

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS,**

**ELDORET NORTH CONSTITUENCY, HELD AT**

**KALYET ACK CHURCH**

**ON**

**28<sup>TH</sup> JUNE 2002**

**CONSTITUENCY PUBLIC HEARINGS, ELDORET NORTH CONSTITUENCY,**  
**AT KALYET A.C.K. CHURCH, ON 28<sup>TH</sup> JULY 2002.**

**Commissioners present:**

1. Com. Idha Salim.
2. Com. Prof. Wanjiku Kabira.

**Secretariat staff in attendance**

1. Irene Masit -Program officer.
2. Geoffrey Imende -Assistant Program officer.
3. Josephine Ndung'u -Verbatim Recorder.
4. Francis arap Kigen -District coordinator

**The meeting started at 10:35 a.m with Commissioner Professor Kabira in the chair.**

**Francis arap Kigen:** Basi ma-commisioner ambao wamewasili hapa, wafinyikazi wa CKRC, ambao wameandamana nao, kufanya kazi hii ya kuchukua maoni, wananchi wa Eldoret North ambao mumefika, hamjambo? Kabla sijaendelea, naomba

pastor wa Kanisa hili, atufungulie mkutano wa siku ya leo, proceedings za siku ya leo na maombi.

**Pastor Sammy Chelunget (SDA Church):** Tunakushukuru Mungu wetu wa mbinguni, kwa upendo wako na neema yako, tunakushukuru kwa Commissioners ambao umetuletea. sasa tunapowasilisha mambo tuliyo nayo, tunaomba kwamba neema yako iwe pamoja nasi, tukikaa na amani yako, katika Kristo Bwana wetu. Amen.

Karibuni.

**Francis Kigen:** Basi nachukua nafasi hii, kuonyesha wanakamati wa Constituency Committee ya Eldoret North ambao wamefika, watatu wamekuja, na msimame, halafu mutaje majina yenu.

**Paul Tanui:** Kwa majina mimi naitwa Paul Tanui Eldoret North Constituency.

**Paul Kipkurgat:** Hamjambo wananchi, naitwa Paul Kipkurgat. Karibuni.

**Fatuma Sitienei:** Hamjambo wananchi, kwa majina naitwa Fatuma Sitienei, niko sehemu ya North Eldoret, natoka sehemu za Soi ... (Inaudible).

**Francis Kigen:** Basi wananchi, vile tuliwaambia katika mikutano yote ambayo tumefanya, leo no siku yenu watu wa Soi Division, katika Eldoret North, na wilaya ya Uasin Gishu, kupeana maoni yenu kwa tume ya kurekebisha Katiba. Na Commissioners, tunawakaribisha hapa, labda tunaona tumechelewa, watu a upandee huu ni wakulima, na bado wako katika kazi zao za mashambani. Nadhani kwamba kufikia saa saba watu watakuja kwa wingi. Basi moja kwa moja, nawapa usukani muendeleo na mkutano.

**Com. Idha:** Asante sana bwana District coordinator Bwana Bor, kwa kutukaribisha hapa, wewe na wenzako, members wa CCC; ambao tungependa kuwa shyukuru sana, kwa vile ambavyo sehemu yao, kazi yao, katika kazii hii kubwa ya kurekebisha Katiba ni muhimu sana. Nayo ni kuhamasisha wananchi, kuwabembeleza kuelimisha na kuwatayarisha kwa kazi hii ya leo ya kuja kupokea maoni yenu juu ya Katiba tuliyonayo sasa, na juu ya jinsi ambavyo tunaweza kuirekebisha iwe bora zaidi kuhudumia wananchi.

Ningependa kuanza kwa kujijulisha mimi mwenyewe na wenzangu hapa. Mimi naitwa Ahmed Idha Salim, ni mwana Tume, na pia ni naibu wa mwenyekiti wa Professor Ghai. Mimi ni mmoja kati ya manaibu watatu wa Professor Ghai. Mwenzangu hapa ni Professor Wanjiku Kabira, ambaye pia ni mwanaTume. Mwenzetu wa tatu ana tatizo fulani la afya, na huenda akatu-join baadaye katika kazi yetu ya kutoka sehemu mbali mbali, katika Constituencies mbali mbali kupokea maoni. Pia, tunao hapa wenzetu wengine tuliokuja nao kutoka kituo chetu kikuu cha Kencom House, cha Katiba; hapo yuko Irene Masit, ambaye ni

Program Officer, kazi yake ni kuhakikisha kwamba kazi yetu katika kuenda hapa na pale, inaendelea vizuri. Pia, tunaye Josephine kutoka ofisi yetu, na Geoffrey hapa; kazi yao, kama mtakavyoona, ni muhimu sana. Kila mwananchi akija hapa mbele, itakuwa sisi pia kuchukua maoni hayo kwa kuandika, na wao pia wataandika; na pia tutanasa kila neno linalosemwa, litanaswa kwenye tape. Hivyo ni kuhakikisha kwamba wananchi wa sehemu hii ya Constituency hii, maoni yao yamehifadhiwa kikamili. Hata ukikohoa, ukibadilisha neno, pia hapo tunanasa. Kwa hivyo, ni bora kuliko kuandika. Lakini kati ya maandishi, na maoni kunaswa pale, tunahakikisha kwamba maoni yenu yameshikwa yamehifadhiwa. Na tukirudi kwenye kituo chetu kule Nairobi, tutaanza kazi ya kuchungua maoni ya wananchi katika sehemu zote za Kenya, na kuanza kuandika hiyo Katiba.

Sina haja ya kuwaeleza jinsi ambavyo kazi hii nimuhimu. Mumekwisha kuelezwa na civic education providers, na wanachama wa kamati, kwa hivyo na kwa kuwa wakati hauko na sisi, tungependa kuenda moja kwa moja katika kazi ya kuanza kuchukua maoni yenu. Tutapokea maoni yenu kwa njia moja kati ya njia mbili. Njia moja ya kupata maoni yenu, ni kupokea maoni kutoka wale ambao wamekwisha tayarisha maoni yao kwa kuandika katika memorandum. Yule ambaye amekuja na memorandum yake, atakuja hapa mbele, na tutampa tuseme dakika tatu nne hivi si kusoma. Maana hakuna wakati wa kutosha kwa kila mtu kusoma memorandum yake. Lakini dakika hizo tatu atazitumia katika kudokezea mapendekezo yake. Atataja jambo ambalo yeye linamshughulikia sana; atasema kwa mfano, “mimi ningependa elimu au mpango wa elimu uwe hivi, na hivi na hivi. Kwa upande wa afya, ningependa hivi na hivi.” Unaona hii mukichukua, au mukitoa maoni yenu kwa point baada ya point, sisi itakuwa rahisi kufahamu, na pia, tukirudi kusikiza na tape pia, itakuwa rahisi kusema Bwana Bor kwa mfano, amezungumza juu ya mambo matano. Maana ametaja moja baada ya moja. Ndio hii ndio bora kabisa katika kutoa maoni.

Kwa hivyo yule ambaye ana memorandum tafadhli utatupa zile points zako katika memorandum yako, moja baada ya moja. Na tutakupua dakika nne tano hivi, kufanya hivyo. Lakini, ikiwa hukuandika memorandum, si neno pia. Tutapokea maoni yako ya kimdomo. Utakuja hapa mbele, ana utazungumzia, utazungumza juu ya yale mambo ambayo ungependa maoni juu yake. Na muhimu zaidi kabisa ni mapendekezo. Badili ya ntu kuja hapa akalalamika hivi na hivi, iku hizi ni hivi, siku hizi ni vile, sote ni wananchi wa Kenya. Sote tunajua hali iliyoko hapa nchini, na kwa hivyo wewe pendekeza tu. juu ya jambo hili, pendekezo langu ni hili. Jambo lapili ni hili, na mimi napendekeza lile. Nafikiri tumefahamikiana? Basi huyo ambaye atatoa maoni yake kimdomo, tutampa wakati mrefu zaidi, maana hatuna memorandum yake. Kwa hivyo huyo atapata kiasi cha dakika kumi.

Lakini ikiwa tumeona watu wengi zaidi wamekuja, saa zile tukiendlea na kazi hii, itabidi kupunguza time kidogo. Hii ni kuhakikisha kwamba kila anayejiandikisha, au atakayejiandikisha kutoa maoni, atapata nafasi. Maana ni leo tu ktuko hapa, na wakati mwingine tutakuwa katika sehemu ya pili ya Constituency hii.lakini kwa leo, tungependa kuhakikisha kwamba kila mmoja ambaye anajiandikisha kule na kuja hapa, atasikizwa maoni yake.

Kwa hayo machache, na la mwisho, samahani, tafadhali anza na jina lako. Ili kwamba tukuridi, tusisikize sauti na maoni tu, tataka kujua maoni haya ni ya nani. Sawa, utakuja hapo mbele, sema “kwa majina mimi ni fulani fulani, ningependa kuzungumza juu ya mambo yanayofuata,” na hapo uendelee. Asanteni sana, na sasa nimkaribishe mwenzangu Professor Kabira, kuendesha

kikao hiki.

**Com. Prof. Kabira:** Okay, asante sana Professor Salim, pengine nitauliza, -sijui kama, nitauliza mzee uje ukae hapa, ili microphones ziwe karibu. Kwa sababu hatutaki watu wawe nyuma ya yule anazungumza. Its Okay? Oh. Okay, just leave it there. Hiyo ni sawa, hapo ni sawa. Okay. Asante. Kwa hivyo tutatumia hizi karatasi zimeandikwa, tutaanza tu na wakwanza. Tutafuata ile taratibu, na lakini pengine saa nanae, kama mwenzangu amesema, tukiona watu ni wengi, hatuwezi kutumia dakika kumi, tutawauliza watu watumie dakika tano. Lakini kwa leo tutaanza na dakika kumi. Kwa hivyo tutaanza na Pastor Sammy Sicheluguet, sorry, Chelunget. Okay.

**Pastor Sammy ChelungeTranslator:** I am Pastor Sammy Chelunget, the seventh day Adventist church pastor, Soi, Division,

**Interjection.** (Inaudible).

**Pastor Sammy:** Okay, I am Pastor Sammy Cheluguet, the Seventh Day Adventist Church Pastor, here in Soi division based at Siwa. Here, we have a memorandum from, the Seventh Adventist Church. To the chairman Constitution of Kenya review Commission, and the subject is the Seventh day Adventist comments and recommendations of the Kenya Constitution review, 2001/2002. I have to begin with the Preamble. And because we have been given that limited time, you will read through it when you go back, thoroughly. Because everything is here, we have twenty-seven recommendations, that you will go through. We will have to give all the recommendation to you.

Preamble, is the seventh Adventist church comments and recommendations of Kenya Constitution Review, and the Preamble is the Adventist Church the SDA, having been established in the Republic of Kenya, nearly a century ago, since 1906, is a member of the large wild wide organization of the Seventh Day Adventists. The Church in Kenya has over the years grown in membership and is now standing over two mellium. The Church has established itself through the Republic of Kenya, and has tirelessly been working to enhance the welfare of mankind, by offering instant money fold services of teaching preaching and healing, through the setting up of some of the renounced Seventh Day Adventist Church institutions. E.g. hospitals, schools colleges, universities, and relief and development urgencies.

For this reason, the Seventh Day Adventist Church is strongly appealing for the setting up of ... -I am just giving a preamble, then points, points. Yeah, I follow the instructions. Of a comprehensive Constitution that will cover for the rights of the Church, the community and the individual, in matters of life religion, liberty, association and expression. We, the Seventh Day Adventists, wish to make specific comments and all recommendations based on the Holy scriptures, to the Constitution of Kenya Review Commission as follows:

1. The basic of the Constitution, -you will read through-, and recommendation one, is that recognition of the supreme divine authority and ruler of the great universe, that is God.

2. The SDA recommendation, recognition of the significance of establishing Kenya as a God fearing Nation continually.
3. Recognition of God as the supreme lawgiver.
4. On recognition of God's baker lock, the Ten Commandments, there is a base of earthly Constitutional laws. When we come to table one, human duties to God, the creator, sustainer and redeemer, we have a recommendation, we come to the recommendation four,
5. God's Seventh Day Adventist must be observed as a holy day, of the ... - God's Seventh Day Sabbath, must be observed as the holy day of the Lord, by his loyal people and Nations who are concerned.

In the second table, you will get the human duties to fellow mankind. These, the parents must be honored, -We have a lot of chaos now over the republic. Next is that life must be respected, and preserved. You that? Next is that purity must be preserved on emotional love relationship.

Next is that property right must be recognized by all. The next one, our neighbors and reputation must be protected. Our concern also is covetousness must be avoided. And recommendation five on recognition of God as a supreme Moral and ethical law giver, recommendation six you will get, on environmental and natural resource, preservation and restoration is our concern as a Church. Recommendation number seven, you will get recognition and acceptance of the Ten Commandments on the basis of earthly Constitutional kinds. And when we come as a church, the basic human rights and freedom, we give you recommendation number eight as follows: Formulations of laws to protect human life, we have given everything right here; the right to live. We need people to live. Here you will get that we are recommending perhaps the lifetime jailing, instead of killing people. in fact they get other times for reforms. God is a lawgiver, and He sustains people's lives. So in that, you see to it that you give us these people, even though they are serious in violating the laws, you give us to train them to come to court.

Recommendation nine, the rights of private and family land. Recommendation ten you will get things on the freedom and thoughts of conscience and religion. That is when you will get it thoroughly represented.

Number eleven, recommendation eleven, Freedom of expression. Many a times, we have been crying in Kenya that we have freedom of speech. But normally you discover that there is no freedom after speech. So, we have to give people expression.

Twelve, Right of Assembly. Tear gas is not the solution when people meet to discuss. You leave them to discuss things maturely.

Recommendation thirteen, Freedom of Association. Leave people to meet when they are three or four or more.

Recommendation fourteen, the right to receive justice and be defended before the law courts. ...(Inaudible).

Recommendation on the side of religious liberty and free exercise of the Seventh Day Adventist faith and religion is that we have a denial of equal employment opportunity to the Seventh Day Adventist Church. Denial of Adventists Students equal opportunity in worshipping God, you will get it. Denial of the Seventh Day Adventists Students equal opportunity in the use of facilities in schools and colleges, Denial of the Adventist Church opportunity to preserve the sacredness of the Seventh Day Adventist Church.

When you come to fifteen, you will get to basic Principles of religious liberty and free exercising of the Seventh Day Adventist faith.

When you come to sixteen, what the Constitution should say, on religious liberty and free exercise of religion, you will get it thoroughly inside.

Recommendation seventeen, Constitutional declaration of the Seventh Day Adventist week, that is Saturday, as a worshipping day and resting day must be recognized as stated in the Bible, by the Government.

Recommendation eighteen, the five day work plan Constitutional declaration required, that one you will get, all those.

Recommendation nineteen, the Government and the state institution to be equal opportunity employers.

**Interjection. Com. Prof. Kabira:** Just a minute, ...(Inaudible)

**Speaker from the audience:** Ikiwa mtu ametoa memorandum yake, ni vizuri kupeana kuliko kufanya reading.

**Com. Prof. Kabira:** Unajua tuimpatia dakika kumi na ninaangalia saa. Unaona ametumia dakika nane. Kwa hivyo...

**Speaker:** ...(Inaudible).

**Pastor Sammy:** I am finished; I am finished. In fact expect in two minutes. The Government and state institutions to be equal opportunity employers.

Protection of minority rights. The sponsorship of schools and colleges you will get it here. Twenty two, the state to allow individuals in public institutions to receive special services of the ...(Inaudible).

The statutory taxation, land rate extension to religiously purposed activities, you will also get it here. And twenty four, the rights

of religious freedom by the Constitutional ... (Inaudible). and twenty five freedom of bodies guaranteed. And the last two, recommendation twenty six, you will get adoption of the international declaration of the elimination of the elimination of all forms of intolerance, and discrimination based on religion or belief.

And recommendation twenty-seven, the last but not least, land and property rights. Everything stated here is our concern as Church. And I present the Chairman the memorandum.

**Com. Prof. Kabira:** Thank you very much pastor Sammy. Thank you. Sasa tutamuuliza Pastor John Tuwei,

**Pastor John Tuwei:** Mwenyekiti, wananchi ambao tumekutana hapa kwa ajili ya kutoa mamoni, nawasalimu, hamjambo?

**People:** Hatujambo.

**Pastor John:** Yangu si mingi, sijui dakika ... (Inaudible). Nitasoma mamchache, kwa sababu mimi ni mchungaji wa Seventh Day Adventist Church, aktika sehemu ya Moi's Bridge. Kwa hivyo almost kila kitu ambacho kiko, kimesomwa na ndugu yangu, except ya kwamba, hajataja jambo la Property, ndio nazungumza nikisema ya kwamba property rights iwekwe compensation. Property shall not be taken for public use without justice. Kwa sababu sehemu tunakoishi tunaona watu wengine wanaenda barabarani, because od their right. Hilo, kwa hivyo na recommend ya kwamba katioka Katiba inayokuja, iweko na justice katika mambo ya vitu vya mwenyewe.

Jambo lingine ni crimes. All crimes shall be tried by jury, they be tried in the district of commitment. And no religious court shall be licensed in the republic of Kenya. And in all events of criminal persecution, the accused shall have the assistance of counsel for peace committee. And the ... (Inaudible) iweze kutolewa iwe chini kido0go. Domestic violence, hiyo ni recommendation yangu ya tatu. Katika Katiba ya Kenya inayokuja iweko Kenya Government shall Protect each district or group, clan, ethnic or personal against incision from outsiders. This has been happening whereby when the majority are few, wanavamiwa mpaka wanakua distinct, wanapotea, wanakuja wanakwisha.

Ya mwisho, ningependa ya kwamba mwishowe, baada ya hili jambo lote, Katiba kuandikwa, tuwe na system ya judicial. Na ile ambayo iko, tuongeze Constitutional courts. Kwa sababu ... (Inaudible) yetu tukinyang'anywa tunapelekwa criminal copurts ama tunapelekwa magistrate couyrt. Ambako mtu amevunja Constitutional rights; na mwishowe hatutakuwa na haki, kwa sababu hata kama mtu atatvunja Constitution atakuwa na shida. Kwa hivyo tunataka Constitutional courts, ambayo ita-deal more katika interpretation, protection and even involvement of the Constitution. Asante. Mungu awabariki.

**Com. Prof. Kabira:** Thank you very much, but before you go, -please don't go. There is a question for you. Okay I have a question for you. On the, you did say, you said domestic violence, I didn't know whether you wanted it to be promoted.



**Pastor John:** No, juu ya domestic violence, nimesema ya kwamba, tuchungwe katika domestic violence, tusivamiwe katika njia zozote. Hiyo ilikuwa ni sub-topic kidogo; ya kwamba hatutaki domestic violence ambayo inatokea kijijini, ama kabila ingine inavamia ingine wanapotea. Tunataka Protection.

**Com. Prof. Kabira:** So that was related to the protection of communities. ... (Inaudible) as a community?

**Pastor John:** As a community which are neighboring you or anybody coming, tusivamiwe. Yes.

**Com. Prof. Kabira:** Okay, thank you very much. Thank you. Please sign your name and give us the memorandum, we will read the details. Thank you very much. Now, Mr. Kipyegon Bor.

**Kipyegon Bor:** Asante sana, mimi naitwa Kipyegon Bor. Ninaongea hapa kwa niaba ya kikundi kinajulikana kama Kony welfare association. The time you have given might not be enough. I do have a memorandum, but it is not ready, when it will be ready, we can get it to you.

**Com. Prof. Kabira:** Okay, do you have any prepared memorandum? Then we will give you ten minutes because you don't have the memorandum to give all the information you have. Then you can write the memorandum and send it to us, through the district coordinator.

**Kipyegon:** Okay, thank you. Ill try to follow the guideline given in this booklet, and first of all, I want to begin by a few comments. We know the Constitutional history of this country up to now. At independence we had a Constitution, and after looking at that Constitution, after looking at the original Constitution, that is the so-called Majimbo constitution of 1963; we had time to compare it to the current Constitution. And from all angles, we decided that the original Constitution was what was good for this country. We don't know the steps that took place, I mean how that Constitution was eventually dismantled and destroyed. In many ways it reflects what is still happening in Kenya, where the law is bent and changed, for the personal gain of a few people. at mostly, those in power. It happened to the Constitution, and I believe that is the reason why we have all the trouble we have right now. So, my first recommendation is, we go back to the original Constitution. We adapt it as it was.

From there, we can modify the few things that are possible. I would wish to give you an example, during the formulation of that Constitution, I believe all communities came together in Kenya those days. And from their deliberations and discussions and agreements and compromises, they agreed on that Constitution.

It was unfair, given that the way it was changed; it was changed by a certain Government that was in place at that time. And they did not consult, - you see, this was a compromise document. They did not consult the people who came with the original

Constitution. And in a way, we feel, - I was many years after independence. But, I have a feeling that people were cheated out of something, during those ...

**Interjection. Com. Prof. Kabira:** Mr. Bor, we have accepted your recommendation that we go back to the independent Constitution. May be we need to move on to how you want us to change it to improve on it.

**Kipyegon Bor:** All right, I said we adapt it as it was; it was a beautiful document, detailed and all. Now, ill try to, - on the form of Government, we had a unitary Government, and there is no problem on the form of Government. We can have, - we have a unitary Government now. But, the original Constitution had Federal Government. So my recommendation is that we need a federal Government.

**Interjection. Com. Prof. Kabira:** Sorry, just a minute.

**Speaker:** Ningeomba mkutano, wale watu hawajatoa maoni yao, wawe na Kiswahili kwa sababu tuko hapa leo, wamama, wazee, ambao hawajui Kiingereza.

**Com. Prof. Kabira:** Asante sana. I think Professor Salim alisema, si tulisema hata watu wakitaka kuzungumza na the mother tongue, what is the language here? Nandi?

**People:** (Inaudible).

**Speaker:** Na hata tuna haja ya kusikia yale anasema.

**Com. Prof. Kabira:** No, it is okay. Ninaongeza ti kwa vile ulisema tuzungumze na Kiswahili, au tukiona hiyo ni ngumu, au Kiingereza, tuzungumze na mother tongue. Is that okay?

**Speaker:** ...(Inadible) hapana mzuri.

**Com. Prof. Kabira:** Ni vizuri kuzungumza kwa Kiswahili?

**Speaker:** ...(Inaudible).

**Com. Prof. Kabira:** Okay. Vile nimeongeza, nimeongeza kwamba tu, kukiwa na mtu yeyote anataka kuzungumza na ni Nandi? Ni Kinandi? Akitaka kuzungumza na Kinandi tuta-translate kwa Kiswahili. Lakini tukizungumza kwa Kiswahili ni vizuri. Okay, just a minute we resolve this.

**Speaker:** kwa maana tunapeana maoni, na ningedhani ni vizuri yule mtu ambaye anapeana maoni, achague ile lugha mabyo atapeana maoni kwa njia ambayo ni safi kwake. Sio kwa watu ambao wanasikiliza.

**Com. Prof. Kabira:** Okay, hiyo ni sawa? Okay, unataka kuongeza?

**Speaker:** Yeah, nami pia naongeza kwamba tumekuja hapa uili tupeane maoni yetu kwa Commissioners, ambao wataenda kukaa chini na assess, sio kwamba sisis ndio tutatoa assessment hapa, ili tuseme kwambamtu aongee tupate kusikia. Wale ambao wanataka wasikie ni wale. Kwa hivyo kama huyu anaelewa lugha ya Kiingereza, atumie hiyo. Kama anaelewa Kiswahili, atumie hiyo. Kama ni lugha ya mama, atumie hiyo. Bora hawa wapate, na kuchukua, waende wakae chini, wafanye assessment.

**Com. Prof. Kabira:** Okay, leo mumesikizana? Ni sawa? Okay can you go ahead the way you suggested. Lakini just give us a few points because we, not few points, I mean summarized points.

**Kipyegon:** Summary? Okay. I would appreciate if I don't get ...

**Interjection. Speaker:** Hapa kwetu Uasin Gishu, wote wanazungumza lugha ya Kiswahili. Hata katika hapa Kanisani kwetu, sisi majority wa hapa ni Wanandi. Lakini tunazungumza Kiswahili maana wako hata watu wawili, au mtu mmoja haelewi lugha hii yetu ya Kinandi. Ndio tunatoa Kiswahili. Ndio mimi naona, ni kitu gani inazuia sisi leo, kutoroka kwa Kiswahili na kukimbia lugha ya Kizungu iko England? Na sisi tuko hapa kwetu Uasin Gishu? Mimi naomba kama inawezekana, tuzungumze Kiswahili, kama inakuwa ngumu kidogo, tuweke mkalimani basi.

**Com. Prof. Kabira:** So, unaweza kuzungumza na Kiswahili? Ni sawa?

**Kipyegon:** Sipendi kuzungumza Kiswahili kwa sababu, ...- just wait, I have to explain. Sio rahisi ku-explain. Na mimi sielewi Kiswahili, vile ninavyoelewa Kiingereza.

**Com. Prof. Kabira:** Okay. Then it is okay, lets give him a chance. Tumpatie nafasi kwa sababu anansema hajui, okay? Asante. Now we have taken all your time. So very shortly, ill begin five minutes from now.

**Com. Idha:** ...(Inaudible).

**Kipyegon:** Thank you. So, I was talking about form of Government. Sorry, I made a confusion there but, I was trying to say that it could be Presidential or Parliamentary. It doesn't matter.

**Interjection. Com Idha:** ...(Inaudible)

**Kipyegon:** I did.

**Com. Idha:** ...(Inaudible)

**Kipyegon:** I favor Federalism totally. I believe it is the best.

**Com. Idha:** ...(Inaudible)

**Kipyegon:** No. Please no.

**Com. Idha:** I just want, - this is clarification.

**Kipyegon:** Okay. Thank you. I was talking about the form of Government; I was saying that it doesn't matter Presidential or Parliamentary. Any can do. As long as it protects minority, it protects – we protect every individual in the country.

There was an issue about our representatives. We realize that most of the mess we are in is due to the incompetence of our MPs, and our representatives. It would be fair to impose some basic qualifications for them. If not basic qualification, some form of examination, to ensure they have a minimum level of competence, to be able to handle important issues. Given that we have, -all the Constitutional amendments have been in Parliament, and they have made a lot of mistakes. There was an issue on customary law, and discrimination of women, against women. It is a delicate issue, but my recommendation is, we do not abolish customary law. It has a part to play. What we should do is to ensure that it doesn't crumple on the rights of women and anybody else, children and the rest.

Apart from regional Government, we have people who do not belong to any region, and yet they are minorities in Kenya. We should ensure that they have a minimum representation, in whatever form of Government we have, - Parliamentary, and Presidential.

And in the number of houses in the country, it is covered in the Majimbo Constitution, but I will say it again. we need two chamber houses like it was in 1963. We know it works, because we see all the Democracies, the stable ones, at least have two chambers.

The police. The police...

**Com. Prof. Kabira:** ...(Inaudible)

**Kipyegon:** I am. We notice that the police has been the agency for suppression of Kenyans. We need something very strong and very articulate, or very detailed, to take care of the police force. Or any other force that is armed and charged with the security of the country. I believe it was covered in the Majimbo Constitution, but, if we don't adapt Majimbo, let's take care of the police force, in a way that will ensure that they do not, -they are not used by the executive to suppress people.

Now, the other thing is, we could create a Constitution now, but we have to put in place mechanism and safeguard, to ensure that nobody, not even a majority. We know Kenyans vote on a tribal, on tribal lines. We have majority tribes. If we let it, if we allow the Constitution to be just a vote of the majority, it won't be a fair Constitution. Because, it can be changed, the way it was changed in 19... between 1963, and 1969, which we know was unfair. So, we have to put in place, a mechanism that ensures that if anything fundamental in the Constitution has to be changed, it has to come back to the people who agreed on it. It has to come back like it is now. This is the only chance we have; maybe we will not have another chance. So, we put in place those safeguards.

And there was another comment I wanted to make on this review Commission.

**Interjection. Com. Prof. Kabira:** the last one.

**Kipyegon:** Yeah, the last one. Thank you. There is this issue that we should have an election before the conclusion of this exercise. In my view, and the people I represent, it won't be fair. I will give you an analogy, where after somebody being sick for many years, and he is told to wait for treatment for just another two days, started complaining that I want the treatment now, it doesn't matter. We have been living under this system for thirty years. Another four months will not matter. So, in my view, I recommend, the commission be given enough time. Even a whole year; to complete properly, and in an orderly way, this exercise.

Thank you very much.

**Com. Prof. Kabira:** Asante sana Mr. Bor. Tutamuuliza leo Joseph Ronoh, after Joseph Ronoh ...(Inaudible).

**Joseph Ronoh:** The Chairman and the Commissioners, those who are presenting their views, mine, is an individual kind of recommendation. It is individual. I will deal with...

**Com. Prof. Kabira:** Mr. Ronoh, just say your name. This is for everybody. Kila mtu first of all, we are recording.

**Joseph Ronoh:** I am Joseph Ronoh. And I said I will give individual views. Now, I am starting with land tenure. The respect

should be given to the land ownership, which was obtained legally, and should be protected by the Government in place.

In dust land tenure, we have inheritance. According to the Kalenjins, those who were to inherit land and perhaps property were sons. It is my recommendation that daughters who are not married, should have the right of land ownership, because they belong to that family, and therefore they should be considered. Those who are married will inherit land from their spouses.

Then I go to education. Every child should have a right to education. No matter where he comes from. He may be coming from a small community like Elmolo, in Turkana. They should be taken care of and given equal opportunities. So that they get the same level of education as children in town. So, the system of Government should distribute the..... Children who are unable to go to school because of finance. So, sources should be set aside, for every community, so that children who are unable to continue, can continue.

We have in this, disabled – the disabled people who are not taken care of, because they are disabled. They may be blind, deaf, or lame, these people should have equal education opportunities as other normal Kenyans. The Government should set aside resources to make sure that all children get free education to the highest level. Because we have enough resources. There is no need for a person to earn 2.5 million, per month; while a child in this place is not going to school. They should be given an opportunity to learn like him. So that he gets also the same resources.

We have again, health. The few doctors we have, should take care of all things. You find that a well-placed person is taken care of medically, than the person who is naked or half naked. Why should this be? While this one is able to go somewhere else for treatment; I think the person who should be taken care of is this poor person. To receive free medical attention. In our hospitals these days, you go to a hospital, a person is kept waiting for a long time, and many die in the line. While those who are, - have the knowledge, even having caused (Inaudible). a system should be established so that, a person moves round to see those who are seriously sick, and attention to be given.

Distribution of resources. In Kenya we have resources. And in, - they call it infrastructures, like the roads, electricity, we have the forests, we have other natural resources we have in this country. Which only benefit those with, in power. I think resources should be distributed, if we accept the Government as one, then the resources should be distributed equally to all people. I am saying this because if you go to other places, the roads are so poor, while if you got to others, they have tarmac roads to their latrines, and electricity in all their houses; while people are unable to communicate. For example in this place, going through this place to ...(Inaudible). They do communication. Why should this be, while we have other places where roads are good? Resources should be distributed equally to benefit all the citizens of this country.

And then security. Security ...

**Com. Prof. Kabira:** Isn't that the last one?

**Joseph:** One more.

**Com. Prof. Kabira:** Okay, please wind up.

**Joseph Ronoh:** Security in this place, especially the police forces, as indicated, is such that ... it is poor anyway. And therefore a system of monitoring the police should be established, in order to make every person secure in this country.

The power of the executive, I recommend that the power of the executive should be reduced. So that, he doesn't hit amount upon himself a lot of property. Thank you very much, I think that is what I have.

**Com. Prof. Kabira:** Okay thank you very much Mr. Ronoh. Can we have Mr. Ben Magut? Mr. Ben Magut, he is not around? Yes, I hope I am reading it correctly. Ben Magut. He is not there? So we will go to Ken Kirui. Ken kirui, okay he is not there. Then w go to Daudi arap charikim, it is okay. Sorry your name is difficult for me to pronounce. Arap Chirikim, okay. Otherwise ..(Inaudible). we will call you when we are ...(Inaudible).

**Daudi:** Mimi ni Daudi arap Chirikim, na tukiwa hapa, nakuja hapa kuangalia mambo ya Katiba. Mambo ya Katiba, ni sisi wenyewe tunaangalia, kwa sababu sisi ni wenyewe. Kitu ambacho mimi ninatetea, ama ni hii vitu ambavyo munasema ni mambo ya nchi yetu. Nchi yetu ningependa kusema ya kwamba sisi mali ambayo mpaka ya kila kabila kabila, aheshimu sehemu yake kwa sababu tukiheshimu ndio sasa tutakaa kwa njia nzuri. Kwa sababu watoto wetu wanaweza kupotea. na ningependa kusema ya kwamba tuheshimu mipaka yetu, na tuishi kwa, - hatutaki watu wengine waingie kwa sehemu ya wengine.

Tena, tumeona maneno tena ambayo sasa yametokea, mambo ya mipaka. So, mtu anaweza kuingia kwa shamba la watu, nini, kununua shamba mashambani, ploti, kama ni point moja, point mbili, na hapo sasa ningeaona ya kwamba sheria itunze. Kwa sababu hiyo mambo ya ma-point iende kwa ma-town, ama mahali ambapo wanafanyia biashara. Kwa sababu ukienda kwa, karibu kwa ndani ya mashambani, wataharibu watu; kwa sababu watu hao, hakuna makao ambayo wanaweza kukaa kwa njia nzuri. Ndio sasa nasema ya kwamba, tuheshimu mahali mashamba, watu wakae kwa njia nzuri, lakini upande wa maendeleo, tufanye kwa center. Sina mengi, ni hayo tu ya kusema.

**Com. Prof. Kabira:** Asante sana mzee Daudi, thank you very much. Tutamwita Alex Ng'etich.

**Alex Ng'etich:** Mimi ni Alexander Ng'etich, mimi ninaonelea kwamba sisi katika Kenya tuna matatizo kuhusu maneno ya Katiba. Katiba ambayo tulikuwa nayo, tunaona kama imeregea, na ukisikia vile ilikuwa mbeleni, ilikuwa nzuri, kama miaka ya sititni na tatu, wakati tulipata uhuru, tulipata kujua ya kwamba tulikuwa na Katiba nzuri, Katiba ya Majimbo. Kila Jimbo ingeendeleza kazi yake kwa njia nzuri. Lakini kwa sababu ilikuja ikasema ni uhuru na Majimbo, lakini baadaye ikafifia, hiyo ndio

ilikuja ikaharibu. Sasa mimi napendekeza hiyo Katiba ya zamani irudi na iendelee, kwa sababu hiyo itasaidia watu, -makabila nchini. Tena kama vile mwenzangu amesema, maneno ya makabila, -hatungetaka kusema kabila, lakini tunasema kwa vile Mungu aliumba watu, akasema watu fulani wakae hivi, fulani wakae hivi. Na sisi tunasema tuje tuwe pamoja; lakini kuwa pamoja, kuna wengine wanafinywa. Tungetaka tu tuseme tuweke watu kwa kila -mtu akae kama vile Mungu aliumba. Kama ulikuwa umeumbwa, ukasemekana wewe ni fulani, heshimu sehemu yako na Mungu atakusaidia hapo. Basi nafikiri yangu ni hayo.

**Com. Prof. Kabira:** Asante sana Bwana Alex, watu wakae vile Mungu aliwaumba, sindio? Okay, tutamwita Mr. Yego. Sammy Yego...

**Simon Yego:** Mine will be ... mine will rather be a personal view. My name is Simon Yego. I will talk about taxes in Kenya. Well, you find that in Kenya are very high. And it affects almost, let me say everybody in fact. I was very surprised during the time when the budget was read by the finance Minister. He proposed that the ... (Inaudible) to ban the importation of 'mitumba' cars. I was very much affected. You find that here, somebody could be planning to buy at least a machine to use. And even if trees are grown right from the nursery, not all of them will grow at the same rate. When he said that he would not like mitumba cars to be imported into the country; then I wondered, if that man who earns just a meager salary would like to buy a car, where will he get the heap of money to buy a new car? We are not all the same. My view is, I propose that the importation of Mitumba cars to go on in the country. And apart from that, taxes are still very high in the country. Take for example, if you visit national parks like the Nakuru national park, which is just across, beyond Eldoret, we are told that before you get in, you will be charged as according to the vehicle. For example a Nissan, you will be charged one thousand shillings. Then you wonder, these are our wild animals, and we are charged as if we are foreigners. I propose that taxes be reduced in the country, so that it can allow everybody to move in the country with such a move of spending less money, as he has. Those are the few things, which I have, and I think our country, or rather the citizens of Kenya will be taken care of. Thank you.

**Com. Prof. Kabira:** Thank you very much Mr. Yego. Can we have Paul Sang'? Paul Sang'.

**Paul Sang':** Okay, mimi ni Paul Sang', nimekuja hapa kwa ajili ya kutoa maoni juu ya marekebisho ya Katiba. Nafikiri niko na maoni ya kibinafsi, karibu tano hivi. Nafikiri nikianza kutokana na maoni yangu, nitaanzia juu ya masilahi ya mtoto. Ama jinsi mtoto anapaswa kulelewa. Nafikiri, tutasoma kwanza kwa, - ama vile nimeandika halafu nitaanza kusema kidogo kidogo, tu kutumia Kiswahili. Lakini kwanza nikisoma, tutasoma kwa Kiingereza.

Children must be punished using a cane as it was before. Nafikiri, ninaonelea kwa maonui yangu, ninaona kwamba mtoto anapaswa kuadhibiwa tukitumia kiboko. Nasikia juzi Serikali wameamua ya kwamba mtoto hawezi kuchapwa akifanya kosa; nafikiri ni kazi ngumu ambayo Serikali imeanza, - Serikali ikifanya hivyo, ni kama kwamba kutakuwa na kesi nyingi sana, kwa sababu, hapo awali tulionelea mtoto akichapwa nyumbani akifanya kosa, akiwa anakuwa pole pole hivyo, anaweza



kurekebisha makosa yake; na anaweza kuwa mtoto mzuri. Lakini sasa tukipatia ama tukipea mtoto jukumu sasa, akifanya kosa, lazima muende kortini kwanza halafu, tuone nani amefanya makosa ni vibaya.

Ya pili ni juu ya masomo. Nafikiri kutokana na maoni yangu ningeonelea ya kwamba, masomo ya hapo awali yaendelee. Sijui ilikuwa ya Saba-Nne-Mbili-Mbili, ama, ni hivyo tu nilionelea tu masomo ya hapo awali yangeendelea.

Ya tatu nin kuhusu mambo ya hospitali. Hospital bills must be rectified, e.g. to abolish private hospitals which have come to charge a lot. Ningeonelea Serikali tu iwachwe iwe moja ya kuendeleza mambo ya ma-hospitali, halafu tutupilie mbali hawa watu wa private hospitals ambao wamekuja kulipiza watu pesa nyingi sana.

Nafikiri ingine ni kuhusu wakulima. Farmers must be left to form their co-operative societies to Govern them as far as their products are concerned. Nafikiri hapo ni clear. Mumesika tu wakulimwa wawachwe, ama wapew jukumu ya kuanzisha, - what do we call them? Shirika lao pekee yao ya kuweza kuuza ma ... yes.

Halafu, the last one is about bribery. Bribery must be abolished. If anybody makes mistakes, he should be taken to court. Nafikiri hapo imekuwa clear kidogo; kwamba mambo ya hongo itupiliwe mbali. Ikiwa mtu amefanya kosa, aende kortini, lakini mambo ya kupeana hongo iwachwe kabisa. Nafikiri hapo ndio mwisho.

**Com. Prof. Kabira:** Asante sana Bwana Sang'. Tafadhali jiandikishe. Sijui kama Kirui, Ken Kirui ameingia? Oh, okay. Okay, na Ben Magut. Hajarudi? Okay, David Rogony,

**David Rogony:** Tulikuwa tumeandika yetu tangu jana, lakini sijui sasa kama hawa wamekwisha tayarisha. Ilikuwa mimi nasema hiyo memorandum tuliandika, ikipeanwa kwanza halafu mimi naongeza ile yangu ingine. ...*Kataonyoru ko ngomi anan linda*. Mimi nasema ligha yangu, nafikiri hawa watu wangu wanasikia. Ile kitu tuliandika jana iko au hapana. ...*moni memorandum che kogaisir? Matakeib?*. Basi kama itakuja baadaye, wacha mimi niseme ile yangu ya kuongeza.

Ya kwanza, mimi nilikuwa nikisimama hapo kuzungumzamambo ya nchi yetu. Nina nafasi kuzungumza kusema kama sisi ...

**Interjection. Com. Prof. Kabira:** Mzee Rogony, unataka kukaa? Kwa sababu hii twaweza kuitoa upeane maoni ukikaa, kwa sababu ya miguu.

**Rogony:** oh, aah! Nitajaribu, kama nitachoka nitakaa.

**Com. Prof. Kabira:** Okay, Asante.

Rogony: Basi, nilikuwa nikitoa maoni namna hii, hapotumesikia fununu kutoka huku na huku, watu husema ati tunataka kila kitu kiwe sawa sawa. Ndio mimi nasema, hata Mungu mwenye alikuwa hatoi kila kitu sawa sawa. Tunaona watu wengine warefu, wengine wafupi, wengine katikati. Lakini nasikia fununu inasema, inatakiwa mali yote itengenezwe ati mali yotye itengenezwe iwe namna moja, na hiyo ndio mimi nakataa. Siwezi kukubali mali ya watu igawiwe kwa watu wengine, iwe sawa sawa. Kama vile mtu anasema, ati inatakiwa mashamba yawe kadiri fulani. Na kama hiyo kadiri fulani, watu wakizaana wawe wengi, watafanya kadiri gani hao watu? Kwa hivyo mimi nakataa nasema mali ya watu yawe vile ilivyo.

