

CONSTITUTION OF KENYA REVIEW COMMISSION

CKRC

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

SUBUKIA CONSTITUENCY, HELD AT TABUGA P.C.E.A. CHURCH.

ON

10TH JULY 2002

**CONSTITUTION OF KENYA REVIEW COMMISSION PUBLIC HEARINGS HELD IN SUBUKIA
CONSTITUENCY AT TABUGA P.C.E.A. CHURCH ON 10TH JULY, 2002.**

Present

Com. Salome Muigai - in chair
Com. Riungu Raiji
Com. Domiziano Ratanya

Secretariat in Attendance

Mr. Samwel Wanjohi - Programme Officer
Mr. Mathew Ngugi - Assistant Programme Officer
Ms. Gladys Osimbo - Verbatim Recorder

The meeting started at 10.00am with Commissioner Salome Muigai in chair.

Com. Salome Muigai: Ma Bibi na ma Bwana, karibu kwenye kikao hiki lakini kabla hata hatujaanza jambo lolote, tunashukuru kukutana kwa kanisa. Kwa hivyo tutamuliza Bwana Samwel Wanderi atuanzishie maneno yote kwa maombi.

Samwel Wanderi: Natataka nichukue nafasi hii, nami niwasalimu katika jina la Bwana, Bwana asifiwe?

Audience: Amen

Samwel Wanderi: Kwa majina ni kama vile nimetajwa, ni Samwel Wanderi. Nimeokoka, Bwana ni mwema kwangu, asubuhi ya leo. Namshukuru kwa nafasi ambaye ametuandalia hapa. Kikao hiki na ninaomba tukae tukitulia ili naye Mungu apate kuwa pamoja nasi. Kwa sababu tuko na wageni na kwa sababu ni kwa niaba ya kanisa hili, kasisi wetu ambaye hako pamoja nasi asubuhi ya leo, ningetaka niwakaribishe wageni wetu hapa kwa niaba ya kasisi na kwa niaba ya wenyeji wa hapa. Mjisikie tuko pamoja, tunapoendelea na kazi ya siku ya leo na niseme kwa mahitaji ya binaadamu, pale nje tuna nyumba viwili, kimoja kiko upande wa juu na kingine upande wa chini, kile kiko upande hii, mkono wangu wa kushoto ni ya wanaume na upande wa kulia ni ya wakina mama. Na nikisema hiyo, niwaambie nyote karibuni sana kwa siku ya leo na tuombe.

Mungu Baba, Mwenyezi, asubuhi ya leo tumekuja hapa na tumenyamaza kimya, tuingojea nguvu zako zije hapa, ifanye kazi pamoja nasi, tunakushuru kwa asubuhi kwa sababu ya kutuamusha. Tunakushukuru kwa sababu ya kutuletea wageni wetu ambao wamekuja hapa, ili tujadiliane mambo inayohusu nchi hii yetu ya Kenya. Mungu ni asante sana kwa sababu, wewe ndio umesema katika bibilia yako, watu wako hupotea kwa sababu ya kukosa kujua. Na sisi tumekuja hapa, ili tuelekishane kila mtu na mwingine, tujue zaidi mambo yale tunaweza kufanya katika hii nchi yetu ya Kenya.

Tunakuomba roho yako mtakatifu ashuke katika kikao hiki, ili kila mtu atakapo simama kusema, aseme mambo kuhusu wale

wengine hawako hapa na aseme mambo ambaye, ikiendelea na ikitendeka nchi yetu itakuwa na furaha na itatulia na kwa hivyo Mungu tunajua mambo yote, inaweza kuwezekana wewe ukiwa pamoja na watu wako. Tunaomba wageni wetu ambao wamekuja, ili watusikilize vizuri, watupee nafasi nzuri ya kunena na hata kuuliza maswali. Na kisha tutokapo hapa Mungu, tukiona mambo yote imetendeka vizuri, tunajua hata kuna wengi wanakuja njiani, na tunaomba hawa Mungu uwafungue na uwalete, kwa sababu kikao hiki, kupatikana katika area yetu ya Ndondori, ni ya muhimu sana Mungu Baba.

Tunajua kuna sababu ya kuwaleta hawa wageni wetu hapa, hawakuja kwa sababu ati hii kazi inatendeka, lakini ni kwa sababu wanataka kuchukua mambo upande huu wetu, ili wapeleke mbele, iunganishwe na yale mengine imepatikana katika sehemu zingine na ili usaidizi mkubwa upatikane katika nchi yetu. Mungu tunakuomba ukae pamoja nasi, kutoka sasa na kuendelea mbele, tutakapo maliza na mwishowe tutasema tumekuona Mungu wetu pamoja nasi. Tumeomba haya machache, tukijua ya kwamba uko pamoja nasi, utakuwa usaidizi wetu wa karibu na ni katika jina la Yesu Bwana na mkombozi wetu tumeomba. Amen.

Com. Salome Muigai: Asante sana Bwana Samwel Wanderi.. Sasa ningetaka kukitangaza hiki kuwa kikao rasmi cha Tume ya marekebicho ya Katika ya Kenya. Na hiki pia ni kikao cha dharura. Hiyo nikusema kila mtu ana uhuru wa kuingia na ana uhuru wa kuzungumza yale yenye angetaka kusema. Lakini kabla sijaendelea zaidi, ningetaka pia kuwajulisha sisi ni kina nani. Na nitaanza na mwana tume Commissioner mwenye yuko upande wangu wa kushoto, na ninataka ajieleze jina lake, ili mueze kusikia sauti yake pia.

Com. Ratanya: Hamjambo wananchi wa hapa Ndondori?

Audience: Hatujambo.

Com. Ratanya: Mimi jina langu ni Commissioner Domiziano Nt'achokera Ratanya.

Com. Salome Muigai: Haya ni majina kweli eh? Sasa mwajuwa kwanini sikutaka kuyatambua mimi mwenyewe. Na sasa kwa mwenzangu aliye upande wa kulia.

Com. Raiji: Hamjambo wananchi?

Audience: Hatujambo.

Com. Raiji: Kwa majina mimi ni Commissioner Riunga Raiji, Asanteni.

Com. Salome Muigai: Nami jina langu ni Salome Wairimu Muigai, na mimi ndio nitakuwa mwenyekiti wa kikao chenu leo. Sasa ningetaka pia kuwaeleza, sisi tuwajua wakati mtazungumza. Mkianza kuzungumza, kila mtu atajitambua jina kabla hatazungumza. Kwa hivyo mwishoni, tutakuwa tumewajua. Lakini ningetaka kuwatangaza wenzangu wenye tumekuwa nao kutoka Nairobi, tuna Programme Officer wetu hapa, mwenye Secretariat, huyu ndio Lumumba mdogo, tumekuwa na secretariat ofisi yetu na Samwel Wanjohi anaiongoza. Samwel Wanjohi ana watu wenye kumsaidia upande wake wa kushoto, tutaanza na

Gladys, pia Gladys anamsaidia Wanjohi na pia tuna kijana mdogo, asante Gladys, tuna kijana mdogo anaitwa Ngugi, pia ni msaidizi wa Wanjohi, tuna members wa 3Cs hapa wenye sitawatambulisha wakati huu, itangojea mpaka Bwana Co-ordinator aje, ili tuwatambulisha wakiwa pamoja.

Sasa ningetaka tuangalie mpangilio wa mambo yenye tutafanya leo. Na tutafuata utaratibu gani. Kwanza, ningetaka kuwajulisha kuwa lugha zetu sisi katika Tume, ni lugha mbili, ya Kiingereza na Kiswahili. Kwa hivyo ninaweza kutumia moja wapo ya hizo lugha. Ukisikia kweli imekulemea kwani zote naambiwa ni za kigeni, unaweza kutumia lugha ya mama. Lakini ukiwa utafanya hivyo, utujulishe mapema ili tukutafutie mtu mwenye atatafsiri maneno yako vile utakuwa ukisema. Pia tuna orodha ya vile unaweza kujieleza, unaweza kujieleza kwa njia tatu, moja, unaweza kuwa wewe mwenyewe umetuandikia maandishi yako, una memorandum yako, unaweza kutuletea hiyo memorandum ukaipatia hapa bila kuzungumza jambo lolote na tutakushukuru.

Unaweza pia nayo kuwa nayo maandishi lakini tukakupa dakika tano, ukajielezea ama ukaangaza yale muhimu kwenye hiyo memorandum. Utajua mambo yote uliyoandika ni ya muhimu. Lakini tukikupa nafasi uisome yote, memorandum zinaweza kuwa page moja, mpaka page ngapi, mpaka page mingi sivyo. Kwa hivyo tunaweza kumpa mtu moja hapa asome, atusomee mpaka jioni na wengine watakuwa hawajapata nafasi ya kuzungumza. Tungetaka kutumia hii wakati kusikia watu wengi iwezekanavyo, wa kutoka hapa Tabuga. Kwa hivyo, ukiwa na memorandum ukija nayo, tutakupa dakika tano tu, ili uangazie yale yenye muhimu ama yenye ungetaka kuangazia. Halafu tuko na memorandum yako, ningetaka kukuhakikishia kuwa hiyo memorandum itasomwa na wana Tume, kule Nairobi, tutaishoma neno kwa neno, kikomo kwa kikomo. Kwa hivyo tafadhali, usitusomee.

Wakati mwingine ukijaribu ukisema mimi husoma upesi wacha nisome, nisome, unasoma hakuna mtu mwenye anasikia kwani umeende hizo speed zenye wakikuyu husema “*iria gana nie*” *siti iria gana nie*” hizo speed za zaidi, hata hakuna mtu mwenye anakuelewa. Kwa hivyo tafadhali usijaribu hata kusoma hizo speed za juu. Jaribu tu kuangazia machache yaliyomo, halafu yale mengine tutasomea Nairobi. Pia unaweza kuwa wewe haujaandika chochote lakini una mambo yako, una maoni yako, yenye bado iko kichwani chako. Tafadhali tutakupa nawe dakika zako tano, ujueleze hayo maoni, ili tusikie, tunainasa, tunafanya taping. Kwa hivyo tungetaka kuuliza watu watulie kabisa ndio taping i-tape ile mambo tu yenye tunaita yafika kwenye kanda zetu za kunasia habari. Isiwe ni kelele yenye tunanasa. Ukishamaliza kujieleza, wana Tume wanaweza kukuuliza swali moja ama mawili ama manne. Haya maswali ni ya ufafanuzi tu, ili tukuelewe, hatukuulizi maswali ya mjadala. Hatutaki kukuuliza kwanini unafikiria hivi ama hatutaki wewe mwenyewe, uendelee kueleza. We don't want you to defend your stand. So questions zenye tunauliza ni ya kutufafanulia tu ili tukuelewe vizuri. Na hayo ndio maeleze ya utaratibu tutakaofuata leo.

Tutafuata hii orodha vile mlijiandikisha ili kuwe mtu wa kwanza kuja ndio anaitwa wa kwanza. Lakini, sheria yenye imetutunga imetueleza lazima mkienda pahali, msikie maoni ya kila mtu. Kwa hivyo, tunaweza kuwa tunafuata huu mwelekeo lakini tuone

tunasikiza akina baba peke yake. Kukija mama hata akiwa namba ishirini nitampa nafasi azungumze ili pia naye maoni yake isikizwe. Pia kunaweza kuwa mzee mwenye amechelewa kabisa lakini yeye ni mzee wa miaka themanini hivi, pia nitampa nafasi ajieleze mapema mapema, ili akichoka aweze kwenda kupumzika. Na mzee ni mama pia, kwa hivyo kukija mama mzee nitampa nafasi. Kukija mtu mlemavu, mwenye pengine alianza hiyo barabara ya kuja hapa mapema lakini wengine wakaja wakimpita, kwa hivyo akija nitampa nafasi pia ya yeye kujieleza. Na kijana mdogo, pengine akija mtoto msichana ama mvulana, ameacha darasani, ametaka kujieleza nitampa nafasi ili ajieleze na arudi akasome ndio atakuwa kiongozi wa kesho. Bila hayo basi tutafuata orodha ya majina mliotupa hapa, na tutaanza na mtu wa kwanza mpaka wa mwisho.

Na sasa kwani tumelewa tutaanza, mtu wa kwanza kutuzungumzia asubuhi ya leo atakuwa Francis Mwangi Njenga. Francis, utakaa kwenye hiki kiti, utachukua hiyo mich, utueleze vile ungetaka. Na utanza na jina lako. Ukimaliza utaende kujisajilisha jina lako pale ili tuwe na record ya kuona kuwa wewe ulikuja na ukajumuika na haya mambo ya kubadilisha Katiba, karibu sana Bwana Njenga.

Francis Mwangi Njenga: Kwa majina mimi ni Francis Mwangi Njenga. Na ningependa kuwasomeeni baadhi tu ya mambo ambayo nimekusanya kutoka kwa marafiki zangu, na mimi mwenyewe. Ya kwanza. I don't understand the

Com. Salome Muigai: Una dakika tano

Francis Mwangi Njenga: I don't understand the process of the Constitutional Review. In the first place, I don't even understand the old Constitution, so that I can know its weakness in order to think about the changes. So we first need civic education, then think about the Constitutional changes, then only can we hope to get a fassy Constitution.

Secondly, there should be laws guiding private sectors and institutions for they underpay their works.

Thirdly, free education for primary school education and people should be educated on their rights. For example, Chiefs' Act.

Fourthly, Kenya should have a written Constitution which guides people on how to make the environment clean. There should be by-laws such as Municipal laws which states that "any person found or throwing litter carelessly will be prosecuted in a court of law"

Ministers should be appointed by Parliament and not by the President. Nominated MPs and civic leaders should be people of high academic qualifications and with unique qualities needed by Parliament but not mere political friends. Lastly,

Foreign investors should be allowed to invest in Kenya and at least 80% of their money should be circulating within Kenya. They should not be allowed to take all the a hundred percent to their motherland. Thank you very much.

Com. Salome Muigai: Ngoja kidogo. Kuna maswali? Hamna. Wewe Njenga ni mtu wa Catholic Justice and Peace?

Francis Mwangi Njenga: Naam.

Com. Salome Muigai: Hawa walikuwa our greatest partners in teaching civic education. So when you come here and tell us that there is no civic education when you are from Catholic Justice and Peace, I don't understand that. Two, you have said that you don't understand the issues and then you have gone and addressed the same issues, so I also don't understand when you say that. Maybe, it is your friends who said these, but you should have told to come to Catholic Justice and Peace who are doing civic education for Constitutional Review.

Francis Mwangi Njenga: Well, it might have taken us time to make them understand, but you find that they still remain in darkness that they don't understand the Constitution. That was an idea of my friends that I have been trying to them, it is unfortunate that until now, he doesn't understand the Constitution, especially the old one.

Com. Salome Muigai: Okay, we need not to go into this, but you can understand the Constitution the way my friend Raiji understands it here which I don't either and neither does Ratanya. But we all know what kind of Kenya we want to see in the future and that is also part of understanding. We are hoping that people can also come from that point and give us their views. But thank you very much, for your views. Samwel Wanderi Mugogo?

Samwel Wanderi Mugogo: Jina yangu ni Samwel Wanderi Mugogo. Na maneno yetu tumeandika kwa kitabu ambayo itakuja kusomwa hapa na Bwana Chairman wetu wa kamati hapa Ndondori. Kwa hivyo nitamwita aje aendelee.

Com. Salome Muigai: Okay, aje tafadhali? Na utueleze jina yako Bwana Katibu.

James Njoroge: My names are James Njoroge. I am from P.C.E.A. Church. In a few months ago, a JPRC committee was introduced into the church, and we sat down and drew up our views. Our views are written and I would like only to highlight on a few points.

1. In our preamble of the new Constitution, we would like to have a national symbols shown, for example the colours of our national flag should be shown on the front pages of the Constitution so that anybody goes through will see the colours.
2. We would also like our court of arms to follow that.
3. We would like the national anthem because it will never change to follow.

On the hand, in the Presidential election, we have thought that it would be proper if the President retires, he should not be

involved in active politics. If he involves himself in active politics, the pension or benefit from the government should be withdrawn. Because, if he involves himself, he will maybe influence friends and other people into influential positions.

The other thing which we mentioned is about the registration of voters, we found that it should be a continuous process. It should not be part-time, so that on attainment of age, it should be a continuous process. I think that is all, because we have mentioned all in our memorandum.

Com. Salome Muigai: Any question, any question, kuna maswali.

Com. Raiji: Bwana Njoroge as a church, I don't know whether you have addressed that issue or whether it is part of your memorandum, we have received various submissions on the need to restrict the freedom of worship in order to curb or to eradicate some of the groups that are now resorting to devil worship. Do you, have you as a group discuss that issue, and if so, what is your recommendation? Is there need to restrict freedom of worship? Or shall we leave it as it is.

James Njoroge: We found that we leave as it is, that freedom of worship should be there.

Com. Salome Muigai: Thank you very much, please register yourself. James Njoroge, oh he is the one? Okay. Gitome James? James Gitome.

James Gitome: Honourable Commissioners, I am James Gitome. I am privileged to present this memorandum from the Catholic Judges and Peace Commission, from St. Paul's Nyororo. It has several issues but I wouldn't like to mention one by one but I'll just highlight the important things. The first issue is about the preamble, it has been discussed. The issue of the executive as an arm of the government. The President's appointees starting with the Ministers, Assistants, Attorney General, Permanent Secretary, Ambassadors, all should be vetted and appointed by the Parliament. The President's powers to create ministries, public office districts and provincial should be subject to Parliament approval. The President's power to dismiss civil servants at will should be scrapped and this should be done by the Public Service Commission.

About the Electoral Commission, this body should be at all cost and neutral bodies and therefore the President should not be given any chance to choose or elect the Commission. This should be a very neutral body to monitor the election. About Human rights, Constitutional provision for fundamental rights are not adequate. You see to it that the Constitution says that, you have the right to worship, we have some rights which violates other peoples' right. If your worship requires you give other peoples' lives, are you not infringing other human rights of life.

About the national anthem. The national anthem should be written to reflect our prayer to God. That is the O God of all creation. Also, our geographical boundaries, that is the Map of Kenya should be drawn at the back of it plus our flag colours at the edges. Then the three arms of the government should have a cheque and a balance.

Natural resources. There should be a mechanism which should be entrenched in the Constitution to ensure that, equitable distribution of natural resources, that is the PAC should be appointed/vetted by the Parliament. Last but not least, Environment.

The sustainable management of the environment and natural resources e.g. water bodies, forests, ranch lands, minerals, wildlife and so forth, should be given fundamental issues since they are temporary development which should be reflected in the Constitution.

Lastly, the new Constitution should oblige the government to use specific percentage of natural revenues generated in particular region to build infrastructure of Telecommunications, Roads, markets, irrigation and Tourism to its people. The last issue, the new Constitution should be translated into all local languages and provided free to each citizen upon issue of the national ID.

Thank you.

Com. Salome Muigai: Thank you very much. I would also like to tell you that five minutes is along time. None of you has used your five minutes as it is. So, dakika tano ni dakika nyingi sana. Kwa mazungumzo ni dakika nyingi sana. Kwa hivyo usikuwe na shida ya kuelekea na uende na speed mpaka ina kuwa dakika mbili na tatu. Ukiwa una mambo ya kuzungumzia tafadhali, take your time. Sasa ninamwita Rufus Kiarie. Rufus Kiarie?

Rufus Kiarie: Thank you madam Commissioner and the peer now. My names Rufus Wanyingi Kiarie. I come from Ndunduri location, Mathare area na mimi ni mmoja ya wale ambao wanafundisha watu wa civic education kutoka kwa Justice and Peace Commission, Nakuru.

Na mimi niko na maoni ya present kwa hii Commission na hiyo maoni, sio yangu peke yangu tuko na group ingine ambao ni ya watu wa Justice and Peace kutoka sehemu ninayotoka. Kwa hivyo ni vizuri niwe mmoja ya wale ambao wata-present.

Constitutional supremacy, once the Constitution is put in place, there should be spelt out that it should not be tampered with either by Parliament or any other stake of the government and limited powers only to be given to Parliament if the Constitution is to be changed, under very high vote of 85 – 90% be the one. There should be other parts which are beyond the amendment by the Parliament. And these parts should be put to referendum, if it is necessary to change the Constitution. Kenya should remain a multi-party democracy, which should be spelt out in the Constitution. Number of parties in Kenya Should be three to five since having so many and allow fragmentation of ideologies and increase tribalism and crimes. These parties should also be financed partly from the public funds. This will enhance parties to be state early in development. The Constitution should also spell out, it should be a Parliamentary system of government. Unitary though, where we have a prime minister as the leader of the government business.

The President should be elected from amongst the people where he is not required to be a member of any party. Coalition government should be encouraged within the parties so that, prime minister will be from the leading party that would form the

government.

Provincial Administration also should be abolished and merged with the Local Authorities. The Chairmen local authorities and Mayors of the Municipalities should be directly elected by the Electorate, and maybe Chief Executive officers could give this authorities.

In the Legislature, there should be two Chambers as in the independence. House of representatives where persons are elected as per the constituency in the assembly. The summit, these to be elected as per district or local authorities or municipalities. This house should be excaudate, scrutinizing body for Review passed by the House of representatives before assembly by the President. Powers and functions of the President and the Prime Minister, can his ministers and their deputies should be spelt out in the Constitution by creating these offices, i.e the Constitution should create the offices of this people.

Com. Salome Muigai: You have one minute.

Rufus Kiarie: The President of Kenya should also be defined and there should also be an organ which are relevant organs and the government should be after it is made by the Constitution. The Judicial officers should be presented by a Judicial Commission. They should have a supreme court and court of appeal. Local government authority should be strengthened by provincial administration. The Local government chief officers should also be professional civil servants who work under Chairmen and the Mayors.

On fundamental rights,

Com. Salome Muigai: Let that be your last point.

Rufus Kiarie: Yes, on the fundamental rights, this rights are adequate on our present Constitution, however, they have been breached at will by officers from departments and other arms of the government. Impeditive measures should also be properly addressed in the Constitution. Thank you. I have that memorandum and I can present.

Com. Salome Muigai: We have some questions for you?

Com. Ratanya: Rufus Wanyinyi, there is something maybe I will ask you for clarification, you have said that the President should not be a Member of the party. It is not clear whether actually member of the party or leader of the party, can you make that kind of distinction?

Com. Salome Muigai: I also have a question for you, you have said that some parts of the Constitution should not be changed in Parliament, they will need a referendum. Did your group think of which part this ones will be or is in your memorandum?

Rufus Kiarie: First you asked about the President? The President should not a member of any party. President at least, what we thought is that after a politician or another civil servant, maybe somebody who is qualified, wants to run for the

Presidency, this president should be seen to not to favour any party. Or if he was a member of a certain party, should resign from that party and elect by merit of the qualifications. And yours was on...

Com. Salome Muigai: On the parts of the Constitution that you would like to go to the referendum.

Rufus Kiarie: There are some parts of the Constitution which should not go to Parliament but probably to the referendum. It is a case like the present one we have here, that we want to extend Parliament and definitely, if it is spelt out, the tenure of Parliament should be for five years, it is not proper for Parliament to seat down and say now we want to extend. The people should be asked because they are the government.

Com. Salome Muigai: Thank you very much. The next speaker is Moses Karanja, sorry Moses Karanja is an observer. Isaac Wachira. Wakati Mr. Wachira unapokuja, ningetaka kuwaomba nyote tafadhali ukiwa na simu ya mkono, tuizime, ndio yenye ina-affect hii recording, wakati unasikia recording ikipiga kelele hizo ni kwa ajili ya simu zetu za mkono. Kwa hivyo tunaomba wale wenye wako nazo, tuzizime.

Isaac Wachira: Jina langu ni Isaac M. Wachira. Kwa maoni yangu mimi mwenyewe sio kutoka kwa pahali popote au chama chochote. Kwa hivyo ni yangu mimi mwenyewe. Maoni ya kwamba kunazo msaada inayotolewa kwa serikali kutoka nje, ya kufanya utafiti hapa nchini. Kwa mfano wakati tulikua tukipanda miti hii ya kienyeji, pesa za serikali zilikua zikitumika, unafanya utafiti mwingine, kama kupanda mahindi hivi, na serikali za nje zinakuja kufanya hiyo utafiti hapa nchini.

Na wakati huo utafiti unapofanywa, hiyo utafiti haufaulu, na usipofaulu na pesa zilitoka nje zinakuja hapa nchini, sisi wananchi tutakuwa tukilipa hizo pesa ambazo zilifanya hizo utafiti na haikufauli. Sasa wananchi wanatoa pesa ya kulipa ambazo haikusaidia nchi kwa njia yeyote. Kwa hivyo mimi naomba hii Tume, hizo pesa zikitoka nje, ziwe ni misaada ambazo haitalipwa kwa sababu utafiti haijulikani kama itafaulu. Iwe ni pesa ya kusaidia nchi, lakini sio pesa ya nchi itakuwa ikilipa tena. Maoni yangu ilikuwa ni hiyo tu.

Com. Salome Muigai: Asante sana Bwana Wachira. Sasa namwita Bwana Allan Kinuthia?

Allan Kinuthia: Majina yangu ni Allan Kinuthia kama vile imesemwa. Na maoni haya ni yangu ya binafsi, ingawaje machache yametajwa na aliyekuwa hapa mbeleni. Maoni yangu ni kama haya; Kuchagua viongozi, yaani Raisi, Mbunge na Diwani. Kwa maoni yangu si lazima anayechaguliwa awe mwanachama wa chama fulani cha kisiasa. Bora tu awe na ujuzi na aliye tayari kuwalinda na kuunganisha waKenya. Pia hapo zamani kulikuwa na viti vya kujitegemea yaani hawa, independent candidates, na havikuwa vibaya, maana viongozi wengi wazuri huwa wakiachwa nje kwa maana wao hawakujiunga na vyama kisiasa.

Elimu, Raisi na mbunge lazima wawe na elimu isio chini ya Form four na kuendelea. Na elimu yao isipimwe na vyeti vya shule maana vyeti viko vingi kwa wakati huu, maana hata vya baandia vinanunuliwa bali wawe wakitainiwa. Kuwe na kamati ya kuwataini hawa watu. Diwani awe anajua kusoma na kuandika, na pia kuongea lugha inayotumika mahali pale pale. Na pia

awe anajua kusoma na kuongea lugha ya Kiswahili. Raisi ama mbunge wote wawe na recordi nzuri, wasi ni wafisadi, wanyakuzi wa mali ya umma na pia awe na akili timamu.

Baada ya Mbunge na Diwani kuchaguliwa, hata kama yeye amekua akihudumu katika wadhifa fulani katika vyama vya kisiasa, itambidi kuacha ile uongozi wa chama cha kisiasa, achague kuwa kiongozi wa kisiasa ama kuongoza watu. Maana hawa ni viongozi wa kitaifa. Haya ni maoni yangu na ahsante sana.

Com. Salome Muigai: Asante sana na mimi pia sina swali kwako, jisajilishe asante. Sasa namwita Jonathan Njoroge? Jonathan Njoroge? Karibu.

Jonathan Njoroge: Naitwa Jonathan Njoroge, na hapa nina maoni yangu binafsi nitakayo wasomea. General and by-election dates should be left to the Electorate Commission of Kenya and not upto this Constitution which isthat the election date are announced by the President.

Clerks, Chairmen of County Council and Mayoral elections should directly be elected by the electorate. Prisoners and inmates should also be allowed to vote. They should be entitled to elect Presidential only. Decided and supervised by electoral officials.

Referendum should be put into place to enable Electoral Commission for an opinion three years after elections are held. This will help electorate to vote out liar MPs and Councillors with empty promises as we can witness in the current 8th Parliament of selfish leaders with their welfare and interest first.

The next President should have the following qualification;

Be a graduate with a master degree in law,

Married or un-married,

Qualifications of MPs and Councillors;

Be able to read, write and speak in one of the national languages to enable them actively participate in the National Assembly and Local Authorities proceedings.

Be cleared by the nominations process.

Be sane and not declared bankrupt.

On matters touching administration reforms. All these things of ethnic clashes and banditry be resettled as soon as possible. Landless Kenyans should also settle in the same manner. The government should protect all Kenyans from discrimination on the ground of sex, racial and tribe.

On legal reforms. Penal code. The convict of murders, robbery with violence should not be tried or sentenced to death. The death sentence should state and be reduced to life imprisonment. Attorney General should be empowered to deal with matters touching political prisoners and facilitate Presidential clemency and not President as today's Constitution states. That is all.

Com. Salome Muigai: Asante sana Bwana Jonathan, jilandikishe tafadhali. Steve Ndungu.

Steve Ndungu: My names are Steve Philip Kuria Ndungu of Wanyororo A Farm. The following is a brief list of what I would like to see in the next Constitution. Chiefs and their Assistants should be elected by the people in the locations. The 8-4-4 system of education should be abolished and the old system of 7-4-2-3, re-introduced. Cost sharing in the public health sectors should be abolished and free medical services be provided for all. The government should establish a relief fund to cater for those members of the public living below the poverty line.

The President should be elected by a majority of 60% of all the eligible voters and not 25% of votes in five provinces as it is now. Establish the Kenya Constitution as lesson within the curriculum of primary school beginning at upper primary school level. The vice president should be elected by the Public with at least 51% of votes. We should have a reduction of taxes imposed on agricultural imports to make sure that the farmers profit margin is higher. We should make the elite few who own large tracts of land that they do not use profitably,some of the land so as to settle the landless making sure that every adult Kenyan has at least a quarter acre of land attributed to him or her.

This HIV/AIDS is stealing Kenyans at an alarming rate. There should be a census every two years and results be made to the public immediately statistics obtained will help determine the future of the country.

A vote of no confidence should be passed against a Member of Parliament who engages in corruption or any moral evil, 60% of the electorate should sign that vote of no confidence. Members of Parliament should be of at least form four level of education with no criminal record and financially solvent. A law of one man one job should be passed and strictly enforced.

Expatriates to be employed only in very specialized jobs where no enough Kenyans are competitively trained. That is all.

Com. Salome Muigai: Kuna swali moja.

Com. Ratanya: There is one clarification about land. You have mentioned about land selling, do you propose type of selling, your own proposal as to how many acres should an individual own?

Steven Ndungu: I have at least said that those people who own large tracts but they don't use profitably should forfeit some of the land to make sure that the others at least get a quarter of an acre. No member of the Kenyan community should have more than a thousand acres of land.

Com. Salome Muigai: Asante sana, Bwana Steve Ndungu. Sasa ningetaka kumpa nafasi kwa Joseph Kimani.

Joseph Kimani: Kwa majina ni kama vile mumesikia. Jina langu ni Joseph Kimani. Na mimi nimekuja kwa niaba yangu mwenyewe sio kwa kikundi ama kanisa. Na mimi ningelipendelea nchi hii yetu, iendeleo kuwa na utawala wa vyama vingi kama ilivyo sasa. Nao uongozi wa nchi, tuwe na Prime Minister na President, ili kazi hiyo iweze kufanya kwa njia rahisi na njia iliyo wazi.

Utawala wa serikali, uweze kuwatawala wa serikali moja lakini sio utawala wa serikali ya majimbo, kwa sababu watu wengi wametapakaa kila mahali. Na ikiwa ni serikali moja, mali za watu itaweza kulindwa kwa wananchi wote. Ni utawala wa constituency, mimi ningelipendelea, constituency ziwe zikigawanywa kulingana na wingi wa watu.

Jambo lingine ningelitaka mimi, Chiefs wawe wakiteuliwa na watu ambao wako katika area ambao wako.

Ya sita ningelitaka, Councillors wawe wakiteuwa Mayor. Kwa sababu hawa Councillors ndio watajiamulia Mayors ambao wanamtaka. Ma-afisa wa Kilimo, ningelitaka waongezwe, kwa sababu hii kazi ya mashambani inaonekana ndio mahali umaskini umeanza kuingia zaidi. Kwa sababu ma ofisas wa Kilimo wamekuwa ni wachache na returns sioni kama inarudishwa kulingana na vile ilivyo kwa sababu serikali wakati mwingine inajikuta haina mazao wala hakuna chakula bila wenyewe kutarajia kwa vile ma-ofisas kuwa wachache.

Jambo la nane ningelitaka elimu ya shule za msingi zote ziwe zikitolewa bure. Kwa sababu kuna watoto wengi wanaonekana wamepoteza masomo, badala ya kuenda shuleni.

Ya tisa, ofisi ya Chief, ipewe jukumu ya kujua watoto ambao wanaendelea na masomo na wale ambao hawaendelei na masomo, kwa sababu ndio ofisi ambayo iko ndani na ndio inajua jinsi watoto wanavyo endela kabla ya watoto kuharibika jinsi watafiti wangu ambao wamefikia.

Ya kumi, ardhi ya umma, mimi ningelipendelea iorodheshwe katika ofisi ya Chief na chief awe akijua eneo ya ardhi ambayo ime orodheshwa kwake. Kwa sababu, unyakuzi umekua mwingi zaidi, na ili ardhi ikiwa itakuwa ikipotea, Chief ambaye anahusika na hiyo sehemu, tutamuuliza. Yangu ni hayo. Asante.

Com. Salome Muigai: Kuna maswahili?

Com. Raiji: Bwana Kimani,

Joseph Kimani: Ndio,

Com. Raiji: Wewe ni Councillor?

Joseph Kimani: Mimi ni mkulima tu.

Com. Raiji: Umependekeza kwamba ma Councillors peke yao ndio wawe na uwezo ya kuchagua Mayors na Chairmen wa Councils eh?

Joseph Kimani: Ndivyo.

Com. Raiji: Lakini mahali pengine tumeenda, tunaambiwa kwamba hawa watu wako na pesa wananunua ma Councillors na kwa hivyo watu wengi wanapendekeza kwamba watu wenyewe wachague. Kuna shida gani kama watu wenyewe wanachagua Mayor wao, Chairman wa County Council?

Joseph Kimani: Mayors ndio wanakaribiana na yule mtu. Sisi tukiwa kwa mashambani hata tukimchagua, pengine hatumjui hata kidogo, hatuna jambo lolote. Na tena shida ikitokea kwao, itatoka kwa ajili ya wao wenyewe kumpokea Mayor ambaye hastahili.

Com. Salome Muigai: Mimi pia nina swali kwako. Umesema kuwa na hii ni jambo yenye tumesikia mara nyingi sio kwako peke yako, kuwa constituency mpaka ya wakilishaji wa bunge, iwe ni kwa watu wanaoishi pale, wala sio kwa eneo.

Mimi leo nimeona tukija Tabuga, imetuchukua muda mrefu, kuliko pengine vile ingetuchukua kwenda pahali pengine. Tusipoleta haya maneno kwa Katiba, tufikirie habari ya ile pahali watu wanakaa, na pia watu wangapi wanakaa. Tusipofikiria haya mambo mawili yote, je wale watu wenye eneo kubwa, pengine kwao hakuna barabara, kuwafikia ni ngumu, tungefanya nini nao? Kwani wakati wa Katiba ni wakati wa kufikiria mambo ya mKenya yeyote. Ungetaka tufanye nini na wale watu?

Joseph Kimani: Inaonekana mhusika atakua na wakati rahisi, kwa sababu anapotembea atakutana na watu wachache, kuliko ambaye ana eneo kubwa ambayo ina watu wengi zaidi. Hivyo hata akijaribu kuhudumia hawa watu, hawawezi kuhudumiwa, na hawa watu vile vile, wengine wao hata hawajui kama wana mbunge wao. Kwa sababu wamekua wengi zaidi, hivyo hata akijaribu kuhudumia hawa watu, hawezi kuwahudumia. Na hawa watu vile vile wengine hata hawajui kama wana mbunge wao. Kwa sababu hawa watu wamekua wengi zaidi na yule hawafikii, sasa hata hawajui ofisi yake ni gani? Kwa sababu wengi hata hawana elimu ya kujua jinsi wawezavyo kumwona yule mbunge wao waliye mchagua.

Com. Salome Muigai: Na kubaliana nawe kuwa moja mbunge atakua na watu wachache lakini kumbe kufikia yule mtu mwingine inachukua siki tatu, na wewe mbunge wako unachukua dakika ishirini ama thalathini ama masaa mawili kumfikia kutoka upande mmoja mpaka mwingine. Sasa tutafanya nini kusawazisha huyu mwenye ameenda siku tatu ndio amkute mtu wake mmoja na huyu mwenye anahitaji masaa mawili ili awaone watu wake?

