae tu mpaka hiyo pesa iwe tayari ndio atoke. Unafikiria aje? **Samuel Mwenga:** Anaonelea sio vizuri ku kaa, ni vizuri aende. Kwa maana pale akikaa anaweza kukosa... **Com. Asiyu.** Akiambiwa aende hiyo Anaweza Kama wale hawajatengeneza pesa zake. Pesa iwe tayari. Hiyo ni sawa? **Samuel Mwenga:** Wakati anaenda iwe pesa iko tayari? (Ndio) Ni sawa. **Kyalo Ivuti:** Mimi natoka area hii kathakani area nataka kutoa maoni yangu kama mwananchi wa Kenya. Tulikuwa tumetoa lakini kuna points Ningetaka kuongeza. Nilikuwa naona haya mambo ya ID ya iondolewe Kenya, na kila mwanachi apatiwe passport. Hiyo passport iwe kupata sio kuambiwa uende Mombasa upate hii form halafu uende Nairobi; uwe unapata pahali moja, kama ni kesho ni kesho. Passport ni international document tuwe sawasawa na nchi zingine. Basic needs: kama mambo ya shule, ziweze kurundishwa equipment scheme iwe Vifaa vya shule viwe vinapatikana kutoka kwa Serikali. Ma chief's wawe wanapewa transfer kama civil servants wengine, mtu asifanye kazi mahali pamoja na anafanya mambo yake vile anavyo taka. Hata aweze kupelekwa Nairobi. Mtu huyu anaweza kufanyiwa transfer. Mawaziri wawe hata qualified Kwa ile wizara amepewa asikuwe ni minister for health naye alikuwa mwanajeshi, hata akiambiwa atibu mtu, ina kuwa ni ngumu sana. Hata kile anaongoza, hakifahamu. Hayo ndio maoni yangu. **Com. Asiyu:** Kuna mtu angependa kuzungumuza jambo lolote na haja itwa. Kuna District Co-ordinator na mtaelezwa jina lake na pahali ofisi yake iko, kabla hatujatoka hapa. Ukikumbuka kitu unaweza kuandika maandishi mengine halafu umpatie Mheshimiwa unaitwa Nelson uko tayari.? Tukuongeze muda? dakika tano, Akiwa bado anfikiria, kuna maswali au maoni? (Inaudible) take your time. We were supposed to have you look at your report for 60 days 30 days. We do not know what the Parliament will come up with, but we hope that we will be able to finish on time. **Com.Githu:** Kuna swali lingine. (Inaudible) Shall we answer your question, we will be happy to, after we have listened to the young gentleman, so that we make this question and answer. Unataka kuzungumuza kwa lugha gani? You will speak in English. Very good you will have five minutes, you summarize your main points, and you give us your memorandum please introduce yourself, this is a recorder. **Nelson:** Is it on? **Com. Githu:** Yes it is on. **Nelson:** The Consitution of Kenya should have an introduction to show why it was formed and under which circumstances it be amended, who should amend it. the Constitution should set out vividly: how the state power should work, philosophies guiding the state. It should clearly what should be done to any Government that defeats the will of the people, that is the philosophies. It should set out the virtue that should be preserved for the benefit of the people of Kenya. We feel that any succession Government should ensure e.g one, zero 1 Tolerance to corruption 2 respect the rule of law, three respect for human rights of a citizen, and (4) economy. of the We can set out clearly that any Government that can go contrary to the above should resign. It should also set out if the paying is unwilling the legal procedure that can be followed to bring to an end such regime. The new Constitution defines or shows the will of people of Kenya it is only the people do special meeting that should represent fully the will of the people that can amend the costitution. The Parliament and the creation of the constitution: should not amend the constitution man can never create God. The constitution should allow for citizenship the said should be guaranteed security that the constitutional report should be created by the constitution. The President should be very separate from the Executive or any other arm of the government, to prevent manipulation. The political parties place an indispensable role in the state. The new constitution should allow plwralist politics. The ruling parties or collision should have the same privileges i.e be given opportunity campaign associations. They should be a funded by the state.

There should be a healthy relationship between the political parties and the state, for the rally for the thing one as the same that is the betterment of the people of Kenya. We should have a unity mode of Government with an executive President, because it is not the problem, is lack of checks and balances. Central form of Government is expensive for us to install. A small population it can be served by it we should empower the Local Government and desolve it from the power of the Executive. The Parliament should have power to vet the key people in the state: the Attorney general Chief Justice High Commissioners e.t.c. The Constitution should ensure that only people who have good records vie for the Parliamentary seats and also the Presidency. They should not have engaged in affairs contravening the virtues of the state- that is corruption scandals classes. There should be a code of conduct for Legislators. It is of no use to have nominated MPs. All should be elected, and so will the councillors mp shall have 5 years 2 terms. The constitution should allow committee of a president who has abused his office. I.e impeachment a duty should vacate office. During this time his vice should act with capacity. The President should not be a Member of Parliament we need a constitutional court to handle constitutional matters. The Constitution should guarantee the right to illegal service to a citizen whose fundamental rights have been violated. The mayor should directly be elected by the civilians. The citizens should be empowered to record their straying councillors or MP's. The new constitution should guarantee rights to sound economy and culture. No one, including the court, should take the life of individuals. There should be guaranteed good health services, water, and at least primary education, residence, food, and employment. All 4 form leavers qualified for universities should be given loans un conditionally because it is repayable. The state should have a say on how individual use land. The land issue is very important especially the trustlands. The new Constitution stipulates that all the lands should be registered and title deeds issued to the owners. The Constitution should set up the office of the Ombudsman to collect the grievances of the public.