Ya pili, majimbo, iwe katika kila mahali, kama province yetu ya, hii ya Rift valley, iwe kama ilikuwa inaitwa Province. Na kama mtu anatoka Kisumu, kuja uimbe wimbo wwetu wa hapa. Na mimi nikienda Kisumu, naenda kuimba wimbo wa *oyaore musawa*. Na nikienda kule kama upande wa central, naenda kuimba wimbo wa *we mwega*, na kuimba wimbo ule ule. Nilisikia Moses anasema anatoka kule Meru. Kama nikienda huko nasema *muga mugenyi*, kitu kama hiyo. Lakini kuja kusema ati tugawe mali yote iwe sawa sawa na mtu anatoka Nyeri, mtu anatoka Kisumu, mimi nakataa. Nasema Majimbo yetu iwe kama ilivyokuwa hivi, wakati inaanza, tulikuwa tunaanza na Majimbo.

Kitu cha pili, ni mali ya watu kama urithi. Mtu akifa, mali itachukuliwa na bibi yake. Lakini nasema hivi, sisi, -mimi napendekeza, walwe watu wa ndugu wa ule mtu alikufa, wasimamie mali ya huyo. Maana huyo bibi kama anasema mali ni yake, pengine atachukua na kucheza nayo, pengine huyo bibi alitolewa huko Kisumu, atakuja kubeba mali ya ndugu yangu kupeleka Kisumu. Pengine alitoka kule Nyeri, atakuja kupeleka huko. Ndio mimi nasema nguvu iwekwe kwa wale wandugu wa marehemu. Ama vile sisi, kama sisi Wanandi, wnye kuchunga mjane, ni wale ndugu za marehemu. Wanachunga tena wanachunga; hapa chungu kwa mchezo. Wanachunga kabisa kwa sababu hawataki mali ya ndugu yao iharibike. Kwa hivyo inatakiwa mtu akifa, bibi anachukua mali kweli kila kitu, lakini wenye nguvu, ni wale wandugu wa marehemu. Kwa sababu hatutaki mtu akuje kuhamisha mali hapo anapeleka Nyeri. Hatutaki mtu akuje kupeleka mali huko Nyanza, hatutaki mtu anakuja hamisha, wengine wanakuwa na watu wake wengine hapo, wanakuja kuharibu kila kitu. Na sisi tunaona ndugu yetu aliondoka, na hatutaki, -yeye aliondoka na mali. Na ndugu yetu akiondoka, mali ibaki vile ilivyokuwa. Basi kwa hiyo ndio mimi nasema, kitu kama hicho, ninapenda tuangalie sana sana. Siku hizi ikon tabu sana kwa hawa wanawake wanaolewa kutoka huko na huko. Hata kama hayuko mwenyewe, hatutaki yeye acheze na mali ya watu wetu.

Habari ya mashamba, kuna hii karatasi ingine inaitwa free hold. Na kuna karatasi ingine imeandikwa 99 years, sijui hii ya, -ile ilikuwa ya wazungu. Lease, hatutaki lease katika nchi hii; maana sisi ni wenyeji wa hapa. Tunataka lease ile iondoke kabisa, na tubaki na ile karatasi yetu ya kusema shamba ni ya mwenyewe na kuendelea. Kwa hivyo, nafikiri mimi mzee siwezi kueleza mengi, maana hata sikuandika kitu. Unaona vile mimi nasema hivi. Basi kwa hivyo, kityu kama hicho ndio nasema, iwe hivyo. Na kama nimesahu mengine, nikirudia munanipa ruhusa. Tafadhalini.

**Com. Prof. Kabira:** Asante sana mzee Rogony, na watu wako wakiingia nitawapatia ruhusa, wale walikuwa wameandika memorandum. Tutamwita Leah Cheronu, sorry, Leah Chumo. Ako? Hayuko? Hayuko, okay. Wengi wamejiandikisha kama

observers, kwa hivyo nitawaruka. Lakini wakifikiri wanataka kuzungumza watatwambia. Na kwa hivyo nitaenda kwa Paul Ng'etich. Wewe ni Leah? Okay, Paul Ng'etich, hayuko?

**Audience:** ... (Inaudible).

**Com. Prof. Kabira:** Daudi Barno. Okay.

Daudi Barno: Basi, mimi naitwa Daudi Barno, kutoka Soi location. Katika Soi Location, mimi ni chairman wa Ford Kenya. Na nafikiri hapa tumekuja kutoa marekebisho ya Katiba yetu ambayo ilifanyika mwaka wa sitini na tatu. Okay, nafikiri, marekebisho ambayo tunarekebisha, ni yale ambayo yalifanyika mwaka wa sitini na tatu, wakati nchi yetu iliponyakua uhuru. Ndio tunakuja kurekebisha yale ambayo yametuleta mpaka siku ya leo. Kwa hivyo nafikiri marekebisho yangu yatakuwa kuhusu mamlaka ya Rais wa nchi yetu. Kwa sababu mwaka wa sitini na tatu mamlaka, Katiba ilimpatia Rais uwezi zaidi, ambapo, hata uchumi wetu unapokuwa mbaya, Rais hutoa msamaha kwa waovu ambao wanaharibu nchi yetu. Kwa hivyo nataka marekebisho ya Katiba yarekebisha uwezo wa Rais uende kwa Bunge. Bunge liwe na uwezo zaidi ambao linaweza kutatua matatizo yote ya Kenya. Kwa sababu, yale yote ambayo yamesemwa na wenzangu ambao wametangulia, yanazoroteshwa na mambo ya uwezo ambao ulipewa Rais wa nchi hii tangu uhuru. Kwa hivyo tungetaka marekebisho, uwezo wa Rais ufutiliwe mbali, na huo uwezo upewe bunge.

Rais anapoteuwa mawaziri, au chochote anachofanya, majinab yale ya mawaziri, yaende kwa bunge, na yaidhinishwe na wabunge. Kama ni Mkuu wa Sheria, iidhinishwe na bunge. Kama ni mkuu wa police, iidhinishwe na bunge. Kwa sababu wale wote ambao wametawala nchi hii, wanatumia mamlaka yao kwa sababu ya uwezo ule ambao Rais ako nao. Kwa hivyo marekebisho yangu ni kwamba, uwezo huo ufutiliwe mbali. Halafu, tuweze kupata kila jambo kwa njia nzuri, na wengine wasitumie jina la Rais kunyanyasa wengine, kama tunavyoona wakati huu. Wakati huu tunanyanyaswa na watu wengine kwa sababu wana uhusiano kidogo na nchi yetu. Kwa hivyo tunataka mamlaka hayo yavunjwe.

Pili, ma-Chief, wachaguliwe na raia, kama ilivyokuwa hapo awali. Kwa sababu utumishi wa Chief uemkiuka Katiba yake, au muelekeo wake. Kwa sababu ma-Chief wanapokuwa saa hii wanafanya kazi yao, ni ma-Chief ambao wanaonekana kwamba waliandikwa na mtu fulani. Sio ma-Chief ambao walichaguliwa na raia. Na hiyo ndio nguzo ya raia wetu wa Kenya; ili watu wetu wapate maendeleo, ni kwa sababu ya ma-Chief ambao wanatumika kama wanavyoandikwa. Lakini wakati huu, wanatumia mamlaka yao kwa njia ambayo haitakikani, na ambapo haki haifanyiki. Kwa hivyo ningenelea kwamba, marekebisho, ifanyike kwa wakati huu ambapo, hapo awali ma-Chief walikuwa wameandikwa, na hapo awali, ma-Chief walikuwa wanachaguliwa na wananchi, na ile ya zamani irudishwe ndi mamlaka ya wananchi wachague hawa machief, ili waweze kutumikia hawa watu. Sio kwamba wenyewe wanatumikia Serikali, lakini hawatumikii wananchi; na wawe watumishi wa Serikali. Pia, ningomba marekebisho, kwa mawaziri au watumishi wa Serikali wasipewe nafasi ya kufanya bihasara. Wawe watumishi. Kwa sababu, mambo ambayo yameingia nchi yetu wakati huu, ni kwa sababu mawaziri, na wabunge wanaweza kuleta mali kutoka nje. Ndio inakuja kuharibu mali yetu ambayo tunayo katika nchi yetu ya Kenya. Hata bihasara ambayo

inafanyika, .....

Kama ya mahindi, kama ya ngano, wale ambao wanaendesha biashara, ni mawaziri na wabunge, na watumishi wengine wa Serikali. Kwa hivyo ningetaka Katiba mpya iandike ya kwamba mawaziri, na wabunge wawe watumishi wa Serikali. Watosheleke na yale ambayo tunawalipa tukitoa ile nini, code yetu. Tunalipa kodi ili wao wapate mshahara. Lakini kwa sababu wamekiuka mwelekeo, wanachukua ule mshahara wetu, ambayo tunawapatia, na kufanyia biashara, na kunyanyasa vitu vyetu ambayo tunalima katika nchi yetu ya Kenya. Kwa hivyo ningetaka marekebicho, wawe watumishi wa Serikali.

Pia, ningerudia tena kwamba, Rais wa nchi ya Kenya, ambaye atakuja, asiwe mbunge katika sehemu anakotoka. Awe, na makamu wake tena asiwe mbunge. Wawe watu ambao wanapigania kutoka katika vyama vyao. Kwa hivyo ningeonona hawa, ili tutosheke na mambo ambayo yanatusaidia katika nchi yetu, tupate watu ambao wanawakilisha sisi, na ambao tunawachyagua, watuhudumie kwa njia inayofaa, ili isitokee unyanyasaji.

Pia, kwa sababu hata wakati huu hatuna haki; mwaka wa tisini na mbili, Kenya iliweza kuwa nchi ya vyama vingi. Na tulipewa uhuru wa kusema na kutoa maoni. Na kwa sababu ya uwezo huo, umetunyanyasa, hata wakati mwingine, unakuta watu wengine wanawekwa ndani kwa kusema ukweli. Kwa hiyo ukweli uweze kuonekana. Hata vyombo vya habari katika nchi yetu ya Kenya, huweze kunasa mambo ambayo yanatoka upande mmoja. Ndio tunataka kwamba, Kenya iwe nchi ya vyama vingi, na ipatikane haki kwa kila mtu. Iwe kila, akiwa masikini, akiwa tajiri, iwa ni nani, awe na haki yake ya kusema. Anavyonyanyaswa, aweze kutoa malilio yake. Wakati huu, wale matajiri wengine, wanaenda kunyanyasa wale ambao hawana chochote, na hakuna mahali unaweza kuenda. Tunataka haki kwa kila mtu katika nchi yetu ya Kenya. Hiyo tunataka haki. Kwa hivyo ningeonolea kwamba, sisi tupewe haki yetu ambayo inatutosheleza.

Ya mwisho, naungana na wale wengine, ya kwamba bunge letu la Kenya ya sasa, inakuwa ni bunge ambayo itakwisha mwezi wa December mwaka huu. Na iwe namna hivyo. Isiongezewe muda, hata dakika moja. Hata dakika moja. Katiba yetu iliyoko sasa itumiwe, marekebicho irekebishwe ya uchaguzi, kwa sababu ni marekebicho. Si kwamba, hatukuambiwa kwamba tunakuja kutengeneza Katiba, ni marekebicho. Kwa hivyo turekebishe yale ambayo yanatuwezesha kufanya uchaguzi wetu mwaka huu. Ili wale watu ambao wamerfanya maovu waondolewe. Kwa hivyo naungana na wenzangu kwamba sitaki hata dakika moja au nini yote iongezewe bunge ambalo linaendelea sasa. Kwa hivyo Mungui awabariki.

**Com. Prof. Kabira:** Asante sana Bwana Barno, na tutamuuliza Beatrice Cherono...

**Beatrice Cherono:** My names are Beatrice Cherono; I am representing the North Rift Social workers association. And I am going to present a paper on Female segregation, towards the Constitutional Review process. I highlight human rights apply to all equally, without distinction of any kind, such as race, colour, sex, language or other status. However, tradition prejudice social and economic, political interest has combined to exclude women from prevailing the definition of general human rights. And relegate women to secondary or special interests status within human rights consideration. So the Constitution is supposed

to set a framework, within which laws can be made. Each provision should provide a framework for legislation, to protect all citizens from discrimination.

Women's areas of concern in the Constitution; first, we are talking of the Constitution. The language of the Constitution is not gender neutral. The Constitution uses 'he' or 'man,' to represent both genders.

Citizenship: section 82 to 92 of the constitution, discriminates against women from passing citizenship to their foreign husbands, or children born out of those unions. The Constitution of sexist immigration policies, registration of identity cards, the new Constitution should provide for full citizenship rights for women, Kenyan women should be allowed to pass on their citizenship.

Property laws; under the Constitution of Kenya, women can acquire, own or dispose of property. However, customary laws prevent women from inheriting land. Most communities in Kenya, clans. Community families, land property belongs, and are usually inherited under customary by the male heir. Ironically, women are the laborers, the producers in the peasant farms, cash crop farming, yet they have no right to own or dispose of such land.

Household responsibilities however, are not factored in accounting of the economy, well being of the family, community and a nation as a whole. Kenya does not have local legislation on marital property. Today, the country relies on English married women property Act of 1882. The Constitution must clearly address the concept of ownership and custody in matters of land property and access. The rights of women should be left in the hands of their fathers and brothers and husbands and sons.

Succession and inheritance; the law does not distinguish between male and female heirs, or married and unmarried female heirs. However, culturally, women did not inherit from their fathers, and more so married women. When the husband dies, his brothers and parents in many cases disinherit the widow. The principle of gender equality should be applicable on issues of inheritance. Administration and management of estates and ownership of property on equitable basis. The rights of widows, their children –both girls and boys, the rights of orphans, especially those relating to inheritance and be protected. The Constitution should guard against male dominance and manipulation in ownership of property.

Marriage laws; there are several forms of marriage, statutory marriage, African Christian, and customary marriage, which however is not legislated. To add on that, we have the 'come we stay' marriages where two people, like a man and a wife, live with, -like a man and a wife, without undergoing any type of marriage ceremony. Child marriages also are common in Kenya, and despite the recognition of a few of the marriages, the Constitution should be able to legislate the marriages like 'come we stay.' Let's say like, the 'come we stay' should have a legislation of say, when two people have stayed for six months, they should be man and wife.

Family; we are talking of the family, the family, women play a very important role in bearing and rearing of children their rights over the children and custody are limited, and not equal to own, especially customary law, because of dowery payment. The majority of single mothers have no support system. Neither from those who father their children nor any form of social security from the state. The African family is rapidly changing with time, we need to appreciate the new development. Such type of families are single families, come we stay polygamous extended, the situation of children in the streets, homeless in the urban centers is a reflection of the families and the situation in Kenya. The Constitution should recognize, and impose the responsibility of the parenthood and security to the defined family unit, women must, as well as men be accorded the protection and the security of family benefits; establish a mechanism for social security as well as benefit to all those who might need it.

Spouse and child abuse should be criminalized, - criminalized. Especially the women and the girls. Privacy should not be violated through battering, assault, physical and psychological abuse. Forced women genital mutilation, incest, rape and sexual harassment.

Child support and maintenance; responsibility to maintain children is limited to eighteen years. The law cannot compel a father to continue maintenance of the child after sixteen years. Women are left to take care of the child, the burden of education through to university to twenty three years, illegitimate children, born out of wedlock, cannot access to maintenance from their fathers. The Constitution should provide and ensure that the fathers of the children are ... (Inaudible) and provide maintenance to the children they father up to university level of age of 24 years. Sexual abuse, maximum sentence for rape is provided, but it does not provide for minimum sentence. This is a concern, because it gives leeway for judicial officers, to sentence rape and custodial sentences. Maximum sentences for defilement is only 14 years. But defilement of a girl below 14 years is a serious case and a crime. To this age of HIV/AIDS, defilement in many cases is equivalent to attempted murder. The Constitution should address the sexual abuse, especially when it seems to lie... (Inaudible).

Maternity leave; the period of maternity leave is very short, sixty days is not enough. It should be extended to ninety days. And paternity leave. The father of the child should also be given paternity leave, during that time when the...

**Interjection.** Audience clapping.

**Beatrice:** Customary law; our society is still attached to traditional culture, they sometimes, therefore the same as played a great role in bringing conflicts, affecting mainly women. There are positive as well as negative aspects. The Constitution should draw a balance, whereby the negative cultures do not necessarily hinder, harm, or act as obstacles to people, especially women and girls employment of their inalienable human rights and development.

Traditional harmful practices, I think that one I have mentioned, of especially mentioned the inheritance of widows among others should be outlawed. Widows and widowers should re-marry out of their own choice and preferences.

HIV/AIDS; in this era of sexually transmitted diseases, especially HIV/AIDS, mandatory testing should be a requirement before a marriage. The rights of people with HIV/AIDS should be included in the Constitution, or any other disease that might come as a disaster to the nation. There should be a mandatory health insurance policy, schemed, subsidised by state to ensure good health and medical treatment, especially the elderly and low-income families.

Affirmative action; the principle of affirmative action should be put in place and mainstreamed in the entire Constitution, to ensure elimination of all areas of discrimination, to facilitate attainment of equity and justice for all. Affirmative action should be applied in appointment, recruitment, retention, deployment, training and staff, development in the conclusion that women are just beginning from the point great disadvantage. This requires the establishment of a gender sensitive quarter system in all public and private institutions and company. Political quarte system, is already working well in other country like South Africa, Tanzania and Uganda. Female percentage therefore, must be at least thirty five percent of the total key decision making organs of political bodies, beurocracies and private institutions. The Constitution should provide for a minimum of 35% in women legislative as well as the local authorities.

Basic needs and basic rights; poverty has eaten the ... (Inaudible) of the society. 95% of the Kenya population is below the poverty line. The women are 52% of the total population; meaning, the Constitution should mainstream measures aimed at eradication of poverty. It should guarantee basic heal th care, food, security, especially for the women.

Persons with disability; women with disability suffer tremendously both in social and economic lifestyle. The new Constitution should provide for social security scheme, for persons with disability, particularly in terms of basic needs. This will ensure that disabled women possess the necessary requirements for wielding economic power and important requirement for accessing political power. A provision for election, election of disabled person to parliament, through a quarter system of these persons should be women with disabilities. The Constitution should create a ministry for gender and women affairs with a specific department dealing with disabled women and girls. Opportunities for employment for women with disabilities, as well as the election fund for women contestants with disability.

Summary recommendation; our national language, citizenship, the right to obtain an idebntity card, gender inequality, state to take afdfirmative action, social and economic rights, there is one I have not mentioned, the right for free education for all; for children in primary school, they should be given free education by the Government. The right to free medication, have facilities. The Constitution should protect parents with HIV/AIDS. Thank you very much.

**Com. Prof. Kabira:** Thank you very much Beatrice. Sasa tutamuuliza James arap Togo, Togo. Okay, James arap Togon.

**James arap Togon:** Basi, ni asante kwa nafasi hii. Mimi kwa majina ni James Togon, na ni mkaaji wa hapa tu, mahali tuko

sasa. Nimekuwa na maneno machache ambayo ningependa kusema, na mengine yametajwa, hasa babu huyu mzee, alitaja. Na siwezi kurudia, ila ni kuweka tu nguvu yale mzee alisema. Hiyo ni kuhusu mali ya yule labda bahati mbaya ameaga, amewacha mke pekee yake. Hili ndio ningependa niseme, niweke nguvu tu, iwekwe kwa sheria, isiwe next of keen atakuwa ni mke, tuseme kwa bahati mbaya, mume ameaga. Halafu hapo, kuna faragano kubwa sana na kuna upotevu wa mali sana. Ambayo inweza, huyo mke anaweza kuchezea; na pengine hii mali bado ingali, - ilikuwa ni ya family. Ama babu kama bado yuko, anapaswa kukaa na family wale wengine, na kuongea na kufanya balance nzuri, kwa njia inayo faa. Hiyo ilikuwa kwa customary law, na tungependa iwe namna hiyo. Nime-support ya babu.

Neno ambalo nilikuwa nayo tena, ni kuhusu vyama vya kisiasa humu nchini. Vyama vya kisiasa, ningenelea vipnguzwe, visiwe vingi vile vilivyo sasa. Kwa sababu vikiwa vingi vile vilivyo sasa, inaleta corruption, inaleta kelele nyingi, inaleta faragano nyingi. Kwa hivyo, inapaswa vyama vya kisiasa vile tuko sasa, viwe visiozidi tatu. Viwe tatu na kurudi, ama viwili. Hivyo ndio vinaweza kutuendeleza. Hivyo ndio vinawza kubalance mambo. Kwa sababu vikiwa vingi, sasa wanavurutana sana mpaka hata wananchi wanakosa, -sasa ni chama gani kizuri kuliko kingine, hajambo viwe viwili, ama visipite tatu kwa upande wa vyama vya kisiasa.

Kuna neno lingine ambalo ningependa kutaja kwa hii Tume ambayo inarekebisha Katiba, ni kuhusu vijana wetu, wasichana kwa wavulana. Kuna jambo fulani ambalo linaendelea wakati huu sana, kwa vijana wetu ambao umri wao bado ni mdogo sana. Kuanzia 14,15,16 wanazaana sana kabla hawajaoa. Na hii sio vizuri. Tunataka kuweka sheria ili tujue sasa, huyu msichana 14years, ama under 18 years, akizaa mtoto, tunataka kujua ni nani amezaa huyuy mtoto. Isije ikapatiwa mzigo huu baba ya msichana. Lazima ijulikane ni nani alizaa huyu mtoto, halafu iende kortini, iende ka daktari kwanza, ijulikane ni wewe umezaa huyo mtoto. Baada ya kujulikana kwamba ni huyu amezaa huyo mtoto, basi lazima alee huyo mtoto, mpaka amsomeshe mpaka apite miaka kumi na nane. Kwa sababu akizaa, kesho anarudi anazaa, na anawacha hapa, hii shida itakuwa ni ya nani? Lazima tuweke sheria kwamba, lazima msichana asije akapata mtotot nje ya ndoa. Ama, kabla hajafika miaka ishirini, ambapo amepata akili timamu anajua nikizaa nitafanya namna gani. Lskini siku hizi wamezaana sana. Na hii tena anachangia ukimwi. Sasa hao wanachezacheza tu. hata mafundisho ikisema chungana kwa mabo haya ambayo yametokea, mambo mabaya kama ukimwi. Sasa wanaendelea tu hawawezi kusikia hiyo, wanhaendelea tu na kufanya hiyo mchezo, mchezo mchezo. Na anakaribisha ukimwi zaidi. Basi ya hiyo, iwekwe sheria.

Jambo lingine tena ambalo ningependa kutaja, ni kuhusu cooperatives. Mambo ya cooperative, kuna cooperatives kubwa, na kuna cooperative zingine ndogo. Na ningependa kusema ya kwamba, Serikali iweke priority kuchunga hii ma-cooperatives. Ipatiwe nafasi nzuri ya kufanya biashara yake. Kukopa loan. Na apatiwe interest kidogo kwa loan yao, ili mwananchi wa kawaida yule kabisa, ambaye hawezi hata kupiga low rates kuleta loan yake huko AFC, ama wapi, anaweza kupatya loan yake ama bidhaa yake ya kutumia kwa shamba yake ama biashara yake. In fact hapa karibu, mahali pake ambapo haliko. Kwa hivyo mambo ya cooperatives, lazima, -ni vizuri Serikali ichunge hiyo cooperatives sana; wapatiwe nafasi nzuri kuuza mali, kukopa loan, na mabo mengine ambayo corperatives wanafanya.



Basi, naelekea kumaliza; kwa upande wa Rais, mwenzangu ameguza, na nataka tena kuweka nguvu. Kwamba, kwa mabo ya Rais, Rais katika nchi, nchi yetu hii ya Kenya, Constituency yake, ama sehemu yake iwe Kenya. Asiwe na constituency yake ile ndogo, iwe ni Kenya. Lakini achaguliwe na wananchi wa Kenya wote, katika Province zote katika nchi yetu. huyo ndio atakuwa mwakilishi mzuri katika nchi yetu.

Sina mengi. Nataka kumaliza jambo moja tena ambalo limeguswa. Hii ni kuhusu mambo ya viongozi wetu kufanya biashara. Viongozi wetu kufanya biashara, ndio wamechukua nafasi ambayo mwananchi wa kawaida hata angefanya. Hata ma-cooperative wangepanya. Wangepanya hii mambo ya soko kuuza mali yao na kuleta ku-import na ku-export. Lakini viongozi wetu kwa sababu wana nafasi hiyo, na wanajua hiyo kazi, wamechukua hiyo nafasi mwananchi amekaa tu bure. Ndio wanajua barabara, anangoja hao, kupatiwa kitu kidogo, hata wananchi wetu wameanza kungoja tu, akikuja, hawezi hata kuuliza maneno ambayo yanaweza kufundisha hao, anasema tu lete kitu, lete, lete. Yaani pesa kidogo kidogo hiyo ya soda. Kwa sababu hawana kazi ya kufanya. Wamekalia hawa chini kabisa. Na hao wanaendelea tu mbele, na wale wnarudi nyuma kabisa. Kwa hivyo ningependa kusema viongozi wetu wasifanye hivyo. Biashara hiyo bali tyu ni mwananchi wa kawaida apatiwe nafasi ya kufanya hiyo.

Hii mambo ya kuzungumza juu ya siasa iliyoko sasa, kwamba parliament iongezwe muda. Hiyo nimeona, munajua vile tuko sasa, tangu tupate uhuru imepita miaka thelathini, na tumeendelea kimaendeleo, hata ki-akili, hata siasa tumejua, hata ingawa tuko nyumbani. Tumejua hata siasa. Hii sasa kuzungusha, kukutanisha siasa, uchaguzi, na Katiba haiambatani. Tungekubali ya kwamba ni lazima uchaguzi uendelee na line yake. Na Katiba iendelee na line yake. Hata ikiendelea five years, tutengeneze iwe nzuri. Kwa sababu Katiba ni maisha ambayo yanatulinda. Kwa hivyo iendelee kwa njia inayofaa, mpaka irekebishwe iwe nzuri. Na uchaguzi uendelee vile ulivyopangwa na Katiba ya sasa. Hiyo ndio, sisis tukiwa wananchi, tunaunga mkono hiyo, Parliament ikiisha kazi yake ivunjwe, na uchaguzi iitishwe, ndio tufanye uchaguzi, tuweke viongozi wengine Parliament. Mimi nafikiri ni9 hayo ambayo nimetaja na Mungu awabariki sana.

**Com. Prof. Kabira:** Bwana Togon, hebu nikuulize swali moja juu ya wale wasichana wa miaka kumi na nne. Tunasema wasichana wasiendelee kuzaa, lakini tutafanya nini na wale wanaume? Nani atazungumza na hao?

Togon: Asante. Kwa upande wa wanume hawa ambao ndio wanaleta hii matata, kwa sababu tunaona hawa wanume ni wawindaji, wanawinda hao. Halafu wanazalisha hao watoto. Sasa ya hao wanaume ikipatikana ni yeye amezaa mtoto, ni kuadhibiwa. Bora imejulikana ni yeye amezaa.

**Com. Prof. Kabira:** Ikiwa ni wa miaka kumi na nne? Kwa sababu, mtu wa miaka kumi na nne na below, that is a crime. Sindio?

**Togon:** Wa miaka kumi na nne kama ni mtoto mdogoo, ni kuadhibiwa kufuatana na umri wake, vile anatoshana. Zamani,

tulikuwa tukisikia kuna watoto walikuwa wakifungiwa Kabete huko, as for discipline. Tabia. Kwa hivyo, wanaweza kufanyiwa kambo kama hilo? Okay, basi kuna ... (Inaudible).

**Com. Prof. Kabira:** Asante sana. Inaonekana yale majina tunayo ya watu wale wamejiandikisha, wananwritten memorandum au Oral memorandu, imemalizika. Kwa hivyo nitawaitawatu, Leah chumo alikuja? Leah? Leah Chumo, hayuko? Ametoka, okay. Akirudi mutatuambia. They are observers. I want to check, now ninaanza kuita majina, kukiwa na mtu anataka kuzungumza, kwa sababu hata akiwa amejiandika kama observer, tumpatie dakika mbili. Halafu, we just go through this one, to just confirm. Okay, Jackson Meto ... oh, ako nje? Lakini amejiandikisha kama observer. Peter Lelei... ako? Wako nje? Okay, Isaack Ronoh? Unataka kuzungumza?

**Francis:** Basi Bwana Bitok utakuja ku-translate kwa Kiswahili? Na wakati mzee Ronoh anakuja, ningependa kutangaza tena kwamba, kama umeingia ndani, na hujajiandikisha pale mlangoni, kama unataka kutoa maoni, ama ni observer, kwa sababu Commissioners wanatumia list mabaya iko mbele yao, kuwaita majina watu kutoa maoni. Ukiketi hautapata nafasi kutoa maoni yako, ukieti chini kabla ya kujiandikisha.

**Isaack:** Nitazungumza kwa lugha yetujuu ya kutoa maoni *Iyoktoi ngo netai olen kongoi eng tuiyet ne ko kituiyo kechob ng 'atutik ab emet.*

**Translator:** Anasema kwanza amesema kwamba anawashukuru kwa mkutano ambao mumekutana, kutengeneza Katiba ya nchi.

**Isaack:** *Amu nito ko Jeovah ne kayai boisiet,*

**Translator:** Hii ni kwa sababu Mungu ndiye amepanga.

**Isaack:** *Momi bounatet ne mayai Jeovah.*

**Translator:** Hakuna ufalme ambao haukutengenezwa na Mungu.

**Isaack:** *Ko nguno ko mie kisub.*

**Translator:** Na sasa inastahili tuifuate.

**Isaack:** *Amu osobtosi eng inendet.*

**Translator:** Kwa sababu tunaishi kwa sababu yake.

**Isaack:** *Ko kayan ole mokireben chi kiy nenyi*

**Translator:** Anasema kwamba anakubali kwamba hakuna mtu ametengeneza vitu vyake.

**Isaack:** *Chi ak tuguk chik.*

**Translator:** Kila mtu na vitu vyake.

**Isaack:** *Amu kigon Jeovah kou noto.*

**Translator:** Kwa sababu Mungu ali...(Inaudible).

**Isaack:** *Ngitinye heka agenge ko neng'ung.*

**Translator:** Kama uko na acre moja, ni lako,

**Isaack:** *Ye tinye teta ko neng'ung.*

**Translator:** Kama ng'ombe ni yako.

**Isaack:** *Isoe chi tugulJeovah ko konin kiy ne imoche.*

**Translator:** Mungu, kila mtu anaomba Mungu apewe ...

**Isaack:** *Amu ole chang' indab Jeovah inyoru tukchuto.*

**Translator:** Kwa sababu nayo ukiomba Mungu utapewa vitu hivyo.

**Isaack:** *Omwoe ane olen kamasir ole ang'alal,*

**Translator:** Yeye hakuandika kwamba ataongea,

**Isaack:** *Ako Jeovah nei ngen,*

**Translator:** lakini ni Mungu anajua,

**Isaack:** *Ne ka ing'eta nguno,*

**Translator:** Mungu amemuamusha,

**Isaack:** *Amu osobe eng inendet.*

**Translator:** kwa sababu anapona kwa ajili yake,

**Isaack:** *Omwowok kongoi,*

**Translator:** anasema asante.

**Isaack:** *Ongetestai.*

**Translator:** Tuendeleo mbele. Asante. So, he has proposed that kila mtu alindiwe mali yake.

**Com. Kabira:** Okay Asante sana. Okay asanate sana Mzee Rono. Now, Mr. Meto amerudi? Amekuja? Okay. That is Jackson?

**Jackson Meto:** Mimi ni Jackson Meto, kutoka kata ya ziwa. Langu, natoa shukurani kwa nafasi hii ili kwamba niweze kutoa maoni, na kupendekeza, ni nini inanifaa, na inafaa nchi yetu tukufu. Mengi yamesemwa na wale ambao wametangulia, na hata ingawa ni hivyo, nami pia nitakuwa na yale ambayo nitasema. Kwa hakika sote tunategea Mwenyezi Mungu, tukujua ya kwamba ni Mungu ndiye anayeweka Serikali, na tunaheshimu hivyo. Na katika Katiba yetu ambayo tunajua ya kwamba ni muongozo wetu ambao anatuongoza, tupate kuchagua na kulindwa vilivyo. Imefikakiwanga ama wakati ambao tumekuwa na matatizo ya hapa na pale, ambayo inasababishwa na wale ambao tunawachagua ili wapate kutongoza. Na hivyo basi, ombi langu ni kwamba, katika Katiba yetu, executive wa Serikali yetu ambao ni viongozi, wano execute yale ambayo viongozi wengine wanasema, wapunguziwe uwezo wao ili walingane na wale wengine. Ili Parliament wawe na jukumu la kuweza mkusema na kupitisha pamoja. Kusiwe na ile uwezo ambao unzidi wale wengine, mpaka wengine wamekaa kana kwamba ni malaika katika dunia.

Hakuna mtu perfect katika dunia hii; jinsi Mungu anavyosema katika Biblia, ya kwamba Mungu alipotazama hapa duniani, hakuna hata mmoja aliye na haki, wote wametenda dhambi. Kwa hivyo, katika kiwango hicho, utukufu ule ambao shetani alihitaji, ndio ulimpa shetani shushwe hapa duniani. Kwa hivyo uwezo huo, upunguzwe, ili wote ambao wako katika Parliament, ambao wako na uwezo wa watu, ambao watu walimpatia, wawe na hali moja, na kuamua kitu kimoja ambacho kinatufaa sote

pamoja.

Jambo lingine, mambo ya corruption, ama ufisadi; kwa hakika inasemwa na inaonekana kana kwamba ni wale watu wa kawaida ndio wanahusika sana na mabao ya corruption. Lakini ukitazama, ni wale ambao wako na vyeo hivyo, ndio wanzidisha sana mambo ya corruption. Kwa hivyo, - kuna mengi ambayo tumewahi kusikia, ambayo yanawahusu viongozi wetu ambao tuliwachagua, na kulingana na uwezo huo, hakuna wakati ambao tumeona mambo ya ufisadi i9kifuatiliwa vilivyo kwa wale ambao wanahusika wakiwa na vyeo. Kwa hivyo tunataka korti ya KiKatiba, ili waweze kuangalia na kusimamia hali zote, kulingana na hali ya wanadamu, wale ambao wako katika hali ya chini, ya kadiri, na wale ambao wako katika hali ya juu. Ili, kukiwa na korti ya Katiba, iktaweza kusimamia mambo ambayo tunatoa sasa na izingatiwe hivyo.

Mambo ya mashamba vile imetajwa, kwa hakika kumekuwa na kesi nyingi ambayo inahusu mashamba; mashamba zinachukuliwa, mashamba zinazogawanywa wakati watu ambao walikuwa wanamiliki wametoweka, hapo kuwe na sheria ambayo inaruhusu, familia waweze kukaa na kuona nakupendekeza kwa kuwa ni familia moja. Hawa ni jamaa ambao wanajua ya kwamba, mali hii inahusu nani na nani, na ina stahili kuwa namna gani. Ili, watoto wadogo wasitaabishwe na mtu ambaye labda ni mama. Kwa kuwa tumeweza kutaja namna hiyo, kwa kuwa inoneka kumbe ni wazee ndio wanatoweka mara moja, wamama wanabaki. Na wanapobaki, wanajichukua kwamba sio wa nyumba hiyo, wanaona kwamba yeye ni mtu ambaye alitoka nje, atatoka nyumba hii pamoja na mali ya nyumba hii tena aende. Kwa hivyo jamaa wa nyumbahiyo, waweze kukaa pamoja na huyo mama mjane ambaye amebaki, na wote pamoja wasikizane na kuona jinsi watakavyo gawa hiyo mali, na kulinda kwa ajili ya watoto hawa wadogo. Kwa hivyo...

Langu la mwisho, ni kuhusu masomo. Kwa hakika masomo KiKatiba, vile tunavyosikia, au vile mbeleni ilisemwa ya kwamba masomo ni ya bure. Labda ni kuhadaa dunia. Lakini pendekezo langu ni kwamba, katika Katiba hii ambayo tunaiunda sasa, ambayo tunairekebisha, mambo yale ambayo tunayasema, iwe ni mambo ambayo itakuwa na msingi, amam ina umuhimu wake. Ili tunaposema ya kwamba masomo katika shule za msingi, ama kwa watoto wetu iwe ni ya bure. Infaa kweli hivyo kwa kuwa wakati huu, watoto wengi wa wale watu ambao ni wa kawaida, wanzalia nyumbani, na inazidisha ujinga katika dunia yetu, hatutaweza kuendelea mbele, tunapofukuza watoto katika shule ya kwamba wanakosa karo, wanakosa pesa ya kujenga, na huku kuna makli ambayo Serikali inazalisha. Mtu ametaja kwamba Kenya yetu wanakata kodi kiasi kikubwa, ambayo hata ukiangalia ni labda karibu ni 55%. Na hiyo mali yote, labda inaenda kuelekea mahali kwingine. Kwa hivyo tunaomba katika Katiba yetu ya kwamba, tuweze kutumia rasilimali yetu kwa njia iliyo bora. Na zaidi kwa upande wa watoto tuweze kuwasomesha watoto, hata ingawa hawatapata kupata kazi, lakini wapate elimu na kujua jinsi watakavyoishi katika dunia hii. Hayo ni yangu, Mungu atusaidie.

**Com. Prof. Kabira:** Asante sana Bwana Meto. Simon Karonei? Benjamin Tarus? Smawel Tarus? Na Paul Ng'etich. Okay? Do w have Maiyo? K. Maiyo? Patrick Cherotich? Eunice Kurgat? Hayuko? Okay, there you can just... just in case they have changed their minds. Christopher Mitei? Okay, Samwel Bitok? You are ...

**Samwel Bitok:** Mimi ni Samwel Bitok, na ni jambo tu ningependa kusema. Ningependa kuzungumza, - mimi ningependa kuchangia kwa ulinzi wa taifa. Na katika ulinzi wa taifa, mimi nasema kwamba, kikosi chote cha polisi, kuanzia jeshi, polisi, GSU wawekwe KiKatiba. Lingine ni kwamba, ukiingia ndani ya polisi, wamegawanywa sehemu nyingi. Mara unapata Flying Squad, mara Anti- Narcotics unit, mara Alfa Romeo, hiyo ndio inafanya watu wagongane katika kazi. Wakati uhalifu fulani umetokea, Flying Squad wanapitia hapa, CID wanapitia hapa, Alfa Romeo wanapitia hapa, na hata wanaenda mpaka wanagongana wenyewe. Kwa hivyo kama ingewezekana, askari *I-definiwe* kwamba ni Kenya Police force. CAP 84 ya sheria za Kenya, wthe administration police, na CAP 85 ikutanishwe. Kuwe na askari ambao ni Police Force moja.

Ingingine, sababu ya wao kuja kudhulumu raia, ni kwa sababu ya training ndogo. Mtu wa darasa la tatu amepolekwa katika Kiganjo kufunzwa kuwa askari. Kwa miezi sita, mimi nashindwa jinsi atakavyofunzwa kujua kuandika statement. Pia, unapata kwamba yeye ndiye atakuja kuandika statement na statement kortini tumeenda ni kiingereza, na kile Kiingereza cha juu. Ile ya lawyer. Sijui hii miezi sita imefanya huyuy mtu kweli kujua Kiingereza hicho, kama mimi nilienda mpaka kidato cha nne na sijajua mpaka wa sasa, hii miezi sita itamfanya namna gani. Hiyo training inatajikana kuenda miaka tatu. Kwanza afunzwe parade. Hiyo ni drill. Akanyage ajue. Baada ya hiyo, funzwe silaha, akanyage ajue. Baada ya hiy sasa, akuje sasa afunzwe sheria, jinsi ya kufanya. Lakini miezi sita mimi nashindwa hata kama mmtu ni genius, atakanyaga parade lini, ajue silaha lini, ajue saa ngapi maneno ya sheria. Ya ngu tu mchango ni hapo, kwamba wafunzwe, kwa muda wakutosha. Asante.

**Com. Prof. Kabira:** Asante sana Bwana Bitok. Now, I think I will give you a chance. And I cant see the ...(Inaudible). Did you register? Okay. And I have not called your name? Just give your name, and then you will register.

**Stephen Koskei:** Asante sana. Niko hapa kwa niaba ya walemavu, kutoka Uasin Gishu district.

**Interjection. Com. Kabira:** Tafadhali jitambue.

**Stephen:** Oh! Jina langu ni Stephen Koskei, na nimekuja hapa kwa niaba ya wasiojiweza; tuseme inaitwa 'people with disabilities.' Na hapa kuna memorandum, ambayo tulitengeneza. Tulikuwa tumeshika conference tarehe ishirini mpaka ishirini na mbili, pale Cultural center. Na pia, nashukuru wenye walitu-sponsor, wakiwa pamoja na A.C.K, Catholic, na pia Tume. Hapa katika... siwezi ongea mengi kwa sababu ninayo memorandum, lakini yale nayagusia hapa ndani, vitu ambavyo walemavu wanakerwa navyo sana, ni mara nyingi, inaonekana tunawekwa kando. Tuseme tumetengwa kwa njia fulani. Hata zaidi ya hayo, kutoa maoni katika njia fulani. Mara nyingi hunekana kwamba, mlemavu ni mtu ambaye anastahili, - inaonekana ni mtu mwenye anafanyiwa tu, lakini si yeye anasema ningetaka ifanywe hivi. Hii ni kwamba, katika institutions saa zingine, hii ya walemavu, mara nyingi unawezakuta mlemavu anaweza kuwa na akili yake timamu, na labda anayo elimu kiwango fulani. Lakini maajabu, unaona anapatiwa inaonekana anastahili kuwa mshona viatu. Yaani hiyo ndio career ambayo inatoshana naye. Hiyo inakera sana. Tunaona ni kama hatuna haki.