Joseph Kimani: Tunaona watu hawa wachache wanaweza kuwatumia Councillors kwa sababu ndio macho yake na ndio

wasaidizi wake. Kuliko watu ambao ni wengi na wanahaja sana ya kuuliza maswali ama usaidizi mwingi, kuliko sasa mtu mmoja akiwa peke yake.

Com. Salome Muigai: Asante sana. Sasa namwita Ndegwa Nganga? Ndegwa hayuko? Basi kama hayuko, namwita John Peter Njenga, huyo nilimwita tena ama huyo ni mtu tofauti? You are an observer, uliandika kuwa una oral presentation, ikiwa ni wewe. Okay, Gichimu Watha? Gichimu Watha.

Gichimu Watha: Asante kwa kuwa hapa. Mimi nilikua ninataka tu kulete hii memorandum yangu hapa na kuamkia, sikutaka kuzungumza.

Com.Salome Muigai: Lakini tueleze jina lako?

Gichimu Watha: Jina langu niGichimu Watha.

Com. Salome Muigai: Asante sana. Basi jiandikishe pale na upeane memorandum yako. Sasa nataka kumwita Samwel Kinyanjui.

Samwel Kinyanjui: Asante sana Commissioners wote, jina langu ni kama mumesikia, Samwel Kinyanjui. Maneno ninayotaka kutoa hapa ni maoni yangu binafsi. Ninaweza kusoma kwa kifupi kwa njia Kiingereza vile nimeandika. Kwanza ni maximum and minimum of a presidential candidate. The Presidential candidate should be with a minimum of 25 years to 70 years. This is necessary in order to automatically dis-qualify those people who refuse to vacate seats and keep on rigging their way back to power and clinging there fore a long time, thereby recking the economy of this country. If we do not do this, or set the limit of age for a presidential candidate, we are likely to have a President or a Vice President who is over a hundred years in this country.

This is possible in a country like Kenya....

Com. Salome Muigai: That point has been taken about age, we are taking it up, could you go to the next one please? We will read your memorandum.

Samwel Kinyanjui: Okay, thank you. Maybe I would like to add something very little on that issue. I am not going back to..

Com. Salome Muigai: If it is the only point you had, then you can elaborate on it. You have five minutes, you can use them if that is your only point.

Samwel Kinyanjui: The other is the salaries of our Parliamentarians. As the government keeps on telling us that the economy of Kenya is bad, and the common man should tighten his belt, when they go there to Parliament, they give themselves a lot of money, infact millions of money. In normal circumstances, the employee is not supposed to give himself salaries. It is the employer who gives the pay. How comes that our Members of Parliament are left to give themselves their monthly requirement.

A Constitution should be made in such a way that, it protects the Kenyans and not a few people in Parliament.

Secondly, Kenyans are heavily taxed, we have the income tax, VAT, PAYE, Levies, Service Charge, Land rates, and the charges of the Council, cost sharing, harambees and so on. The taxes should be somehow consolidated in a suitable manner that the Commissioners will find suitable and should be enshrined in the Constitution. This will help to protect the common man.

There is also the report from the Auditor General. This Audit report is never taken seriously. Infact he reports all the mis-appropriation of funds, either done by the civil servants or the government and finally it is damped somewhere and no action is taken. A suitable independent body should be formed from the Executive, so that the Kenya's funds is protected. Thank you very much.

Com. Salome Muigai: Thank you very much, please register yourself. The next person is John Mwangi Muhia? And I would like to remind you that we are tapping and this are very sensitive taping equipment, so they are going tape all the noises that we make in this place. I would like to kindly request to stop having discussions while somebody is talking, because it gets into the taping and it will be very difficult for us to able to discern what the speaker was saying, when there is some background noise. Are you Samwel Kinyanjui? Oh he is not here. John Mwangi Muhia is not here? David Kariuki? That is an observer. Andrew Kehiu?

Andrew Kehiu: I am a member of the JBR, Presbyterian church officer. What I have is my own views and going to use.

Com. Salome Muigai: Sema jina lako tafadhali?

Andrew Kehiu: I am Andrew Kehiu Wachira. I have my views which I will like to present to the Commission. First view, Law Courts should be extended to constituency to curb corruption within the administration and police. This will also help to increase the security. I would also suggest that Chiefs, should be elected by the local that is the people in the location as it used to be during emergency or the colonial times. The sizes of the Constitution should be determined by the population. Another point is that there should be no third feeling of ownership of land but there should be a land law to guide economic usage of the land, so that those who have trust of land should not be allowed if it is un-used.

A also support that there should be free primary school education. Much, I intended to suggest have been mentioned by the previous speakers and I appreciate their views. Thank you.

Com. Salome Muigai: Asante sana. Duncan Nganga? John Kimani Kamanja? Just say something to let us know you are in, ndio tusiendeleo kwa mtu mwingine.

John K. Kamanja: Thank you Commissioners, my names are John Kimani Kamanja. I hail from this Constituency. I have a presentation which is my own.

1. In the current Constitution, it is written that Kenya is a sovereign country. Well this is not indicated as to who are involved in the sovereignty of Kenya. Because we find that some are living as though they are in a foreign country or refugees, whereas they are still in their own country of origin. We find that some are very rich when others are living before the poverty line. Let it be indicated as to who should be enjoying the sovereignty of the country.
2. The age of the President should be at least 35 years and an upper limit of 70 years, of sound mind and good health. Members of Parliament should be as young as 25 years. Parliamentarians should be at least 25 years and below 70 years. Should be at least a Form four and have at least C+ in English, D+ in Mathematics and should be or was born in the Constituency or have stayed in that Constituency for more that thirty years.
3. The Electoral Commissions of Kenya should compose members who are nominated by the existing and active parties upon who will seat and elect their Chairmen and Secretary. Their duration will be ten years where the Chairman's term will be 5 years but can present himself for re-election.
4. The Parliament should be headed by the Speaker who should be elected by the seating MP. For the Parliament to go on recess, it should be voted by the members who should be 2/3rds of the members present on that day. This should be the same when the Parliament is to end it's seasonal business.
5. There should be a calender of events in the Parliament such that and it should be indicated in the Constitution that the public will be knowing as to when the elections will be held.
6. The President should not have any powers in the Parliament.
7. On MPs remuneration and allowances, a Commission should be set outside Parliament to decide on any salaries or allowances.
8. The Judiciary. The Chief Justice should be elected from the members of the Bar. The same for the AG who will be a member of the normal profession.
9. On the Human rights. These are very crucial and are never observed in the current Kenya. The basic rights should be Constitutional and anybody who breaches them, especially the Police Force should be death with. For those who cannot afford council advocate, the state should provide them with one such warrants with magistrates term. Such warrants, detention without trail, peaceful demonstration or any other right that the Commission should find.
10. Citizenship. A citizen should be anybody who is born in Kenya. (Men or female who marries a foreigner)that married male or female should be a citizen by registration.

Com. Salome Muigai: You have one more minute.

John K. Kamaja: And by virtue of marrying or being married to either a Kenyan citizen, a child born of this couple should be a citizen by registration.

11. Mayors and Councillors should be elected by the people, constituency and serve for five years. They should be holders of form four leaver or a division three.
12. Succession and transfer of powers. During the Presidential election, the incumbent remains in power until when he has handed over the successor. Seven days after the results have been declared. The elections should be declared just like any other Parliamentarians and should be Constitutional level and then a grand total of the total. I have a preamble here.

Com. Salome Muigai: Can we please let that be your last point but give us your memorandum.

John K. Kamaja: Yes, I have a preamble here.

Com. Salome Muigai: That preamble is time barred. Any question? I have a question for you. I am cutting you short on your own views but I have a question for you.

John K. Kamaja: Yes.

Com. Salome Muigai: It maybe in your memorandum, the issue of people with disabilities and the way the Constitution can protect them. You didn't tell us anything on that?

John K. Kamaja: Yes, I had it here.

Com. Salome Muigai: Please, can you write that and make sure that we get it.

John K. Kamaja: Okay.

Com. Salome Muigai: Thank you very much. Peter Mwikya? Peter Mwikya? In fact I might give you a chance later on to talk about people with disabilities, depending on how many other people want to speak. Solomon Njuguna?

Solomon Njuguna: Asante sana. Jina langu ni Solomon Njuguna na mimi ni mwenyeji wa hapa. Maneno yangu ambayo ninaitoa ni yangu binafsi, sio ya watu wengi. Kwanza mimi ninasema, tunataka Katiba inayowaangalia watu wake. Sio Katiba ile inaleta mshale hapa inasema ati hapa si kwenu mtoke hapa muende. Ikiwa hiyo ni Katiba, iondolewe hapo. Kwa maana hiyo Katiba sio nzuri, kusema wewe sio wa hapa. Mishale inatoka China, inaletwa ati niya kuuwa T9 na ni ya kuuwa kabila nyingine. Hiyo maneno ya Katiba hiyo iandikwe na iondolewe kabisa.

Tena iko maneno ingine, sisi tunatoa kodi ya County Council. County Council haitusaidii hata kidogo. Wanatulipisha pesa ya mashamba, tunatoa, hakuna barabara, hakuna shule wanatusaidia nayo. Tunataka mahali pa kuuza mazao yetu, kama maziwa, na mahindi ile tunakuza hapa. Tunataka Katiba inayoangalia watu wake. Tena watu wengine maskini tunashindwa kununua dawa kwa ma hospitali. Wengine wanakua wagonjwa nyumbani, ukienda uko Nakuru, unaambiwa ni shilling mia tano, elfu moja, na wewe huna, ikiwa hauna hiyo pesa, utakufa kwako nyumbani kwa maana hakuna mtu wa kukusaidia. Asante.

Manaeno yangu ni hayo tu.

Com. Salome Muigia: Unapendekeza nini juu ya madawa?

Solomon Njuguna: Madawa ninapendekeza itolewe na serikali bure, kwa maana sisi ni watu wa serikali.

Com. Salome Muigai: Asante sana. Gicheha Kabariri?

Gicheha Kabariri: Vile mumesikia jina langu. Jina langu ni Gicheha Kabariri. Maoni yangu mimi ninaona Katiba kama hii tunayozungumzia ninaona hakuna Katiba nzuri au mbaya. Katiba iliyotengenezwa na wenyewe ni nzuri, lakini ile taabu ninaona inaingia ndani ya Katiba, ni kutengeneza Katiba nzuri tena inanyooka kabisa lakini haina mwenyewe. Wale watu wanapewa hiyo Katiba, hakuna mtu anahusika na mambo yale aliyopewa. Hii Katiba ikawa ni kama ni kazi ya bure na kwa hivyo ninauliza ni njia gani tunaweza kutumia, halafu ikiwa ni Katiba imetengenezwa, iwe ina wafuasi na wafanye kazi wanaotumikia hiyo Katiba.

Pili,

Com. Salome Muigai: Wewe mwenyewe ungependekeza vipi ndio tuendelea na kutatua hiyo tatizo, kwaniunapendekezo gani juu ya hayo?

Solomon Njuguna: Juu ya hayo mimi nikiulizwa, ninaona kutengenezwe Tume nyingine kama hii yenu, kama ni mpango yeyote imetengenezwa na serikali, na Katiba imepitishwa, kuwe na Tume ingine special ya kuchungua kama ile mpango yote au kazi iliyopangwa, wale wenye kupewa hiyo kazi kama wanafanya vile ilivyo. Maana ikiwa hawana wachunguzi, wanaenda wanafanya kazi huko vile wanavyopenda, bila kufuata na kutii sheria halafu kazi yote inaharibika.

Ya pili, ninaona wakulima wa nchii hii yetu wana taabu nyingi sana. Wakulima ni kama watu wasio na serikali au watumishi yao, au wasaidizi. Ikiwa ni kama Ministries ya Ukulima, hiyo Ministry inatakiwa ijue mkulima akilima mahindi hutumia pesa ngapi kwa gunia moja. Akilima ngano, hutumia pesa ngapi kwa gunia moja ya ngano, hasa maharagwe. Huyu mtu awe ni mtu anasimamia wakulima, ndio anaitwa Ministry ya Ukulima. Kwa maana, sasa wakulima ni kama karata. Mimi nienda kazi ya kulima, sijui mahindi ikikua nitapeleka wapi? Au nitauza kwa bei gani? Nikalima kwa bidii, nikitegemea nikilima chakula ya kutosha, nitapata mapato. Kumbe ikikua, sina pahali pa kupeleka hiyo chakula yangu. Ninaambiwa mahindi hainunuliwi, serikali hainunui mahindi, hakuna watu wa kununua, watu wote wamelima, nilikua ninategemea nitanunua nguo hapo, nitanunua sukari hapo na kila kitu, sasa nikakosa.

Ninaona wakulima, ni watu wako nyuma sana. Tumeachiliwa bila wasaidizi, na nikiulizwa mimi ninaweza kusema, serikali ichukue habari ya wakulima. Kwa maana nchii hata iwe na nini au nini, bila mkulima si nchi. Watu wakikosa chakula wote wanakufa. Kwa hivyo mkulima ni mtu muhimu sana, na ni lazima angaliwe na macho yote. Lazima serikali itengeneze vile itakua kama ni chakula ile inakaa kama mahindi, ngano, maharagwe, vitu kama hivyo, waweke control price. Nikiwa nikilima ninajua mahindi nikilima nyingi, nitauza bei gani. Nikiniwa nitalima ngano, nijue nitauza hiyo ngano kwa bei gani, ndiposa niweze kulima. Na kuwe wachunguzi wazuri, wanachukua mkulima akikuza gunia moja ya mahindi, aligharibu nini? Akilima ngano

gunia moja aligharimu nini? Ndio ifanywe balance ionekane, akinunuliwa hivi, atarudisha hasara na atapata faida kidogo. Sina mengi.

Com. Salome Muigai: Asante sana, hatuna swali kwako asante, umejieleza vizuri kabisa tukakuelewa. Emphrehem Kanake? Okay, Veronica Wangare? Tulisema wakina mama wakikuja tutaruka kidogo kwani hawa wanabaki nyuma wakiondoa sahani yenye wakina baba walikulia ndio akaja mapema. Kwa hivyo nimeruka kidogo, endelea mama.

Veronica Wangare: Mimi nimekuja kutoa maoni yangu, jinsi Katiba nataka ibadilishwe....

Com. Salome Muigai: Aanza na jina lako mama.

Veronica Wangare: Jina langu ni Veronica Wangare Kaguru. Nimeokoka Yesu ni Bwana. Kwanza niko na kitabu cha Mungu kilichosema, tukichagua mtu, yule mtu ambaye tunamtaka tukimchagua tuone, tusikie sauti ambayo inatoka kiti cha enzi ya kwamba kuna panga ambayo inakuja kuondoa huyo mtu, lazima nasisi tuamke na tuweze kusema ni kibaya ama tuweze kusema ni nini ambacho kinatatiza katika nchi yetu.

Kwanza ningetaka kusema ya kwamba kile kimekuwa kikisumbua wanaadamu ni kwamba sheitani ndio amekua akiambuliwa katika hii nchi yetu na kwa hivyo ningetaka kusema ya kwamba kabla ya kufikiria jambo, vile tunaweza kuchaguana, kwanza tungefikiria ya kwamba, tuondoe chama cha Free Mansion ana vyama vyote vya kuabudu shetani katika nchi hii yetu ya Kenya.

Kwa hivyo kama vyongozi na hata wakuu wa sheria na ninyi ambao mumekuja hapa kutuuliza maswali ni nini ambacho kinatukulia sisi kama wanadamu. Mimi maoni yangu ni ya kwamba shetani ndio amekua adui mkubwa katika wanaadamu na kama tujuavyo ya kwamba, kumekua na Tume nyingi ambazo zimekua zikiteuliwa zije kwa wananchi waweze kutuuliza kutoa maoni vile tunavyojua shetani huabudiwa katika nchi hii yetu. Na kama tujuavyo ya kwamba, katika amri ya kwanza ya Mungu husema "Msiwe na miungu mingine ila Mungu". Na kama tujuavyo katika nchi hii yetu ya Kenya, vyongozi na hata wakuu wa sheria wamekubalia chama cha Free Mansions na uabudu wa shetani hapa nchini na tuko na huo ushuhuda shetani huwa anaabudiwa katika hii nchi yetu ya Kenya.

Com. Salome Muigai: Veronica, hiyo point tumeielewa tafadhali kama unalingine endelea, kwani una dakika tano peke yake. Wakati nilipeana masaa ulikua bado unafagia. Tafadhali ni dakika tano.

Veronica Wangare: Okay, asante. Kwa hivyo ninataka kusema ya kwamba, kama viongozi na wakuu wa sheria wataendelea kufikiria mambo ya uchaguzi, bila ya kwanza, kutangazia walimwengu wavunje chama cha Free Mansions na vyama vingine vyote vya kuabudu shetani. Ya pili kutangaza mkuu wa chama hiki, Duke of Kent wa Free Mansions, akamatwe popote alipo. Wakifahamu vyema walimtangazia huku 1992. Hii inaonyesha kwamba wamekata kauli kutotiii kama vile shetani alifanya, alipomgeuka Mungu na wamechagua kuwa wa shetani milele.

Wale nao, watajitokeza kuchaguliwa kabla ya vyama vya kuabudu shetani kuvunjwa na utangazaji kufanywa kwa walimwengu kama 1992, itaamaanisha wao pia wamekata kauli ya kutotii kama wakuu wa sheria na wamechagua kufuata watu wa shetani milele. Wale watafikiria tukichagua fulani atafaa, kabla ya chama cha Free Mansions kuvunjwa na vyama vingine vyote vya kuabudu shetani, na mkuu wa chama hicho katika ulimwengu akamatwe, Duke of Kent, na utangazaji ufanywe kama 1992, watu kama hao waonyeshe, na huyo mkubwa wao ya kwamba, wamechagua shetani milele. Kwa hivyo mimi yangu ni hiyo na wakati tunapochagua watu, kuwapigia kura, ile alama sisi huwa tunaambiwa tutie katika ile karatasi ya kuchaguana, sisi huweka alama ya ku-cancel hivi, tunaweka X. Na hiyo inaonyesha ya kwamba, wale walipanga hiyo mpango, ati tuwe tukichaguana na hata kuweka hiyo X. Inaonyesha ni sisi huwa tunaanguka mtihani kwa maana hata wakati tulikuwa tunasoma katika shule, mtoto akianguka hesabu alikuwa anatiliwa alama hiyo.

Kwa hivyo sisi kama watu wa Kenya, hiyo mpango imekuwa ikienda mbele, kwa hivyo ni sisi huwa tunaanguka. Na kuna shuhuda ya kwamba tukichagua wale tunauchagua kama hiki chama cha Free Mansions na vyama vingine vya kuabudu shetani viko hapa, sio ma Councillors ama ma MPs watakua wameanguka. Sisi huwa tumeanguka kwa maana ni sisi tumepeva ufalme na Mungu ili uweze kutuongoza na ni katika nyakati hizi na nyakati zijazo. Yangu ni hiyo.

Com. Salome Muigai: Na yangu ni kukushukuru sana kwa maoni yako. Kuna swali? Do you have a question? Thank you. Sasa tafadhali jandikishe pale, na upeane memorandum yako. Margaret Waweru? Kabla Margaret hajapeana maoni yake, ningetaka kukumbusha wale wanakuja wakati huu kuwa, kuna namna tatu ya kuweza kupeana maoni yako. Unaweza kuwa na maandishi, ukatupatia tu bila kusema lolote. Unaweza kuwa na maandishi nikakupa dakika tano, ukayaangazia yale makubwa yake, sio kusema neno kwa neno, hilo tutafanya tukishafikiwa na maandishi yako kule kwa Tume.

Pia unaweza kuwa huna maneno yenye umeandika lakini unataka kujieleza pia una dakika tano. Kwa hivyo chagua vile utakavyotumia dakika zako tano. Margaret tafadhali ni wakati wako.

Margaret Waweru: Thank you. I am Margaret W. Waweru. I retired teacher by profession and a HIV activist in Subukia Constituency and a born again Christian. My views are written but I would like to highlight the points and I would do it very quickly as a teacher would. Thank you.

Presidency, there should be an age limit for example, somebody should be from 35 to 73 years old. He should also have limited powers. That is should not be the head of the Armed Forces and not even be the one to hire and fire civil servants. During elections for presidency, the person who ganners the most votes should be declared the winner and therefore that 25% rule to my opinion should be discarded.

Parliament: Parliament should not go on recess at somebody's free will. There should be a set in or a time-table in place to be followed whereby even the common man knows when the Parliament is going on recess. Our MPs should be people of good

morals, that is of high integrity. There should be a set level of education for them and a code of conduct for them to follow so that they do not go ashaming the Head of State as well as the Republic.

Ministers should be given ministries to run which are relevant to their professions and their line of career. MPs should be left to appoint or elect for that matter, their Speaker. Defecting from one party to another should be banned in Kenya, it is a very expensive exercise for the tax-payers to run the by-elections.

Electoral Commission: This should be an independent body that is a body that is elected by the people themselves and it should be held responsible for any impartiality during elections. It should see that all candidates irrespective of their political parties are given equal media coverage and that campaigns are held at the same time, same place by all the interested candidates. Elections should be held on schedule all the time.

Land: Wananchi should own land and property anywhere in the Republic. Anyone found to have been implicated in the issue of processing of title deeds, forged ones should face the arm of the law. Land set aside for public utility should be left to the concerned masses of people to manage and therefore it should never be given to private developers.

Women: Women should be empowered to compete favourably with men politically and economically by being funded by the government especially during elections and traditions which hinder women from doing this, should be done away with. Women should be promoted just like men to hold senior positions in the government and the private sector if corruption is to be eliminated in Kenya. Sexual harrasment by men, when women go looking for employment and collecting their spouses' retirement benefits should be illegal in Kenya. Women who do not marry and remain in the hands or care of their parents and have children should inherit properties like their brothers in time of their parents' death.

Retirement: There should be a scheme in place whereby one gets his or her benefits promptly on retirement and no harrasment of widows when they go collecting their spouses' retirement benefits.

On HIV/AIDS pademic, while I appreciate what the government is goind about this scarge, PLHAs, or people living with AIDS, should be aided by the government and donour community to sustain themselves. They should not be discriminated when looking for employment or in their place of work. AIDS orphans should be assisted to go to school and complete their studies like any other child and get free education.

People with disabilities should be safeguarded by the Constitution during the time of looking for employment and in the time of holding senior positions in our country.

Our national resources. I want to air my views.....

Com. Salome Muigai: And you have one more minute to finish up.

Margaret Waweru: These should be shared by all Kenyan communities equally regardless of their political affiliation. Roads should be maintained by the government in the Republic wherever they are. National days should be treated with the honour they deserve and not for one particular party to go even using obscene language on other individuals.

And my last point is on the Judiciary. These should be free from manipulation from any corner. Judges should appoint the Chief Justice. Any law who corns clients of their money, should be strucked off the register with evidence. Thank you. I would like to present my views, I have written, I don't know whether it is in order to give them in.

Com. Salome Muigai: Yes it is, please give them to Mr. Wanjohi and also register the fact you have interacted with us. Now I would like to call a student who is with us and go back to class. Johnson Macharia? Njo utupe maoni yako, halafu urudi darasani.

Johnson Macharia: Kwa majina ni Johnson Macharia kama vile mumesikia. I am a student from Bagoni Secondary.

Com. Salome Muigai: Leo umekubaliwa kuzungumzia wakubwa wako kama umeketi.

Johnshon Macharia: The issue of concerning land, is that I would comment that nobody should own more than 50 acres of land. Because we have some Kenyan citizens yet they are poor while others have more than 100 acres. The question is what is this a hundred acres for?

A civil servant should have a limit of years when he goes for retirement, eg. a President should rule for more than two terms of five years. Ministers should undergo election from the citizens. The freedom of worship should not go beyond human deceiving or human oppressing. Because not all denominations are good.

Those who are caught practicing or engaging in corruption both the remitter and the receiver should undergo serious punishment e.g. seven years with seven strokes. Those are my opinions.

Com. Salome Muigai: You are the first person that we have seen that maybe is under eighteen, are you hearing me Johnson? So are there any issues on child rights that you would like to share with us? Or your rights as a child. If you don't have them it is okay, I just thought that you are the youngest person that has spoken to us, I would give you a chance to talk about your rights.

Johnson Macharia: I am going to talk about the rape cases. A man is a man and that is nature. No one can control nature, in small kids, those who are involved should get a serious punishment but murder or life imprisonment. Those who are caught in rape cases of grown ups who are above 12 years should be jailed for five years with no fine.

Com. Salome Muigai: Twelve years is a grown up? How old are you?

Johnson Macharia: Eighteen.

Com. Salome Muigai: Are you grown up? And you think a twelve year old girl is grown up. Okay, those are your opinions and we accept them thank you very much Johnson, have your memorandum collected and register your presences. Sammy Karinga? Geoffrey Mbugua? Where, please just show by hand, ujionyeshe ati uko ndio nisiendelee kukutafuta.

Sammy Karinga: Majina yangu ni Sammy Mwangi Karinga. Maoni yangu ilikuwa kwamba shida tuliyonayo kubwa si Katiba, bali ni ile Katiba tukonayo kuwa implemented, e.g. tumekua na mifano. Unakuta mtu anaiba ma milioni ya pesa, maskini akiiba sumuni, atawekwa ndani, tajiri atakuwa freed. Mfano mwingine, kuna hii mambo ya free primary education, free primary education tunaambiwa ni free, lakini sisi wazazi tunaendelea kulipa karo, na pesa mingi zaidi.

Kwa hivyo mimi ninaomba venye Katiba inaweza kufuatwa, vile imepitishwa kwa Katiba iwe implemented. Nadhani hiyo ndio ingekuwa major issue.

Com. Salome Muigai: Basi, tupemaoni kuhusu hiyo? Tunaweza kufanya nini ili tu-implement Katiba?

Sammy Karinga: Maombi yangu ilikuwa hivi, nyinyi mkiwa kama Commissioners, na wenzangu wenye wako hapa, waende kutoa mfano vile tutaweza ku-implement hiyo Katiba tuko nayo iweze kufuatwa kwa njia inayostahili. Asante.

Com. Salome Muigai: Jiandikishe pale. David Njuguna?

David Njuguna: My names are David Njuguna Njoroge. I have a written memorandum but I would like to highlight. The new Constitution shall have a preamble stating why the Constitution is being enacted. It shall entail the following;

- Identity of the people of Kenya as the members of the said Commission and address the people such as we Kenyans.
- It shall provide a background of the people of Kenya and the need to unite.
- It shall declare the aims, goals and purposes of the unification of the people of Kenya.
- It shall entail a vision or aspiration shared by the people of Kenya.
- It shall declare the supremacy of the people of Kenya, as it is the people who need the Constitution and not the Constitution that needs the people.
- That the will of the people shall be prominent.

The President shall not be the Commander in Chief of the Armed Forces. This position shall be held by the Commander in Chief, the Commander of General Staff. The President will be a ceremonial President with a Prime Minister. The Prime Minister shall be available and answerable to the Parliament on issues pertaining the national interests. Presidential elections shall be called for after a period of four years and two terms consecutive shall be a maximum period for one to be elected.

The President must garner a 50% vote casted in his favour in all Provinces to ensure that he is infact a popular and elected President. The President shall not be a Member of Parliament as he cannot hold and attend matters of national interest and at the same time constituency interest. The President shall be vulnerable to impeachment and vacate office if the MPs pass a vote of no confidence to the President.

The Prime Minister shall be appointed from the majority party in Parliament and the President shall be appointed from the majority party in Parliament and the President shall remain more or less ceremonial. The Vice President shall be directly elected by the people but not an appointee of the President. The Vice President shall be elected as a running mate of the President.

Powers should be devolved from the central government to bodies closer to the people. Such bodies could include strong local authorities, shall be established with abolition of provinces and districts. The authority to establish ministry shall be vested in the Parliament and should not be created to reward individuals.

The Constitution should limit the number of ministers and deputy ministers to one for every ministry. The appointed should be vetted by the Parliament to ensure that they are qualified for cabinet posts and that they are knowledgeable people of high integrity.

The Ministers shall be answerable to the Prime Minister. The Executive authority of government of Kenya shall be vest in the Prime Minister subject to the Constitution and the Parliament approval.

Com. Salome Muigai: You have one more minute.

David Njuguna: The Speaker of the National Assembly shall be elected by the MPs from the elected Members of Parliament. The President shall not have the powers to summon prolong or dissolve the Parliament at will.

The rule of law shall be followed to the latter. This calls for practical protection of fundamental rights and freedom of the individual. The present Constitution seems to be silent and if not ignorant of the issue. The exemption given after every right and freedom shall be abolished and the individual should be protected.

The in-human law of maximum penalty of death shall be abolished and replaced by life imprisonment.

Com. Salome Muigai: And that is your last point. Unless there are any questions. We have two questions for you.

Com. Ratanya: Bwana David Njuguna Njoroge, you have said that the President should not have power to prolong or dissolve Parliament. What do you propose to be the procedure for doing the same, dissolving or prolonging Parliament?

David Njuguna: The Parliament should have a set up calendar for its harmony and for its session ending.

Com. Salome Muigai: Mimi nina swali moja, David yenye haukuzungumzia mimi ninakuona kama wewe ni kijana, hukutueleza hii Katiba mpya yenye itakaa na vijana wakati mrefu kuliko sisi wengine, ungeitaka ihuzishe vipi vijana?

David Njuguna: There should be a provision for youth representative in the Parliament. They should also be created constituency levels of committees by which the youths should be able to air their views and grievances.

Com. Salome Muigai: Okay, asante sana. Lucy Gathoni? Lucy Gathoni? Anza na jina lako? Una dakika tano ya kutueleza maoni yako.

Lucy Gathoni: Jina langu ni Lucy Gathoni. Ninafanyakazi na Wanyorigo Catholic Church. Maoni yangu ni kuhusu kura. Tuseme kwa mfano nimechukua kura.

Com. Salome Muigai: Zungumzia kwa microphone, usikike vile mimi ninasikika.

Lucy Gathoni: Oh, kwa mfano nimechukua kura na hii kura ni mimi ninatakiwa niende nikaipige na nimepata shida na tuseme kwa mfano nimegonjeka na wakati wa kupiga kura umepita, nimeshindwa kwenda kupiga kura, sasa ninauliza juu niko na hiyo kura, nitaipeleka wapi, au nikibaki nayo, kuna shida yeyote itapatikana, tuseme itakua ni dhambi ati nimebaki na hiyo kura na hakuna sheria yeyote imesema ya kwamba hiyo kura nitaipeleka wapi, na niko nayo na nimepata shida. Hayo ndio maoni yangu.

Com. Salome Muigai: Unapendekeza vipi? Ukiwa mgonjwa na una kura, ungetaka kupendekeza, kama ungeulizwa ungesema tufanye nini?

Lucy Gathoni: Kama ningelizwa, ningesema kama niko mgonjwa na hiyo kura niko nayo, pengine nimeandikwa katika kile kitabu, wale ambao wanashughulika na hiyo kura, waangalie kama kuna mtu yeyote ambaye hakupiga kura, halafu wajue hiyo kura watanipata vipi au tuseme kwa mfano kama sikuenda kupeleka hiyo kura, niambiwe ikiwa siku zimepita, hiyo kura niko nayo, nitaipeleka wapi? Asante.

Com. Salome Muigai: Kuna swali kwako.

Com. Raiji: Yangu sio swali labda nikufafanua. Unajua ile karatasi unapatiwa wakati unajiandikisha kama mpigaji kura, inaitwa voters card, hiyo tu niyakuwezesha kupiga kura siku ya kura ikifika. Kama wewe ni mgonjwa wakati huo, ni bahati mbaya, lakini hiyo karatasi utaiweka kura ingine ikija pale ulijiandisha utaenda halafu upige, yaani ile karatasi ambaye inakupatia uwezo ya kupiga kura, ni kama ID tuseme lakini inatumika tu wakati unasikia kura inakuja, unaenda, lakini ikipita, imepita.

Lucy Gathoni: Ndio, nimeshukuru.

Com. Salome Muigai: Asante sana wa Gathoni na asante sana Bwana Wakili kwa kutueleza yanayoendelea. James Muiruri? Ni wewe, tafadhali unijulishe unakuja. Karibu. Tafadhali nikiita jina lako, niunilie mkono ama jambo lingine lenye litanijulishe

kuwa uko, ndio niache kumwita mwingine. Karibu James.

James Muiruri: Yangu ni maoni ninatoa juu ya uridhi. Uridhi....

Com. Salome Muigai: Tueleze jina lako kwanza ndio liingie kwenye recordi yetu.

James Muiruri: James Muiruri. Katika kitabu ya Mungu, kitabu ya hesabu, Mungu ameeleza vizuri vile uridhi inatakiwa. Moja ni hii ya wasichana. Inasema ikiwa mtu hana vijana, marehemu hana vijana, ako na wasichana, mali yake inatakiwa ipatiwe watoto wake wa kike. Lakini si watu wa jamii yao. Siku hizi imekua shida juu ya hiyo uridhi, maana hata watu wengine wanaua watu juu ya mali ili wajipatie mali ya marehemu maana hana vijana. Pia ukiangalia kitabu ya Mungu, kitabu ya Ayub chapter 42, utakuta mali ya Ayub iligawia mali kati ya wasichana wavulana. Siku hizi imekua shida sana, wazazi wengi hawachukui watoto wasichana kama ni watu, wanachukua mali yote wanapatia vijana, na hata wazee wa vijiji ndio wamekua shida sana, mimi ninaona mtu anatakiwa agawe mali yake kwa wasichana wake pia.

Pointi yangu ya pili, ni hawa watu ambao wamefanya kazi ya serikali na wakastaafu. Watu wastaafu, wako na shida nyingi sana, zaidi hawa wenye wamekua retrenched wakiwa na chini ya umri ya 55 years. Hawa watu wanapatiwa mali kidogo na kwa shida maana wengi wanakwenda kufuata hadi wanauza mali yao kwenda kufuata mali yao kutoka kwa serikali. Shida ni kwamba, hawana mali ambayo wamejiwekea, pia wakati hata wamepewa hiyo mali yao, hawadumui vizuri. Ninataka kusema kwa kifupi ya kwamba watu ambao wamestaafishwa na serikali wapatiwe mishahara kubwa. Ninasema wakipatiwa kama 80% ya mishahara ile walikua wakipewa, ni vizuri. Isitoshe, wanatakiwa wapewe house allowance. Maana wengi wanastaafu bila kuwa na pahali pa kujenge. Pia, wapatiwe hudumu ya bure ya afya na wawe na vitambulisho ya kuonyesha walikua wamestaafu.

Tatu, wastaafu wawe wakiingizwa kwa elimisha watu ambao wamechukua kazi zao. In servicing the people that took their work. Sina mengi, nikongeza tu jambo moja juu ya Court of Arms. Hili jina Harambee ambayo imewekwa kwa court of arms hata kwa pesa, sio ya Mungu wa kweli maana sisi wenyewe, sisi ni wakristo katika Kenya. Watu wengi ni wa kristo, sisi ni mcha Mungu. Hili jina harambee, inatonikisha, na jina harambee imetokana na Mungu ambaye si ya kweli. Ni mungu wa sanamu lakini vile ilichukuliwa, ilichukuliwa kiujinga, ningependekeza tuwe na kama ni msalaba kwa court of arms maana sisi watu wa Kenya ni watu wa kristo ama kuwe na neno mzuri kama ile iko kwa court of arms ya America. Possibly we can have, jina lichukuliwe kutoka watu ambao ni viongozi wa kanisa. Waulizwe ni neno gani linechukuliwa, otherwise siseme, kusaaidiana kuhudumiana kiharambee ni mbaya, hapana. Hiyo ni jambo nzuri, lakini hii neno lenyewe lichunguzwe, likichunguzwa litakutwa vile ninasema ni jina ya sanamu. Maoni yangu nimemalizia hapo.

Com. Salome Muigai: Asante sana Bwana James Muiruri kwa maoni, jisajilisha. Nina swali moja, lakini umelijibu uliposema habari ya kuweka msalaba, nilikua ninataka kukukumbusha kua ingawa ni kweli hii nchi ina wa kristo wengi, pia ina Waislamu, na pia ina Hindus, nao wote ni wana Kenya. Kwa hivyo pengine ni vizuri umendelea kusema tufikirie jina lengine lenye litahusisha kula mtu ili mmoja asikie kuwa amefungiwa nje.