Com.Githu: Thankyou very much Nelson. Any questions? Now you should move from here and sit there, you are the number 2 man to ask a question. **Speaker:** (inaudible) After this process of collecting views, once we have the views of the wananchi how are we going to proceed towards developing the new paper now?**Com. Githu:** What we are going to do which is going on now is that we take the views that you have given us and we go through them and extract the constitutional questions. You of course appreciate that not all our grievances can be dealt with in the Constitution itself. Constitution is the skeleton; the flesh of the law that governs our country is in other statues for example we talk about councilors. We can create strong Local Government in the constitution but the real day today working of the local government will be in the Local Government Act. What we are doing now is listening to you listening to your views, and as we speak they are being in giant computer in our office, and isolated. By now we have a preponderance of opinion on a given question, like the one you have told us here the right of women and young girls to succeed to the estates of their husbands and so on. We have heard that in Garissa, Isiolo, Mombasa, and Muranga everywhere. That has already been extracted as an issue, and we are now thinking of how we can insert it properly and so on the question of how old should the president be when he comes into office and when he lives office we have had all of you and now we have extracted that as an issue and we are working on it. So what we are doing now and the writing are very important. The next phase which is also important, is the National Constitutional Conference. We will go back at the end of July and early August at the end of August my brother hear will draw a diagram while I explain to you, at the end of August we shall finish this process we shall start the drafting of the bill process the bill is in two parts actually you will have the report of Constitutional Review Commission of Kenya. One part is a

description of the process, the law involved the people involved. The other one is the bill amending the Constitution. The other is an other set of regulations or laws, which we shall propose, that they should be enacted in order to give the Constitution full life. The last one will be the number of law we must revoke because they are consistent with the new Constitution. I just to answer somebody else who said, "why are you not moving fast enough so that we can hold the elections under the new Constitution?" It is because it is a more complicated process, than the newspapers have made it out to be. For example most of you have said we want an Ombudsman. This is an office where members of the public go to complain if they are dissatisfied with the services they are receiving. Now while we recognize the Ombudsman in the Constitutional document creating him the statutes empowering how the Ombudsman works – whether he is in the district, or in the province, or in the location. It is part of the difficulty in this job. The other one is to say you have come to us and said, "when we walk in the streets the police stop us, they search us, so on and so forth" We heard some people say in some Muslim towns, "we don't like our women being searched by police, men e.t.c Now, the principal is properly understood, but we have to go back to old law and remove anything that allows an unreasonable search and seizure. *Musifikiri* we have decided that people should not be searched. From an individual, officers that is an example. Why this process is going to take a bit longer than probably you would have wanted it more complicated. Remember that the law of Kenya today, 85% of it is colonial law. So to go through it and remove all those things that are offensive, and repeal them then create new laws that are consistent with Constitution, will take a bit of time. I'll ask my brother to explain these stages.

Com. Lethome: I will call these the organs of the Review Process: The act of Parliament has created the constitution of Kenya Review Commission. We have 27 commissioners plus 2. Their role is not to write a new constitution. The commission is to collect the views of the Kenyans. At the end of the day, the act requires that the new document should reflect your wishes not our wishes. Our work is not to write the new Constitution. I keep on telling people that it would be more comfortable doing this work in Nairobi, because our work is not to write the Constitution, but to collect the views of people. We have to come to your people. The act requires that the document should be people driven, we are talking about *wanjiku's* commission, *wanjiku's* Constitution or if it is here we should say *Wambua* Constitution. We are required by the law to collect the views from the constituency level. In some places people propose that we go lower than the constituency. So the act has created here a forum, which we call the constitutional constituency forum. All the people within *Mwingi North* Constituency that form it. It is at that level we are expected to collect the views of the people. To enable us to do that, we have created here something we call the three C's. Because we are in Nairobi, we are only 27 commissioners: we are not able to mobilize people at the constituency level: we are not able to advise adequately because we are not on the ground. So we created this committee here of 10 people, including the MP, somebody from the county council; so that we can be able to mobilize people at this level and also help us collect the views of the people. We were not here to tell you that today is the day we are coming here I am sure Madam and other people from the committee were the ones who told you. We are now at this level of collecting views. After that we shall go to another very important organ, national constitutional conference. The question that *wanainchi* have been asking especially in *mafanzali* areas between this commission and other commissions that have been formed before. What guarantee do we have that our views will not just end up in paper or in tapes. It has been created by an act of Parliament, different from all other previous commissions. The act itself has created organs to enable you monitor the views are not lost, is that there will be a conference, whereby all Kenyans from all parts of the country, will attend a