Haya, mara nyingine, katika jamii, mlemavu saa zingine huonekana ni mtu tu, ako hapo. Na labda, - hata badala ya kupatiwa vitu kama inheritance, inaonekana wazazi wanapatia ngugu yake fulani, kusudi awe akimutunza. Lakini ni mtu timamu, labda hata ameo, anao watoto wake. Ni jambo la ambalo linakera sana. Hasa pia, katika hali ya kijamii,

**Interjection. Com. Prof. Kabira:** Lakini si ungetuambia pendekezo?

**Stephen:** Pendekezo langu, naona katika hawa walemavu wenzangu, ni ajiamulie ni nini anaweza kufanya, na mahali anashindwa, anaweza kusaidiwa. For example, hiyo sasa, tuseme katika jamii, ikionekana ana uwezo ambao anaweza kujisimamia kwa kazi zake. Apatiwe afanye uwezo wake.

Haya, ya pili, mambo kama hii kazi, tuseme institutions, mtu akiwa na akili zake timamu, anaweza kuandikwa hata kazi ya karani. Kazi yoyote, hata Daktari. Kwa sababu, ulemav, ikiwa ulemavu uko katika miguu, kichwa kinafanya kazi. Na ukiwa ni daktari, sio ati unaenda kubeba magunia ya mahindi; wewe unayo akili timamu, unaweza kuwa daktari kwa sababu kuna njia ambayo unaangalia, ni akili ndio inafanya kazi. Awe anaweza kupatiwa priorities kama hizo, wachague ni kazi gani wanaweza.

Haya, katika hali ya kijamii, kuna mambo kama masomo. Kusema kweli, mlemavu asiposoma, mara nyingi inaweza kuwa ngumu apate kazi ya kufanya. Lakini akipatiwa masomo, education, anaweza kuwa na nafasi kubwa ya kufanya jambo lolote mabalo linaweza kusaidia taifa, na na imsaidie pia. Kwa hivyo, maoni yangu naona ya kwamba, mlemavu, hasa akiwa mtoto, apatiwe masomo ya bure, kutoka Std. One, mpaka University ikiwezekana.

Haya, walemavu pia, tuseme kama mimi ni baba sasa, na ninaye mtoto wangu. Kwa hivyo, pia mtoto wangu apatiw nafasi asome bure. Akiwa mlemavu. Mlemavu aangaliwe kwa njia ya , - kwa wakati huu, hospitali zimekuwa gharama kubwa sana. Na hii kusema kweli, walemavu, sio wote ambao wamepata njia ya kujiwezesha namna hiyo. Afadhali, kuwe na njia ambayo mulemavu anaweza saidiwa katika hali ya matibabu. Kwake na watoto wake pia, pamoja na bibi yake.

Haya, hapa ninayo memorandum, lakini nagusia jambo ambalo ni la maana sana. Kuna walemavu ..... Huyu ana kibarua kigumu sana wanapoenda hospitali, ama kwa njia yoyote ambayo wanaweza qwasiliana na watu kwa njia fulani yoyote. Iwapo hakuna interpreter, yaani wenye wanatumia signs kwa mikono hivi. Sasa mara nyingine labda akienda hospitali, anataka kutibiwa, lakini hasikii vile daktari anasema. Na daktari anataka kujua ninini anasema, sasa hawafahamiani. Inastahili kuwa na njia mabyo katika mahospitali, katika mahali popote ya kijamii, yaani, hospitali, mashule, na mahali popote tu, pawe na hao majamaa ambao wanajua hiyo signs ambayo inaweza hao majamaa kufanya nini, - kutoa shida yao; yaani ku-communicate.

Nafikiri sanan, kuongezea kwa maoni yangu pia, walimu ama madakatari ambao labda, wamesomea udaktari, na ama wamesomea ualimu, na pia wamesomea hii lugha ya signs juu yake, hao wapatiwe nafasi kubwa, yaani first Pirorities kwa njia

yoyote; katika hali ya kifehda mama kuajiriwa. Ni mengi yako hapa, lakini nimegusia gusia tu, juu juu hasa vile ninayo memorandum. Wasiojiweza, wangepurahia kukaa kama raia wengine wa Kenya. Wawe na uhuru wa kuongea, wawe huru kuamua. Na wawe katika jamii wakiwa sawa. Wasione, kama mtu ambaye hawezi jambo lolote kabisa, apatiwe nafasi ya kusema maoni yake pia. Na natumai, mambo kama hayo yakipitishwa, sisi pia tutajisikia kama tuko vizuri, katika dunia hii ambayo Mwenyezi Mungu alituweka. Ni hayo tu. Asante.

**Com. Prof. Kabira:** Asante sana Bwana Koskei, ...(Inaudible). Sorry, Benjamin Koskei? You are not there. Julius Rono, hayuko? Okay, leo tutamwita hadiwa Talong? Alisema ana memorandum na atazungumza. Joseph Kiprotich Tanui? Ni wewe kijana? Wewe ndiwe Joseph? Karibu. Na Joseph, kwa sababu naona wewe ni mtoto wa shule, utatambia jina lako, na una miaka mingapi, na class yako, na jina la shule.

**Justus Kiprotich:** My name is Joseph Kiprotich. I am in standard eight. I am from Kurpwet Primary school. I am thirteen years old. The rights that we have ordered are thirty one.

1. There must free education for all children from nursery school to form four.
2. All schools should have well equipped libraries.
3. All schools should have enough teachers.
4. All schools, particularly in the rural areas, should be served with electricity and water supply.
5. The Government should supply stationery to all primary schools and secondary schools.
6. All roads in rural areas should be all weather to make all schools easily reached for inspection.
7. All parents to pay for the needs of their children.
8. All parents should be ...(Inaudible) with a finance education.
9. Moi University should be open to give room to more enrolment and the mean grade entrance should be C+.
10. There must be a common examination in standard four, standard six and standard eight, to make pupils at all levels to complete and improve the standard of education. There should be also a common exam at form two and form four.
11. Government should encourage more day secondary schools, and every primary school in rural area, should have a secondary school.
12. All teachers, from nursery school, to secondary school, should be paid well by the Government.
13. Caning, should not be there, but rules should be set to curb indiscipline in all schools.
14. Every school must have a health facility, and should serve all children freely.
15. Teachers and pupils must listen to childrens' problems.
16. Every school should have a van or ambulance.
17. Every school must have a tour once a year.
18. Every school must have school workers.
19. All schools should have free rental boxes and telephone service.
20. All primary pupils must have compulsory school uniforms, shoes and socks and a tie.



21. The Government should provide lunch to all schools without discrimination in the locality.
22. All pupils in standard eight, who attain 360 marks in KCPE, should join national secondary schools.
23. All schools must have different sporting equipment. For example, swimming pool, basketball, tennis, apart from the normal games and athletics.
24. Clubs and societies, there must be competition amongst schools in all the activities, starting at their zonal level.
25. One lesson was extended from 35 minutes to one hour.
26. Primary schools should have laboratories, and canteens.
27. There should be radio lessons in our schools.
28. Elected leaders, that is MPs and Councillors, should be visiting our schools.
29. There must be parents day in each school, and all parents must attend.
30. Lastly, parents who are not sending their children to school, or providing them necessary facilities, should be prosecuted.

And those are all the rights that we have written.

**Com. Prof. Kabira:** Okay, thank you. Before you go, please come back. What about if the parents don't have facilities, -you go back, you will answer to the microphone- what about if the parents can't get those things?

**Justus:** The Government should have to give them.

**Com. Prof. Kabira:** So you don't have to send the parents to jail because he or she is poor?

**Justus:** Yes.

**Com. Prof. Kabira:** So, you prosecute the Government?

**Justus:** Yes.

**Com. Prof. Kabira:** Okay, thank you very much. Thank you very much Joseph and you have participated, Justus, Justus, you and your class have participated in a very important exercise, you can tell people like all those people that wrote the first Constitution, like Kenyatta, who else do you know? Matano, Shikuku, that you are like those people now. You have participated in making this Constitution. Thank you. So, asante sana. Do we have Elizabeth Barno? Elizabeth oh, uko? Okay.

**Elizabeth Barno:** Sasa ya kwanza, nashukuru nchi ya Kenya, kwa sababu, imeleta Katiba ianzie nyumbani, halafu inaendelea mpaka wapi? Juu. Ndio mimi nasema nashukuru namna hiyo. Sasa kwa majina, naitwa Elizabeth Barno, natoka upande wa

huko Siwa. Sasa, kwa maoni yangu, na kwa maoni ya kina mama, tunaonelea kuwa yale maneno ambayo sasa kwa kina mama, ndio iko nyuma zaidi, katika Kenya. Masomo, ni sawa na wavulana. Lakini ukiona upande wa hata kama mbunge, hata kwa makazi, kweli, wamama wako nyuma. Sasa, hata kama inaendela sasa mpaka mashambani, unaona wako nyuma sana. Na wamama, wako na masilahi mengi sana.

**Interjection.** *Ng'alale kalenjin..*

**Elizabeth:** Basi, asante sana kwa kusema nizungumze ki-Kalenjin. Halafu musie vizuri. Basi, *Ko noto kole.*

**Translator:** Yeye amesema,

**Elizabeth:** *Kikenyanyasan missing chepyosok*

**Translator:** Wamama wamenyanyaswa sana.

**Elizabeth:** *Ak chepyosok kotinye boisiet neo missing.*

**Translator:** Na wamama ndio wana jukumu kubwa

**Elizabeth:** Kulea watoto

**Translator:** Kulea watoto. Jukumu kama kulisha watoto.

**Elizabeth:** *Koboiei lagok.*

**Translator:** Kulisha watoto.

**Elizabeth:** *Ak koboiei boisiek kora.*

**Translator:** Na kulisha wazee, waume wao.

**Elizabeth:** *Ak koyoei boisiet neo.*

**Translator:** na anafanya kazi zote kule nyumbani.

**Elizabeth:** *Akot eng gaa.*

**Translator:** Hata nyumbani, ndani ya nyumba.

**Elizabeth:** *Akot eng mbar.*

**Translator:** Hata kwa shamba,

**Elizabeth:** *Kondoilagak botoik.*

**Translator:** Hat kubeba na kulea watoto kwa migongo zao.

**Elizabeth:** *Ko ilen anyun igeer missing.*

**Translator:** Basi, kwa hivyo ukiangalia kwa sana,

**Elizabeth:** *Akot eng yu bo gaa sasa ngele oleb gaa oli.*

**Translator:** hata kama huku mahsmbani, nyumbani masham,bani,

**Elizabeth:** *Igere ile iimekei mising*

**Translator:** unaona kwamba wanatatizika sana.

**Elizabeth:** *Ne kosome kele*

**Translator:** na wanaomba kwamba,

**Elizabeth:** *Eng serikalit,*

**Translator:** Kwa Serikali,

**Elizabeth:** *Koger missing chepyosok.*

**Translator:** Ipate kuangalia sana masilahi ya wamama.

**Elizabeth:** *Tindoi kaimet ab kei kabisa.*

**Translator:** wanasumbuka sana.

**Elizabeth:** *Akot nguno kolen kotoi maendeleo koyai boisionik,*

**Translator:** hata kwa sasa wakitak kuanza maeandeleo yao kufanya kazi,

**Elizabeth:** *Basi kotareti ng'o anyun chepyoso chu?*

**Translator:** kina mama wanasaidiwa na kina nani?

**Elizabeth:** *Ako ngoba boisiek ko kusei kong kidogo ak kicotestai ko gerto olin.*

**Translator:** Wazee wanapowaacha nyumbani, wanawawachya na matatizo. Na punde wanapotoka nyumbani, wanaenda na wanasahau shida zilizoko nyumbani.

**Elizabeth:** *Ko eng iman iman,*

**Translator:** Kwa ukweli kabisa,

**Elizabeth:** *Ko mochei keger chepyosok konyor chepyosok alak che indochin eng olibo gaa akoi bunge.*

**Translator:** inatakikana kwamba, wamama wapewe nafasi ya kujitawala. Kuanzia nyumbani, wawe na wawakilishi wao, mpaka bunge.

**Elizabeth:** *Amu ngot kenyoru kou notok,*

**Translator:** Kwa sababu,

**Elizabeth:** *Akot chepyosok che mitei olibo gaa,*

**Translator:** wakipata hivyo,

**Elizabeth:** *Koitei boisionik kwai olin.*

**Translator:** hata wamama walio nyumbani,

**Elizabeth:** *Ako ngo kakoit olimbo serikali,*

**Translator:** kazi yao na matakwa yao yatafika kule katika taifa.

**Elizabeth:** *Ako ngo kakoit olibo serikali,*

**Translator:** Na ikishafika ndani ya taifa katika Serikali,

**Elizabeth:** *Keger anyun chepyosok kele ngo u nee.*

**Translator:** Basi, watahughulikiwa.

**Elizabeth:** *Amu tinyei nyikisindo neo.*

**Translator:** kwa sababu wana uzito mkubwa.

**Elizabeth:** *Tebyei kityo eng gaa ak koboisie.*

**Translator:** Wanakaa tu nyumbani na kufanya kazi.

**Elizabeth:** *Nyumbani,*

**Translator:** Nyumbani,

**Elizabeth:** *Koger anyun oli.*

**Translator:** Anaangalia nyumbani,

**Elizabeth:** *Ak koamei rubet,*

**Translator:** Na anasikia njaa, anahisi njaa.

**Elizabeth:** *Baen nee lagochu?*

**Translator:** Atalisha hao watoto na nini?

**Elizabeth:** *ko kakisom anyun serikali koger eng konyek tuwai.*

**Translator:** Kwa hivyo anasema kwamba, katika Katiba hii ipate kuangalia kwa macho yote mawili, jukumu na matakwa ya wamama.

**Elizabeth:** *Korubei noto kogeny,*

**Translator:** Kinachfuata hiyo,

**Elizabeth:** *Komi chepyosok che much kokeskei manong'otoik kwai.*

**Translator:** Kuna wamama, wanawake hao wajane.

**Elizabeth:** *Basi ko chepyosok choto anyun kobwanei jamii chebo bichoto,*

**Translator:** Hao wamama,

**Elizabeth:** *Kobwa anyun kole*

**Translator:** Familia ya kina bwana sasa wanakuja,

**Elizabeth:** *Konyo kotawalan koito,*

**Translator:** Wanakuja sasa wakiwa na nia ya kutawala boma hii ya mjane huyu.

**Elizabeth:** *Ak kong'em mokornotosiek ab boiyondo noto*

**Translator:** Na kuanza kuchezea mali iliyo wachwa na marehemu, kwa kutotambua huyu mjane.

**Elizabeth:** *Keger anyun ko ki chepyosok kele maimukaksei*

**Translator:** Wanaona na kusema kwamba hiyo haiwezekani.

**Elizabeth:** *Mochei ye kakwo boiyot,*

**Translator:** Kama mzee au bwana ameaga,

**Elizabeth:** *Anan kota komi,*

**Translator:** Au ikiwa bado ako hai,

**Elizabeth:** *Komochei anyun kondo boiyot.*

**Translator:** Inatakikana basi, iwapo bwana atakufa mapema, au aende mapema,

**Elizabeth:** *Kole anan kotakomi,*

**Translator:** Au kama bado ako,

**elizabeth:** *komoche komi boiyot,*

**Translator:** Basi, mamlaka yawe kwa bwana,

**Elizabeth:** *Ak ne chepyoset anyun komi yu.*

**Translator:** Na ya wamama iwe hapa.

**Elizabeth:** *Otoen kainet ab chepyosok is, certificate komi yu.*

**Translator:** Hata katika jina la cheti cha kuoana liwe hapa.

**Elizabeth:** *Ata ya shamba.*

**Translator:** Hata kile cheti cha kurithi shamba, jina la bibi liwe, na liwe hapo

**Elizabeth:** *Na ya mzee hiko tu.*

**Translator:** na ya mzee liwe.

**Elizabeth:** *Amu ye kakosirto, ngo kasirto chepyoset anan boiyot,*

**Translator:** Kwa sababu ikiwa mama, au bibi atakufa au bwana afe,

**Elizabeth:** *Komitei anyun nebo chepyoset anan nebo boiyot,*

**Translator:** Basi, jina la hawa watu wawili walioana itakuwa ndani ya hivi vyeti.

**Elizabeth:** *Asi kobit anyun kikochi lagok.*

**Translator:** Ndio watoto wapate kurithi.

**Elizabeth:** *Hee kebchechi anyun lagok ko kakobit anyun ng'alek cheu choto.*

**Translator:** Basi ndio watoto wapate kurithi na wagawanyiwe mali hiyo.

**Elizabeth:** *Ak osome kogeny ole ko serikalit kora,*

**Translator:** Naomba pia serikali,

**Elizabeth:** *Komitei, ongen ole mi chiefisiek ak komi ngo?*

**Translator:** Najua kwamba kuko na chief na viongozi wengine

**Elizabeth:** *Ambao wanaangalia masilahi ya nyumbani,*

**Translator:** Yeah, amemaliza kwamba wanaangalia masilahi yanyumbani,

**Elizabeth:** *Komoche koger kabisa kokirib bichoto ngot kenai ak korib agot serikalit akichek.*

**Translator:** Basi, inatakana kwamba, hawa viongozi wajali masilahi ya hawa wamama na wahakikishe kwamba wamejua na kutambua shida walizonazo.



**Elizabeth:** *Asikobit komabit kiy.*

**Translator:** Ndio kusitokee hitilafu, au kosa fulani.

**Elizabeth:** *Amu ngap jamiii che imuchi kosirso kabisa ngot kosir ngot ko makogerei kole mi ng'o*

**Translator:** Kuna jamii zingine pia, wanashida kwamba, wanaanza kudharau vile vyeo vya viongozi wao, na wanaenda mpaka kiwango cha kupuuza mamlaka ya wale viongozi. kwa hivyo nao wanatakikana kuheshimiwa.

**Elizabeth:** *Ko ngomi serikalit yu,*

**Translator:** Kama serikali basi iko,

**Elizabeth:** *Aah hasa ngolen kole, kole.....*

**Translator:** Hata akitaka kufanya nini anaogopa.

**Elizabeth:** Ndio watu waendeleo vizuri:

**Translator:** *Kotestai biik komie.*

**Elizabeth:** *Keger kogeny kebe ng'atutiet nebo lagok,*

**Translator:** Basi wanaenda kwa sheria au haki za watoto,

**Elizabeth:** *Ko nguno ko mi lagok ab umurisiech che meng'echen,*

**Translator:** Anasema kwamba kuna watoto walio wa umri mdogo,

**Elizabeth:** *Ako mi kijanaek akichek che u choto kora,*

**Translator:** Na kuna wale vijana ambao wako pia.

**Elizabeth:** *Ko kakonyo matatisiet eng yuto kora,*

**Translator:** Hapa pia, kuna makosa na tatizoambalo limechomoza.

**Elizabeth:** hasa kwa mimi,

**Translator:** *Akot eng inendet.*

**Elizabeth:** *Lagochoto ko kergei,*

**Translator:** Kwa hivyo yeye anasema, ikiwa kuna watoto ambao ni wavulana, na wasichana, watoto hao nisawa.

**Elizabeth:** *Chepto komi u kotinye ng'omnatet.*

**Translator:** Msichana ako hapa na ana uerevu wake.

**Elizabeth:** *Basi komi yu akine kijaniat,*

**Translator:** Mvulana ako hapa pia na ana uerevu wake.

**Elizabeth:** *Ko lagochoto ko tindoi ko tinye mokosesiek ata u?*

**Translator:** Hao watoto wawili, kila mmoja ana makosa,

**Elizabeth:** *Imuchi koib ng'alek che u che kai.*

**Translator:** Wanaweza leta maneno kama yale,

**Elizabeth:** *Komoche anyun ko kosom ko ki sigik kimi chepyosok ak wazee,*

**Translator:** Anaomba kuwa, tukiwa wazazi, wamama, na wazee,

**Elizabeth:** Na wazee, *ko mochei keger lagochoto tuiwai kekanyan.*

**Translator:** Tunatakikana kuangalia kwa ndani hawa watoto waili na wapate kukanywa.

**Elizabeth:** *Kerib kabisa,*

**Translator:** Wachungwe,

**Elizabeth:** *Si koma bit ng'alek che kelen kole kasikis,..... kasikis,*

**Translator:** Ndio mambo ya watoto kuzaa, kabla ya kuoa au chini ya umri, yasipatikane.

**Elizabeth:** *Kerib chepto hasa kuchapwa na kuchapwa.*

**Translator:** Msichana achungwe,

**Elizabeth:** hata kuchapwa na kuchapwa.

**Translator:** Na apigwe kabisa, kuadhibiwa.

**Elizabeth:** *Ko kijanaiyat agine kemoche kerib kora ak kekwer agine.*

**Translator:** Mvulana naye pia anatakikana kulindwa na kuadhibiwa iwapo ataenda mpaka anafanya kosa.

**Elizabeth:** *Ko ng'alechoto kemochei ketoi lagok ko takolion eh?*

**Translator:** Lakini mambo hayo yanatakikana kuanza watoto wakiwa wadogo.

**Elizabeth:** *Ko ngetoi kou noto kogerei lagok ib kole achicha,*

**Translator:** Basi, ujue hivyo watakomaa wakiwa na hiyo,

**Elizabeth:** *Kole koromen sigik,*

**Translator:** Na wataona kwamba wazazi ni wakali.

**Elizabeth:** Ndio watoto wetu wataenda vizuri.

**Translator:** *kobendi lagok chok komie.*

**Elizabeth:** *ak komuchi kotar sugul komie.*

**Translator:** Na wanaweza kumaliza shule vizuri.

**Elizabeth:** *Mokilen rocho kakobwa gaa.*

**Translator:** Hawawezi semekana kwamba ndio hao wamekuja nyumbani,

**Elizabeth:** *Ko ng'olyot age, ko no bo lagok ko kakosikis kosich lagochoto ii,*

**Translator:** Basi, wakati watoto hao wamezaa watoto chini ya umri,

**Elizabeth:** *Komoche korib kijanayandani lagwet ko koming'in ngo matakobit chi ne ketun.*

**Translator:** Basi, ninasema kwamba, iwapo mtoto atapata- msichana chini ya miaka au umri wa miaka kumi na minne akizaa nha amezaa na mtu ambaye ana uwezo wa kuchunga huyo mtoto, apate kuchunga huyo mtoto. na iwapo huyu msichana hatapata mtu wa kumuoa, kwa sababu wakati mwingine, huyu msichana anazaa, na anaolewa, iwapo hataolewa, aliyemzalia mtoto apate kuchukua jukumu la kumlinda mtoto.

**Elizabeth:** *Ako korib agine chebi kora ,*

**Translator:** Na huyu msichana pia, apate kuchunga.

**Elizabeth:** *Amu kijeng'ei.*

**Translator:** Kwa sababu alitafuta.

**Elizabeth:** *Mocheng'ji chi,*

**Translator:** Hakuna mtu alimtafutia

**Elizabeth:** *Kimi gaa.*

**Translator:** Alikuwa nyumbani,

**Elizabeth:** *Ako bunei dirisha agine.*

**Translator:** Alikuwa anapitia dirisha, anatakikana pia kuchunga.

**Elizabeth:** *Komoche korib agine.*

**Translator:** Kwa sababu, ikiwa hatachunga, basi alizalia nani?

**Elizabeth:** *Amu ko ngo mau notok ko kisikyini ngo?*

**Translator:** Basi, mambo hayo, tunatakikana kuangalia kwa undani sana.

**Elizabeth:** *Ko ng'alechoto kemochei keger missing.*

**Translator:** Kwa sababu mambo haya yatafanyika katika serikali ijayo.

**Elizabeth:** *Amu choto ko serikalit ne nyonei.*

**Translator:** Basi, anasema sote tuchangie vizuri mambo haya.

**Elizabeth:** *Obwoti ole ng'alechu ongechangan tugul komie amu ng'alechu kotechech*

**Translator:** Kwa sababu mambo haya ni ya kutujenga,

**Elizabeth:** *Alen ane kongoi kabisa amu,*

**Translator:** Na ninasema asante kwa sababu

**Elizabeth:** *Koking'ete kapkelyen,*

**Translator:** Mumeanzia mashinani.

**Elizabeth:** *Kilen agot kandoiset nebo emet.*

**Translator:** Amesema hata uongozi wa taifa,

**Elizabeth:** *Kondochin Rais,*

**Translator:** Rais akiongoza,

**Elizabeth:** *Komoche kogawanyan ng'alek ak wabunge,*

**Translator:** Anasema kwamba uwezo wa Rais ugawanywe dhidi ya Rais na bunge.

**Elizabeth:** *Si kobchei ng'alechoto komi che mi Rais ak komi chemi wabunge.*

**Translator:** Ndio mamlaka yabaki kwa Rais, na mengine yaende bunge.

**Elizabeth:** *Asi kobit kochangan tugul kole si manyikisit chebo Rais,*

**Translator:** Ndio wapate kuchangia ujenzi wataifa, ndio ya Rais isiwe nzito.

**Elizabeth:** *Asi koyam akichek che bo wabunge che tilei wabunge akichek.*

**Translator:** Na ya wabunge pia wapate kukata kiasi.

**Elizabeth:** *Basi kou notok olen ongetebe amani.*

**Translator:** Basi amesema kwa hayo yote, tuishina tukae kwa amani.

**Elizabeth:** *Ak ketebe keger barak.*

**Translator:** Tusiangalie juu, asante.

**Com. Prof. Kabira:** Asante sana mama Elizabeth. Na Fatuma nilikuwa nimekuita? Okay.

**Fatuma:** Asante sana kwa nafasi hii; kwa niaba yangu na wakina mama, jina naitwa Fatuma Sitienei, kutoka Setiero location. Yangu ya kwanza kwa marekebisho ya Katiba, lugha; Kwanza tungependekiza kitabu cha Katiba kuwe na mume na mke; He, or she. Hilo ni neno la kwanza.

La pili, kuwe na uwezo wa mume na mke, wa kumiliki mali yao waliyochuma pamoja. Kusudi huyu mama asinyang'anywe. Kwa mfano, huyu mume, akitaka kuo a mke wa pili, amugawie huyo wa kwanza nusu ya mali yake. Agawe na mke wake wa pili. Kwa sababu, kwanza, ni chanzo cha mali iliyo ndio kuwe na wazo wamama kuwa na mrithi wa mume, wala sio jamii.

Mila, kuwe na uwezo wa ndoa zote kufungwa Kanisani, kwa Kadhi, au kwa Serikali, kuepukana na zile za kienyeji, zisizokuwa na cheti chochote. Kuwe na sheria kali ya mama kutorithiwa, baada ya kufiwa. Ili kuepukana na marathi, na kunyanyaswa kijamii. Pia mama aangaliwe na Serikali sana ki-afya. Na mpango wa uzazi uwe lazima. Na pia kuwe na sheria kali kwa waume watakao wafanyiza kazi wake zao kama punda, na kuwapiga bila huruma.

Familia; katika familia pia, watoto wapewe haki yao. Kuwe na sheria kwamba, kuwa watakao fanyisha watoto kazi zaidi ya uwezo wao.

kuwe na Serikali ya wilaya. Na iwe ya majimbo. Utamaduni wa watu uwe shuleni, kusudi watoto wetu wasipoteze mila zetu. Tarehe za kura kupigwa, kura zitangazwe, au ziwe na wakati rasmi. Kusudi wanaoondoka wawe tayari na wanaoingia wajitayarisha. Sheria iweko kwa viongozi watakaochelewa kutimiza kazi zao, wasimamishwe. Viti vya akina mama viongezwe bungeni.

Kuwe na sheria kali ya kutouza mashamba bila sababu.

**Com. Prof. Kabira:** Viti viongezwe viwe ngapi?

**Fatuma:** Viwe katikati. Tugawane.

**Com. Prof. Kabira:** 50%?

**Fatuma:** Eeh. Kuwe na sheria kali ya kutouza mashamba, bila sababu maalum. Kesi ya mashamba isifanywe kortini. Ifanywe shambani na wazee. Pia, wazee wa mtaa wapewe uwezo kama wa kortini. Wazee wa mtaa pia wapewe mshahara.

Uongozi usipewe wageni. Sheria iweko ya pombe, kukunywa Ijumaa, mpaka Juamapili. Yaani inywewe, sheria iwe ya kutokunywa pombe. Pombe, ipewe siku moja tu ya kunywa. Iwe kama ni Ijumaa, ni Ijumaa. Lakini siku zingine zote, pombe isipatikane. Wale wanakunywa, washikwe pamoja na wanaoitengeneza.

Kodi zinazotozwa watu hospitalini, ziondolewe.

**Interjection. Com. Prof. Kabira:** Tafadhali tumpoatie wakati atupatie maoni.

**Fatuma:** Kodi zinazotowza watu hospitalini, ziondolewe. Kiasi kama 50% ya kazi ya nchi iwe ya wananchi, sio wageni. Vitu vinavyouza kama mahindi, ngano na maziwa visioagizwe kutoka nje. Asante sana nafikiri zangu ni hizo.

**Com. Prof. Kabira:** Asante sana bi Fatuma, Daniel Kimeu? Hayuko. Johana Sirorei? Oh, Jonathana Sirorei? I am sorry. Ako? Okay.

**Jonathan Sirorei:** Asante sana kwa nafasi hii, mumenipatia.

**Com. Prof. Kabira:** Tujaribu kukimya tafadhali, kwa sababu tunataka kusikia vile mtu anasema. na kwa sababu ya recording pia. Kukiwa na too much noise, hata recording ile tunafanya haiwezi kutoka vizuri. Na vile tunafanya, tunarecord kila kitu kinazungumzwa hapa. Na tukirudi nyumbani, kwa sababu vile munaona tukiandika, hatuwezi kuandika kila neno. Kwa hivyo tuna record, halafu tukirudi Nairobi, tutafanya transcription. Kwa hivyo ni vizuri tukimye wakati ule wengine wanazungumza. Asanteni.

**Jonathan:** Basi, maneno yangu ni machache tu, si maneno mengi. Kwa sababu mimi ni mzee. Nilisikia mambo ya Katiba hii tumesema -nataka kuzungumza juu ya Katiba. Watu wote hawa wa Kenya ni watu wa Noah. Bado kuanza watu wengine, bado kuzaliwa. Watu ni watu wa Noah. Kutoka kwa Noah, tunaishi Kenya hii mpaka sasa. Na Katiba ile inachunga watu iko sawa sawa. Sisi hatujaona kitu mbaya ile inatakiwa kurekebishwa. Kwasababu, kila mtu yuko na title deed. Kila mtu yuko na title deed freehold. Kila mtu yuko na title. Mungu, atangu alipoumba dunia hii, anape kiala watu Africa, kila kabila inakaa mbali mbali, kwa hapa Kenya, na ligha yao. Kama watu wameshajazana mahali kwingine, tafadhali mupange uzazi upande huo. Hakuna nafasi ya kusema ati nataka watu wote kuwa elfu moja. Kwanza, angalia vidole vyako kama ni urefu mmoja. Kidole cha mguu, na cha mkono, vingine virefu, vingine vyembamba, vingine vizito, vingine vifupi. Mungu aliumba namna hiyo. Halafu watu wengine wanasema kuko mahali kwingine kuna nafasi, pahali pa kuishi. Hakuna maneno kama hayo. Kila mtu Mkenya aishi pahali pake, pahali Mungu alimuweka. Namna hiyo ama sivyo? Sisi tunakaa hivyo hivyo.

Mambo mengine, -mimi naingia mambo mengine. Mtu anachunga shamba yake na title yake. Hakuna maneno mengine ya kubadilisha Katiba ati kubadilisha. Hakuna.

Basi, mimi naingia mambo ya shule. Watoto wanasoma hapa katika Kenya. Nimeona masomo yamekuwa mazito kwa wazazi; wanakosa karo ya kusomesha mtoto mpaka university, mpaka wapi. Kwa sababu watu wengi wanaishi kwa acre moja, point moja, acre mbili. Iko wapi pesa, na pesa imeshapandishwa karo zaidi. Term moja elfu hamsini,elfu hamsini mtu anapata wapi? Tafadhali Serikali itusaidie sisi kusomesha watoto kutoka Secondary mpaka University. Primary itakuwa ni wazazi watakaosomesha hapo. Kwa sababu yeye hawezi kukaa bure. Halafu Serikali inasaidisa kutoka Secondary mpaka University.



Maneno mengine, ni mambo ya hospital. Hospitali ukipeleka mtu unakomboa motokaa, unapeleka mtu hospitali akiwa mgonjwa, ukifika huko wanasema utoe shilingi elfu moja, elfu mbili, ya dawa. Tafadhali Serikali isaidie kwa Hospitali. Badala wagonjwa wote kulipa, Serikali inalipa. Halafu, sisi tunalipa kodi ya nyumba, tunalipa kodi ya land kila kitu, Serikali tafadhali isaidie kulipa hiyo.

Mambo ya watoto wa shule. Wengine wanasema wanataka vizuri, watoto wapewe discipline kwa shule. Discipline ya siku hizi si kama ile ya zamani. Zamani walikuwa wakipima fimbo ya kupiga mtoto. Siku hizi, wanapiga watoto ovyo bila kujua anaumia, ama namna gani. Na Serikali imeshakataa. Sasa kwa hiyo, mimi naona, hata mimi nakataa. Sisi hatutaki kuumiza watoto ati hawasomi, ati hawajui nini, halafu wanapiga wanumiza bure. Tafadhali mtoto asomee, afurahishe afurahishe, mpaka anasoma tu. haya, maneno yangu ni hayo tu. Asante sana.

**Com. Prof. Kabira:** Asante sana mzee Sirerei Asantesana. Na mtoto wa shule, tutampatia nafasi kwanza. Viola Biwot. Viola na useme jina lako, your age, the name of your school, and the class you are in.

**Viola Biwot:** The guest of honor sir, the Constitutional Review Commission, the Councillors, Chiefs, other guests, other stakeholders, ladies and gentlemen. Before you is Nyalibei primary school representatives ready to forward to you the Constitutional ...

**Interjection. Com. Prof. Kabira:** Viola, I asked you to tell us your name first, how old you are, what class you are in, and then the name of the school, then you present.

**Viola:** My names are Viola Biwot, from Nyalibe primary school. I am 14 years old, and I am in standard eight.

1. First of all Education should be free for all, priority to be given to boys.
2. Anybody messing up with schoolgirls, in primary school level, to be dealt with according to the law.
3. Avoid early marriage for school children.
4. We don't need any forced marriage while still at school, by our parents.
5. Parents to give girls a share of property just as boys.
6. Work at home be shared equally for both boys and girls.
7. Sanitary pads should be provided to all Primary school girls in Kenya.
8. Female circumcision should be stopped in Kenya.

Thank you for listening, and may God bless you.

**Com. Prof. Kabira:** Thank you very much Viola. Before you go, like I told the young man who was here before Viola, you

have participated in a very important activity. Before you rise, I wanted to ask you a question, but you are running away. So, what do you mean by all work should be divided between boys and girls in school?

**Viola:** Many be parents, let boys do small work at home, but girls have to do a lot. There should be sharing of work at home.

**Com. Prof. Kabira:** No, can you say what exactly do the girls do at home?

**Viola:** They cook, they wash and many others.

**Com. Prof. Kabira:** But do you want the boys to do?

**Viola:** They should help each other with girls.

**Com. Prof. Kabira:** Who tells the girls what to do?

**Viola:** The parents.

**Com. Prof. Kabira:** Who is going to tell the boys that they should be cleaning the dishes, washing the dishes, and ... the men?

**Viola:** Parents.

**Com. Prof. Kabira:** No. Who tells you what to do? Is it your father?

**Viola:** Mother.

**Com. Prof. Kabira:** Okay. So, we should be training the boys to do the work?

**Viola:** Yeah.

**Com. Prof. Kabira:** Asante sana Viola. Viola like I have said you have participated in a very important activity and thank you very much. ....(*End of tape two*).

**TAPE 3 STARTS HERE**

**Com. Kabira:** Asante sana Diana. As I have said, you have participated in a very important activity and thank you very much, and we thank your teachers. Thank you. Has Daniel Simiyu come back? Jacob Serem, he is an observe. We have Paramount Chief Erick Tarus.

**Erick Tarus:** jina langu ninaitwa Erick Tarus. Mambo mengi yamesemwa, na mimi ningonelea serikali ibadilishwe kuwa majimbo ambayo itakuwa na central government, regional government na local government.

Mambo ya urithi. Urithi wa mali uwe kwa watoto wote sawa kutoka kwa wazazi. Kuna sheria ingine kuwa kama mzazi, mimi ni Mnandi, na kwa Wanandi, ikiwa mzazi amesema kitu fulani itakuwa ya fulani, itaenda hivyo hivyo bila kubadilisha. Na wakati huu, sheria koRtini inasema kuna sheria inaweza kuvunja hiyo. Mimi ningesema, next of kin isibadilishwe kama mtu amekufa. Iwe vile alipanga.

Muda wa Rais katika nchi: Rais awe akipendwa na watu iendeleo hata mwaka 85. mashamba iwe chini ya local government ya sehemu fulani. Au mamlaka yote ya mashamba ziwe kwa Commissioner of lands, ambaye anaweza kupeanana shamba au plot au kitu yoyote bila yeye kujua pahali iko. Mtu akienda tu Commissioner of lands anasema chorea mimi hii, mumechora hii, unipatie, anawekewa sei anakuja na kumbe hiyo kitu haikuwa yake au ilikuwa ya mtu muingine. Kwa mfano, watu wengine wanaenda wana chora shamba ya mtu mpaka wanachukua title. Kwa hivyo mambo ya mashamba iwe katika local native council. Zamani ilikuwa ilikuwa inaitwa local native council kwa sehemu fulani. Sasa mambop yote ilikuwa huko zisiwe tena katika Central Government.

**Com. Kabira:** Umesema tuwe na local native Council kwa mashamba?

**Tirus:** kuangalia mashamba. Na mimi nikiweka Local native Council inakuwa strong zaidi. Vyama vya siasa katika nchi vizizidi saba. Nilikuwa nimesema watoto wasichana wawe wakigawanyiwa mali na baba kama hawajaolewa na iwe sheria, kwa sababu mtu amezaa watoto wake na kesho wengine wanawekwa barabara. Ingefaa wasichana wapate nafasi ya kupatiwa mali na wazazi wao.

Local Government wawe wakilinda misitu katika sehemu yao, si serikali kuu. Mabarabara, maji, na hata msitu, wawe chini ya local government.

Nomination wa bunge na ya local government, wawe mtu moja kwa thirty percent, yaani wajumbe thalathini mtu moja. Hiyo nomination wa wabunge viti 30, nomination member moja. Mimi sitakuwa na mengi hasanti.

**Com. Prof. Kabira:** Chief tafadhali utangojea kidogo.

**Com. Idha Salim:** Bwana Chief, ninataka kuuliza umetaka council ambayo inaitwa Local Native Council. Una hakika

ungependelea jina hilo, kwa kuwa wakati umebadilika sasa. Jina hilo lilitumiwa siku za ukoloni.

**Tarus:** Wakati wa ucolony, ilikuwa inaitwa local native council. Lakini saa hii ni local authority.

**Com. Idha Salim:** Yaani upendelei jina la local native council?

**Tarus:** Ibadilishwe kuwa local authority.

**Com. Prof. Kabira:** Nina swali lingine, unasema political parties ziwe saba?

**Tarus:** Isizidi saba.

**Prof. Kabira:** Tutajuaje ni which seven political parties?

**Tarus:** Kama imekuwa registered saba, hizo zinge zisiwe registered.

**Com. Kabira:** Lakini unajua zote leo ni registered.

**Tarus:** Sasa tunataka kubalisha Katiba.

**Com. Kabira:** Ninataka uniambie kama unataka ile 42, tuondoe Kanu, tuondoe DP, tuwache SDP.

**Tarus:** Tukienda kubadilisha kisheria sasa, Katiba tuseme sasa isizidi hivyo. Siwezi kutaja ni gani.

**Com. Kabira:** What about depending on the number, the popular parties, representation in Parliament,

**Tarus:** Pengine tukienda kwa uchaguzi tuseme number number two, number three ikifika saba tunawacha hivyo.

**Com. Kabiru:** Asante sana bwana Chief kwa hayo maoni. John Kosgei.

**John Kosgei:** Commissioners ninamapendekezo machache. Ningependa Katiba iwe juu, ifuatiwe na mwananchi, halafu Executive halafu ifuatwe na Rais. Inaendelea hivyo mpaka mtu wa chini. hilo ni pendekezo langu la kwanza.

Nikiwa kwa upande wa Rais, Rais apatiwe muda wa miaka kumi, term yake iwe ni mbili. Pia wakati anapo jitokeza kufanya hiyo kazi, kwanza a declare mali yake. Mbunge pia atangaze urithi yake ile amepata.

Local government and councillors watangaze mali yao.

**Interjection: Com. Kabira:** Ngoja kidogo, there is a problem.

**Com. Idha Salim:** Tafadhalini, akija jamaa hapa kutaka kutoa maoni tuwe watulivu, na hakuna haja ya kumuambia ni nini la kusema. Hayo ni maoni yake mwenyewe, tusiingilie tafadhali.

**Kosgei:** Kortii, iwe free, judge aamue mambo yake asingojee mambo kutoka juu. Kama ameona kuna makosa, amfunge kulingana na kosa lile ambalo amefanya.

Wabunge wawe wanatengeza sheria. Wanaobadilisha sheria wawe robo tatu. Isiwe watu kumi na tano watu wangapi. Pia, nominated members kama ile wa kufunga kauli asiwe minister. Mambo ya Budget, yajulikane na wabunge wote, isiwe watu wachache. watuwote wajue mambo ya Budget kabla haija somwa na pia iwe kibali cha kutumia. Isiwe kwamba mambo haija kamilika, ama pesa inakuja.

Electoral Commission: Iwe free, yaani ifanye kazi yake vile inatakikana, ischunguzwe na mtu. Ama isiongozwe na serikali. Kama wamesema mambo ya pesa isitolewe, mambo ya pesa isitolewe. Wanapofanya campaign, kunawatu wanatumia pesa na hakuna sheria inachukukliwa

kwa hivyo

electoral commission iwe free ifanye kazi yake. Mtu akikosea awekwe ndani.

