

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS

SABATIA CONSTITUENCY

HELD AT CHAMAKANGA SALVATION ARMY

ON

29TH JULY 2002

**CONSTITUENCY PUBLIC HEARINGS, SABATIA CONSTITUENCY, ON
THURSDAY, JULY 29TH 2002 AT CHAMAKANGA SALAVATION ARMY**

Commissioner Present

1. Com. Ahmed I. Salim
2. Com. Kavetsa Adagala Chairlady

Absent with Apology

1. Com. Hon. Phoebe Asiyu

Secretariat Staff

1. Maimuna Mwidau Programme Officer
2. Caroline Kihara Assistant Programme Officer
3. Josphine Ndungu Verbatim Recorder

The meeting started at 9.45 am.

Com. Kavetsa Adagala: Can we settle down. Registration... Tafadhali ingieni wale wamesajiliwa. Please come inside. Chairman of the Committee. Agnes is she around? Can you please come and pray your role.

Agnes: Morning. I am happy that you are here. I would like to thank you for keeping time. We want to start our meeting. I would like we start with a word of prayer. Pastor tafadhali kuja kidogo. Tunataka kuanza mkutano na tunataka utuongoze na maombi.

Maombi. Tunakushukuru Yesu Kristo uliye Mwana wa Mungu kwa kutuleta pamoja mahali tulipo ndivyo tuweze kutoa maoni yetu kwa ajili ya Serikali yetu. Bwana twaomba kuwa wale ambae watafika hapa viongozi wetu wa District na hapa Sabatia na

mahali popote. Yesu Mwana wa Mungu tunapo toa maoni wewe mwenyewe uwe kiongozi wetu kwa sababu twa amini ya kwamba kilicho semwa na watu wengi Bwana kimebarikiwa na wewe. Uanze pamoja nasi na umalize pamoja nasi. Yule muovu shetani asitawale njia zetu mbali moyo yetu iwe minyenyekevu kwa jambo hili. Naomba haya yote kwa jina la Kristo Mwokozi wetu.

Agnes: Asante sana Pastor. Nitafanya some introductions. Kwa wale ambao hamjui hapa, hapa ni Chamakanga Salvation Army na ndio station yetu ya kwanza ya Commission kuchukua maoni kutoka kwa wananchi. Sasa ningependa ni-introduce wana Kamati. Kwa wale mumetoka hapa munajua hawa ni wana Committee wa Sabatia Constituency, na ndio wamesaidia watu kutoa maoni yao ndiyo turekebishe Katiba yetu ya Kenya. Wakianza hapa ni Bernard Chahilo yeye ndie Chairman wa Sabatia Constitutional Committee. Tafadhali salamia watu.

Bernard Chahilo: Hamjambo.

Agnes: Mwingine hapo ni Margaret Sabwa, she is the Secretary of CCC.

Margaret Sabwa: Hamjambo.

Agnes: Huyu mwingine ni Adagalo. Yeye ni mwana kamati wa CCC.

Adagalo: Hamjambo. Mwakaribishwa mtoe maoni yenu.

Agnes: Kuna wengine wametoka kidogo kwa shughuli zingine huko inje.

Com. Kavetsa Adagala: Asante District Coordinator. Asante Kamati. Huyu ni programme Officer wetu atawasalimia na awajulishe wenzake.

Maimuna Mwidau: Habari zenu? Jina langu ni Maimuna mimi ni Programme Officer Kutoka CKRC, Secretariat pamoja na mimi ni Josephine Ndungu Verbatim Recorder, na Caroline Kihara Assistant Programme Officer.

Com. Kavetsa Adagala: Asante sana Maimuna. Sasa hapa hiki ni kikao cha Tume ya kurekebisha Katiba. Kuna mtu ambae haelewi? Mwenzangu hapa wacha ni mtambue kwanza ni Prof. Idha Salim. Yeye ni Vice Chair wa Tume na ni mtu mashuhuri amejulikana na tumefurahi alikuja huku. Nafikiri wengi mumemuona. Mimi ni mzaliwa wa hapa Kavetsa Adagala nimefurahi nimekuja hapa. Wanatume waliniambia uende nyumbani kwenu nani kafurahi.

Sasa hiki ni kikao chetu hapa Western Province. Tunachukua maoni ya Western Province ndio ya mwisho nafikiri mulifikiria

mulikuwa mumesahaulika lakini tulienda na alphabet. Sasa Western kwa alphabet ndiyo ya mwisho, na hiyo ndiyo ilikuwa njia ya ukweli ya kufuata otherwise tungeambiwa mume pendelea mahali fulani.

Com. Kavetsa Adagala: *Ku nikuve inu ndi kuvukula kutsi mukokonye. Likonya lia mukokonya ni likonya kandi lia mwikonya ndinanga kuvukulatsinganangani tsinyu kuhandiki kuviki machini kuviki ku tape kandi vaana vaveye yaha yaba baandika mula aviku ahandika* just issues. Issues that are coming out. Ile ambayo inatoka. Mimi na Salim tunaandika hapa vile tunasikia. Sasa ukizungumza unachukuliwa hapa na Commissioners. Ni kitu muhimu kusikia ile maneno munasema.

Interjection: Mike problem.

Com. Kavetsa Adagala: Kuna msichana hapo atakaye andika na yule atakaye kuwa akitembea na tape recorder. Kungekuwa na stima hangetembea . Hapa ukifika kuna utaratibu wa kutoa maoni. Utakuja na utaketi na kutoa maoni yako kwa tume, sio kwa audience kwa sababu kuna wana siasa wengine wale wanao jaribu kuwa Councillor wanakuja na wanaanza kuhutubu kule hata wengine wenye kutaka kuwa MP. Maoni yako unatoa kwa Tume. Sasa ukija utaketi useme jina lako kwa microphone ile uchukuliwe kwa tape. Ukiwa na memorandum una dakika tano za ku-highlight kwa sababu umeiandika na tutaisoma hata sasa tumeanza ku-process na kusoma memoranda. Ukiwa na maoni ya kutoa na mdomo una dakika kumi. Na utatoa hapo pia kwa kuzungumza lakini usiende kwa maelezo sana usipoteze muda wako. Zungumza kwa ufupi na utoe shinda na upendekenze.

Com. Prof. Ahmed I. Salim: Pole sana Kavetsa. Nafikiri mumeelezwa yote ambayo twapasa kuwaeleza jinsi ya kutoa maoni yenu. Kama mulivyo ambiwa hapo mbeleni mtoe maoni bila ya fikira yoyote na kila mtu anahaki ya kutoa maoni yake. Pia kwa upande wa lugha mtu anaweza kutoa maoni yake kwa Kiswahili, Kingereza, na hata kwa lugha ya mama na kutakuwa na mtu wa kututafsiria. Lakini kama alivyo eleza mwenzangu ni muhimu sana kufikiria wakati. Ukiambiwa dakika tano tafadhali tumia dakika tano peke yake. Kama ni kumi hivo hivo ili wenzako waliopo hapa wapate nafasi kutoa maoni yao.

Zaidi tungependa mtoe ma-pendekezo. Zote tu Wakenya na shida za Kenya tunazijua. Kwa hivyo kwa upande wa elimu kwa mfano hakuna haja ya kutueleza ile taabu ilioko. Sema tu katika eneo la elimu mimi ningependa tufanye hivi na hivi. Kwa upande wa matibabu mimi ningependekeza jambo hili na lile. Kwa upande wa Serikali oni langu ni hili. Kwa njia hii tutaweza kunasa maoni yako kwa njia ilio wazi kabisa.

Mwisho kabisa ni kwamba utanza na jina lako, ukija hapa ndio kwamba yale maoni tutakayo nasa kwenye tape tujue kutoka mwanzo anayesema ni fulani. Utakuja nautasema mimi ni fulani na maoni yangu ni kama ifuatavyo. Usisahau kutaja jina kisha ndio uendelee kutoa maoni.

Com. Kavetsa Adagala: Ku kiwa na wanafunzi auo walemavu, mzee mkongwe ama mama mja mzito, wanakamati

watatujulisha ili wapate nafasi ya kwanza. Mbele ya Tume kila mtu ni sawa. Hakuna mkubwa wala mdogo. Usikilize yule ambae anatoa maoni kwa sababu ni nafasi yake. Kila mtu atapata nafasi tuko hapa mpaka saa kumi na mbili. Pia mbele ya Tume kwa sheria inafaa utoe maoni bila uoga wala upendeleo. Sasa inafaa kila mtu ukija hapa ujue unazungumza ile ya kweli na vile unataka na kwa lugha inayofaa. Si lazima utumie lugha ngumu. Kamati mtafute mtu mwenye anaweza kutafsiri na fikiri lugha hapa ni ki-Maragoli. Nimefurahi kuja hapa japokuwa na kohoa vibaya lakini inakuja na inapotea tutaendelea tu hivo. Twa weza kupata mtu wa kwanza naye ni John Ambalo.

Did you find out whether there are people around who need sign language? Very good. I am very happy on that effort. Lakini hata hivo mtu akija hapa kuzungumza tutamuliza maswali mbili tatu hivi ili hatujaelewa tujue zaidi. Ni maswali tu, ya kufafanua. Tunaweza kuendelea. Tunafuata utaratibu vile kumeandikwa. Arthur A. Kijungu.

Arthur A. Kijungu: Haya ndiyo maoni yangu kwanza ni upande wa administration.

The administration we have today is lacking a lot of security. I mean from DO, DC, There is no proper method of administering wananchi. Ukweli hakuna. I would suggest that the Government take the old system, which used to be there, it was very clear and good. The old system when one makes a mistake and it is fully established as a mistake one was taken, apprehended and the right measures taken; but today when somebody is raped even after you arrest the victim he is released out of bond and he is done nothing; then he comes back in the village and continues disturbing other people.

Com. Kavetsa Adagala: When was this old system?