conference of two months, debate on the views that you have given. From each district we shall get 3 people, one of them being a woman. All the Members of Parliament, that we talking of 222 Members of Parliament representatives from all political party's representatives from women organizations and other registered organizations religious organization and others. We are expecting over 600 people to attend this conference, not for a week or two, but for two months, 60 days: through the report that we would have written, and to ensure that whatever they agreed upon, is what will go on to the next stage. But before that let me mention something else here. As soon as we collect your report. That will be published into maybe booklets, and it will go back to you people for a period of 60 days again. So you have here an opportunity of checking whether your views were taken on board, or we lost them at Mwingi on our way to Nairobi. You have an opportunity here when we publicize the report, that is the first guarantee that you have that your views will not be lost, and it is a requirement of the law then the conference. In fact by now we should be thinking of who are you going to send there as your representatives in this very important conference. From there we know that Kenyans are going to agree it is healthy to disagree. We should not agree on everything even at home you don't agree with your wife on anything do you? But does that mean that you don't leave under one roof? Do you fight and cease to be a family? You have a mechanism of resolving your differences. The mechanism that the act has put in place to resolve whatever will not be agreed upon at the conference is the national referendum. Kwa Kiswahili, kura ya maoni. Kila mmoja ataulizwa." Unataka majimbo ama hutaki?" You say yes or no. That is the mechanism that has been put in place. We are yet to get to that stage. Then we have the last stage that is the National Assembly, where we shall make our report. It is because of all these. This is a legal requirement by the act itself. This is where we are now, bado hapa, na bado hapa. Any question? (Inaudible) **Speaker:** (inaudible) Investigating the death of Ouko and we know this is a commission like any other in Kenya whereby things are ordinary. We know that you can be toppled anything because of the monopoly of the powers of the President. We fear that we are doing wish-full thinking. Therefore why don't you entrench yourself in the Constitution to avoid being maneuvered here and there by the authority. **Com. Githu:** First of all, I think that what is at stake in this commission is even greater than those other commissions' that you have mentioned. So the danger is even more not less. I hope you are not surprised that I agree with you, because constitutional making is political politician if a Constitutional Review process was underway, and you didn't know about it, and didn't care. You may wake up one day to find that your seat has been taken by the new constitution. So you remain interested to protect your interest. Like your seat has been taken by the new constitution. So you remain interested to protect your interest. Like you deal now, that as young man, you must say things which you hope will protect you, and other young people and their future. So our politicians remain very interested in this process. Some of them have very radical views on the process. Now, does that mean that the commission can be scuttled? In my private opinion which I am sure my colleague share, no, because this commission is also protected by the people of Kenya. You know there is a law against theft but as this police officers would tell you know there are thieves everyday. The law of theft does not stop a thief from stealing. So entrenching the commission and so on is very good, but it is not the only solution to this problem, because as we know the Constitution has been amended before. That is why this commission was formed, isn't? It is because the Constitution. Even when we make a new one, it is the people of Kenya who will defend it. We feel quite happy with our work, knowing that if you understand what we are doing, like we have tried to explain to you, you will defend the process. Sometimes when you read the paper, you think that the only thing commissioner's

do is driving a Nissan patrol. All of us have just come back from parts of Eastern province, and are going to North Eastern week. There is no other way to go to those places except in a four wheel drive vehicle. Even in your own town here in Mwingi, do you think that a four wheel is out of place? The point I wanted to make is this, before we come to your next question, the commission is an organ set up by the people of Kenya. It is the people of Kenya who will be defend it. It is the people who will say we met the commission, they listened to our views, we have looked at what they have drafted, they have incorporated our views we think they are doing a good job. No politician can touch the commission if that is what the people of Kenya are saying. But if we leave Mwingi, and you see your local MP, and you say.” That was a useless group of people they did not allow us to say anything. They did not answer any questions, and they did not listen to anybody”. Will you defend the Commission? So I think that my challenge to you as a young patriotic Kenyan, is for you also to defend this process has your own, then we will not have no problem.