**Com. Kabira:** umesema iwe free ama iwe independent?

**Kosgei:** Iwe independent. Ifanye kazi yake kufuatana na sheria.

Mambo ya elimu iwe free kuanzia nursery mpaka university ili tupate viongozi vizuri.

Mambo ya kazi, mtu moja kazi moja. Isiwe na mtu wa kusema hii na hii, hapana, kama umeshika hiyo moja imetosha. Kama

wewe ni Mbunge, hiyo inatosha wewe.

Mazao ya wakulima katika Uasin Gishu wana lima ngano na wana lima mahindi, tuwe na shirika la KFA kama zamai. Na hiyo ndiyo itafanya kazi ya mkulima. Kama ni kutoa mahindi inatoa mahindi, na kama kununua mahindi itanunua mahindi. Hivyo wakulima wasitangatange, ama wakulime wasiwe na shida siku ingine.

Mambo ya KCC irudi tena, na ifanye kazi yake kufuatanana mapendezi ya wakulima, wawe na jukumu la kushiriki. Kama ni viongozi, wakulima wachague viongozi hawa. Kama ni nini wakulima ndiyo waulizwe. Kama mambo ya market, wakulima waulizwe, ndiyo KFA ifanye kazi yake, sio mtu mmoja kuenda kutoa mahindi kutoka ngambo.

Mambo ya free market hiyo ipotee. Soko huru, hiyo ipotee.

Mambo ya utawala: D.C. na P.C. wafanye kazi yao kama serikali, wasiingie siasa. Tuseme labda nimeandikwa na chama fulani ama chama inatawala imeniandika, hapa, awe katikati. Halafu nikuje chinie kidogo, iyo ni kutoka kwa P.C. D.C., na D.O., wafanye kazi kama serikali wasijiingize katika siasa. Halafu nikute mtu wa chiefs na assistant chief wachaguliwe na wananchi kama zamani. Mambo ya utawala.

Mambo ya security, police wafanye kazi yao kwa njia inayofaa. Wasiwe watu wakuua ndio wafanye kazi. Wajaribu wajibu wao. Kama kuna makosa imetokea mahali fulani, waende pale.

Halafu aina ya serikali, ningependekeza (inaudible) ni ya Rais lakini (inaudible).

Halafu mambo ya mashamba, mashamba tulindwe vile ilivyo, na nikigusia mambo ya mashamba, kunawatu wanaitwa brokers, wasiuse shamba ya watu. Hiyo watu wakome. Kama mtu amechukuwa labda loan mahali fulani na amekosea serikali saidia iangaliwe huyu atalipe hiyo loan namnagani, si kwa shamba. Hiyo shamba ni kuongeza umasikini. Sasa mtu shamba yake inauszwa na inapigwa kengele huko eldoret. Serikali iangalie hiyo maneno.

Halafu la mwisho bunge wa nane, kikao cha mbunge iko saa hii, lanane, ikifika December, mambo yao ikwishe election ifanywe. Mimi ni John Kosgei Kutoka Seger location.

**Com. Kabira.** Asante sana, Mr. Kosgei. Tinderet Maswai.

**John Tinderet Maswai:** Jinalangu ni John Tinderet Maswai

**Translator:** Anaitwa Tinderet Maswai

**Maswai:** *Ha ha ha ha ha ha..... Jina yangu ni Tindiret Maswai. Nina sungumza eh .....ong'ololi ng'alek ang'wan yo.*

**Translator:** Anasema ataongea mambo ya manne.

**Maswai:** *Netai,*

**Translator:** La kwanza

**Maswai:** *ko ng'olyot ab mbarenik*

**Translator:** ni swala la mashamba

**Maswai:** *Mbarenichu ong'olole,*

**Translator:** mashambahaya ambao ataongea juu yao

**Maswai:** *Ko mbarenik che kibo toek che kibo kiplelachek,*

**Translator:** ni mashamba ya wakoloni ambyo ilikuwa ni ya wale walio tawala taifa hili.

**Maswai:** *Ko ng'olyo ne omoge,*

**Translator:** Jambo analotaka kwa mashamba hayo

**Maswai:** *Omoge kegure mbarenik chuto reserve.*

**Translator:** anasema kwamba mashamba hayo ambayo ilichuliwa na wakoloni yaitwe reserve.

**Maswai:** *Amu mi ng'olyot ne boisie ne kegure,*

**Translator:** Kwa sababu kuna jina ambalolinatumika sasa linalo sema

**Maswai:** *Kele imeng'isie kenyisiek tisaini ak sogol,*

**Translator:** kinalo sema kwamba unaishi miaka 99, ambaye anadhani ni lease

**Maswai:** *Kobor kole momitei matiaknatet yoto.*

**Translator:** Inaonyesha kwamba hapo haujapewa uwezowa kumiliki.

**Maswai:** *Imokyini che meng'isie,*

**Translator:** Nintakikana wakaaji wamiliki

**Maswai:** *Kotinye katiaknatet.*

**Translator:** wawe na uhuru na uwezomzima , yaani free hold

**Maswai:** *Ak kogeny,*

**Translator:** Na ingine pia,

**Maswai:** *Ko magat kotinyei kiwotisiek.*

**Translator:** Wanatakikana pia kuwe na mipaka.

**Maswai:** *Koribok kiwotet, Amu, bik che mitei Kenya,*

**Translator:** Mipaka ipate kulindwa, kwa sabu watu walio katika taifa la Kenya

**Maswai:** *Ko kabilosiek artam ak aeng.*

**Translator:** ni makabila 42.

**Maswai:** *Ko mi ng'olyot yuto kora,*

**Translator:** Kuna jambo hapa pia.

**Maswai:** *Ne ngot kemwa kele Kenya kityo,*

**Translator:** Kusema Kenya tu

**Maswai:** *Ko mengis chi kou ole kanyorji kamuget,*

**Translator:** kila mtu aishimahali amepata shamba

**Maswai:** *Ko ma imukaksei kokoshin biik.*

**Translator:** Haitawezekana kama watu kuishi kwa utengamano.

**Maswai:** *Akot eng bcheet ab kamuktaindet,*

**Translator:** Hata vile mungu alivyo gawanya

**Maswai:** *Ko kimwa kole kibchechini kapchitugul kou boroteng'wang.*

**Translator:** Mungu alisema kwamba kila mtu apatiwe sehemu yake.

**Maswai:** *Ko momi as konyo kochil bik alage bik alak.*



**Translator.** Ninasema kwamba haitawezekana, basi watu wengine kuja kwa shamba la watu wengine kuishi hakuna.

**Maswai:** *Katar yotok,*

**Translator.** Amemaliza hapo.

**Maswai:** *Owendi kebeberta nebo Katiba.*

**Translator:** Ninakuja kwa Katiba. (*interjection from audience*) *Katiba noto kora ..... komakene.*

**Maswai:** *Ng'olyot ab Katiba kingen kele komi Katiba ne koboisie.*

**Translator.** Ninajuwa kwamba kulikuweco na Katiba lililo kuwa likitumika.

**Mswai:** *Ak eng Katiba noto ne koboisie.*

**Translator.** Na katika katibe iliokuwa ikitumika

**Maswai:** *Moboisiechi bik kou ole magat.*

**Translator.** Haikufanya kazi kwa usawa kwa wakenya wote.

**Maswai:** *Kibor kergeindo neu yo kingotononi kole, Ko kikewech komume kole*

**Translator.** Iionyesha kwamba ilipokuwa ikifanya au kutenda kazi ilikuwa imefanywa kinyume.

**Maswai:** *Nda kitononi ,*

**Translator:** kama ingekuwa inasimama vile ilikuwa ikitakikana,

**Maswai:** *Ko kitamomi kiy ne keguren corruption.*

**Translator:** hakungekuwa na ufisadi

**Maswai:** *Ta momi tuguk alak che imuchi kogon bananda eng emet.*

**Translator:** Hakungekuwa na kuadhiri uchumi wa taifa

**Maswai:** *nito kitok ng'olyot ne keborchini kei nguno ketet*

**Translator:** Hili ndilo langu ninataka kulainisha.

**Maswai:** *Kemokyini anyun nguno raia,*

**Translator:** nikiwa raia ninataka

**Maswai:** *Che kejure chebo Kenya,*

**Translator:** Akiwa mkenya

**Maswai:** *Konyo tetutiet ne kararan.*

**Translator:** Anataka uongozo mzuri.

**Maswai:** *Kobwa tetutik che mochilei bik alak,*

**Translator:** Sheria zikuaje ambazo hazifinyi ama kunyanyaza watuwengine.

**Maswai:** *Katar yoto.*

**Translator:** Ame maliza

**Maswai:** *Ng'olyot age, Ko nebo katiaknatet ab saet ab Mungu*

**Translator:** Ni uhuru wa kuabudu.

**Maswai:** *Naat komie ole kikonundo Mungu ; Jeovah,*

**Translator:** Inajulikana vizuri jinzi Mungu

**Maswai:** *Katiaknatet nebo ye kakenai inendet ki kesa.*

**Translator:** Alivyo sema kwamba uhuru ni kwamba watu waabudu wanaomcha.

**Maswai:** *Ako ole kikonundo,*

**Translator:** Na vile nilivyo leta

**Maswai:** *Koma birchinet.*

**Translator:** sio kwa lazima.

**Maswai:** *Makibirchin chito si kwo ole mitei Mungu,*

**Translator:** Sio lazima mtu kuabudu Mungu.

**Maswai:** *Amakibirchin chito asi kobit kosa,*

**Translator:** Na sio lazima mtu kusali

**Maswai:** *KoNgolyot ne komogen yoto,*

**Translator:** yey kwa hapo alikuwa akitaka

**Maswai:** *Ko konyor chi tugul katiaknatet nebo kosa ak kogoito baornatet ab logoiwek.*

**Translator:** Kila mtu awe na uhuru wa kuaabudu, na kila mtu atowe ushuhuda kwa mambo yake.

**Maswai:** *katar yoto. Ng'olyot age,*

**Translator.** La nne

**Maswai:** *Kebeberta nebo murenik,*

Translator: Kwa wanaume

**Maswai:** *Ak nebo chepyosok.*

**Translator.** Wanaume na wamama,

**Maswai:** *Atkan kora*

**Translator:** Wakati mwingi

**Maswai:** *Kong'alalen chepyosok kole kimoche keegu che kergei.*

Translator: Wamama wanasema tunataka usawa.

**Maswai:** *Tom anai ng'olyondonotok ole kergeindab kogergeit mureno ak kwony kone.*

**Translator:** Hawajafahamu kwamba wanamume watafanana lini na wamama, yeye mwenyewe hajafahamu.

**Maswai:** *Kimaigei noto eng kebeberta nebo Jeovah.*

**Tranalator:** Haikukuwa hivyo kumuumbili.

**Maswai:** *Kimitei barak mureno komitei kel yu kwondo.*

**Translator:** Mwanamume alikuwa juu, na bibi alikuwa chini

**Maswai:** *Ako kimokigochi age kochil age.*

Translator: na hakuna unyanyasaji kwamba mwingei anyanyase mwingine.

**Maswai:** *Ki kokigochi kotoret kei,*

**Translator:** Mungu aliwapa uwezo sio kunyanyasa lakini wasaidiane.

**Maswai:** *Lakini tindo age tugul position nenyi.*

**Translator:** Na kila mtu anasehemu yake

**Maswai:** *Ma si konyo age nyo kotiem kosir age.*

**Translator:** Mwingine asifanye overtaking, yaani kutaka kupita mwingine.

**Maswai:** *Eng noto konyolu,*

**Translator:** kwa hiyo inastahili

**Maswai:** *mat kesukumanji ng'atutiet chepyosok missing*

**Translator:** Musisukumie wamama hii maneno sana.

**Maswai:** *Kokose kelen kosirto boisiek,*

**Translator:** Anasema ame sikia wakisema kwamba wazee wakiaga

**Maswai:** *Kokile keng'et in, nyeketiech atiech anan kouto lagok koboto malik ab manong'otionyi koba ole ki.....*

**Translator:** Wananyanyaswa ama saa zingine hata wana amishwa wanaenda na mali.

**Maswai:** *Ko kigere eng yutok kele, nyolu koteben ng'atutiet ne ribei kopchi komie kou yo kimokyi Mungu.*

**Translator:** Basi nimesema hapo ninaona kwamba inasaidika kuwe na sheria ambayo hata iwapo mama amebaki akiwa na majane, anazidi kubaki kwa njia mzuri vile mungu ame tenegeneza.

**Maswai:** *Mat konyo ng'atutiet ne pchei kopchi,*

**Translator:** kusitokee kuwe na sheria ya kuwanya nyumba ya watu.

**Maswai:** *Mat konyo ng'atutiet ne pchei bik alak.*

**Translator:** Kusitokee na shria ya kuwanya familia au watu wengine.

**Maswai:** *Ongen ole mitei bik che chang che tesetai ko kobochit yoto ng'olyot ne ko tinye.*

**Translator:** ninajua kwamba laini ni kubwa na watu bado ni wengi na nimefikisha mambo niliyokuwa nayo.

**Maswai:** *Kongoi ak omwoe kityo ole oribwech kii asi kimoek lembech.*

**Translator:** Asante. Ninasema tu, mtuchungie Katiba hii na isiwe uongo.

**Maswai:** *Notok ni koribei lagokyok eng kenyisiek alak mia mbili.*

Translator: Hii ndiyo italinda watoto wetu kwa miaka miambili. Isiandikwe kwa uongo.

**Maswai:** *Mat koek kelchin eng alak kosir alak,*

**Translator:** Isiwe ni nafasi ya wengine kutumai kuharibu. Asante.

**Com. Kabira:** Asante sana Maswai kwa hayo yote na tuta jaribu sana. Peter Cheplelii.

**Peter Cheplen:** Kwa majina ninaitwa evangelist Peter Cheplel, ni muhubiri wa kanisa la ACK, ninatoka katika parokia ya Lekebet, katika sehemu ya Segero na Sirikwa Location. Kwa mapendekezo yangu juu ya kurekebisha Katiba, ambako tumekuja leo kwa ajili ya kuitaji mambo muhimu katika jamhuri ya Kenya kwa kizazi hiki na vizazi vijavyo, kwanza ningependekeza kwa ajili ya mtoto. Mtoto, kila mtu amekuwa mtoto. Wewe ulipe hapa, ulikuwa mtoto. Nina pendekeza ya kwamba sheria hii ya haki ya kulinda watoto iwekwe jinzi imepangwa, watoto wasiteswe na kupigwa viboko ikisingiziw ya kwamba ni kuwanizanisha. Kulikuwako na nidhamu ya haki hapo mbeleni wakati mwanafunzi anachapwa kiboko mbele ya wanafunzi wenzake darasani. Lakini nidhamu hii ambao watoto wanakuja mbele yako kwa ofisi, huko mahali pa staff, wanapigwa viboko na fimbo, ngumi na marungu mpaka watoto wanakufa. Kwa hivyo ninapendekeza ya kwamba jambo hilo liondolewe kabisa na watoto wazugumziwe na kulelewa vizuri, hawatakuwa na uharibifu au kuharibu mali shuleni.

Jambo la pili ni kuhusu mashamba yetu, ambayo sisi tunazo. Mashamba yetu ambayo tunayo sisi tuanaona ya kwamba ni mahsamba makubwa, lakini mashamba hayo yanaenda kudidimia. Yatakuja kuisha. Tunapo endelea kugawanya sehemu ya vibanda, vibanda, vidogo vidogo. Kwa mfano, mimi nikiwa labda na acre ishirini na niwe na wavulana kumi, au na watoto kumi kwa jumla, na kila mmoja anataka agawiwe ardhi. Sasa ikigawanywa, kila mtu atapata acre mbili katika kisasi hiki, kisasi kijazo itakuja gawa nini? Ninapendekeza ya kwamba iwekwe na mpango safi. Mahali watu wana ishi, na mahali watu wanalima chakula kwa miaka hizi na miaka zijazo.

Pia, kulikuwa na mashamba ambayo yalikuwa yanatuzwa katika jamhuri ya Kenya. Kulikuwa na mashamba ya ADC ambayo yalikuwa yamemilikiwa na serikali katika sehemu fulani, ambao ilikuwa inaleta masilahi katika jamhuri yote ya Kenya. Tulikuwa tukipata vyakula ya kutosha nchi hii. Tulikuwa na ng'ombe wa maziwa, and ng'ombe wa kutoa nyama. Lakini mashamba haya yalikuja yakachukuliwa kwa njia isiyo halali. Ninapendekeza ya kwamba ikiwezekana kama mashamba yalichuliwa kinyume, yangerudishiwa wananchi ili tuwe tukipata mali pale na kupata kazi kwa wananchi katika Jamhuri ya Kenya. Hiyo ni pendekezo ambao ningependekeza pia iwe katika sehemu hiyo.

Neno lingine katika jamhuri yetu ya Kenya, lugha ambao tunatumia sasa katika nchi tuna lugha ile inasema ya ofisi ni Kiingereza, lugha ya taifa ni Kiswahili, na lugha yetu ya kienyeji ya kila kabila. Ninapendekeza ya kwamba, iwe katika mustari wa mbele pia katika jamhuri ya Kenya. Kila kabila liwe na lugha yao na masomo yao kwa sababu kuna mambo mengine ambayo watu

wanaongea katika lugha yao ya kindani na inaeleweka kuliko Kiingereza au Kiswahili. Na hata ikiwezekana lugha hii ya kiasili ya kila kabila ifunzwe hata na mashule katika universities kule, iwe inafunzwa na kutoa vyeti kwa wale wanahitimu kwa ajili ya lugha yao, ya kusikia na kueleweka. Kwa kusema hakika, kuna watu viongozi muhimu sana, katika jamhuri yetu ya Kenya, ambao akiongea katika lugha zao, pasipo Kiingereza ya kielimu, au Kiswahili, inajenga nchi kwa njia ya makini sana. Mimi ninapendekeza lugha ya kila kabila itunzwe na ipewe nafasi katika kielimu, ya kuanzia elimu ya chini mpaka elimu ya juu. Hiyo ndiyo itatunza na kutuelekeza katika nchi hii, na itakuwa safi.

Katika nchi, kuna mila tafauti tafauti. Tumesoma makaratasi haya, inasema ya kwamba tunahitaji mke andikwe na mume katika cheti ya kumiliki shamba. Sijui, kuna watu wengine wana zaidi ya mke, labda wanawake ishirini na tano na kuendelea nakuendelea, kufuatanana mila zao, katika nchi hii. Pia ningependekeza basi, kutokana na utamaduni zao, Katiba yetu ambo tunaitunza sasa, tunairekebisha iwe wale wote wake wa mtu yule wawe na haki sawa. Kusiweko na ati wakwanza ndiye atapewa nafasi ya kuandikwa na mwingine watatu waachwe. Wawe na haki wote, waandikwe katika kile cheti cha kumiliki shamba.

Neno lingine ambalo ningependekeza katika Tume hii ya Marekebisha ya Katiba, ni kuhusu mambo ya kuenda aya kuomba mikopo katika bank, au katika mashirika mbali mbali. Ninapendekeza ya kwamba title deed isihusishwe katika kuomba loan hizi ambazo watu wanakuja kuumia katika mashamba yao. Sababu title hii ni ardhi, ambayo kizazi hiki kitaishi, vizazi vijazo. Ninapendekeza katika Tume hii ya kwamba mtu akienda kuomba loan hiyo katika mashirika haya, akubaliwe kufuatana na uraia wake wa jamhuri ya Kenya. Awe anatoa kitambulisho, awe anatoa cheti kile cha kuzaliwa, ili watu watunzwe na walindwe wasije jamii kubwa kama hii wanaangamizwa na kwa ajili ya mtu mmoja. Sababu mtu anaenda kuchukua loan huko, na anaanza kuharibu hizo pesa, na cheti cha shamba imewekwa kule kwa raha na na baadaye shamba ikauzwa, jamii ikaanza kuhangaika. Kwa hivyo ninapendekeza ya kwamba hiyo iondolewe kabisa na title deed iwe huru Title deed. Isikubaliwe tena katika mambo ya loan. Watu wepewe loan kwa kufuatana yeye ni Mkenya.

Nikienda kumaliza, ni mambo ya uhuru ya wananchi kwa jumla. Wananchi wapewe uhuru ambao ni sawa, pasipona kunyanyaswa na utawala yoyote iliopo, inayo kuj, mwananchi awe na uhuru kamili, na kusikia kwamba yeye kweli amejitawala katika jamhuri hii. Kuna matgeso mengi ambao wananchi wamekuwa wakiteswa na tunaona yakwamba jambo hilo iliondolewe kabisa wananchi wawe uhuru, utawala ipewe mamlaka ambao isizidi kwa kuangamiza na kuwangandamiza wananchi. Asante sana nimefikisha hapo.

**Com. Idha Salim:** Bwana Cheplel umesema kwamba haupendelei title deed itumiwe kupata mikopo. Sasa ikiwa mtu anahitaji mikopo atatowa kitu gani kama rahani?

**Cheplel:** nimesema kile kitakuwa kama rahana ni cheti chake cha kuzaliwa inyesa kwamba ni mkenya katika jamhuri hii.

**Com Salim:** Lakini ikiwa hakuweza kulipa huo mkopo, bank itatumia vipi ili kupata pesa zake?

**Cheplel:** Kama bank inahitaji kunipa loan, kwanza wanakuja kuangalia na kufanya uchunguzi kama kweli nitaweza kulipa loan hii, na ikiona ya kwamba mimi siwezi, wasinipe.

**Com. Salim:** Utakuwa na mali yoyote ingine mbali na title deed, kuonyesha kwamba unaweza kulipa mkopo.

**Cheplel:** Ndiyo, nitakuwa na mali zingine, kama ngombe, kama motocar, kama tractor, vitu vingine kama hayo.

**Com. Kabira:** Asante sana. Mimi nitakuliza swali. Kwa sababu kuna mama mwingine alikuwa amezungunza juu ya hayo mambo wakati wa asubuhi, ile yakuwa ukiwa mwanamume, unakaa na huyo bibi kwa miaka ishirini, mnamali pamoja, halafu unaona huyo pengine amezeeka, unaenda uchukue mwingine, na mwingine, na mwingine, kama tano, na unasema huyu wa kwanza mumekaa na yeye kwa miaka ishirini, na mume lima pamoja, the other five have equal rights with the first one?

**Cheplel:** Nimesema ya kwamba, ikiwa mtu amekwisha oa wake wake watano, kwa wakati wa kuenda kurekebisha Katiba hii, na Katiba hii inasema kwenye kitabu kile tulisoma, inasema inahitaji mama waandikwe pamoja katika title deed na yule mume. Na nikasema ikiwa mzee ana wanawake nne, tano, waandikwe pamoja katika ile cheti ya shamba.

**Com. Kabira:** Vile yule mama alikuwa akiuliza, haki ya yule wa kwanza yule alilima hiyo mali iko wapi?

**Cheplel:** Nimeshika sasa. Yule mama aliyeolewa kwanza halafu tukaishinaye mfano kwa muda wa miaka thelathini labda arubaini, halafu nikaanza kuhitaji mwingine kuona mdogo, siyo namna ile? Nina fikiria sasa hapo huyu wa kwanza atakuwa anapata share yake kubwa.

**Com. Kabira:** Asante sana. Abraham Keiyo, hayuko. Paul Shila Hayuko. Paul Tanui. Sorry amekuja hapa. B. Kitur, umesema una memorandum.

**B. Kitur:** My names are Benjamin Kitur. I have some few recommendations to present to the commission. First of all is the presidential power. I believe in the Kenyan government president has a lot of powers should be trimmed and more powers should be taken to the parliament.

The second is about our environment especially forest. National banks and other facilities that we need to manage.

Environmental management, we need to keep our forests intact. Our forests of late has been reduced to shrubs by politicians. They are the ones who own sawmills, and destroy our forest. That is why Kenya especially in Uashin Gishu, of late we do not

receive the normal rainfall we used to receive because of our (inaudible) that has been shared out and there is no rain. You see our crops, they are not coming the way they used to be before.

Another one is sponsorship in schools. This is real politics, because you find some churches are fighting over sponsorship of schools, I think DDC should take over sponsorship of schools and churches should not be sponsoring schools. If churches sponsors schools, they should give proper sponsorship. We do not only the name of that child to be sponsored., that is why parents are fighting over sponsorship and they are not giving us what we require in these schools. Parents gave out the land, they believing their children but churches are fighting over the sponsorship of the schools. So DDC should take over the sponsorship of schools.

Another one is abolition of Provincial Commissioners. That is duplication of services. We have Provincial Commissioners, we have District Commissioners. I think District Commissioners are enough. We do not need Provincial Commissioners. These are the puppets of the political parties, the ruling party. They only play to the tune of the ruling party. We need District Commissioners to take charge of our Districts and therefore I do not see the need to have Provincial Commissioners.

Defections, from one political party to another one should not be there. That is wasting of government resources. The Head of state is using government machinery to receive defectors from one political party to the ruling party. That is waster of the resources. In case of channelling resources to other areas the government or the ruling party is using this machinery or government resources to welcome the defectors from one political party to the ruling party, that is if you have defected from that political party, you should lose your seat.

Another is about our parliament. You find of late, our house or parliament is attended by very few mps. I do not know why these people do not attend these session. They should be full house from Tuesday to Thursdays. If you want to have a harambee, or presidential address should be from Friday up to Sunday. From Tuesday to Thursday, full house. If you do not attend house, no allowances for those days of not attending the house.

I prefer regional government. We need to have the president and the prime minster, so that we know when the president is attending a state function and when the president I attending a government function. We need to distinguish between these two.

So we need Regional government, whereby we have the prime minister and the president so that the real line of duty is divided.

About schools not that there are no caning of students, teachers should be given security allowance, so that when students go on strike and teachers are hurt, they should be compensated, and the culprits, those who started the strike. Should be punished according tot eh law. They should even be expelled from school. If a student burns down a school and then goes to another school, he is admitted and then burns down the school again in that other school, who is losing? The parents are losing, s that



student should not be admitted in any school since he is found to have been the one who razed down that building.

About marriage, we need to streamline. There is no need of “come we stay.” If you have decided to become one, to live as husband and wife, you should get marriage certificate through the church, through the government that is the DCs office, or through customary law. There is no need of come we stay and after sometime, you will be forced or you Part way, and children suffer. So we need to go by these three rules: get certificate, use the customary law or the church and D.Cs office, otherwise these are my recommendations to this Commission, thank you.

**Com. Kabira:** Thank you very much. John Koech.

**John Koech:** Kwa jambo hili la kurekebisha mimi nignependa kutoa mambo kama nane. Mimi ni John Koech. Jambo la kuanza ni juu ya uongozi ama tusema wabunge pamoja na Rais. Tunajua yakwamba kitu ambacho inaharibu sasa wakati mpaka wakati huu, ni mtu kukuwa above the law, ama kukuwa juu ya sheria. Hilo ndilo jambo ambalo tunataka tutoe. Hatutaki mtu awe juu ya sheria. Pili kila kitu iwe mzuri, kila mtu anasjhikwa na sheria. Hiolo ni la kwanza.

Jambo la pili, ni kuchagua ama hii parastatal, ama kutakuwa kiongozi ndani ya parastatal kuongoza. Kilka parastatal ama akmpuni wawe na shria yao na waweze ku andika mtu ambay anatoshana na uongozi na anatosha kufafanya hiyo kazi. Si yakwamba mtu mwingine abebe mtu kuweka hapo, hiyoi ndiyo kufunja mali ya wananchi. Kwa hiyo kila kampuni ijisimamie, na sheria bado inashika kila mtu ambaye anaweza kuvunja pesa ya wananchi, kutoka kila kampuni ama parastatal.

Jambo lingine ni mambo ya cooperative kutokana na hiyo jambo. Cooperatives wenyewe wajisimamie. Sio kwamba kuwe na jambo amblo serikali inaingia ndani, na hii kwasababu ya hiyo, ni ya kwamba, wakikinigia ndani kutakuwa na vikwazo ya kila kampuni kuwakisha vitu yake. Hakutakuweko na soko huru. Kwa wakati huu, jambo kama ya wakulima. Mkulima amepewa soko huru kuuza, lakini soko huru hakuna kwa kununua kama kitu kama mbolea, kama dawa yakuniyisia kwa mashamba. Hii haina uhuru, lakini uhuru iko kwa kuuza pekeyake. Kwa hivyo tunataka mtu akiwa anauwezo yakununua mbolea yake kutoka ng’ambo anunue. Sio ya kwamba aulizwe kama amepewa license y akuenda kufanya hiyo. Hiyo sio soko huru.

Jambo la nne ni juu ya hii majimbo. Kenya ina makabila 42. Mimi ninge pendelea jambo la umoja. Kwa sababu tukisema majimbo hii mashamba ambao tumenunua kutoka kwa wazungu, kila kabila wamenunua shamba yake. Awe Kikuyu, Mnandi, Mjalu, awe nani amenunua shamba yake na ana haki ya kumiliki hiyo shamba yake na apewe title deed yake kikamilifu.

Ninarudi kwa elimu ya shule. Elimu kama watoto kusome ianze kutoka nursery mpaka university, na hiyo serikali waweze kuandika waalimu wote ama kupewa vitu vyote ambavyo vinahitajika. masomo iwe ya bure.

Jambo lingine hapo tunakuwa na watu ambao wanasema ni sponsor. Sponsors, kama wewe umesponsor shule, ni ya kwamba

kama ni dini yako iwe inaandika waalimu kwa hiyo shule, wamejenga hiyo shule, hiyo ndiyo sponsorship. Lakini hii shule za serikali, hakuna haja ya kukuwa na dini huko. Tunawahubiri, tunahubiri nyumbani tunafanya kilakitu. Kwa hivyo hakuna haja, mtoto asome aabudu, kama ataabudu mti, ama nini, lakini asome vizuri, awe na uhuru wa kusoma. Sio yukwamba awekewe vikwazo vya ya dini.

Nikikuja kwea dini yenyewe ni yakwamba, kila dini wawe na uhuru wa kuabudu. Hii inaonakana uhuru wa kuabudu hii inakuwa ingine. Mahali ambapo tunapata vikwazo yakuaabudu ni ya kwamba kama dini wanaabudu siku fulani. Basi wawe na uhuru, hata kwa serikali akiwa kwa kampuni fulani, kama ni sikuyake ya kuabudu waabudu siku hiyo. Afaney klazi kwa zile siku zingine.

**Com. Kabiru:** Hiyo ndiyo ya mwisho, jaribu umalize kwa sababu ya time.

**John Koech:** Watoto wanao pata mimba: Watoto wadogowadogo wanaopata mimba. Mimi ninataka katika Katiba hii sheria iwekwe. Mimi ni mnandi, na zamani sisi wanandi tulikuwa mtoto akipata miba anauuwa huyo mtoto. Lakini hiyo sasa sheria imetoka. Tunarudi sasa kwa sheria yenyewe. Mwenye alizaa mtoto achukue mtoto wake. Hata kamani umri wa chini kama watoto wanaumri wa chini, kama nimewacha kijana wangu aweke mimba msichana ya fulani, atachukua tunakuja kuridhi huyo ni mtoto wake, wakate akimaliza shule basi, anakuwa na mtoto wake anajua amezaa mtoto maramoja. Yeye kama anakataa huyo mama, sasa atakuwa anachukuwa mtoto huyo mama hana shida, muingine ata muowa. Mama atakuwa na haki ya mtoto aliye mzaa, wakati atakuwa ameolewa na yule aliemzalia mtoto. Kama yeye amewacha huyo mtoto, basi amewacha huyo mtoto aende azae wengine huko.

La mwisho ndiyo hiyo. Ktoini iamue mambo yake kulinganan sheir, skulinganana viongozi. Kwa sababu kulinganana viongozi, itakuwa amekosa na kiongozi fulani anasema hapana hajakosa. Kwa hivyo kotini iamue mambo yake kulinganana shria. Kama mtu amekosa basi aende na makosa, kama mtu hajakosaawe huru, na isiwe nmluingine tena iko nyumeye akisema wacha yeye huru, ama kwa sababu ya cho fulani, ni nini na hii, hapana.

**Com. Kabira.** Asante sana bwana Koech. Mwalimu ana swali.

**Com. Prof. Salim.** Bwana Koech swali langu lahusu ule mkuu wa parastatal. Umesema ile parastatal iwe na haki ya kuchagua mkuu wake sio, asiingiliwe na mtu yoyote. Sasa ninakuuliza, parastatal huwa jina lenyewe inaonyesha kwamba serikali imetia mali yake hapo. Sasa serikali haiwe na uwezo wowote yakuchungulia kazi ya parastatal ya kwamba yule mkuu wake ni mtu ambaye anafaa?

**Koech:** Ndiyo. Kwasababu serikali ametia share yake hapo, na mimi nimetia share yangu hapo. Kwa hivyo sisi wanashare tunahaki ya kuzingumuza ninani atatuongoza. Sio serikali.

**Com. Salim:** Lakini serikali paia inamaoni yake juu ya hayo.

**Koech:** Serikali inamaoni kama mimi nilivyo na maoni.

**Com. Kabira:** Thank you very much bwana Koech. Linus Kures:

**Linus Kures:** Asanate Chairman wa Commission hii. Mimi ninaitwea Linus Kures, makkaji wa Kiplombe Location. Nina maoni kama nne tano hivi. Na ya kwanza ni juu ya ukulima. Ukulima katika area yetu hii ikona shida. Shida ya kwanza, sisi kama wakulima, hatuna haki, na kwa vile tume imekuja, ningependekeza tuwe na agreement baina ya wakulima na serikali juu ya mazao yetu. Wakati tunapo panda mazao yetu kama ngano hivi, tunajua serikali itanunua. Kama haita nunua, sisi wenyewe tujue tutapereka wapi. Kwa sababu ni kwamba unakuta wale viongozi ambao wanatungoza ndiyo wanachukua jumkuma la kuwana haki yetu, ambo sisi tunekuwa na haki. Iliniseme hivyo hivi. Mwaka jana serikali iliagiza mazao, bila kujua wakuwa sisi wakulima tumelima mazao kiasi gani. Mapka tukapata shida kwa sababu hatujafanya agreement na serikali. Pendekezo langu ni kwamba, tuwe na agreement na serikali ya kwamba mazao yetu ambao tutakuwa tukilimka serikali itamake sure ya kwamba itatununulia. Na kama haiwezi kutununulia, itepepe basi nafasi ya sisi kutafuta soko nje.

Pendekezo langu lapili ni juu ya haki ya original people. Kwa mfano sisi watu wa Uashin Gishu, tuwe na haki. Tusiingiliwe na watu kutoka nje. Kwa mfano, mimi nintoka katika kilombe location. Tukiangalia hapa kwa hii jingo ni watu wachache sans ambao wametoka Kiplombe location. Kwasababu gani, haki yetu imeperekwa na watu wengine. Hatuna haki. Watu wale wanatungoza ni watu wanatoka nje. Kwa hivyo badala ya sisi kupata information kama hii, hatupati, kwa sababu wanajua labda tukona mambo mengi ambayo tungeleta hapa. Pendekezo langu ni watu wa area wapewe haki yao wenyewe wajitawale.

Pendekezo langu la tatu ni juu ya National Security. Security katika nchi yetu iemkuwa very poor, kwa sababu unakuta hatuna security, imerudi chini, na tungeomba serikali ijaribu kuimprove security kwetu.

Jambo langu la nne ni juu ya hospitali: zamani wakati nilikuwa mdodo, nilikuwa ninasikia watu wakiimba at nchi yetu iwe na haki ngao na ilikuwa inapigania vitu vitatu, juu ya elimu, umasikini na ugonjwa. Saa hii wakati huu, hatuna hivyo vitu. Serikali yetu haitilii manane yale mambo ilisemwa wakati ya uhuru. Kwa mfano utakuta saa hii hospitali zile ziko ni za wafati wakubwa. Zime vunja zile zilikuwa za serikali, watu binfsi wakaanza kutowa mahospitali zao, wakaanza hata kuweka bei juu, halafu hizi za serikai, hakuna madawa. Sasa hata ukienda huko uwezi kupata madawa, na sasa utakimbilia hizo za private na ziko very expensive na huna njia yoyote ya kuhepuka.

Jambo lingine ni juu ya mashule. Unakuta shule za sherikali ziko pale, sisi raia tomejenga. Lakini utakuta mtu mkubwa anakuja

kujenga shule karibu na ile yenyu, halafu anachukuwa watoto anapereka huko, anachukua zile equipment sambayo serilali alikuwa ilikuwa analeta inapereka huko, sasa hii shule lya serikali inakosa equipment na vitu vya maana. Walimu wale wanapita msuri wanaperekwa kwa private school, halafu wale wengine weanguka anguka kwa huko wanaletwa kwa hii shule ya serikali. Unakuta tunapata shida hapo kwa sababu tukitaka kufanya kitu ni wale watu wakubwa wako kwa serikali ndiyo wana letu kitu karibu na sisi. So pendekezo langu ni kwamba, private schools, na private hospital ziweze kuangaliwa. Kwa sababu tukipeana uhuru ati una uhuuru ya kujenga shule lyako, unauhuru ya kujenga hospitali yake na zile za serilali je italindwa nanani, ikiwa sasa wewe utajenga hospitali hapa, na ya serikali iko hapa? Madawa inakuja kwa serikaoli halafu wanaiba wanapereka huko. Shuel iko ya private hapa, ya serikali hapa. Equipment ile ingekuja kwa government school inachotwa inaperekwa kwa private school. Ningependekeza yakuwa hiyo maneno iangaliwe. Otherwise sisi tutakuwa na shida. Mapdneekezo yangu ni hayo tu Mungu awabariki.

**Com. Kabira.** Asante sana kwa hayo maoni. Tutamuita Christopher Rotich.

**Cristopher Rotich:** Asante kwa nafasi hii. Kwa majina ni Christopher Rotich, mimi ni mwalimu ambaye amepunzika. Mambo memngi yamesemwa na wengine, na kwanza ni mambo ya sponsorship ingawa mwenzangu amesema juu yake, na mimi nitasema tu kido. Nina toka Soi Division, Lusomba Location. Sponsor kwa mashule inleta shida sana. Kwa sababu inakuta watu wanafukusana, kupigana kwa mashule, na sponsorsi ile watuwetu wazamani wenye walituletea masomo na mambo ya dini walikuja nayo, kwa sababu walikuwa wanaapisha shule na wanatowa kilkitu vile walisema. Lakini tunataka hii Constitution, kama sponsor mtu anasponsor shule ama kanisa fulani anasponsor shule na shule hiyo ilitolewa na wananch points ya kujenga hiyo shule na kujenga wanajenga pamoja, na wakati ingine watu wanakuwa na mkutano tusema wengine hata wanaweza kufanyia hata harusi, na mkutano wa kanisa, unakuta wengine mtu wa kanisa fulani hwawezi kufanya mkutano kwa hii shule, mimi ni sponsor, na wanafungia mwingine mvua, wengine wananyeshewa, hiyo sheria iandikwe ya kwamba kama shule imetolewa na kila mtu kama ni kwa shamba ama kujenga wamenga wote, kila mtu anatomia hiyo shule. Sio ya kwamba ati mwingine anakuja sema mimi ni sponsor anafungia mwingien nje.

Ya pili heshima imetoka kabisa katikati ya watu wetu. Viongozi hawaheshimiwi. Viongozi tena hawaheshimu wadogo wao. Heshima iwe vise versa. Ukiniheshimu, mimi nitakuheshimu. Hata kama mtoto mdogo, usiopo muheshimu, anaweza kukuambia wewe umekos heshima hapo. Tuheshimiane, kutoka kwa mdogo, mpaka kwa mkubwa, na kwa mkubwa mpaka kwa mdogo.

Retirement, kupumzika kwa kazi. Unakuta mtu anaretire, mimi niliretire ljuzi, na wakati nilikuwa Nairobi nikakuta mama ambaye ameretire miaka kumi na tano na haja pata benefits ya retirement. Mtu akiratire, si sheria inajua? Serikali anajua kwamba mtu ameretire. Pesa yake ama benefits zako ziwe tayari. Mtu aasikae miaka mingi. Mimi ninafurahia watu wa parliament wakati ingine wanazungmuza na hakuna kitu inafanywa. Lakini iwe kwa sheiria, kwa sababu ukifika wakati wa kuretire baruw inakuja inasema compulsory retirement. Inafika siku yako unaondoka. Lunaenda nje, unakuwa masikini kabisa

ya mwisho, sassa unaogopa hata kutembea. Ni haibu. Wengine wanawatoto. Watu wote hawawezi kuwa sawa mwingine wanakuwa na watoto kakiretire, mwingine watoto kawe wamemaliza. Kwa hivyo mtu akienda retire apate vitu vyake.

Waalimu, katika Kenya yetu, waalimu ni mtu anaumia zaidi, na mtu anaye fanya kazi kushina wote, kwa sababu anakaa kabisia kutokea asubuhiu mpaka jioni, na pesa ile anapewa, haitoshi hata kuandika mtumish ambay anaweza kuchungia ng'ombe ili apatge maziwa kidogo. Ile kidog anapewa haitshi hata kumnunulia mtoto uniform mtoto uniform haitoshi, na hatakiwi aonekana akifanya kituiingine, anaonekana tu kwa darasa, na ni mzuri. Serikali awapatie pesa ile anaweza kuandika mtu, na kumpatia pesa zile ambaye akifanya kazi anachunga ng'ombe zile mwalimu angechunga kwa sababu amepewa kitu ile inatosha yeye. Iwekwe kwa sheria, kila mtu alindwe, mwalimu, mwenye anasafisha mtu akiwa na makamasi yote mpaka anang'ara aende mpaka university akitoka kwa mkono wa mwalimu, halafu mwalimua anaonekana ni kitu hovyoy.

Interjection: Com. Kabira. Pendekezo lako kwa walimu ni nini?

**Koech:** Wapewe pesa ilie inatosha. Hata andike mtu yakumfanyia kazi, ili akwame kwa shule kabisa. Kwa sababu unakuta anaweza kufanya hata biashara usiku, akose kulala na akse kufundisha kesho kwa sababu anaumia hana pesa. Haya yangu ni hiyo nimemelizia hapo.