James Muiruri: Asante.

Com. Salome Muigai: Asante. Jessy Njoroge?

Jessy Njoroge: My names are Jessy Njoroge and I will speak orally. The first point is about national resources about the what the government to give us. Whether the government gets its money from us, the tax-payers money. You find that the government that is in power right now, they say that if you don't like Kanu, you are not going to get development projects e.g. roads, education, we don't want that. We want that the government that is going to be here, that there is going to be a law that there will be equal distribution not to discriminate because you are the ruling party, you give all the resources.

Secondly, about the powers of the President, they should be abolished. He has so many privileges, you find that he is the Commander in Chief, the ASK But you understand that now he is the vice chancellor of the universities. We can choose within the vices that we have, we choose one vice chancellor.

In the Ministry of Agriculture, we find in the ASK, he is the chairman. That one also should be given maybe the Minister of Agriculture.

About the Constitution, the book that nomarly governs our laws. Right now, most of us don't know what is happening about the Constitution. I am suggesting that the age of 18, we should be given those books, so that you know your rights. That is my point.

Com. Salome Muigai: Asante sana. Joseph Mutwige Mukangu?

Joseph Mutwige: Okay, thank you. Kama vile mumesikia jina langu, ni Joseph Mutwei Mukangu. I am a retired secondary school teacher. This are my personal views. I do not represent anybody, this are my views.

1. I want to first deal with the Constitutional Review Commission. It is my feeling that, that Commission should be entrenched in the Constitution. It should not be appointed by anybody.
2. I want to speak about the bills of rights. It is my feeling that there are some rights which are not enumerated in the so-called bills of rights. I would like to propose that any residual right not enumerated in the bills of rights should be reserved for wananchi, it should go back to wananchi. In other wards not all rights are enumerated in the Constitution. Therefore if there happen to be any other right, that right should be the right of an individual, a mwananchi.
3. I want to propose an amendment in the African land trustee Act, to avoid the mis-interpretation to the effect that the land reserved to a particular, the land always, if the land comes under the jurisdiction of the African land trustee is reserved for a particular ethnic group. I want, as a Kenyan I would like to own land anywhere in Kenya. There

should not be land reserved for a particular ethnic group.

4. Regarding the presidency, I wish to propose there be a limit as to election, I am going to amend there, election as to age, election incumbency and education.
5. I am not for the President of the Republic becoming the Chancellor of all public universities.

Com. Salome Muigai: You have one more minute.

Joseph Mutwige: I don't favour that. He should not be the Chancellor of all public of universities.

6. There should be a Parliamentary committee or Commission for every appointment made by the President, with power to vital the appointment in the Parastatals and the Ambassadors and the Permanent Secretaries and the Judiciary.
7. The impending election issue should not be mixed up with the Constitutional review issues.

Com. Salome Muigai: The last point.

Joseph Mutwige: It is true that some issues are one and the same thing, but let us not mix them. We would want to change the Constitution so that the President does not have all the powers he has according to present Constitution. The election time table should be entrenched in the Constitution of Kenya.

Com. Salome Muigai: Na sasa mwalimu anakumbuka kengele? Yako imeshalia ya break.

Joseph Mutwige: Asante sana.

Com. Salome Muigai: Asante. Kuna swali kwa mwalimu, kuna swali? Kuna swali moja kwako mwalimu?

Com. Ratanya: Okay, mwalimu it is not really a direct question but a kind of clarification. You are saying that the Constitutional Review should be entrenched in the Constitution. Are you referring to the current Constitution which means now the current review or even the future reviews.

Joseph Mutwige: The Electoral Commission should be entrenched in the coming Constitution.

Com. Ratanya: Were you talking about the Constitutional review or electoral Commission? Because that was the clarification, I wanted, and if maybe Constitutional review, are you referring to be entrenched in the current Constitution or even in the future reviews, because there will be future reviews of the Constitution?

Joseph Mutwige: I am referring to the electoral Commission. The electoral Commission should be entrenched in the Constitution.

Com. Salome Muigai: Asante sana mwalimu. Kabla sijaita mzungumzaji mwingine, ningetaka kuwakaribisha kina mama, najua mlikuwa polepole kwani mlikuwa mna tayarisha wenye walikuja mbele, lakini sasa shida yangu nikuwa nyote mumekuja kusema, mumekuja kusikiza tu, sio kutoa maoni, ningetaka kuwajulisha yakuwa, ile sheria yenye imetuhusizha, imetuambia

tukija Subukia constituency, turudisha maoni ya wakina baba, wakina mama, ya watoto, wanaojiweza, wasio jiweza ili hii iwe ni Katiba ya kila mtu. Kwa hivyo wakina mama ningetaka kuwaomba mrudi nje tena, mwasiliane kidogo, mkue na ndu ndu, muulizane kama bado mtakuja tena kama wasikilizaji peke yake. Mkikubaliana mnataka kusikiliza nitakubali lakini ningetaka muende nje tena, mjiulize pamoja halafu mrudi asante sana. Lakini kama wakina mama bado wanaenda kujiuliza, ningetaka kumwita Peter Wainaina, na kuwaambia wakina mama kuwa tumesikiza wakina Baba arobaini na nane, kutoka asubuhi.

Peter Wainaina: Asante. Kwa majina naitwa Peter Wainaina.

Com. Salome Muigai: Just one minute ...na kabla wakina mama hamjaenda, ningetaka pia kuwajulisha kuwa unaweza kuzungumza kwa lugha yeyote, sio lazima uje uzungumze kwa Kiswahili ama kwa Kingereza, ile lugha yenye utaweza kuzungumza naye, tutatafuta mtafsiri wa kututafsiria sisi wenye hatutaelewa tafadhali. Endelea Mr. Wainaina.

Peter Wainaina: Kwa majina naitwa Peter Wainaina katika hii sehemu yetu ya Nakuru North. Jambo ambalo ningependekeza ni ya kwamba, mambo ya Katiba ni nzuri sana, na kwa vile ikiwa nzuri, ningesema mambo moja. Ufisadi hata Katiba ikitengenezwa, na kuwe na ufisadi ni bure. Jambo lingine, Judiciary, ...

Com. Salome Muigai: Maoni yako juu ya ufisadi ni nini? Unataka tufanye nini nao.

Peter Wainaina: Upande wa ufisadi, special kamati iteuliwe ya kufuatilia hawa watu ambao wanafanya ufisadi wakipatikana moja kwa moja, wachukuliwe hatua, sio kuwekwa wadundinkwa pale wanakaa kwa muda mrefu. Hatua inachukuliwa mara moja.

Upande mwingine wa Judiciary. Kesi inarundikana hapa na pale, ngoja nenda rudi, mwaka inaenda, wachukue hatua mara moja na kumaliza haya mambo yote. Sio kuweka watu kuna wezee wengine wakongwe hawajiwezi. Kesi Nairobi, uko Nakuru hapa, huna pesa, saa zote Nairobi, Nairobi, hata mzee viatu inaishia barabarani.

Jambo lingine la tatu ni kama ni mambo ya chief wa location fulani, anastahili kuchaguliwa na wananchi. Sio serikali, serikali haijui mambo ya sisi wakaaji katika sehemu hiyo. Sisi wakaaji wa sehemu hiyo ndio tunajua huyu chief ni mzuri anatupeleka kwa njia nzuri ama tunataka njia gani. Lakini akikaa pale anakua settled pale anakaa, hata hasaidii watu. Kila mtu anajua ni chief, huyu atanipeleka wapi. Hatusaidii, kwa hivyo tungependa sisi tukiwa wananchi, chief awe akienda kama ni miaka tano, five years out, anaenda, tunachaguliwa chief mwingine. Kwa hivyo yangu ni hayo tu. Sikuwa na mengi ya kusema. Asante.

Com. Salome Muigai: Asante sana Bwana Wainaina, jisajilishe pale. John Gitonga? John Gitonga?

John Gitonga: Thank you Commissioner, I have got some points here which I would like the Constitutional review, I think will help wananchi. My names are John Gitonga Kiiru.

1. Any President elected in this country should rule the country for five years without additional of a single date.
2. The coming election to be done on December 2002. We don't need majimbo in Kenya.

3. We have so many graduate here in Kenya, but if you go to government offices, you find some of the officers in those offices are not learned. So, we request the Review Commission to change the Constitution and we should have learned people in government offices instead of un-learned people.
4. About maize as a cash-crop. We are selling our maize crops at very poor price while going to buy maize seeds, they are sold at a very high price which our people cannot afford to buy, so we request the maize seeds to drop the prices so cheaply so that our people should be able to buy the maize seeds.
5. We request the Constitutional Review to stop the School Head masters should be stopped mis-using school fees money.
6.which were formed in 1976 and upto now, those shambas have not received their title deeds. So we request the Constitutional Review to help change the Constitution so that those shambas should receive their title deeds immediately.
7. When a leader is corrupt, he must be suspended from the seat he/she is possessing. That is all the points I had. Thank you.

Com. Salome Muigai: Thank you very much. Josphat Mburu, sorry, John Kabiru? Okay.

John Kabiru: Thank you the Commissioners, my names are John Kabiru. Ningependa kutoa maoni yangu kuhusu title deed ya ardhi. Ningependa hii maneno ya kutoa title deed iwache kuwa political, iwe ni kitu iko na mpango ule unafatiliwa. Tuseme kwa mfano, kuwe na muda fulani umewekwa, settlment ikiweko, tuchukuwe miezi mbili ama tatu hivi ndio title itokee, kwa sababu hapa tuko na watu wako na miaka ishirini na zaidi, na hawana title deed, na wengine walipata mashamba yao juzi, na wako na title deed. Tena hapo kwa settlement pia, ningependa kuwe na mpanga mzuri ambayo infatiliwa ki Katiba, kuona zile settlement ambazo ziko na mashule, centers, na vitu vingine ambavyo vinahusikana na settlement.

Ningependekeza, hapo mbeleni watu wakijiunga na wananunua mashamba na hii kitu, society ilifungwa hakuna society siku hizi ambazo zinashikana wananunua mashamba. Na watu wetu wengi wamekaa vijijini na kuna ardhi nyingi zimekaa tu na kutawaliwa na wanyama. Wangeweza kuungana na kununua zile mashamba ndio waweze ku-settle vizuri kuliko kusanya pahali pamoja na uhuru tulipata ndio tuweze kukaa vizuri.

Ile ingine tuko na sheria ambayo inatusumbua sana kuhusu ununuzi wa mifugo, ambapo mtu akienda kufikia pahali anasemekana ame-handle stolen property. Ningependa Katiba hapo irekebishwe, kwa sababu mtu akishauziwa ng'ombe, ile kitu mtu anaweza kuonyeshana ati aliuziwa kitu kama ID number ya muuzaji. Lakini sasa, kulingana na sheria iliyoko, ukipatikana umeuziwa ng'ombe na mtu, hawa hawajali kufuata kama tumeandikiana, ama nini, unakuwa charged ati nime-handle stolen property. Kwa hivyo pale tungependa, kama ID inaweza kusimamia mtu, yule mtu asemekane yeye ni shahidi wa serikali kutafuta yule mwizi lakini asiwekwe pamoja na mwizi ati mnunuzi na muuzaji nyinyi wote ni wezi na mnaingia ndani miaka saba.

Pointi nyingine ni kuhusu wale watu wakuchaguliwa, kwa mfano, mbunge, councilor, na hata kiti cha Rais. Ningependa wawe watu ambao wanaelewa Kiswahili. Na wawe ni watu ambao wamefika Form four. Kwa miaka ningependekeza mtu ambaye atachaguliwa kiti cha MP awe ni mtu kuanzia miaka ishirini na moja, na rais awe na miaka thelathini na tano.

Ningependekeza, Electoral Commission ichaguliwe na parties zote ambazo zinahusika katika uchaguzi. Isiwe ati ni ile chama ambacho kinaongoza serikali ndio inachagua wale Commissioners. Pande ya kiti cha Rias, ningependekeza, Rais achaguliwe na majority votes. Isiwe hii mambo ya kupendekezewa ati 25% katika kila region.

Com. Salome Muigai: You have one minute.

John Kabiru: Thank you. Halafu ningependekeza Rais asiwe zaidi ya viti viwili vile vinahusika katika nchi nzima. Kwa mfano, kusema ati yeye ni Commander in Chief, yeye ni Chancellor ya ma university yote, mambo kama hili. Tena ningependekeza asiwe ati yuko juu ya sheria.

Ningependa kama Katiba itakamilika, kuwe na vitabu vya Katiba viuzwe kwa bei ya chini, ndio kila mwananchi aweze kusoma na kuelewa Katiba yake iko namna gani, ndio asiweze kuingia mashakani. Asante sana.

Com. Salome Muigai: Asante sana. Bwana John Kamuche.

John Kamuche: Thank you. My name is John Mwangi Kamuche. I am the Chairman Asili Sabasaba in this location. In fact I am not bringing issues of the party but I am bringing my own opinion. Ningetaka kuanzia na mpango kuhusu uchaguzi wa rais.

Uchaguzi wa rais, ningetaka tuwe na serikali iliyo na mpango kama ilivyo sasa hivi. Yaani tuwe na serikali yenye mikono mitatu ya laws. Judiciary, Legislative, and the Executive. Ya kwamba, tukileta serikali zingine ziko na tofauti ambayo iliyoko sasa, wananchi hatakuwa wanajua kile kilicho. Ningependa raisi awe chini ya sheria. Hivyo kwamba atafanya kulingana na sheria ya nchi hii. Ningetaka pia, rahisi awe mtu ameo. Hiyo itaamisha, bibi ata-advise rais kwa shughuli za kinyumbani na mambo.

Ningetaka rais awe na degree hasa ikiwezekana awe na degree ya sheria. Pia ningetaka rais awe na miaka zaidi ya thelathini na tano. Mbunge pia ningetaka awe mbunge na certificate sio certificate ya four form peke yake bali awe na C grade. Kwa upande wa Councillor, singependa kuwe na idadi maalum ya masomo, kwani sehemu zingine katika nchi hii ya Kenya, watu hawaja soma. Kwa upande ya uraia, ningependa, uraia ikae kama ilivyo sasa. Kwani sio nzuri kuwa mtu ana majina ya nchi mbili.

Kwa upande wa uchaguzi, ningependa uchaguzi ufanywe baada ya miaka mitano. Na katika miaka hiyo tano, iwe ikifika kikomo, ikifika kikomo miaka mitano, kuwe na mieze mitatu ya uchaguzi. Na wakati huo wa uchaguzi, mkuu wa sheira asimamie shughuli za serikali ahapishwe rasmi na judge mkuu. Kwa upande wa bunge. Iko na shughuli za kutafautiana na

nitasoma kwa Kiingereza, ingawa nimeandika kwa Kiingereza.

The following government officers should be directly answerable to the Parliament which is Attorney General, should be answerable to the Parliament, the Commissioner of Police, Head of Civil Service, Chairman of Electoral Commission and the Chief Justice. The work of the Parliamentary should be expanded in the following ways;

Have office where the constituents can consult with their MPs.

MPs should be charged with particular duties to oversee their performance.

The decision of the Parliamentary after voting should be final, I require no Presidential asset.

It should work as an independent body without interference from the Cabinet.

During discussions the Parliamentary should discuss issues affecting the constituencies without getting worried of the party affiliation.

Com. Salome Muigai: Mr. Kamucha, tulikuwa tumeomba mtu asisome, kwani kusoma na hizo speed, sisi wenye kukusikia hatuwezi kuchukua notes, it is too fast, hata tutawafikiria wakati tutasikiza hizo tapes itatubidi kuzicheza wakati mwingi mwingi, ndio tusikie ulikua ukisema nini. So the whole idea about this, is communication.

John Kamucha: The problem is the time you have given me.

Com. Salome Muigai: True, but the problem, can you look behind you?

John Kamucha: Yaa

Com. Salome Muigai: That is not the problem, that is the solution and the reason why I have given you five minutes, all those people want to speak. So, could you, since you are the one who wrote this things, just highlight one or two points, the rest we shall read.

John Kamucha: Okay, thank you. I have understood. I wanted to discuss only a little Madam Commissioner, although I did not entirely take the whole issue, because it is too much, ..

Com. Salome Muigai: Only give you one or two minutes, your time is over, because I took it from you.

John Kamucha: Okay, thank you. I wanted to talk about the Parliament. The work of Parliament should be given specific hours for the MPs to be out without their electorate and the constituency office. Presently, many MPs just go to the Parliament to be seen other than to heard. We want MPs who are actively involved in the particular discussion. MPs who raise issues and discuss it critically. One who can manage to refres on the performance of the government.

The issue of the people in the area or the grass-roots looks to where the MPs are. This is the problem where the people are critically asking why our MP has not done the work as agreed. Lastly, madam Commissioner, I would like to to have a

Parliament with a senate and a legislative. A senate should be consulted by the governance, where we elect the governance from the grass-roots to the province. I would like to do away with the current Provincial administration because they are not useful at the time.

Com. Salome Muigai: Thank you very much. Next, James Mwangi Kago? Karibu.

James M. Kago: Kwa majina ni kama nimesikia ninaitwa James Mwangi Kago. Mimi ni mkaaji wa hapa Tabuga. Maoni ambayo ninatoa ni maoni yangu binafsi kwa sababu hakuna kikundi ninayoongoza. Kwa maoni yangi, ningependelea viti vya Parliament, visiwe zaidi ya hamsini na tatu, kulingana na vile district zetu zilivyo. Kwa sababu, inaonekana ya kwamba, nchii hii hutumia kodi ambayo tunalipa kwa njia mbaya zaidi, na ninafikiri hata nyinyi Commissioners, mmejionea njia hii ambayo mumepitia ikiwa tuna wajumbe zaidi ya mia mbili ambao mishahara yao ni kubwa zaidi, na kazi wanayofanya kulingana na hesabu yangu, wanafanya kazi siku tatu kwa wiki. Siku kumi na mbili kwa mwezi, siku arobaini na nne kwa mwaka.

Mshahara ambacho tunawalipa hesabu sijafanya kujua kila saa ama kila siku tunawalipa pesa ngapi. Na ikiwa Constitution ambayo tuko naye over forty years, ni wachache sana ambao wamebaki, iliyofanyiwa kule Lancaster. Ilifanywa na wajumbe wakiwa kumi na wawili, na imetuwezesha kuendelea kwa miaka arobaini na Parliament ambayo tumechagua, tume hii haingekuwa hapa, kama wangukuwa wakifanya hii kazi kila mwaka kila siku. Tume hii hamgekua mkisumbuka, kuja kufanya Review of the Constitution, maana wangukuwa wamefanya upto date. Kwa hivyo kodi ambayo sisi hutoa ndani ya Kenya, ningetaka itumike vizuri.

Pili, ningependelea, mikutano ya siasa wakati wa campaign, isiwe ikifanywa, mkutano moja inafanywa hapa na chama fulani, ingine inafanywa na chama kile kingine. Ili supporters wasiwe wakikongana, mkutano wa siasa iwe ikifanywa moja ndiposa sisi wananchi tuchague na tuna judge pale kuwa, wawe candidates ambao wamesimama, tutaelewa pale kwa sababu unasema mbele yangu, mimi ninasema mbele yako, na sita kusengenywa kwa sababu, umo. Asante.

Com. Salome Muigai: Asante sana, tafadhali, jisajilisha. John Nganga? Joshua Karume?

Joshua Karume: Jina langu ni kama mumesikia, Joshua Karume. Yangu nime define into four headings, ya kwanza ni Executive, hii inahusikana na ofisi ya Rais.

1. President should be a graduate from a recognized university.
2. President's age should be between 40 – 75 years.
3. President should not be less than ten years as a Member of Parliament.
4. President in case of mis-conduct, should be removed from office and charged in a court of law through the following method;

Vote of no confidence by 50% in the Parliament or

Through a court order.

5. Lastly, the President should be a man with a family.

Judiciary:

1. In the Judiciary, the Parliament should be empowered to appoint Attorney General.
2. Attorney General should form a Judicial Commission which should be overseeing day to day running of Judicial system in the country.
3. Judicial officers should be graduate from a recognized universities or from a reputable law institutions.
4. Judicial Commission on receiving complaints should set up a committee, and if found guilty, necessary disciplinary action should be taken.
5. We don't require a supreme court in Kenya unless we have a federation.

Constitution:

1. The Parliament should be allowed to amend Constitution by 80% votes from the Members of Parliament.
2. This amendments should only be those which do not empower any individual Executive officer.
3. No amendment in favour of an executive officer if so public referendum conducted by co-operatives, co-operation of churches and other stakeholders.

Political Parties:

1. Political Parties should not play any other role but political mobilization.
2. There should be minimal political parties within the country.
3. The political parties should funded from the public fund. The fund should be in accordance to the numerical strength of the country.
4. The state should respect all the registered political parties.

That is all.

Com. Salome Muigai: Asante sana. Sorry, mulikuwa na swali? Tafadhali, kuna swali moja, lisikize kama bado unaketi hapo Bwana Karume, kuna swali moja kutoka kwa Bwana Ratanya.

Com. Ratanya: Hii ni kufafanua tu Bwana Joshua, umesema political parties iwe minimal in Kenya, can you propose what number you would prefer?

Joshua Karume: About three parties, kwa sababu moja ikiungana na nyingine ile ingine itakuwa iki oppose.

Com. Salome Muigai: Asante sana. Sasa akina mama wamekubali kuzungumza, kwa hivyo nitawapa nafasi kabla hawajaanza kuogopa tena, na mama wa kwanza ni Naomi Wanjiru Gikaru? Naomi Wanjiru Karibu. Ungetaka mtu wa kututafsiria?

Naomi W. Gikaru: Njitagwo Naomi Wanjiru wa Gikaru.

Translator: Anaitwa Naomi Wanjiru wa Gikaru.

Naomi W. Gikaru: Nii uhoro uria ndirenda kuuria ni tondu Kenya itu ina ciama nyingi.

Translator: Kitu ambacho anataka kuuliza ni kuhusu Kenya, ati ina vyama vingi?

Naomi W. Gikaru: Na nituonete kiama kiria kirakorwo gigiathana gikaga gutumikira miena iria ina ciama iria itarathana.

Translator: Chama ambacho kinatawala inakosa kuhudumia pande zingine ambazo haitawali.

Naomi W. Gikaru: Tariu exambo ta na kuria Nyandarua ni kuri iria ni kuri indo nyingi na gutiri barabara.

Translator: Kama Nyandarua kuna vitu vingi kama maziwa na hakuna barabara

Naomi W. Gikaru: Na andu acio mateithagio ni indo icio ciao.

Translator: Na hawa watu wanasaidiwa na hizo vitu.

Naomi W. Gikaru: Na tondu ni kwa opposition, thirikari ino ikuo ndiroranagia nakuo.

Translator: Kwa sababu hiyo mahali ni ya opposition, serikali ambayo iko haihusiki na huko.

Naomi W. Gikaru: Ona haha turi riu barabara ino ni barabara njuru muno.

Translator: Hata hapa tulipo hii barabara ni mbaya sana.

Naomi W. Gikaru: Na ina wira muingi muno.

Translator: Na ina kazi nyingi.

Naomi W. Gikaru: Kuuma nakuria Nyandarua, yumite nakuu igoka uguo.

Translator: Kutoka Nyandarua kufika hapa.

Naomi W. Gikaru: Niyo ituaraga iria Nakuru, indo ciothe, indo cia kuria.

Translator: Tunapeleka Nakuru vitu vyote vya kula ambavyo vinatoka huku.

Naomi W. Gikaru: Na ngwiciria iriga guikirwo rami hihi riria Rais Kenyatta ari kuo.

Translator: Iliwekwa lami wakati Rais Kenyatta alikuwako.

Naomi W. Gikaru: Tonduni nikuagiire na ciamani nyingi.

Translator: Kwa sababu kumekua na vyama vingi.

Naomi W. Gikaru: Nii ingiuria kama kiria gikuoya thirikari.

Translator: Ninauliza chama ambacho kitaongoza serikali.

Naomi W. Gikaru: Gitumikire Kenya yote handu haria hothe iri.

Translator: Itumikie Kenya yote pahali ilipo.

Naomi W. Gikaru: Na mundu wote wa Kenya.

Translator: Na mtu wote wa Kenya.

Naomi W. Gikaru: Tonduni ena haki ni muciarirwo wa Kenya.

Translator: Kwa sababu ana haki na ni mzaliwa wa Kenya.

Naomi W. Gikaru: Kiria kingioya thirikari gitige kuuga gitinacagurwo kuria gitari na andu akuo aingi.

Translator: Wale watachukua usukani wasisema hawatahudhuria pande zingine.

Naomi W. Gikaru: Tonduni ni tumirite muno

Translator: Kwa sababu tumeumia sana.

Naomi W. Gikaru: Kiuria giakwa kuma o kiu.

Translator: Jambo langu lilikua hilo tu.

Com. Salome Muigai: Kuna swali kwa mama? Mama ma Commissioner wamesema umezungumza vizuri sana. No ungiainuka na uhoro ucio. Hii Katiba ingekua imebaki na pengo kwa wewe kukosa kutuambia, tafadhali jiandikishe pale. Na sasa nitamwita mama Regina Karagita. Unazungumza kwa Kikuyu?

Regina Karagita: Ke njarie na gikuyu.

Com. Salome Muigai: No niui githweri.

Regina Karagita: Ii no reke njarie na gikuyu.

Com. Salome Muigai: Wega wa kuaria na githweri ni gutuika ati ukuoya ndagika ciaku ciothe igutwikirie kuuga uria urenda. No riria turaria mundu ungi agitabutaga, turaria na maita meri ma mathaa maria meho. Kwoguo onawe ukuoya ithaa riaku na ria mutumia ungi ungiaria kana ria muthuri ungi. Kuoguo mundu uria urahota kwaria na githweri please, arie githweri tonduni nituragua

moja kwa moja na gitukuoya kahinda karaihu. Noguo tikuga uria utoi ndakarie.

Regina Karagita: Kwa majina ni kama vile nimeandikwa hapa Regina Karagita. Na kulinga na vile hii mambo imekuja, tumesikia ati siku hizi watoto wamechukuliwa sheria sasa, ata sasa hauwezi kufanyia mtoto hii, hauwezi kunfanyia hiki, kuna sheria aina hiyo. Ninauliza na sisi wazazi, tunafanyia watoto kazi, tunawalea, wanasoma, wanaenda hata masomo ya juu sana, na kile kitu tunapata kwao ni kutosikia wazazi.

Mtoto unamwona sasa sijui anafanya nini, anajiona amesoma, ukijaribu kumweleza chochote hasikii, anakunywa pombe, anafanya mambo mabaya. Ukiangalia kila mji, unaona kila mzazi analia. Ninaonelea au kuuliza, hawa watoto nao wafanywe nini na serikali. Ikiwa serikali inaona wamesumbuliwa, au sisi wazazi tunawafinyilia sana. Na sisi wazazi watufanyie nini?

Com. Salome Muigai: Ungetaka kupendekeza nini, ungetaka Katiba ifanye nini?

Regina Karagita: Ningependekeza hivi, Katiba ile itawekwa kama itawezekana na hawa sababu wamekua watu wazima, na wamekataa hata wazazi na serikali, naye serikali iweke sheria iwachukulie hatua ile wataona ni nzuri. Ndio wao pia wataogopa na wajue kweli wamefanyiwa kazi. Hiyo tu ndio maoni yangu.

Com. Salome Muigai: Asante sana. Jiandikishe pale na sasa nitamwita Gladys Wairimu.

Gladys Wairimu: Majina yangu naitwa Councillor Gladys Wairimu. Mimi ndio Councillor wa eneo hili na ningetaka kutoa maoni yangu kibinafsi. Hasa kwanza nataka kutoa maoni kama vile serikali ya wakati huu ya chama cha Kanu, ningepomba wakati ule mwingine tulikua na Constitution ya zamani, tumepea hawa watu powers nyingi sana. Especially the President, na wakati vyama vingi vimeingia, tumejiona taabu ambayo imeingia kwa sababu ya mtu mmoja kuwa na powers. Amekua ndio mkubwa wa majeshi, police, ma judge, na everything.

Kwa hivyo yule mtu wa kawaida, hata ingawa anataka kupeleka mambo yake kuna kuwa na viziwi vingi kwa sababu ya kuogopa. Tunaona hakika hakuna ukweli. Ikiwa ile Katiba ya zamani ndio imepeana hiyo mamlaka, ningeponea kitu ya kwanza, ningepomba ile Katiba ambayo inatengenezwa wakati huu, iwe one person with one job. Ikiwa President atakua president, awe President peke yake. Asiwe ndio mkuu wa majeshi ama mambo mengine.

Ya pili, ningepomba President ambaye atachaguliwa awe neutral. Asiwe wa chama chochote, kwa sababu tumehaingaishwa kwa sababu any person ambaye ako kwa chama hii, wakati anachaguliwa anahudumia chama chake. Na ndio imefanya wakati huu, tuwe na hile taabu yote tuko nayo, kama vile mumesikia wama hapa wamesema. Tuko na taabu ya barabara kwa sababu opposition iko upande hii, hatuwezi kufanyiwa hii na hii. Na kama kungekua one person with one job, mwingine pengine angeonea eneo hii sympathy na atutengenezee hii barabara ambacho imepita.

Ya tatu, kwa hakika ningependa Constitution ya wakati huu, hali ya wamama, sisi wama tumeteseka sana. Hasa we want to be

equal with men. Na sio kusema ya kwamba tunataka tuwe kichwa. Tunataka mambo yote, kama wakati huu upande huu kama vile umesema watu waongee Kiswahili, upande huu wa kwetu, wamama kwa sababu ma bwana wao wakifa wanahaingaiwa zaidi. Na kwa sababu ya kukosa ukweli katika mahakama zile ziko wakati huu, ukipita upande huu, unakuta mali yako yote imefagiliwa. Ukitaka kujaribu upande hii, mama hana pahali popote, wazazi wanakua na nguvu ya kufukuza mjane na wanawachwa hivyo. Tunataka Constitution ya wakati huu, ipee wamama huru. Mama awe anajisimamia, bwana akifa, kusemekane hakuna kesi kotini, nini, ni haki ya mama apewe haki yake.

Ningetaka kuongea habari ya shule. Kitu ambacho kimenisababisha kusema one person with one job, ukiangalia wakati huu. Illiteracy, unakuta kwa sababu chama ambacho kimeajiri watu, kimeajiri one tribe. Unakuta mpaka kwa shule, mashule imefia, ukienda kwa shule, DO unakuta ni mtu fulani, hana masomo ya kutosha. Kwa hivyo tungeonelea ya kwamba, wale watu wataajiriwa wakati huu, watu wawe na elimu. Ikiwa ni Councillor kama mimi, wachaguliwe kutoka Form four, wale ambao wanajua kile kitu wanafanya. Tuna shida na wale watu ambao hawana masomo. Ndio unaona nchii yetu imefilisika kwa sababu mimi nimepewa cheo kubwa zaidi lakini masomo sina, sina – what do we call it? Sina ujuzi ya kufanya ile kazi. Kwa hivyo tungeomba wale wataajiriwa wapewe uwezo wa kufanya kitu.

Nimetoka huko, mimi ni Councillor, ningepomba wale watu wanachaguliwa kama Chairmen, Mayors, wawe wakitoka kwa wananchi. Ili wawe wakifanya kosa lolote wawe answerable to the person who is on the grass-roots but not the Councillor ambaye alichaguliwa na wananchi. Kwa hivyo, tungeomba kwa sababu nchii hii wakati huu, mwananchi wa kawaida hana uwezo, amenyonywa kwa kila njia. Sasa wale wamekua na uwezo ni wale wakubwa. Kwa hivyo tungeonelea mwananchi wa kawaida apewe uwezo ya kujisimamia, ikiwa ni maziwa, ikiwa ni coffee, ikiwa ni anything, wawe wenyewe wana uwezo wa kusema vile wanataka mambo ipelekwe. Tusiwe mambo wakati huu kutoka juu, we want anything itoke chini ikielekea juu. Nilikua tu na hayo machache ya kusema and I am very happy, ningesema tu utuei radhi kwa sababu ya mama kuongea Kikuyu. We are of that time. May God bless you.

Com. Salome Muigai: Mama tunaswali. Mama diwani keti, tuna swali moja au mawili kwako.

Com. Raiji: Asante Councillor, labda ulisikia vile watu wanalalamikia juu ya barabara na ningefikiria kwamba hii labda ni tatizo ambalo lingetatuliwa na nyinyi kama ma Councillors wa County Council ya area hii. Je ungetaka sasa kupendekeza nini, au ni sababu gani labda hilo jambo halijatekelezwa?

Gladys Wairimu: Ningesema kitu kimoja, umefanya vizuri sana kuniuliza hiyo swali. Barabara ambayo tunapitia wakati huu, ni ya M.O.W. kwa hivyo ni ya serikali. Na serikali ina wajib kwa sababu tunatoa kodi, ili itutengenezee barabara, lakini kwa sababu sisi husikia kuna upande wa opposition haifanyiki chochote, na ukielekea upande mwingine unakuta barabara imefanywa.

Hasa katika County Council, we deal with the Town centers, na kama vile nimekueleza, baraza letu limechaguliwa watu hawana

ujuzi. Kwa hakika ukienda upande huo, it is better to say the truth. Unakuta watu ambao walijajiwa, tinga tinga ikiisha, badala ya kutoa piston, wanatoa gear. Because they don't know what they are doing. And that is why we are saying, we want qualified people to employed and qualified people to be elected to be Councillors and Engineers. One thing, nataka kusema hata ukienda wakati huu, uangalie Engineer mwenyewe, umueleze aje angalie barabara, hata hajui caravat hufanywa namna gani. Because he just only employed because he belongs to that place. Just that.

Com. Salome Muigai: Mama Diwani sisi tuna maswali mengi kwako, tungetaka kutumia ujuzi wako kueleza mambo fulani fulani, umezungumzia juu ya matatizo ya wajane, kwani kuna shida nyingi kupata mali yao. Sasa kwanini tunaongoja mpaka wazee wafe ndio kuwe na hii shida, kuna mambo gani tunaweza kufanya kama bado wazee hawajakufa, kuyaleta hii mambo kuwa, wakikuyu husema, 'msomaji aliye mwerevu hutupa jicho mbele', kwa hivyo ni jicho lipi tunaweza kutupa kule mbele, ili haya maneno yaache kuwa shida wakati mmoja baba au mama ameondoka?

Gladys Wairimu: Ninashukuru kwa kuniuliza swali hilo, lakini ninataka kukueleza. Kama vile unaelewa hapo mbeleni, wamama hawakua na pahali popote. Na hata wakati wa leo, wazee wengi hawa amini ya kwamba mama anaweza kufanya chochote. Na ndio sasa unaona mzee, anakaa na mali yake akifikiria mama hajiwezi, na tumejitokeza kufundisha wa mama, wana akili sita hata kuliko mwanaume kwa sababu saa zingine wako na tano. Na anaweza kujifanyia 1,2,3. Tumeanza kufunza wamama ya kwamba, they have their rights, ako na haki ya kukaa na mume wake, amueleze this and this na wasikizane. Sio kusema tu ati kuongea na mzee na mama, mama atakua mkubwa kuliko mzee, no. Lakini wakati wa mbeleni, walikua wakiona mama akiridhi akipewa mali yote, atahama pengine aende kwao, atajidai na mambo kama hayo.

We are teaching this women, waje infront, wajue we are equal with women. Na ile mali yote wametafuta kwa hakika ni yao wawili na watoto wao. Ile tu imefanya mambo hiyo ifanyike sio wamama, ni wazee. Ningeomba wazee wawe wakipelekwa seminar. Kwa sababu tu, ndio huweka title deed, everything, just that.

Com. Salome Muigai: Mapendekezo yako ni nini? Katiba yenye itakuja ungetaka ifanye nini?

Gladys Wairimu: Ningetaka kitu kimoja, serikali kwa sababu iko na nguvu, sheria iwekwe, after ikiwa mzee hataki ni ridhi wakati ako hai, sheria iwekwe mzee akifa, mali ni ya mama, sio ya ndugu yake ama nani. Ni ya mama ambaye ameachwa. Naye mama akifa, kila kitu ni ya mzee. Just that.