Arthur A. Kijungu: The old system was there from 1963 to late 1980. Two. Land boundaries this is very poor. The people involved in land affairs are very corrupt. The corruption is done from the ground to the high level.

Court. This is where the judgment is being given. Today court is not clear they do not give the right judgement. There is a lot of corruption there. Therefore I recommend the old system to be implemented and rectify these things to remain the way they were before. Today we have no proper handling of court cases, theft; there is no truth in whatever judgment given.

Education: the education system in this country is very poor. Why do I say it is very poor? Children who are bright but poor are not assisted. The people who are supposed to take care of this are doing nothing. I still recommend the old system to be brought back to rectify the mistakes. This started when the education system changed in 1983. Today children with sound minds are passing their exams and are not assisted, they are just left to the poor parents who cannot be able to pay their school fees. The funds being raised are not used properly especially in this place Sabatia. If they give

Kshs. 3,000/= and one is going to university with K.shs 150,000/= what will that parent do with K.shs. 3,000/= only? Sacco

Dec. The Sacco Dec of today does not even meet the requirements given. There is poor administration in that Sacco Dec, which should be removed, and the old system to take what it used to be.

Health: Ministry of health in this country is very poor. Totally poor because you find the old and poor people who are not known in that system when you go with your sick person you will not be attended because you do not have money. Today in this country not everybody is very rich. The few who are rich are very rigid they do not assist those who are supposed to be assisted. If you don't have money and you have got a sick person he is laid on the floor until you produce that money.

I therefore request the Government to rectify that mistake. I still go back and say the old system was clear and very clean. It should be brought back.

Employment in this country: The system used to employ people in this country is very poor. The COTU. The body that should look into these issues of employment to assist wananchi is totally doing nothing. It is poor it has been marginalized, I think by the Government. We have got so many children and so many persons who have passed exams and nothing is being done.

Two. When people have left their jobs because of one or two things maybe you try to become very political you are always arrested and removed. Even when you take your employer to court nothing is being done. If the court says today let this people be paid today they are not even being paid. Example the former employees of Kenya Airways have not been paid. The strike that took place in 1998 of the bankers in this country nothing has been done regardless of the court saying that they should be paid. Therefore I request the Government to go back and implement the old system. Those are my submissions. Thank you for listening to me.

Com. Kavetsa Adagala: Thank you. Hold on a minute. You have said that the old system should come back that is what was there in 1963/1980, which is okay. Circumstances have also changed that is the reason as to why we are reviewing the Constitution. For example employment was very easy in 1963 but now the population is much larger and therefore we need to think a little bit more because if we go to the old system it had fewer jobs for fewer people. Now we need many more jobs for many people, and the Constitution we are writing also is for more than 50 years. So the old system has virtue in it. It would be good to think more of how we can also deal with the new circumstances. We are seeing the virtue you are seeing in the old system. We want to be a little bit more of how it should be. You have not told us about education. What would you like? Do not explain again we want a proposal.

Arthur K. Kijungu: The proposal is, the children who are doing very well be assisted by the Government first time. Before I live even though you have told me that we are making the Constitution, which will cover us for more than 50 years. If we continue with this trend of people not employed then what are we making? Are making the right Constitution for a hundred or two hundred years to come?

Com. Kavetsa Adagala: That is what we want. You to give us proposals not to question us. Someone else will give us you have given what you can. Okay. Thank you very much. We cannot continue the way we are going now. Oscar Sagala. Thank you very much for coming and I thank the Committee for making this effort we have been in places where we have not seen any people with disabilities so we are very happy here. When the person with a hearing disability arrives please let us know.

Oscar Sagala: Commissioners na wale watu wamekuja kutoa maoni yao hamjambo?

Com. Kavetsa Adagala: Excuse me kila mtu unatoa maoni yako kwa tume pekee. Mumezoea kusalimiana wale mko hapa. You address Tume pekee.

Oscar Sagala: Nimetoka Sabatia disabled. Nawasihi Commissioners kama sijaanza kusoma zile dakika tano mtaniongeza zingine kwa sababu ni vidole vinavyo soma. Nitanza kusoma.

To the Constitution of Kenya Review Commission. This is a memorandum from Sabatia Constituency Disabled Group. We disabled people from Sabatia Constituency declare that the Constitution of Kenya should have a preamble.

Constitutional Supremacy. The disabled together with the rest of the citizens be consulted through referendums before any section of the Constitution is amended.

Citizenship: Anybody born of a Kenyan parent whether male or female be given automatic citizenship. All spouses of Kenyan origin are given citizenship. Dual citizenship is allowed. Anybody applying to be a Kenyan citizen should be proven to have a good record.

Defense and Security: We declare that the Kenyan discipline forces be established in the Constitution that they shall be court martials to discipline the Armed Forces. The President remains as Commander in Chief of the Armed Forces. The Executive should not have the sole power to declare war and if he does so he has to consult the Parliament.

The Constitution allows the use of extra ordinary powers in emergencies but it should define those powers and Parliament should have the power to invoke. -----?

- We disabled from Sabatia declares that the political parties play the following roles.
- Monitor the economy growth.
- Monitor and ensure proper use of natural resources.

- Monitor the use of public funds. Education and health.
- That the number of political parties be minimized to 3. This will minimize tribalism because the 42 ethnic groups in Kenya will be forced to join same political parties not the concept of one tribe one party.
- The Government finances the three political parties from public funds.
- These parties should provide checks and balances to the government.

Structures and the system of the Government. We disabled from Sabatia declare that the current system of Government should be retained. We should have Parliamentary system of Government with a Prime Minister and a President. Power be shared between the Prime Minister and the President.

Legislature: The appointment of Chief Justice, Attorney General, Controller and the Auditor General, Head of Parastatals, Head of Civil Service, Ambassadors be done by Parliament and not the Executive. The Parliament be given power to control its own procedures.

Kenya being a developing country, MPs be full time workers and not part-time. 18 years be retained as the voting age while any body wanting to contest for a Parliamentary seat be 21 years and above. The highest age for a Parliamentary contester be 65 years. Anybody who wants to contest for a Presidential seat should be 35 years and above and the uppermost 75 years. Peoples (end of tape 1 A).

Salaries for the MPs should be reduced to the level of our economy.

Executive: We the disabled from Sabatia give the following as the qualifications for a Presidential candidate.

- Be mentally sound.
- National figure,
- Have support of the Kenyans,
- Should have a minimum of form four education,
- He should be a family man and a religious man/woman.
- Should have a good track record especially in leadership.
- The President should serve two terms of five years each.
- He should be impeached for mis-conduct like corruption.
- Be of good moral behavior.

The President should not be an MP because he will favour his constituency in allocating funds for development. He should attend the Parliament on special occasions like opening of the Parliament

The Provincial Administration should remain, and their powers reduced and be well defined by the Constitution. Chief and the village elders should be elected directly by the people and should also be transparent.

The basic rights we have now are not adequate. We should have rights of security, health, education, shelter, food, employment and affordable transport.

Death Penalty should be abolished. Life is a right. It should be replaced by life imprisonment. Government should introduce a Ministry to cater for the basic rights.

Education: The Constitution should make sure that there is free education. Rights of vulnerable groups should be well protected.

Com. Kavetsa Adagala: Thank you very much for a well thought out presentation and we want to thank you particularly because you have given us a better term which is “People with Special Abilities” That is something very refined and make people to view you in a positive way. We buried our first Vice Chair on Saturday and I can assure you that we actually heard Special abilities and he had super abilities and he was actually better than us all. We have not heard that term anywhere else but we shall try to actually put it in so that people should think of this vulnerable group in a positives way and not a negative way or as defined by other groups, which has normal ability. Your memo is here and we shall read it. Thank you very much. Councillor Libese. Please come forward and present your views. You highlight your views.

Councillor Libese Herman: Elimu: Hii ni kitu muhimu kwa watu wote na ni lazima iwe ya bure, ndivyo kila mtu afike kidato cha form four, na iwe kwa wote wanaume na wanawake.

Afya: Matibabu iwe ya bure kwa kila Mkenya. Chakula Serikali ifanye bidii kuona ya kwamba kuna chakula cha kutosha Wakenya wote.

Security: watu waishi kwa usalama. Watu wote wachungwe. Kuwe na uongozi bora Police au Administration wawe karibu na watu na kila watu wote wapewe usalama wa kutosha wa dogo au wakubwa.

Walemavu wapewe nafasi kila pahali. Si mapenzi yao kuwa walemavu. Wapewe elimu na hata kazi.

Vyama: tuwe na vyama vichache yani kadiri kama nne, ndivyo watu wasiwe wananyanyaswa. Watu wawe na uhuru wa kuabudu na kukutana pamoja.

Bunge liwe na nguvu kuliko President. Tuwe na President ambaye anaweza kuulizwa maswali answerable katika Bunge. Mbunge awe anawakilisha watu 700. Tuwe na uhuru wa kumuita Mbunge wetu asipo tufanyia kazi vizuri.

Provincial Administration: Tuwe na Chief na DC. Lakini hatuoni maana ya DO, PC, hawa ikwezekana waondolewe kwa sababu wanafanya tu mapato ya Kenya. Tukiwa na Mulango. Chief na DC. DC awe anaweza kuongea na President au Permanent Secretary. Lakini hao wengine kama DO. ni duplication.

Com. Kavetsa Adagala: *Kuja kidogo Luyia: Councillor uvola member of parliament ave na vandu 700?*

Councillor Libese: *Ave unyula kuakilisha abandu 700 sikila nutsia NFS ila—*

Com. Kavetsa Adagala: *hulila hee, isavu yoyo. Tafadhali watu wenye wameketi naongea na mtu moja pekee. Councillor, vandu 700 na bandu vinzula murumu yiyi, uvola MP ave na vandu 700 na vandu kali va village elder, ni vandu vakeke kali ku village elder. I am telling you to think about your number otherwise if you will live it like that it will look ridiculous.*

Councillor Libese Herman: Okey if you want me to amend it, I will live it as seventy thousand.