**Com. Kabira:** Asante sana bwana Rotich. Bwana David Kemoi.

**David Kemoi:** Thank you very mcu Madam Chairma, kwa kunipa fursa hii. I have a proposal to the Commission. One this one will bedealing with the presidential. We should retain an executive president and powers deposited on him. Lazima tuwe na president anye nguvu ili kila mkenya awe na reference kwake. Kwasababu tusipokuwa na president mwenye hana nguvu, the policies ama muelekeo ya kazi ya serikaoi haitaendelea vizuri. Hata tukienda nchi ya America na zazile zingine, their presidents are effective, the y have powers to execute their work. Tukisema tupewe powers to parliament, parliament will not have time on urgent matters. ,the age of a presidential aspirant should be between forty and 55 years. We need a young energetic president, at the age of 40, because that is the time we realize tha he has matured and at the age of 55, he should lgo and rest na akule yenye amefanya. So why should we give a president kazi kubwa, while he should be resting?

We should direct election popular vote. He should be elected directly by popular vote irrespective of wheel he comes from. Kama president amepigiwa kura ya kutosha, huyu anaedenda.

**Com. Kabira:** Hiyo ya kutosha ni ngapi?

**Kemoi:** The majority I mean, the majority votes.

**Com. Kabira:** Majority can be 20 percent.

**Kemoi:** The votes should be maoja kwa moja, direct, so whoever will be having the highest number then we consider him to be the president.

Education: the constitutions should address the issue of free education from primary to the university, soothe finance which could be wasted can be (inaudible) giving an example of Japan, the most industrialized nation at the moment. There is no..... that because you have qualified kuenda secondary you have no money kuendela na masomo. The government, which gets up to 250 billion shillings can even allocate 70 billion to educate people because we know education is power. When we have education manpower we shall have a better nation. We shall have innovative people who shall come with new innovation because of that education. Tunakuta kuna watoto wenye wakona brains but we leave them. We should have utilized them if we had given them tjhat chance wasome free from primary to university. If we can make an estimate, we realize tha t in Kenya alone we use up to 130 billion in terms of fees from graph statistics, which I do not see why the government cannot even slice that to foot and pay the other teachers 20 or thirty billion and we sacrifice that and we leave other services. Then we will get better manpower, strong and Kenya will grow.

Health service, there should be an established health security fund, to cater for medication of all Kenyans irrespective of whatever backgrounds. Where. Will benefit from such funds and every Kenya should contribute every year. This fund will help those who are unable to support hmselves. Already we have an epidemic, which is aids. Kenyan cannot manage the treatment bills. I think we should promote the health security fund and it will cater and take care of Kenyans because we frequently hear that there are some ailments coming from accidents and Kenyans cannot afford, so we should look for funds that will cater for those problems.

**Com. Kabira:** Try to summarize, for the time has run out.

A parliamentary candidate should be a university graduate and above, Kenyan citizen at that constituency. Other requirements is that he should be having a voters card and others that are there.

Appointments of parastatal heads should be vetted in parliament, and it should be upon the president to select from the list of those candidates who will head those parastatals.

Agriculture, the government should control the budget of agricultural produce. This is to say the government should work hand in hand to make sure that farmers (inaudible), and at least to get a profit from their activities. So they should make sure that they fix the prices, at that price that is even and the farmer gets a profit. This will help those who engage in activities so that they

can also protect the industries like KCC, and others. this will also create employment for all Kenyans. May God bless Kenyans to remain stable and prosper. Thank you very much.

**Com. Kabira:** Thank very much for those views. Can we have Barnabas Chirchir?

**Barnabas Chirchir:** My names are Barnabas Chirchir, I come from Barsombe location, I am presenting a memorandum of the residents of Barsome.

One, we have constitutional Supremacy: the residents thought it wise that the procedure which is currently used should not be retained, the parts affecting parliamentarians should be handled by an independent body particularly on the welfare of the parliamentarians, e.g., salaries of the and their welfare.

Citizenship; all indigenous tribes of Kenya should be regarded as automatic citizens of Kenya, and the citizens should be entitled to basic needs, these are free medical services, no Kenyan should die because he or she has got no funds.

Free education, free food and also, all Kenyans should be entitled to free security and less harassment. This also said that all Kenyans aged above 70 years should the some a little pension of at least five hundred or something like that. On the side of citizenship, no dual citizenship. If you are a Kenyan you remain a Kenyan, and if somebody is a citizen of another country then should remain a citizen of that country. Kenyans should carry identification cards.

Political parties should play other roles like development, education and also promote good governance. The constitution should regulate the formation, management and contact for all political parties. The number of political parties should be constitutionally reduced to utmost to three or four but the government should finance all political parties. The government the financial of political parties by looking at the national.

**END OF TAPE 3**

**Tape 4 – Side A**

**Barnabas Chirchir:**.....party. The government should base the financial of political parties by looking at the national outlook or performance of that particular party (inaudible) personalities of the leaders and parliamentary seats. Parties should be responsible and should actually, the state itself should treat all parties equally and fairly.

Structures and systems of government: Kenya should adopt a federal system of government. Some resources from productive areas should not be taken to other areas and same productive areas remain undeveloped. The powers of the government

should be de-centralized to district level and create a sense of ownership being into the people of each district and let there be competition at all levels amongst all districts in Kenya in all aspects of life.

**Legislature:** The Constitution should provide for two chambers. The Member of Parliament should be a full time occupation and members should be restricted or barred from venturing in any other businesses like farming and other businesses which most of our leaders are doing at the moment. The electorate should have a right to recall their MP the electorate should meet and inform the speaker that in written that they have voted their MP out. An independent commission should be appointed to look into the MP's salaries and other allowances. The Constitution should do away with the nomination of MP's and instead create more constituencies in areas which are disadvantaged. Women are equally advantaged or disadvantaged as men therefore, all people regardless of gender should be encouraged to participate in all aspects pertaining to the country's development. The MPs should serve the constituents first, they should be independent and they should also vote rightfully to serve the interests of the nation and not the party. The Constitution should permit coalition government for national unity.

**The executive:** The President should be at least 35 years and at least a diploma holder and above. The terms of President should be 2 of 5 years each. The functions of the President should be defined in the Constitution and the executive should be taken away from the President. The Constitution should provide for the removal of a President for mis-conduct while in office by misuse of his powers and a like. The President also should not be a sitting MP. Kenyan Constitution needs Provincial Administration and they should be appointed by the people of the locality mostly from the Chief, Sub-Chief and Mzee wa mitaa.

**The Judiciary:** Appointment of the judicial officers should be on merit and appointed by the Judicial Commission. Law courts should start at the divisional level.

**The Local Government:** Mayors and Council Chairmen should be elected by the people and the powers also should also be decentralized. Now the minimum qualification for any Councillor should be a form four leaver. The people should have the right also to recall their Councillor in case he is not serving them well. An independent commission also should be appointed to be looking at the remuneration of Councillors. More wards to be created instead of nominating Councillors.

**Electoral System and process:** Candidate should not be allowed to switch from one party to another one. Any MP who defects and crosses the floor, his seat should be declared vacant and elections should be done accordingly.

**Com. Ida Salim:** Are you about to finish? Cause timewise, almost finished? Since we are going to have the memorandum, please take the main highlights.

**Barnabas Chirchir:** Basic Rights: The Central Government should have the responsibility of ensuring that all Kenyans enjoy the basic rights.



**Now Land and Property Rights:** An Kenyan should own a land as much as we can provided he acquired it rightfully. There is no need of maybe saying that a Kenyan should at least own a certain number of acres.

**Cultural Ethnic and Regional Diversity and Communal Rights:** Every community to be allowed an independent court of elders to preserve their cultures. Kenya should have two national languages.

**Management and use of National Resources:** The Raising of revenue, management and distribution of finance and human management should be managed from the district level and should remit 25% of their total taxes to be managed by the executive. Waybridges should be introduced in Kenyan roads and this should be computerized to take the part of the traffic police and any vehicle which carries more passengers should be taxed at least a small amount of money which the people will not feel the pinch instead of taking them to court to be fined highly then it encourages corruption.

Finally, I have skipped others, farming and farmers. The Constitution should protect farming and farmers because farming is a pillar to our economy. The government through the Ministry of Agriculture should have a record of every farmer in Kenya and know what each farmer is expecting to harvest. The government should be sole importer of fertilizers in order to reduce the cost this fertilizers when purchased by farmers. There should be a standardised expenditure on all farming activities which should be incorporated in the Constitution an in case of any disaster or the lack of the market, the government should compensate the farmer. The Constitution should provide for the revival and sustainability of national cereals and produce boards, KCC, KMC, Kenya Seed Company, AFC and KFA. The roles should be spelt out for example, National Cereals and Produce Board should purchase.....

**Com. Ida Salim:** Those are details, you can leave to us to read in your memorandum. Your main point about revival of these organizations have been taken. Have you finished now?

**Barnabas Chirchir:** Thank you.

**Com. Ida Salim:** Thank you very much for your views. I need just to remind everyone that in case there is a memorandum like this one, the idea is for the presenter to give us the main point and then we will read the details for ourselves.

**Translator:** *Kole ngot komi chi ne kasir kiy, ko menyemwa tugul che mi kartasit orit imwoe che ng'ering'en che mitei orit sib kosoman icheket koi kait olindo.*

**Com. Ida Salim:** Asante. I now call Josiah Koech. Is he here Josiah?

**Josiah Koech:** Niko.

**Com. Ida Salim:** Haya karibu.

**Josiah Koech:** Asanteni nafikiri yangu ni machache.

**Com. Ida Salim:** Unaanza na jina lako tafadhali.

**Josiah Koech:** Jina langu ni Josiah Koech kutoka Sugero. Mimi ninajambo tu tano ambayo nitasimulia kwa kukimbiza. Mimi langu ni Chief kupatiwa uwezo. Chief kupatiwa uwezo katika area. Chief asipopatiwa uwezo, mambo yatakuwa mbaya.

Ya pili ni kesi ya mashamba. Mashamba yanatakikana kesi ifanywe nyumbani na imalizwe kule nyumbani. Mambo ya kwenda kwa maDO, unaenda kotini inachukua mda karibu miaka kumi na tano ndio ikwishe ama haiwezi kuisha.

Ya tatu napendekeza ya kwamba Mayor achaguliwe na wananchi. Wakati tunafanya voting kuchagua wajumbe na macouncillors tunachagua pamoja na mayor na chairman wa county council ili kusitokee mambo ya kununuana kule, halafu mambo iharibike.

Nafikiri ya tano tu ni wazee wa mitaa kupatiwa nguvu pia, na kupatiwa mishahara ili mambo ya nyumbani ikitokea wamalize na machief na ma-subchief kule nyumbani ili mambo yote isiende kule mbele.

Kuna jambo lingine tena ambalo ni ya sponsor. Mambo ya sponsor mimi naonelea ya kwamba sponsor, wasipoteze sponsor ya shule. Sponsor iweko lakini sponsor ambayo ina-sponsor hiyo shule isiwagandamize watoto wa watu wengine. Kwa mfano, ikiwa waislamu wana-sponsor shule fulani na shule ni ya nyumbani hapa, sio shule ya kanisa lao ya independent, iwe kwa watoto wa dini zingine wapatiwe nafasi. Kama ni kuenda kusali siku ya Jumapili, kuna nyumba ya kusali katika kila shule. Kuna hall, waende wasali. Wale wa Jumamosi waende wasali lakini sio kugandamizwa na wale wengine mpaka wafukuzwe. Mimi nimesema hivyo, ninasema ya kwamba, sponsor iweko kwa kuwa dini ndio inasimamisha kila kitu katika dunia hii. Tukisema iwe DP pekee yake, wale wakubwa wa mashule watatusumbua kwa mambo mengine. Hivyo ndivyo nimeandika. Asanteni.

**Com. Ida Salim:** Asante sana Bwana Koech kwa maoni yako na hivi ndivyo ambavyo tungependelea maoni yatolewe. Bwana Koech amechukua subject moja akatoa maoni yake, kutoka hapo akaenda kufuatia na subject ya pili na maoni yake na kadhalika. Kwa hivyo ameweza kutupa maoni matano au sita katika mda mfupu kabisa. Na hivi ndivyo tungependelea mambo yaendeleo ili sote tuliojiandikisha tuweze kupata nafasi ya kutoa maoni. Sasa namuita Bwana Philemon Sawe. Karibu Bwana Sawe.

**Philemon Sawe:** *Kainaik chuk ko Kipkurgat Arap Sawe.*

**Translator:** Anasema majina yake ni Philemon K. arap Sawe.

**Philemon Sawe:** *Obunu komostab kiplombe.*

**Translator:** Anatoka Kiplombe.

**Philemon Sawe:** *ng'alek chuk che omoche amwa ko machang ngot kochang ko somok ,*

**Translator:** Mambo atakayowasilisha kwa Tume sio mengi na yakiwa mengi ni matatu.

**Philemon Sawe:** *Ako ng'olyot ne omwoe kabisa, ko nikibo betutab ko kokitoi uhuru.*

**Translator:** Jambo analosisitiza ni jambo lililotoka wakati wa uhuru.

**Philemon Sawe:** *ng'olyondoni kiguren Katiba ko kibo kamanut eng betusiek kiche kikokitoi uhuru*

**Translator:** Jambo hili au neno hili Katiba lilikuwa ni la maana sana wakati Kenya ilipata uhuru.

**Philemon Sawe:** *Amu ki betusiek choto ko kitebe chi tugul emet ne kikarebe chumbek kwanisiekwai,*

**Translator:** Kwa sababu wakati huo kila mtu aliishi katika arthi yao ambao Wazungu walinyanganya babu zao.

**Philemon Sawe:** *Kou noto kegon schemes kosub kei ak bounatet betunoto kinyonei.*

**Translator:** Basi na hapo watu walipewa mashamba kwa schemes kulingana na hio.

**Philemon Sawe:** *Kegon chebo Rift Valley.*

**Translator:** Ya Rift Valley ikatolewa,

**Philemon Sawe:** *kenam bik chebo Central province che kimi Rift Valley kikoch olin bo Nyandarua,*

**Translator:** na watu waliokuwa wa Central Province walikuwa wakiishi Rift Valley wakapelekwa Nyandarua,

**Philemon Sawe:** *Che kingen kainaik kwai akoi nguno.*

**Translator:** ambao majina yao tunayafahamu hadi wa sasa.

**Philemon Sawe:** *Ako eng kenyisiek che kimosirei ang'wan,*

**Translator:** Na miaka isiyopita manne ya hapo nyuma,

**Philemon Sawe:** *Kobut Katiba,*

**Translator:** Katiba ikaanguka.

**Philemon Sawe:** *Kobit kiy Kenya ne kelen majority ak minority.*

**Translator:** Jambo likatoka Kenya ya walio wengi na walio wachache.

**Philemon Sawe:** *Akoek kio tok bunyot ab Kenya eng jumla.*

**Translator:** Na hiyo ikawa ni adui la taifa la Kenya kwa ujumla.

**Philemon Sawe:** *Amu is,*

**Translator:** Kwa sababu,

**Philemon Sawe:** *Mi bik che ng'ering ako tinye emet ako mi bik che chang che kikonyi emet konyo koondoi bik chechang bik che ng'ering korebe ilondonywai chebo kwanisiek kwai.*

**Translator:** kuna watu wachache ambao wako katika arthi yao na kuna wale wengi wanakuja kuwafukuza na kunyanyasa hao wachache kwa shamba lao.

**Philemon Sawe:** *Ako noto ko imanda nebo kwanisiek ab kwanisiek kwai.*

**Translator:** Na hilo ni shamba linalostahili heshima ya babu zao.

**Philemon Sawe:** *Ko kosome Katiba nebo nguno kochobok ng'olyondonoto.*

**Translator:** Anawasilisha kwa Katiba ya sasa kwamba kila mtu apate heshima ya shamba ya babu zao.

**Philemon Sawe:** *komoche kobesio uchakuzi nebo parliamentary ak uchakuzi nebo emetab chito ne kikisikchin*

**Translator:** Anasema kwamba kunatakikana kuwe na utofauti kati ya uchaguzi ya ubunge, na uchaguzi wa nchi uliozaliwa

**Philemon Sawe:** *Kou ni ,*

**Translator:** kama ifuatavyo

**Philemon Sawe:** *Ngobit kiruogindet ne kemoche kiruogindet,*

**Translator:** Kama kiongozi ama tuseme Chief anahitajika katika sehemu fulani,

**Philemon Sawe:** *Ko ngap inyie bik che kibunu sigik kwai emet age,*

**Translator:** hata kama kuna watu ambao wazazi wao walitoka sehemu ingine,

**Philemon Sawe:** *kekwei chito ne bo ukoo ne kibo emonoto ne kobo sigik ab emonoto si koruogchi bik kwai.*

**Translator:** basi iwapo kuna uteuzi wowote, mtu aliyezaliwa hapo ambaye ukoo wao ulikuwa ni wa hapo ndiye anayestahili kuchaguliwa kwa nafasi hiyo.

**Philemon Sawe:** *Amu kegwei ne koitu konyo kotortoi no kimi.*

**Translator:** Kwa sababu huyu mgeni akipewa nafasi ya kutawala, atagandamiza hawa na kuwafukuza na kuwatoa.

**Philemon Sawe:** *Agenu ng'olyondo noto? Ng'olyot age ne uu ni.*

**Translator:** Jambo lingine.

**Philemon Sawe:** *Kou Nakuru Rift Valley Nakuru,*

**Translator:** Kwa mfano Nakuru Rift Valley,

**Philemon Sawe:** *Mie parliamentaries ngo somok,*

**Translator:** Nasema kuna Parliaments tatu.

**Philemon Sawe:** *Ko parliamentary agenge ko chito ne asili ne Rift Valley.*

**Translator:** Na kati ya hizi viti vya ubunge vilivyoko Nakuru, moja tu ndio nafasi ya mtu asili, yake ni Rift Valley.

**Philemon Sawe:** *Kemi yu ko moking'ololi keiwei kele nda mangap koimet serikali. kingoitu serikali ni keue ni.*

**Translator:** Anasema mimi nikiongea au sisi tukiongea hapa tutaongea kwa kusita kwa sababu serikali ilifika tulikuwa hivyo.

**Philemon Sawe:** *Serikalit ni ko kitu keue nito.*

**Translator:** Serikali hii ilifika tukiwa hivi.

**Philemon Sawe:** *Ago Nakuru nguno ko parliamentaries somok anan ko aeng kobo Central province.*

**Translator:** Na ninasema kwamba Wabunge walio Nakuru wote ni wa Central Province.

**Philemon Sawe:** *Ago Nakuru ko mo Central province.*

**Translator:** Na Nakuru sio Central Province.

**Philemon Sawe:** *Ago ngo imenchi chi nebo Rift Valley Nakuru betusiechu komuchei kobetyi ole ruei.*

**Translator:** Na siku hizi ikiwa mtu atachelewa Nakuru, mtu wa Rift Valley kule Nakuru anasikia akishtuka.

**Philemon Sawe:** *Ko nyol konai anyun ng'olyondonotok serikali*

**Translator:** Ninasema Commission na serikali ijue jambo hilo.

**Philemon Sawe:** *Melen kamake kiy bik che kikoal mbarenik kwai. Acha ngetebi inye lakini komoche kenai ng'olyondoni; ano yu yakai?*

**Translator:** Ninasema sitaki hataakai kuingilia watu ambao wamenunua mashamba yao, lakini nataka ijulikane kwamba hapa ni wapi.

**Philemon Sawe:** *Ngemochei kesir lagok ab kazi,*

**Translator:** Kama ni kuajiri au ajira,

**Philemon Sawe:** *Ko amu chito ne mi Eldoret ko DC from Central Province kekweotei kokoek che mi yu koba ofisi nebo Eldoret ak kobetio chechok kobo koyaka tuga eng gaa.*

**Translator:** anasema iwapo District Commissioner au mkuu wa wilaya kutoka hapa anatoka sehemu fulani tuseme Central Province, kama kuna ajira ya wafanyi kazi wa serikali itakuwa ni kwamba yeye atajiri wafanye kazi ambao ni wa kabila lake na wenyeji watafukuzwa.

**Philemon Sawe:** *Ko eng yoto ko ngeyai ng'olyondoni ko betos kabilosiek che ng'eringen.*

**Translator:** Kwa hivyo hii inaonyesha kwamba jambo hili linagandamiza makabila machache.

**Philemon Sawe:** *Kegure kioto corruption.*

**Translator:** Anasema sasa hio ndio chanzo ya corruption.

**Philemon Sawe:** *Ngap tom konai bichu kimonerchi betusiek ab en en ..... kigureno cho kibou bich eh? Ukoloni.*

**Translator:** Kwa sababu hao watu wako hawana ukoloni.

**Philemon Sawe:** *Kewek chukai boisiek che tinye kenyisiek sabini omwoe oi Philemon Sawe ole serikali nebo nguno kokirebenech imanda nyo nebo kwanisiek chok*

**Translator:** Anasema kwamba yeye akiwa Philemon Sawe anatangaza kwamba serikali ya sasa imewanyanganya haki za babu zao.

**Philemon Sawe:** *Aidhuru ngot amu makomi nafasi notok ii ngo konech agot imanda nyo nebo kazisiek che mong'u eng emet nyo nebo lagok chok amu noto ko imanda nebo kwanisiestyok*

**Translator:** Basi na kama hio haiko basi wacha tupewe tu nafasi ya watoto wetu waajiriwe hapa nyumbani.

**Philemon Sawe:** *Amu ngeba Eldoret yu*

**Translator:** Si hapa Eldoret,

**Philemon Sawe:** *Kele kakikon bik ata eng Rift Valley?*

**Translator:** anasema ati ni watu wangapi wametoka Rift Valley?

**Philemon Sawe:** *Ko kokioto bik tibtem eng Uasin Gishu*

**Translator:** Kama ni watu ishirini kutoka Uasin Ngishu,

**Philemon Sawe:** *Ko mara ko Kisiiyek che mi Uasin Gishu ko mut.*

**Translator:** mara pengine basi kati ya idadi hiyo, Wakisii ni watono.

**Philemon Sawe:** *Ko mong'etu inye taman ak mut akinye,*

**Translator:** Na kati ya wale kumi na tano,

**Philemon Sawe:** *Kokimoche lagok tibtem kikoito kisiiyek mut ko mokong'et lagok taman ak mut eng Uasin Gishu*

**Translator:** kama ni ishirini na Wakisii ni watano, kumi na tano,

**Philemon Sawe:** *Ma iman?*

**Translator:** ingine tena kumi inapeanwa kwa kabila lingine.

**Philemon Sawe:** *Kebwa kokoek ko amu DO ko kokoiyot kokoito taman.Mong'et mut inye.*

**Translator:** Tano pekee yake inabaki.



**Philemon Sawe:** *Kebwa choluo anan ko komosta nebo Central province kekoito ang'wan.*

**Translator:** Wale makabila ingine tena inapena mne kati ya zile tano zilizokuwa zimesalia.

**Philemon Sawe:** *Kongetyi chito nebo Rift Valley yaani Turkanindet, chitob Kalenjin, Masaindet, kongetyi chito agenge.*

**Translator:** Nafasi moja tu itabaki kwa watu halisi wa Rift Valley ambao ni Maasai, Turkana, Kalenjin, Samburu ndio wapata nafasi moja tu.

**Philemon Sawe:** *Tinye maana gani chichoto kele bo Rift Valley?*

**Translator:** Basi kuna haja gani ya kusema huyu mtu mmoja anaitwa ni wa Rift Valley?

**Philemon Sawe:** *Kosome serikali konai ng'olyondoni*

**Translator:** Basi nyinyi mjue mswaada huo.

**Philemon Sawe:** *Namba nebo aeng.*

**Translator:** La pili.

**Interjection:**

**Philemon Sawe:** Imetosha?

**Translator:** *kokile chokjin nai ile loony kasarta.*

**Philemon Sawe:** *Toma tes somok. Ng'olyot age kogeny,*

**Translator:** Jambo lingine tena.

**Philemon Sawe:** *Ko serikali nebo nguno,*

**Translator:** Anasema ni kuhusu serikali ya sasa.

**Philemon Sawe:** *Komi chepyosok yu kikometo KCC*

**Translator:** Anasema kwamba kuna wamama hapa wameacha.....(*sentence incomplete*)

**Philemon Sawe:** *Kikometo serikali KCC*

**Translator:** Anasema serikali imeacha KCC.

**Philemon Sawe:** *Korok kobit chepyosok yo che oldotei chego eng yo si ngap kosich sukaruk.*

**Translator:** Halafu sasa wamama wamekuja kutafuta mbinu na namna ingine ya kuuza mashua ndio wapate (inaudible)

**Philemon Sawe:** *Ko serikali ne tinye Rais koyonji koyonat chepyosoi che iboti chego eng tamos,*

**Translator:** Basi unapata wamama walio na maziwa kidogo kama hii wanafukuzwa na serikali kukimbizwa sana kukatazwa kuuza maziwa.

**Philemon Sawe:** *Ngit yo bo Eldoret Ko kanyii chepyosok ak chego che kakirebe che koibotei chebo chupa konyii police,*

**Translator:** Ukifika hapo Eldoret wamama wamenyanganywa maziwa wanapanga laini kuenda polisi, wameshikwa.

**Philemon Sawe:** *Komoche ateb ole kimoche kobek bichoto?*

**Translator:** Nilikuwa nataka kuuliza sasa, hao watu wanatakikana kukufa?

**Philemon Sawe:** *Omei nee bichoto?*

**Translator:** Haki gani wako nayo?

**Philemon Sawe:** *Kii kilen hali ya kibinadamu komi Kenya?*

**Translator:** Iko haki gani ya kibinadamu kama wamekatazwa kuuza vitu kama hivyo?

**Philemon Sawe:** *Komoche kerib yoto.*

**Translator:** *Ara imoktoi ano? Kokile imoktoi ano?*

**Philemon Sawe:** *Omoche keyoty koalda chegwai bik cho nyalildos eng ole kaba amu makomi KCC.*

**Translator:** Basi anasema kwamba angetaka serikali iruhusu watu wauze maziwa yao bila kuwa na interference ya dairy board. Wauze uhuru

**Philemon Sawe:** *Ng'alekab Kazi ko kamwa.*

**Translator:** *Kaitar.*

**Philemon Sawe:** *Ng'alekap kanisosiek,*

**Translator:** Dini Na ni ya mwisho naona (inaudible)

**Philemon Sawe:** *Kanisosiek kosub kei ak sukulisiestyok hasa chemi Uasin Gishu.*

**Translator:** Sponsor wa makanisa,

**Philemon Sawe:** *Sukulit ne uu ni*

**Translator:** kwa mfano shule kama hii,

**Philemon Sawe:** *Ko sponsor ko A.I.C.*

**Translator:** Linathaminiwa na A.I.C.

**Philemon Sawe:** *Ako mbarani mi sukulini,*

**Translator:** Na shamba hili,

**Philemon Sawe:** *Ko kial bik chebo kanisosiek tugul ma A.I.C. kityo,*

**Translator:** wanoingia shule hio ni watu wamathehebu tofauti sio wa A.I.C. pekee yake.

**Philemon Sawe:** *Ako sukulit ko chi age tugul ko kigon pointi si konyor sukulini mbaret.*

**Translator:** Na kila mtu waliozingira shamba hili walitoa sehemu kidogo kidogo ndio nafasi ya shule ipatikane kwa mashamba yao.

**Philemon Sawe:** *Ako sukulit ni ko ngi keyai harambee ko kigon chi kiy si keteche sugul.*

**Translator:** Anasema kwamba wakati harambee ilifanywa, kila mtu alitoa kitu kidogo ndio shule hii ijengwe.

**Philemon Sawe:** *Ak ngoit sait ne somoni sait ab chito ne mobo A.I.C.*

**Translator:** Lakini wacha ifike mtoto wa mtu asiye kuwa wa thehebu hilo aende asome,

**Philemon Sawe:** *Missing chito nebo Seventh Day,*

**Translator:** sana sana mtu wa S.D.A au Seventh Day Adventist,

**Philemon Sawe:** *Amu kataitos Seventh Day ak A.I.C.*

**Translator:** kwa sababu kuna tofauti kati ya S.D.A na A.I.C.,

**Philemon Sawe:** *Kecheng oret ne kitekone si kele ne menyoni A.I.C.*

**Translator:** Basi atasema hapo itakuwa ni mtego wa kumwambia iwapo hautashiriki katika siku hiyo yao ya Sabato Jumapili,

**Philemon Sawe:** *Kole imande eng sukul,*

**Translator:** basi utatoka kwa shule.

**Philemon Sawe:** *Ango len imande eng sukul ih?*

**Translator:** Na ajasema basi atoke kwa shule,

**Philemon Sawe:** *Ko kebebertab mbaret ko nenyu.*

**Translator:** *kole imoktoi ano as mekany koek otindiot.*

**Philemon Sawe:** *Omoche kosoman lagwet nyu kou ye kamach.*

**Translator:** Anasema watoto wawe na uhuru, wasikatazwe na sponsors.

**Philemon Sawe:** *Omoche kosoman lagwet kong'ete Jumatatu koit Komutkasi konyo gaa*

**Translator:** Watoto wasome kuanzia Jumatatu mpaka Ijumaa hadi (inaudible)

**Philemon Sawe:** *Ngot koruei Boarding komi secondary, ko ngoit Jumamosi kwo kanisa ne legit akot eng yoto.*

**Translator:** Kama ni shule ya malazi, ikifika siku ya Jumamosi na anashiriki au anaabudu Jumamosi, apewe ruhusa ya kwenda kanisa.

**Philemon Sawe:** *Amu Kenya komi uhuru ya kuabudu,*

**Translator:** Kwa sababu katika taifa la Kenya kuna uhuru wa kuabudu.

**Philemon Sawe:** *Omoche ngomoche anam tuienyu ane wiki,*

**Translator:** Kama anataka kuanzisha mkutano wake katikati ya wiki,

**Philemon Sawe:** *Ko amu nenyu sukulit nindo aba yae tuienyu akoi tun atar owe gaa*

**Translator:** basi kwa sababu shule hiyo ni yao, naye akubaliwe aende afanye mkusanyiko wake au shirikisho lake pale mpaka amalize na aende nyumbani bila kupingwa.

**Philemon Sawe:** *Ko ye sirto nenyu nyo koyai age akine ne nyi*

**Translator:** Kama wakati wake utaisha, mwingine naye aje na lake na wafanye hivyo.

**Philemon Sawe:** *Korokon age tugul nda ko kanisa kanisa.*

**Translator:** Bora kanisa lolote.

**Philemon Sawe:** *Ako ngo ma uit noto,*

**Translator:** Na isipokuwa hivyo,

**Philemon Sawe:** *Omoche sukulisek che kigon chi tugul share koib serikali,*

**Translator:** kama haitawezekana hivyo, shule zote ziwe ni za DEB.

**Philemon Sawe:** *Si kobet chito.....*

**Translator:** mtu akose.

**Philemon Sawe:** *Si kobet chito ne ta koetu kei eng bik che ma chechik*

**Translator:** Ndio lile jambo la kibinafsi mtu asipate nafasi, iwe ni ya District Education Board

**Philemon Sawe:** *Lagokyok che mi sukulisek chunonu lagwet nyu yomi sukulit ng'ung ne neng'ung.*

**Translator:** Basi iwapo itakuwa kuna kisasi mtu afukuze mtoto ikiwa shule ni yake,

**Philemon Sawe:** *Sukulit no iteche chitab A.I.C.*

**Translator:** *Tar tar.....* Basi amemaliza

**Philemon Sawe:** *Ionu? Ago nenyu anyun no kikiteche tuwai irib lagwet nyu kabisa.*

**Translator:** Thank you very much.

**Com. Ida Salim:** Mzee Philemon tafadhali utakwenda pale uandike jina kuwa umetoa maoni hapa. Asante sana Mzee Philemon kwa maoni yako na sasa namuita Chief Joseph Cheiyo.

**Joseph Cheiyo:** Basi,

**Com. Ida Salim:** Tafadhalini tumsikize Chief Joseph.

**Joseph Cheiyo:** Mwenyekiti, ningependa nitoe maoni yangu mbele ya Tume hii ya Kurekebisha Katiba ya Kenya. Nikianza, kwa majina ni Chief Joseph Cheiyo mkaaji wa eneo hili ya Eldoret North katika tarafa ya Soi. Basi ningependa nitaje kwamba, katika eneo hii ambaye tunaishi ama nikiwa mkaaji wa Uasi Ngishu, tegemeo la mkaaji wa Uasi Ngishu ama wakaaji wa Uasi Ngishu ni kilimo na maoni yangu kwa Tume hii ningependa iwekwe katika sheria, hasa wizara ya kilimo isimamie National Cereals and Produce Board, KCC, Kenya Meat Commission na KFA kifedha ili wawe na nguvu ya kusimamia na kununua mimea ama mazao kutoka kwa wakulima na vile vile wakulima ama wakaaji wapate nafasi ya kuuza maziwa yao katika kama ni KCC na vile vile wauze mifugo yao katika Kenya Meat Commission. Na KFA ipewe fedha ya kuweza kuagiza fertilizer kutoka nje ili wakulima wapate faida na hii mambo ya umaskini ipate kupotea katika nchi hii yetu ya Kenya.

Neno lingine, mambo ya mashamba. Ningependa niseme mbele ya Tume kwamba shamba mtu yoyote ambaye ana shamba ni kulingana na uwezo yake ama kulingana na urithi ambayo ulipata. Sio kwamba mashamba igwanwe na kila mtu. Mashamba kulingana na uwezo wa mtu na iwe hivyo. Ningependa nitaje mambo machache kuhusu upande wa town ama title deeds kwa mashamba haya. Kuna wale wako na field title, na kuna wale ambao wako na leasal title, ningependa nipendekeze mbele ya tume kwamba Mwanakenya ambao ako katika nchi yake huru asiwe na leasal title. Wote wapewe freeal title kwamba anamiliki shamba katika nchi yake huru. Vile vile katika maeneo la ma-town hata vyumba yenye imejengwa vizuri, tukifuata title deeds ni leasal title. Ama 99 years lease na pengine kwa hatari kwa wale ambao wengine wanaweza kunyakua plot ya familia fulani halafu watoto wahangaika. Kwa hivyo mbele ya Tume hii ningependekeza kwamba, hii itolewe freeal title kwa plot ya Mwanakenya hata kama ni town iwe freeal title.

Rates: Kuna rates ambayo tunalipa na municipal council ama na urban council kwa wale ambao wako na plots. Huwa ni pesa nyingi sana kwa maana katika town, kuna sehemu ambao zimejengwa vizuri ama maendeleo imefikia na kuna sehemu ambayo maendeleo haijafikia na unakuta, mtu mwenye ako na plot katikati ya town na yule ambaye anaishi mwisho, pengine 6 km ama 5km ana-chargiwa rates kama yule ambaye anaishi mahali ambayo imepata maendeleo. For example, lights ama mataa, mabarabara, sewege ama maji masafi ya mfereji. Kwa hivyo ningependa yule ambaye ako na plot katika municipality, rates iwe ni flat rates. Kama ni 5 shillings per acre kwa mwaka, iwe namna hiyo halafu watu wasihangaika kukosa fedha ya kulipa plots zao.

Ningependa nitaje neno lingine kama wakaaji wa mkoa wa Rift Valley ama Uasin Gishu kama wilaya. Kwa hakika ningependa tukienda nyuma kama mwaka wa sitini na tatu, kulikuweco na mipaka ambayo inaonyesha mpaka ya mkoa na kwa maana Wanakenya wengine, jamii wengine, wameingia katika eneo la jamii wale wengine, ningependekeza mbele ya Tume hii kwamba, mipaka yenye imekuweco tangu (inaudible) iwe ni hizo hizo isikuweco na mabadiliko ya kubadilisha mipaka ya mkoa ama wilaya kwa maana jambo hilo, ikibadilishwa inachangia mzozo wa jamii. Watu kuzozana nyumae ilete vurugu na

watu wanaweza kupigana na kusikia watu wanapigana kwa nchi huru haifai. Kwa hivyo mimi napendekeza mipaka yenye imekuweco tangu zamani iwe yenye iko na iendelee kuwa hivyo. Na kwa wale jamii ambao wameingia ndani, wawe na nafasi ya kuishi na kufanya biashara zao lakini wale original, wenye wanakaa wale wa Uasin Gishu, wawe na nafasi ya kuchagua viongozi wao na wale wanfanyi biashara ambao waliingia na kufanya biashara ingawaje ni jamii ya Wanakenya, wasiwe na nafasi ya kuchagua ama kufanya nini. Ama wachague, la pili wasitoe mtu ambaye anagombea kiti katika sehemu hio kwa sababu hio inaleta mzozo ili waendeshe biashara na watu wakae na njia nzuri. Kwa hivyo....(*sentence incomplete*)

**Com. Ida Salim:** Tafadhali harakisha kidogo kwa ajili wenzako.....(*sentence incomplete*)

**Joseph Cheiyo:** Basi kwa maoni, kwa maoni ingine mbele ya Tume kuhusu usimamizi ama kazi kwa parastatals, unatuka mtu ambaye ame-retire kwa upande ingine anateuliwa tena kusimamia kazi mahali pengine. Na kwa hakika Kenya tuna watu ambao wamesoma hasa graduates ningependekeza katika Tume hii kwamba, ikiwa kuna appointments ya wale wasimamizi wa parastatals, itolewe mtu ambaye hajawahi kufanya kazi mahali pengine. Yule ambaye alifanya kazi sehemu ile na ku-retire, aende apumzike, asiende kuharibu kazi tena mahali pengine, ama mwenye ameharibu kazi mahali asipigwe transfer kwenda mahali pengine. Aende nyumbani apumzike. Asante sana.

**Com. Ida Salim:** Asante sana Chief kwa maoni yako. Na sasa kwa ajili kuna wengi wamejiandikisha na wamebakia, na wakati unaenda haraka, ningefanya hivi, nitampa kila mtu dakika tano maximum kutoa maoni yake. Tumekubaliana nafikiri. Na ningependa mmoja wa members of staff wetu atupe some kind of warning apige kengele au apige meza amjulishe mwenye kusema kwamba sasa wakati wako umekwisha na hapo atajaribu ku-sum up. Naona tumekubaliana kwamba kuna haja ya kuharakisha sio? Very good. Na wengi kati yenu mnahaja ya kuelekea kwingine. Hatupendi kuwaweka kwa masaa mengi sana. Kwa hivyo namuita Catherine Kendeti. Kendeti yuko nje? Catherine anakuja. Kendeti. Yeye nafikiri ni mwanashule. Haya karibu Catherine. We give you maximum 5 minutes. But if you can finish in one minute or two, it is okay. You do not have to use all the 5 minutes. Alright. Start with your name.

**Catherine Kendeti:** My names are Catherine Chepkemboi from (inaudible) Secondary School. I have this to present. They should be no high (inaudible) or school fees in already established schools like Alliance, Moi Girls so that even those who cannot afford can be able to join those schools. Also there should be no capitalizing only one person for one job. Thank you.

**Com. Ida Salim:** That was short and to the point. Thank you Catherine. Na Damary Mukabane? Damary Mukabane? Hayuko nje pale? Okay. Peter Keino? Peter Keino? Karibu.

**Peter Keino:** Basi kwa majina ni Peter Keino. Mahali ninatoka ni Kisombe Location, Soi Division. Yafuatayo ndio nahitaji iweze kuwa sheria katika nchi yetu ya Kenya.



Kuweko na haki kwa raia mwema. Raia mwema akuwe na haki katika serikali yetu ya Kenya.

Makanisa yote yanastahili kuheshimiwa katika serikali yetu ya Kenya.

Kila mtu ambaye amekuwa mwamini wa dhehebu fulani anastahili kuheshimiwa aweze kuabudu Mungu jinsi alivyo amini Mungu. Kama ni katika serikali aruhusiwe kuenda kuabudu Mungu katika siku ambaye anaenda kuabudu.

Nne ni ya ukulima. Serikali wangeangalia kabla hawajaagiza mahindi kutoka nje wangechunguza kwanza nchi yao iko namna gani ndipo waweze kuagiza zingine kutoka nje kwa sababu wanapoingiza zile zingine, wanakuja kuzima yale ambayo yametoka katika nchi yao. Kwa hivyo serikali iangalie wasije wakaangamiza raia kwa kuingiza vitu kutoka sehemu za nje.

Sheria ishike kila mtu ambaye ni mvunja sheria.

Serikali ilinde haki ya wakulima. Hiyo ni ya mwisho.

**Com. Ida Salim:** Asante Bwana Peter Keino kwa maoni yako ni wazi moja baada ya moja. Na sasa namuita John Bosenei karibu. Anza na jina tafadhali.

**John Bosenei:** Asante sana kwa kikao hiki. Natoa shukrani zangu kwa kupata nafasi hii nitoe machache. Kwa majina ni John Bosenei. Kwa upande wa maoni, ningependa nitoe maoni yangu kulingana kwa kikao hiki cha kurekebisha Katiba. Kwanza ningependa nitoe maoni yangu kwa upande ya hospitali. Upande hospitali ningependa irekebishwe kwa njia hii. Daktari asiwe ameajiriwa katika serikali na afungue clinic yake. Kama ametumikia serikali asiwe na clinic yake kando. Awe na kazi moja.

Pili upande ya watoto wa shule, ningependa mwanafunzi anapohitimu kuenda kidato cha kwanza angefaa aende afunzwe upande wa jeshi kwa mda wa miezi tatu, apate nidhamu. Halafu aungane na majeshi.

La tatu, ningependa mtu yoyote ambaye anaajiriwa kama ni mbunge awe Minister, angestahili kwa mfano, mtu kama ni daktari wa waziri wa afya awe ametimu iwe amesomea udaktari, kuliko mtu apewe wizara ambaye haelewi.