Com. Salome Muigai: Asante sana mama Wairimu na mama Diwani, jiandikishe pale na tunakushukuru. Sasa hiyo mawaidha yote ungeenda nyumani nayo. Monica Muthoni? Tukifika hapo kina baba sasa nitaweka break kidogo halafu niwaite.

Monica Muthoni: Majina yangu ni Monica Muthoni. Nina maoni nitasoma moja, hiyo ingine nitapelekea Tume. The official leaders.....people into evils by way of election. Since this is the way to judge who should rule. People world wide

choose to be led by satan. They thus indicate with a sign X, when a teacher making a wrong calculation. They do this from age 18 onwards in order to make their own choice of the government by death being adults. This is because, Adam and Eve were adults when they chose to pass through the way of death. Thus everyone sells his property in order to purchase education for his child which has itsdeath, so that when the child becomes an adult, he too chooses death to order his govern.

It is wrong for the government and the churches to victimize citizens for any crime and punishing them. Ring leaders understand that people violate the law because, evil is above that law and as such why punish people? If there was no evil above the law. People world-wide should be up-right whether they like it or not. Because what defiles the law is done away with. The law defiles the Duke of Kent, the leader of the Free Mansions world-wide as he bears the Constitution and the law of death on earth.

He has been likened to the great citizen that gets everyone into death on earth.

Com. Salome Muigai: Asante sana. Tumesikia maoni yako. Jiandikishe pale kwenye orodha yetu yenye wametuzungumzia na sasa tunampa nafasi Martin Mwangi? Martin Mwangi, uko karibu.

Martin Mwangi: Thank you Commissioners. I am Martin Mwangi and I am born again. Here are my views.

1. The President's power to be reduced e.g. appointments of Judges, Permanent Secretaries, Commissioner of Police and the Head of Army. This should be done by an appointed committee and then approved by the Parliament.
2. Price increase or reduction to be done on the budget day only, not one week prior to the budget day and in the event of any alterations, e.g. a mini budget, this to be done after alerting the citizens so that they can be aware of the mini budget.
3. Police torture to be abolished. Even arresting anybody without a warrant of arrest signed by the magistrate, should be done away with.
4. No bill should be passed without doing civic education first to the citizens and getting their contribution about it.
5. Every body in the government, eg. army to have a recruitment or appointment committee which is independent to avoid tribalism and nepotism during recruitment.
6. Electoral Commission should be independent and the Commissioner should come from the citizens themselves and the Chairman to be appointed by the Parliament.
7. We should have a Commission for human rights who will receive complains from the citizens and take it to an office which shall be established by the government for receiving complaints from the human rights Commission. Who will then channel all the complaints to the necessary bodies for actions.
8. The Kenyans citizen who are educated and learned and are not employed, should receive some payments or salaries because the government earn gross domestic products every month. Since the government is the one that has failed to give them jobs.
9. Un-employed person who is qualified should deposit their qualifications certificate to the Ministry of Labour who will

have a selection or recruitment committee that is independent to enhance job employment and reduce corruptions.

Those are my views, thank you.

Com. Salome Muigai: Thank you, those are good views, please register yourself. Johnson Macharia? That is the young man who spoke to us earlier. Wilson Njuguna?

Wilson Njuguna: My name is Wilson Njuguna, I would like to highlight a few points. On medical care. The government should ensure free treatment for all government hospitals in order to reduce death attributed to poverty. This is because drugs are expensive and the majority of people cannot afford to pay for medical treatment in good hospitals.

Com. Salome Muigai: Please speak into the mic because we are recording.

Wilson Njuguna: The other point is that on education. I would request, that education should be for all. Education centers should be such that school fees must be free from as early as primary to university. This should cater for the poor families who cannot educate their children beyond primary and secondary levels.

The current scenario is the one where only rich people can afford to send their children to boarding secondary schools and to University. The rich people should be left to educate their children in private schools, colleges and universities. Here I could imagine a case where we have got, in our set-up, you will find that there are some people who are un-employed. We have the cases of casuals, some earn very little amount, and there are no separate schools for them. So we need to consider those people. The low paid people, the farmers who do not have any direct earning, should be considered so that we also, since we expect to have bright students from those areas can be able to get access to education.

Finally, the other one is on agriculture, we know very well that agriculture is the backbone of our economy. It should be given first priorities in the budget allocation. The government should acquire agricultural inputs and subsidize prices to farmers. Here I mean, things like seeds, fertilizers. You find that they are very expensive, and people cannot afford. They end up not using it and as a result they get very low yields. The government should come up with agricultural policies aimed at boosting farmers' morale to venture into agricultural productions, i.e. they should ensure good roads, credit scheme, drought compensation and good prices for the produce.

On Presidential election, it is the theme of most people around where I come from that for a President to be elected, he should be elected by more than 50% of the vote cast. Thank you very much.

Com. Salome Muigai: Thank you very much Wilson Njuguna. Mr. Ibrahim Kimotho?

Ibrahim Kimotho: Asante sana, jina langu ni Ibrahim Kimotho na mimi ni Chairman wa shamba moja inaitwa New Njoro. Ninaomba kwa nyinyi wote kuna plot ya shule iko huko na kuna watu wanaingilia uko wanagawa kuuza. Plot thamanini na mbili na plot ishirini na mbili, imekwisha uzwa na hiyo ingine bado. Na sisi tumeshafunga mtu asinunue ndio ninasema hapa mbele ya watu wote, mtu asidanganywe na watu wanataka pesa, hiyo kiwanja ni ya shule, na iko na title deed na watu hao wameshagawa wameshatoa title deed. Lakini hiyo mambo itaendelea kwa serikali. Na tutaomba serikali itusaidie hiyo kiwanja ni ya shule. Sisi tulikua tunafungua shule na ikakua na watoto mia moja sitini na class sita na walimu kumi na tatu. Na ilifungwa na chief yuko hapa, na kila mara ninapewa barua nimuletee, hakusimamisha watu wasifanye mambo huko. Na ni hayo tu. Asante.

Com. Salome Muigai: Asante sana Bwana Ibrahim Kimotho, jilandikishe. Ninamwita Rose Wangoi? Jane Wanjiku? Oh wewe ni Rose Wangoi? Wewe jina lako ni nani? Sasa imekua shule nikikuita unasema present madam, ndio ninajua bado unakuja.

Rose Wangoi: Asante sana, kwa majina yangu ni Rose Wangui. Mimi maoni yangu kuhusu hawa watu wa kuchaguliwa kama Councillors, wengine tunawachagua, tunaambiwa wanamaliza miaka mitano. Tunaonelea wanachagulia na hakuna kitu wametufanyia, hasa kuhusu barabara. Sasa tunaona watatufanyia mambo ya barabara, kuhusu madawa hospitali hakuna, sasa tukaonelea akishindwa kufanya hiyo kazi, aondolewe tulate mwingine mwenye anaweza kufanya hiyo kazi. Hiyo ndio maoni yangu, asante sana.

Com. Salome Muigai: Asante sana Bi. Wangoi na sasa ni na mama Jane Wanjiku? Yuko? Okay.

Jane Wanjiku: Mimi ni Jane Wanjiku, ningependekeza ya kwamba tukiomba kura na hawa wanaotuomba kura, kama anataka kura ya kuenda Parliament akishindwa na kazi, tupewe nguvu, sababu mwananchi ndio amemchagua, akiwa ameshindwa na kazi sababu wakiingia huko kwa bunge, wanangoja miaka tano, ikiisha ndio wanarudi kwetu. Wakishindwa na kazi kabla ya miaka tano, halafu tunawafuta. Wananchi wapewe nguvu halafu tena, ninauliza ya kwamba, tunaambiwa tuko huru, Kenya tuko huru, ikiwa ni kama mwaka themanini na mbili, tulikua na taabu sana Rift Valley, sababu wakati tulichagua hawa walio bunge, wakaenda Parliament, ilisemekana sisi hatukuchagua Rais, kwa njia nzuri, tulichagua watu wa opposition, na tukakua watu wa kuharakishwa sana, tena ninety seven ikawa hivyo hivyo. Nauliza ya kwamba, yule atakayeenda bunge kama atakua mtu wa Western ama mtu wa wapi, huyu ni mtu wa Kenya, kama amechaguliwa na wananchi, ajue amechaguliwa na wananchi wa Kenya wote, awatumikie. Hiyo ndio pendekezo yangu.

Tena tunaambiwa ati shule ni bure, ukikosa kupeleka mtoto shule, utafungwa na ukiwa huna pesa, ujue hakuna mtoto atasoma, tunasikia ya kwamba, mtoto akienda shule kama hana pesa anafukuzwa. Sasa huyo ni MKenya ama ni wa nchi gani.

Com. Salome Muigai: Ungependekeza nini Bi. Wanjiku, ungetaka kuona kufanyike nini?

Jane Wanjiku: Ningependa ya kwamba kama shule tuliambiwa ni ya bure, mtoto asome. Ukiwa una nguvu utajaribu, ukiwa hauna nguvu huyo mtoto tunaambiwa anatekelezwa mambo yake.

Com. Salome Muigai: Asante sana mama Wanjiku, jiandikishe pale. Michael Thande?

Michael Thande: Thank you, my names are Michael Thande and views are as follows. First, I would like to suggest that the present Committee for Reviewing Constitution should not be subject to any time limit.

Secondly, I would like to comment about the Constituency boundaries. All constituencies, the boundaries should be determined according to the population density, so that heavily populated areas should have more members of Parliament. My third point is concerning discipline in schools. I don't know why the government has adopted some suggestions from outside bodies which do not apply in local situations. For example, this caning as a disciplinary measure, I think it should be allowed, as long as excess brutality is not inflicted on the student.

About the distribution of the national case, I would recommend that the tax revenue which is collected by the government, most of it should be distributed to the local authorities in proportion to the contribution or they can be allowed to collect most of it directly, so that all the development projects in a particular region are managed by the local authorities. That is a way of trying to destroy the culture of the particular party or community in power, saying that it is our time to eat.

The Public Service Commission should be free, independent and strong. It should be the one to appoint all senior public officers, like the Military chiefs, the police chiefs, the judges and all senior public officers, so that they don't owe their loyalty to any particular individual. Those are my points.

Com. Salome Muigai: Thank you very much those are good points. George Mbugua? Kama ulikuja ukitaka kuwa observer, na umebadilisha fikra zako na ungetaka kuzungumza, itakubidi kuridi nje na kujisajilisha tena. Kwani mimi nikiona jina lako na niona umeandikwa observer hapo kando, sitakwita, nitamwita yule mwenye alisema anataka kuzungumza. Kwa hivyo ukibadilisha nia na utake kuzikizwa rudi pale nje ujisajilishe tena na niletewe hilo jina upya.

George Mbugua: Jina langu ni George Mbugua, na ningetaka kuongea kuhusu President ambapo nilikua ninapendekeza kuwa, President awe na ofisi moja. Kama ni President awe ni President, asiwe ni kiongozi wa universities, awe ni head of Armed Forces, awe president na president peke yake.

Farmers wawe, ile production wako naye, isiwe inapelekwa kila mahali. Iwe restricted to a certain, specific place. For example, kama ni mahindi, isiwe mahindi inachukuliwa inapelekwa na huku, na ingine inapelekwa huko, iwe inawekwa pahali pamoja, ndio mnunuzi akija, anunulie kutoka hapo. Pasiwe na hii mambo ya kuharibia mkulima kile anachokuza, kwa sababu ikipelekwa kila mahali inaonekana mmoja anakuja na bei hii, mwingine anakuja na bei ile, sasa haikuwi na order. Kile ambacho mkulima anakuza, kiwe na bei yake, for example, iwe ni viazi, iwe ni shilling mia sita kwa gunia, iwe ni hapo. Kama ni mahindi iwe ni shilling elfu moja, iwe ni hapo, isiwe iki fluctuate kutoka mia tatu, kwenda elfu moja, inatoka elfu mbili inarudi mia mbili. Inaua roho ya mkulima, ndio umaskini unazidi zaidi.

Local government iwe ina control-iwa na National Assembly. Kwa sababu hapo, ndio mwananchi anaweka macho yake. Anamchagua mjumbe anampeleka kwa National Assembly, kwa hivyo hii Local government kwa sababu bado inachaguliwa na mwananchi, lakini mwananchi bado amechagua mtu mkubwa, huyo mtu mkubwa we aki-control hiyo. Ndio unaweka hii restriction ya kutokua na vitu vya kusaidia huyu mwananchi. Kwa sababu tukiingia katika Local government tena, unakuta kama ni Councillor, Council yenyewe inatuma ma askari fulani, wanakuja kuitisha kiwango fulani cha pesa, na hizi pesa mwananchi hapati malipo ya hiyo pesa.

Kwa hivyo inaonekana ni kunyanganywa wananyanganywa, kwa sababu hii pesa haina returns, lakini unaitishwa tu. Na iwe pia kama ni biashara iwe ina kiwango cha pesa inaitishwa. Isiwe kama ni kiosk kunakuja watu wawili kwa siku, inalipishwa kama hoteli ambayo inajawa na watu kila siku. Inaonekana isipochunguzwa namna hiyo, maskini atazidi kuwa maskini zaidi.

Kwa hivyo kama ni mtu ambaye ana kiosk ya watu watatu wanakuja kwa siku, awe analipishwa shilling mia mbili. Yenye inajawa na watu mia moja kwa siku, inawekwa kiwango chake cha pesa na iwe na returns, si ati inalipishwa tu na hakuna returns.

Street children, wananchi wanaweza kutengeneza kitu kama reformatories ya hawa watoto. Wawe wana elimishwa vizuri na wanapatiwa kazi. Isiwe hawa watoto wako kwa street miaka yao yote, kwa sababu hawa watoto wakikaa zaidi, inaonekana mwisho wake ndio wanakua waizi wale wa bunduki, waizi wa ku-harass mwananchi. Kwa hviyo wawe wanashikwa kama wakipatikana kwa street wanawekwa kwa shule mara moja.

Barabara inatumiwa na mtu ambaye ni jirani yake. I mean kama barabara iko hapa, waakaji wa hapa ndio wanatumia hiyo barabara. Hiyo barabara iwekwe responsibility kwa watu hao, ndio wanajua pahali kuna shimo, hapo tunahitaji lami, hapo tunahitaji hiki. Hiyo pesa hata kama ikiwa wewe hauko, ijulikane inakuja na kuna watu ambao wanakaa hapo, wanachagua watu fulani ambao watatetea hizo barabara. Na hizo levies ambazo watakua wakikata kutoka kwa agriculture, ziwe zinatengeneza hizo barabara zao.

Ya mwisho...

Com. Salome Muigai: Wakati wako umeisha lakini nitakukubalisha hii ya mwisho.

George Mbugua: Okay, asante. Ya mwisho, nataka kuongea kuhusu youth, youth wetu ni wengi wako hapa. Na hawa youth, ningelipendekeza wawe wana serve government kwa kiwango fulani cha miaka, na wakati huo, wawe wanafunzwa Constitution ya Kenya. Kwa sababu kama sasa, sisi tuko hapa wote, hatujui Constitution ya Kenya yetu iko namna gani, sisi tunajua kamoja pale, kengine pale, sasa hata kuja ku-review hii Constitution, tungesema tunataka iwe reformed. Lakini hatujui specific point we are now regarding to. Isipokua ni shida tunaona hapa na pale, iwe youths wanafunzwa, ndio wakati mwingine kama huu ukifika, mwenye atakuja kuongea, ataongea kitu anachojua. Asante.

Com Salome Muigai: Asante sana, oh kuna swali moja.

Com. Ratanya: Bwana Mbugua, kuna swali hapa kuhusu barabara, unasema kuwe na msimamizi wa barabara, na tunajua kwamba kuna Idara ambayo inasimamia barabara, kama unasema maoni yako unapendekeza kuwa wananchi wasimamie ama group gani?

George Mbugua: Mimi nilikua ninapendekeza kwa sababu barabara ina jirani wake, iwe kutoka Tabuga, kuanzia pale chini mpaka Ndongori, kuna viongozi wako hapo, tuna Councillor, tuna Chief, na viongozi wengine. Hao viongozi wawe wamechagua wazee ambao watakua wameangalia barabara hiyo kutoka hapa mpaka hapa imeharibika kiasi gani. Ni pesa ngapi inaweza kutumika, ili pesa ikitoka kwa National Assembly, ikiwa imegawiwa kwa hiyo barabara hawa watu wanahusika. Mahali pengine vile vile, ndio barabara zisiwe zinatoboka hapa na pale na watu bado wanangojea pesa kutoka kwa watu fulani.

Com. Salome Muigai: Sasa mimi nina swali ya kuongezea, cha ziada, wazee nikina mama na baba ama ni wa kina baba peke yao ama ni wakina baba peke yao, hapa kwenu wazee ni wakina nani.

George Mbugua: Wazee tunakusanya nikina mama na kina baba.

Com. Ratanya: Sasa unasema isimamiwe kama location hivi ama ni section kila barabara. Yaani ukisema pendekezo fulani lazima ijulikane itatengenezwa namna gani. Kama ni division, kamiti, location sublocation ama kila kijiji, hebu fafania hapo, ili tuchukue maoni yako sawasawa.

George Mbugua: Mimi nilikua nikisema hivi, barabara vile inatumiwa na watu hawa, majirani wa barabara hiyo, nilikua ninapendekeza wawe hawa wazee. Kwa sababu gani, hawa wazee ndio wanaona barabara hiyo. Na kama wanaiona, badala ya kungojea mbunge apeleke hiyo views kwa bunge, hao ndio watakuwa waki-report kwa wakubwa wao. Kama vile tunao DDC, kama tunataka project ianze, inaanza na the grass-root, inakuja juu, na hii barabara pia ipewe such a merit.

Com. Salome Muigai: Asante sana, jilandikishe. Ruth Mwaura? Pole pole Gitonye, kazi yako ni kututafsiria, sasa amesema hata hatumui jina.

Ruth Mwaura: Ritwa riakwa njitagwo Ruth Mwaura.

Translator: Jina lake ni Ruth Mwaura.

Com. Salome Muigai: Yale mambo amesema sasa ni wakati wako wa kutafsiri.

Translator: Anasema ya kwamba sisi kama raia wa Kenya tuna jukumu kubwa kwa maana kuna wale viongozi ambao tunawachagua ambao ni Wabunge, tunawapeleka kule Bungeni watuakilishe.

Ruth Mwaura: Riu ndirahoya kworwo no kuhoteke Katiba iitu icenje. Kumenyererwo ati andu acio tutuarite kuo nigetha matuarage mathina maitu.

Translator: Tunapenda kwamba Katiba yetu ibadilishwe ili kwamba iseme wale watu tumewatume kule, ili watutete shida zetu.

Ruth Mwaura: Riu nigetha riria macemania, muthamaki witu uria twinake bururi ini witu.

Translator: Ndiposa wakati wanapokutana yule rais ambaye anatuongoza,

Ruth Mwaura: Akorwo e Chairman wa andu acio tuthurite.

Translator: Awe ndiye kiongozi wao.

Ruth Mwaura: Nigetha ndakahitukagie undu kiama gitu gitetikirite.

Translator: Ili asije akapitisha mambo kabla chama chetu hakijakubali.

Ruth Mwaura: Tond u andu acio ni aingi na tumatuarite kuu ni undu witu.

Translator: Wale watu ni wengi lakini kile kimewapeleka kule ni sababu yetu.

Ruth Mwaura: Kwoguo mahitukia uria mahitukia, nake muthamaki wa bururi wa witu agathii kuuga uria macira.

Translator: Na wao wakishasema jambo naye kiongozi anasema ni ukweli.

Ruth Mwaura: Uguo niwe Chairman wa kiama kiu.

Translator: Kwa hivyo wewe ndiye mkubwa ama kiongozi wa hicho chama.

Ruth Mwaura: No ucio nindarikia.

Translator: Hapo nimetoka.

Ruth Mwaura: Ndirenda kuuga undu uria ungi.

Translator: Ningependa kusema hivi,

Ruth Mwaura: Ati niwega ithui ta atumia.

Translator: Sisi kama wakina mama,

Ruth Mwaura: Twitikirio ni bururi witu wa Kenya.

Translator: Nchi yetu ya Kenya itukubalie.

Ruth Mwaura: O mundu etikagirio kugaya indo cia ithe.

Translator: Kila mtu akubaliwe kuridhi mali ya baba yake.

Ruth Mwaura: Tond u ciana ciakwa igayaga indo cia ithe wao.

Translator: Maana watoto wangu wanaridhi baba yao.

Ruth Mwaura: Kwoguo nii ndiri kindu kundu kuu.

Translator: Kule kwangu mimi sina chochote.

Ruth Mwaura: Kwoguo niheo rutha rwa gwika uguo.

Translator: Nipewe ruhusa ya kuridhi baba yangu.

Ruth Mwaura: Ni bururi witu wa Kenya

Translator: Ni nchi yangu ya Kenya.

Ruth Mwaura: Ni getha njikare kuu ta mwene kuo.

Translator: Ndiposa nikae kama mwenyeji.

Ruth Mwaura: Reke njuge undu wa gatatu.

Translator: Jambo la tatu,

Ruth Mwaura: Ndirenda kuuga bururi witu wa Kenya ni mwega.

Translator: Nchi yetu ya Kenya ni sawa kabisa.

Ruth Mwaura: No kuuru muno tondu ni kuri na watho wahitukirie ati andu mahoyage uria mekwenda.

Translator: Lakini hili issue ya kuabudu limepitishwa na ni jambo ambalo silo njemba.

Ruth Mwaura: Uguo gugitikirio ati ciamu cia ngoma cihoyagire bururi uyu witu.

Translator: Ndiposa uabudu wa mashetani ukakubaliwa nchini Kenya.

Ruth Mwaura: Riu nikio tutaiguana ithui ene.

Translator: Ndiposa sisi wenyewe hatushirikani.

Ruth Mwaura: Na nikio tuhingicanaga na tukerana ni kabira irathukania.

Translator: Tukasema kwamba tunaingiliana kwa ajili ya makabila.

Ruth Mwaura: No ma ni ati ni caitani utuhingicanagia.

Translator: Ukweli ni kwamba ni shetani ambaye anatupiganisha.

Ruth Mwaura: Uguo gwitikirio ni bururi witu ati andu aria mahoyaga ngoma matigetikirio bururi-ini uyu.

Translator: Katiba yetu iseme kwamba wale ambao wanaabudu mashetani wasikubalike hapa nchini.

Ruth Mwaura: Nigetha tuikare na thayu.

Translator: Ndiposa tuishi kwa amani.

Ruth Mwaura: Ni wega gwigigira kiugo kia Ngai.

Translator: Ni vyema kuogoba neno la Mungu.

Ruth Mwaura: Tondu kiroiga gutikanagie na Ngai ungi bururi-ini wanyu.

Translator: Wanasema kwamba pasiwe na Mungu mwingine katika,

Ruth Mwaura: Tiga Jehova Ngai.

Translator: Isipokuwa Jehova Mungu.

Ruth Mwaura: Na andu a Kenya mamenyete uguo.

Translator: Watu wa Kenya wakijua vile,

Ruth Mwaura: Atongoria aitu.

Translator: Viongozi hasa,

Ruth Mwaura: Makaruta marua magwitikiria kiama kia freemasons githomagire Kenya.

Translator: Wakatoa idhini ya Free Masion kusomewa katika nchi ya Kenya.

Ruth Mwaura: Niundu ucio Katiba itu itikire kubunja undu ucio.

Translator: Jambo hilo Katiba yetu ikubali kuvunja.

Ruth Mwaura: Ni getha ithuothe tugie na thayu.

Translator: Sisi wote tuwe na amani.

Ruth Mwaura: Ni ndarikia Maundu maria ngwendaga kuuga.

Translator: Nimaliza yale nilikua nimepanga kusema.

Com. Salome Muigai: Asante ama tuna swali.

Com. Ratanya: Mama nilisikia kama ulikua ukipendekeza kwamba, uruhusiwe kuridhi mali ya baba yako kwa sababu pale umeolewa, hauna kitu.

Ruth Mwaura: Ndio.

Com. Ratanya: Je, si ingefaa zaidi kama labda ungependekeza kwamba Katiba ikupatie uwezo ili, ile mali yako na bwana wako, iwe mali yenu pia, pamoja hata na ile kama umeridhi, kwa sababu kuridhi ni kulingana kama baba yako yuko na kitu au mama yako.

Ruth Mwaura: Ii uguo ni wega no ma ni ati hindi iria tukoragwo tuitikiritio uguo tondu ona riria twaheo certificate cia kuhikithania, tukoragwo indo icio cii ciitu na muthuri wakwa.

Translator: Anasema Kwamba, hivo umesema ni ukweli, maana wanapofunga ndoa wao wanapewa cheti ambacho kimewafunganisha yeye na bwana yake.

Ruth Mwaura: No nikuhingicanaga hindi iria muthuri wakwa angikorwo atari ho kana tuingicane nigetha nyinuke gwitu.

Translator: Lakini ikifika mahali tukosane ama nirudi kwetu,

Ruth Mwaura: Muiritu ucio acoka kwao ndonaga kindu kwao niundu wa ariu a nyina.

Translator: Akisharudi kwao nyumbani ndugu zake hawakubali apate chochote.

Ruth Mwaura: Niundu ucio mundu ucio akora kuria ahikite na akora kwao kuria aciariirwo.

Translator: Kwa hivyo ameangamia kule aliuolewa na kwao nyumbani.

Ruth Mwaura: Nikio ndiroiga kiugo kiu.

Translator: Ndiposa nikasema hivyo.

Ruth Mwaura: Niundu wa ciana ciitu cia airitu.

Translator: Kwa ajili ya watoto wetu wakina dada.

Com. Salome Muigai: Hiyo ni mobile ya mtu, tafadhali tufunge mobile. Asante sana mimi bado ninaendelea na hiyo hoja imeletwa na Bwana Tume Raiji, kuwa mama amechukua nafasi ya kukutana na kijana, wamelima pamoja kama hapa kwenu, mali yenu ni ya kulimwa na jembe, kabisa kabisa, basi wewe ungependa mama akue na haki gani kwenye hii mali yenye wameweka pamoja na baba ama na bwana?

Ruth Mwaura: Ngendaga kuuga ati indo icio ni cia mutumia ucio, hindi iria maikaranitie na thayu na muthuri wake, no hindi iria

magakorwo mahingicanite, agatiga ciana kuu acoke kwao.

Translator: Anasema kwamba mali ambao wamepata pamoja kwa kulimia ama kufanya lolote ni yao wakati wako salama.

Lakini baada ya kukosana yeye anarudi nyumbani pamoja na watoto wake.

Ruth Mwaura: Kwoguo ndiroiga ati, indo icio nicinjagiriire hindi iria ndi kuo.

Translator: Kwa hivyo anasema anastahili hayo mali.

Com. Salome Muigai: Nayo Katiba ni ya kusimamia MKenya wakati wanakaa vizuri na Bwana na wakati yenye mumekosana bado wewe ni mwanaKenya, kwa hivyo Katiba inataka kukusimamia nyakati zote. Kutoka kuzaliwa mpaka kufa, ungependekezaji juu hii mali yenu na Bwana yako? Wakati huo mzuri wakati mko pamoja lakini hata wakati yenye mumekosana, ungetaka Katiba ikulinde vipi wewe kama mama.

Ruth Mwaura: Ngwendaga kuuga ati, ndirenda kuuga atiriri, ati uguo niguu kwagiriire ni ciitu hindi iyo na certificate ya uhiki yugaga ni ciitu no hindi iria tugakorwo tutari hamwe, andu a family ya kuria ndathiire, makoya indo icio na gwitu ngaga kindu. Kwoguo ndirenda Katiba irugamirire atiriri. O ringi, ikire certificate iria hinya, ati niciagiriirwo gukorwo i ciakwa tondu ni cia muthuri wakwa. Kwoguo njitikirio cikorwo i ciakwa.

Translator: Anasema kwamba Katiba ipewe nguvu katika ile certificate ya ndoa ili yale mali yawe pamoja yeye na bwana yake.

Com. Ratanya: Mama, Ruth Mwaura, hii pointi unaona tunaifuata lakini ni ya maana sana, na tunataka kuelewa vizuri kabisa. Na tena ujue hii si Katiba ambayo iko inakataza namna hiyo, hii ni mila, kwa sababu mila ya Kikuyu na wengine wote kuna mambo kama hayo unasema kwa mila, sasa unataka kupendekeza kama ni mtoto wa kiume na wa kike, wako kwa parents wao ama wazazi wao, wapewe mali sawa, kama ni shamba, mtu apewe yake na mwingine yake, namna hiyo?

Ruth Mwaura: Ndio hiyo.

Com. Ratanya: Na huyo akiolewa akienda kule na ana bwana yake, nao wawe na mali ambayo wote ndio wenye mali, lakini watakua namna gani, kama ni shamba unataka iwe – kama title iwe moja ama hapo ndio ninataka urekebishe, utuambie kama ni title unataka iwe-joint, mama na bwana yake ama unataka namna gani? Tunataka ufafanue hapo.

Ruth Mwaura: Mutugo witu wa Gikuyu ugaga ati mundu ahikite agiriire kugaya kuria athire. Niguu ugaga. Niundu ucio, kwao ndari kindu atigagirwo tondu ithe wa muiritu oigaga airitu nimathire, indo aheaga ciana ciake cia ihii. Haha niho ndirenda kuuga atiriri, nake mwanake wakwa, indo iria nii nimite na muiritu uria waku ekugira arehe gwaka, indo ciakwa ningumahe. Na nii kuria thiite, onake indo icio ni ciitu na muthuri wakwa. Kwoguo indo ciitu cia muciaru i korwo cii ciana cieri.

Com. Salome Muigai: Asante sana mama jilandikishe pale, tumekuelewa. Yako imekwisha hata tumekupa dakika nyingi sana. Asante.

Ruth Mwaura: Ningeongezea kidogo.

Com. Salome Muigai: Zungumza na mama mwingine mwenye hajazungumza alete hayo mengine. Stephen Kihara?

Stephen Kihara: As you have heard, I am Stephen Kihara. I will begin my suggestion and proposals. Baguni Secondary school. I will begin by point out the powers of the President. It seems that the President in Kenya has got excess powers. Those powers should be trimmed off, like should not be appointing the judges instead the Chief Justice should be appointed by the Judicial Service Commission. The other thing is that he should not be the Commander in Chief of the Armed Forces. He should not be the Chancellor of the universities that we have.

The other thing is that the education act should be reformed so that we have education for both the old and the young. We see that we have old people who are not learned and these people should be at least education so that they can be useful in the society.

The Constitution should be made accessible to all Kenyan citizens and this should be made with an affordable price. As we see when somebody gets an ID, he is now under the government. I should propose that when this person is given an ID card, he should also be given a photocopy or at least a copy of the Kenyan Constitution.

The MPs and Councillors should be re-elected after a duration of about two years, so that when we elect them and they do not fulfil what we elected them for, at least we can have a change after the end of the two year period.

In the Agricultural sector, we see that farmers paying so much in the inputs and the outputs, when they go to sell the produce, they sell them at a throw away price. So the agricultural sector should be reviewed so that at least they are not demoralized. That is all that I had.

Com. Salome Muigai: Thank you very much, jisajilishe pale. Ruth Muthoni? Is Ruth Muthoni the same as, kuna Ruth Muthoni? Okay.

Ruth Muthoni: Majina yangu ni Ruth Muthoni. Mimi ningetaka kusema, sisi ni wakulima na tuko na taabu. Unalima chakula hakuna mahali ya kuuza. Unalima viazi hakuna mahali ya kuuza. Hata pia maziwa. Na hii Kenya si maskini, ni Kenya iko na mali nyingi. Lakini mahali ya kwenda kuuza hakuna. Chakula inatoka nchi mbali, inaletwe Kenya, kwa nini inatoka mbali inaletwa Kenya, na Kenya ni yetu, tutumie kuuza hiyo vitu. Kwa hivyo mimi ningependelea kusema, tupewe na uhuru ya kuuza

chakula yetu na tununuliwe vizuri sababu ndio inatusaidia.

Sasa ikiwa ni wakina mama wako na taabu nyingi sana. Ukienda sokoni kuuza vitu vyako unafukuzwa, hauzi kwa kukaa vizuri, unafukuzwa, sasa na wewe uko Kenya, una uhuru gani? Tunataka kupewa uhuru ya kutosha, kila mtu akiuza mali yake anauza bila wasiwasi. Na tuangaliwe vizuri. Wale wanaenda bunge kututetea, watutetee vizuri tukiwa tunawachagua hapa. Si waende wakae, waongee ile mambo hatuwachagui, tunawachagulia wapewe nafasi watutetee, ni hivyo tu.

Com. Salome Muigai: Kuna swali mama subiri.

Com. Ratanya: Mama sikuelewa hapo unasema mkienda sokoni mnaufukuzwa, mnaufukuzwa na nani?

Ruth Muthoni: Na askari wa Council

Translator: County Council policemen.

Com. Salome Muigai: Mama kwanini unafukuzwa na askari wa council na kuna mtu mwingine mwenye yuko kwa hiyo soko na hafukuzwi?

Ruth Muthoni: Ukienda huko sokoni, unakuta wamama wanafukuzwa mali yao ina magwa huku. Unakuta wanahangaishwa sana.

Com. Salome Muigai: Hawa askari wa Council wanataka nini?

Ruth Muthoni: Wanataka pesa, na unawapea.

Com. Salome Muigai: Pesa ya nini?

Ruth Muthoni: Ushuru ya kulipa hiyo unauzia

Com. Salome Muigai: Okay. Sasa wewe mapendekezo yako ni nini?

Ruth Muthoni: Tupewe uhuru ya kuuza,

Com. Salome Muigai: Bila kulipa ushuru?

Ruth Muthoni: Ulipe ushuru na upewe uhuru uuze ukiwa unapoa vizuri.

Com. Salome Muigai: Unasema hata ukitoa hiyo ushuru, bado unafukuzwa, kwani sisi tunataka kukuelewa vizuri. Unasema ukienda sokoni, ulipe ile ushuru yako yenye inatakiwa ulipe ya siku hiyoAsante.

Com. Ratanya: Mama ni kwa kila soko ama ni soko gani hiyo uko kwenu?

Ruth Muthoni: Si soko ya ndani, unajua kuna soko ingine wamama ikitoka huko, unauza mboga hapo kwa barabara.

Com. Salome Muigai: Na hapo bado mama wamelipa ushuru?

Ruth Muthoni: Amelipa ndani na amelipa hapo, na bado unafukuzwa

Com. Salome Muigai: Na bado anafukuzwa, okay, tumekuelewa mama asante. Jiandikishe pale. John Njau Kamau?

John Njau Kamau: Majina yangu ni John Njau Kamau vile mumesikia. Number moja, ni mtu yeyote yule yuko hapa kama ni mtu wa serikali ni mkubwa na mdogo awe nyuma ya sheria. Sheria iwe juu ya kila mtu.

Ya pili, mtu hawezi kukuibia kitu na awe judge na yey ndiye atakata kesi, itawezekana? Kwa nini serikali yetu inasema tusomeshe watoto na watoto tunapeleka shule na tukiweka shule, headmaster akiharibu mali ya shule ana kwenda transfer. Badala ya kusimamishwa afanye kazi kama wa kawaida anakwenda transfer, ile inaharibu kule analetwa anakuja tena juu.

Com. Salome Muigai: Tafadhali zungumzia kwenye hicho chombo kwani tunanasa sauti yako kwa kanda za kunasia habari. Lakini usipozungumzia kwa hiyo, hatutakusikia.

John Njau Kamau: Unataka nizungumze namna gani?

Com. Salome Muigai: Hivyo venye unazungumza sasa, kwenye hiyo chombo.

John Njau Kamau: Oh okay, thank you. Kwa hivyo mimi ninasema mtu hawezi kufanya kesi na mwizi. Mwizi mpaka afanywe kesi na serikali. Sasa tuna taabu wa asali, chochote, tunaambiwa na serikali tusomeshe watoto, na kwanza wengine, mtu anasomesha watoto ni mama mjane, ama ni mjane, ama ni mzee mkongwe kama mimi hivi. Na ile tunafanya, mahitaji ya shule ni mingi.