Com. Asiyu: I was just going to add to what Com. Dr Githu Muigai has just said. We are reviewing the Kenyan Constitution at a time when the elections are round the corner, the usual 5 year general elections. On top of it all, there is a transition, the President is going and a new one is going to be in place, but Kenya is not at war, we don't even have crisis. If you look around Africa, most changes in the Constitutions, or even the new Constitution have only been made in times of war or of crises. So really it is a very big challenge. On top of it all, we are expected to define boundaries for this country. Did you know that Kenya does not have defined boundaries? The only one we have is the one between Ethiopia, and us which Haileselassie and Kenyatta did in there time. So really the amount of work that is ahead of us is so big, and the challenge is so frighetening, that if you were in our shoes, and then of course it is very political, so it becomes very hard. But I do no that you have the best commission that is this country could have had any, because we have stood the test of time. None of us has been (inaudible) in one way or other. We are doing a very good job, of what I must say I guess we don't have no enough time to give ourselves thanks. I think this are issues that you need to think about so that you can help us come up with a Constitution that this country deserves and which it must have.

Speaker:and try to do something if they are being offended by the ruling regime. Can you try to come down abit and come to the situation of Kenya, whereby we don't believe in people power. The people of Kenya have not taken power, They after giving some power to the state authority they have not fully taken up the residue power that should be able to balance the state power. I therefore, I said you should entrench your commission because you are not very sure whether people will act. History, I am telling you, repeats itself. People who deny their history have no future. You can be toppled over, who knows. Therefore is of paramount importance you entrech yourself in the Constitution.

Com. Lethome: When you talk about we entrenching ourselves in the Constitution, I think that is wrong. Because it is for Parliament to entrench the commission into the Constitution. We can not do that. Just as the act that established this commission was passed in Parliament to entrench the commission into the constitution. We can not do that. Just as the act that established this commission was passed in Parliament. It is Parliament the organ that enacts lawa. When we talk about entrenchment that is an act to Parliament. Who passes it? It is parliament itseld. We are doing what we are expected to do under the law, let Parliament. Who passes it? It is expected to do under the law, and let you as a Kenyan do what is your duty towards the commission and towards this country. Infact it is more important to get the support of people, than to be entrenched in the constitution. Just like Dr Githu told you in Kenya we don't have laws that allow people to steal Kenya but every people are stealing, you know. Let me tell you of something else we could come up with the best document,

best Constitution in the world; but if the people of Kenya are not ready to implement that constitution in their lives, in what we call constitutionalism, if they don't have that, it will be a useless document. So at the end of the day, it is the people of Kenya who matter, not Parliament, not the commission, it is you. **Com. Asiyo:** One small comment: of the things that have not become clear to you, probably because not explained ourself to you. We have already explained that this is a political process, but even more important it is a process that requires good will. It is not a process that you can do at any stage without good will. We came to Mwingi this morning, you all sat down very quietly, you registered your name, you came up here, you talked. Supposing 10 people came here will be no hearing in Mwingi today, what would we have done? So we call the police, then what will the police do? They will dispass all of us then what? Then as far as the act is concerned, there has been no hearing in an important constituency in Kenya, can the process move on? We have no, we have to hear the 210 constituencies. Let me touch on what my friend called the National Constitutional conference. There must present. There will be 29 commissioners, 280 district representatives. Listen this very carefully; this people must be elected, from every district, through the co-ordination of the county council. What is your district here- Mwingi? You will send representatives to the National Constitutional Conference. These representatives will be channeled through this district and coordinated through the county council, which is the district wide (inaudible). Let us for a minute ask ourselves, how shall we in Mwingi go about this process of agreeing. First of all I think 3 of your representatives must be women, whether you like it or not, that is the law. This goes back to where people go on asking the commission, kwa nini hufanyi haraka." You can only do what the law says. We are saying there must be three women, so what will happen if in Mwingi you say, "We don't like women, sisi ni Wakamba, hakuna wanawake wanasimamia sheria yetu." What will happen. Supposing 25 people in Isiolo say that the people are MPs they must be present. Supposing the president after the budget is read in June, dissolves Parliament, can there be a National Constitutional Conference? So no matter how haraka the commission is working, where will it be harakaring to? Let us assume with the guidance of the almighty, let us assume that God in his wisdom take us through this stage, that stage, that stage. When we get to the National Constitutional Conference, let us say for example we put one question to the ball, do you want majimbo or no majimbo, supposing 50% say no, for example, what do we do? We must take that question to the referendum. It is not the only question, let us take another controversial question here. Should we make women- our daughters, our sisters; should they be able to confer citizenship on the men they marry? Supposing Kenyans half say yes, half say no. We remove that issue, it is to go where? Now the Constitution Commission of Kenya does not conduct the referendum, the Electoral Commission of Kenya conducts it. We go to my friend Samuel Kivuitu and say to him, 'the people of Kenya cannot agree on this issues. Now prepare a referendum. What do you think is Kivuitu's first comment? I have never done one before. So we all sit down and start working out how does a referendum work. I am trying to go into these details and I have come to the end, to show you that this whole process requires good will Sir Nelson. That even if we write everything in the Constitution unless the people of Kenya have good will, the process will never (inaudible). I hope I have not frightened you, I have only shown how important it is for you to support the process of Kenya, it is to go where? **Com. Lethome:** Organs of the Review Process: The act Parliament has created the commission constitution of Kenya Review Commission we have 27 commissioners plus 2. The laws of Commission to collect the views of the Kenyans at the end of the day the act requires that the new document should reflect your wishes our work is to your wishes not our wishes, our work is not to right the constitution I feel people should not be more