Nne, ningependelea katika serikali yetu, mtu anapopata ajali afariki, sasa wewe unalia, mtu anapelekwa katika City Mortuary una-chargiwa pesa na wewe unapewa shida juu ya shida ingine. Ingefaa serikali isimamie huyu mtu kwa upande wa City Morturay. Asilipishwe chochote kwa mtu ambaye amepoteza mtu yake.

Nikienda kumalizia, ningependa kwa upande wa serikali, serikali yetu ningependa serikali ya majimbo. Sabau majimbo

enyewe inachunga maslahi ya wachache na walio wengi. Mtu hawezi kunyanganywa mali yake maana ukiwa mtu mmoja, unasimamia haki yako kulingana na nchi yako, maana hata Mwenyezi Mungu alitupatia hiyo haki yetu kwa mipaka. Kwa hayo machache nasema asante.

**Com. Ida Salim:** Na wewe pia Bwana John Boseni Mungu akubariki na asante kwa maoni yako. Pia tumepata moja baada ya moja kwa kufahamu kabisa. Na sasa Bwana Jackson Tanui? Yuko Bwana Jackson Tanui? Ameondoka Tutajaribu tena kumuita baadaye. Bwana Barnabas Kemboi? Barnabas Kemboi? Yuko? Haya Kemboi karibu.

**Barnabas Kemboi:** Ni asante kwa Mwenyezi Mungu kwa sababu ameweza kutulinda mpaka tukaweza kufika siku ya leo. Mimi ni Barnabas Kemboi.

### *End of Tape 4 – Side A*

**Barnabas Kemboi:** Lazima uhuru wa kuabudu upatikane. Mungu naye alitoa uhuru wa kuabudu akampatia Adam uhuru wa kuchagua. Uhuru wa kuabudu upatikane.

Usimamizi wa shule ningependa ya kwamba ukiwa sponsor ya shule, kamilisha kila kitu. Kama ni vitabu, waalimu na hata njia ya kiroho. Kama hauwezi hayo, aachia wengine.

Kuhusu maChief ningependa ya kwamba Chief aweze kuheshimiwa lakini kama DO, Assistant Chief na Provision Commission waondolewe mbali, hawana kazi. Assistant Chief, DO na Provision Commission. Hiyo ni maoni yangu..

Kuhusu mila kila jamii nikiwa Mnandi ninajua nina mila yangu na kuna mila ambaya yanaonyesha mtu desturi zake za kuishi. Kama kuna shida kwa mila ya mtu, familia inayohusika wanashughulikia. Ndoa ni kwamba, wanaofunga ndoa wafunge ndoa kanisani, kama ni msikiti na ya kienyeji ili hadithi hio imechangisha magendo, ndoa ya magendo ama ufisadi kwa sababu mtu atashika mtoto wa mtu pale, na anapeleka pale na anaenda kutafuta mzee mwingine awe mzazi wa huyo mtoto ama huyo kijana na sio yeye.

**Com. Ida Salim:** (inaudible)

**Barnabas Kemboi:** Iondolewe. Tohara ni kwa yule yoyote ambaye anajisikia kutahiri. Na mtu wa wenyewe afadhali vijana ama wasichana watairishwe baada ya miaka kumi na sita kwa sababu watakuwa wamejua maana yake.

Haki ya binadamu ni lazima kila binadamu apate haki yake. Nikiwa Mkenya niwe na haki yangu kuwa Mkenya.

Elimu ya watoto, watoto wote wapewe elimu sawa kwa sababu hata nikiwa Mnandi, msichana hawezi thulumiwa. Na nikiwa baba yangu nikiwa mimi kijana nyumbani, baba yangu hawezi kunikubalishe nipige msichana dada yangu. Lazima ataingilia kati na atasema nani mwenye makosa. Kila mtoto ana haki yake.

Kuhusu idara ya polisi imekuwa ni matatizo. Polisi wameleta matatizo (inaudible) kwa sababu wanaandika mtoto ambaye labda alifika shule ndio ana elimu yake ile ya kidogo ile aliweza. Lakini shida ni kwa sababu mda wa mafundisho ama mafunzo yao ni kidogo sana. Na utakuta askari anakuuliza, wapi kitambulisho na hata mwizi ana kitambulisho. Na utakuta usipokuwa na kitambulisho siku hiyo utabebwa pale ndani. Atumie akili ya mafundisho kwake na yale ambayo ako nayo aone huyu anastahili kweli hana kitambulisho lakini, yeye hajakosa lakini usipokuwa na kitambulisho imekuwa ni tatizo siku hizi. Kitambulisho tu na pombe na hata watu wa ukimwi na hata polisi hawagusi.

**Com. Ida Salim:** Pendekezo

**Barnabas Kemboi:** Pendekezo polisi wapewe mda wafundishwe vizuri.

Mkenya ni sharti apewe passport ya usafiri. Immigration department siku hizi wanamatatizo sana sababu watu wengi wanataka kuenda America, sijui South Africa, sijui wapi, hapo ndipo wamekulia. Kila Mkenya apate passport kwa sababu yeye ni Mkenya na anataka kusafiri.

Usimamizi wa vyuo vikuu uondolowe katika ile ya Rais. Kama ni Chancellor awe Chancellor sio five na unaweza kukuta Rais hajafikisha university. Lakini anasimamia mtu ambaye amefika university anajua elimu ni nini. So university council yao wachague Chancellor yao.

Idara ya ulinzi kama jeshi ya nchi kavu, navy na wana maji wasimamiwe na Rais. Lakini polisi na GSU waungane wawe kitu kimoja na wasimamiwe na waziri anayehusika na mambo ya nchi.

Majimbo ipatikanie. Asante sana. Halafu ya mwisho mwisho ni soko huru iondolowe mbali. Imetuumiza wale ambao hawajui soko huru. Soko huru kwa mboga pekee yake lakini ile vitu vingine haina.

Halafu nikimaliza, vyama vya kisiasa viwe tatu viondolee ukabila mbali.

**Com. Ida Salim:** Asante sana. Thank you very much for you view. May we have your memorandums (inaudible)

**Barnabas Kemboi:** Bado kidogo tu. Pesa ya currency ya Kenya iwe moja.

**Com. Ida Salim:** Thank you, asante sana. Wilson Sirma? Wilson sirma? Please observe the time we are getting more and more people registering. I can see the place is still full, so five minutes maximum please.

**Wilson Sirma:** Kwa majina ni Wilson Sirma kutoka Moi Bridge Location. Ya kwanza ni kwamba, we should have a federal system of government in Kenya.

Na tena ningependa vyama vikuwe viwili ama vitatu na yote ikuwe sponsored na serikali.

Provinces should be ikichukuliwa ikuwe kama regional government. Halafu tukuwe na Central Government kule Nairobi.

Presidential powers should be reduced.

Chiefs Act to be re-introduced kwa sababu tangu Chiefs Act itolewe, mambo mengi yameharibika.

Local Government should be given more power so that iweze ku-run maneno ya mashamba yote katika mahali, locality ambayo ziko.

Liberalize economy, soko huru ambaye tumesema ni kwamba kabla mambo yote haijaletwa ama ku-importiwa kwa anything kwa vitu vyote, lazima kwamba maslahi ya wakulima iangaliwe. Je kuna mahindi ya kutosha Kenya kabla haijaletwa? Kuna ngano? Kuna kila kitu ya kutosha kabla ya yale mambo mengine kutolewa ng'ambo.

There should be freedom of worship. Hivi ni kwamba serikali iseme kwamba ni siku tano tu ya kufanya kazi Kenya. Kuanzia Jumatatu mpaka Ijumaa. Jumamosi na Jumapili iwachwe kabisa ili watu wapate uhuru wa kuweza kuabudu. Na hata Waisilamu katika siku ya Ijumaa wapewe pia nafasi. Makanisa pia yaweze kupatiwa ruhusa waweze ku-import vitu vya kanisa duty free, ama tax free kutoka ng'ambo.

Pia katika mashule zetu za primary tungeomba kwamba ma-headmaster na deputy wao waweze kupata mshahara ya juu kuliko waalimu wengine ili kwamba discipline katika hizo shule iweze kuwa nzuri na watoto waweze kufunzwa vizuri. Kwa sababu sasa siku hizi tunajua ya kwamba headmaster na mwalimu wa kawaida wanapata mshahara sawa kwa hivyo nithamu ama heshima kwa waalimu kwa wakuu hawa haiendi vizuri.

Pia katika Parliament tungeomba kwamba kama vijana wapewe vitu vyao kama ni mbili ama tano, wamama pia wapewe yao, halafu hiyo itakuwa vizuri.

Na pia discipline katika mashule ama kuchapwa kwa watoto ama nini, mimi ningeaona kwamba iendelee so long as ifanywe kwa

njia iliyo mzuri.

Ya mwisho ni kwamba MPs. Kuna wabunge ambao tunawachagua na wanaenda kukaa Nairobi. Tungeomba kwamba wakikaa huko na tusiwaone katika constituency yetu, election iweze kuitwa tena ifanyike na hao waende nyumbani, na yule mwenye anaweza kuenda na kuja kutusaidia watu ambao wamechagua, achaguliwe na aweze kuendelea. Hayo ndio mambo ambayo ningependa (inaudible)

**Com. Wanjiku Kabira:** Okay, asante sana Bwana Wilson Sirma. Now Reuben Saina.

**Reuben Saina:** Basi kwa majina naitwa Reuben Saina. Ningependa nitoe pendekezo langu kwa Commissioners.

Political parties: Ningependekeza ya kwamba ziwe reduced to 2 kwa sababu vyama vingi haionyeshi sura nzuri kwa sababu ukilinganisha na uchaguzi wa 1997, utakuta ya kwamba chama kinachotawala kilipata kura milioni moja unusu, na zile za upinzani ukikutanisha yote utakuta ya kwamba ni milioni tatu unusu, kuonyesha ya kwamba upinzani katika Kenya wako wengi.

Ingawaje inasemekana hii ni chama kinachotawala lakini upinzani ni mwingi. Kwa hivyo ili tuwe na sura ile inaonyesha ya kwamba chama gani kinatawala na kina wafuasi wengi kwa taifa ni ziwe vyama viwili.

Kuhusu uchaguzi ni kwamba kila polling station kura zihesabiwe hapo ili kuepukana na uwizi wa kura. Kwa mfano mwaka wa 97 katika polling station moja ya Eldoret North, kura zilikaa hapa hazikuchukuliwa ziende zihesabiwe na agents wote wa vyama vyote walilala hapo lakin ajabu ni kwamba, masanduku ziliingia katika sehemu ya kuhesabu kura saa sita, na wengine wanachunga masanduku pande hii. Kwa hivyo kura zihesabiwe hapo hapo.

Kuhusu URais ni ya kwamba, Rais awe ni Mbunge. Apiganie ubunge pamoja na URais ili kuonyesha kwamba akishinda kwa ubunge inaonyesha ya kwamba huyo mtu anapendwa na watu haswa wa nyumbani ili isiwe kama wakati zilizopita wakati ambapo mtu anapigania URais na baadaye apoteze hata ubunge. Kwa hivyo ningependa ya kwamba, hata akishinda, wingi wa watu huko nje na amepoteza u-MP akae hivyo. Awe ameshindwa hivyo.

Pia ningependekeza ya kwamba Rais awe na mamlaka. Ile mamlaka ya mbeleni ikae hivyo kwa sababu Rais asiyekuwa na mamlaka ni kama tu kila mtu kwa sababu hata akisemekana leo atatembelea sehemu hii yetu, na hatuwezi ambia yeye chochote ya kutusaidia, sasa ana maana gani, hakuji. Afadhali tutume mbunge wetu. Kwa hivyo ningependekeza Rais awe na mamlaka.

Ya pili makamu wa Rais achaguliwe na wananchi. Wakati Rais anapochaguliwa, makamu wa Rais pia, wale wanaotaka wapiganie makamu ya Rais, tuchague ili isiwe ya kuchaguliwa na Rais baada ya miezi miwili, mitatu, akipitana na Rais kwa maneno machache yao, anatimuliwa. Kwa hivyo nataka awe responsible tu raia.

**Com. Wanjiku Kabira:** Thank you. You will just wind up because of the time.

**Reuben Saina:** Yeah, hata karibu nimalize. Last one, kuhusu uhuru wa kuabudu. Ningependekeza ya kwamba hio sheria iko, hatusemi ibadilishwe, imekuwa kila mara kwa Katiba lakini tunataka iwe na nguvu zaidi kwa sababu hiyo nguvu yake haikuwa inafanya kazi. Tunataka uhuru wa kuabudu. Uhuru wa kuabudu ingawaje mimi nasimama hapa, sijaelewa kama inasema uhuru wa kuabudu Mungu ama uhuru wa kuabudu chochote. Kwa sababu tunataka tuseme uhuru wa kuabudu Mungu. Lakini tukisema uhuru wa kuabudu bure, hata mtu anaweza kuwa mawe na aabudu. Na hiyo nasikia kila mara serikali ikisema ya kwamba kuna wengine wanaabudu shetani. Na shetani ni nani basi kama kuna uhuru wa kuabudu, si kila mtu ataabudu yule anayetaka. Kwa hivyo ningependekeza kwa sheria kwamba uhuru wa kuabudu Mungu. Asante.

**Com. Wanjiku Kabira:** Asante sana Bwana Saina. William Kalia.

**William Kalia:** Basi yangu itakuwa machache. Kwa majina ni William Kalia kutoka Soi Location. Nitatangulia na kuhusu upande wa Chief. Ningependekeza Assistant Chief ifutiliwe mbali tubaki na Chief. Na mzee wa mitaa apatiwe uwezo kwa maaan mzee wa mitaa ni msingi wa hata serikali kwa hivyo na apatiwe mshahara.

Kuhusu manyumba. Manyumba zetu tumeoana, labda tutapitana na tumefikia ya kuwa mtaenda kotini. Na ningependekeza badala ya kwenda kotini itakuwa na labda tutatengana, kama mke kweli amebeba mimi mpaka kotini, nitaishi na yeye? Kwa hivyo ningependekeza kama tumekosana, tuwe na wazee wa village. Wakutane watatue hiyo matatizo badala ya kotini, kotini ni mambo ingine. Wazee watapatiwe uwezo na watachunguza wakiona una nguvu waende mbele.

Kuhusu vyama. Ningependekeza kwa maana tuko na makabila arobaini na mbili, vyama viwe vitatu. Wasije tukawa na makabila.

Na tena kuhusu makanisa. Ningependekeza nilisikia juzi kuna (inaudible) karibu elfu moja. Kwa hivyo hata nazo wawekwe kiasi. Na vile tuko na mia nane hivi, sasa ikiongezeka ikiongezeka hata inakuwa elfu mingi, kuabudu kutawezekana kweli? Sisi sote tunaabudu mtu mmoja. Kwa hivyo ningependekeza iwekwe kiwango ya makanisa. Mtu akitoroka pande hii sasa akiwa milioni makanisa itajengwa hapa milioni, itakuwa aibu sana.

Kuhusu mashamba. Ningependekeza kweli mtu ametupatia arthi na ningependekeza mtu wa mwisho awe na eka mia mbili na kuja chini. Halafu hii mambo ya corruption mtu anatafuta mashamba kule, kule, kule mtu wa mwisho ni mia mbili. Nafikiri ni hayo tu.

**Com. Wanjiku Kabira:** Thank you very much Bwana Kalio. Stanley Yego? Mr. Stanley Yego.

**Stanley Yego:** Kwa majina naitwa Stanley Yego. Maoni yangu kwanza ni ya Rais. Naona ya kwamba Rais anastahili kuwa mtu mdogo mwenye ako na umri wa 40 years na pengine mpaka 60 lakini asipite 60 na kwenda juu.

Jambo lingine tena ambalo naona imekuwa ni shida, tena pengine itakuwa shida siku zijazo ni kwamba, kuna mambo mengine tunaambiwa kwa Bibilia. Kama hii ya kurekebisha mtoto kwa kutumia kiboko. Ni Mungu mwenyewe ndie alianzisha maisha na ni Mungu mwenyewe ndie alianza, alitupa hiyo Constitution ya kwamba, kwa Constitution yake kwa sababu tunajua Bibilia its a whole human Constitution by itself. Kwa hivyo tukitoa kiboko ni kama tumetoa kile kijikaratasi kwa Bibilia na tutakuwa tumemkosea Mungu. Na tutapata laana kabisa.

La tatu, kuna shida kubwa sana kwa mashamba vile tumesikia. Kwa maoni yangu naona kweli ni heri wazee na jamii wakae pamoja na kuamua hayo maneno kwa sababu wanajua ndani kabisa. Lakini mambo mengi yakiamuliwa kule kotini, vile tunavyoona siku hizi, mtu akiwa na pesa anatumia advocate na anaamua mambo mengine ambao ni mbali kabisa na ukweli. Kwa hivyo naona maneno haya yaletwe nyumbani, watu wa wazee na waamue hayo maneno.

Kitu kingine tena ni kwamba Mungu ametuumba vile tulivyo tukiwa jamii mbali mbali na kila jamii wako na Constitution yao kama Kalenjin wako na vile walikuwa wanaishi na hawawezi kabisa kuishi kama pengine Walugha ama hawawezi kuishi kabisa kama pengine Wakikuyu. Mimi naona kwamba ni afadhali pia kwa Constitution jambo kubwa sana ya Constitution ya Kalenjin pia iwe inaamuliwa hivyo. Kuna mambo mengi ni yao ndani ambayo watu hawawezi kupita hapo kwa sababu zamani kulikuwa na mambo ambayo yangefanywa na haki ingefanywa kabisa. Lakini siku hizi mambo yakifanywa general hivyo, utaona mambo mengine hata watu wanafanya kupita kiasi na mambo mengi mabaya wanafanya. Asanteni na Mungu awabariki.

**Com. Wanjiku Kabira:** Asante sana Bwana Yego. Do we have Fred Okiama? Fred Okiama? Hayuko? Samuel Lagat? Samuel K. Lagat?

**Samuel Lagat:** Basi asante sana Commissioner kwa kulete mjadala huu katika division yetu ya Soi. Kwanza ningependa kusema ya kwamba haki katika Katiba hii tungependa haki na uhuru katika mwananchi wa Kenya iweko katika Katiba.

Pili tuwe na uhuru wa kusema katika Katiba. Kila raia awe na uhuru wa kusema.

Ya nne ni kwamba mambo ya inheritance yaani urithi. Urithi ni lazima iwe kwa watoto wote. Wakiwa katika boma moja bila kubagua. Na wakati mzee anapofariki, yule atachukua mamlaka ni mama. Regardless kama aliolewa akiwa “come and we stay” au aliolewa kikamilifu. Kama amemaliza miaka kumi na huyo mtu, ni mwanamke halali.

Jambo lingine ni juu ya watoto wale wanaozurura chokoraa. Ningependa chokoraa katika hii Katiba iangalie sehemu ya kuwapa chokoraa elimu wale wanatosha elimu, na wale wanatosha kazi wapewe mahali na kabisa mambo ya kuzaa na

kuzaliwa kwa chokoraa iwe wale ambao wanahusika na hayo maneno ipatikane sheria. Mtu akipatikana anazaa ovyo ovyo ashtakiwe ili kumaliza chokoraa.

Jambo lingine ni mambo ya ardhi. Mambo ya ardhi nafikiri sasa kila mtu anaishi katika ardhi na hiyo ardhi imekuwa freeal. Hiyo inakuwa mali ya huyo mtu kabisa. Hakuna kitu ingine itakayobadilishwa baadaya hata ikiwa nchi itashuka iangalie chini. Iwe kabisa imehalalishwa ile cheti iko nayo ni yake ya milele na urithi wake. Mambo ya freeal katika shamba la mtu aliyenunua na bila kujua registration ivunjwe na kuwa freeal. Naomba hiyo Katiba iwekwe.

Jambo lingine. Mambo ya soko, yale plots katika soko. Kwa sababu ya revenue ya serikali tunataka iwe leaseal. Ili iweze kutoa fedha kwa serikali.

Mambo ya ugawanaji wa fedha katika Central Government. Pesa zikigawanwa katika Central Government iende katika, ipeanwe kwa constituencies. Kila constituency ipate promotion yake halafu constituency itapeleka hiyo pesa kwa ile project ya wananchi kamili.

Ingingine ni juu ya mamlaka ya Local Government. Ningetaka Local Government ipewe uwezo. Local Government iweze kuangalia public utilities iwe katika local government na imiliki projects zote ambazo ziko katika hio constituency. Na iweze ku-fund sehemu hizo zote, kama kuna pesa yoyote ambayo inapatika irudi pale. Na pesa revenue ambazo zinachukuliwa, zinachukuliwa kutoka kila sehemu ya hio local government ipelekwe kwa manufaa ya (inaudible) sababu hawa ndio wanatoa hiyo pesa. Kumekuwako na mtindo ambayo sehemu ingine wanatoa pesa mingi na hawapati usaidizi na hiyo pesa inaenda kufaidisha sehemu ingine. Hiyo sio haki. Na tunataka hio katika Constitution iondolewe.

Mambo ya URais serikali kuu. Rais awe na uwezo kamili kama msimamizi wa nchi. Na kama kutakuwako na neno la tharura ambaye imekuwa labda saa ingine mbaya zaidi katika nchi, awasiliane na executives. Karibu au imekwisho. Tulienda exhibit kwa sababu kuna wakati mwingine ambayo saa labda saa ingine inaweza kutokea kitu mbaya kama vita. Rais hatangojea watu wake wauwawe, lazima atatangaza maneno. Na lazima kwenda kutangaza lazima ashirikiane na executive. Na hiyo inaweza kuwa ni mzuri. Pili Rais awe ni wa kusimamia jeshi. Security yote iwe chini ya Rais ili awe na uwezo kamili. Hiyo ni mikono yake. Rais bila mikono hiyo ni mtu tu picha ya dunia. Kwa hivyo yangu nilikuwa nataka kusema, pia katika representation katika bunge, lazima tuwe na sehemu ya vijana, na tuwe na sehemu ya wamama katika bunge na pia tuwe na sehemu ya kulinda masilahi ya wasiojiweza. La tatu representation lazima ipatikane.

Pia mwisho, pole kwa kuchelewesha nyinyi, mwisho tungesema ya kwamba katika wizara ya utawala, welfare ya Chief na Assistant Chief na Wazee wa Mitaa iangaliwe hasa katika locational unakuta ya kwamba, wakati serikali inafanya mpango ya welfare ya mambo ya housing, mambo ya driving transport, haiko katika kutokea Location mpaka chini. Kwa hio tungesema wakati serikali inapanga fedha yake, budget, hiyo budget ampe Chief kule awe na gari na masilahi ya kufanya katika Location ili



serikali isimame. Na tunasema katika serikali inayokuja, utawala usimame. Kwa hayo machache nasema, asanteni Commission.

**Com. Wanjiku Kabira:** Asante sana kwa hayo maoni. Mrs. Rop.

**Martha Rop:** Okay Commissioners, hamjamba, wananci hamjambo. Yangu ni Commissioner nataka .....(*sentence incomplete*)

**Com. Wanjiku Kabira:** Tafadhali tuambie jina.

**Martha Rop:** Martha Rop kutoka MoisBridge Location. Yangu nitaanzia mambo ya Chiefs. Chiefs tunataka chiefs wachaguliwe kama ni Assistant kama kuna Sub location tatu, Chief asikuweko. Assistant Chief pekee yake wakuweko na wazee wa mitaa. Na pia wazee wa mitaa walipwe mishahara. Pia Assistant Chief wawasiliane na DO. Upande wa Chiefs tena, kati ya hao watatu Assistant Chief lazima wamama wakuweko kama ni wanne wamama wawili na wanume wawili. Kama ni watu, haidhuru, mmoja awe ni mwanamme wawili ni wamama kwa sababu wamama ndio wengi.

Ingine ni kwamba hiyo iwekwe maanani sana kwa sababu wamama ndio wako na shida. Ya pili ni wale watu rapist, wanajisi. Wanajisi wakipatikana wafungwe jela maisha au wauwawe kwa sababu wakati huu kuna Ukimwi, waki-rape watauwa.

Ya tatu, wamama na wanaume wawe sawa katika Parliament hiyo ni affirmative action. Affirmative action ni kumaanisha wamama watakuwa wakitetea upande wao na wazee upande wao, kwa sababu kama saa hizi tuna shida sana wamama. Hakuna mwenye anatutetea. Silence inaendelea mambo mengi ni kwa sababu hatuna wamama kamili. Kwa hivyo Commissioner tafadhali weka hiyo.

Ya nne ni freedom ya worship. Freedom ya kanisa, makanisa lazima ikuweko lakini waondoe devil worship kwa sababu sisi wote tunamjua Mungu kama mpenda watu, sio shetani. Tafadhali kuna makanisa ya devil worship vile nasikia. Hiyo iwekwe marufuku kabisa. Wanaume wawe pia wakioa kama ni customary law, wapewe nambari kamili ya kuoa hao wanawake kama ni watatu ni watatu. Lakini kama ni kisheria kikanisa ama kwa DC ni mke mmoja na tuwe na Commission ya kuchunga hii sheria kwa maana it is being hijacked. Kama saa hizi mtu kama mimi ni paraligo, kuna wenye wameo kwa DC lakini bado wanaenda kuoa. Wanao Kitale wanakuja wanao Eldoret. Where is this commission which will take care? Please have the commission. Please Commissioner weka hiyo mambo hapo.

Ya tano wanaume, child abuse. Watoto wasiajiriwe kutoka miaka kumi na nane kwenda mbele sawa. Lakini chini ya hiyo, mtu akipatikana afungwe miaka tatu. Na alazimishwe kumpa huyo mtoto pesa na sehemu yenye alikuwa akifanyia kazi na fine juu yake.

Serikali wasanye chokoraa wote wakipatikana mahali popote iwe ni lazima wasanywe na kupelekwa shule au cohabitation. Hii mambo ya kukaa pamoja tafadhali isikuweko. Cohabitation, ikipatikana mtu amekaa na mtoto wa mtu hata siku moja, labda ameenda kupata mimba hata hiyo siku, lazima alazimishwe kuo, ilikuweko lakini wakubwa walitoa. Commissioner weka hiyo iwe Katiba. Inaharibu watoto wetu sana. HIV AIDS. Tunataka commission kwa kila location special ambayo inachunguza wale ambao wako na Ukimwi na watu wote wawe wakienda kwa clinic ya Ukimwi ili tuokoe hii mambo ya maambukizo ya Ukimwi. Na wakipatikana wafungwe jela maisha ili wasiambukize wengine. Tafadhali Commission weka hiyo.

Land issues. Land issues, mambo ya shamba hapa Uasin Gishu tuko na shida sana. Tafadhali ukinunua shamba usimalize, serikali iweke maanani iwe ni sheria kwa Commission leo ya kuwa shamba ukinunua isipite miezi tatu kabla hautapewa title deed. Please tafadhali, na iwe inachunguzwa maalum kama kweli ilinunuliwa mlango wa nyuma ama watoto na mama ako kwa maana nilisikia mwingine akisema, title deed lazima ipeanwe iwe maisha. Lakini kama wewe ulifanya corruption ukanyanganya mtu shamba njia ya mlango wa nyuma, title deed lazima ivunjwe. Tafadhali Commission weka hiyo sheria kwa maana hiyo ndio inatusumbua.

Watoto, childrens property and inheritance. Mambo ya bibi na watoto lazima mwanaume akioa bibi wa kwanza apatie bibi, aandikie bibi will na watoto. Ama bibi na bwana waandike jina moja ya kuwa hii vitu yote ni yetu. Kwa sababu, hapo umeoa umesema bibi ni wako. Kwa hivyo hii shamba ni yako na yeye halafu pia, ukizaa kila mtoto moja, mbili mpaka ishirini aandikie kila mtoto baada ya miezi tatu mali yake. Ili siku mambo ukioa bibi ingine uteleze shauri yako. Wale wengine wako na sehemu yao.

Human rights lazima iwekwe iwe official kwa sababu wanafanya kazi hawalipwi na iwe ni NGOs ndio wanapewa mamlaka ya kupeana ili wa-monitor mambo waongozi watu wenye wanafanya corruption na iwe ni wanatetea haki ya binadamu. Tafadhali hiyo ikuweko Commission. We are doing the good job.

President should not be above the law. Why? Ni kwa sababu hata anaweza kunyanganya wewe bibi yako. Kama Amini kwa mfano alikuwa akinyanganya watu vitu. Haya hapa pia Kenya kuna mambo mengi inaendelea. Corruption mashamba inanyanganywa, mtu anakuambia mimi niko na godfather. Anaenda huko juu anachukua shamba lako kwa lazima na ma-plots yako Nairobi. President should not be above the law.

Double marriages I am sorry, one minute only, double marriages should not be there. It should be a policy na mtu akipatikana hii big marriage imekuweko lakini hakuna mtu alikuwa anachunga. How are we going to do that? It should be a Commission also which is monitoring the marriages cases. Mambo ya kuo kama umeoa, umeoa. Ulikubali kama yeye ni mbaya ama kiwete lazima ukae na bibi.

The last one, (inaudible) should employ students wale wanamaliza shule, university ni lazima serikali ifanye hiyo kazi kuhakikisha huyo mwanafunzi apate kazi.

Kuolewa na Mzungu that is the last one. Kuolewa na Mzungu ukiolewa unakuwa citizen huko ng'ambo lakini ukitaka kuleta bwana hapa unakatazwa. Tafadhali tukubaliwe kama msichana anaolewa na akuje na bwana awe citizen hapa, lakini akiwacha huyu msichana atupiliwe mbali arudi kwao. Asante Commission.

**Com. Wanjiku Kabiro:** Okay thank you very much for those views. Asante sana. Alfayo Kuruna.

**Alfayo Kuruna:** Coordinator ladies and gentlemen. I think I will take a different view here. My name is Kuruna Alfayo. I am going to give out the views on behalf of the residents of Moisbridge and first as we have written this memo, with the help of some aids from your documentation centre, I am going to follow as it was and I will try to shorten it.

**Com. Wanjiku Kabira:** Because it is about four O'clock, please just highlight the main issues.

**Alfayo Kuruna:** First we should have a preamble in our Constitution. that one (inaudible) and in such preamble it should (inaudible) like the common experiences reflected and the struggle for the fight of uhuru and it should continue.

Also it should safe guard the rights to freedom of all Kenyans regardless of their ethnical, cultural backgrounds, social economic status, physical and mental abilities not withstanding. The Constitution at all times will put the interest of Kenyan citizens of this nation ahead of all other international facts and treaties. Such that the produce of Kenyan farmers, produce of industries, factories as well as our natural resources should be taken care of and given the first priority.

The Constitution as a whole should be supreme. They should not be any other institution above the Constitution.

For the amendment of the Constitution, the Parliament can amend any part of the Constitution provided they be attained the 65% majority votes in the house. This will be unlimited powers to the government. Whatever this are (inaudible) should be conducted and should be conducted by the Electoral Commission.

On citizenship, all indigenous Kenyans are automatic citizens. Anyone whose spauce is a Kenyan and have a wish to be a Kenyan citizen upon application should be granted citizenship. Any child of the (inaudible) couple is interested in becoming a Kenyan citizen should be granted. All Kenyan citizens should have the right of property, ownership, education, health, other social economic benefits. Once granted citizenship all Kenyans are equal.

The Constitution should not allow for dual citizenship. Those are those people who have got double citizenship.

The National Identity, the Birth Certificate and the Kenyan Passport can serve as identities for the Kenyans or defence of security.

The Kenyan Army, paramilitary, police and other forces should be enacted and established by the Constitution. The Commander-in-Chief of the Armed Forces should be the President.

On the powers of the executive, the Constitution should allow the executive to use extra powers in situations such as wars, natural disasters and other calamities and in breakdown of law and order. These powers should be vested on the executive.

On political parties, they should have other rules other than opposing the government. They should be able to check the expenditure of the government. They should also be able to contribute the planning and budgeting.....(*sentence incomplete*)

**End of Tape 4 – Side B**

TAPE 5

**Paulina Too:** *Kainenyu kegurenon Paulina Too,*

**Translator:** Jina lake ni Paulina Too

**Paulina Too:** *Omenye Lengut komostab koitagat.*

**Translator:** Anaishi Lengut katika Location ya Koisaga

**Pauline Too:** *Kiito ne komoche amwa missing kot, ko agobo maiyek eng kijanaek..... eng lagok che vijana.*

**Translator:** Kitu ambae nataka kusema kwanza ni mambo ya pombe hii ya kienyeji hii ya Changa'a na Busaa kwa upande wa vijana, wanakunywa sana.

**Pauline Too:** *Busaa ak chang'aa ko kikobarenech lagok kwanza vijana,*

**Translator:** Busaa na Chang'aa imemaliza watoto yao sana hasa vijana.

**Pauline Too:** *Ngo itei lagwet kenyisiek taman ak mut ko kakwo ib koe maiyek,*

**Translator:** Miaka kumi na tano huwa watoto wameanza kunywa pombe ya Busaa na Chang'aa.

**Pauline Too:** *Ak bik che yoi maiyek eng kwanza location anan emet tugul ko chepyosok che kikoyo maiyek ak koaldo nyosorek.*

**Translator:** Basi wale wenye wanachemusha pombe Changa'a na Busaa ni wamama pamoja na wanaume wengine ambao wanauza hio pombe pamoja na Bangi.

**Pauline Too:** *Ara lagokyok ko kikoyakitu kabisa kot komakomi kazi ne yoe lagokyok*

**Translator:** Hasa watoto wamewacha shule wamekuwa wagaidi mpaka wamewacha sasa shule na wakaanza kukuwa wagaidi na wakora hata kuiba.

**Pauline Too:** *Amakomi kiy ne toretch lagokyok ko ki sigik,*

**Translator:** Hata sasa hawasaidi wazazi na hata hawa wenyewe hawajisaidii.

**Pauline Too:** *Omoche akot kekomeshan agot chifisiek che mi areait eng komosta nyo ko makomi kiy ne yoei kibirji report ilenji kikoyakitu ..... warirtos agot bet vijanaek birei bich suboti chepyosok ago ngi mwochi chief ko momi hatua age tugul ne ibei.*

**Translator:** Watoto wenye wameharibika wamekunywa pombe wamakuwa wagaidi, walevi, hata wana rape wamama na watoto wasichana mpaka sasa wakipelekea report kwa chief, hakuna kitu ambae Chief anafanya. Wanahonga hawa na hawana haja hata yakuchukuwa hatua.

**Pauline Too:** *Komoche kabisa kikomeshan maiyek eng Katiba; maiyek che bo kienyeji cheu kipkaa maiyek kou chang'aa ak busaa.*

**Translator:** Inatakiwa hio Busaa na Chang'aa itolewe kabisa na wale ambao wakipatikana wakifanya hio, wachukuliwe hatua kali na wafungwe.

**Pauline Too:** *Bik che yoi chotok che chobei maiyek chatak ko keib kabisa hatua ne ng'wan.*

**Translator:** Wale, vile imesemekana ya kuwa, hawa wenye wanatengeneza wafungwe kabisa na waondolewe na watafute wale Commission ama watu fulani ambao wanasimamia vijiji ili wachunguze hawa watu kwa sababu ma Chief hawafanyi kitu.

**Paulien Too:** *Te choto motinye.*

**Translator:** Ni hayo tu. Hana mengi. Hayo akisaidiwa itamfaa.

**Margaret Sawe:** *Kigureno Margaret Sawe.*

**Translator:** Jina lake anaitua Margaret Sawe.

**Margaret Sawe:** *Ng'olyot ne komoche amwa ko agobo sigisiet,*

**Translator:** Neno ambae anataka kutaja iwekwe kwa Katiba ni kuhusu wale ambao wanazaa nyumbani.

**Margaret Sawe:** *Che sigisie eng gaa.*

**Translator:** Wale wanazaa nyumbani.

**Margaret Sawe:** *Amu mi chepyosok che ib kotoreti icheket,*

**Translator:** Kuna wamama ambao wenye huwa wanasaidia kuzalisha wale wamama nyumbani.

**Margaret Sawe:** *Ako ma ba course anan ko mengen or age tugul ne kitorete konyik choto ko tibik anan ko chepyosok.*

**Translator:** Hawa wamama ambao wanasaidia kweli kwa sababu mahali pengine, ma hospitala hakuna, huwa wakati wanataka kuzalisha, wamama wenzao huwa hawana ujuzi ambao wanaweze kutumia kuzalisha hawa.

**Margaret Sawe:** *Ko komwoe ane ole eng Katiba ko gaigai kecheng konyik che bendi course asi kobit kondiwech course chepyosok ago ne sirei tugul ko kolibonji kiy kidogo kidogo chepyosok choto.Eng kijiji fulani anan ko location fulani.*

**Translator:** Kwa hivyo amesema kati ya Location ama Sub-Location ama kwa village, iwe na zaidi ya wamama wawili kwa sababu ma hospitali ama mabara bara zingine huwa haipitiki. Kwa hivyo wa train wamama hawa ili wawe wakisaidie wamama.

Serikali i train hawa na impe hawa vifaa fulani ambae mama akitaka kujifungua wawe na ujuzi na wasaidiwe ili wahepuke na mambo mengi kama kagonjwa ambae inaweza kushika hawa.

**Margaret Sawe:** *Olen motinye che tia te choto kityo.*

**Com. Kabira:** She is saying they are there but are they trained?

**Translator:** No, alikuwa amesema ya kuwa wawo pia baada ya kuwa trained, Serikali pia iwapatie mshahara kidogo, kwa sababu wale ambao hawapatiwi, huwa mara nyingi wanapuzza kufanya hio kazi maana wanaona ni kazi nyingi saa ingine wanaweza kushikwa hata na ukimwi.

**Com. Kabira:** Naona wazee wanasema (in audible)

**Translator:** Kwa hivyo hata hawa walipwe kidogo na iwe ni lazima kwa sababu wengi wamepoteza watoto na wengine labda

wako ukimwi na halafu wanaumbukiza mtoto kwa hivyo nawo wakipimwa pia.

**Margaret Sawe:** *Olen motinye che tia te choto kityo*

**Translator:** Ni hayo tu ndio alikuwa nayo.

**Com. Kabira:** Mwingine akuje hapa halafu -----

**Translator:** You see they fear presenting.

**Leah Juma:** *Ane Kegureno Leah Chuma,*

**Translator:** Yeya anaitwa Leah Juma.

**Leah Juma:** *Obunu Sirikwa,*

**Translator:** Yeye anatoka Sirikwa Location.

**Leah Juma:** *Eng anendet omwoe ng'alek ab lagok,*

**Translator:** Yeye anasema mambo ya watoto.

**Leah Juma:** *Wasichana.*

**Translator:** Wasichana.

**Leah Juma:** *Ne ng'etei chito ne kikitunis ak konyo kong'em lagweng'ung.*

**Translator:** Kuna wanaume ambao wameowa na wanakuja kuharibu mtoto wako.

**Com. Kabira:** (to Leah Juma - Kwa njia gani?)

**Leah Juma:** *Koburon yetyo kometo.*

**Translator:** Kumumpa mimba na kumwacha.

**Leah Juma:** *Ako ka lagwanata ko lagwet ne komitei sugul. Ko mongen as ole ko kotosome ole ndo mitei uwezo age tugul ko nda toretch serikalit asi kobit keger kiy ne kitoi chichoto.*

**Translator:** Anasema kwa Katiba hii, angeomba hawa wanaume ambae wameowa, ama wale hata hawajaowa na wanaharibu msichana wa mtu, na kumumpa mimba na kuwacha na anajulikana ni yeye, anaomba Katiba iweke sheria ya Serikali ichukulie huyu mtu hatua ili apate kutunza huo mtoto na arudishwe shuleni.

**Leah Juma:** *Ko ng'olyot ab aeng ko ni ,*

**Translator:** Neno la pili ni hili,

**Leah Juma:** *Ko ng'alek ab maiyek kou ye kakomwa chepyosono komitei kou noto.*

**Translator:** Hiyo mambo ingine ambao mwenzake mama alietoka mambo ya pombe, imezidi kweli hata upande wa Sirikwa.

**Leah Juma:** *Ko eng maoni nenyu,*

**Translator:** Kwa maoni yake,

**Leah Juma:** *Omoche ane koe maiyek kong'ete komutkasi saa nane akoi Jumapili.Bik,kijanaek ko makimokyin.*

**Translator:** Anasema ukunywaji yoyote, sheria iwekwe yakuwa pombe ile ya halali ambae imewekwa kama beer, wakunywe tu Friday kutokea jioni hadi Jumapili pekee yake. Yaani siku mbili na nusu.

**Leah Juma:** *Ko Jumatatu koba boisionik. Ak te choto chechuk*

**Translator:** Ili wanaume na watu wote waende kazini kutoka Jumatatu hadi Ijumaa mchana.

**Com. Kabira:** (in Audible)

**Translator:** *Kokile ii tos ye sirtos lagok komoyoe tuguchoto?*

**Leah Juma:** *Ko gaigai eng beer.*

**Translator:** Anasema kwa pombe kama beer sio ile ya kienyeji. *Ak ng'alekab bangi ilen nee?*

**Leah Juma:** *Mokimoche ng'alekab bangik ak mokimoche agot alak che koituche mongen agot ole kile nee.....Si miraa..... alak che mitei kibabaik.....mi wine che.....ooh ya wahindi.*



**Translator:** Anasema kuna ile imeharibu watoto, ile drugs inaletwa ya Wahindi ambae wanakuja kuuzia vijana.

**Leah Juma:** *ko choto che kokong'em lagok kabisa*

**Translator:** Imekuja huku na tena hio imejaa.

**Leah Juma:** *Ko ngotesyi anyun wine kowokyo lagok ak momoken kiy police*

**Translator:** Police nasikia hata wakiambiwa hawana haja.

**Leah Juma:** *Kotoi anyun police komach hongo. Kwo ngot kochubis,anan kosub chepyoso anan koyai nee komach kitu kidogo police. Nguno ko momi boisiet ab police.*

**Translator:** Anasema hata hio mambo, kuandamana na mambo ya ulevi pamoja na hii madawa ya kulevia kama hizo ma tablets, wanakula. Lakini hata wakijaribu kuambia Police, raai wakiambia Police, ya kwamba huyu anauzia wavijana dawa mbaya ama watu fulani, Police hawachukwi hatua instead wakishika huyo mtu, wanapewa kitu kidogo wanachiliwa. Kwa hivyo kazi ya Police hakuna.