Na tunaambiwa shule ni ya bure, tunaambiwa haya na haya, halafu inazidi, tukihisabu mwisho wa mwaka pesa, ile mahitaji tunaitishwa haifanyiki kwa ile kazi tunataka. Tuki rudi mwizi ndio anafanya kesi na mimi. Kwa sababu ninambie wewe hesabu hapa, onyesha sisi hesabu. Tunahesabiwa pesa na haikuji sawasawa. Tuki report kule kwa Idara ya education, ndio judge na ndio wanatuma hawa walimu, ndio wanatuma hawasasa tunaona tuna taabu sana wazazi. Sisi tunataka shule yote, hapana hapa ninasema watu wa Kenya wote, wazazi hawana watetezi. Sababu tunataka tuwe na Auditor wa serikali kama zamani. Mzungu alinipata hapa hapa na alienda nikiwa hapa hapa. Na niliona sheria hiyo inabadilishwa, kwa sababu mwizi anafanyiwa na judge ya serikali. Sasa judge ya serikali ya sasa ni Education. Na mwalimu ni mtu wa education, hiyo kesi itakuaje? Sasa tunataka kwa hisani ya serikali itusaidie, hata hapana mwalimu peke yake, mtu yeyote ya serikali akiiba kitu, asimamishwe kazi, asitolewe hapa na kupeleka Nairobi, wa Nairobi yule anaharibukule analetwa hapa. Sasa hii iko tofauti gani?

Ya pili, ile kitu tunaona, ukienda tena kule kwa serikali, unataka kipande unataka kitu, unaambiwa form haiko hapa, wewe kuja kesho, utapata form, na form yuko kule, mwingine atakuambia yeye hajakunywa chai, na wewe ulikwenda kule na ile tikiti yako. Tunataka hiyo kitu iangaliwe sana. Sababu hii watu hawa, sisi raia tuna taabu sana, tuangaliwe vile mambo iwe nzuri.

Ya tatu, iko kitu mbaya sana, wazazi wana mzigo, mtoto yangu akichukua kitu, awe na watoto tatu, apate ajali ya barabarani, mimi mzee ninasema sitaki huyo mtoto. Ninafukuza yule mjane, anarudi kwa baba yake, na baba yake ako mahitaji fulani, na wale watoto ni mtoto wangu amewazaa anamtumia anakua scrap, anamrudisha, kumrudisha, sasa anapelekea baba yake taabu, sababu yuko na watoto wake na yule ni watoto.

Mali kama accident anajua akimfukuza anajua ile pesa inalipwa na insurance, achukue wakule na bibi yake. Sasa tunaona hiyo ni taabu sana kwa wazazi, kupelekewa mzigo ya wajane ya ndito yetu. Serikali ichukue sheria ya kusimamia wajane, sababu hawa wajane wako na taabu sana. Na wale watu wakubwa wakubwa, hawajali, nikukuja tu boss, nafukuza, wanafukuza yule msichana wa mtoto wangu, sababu kuna mali na anapotea.

Com. Salome Muigai: Ungetaka serikali ifanye nini?

John Njau Kamau: Nataka serikali kama mjane, ile pesa inatoka kwa insurance iwe ya bibi yake. Sababu walifanya harusi pamoja, walikua wanaishi pamoja na hakuna mtu atakaa na mtoto wake, mtoto wake lazima aende kwa kijana. Ili washikeni pamoja hata bibilia inasema hivyo. Nataka serikali isimamie hata kama mjane anabaki peke yake. Yule mjane pahali aliolewa hiyo mali kama ni shamba kidogo, aishi huko. Na ile mali ni yake, sababu ni ya bwana yake.

Ta tatu, iko kitu ingine, ile kitu mnasema biashara huru, inafinya raia. Sababu hii tunaona mimi saa nyingine ninatoka hapa, nakwenda Nakuru nachukua matatu, ninaweka pesa ya kwenda na kurudi kwa mfuko. Nikienda kule mwisho wa mwezi, leo gari ni shilling hamsini na hakuna pesa hiyo. Na hakuna mtu anaweza kusema hapana, mrudishe vile nauli ilikuwa. Sasa hiyo sheria ya kusema biashara huru, inafaidi matajiri.

Kwa sababu hata sasa wewe, ukiniuzia sukari shilingi mia moja siwezi kuuliza, na nikileta viazi yangu, unanunua shilling tano, kwanini hata yangu hapana iko uhuru, mahindi yetu munanunua rahisi, na nikiingia basi kule, leo si kama asubuhi, shilingi hamsini, hiyo sheria ivunjwe, tuwekewe sheria, tulipe na mailage kama zamani.

Ya nne, unaona accident nyingi inakuja kwa ajili ya police, kwanini, police anakuja wanasimama mwingine kule na mwingine huko, anasema gari hivi, akifanya hivyo, mtu wa matatu ana kimbia kule, anampa shilingi mia tano, au mia moja au shilingi kumi hajui ni nini, hakuja kuangalia kama ile gari iko excess ama angalie kama mguu inapasuka au ama inakwisha, wacha gari ikwende ikifika pale, gari inaanguka. Hii makosa ni ya nani, mkubwa, kwa sababu hii sasa inaonekana pesa ndio inatawala Kenya. Kwa sababu habari ya ajali ni mbaya sana, watu wanakwisha ndani. Gari inabeba na haina mguu nzuri, gari inabebe excess na police wanajaa barabarani.

Com. Salome Muigai: Mzee una seconds zingize thelanini, hiyo ni nusu ya dakika moja.

John Njau Kamau: Oh, pole sana. Nitamaliza, kwa hivyo sasa kwa sababu nilikua na mengi, nataka tena kama Chief au serikali tuchague kwa mlolongo, tusichague kama zamani. Asante sana, nilikua na mingi lakini sitaki hata hapa nimeandika mimi, lakini.

Com. Salome Muigai: Kama umeandika mingi mzee utupasule hiyo karatasi utupatie, tutayasoma, na ujiandikishe pale kwenye ile kiti, na sasa ninamwita Albert Gichuru? Maina Kamau? Phaniel M. Muraya?

Phaniel M. Muraya: Yangu ningependa kusema, jina ni Phaniel Mahugu Muraya. Na ningependa kuzungumzia habari ya President. Yaani President wa nchi yetu ya Kenya ana powers nyingi. Nyingine inafaa kuwa treated kidogo ili aweze ku-concentrate na kazi yake ya ofisi sawasawa. Yaani President wetu wa nchi hii ya Kenya amekua na kazi nyingi hata kazi ya sub-chief inakua ni yake, kwa hivyo tunaonelea kazi inafaa iwe defined, ile ya head of state badili ya kuenda kwa kila kazi. Kwa hivyo ningeeonelea kazi imezidia, na pengine imemzidia kwa either kwa kutojua kazi yake ile inafaa kuwa anafanya, kwa hivyo ninaonelea a-refer iwe kazi ya president iwe imepangwa kuwe na chain of command.

Ukiangalia nchi yetu ya Kenya, chain of command, siku hizi haifanyi kazi. Kwa sababu kama ni mkubwa wa police ni lazima atapata maneno kutoka kwa ofisi ya head of state na hii inafaa kila mtu awe anauwezo ya kuongoza ile ministry anayo, kama ni Minister, kama ni Commissioner of Police, mambo namna hiyo. Lakini, isiwe inachanganyikiwa, ati kila mtu ni lazima afanye consultation kutoka kwa ofisi ambayo iko juu. Mtu akiwa amepewa mamlaka kama Minister, aachiliwe hiyo Ministry na aendeshe vile anaona inalingana.

Ile maneno ingine ningependa kuzungumza ni habari ya land ownership. Mimi ningependelea kwa sababu sisi wote ni wananchi wa Kenya, sioni ni kwa nini watu wengine wakaka kama ni watu wageni pahali ambayo ako, ningependelea mtu aweze kuwa na ardhi popote ambapo angependelea. Kama nina uwezo wa kununua shamba kwa mfano upande wa Mombasa au Kisumu, kusiwe ati sehemu fulani imechiwa kabila fulani, nilifikiria ingefaa kama mwananchi wa Kenya, angeweza kumiliki ardhi popote nchini Kenya.

Kwa sababu ukiangalia kama wakati kulikuwa na clashes, mara inasemekana wengine ni wageni warudi kwao, hii haioneshi hata picha nzuri. Kwa sababu we are all Kenyans na Kenyans wanafaa kujivuna kwa sababu wanaishi nchi ya Kenya.

Mambo ya tatu ningependa kuzungumza habari ya retirees, mimi mwenyewe I am a victim, I am a retired officer from the civil service miaka kadha iliyopita. Sisi ambao tume retire, tunaona ugumu, hata hatuonekani kama sisi ni watu wa Kenya. Kwa sababu hakuna pahali unaheshimiwa na tunasikia wale wamepata nafasi ya kuenda nchi za ng'ambo, retired ofisas hata wanapewa heshma kubwa, wanaitwa Senior citizens. Kwa sababu, ukiangalia hii nchini Kenya, wengine tulianza kazi wakati wa ukoloni. Tuliendelea mpaka Kenya ikajinyakulia uhuru na wakati sisi tume-retire, unaona hata ile token ambaye tumepewa, ile mshahara ya monthly salary ambayo tunaipata, inachelewa saa zingine sana. Inakuwa ni shida sana, mtu ambaye ni retiree. Kusema kweli, tunapewa mshahara lakini hakuna mtu anatumaji, inakaa sana kabla hatujalipwa.

At the same time, ninaona, the retirees in our country here, wanapata shida sana, kwa sababu sijui ni Act ya Parliament au ni Act ya wapi ambaye haihusishwi kuona ati mtu akipewa barua ya retirement benefit zake zote ziwe zimetayarishwa. Kwa sababu unaona ni wazee wengi na nikisema hivyo ninasema wazee, akina baba na akina mama, wengi hufa, kabla hawajapata

benefits zao. Nairobi iko hapa, Treasury, iko hapa, inakua mtu anaenda, anuaza ng'ombe ili apate tikiti ya kupata hizo pesa, na mwishowe anachoka, kwa hivyo mimi ningependelea, hapa tuna ma-ofisi ya Treasury, kwa mikoa, kama ingekua bora, kama pensioners wangekua baada ya kupata barua ya retirement, benefits zake zote zinatengenezwa, anazipata kwa Treasury ile iko karibu naye. Kwa mfano kama hapa Nakuru sasa, kama ingekua inasafirishwa na kuletwa kwa Treasury ya Nakuru, watu wangekua wakipata hapa karibu, lakini habari ya kwenda Nairobi saa yote, inachokesha, wengine ni wazee, wanashindwa.

Kwa hivyo, mimi ninaonelea ni pesa nyingi sana ya wananchi wa Kenya, ya wastaafu, ambayo hupotea kwa serikali. Na sijui mwishowe hiyo pesa huenda na nani, kwa sababu nikiweza kufuata na nishindwe, halafu mimi ninasema hathuru niwachane naye, sijui hiyo pesa mwishowe huenda wapi? Kwa sababu nimeonelea hata wacha wale ambao wamestafu, nimeona ma-ofisa wengine wa serikali wakiaga, wajane, wanajaribu kufuata hizi fedha, hakuna mtu wa kuwasaidia, kwa hivyo ningepomba serikali iwe na roho ya huruma na kujaribu kusaidia, kama ni hawa wajane, benefits za ma bwana zao waweze kupatiwa kwa urahisi either through the DC's office au the Chief's office.

Neno la mwisho ambalo ningependa kusema ni...

Com. Salome Muigai: Na una nusu dakika ya kuulizwa.

Phanuel M. Muraya: Okay, asante sana, hii ni habari ya hii government properties, siku hizi tunaona, zamani ku-condemn a building ya serikali ilikua ina-formiwa a board of survey. Lakini siku hizi hata gari unaona kama ni gari mpya, zinafanyiwa survey ya board ya kienyeji hivi, unaona gari ya serikali inaenda na mtu. Shamba unaona inaenda na mtu. Go to Nairobi, kama legal area, pahali yote Ministers used to stay, unakuta hiyo land yote ni kama imepewa watu. Sioni ni haja gani ama ni maana gani government property iwe ikipewa watu individuals. Na ni hayo ningependa kusema, asanteni sana.

Com. Salome Muigai: Asante sana kwa maoni yako, Bwana Phanuel. Sasa namwita Councillor G.M. Ndegwa?

G.M. Ndegwa: Thank you Commissioners, my names are Councillor Geoffrey Mutahi Ndegwa. Mimi ni nominated Councillor from Nakuru County Council. Nimewajibika kutoa maoni ya kibinafsi kwa sababu nashiriki kutoa ile ya Council na chama pia. The following are my opinions.

Kitu cha kwanza ni ya kwamba mimi ninaunga mkono serikali ya unitary government. Therefore I don't need to say about presidential powers sababu hile ina Prime Minister na wengine na pia kama vile ilivyo isiwe ni ya political parties, iwe ni ya watu ambao ni wa Kenya.

Jambo la pili haya mambo yote ambayo tunalalamika hapa, yako kwa sababu ya lack of good management. Sijui tutahitaji Katiba iweze kueleze kwamba President yeyote ama government officer ambaye atakuwako, asiwe bad manager, for instance, tukienda kupanda mti hapa juu, PC anakuja na ma-ofisa wote wa serikali na magari yote. That is wastage of human resources, instead of empowering the Forester and the local community, wanatumia pesa hizo zote na magari makubwa kuja kupanda miti

miwili. If you compare the value of two trees na ile kazi yote wamekuja, ni waste of resources.

Wakati President ako na function, Ministers na sisi ma diwani tunafunga ofisi kwenda kumlaki, the Constitution should be very clear on the duties of the President. Sio tu kwenda kutumia resources, kununua jet yake ya ajabu, mambo mengine, mlolongo wa magari, awe kama President Nelson Mandela, ambaye hata kwa hospitali anaenda bila bodyguard. We want to minimize the security details of all government officer, not the President alone.

Three, madam Chairman, ni mambo ya food security. We would like the Constitution not to leave the role of food security to the Minister for Agriculture. Katiba ieleze kwa sababu nchi hii ni ya kilimo, wamama wamelia mambo ya maziwa na nini, Katiba ii-entail ya kwamba, it is the role of any government to make sure that it's citizens have sufficient food. Hiyo ni mambo ya kuwaeleza ya kwamba, mambo ya marketing iondolewe kwa serikali, cereal boards iwe scrapped, KCC iwe scrapped. The local communities wapewe uwezo wote.

When we go to the Local government, I am a Councillor lakini the current system of the local government is not clear. The Minister for Local government is the only Minister who has a budget of more than 4 billion ambayo inatumika headquarter peke yake. The Minister for agriculture has officers at the division, district na province. Lakini Minister wa local government, sisi ndio tunampelekea pesa. We would like it to be a local assembly, not a Minister for a Local government trying to overrule the decision.

Ma diwani wawe wakichaguliwa hivyo na pia ma Mayor na Chairmen, mimi naungana na wengine, wawe wachaguliwe direct. Na kuwe na community opinion poll. Wananchi wenyewe wawe na poll ambayo watakua wakipiga baada ya miaka miwili, kuwa –access mambo ambayo wanataka. Lakini, when we de-link development kutoka kwa siasa, Katiba iweze kutengeneza development kutoka kwa siasa. Mjumbe asionekane yeye ndio analeta maendeleo, Councillor asionekane yeye ndio analeta maendeleo, maendeleo yaachiwe wenyewe, waamue mimi ni mwakilishi wao. Mimi sio mshirikishi wa maendeleo, hivi ya kwamba wakiamua wanatengeneza barabara, wananalika mimi ni mheshimiwa ndio, lakini wanaamua na tunashirikiana nao kutafuta pesa na kuingia katika ma-ofisi.

Before I finish nataka kusema ya kwamba mambo ya DDC, the Constitution should be clear on rural development. Madam, Chairman, utaona ya kwamba, currently most of us including you, tumelewa na taabu nyingi sana na wamama ambao hawajakua na masomo na mambo mengi. But immediately after school, tunaenda Nairobi, maendeleo yote tunafanyia huko. Although this country is a capitalism government, maendeleo yaweze kufanywa kwa rural development. Sisi ndio tunatoa maji hapa, lakini watu wa Municipalities wanakunywa maji. Sasumwa dam iko Nyandarua, lakini watu wa City Council ndio wanakunywa maji na ule mwananchi wa Sasumwa hata hajui maji yanatoka kwakwe. That means the resources of the community should be shared na ziwe beneficial kwa wao. Before my time expires, I am calling for a private police force. The establishment of a private police like in other countries. This madam Chairman, ni kwamba, wakati ajali imetoka, Kenya Police

ndio wanaenda kuchunguza ajali hiyo. Na hata wakikuta mwenye makosa yuko pale kwa vile corruption iko sana, wanaandika report ambayo ni true ambayo itaenda kotini na huyu mwananchi wa kawaida hawezi ku-challenge hiyo decision ya police. So we are calling for a private police kama vile tuliona detective from Ireland, wale akiina Troon na wengine, from Scotland sorry, na wengine. We want to have a private police, CIA, FBI, hivyo.

Hivi ni kwamba, juzi kumekua na mauwaji mengi sana Nairobi, watu wanauawa mysteriously. Balistic experts wakija wanatoa repoti yao ni hiyo ndio kikomo. No more investigations, wewe unaenda ku-hire wakili, anakuitisha a hundred thousand, mwananchi wa kawaida hana lakini kama kungekua na private police, you could hire your private investigators. We also have an example,

Com. Salome Muigai: The last point Bwana Diwani, nimekipa dakika saba tayari.

G.M. Ndegwa: Thank you. Kwa mfano, wakati ambayo umesikia wengi wakitaja hapa mambo ya clashes, nobody could take his/her prosecution to other sources, other than the advocates, therefore, kukiwa na private prosecutors wataweza ku-file on behalf of the poor man. Finally, ili nisipoteze wakati wako, ni ya kwamba, the civil service should be de-linked from politics.

An example is that the current Secretary State of America, Collin Powell was appointed during Ronald Reagan terms, ame-serve serikali ya Bush, ame-serve serikali ya Clinton, ame-serve serikali hii ambayo iko. What I am saying here Madam, ni ya kwamba, civil servant, awe ni civil servant aendelee hivo hivyo. And finally nisipoteze wakati wako, the tenure of government officers.

Com. Salome Muigai: Bwana Diwani unajua mimi ni mgeni wako, sitaki kukua mgeni mbaya lakini usinishurutishe kuwa mgeni mbaya kwa kukuambia saa imeisha.

G.M. Ndegwa: Ningekua nimemaliza, ya kwamba the tenure of government officers itengenezwe katika Katiba kwa mfano, nyinyi mkimaliza kazi ya Commission, mtakua watu ambao tutakuna huko nje, lakini tungetaka ile heshima kama vile mtu mmoja ameongea kuhusu retired officers, the dignity of retired citizens ambao wamesaidia kufikisha hapo, kama British war veterans wamekua wakiheshimiwa, wawe wakiheshimiwa, hata diwani akiacha kazi, awe akiheshimiwa, hata judge akiacha kazi, awe akiheshimiwa, Katiba ianze mpango huo. Asante sana.

Com. Salome Muigai: Asante sana Bwana Diwani, ujiandikishe, kuna swali kwa diwani? Hamna, basi jiandikishe. Sasa ninamwita Ann Nduta Njoroge? Yuko.

Ann N. Njoroge: Majina yangu ni Ann Ndunta Njoroge kutoka Tabuga. Ninakuja tu kusema maneno mawili, inanihusu kwanza na inahusu kila mmoja. Sisi kama wa mama wengine ni wakulima mahindi na maziwa, hata mboga. Na ukishaweka bidii, mazao inakua hakuna mahali ya kuuza. Na tena tunasomesha watoto kwa jasho. Watoto wetu wanakosa kazi. Watoto tunaona sio wabaya, maana watoto wengi wanafanya uhalifu shauri ya kukosa kazi, sasa tunauliza tufanye nini? Serikali itukumbuke sana kama sisi wazazi, kutafutia watoto wetu kazi, tena upande wa hospitali, ndio ulikuwa wa usaidizi wowote kwa

raia wa kawaida, sasa sisi tunakufa kinyumbani, hana pesa ya kwenda hospitali hata ya kununu card. Ukiandikiwa dawa, hakuna pesa ya kununua, sasa tunategemea nani. Sisi tunategemea serikali itusaidie.

Com. Salome Muigai: Unapendekeza serikali ifanye nini mama?

Ann N. Njoroge: Tunapendekeza upande wa serikali

Com. Salome Muigai: Ufanye nini?

Ann N. Njoroge: Irudishe kama kawaida ya zamani.

Com. Salome Muigai: Kawaida ya zamani ilikua nini?

Ann. N. Njoroge: Ilikuwa kama sisi tunaenda kama medical, tunatibiwa vizuri na tunasaidika lakini sasa hata medical, hata hospitali ya watu kawaida ni sawa sawa tu. Tena tunalima viazi na hakuna mahali ya kupitia gari. Tena tuangaliliwe sana upande wa barabara.

Com. Salome Muigai: Asante sana mama, jiandikishe pale. George Gethi?

George Gethi: Thank you madam Commissioner. My name is George Gethi. I wish to propose that after this Constitution is prepared and some document approved, we should have a mechanism whereby Parliament or any other individual who comes in higher authority will not be in a position to compromise anything and that the document should only be amended after a referendum from the people who would have struggled so much to have it spared. I also submit that any Member of Parliament, who fails to perform or deliver, there should be a mechanism in the Constitution empowering the constituents, to get read of him and replace him with a more productive material in Parliament than he is.

The third point that I would like to submit is that I would like the Provincial administration, all the way from the Chief to the Provincial Commissioner be completely scrapped and its place we get people elected by the people, the Chief be elected by the people, the Commissioner gets elected by the people and even the Provincial Commissioner gets elected if ever the authority feels that, that position should be existing.

The fourth point is that the Local authority have always been a burden to society, in that they have not been delivering and I would submit that the local authority should be made autonomuous to an extent whereby they would be making their local decisions on matters of development and progress, within themselves and they would have that capacity to make those decisions. With those few points, thank you very much, madam Commissioner.

Com. Salome Muigai: Tuna maswali mawili kwako, subiri tafadhali.

Com. Ratanya: Mr. George Gethi, the first question is about the amendment of the Constitution. You have recommended

just one method or procedure of amending the Constitution, that is by referendum. Is that the only proposal you have or you have another one?

George Gethi: I only have that one for the time being, referendum, that is consulting the community.

Com. Ratanya: Okay, now the other question is about Provincial Administration, you are saying that Provincial Administration should be scrapped and yet you are also saying the same officers should be elected, that we elect the DC, PC down to the assistant chief, are you replacing the appointment or the method of appointment maybe this time they are appointed by the government, or you are suggesting now they should be elected instead of being appointed, or you are scrapping the whole system? Because the whole system because it is not very clear.

George Gethi: I am for the retention of the present system but elected not appointed because when it comes to the delivery of service, an elected person delivers differently from a person who is answerable to only one person somewhere else. Whoever is elected will be answerable to whoever elected and would have come from the masses. Not from one individual saying that Kamau Njoroge is the PC tomorrow, this is what I mean.

Com. Ratanya: So you want the system to continue, Provincial administration but with elected officials?

George Gethi: Yes.

Com. Ratanya: Okay.

Com. Salome Muigai: Asante sana Bwana Gethi, swali langu ni kuhusu hiyo yenye umetueleza ya kuwa watu wamechaguliwa, sisi tumesikia malalamishi mengi pale tunaenda kuwa madiwani wetu wenye tumechagua ndio wenye kuchukua ma-plot zetu, ndio wenye kuziua, ndio wenye watu wametuambia tufikirie Katiba inaweza kufanya nini juu yao, tumesikia pia malalamishi mengi kutoka kwa wanabunge, baada ya kuenda kutetea watu, wanaenda kujiuongeza mishahara. Sasa inaonekana kama kuwa tu mtu amechaguliwa sio lazima afanye lile tulimchagulia. Wewe unaona uchaguzi tu, tukishamchagua imetosha ama kuna mambo mengine yenye ingeongzwa ili kuwawezesha watu wenye wamepatiwa jukumu na wananchi kuwapa ile matakwa ya wananchi?

George Gethi: Kwanza madam Commissioner, that entirely on Electoral Commission, the way the electoral Commission is absolutely un-desirable because of them get, they are not actually elected as it were. Many of them do not do their work properly. They are not entrenched as it were. Like in the Security that goes with elections, you find that people get elected due to certain forces, forcing issues through insecurity, creating instability during elections. So that you get the wrong people in the right places. So that the masses do not get the right materials which they would want to have, through electoral Commission's failure.

Com. Salome Muigai: Asante sana Bwana Gethi kwa maoni yako. Tafadhali jilandikishe pale. Margaret Wairuri?

Tungetaka mtu mwenye angetufanyia tafsiri tafadhali.

Margaret Wairuri: Ndirenda kuuga atiriri.

Com. Salome Muigai: Aanza na jina lako?

Margaret Wairuri: Njitagwo Margaret Wairuri.

Translator: Anasema anaitwa Margaret Wairuri.

Margaret Wairuri: Ndirenda kuuga niwega muno niundu wa guka gutuuria thina wiitu.

Translator: Anasema ni asante kwa kuja kutuuliza shida zetu.

Margaret Wairuri: Thina witu tukoragwo twina muingi muno tugakira.

Translator: Anasema kwamba shida zetu ni nyingi lakini sisi hunyamaza.

Margaret Wairuri: Tukaga uria tungira.

Translator: Tunakosa mtu wa kumwambia.

Margaret Wairuri: Mbere ni kuaga guaguthiira.

Translator: Kwanza, njia ya kupitia,

Margaret Wairuri: Wa keru, tugathomithia ciana na mabuti.

Translator: Pili, tunawapeleka watoto wetu shuleni kwa njia ya kulima mabuti.

Margaret Wairuri: Mundu ari na ciana inya ithatu mucii.

Translator: Mtu ako na watoto wane au watatu nyumbani.

Margaret Wairuri: Na nituthuranaga.

Translator: Sisi hufanya uchaguzi.

Margaret Wairuri: Na riu nimurenda tumuhe miti.

Translator: Wengi wetu wanapenda tuwape kura.

Margaret Wairuri: Na riu ciana icio ri. Ona mutituandikagira o nomwe.

Na gutiri maregete.

Translator: Anasema kwamba hatupati nafasi ya kuandika hawa vijana kazi au wasichana hata kama ni kazi ya kuosha vyoo.

Margaret Wairuri: Na tumuthuraga mugatuaririe.

Translator: Tunawachagua ili muweze kutetea haki zetu.

Margaret Wairuri: Na ciana ciitu irio micii. Ona nikiu taabu muno iri miingi micii na wuici ukaingiha.

Translator: Nasema ndiposa watoto wengi wako nyumbani, shida nyingi na uizi unakuwa mkubwa.

Margaret Wairuri: Tondu gutiri mwana ungigurira gakuo.

Translator: Maana hakuna hata mtoto mmoja anaweza kujinunulia nguo.

Margaret Wairuri: Na riu ri, niwega. Ningi iria tene ni kurakiri dairy. Niratwaragwo.

Translator: Ni vizuri hivyo, lakini zamani tulikua na dairy ambazo zilikua zikinunua maziwa yetu.

Margaret Wairuri: Riu nikunyuo rinyuagwo ta mai.

Translator: Na hivi sasa tunanywa maziwa haya kama maji.

Margaret Wairuri: Tukarima mbembe.

Translator: Tunalima mahindi,

Margaret Wairuri: Niguthecwo ithecagirwo micii.

Translator: Inaharibikia kule galani kwa kudungwa na wale wadudu.

Margaret Wairuri: Tondu mundu ndakiri na ciana cia gukiria.

Translator: Maana hauna watoto wa kula yale mahindi.

Margaret Wairuri: Na ningiri ni wega. Nimweka wega muno niundu wa guka gutucerera guturia thina witu. Na riu uguo ri, mbembe kurima ikunia ukendia magana mana ri, matatu ri, tukarima waru ri. Urimage ukeendia magana meri, ikunia. Ona angikorwo urimite acres ciganari, nduri kindu ungiiona.

Translator: Nasema ni asante kwa kuja kwenu kujua shida zetu, jambo ambalo ni kubwa ni kwamba tunakuza mahindi, maharagwe na hata kila kitu, lakini shida ni kwamba ukiuza gunia ya mahindi, unauza mia mbili ama mia nne. Hata ukiwa na shamba hekari moja, uyauza yale mahindi hakuna kitu utajifanyia.

Margaret Wairuri: Na ningi kura nitukumuhe no mumenye twamutuma wira.

Translator: Anasema kura tutawapa lakini tumewatuma kazi.

Margaret Wairuri: Mugatwariririe.

Translator: Muende mukaongee.

Margaret Wairuri: Ciana muturutire mucii na ona guciandikithia, na madereva magathii magathomera, gutiri. Akerwo athii mucii, eterere mieri itatu.

Translator: Anasema kwamba vijana wameenda kusomea uu –driver lakini wanaambiwa wagonjee nyumbani miezi tatu, uje kazi.

Margaret Wairuri: Akarega kuona marua gwitwo.

Translator: Miezi mitatu inaishi hakuna barua.

Margaret Wairuri: Ta gitare wina ihii inya ithano.

Translator: Ukihesabu ukiwa na vijana wane watano.

Margaret Wairuri: Na airitu marioho.

Translator: Wasichana bado wako pale.

Margaret Wairuri: Na hatiri mundu uri wira.

Translator: Na hakuna hata mmoja aliyo na kazi.

Margaret Wairuri: Mugithiaga gutuariria ki?

Translator: Tunaenda kuongea kuhusu nini?

Margaret Wairimu: Ndiri na maingi.

Translator: Sina mengi,

Margaret Wairimu: No macio ngwendaga kumuiru.

Translator: Ni hayo tu asanteni.

Com. Salome Muigai: Mama ningetaka kukujulisha kuwa hii ni Tume ya Katiba na sio yenye watu wenye huja kuchukua kura, hatuja chaguliwa na kura, na wajumbe, na madiwani ndio wanafanya kazi yenye umesema, lakini pia sisi tumekusikia.

Tume imekusikia na shida zako.

Margaret Wairuri: Ti mumatuarire mathina macio. Acio marena.

Com. Salome Muigai: Wanatakiwa kuwa hapa wakusikize moja kwa moja. Lakini Councillors, wako, ma diwani wako na wataeleze mjumbe vile ulisema. Asante sana jiandikishe pale. Kiama Wachira?

Kiama Wachira: Kwa jina ninaitwa Kiama Wachira. Na mimi ni mkaaji wa hapa. Mimi sina mambo mengi ya kuzungumza ama ya kuuliza ama ninayo. Isipokua mimi ninasikia mna-harass watu ati dakika saba, kumi na hiyo ni makosa moja mumekuja kufanya, maana watu wana mambo mengi, na hayawezi kumalizwa na dakika kumi na tano, ama dakika tano. Kitu kimoja, sasa ni anze na mambo yale yamenileta hapa.

Ya kwanza, ni kwamba Katiba iliyo sasa, inayofanya kazi, inamatope ya kibeberu, hiyo inatakiwa badala ya kusema irekebishwe, parts, hapana, itupiliwe mbali yote, watu wetu wamesoma sana, na wana ujuzi mwingi, watengeneze Katiba ambayo ni ya kiafrica, wanajua tabia zetu, wanajua taabu na hiyo Katiba inayofanya kazi ni ya kibeberu. Iondolewe na mambo yake yote yawe demolished, tutengenezewe Katiba ya kufaa sisi na taabu zetu na utajiri wetu. Hiyo haina faida.

Jambo la pili, katika Kenya, mambo ya corruption yamepata mizizi mikubwa hivi kwamba, kuiondoa ni shida isipokua tubadilishe na pawe na serikali iliyo na nguvu sio serikali weak kama iliyo sasa. Serikali ambayo, inauwezo ya kuiondoa corruption kwa ma korti, ardhi house, police, kwingineko kote kunahusikana na mambo ya public. Corruption iondolewe. Chief, yeye ndiyo base ya Office of the President. I want chiefs, ma chief wetu ndio chanzo cha corruption. Wawe wakichaguliwa na watu wenyewe, lakini mshahara wachukue kwa serikali. Na akikataa kufanya vile watu wanavyopenda, wapewe haki ya kumuiondoa na kuchagua mwingine. Sababu wao wameshindwa na kazi zao, wameshindwa na kuiondoa pombe haramu, wameshindwa na kuiondoa unywaji wa changaa na uvutaji wa bangi na kadhalika, hiyo imekua ni biashara kwao, na raia wanaumia.

Ingingine, ni hili jambo mnasikia ya kwamba watu wanalalamika ya watu wanaofanya makosa katika serikali na kua-abuse, kutusi mamlaka walio nayo kazini. Ikiwa mtu amefanya kosa lolote katika mahali anapofanya kazi, akiwa ni mfanyikazi wa serikali, asiwe transferred at all, afutwe kazi. Sababu makosa aliyonayo hapa, imemukolea ndani ya mafupa. Na akienda mahali fulani, ati ni transfer anakwenda kuongeza hiyo mambo na tena kufundisha wetu wengine mambo ya corruption na mambo mabaya. Afutwe na sheria ikiweza kumfunga imfungue. Jambo lingine ni watu hao wanaofanya kazi ya kua-abuse offices. Akiiba pesa ya serikali ama raia, mtu huyo kabisa afanyiwe uchungusi akionekana amefanya hivyo, si kifungo peke yake ama transfer, afungwe na tena hiyo mali alipe, asikubaliwe kwenda nayo bure. Sababu watu wetu wanajua ya kwamba hata kama ukifutwa kazi, na pesa umeiba, unakwenda kuwa tajiri. Hapana, walazimishwe kurudisha. That be a must, warudishe.

Com. Salome Muigai: And you have a half a minute to finish up.

Kiama Wachira: I beg your pardon?

Com. Salome Muigai: You have actually gone through your time of five minutes, I am giving you another half a minute to wind up.

Kiama Wachira: That is why I told you that you came to joke. You didn't come to hear our complaints, you came hear to joke. Hakuna mtu anaweza kumaliza maneno yake kwa dakika tano, ni mtu wa aina gani huyo. Ana mambo ya aina gani.

Com. Salome Muigai: Sasa ile nusu dakika yenye nimekupa, umeitumia kuniambia hivyo basi...

Kiama Wachira: Sio neno, hata ukunifukuza, nitakwenda tu.

Com. Salome Muigai: Sikufukuzi lakini saa imekwisha.

Kiama Wachira: Tafadhali ningepuliza hata serikali yote, iwape muda msikize sisi, tuna-complain very strongly na nyingi ambazo tunaumizwa na serikali yenyewe, na watu wote, badala ya kupewa muda wa kujisungumza, mnatuambia dakika tano, haifai. Okay sawasawa Asante.

Com. Salome Muigai: Asante sana Mzee. Na sasa nintaka kurudisha mswada wa time mwenye ukumbi. Tumekua tukichukua dakika tano na kila mtu analalamika hazitoshi na ninakubaliana nao, lakini sasa tumefikia saa nane na dakika ishirini tatu, inaelekea saa nane na nusu, bado ninawatu karibu thelathini wenye wangetaka kuzungumza. Sasa tuna mambo mawili, tuweke vile dakika tano tano, na nusu ya hao watu watazungumza kabla hatujafunga, amatuzikatie ziwe dakika tatu, na watu wengi wapate nafasi ya kuzungumza?

Sisi akina mama tunafanya hizi decisions kila siku, umepika chakula, wageni wanaingia, unaanza kukata ration kidogo kidogo ndio kila mtu apate kidogo, kwa hivyo tafadhali tungekata hizi time, ziwe dakika tatu, ueleze sana sana ile mambo yenye hujasikia mwingine akizungumza. Kwani ukienda nayo nyumbani, tutaenda kutoka Subukia na tumewacha hiyo maneno, kwa hivyo ningetaka uanze na ile haijzungumzwa na mtu kwa dakika zako tatu, halafu ukikua bado una dakika nyingine moja, utaeleze ile ya kurudia. Tunaelewana, na sasa mtu wa kwanza, mwana tume mwenzangu ana jambo la kusema.

Com. Raiji: Unajua hii mambo ya saa kama wale ambao wanakuja kuchangia, wangetueleza yale mapendekezo ya yale maneno wangetaka tuingize kwa Katiba, hata dakika hizo tano zitakua mingi. Lakini wengi wenu sana wanakuja kuzungumza story ndefu, badala ya kulenga pointi yenyewe. Kwa hivyo kama Chairperson amesema dakika tatu, tafadhali mjaribu kulenga pointi yenyewe. Give your specific recommendations on the proposals ya yale mgetaka tuingize kwa Katiba. Kwa sababu hiyo ndio imetuleta hapa, ukisema tungetaka kuingiza A,B,C,D, hata hiyo dakika tatu itakua nyingi. Asante, Chairperson.