comfortable doing this work in Nairobi because our work is not to write the constitution but to collect the views of people. (Inaudible) The act requires that the document should be people driven we are talking about Anjou commission Anjou Constitution or Wambua Constitution we say we are required by the law to collect the views of constituency level in some place people propose that we go lower than the constitution so the the act has created here a forum which we call the constitutional constituency forum, all the constituencies within Mwingi North Constituency set that form it is at level we are expected to collect the views of the people and to enable us to that we have created something we call the free team because we are in Nairobi we are only 27 commissioners and we are not able to mobilize people at the constituency level 210 constituencies and we are not able to mobilize the civic education people at constituency we are not able to advise adequately we are not on the ground so we created this committee hear of 10 people including the Mp including somebody from the county council so that we can be able to mobilize people at these level help us collect views of the people we were not hear to tell you that today is the day iam sure Madam and other people (inaudible) After that we shall go to another special important organ national constitutional conference the question that anarchy have been asking what is different between this commission and other commissions that have been formed before what guarantee do you have our views do not just end up in paper in tapes, it has been created by an act of parliament different from other previous commission . The act itself has created organs to enable you monitor the views that you have given out one of the organs or guarantee that we have to ensure that your views are not (inaudible) they will be a conference whereby all Kenyans to all parts of the country will attend a conference of two months to detect on the views that you have given, on each district we shall get 3 people one of them being a women all the members parliament that we are talking of 224, 51 of them 22 members of parliament representative from political party's , representative from women organizations and other registered organization religious organization and others, we are expecting about over 600 people to attend this conference not for a week or two but for two months 60 days to go through the report that we would have written and to ensure that whatever they agree upon is what will go on to the next stage, but before that let me mention as soon as we collect your report we shall put it together, as we are through in collecting the views we shall comply that into a report that will be publicize into every booklet and it will go back to you people for a period of 60 days again, so we have here an opportunity of checking whether your views were taken on both or we lost them on our way to Nairobi, then you have opportunity hear when we publicize the report, that is the first guarantee that you have that your views will not be lost and it is a requirement of the law then the conference, by now we should be thinking who are you going to take there as your representative in this very important conference. From there we know that Kenyans are not going to agree, we should not agree on everything we should not agree at everything even at home we don't agree your wife from anything do you, does that mean that you don't leave under one roof you fight and sees to be a family, you have a mechanism of resolving your differences, the mechanism that the act has put into place we hope whatever will not be agreed upon at the conference is the national referendum, kwa kiswahili kura ya maoni kila mmoja ataulizwa unataka majimbo ama hutaki you say yes or no that is the mechanism that has been put in place we are yet to get to that stage, then we have the last stage that is the National Assembly where we shall take our report. When you hear the commission when you hear the commission wants time to complete this is a legal requirement by the act themselves bado hapa na bado hapa. sit is because of all this and this are legal requirement by the act itself. Bado hapa na bado hapa. Any question? (Inaudible)**Speaker:** Investigation on the death of Ouko this is a commission like any other whereby things are not

ordinary we no that you can be troubled anytime because of the monopoly of the powers of the president we fear we are doing wish full thinking therefore why don't to entrage yourself in the constitution to avoid being maneuvered here and there by the Authority.

Com.Githu: First of all I think that is at taking this commission is even greater than those other commissions that you have mentioned, so the danger is even more not less, I hope you are not surprised that I agree with you, because constitutional making is political there is the most political act people can do any where in the world is to make a constitution because you are saying who governs who distributes resources how are resources contributed, because it is political politicians have a very deep and enduring interest in what goes on you will be a very foolish politician is a constitutional review process was underway and you didn't know about it and didn't care you may wake up one day one day to find that your sit has been taken by the new constitution, so you remain interested to protect you interest like you feel now that as a young man you must say things which you hope will protect you and other young people and there future so our politicians remain very interested in this process some of them have very radical views on the process, now does that mean the commission can be scattled in my private opinion which I am sure my colleague share no, because this commission is also protected by the people of Kenya there is a law against sex, but as this police would tell you know there are thief's everyday the law of sex does not stop a thief from stealing so entrenching the commission and so on is very good but it is not the only solution to this problem, because as we know the constitution has been am amended before that is why this commission was formed isn't , it is because the constitution was amended so many times that it became confused, you are the people descending the constitution even when we make a new one it is the people of Kenya who will defend it we feel quite happy with our work knowing that if you understand what we are doing like we have tried to explain to you will defend the process. Sometimes when you read the paper you think that the only thing commissioners do driving a nissan patrol, all of us have just come back from part of Eastern province and are going to notice the next thing there is no other way to go to those people except in a four wheel drive vehicle even in your own town hear in Mwingi do you think that the four wheel is out of play, wanted to make is this before we come to the next question the commission is an organ set up by the people of Kenya it is the people of Kenya who will be defend it, it is the people who will say we met the commission they listened to our views we have looked at what they have drafted they have incorporated our views we think they are doing a good job, no politician can touch the commission if that is what the people of Kenya are saying, but if we leave Mwingi and you see your local Mp and you say that was a useless group of people they did not allow us to say anything they did not answer any questions and they did not listen to anybody. Will you defend the Commission so I think that my challenge to you as a young patriotic Kenyan is for you also to defend the commission I think that the my challege to you as a young patriotic Kenyan is for you also to defend this process has your own then we will not have no people.