Com. Kavetsa Adagala: What did you say before? We want you to say something which is logical and which you have thought about. Thank you. Let me ask you something. How do we get wakilishi wa mulango, Chief na DC. What method?

Councillor Libese Herman: kuwe na mulolongo. Watu wa area hiyo wapewe nafasi waseme tunataka fulani. Watu wawili wa tatu wakijitoa moja achaguliwe.

Com. Kavetsa Adagala: Ukisema kitu unasema hata vile kitapatikana. Umesema kila mtu awe na elimu mpaka O level. Sasa hivo ni kusema elimu iwe ya lazima. Na umesema kwa wasichana na wavulana iwe sawa. Kwa kupata au kwa mfundisho pia? Zamani wewe na mimi tulipo soma some subjects were separate. You want them to learn under the same syllabus and same opportunities. Thank you very much Councillor.

Councillor Libese Herman: Watoto wanapo soma wanafundishwa na mwalimu moja. Everything same.

Com. Kavetsa Adagala: Thank you very much Councillor. I think that is all for now. Lakini nimeshtuka kidogo kwa kutosema about Local Authority. Hiyo ndiyo ungeanza nayo kama Councillor

Councillor Libese Herman: Niko nayo kwa memo lakini si oral. Local Government be replaced by.---- Kama ile ya zamani ichaguliwe kama hii, na kuwe na Chairman ambaye anaweza kuchaguliwa na watu katika District nzima si

Ma-Councillors. Ma-Councillors wakimchagua hapo ndipo panatokea corruption. Iwe District nzima ndiyo wanachagua. Kwa miaka tano.

Local Authority ina mambo mengi. District zengine zimewekwa tu na pato la Local Authority limekuwa hapa sasa kama Local Native Council, watakuwa area hii kama wazee wenye wanaelewa mambo ya Sabatia. Kati ya hao tunachagua County Council-

Com. Kavetsa Adagala: Ni ta kupa nafasi upange maoni yako kuhusu Local Authority, kwa sababu hii ni ya muhimu sana kwa Katiba. Sitaki useme kwa kusema tu nataka uketi ukiwa tayari utatwambia.

Com. Prof. Ahmed I. Salim: Na kama Councillor hatoi utumishi wa kutosha anaweza kutolewa?

Councillor Libese Herman: Yeye na MP. Ni sawa wamechaguliwa.

Com. Kavetsa Adagala: Atatolewa vipi? Power of re-call. Mtamuitaje?

Councillor Libese Herman: Tunamuita kwa baraza ya Chief. Kwa kuwa hata sasa siwezi kwenda kwa Council nilete hiyo motion sina nafasi, lakini tukiwa hapa nyumbani tunaweza kuungana watu mia au kadhaa.

Com. Kavetsa Adagala: Councillor nataka ufikirie hiyo pia ni lazima iwe na percentage. You need to think about power of re-call. When you come back tell us about that one. Thank you very much Councillor. Agesa Esemele.

Agesa Esemele: Thank you Commissioners. My views are as follow. State to provide free education to all citizens, promote local industries, provisions of medical care, and basic human needs.

The Constitution should be sold in our bookshops, so that all the Kenyans can read and understand what the Constitution is.

The President should be given allowances and not a salary. We have a body to consider the salary of the MPs and Commissioners. The Commissioners to be there to amend the Constitution as they are doing now when need arises. The changes in the Constitution should be reflected not to be drafted out of the Constitution in case of any reference to be made.

Com. Kavetsa Adagala: If there is a change it should not be lost completely but be kept so that we may know what was been amended. Is that not so?

Agesa Esemele: We have a permanent body to amend the changes.

Interjection: inaudible question.

Com. Prof. Ahmed I. Salim: Who forms that body? Wananchi, Parliament?

Agesa Esemale: I was coming to that. We have everything left to the Parliamentarians. I would suggest we have another body to monitor exactly. A constitutional Office.

Mayors and Council Chairmen should be elected directly by the people. We need another body in the Parliament to be monitoring rather than having one body. Everything goes to the Parliamentarians and they consider themselves for anything that they want to decide for themselves: not for other Kenyans who are suffering and have other problems. That is the much I have.

Com. Kavetsa Adagala: These Salary Commission You are calling it a body some people are calling it a Salary Commission.

I would have thought that you wanted it to be larger because it is not only the MPs salaries that are exorbitant. The other side because of the teachers, and village elders. You want it to be a whole body or just on this two things? All around. When you make your presentation you should think of how it should be done. Like the question Professor was asking you is that; would you have wanted it by referendum or that is the people voting, or by Parliament voting? Even if the CKRC were to stay there, still it cannot pass the amendment. Okay the way the amendment gets passed or debated is important. Think about it. Kila mtu anaweza kuandika memorandum ingine na kutuma kwa Tume. Kwa week hii. Asante sana.

Nata sasa Zabeti ako hapa? *Zabeti uveho?* Nataka kwambia wakina mama hii siku ni muhimu sana. *Lidigu linu ni lidigu likavaho kandi ku mihika mia moja gitsa kali mihika hamsini, ku avakele mtange kuleka isingu, mutange kuleka kindiki ni lidigu lilala liong'ene, mwikale mikutsili nukole via wali ukole kalunu mgamba, kigila avandu vakali vihandikitsa abalinda abalola isa iduki nzie, na nutsitsa kuvetsa nukotitsa vwiyanu bubwo, vakele muteva nimuyaniza sande.* Zabeti and then JM – not written very well. You have a right to give your views.

Com. Prof. Ahmed I. Salim: Japheth Kinyosi.

Interjection: long Silence.

Com. Kavetsa Adagala: *Japhetha ave hayi, okay. Yikala yaho ukuvolele ku mang'ana*

Japheth Kinyosi: Mimi ni muhubiri wa Jeshi la Wokovu. Mimi kama muhubiri naona wahubiri huleta amani kwa nchi na wanatetea amani kwa hivo tunafanya kazi pamoja na Serikali na ikiwa hivyo tunataka Serikali itusaidie. Kwa sababu tukitumwa mahali tunapoteza wakati wetu wote tukijaribu kuleta amani mahali tuna hubiri. Kawa hivo tunaomba Serikali itupe kitu kidogo. Sisi watu wa Jeshi la Wokovu We move with our families, after 60 years tuna retire tunaenda nyumbani bila chochote.

Interjection:

Com. Kavetsa Adagala: Sema kile unataka. Kila shida lazime iwe na suluhisho kutoka kwako. Hata kama ninj suluhisho siwezi sema wewe, ndio utasema. Utakuwa na courage na utatwambia vile unataka. kwa sababu Serikali imetuma sisi kwa wewe. It is very important what you say.

Japheth Kinyosi: Wahubiri wapate makao. Watoto wetu. Tuna watoto wavulana na wasichana na wazazi hupatia wavulana tu shamba. Wakati mwingine msichana huyu anakosa kuoleka na anaishi kwa shida. Kwa hivyo ningependekeza wasichana wawe wanaridhi shamba.

Ya tatu ni corruption: Naona kwa upande wa waaminifu kila moja ajaribu kuwa mwaminifu kwa kazi yake. Asante sana Tume nimefike hapo.

Com. Kavetsa Adagala: Watu wanasema Kanisa nyingi. Wewe unasema aje? Dini Ni nyingi na zingine zinaabudu shetani? (end of tape 1).

Japheth Kinyosi: Ningependa kukiwezekana ndini zisiwe nyingi. Sababu zikiwa nyingi ndiyo corruption inapatikana, wengine wanaabundu shetani.

Com. Kavetsa Adagala: Tutapunguza vipi. Translator please **Luyia** – *nakugehiti ndi Makanisa manyinyi yaka kosi?* Ipunguzwe kwa kuto sajiliwa tena.

Com. Prof. Ahmed I. Salim: Umesema kwamba Serikali isaidie kwa kutoa kitu kidogo na kuwapa makao. Sasa tunavyo jua kila kanisa ni independent financially. Wa Katoliki wana watu wao wanawalipa, Serikali haiwasaidii. Hatuwezi sema ya kwamba pia Salvation Army isaidie watu wao kama Kanisa. Maanake ni mara ya kwanza kusikia hivi. Na mukiitisha pesa zaidi wanasema nini?

Com. Kavetsa Adagala: Eleza kinaga naga kwa sababu huyo ni Mwislamu hajui mambo ya Wakristo. Watu wengine hata wanasema kanisa zinafaa ziwe zinalipa ushuru kwa sababu zina pesa nyingi sana. Eleza point yako.

Com. Prof. Ahmed I. Salim: Pia unajua Serikali ikianza kuwalipa watu wa Salvation Army. Kanisa zingine nazo zitadai hivyo hivyo tu na Serikali itasema haina pesa ya kuwalipa watu wa kila Kanisa.

Com. Kavetsa Adagala: Serikali itanza kuwambia vile munafaa kuhubiri. Hii ni kitu unatakikana ufikirie. Serikali itakuwa

na uwezo wa kusema Kanisa ifanye hivi na kanisa iende hivi na muhubiri hivi. Olipa Kilidza. Chukua kiti. Kuna jamaa wa AAR hapa Officer wetu moja ni mgonjwa.

Olipa Kilidza: Oni langu la kwanza ni maneno ya utawala: Tunataka wawe wanachaguliwa na wenyenji kwa sababu hawa ndiyo wanawajua. Hatutaki wachaguliwe na office ya Serikali na Serikali inataka (osaiya). Wenyenji wanajua vile mtu huyu alizaliwa na mwenedo wake. Na wachaguliwe kwa njia ya mulolongo.

Com. Kavetsa Adagala: Nataka kujua hii mulolongo ni election ama ni kusimama nyuma kabisa?

Olipa Kilidza: Achaguliwe na mulolongo na wenyenji na wawe wamefika kidato cha nne. Hao na Chief na Assistant Chief.