**Leah Juma:** *Ko tee choto chechuk.*

**Translator:** Kwa hivyo ni hayo tu anasema iwekwe kwa Katiba Sheria.

**Turfena Sang:** *Jina langu ni Turfena Sang kutoka Location ya Siwa machine*

**Translator:** Yeye anatoka sehemu ya siwa machine.

**Turfena Sang:** Shida zetu ni kuhusu watoto wetu.

**Translator:** Yeye pia anaongea juu ya watoto yao.

**Turfena Sang:** Watoto yetu tumesomesha hawa, tumeuza mashamba yetu hata sisi tuko kwa ma point na hata wamemaliza mashamba yetu na sasa tuko kwa ma point na Serikali haijawahi kutuandikia watoto wetu. Hata vile waliandika ma askari kwa Eldoret, hawakutuchukulia hata sisi hata mmoja kuanzia Mashin. Wangetuchukulia hata sisi watoto watano, tungeona ni vizuri halafu wachukuwe wa pande ingine tano, tano, ni mzuri. Lakini hawakutuchukulia sisi na tumeuza mashamba, sisi tuko kwa ma

point na tunaishi kwa ma centre. Sasa ningetaka kwa hii Serikali yetu watuandikie sisi watoto wenye wamemaliza shule kwa kila Sub-Location ama wapi, ama wapi watusaidie sisi kutuandikia halafu watusaidie sisi hio shida. Kwa sababu tunaona watoto wenye wamemaliza shule, wanakuja kuranda, randa na sasa wataanza uizi. Watoto wetu watakuwa weizi, kwa sababu chokora hata baba yake atanunulia nini, manguo na sisi tuko na watoto wetu kwa shule. Hata kwangu, sasa mimi niko na watoto kumi na tano.

**Com. Kabira:** Wewe pekee yako?

**Turfena Sang:** Eh!

**Com. Kabira:** Hu kupanga?

**Turfena Sang:** Sikupanga.

**Com. Kabira:** Hu kujuwa?

**Turfena Sang:** Sikujua. Lakini nilipanga juzi kama mimi iko na hio kumi na tano. (Laughter) Na mimi niko na shida watoto yangu watatu wamemaliza shule na hakuna kazi.

**Com. Kariba:** Mjumbe yako na Councillor hapana saidia?

**Turfena Sang:** Hawakufanyia sisi harambee. Hata wakifanya harambee, ni kitu kidogo, kidogo. Mimi naona watu hata wanaenda Harambee kwa watu matajiri. Lakini kama mimi na sina kitu, wananiletea kidogo kwa sababu mimi hapana tajiri. Kwa sababu mimi sina kitu

**Translator:** Nini ingine mama?

**Turfena Sang:** Sasa kitu ingine tena ni kuhusu askari.

**Translator:** Askari gani mama?

**Turfena Sang:** AP's. Askari siku hizi, watoto wetu wanalewa Halafu wanakuja kuhonga honga pesa huko nyumbani, sijui ni nini. Hata mimi hapana jua Kiswahili vizuri. *Yaani kikomuchech Kikowek askarichu konyo kohongani bichu.*

**Translator:** Anasema Police pamoja na Administration Police. Makosa ikizidi, ikitokezea hata kama wameona, wanafanya nini? Wanahongwa mpaka hawawezi kuchukuwa hatua yoyote.

**Turfena Sang:** *Ko nguno amu kihongani ko maketinye chi ne toretch achek kabisa.*

**Translator:** Hakuna mtu kabisa ya kusaidia.

**Turfena Sang:** *Kou Siwa kotinye lagok che mitei university lakini mami toretet. Hakuna usaidisi.*

**Translator:** Hata sisi iko watoto wamemaliza University na hakuna mtu, alisema hapo mbeleni, ati ma MP na ma Councillor hawasaidii tena wanaenda kwa matajiri.

**Turfena Sang:** *Ko mi che mitei nguno university karibu lagok tisab eng kopchi.*

**Translator:** Watoto saba wako wenye -----

**Turfena Sang:** *Ako nguno komitei university, komitei chun mi primary che bo got agenge ago lagok mut. Sasa iih metyoli metit chepyoset ne kisiche lagochoto?*

**Translator:** Kwa hivyo mama huwa anapata stress sana na wazazi.

**Translator:** Sasa kwa hivyo unatakaje mama?

**Turfena Sang:** *Kokimoche serikali kotoretwech agot alak.*

**Translator:** Kwa hivyo Serikali ikingundua ya kuwa iko mambo kama hio, maana hawakufundisha hawa mambo ya Family Planning mapema, ndio wasaidiwe kutafutia hawa kazi, maana familia mengi hawajui watu wakubwa kubwa huko juu. Ihakikishe yakuwa imeandikisha kazi kwa wale watoto wamemaliza University na wasomeshe wengine ambao ni watoto wa akili lakini wanatoka kwa jamii masikini. *Ang bursary cho kikonu eng kapchief.*

**Turfena Sang:** *Bursary che kikonu eng kapchief mara nyikekonin agot silling mia tano ago lagok mut.*

**Translator:** Ati ile bursary ambae huwa inatolewa huwa hio, wanampa wewe shilingi mia tano na labda watoto watano ndio uko nawo kwa Secondary. Aisaidii.

**Turfena Sang:** *Hasa asante, nimeshukuru*

**Translator:** *Nga kakulwok tumdo agui.....*

**Hadija Talam:** Kwa majina naitwa Hadija Talam. Natoka Mashin Location. Mimi ninashida akina mama wenzangu. Shida yangu inahusu akina mama ndani ya manyumba zetu. Sisi tuna shida. Tuna shida sana hasa kwa waume wetu. Halafu hatuna pahali pakupeleka malalamiko zetu.

Kwa mfano, kuna kama kwa Chief. Mimi naweza kukosana na mume wangu tukapelekana mpaka tukafika kwa Chief. Pale kwa Chief kuna wazee wa kiume. Sasa tukifika pale kwa Chief, kuna huyu Bw. Chief na kuna wale wazee na

*Interjection (in audible)*

**Hadija Talam:** mimi pekee yangu. Mimi labda ndio mtoto wakike kwa kikundi hicho. Sasa ile shida yangu sina namna ya ku express. Sina namna ya ku express shida yangu kwa sababu wale wazee wote ni rika ya baba yangu. Kwa hivyo mimi tu ninafinyiwa tu chini. Sina nafasi ya ku express shida zangu. Kwa hivyo ningepomba kwa niaba ya wamama wenzangu, kwenye hio Court of Appeal ya Chief, tuwe na akina mama ambapo nikipeleka hio malilio yangu wanaweza kunisikia na wakawakilisha malilio yangu mbele ya wale wazee kwa sababu mimi sina nitakvyo peleka. Saa zingine tuko na ---

**Translator:** Court of Appeal kutoka wapi? Nyumbani au Location/

**Hadija Talam:** Nyumbani.

**Translator:** Hata Sub-Location, hata vijijini.

**Hadija Talam:** Ndio nilikuwa baado ninaendelea kusema pia kule vijijini tupewe akina mama wa mtaa. Hata akina mama wa mtaa watatusaidia kutukanyia watoto wetu wa kike. Watoto wetu wa kike wameharibika lakini sisi wenyewe wazazi tusha ogopa watoto wetu. Hatuwezi kusema na watoto wetu. Kwa hivyo ninaomba tungepewa wamama ma mtaa ambao watakuwa wapelekwe ndio training, wakisha trainiwa waje warudi vijinini wawe kutusaidia kututuzia watoto wakike hasa kwa mambo hii ya ugonjwa. Sisi sote tunaielewa namnavyo ugonjwa unavyo zidi kuenea nani watoto wetu ndio wanapotea. Kwa sababu sasa hivi wazee na vijana wako na nafasi kubwa sana yakuongelesha watoto wakiume lakini sisi ndio tunachelewesha mambo ya watoto wetu wa kike.

Ya pili ni mambo ya hospitali. Tungeomba pia mambo ya hospitali, tuko na shida sana kule kwetu kulingana na mambo ya hospitali. Siku hizi wamama wenzangu ukipeleka mgonjwa wako Referral ni mambo mawili, either uuze shamba ama uuze Ngombe. Na wengine hatuna hizo vitu. Hospitali imekuwa gali kweli na tunatozwa Kodi kwa viti vingine. Vitu kama sukari, mafuta taa, vitu ambazo tunatumia. Kwa nini Serikali sijali ikachukuwa Kodi ya hizo vitu na ikatusamehe kwa upande wa

hospitali. Kwa sababu lazima wajali afya yetu. Tukizidi kukufaa, -----

*Interjection: Translator: --- na uchumi ni mbaya*

**Hadija Talam:** --- tukizidi kukufaa, kila kukicha unasikia watu wanakufa. Kila kukicha unasikia watu wanakufa. Hasa sasa hivi, Malaria. Huko kwetu, watu wanakufa na hawa ni wale watu wanakufaa na haifikii kwenye ma Radio na Magazetti kwa sababu hatuna uwezo. Itakuwaje wale wanatangazwa kwa ma Radio na kwenye magazetti? Basi, tungeomba Serikali ituhurumie zaidi upande wa hospitali. Hio ipitishwe kabisa katika Katiba yetu inayo kuja tuhurumiwe mambo ya hospitali.

Na ya mwisho, ikiwezekana tusaidiwe hizo dispensaries ndogo, ndogo kule vijijini, sababu pia huko vijijini ndio tuna umia. Mtu anaweza kuwa mgonjwa na hatuna uwezo ya kufika Eldoret ---

**Translator:** --- na si ziko zingine ama?

**Hadija Talam:** ---- ziko, lakini siku hizi mama mwenzangu, hizo dispensary zimekuwa gali zaidi. Nikama sasa biashara sio tena vitu za kusaidia. Imekuwa vitu ya biashara tu. Unaona. Ni vitu ya biashara. Kwa hivyo tungeomba tusaidiwe kitu ya Serikali. Tuwe na kitu ya Serikali. Ni hayo tu asanteni.

**Translator:** Kuna mwingine? I wanted them to complete and then we go.

**Jane:** *Kainenyu kegureno Jane nebo Arap Baerng'etuny.:*

**Translator:** Jina lake anaitua Jane Barng'etuny.

**Jane:** *Obunu locationit ab Siwa machine.*

**Translator:** Yeye anatoka Location ya Ziwamashin.

**Jane:** *Ko kiit ne kakono anyo yu ko nekit ng'alek aeng.*

**Translator:** Anakuja hapa kwa mambo mawili.

**Jane:** *Lagwani; chepyosoni ituni chepyoset age chepyoset age.*

**Translator:** Huyu bibi mwenye anaowa bibi mwingine.

**Jane:** *Nito ne kokobar lagokyok eng UKIMWI.Bo ng'o inye chepyosoni nguni.*

**Translator:** Huyo ndio amemaliza watoto wetu na UKIMWI. Kwa sababu yeye amepewa nafasi ya kuitua wewe umeowa na bibi na kwa sababu anaweza zaa nje..

**Jane:** *Basi ko noto kegere kele ngobet kabisa Ngo kikochobin Mungu kemei, imei buch kosir ibar emet.*

**Translator:** Tafadhali, iondolewe hio ni kimila ya Kinandi ambae imeweka mwanamke kuowa bibi mwingine maana hakuzaa. Kwa hivyo akiowa, huwa anapewa nafasi ya kuzaa na mtu yoyote ama kufanya mapenzi na mtu yoyote. Na wamebomoa sana manyumba za watu hata na kuambukiza watu na UKIMWI sana.

**Com. Kabira:** You know, I haven't understood.

**Translator:** What happens, if I am not blessed with children, I am allowed to marry, let us say 'her' I will behave like a man, so she is a wife and when she married, she can now get children for me but she can get from any other man. But this husband woman can take care of this lady by educating the children. But this woman is free to go with any man to get children for me who are like my own children and in the process of getting any man, she can be infected with AIDS, then she will spread to the husbands of the other women who will go to their families.

**Com. Kabira:** Oh!

**Translator:** It is a custom and it is there. Those people are here. So anasema iondolewe kabisa.

io kama bahati yako Mungu iko na watoto huko juu, Mungu anasema mwenye hana watoto katika dunia, yake iko huko juu.

**Translator:** Anasema katika kimila ama ki Christu, haina dhambi kama wewe unakosa watoto bila kuzaa. Afadhali ukufe bila watoto, kuliko ufanye nini? Kuliko ufanye tabia kama hio.

**Com. Kariba:** Anasema kama watoto wako wako juu.

**Jane:** Ya pili ni masomo.

: Masomo naona kina wamama tunashida. Kwanza mimi. Wacha niseme yangu. Mimi, tunao watoto nne kwa Secondary na University mmoja. Haya Primary tunaye nane. Na tuko na bahati mbaya hapa. Wangoi wangu amekufa na anawacha watoto kumi na wawili na wangu tunawo tisa. Sasa naomba Serikali, naona kitu inaitua bursary ni wenye wanono. Wale wanaweza

kukimbia Nairobi, kuandikiwa huko cheque. Lakini sisi, wale tuko wadogo, tunakufa hapa. Na watoto wetu hana bursary, hana chochote na mama amelalia ‘chebire’ bwana ukiangalia hawa wamama,

‘Chebire’ ni ile mifuko ya sukari. Imelalia hio, ikiangalia pande hii, imekwisha, pande imekwisha, nitafanya nini? Na hata kitu ya kusaidia. Sasa Serikali, mushikie sisi mkono. Kama mimi, nimefikisha mtoto Secondary,

*Interjection: Translator:* Wewe mama ama mzee?

**Jane:** Sisi. Ikiwa na mzee, unajua Mungu anasiadia mwingine kuliko mwingine. Najua wazee wetu, tunayo wazee ni kama wamama. Na tunaye wamama kama wazee. Nikiangalia sisi wengine, tumebeba fimbo ngapi?

**Translator:** --- mbili.

**Translator:**----- fimbo mbili, hio ni gani na gani mama?

**Jane:** Fimbo mbili, mzee nae amelemewa na wewe unasema sasa watoto yangu, nitaenda kuandikiwa namna gani na mimi iko, why? Wacha niongee na Mungu yangu pamoja na Serikali yetu tukufu halafu nishikie mkono. Sasa, kwanza tunaye mtoto yuko University, na huyo mtoto hana chochote. Wale wa Secondary, hawana chochote. Wale wa Primary hawana chochote. Tunae shamba acre mmoja. Nikiuzia yule wa University, na shamba ni acre mmoja, sasa nitafanya nini?

**Translator:** Sasa wewe mama unataka nini?

**Jane:** Sasa mimi nataka Serikali ishike watoto hata kwanza ya University, tupigania na akimaliza Secondary, basi Serikali ione sisi. Hata kwa masomo.

**Translator:** *Kocheng’ji kasit anan nee,*

**Translator:** She is saying, watoto wachukuliwe yule wa University kwa wengi hawajiwezi ya bei ya University. Wasomeshwe free.

**Com. Kariba:** Free education.

**Jane:** Sasa kuna mambo wawili kwa University: Iko ile watoto, ile mwenyewe unasomesha. Iko Parallel. Na Parallel ni chungu nzima. Hata ukifungua hapo, kuna mtoto hapo anataka mia mmoja hamsini elufu Semister ya kwanza themanini na tano. Semister ya pili, sabuini na tano. Si ni mia mmoja hamsini. Na mimi nitatoa wapi? Na Serikali inasema hivi, mtoto akiitwa kwa kiSerikali, mzazi ya mtoto huyo watasiadiana na Serikali. Sisi yetu hii tunapigania itakuwa ya Serikali gani? Kwa nini hapana jua?

**Com. Kabira:** Unajua kuna Parallel, akichukuliwa na Serikali kuna university loans ---

**Jane:** lakini hapana mpa yote. Hapana pea Parallel mama yangu?

**Com. Kabira:** --Aha! Si Parallel, ni ya regular.

**Jane:** Na sasa watoto wanaitua na B- haituwi siku hizi. Na watoto wanapiga B-, na hawaitwi. Ndio unaona mtoto tunatamaa ya kusomesha. Tunalengo ya mbele huko. Lakini ikifika Parallel intakwama hapo, hapo.

**Com. Kabira:** Lakini, unajua hizi Private Universities, akiwa na B- au C+ anaweza kuingia kwa Private University napitisha university. Kwa hivyo, nafikiri ni vizuri --- kwa sababu leo wanapeana bursary kwa wale wanaingia kwa private university.

**Jane:** Na hio haitakuwa ya watu wote. Wale ambao ni wanono ndio watafuata. Unasikia mtu anatokea Nairobi. Na mimi hapana jua Eldoret, nitafika Nairobi?

**Com. Kabira:** Ndio kwa vile ninakwambia, kuanza sijui mwaka uliopita, sasa watachukuliwe hata kwa private university, waweze kuenda tu kwa Loans Board na watakupatia Loan.

**Translator:** Loan Board iko kwa kila District?

**Com. Kabira:** Iko, Nairobi. Lakini wanachukuwa form kutoka huko, halafu wanakuja kwa Chief, sijui kwa nani?

**Jane Barngetuny:** Base tufunze njia kama hio lakini, bure hatuweze kutambua na watoto wetu watalete umasikini Kenya hii kwa maana kutojua mambo. Basi tutafanya nini? Watoto wetu wamekosa kazi. Naona juzi anaandika anasema sijui ni area au nini. Lakini hakuna mtoto hata mmoja na watoto wale wanaenda ni watoto wa University. Asanteni.

**Translator:** Kuna mtu?

**Translator:** *Ta komi chi?*

**Martha Rop:** Mimi ni Martha Rop kutoka Moi's Bridge Location. Hapo ninataka tu kuongezea mambo ambao imesemwa lakini hapo kuna jambo ya wamama kupigwa, violence against women. Hapa, pale Moi's Bridge ama katika hii Division ya Soi, mimi kama Mwenye Kiti katika Division hii, kuna cases pia ambao mimi nimepata sana kama paralegal ambae wanapiga wamama sana kwa makosa tu kidogo ya kinyumbani. Badala ya bwana kuongea naye, ama aite watu wa Kanisa yao ama ya kijiji, huwa wanaamua kupiga mama, mpaka hadi meno kutoka hata wengine macho kutolewa na kwa kweli ukienda kwa police, huwa police mara nyingi wakipewa hongo, wanawachua. Hatujui ni njia gani ambao wanatumia ili kuwacha case kama



hio. Kuna wengine hata ambao wanapigwa, kuna mmoja asha pigwa hata mimba ikatoka na akalazwa hospitalini na police wanapo chukuwa hio hatua, wanapeana P3 kwa lazima saa zingine, labda kama sisi paralegals tunafuata. Na tukifuata, ikienda Kotini, inaenda kupelekwa hivi, hivi baadaya hio case inatupwa hata kama huyo mama hayuko Kotini.

Pia nimepata case fulani pia ya akina mama ambae wanakuwa raped. Na baada ya kuwa raped, mambo ikienda kwa Police, inaenda mpaka Kotini, daktari ameandika, amepima labda ameumbukizwa ugonjwa na hatua haichukuliwi, na wengine inawekwa Kotini zaidi ya miaka tatu. Sasa mtu, saa zingine, ule ambae anaji defend, anaenda upande wa Nairobi kupeleka hio case mbali. Halafu yule hana pesa, anashindwa kwenda huko, baadaye hiyo case inatupwa. Tafadhali ningependa Katiba iangalie mambo ya akina mama katika Court, iwe wale ambao wana handle cases ya akina mama kwa mambo ya violence against women, wawe ni wamama na pia, iwe na kikundi kwa kila Location ambae intakua ikuchunguza mambo kama hio, ili neno kama hio ikipatikana, wamama ndhi wali in-charge wengi halafu wapeleke hio maneno pamoja na viongozi wa ma Kanisa ambae wana husiano. Asante sana.

**Yunis Majimbo:** Kwa majina naitwa Yunis Majimbo kutoka Location ya Soi. Yangu nitaongea juu ya wababa au wazee wanaowa bibi kama mabibi watatu au mabibi wa nne na unapata kuwa huyu mzee ako na mabibi watatu ama wanne lakini utapata anabagua watoto. Anaweza lalia upande mmoja kwa nyumba mmoja ya mama mmoja na hawa watoto wote ni wake, yeye ndio aliwazaa na yeye ndio aliowa hawa mabibi wote. Lakini utasikia wakati anaenda kwa bibi mmoja anakaa huko mpaka ana bagua watoto kwa vitu vingi. Hata kwa wakati wakulipa fees, atalipia watoto wa nyumba ingine na hawa watoto wengine hawalipii.

Upande wa chakula, utapata hawa watoto wengine wanatabika na hawa wengine wanakula vizuri, wana lala vizuri. Na unaona yaani amewabagua kabisa. Hawaangalii kama watoto wake. Sasa ningependa kama Serikali, yaani Katiba yaani kama mzee ameamuwa kuowa wabibi watatu, achukuwe hawa watoto wote kama watoto wake na kila kitu iwe sawa kwa kila jambo, hata kama ni kwa elimu, awalipie wote, bali asichague. Yangu ni hayo tu.

**Martha Rop:** Neno la mwisho madam, usimalize, wacha tu niwekee hii, mimi pia kama kiongozi wa Division, nimepata mambo mengi pia kuhusiana na wamama, wadows, wale wameifiwa, wajane. Wamama wengi wajane, mimi ni Martha Rop kutoka Moi's Bridge Location, wamama wengi wajane katika Division hii wako na shida sana. Mashemeji wao huwa wana wanyanganya viombo via wakati wanaifiwa na wengine pia hata wale ambao waongozi labda chiefs, na ikiwa wanaona wameifiwa wanajua huyu mama labda hajui sheria fulani, kuhusu mambo ya shamba, wanaanza kukata shamba wakinyanganya hawa mashamba. Tumeona hayo maneno tukijaribu kutetea hawa, hakuna namna. Kwa hivyo ningependa Katiba pia isaidie kuwa na sheria ya kuchunga wajane. Hasa sana kama ingewezekana, sheria isaidie hawa widows kama wana watoto sita wakati bwana anakufa, wasomesheve vijana watatu au watoto watatu, yaani nusu ya watoto. Kwa hivyo widows ndio wako na shida saana. Tafadhali muwasaidie kwa sababu wana nyanganywa na wananyanyaswa. Asante.

**Paulina Kosgei:** Kwa majina naituwa Paulina Kogei. Ninaishi Ziwamashi. *Chechuket amache amwa chechuket kosub kei ak ng'alek ab lagok*

**Translator:** Anataka kuongea mambo ya watoto hasa mtoto msichana.

**Paulina Kosgei:** *Mising eng lagwet chepto. Amu lagwet chepto komuchi koburon chito lagwengung kosikyi lagwet.*

**Translator:** Hasa sana msichana ndio iko na shida zaidi. Wanapewa mimba na watu fulani.

**Paulina Kosgei:** *Yeityo koesio chito kotun lagweng'ung.*

**Translator:** Na hawawezi kuwaowa.

**Paulina Kosgei:** *Ago sigindet ne boisie nebo lagwet.*

**Translator:** Na ni wazazi wa kijana ndio wanakataa na hali labda kijana amekubali.

**Paulina Kokei:** *Koesio kole makituni lagwani mokimoche amu kigere sigik..... amu mokimoche sigik.*

**Translator:** Ati huwa wanakataa na wanakataza kijana yakuwa hatuwezi kuchukuwa kwa sababu labda wazazi ni masikini.

**Paulina Kokei:** *Kotebi anyun lagweng'ung kosich lagwet. Ko mutai kosikyi lagwet nebo aeng kijanaiyandanatak.*

**Translator:** Hapa, ni kwamba hio kijana anaweza kuzalisha huyo mtoto kwa sababu kijana anapendana na msichana na unakuta kwamba wazazi wa kijana wanakataa mambo ya huyu msichana na hali hawa bado wanaendelea. Na mwisho utaona wanazaa watoto wengine zaidi ya mawili.

**Paulina Kokei:** *Koesio anyun lagweng'ung kole metuni. Ko bunjin ngo anyun lagwanato.*

**Translator:** Watakataa hawawezi kuowana na huku kijana anajaribu kupendana na msichana bado.

**Paulina Kokei:** *Akoesioi lagwet bichotok ago kakosikyineun lagwet.*

**Translator:** Na huku kila mtu anajua ni kijana ya huo mji ndio amezalisha huyu msichana hawa watoto na huku wanatakaa huyu msichana wa wenyewe.

**Paulina Kokei:** *Ko kosome anyun Katiba nitok ni nguno ole,*

**Translator:** Kwa hivyo Katiba hii ya sasa, ninaomba,

**Paulina Kokei:** *Ngot komumaksei, ko komut chichoto lagwenyi ak kong'etyo lagwenyu chepto.*

**Commissioner:** Kwa hivyo kama ni hivyo imekuwa bahati mbaya huyu msichana amezalishwa na hawa watu wanakataa, basi wabebe hawa watoto wao ama sheria fulani iwekwe kwa Katiba ambae italisha hawa watoto na kusomesha na kila kitu ya hawa watoto mpaka hawa watoto wakue wakubwa na waende kwao na iwe ni lazima wachukuwe watoto wao. Kwa sababu sasa kama amekataa mama, watoto watakaeje. Wataka wapi? Halafu huyu akae kwao.

**Paulina Kokei:** Hata tena kwa kijana, *Ngot koberber lagwet ab chito kijanaiyang'ung komutu lagwet ab chito,*

**Commissioner:** Kama unaona kijana analeta msichana kwa mji,

**Paulina Kokei:** *kotinye haki sigindet kolasimishan lagwenyu. Ngot ko malasimishan kikochi ng'atutiet kijanaiyandanato.*

**Translator:** Na wazazi pia wapewe sheria ya kuwa kama ameona mtoto wake kijana ameleta msichana, awambie ya kuwa kijana yako lazima aowe huyu msichana kuliko wewe unaona na mambo inaharibika na unanyamaza na baadaye unakataa. Kwa hivyo sheria kama hilo iwe pia kwa wale waongozi wa vijiji.

**Paulina Kokei:** *Ago ngot komut chito lagweng'ung chito ab robisiek kouchi lagwanato.*

**Translator:** Na huyu msichana akionekana kwa mji fulani, labda wakifanya mapenzi na huyu kijana, ilazimike yaani sheria iwekwe katika Katiba hii ya kuwa, huyo akuwe bibi ya huyo kijana.

## TAPE 6

**Alenya Kulungu:** Check the expenditure of the government. They should also be able contribute to the planning and Budgeting of the government in power. They should also be able to contribute, positively to the Budget proposals and other plans.

On existence of political parties, there should be no ceiling of political parties in this country; only that for a political party to be registered, it should have signatories of 5,000 persons in any constituency, in about 80% constituencies in the republic. That is, having the following nationally. Financing of these political parties should come from member recruitment because if they have enough members they will be able to generate enough income, fund Raising locally and, if resources allow, from the government -they should be getting some substitutes from the government. Foreign funding should be banned or discouraged completely.

On land issue, the residents of Moi's Bridge feel that land ownership should not be put into a ceiling because we have to make a Constitution that will guide this country for more than 40 years as the last Constitution has guided us.

The age of any voting candidate should be 18 years and above and the age of aspiring president should be 35 years and above.

The people of Mois Bridge feel that there is no need to have nominated Members of Parliament or nominated Councilors.

Forming of government: we should have a simple majority and that of 25% in five provinces should be retained.

On judiciary we should have in addition to the current court we should have a customary court in place to guard the traditions, we should also have a Constitutional court and a supreme court.

**Com. Pro. Wanjiku Kabira:** Thank you very much, since you have written the memorandum, we will read the rest. We just want to give everybody who is on the list a chance.

**Alenya Kulugu:** May I have

*Interjection*

**Com. Pro. Wanjiku Kabira:** Thank you, and I apologise. We are now looking for Wilson Maiyo followed by Wilson Barakfos.

**Wilson Malakwen:** Mimi ni Wilson Malakwen kutoka Mois Bridge. Yangu ambayo nataka kuzungumzia kuhusu marekebisha ya Katiba, ninayo maneno mawili ama tatu. Kwanza ninazungumza kwa upande ya police. Mwenyekiti wa kikao hiki cha kurekebisha Katiba ambaye tuko naye hapa leo, yangu ni juu ya Traffic, na ndio sababu tumeona vyombo vya usalama imeenda mulama. Mwenyekiti, miaku zilizopita, ninakumbuka vizuri sana, police walikuwa wanafanya kazi kwa njia ambayo inapendeza, kuangalia usalama ya abiria anapotembea katika barabara, kuangalia kama gari iko na brake, kila kitu kama iko timamu. Kwa hivyo Bwana mwenyekiti, mimi naona serikali au Katiba tupendekeze tuone upande wa police uondolewe katika barabarani, ione kama tunaweza kupata department ingine sio police. Kwa sababu hawaangalii jinsi inapasavyo ya usalama ya barabara. Watu wananginginia gari kama mzigo. Kwa hivyo pendekezo langu, Katiba iangalie iondoe police katika traffic.

Pili, upande wa court prosecutor, mwenyekiti, mambo ya kesi katika court imekuwa kama mchezo wa paka na panya. Na tukichunguza kindani, yule court prosecutor kwa sababu yeye ndiye anajua kwa mambo ya makesi, case ya mtu inakaa zaidi ya miezi sita, kwa hivyo court prosecutor aondolewe katika court, waandikwe wale watu ambao wanaweza kuwa tu karani ya kortini na siyo police.

Yangu ya tatu ni juu ya sheria: mwenyekiti tungetaka sheria ambao imetungwa katika Kenya hii, iandikwe kwa lugha ya Kiswahili. Mbele sisi raia wengine hatujui lugha ya Kingereza, tupate kujua sheria imetungwa na inasema hivi na vile na isiwe lugha ya Kingereza peke yake.

Mwisho ni juu ya squatters: Mwenyekiti, Kenya tunakaa wakati huu zaidi ya miaka theLathini na jambo ile mambo ya squatter mwenyekiti, nataka Katiba ya Kenya inapotungwa, Kenya iwe imemaliza watu ambao wanaitwa squatters, wawe watu wa Kenya wakuwE wenyeji, isiwe inajurikana katika vyombo vya habari kusemekana kuna sehemu ambao squatters bado iko. Kwa haya machache, yangu nilikuwa nayo. Asante.

**Com. Pro. Wanjiku Kabira:** Thank you very much Alenya for keeping time. Christine Chumo, Christine Chumo, hayuko? Mutuo, we cant read your first name. Are you the one? Sarah Mutuo, Are you the one.

**Abraham Mutuo:** My names are Abraham Mutuo, I come from Koisakat location. So I have recommendations to represent to the Constitutional Review Commission. In fact, I have prepared comprehensive proposals but I'm going to highlight the major points alone, on the case of citizenship, that is the rights of the citizenship, the State should make sure that the properties of the citizenship should be protected, that there should be no trespass especially when it comes to may be policemen entering various homesteads searching and the rest without search warrants from the courts. That actually should be discouraged by the Constitution.

Secondly all Kenyans should enjoy equal rights in the Constitution, that is there should be no case whereby other people are more important than others. On the case of the structure of the government, I propose the formation of a federal system of government ie. Lazima tuwe na serikali ya majimbo. Sababu ya kupendekeza serikali ya majimbo ni kwamba that is raslimari cha nchi zitaletwa karibu na wananchi zikiwa na serikali ya majimbo. Pili, makabila zile kubwa kubwa hazitakuwa na nafasi ya kugadamiza makabila dogo dogo.

Tatu, rasilimali ya nchi zikiwa na serikali ya majimbo, rasilimali ya nchi zitagawanywa kwa usawa kwa makabila ambazo zitakuwa.

Kwa upande wa political parties, my recommendations are; the treasury lazima ipatie pesa vyama vya kisiasa kwa sababu saa hizi tunaolewa ya kwamba ni chama kimoja tu ambacho ni Kanu, ndio inapata pesa kutoka kwa serikali na tunajua hii pesa zote

ni taxes ya wananchi, na wananchi wakishaunda vyama vyao vya kisiasa ni lazima vyam vipatiwe pesa kutoka kwa treasury.

Kwa upande wa local government, napendekeza kwamba Mayors na County council chairmen ni lazima wachaguliwe directly na wananchi. Hapa tumekuwa na mambo ambayo tunaelect Councilors, wakienda huko wanaanza kuhongwa ndio wanaweza ku-elect mtu ambaye hata wananchi hawamjui, na ndio kila wakati tunaanza kupay taxes, kupay rent na kila kitu na bila kujua county council chairman amechaguliwa kivipi ama mayor kwa sababu currently tunaelewa kwa matowns kuna matowns nyingi nyingi ambazo wanataka wawe cities na mayor unajua town ikiwa city hali yake kisiasa inaenda juu. Sasa anaanza kufukuza raia kwa streets, raia ambao pengine wanauza ma-sweet ndio wapate hali ya kuishi. Wanapigwa, wanapigwa risasi, hiyo hatutaki. Sasa kitu nataka ni kwamba, mayors na county council chairmen wapate mamlaka kutoka kwa wananchi. And then the councilors that is hii system yenye tunayo nominated councilors, hiyo iwe scrapped. Kwa sababu most of them wanapata tu mishahara, hakuna kazi ambayo tunaona wanafanya. Kwa upande wa basic rights, ningependekeza kwamba, haki ya mwananchi iwekwe kwa Katiba. Party kama vile protection from unlawful arrest, kwa sababu tunaelewa kwamba palice wako wanakibia kibia huku na huku, wanashika wananchi pengine wamekaa chine wana vinywaji vyao, hata kama ni pombe wanaanza kushikwa wanapelekwa cell, wanaanza kukaa huku na tunaelewa hiyo ni ugadonisaji wa wananchi. Sasa tunasema tu hiyo kushika wananchi kama hawajafanya kosa lolote iondolewe.

### ***Interjection***

**Com. Pro. Wanjiku Kabira:** Okay, we will read the rest. Unless you are given a warning so you can make the last point.

**Abraham Mutuo:** So kwa upande wa citizenship, ningesema kwamba currently tunaelewa ya kwamba watu ambao sio wacitizens wa Kenya ndio wanaejoy more rights than those who are citizens. Kwa sababu tunajua Waindia hapa Eldoret, they are not citizens lakini wanao more rights than us. Wazungu wakikuja hapa kila mtu anapata kazi lakini wakenya hawapati kazi. Sasa Citizens should have more rights than non-citizens.

Na ya mwisho ningependa tu ya mwisho, ningesema kwamba wabunge ambao wanaenda pengine Nairobi tunawachagua wanaenda Nairobi wanakaa huko kwa muda mrefu, hawataki kuja kutufanyia kazi, ni lazima warudishwe nyumbani na uchaguzi mwingine ufanywe. Asante.

**Com. Pro. Wanjiku Kabira:** Asante sana. James Malakweli

**Jane Malakwen:** Kwa majina ni Jane Malakwen, natoka Kwaishaga.

Interjection

**Com. Pro. Wanjiku Kabira:** Sorry, tafadhali, can you repeat the name again.

**Jane Malakwen:** Jane Malakwen, mimi natoka Kwaishaga. Na kwa sababu nimeandika mambo haya yote, sitaweza

kusoma kwa sasa, kwa hayo machache tu ama moja tu yenye nitasema ni kwamba, kwa upande wa kiti ya Rais, Rais akiwa mwanaume, tafadhali wanawake nao waangaliwe awe msaidizi wake.

Pia kwa watoto, watoto wapewe jukumu ama their rights. Mtoto ana haki kucheza, mtoto ana haki kuishi, mtoto ana haki awe na afya. Kwa hivyo, mzazi awe na sheria ya kwamba, mtoto yake lazima aende shuleni. Na kwa sababu tumeandika mengi, nitawapa tu my written memorandum. Thank you very much.

**Com. Pro. Wanjiku Kabira:** Thank you very much Jane. Do we have Christine Jepkoska? Christine, she is not there? Mother of I think huyo amezungumza. Susan Kesio, Susan, Susan ako? Okay, Edna, Cathrene Osoro, Sorry, tunataka wakina mama, si wengi tunataka wamalize waende. Si ndio?

**Cathrene Osodo:** My names are Cathrene Osodo, I work at Karia Secondary School. So I'm going to read this on behalf of the staff. We have one, we should have a unitary type of government with a Prime Minister having executive powers and ceremonial President who is the Head of State.

Secondly, Provincial Administration should be scrapped and replaced by stronger local authorities comprising of purely elected councilors whose roles are not influenced by the minister.

Nominated MPs should not be given ministerial posts because they don't have the mandate of people.

MPs salaries and fringe benefits should be decided and be determined by independent remuneration committee comprising of non-MPs.

Public universities Vice Chancellors be elected by the teaching and administrative staff of the respective university. The Chancellor of public university should be elected by Vice Chancellors of all public universities.

Allocation of public land to private developers should not be done by commissioner for land. It should be done only by land allocation committee at the location or division or district level.

The number of councilors should be reduced practically as a way of easing burden on the tax payers.

Nomination parties for parliamentary and civic candidates be done on the same day and by the electoral commission of Kenya and not on different days by individual parties as is the case currently.

National wealth should be equally distributed among the rich and poor. For example, why should we have one rich Kenyan

with thousands of hectares of land and at the same time have squatters?

Why should the government interfere with the KNUT as they fight for the welfare of the teachers? Then they lose their bargaining power. Union should be left independent of politics.

Employment of teachers should be centralized to ensure fairness. Those qualified first should be given first opportunity when employment opportunities are available. The DOD should be excluded from the exercise.

University education to be free and the higher loans board be free from political interference. Thank you.

**Com. Pro. Wanjiku Kabira:** Thank you very much Christine. Isaac Arusy, Akina mama wamemaliza.

**Isaack Arusy:** Asante mwenyekiti wa kikao hiki cha Tume ya kurekebisha Katiba. Nitaanzia upande wa President. Napendelea kutoa maoni yangu kuhusu President, President awe chini ya sheria kidogo, sio kama kawaida na awe below the power. Na tena napendelea serikali ya majimbo, napendelea iwe katika district sio provincial, ikuje mpaka district. Napendelea iwe na sehemu ya President na iwe na Prime Minister.

Waziri wa kilimo awe na nguvu ya kuweza bila kukuwa na uwezo kutoka mahali pengine.

Mambo ya title deeds ya mashamba iwe katika district sio mambo ya kuelekea kule provincial.

Mambo ya kortini: Mambo ya macase ya mashamba iwe katika kortini, iwe katika upande wa kijiji kuanzia chief na wazee wa mitaa. wawe ikisikiza case ya shamba. Tena, mambo ya court injunction kwa case ya shamba iondolewe kwa Katiba maana inaweza leta kifo kwa watu wengine.

Mambo ya ujezi za manyumba ama maplots kwa town ama kwa mji, mtu awe na kaplot moja sio chini ya maplot nyingi. Majengo ya ujezi za town hasa down town, ikiwa mtu amejenga gorofa nane ama zaidi ya nane, iwe na ka-room moja ya kufanyia kazi na zile zingine zihudumiwe na watu wengine.

Mambo ya mtu anaye matatu nyingi kama mia moja hivi awe na matatu moja na zingine ziwe kwa raia wengine wa Kenya. Tena mtu akiwa na malorry thelathini ama themanini zile mrefu mrefu ya kubeba mizigo, iwe na moja na zingine zimilikiwe na Wakenya.

Kazi: Kazi mtu awe na kazi moja, ikiwa ni Mwalimu afanye kazi ya ualimu peke yake. Asije akakua mkulima ama akuwe mfanyi biashara.



Ya mwisho ni mambo ya elimu: Kitu inaitwa sponsor, tafadhali kwa Katiba iangaliwe, imeleta mambo nyingi sana katika nchi yetu. Iangaliwe kama ingewezekana iwe serikali ina hudumu mambo ya mashule zetu vile inapeanwa na raia. Thank you.

**Com. Pro. Wanjiku Kabira:** Thank you very much Mr. Isaack. Tafadhali jilandikishe. Do we have Kimtai Somuen:?

**Kimtai Samoei:** *Kwa majina naitwa Kimutai Arap Samoei.*

**Translator:** Ninaitwa Kimtai Arap Somuen:

**Kimtai Samoei :** *Ataune ng'echeret ab chito neo.*

**Translator:** Naanza na kiti ya URais, that is the executive.

**Kimtai Samoei:** *Omoche lewenet tugul ne bo parliament kelewen ko kabek kenyisiek mut.*

**Translator:** Nasema kwamba uchaguzi wao ufanywe baada ya kila miaka mitano.

**Kimtai Samoei:** *Omoche President kekwei chito ne tinyei kenyisiek sosom ak mut akoi konom ak mut yo.*

**Translator:** Rais awe ni mtu aliye na miaka therathine na tano, hadi miaka hamsini na tano hivi.

**Kimtai Samoei:** *Ko eng bichoto tugul cho kigwei koba parliament,*

**Translator:** Kwa hao wote wawili, Rais na wabunge

**Kimtai Samoei:** *komomoche kegwei chi ne tinyei account eng emotinwek ab sang olin.*

**Translator:** Basi asitahili kuwa ni mtu aliyeweka rasilimali zake nje ya taifa. Awe na mali yake yote katika taifa na hata kama ni mali account yake iwe dani ya taifa.

**Kimtai Samoei:** *Eng kenyisiek chuto chu kimi chu ko kikoyait uchumi ne nguno omwoe olen eng Katiba ne kibendi ko mie kekwei wajumbe bogol kityo.*

**Translator:** Anasema kwamba katika wakati huu maisha imeharibika na uchumi imekuwa mbaya, na tunakoelekea tuwe na wajumbe mia mbili tu peke yake, sio kupita hapo.