Com. Asiyu: I was just going to add to what Com.Kibe, Dr Githu Muigai has just said we are reviewing the kenya constitution at a time when the elections are around the corner the usual 5 hearing general election and on top of it all the is a transtion the president going and a new one is going and a new one is going to be in place but kenya is not at war, we don't even have crime, if you look around Africa most of the changes in the constitution or even the new constitution have only been made in times of war so of crises so really a very big challenge on top of it all we are expected to define boundary for this country did you know that kenya does not have defined boundary the only one we have is the only between us an Ethiopia which Heleselassie and Kenyatta did in there time so really the amount of work that is ahead of us is so big and the challenge is so frightening that if you

were in our shoes , and them is very political , so it become very hard but I do not that you have the best commission that this country could have had any because we have seen the test of time none of us has been (audible) other they are doing a very good job of what I must say I guess we don't have no enough time to live as such on our own drug, but I think this are issues that we need to think about so that you can help us come up with a constitution that this country deserves and which it must have. Speaker: Can you try to come down abet and come to the stretcher of Kenya whereby we don't believe in people power, they have not been given the residue power after giving the power to the state house audit they have not fully taken up the residue power that should be able to balance the state power, therefore in that case you should entrench your constitution because you are not very sure whether people will act because history is telling you repeats itself and people who refuse their history have no future you can be troubled over who knows therefore is of paramount importance you change yourself in the Constitution. **Com. Abraham:** When we talk about we entrenching ourselves in the constitution I think that is wrong because it is for parliament to entrench the commission into the constitution we can not do that just as the act that established this commission was first in parliament it is parliament is the organ that enacts laws, when we talk about entrenchment that is an act to parliament who passes it is parliament itself we are doing what we are expected to do under the law let parliament do what is expected to do under the law and let you us a Kenyan do what is your duty towards the commission and towards this country. In fact it is more important to get the support of the people than to be entrenched in the constitution just like Dr Githu told you that in Kenya we don't have any laws that allow people to kill it is illegal to kill in Kenya but every people are stealing, you know let me tell you on something else we could come up with best document best constitution in the world but if the people of Kenya are not ready to implement that constitution in their life in what we call an constitutionalism if they don't have that it will be a useless document so at the end of the day it is the people of Kenya who matter, not parliament not the commission it is you. **Com. Abraham:** This people must be elected from every district through the coordination of the county council what is your district hear Mwingi you will send representative to the national constitutional conference this representatives will be channeled through this district and coordinated through the county council with which is the district wide, the tasks of a minute asks ourselves how shall we in Mwingi go about this process of agreeing first of all I think 3 of your representative must be women whether you like it or not that is the law. This is where people go back and start asking the commission kwa nini hamufanyi haraka you can't do haraka you can only do what the law says you are not saying their must three women so what will happen if in Mwingi, we don't like women sisi ni wakamba hakuna wanawake wanasimamia sheria yetu, what will happen supposing people in Isiolo say that the people in Wajir and Masabiti ward can't be a national constitutional conference. 210 of this people are MP they must be a president. Supposing the president after the budget is read in June is not in parliament can there be a national constitutional conference no matter how haraka the commission is working where will it be harakarini. Let us assume with the guidance of the mighty let assume that God in his wisdom take us through this stage that stage when we get to the national constitutional conference let us say for example we put one question to the boo we want majimbo or no majimbo, supposing 50% say majimbo and 50% say no for example what do we do we must take that question to the referendum and it is not the only question let us take another controversial question hear, should women our daughters our sisters should they be able to confer citizenship on the men they want supposing Kenyans say half say yes half say no we remove that issue it is to go where. Now the referendum is not conducted by the constitution commission of Kenya it is

conducted by the Electoral Commission of Kenya. We go to my friend Samuel Kivutu and say to him the people of Kenya can not agree on this issue now is there a memorandum what do you think is Kivutu's first comment, I have never done one before, so we all sit down and start working out how does the memorandum work. I am trying to go into these issues and I have come to the end to show you that this whole process requires good will that even if we write everything to the constitution and let the people of Kenya have good news the process will be there, I hope I have not frightened you I have only shown how important it is for you to support the process.