Com. Salome Muigai: Mwanatume mwenzangu ni wakili. Lenga hapo na umalize, mimi ni mwalimu ninasikiza story. Lakini ile yenye tungetaka kufanya ni vile tunatumia muda. Aanza na yenye haijasikika, tuambie mapendekezo yako, halafu ukiwa na time, utueleze hayo mengine. Na mtu wa kwanza kuzungumzia hii time frame mpya ni Constance Njoroge? Ah Constance

Njoroge ulizungumza jana, kwa hivyo kabla sijakupa hiyo nafasi, nitampa mtu mwingine, pole, wale watu wenye walizungumza jana ndio nitamalizia malizia nao, ndio tusikose mtu mwenye hakupata nafasi jana. Okay. Ninaelewa lakini bado nilikupa nafasi jana, nitakupa wakati mwingine, lakini ni baada ya wale wengine kupata nafasi ya kwanza. Eliud Kimani?

Eliud Kimani: Kwa majina ninaitwa Eliud Kimani, na nina kaa hapa Umoja. Ni mkaaji wa Ndondori location. Mapendekezo yangu ni kidogo tu sio mengi, kwa sababu kuna mambo ambayo tunaona County Council wanatufinya nayo, katika mahali tumejenga ma plot, halafu na wao wanakuja kuchukua kodi katika zile plot zetu. Kwa hivyo katika ile kuchukua pesa hizo, tunaonelea wanatufinya kwa vile hawakutusaidia kujenga hizo plot. Plot tulinunua wenyewe na baada ya kununua plot wenyewe, tulijenga wenyewe, tumejenga wenyewe, halafu baadaye wanakuja kuchukua rent ama licence kutokana zile building zetu. Kwa hivyo pendekezo langu, ningeliza kama watachukua hizo pesa, either tugawane nao ama watuwachie hizo pesa badala ya kufanya hivo, wachukue kutoka kwa centers zao.

Jambo la pili, ni kuhusu habari ya watoto wetu. Watoto wetu ambao tunawazaa na tunawasomesha, ningeliza Katiba itusaidie serikali iwe ikiwachukua na kuwatafutia ama kuchukua jukumu la watoto hawa. Kwa sababu sisi kama watoto tunashindwa na kuwahangaikia ili wapate matumishi yao ama maisha yao. Kwa hivyo ningependekeza, Katiba isaidie wazazi kuwasaidia watoto wasaidiwe na serikali kutoka wanapomaliza masomo.

Jambo lingine ni kwamba, mimi ni mzee ambaye nime-retire. Na vile nime-retire ningeliza Katiba inisaidie wakati watu wengine wanapo ongezwa pesa ya pension na mimi niwe nikiongezwa. Ama mwananchi wa kawaida ambaye ame-retire awe akiongezwa pesa pamoja na wale wengine.

Jambo lingine ni kwamba upande wa shule, kuna sheria ilipitishwa ya kwamba watoto wasipigwe. Mimi ningependekeza, hiyo sheria inatuharibia watoto, kwa sababu watoto wetu inaonekana wasipopewa discipline ama kufundishwa vizuri na kupigwa kiboko moja, wanakua wabaya zaidi kwa sababu hawapigwi. Kwa hivyo ningeliza Katiba ikitengenezwa, iangalie sana upande huo wa kupea mtoto discipline.

Com. Salome Muigai: Asante sana kwa kuweka dakika zako tatu. Jiandikishe pale tafadhali. John Kagiri? Amos Ngugi Njoroge? William Mwangi? Ni mwanafunzi, mzee huyo hatakua ni wewe, Joseph Kariuki Maina? Una dakika tatu Kariuki.

Joseph K. Maina: Yes Madam. Kwa majina yangu yote ni Joseph Kariuki Maina. Ile kitu ningependa kuongea ni kuhusu idadi kamili ya umiliki wa ardhi.

- Mtu asiwe na zaidi ya hekari elfu moja.
- Pili, mbunge awe ameo au ameolewa naa hata Rais na Councillors pia.
- Tatu, wananchi ndio wana uwezo ya kutoa kiwango ya mishahara ya wabunge na rais na pia Councillors. Rais

asiwe na mamlaka zaidi, yaani above the law.

- Katiba ifundishwe shule kama subject zingine. Wabunge wachungunzwe kila baada ya miaka miwili na nusu, ikiwa hawajatumikia wananchi, waondolewe na wananchi wachaguane tena.
- Hakuna hukumu ya kifo ibadilishwe na iwe kifo cha maisha.
- Watoto wapate elimu ya bure.
- Kuwe na matibabu ya bure.
- Rais akistaafu, asijihusishe na siasa tena.
- Serikali iwe ikiundwa na vyama vyote vinavyo wakilishwa bungeni.
- Vitabu vya Katiba vipatikane kwa urahisi na kwa bei nafuu.
- Wakulima wakubaliwe kuuza mazao yao hata soko ya nje.
- Kodi inayotoshwa inputs za kilimo ipunguzwe ili mkulima apate faida. Example fertilizer inayouzwa Uganda inashuka Kenya, lakini ikifika Uganda, inauzwa kwa bei ya chini hapa nchini.
- Sheria inayoruhusu polisi kushika watu eti ni saa mbaya...

Com. Salome Muigai: Asante sana Bwana Joseph Kariuki Maina na asante kwa mfano wako mzuri. Amesema mambo kumi na magambi, karibu kumi na matatu kwa dakika mbili unusu. Fifteen, ametuambia mambo kumi na tano kwa dakika mbili unusu. Kwa sababu amekua focused kwa ile mapendekezo yake, tufuate hiyo mfano na tutaweza kusikiza watu wengi zaidi. Jackson Ngatia?

Jackson Ngatia: My name is Jackson Ngatia na mimi ni mkulima hapa Tabuga, niko na mambo mawili matatu ningetaka kutaja, ya kwanza ni education policy. Katika system ya siku hizi, kuna system ambayo ilikua introduced juzi juzi ya quarter system. Quarter system inawacha watoto ambao wamefanya vizuri zaidi, wanapakia nje, na wale wamefanya vibaya kutoka areas zingine, wanakua admitted katika high institutions. The entry zone mpaka university, mpaka mwisho wa Head office education institutions, ni kwamba huyo mtu atakua half baked. Ikiwa ni daktari utakuta ni a poor doctor, ikiwa ni another profession, atakua mtu ambaye ni poor. Na wote watakua katika market. Hiyo imeleta retardation kubwa katika maendeleo ya nchi yetu.

Kitu kingine ningetaka kusema kama mkulima ni kwamba small scale farmer ameteseka zaidi. Ndiye producer with particular emphases on horticultural farmer, iko kitu ambayo kilikua kinaitwa, Lommy convention. Katika Lommy convention, ilikuwa agreement ya kuuza vitu vyetu katika nchi za ng'ambo na European union. Hiyo ni mambo ambayo ingesemwa na mwananchi wa kawaida, lakini inapata only a privileged few, ambao wanakuza hizo vitu, wanauza for their own benefits.

Kwa hivyo ningetaka Ministry of Agriculture, particularly Co-operatives, ifanye kazi zaidi, ishike yule mkulima wa kawaida, small scale farmer ndiyo aweze kufaidika halafu ndio tumalize mambo ya umaskini katika hii nchi yetu.

Kitu nyingine Madam Commissioner na Commissioners, ningetaka kusema ni powers of the Presidency. Ni kwamba katika

kila jambo, unakuta ya kwamba the Heads ama Permanent Secretaries, Heads of Parastatal ndio wanakua appointed na Executive. Na wanakua controlled na yeye. Kwa hivyo hakuna kitu ambacho kinaweza kuenda mbele bila interference ya Executive. Niko na hayo tu, Commissioners. Thank you.

Com. Salome Muigai: Asante sana. Stephen Njenga Kihanya? Did you appear before us yesterday?

Stephen Njenga Kihanya: Ya, very briefly,

Com. Salome Muigai: Yes, then I would like to give other people the chances before I give you a second chance.

Stephen Njenga Kihanya: It's okay Ms. Chair, I am going for a lecture at university of Nairobi at around five. So I will be very brief, two minutes.

Com. Salome Muigai: That I appreciate, as you can hear the people you want to represent, they want you to hear what they need, so please I am going to ask you to give this chance to somebody else, and then I will give you a chance after they have spoken. Stephen Njoroge Gicharu?

Stephen Njoroge Gicharu: My name is Stephen Gicharu from Nyanjoro farm. This are my comments.

- The President should not be above the law.
- His office should be taken to court when found guilty.
- The three arms of the government should have equal powers.
- Traditional drinks should be legalized, such as muratina, changaa, because they are African drinks, they should be packed by the government, examined and sold.
- Police should follow the law and not orders.
- The Constitutional book should be made available to everybody and printed in all Kenyan languages and made simple.
- The government should provide medical, water, electricity and primary education from the taxes it collects from the citizens.
- Elected MPs after being elected and found doing nothing should be elected out by the members. Thank you.

Com. Salome Muigai: Thank you, please register yourself. Christopher Mwangi?

Christopher Mwangi: Majina yangu ni Christopher Mwangi, na mimi ni mwenyeji wa hapa. Yangu ni machache sana. Kwanza ningeonelea Rais asiwe na nguvu ya kuchagua wakubwa wa police, Commissioner wa Police, Commissioner wa magereza. Kuwe na bodies, ziwe bodies zimekua formed, zitakua zikichagua wale wakuu wote wa serikali. Isiwe ni jukumu ya rais.

Pili, kuwe na either wakulima wawe wakipewa mikopo ya kuwezesha wao kulima kisha wawe wakilipa serikali hizo pesa baada ya kuuza mazao yao kwa serikali.

Tatu, katika elimu kuwe na njia ya kusomesha watoto wa primary kufikia mpaka standard eight, bila malipo, sababu hapo ndio inaoneka kuna kuwa na shida sana, ndio shinani ya kila kitu.

Kuwe na Commissioners wawe wakiangalia hali ya mishahara na mambo ya wabunge wenyewe. Wasiwe wakijikatia hali yao ya kibinafsi kwao wenyewe. Kuwe na board ya kuchunguza mishahara yao, maslahi yao, badala ya wao wenyewe ndio wanakata sheria huko na ndio wanajikatia. Ndipo wanajifanya kuwa na mishahara kubwa sana na mambo yao inakuwa zaidi sana.

Kusiwe na kukiwa ni budget ya mwaka huo, vile mambo nyingine ya mini-budgets, inasumbua, tunakuta kitu kimeongezwa na budget leo, baada ya wiki mbili, kuna vitu vingine pia vimeongezwa.

Katiba hii iweze kuandikwa na lugha ya kueleweka kama vile Kiswahili inavijitabu hizo, ziwe zikipelekwa ama ziuzwe kwa bei isio ya juu sana. Nafikiri ni hayo.

Com. Salome Muigai: Asante sana. Timothy Nduhiu Kimathi?

Timothy N.Kimathi: Asante sana. Jina langu ni Timothy Nduhiu Kimathi naishi hapa hapa Tabuga. Yale niliyokuwa nayo ni haya. Mimi ni retiree nilikua nikifanya na Ministry of Agriculture.

Kwanza ningetaka serikali iangalie sehemu hii ya wakulima ambapo kuna importation ya agricultural products kama milk, sugar na the rest. Hiyo iangaliwe sana kwa sababu hakuna haja ya kuleta maziwa ama sukari kutoka nje, wakati viwanda vyetu vime lala tupu, kwa hivyo ingetakikana serikali iangalie sehemu hiyo.

Sehemu nyingine ni taxes za essential commodities za mwananchi wa kawaida, ziwe evaded, wasiwe wana tax mwananchi kwa sukari, sabuni, vitu ambavyo mwananchi anahitaji. Sehemu hiyo nyingine ni jua kali na agricultural tools, ama products za agriculture, production inputs za agriculture, taxes ziondolewe. Sababu hiyo ni sehemu muhimu sana kwa uchumi wetu. MPs nao, wanatakikana isiwe tu ni kazi ya mobilize wananchi kwa politics, waangalie pia wakiwafundisha watu sehemu ya AIDS, food security, education na other government policies.

President naye angalie, awe ni mtu ambaye ameelemika upande wa economics, awe pengine na diploma ama degree ya economics. Awe pia ni mcha Mungu.

Sehemu nyingine ni upande wa free education. Serikali iangalie kama imesema free education, iwe free kweli. Wa provide na kujenga mashule na pia kupeana vitabu, kuangalia sehemu ya watoto ambao hawajiwezi.

Pia kuwe na public security Commission, sababu kumekua na sehemu ya watu kulala nje kuangalia mali yao. Natural resources

Commission pia, iwe established sababu, umaskini mwingi umetokana na uharibifu wa misitu. Kwa hivyo tuangalie pia sehemu hiyo, ili misitu yetu ilindwe, bila misitu hakuna chakula. Kwa hivyo nilikua na hayo tu. Asante Bwana Commissioner.

Com. Salome Muigai: Asante sana. Francis Muchiri?

Francis Muchiri: Commissioners, ladies and gentlemen, my name is Francis Muchiri and I am from Tabuga. I would like to make one or two observations because most of the things have been mentioned and I don't want to repeat. One of these is economic crime.

Kenya has been spoilt by a few people. It has been ruined because, the things that could have benefited many people in the country maybe goes to the pocket of an individual and then the rest of the masses do not get any benefit from that. So what I think is that we could curb this by introducing in the Constitution a very serious law on that, although many people are proposing that there should not be death penalties, I think this should be introduced in that one because, that will come as a crime. Anybody who has been involved in such kind of crime should not hold any public office and should be jailed for a long time as an alternative to death penalty.

I would suggest maybe fifteen to twenty years in jail. The other thing is about the retiring President. For the first time we are going to have a retiring President, I hope and we won't like a retired President to be involved in politics. Let him go and retire and enough is enough. Should he be involved in active politics, then all the benefits that accrue should be set aside. Be it transport, security or salary or whatever. He should not be given.

There should be a law that could be improved is the law of subjudice. You find some people to be so clever and take cases in court, and last for four, five or ten years and maybe they are of public importance. For example, the Goldenberg, people wanted to know who stole money and this kind of thing, but you see, these things drugged and nothing is happening. We do not seem to be getting anywhere. So could there be a limit, for such cases where the public has interest in such matters, so that they could be concluded within a given period. That is all.

Com. Salome Muigai: Thank you very much, please make sure that you are registered and now I would like to call, ningetaka kumwita Elizabeth Muthoni? Joan Wanjiru, Elizabeth Muthoni? Sio yeye, ni Elizabeth Muthoni, kuna list nyingine uliniletea mbele. Elizabeth Muthoni ni wewe mama? Oh na Joan Wanjiru? Okay, karibu.

Joan Wanjiru: Jina langu ni Joan Wanjiru, na nimeshukuru hawa wamekuja kwa haya maneno ya Katiba, maana sisi ni kama mara ya kwanza kukutana na mambo kama haya. Na sasa ninazungumza maneno ya wabunge. Habari ya miaka. Kama watu wako huko kwa bunge, tuseme ni kama vikundi vitatu, kuna vijana wa miaka kama thirty five, kuna watu wengine wa katikati wa miaka kama kutoka thirty five mpaka sixty hivi, kuna wengine wana miaka zaidi. Swali ni hili, hawa watu wako huko kwa bunge, mtu anachaguliwa mara ya kwanza, tena ya pili, hakuna limit ambaye mtu akifika mara fulani ndio atapumzika maana sisi

kama raia bado sikia, hiyo ni moja.

Tunaona hivi, ni vizuri kuangalia hiyo habari ya miaka zaidi, hatuwezi kusema maneno yote yako kwa bunge, ya Katiba ya mbeleni ni mbaya, maana kuna maneno mengine tunaona ya kwamba inaendelea vizuri.

Com. Salome Muigai: Mama Wanjiru ungependekeza lipi juu ya hii, wakati wa MPs ungependekeza nini?

Joan Wanjiru: Mtu anaweza kuchaguliwa kama mara mbili na ikizidi mara tatu, lakini mara ya tatu atakuwa amechoka, maana ni kazi ngumu. Sasa tunaona hivi, kama tuseme ni bibi ya President, tunaweza kuchagua mtu na ashindwe na mwenendo, maana sisi tunakaa hapa Kenya, na tukikaa hapa Kenya, tunakaa bila kupigwa na makabila mengine. Maana tuseme tunafanya urafiki na nchi nyingine, countries nyingine wanatusaidia kwa njia ya urafiki. Tukipata mtu awe wakati mwingine ashindwe na kuendelea hivi, awe ni wa hapa Kenya na anashindwa na mambo mengine, tunaweza kwenda mbaya, kwa hivyo ndio tunasema ya kwamba, tufikirie sana iletuko nayo na mambo yote ni sawa.

Tukitoka hapo ni maneno nyingine tulikua nayo ni maneno ya walimu. Walimu wana kazi nzuri na wameshafanya kazi yao, tukapata watoto wetu wameelimika na wamepata elimu, lakini kuna pahali moja tunaona kuna walimu wanataka kushikiliwa zaidi, walimu kama wa nursery school, wajie mpango wao ni nini. Nursery school wasiwe pamoja, hawa government wajaribu kutengeneza habari ya nursery school. Tunaona kama wao hawana mpango mzuri. Kama ni primary school ni sawa, kama ni secondary school ni sawa. Lakini wa nursery iko kitu inabakia.

Habari ingine ni hii, wa mama wa hapa Kenya, wapewe barua ya harusi. Maana tunaona hii wakina mama wameendelea sana, wanatumiwa na ma bwana, na hakuna sheria inasimamia wapatiwe harusi, kama tunaona hapa kwetu Kenya, lazima mtu yeyote apate kipande. Kama mtu ni bibi ya mtu, ni vizuri kupatiwa hiyo barua maana baadaye na tena anajulikana. Kwa hivyo barua inaonekana kama ni maneno muhimu.

Wakina mama wengine maechaguliwa kufika huko bunge. Swali iko hivi, akipata kura za kutosha anaweza kukubalika hapa kwetu Kenya kuwa President? Na maneno yangu ni hayo.

Com. Salome Muigai: Wewe mama ungetaka kupendekeza kitu gani juu ya wakina mama kuwa President.

Joan Wanjiku: Mama ninaona awe President, maana kuna wa mama wengine wanafanya kazi nzuri, na kuna wanaume wengine wanafanya kazi mbaya. Ikiwa kuna mama ambaye anaweza kufanya vizuri akipatiwa nafasi si vibaya.

Com. Salome Muigai: Asante sana kwa hayo maoni, jiandikishe pale tafadhali na sasa ninamwita Philip Maingi? Yuko. Kenneth Ndungu? Wewe ni Philip Maingi? Ulikuwa nje kidogo, okay, pole mzee. Philip tutakupa nafasi nyingine.

Philip Maingi: Jina langu ni Philip, na yangu ni machache, nina pointi karibu sita hivi. Ningependa kumaliza kumaliza ufasadi.

1. To end corruption, those who still from the government cofers, and have properties in their wives' names should have the property auctioned and repossessed by the government.
2. Dates for the general elections be made officical, hakuna haja ya President kukaa na hiyo date inakua ni kama dawa ya kuumiza wananchi. It should be at the end of four years or five years, tunapewa ni siku gani tunafanya elections, so that we are able kwenda ku-chage card zetu na kufanya inayotakikana.
3. Those found committing petty crimes, should not be locked in cells, but be given free bond to attend court the following day. This creates fear, ukiambiwa utawekwa cell, unaanza kuogopa na hapo ndio watu wanaanza kupeana pesa za kuhongana. Hiyo ikiondolewa, ukijua utapeleka kotini kesho, na umepewa free bond, itakua rahisi. Tena, kuwe na mtu ambaye amechaguliwa, someone to be selected to deal with cases that are delayed by advocates and those be given minimum time since some take a long time upto about ten to fifteen years. Na huyo mtu apeane, mwenye kutoa nafasi ya kusikiza hizo wakati, ajue ni kesi gani nzuri, asiwe delayed for a long time.
4. Reporters and final writers not to be arrested while on duty, their notebooks, cameras, video tapes zisiwe destroyed.
5. Mental patients to have counseling as soon as they leave hospital and have drugs free. Wasiwe wanauziwa madawa, kwa sababu ugonjwa wa akili ni ugonjwa ambayo inashika bila kujua. Ni hayo tu.

Com. Salome Muigai: Asante sana Mr. Maingi, jiandikishe tafadhali. Na sasa Kenneth Ndungu?

Kenneth Ndungu: My name is Kenneth Ndungu, ninataka ku bail kwanza na pointi ya retires, niliona pointi ya retirees ilikuwa drafted by my friend, Mr. Phaniel lakini kuna pointi ambaye aliacha inayohusika na adjustment. Mara nyingi tunaona wakati mishahara inakua revised, nothing is adjusted for the pensions, so ningetaka kupendekeza kuwa, wakati mishahara ya workers inakua adjusted, pia ya pensioners inakua adjusted accordingly. Inatakiwa kuwa adjusted tena kulingana na vile currency inabadilika. Kwa sababu from time to time, the value of the currency keeps on changing. So the salaries at the same time for the pensioners should be revised instead of being kept static.

Pointi nyingine, education in the country should be compulsory and free from nursery upto standard eight. University education should also be free. I recommend that part of the free fee for university should be in only the government universities and not every university, because those who go to private universities are the ones that are able.

I will recommend that the government should educate the first four children in a certain family. That is for an individual children, they should cater for four children and not every child so as to encourage family planning.

Kwa watoto wa mapipa, au the children that we call street children, I recommend that we have children departments which should be dealing with children. It used to be there before during the colonial time, I don't know where it went, if it were there we would not have any problem again.

Land policy, people should be allowed to own land anywhere in the Republic and nobody should be allowed to keep land that is idle. Any body who is not able to use his large s....of land, that land should be acquired by the government and be given to landless people. This landless people should not be given that land free of charge. It should be given as a kind of loan so that when they work on that land, what the profit they get, they pay something to repay to the government and return what the government used in acquiring that land from the owners.

Com. Salome Muigai: The last point?

Kenneth Ndungu: Last point I would like to touch something on the law. The law for compensation, you find that the compensation for injuries if one has had an accident, injuries compared to the compensation for defamatory are paid very little indeed. While defamatory is paid millions and millions of shillings. And in defamatory no one is hurt anywhere on the body, which speak of character being assassinated but nothing is touched on the body, while the person who is injured is actually maimed or moved on a wheelchair or something else and the compensation is too little compared to what we find being paid to defamatory. That is all, because time is gone. Thank you very much.

Com. Salome Muigai: Asante sana. Elizabeth Mwangi?

Elizabeth Mwangi: Thank you madam and the other Commissioners, I have quite a number of points here.

1. We should have a limited number of political parties in our country, not just so many parties because it is a multi-party state, we find that some of them will even belong to family, so can we have a limited number, maybe like two or three parties, so that the people in the country belong to either one or the other.
2. The Presidential powers also should be cut down and the President, I suggest should be elected by at least 50% of the population.
3. I also suggest that there should be some reservations of Parliamentary and civic seats for women and the youth, so that our women can participate fully in the government.
4. I also suggest that non-citizen should not be allowed to own land in our country.
5. The election date should be allowed in good time so that the candidates and the voters prepare themselves. It should not only be known to one person.
6. When it comes to salaries for workers, sometimes we find that the government appoints Commissioners to look into the salaries of certain groups, but even after they are given results by the Commissioners, they don't follow these results and yet so much money is used to keep the Commission going. So we want a government that will implement the findings of a Commission that it has appointed. For example we have the teachers' salaries, the Commissioners gave their findings and the government signed, they agreed, but they have not implemented that. In the Constitution this should be put down that we don't want a government that will cheat its' people.

Com. Salome Muigai: Because you have just come mama, I would want to let you know that you have only three minutes. So don't leave anything that you want to really say, because you don't have much time.

Elizabeth Mwangi: This is the last point that has not been mentioned by anybody, I think that men should be made responsible for the children they get out of marriage. The others have been touched, so did not repeat thank you.

Com. Salome Muigai: We have a few questions for you just hold on.

Com. Raiji: Now regarding this point you remember we used to have a law called, affiliation Act, you are aware of that, the one about men getting children out of marriage and maintaining them upto eighteen years and so forth. You are advocating the return of such a law?

Elizabeth Mwangi: Yes I am.

Com. Salome Muigai: I have a question for you about the reserved seat for women and the youth, do you have a number in mind or a percentage?

Elizabeth Mwangi: Well I will give a fraction, at least a quarter of the seats.

Com. Salome Muigai: To be shared by both women and youth? Or a quarter for each.

Elizabeth Mwangi: A quarter for both.

Com. Salome Muigai: Okay, thank you. Please have your name written down. Ruth Mwaura, did she talk? Ruth Mwaura alizungumza? Elizabeth Muthoni? David Njenga? Elizabeth Mwangi? Ni huyu, okay Johnson Ngatia? Karibu.

Johnson Ngatia: Jina langu ni Johnson Ngatia, hii documents ninasoma hapa, kuna ingine ilikuja hapa mbeleni na kwa hivyo nitasoma tu briefly. No, tuliandika tu tukiwa watu wawili.

Moja, ninataka kuzungumzia juu ya serikali, government.

1. The government should create an office of a Prime Minister.
2. President and the Vice President . Prime Minister should form the government and appoint Ministers.
3. President should form election time-table and can dissolve Parliament in case of crisis. This will help to strengthen unity among Kenyans.
4. Local government heads should directly be elected and should have five years' tenure of office.
5. Provincial and DO's office should be abolished. DC should be left to handle administrative matters in district level and province levels. Chiefs should be appointed to be the head of divisions and a council of elders should be appointed to handle matters at locational level. In this case elders should be paid on Commission per seating.
6. Civic education, I feel should be incorporated in our school curriculum.

7. Kenya is not yet ready for majimbo.

Kitu kingine ningetaka kuongeza hapa kidogo ni juu ya defence. Minsiter of defence should be appointed by the Parliament. The minister should be incharge of all the internal and external security matters. The minister should be well acquainted with military matters. He can be appointed outside the Parliament.

The same minister should be answerable to Parliament through a Prime Minister. The minister should also be in a position to declare war. Hapa kidogo ningetaka kuzungumzia another subject, citizenship.

Kenyas' Constitution should be able to describe citizenship. A child born in Kenya between two citizens or a child born in Kenya between a Kenyan and a foreigner mother and stays in Kenya for the first fifteen years, should be declared a citizen. Citizens should be entitled to all rights as per human rights laws.

Identity cards should be a special document to identify a citizen. Children born in our hospital of parents who are foreigners should have different registration. Nikona pointi nyingine ningetaka kuzungumzia, Kenya hii yetu iko na shida, sababu hapo mbeleni kidogo tulikua na heroes ambao so far hawajajulikana na serikali yetu au na the whole state, ambao walifanyia this country, mambo mengi. For this I feel, the state should be able to reward mau mau heroes , even if they are not leaving, but their decendants who did a great job and sacrificed their lives for this nation.

Kenyatta day and Moi day should be scrapped, instead be replaced with a day that should be referred as heroes day. Niko na hayo tu.

Com. Salome Muigai: Some questions for you. One is, you talked about a child who is born in Kenya whose mother is a Kenyan has to stay for fifteen years before he gets citizenship. What about a child born in Kenya with Kenyan father with a foreign mother?

Johnson Ngatia: That is the one I referred as if he is born by a Kenyan father there is no possibility of moving out, that should automatically be a Kenyan citizen, so long as the mother does not move out of the country, the child remains with the father.

Com. Salome Muigai: There have been very many Kenyan men and women who have moved out of this country to Australia and America and India, so that criteria, do you still find that it is a useful criteria.

Johnson Ngatia: I feel madam Commissioner, because even if a Kenyan male goes out the country and the child is before eighteen years, chances are high whenever he goes, he can acquire citizen and the child will automatically become the citizen of that country.

Com. Salome Muigai: But you don't think it is the same thing with children whether they are born of Kenyan mothers or Kenyan fathers?

Johnson Ngatia: Kenyan mother if say, a foreigner who happens to have a child with a Kenyan man, and he is able to stay here in Kenya as a wife of a Kenyan, I don't see there is any problem.

Com. Salome Muigai: I just want to get you right, what is giving this right, is it the fact that somebody is a Kenyan or how long they stay or do not stay in Kenya?

Johnson Ngatia: If he is born by a Kenyan and the child remains here for fifteen years, upto that stage, there is no possibility of claiming to be a citizen in another country.

Com. Salome Muigai: Supposing a Kenyan man has a wife who is American, they decide to go to America tomorrow and they have already gotten their child who is Kenyan, should that citizenship be revoked?

Johnson Ngatia: I feel madam, at that stage the child is still under the parents' command and they can apply for citizenship elsewhere, whoever the parents decide to settle.

Com. Salome Muigai: Okay. Wallace Mwangi?

Wallace Mwangi: Jina langu ni Wallace wa Mwangi Karanja. Ninazo pointi zingine ambazo ningetaka kuzieleza. Kwanza, Katiba ingetuambia ni vipi district mpya ambazo zinakua zikitengenezwa tengenezwa, zinastahili kutengenezwa, isiwe inatengenezwa kwa sababu ya siasa. Ikiwa inataka kutengenezwa, lazima iende kwa Parliament, anyo ii-approve na ijulikane ni kwa nini inatengenezwa district mpya, isiwe for the benefit of somebody who wants kuongeza hizo 25% ya kura.

Tena watu wote katika Kenya lazima wawe equal. Hakuna wengine wawe wakilipa kodi, na wengine hawalipi kodi, mwingine akitaka kuitisha gari kutoka ng'ambo ana uhuru wa kupata gari bila kulipa pesa fulani. Ikiwa ni gari inaitishwa na mKenya yeyote, awe MP asiwe MP, lazima alipe ushuru. Because we are all equal.

Katika kuweka pesa ng'ambo ingekua kuna kiwango fulani kisipitishwe ili watu wengine wale matajiri wasiwe wakitorosha pesa hapa, wanaziweka ng'ambo kwa sababu kukotea vita, yeye ana uwezo wa kuenda kuishi ng'ambo na kua amechuma pesa zetu na kupeleka huko. Lazima wewe uwe na sababu kamili za kupeleka huko, sio kufikiria tu, leo nitaweka pesa ng'ambo na unaweka.

Katika forest, tutengeneze sheria ambayo itawakubalia wale watu ambao wako radius ya maili kumi, wawe ndio wana huru na uwezo wa kuweza kuchunga msitu wao. Badala ya Ministry of Natural resources ambayo imeshindwa na kazi, iwe ni responsibility ya msiti chini yao, iondolewe, tutengeze, Kenya Forest Serives, ambayo itasimamiwa na wale watu ambao wako katika radius ya kilometer kumi. Tusiwe tuna forest ambayo ni forest kwa jina lakini forest yenyewe hakuna.

Hawa watu ambao ni big shots katika serikali, wasiwe tu wakitengeneza sheria na mashtaka wanaipeleka kotini, unasikia mtu

amelipwa shilling milioni tisa, milioni hamsini na ni uongo tu mtupu ambayo wametengeneza, lazima kuwe kuna bodi ambayo inachunguza kama kweli huyu mtu kama jina lake limeharibiwa kweli, sio kutengeneza tu kwa sababu he is so and so, jina yake imeharibiwa, ameshtakiwa. Watu wameharibiwa majina hapa.

Tuwe na President ambaye anafuata sheria, sio President leo anatengeneza mkutano wa kutukana watu, kutukana parties zingine, awe ni President ambaye ako katika sheria na hawezi kuweza kusimama mbele ya umati, maanake yeye anaongoza waKenya, sio chama, bali waKenya, kwa hivyo hana uwezo wa kwenda na kuanza kuropokwa maneno kusema fulani alisema fulani alisema, no, awe anachunga kazi yake kwa sababu yuko chini ya sheria ya Kenya.

Tena tusiwe na political universities, ati leo President akifikiria nitataka kutengeneza a political university in my area, anatengeneza. Kuwe kuna bodi ambayo ina-setiwa ambayo itafikiria is that university really necessary? Tusiwe na repetition ya masomo. Unapata, Kenyatta University wanafundisha agriculture, you find the same course inafundishwa Egerton, the same course, inafundishwa Moi, tuwe hakuna repetition, kuwe na mipangilio nzuri, na tusiwe na un-necessary ambao hazitapatia watoto wetu kazi.

Com. Salome Muigai: Na jambo la mwisho mzee?

Wallace Mwangi: Jambo la mwisho tungependelea kama ni accident, isianganiwe mtu, maanake watu wengine hawana uwezo, na yeye hajui sheria. Ikiwa ni accident, wale watu wako katika hiyo gari, polisi wakiingia wanawachukua majina yao, kama wameumia hakuna mambo mengine, huyo mtu, insurance ya hiyo gari, iwe inasimamia hao watu katika hospital, katika mazishi na kuwa compensate jamaa zao. Ni hayo tu, sina mengi.

Com. Salome Muigai: Asante sana, jandikishe pale tafadhali. Nicholas Nganga? Samwel Gathiru wa Mugo? Is that you sir? Is that you?

Samwel G.Mugo: Jina yangu ni Samwel G. Mugo, yangu ni machache tu. Kwanza ningeliza hii tume ya reform, isiharakishe mambo. Isiharakishe mambo na hakuna maana tufanye kazi halafu baada ya miezi sita au mwaka moja tuanze kusema iko shida hapa na pale. Lakini hiyo sio kusema, wasikize ama walale, wajikaze ndio kazi imalizike haraka. Tena sio kusema bunge iongezwe muda. Kamam haitawezekana hii kazi kukamilika kwa wakati ufao, kabla uchaguzi ujao, mimi nineona kuwe na minimum reform zile zitatuwezesha kwenda kwa uchaguzi, kwa hiyo ninamaanisha tuwe na electoral Commission ambayo ni independent. Parliament iwe representative, ama kwa njia ingine. Hakuna haja tukuwe na mbunge mwenye amechaguliwa na watu, forty thousand, mwingine amechaguliwa na watu elfu tano. Na wakifika kwa bunge, ikue ako na kura moja.

Ningependekeza, President awe na popular vote ama tuseme 50% ama zaidi ya registered voters, not registered but votes cards. Ile tena ningepinga sana, uchaguzi ufanywe kwa ile schedule ilikuweko. Ni hayo tu.

Com. Salome Muigai: Asante sana, jiandikishe tafadhali. Stanley Kamau? Simon Kungu?

Simon Kungu: Majina yangu ni kama vile munavyojua, Simon Kungu, mwenyeji wa eneo hili. Yangu kuna machache ambacho nimeandika kama taarifa na moja ambayo nime highlight ambayo sitaacha.

Jambo la kwanza ni kuomba Katiba ipeleke mapendekezo, tuanomba tetanisho na bunge na shughuli za Katiba ziwe tofauti. Isije zikatuma uchaguzi kuchelewa kwa sababu Katiba haijakamilika.

Jambo la pili, ni kuhusu hawa askari wa Administration police, huwa wanateuliwa kama ma chief ama ma naibu wa chief, hiyo tunaomba iondolewe.

Jambo la tatu, ni kuhusu ukulima, tungeomba kama kungeweza kufanywa uchunguzi sehemu ambazo ukuzaji wa mahindi ama mimea mengine unaweza kufanywa na wakulima ambao wanafuga ng'ombe, ufanywe kwa sehemu tofauti, ili wale ambao wanauza maziwa waweze kupata soko vizuri na wale ambao wanauza mahindi wafanye kama bartering, wabadilishane. Soko la uchinjaji wa ngombe ama mifugo, hata tukifuga mifugo hatuna soko, factory zimeharibiwa. Kuhusu vyama vya siasa, ni kama vile ilivyosemwa hapo mbeleni, tuwe na vyama vichache na ikiwezekana viwe vyama nne. Kila chama ambacho kitakuwa na wabunge chini ya tano, kiwe disqualified kwenda bunge.

Uhuru wa kuabudu umepita kiwango sasa hatujui tunabudu Mungu ama tunaabudu mashetani. Tuangaliwe. Tuwe na tume ya kuchunguza makanisa ambayo yanakuja kwa njia ya kuabudu.