Magutu, Wazee wa Vijiji wapewe mushahara kwa sababu hawa ndiyo wanafanya kazi nyingi, na ndio wanajua watu wao vizuri wapewe chini ya K.shs.3,000/= . Ndiyo wajisikie vizuri kama wengine na wasiwe walevi na wawe na masomo kidogo. Kiwango cha masomo kiwe ni darasa la nane.

Watawala wapewe uhamisho kutoka kwa location moja na kupelekwa ingine hata Assistant Chief. Wawe kama Ma-officer wengine wa Serikali wasikufe pale.

Com. Kavetsa Adagala: Ngoja kidogo mama. Kama mtu amepigiwa kura ana watu wame mpigia kura huwezi kutoa mtu hapa umpeleke Mbale; kwa sababu wale hawajapigiwa kura. Lakini kwa sasa vile wanaandikwa kazi by appointment kama DC, na DO ndiyo wanawenza kuwa transferred. Huwezi kusema wapigiwe kura halafu wawe transferred. Watu wa kupigiwa kura ni tofauti. Wale wanaandikwa kazi wanaweza kupigwa transfer.

Olipa Kilidza: Maneno ya mashamba wazee wachaguliwe wakusimamia mashamba. Watawala wasiingilie kazi hii. Wazee wa kila kijiji wanajua maneno ya mashamba yao.

Mama na Baba: wazee wanasubua wamama. Mzee anaweza tajirika pamoja na bibi yake na baadaye anafukuza bibi anapata (kuli pendwa). Hapo ningetaka kukiwezekana hiyo mali iwe inagawanywa kati kati hata na watoto.

Mtu akiua mwingine awe ana nyongwa akufe kama mwenye aliua. Kwa hivi Sasa mtu akiua mwingine anapelekwa njela mwezi moja anahongana halafu kesho anarudi kwa mtaa. Mwizi akipatikana auliwe kwa sababu ndiyo wanaleta umasikini mwingi kwa Kenya yetu. Akiwa wa ng'ombe auliwe pale pale tu.

Pombe haramu: Mtu akipatikana akikunyua pombe haramu ashikwe na aende jela bila kupelekwa Polisi kwa sababu atahongana kule kwa Police na atarundi. Muuzaji na munywaji wote ni wabaya.

Watoto mayatima wawe wanasomeshwa na serikali primary masomo iwe ya bure. Kidato cha kwanza kwenda mbele serikali iwafikirie. Zamani mtu angeweza kusaidia lakini kwa hivi leo karo ni ya juu sana.

Kazi: Mtu asiwachishwe kazi kabla ya miaka 60, kwa sababu pengine hajamaliza kusomesha watoto wake. Ni hayo tu maoni yangu.

Com. Kavetsa Adagala: Sasa mama kila mtu nataka aelewe. Serikali kupitia Bunge wametuma Tume kuuliza wananchi maoni yao. Haitoshe mtu kusema Serikali ifikiriye haya. Sehemu hii tuko??? ... Serikali inataka kujua watu wanataka nini. Kama kwa mayatima mama ungetaka Serikali ifanye nini?

Olipa Kilidza: Tungetaka hao watoto wasomeshwe, kwa sababu wakiachwa hivo watakuwa wezi.

Com. Prof. Ahmed I. Salim: Mama, yatima pia huwa ni mtu pia ana shida zingine. Yatima ni maskini ama mtu anashida ya makao lakini wewe umesema ya kwamba inatosha kumpa elimu.

Olipa Kilidza: Hapo si kuandika lakini kunatakikana hata makao wapewe.

Com. Prof. Ahmed I. Salim: Ndio mwenzangu akakueleza wewe na wote walioko hapa. Ukija uwe na mapendekezo wazi na kamili kabisa, juu ya suluhisho ya shida yoyote. Kwa hivyo kwa upande wa mayatima ungependa wapewe elimu, na kukiwa na haja wapewe makao na kusaidiwa kwa njia ingine yeyote. Waona sasa mimi nimetia maneno katika mdomo wako, na ni wewe unatoa maoni. Hatutaki kuwasukuma sana.

Com. Kavetsa Adagala: Hatutakiwi kuwasukuma sana, lakini tukipata vitu half utaenda na hiyo na itakuwa ni mbaya. Wewe kwanza una maoni nyingi sana Olipa wewe ni kiongozi miaka mingi. Una maoni nyingi umekuwa kiongozi wa kina mama. Usiwache hivi usiseme vitu za juu juu; hii ni Katiba yenye inaweza kubadilisha maisha kabisa. Katiba inaweza kufanya hao mayatima maisha yao ibadilike kabisa. Sasa tuende kwa kina mama ni vitu vya nyumbani kama hiyo mali. Unataka igawe vipi?

Olipa Kilidza: Nataka Bwana akifukuza bibi na ana watoto nawametengeneza mali pamoja.

Com. Kavetsa Adagala: Najua, kwa njia gani hakuna si. Utatwambia ni wakina nani. Nakwambia hii ni kitu muhimu sana wewe una maarifa mengi sana na utatusaidia hapa; hasa upande wa wanawake na wanaume kwa nyumba unataka nani akae?

Olipa Kilidza: Watu wa ukoo wakae. Kwa sababu ule msichana ataenda kwao bure na ataacha watoto na ateanda kusumbuka huko.

Com. Kavetsa Adagala: Kina mama na kina baba wengine wamesema mali iandikwe mwanzo kwa jina la baba na mama na watot; ndio ikiwa kwa hiyo orodha ya Title deed hiyo pia ni owner. Kwanza Wamasai ndiyo wamelalamika. Baba anaenda anauza shamba mama hajui. Anamuletea nguo. Mama anawaza huyu mtu hajauza ng'ombe anapata wapi pesa. Hii mambo si ya leo ama kesho ni ya zaidi ya miaka hamsini.

Olipa Kilidza: Niliandika hiyo machache kwa sababu niliambiwa ni dakika mbili mpeke yake.

Com. Kavetsa Adagala: Si hiyo, ni suluhisho. Fikiria kabila hujakuja hapa soma juu juu. Sisi wote ni Wakenya kwa hivyo nawaomba mtumie muda wenyu vizuri. Asante sana mama. Nataka problem na proposal.

Hannington Chweya: I will only highlight the views of CPDA. A student organization ----- Development Agency.

Executive Powers: We do not have laws that can impeach the Executive, we therefore suggest that a law should be enacted that can impeach the President, Vice President, Ministers and others in the Executive powers.

We will also like a Constitution that respects human rights. An open Government, transparent and accountable to the people.

On the Supremacy of the Constitution, there are those primary laws and we propose that before those laws are passed the public should be allowed to debate on those issues. We propose that 65% votes by the Parliament be retained and referendum should be done on issues like Bill of Rights, Presidential terms, citizenship, electing and approval of the President.

We would like the retention of 5% by the Parliament unless for the cases where the referendum has been done on the Bill of Rights, Presidential Term, Transition of Governance, Political System, Citizenship and the removal of the President.

Citizenship: CPDA has noted that women have not been given their rights by the current Constitution, where they can transfer citizenship to their children or spouses. We propose direct citizenship to any child born of a Kenyan parent. Dual citizenship because of intermarriages. Passport to be issued as a right.

Political Parties: We have also noted that there are no clear provisions to control the functions of political parties in Kenya. We propose that Parties that do not garner more than 4 seats in any given election cease to exist in the next election. We want parties that have a national representation and have dual membership. Funds to be given to all political parties. Money to come from the national Budget for the various registered National Parties. There should be a maximum expenditure per every candidate. Maximum and minimum expenditure.

Candidates to the Parliamentary election should disclose their wealth publicly, and parties should be given equal access to the

media.

Governance: We have also noted that women have been marginalized plus the vulnerable groups. Vulnerable groups include people of various physical disability/people with special abilities. We therefore propose that a system should be designed where women will play a big role in the management of Public Affairs and resources.

We also propose that KACA be entrenched in the Constitution and be given power to prosecute, summon and investigate any other corrupt case. We assure that citizens it is open and accountable. The Judicial members to be responsible of any decisions they make in court. We also propose that the office of Auditor General to remain as the financial watchdog.

Legislature: we also propose that an affirmative action should be adopted whereby 35% of the Parliamentary seats will be reserved for women. Members of Parliament this be a full time job. Public to discuss any issue before a Bill is passed to become a law. On Judiciary we should have a Supreme Court to be the highest with 9 Judges sitting together. We also propose a Permanent Constitutional Court.

Any accused person to have legal aid whether it is a capital offence or not. Criminal and Civil cases to be done away with within six months from the time the case is taken to court. We also propose that the Kadhis to be able to handle both Civil and Criminal cases.

Social, cultural and economic rights we notice that this should be a fundamental right and we have noted that it should go into the Constitution particularly those that have to do with treatment of all Kenyans. We suggest that anybody who infects another with Aids should mean an abuse to the right of life. A law be enacted to protect early and forced marriages and ability to own properties anywhere in Kenya. We also propose enactments of laws that outlaw widow inheritance and early marriages. We also propose establishment of a Commission a Gender Commission that protect the rights of vulnerable groups.

Land and property rights: We have noted that, section 82.2 part 4 should be deleted for it does not coincide with Kenya Succession Act, and that a spouse approval should be needed in case of the disposal of land.

We should have a Constitutional provision to the establishment of a Programme called Alternative Leadership Programme. This is a community based project that empowers citizens to conduct their own affairs by forming neighborhood assemblies or what we call in our NGO, Parliament.

Com. Kavetsa Adagala: I would like to ask you a couple of questions. You have said referendum on so many issues and you have 65% on any others. You have used what we call buzz words. Transparency. Accountable, we do not know what it means. I hope it is in your memorandum what that means. If it is not you need to tell us, because nowadays anybody tells us that and we don't know what it means? Even you find someone who is corrupt saying you need to be accountable and

transparent.