Speaker from floor: Question: I wanted to ask a question regarding the conduct of this review, and final Constitution will come out. As you have explained, we are seeing that it is a very lengthy process, very tedious and that the end of it will have to rely on the good will of the people who should implement. Now the Constitution we are having, the people were not consulted in writing it, so why don't we just let the people who are supposed to implement still write it, when they are, there because finally they are the one who will determine what will happen. Spare everybody the effort of making contributions, which might not bear the good will of whoever will implement the final paper.

Interjection: By those people you mean the MPs? Whoever who wrote this constitution to write this one also.

Com. Githu Muigai: The old Constitution was written for us by the British Government because it was the Constitution that was to give us independence, it is the constitution that declared Kenya to be an independent country. But after they gave it to us, and like Mama Asiyu was saying, we have amended it ourselves about 38 times. So we have the original form and then the amendments on it, and all through these 40 years we have never asked the people of Kenya, "what do you want." I can tell you that for my part and from my colleagues, I have spent many years studying the Constitution of Kenya, and I am now shocked at how much I didn't know and how much what the public thinks and what the public wants are very different things from what the Constitution says I can tell you that from all the places we have been, and all the special problems that people have discussed, there many many things that our present Constitution does not talk about. For the people of Kenya they are very important things. So MPs will never know until we tell them. So I think, for my part that this process is important. This morning we have heard we have had the views of the people of Mwingi that they consider important. They will go in to the report, and I am very sure much of what has been said here will go into the new Constitution. Even your member of Parliament, and show he must be a very Informed Member of Parliament you have never sat with him to discuss what law do you want me to go and say we should change so this is a unique forum. Usually you discuss with your Member of parliament- water, electricity, school dispensary, which you have also discussed with us. I think you have also discussed more fundamental issues of how are chiefs selected or organised and how do they relate the wananchi etc.

Com. Asiyu: Nafikiri hii mzee ni kama tulijengewa nyumba na watu wa British tukaingia tu hatukujua vile kitambo ilikuwa kwa hiyo nyumba na hii imetupatia shida kweli sasa tumechanguwa tujenge nyumba yenyewe ili Mwingi ikisema mtungi hii tuweke upande huu mzee alale upande huu na kijana alale hapa mbuzi ikae na boma yao ya kulala ndio mwizi asije akatoka nje akaimba boundary yetu hii tuweke fence ndio kila dunia ijue kwamba hii ndio fence ya mji huu wenye wenye tufanye, tuiseme ya kwamba kuna mtu atakuja kutufanyia na hakuna mtu anaweza kufanya jambo hili isipokuwa wananchi wenyewe kama leo vile nimesema mjumbe hawezi kukaa na mimi siku mbili mukiongea kwamba hiyo nyumba mpya itajengwa namna ngani fence itawekwa wapi na kadhalika. Weungependa watu wakae Nairobi waandike katiba mpya alafu waweke Na hiyo document haingekuwa fikira ya watu hapa ya Mwingi na Kadhalika ni heri tusikize maoni ya watu wa mwingi ili iyonekane kule kwa katiba