**Kimtai Samen:** *Eng kenyisiek tibtem che bwonei,*

**Translator:** Katika miaka ishirini zijazo anataka maeneo ya bunge ni ishirini tu na uchaguzi ni wa wabunge mia mbili peke yao.

**Kimtai Samoei:** *Ko ministaek ko taman ak ang'wan.*

**Translator:** Na kuwe na mawaziri kumi na nne.

**Kimtai Samoei:** *Assistant ministers ko taman ak lo.*

**Translator:** Mawaziri wasaidizi wawe kumi na sita.

**Kimtai Samoei:** *Ko president noto.*

**Translator:** Narudi pale kwa mamlaka ya taifa ambaye ni Rais.

**Kimtai Samoei:** *Ko president ne kimetochin kasit ab jeshi*

**Translator:** Anatakikana kubaki kuwa Amri jeshi Mkuu.

**Kimtai Samoei:** *Ak nebo robisiek ak nebo ng'alek ab sang*

**Translator:** Pia achunge fedha na uhusiano wa kimataifa.

**Kimtai Samoei:** *Ko chun tugul serikalit nin kobunji majimbo.*

**Translator:** Lakini yale mengine yote yarudi kwa majimbo.

**Kimtai Samoei:** *Olin bo ulaya ketinye Waingereza, ketinye majimbo; mitei Whales, Scotland and England.*

**Translator:** Nasema kule Uingereza kuna majimbo ya Wales, Scotland, na England.

**Kimtai Samoei:** *Kou noto Belgium, kou noto Switzerland,*

**Translator:** e.g. Switzerland na zingine zote ziko na serikali za kimajibo.

**Kimtai Samoei:** *Ochoktoi kidogo,*

**Translator:** Nasema naharakisha kidogo,

**Kimtai Samoei:** *Ng'alek ab corruption omoche ng'alekab corruption ko yoek chito ne kikiruogyi ko ngonam kesit kowek tuguk che kiib ak kerat ak kebir kiboket.*

**Translator:** Nasema kwamba, atakayepatikina na ufiada na idhibitishwe kwamba vitu alivyo navyo ni ya kuimbiwa au ilipatikana kwa njia isiyo ya halali, vitu hivyo virejeshwe, zichukuliwe, huyu mtu afungwe na apewe viboko.

**Kimtai Samoei:** *Kakamwa ng'alekab majimbo, ko utawala ne kitinye nebo DC ak PC ko utawala nebo DC system administration system che kitinye eng Kenya hiyo ikwishe kabisa.*

**Translator:** Nasema utawala wa mikoa ufujjiwe bali.

**Kimtai Samoei:** *Si konam council laek oli agoi council.*

**Translator:** Mamlaka hayo yarudishwe kwa serikali za wilaya.

**Kimtai Samoei:** *Ko chairman ne bo council ak mayor kokwei raia.*

**Translator:** Mwenyekiti wa wilaya hii, serikali dogo na mayor wa municipality wachaguliwe na wananchi.

**Kimtai Samoei:** *Education omoche kwo agoi Form Two.Ye mi Form Two koyai test 8-4-4 system koisto.*

**Translator:** Nasema elimu hii ya 8-4-4 itupiliwe bali na elimu ianze kuanzia darasa la kwanza hadi kidato cha pili wafanye mtihani.

**Kimtai Samoei:** *Ak kochut technical schools,*

**Translator:** Na zile shule za mafunzo za kikudi zipate kupewa nafasi ya kuendelea.

**Kimtai Samoei:** *Katar.*

**Translator:** Nimemaliza.

**Kimtai Samoei:** *Kakobek sait.*

**Translator:** Na ninasema asante.

**Kimtai Samoei:** *Ngoyame yoto.*

**Translator:** Na nimeridhika.

**Com. Pro. Wanjiku Kabira:** Okay, tafadhali jiandikishe. Thank you, so we will try to reduce the minutes to three minutes. Tutajaribu tuwe na 3 minutes kwa sababu saa imekwisha na imeenda sana. Tutamuuliza Joseph Too, Joseph Too, hayuko? Are you Joseph? You are representing?

**Ben Boi:** Ben Boi, I was here earlier please, so let me use that.....

**Com. Pro. Wanjiku Kabira:** Okay, ni sawa lakini utatwambia jina.

**Ben Boi:** Kwa majina mimi naitwa Ben Boi. Mimi kwa sababu ya wakati, nitajaribu kufupisha. Nilikuwa na mengi lakini. Kwanza kuhusu serikali, tumependekeza kwamba iwe ni serikali ya majimbo na Katiba ambayo tulipata nayo uhuru hapo

mbeleni, baada ya kuichunguza tumeona kwamba ilikuwa ni nzuri na tungependa iwe adopted labda tu mambo ya regions ipewe nafasi ili iweze kuwa na pesa na extra mind inahitajika iende central government; itoke kwa jimbo iende kwa serikali kuu, sio the other way round.

Pia Kenya tuko makabila zaidi ya 42 na tusidanganye kwamba umoja mapenzi na nini. tungependekeza kwamba itambulike kiKatiba na iheshimike kwamba kuna kabila fulani. Hata kama wanavaa ngozi ama nini, culture iweze kuifadhiwa.

Elimu ya mzingi, primary schools tuweze kuwa na kama ni jimbo fulani ambayo ingependa kudevelop culture yake na nini, kuweze kuwa na hiyo kufunzwa lugha ya mama kiwango fulani. Tumesikia kule Maseno tayari Waluo wamejeribu kidogo kwani kuna degree fulani ambayo ni ya kilugha inachukuliwa kule. Tungependa hiyo iguzwe na iwe katika kila kabila.

Katiba ya kitambo ilikuwa na tume ambayo ilikuwa inahusika na mambo ya police, kulikuwa na regional commader ambaye alikuwa anahusika na mambo ya police kwa hiyo sehemu na powers zake fulani.

Kuhusu trust land, ningependekeza kwamba local councils kama vile Katiba ya hapo awali ilikuwa inasema ipewe jukumu la kulinda ile shamba kwa niamba ya wenyeji wa pale, chiefs huwa ni kawaida au huwa inafaa chief wa eneo hiyo awe ni mtu ambaye anatoka kabila hilo, sehemu ambayo anawakilisha. Ningependekeza pia kwamba, DC ili mambo yake iwe effective awe ni mtu wa tribe hiyo katika eneo hilo. Kusikuwe na Msaburu kule Mumias ambaye haelewi shida za Waluhya huko na nini. Anatakikana mtu ambaye anaweza kuongea kwa lugha ya watu wa pale.

Pia, kuwe na uhuru wa kuabudu.

Mambo ya wamama, kila kabila ina mambo yake, tupewe hiyo mafasi. Tunawapenda wanawake wetu sana na hatuna vita. Tumekuwa na shida kuwe na sheria ya kiKatiba kwanza mtu kabla hajaongea mambo ya families awe ni married kwanza; yeye awe ni mwanamke ambaye ameolewa, ametunza mume wake na watoto wake. Hiyo hatukatai, apewe nafasi. Wamama hawa ambao huropokaropoka kila mahali na kwanza wame-fail ile test ya nyumba kwanza wasipewe nafasi yeyote katika serikali.

Kwa mambo ya watoto ni kwamba hiyo pia itakuwa taken care of na kila jamii; hakuna family ambaye anaweza kuwatupa watoto wao lakini kusema kwamba utahakikishia hao kwamba watapata uridhi fulani kama ni msichana ama nini, ni kumharibu kwani kuna mama ambao hueleza watoto kwamba ni heri upate kazi hata ukikosa bwana, na hiyo ni baya. Institution ya marriage lazima ichungwe zaidi. Nchi itatumia rasimari nyingi kama marriage haitakuwa interfered na kila mtu ambaye hata yeye mwenyewe hayuko, hashughuliki na alifail pale.

Nikimalizia ni kwamba, President awe ni President, D.C awe ni D.C. Tumesikia mambo ya watoto wasiadhibiwe. Sisi ambao tuna watoto tupewe say kuamua mambo ya watoto. Isiwe ni grandparents. Hata president saa hizi ni wajukuu wake anaongea juu yao. Na watoto wangu ningependa mimi niamue jinsi watakapolelewa. Kwa hivyo, watu wengine ambao wamepita

kiwango fulani, waongee juu ya mambo ya hao kulingana na umri wao. Lakini hawa watoto wa shule tuwaachie shule. Asante.

**Com. Pro. Wanjiku Kabira:** Thank you very much for your views. Can we have Isaack Chumba.

**Isaack Chumba:** *Olen ne tai kotomamwa kiy age tugul olen chamkei chairman nebo tume ini.*

**Translator:** Anasema kabla ya kusema chochote, hamjambo?

**Isaack Chumba:** *mongen anyun ole ngakobek ng'alek ako komotinye ane ng;alek che chang kou kenyisiyekyuk che otinye.*

**Translator:** Anasema kwamba mambo ya maisha imesemwa mengi na ukiona miaka yake kweli angestahili kuwa na maneno mengi lakini kwa sababu ya wakati yatakuwa ni machache.

**Isaack Chumba:** *Kainenyu ko Isaack Kimisoi Arap chumba.*

**Translator:** Anasema anaitwa Isaack Kimisoi Arap Chumba.

**Isaack Chumba:** *komoche amwa ole ii, lagok che kikisich ko kergei tugul ngo bendi kosomotei kazi ko ne kikitun anan ne tomo kitun koma muren ne itunisie ko makirokotani eng kewenanin ako moboto lagwanata mesio is, Lagwet is lagwet ak ye kanyor kazit anan ye kanyo kotonon ak konyor ara ko mengen ile tononjin bik.*

**Translator:** Anasema kwamba kwamba watoto tunawazaa ni sawa. Ikiwa ameolewa au hajaolewa ana haki ya kwenda kutafuta kazi kokote aliko na ikiwa ataenda apate mtu wa kumuoa pale, ana haki, na hata akiwa na uwezo wa kuongoza na watu wameamua kuwa atawaongoza ni sawa.

**Isaack Chumba:** *Kiit ne mitei ko lagok che kakesich tibik ak ng'etik ko pchei tuguk ab sigik tuwai.*

**Translator:** Anasema kwamba watoto wote iwe ni msichana au mvulana wana haki ya kurithi mali ya wazazi wao.

**Isaack Chumba:** *Konget kityo lagochu kokisich ii, ko kalya manam chi tugul lagwenyi chi che kosichei komut lagwenyi asi kong'et lagwani nyu kiosiche kosor kopchei korwet ak ng'etik.*

**Translator:** Basi anachallenge hapo kwamba, yeye amezaa msichana wake, halafu mtu akaja akamzalisha mtoto wake msichana, sasa huyo mtu aje achukue mtoto wake aliyemzaa, yeye ambaki na wake aliyemzaa hapa nyumbani na ampe mali sio aongezewe mzigo.

**Isaack Chumba:** *Amu,*

**Translator:** Kwa sababu

**Isaack Chumba:** *Kakobar chichi tuguk aeng. Kakobare lagwani kanyiok che kitanyo kondoi weri nyu.*

**Translator:** Ninasema kwamba, huyu kijana ambaye amekuja kumzalisha msichana wangu mtoto, kwanza ameharibu mambo mawili. Ya kwanza ni zile dowery- mshari yangetolewa yaje kwake, hiyo imepotea.

**Isaack Chumba:** *Ago kakebai lagwani kot kesomesan eng koi.*

**Translator:** Na pia amemuongezea mzigo kumsomeshea mtoto hapa.

**Isaack Chumba:** *ko kole ngisomesan lagwani eng yu ko sikobunji ngo?*

**Translator:** Basi huyu mtoto nikimsomesha atakuwa ni wa nani?

**Isaack Chumba:** *Ngomut. Ngo kemutu eng yun ak komut age eng yun yeityo bikoib lagwet age eng kertit ne ming'in kole nyo koteb tugul nyo kotebe nin kole kemutwa lagochu bo ngo?*

**Translator:** Basi anasema achukue na kama hatachukua mwingine kutoka kwa nyumba ile, atafute mwingine mzuri atalisha hawa watoto, yule je atamuuliza hii watoto umeniletea nini nifanyie nini?

**Isaack Chumba:** *Ko kakosirto notok.*

**Translator:** Anasema amemaliza hiyo.

**Isaack Chumba:** *Omoche chepyosok orib lagok amu ki kenya ko kingosikis lakwa ne tomo kitun ko kingikas age eng Kapsabet ikoshi age Kitale.*

**Translator:** Ninasema kwamba wamama wanatakikana kuchunga watoto. Zamani wakati wetu mtoto kuzaliwa nje ya ndoa ilikuwa ni bahati mbaya. Ilikuwa moja ikipatikana Kapsabet, ingine utasikia kule Kitale.

**Isaack Chumba:** *Tinyei chemoindik lagok chekwai che namei chepyoset lagwenyi, konam boiyot werit.*

**Translator:** Wahindi wanachunga watoto wao, wamama wanasika wasichana na wazee wanashika wavulana mikono, kuchunga hawa.

**Isaack Chumba:** *Ak omach parliament ak kotom otar chebo gaa.*

**Translator:** Tunasema kwamba tunataka sasa Bunge -mtaweza aje Bunge na hamjamaliza mambo ya nyumbani?

**Isaack Chumba:** *Orib korok kipkaa.*

**Translator:** Chungu watoto wa nyumbani kwanza.

**Isaack Chumba:** *Ng'olyot age*

**Translator:** Jambo lingine.

**Isaack Chumba:** *ko makitwoei boiyob kok, assistant chief ak chief*

**Translator:** Anasema kwamba utawala wa mikoa ambao kuanzia chief, assistant chief na wazee wa mitaa hatawaguza, wabaki.

**Isaack Chumba:** *Amu choto ko che ingen kabisa akobo.....*

**Translator:** Kwa sababu hao ndio watu wanaelewa shida ya watu kule mashinani.

**Isaack Chumba:** *ng'olyot age ne mitei ko nebo kikanisa.*

**Translator:** Jambo lingine liliko ni la makanisa.

**Isaack Chumba:** *Ng'olyot ab kanisa ko kisib kobit agot kantias missing kokon maendeleo komait somanet.*

**Translator:** Ninasema kwamba kanisa ilikuja hapo mbele na ikaleta maendeleo kabla ya elimu.

**Isaack Chumba:** *ko kiba bik kanisa ak koek choto kipsomaninik che kinet lagok.....*

**Translator:** Na kati ya wale waliotabua kanisa na kwenda kanisani wakati huu walisoma na wakawa ni nguzo na vielelezo ya maisha.

**Isaack Chumba:** *Komager kaniset ni kong'em ni,*

**Translator:** Sijaona kuwa kanisa hili linaharibu lile lingine.

**Isaack Chumba:** *Ngosirkei kaniset agenge nemi ..... che tetei kei eng koi ko melen kokosir kei eng Kenya.*

**Translator:** Madhehebu fulani iwapo watakosana kwa sababu wanakaribiana haimaanishi kwamba wamekosana katika taifa nzima.

**Isaack Chumba:** *Ng'olyot age nebo omoche amwa olen kimoche majimbo.*

**Translator:** Serikali ya majimbo ninahitaji iweko..

**Isaack Chumba:** *Chito ne menyeyu ako tebe olndo age ko ngakonyo majimbo ko ole kanamji ko ma yotok ole katebe.*

**Translator:** Nasema iwapo kuna mgeni atapatikana katika jimbo hili, hapa ndiko atakapoishi.

**Isaack Chumba:** *Ngo machei anyun ng'echeret ne mochei kekwei age tugul uongozi ko ngotinyei tany koaka ngo kikosich mbar korib mat konyo kokweis amu mengen kole kwei chichi kiong'ete ibindo ngiro?*

**Translator:** Ninasema kwamba, huyu mgeni asiwe na haki ya kupiga kura au kupigiwa kura.

**Isaack Chumba:** *Asante.*

**Translator:** Asante.

**Com. Pro. Wanjiku Kabira:** Asante sana mzee kwa hayo maoni, asante mzee Chumba. Azis Dabwe.

**Azis Dabwe:** Basi asante. Nina maneno karibu matatu. Jina ni Azis Dabwe mtu wa Kapsang hapa. Jambo la kwanza ni uraia wa nchi. Sisi hapa Kenya tumekuwa na shida kwa kupata uraia. Kwanza tuna makabila mbali mbali ambayo wengine wako Tanzania, Wajobo wako Uganda. Wanadi wengi wako Tanzania na wengine wako Uganda. Sasa sisi tungeliomba Tume hii au katika Katiba inayekuja, tukubaliwe tuwe na uraia wa Kenya hata vile vile uraia wa Uganda au uraia wa Tanzania ili, mambo yetu yawe rahisi kwa sababu tunakuwa na shida; wakati Watanzania wanafika hapa wanapata matatizo, wakiwapo na matatizo.

Jambo la pili ni kuhusu police, ningeliomba Tume hii ipendekeze kuwa police wa kike waajiriwe kwa wingi kwa sababu sisi katika mira za kiafrika police mwanamume kumhoji mwanamke inakuwa jambo ngumu sana. Wanawake wote wanapata matatizo wanapohojiwa na police wa kiume. Kwa hivyo ninapendekeza ya kwamba police wa kike wahoji wanawake na wanaume wahoji wanaume.

Jambo lingine kuhusu kazi, kuna watu wana ujuzi wa kazi kweli kweli lakini hawana masomo. Kwa mfano tuna madriver wengi sana wa matractor, wakitaifuta kazi ya kuandikwa kuendesha matingatinga ya serikali wanaambiwa leta certificate. Lakini hao ni madriver. Hiyo profession tunaomba serikali iondoe. Bora una ujuzi wa kufanya kazi.

Jambo la mwisho ambalo ninalo ni kuhusu ardhi. Tunashangaa kwa miaka therathine watu wangali wengine wako hawana mashamba. Kwa nini hawana mashamba? Ingekuwa sheria kuwa katika Kenya ni hatia kutokuwa na ardhi. Kwa nini usiwe na ardhi? Ardhi yako imenyakuliwa na mwenye ardhi nyingine. Kwa hivyo lazima mwenye hana shamba atafutiwe shamba kwa vyovyote kwa sababu haki yake imenyang'anywa na mwenye nguvu.

Kwa kumaliza nafikiri kuhusu mtoto. Serikali inakupendekezea namna ya kuchunga mtoto wako na wewe umekaa naye nyumbani. Hizi sheria za kutokumpiga mtoto, ni za Kizungu; Watoto wetu ni kichwa ngumu, lazima afundishwe kwa kiboko. Dini zinahinisa "mtoto kwa kiboko." Tunasema fimbo kwa mtoto mkorofi. Kwa hivyo ninamaliza kwa kusema kwamba fimbo ya mnyonge ni kuwa na serikali ya majimbo. Asante.



**Com. Pro. Wanjiku Kabira:** Asante sana bwana Azis, Dickson Kerich, sorry Dickson is an observer. This is Julius? *End of side A*

Sofia twambie jina lako, the class, na your age, and your school.

**Sofia Kaiga:** I'm Sofia Kaiga, I'm in form 4. Recently I have been in Kapsabet Girls but at the moment I'm in Sedero Secondary. I'm 17 years old. With me I have six recommendations to make.

First, education rights should be given to every child in Kenya including the disabled, the poor and children of both sexes, there is boys and girls.

Secondly, free education should be given to all, that is from Primary to university.

Thirdly, freedom of worship in government institutions should be there, including schools and colleges.

Fourth, sponsored schools should give freedom of worship, that is on Sunday and Saturday equally to all students.

Fifth, -If I talk I'm a victim- I registered in Kapsabet Girls High School but now I'm in another school on the grounds of fees and for this, students should be given a right to be heard in the constitutional court in matters of fees, not the parents or the guardian should decide what the student should do. That is for example, may be your parents may be a Christian and the student wants to be a muslim, not the parent to decide which religion the student should follow.

**Com. Pro. Wanjiku Kabira:** And then, when should the children be able to decide for themselves? At what age?

**Sofia Kaiga:** If a student is above 15. And then lastly, exams should not be done on worship days, that is Saturday and Sunday in all institutions of Kenya. Thank you.

**Com. Idha Salim:** *Inaudible question*

**Sofia Kaiga:** Even Friday, for example even if Ramadhani for the Islam, they should also be given their freedom.

**Com. Pro. Wanjiku Kabira:** Thank you very much Sofia and again like I said to the other students, Sofia you have participated in a very very important exercise and pole sana about your having to change the school on the grounds of fees. Thank you. Was there another girl? Okay thank you very much. We will move on to Dickson or Julius Koech? Koech while you are answering to phone, we will listen to Kiri, is it Kiri, Hassan Kiri? Hassan Kiri ako? Okay, is it Hassan?

**Hassan Kiri:** Kwa majina ni Hassan Kiri kutoka Kisobo location. Ya kwanza pendekezo langu ni kwamba ningependa Tume hii ya ya marekebisho Katiba, ifuate mambo yafuatayo na muandike-sijui. Mngeleta tape recorder ndio ichukue maneno kuliko saa ingine maneno mengine mnapuuzi.

**Com. Idha Salim:** Iko.

**Hassan Kiri:** Very good. Basi, jambo langu la kwanza ni kwamba machiefs na manaibu yao wachaguliwe na wananchi kwa sababu ikiwa serikali ndio anachagua chiefs na manaibu wao hio ni kugandamiza wananchi.

*Interjection*

**Com. Idha Salim:** Bwana Hassan, jamaa wengi wamezungumza juu ya jambo hili, huna haja ya kueleza kwa nini unataka jambo hili.... endelea, saa na wakati wako unachukuliwa kwa maelezo marefu.

**Hassan Kiri:** Asante. Basi pendekezo langu ni hilo, ichaguliwe na wananchi.

Ya pili, wakati ya uchaguzi makura ihesabiwe papo hapo kwa polling stations. Kusudi mambo ya ufisadi ama mambo ya kupiga makura na ipotelee bali, na itangazwe papo hapo katika polling stations.

Ya tatu ni kwamba serikali, mimi naona ni watu wawili, wa mwisho ni President huko mbele na mwanzo na wazee wa mitaa. Kwa nini mzee wa mitaa ananyanyashwa na yeye ndiye mwajirishi wa serikali? Mpaka hapati chochote.

**Com. Idha Salim:** Afanywe nini?

**Hassana Kiri:** Nipatiwe kitu kidogo, mshahara. Maanake

*Interjection*

**Com. Idha Salim:** Hapo tumeelewa.

**Hassan Kiri:** Imekwisha hapo? Very good. Ya nne ni kwamba wafanyi biashara dogodogo ambao (kwa majina maarufu inaitwa viosk) iwachiliwe huru kwa sababu kila mara huwa police wanakuja kusumbua, anachukua jukumu ambao sio lao. Kweli serikali haitaki inyanyashwe, inataka ipate income tax yaani malipo yao lakini sio police. Police umeona mara nyingi anafamia vioski na analipwa hapo pesa ambayo sijui ni ya nini. Anataka hongo ili mtu huyu aachiliwe, asifike kortini. Wanalipwa shiringi elfu moja, elfu mbili, ambao ingekuwa kiasi \_\_\_\_\_ ya licence. Kwa hivyo police iondolewe kando, municipal wafanye kazi yao ya kuchunguza vioski.

*(Knock from the commissioner)* injury time? *(Laughter)*. Nafikiri hayo machache tafadhali mchukue na muweke maanani wakati wa mazungumzo yenu katika Parliament. Thank you.

**Com. Idha Salim:** Asante Bwana Hassan Kiri kwa maoni yako. Julius amerudi? Koech, okay, Julius you have three minutes maximum. You know it is getting late and quite number has to give views. Please speak within the time given to you.

**Julius Koech:** Jina yangu ni Julius Koech from Koisagat. I will just read. I want a unitary government, a state government.

The Head of the government should be the Prime Minister with two Vice Presidents and two

***Interjection***

**Com. Idha Salim:** Head of government should be who?

**Julius Koech:** Prime Minister. And the President to be a ceremonial President, two Vice Presidents and two Prime Ministers.

The President to be elected through voting by Kenya citizens and the Prime Minister to be a running mate. The President should be in office for not more than two terms, one term five years. The President to garner more than 40% of the total votes nationally and more than 25% in 5 provinces.

In case a Presidential candidate have not meet the above conditions the living two candidates should run for another election.

***Interjection***

**Com. Idha Salim:** Julius if you read that, I can assure you 100% you will not be able to finish that in three minutes. Highlight, if you have a memorandum give it to us to read in details. Just give the main points otherwise honestly, you wont be able to finish.

You will soon have my friend knocking on the table.

**Julius Koech:** Another point, the President should not be above the law. He should be above 35 years and not more than 75 years.

In the case of freedom of worship, it should not be changed at any given time. There should be freedom of worship at all times and to everybody.

Elections and all Government work should not be done on Saturdays, Sundays, and Friday.

Land: in case a person dies who owns that land and there is no one to claim the land apart the relatives, or children, the community of that area will claim the land and not the government.

Another disease is the government should step in and give free drugs to those who are sick. The government should control importation of agricultural products to ensure protection of countries agricultural products and they should not leave the agricultural sector to the Private sector.

Moreover, studying and sitting examinations should be there without limitation because we find that there are some -----

***Interjection***

**Com. Idha Salim:** You have been told not to give the example.

**Julius Koech:** And to finish, reduce time of learning in higher education, bachelors degrees, master of degree, diploma if one has undergone a course in a particular field. Thank you.

**Com. Idha Salim:** Thank you very much Julius, that was quick and to the point. I will now call upon Lele, is there somebody called Lele here? Lele, is he in? No. John Biwott, is he here? John Biwott, yuko? Hayuko? Hakuitikia, kwa hivyo hayuko. Peter Tanui, Peter Tanui, Susan Kesio yuko? Susan yuko? Hayuko. Okay Peter, karibu. Three minute.

**Peter Tanui:** Yangu inahusu President, unaona kwa sasa convoy ya President wetu hutumia magari mingi na mambo ya diesel, petrol, hugharimu pesa nyingi na ningesema ya kwamba hizo pesa zingetengeneza barabara ama zinunue dawa za mahospitali. Because, ukiona President akitembea more than four days na convoy ya more than fifteen mercedes, utaona office kuu ya President inatumia pesa nyingi instead ya ku-divert hizo pesa kwa masikini, kutengeneza mabarabara na vitu zingine.

Ya pili ningepropose cabinet ya serikali ya baadaye wakichagua waziri kama wa kilimo, lazima huyo Minister awe conversant with the ministry of agriculture kuliko kuleta mtu tuseme retired general ambaye alikuwa kwa jeshi na aweke ministry of health na aelewe hiyo mambo. Utakuta nchi inaanguka kila wakati.

Ya tatu ningependelea District Commissioner atolewe kwa mambo ya security, asiwe chairmana, instead OCPD aletwe kwa hizo kazi kwa maana anaelewa mambo ya operation kuliko mambo ya District Commissioner.

Ya mwisho ningependelea mtu akifariki asisemekana ya kwamba so and so was good. PRAise him while he is still alive otherwise hiyo ni mambo chache kutoka kwa Peter Tanui.

**Com. Idha Salim:** Thank you very much, those are again very brief and to the point proposals from Peter tanui. Na sasa namuita Joel Korir. Joel Kori? Amechoka kungojea. Ndio tukawa tunawahimisa ili kwamba mtu asichoke aondoke. So samahani Joel hawezi kutupa maoni yake na sasa twamuita Laban Keio. Laban Keio? Laban pia ameondoka? Pole sana. Hawa wengine nafikiri ni observers. John Ngeserei is an observer. Evergelist Maiwa, Evergelist Maiwa, Si maiwa, hayuko. Julius Towe, Julius Towe ameondoka pia? Ameshatoa? Okay. Joseph Rono,

**Joshua Rono:** Basi mimi ni Joshua Rono kutoka Koisagat location na nina mambo mawili ama karibu matano hivi ambao nitaweza tu kueleza kwa ufupi. Kwanza nitaanzia elimu. Katika upande wa elimu ninaguzia wanafunzi ambao hawajiwezi katia mashule za upili ama vyoo kikuu. Ningepomba katika Katiba ambayo inatengenezwa sasa, hasa kuhusu bursary, serikali ipewe hiyo pesa directly na wawe na kamati katika mashule za msingi ambao ni chanzo cha mahali mtoto anaanzia wanajua haki ya kwamba huyo mtoto kweli ni masikini ama si masikini kuliko pesa ambao zinatoka kwa serikali lakini mwisho wa kufaidika na watu ambao wanajiweza. Hiyo ni sehemu yangu ya kwanza.

Ya pili tena maoni ambayo ninatoa ni kuhusu uongozi ya utawala ambao ni chief na assistant chief. Nataka wananchi wapatiwe nafasi ya kuamua chiefs, wao wenyewe wachague. Pili, baada ya kuchaguliwa, serikali wapatie elimu ya kutosha kuhusu uongozi wa utawala ili waongoze watu wakiwa wameelemika. Wasiwe tu unapata chief ambaye anaongoza lakini ukienda kidani, hajui hata maana ya uongozi ni nini.

Tatu ninaenda katika uongozi wa nchi. Katika uongozi wa nchi, Rais achaguliwe na wananchi vile ilivyo ikichaguliwa kila wakati na tuwe na Rais na makamu wa Rais ambao anachaguliwa direct na wananchi na awe na zaidi ya asiri mia hamsini ya kura, kama hawezi kufikia asiri mia hamsini wawe nambari ya pili, waende katika round ya pili.

Na mawaziri wasizidi mawaziri kumi na tano kufuatana na mpango ama uchumi ya nchi. Wawe na mawaziri kumi na tano na manaibu ya mawaziri ishirini na moja. Na katika sehemu ya waakirishi wa bunge, mbunge awakirishi zaidi ya kura elfu hamsini, na isizidi 50 thousand kwa maana ikiwa na elfu mia moja, lazima imecountiwa tena kwa mara mbili. Na tena kama ni chini, tuone katika ubana wa nchi. Basi katika njia ya madiwani, ningomba madiwani wawe watu ambao wanachaguliwa na wasiwe katika chama chochote. Wawe independent body ambao kila uongozi wakichukua uongozi, huwa wanashikana na hao madiwani. Wasiwe katika vyama, wawe independent body na wawe watu ambao wameelemika na wapatiwe nguvu wawe na uwezo wa kusimamia nchi kama wilaya na madistricts, na nchi kwa jumla wapatiwe jukumu ya kuongoza katika njia ya haki.

Katika sehemu zingine tena, nimeenda katika mipango ya kilimo na mifuko. Serikali ihakikishe ya kwamba, katika njia ya kilimo, tuwe na uhakikisho tunapopanda mimea yetu, tunajua ya kwamba lazima serikali watanunua kwa maana wakati wa kuvuna tunaona ya kwamba hakuna mwelekeo wote. Unaweza panda mahidi ikiwa pesa yake ni kama shiringi elfu moja, kufuna unasikia ya kwamba bei intakuwa ni shiringi mia nnc ambayo hata mahitaji ambayo ulikuwa unatumia haiwezi kurudishwa. Sasa serikali wawe na mpango kamili waone ya kwamba tunapopanda tuko katika njia hizo.

Katika njia ya uandikishaji watu kama wamefikia miaka kumi na nane. Wakati mtu anapoandikishwa kuwa na kitaburisho lazima naye serikali awe anahakikisha ya kwamba, huyo mtu amboye tumeandikisha kirasmi kuwa mwananchi wa Kenya, je, kama hana lolote, hana shamba, hana elimu, atakuwa raia aina gani? Basi, saa imekwisha, nasema nimalizie hapo.

**Com. Idha Salim:** I thank you very much Joshua Rono asante kwa maoni yako. Did you register gentleman? What are your names? Because my friend here hasn't found your names. Anyway, I will take you, giving three minutes each maximum. We have to travel a long distance after this. So I will give you three minutes each. Please once you finish, give your names here now and then my friend will register you. You will be registered by him. Karibu wa kwanza.

**Amos Kemei:** Nafikiri nitaenda moja kwa moja bila kupotenza wakati. Kwa maoni yangu, my names are Amos Kemei from Kapsabet location. My opinion, all legislative powers should be vetted in parliament. The Presidential aspirant should be a person of a diploma and above. If the President abuses his powers while in office, he should be recalled or impeached and prosecuted and removed from office. And the Vice President can take office and nominate a Vice President. Nobody should

be above the law.

Parliament should be given powers to appoint ministers, permanent secretaries, commissioners of enquiries, electoral commission to serve for a certain period without being intimidated or be prone to termination of his, or their work by the President. The Presidential direction will be contacted directly; the election date should be specified in the Constitution. There should be limit on expenditure by each candidate.

Electoral commission should be enforced to limit the expenditure of each candidate. Parliament should be the supreme body in the land; he should appoint judges and so forth. Also freedom of press should be guaranteed. Independent judiciary should also be established and corrupt practices should be turned away and also those who practice it should be prosecuted and their associate be netted and also recover what it has been looted or grabbed. They should be prosecuted. This applies to everybody, either the children of the President, the President himself and ministers.

Water should be provided to all Kenyans. The government should provide for social amenities.

Education to be free to all the pupils, primary, secondary and university education. Those who are elected shall work as servants but not as our bosses. They should know that they are serving the society. Equity for all without discrimination, or race or tribe . This is justice to be done to all Kenyans. Anybody president or MP or anybody shall serve under the law not as above or personality. The President shall not be the Chancellor of the universities.

### ***Interjection***

**Com. Idha Salim:** Please finalize now. Have you finished? That was just a warning for you to sum up. Next is ..... please give your name.

**Kenneth Koitaba:** My names are Kenneth Koitaba, I've got some few proposals to make. The first is about agriculture. I would like agriculture since it is the backbone of the country's economy to be protected by the Constitution in the following ways:

When reading the budget, finance should be set aside to buy the agricultural product that has been produced by the farmers in a particular year.

The president should not be above the law. The president should not appoint the commissioner. All the commissioners, the electoral commissioners, land commissioners, corruption commissioners, and all the other commissioners, we should not appoint judges, directors, and ministers otherwise instead the parliament to carry the duties. The President should not also dissolve the parliament instead, the parliamentarians to decide on when to dissolve the parliament.

National holidays: I do propose that we scrap the national holidays of personal nationality that is for example the Moi day and Kenyatta day. The Moi day should be out and not a national holiday since if we proceed that way, we will have several national holidays. Another one will come and become a President and we have a day to celebrate day. So we should only

have Kenyatta day because he was the founder of this nation.

Security: I do propose that in a case of insecurity where the government has failed to offer security for example when there is the cattle rustling, or banditry the government should incur the costs. Since it is the duty of government to secure its citizens.

The currency: I propose that in our coins and notes we should not have an image for somebody. Instead there should be an image of somebody instead there should be an image of good things that earn the country finance. For example we should have may be an image or a picture of a maize plant or wheat or such.

Lastly I do propose that there should be national referendums so that whenever there is something sensitive to be discussed or to be decided, electoral commission should go round and see the opinion of every citizen since everything decided is for the good of an individual and not for everybody. Thank you.

**Com. Idha Salim:** Thank you very much Bwana Koitaga for those views and Bwana Koitaga is the last person we are hearing views from today because we have come to the end of our list of those people who have registered themselves to give views. Kwa hivyo iliombakia ni kuwashukuru nyote na wote wale ambao wamefika hapa ni bali ni mwendo mrefu wa kutosha lakini vile ambavyo tumepata watu wengi sana karibu ni watu mia mbili, kufika hapa hivi leo ni ishara kwamba watu wengi wana hamu na sha huku na interest katika jambo hili kubwa ambalo linafanyika hapa nchini la kulekebisha Katiba. Twashukuru wale waliotoa maoni, twashukuru wale ambao wamekaa mchana mzima tangu asubuhi mpaka sasa ili kusikiza. Kusikiza pia ni kazi kubwa kwa mwananchi kukaa kusikiza wenzake juu ya jambo kama hili. Maana baadaye baada ya hii Katiba kuandikwa, itarudi kwa wananchi ili waone ikiwa yale walioisikia hapa ingawa hawakutoa maoni yao, ndio yale waliosikia yamo katika Constitution ama hayako. They will be the judges, they will be able to assess our work even by listening. Kwa hivyo pia twawashukuru.

Pia, ningependa kushukuru district co-ordinator wetu Bwana Boru na wananchama wa ile kamati ya constituency inayohusika na Katiba ambayo kazi yake tuliwapa miezi kadha kabla ya leo ili kuwe na kuhamashisha wananchi na kuwahimiza waelimisha nafasi yao na kisha kuja kutoa maoni yao. Hii ni stage kubwa sana katika kazi yetu. Mumekuwa mkisikia kwamba Commission iko na wengine mkisema “lakini hii commission imefanya nini?” Twawahakikishia ingawa tumetembelea kabla ya leo tumekuwa na misafara maeneo tofauti ya Kenya kufanya mambo tofauti tofauti. Kwanza tumefanya safari kwenye kila provincial capital kujijulisha na kuwajulisha wananchi kwamba sasa kuna tume na kazi ya tume itakuwa ni hivi na hivi na hivi.

Kisha tukaweka district co-ordinators kuwaeleza wananchi zaidi, tukawapa district co-ordinators, committee members kuwasaidia kueneza habari. Baadaye, kukawa na civic education, hizo ni different stages za kazi yetu. Sasa tumefika stage hii; hii ndio stage kubwa sana mpaka sasa. Sasa tumepata maoni ya wananchi -sisi wawili-, ilikuwa tuwe watatu lakini mmoja kwa bahati mbaya, alipata ugonjwa hakuweza kufika. Huenda akaungana nasi jumatatu lakini kuna panels nane hivi sasa katika Rift

Valley North peke yake; ikifanya kazi hii ambayo tumefanya sisi hivi leo. Na kutoka Rift Valley tutamaliza na Western Province, provinces zote zile nyingine tumekwisha tembelea na kukusanya habari.

Maoni yakisha kusanywa kama muonavyo, moja kwa moja kesho asubuhi labda tapes zote hizi zitapelekwa kwa Securicor mpaka kituo chetu kikuu Nairobi. Na kuna kikundi cha watu kule, kazi yao ni kuanza kutayarisha maoni haya. Yale kwenye tape, yataandikwa, itasikizwa na mtu ana elimu ya kutosha kuyaandika kwenye karatasi. Tayari ili kwamba tukimaliza na safari yetu hii, turudi kituo chetu tuanze kuchungulia maoni haya na tuanze kuandika mswada, (draft ya Constitution) Constitution tukishaandika draft yake, haitakuwa tayari Constitution, la. Itarudi kwenu kwa muda fulani muone, mjadiriane juu yake, mtupe feedback, -maoni yenu juu yake. Kisha kutakuwa na conference kubwa, (National conference) ambapo wawakilishi tofauti watakuako kui-study hiyo mswaga or draft constitution yetu na report juu yake kueleza tulivyoandika na mambo ambayo tuliyaona, observations zetu. Kwa hivyo hiyo conference kubwa itakuwa ni wabunge wote, itakuwa na wawakilishi watatu kutoka kila district, district hii itapeleka wawakilishi watatu. Hivi sasa tunafikiria jinsi hao wawakilishi watatu watachaguliwa. Kwa hivyo msiniulize sasa watachaguliwa vipi lakini tunafanya guidelines jinsi ambavyo wananchi kwenye kila district watawachagua watu hawa watatu. Kisha kutakuwa na wawakilishi wengine tofauti, kisha kutakuwa na wawakilishi wa walemavu, wawakilishi wa akina mama, kila sehemu ya watu wa Kenya watakuwa na wawakilishi wao hapo. Idadi yote ya wawakilishi hao, itakuwa karibu mia saba. Hao watachungulia Katiba, wataisoma, watajadiliana na mpaka wakubali kwamba sasa ni sawa. Watatupa sisi feed back yao ili kubadirisha kufuatana na wao kuwasikiana na kukubaliana juu yake.

Ikiwa wataikubari kwa jumla wote, bila matatizo yote makubwa basi huo mswada, hiyo draft Constitution itapelekwa Bungeni na Wabunge ambao walikuwemo katika hiyo National Conference Maana ikiwa wamepatisha huko, kwenye National Conference, hakuna sababu ya wao kuikataa kwenye Bunge. Kwa hivyo ikifika kwenye Bunge itapitishwa haraka na hiyo basi itakuwa ndio Katiba yetu. Ikiwa kutatokea kutokubariana juu ya mambo yeyote baada ya kujiadiriana na kukaa kikao kadha wa kadha kwenye conference, na hawakupatana, tuseme kuna mambomawili matatu, manne, sita, kumi, ambayo hayakubariana juu yake, mambo hayo, yatarudi kwenu nyinyi. Tutafanya referendum, mtaulizwa, “je mnataka elimu” hii ni mfano tu. wengine watasema twataka free education. Wengine twasema la, kwa kuwa serikali saa ingine saa ingine itapata taabu kutoka ka kwa education. Labda iwe ni half, or cost sharing or whatever it is. Ikiwa hawakupatana juu ya jambo jhili, itakuwa kaika ile mambo ambayo itarudi kwa wananchi na wananchi kuulizwa, jure utataka elimu iwe free, je utataka elimu iwe free au wataka kuwe na cost sharing katika elimu na kadhalika.

Medical care: kwa medi care, health services, free cost sharing kama iliyo sasa. Mtajibu. Na ikuwa majority wa Kenyans watataka jambo lifanywe kwa njia fulani, basi hiyo ndio itakayo kuwa ipatiwe kwenye Katiba. Tutafuata mapendeleo ya wale ambao ni majority. Hao ni maelezo ambao nimeona kwamba ni muhimu, iwapi mara mtajiuliza, sasa sisi tumetoa maoni yetu, jee wapi the next stage. Kwa hivyo kama mnavo tunakaa vya kutosha na baadaye, kamati pia itakua na kazi labd d kuenleza wananchi juu ya draft constitution, kutakuw ana vikao na Bwana Bori hapa na wenzake labda watakaa na nyinyi kuwaeleza zaidi. Watafaa kazi zao pia kufanya baada ya Katiba kuandikwa lakini kable ya Katiba kuandikwa, lakini kabla ya ktiba