I want to ask you this question, which has come out in our hearings. The Muslims and the Kadhis, DOs and Religious matters and also cultural matters and also matters on personal law. Is there not a vacuum for other people? For instance in cultural matters is there someone who should be able to deal with those matters. The Luo said they want their Chief Ker. We are wondering should other people have this advantage which the Muslims have. Christians who deal with their matters? It is something you should think about. It is very easy to say this or that but it is an advantage that Muslims have. So think about it and see what you can do.

Disposal of land or property this is under Gender Commission. You know women are also becoming properties. Should a husband also have a say in the disposal of land or property that is owned by a woman?

Hannington Chweya: All the parties should have a say when it comes to the disposal of the property.

Com. Kavetsa Adagala: What should be the composition of the Gender Commission?

Hannington Chweya: Composition for both women and men. Women 45%.

Com. Kavetsa Adagala: You have given a couple of percentages, which are not based on anything. You have said 35% in Bunge. Where do you get 35%? You have said 45% women in the Gender Commission what is the reason behind it?

Hannington Chweya: The women form a great number in registration and even when it comes to voting.

Com. Kavetsa Adagala: Then you are taking away women strength. It should be 52%. This 45% will be asked what is it based on. 45% of women voters and they are much more. More than 60%. What do you base your number on? 45% in Bunge what is it based on?

Hannington Chweya: Women representation. That is the way you have to consider it.

Com. Kavetsa Adagala: You need to say 1/3 because it is an affirmative action. 52% because it represents the population. You need to have figures based on something, and I think you can do well on that. Your organization can handle that.

Com. Prof. Ahmed I. Salim: You said something about citizenship and you are recommending Dual Citizenship. Are there any conditions attached to that or whoever wants Dual Citizenship can get it? For the Children, or those who are married to foreigners?

Something about the Kadhis Court. You say Kadhi's Court should be able to tackle not only civil cases but also Criminal Cases. What Criminal cases do you have in mind for Kadhi's Court? We have like assaults and robbery and any other, corruption and should kadhi's conduct those cases according to the sheria or according to the civil court?

Haniington Chweya: According to the Civil court and not according to the Sheria.

Com. Kavetsa Adagala: Thank you, please register yourself and clarify some of those issues, and put them in your memorandum for the Commission. Francis.

Francis Lugano: I will first comment about the preamble of the Kenyan Constitution and I propose that we seriously need a preamble in our Constitution, because as for now we do not have one. In that preamble I still propose that the people of Kenya should be Supreme.

I am basing this argument on successful democracy in the world like Switzerland, S.Africa, U.S.A. and even Germany, where the people are the Supreme in the Constitution. The prosperity of the people of Kenya should be enshrined in the Constitution. That is social, political and economic aspirations of the Kenyans should be addressed.

Secondly, I want to comment on Structure and Systems of Government. We should retain the Presidential System of Government, but then the Presidential Executive powers should be limited. The Constitution should strengthen the independence of such democratic institutions as the Judiciary and Parliament and widen their role in public policy creation and implementation. The Presidency and Parliament should have checks and balances.

Rights of Vulnerable groups: I propose here that or the chances of nomination to Parliament and the Councils should be reserved for women and people with disabilities. This people should be of good repute. Women should be nominated because as per now, the political field is dominated by men. As per now Parliament and Local Authorities are dominated by men, yet women constitute 52% of the Kenyan population.

Citizenship: Kenyans should carry a National Identity Card or a passport as evidence of citizenship. The procedure and time taken to acquire any of the two documents should be clearly stipulated in the Constitution to avoid unnecessary delays and frustration of Kenyan citizens. I recommend a minimum of two weeks and a maximum of four weeks.

Many Kenyan citizens have been locked out of voter's registration because of the simple reason that they do not have ID's or passports as a form of identity. The new Constitution should seriously address this issues because it is like in the past the Government has been accusing itself when people do not turn out to register as voters.

Judiciary: Kenyans should have a Constitutional right to Legal Aid. I mean that there are some vulnerable members of the society who may not be able to pursue Justice because.

Interjection: Give your proposals.

Francis Lugano: So I propose that the Constitution should have a provision for Legal Aid for vulnerable groups.

Basic Rights: The Constitution should provide free and compulsory education in primary school level and gradually to secondary level. The Constitution is only meaningful and practical to an educated lot. We shall not have a Constitution that is supposed to be followed by people who are not educated, like we have had the problem since 1963.

Parliament should be empowered to establish a strong Parliamentary Committee to provide check and balances to the entire ministry of education and participate in policy formulation to avoid short comings like subjects being scrapped haphazardly; like in the recent times we note that computer education was scrapped; only to be revoked later which did not augur well with the people. I am therefore saying that the Constitution should provide for National debate. National debate should be initiated when important education issues are to be addressed before a policy is formulated on the same.

Political parties: The number of political parties should be limited to 5. The current merger and alliances.

Interjection:

Com. Prof. Ahmed I. Salim: Say at least 5 atmost how many 10, 20?

Francis Lugano: At most 8 because the recent merger.

Com. Kavetsa Adagala: State how it should be done by merger or say?

Francis Lugano: I am proposing that they should be fewer because the mergers shows that Kenyans want fewer. Political parties should be financed by the state. They should be financed from public funds because they represent the people issues.

The Registrar of Societies should lay a pivotal role to determine which party should be financed. To do censorship.

The relationship between the State and political parties should be cordial because after all they represent the peoples interest.

The Legislature: MPs should organize brainstorming sessions with their constituents at least after six months. It is through such

forums that an opportunity for the people to assess the performance of their MP will be determined, and the recalling of non-performing MPs will come up in such forums by a way of passing a vote of no confidence.

Com. Kavetsa Adagala: Your time is up because you have decided to read. But you have covered everything. You want free education and compulsory and whom will it be compelling?

Francis Lugano: It will be compelling a Kenyan child to go to school.

Com. Kavetsa Adagala. The Kenyan child does not want to go to school. Live alone the Kenyan child the Sabatia child does not like to go school why?

Francis Lugano: I have already said that the Constitution that we are making now will only be realistic when the Kenyans.

Interjection:

Com. Kavetsa Adagala: I know that what you said. I am talking about compelling. I am asking you because in Masai land, the parents have to be compelled to send the child to school. In Sabatia. If it is free will people go to school? Do Sabatia parents take their children out of school.

Francis Lugano: It will be compelling the Sabatia Parents.

Com. Kavetsa Adagala: You have said that it will be free. This is very important. Each place in Kenya is different. Who will be compelled in Sabatia?

Francis Lugano: Those who are not willing to take their children to school

Com. Kavetsa Adagala: It would be free you have proposed. Why would parents be compelled to take their children to school? I am trying to ask this place (**Luyia** – *avivuli vamanya lisoma ni kindu, avana vamanya lisoma ni kindu?*)

Francis Lugano: In the past because of increasing rate of unemployment.

Com. Kavetsa Adagala: **Luyia** – *Niva isukulu ifisi yivula building fund ivula*, all these things. Is there any parent in Sabatia who will not take his/her child to school.? Is there any child in Sabatia who will not go to school? You need to reflect this, do not put yourself in the situation of the Turkana and Masai. Thank you, you have done very well. Mugambi. (end of tape 2 A).

Zebedee Mugambi: My suggestions are. We need free education. When we talk of free education the Government should accept from class one up to eight, and the Parliament should allocate money for that.

Secondary schools. We have National schools, Provincial schools, and District schools. Let us have minimal school fees, the school fees is very high. National schools we should charge less than K.shs. 10,000/= so that those who pass very highly should be able to join those schools. We have a big problem in Sabatia Division, because they get very high marks but they cannot join these National schools because of high school fees.

Let us have fewer universities. We take our students to the university that they may in turn be employed. After university education they should get jobs not for formality. Vice Chancellors of the universities should be appointed by the Education Board not by the President and the Chancellors.

Agriculture: We have food problem. We need to have zones, coral zones and negative coral zones the Government should make sure that the prices of farm inputs are low and output should be very high. For example seed and fertilizer and labour.

Industries: We have unfavorable balance of trade in our country and the reason is we are producing low quality commodities. The Government should make sure that the Industries produce high quality commodities which can attract foreign countries.

Discipline: In this country we have no discipline because we have this law that the president should be above the law. This should be scrapped immediately so that those who make mistakes like corruption should be punished. We have indiscipline in the country because the President is above the laws.

Form of Government: We need the President, Vice President, (not clear). The Judiciary should be independent and the Attorney General should be appointed by the Parliamentarians. Thank you.

Com. Kavetsa Adagala: Tell us how the President should become President and how the VP should become VP?

Zebedee Mugambe: President should be elected by the electorate and the Vice President be appointed by the President.

Com. Kavetsa Adagala: Status quo. You have given a good reason for your wanting no one to be above the law. Nobody has ever told us that. That for discipline. That is a very original contribution. Now university the Vice Chancellor should be appointed by the Education Board. Who should appoint the Education Board?

Zebedee Mugambe: We have the composition of the Education Board, the Minister. The Minister of Education I propose.

Com. Kavetsa Adagala: That mean you are putting the universities under the Ministries because you know they are not, they are semi autonomous? The Chancellor where should he come from? The position held by the Head of State in the university?

Zebedee Mugambe: From the lecturers of the university. Consult the rest of the Universities.

Com. Kavetsa Adagala: We are not in the same----- . We are saying fewer universities for employment. I want you to understand the power of the Constitution. If the Constitution wanted fewer universities to be there they will be fewer. If the Constitution want more jobs to be there they will be there. Therefore you are limiting the power of the Constitution by saying fewer universities because we have few jobs. The Constitution can make 3 million jobs. It is a very powerful instrument. Allocated money for school or when we talk about free education where is the money going to come from? And where will the treasury get the money. In the end you know it is we giving the tax. Some people think it is like 1963 when we used to get loans and grants and we are paying now.

Com.Prof. Ahmed I. Salim: Sasa we call upon Azinam Aziwa, you are an observer. David Wamuyunzu.