mpya ndio hiyo itakuwa mji mpya ambayo nyinyi wenyewe mtakuwa mjengea kenya. Speaker: (Inaudible) **Com. Asiyu:** Know it should not be true u kiona hiyo process yote vile Commisioner wawili wamekweleza na hao ni walimu wa chuo kikuu wanafamu hakuna mtu ambaye anaweza kuingia na kuharibu katiba hii sasa, maana siyo commission ambaye imetegwa na President ni Parliament hii ni act ya Parliament ile tunaitumia na hakuna mtu anaweza kuvuja isipokuwa mbunge na pia ikifika pale hii act inasema mbuga haiwezi kujandilia mambo yake inaweza tu kukataa au kukumbali ninajua wakikujua maoni ilitoka hapa Mwingi wajumbe wataona aibu sana kukataa kwa maana watujua wakirudi kuuliza kura mtasema lakini sisi tuliandika jambo hili kwa hii katiba na wewe kule kwa mbuga tunaona ulitupingia kura sasa tutachanguwa namna ngani. Kwa hivyo vile mwalimu amesema nyinyi mnanguvu zaidi kwa hii katiba na kwa ajili ya nguvu yenu na ujuzi yenu, never have kenyans harldly to express themselves and know what they want and we are dealing with a very sphocificated audians Members of Parliament even the President can not take this lightly or do away with it. **Com.Githu Muigai:** Just to support mama on that the President told us yesterday that he wants his views quickly also, like every other mwananchi we hava had I am sure your MP either today or tomorrow will be coming because all of us must put our views this is the only way the costitution of Kenya will change from the president to the bottom everbody must be had and we must have confident tusianze na kusema ooh kenya yet mambo yetu tunsasema halafu inaenda hivi, hivi tujaribu:**Com. Lethome:** Let me give you a small story I got it a place called bucha. After we had educated the people answered questions like you have been asking one old man stood up akasema mimi nataka kuwambia kitu moja hiyo yote mnatwambia inanikubusha habari ya paka na panya, akasema siku moja paka alikuja akaambia panya na wanyama wengine yeye ametoka kuhiji, unajua kuhiji waisilamu wanaaenda kufanya ile pligrimage huko mecca. Paka akawambia from today hence force I am born again I have stopped eating rats and mites I know longer feed on them nimeoka na kesho ninaitisha mukutano wa wanyama wote I want to confess my sins I am born again person, all the animals agreed expect the rat and mite huyu atatukula anatundangaya tu so wanyama wote wakaenda kwenye mukutano wakazungumuziwa na huyu sasa anaitwa Shef paka akawazungumuzia vile amebandika sasa, sasa wanyama walipokuwa wanarudi wakamkuta panya pale kwake wakamuliza mbona wewe hukuja mkatano wa paka na paka amekuwa mtu mzuri anazungumuza akasema mimi nili chimba shimo nikachungulia wakati paka akihubiri nilipomwangalia nikaona bado kuna kasoro hivyo anazungumza si kweli kwa sababu watu wakienda according to the rules za kisilamu mtu akienda huko kuhiji anatakiwa anyowe macharubu na akate kucha, na paka niliona bado ako na kucha na bado ako na macharubu kwa hivyo haja badilika what the old man was trying to ltell us is that the government is still the cat it is it has always been bado hijanyoa macharubu na ija kata kucha so the rats and mites of this country are not yet safe, that is the pacetic because of the history of this country unaona but now we would like to tell you, even a question I was asking sometimes back would you have imagined that you would have an open forum like this which security officers hear with the administration near and we tell the wanaichi say what you want, could you have imagined but today we are moving around telling people say what you want the law has given an opportunity don't you think that is a very big step for what make use of that kenyans, kenyans we must make use of that now the cat , mimi nataka kukuashuwa the cat has cleaned his masharubu and has cut the kucha yote . You give opportunity now.**Com.Phoebe Asiyu:** Hata magazeti na Radio mambo yale unasikia kwa magazeti tuliangalia kwa miaka mitano iliyopita, sasa mambo yamebadilika kabisa usiwe na hofu. (Inaudible) **Speaker:** We know our Parliament we know the greedy they are look at the media bill you know it how controversial it was and yet it was passed. Look at another bill like the code of conduct bill that was very beneficial it was short

down now we can see why we are failing to force for your intrenchment the constitution for a civic we want to be punded to see in the future that we do something that is beneficial without buying time thankyou.**Com Asiyo:** Hayo yote unayosema hayakunenwa na watu wa Kenya pengine watu wa gazeti tu walisema kidogo juu ya media bill maana hawakufurahi lakini hakuna mtu mwingine aliongea mambo yale ambayo sasa tunatengeneza kutoka hapa inaenda mbunge ni yenu wenyewe na kama mtu anasema si yake tutaleta tape yake tumuchezee aone yeye aliongea jambo hilo hakuna mheshimiwa yeyote katika mbunge anaweza kukataa maoni ya watu ambao walimchanguwa kwa kura na ambaye anawasimamia kwa mbunge itakuwa vizuri sana.**Com. Lethome:** One last commment on that Nation just this week last week Nation parliament (Inaudible) I don't want to talk about the commision sababu sisi we have our own. Parliament said we want to extend Parliament it will extend its own life sidio they said that on a Wednesday ndio by Friday they had changed what happened. Nelson tell me what happened they heard to the people every Member of Parliament who went home or called home they heard the people of Kenya saying we don't want Parliament to stay there for an extra day. So we can't give up and say nobody listens to Kenyans.

Many people listen, I tell you. On that happy note ladies and gentlemen, shall we have somebody say a prayer for us to bless this gathering?**Com.Asiyo:** Did the pastor go?**George Matei: Prayer:** Let us pray. Ooh mighty God and everlasting Father, we wish to thankyou this afternoon for the care you have taken upon us, for the safety and peace you have given us in our deliberation. Almighty Father how we pray that your going to bless those decisions that we are making, these suggestions that they will fall on safe hands and safe ears. That they might be put to fruition father. As we disperse father, we wish to commit everybody in this gathering unto your able hands that Lord you protect them in their journies give them travelling mercies. We pray Lord, that you bless us, bless our republic even awe prepared for this new Constititution. Thank you Lord, in Jesus name I pray and believe. Interjection: Officer: Excuse me may I have your name again George Matei.

Meeting ended 5.00 p.m.

&&&&&&&&&&&&&&&&&&&&&&&&&