Kuhusu uridhi katika sheria zingine za kiafrika, mali hugawanywa kama mume alikuwa na mabibi wawili, mali hugawanywa kulingana na hao wake wawili. Lakini ukiangalia kuna mke ambaye alikuwa na watoto wawili, na mwingine watano, na kama shamba itagawanywa kwa boma mbili, yule ambaye alikuwa na watoto tano, ataumia, kwa hivyo naomba Katiba itengenezwe iwe ikigawia watoto na wawe wale watoto ni wa kike au kiume, kusiwe na ubaguzi.

Jambo lingine ni kuhusu usafirishaji. Usafirishaji wa wafanyikazi kutoka kazini especially wale wanafanya katika hospitali, wanapofanya usiku shift, hawasafiri kwa usalama. Pia kuna wafanyikazi wengine ambao wanafanya kwenye kampuni tofauti, huwa wanatolewa kazini na kuwachishwa kwenye vitu vya kupandia gari na wakati mwingine hakuna gari.

Jambo lile lingine nilikua ninaguzia, ni kuhusu Parliament. Parliament inatakiwa iwe na members ambao hawata amua mshahara yao. Kuwe na tume ambayo itaamua mshahara yao.

Kuhusu ardhi, wale ambao wako na mashamba makubwa, serikali ichukue yale mashamba kwa kupatia wenye mashamba makubwa kitu kidogo na kuwapatia wale ambao hawa bahati. Ili tuondowe shida ya serikali kuwashughulia watu wengine kwa

mambo ya chakula. Mtu ambaye ameishi kwa shamba la mtu akiwa ana mfanyia kazi ama akimsaidia kwa kazi fulani kwa muda wa miaka kumi, awe entitled kupata sehemu kidogo ya shamba hili.

Tukija upande wa education, tunaomba elimu iwe ya bure kutoka darasa la kwanza hadi secondary school na yule mtoto atakaye fanya vizuri katika mtihani wa kidato cha nne, serikali igaramie elimu yake. Na sisi ambao ni wananchi tugaramie, yaani tufanye tax payer alipe zaidi kidogo ili tuweze kuendelea zile shule ambazo hazilipi school fees.

Katika mambo ya misitu, natural resources, misiti iwache kuingiliwa sasa. Tumepoteza mvua, njaa iko nchini kwa sababu ya misitu kuingiliwa. Tunaomba upande huo uangaliwe zaidi. Upande mwingine ambao najua pengine haujaguzwa kidogo, ni upande wa utoaji wa mimba, naomba tume itilie maanani, utoaji wa mimba, hii sheria iangaliwe zaidi, tunapoteza maisha mengi sana. Na hospitali za siku hizi, iwe ni za kibinafsi ama za serikali, hiyo kazi inaendelea, na inaendelea kwa sababu ya umaskini. Kwa hivyo, tunaomba kwa sababu Kenya, tumetia sahihi mkataba wa Geneva convention, inajua hiyo ni hatia na ni kuua. Kwa hivyo ni hayo tu naomba tutilie manani.

Com. Salome Muigai: Asante sana, nina maswali kwako. Umesema kuwa mzee akifa shamba ligawanywe kwa watoto wala sio wakina mama?

Simon Kungu: Ndio.

Com. Salome Muigai: Hali ya kugawanyia mama shamba ni kuoneshana mama alikua mmoja wa mwenye shamba, kama mama ndio mwenye angekufa, ungetaka pia watoto wagawanyiwe shamba badala ya mzee.

Simon Kungu: Hapo nimesema kama mzee alikua na wake wawili, wale watu wawili, kila mtu ana watoto, pengine mwingine ako na watoto wengi kuliko yule mwingine. Lakini wanapogawana kulingana na nyumba, ati huyu mke apate acre moja na yule apate acre moja ama mbili mbili, utakuta wakati mwingine kama wakati mzee alikuwa hai, anapo omba msaada kwa wale watoto, wote wawili na watano, walikuwa wanaleta msaada kwa yule mzee.

Com. Salome Muigai: Okay, nao wao watoto, mtoto mmoja ana watoto kumi na wale wengine wana watoto tano, sasa hiyo shamba itagawanywaje?

Simon Kungu: Sasa hapo, wewe mtoto ambaye umegawiwa shamba, hatugawii wale wajukuu, ni juu yako ufanye bidii nawe utafute shamba ya watoto wako.

Com. Salome Muigai: Exactly, kwa hivyo hata wakati kina mama wanapata shamba sio kwa ajili ya wale watoto wenye wamezaa, ni kwa ajili waliolewa na huyo baba na hiyo ilikuwa haki yao. Sasa mama ndio mwenye atamgawia watoto wake hiyo shamba. Sasa mamlaka munayaweka pamoja na ya mtoto. Hata yule mama mwenye hakuzaa, bado ana haki ya kugawiwa shamba lililotoshana na wale wengine kwani si watoto wenye wanagawiwa shamba, umesema vizuri habari ya wajukuu, sio watoto wenye wamegawiwa shamba at that level, ni akina mama. Ni bibi za huyo mzee.

Simon Kungu: Ni bibi wa yule mzee, lakini hapa tunaona kwamba, tunaposema kwamba, angalia kama vile umesema kuna mama mmoja ambaye hana watoto, hakubahatika yule mama naona kama ana nafasi, sababu atakapogawiwa shamba kama kiasi cha wale watoto, ama kulingana na vile ukoo utaamua, atakua na bahati kwa sababu hakuna mtu atakayekuwa kusema mimi ninataka hii sehemu. Yeye mwenyewe pengine katika ile ufamilia ya yule mzee, ataona kuna mtoto ambaye alikuwa karibu na yeye. Ndio atakayesema, wewe chukua hii sehemu yangu nitakapo lala.

Com. Salome Muigai: Lakini tumeelewana kuwa shamba inapogawiwa wake wa mzee, hatujafika kwa watoto, vile uliniambia kuwa, wewe ukipata shamba kutoka kwa baba yako, sio watoto wako wenye wanapata, ni wewe. Kwani wewe ni mtoto wa yule mzee na huyo mama, sasa mama akipatiwa shamba, anapatiwa kwani yeye ni bibi ya kule bwana, sio kwa ajili ya watoto wenye alizaa ama hakuzaa, kwa hivyo pia hapo pana levels different. Tafadhali, zielewe, kwani wakati huu wakina mama wamelalamika kwetu sana, ati wakiachiwa shamba, watoto wavulana haswa, wanaanza kuambia tunataka hii title deed, tunataka kufanya hivi, watoto wanaona kama shamba ya baba ni yao, kama mama bado yuko hai, shamba ni yake, tafadhali tuelewane hapo.

Simon Kungu: Hapo tutaelewana, lakini nasema mama akiwa pale, mama ni trustee. Yaani those children have no authority over that land. Until all the parents would have died. Ikiwa wamelala wote kaburini, pale sasa ndio watoto wataanza kugawiwa, lakini so long as the mother is there, si ati kwa sababu baba akifa, mambo yaanze kuharibika. No, the lady is there as a trustee, mali ni yake mpaka atakapo lala kulingana na vile Mungu amempangia. Sasa ugawaji uanze pale.

Com. Salome Muigai: Mimi nina swali lingine kwako.

Simon Kungu: Yes,

Com. Salome Muigai: Umesema abortion itolewe, unasema abortion gani? Ile ya mwanamke peke yake mwenye kubeba mimba ama abortion mpaka ile ya baba mwenye anasema, huyo mtoto simjui na ni mtoto wake?

Simon Kungu: Sikusema abortion itolewe, nimesema abortion, kuna sheria ambayo inazuia abortion, uuaji, haijatiwa maanani vile inavyotakikana.

Com. Salome Muigai: I am appreciating that, lakini nataka tuchukue one step behind,

Simon Kungu: Yes,

Com. Salome Muigai: Ni abortion ya nani inatakiwa kuwa maanani, ya yule mama mwenye amebeba mimba ama ni ya wale wazazi wawili waliomleta yule mtoto kwenye hii ardhi?

Simon Kungu: Kulingana na vile ninavyoelewa, abortion is for both parties, lakini kulingana na mtu wa kawaida vile anavyoelewa, abortion ni ya yule ambaye anabeba mimba.

Com. Salome Muigai: Mimi ninakuuliza wewe mwenyekuelewa kwani sasa tunatengeneza Katiba, unasema abortion ya nani ndio itolewe?

Simon Kungu: Both parties, itiliwe maanani isikubaliwe. I think sijakuelewa, vile unavyosema itolewe, me I am insisting on abortion the ruling that does not allow the abortion to take place, itiliwe maanani iwekwe nguvu zaidi.

Com. Salome Muigai: I appreciate that, all I am asking

Simon Kungu: For both parties.

Com. Salome Muigai: All I am asking, yule bado mwenye anasema huyo mtoto simtaki, na simjui na sitamtambui, you know that is abortion?

Simon Kungu: That is right.

Com. Salome Muigai: Ame abort half of his feotus.

Simon Kungu: Yes.

Com. Salome Muigai: Sasa tutazungumzia hii nusu yenye imebaki ama tutazungumzia huyo mtoto akiwa amebaki mzima?

Simon Kungu: Yule mtoto akiwa yuko mzima kabla haja guzwa chochote.

Com. Salome Muigai: Kwa hivyo tunazungumzia jukumu ya baba na mama?

Simon Kungu: Ya baba na mama.

Com. Salome Muigai: Good

Simon Kungu: Because whoever ambaye anamwambia yule twende tukatoe mimba, is also committing a crime.

Com. Salome Muigai: Ama mwenye anasema simtaki mtoto, na ameshamtengeneza?

Simon Kungu: Yes, he is also committing a crime.

Com. Salome Muigai: Okay, good. Nenda ujiandikishe, huu wakati wa Katiba ni wakati wa kusema ‘*come let us reason together*’ ni wakati wa review hata ya ile mambo yenye tulikubali zamani, tuanze kuyaangalia upya, tuliyakubali kihaki ama tuliyakubali ikamnyanyasa mmoja dhidi ya mwingine. David Mburu Githu? Na pole nimemrukia kwa makosa Onesmus Kuria, kwa hivyo atakuja baada ya Githu, it’s okay. Hiyo nywele hainikubalishi kukurudisha.

David M. Githu: Asante sana. Jina langu ni hiyo yenye inasemekana lakini mimi ninafurahi sana kwanza kwa vile nyinyi mume jina langu...

Com. Salome Muigai: Ukilisema linaenda kwa recordi yetu.

David M. Githu: Okay, David Mburu Githu sivyo. Basi, maoni yangu nimeshasikia ingine imeshatajwa na watu, lakini mimi nintaka kuweka nguvu kabisa. Mimi ni mzee mmoja wa retire na wakati tulipopatiwa retirement, mshahara yetu ni ile ile tu tulianza naye na hata sasa sio kusema ati wale watu wanafanya kazi kwa serikali wanakaa na ile mshahara ya 1950. Bado wanazidi kuongezwa na sisi je, hatuwezi kuongezwa? Hiyo point nimeshasikia mwingine ameshaleta hiyo hapo, lakini sasa mimi nikuongeza nguvu. Isipokuwa siwezi kurudia yote maanake mimi ninaona kama munaharakisha harakisha nini watu, wanakuwa wengi, sasa nikirudia ile ya zamani nitakua tena ni shida kidogo. Kwa hivyo sitaki kupotezea wengine nafasi, asante sana.

Com. Salome Muigai: Asante, sasa nipate Mr. Onesmus Kuria? Stanley Kamau? Geoffrey Njoroge?

Geoffrey Njoroge: My names are as given Geoffrey Kariuki Njoroge. I would like to share my views in Constitutional review process, where I see that the key problem that we have is corruption. The Constitution does wear like a government and right now, we have a Constitution which is looked upon as a worn out government tissue. This is because so many un-lawful acts are happening. Going underground without penalty because of corruption. Grow recklessness of our government, mwananchi is going through a very tough time where does not happen in almost every ministry in Kenya government. Let us look ..

Com. Salome Muigai: Geoffrey, please give us some recommendations.

Geoffrey Njoroge: I will have them

Com. Salome Muigai: Then just go to them, we have heard all those things that you have said,

Geoffrey Njoroge: I see.

Com. Salome Muigai: So let's get the recommendations.

Geoffrey Njoroge: The key point is corruption and because of the corruption, we are going through very many hardship. I would like or suggest that there be both penalties ama tuseme ..

Com. Salome Muigai: Hold your mich in front of you like this, at an angle so that you can be heard all the time. That is right.

Geoffrey Njoroge: Nasema ya kwamba kwa sababu ya kuwa na corruption hata wakati huu tuna Katiba na intend kazi vizuri, na hivyo hata tukiwa na Katiba ingine na bado corruption iwe namna hiyo, bado tutakuwa tukiangamia kwa mambo mengi, kwa sababu hata kama ni kwa ma hospitali ama kwa mabarabara watu wanazidi kuangamia kwa sababu pesa zingine zimeinga kwa mifuko watu, badala ya kuingia kwa mifuko ya kazi ambayo ...

Com. Salome Muigai: Do you know your time is over and you have not given us one recommendation.

Geoffrey Njoroge: Sasa ningependa hawa ambao wanahusika na ufisadi wapate kuchukuliwa hatua kali ili wengi wasizoe mtindo huo na tusiweze kuangamia sisi kama waKenya. Asante.

Com. Salome Muigai: Asante. Peter Mwaura? Please give us your recommendation?

Peter Mwaura: My names are Peter Mwaura. I recommend this way. President should not be above the law the way it is right now, in order to rule the country the way it should be. The one is that all Kenyans above eighteen years old are supposed to be given a copy of our Constitution in order to understand what is happening or what happens within their areas. Also if we could look into our Constitution the way it states. It should state the number of the tribes we have in Kenya in order for us to know that we are Kenyans and should not state the way it states that Kenya is sovereign country. Our President should be only given one task instead of getting so many tasks and that is all.

Com. Salome Muigai: Asante sana Peter Mwaura, jiandikishe pale. Lucas Mathenge? Charles Karagita? Yes.

Charles Karagita: Thank you madam, this are views ofand a system in a form of writing but I will just emphasis a few points. Charles Karagita Njoroge. I will highlight a few points. On the forward a Constitution for it to have a national outlook, it should have a national flag, court of arms and a few points concerning the struggle of our independence for our children to know exactly how we got our independence and the way forward.

Themes of this policy, I would like to emphasis, one or two points here.

1. Acceptable good cultural values of every ethnic group be recognized e.g. customary law.
2. This rules be enforced by the Judiciary and in addition to our harambee moto, we include peace, love and unity. We need to have to look at our supreme policy.

As far as the Constitution policy supremacy is concerned, we felt that no change of the Constitution until after two terms of office of five years and if any changes is to be made, not to be made by Parliament but if possible by a referendum, to determine whether this is to be done so.

Citizenship: the spouses of Kenyan citizen be automatically legible for citizenship. That is if a lady from elsewhere is married by a Kenyan, automatically that lady becomes a Kenyan citizen.

On political parties, we recommend to have a minimum of two political parties, mostly four. Sharing of the fund should be done from the all the political parties from the consolidated fund. These parties be allowed to solicit for money elsewhere by the government.

Structures and systems of our government, we agreed that we adopt a Parliamentary system of government in which a Prime Minister is appointed by the President from the majority party. The President should be non-partisan, that is we recommend that the President should not belong to any political party. As regards the President's qualification, we felt that he should be a of 35 years to 70 years of age. He should have a good clean record from youth to adulthood.

Com. Salome Muigai: Please could you just summarize?

Charles Karagita: Ya, the other is one, is the age of contesting, we recommend that one should be twenty one years and above and we also feel so that an MP can be recalled by the voters because of not actually instituting many development, and one who is not approachable and one who does not adhere to political party's policy.

Com. Salome Muigai: And the last point?

Charles Karagita: The last point, the local government, the Chairman and Mayors be directly elected by the voters. They should be of this qualifications.

Kenya Certificate of education should be the minimum and above,

Must have passed in English and Kiswahili.

The last one on Presidency madam Chairman, if you will allow me, we would like the Head of State to be a person who has proven good record in public affairs both here and international, thank you.

Com. Salome Muigai: Thank you very much, make sure that you are registered. Charity Wambui?

Charity Wambui: Asante sana kwa kunipa nafasi hii. Mimi neno langu ni moja tu, ni habari ya watoto ya, kukitengenezwa Katiba, watoto wakumbukwe sana na serikali. Watoto wakimaliza shule, serikali ijue pahali watoto wataenda, kuna kuwa na kazi nyingi sana hata nchi za nje na hizo kazi, serikali ikitafutia watoto nafasi wakitoka shule, wanaenda kama hapa Kenya hakuna, wanapelekwa pahali iko kazi, na si ati wanaulizwa pesa ya kujitegemea ya kwenda naye, serikali inatoa inapeleka watoto.

Sababu ni wengi sana wanamaliza masomo, wanakaa nje, hata wanafanya uhalifu lakini si kupenda kwao ni sababu ya kukosa kazi ya kufanya. Na hiyo ni serikali inatakikana kuhusika na hiyo maneno ya watoto namna hiyo. Habari ya hii Katiba tunasikia haijakwisha kutengenezwa ati mpaka next year, tunauliza hata ikiwa haijakwisha, mimi ninauliza kama inawezekana tuwe na uchaguzi hata ni Katiba ile ya zamani. Sababu, wale wanapenda sana habari ya hiyo Katiba mpya labda kuna kitu wanaona inaendelea kuandikwa kwa hii Katiba mpya, wanaona tutafinywa nayo sana ndio wanapendelea sana iruke mpaka mwaka ujao.

Afadhali tuchaguane na ile Katiba mzee ikiwa hii haitakuwa imekwisha. Na maneno yangu ni hiyo tu nilikuwa nataka kuuliza kama inawezekana.

Com. Salome Muigai: Asante sana Bi. Charity, jilandikishe tafadhali? Pastor Jacob Akahi? Akahi or Akabi. Okay utatueleza hapo.

Pastor Akahi: I want to appreciate you coming to take our recommendations for Constitutional Review. My names are

Jacob Akali. A Pastor of the Seventh Day Adventist Church in this region, I have a memorandum which the Seventh Day Adventist Church in this region has made through it's task force. It is a written document which has about fifteen recommendations. Maybe I can just mention in brief the fifteen recommendations, and maybe highlight one or two of the same.

The first recommendations is...

Com. Salome Muigai: You have one and a half minute in which to do that miracle.

Pastor Akahi: Among the fifteen recommendations I will highlight are recommendations number six, because of the time. Recommendations is saying something to do with this, elimination of discrimination against the Seventh Day Adventist.

Acknowledging in appreciation that our community in general, the Adventist have an opportunity in Kenya to lead our three four ministries of, preaching, teaching and healing, whereby establishing a good number of religious, educational and health institutions from which our members and multitude of public at large has secured substantial relief and obliged in terms of development.

Recalling and alarmed by the treatment of intolerance, members of the Adventist community have continued to experience against conscious and free exercise of religion inviolation even of the presence Constitution which has the freedom of conscious.

Measure of profession summarize the law. The first summary is, denial of the Adventist equal opportunity in employment on the grand of religion metted by continued refusal to employ or relay or the Adventist unless they agree to work on the seventh day, Saturday on both public and private sector.

The denial of the Adventist student equal opportunity in worshipping God according to the dieted of conscious of school, colleges, universities, subjecting them to disciplinary measures including, suspensions, expulsion, for failure to attend classes vary examination and engage in work and support activities carried out on Sabbath day, Saturdays.

The denial of the Adventist student equal opportunity in the use of facilities in schools and colleges for worship on the seventh day, on the ground of being considered number of minority not recognized by the Administration and Management hence urged to join other Christian religious bodies in realization of the spirit of diminism.

Com. Salome Muigai: Lastly?

Pastor Akali: So lastly, I want to say with reference to the above concerns, the Adventist church urges the Commission to consider provision in the next Constitution for the elimination of such oppressive measures in total violation against religious liberty and free exercise of religion by the seventh day Adventist community in Kenya.

Com. Salome Muigai: Thank you very much, please hold on for a question.

Com. Raiji: Thank you Pastor, this position of your church has been mentioned elsewhere and we are aware it, but I just want

to know, would you feel content from this allegation of discrimination and so forth, are you suggesting that, or what you want is that the SDA members still be allowed off work on Saturdays and that students be allowed off classes, were you suggesting that all of us take Saturdays as a public holiday even those who are not SDA members.

Pastor Akali: Not necessarily, we realize that God, the blessed God who gives freedom to human beings to choose what to believe and so we would recommend in as much as we are recommending that the seventh day Adventist community be given freedom to worship on Saturday and to practice their believes as those who are not seventh day Adventist are not necessarily forced to uphold the standards of the seventh day Adventist church. They are free to do as they wish, because every body has his own choice.

Com. Salome Muigai: Asante sana Bwana Pastor jiandikishe tafadhali, Samwel Kinyanjui?

Samwel Kinyanjui: Asante sana, jina langu ni Samwel Kinyanjui Kigo. Mimi ni mkaaji wa hapa. Jambo langu la kwanza, ningependa kusema Minister wote ambaye akichaguliwa awe anajulikana alisoma masomo ambayo inahusu kazi yenye watapewa.

Jambo lingine, Katiba, kwa sababu sisi wote katika nchi yetu, watu hawajui Katiba ni nini. Iwe ikifunzwa katika shule. Kama nchi ingine ambazo zinafunza shule na watoto wetu wanajua Katiba ni nini, akienda kufanya uchaguzi.

Jambo la tatu, ningependekeza wale watu walikuwa wa forest, kwa sababu tunahitaji miti, warudishwe forest ili wapande miti nchi yetu isikuwe kavu.

Jambo lingine, serikali kwa sababu wananchi wetu wamefiwa watu wengi, wamekufa ovyo ovyo, kwa hivyo serikali iangalie kazi ya hospitali, iwe ikitegemea hospitali kama inataka kusaidia wananchi wa kawaida.

Katika sisi wazazi, watoto ambao wanadungwa mimba na kijana, kijana huyu awe akilea huyo mtoto mpaka afikishe miaka kumi na nane.

Jambo lingine, wa mama kwa sababu watu wakikuja kujiandikisha kwa ajili ya dini yao, ni vizuri sana serikali kuchunguza ndani, isiwe kikundi ambacho kinakuja kuangamisha wananchi. Na pia ninashindwa upande wa uridhi, kwa sababu unaweza kusikia kikundi kinaweza kujitokeza na kipigane kama kilimetre nne au tano, na polisi wako wengi sana, ninashindwa inakuwa ikiendeshwa hivyo kwa nini. Ningependekeza kwa ulinzi iangalie maisha ya raia. Ni hayo tu.

Com. Salome Muigai: Subiri kuna maswali.

Com. Ratanya: Bwana Samwel Kinyanjui, umependekeza kwamba wale ambao walikuwa wanafanya kazi katika forest,

warudishwe ili forest pengine iendelee kuwa nzuri kama zamani. Ni watu unasema warudi ama ni ule mpango ulikuwa unaitwa shamba system kama ndio unasema, ni mpango huo unataka irudi ama ni wale wale wazee ambao walikuwa huko?

Samwel Kinyanjui: Ningetaka wale wananchi walikuwa wanaandikwa wanapanda miti, ndio ningetaka warudi ili wapande zile walikuwa wanapanda mbeleni, nchi inaonekana maridadi.

Com. Ratanya: Uturidi mpango huo, kwa sababu ukisema watu warudi, hiyo shamba system iliisha kama 1989, 88, watu walipofukuzwa msituni. Na wazee wengi wale walikuwa huko walifariki ama pengine wakaenda kazi zingine. Sasa ni huo mpanga unasema uchukuliwe watu waajiriwe warudi kufanya kazi ama ni wale wale wafanyakazi

Samwel Kinyanjui: Hiyo mpango ikirudishwa iendelee, vijana wote ambao wanazunguka ovyo ovyo wanaandikwa, wanaajiriwa.

Com. Salome Muigai: Mimi nina swali kwako Bwana Samwel Kinyanjui, umesema mtu mwenye kumza mtoto amchunge mpaka miaka kumi na nane, siku hizi umesikia malalamishi ya wa kina mama na kina baba hapa, watoto wa miaka kumi na nane hawana kazi, bado wanalishwa na wazazi, umesikia pia malalamishi juu ya uridhi, sasa huyu mtoto ataridhi wapi, asipojiweza akiwa na miaka kumi na nane, atakuwa mzigo wa nani, kwani wazee wenye bado wako na watoto, bado ni mzigo wao na vijana wako na miaka ishirini na tano na miaka ishirini na nne?

Samwel Kinyanjui: Atakuwa mzigo ya yule aliyemzaa.

Com. Salome Muigai: Lakini baada ya miaka kumi na nane, umempa green card?

Samwel Kinyanjui: Hapana, baada ya miaka kumi na nane, unajua huyu mtoto anaanza kujua ni nini, lakini uridhi ni yule aliyemzaa.

Com. Salome Muigai: Okay, jiandikishe tafadhali. Stanley Kipushi Munene?

Stanley K. Munene: Mimi ninaitwa Stanley Kibuchi Munene. Mimi ninasema ile serikali itakuja, ikuwe ikiangalia watoto sababu mimi ninalea mtoto mwaka kumi na nane ninasomesha akifika miaka kumi na nane, ninasikia ni ya serikali, kusikia ni wa serikali ninafikiri atapata kazi. Sasa mimi ninaona hiyo watoto wanaanza kurandaranda, wanaambiwa hakuna kazi, na kazi ya mashamb iko mingi, kulima ni shamba na anaitwa MKenya. Sasa hii Kenya, na ni MKenya kwa nini hapati shamba ya kulima?

Mimi ninasema hii Kenya, nimeona utawala mara tatu. Nimeona ya mzungu, nikaona ya Kenyatta, nikaona sasa ya Moi. Sasa mimi ninaona ile utawala iko, ubadilike. Mtoto anaambiwa tuzae wale watoto mtu anaweza kulea, sasa mimi nikizalia hata kama bado kulea, watoto hao wanakufa, au bibi anakufa au bwana anakufa. Sasa hawa watoto wanawachiwa nani?

Mimi ninasema, mtoto wowote akishazaliwa na yuko juu ya serikali, serikali ijue mambo yake. Sababu mimi ni MKenya na ninaitwa MKenya kwa jina sababu tunaambiwa tuko huru na huru tuko naye ni ya kutembea. Kama kuku inafunguliwa kwa

nyumba, inambiwa iende ikatembee ikatafute chakula, sasa mtoto akishazaliwa akishafikisha miaka kumi na nane, anakuwa kama kuku, anaambiwa kwenda ukatafute chakula na hajui ni pahali gani atapata chakula, na sasa yeye ni MKenya.

Mimi ninasema mtu yeyote aliyoko Kenya, serikali iwatafutie makao, sababu hawa watu ni wa Kenya. Mimi nimesema kama ni Mjalu, Mkikuyu, kabila yeyote, ipigwe marufuku shamba ikuwe ni ya WaKenya wote. Sababu ndio inaleta hii taabu, watoto wanazaliwa mapipa huko, na serikali haiwachukue kuwapeleka mahali ya kufanyia kazi. Wanasema kazi hakuna. Na mtu akishapewa jembe atapata chakula yake. Sasa nimesema kila mtoto akizaliwa aseme tena ati nimezaliwa ati shamba ni kidogo.

Com. Salome Muigai: Malizia sasa mzee.

Stanley K. Munene: Sasa hiyo ndio nimeona ndio maoni yangu.

Com. Salome Muigai: Kuna swali moja.

Com. Raiji: Bwana Stanley, hata sio swali, kukujulisha kwamba hakuna mtoto wa serikali, serikali haizai mtoto, ni wazazi kwa hivyo ni wajibu wa wazazi kuzaa na watunza watoto mpaka wajisimamie.

Stanley K. Munene: Mimi usiniulize hiyo swali, niko na watoto sita, na mimi nimeshawalea na vile nimewalea, sasa ninaona iko kiwango wamepata kitambulisho, sasa ndio ninauliza hiyo swali lako, sasa hawa watoto wameshapata kitambulisho ni wa nani, na mimi ninasikia ni wa serikali?

Com. Salome Muigai: Hawa watoto ni wa Bwana Kibuchi Munene, lakini muna uhusiano na serikali yako, asante sana jiandikishe tafadhali. Agnes Gitau?

Agnes Gitau: Thank you very much for giving us the chance to air our views freely and I have this views. My names are Agnes Gitau.

1. We have the corporal punishment. You see it happens like the police, they come start punishing when you are still in your house. I was suggesting, there should'nt be corporal punishment until proved guilty.
2. The Ministers should acknowledge their source of wealth, like for example we have the election and then in three months time or more than that, you find that the Ministers become billionaires and we do not know where they get their source of wealth. And what are we supposed to do and get for ourselves. We think that they get this money from the money that is used like to pay taxes.
3. The Constitution should be taught from nursery to university level, so as to give us chances to know what the Constitution is and what it comprises because like let's say for example you are a Kenyan citizen and you don't know even what a Constitution is, you don't know what it comprises of, so they should teach about the Constitution and we should have something to say about the Constitution. Like go ask a primary school student or pupil, he/she does not know what a Constitution is, what it comprises of, she/he only hears of Constitutional review.

4. It should also be like the bible. It should comprise of all the languages. If the Constitution or the Katiba as some would prefer, should not be in English or Kiswahili. Some of our grand parents and parents are not literate, and they do not know how to read or write, so the Constitution at least should comprise of all the languages. It should be accessible to every one like for example, it should be kept in the Chief's camp or there should be copies about it, and we will in a position to at least have an access to it.

Com.Salome Muigai: The last point?

Agnes Gitau: Equal representation of views, especially political parties, we should not hear of only one party airing the views. We should have equal representation because the taxes paid, the taxes that is paid by each mwananchi so that we can hear about these political parties and the like, so there should be at least equal representation especially in political parties. Thank you.

Com. Salome Muigai: Thank you very much there are a few questions for you. Since you were not here when we explained them, the questions are just to help us understand you more, it is not to hold you, we are not debating, we wouldn't say, why do you say this? No, just a clarification point here and there.

Com. Raiji: Thank you very much for views, you talked at length about the corporal punishment, but I think it was directed to the police.your very focused, first of all the police have no authority to inflict punishment on anybody unless you are convicted and that is done by prison authorities. Secondly, I just wanted your views regarding this corporal punishment now that you have raised it, before you came we had many of your parents who wanted to be re-introduced, we know it was banned under the Childrens' Act, and even before then the Ministry, but we have not heard any views from those who are directly affected, the children. Your parents have recommended that we re-introduce canning because you people have fallen into indiscipline. What would your views on this issue, should we or should we not re-introduced it?

Com. Salome Muigai: I also have a question for you, I am sure you can hold a few of them? you have said that the reason the Constitution should be in different languages is because of parents are illiterate, so they are going to have you people reading for them, do you read your languages, do you think people of your age are able to read other languages except Swahili and English?

Agnes Gitau: We talk of first come, first serve. I will first talk about the corporal punishment. Okay, what I think about corporal punishment especially in children like us. It should be there, but at least to a certain level. Because we cannot have, whoever who is acquainted to that kind of job, punishing somebody just brutally, the punishment is so brutal and ruthless, so it doesn't make any sense, after all, it applies in most cases, when you punish someone so much, he/she will get used to it. At least there should be if there is corporal punishment, then there should be counseling to help or guide that person. Then you talked about.?

Com. Salome Muigai: You recommended that the Constitution should be in many languages because people who are going to read it are illiterate. They are going to depend upon you people to read for them. Are you and your peers able to read the mother tongue.

Agnes Gitau: Thank you very much for that question. Okay, I would say about the Constitution being comprised of many languages, is for example, me I am in a boarding school, I don't have all the time with my parents, to stay home and when I am at home maybe I am in tuition so you will find in most cases, the parent or rather me, I am not in a position to read the Constitution for my parent. And in most cases, us we are subjected to this English, Kiswahili language, so you will find that we do not know the oral language very much, thus the parent at least be there and they know it.

Com. Salome Muigai: Thank you very much once again Agnes Gitau, that was clear, that was focused, thank you very much and all the best.

Agnes Gitau: Thank you.

Com.Salome Muigai: Carol Oyeno?

Carol Oyeno: Thank you very much for giving us this chance to air our views. My name is Caroline Oyeno and this are the points that I have. Let's look at the Commissioners, when they are investigating this crimes or the things that have happened, they should give reports and file to be available. Like for example, the death of Ouko, we are being told that it is being investigated, the things that happened in Bombolulu, girls'were burnt we do not know the cause, the Kyanguli fire, which just don't know what caused it.

Secondly, is about appointing the judges. The judges should be chosen by all political contestants and not to be left to the President alone. Because we feel that if the President is the one given this chance to choose these judges I think definitely they will favour him.

Constitution should be simple and precise, and understood by a common mwananchi, for example if you are taken to the court and maybe somebody want to grab your land, you are just told that the Constitution of our country in section 1 or 2, section 20, something like that, says, I mean it should be simple, precise and understood by a common mwananchi.

Education, government should have long objectives in the part of education. Let's say for example, they should ask this question 'after our standard eight completion of the school and the form four completion, what are they going to do? Are there job opportunities to fit them? '

And this point of religious cults, there are religious cult that are coming up, we do not know their origina and I want to ask this question, who registers these religious cults and the origin of these religious cults.

Equal representation of the parties through the media. All the parties should be given equal time to air their views, let's not see for example, news of 1 O'clock the President is shown, other times the President is there on the screen. And other parties are not given time to air their views. Opposition to be given campaign money so that even them should get time to campaign for their rights and to tell the people that even them they can. Thank you very much.

Com. Salome Muigai: There is an answer to your question from one of the Commissioners.

Com. Raiji: You have raised a very important issue, regarding these cults and the disability, now at the moment the present law is that they are registered by the Registrar of Societies, which is an office under the Attorney General and it is part of what you have been hearing of freedom of worship, maybe the way you could help us is by making suggestions on what requirements or conditions should be put in the law before these religious association or organizations are registered, if you have any ideas to stop these mushrooming cults, some of whose origins I think nobody knows, that is not within Kenya.

Caroline Oyeno: Thank you very much. I would like to answer by saying that we see that they are religious cults that are mushrooming we do not know where they are coming from, and they are threatening our lives, especially the recent one, the Mungiki, it not registered but we see that there is nothing that the government is doing to stop them or there is nothing that the government is doing to know why are they are doing so, and to know where they got this things from.

Com. Salome Muigai: Thank you Caroline all the best to you, have your name registered there. Josephine Githaiga?

Josephine Githaiga: Thank you very much for this opportunity, my names are Josephine Githaiga. I would like to air some views about the Constitution Review and one of the recommendation is about the teachers' pay.

- You find that most of our important maybe the Ministers and some other workers come from the teachers. So the teachers should be regarded and be paid at least higher pay.
- Education should be offered to all. That is everybody should have the access to be educated.
- The government should try and reduce poverty in our country, that is they should offer job opportunities to maybe the jobless people and to reduce the rate of poverty in our country.
- Hygiene in cities, you find that maybe in our country and the capital city Nairobi, maybe it is very dirty, it gives or portray a very bad picture for the capital city to be very dirty. So it should ensure that the cities are extremely clean.
- Development in the rural areas. The government should ensure that the rural areas are well developed, this will lead even to access to job opportunity to the jobless people and citizens in our country.

- The recognized street children should be catered for by the government and they should at least mind about them. They are people like us and they should mind about them, feed and educate them.
- The leaders of opposition parties should be offered bodyguards and money for campaign. You find that the citizens are as well paying the taxes and the tax should not only help one party. So it should have all the parties towards the well being of the country. This will also bring unity and harmony in our country. Thank you.

Com. Salome Muigai: I only have one comment, thank you very much, you are very focused and very well informed. I would like to hear more about issues that affect young girls' the things that make you get out school, the things that a rough for you when you are in school, how can this new Katiba can protect your issues, the issues you are raising are very good, but they have been raised by your parents' what we would like to hear is issues of your welfare that the welfare do not even know that you have the concern?

Josephine Githaiga: Girls' are forced to maybe to Female Genital Mutilation, that maybe should be abolished or be put open for someone who wills should undergo. Because recently, I heard about the government heads overthrowing that issue of FGM, again I heard that Mungiki people were about coming to initiate girls', so it should be made open for the girls'. The parents should not force the girls', so the girls' should be taken careof.