David Wamuyunzu: I have a written memorandum but I will just come up with the highlights. I am a Chief Executive of NGO. What we are interested with here in Sabatia is the quality of the document that you people will come up with, not how fast we should come up with that document. We are interested with a qualitative document, which we are calling the Constitution of Kenya.

Devolution of power. Powers to be decentralized, be taken to the district where we will have Mayors and Deputies.

Com. Kavetsa Adagala: Decentralization is different from the devolution? If you start talking about one concept do not go to the other one. If you are talking on devolution talk on devolution for clarity.

David Wamuyunzu: I want the powers to be taken to the District, and the Districts be headed by the Mayors and Deputies and they should be elected directly by the people; and they should be qualified people with a minimum qualification of a diploma.

Councillors should have a minimum qualification. They should be forth formers to make sure that they do understand and have a grass root of their own.

The Provincial Administration should be scrapped. Should be done away with because their roles can be given to the elected members and their staff, the Councillors.

The Presidential and Parliamentary candidates. I am suggesting that for anybody to vie for this seat should have a minimum qualification of a degree and should have served in the public service for at least 10 years. He should be married with a stable family and be morally upright. Members of Parliament should have a minimum qualification of form four.

There should be a post of a President. We do not need a Vice President because the President is in charge of security and defense and should be ceremonial and the Head of State. Then we will have a Prime Minister and his Deputy. The Prime Minister and Deputy will be the Head of Government, will play all other functions other than security and defense.

They should be elected, the President, Prime Minister, and Deputy Prime Minister should be elected directly from the grass root, they should not be MPs. Term of service for those 3 posts should be put up as five year term.

The Presidential and Prime Minister seats should be rotated. What I mean is once Central Province has had a President we should not have a President from Central Province again and the same should happen to Rift valley. Other Provinces should have a share.

For political parties to participate in elections they should have been in existence for at least five years. This is to prevent many many parties coming up when we are having an election.

The appointments, creation of offices and appointment of people to those offices should not be left to the President and the Prime Minister alone. There should be a kind of a Committee, which will be vetted by the Parliament and of course sanctioned by the President.

Pensioners. There should be a provision in the Constitution. For somebody to retire he should retire with all his benefits. By the time he is living the office he should go with his cheque. That should come under the Bill of Rights.

Education. There should be a free education for all. Thank you very much.

Interjection: Inaudible question.

David Wamuyunzu: We will go by elimination. By method of elimination. Once you have participated you are eliminated. Like in this case of Rift Valley and Central Province should not be included.

Com. Prof. Ahmed I. Salim: Before you eliminate you must have somebody there who decides which Province should come first?

David Wamuyunzu: Anybody should come from those other Provinces, competitive.

Com. Kavetsa Adagala: We are in the E. African region our leaders interact. You are proposing we have a President. How will he interact with this other in the region, in COMESA, because if you have a Ceremonial President he will not be able to interact with the others? Or how should he interact with others?

David Wamuyunzu: It depends with the kind of activities, functions. I have said we will have a Head of Government and State. Depending on what is at hand either the Head of Government can go or can do it.

Com. Kavetsa Adagala: Thank you. Ayondi Ayondi.

Ayondi Ayondi: Yangu ni haya mamlaka ya Raisi yapungunzwe asiwe ndiye Mkuu wa Majeshi, ama juu ya mamlaka yani mtu ambaye hawezi kushitakwa. Awe amechaguliwa kutoka sehemu ya uwakilishi Bungeni na awe ame chaguliwa na asilimia 25 kutoka kwa mikoa mitano. Awe na miaka 35 hadi 65. Ahudumu kwa kipindi cha miaka mitatu na akihudumu kwa vipindi viwili arudi nyumbani. Awe mtu wa dini awe na mke na watoto. Asiwe mfidadi. Awe mtu ambaye anaweza kujibu msawaada katika Bunge.

Napendekenza Serikali iwe na wizara 16 pekee yake bunge na liwe ya nguvu za kuchagua watu kama Attorney General, Permanent Secretary, Solicitor General, Speaker na wakuu wa utumishi wa umma. Wabunge wa wakilishe watu wao. Mishahara yao isiwe ni kubwa na mzugu mkubwa kwa Serikali. Iwe na kiwango thabiti.

Interjection: inaudible question.

Ayondi Ayondi: Awakilishe watu wake kutoka nyumbani. Mbunge ahudumu kwa miaka mitatu na kama hatakuwa anatosheleza mahitaji ya watu wake ama kuwakilisha watu wake kisawa sawa anaweza kupigiwa kura ya kutokuwa ni imani hii ikiwa ni katika mikutano ya hadhara.

Vijana wawakilishwe Bungeni kwa asilimia 40. Wanawake asilimia 20.

Haki za Raia. Masomo kuanzia nursery hadi form four yawe ya bure. Matibabu na vyakula. Kusiwe na usawa wa wanawake na wanaume kikazi.

Com. Prof. Ahmed I. Salim: Ikiwa kuna kazi ndiyo, mwanamume na mwanamke wa apply wakitaka kumpa kazi mwanamke anyimwe apewe mwanamume?

Ayondi Ayondi: Kuna kazi zingine ambazo wanawake wanaweza kufanya, na zingine hawawezi kufanya. Tuseme kukiwa na usawa kunaweza fika pahali mwanamke ana apply kazi yenye hawezi.

Com. Prof. Ahmed I. Salim: Kama zipi?

Ayondi Ayondi: Za kuchimba kaburi kwa mfano mwanamke hawezi unaona.

Com. Prof. Ahmed I. Salim: Sasa ungependa Katiba iweke list ya kazi za wanawake zile wanaweza kufanya. Unaweza kutusaidia na list kama hiyo.

Com. Kavetsa Adagala: Lazima utuletee kwa sababu kitu kinaitwa Katiba kile inasimamia zaidi ni usawa. Kama unataka kitu kisiwe sawa lazima uwe na sababu kubwa sana. Ni isiwe ya maumbile. Kusiwe ni kwa sababu ulizaliwa wewe ukiwa mwanamume na mimi mwanamke. Uwe na sababu kubwa sana.

Ayondi Ayondi: Haki za raia, kusiwe na hukumu ya kifo na detention without trial.

Administration: watu wachaguwe Chief, Assistant Chief wakitumia kura ya mlolongo kusiwe na DO, na PC kwa sababu kazi yao haionekani.

Local Authority: Mayor na Councillor wachaguliwe moja kwa moja na raia. Wa hudumu kwa vipindi via miaka tatu na pia kama hawahudumii watu vizuri waondolewe kwa mikutano ya hadhara. diwani na Mayor wawe watu wa darasa la nane hadi kidato cha nne.

Uraia. Raia wa Kenya awe amezaliwa, kuzaliwa, kuolewa ama kujiandikisha. Na kila raia awe na kitambulisho ili kuonyesha yeye ni raia wa Kenya.

Ardhi: Kila Mkenya awe na ardhi ya acre mbili na kusiwe na mtu ana zaidi ya acre ishirini.

Vyama vya upinzani. Viwe vitatu, yani cha Serikali kimoja za upinzani viwili.

Com. Kavetsa Adagala: Muda si wangu na na unaona vile watu wamejaa asante sana. Janan Chanzu.

Janan Chanzu: Naanza na Serikali kuu. President atakuwa akichaguliwa na asiwe na mamlaka nyingi kama alivyo saa hii.

Interjection:

Com. Kavetsa Adagala: Kamati ya Sabati tumemuuliza mtafsiri mara kadhaa. Kila mtu anazungumza kwa Kingereza na

Kiswahili. Hiyo inamaanisha Kimaragoli si lugha na si lugha ya Katiba na haitatunzwa na Katiba. Tunataka watu wazungumze kwa ile lugha wanaweza.

Luyia – *Ulogoli lube ligali lumoloma dave? Umolome lundiki? Uleke lulogoli? Yaani Logoli lwa valibola, ulitsi ulitsi lwa Bamasai vaboola ulumoloma lwabo luvikwi mu Katiba kuli Lumoloma kandi vaandi vavola Batrukana vavoola, Bakikuyu vaboola, Ulogoli lulakaviki mu Katiba dave, kigira mumoloma dave. Vandu batsa yaha vahandala nu Lusungu kali nu Luswahili, Ulogoli lutsi hayi?*

Endelea Mzee kwa ile lugha inakufaa.

Janan Chanzu: Mamlaka ya President ipukunguzwe na tuwe na Prime Minister na atakuwa akiendeleza maendeleo. He will be planning what so ever to be done in the country.

MPs wenye kuteuliwa kwa Parliament. Wawe wakichaguliwa na kama hawawezi kutimiza mahitaji yetu tutakaa tuseme hatuwataki.

Court ziwe independent zisiwe katika office ya President. Attorney General awe akilinda Court na ziwe independent.

Education: Watu wawe wanasoma mpaka form six, kutoka hapo wale wenye wataendelea university waendeleo. Walimu wa nursery wawe wakilipwa na Serikali.

Landless: Wale watu wana mashamba kubwa katika Kenya hii. Serikali ichukuwe na igawanyiwe wale ambao hawana shamba. Mimi mwenyewe nimetembea huko Rift Valley watu wana mashamba mkubwa na ingine inakaa bure tu, na hapo kuna watu wenye hawana hata nusu ya acre.

Kitu kingine ni security watu wawe na free association, free movement, wawe free tuseme kama mtu amekosa, Serikali ikitaka kunishika walete warrant nyumbani, niwe nikijua nitaenda kortini; si kwenda ovyo ovyo walete ndiyo mimi mwenyewe ni weke sahihi. Nimefika hapo.

Com. Kavetsa Adagala: Katiba inathamini haki yako uzungumze kwa lugha yenye unawenza. Usiende kwa mambo ngumu hii ni mambo ya roho yako. **Luyia** – *Mang'ana ku mwoyo gugwo, omolome kuli wemolomela Katiba ive ndio kuli ive mwene lumanya wimolomela umolome ndio ku Katiba. Hamba wihanditsi yaha ndinangwa. Abdalla Ismael aveho? Abdalla uveho? Machanga aveho, yee uhugiri kabisa wenya umolome? Okay, ukoli bulayi. Titus Amega aveho? Nuhandika ilita lilio nutsia kuvita. Hii siku ukija ukae umalinze. Hassah Mambuya, yee hamba umolomeku noho uveye observer?*

Hassah Mambuya (Luyia)

Lita ni Hassah A. Mambuya, Chief - Busali West Location

Ndamoloma ku mang'ana kigira bwamihi – Assistant chief

Translator: Nitaongea juu ya Provincial Administration.

Hassah Mambuya: *Lwa katiba yokutanga yalombwa. Vachief vali ni role yu ku-playa*

Translator: When the first Constitution was put in place. Chiefs had a role to play.

Hassah Mambuya: *Now lwa mang'ana katsiyi mu Parliament. Ni va-repeal the Chief's authority. Some of the functions of the Chief were thrown away.(laughter)*

Translator: When the Chief's Act was reviewed some of the functions of the Chief were thrown away.

Hassah Mambuya: *Now sasa chekoleka kalunu bachief vaveho kalunu, they are almost powerless.*

Translator: The current chiefs are now powerless.

Hassah Mambuya: *Kigira malako ka vahevwa mu Constitution yokutanga gaba repealed malelo vaveho vutswa tsiroles tsiatsia hasi sana noho tsiatulitwaho.*

Translator: They became powerless when the Chief's Act was repealed.

Hassah Mambuya: *Kuvwakabele bulayi niva vachief silikali yenya vachief vatsitsakilili kuvaho kwilane ku Original Chief Authority Act Cap. 128*

Translator: The Chief's Act should be reinstated if they are to be effective in their duties.

Hassah Mambuya: *Na vachief venavo vachagulwi butswa kuli vachagulwa kalunu na silikali*

Translator : The Chiefs should be appointed by the Government.

Hassah Mambuya: *Nivakachagulwa na silikali, vaduka kandi nivakahevwa vunyali ma valala mu bagwi vakata, vagwa vahalifu, ma vakola vindu vitamanu na kigira isaa yindi valala kuvo vave na Godfathers, silikali inyola vudinyu kuva-disciplina.*

Translator: Some of the Chiefs after being appointed misuse their authority, and at the same time they do not perform their duties properly because they have their god godfathers.

Hassah Mambuya: *So my proposal is that vandu yava ndi disciplinary measures tsiavo tsigulukitsi ku wandu vavamiha. Yaani mbola ndi kuli inzi chief Mambuya –vandu valangwi vavole ndinangwa nda kuvadama shinyala kutsitsakilila kwamiha dave.*

Translator: People themselves should decide if I have failed in my duties as a Chief.

Hassah Mambuya: *Basi lwavavititsi ndi na silikali Ivuguli action*

Translator: Then the Government should take action if they have no confidence with my role as a Chief.

Hassah Mambuya: *Mbola ndio kigira tsitepe tsiliho tsiukudisciplina avachief, tsiduka havundu ku DO noho tsikwamila hinaho noho ku DC, noho ku PS noho ku Public Service Commission, sikira kindu cha mboye one having a Godfather.*

Translator: The current disciplinary measures in place are not effective because of the corruption.

Hassah Mambuya: *So mang'ana kinogo katsia ndio kandi kuvandu bachagulwa na vandu kuli balangwa vacouncillor. Councillor nadami kivala vandu valangwi vandu vamuchagula lwavavoye ndi mundu huyu atsi yengo atsi yengo hundi achagulwi.*

Translator: The same should happen to Councillors who are not performing they could be re-called by people who elected them.

Hassah Mambuya: *Similarly MPs*

Translator: *Kandi MPs.*

Hassah Mambuya: *No mali hene yaho ndio. Ndenyangi propose ndi kuve ni kindu harambee*

Translator: In the current system we have harambee.

Hassah Mambuya: *I would propose now this one iwe legalized, ma ivikwi mu Katiba yitu*

Translator: *Yenya kenaga kavititsi ma kavigwi mu Katiba yitu.*

Hassah Mambuya : *Na tsisenti nitsiakasololwa nu mundu kuli Chief noho Assistant Chief or however, tsisenti tsienetsio tsive iproperty yi government*

Translator : Once money has been raised it should become the property of the Government.

Hassah Mambuya: So the implementing Officer must be a Government Officer.

Translator: *Mundu uvika tsisenti tsienitsio noho kuli ma tsitumika ave mundu wa silikali*

Hassah Mambuya: *Hapana lwa kuvugula vutswa tsisenti ma kuha mundu makono noho chief noh pastor tsiu implement iproject, mavika muya matsia natsio dave.*

Translator: The money should not be given to individuals.

Hassah Mambuya: *Now yenoyo mali*

Com. Kavetsa Adagala: I want you to translate what he says do not summarize. Do not abbreviate. Every word he says is important to us.

Hassah Mambuya: *Kuluveka lwa bamihhi vene yava vachief, Assistant chiefs or civil servants, bamede mihika chiavo chiu kuhinzila ikazi, kutula ku chakuveku 55 yichi kuduka ku 60 mundu avetsa niyakakomaa hukuhinzila ikazi bulahi, hapana kigira nzitsa yengo vwangu dave.*

Translator: Assistant Chiefs, Chiefs and all Senior Servants their retirement age should be reduced from 65 to 60 years.

Hassah Mambuya: *Na mali kenago. Na kuve na vandu vandi, tsiofisi tsindi tsikulanga ---- ofisi, mundu atsitsa mu ofisi machagulwa ma baho kali akole kafwana ndi malahi na mavi, inyinga yeye nigiri kufwa mundu woyo wakenya butswa hala*

Translator: People holding offices—

Hassah Mambuya: *Now mboola ndi umundu namali kuchagulwa*

Translator : He is saying this: when somebody has been elected

Hassah Mambuya: *Nokoli makoso, sianyalala kutsitsakilila kuva butswa hala ndinangwa, yatsa hasi hi ofisi ya ndakavola hila dave*

Translator: He should not be protected because he has security of tenure.

Hassah Mambuya : *Mundu hadukana avukulilwi butswa isheria kuli muhinzili hundi wosi wa silikali*

Translator: His case should be handled like for any other civil servant.

Hassah Mambuya: *Kutsiofise kuli tsiene tsila tsive abolished. Vahinzili vosi butswa balonde isystem indala.*

Translator: All Civil servants should have one form of employment and the security of tenure should be removed for certain offices.

Hassah Mambuya : *Vakuvili igengele male.*

Translator: You have rang the bell for me so I have to stop. What would you have added? He is stopping there.

Hassah Mambuya: *Mang'ana ka uvoli kakukonyi sana tsinemi tsitu tsivikwi mu Katiba.*

Translator: Our indigenous language should be recognized in the Constitution.

Hassah Mambuya: *ndio nutsia mu ofisi yosi nuveye nubudinyu na kenyaka vahulitsi vulayi hapana kulekwa butswa vandu vakukuvitsi kivi dave.*

Translator: So that if you go to any office they look for somebody who can speak your indigenous language so that you are attended effectively.

Hassah Mambuya: *Yee, I have finished*

Translator: I have finished.

Com. Adagala : *Linda kukuteve ku matevo*

Translator : She wants to ask you questions.

Com. Kavetsa Adagala: You are not doing very well. Translate direct speech you are not. I said *Linda kukuteve ku mateva* You should have said wait we ask you some questions.

Translator : Wait we ask you some questions

Com. Adagala : You are not doing very well. **Luya - Ubola Chief vave appointed kuli vaveye appointed kalunu?** *Nuvola avandu nivamusui babole. Kuve ni nganagani yindi ivola Chief abe electedm ndinangwa vandu veve veve ni tsingulu tsiukumutulitsa bandu bamukupila ikura*

Translator: You are saying that Chiefs should be appointed the way they are appointed now? And you are saying that if people do not like him they should say. There are rules, which state that people should elect Chief's then they have the power to re-call him?

Hassah Mambuya: Mang'ana ki tribalism, noho clanism kagiri rife mukivala munu ku avandu babe banyingi mulusoma nivo vanivachagula butswa mwamihi na valachagula kulondekana ku nyumba, na siyo ku-capability yu mundu wavenya vachaguli.

Translator: If we leave them to be elected by people since we still have strong beliefs in tribes and clans. The people of the biggest clan will always continue electing their leaders.

Com. Kavetsa Adagala: *Liteva lindi vandu vabolandi bachief babe ni kazi yavakola dave. Vavola bandu bakola ikazi ya Chief yimemelaku avasakulu vi likutu*

Translator: People are saying that Chief 's do not do anything. People are saying that the job that the Chief is proud of is being done by other village elders.

Com. Kavetsa Adagala: *Ma vavola ndi ilikutu nivo vavetsa nivo vatovola by Mlolongo. Haya ma vavola ndi makutu kenaka navasakulu batungangwa dave. Ibi huve yaha unyala kukuhaku tsinganagani ku mang'ana kenaga?*

Translator: They are also saying the villages elders who are doing a lot of work are not getting any salary, and yet they are the ones who do the work, do you have any view on that.

Hassah Mambuya: *Kaveye kiligali makutu kagola ikasi yenene.*

Translator: It is true the village elders do a lot of work.

Hassah Mambuya: *Navadukana vatungwi*

Translator: They should be paid at the moment we are just enumerating

Hassah Mambuya: At the moment we are just renumerating

Translator: Kalunu vavahetsa butswa cha banyoye. Kalunu Chief amuhetsa vutswa cha veye nacho muya. If he is walking with anything in the pocket he gives it.

Com. Kavetsa Adagala: *Okay Chief asante kandi vwiyanu vwo vugeha, nitali nuveye na kandi unyala kuhandika.*

Translator: You have exhausted your time, but if you have other views you can put them in written form.