Early marriages maybe in some communities, girls' are forced to get married early and also education. Girls' should be educated as well as boys. Let them not see that boys are being educated whereas some girls' are being left. Girls' are as equal as boys. That is all I have.

Com. Salome Muigai: Now there is a question.

Com. Raiji: I think before you came, the issue was raised, that arising from our cultural practices, most communities within Kenya do not allow girls' to inherit the property of their parents, particularly if they are married. Are you satisfied with that state of practices or would you like to see a change in that position?

Josephine Githaiga: Okay, I would like to see a change, because maybe sometimes you can find that even the married couples can divorce and the lady can be thrown from that family she was. We wonder where the lady will head to, if maybe she had kids. The lady should inherit some of the properties of the parents.

Com. Salome Muigai: Thank you very much Josephine, we didn't mean to put all the burden on you, we are talking to all the girls' at large, so that we want to hear the issues that are of concern to you. Thank you very much and all the best in your studies.

Josephine Githaiga: Thank you.

Com. Salome Muigai: That was Josephine, Mary Douglas

Mary Douglas: Okay, thank you for this wonderful opportunity that you have given to us the students to air out our views, thank you because you are more concerned about the students. I am Mary Douglas and I will start with my first point.

This is free hospital services. Okay you find that in most cases, unless one has money or maybe unless somebody is able, you find that the hospital the first care is taken to those who have money. For example, this is as a result of bribery, for example somebody is sick and he has been taken to hospital and there is a particular Doctor who is more professional, unless he is given something, he will take care for those who have given him something, but those who have not will be left un attended. It is my wish that the government should give free medical services. This will decrease the death rate.

Minimize the power of the President. You find that the President is always responsible or maybe has the power to appoint the vice President, Ministers, and others. You find that in most cases, those who are being elected by the President, they will just favour the President, any kind of time the President airs out, they will be considered asbecause they will just to something to hurt the President since he is the one who appointed them.

Giving the awards, like in the universities, you find that the President is the one who awards those degrees, and unless he is there, they cannot be given out. Maybe for example, even the President is not a profession to such kindokay, the other one is equality.

You find that us as ladies, it is like we left unconcerned in some areas. For example, you find that in places like inheritance, men are more considered than ladies. Then my question is where do you want us ladies to end? Thank you.

Com. Salome Muigai: This chance is not for you to ask questions. You have an opportunity to recommend what you would want to see. What is worth for you, please take that opportunity? What would you like to see girls'?

Mary Douglas: Okay, thank you. It is my own opinion. I would suggest that all ladies plus the sons, regardless that you are born of that family, you should get what the other sons are getting. Because you find that for example, as it has been said by my fellow students, that maybe you are married somewhere and something may happen you divorce, you see that, this leads to poverty because I had children and I don't have any source of income to educate, because I have no inheritance where I was married and also to where I was born. So we must be considered.

Com. Salome Muigai: I have another question for you. Do you want inheritance where you were born or where you are married or both?

Mary Douglas: I think we should be given both sides.

Com.Salome Muigai: Thank you very much Mary Douglas, I would now like to call Peninah Kangethe? I am happy that the parents stayed, they can hear what your daughters are saying.

Peninah Kangethe: Asante sana kwa nafasi hii umenipea, jina ni kama vile umesema Peninah Kangethe. Yangu tu ni kidogo, naye inahusu mtu wa kawaida. Na mtu wa kawaida ni yule ambaye hana matumaini yeyote na hana tegemeo mwisho wa mwezi. Huyu mtu anakaa tu na anategemea kulima. Na Mungu akimbariki sana, anaweka biashara kidogo, sasa huyu mtu wa kawaida for example, upande huu tunalima mahindi, mbosho, chochote hata waru, na tukishalima ama kufuga ng'ombe, hiyo chakula hakuna pahali pa kuuza. Market hakuna. Tena mtu akibarikiwa na Mungu, ananunua kama gari. Na hii gari inaenda tu kwa miezi chache halafu anashindwa maanake tax iko juu sana, barabara ni mbaya, na hata hii machuma ya gari iko juu sana, mtu akitaka kununua.

Sasa huyu mtu anakaa na shida kila wakati, kutoka January, mpaka December, huyu mtu ni shida tu, kila pahali ni shida, na kwa boma iko watoto. Na mtu anataka kuwaelemisha hawa watoto, wakienda shule, malipo ya shule iko juu sana. Hata kama ni government school, iko juu sana. Na huyu mtu anataka watoto wasome, sasa huyu mtu anakaa na shida na hata kama ata make efforts hawa watoto wake wasome, hakuna pahali watoto wanaenda.

Com. Salome Muigai: Peninah, tungetaka utupe mapendekezo,umeambiwa hapa, nafikiri nimechoka, tunataka utupe mapendekezo kuwa tungepende serikali ifanye hivi ama tungependa Katiba ifanye hivi na hivi. Hiyo shida yenye unasema, tumesikia kutoka asubuhi, sasa tumezijua shida za hapa, tunahitaji mapendekezo, hii Katiba mpya iwafanyie nini?

Peninah Kangethe: Sasa mimi ningetaka hii Katiba mpya ikija, iangalie hali ya watoto, wakishasoma, wawe na kazi nyingi ya kuajiri hawa watoto ili watoto watoke nyumbani. Watoto wanarandaranda na wanafanya tabia mbaya kwa sababu hawana cha kufanya.

Tena ningetaka hii Katiba ikiingia, waangalie habari ya hospitali, hospitali imekua juu sana. Hata watu wanakufia nyumbani, wengine wanazaa nyumbani, shauri ya kukosa pesa, sasa kama serikali inaweza kuangalia hiyo maneno yote, watu wanaweza kukaa kwa amani.

Ya mwisho, ni waangalie habari ya mtu wa kawaida, mtu wa kawaida hakuna pahali anaweza kupeleka mtoto wake. Kama hajapitia mlango wa nyuma. Na labda huyu mtu hana pesa ya kuingiza mtoto katika pahali anatakiwa maanake hana pesa. Yangu ilikua tu, kidogo nilichelewa kidogo nimetoka hospital, ndio sikujua kama wengine wameuliza hiyo maneno ama wametaja.

Com. Salome Muigai: Okay, asante sana, pole kwa ugonjwa, asante kwa maoni yako, jiandikishe pale tafadhali. Magdaline Wamboi? You have three minutes, so be very precise and to the point.

Magdaline Wamboi: Thank you very much, okay, I would like to air my views on the government should provide enough infrastructure and it should build infrastructure everywhere, so that we develop the country, they should build the road, provide electricity even in rural areas and also build industries so that we should discourage rural urban migration and also like crime. Because when this people go to the urban areas and they don't get a lot of jobs because they think in urban areas they can get jobs, when they go there they don't find a lot of jobs, they find themselves committing crimes, they end up becoming like prostitutes and doing bad things in the city centers. So I would to tell the government to provide enough infrastructures in the rural areas and also industries.

About the disabled, I would like to tell the government to remember the disabled as they remember other people. We should provide the disabled with loan, they should organize or make organizations that will provide the disabled with loans so that they can be able to cope in the society, and they should feel wanted in the society. They should be given loans, they should start their businesses.

About gender equality, I would like to tell the government that they should not look us as girls' as the weaker sex, they should give us opportunities as they are giving men. As in like jobs, they should give us even higher chances of education and they should also see the importance of educating a girl, they should also discourage female genital mutilation. That is all. Thank you.

Com. Salome Muigai: Thank you very much, Magdalene and all the best in your studies. Alice Gichie.

Alice Gichie: Okay, thank you very giving me this opportunity, my names are Alice Gichie, I would like us to have a Constitution that if a person is going to be appointed for a certain job, he/she must be qualified and people are the ones to decide, not whereby one person is appointing a person to a certain job then the next day, it is announced. That is all I had.

Com. Salome Muigai: Thank you very much, I am looking for your name, the young man in red? The young boy from primary school. Please come. This is gender equality, you shouldn't be seating there when I am giving all opportunities to boys and girls. Anza na majina yako tafadhali.

Francis Chege: Jina langu ni Francis Chege, ningependa k..., Tabuga Primary school, six west.

Com. Salome Muigai: Endelea Francis.

Francis Chege: Ningependa kusema shule zisiwe zikilipishwa kwa sababu watoto wengi wanabaki kwa sababu hawana mtu wa kualipia, wanaenda kurandaranda mjini. Watoto wawe wakipigwa lakini, kwa sababu tunasema 'spare the rod and spare

the child' hiyo inastahili kwamba ukimwachilia atakua mbaya zaidi. Ni hayo tu.

Com. Salome Muigai: Francis mimi nina swali kwako. Kweli unakubali usipopigwa wewe Francis vile unaonekana Chege wewe ni mtu mwenye anajua vile unafanya, usipopigwa hautasikia, utakuwa umeharibika?

Francis Chege: Wengine hawata sikia.

Com. Salome Muigai: Lakini wewe?

Francis Chege: Hata mimi.

Com. Salome Muigai: Asante sana jilandikishe pale. Peninah Thuo?

Peninah Thuo: Thank you for giving this opportunity to talk. I am Peninah Thuo, I have this issue of devil worshipper, you find that some followers get hold of kidnapping people especially children. So it should be abolished to avoid death of innocent people. They should tell us well and clearly when the new Constitution will be implemented since it will be reviewed soon. Because the Constitution can be reviewed and stay for ages before it is implemented. That is all.

Com. Salome Muigai: Thank you very much, we hope that this Constitution will be implemented as quickly as possible. Have yourself registered, thank you Peninah, all the best to you. Charity Warugu?

Charity Warugu: My name is Charity Warugu, I would like to say about neutral government. Okay let's say for example, the President is not supposed to appoint let's say the Ministers, he is not supposed to choose the Kanu people, he supposed to choose even the other parties, so that they could be equal. In the universities, like the Moi university was build, it was not emphasized in the Parliament, so there should be a debate. Let the university be build, there are facilities but there no other facilities like beds, laboratorties.

I would like to add something on the disabled people that my fellow students said, they should be considered as people. They are not supposed to be left out and this people who govern the children, they are being given money by the outsiders, they are not supposed to eat the money, they should, if they misuse the money they action is supposed to be taken. That is all.

Com. Salome Muigai: Thank you Charity all the best to you, please register yourself. Victoria Akwale?

Victoria Akwale: Thank you for giving the opportunity to air out our views as students. I would like to emphasize on this thing of drug abuse. I think the government should take a big step on the drug abuse, and they should also consider the students.

Com. Salome Muigai: Did you say your name? Please do.

Victoria Akware: I am Victoria Akware. I think that the drug abuse has really spoilt the school children and I would like the government to take a big step on it. That is all.

Com. Salome Muigai: Thank you very much Victoria all the best. Tabitha Githaiga? Please tell us your name as it is being registered.

Tabitha Githaiga: Thank you I am Tabitha Githaiga. My first point is that all Ministers to be appointed based on qualifications but not on political background. Example, if you people don't vote for Kanu, you won't be appointed as a Minister. We also want the Constitution should be easily noticeable, example we should have at least four colours of the flag so that we can notice the Constitution.

The other point is the writing system in the country. Since we have hidro electric power int eh country, let us take maximum utilization of the resource we have.

Infrastructure, transport and communication should be improved in the country. That is all areas in the country but not some areas whereas others are left un-attended to. That is all I had.

Com. Salome Muigai: Thank you very much register yourself and all the best. Douglas Kamau?

Douglas Kamau: I am Kamau Douglas. My views are;

1. Abortion should be legalized especially in secondary schools. This is because we are loosing girls' especially the bright ones and their future diminishes.
2. Teachers should be harmonized both in private and public sectors.
3. Teachers in private schools should be trained as teachers and not the private sector employing teachers just for sake because they just feel it is a matter of entering into a class and teaching.
4. Presidential decree should not be made a force especially in education. Because right now we are suffering from long term impacts, whereby the President just made a decree in early eighties to come up with 8-4-4 that led to fund of especially Arts teachers and leading to jobless men.
5. We made Constitution in secondary schools and is probably from primary school because right now, you find that those people don't know what Constitution is, we are finding a very hectic time. That is about all.

Com. Salome Muigai: Thank you very much Mr. Doughlas Kamau, you want abortion be legalized so that you don't loose girls?

Kamau Douglas: Yes.

Com. Salome Muigai: But you can loose girls' to abortion?

Kamau Douglas: But if it is legalized, we are even loosing them because we are using the crooky method, but if it is legalized, it can be done by experts rather than being done in those crook methods. As we are trying to avoid it.

Com. Salome Muigai: Okay, those are your opinion as a chair I am obliged to respect them. Thank you very much, have your name registered. Thuo Kariuki, okay that is an observer. Francis Chege? Oh he is the young man he has already spoken, okay. Ann Gitau?

Ann Gitau: Thank you, my names are Ann Gitau. What I would wish to be written in our new is that the language used in the Constitution should be simple and clear and should be made available to all Kenyans in all languages.

Women should have the right to own properties e.g. if a woman is married and they own a piece of land, the title deed should have both the names of the husband and wife.

The President should not be above the law, therefore he should be made to face the law when found guilty.

The Constitution booklet should be made available to Kenyans when they attain the age of eighteen they way they are issued with an ID. The government should also issue Kenyans with the Constitution so that they can know their rights and maybe like the police can stop harassing Kenyans because they are harrassed without knowing why they are harrassed.

The President should be between the age of 35 to 60. He/she should be a family person that is, he should be married.

Female circumscision should be abolished completely in Kenya because we find that, when we talk about female circumscision is not that girls' would wish to be circumcised but they are forced by their parents and it is because that one is not written the Constitution of their country.

The people that we elect in Parliament those are the MPs, they should consider the views of the people who elected them and they should not go on passing some bills in Parliament without coming back to the people who elected them. For example now, they want to extend the life of Parliament, they are the ones who are saying that they would wish to extend the life of Parliament but they have not come back to us, to ask us whether we want the life to be extended or not.

The local government in our country, I find that when for example me as a common Kenyan, I decide to build a kiosk next to my shamba that I can maybe generating a few shillings to survive, but when I just do a small structure there, the next day what I

would see is those people from the local government asking me for licence. And even that small of mine maybe can not raise five hundred shillings and therefore I find that the local government should be scrapped, because it only benefits the government and not the common mwananchi.

Then on that point, some administration posts should be removed to relief the Kenyans that burden of paying taxes, infact taxes in our country are very high but you find even you are earning at least the big share is going to the government.

Then the Constitution of Kenya should have the names of all the tribes in Kenya, because those names are the ones which are going to tell who Kenyans are. Therefore it should have all the names of all the tribes in Kenya and it should clearly state who a Kenyan is.

Kenyans need to be relieved those taxes, like the V.A.T., you find that we are finding it hard to feed our people at home because you find that even sugar, salt and other have VAT. Why can't the government try to get these taxes from somewhere else.

The security in our country, infact we cannot even go about walking in our country because the security is not good. You don't know where you will be harassed next. Therefore the Constitution should touch on that issue of security.

The resources of Kenya should be distributed evenly, because all of us are equal, whether we are in the opposition zone or in the government of the day's zone, because even those ones in the opposition are still paying taxes like the others.

The boundaries of districts and constituencies, they should be made permanent not making a consitutuency today and tomorrow there is another one, we even don't know what will come about, therefore the boundaries of our districts, the constitutuencies should be made permanent, and if they have to be divided, it is Kenyans who are supposed to say not those people because they go dividing them for their own gain. Thank you, those are my views.

Com. Salome Muigai: Thank you very much Ann, those were very good views and very focused there is a question for you.

Com. Ratanya: Ann, there is one point here I would like you to clarify, you have said that administrative posts should be reduced or removed rather, now do you propose which are to be removed and which are to be retained?

Ann Gitau: That one of the Chief and the Sub-chief.

Com. Salome Muigai: Those one should be removed or retained?

Ann Gitau: They should be removed. Those people do not help us.

Com. Salome Muigai: Okay, thank you very much. H.K. Waweru?

G.M. Gatune: Thank you, Waweru ameenda, but he left me with what he wanted to say, so I thought I should have as well come.

Com. Salome Muigai: Are you registered, am I going to see your name somewhere? What is your name?

G.M. Gatune: I am talking on behalf of H.K. Waweru.

Com. Salome Muigai: But what is your name yourself?

G.M. Gatune: G.M. Gatune.

Com. Salome Muigai: So you are not registered?

G.M. Gatune: No.

Com. Salome Muigai: Okay, go on.

G.M. Gatune: Now Waweru, what he told me he wanted the new Constitution.

Com. Salome Muigai: Say your name first?

G.M. Gatune: My name is G.M. Gatune, he wanted the new Constitution to allow the members of a Constitution say like this one, to remove the MPs if he does not perform properly, that is what Waweru wanted.

I will also like to contribute something. In our new Constitution we should address two people, one is the child, the child who comes from a poor family, the street boys, I think to curb these street children, we should think about the way of those children, we should also think of how they are to go to school, we should also think about how they should get treated in hospitals, that is the children.

We also have another problem in this country about the aged people, we have a lot of aged people who do not have families. We have a lot of aged people who are neglected by their families and I think we should also look into their welfare because it comes to appoint whereby an old person gets sick, he is still required to pay hospital fees and this person is unable to do this. So I think the Constitution should allow and look into the welfare of those aged people.

The other thing that I would like the new Constitution to do, is to have like in America, there are a panel of judges who are permanent and are guardian to the Constitution and these people should be people chosen by Parliament and whoever it is. They should be for life and should look into the welfare of our Constitution such that we should not be able to change it when they see need without the influence of any part of the government.

On Local authorities, we have Mayors who do not have enough education and I think it is time we should raise this question. I think Uhuru talked about it and people did not like, and I think we should have Mayors who are properly educated.

Com. Salome Muigai: What is properly educated?

G.M. Gatune: Properly educated is, of course let us say, we used to say about school certificates at least now we have a lot of

graduates and I think we talk about a graduate Mayor.

And ofcourse we should also think about the Councillors, we should not have Councillors who cannot even speak English,

Com. Salome Muigai: What is your suggestions?

G.M. Gatune: My suggestion is we should have a Councillor who has at least a school certificate not people who have money.

Com. Salome Muigai: And the last point or that was the last?

G.M. Gatune: That was my last one.

Com. Salome Muigai: Thank you very much, please register yourself. Geoffrey Wainaina? Kama hayuko, nimefika mwisho wa wazungumzaji wenye walijisajilisha kwenye kikao hiki, lakini kabla sijamaliza ningetaka kuuliza kama kuna mtu yeyote mwenye angetaka kusema jambo fulani, na hajapata time, oh, I promised you some time Mrs. Njoroge,so before I close I am going to give it to you. Mrs. Njoroge please, you will speak after Mrs. Njoroge.

Mrs. Njoroge: I handed over my memorandum.

Com. Salome Mugai: Already, so you don't want to speak through it. Okay, then Wainaina.

Geoffrey Wainaina: Thank you, my views are as follows and my names are Geoffrey K. Wainaina. A 3C member from Ndondori location representing Subukia constituency. My views are as follows; A legitimate government should provide its citizens with the following;

1. Food,
2. Shelter,
3. Clothing,
4. Health,
5. Education,
6. Security.

I am only highlighting them so I cannot be able to go into details as far as they are concerned. So that is the first one. The second is on general and it is as follows;

1. The Kenya Armed forces, Kenya Army, Kenya Navy and the Kenya Airforce should be put in national building projects like building roads, construction of government housing projects instead of offering tenders to companies which are often used for stealing from the public cofers. The NYS should also supplement them.
2. The Provincial Administration should be scrapped off and the office of the Ombudsman established and if it is already there, it should be put enforce.
3. The Local authority should be independent from the central government, the Mayor, the Chairman should be elected by wananchi, while the Town Clerk or the Clerk of the Council should directly be employed by the local authority.

4. The election terms for the Mayor or Chairman should be five years and not two years. But they will be recalled back by their electorate after two and a half years to show what they have done.
5. If the Mayor and Chairmen have done anything in terms of development in their respective areas, the electorate may vote a vote of no confidence and he/she be replaced with another voted mayor or chairman in a by-election.
6. Those who have retired from active service in government services and from private companies can be receiving some little funds, like say two thousand shillings a month, during the period they would be alive as a way of sustaining their lives, since they would have done a lot for their country. This fund should come from the consolidated fund.
7. On land ownership, there should be a limit to the ownership of land the highest number of acreage a person can own should be about 50 acres and the least number of acreage that a person can own should be five acres.
8. The ultimate ownership of the land should be the state.
9. On the election of the MP the term should remain, that is of five years but he/she should be recalled back by the electorate after two and a half years to explain what he/she has done in terms of development.

Com. Salome Muigai: The last one.

Geoffrey Wainaina: in her respective area, if he/she has done nothing, a vote of no confidence can be passed against he/she and be replaced another through a by-election.

Com.Salome Muigai: Thank you very much, please register yourself. Nasasa kama vile nilikuwa nimesema, nimekuja mwisho wa kikao hiki kwa watu wenye walikuwa wamesajiliwa lakini kama kuna mtu mwenye anasikia ana jambo lenye halijazungumziwa na lenye linamkera na angetaka kulizungumzia, kukiwa kuna mtu kama huyo, nitampa dakika moja. There are two girls, hands up, nani mwingine, mulikuwa mumeshazungumza, hasa ni wata wenye hawajapata nafasi ya kuzungumza. Tukifanya repeat tutakuwa hapa mpaka usiku, ninataka mtu mwenye hajapata nafasi ya kuzungumza, na angetaka kuzungumzia jambo fulani lenye bado halijaguzwa.

What is happening, he wanted to speak, wewe kijana kwanini huinui mkono na mimi ni mwalimu na ninauliza swali? Umeinunua mkono bado ni mfupi hauonekani, basi keti utuambie, nani mwingine mwenye angetaka kuzungumza, mwenye hajapata nafasi. Umezungumza mbeleni? Basi njoo hapa mbele, nani mwingine? Basi hawa wawili, kijana na utueleze majina yako kamili na uendelee.

Charles Nderitu: Kwa majina ni Charles Nderitu Kanyingi, Tabuga. Ningetaka kusema nataka Katiba watoe elimu ya bure kwa sababu wazazi wengine hawana fedha ya kupeleka watoto wao shuleni and if they introduce free, there would less illiterate children. If they introduce free education, there would be no chokora, some of the boys normally go to graze other people's cattles, I could ask you to introduce free education. Thank you.

Com. Salome Muigai: Asante sana kijana Charles Nderitu Kanyingi, nenda ujiandikishe pale tafadhali ni wakati wako.

Thuo Kariuki: Majina yangu ni Thuo Kariuki, I had registered as an observer lakini kwa vile nimepata mtisho kutoka kwa wapenzi wangu nimesikia wakinena mambo ambayo yamenisukuma mpaka nimesikia nitaongeza kitu. Ningependa kwa vile mumeonelea ni vizuri tubadilishe Katiba, na kwa vile sisi ndio tu hai wakati huu, ningeonelea ni vizuri kama kungependekezwa, kama ni vile tunasema kuna umaskini katika Kenya yetu na sisi wenyewe ndio tunaweza kumaliza huo umaskini, ningeonelea ni vizuri kama zile sectOR ambazo zinaweza elimi-natiwa kama tuseme mambo kama ya KCC, vile ilikuwa imechukuliwa na government na sasa imekwisha na vile tunauuza maziwa hapa tunajaribu kujiunua na kusumbulia na hawa watu wa board, na watu wa Municipal.

Sasa ningependa kama mungeonelea ni vizuri, hizi sector kidogo ambazo zinaweza kutuinui sisi ambao tuko chini kabisa, badala ya kuchukua rungu na panga nyinyi ambao mna mshahara mkubwa, mturuhusu ya kuuza maziwa kama tutatoa kodi, yaani tax, ipangwe kwa mipangilio, si kutoa tax ya boardi, municipality, kama ni kwa barabara, yaani everywhere mahali penye unapita, unakua burden na tax ati ndio uweze kuwa discouraged kujitafutia kidogo ambacho unapata kutoka kwa maziwa yale.

Jambo lingine ni kwamba ningependa kupendekeza kama yule kijana ambaye alikuwa hapa, ametoa maneno katika kinywa changu, ni ya kwamba kwa mfano tuna umaskini ambao unaletwa sana na ukosefu wa elimu, ambao wengine wetu hawana ule upanuzi wa brain yaani, hauna mambo makubwa ya kupanua mawazo yako ili uweze kupata mambo mengi ya kutenda kujiletea mapato kidogo, sasa ningeonelea ni vizuri hata kama serikali imeruhusu wale watu ambao wana uwezo wa kusoma wasomeshe watoto wao. Serikali itupe nafasi kidogo kwa sehemu, yaani sehemu, tusema kama mimi ninaweza kusomesha mtoto tuseme mpaka a certain level, wanisaidie, tuseme kama nitatumia a hundred thousand, kusomesha watoto wane, serikali at least inilipie 5% ama 10% ya kiwango hicho ili niweze kuwa na ile mtisho, ama wenye hawana ile kiwango cha kukamilisha zile pesa waweze kupata nafasi ya kusomesha.

Abortion, ningesema iwe illegal in Kenya, kwa sababu hiyo ni first grade murder, na Mungu anasema hiyo inaleta hasira katika walimwengu wa sasa na ni hayo tu. Asante.

Com. Salome Muigai: Mimi swali langu la abortion bado liko, ni abortion yenye inafanywa na msichana peke yake yenye illegal na inamkasirisha Mungu, ama pia Mungu pia anakasirishwa na abortion ya yule kijana ama mwanaume mwenye amezalishia yule mtoto na yeye pia anafanya abortion na mdomo akisema sitaki na sijui?

Thuo Kariuki: Ni vizuri, swali lenyewe ni nzuri, sasa tuseme kwa mfano kama kijana mwenyewe anakubali mimba ni yake, jambo lile linaweza kuwa discussed katika family, akikubali mimba ni yake, anaweza kupewa responsibility ya kulea yule mtoto mradi tu pasiwe na abortion.

Com. Salome Muigai: Na asipokubali ndio ninasema, ninaona wakati hakubali hiyo ni abortion yake, ame abort nusu yake, sasa hiyo inakasirisha Mungu ama hiyo Mungu hajali? Umetuambia kuwa abortion inakasirisha Mungu, tunataka kuona hii hasira ya Mungu ni kwa mtu mmoja ama ni kwa watu wote wahusika.

Thuo Kariuki: Tuseme nikirudisha swali lako, ni kwamba yule ambaye anafanya, tuseme jina abortion, ati kuna kiumbe ambacho kinatolewa from its place yaani yakujikuza pre-maturely. Sasa inakua destroyed ama distorted ama inakuwa, ile ni murder. Sasa kama kijana ametoa matamshi ya kwamba sijui ama enda utoe, tunajua ati mwenye kubeba msichana au mama, sasa yule ambaye ana mimba yeye ndio anajukumu la kutoa ama kukaa naye, kwa hivyo kama kuna any murder ambayo inaweza, unajua sasa kama saa hii nikikuambia ujiue na wewe mwenyewe ukubali kujiua, mimi nitahukumwa kwa ku-insite unaona, sasa mimi mwenyewe nimekupelekesha katika maneno, lakini mwenyewe siku kuua, wewe mwenyewe ndio umechukua kamba ukajinyonga, kwa hivyo wewe umekubali.

Ni kama Mungu anatuambia “ukikubali kuwa discieved na shetani, you will be responsible, kwa hivyo you will face the consequences, unaona.

Com. Salome Muigai: Asante sana, na mtoto mwenye kufa njaa na baba bado ana mapato.

Thuo Kariuki: Mtoto mwenye kufa njaa na baba anapato, tumesema yes kwa watoto. Kwa hivyo yule mzee mwenye, ile ni negligence, yule mzee anastahili kushtakiwa kwa sababu yeye amekaa, he is murdering kwa kumnyima chakula.

Com. Salome Muigai: Amekataa, umemkubalisha kukataa mimba kwa hivyo hata mtoto akifa pale kama ana njaa, haumkubalisha responsibility wewe.

Thuo Kariuki: Tuseme kama imejulikana, unajua serikali inaweza kuchukuwa nafasi, inaweza kuchukua hatua kwa yule ambaye amesema mimba, kama serikali ikijua ya kwamba kijana ndio mwenye mimba, mimi ninaweza kutoa maoni ya kwamba kijana asiachwe tu bure aende, lazima achukuliwe hatua, atoe penalty hata kama ni pesa ambazo, hata kama hawataishi ama hata toa pesa baadaye, lakini penalty ambaye itatolewa wakati huo, ikuwe imetosha yule mtoto apelekwe kama ni pesa za clinic mpaka akue kiwango cha kujitegemea. Ikiwezekana ni vizuri yule mtoto apate malezi kutoka kwa yule kijana ni kama the way we are dealing with divorce.

Kama divorce ikionekana, mzazi kama kuliwa na watoto, yule mzee anajukumu ya kulea wale watoto hata kama hawapatani na mama kama vile koti itakubaliana.

Com. Salome Muigai: Nakushukuru sana kwa maoni yako na ujiandikishe pale Thuo Kariuki. Na kwa hayo maoni ya Thuo Kariuki, tumefikia mwisho wa, the lady had already had another chance. Basi. Na huyu mama ndio atakuwa wa mwisho kwani bado watu wanaingia saa hii na kutaka kuinua mkono, tafadhali huyu mama ndio atakuwa wa mwisho.

Ruth Makonde: My names are Ruth Makonde ,

Com. Salome Muigai: Speak loudly Ruth so that, and speak into the mike.

Ruth Makonde: Okay, my names are Ruth Makonde and I want to represent at least two points.

1. Concerns the female spouses. They are normally harassed by their in-laws after they are left by their beloved husband, therefore my wish will be that the harassment should stop and at the same time they should be allowed to inherit their husband's property.
2. The term of the President should be two terms and not exceeding whatsoever. That is all I had.

Com. Salome Muigai: Thank you very much, please register yourself. This time we have come to the end of this seating. Tumekuja kwenye kikomo cha hichi kikao na kabla hatujakifunga ningetaka kuwashukuru watu wa Tabuga sana kwa maoni yenu, kwa kuja kwa wingi, kwa kukaa na sisi siku nzima, kwa kutulisha na tunawashukuru sana hata wanafunzi nawashukuru kupata nafasi ya kuja kuchangia Katiba yenu, mtakaa na hii Katiba muda mrefu kuliko sisi, kwa hivyo mumejanya vizuri kuja kuichangia.

Wasichana wa secondary na vijana wenye walikuja leo asubuhi na pia watoto wa kutoka primary school. Nataka kuwashukuru wazee, kina mama, vijana, wasichana na wavulana. Ningetaka pia kushukuru kanisa la P.C.E.A. ya Tabuga kwa kutukubalisha kutumia kikao hiki na ninataka pia kuwashukuru wenye wamezungumza kukipa hiki kikao cha mambo heshima zake.

Pia ningetaka kuwashukuru members wa 3C's na sasa ningetaka musimame na mujitambue kwa ajili Co-ordinator akufika kuweza kuwatambulisha. Nani chair wenu? Ni Mrs. Njoroge kwa hivyo nitampa hii mike ili awatambulishe.

Mrs. Njoroge: Hamjambo wote?

Audience: Hatujambo.

Mrs. Njoroge: Mimi jina langu ni Constance Njoroge na tuko hapa kama 3C's, 3C's ni Constituency Constitution Committee. Hawa ambao munaona hapa walichaguliwa ili waweze ku-co-ordinate ile kazi yote inafanyika katika Subukia constituency kuhusu maoni ya Katiba, vile maoni itakuja kuchuliwa kwenu, vile tutawafundisha civic education kule manyumbani, nafikiri tumefanya hivyo kulingana na vile tuliwezesha.

Kwa hivyo tunawashukuru sana wale wote wamefika kutoa maoni yao, tunajua hii maoni si ya bure, kuna pahali itafika na tutaona mazao yake, kwa hivyo tunashukuru sana hasa wanafunzi waliofika. Pia nawashukuru ma Commissioners wetu kwa kukaa na sisi kutoka jana mpaka leo. Tulikuwa upande ule mwingine wa Subukia constituency sababu tunajua Subukia ni kubwa lakini tulipewa venues mbili. Na tulikuwa tumeuliza venues tatu, na tukapewa mbili, tulikuwa tukitaka hiyo nyingine iende Subukia. Na hiyo nyingine iwe Maili kumi na hapa, ndio tuweze ku-cater kwa watu wa Ndondori, hapa ni karibu wanaweza kufika, kwa hivyo tunawashukuru.

Tulikuwa tuko na ma ceps wetu, hawa watajitaka tu majina, lakini ma ceps,..

Com. Salome Muigai: Tafadhali Mrs. Njoroge wape nafasi wajitaje?

Geoffrey K. Wainaina: Hamjambo wote, mimi kwa majina ninaitwa Geoffrey K. Wainaina, na ninawashukuru wote kwa vile muliweza kufika hapa, kuonyesha kwamba kuna kazi tulikuwa tumefanya ya kujaribu kuwafunza civic education. Jambo ambalo ningesema ni kwamba civic education haikufika mwisho, ati kwa sababu umetoa maoni. Kwa hivyo ukipata nafasi kuingia mahali pana mafunzo ya civic education, tafadhali endelea na kujifunza ndio uelewe mengi kuhusu nchi yako. Asanteni.

Joseph Soi: Mimi kwa majina naitwa Joseph Soi, natoka kule Subukia location, asante sana kwa maoni yenu.

Michael O. Wangai: Jina langu ni Michale Odipa Wangai na ni mmoja wa 3C's na kwetu ni upande wa Bahati.

Com. Salome Muigai: Asante sana wenyeoh there is one?

Gitone James: Okay, thank you, I am Gitone James and the secretary, I won't assume you came without getting my note. So I have a privilege to say that I am very grateful because you responded positively. Niliwaandikia barua muje mkutano, I think, na mkaona ni vizuri mje. So I am very happy, na ninasema kwamba once you go out kama vile ambavyo Bwana Geoffrey amesema, civic haijafika mwisho, it is an endless project. Kwa hivyo tukiwaambia bado tunataka kuwapata mahala fulani tuendeleo na mafunzo yetu, you are very much welcome. Thank you so much for your co-operation.

Com. Salome Muigai :ceps.

Mrs. Njoroge: Nawauliza ceps wasimame mahali wako, tafadhali, civic education providers. Hawa ndio tumekuwa tukifanya kazi nao lakini tuna wengine ambao hawakuweza kufika. Hata hawa tunawashukuru kwa kazi yao muhimu, asanteni ketini. Kwa hivyo ni asante sana Commissioners, thank you very much.

Com. Salome Muigai: Asante sana Bi. Mwenyekiti, umefanya kazi nzuri, watu wako wamekuja kupeana maoni yao. Mwishowe ningetaka kushukuru wana Secretariat wetu wenye wamekuja nasi na mwishowe ningetaka kuwashukuru wana tume wenzangu, Bwana Rajji kwa wale wenye hawakuja hapa tukianza na Bwana Ratanya. Mimi mwishowe ninawashukuru asante na Mungu awabariki, kabla hatujamaliza tungeomba mmoja wenu atumalie kwa maombi. James Gitone?

James Gitone: Tafadhali tuombe. Almighty Father we give you thanks because of this evening, we know we not just an evening but it is an evening with a purpose. We thank you for counting us to stand in presence and to serve you. We know that this is an activity that is a national activity that is going round our country. We are trying to save our country, we are trying to save our lives and the generation to come. We are very happy because you have been with us with a lot of harmony, peace and love together within us.

We thank you because of the good masses of journey you gave to the Commissioners, all the way from Nairobi to Nakuru. We were with them yesterday, we were with them today and no one of them is complaining of anything pertaining his body. We give you thanks because of everybody who entered this door to come and give his/her views so that he/she can be part of the collection of our views and make a better nation. We thank you Father as we leave this hall, may all that we have given to our Commissioners God, let it be implemented, let us have a good Constitution that will government us. We know that the first Constitution was between you and Adam and Eve, and Father because they did a mistake, you retrenched them from the garden. We would ask Father to forgive us our temptations so that anything that we have said today that is against your wish or will Father, you will come and heal us oh Father.

We give you thanks because of everything. We give you thanks because of all the strength you given unto us, to sit here listen, talk and also give passion to all those who had enough to say but time was limited. We thank you Father because we know that anything we pray, you always say that you are among us. All these we pray, believing and trusting in Jesus name. Amen.

The meeting ended at 6.00 P.M.