Com. Kavetsa Adagala: Luhya – *Mang'ana kaveho manyingi, ki milimi ka kindiki uandiki wasoma nacho kigira vandu venya baChief vasoma cha ivi ndi. Asante. Saidi. Jina lako.*

Mohammed Saidi: Mimi nitazungumzia kuhusu vitambulisho vya ki-taifa. Kuna tatizo moja kwa mambo ya kitambulisho kwa sababu wa Kenya wote wanapatiwa kwa njia isiyo sawa. Kuna Wakenya wamepatiwa masharti fulani ya kutimiza kabla ya kupata kitambulisho cha taifa. Na wengine wamepewa masharti rahisi, kitu ambacho ninaona kinaelekea kuwa Mkenya yeyote alikuwa anastahili kupewa kitambulisho moja kwa moja kama vile wengine wanavyopata.

Com. Kavetsa Adagala: Pendekezo lako ni nini?

Mohamed Saidi: Pendekezo langu ni kwamba raia wote wa Kenya wapatiwe haki sawa na wengine. Kwa sababu wengine ni lazima wafanyiwe vetting na nini na kupewa masharti makali. Mfano wa vetting umetokia sana hasa kwa Waislamu. Unapo wakilisha jina lako una mabiwa mpaka ufanyiwe vetting, na tena baada ya hiyo vetting Nairobi ndiyo ita decide whether utapata kitambulisho au la. Na jambo amblo naona kidogo limeleta utofuti kati ya Wakenya.

Kadhi kwa upande waslamu anatakeleza wajibu muhimu sana, na apabo ningependekeza apewe uwezo kamilii ya kusikiliza kesi zote ambazo zinahusu Waislamu. Kwa mfano, kesi za mashamba utapata zimeenda katika mahakama ya kawaida na hali ni civil kesi ambayo ingerundishwa kwa Kadhi na isuluhishwe kulingana na utaratibu wa dini ya Kislamu. Utapata kesi zingine kama za mauaji zinapelekwa katika mahakama ya kawaida, mimi ningependekeza irudi katika Kadhi kwa sababu ikiwa na Waislamu wawili wameuana kwa njia ambae haki haikufanyika pale irudishwe kwa Kadhi isiende katika mahakama ya kawaida kwa sababu ile mahakama ya kawaida haitaweza kuamua kwa haki.

Com. Prof Ahmed I. Salim: Na ikiwa Kadhi atapatiwa kesi kama hiyo ya mauaji atatumia sheria gani?

Mohamed Saidi: Hapo kuna matatizo kweli, lakini ningependa kesi ya mauaji, yule ambae ameua akipatikana na hatia pia ahukumiwe kuwawa.

Com. Prof. Ahmed I Salim: Na hiyo ni sheria ipi? Ya kislamu au hiyo ingine? Kadhi atapewa uwezo kwa kutumia sheria gani, ya Kislamu ama yenye inatumia na mahakimu wengine?

Mohamed Saidi: Ni elewe hapo kwa kitu moja. Naomba iwe ni Waslamu wawili.

Com. Prof. Ahmed I. Salim: Waislamu wa wili moja ameuawa na mwislamu mwingine, sasa huyo aliye ua ahukumiwe kufuatia sheria ipi?

Mohamed Saidi: Sheria ya Kislamu auawe.

Com. Prof. Ahmed I. Salim: Na ikiwa na Mwislamu aliye iba itumie sheria gani?

Mohamed Saidi: Mwislamu aliyeiba kwa sababu hii si Serikali ya Kislamu kama anaweza kuhukumiwa hata kufunguwa afungwe. Hapo hatutumia Sharia kwa sababu hii si Islamic State.

Com. Prof. Ahmed I. Salim: Yani sheria ya Kislamu itumwe ikiwa ni Waislamu wanahusika tu.

Com Kavetsa Adagala: Ndoa sasa Mwislamu na mtu ambae si muislamu sheria gani itatumiwa?

Mohamed Saidi: Ndoa? Kwa Mkristo na Mwislamu, aa hiyo kwanza sheria ya Muislamu na Mkristo ni lazima hao wawili wa decide watakua upande gani? Maanake ndoa zote zinatambuliwa kwa kitabu. Either uolewe ki Ukristo ama Kislamu.

Com. Kavetsa Adagala: Hiyo ni kama kijumla lakini unajua hapa Sabatia hata Vihiga kuna Waislamu na Wakristo wame funga ndoa. Na pia hata sheria ya kuzika imekuwa ya Ki Maragoli si ya Kislamu.

Mohamed Saidi: Hao ne watu wameenda nje ya maadili ya kidini. Sasa hao si Wakristo nasi Waislamu. Ndiyo maana wanazika Kimaragoli.

Com. Kavetsa Adagala: Lakini unajua hawa? Si Wakristo wanafuata Kislamu lakini mila ni ya Kimaragoli.

Mohamed Saidi: Mila ni moja ya Kislamu na haiwezi kuchanganywa na mila ingine. Ni Uislamu ilikuja kuondoa mila ya kuabudu sanamu na vitu zingine.

Com. Kavetsa Adagala: Mila ya Kislamu hasa ni mila ya Waarabu. Ninataka ufafanue kwa sababu mara nyingi tunaambiwa tuache mila tuende kwa dini, na hata hii ya Kikristo iko na mila ya Waingereza ndani.

Mohamed Saidi: Kitu moja hapo mwenyekiti kinafaa ni kuweleze ni kwamba wale watu wasio kuwa Waislamu ndio wanachanganya na mila zingine. Waislamu mila ni moja tu, na ni Uislamu peke yake na utaratibu wake. kuchanganya na mila zingine ni haramu. Sheria kwa Waislamu.

Passporti. Wakenya wote wapewe bila kupewa masharti yeyote, kama vile tunachukua vitambulisho vya kitaifa. Isiwe kama privilege iwe ni haki ya kila Mkenya kupata bila kuwekewa vikwazo vyovyote.

Com.Kavetsa Adagala: Hii mambo ya Kislamu na ile kitu wanita personal law, na kitu wanaita mila ni kitu kinafaa kufikiriwa sana. Kwa sababu wanawake Wakislamu wanasema wanataka sharia ili wapate haki zao, kwa sababu wanaume Waislamu wamekataa kuwapa haki zao kwa Korani.

Mohamed Saidi: Mimi nitakujibu hapo mwenyekiti ya kuwa, wale Waislamu ambao wananyima wake zao haki zao ni wale Waislamu ambao hawajui Uislamu wao.

Com. Prof. Ahmed I Salim: Isiah Nyambara.

Isiah Nyambara: (Luyia Dialect)

Kwa majina naitwa Isaih Nyabera makati. Na nitatumia lugha ya Kimaragoli. Ling'ana liukutanga liakwakenya mu Sabatia Constituency, kwa kenya itsikanisa tsimu mbunyingi nubudaka na kwenya vandu vi tsikanisa tsiene yitsi. Kigira vudaka nu vugeli

Translator: There are so many churches in Sabatia constituency because of poverty and people are not educated.

Isiah Nyambara: *Avandu yava kenyeka mundu natangitsa ikanisa ave naveye na masomo ki degree*

Translator: It is necessary that for anybody to start a new church he should be educated to university level.

Isiah Nyambara: *Vandu vene kenyakanga nibatsi kuregister tsidini tsiabo noho idini yeye ave nolombi abikomiti yeye niveye vandu vadukilwi*

Translator: To start a new church you must have a Committee of able people.

Isiah Nyambara: Vandu vi likanisa vene yava, kenyekanga avemili ku vandu kutula kuvatano vave ku mwimili wasomela idini, theology.

Translator: In the Committee if they are five people at least one of them should have done theology.

Isiah Nyambara: *Ha kanisa nduliho*

Translator: I have finished with the church.

Isiah Nyambara: *Nzitsa ku Provincial Administration*

Translator: To Provincial Administration.

Isiah Nyambara: *indeve ya Assistant Chief na Chief yenyekanga ive nitovolwangwa na raia vene*

Translator: The post of Chief and their Assistants should be elected posts.

Isiah Nyambara: *Na sigira avandu vala vamanya udukana kwamiha.*

Translator: The locals know who is capable of leading them.

Isiah Nyambara: *Na mundu woyo alava nali na masomo kenyekhananga*

Translator: The person should have enough education to lead the people.

Com. Kavetsa Adagala: Enough education?

Translator: What level of education?

Isiah Nyambara: *Abe mundu wi class, waduka Form 4*

Translator: Should be educated at least up to form four level.

Isiah Nyambara: *Kwenyanga ndi avasakulu ba madala yani elders vasakulu balinda madala, makutu vave batungangwa.*

Translator: The Village Elders should be paid for their job.

Isiah Nyambara : *Kutsi ku Agriculture*

Translator: I am now coming to agriculture.

Isiah Nyambara: *uvulimi mu bulogoli mwitu kwenyanga vakuhe avandu vakwimilila mu agriculture*

Translator: We want the agriculture office to employ people to come and be in charge of our agriculture.

Isiah Nyambara: *Vave bahandikwa ofisi ya Agriculture ibeho*

Translator: They are there but they do not come to assist the people.

Isiah Nyambara: *Vandu venavo vavetsaho ligali vahinzila ta bakota kuvalolaku da. Ni vandu vakotela mu vindu viavo vutswa.*

Translator: They just go round doing their own job.

Isiah Nyambara: *Na kwenyanga ikatiba ivole avandu yava vave mu tsiofisi kuvanyolemu*

Translator: We want the new Constitution to make sure that these people are in their offices so that when the villager wants them they are available.

Isiah Nyambara: *Tsitsanga ku ndevi inene yikulu. Head of State*

Translator: I am now coming to the Head of State.

Isiah Nyambara: *Indeve inene yenyanga Parliament ive ni tsingulu*

Translator: We want Parliament to have powers.

Isiah Nyambara: *Nitsingulu tsia Parliament kenyekanga umundu wa kulanganga umimilili wa silikali yaani Head of Government, kwenya mundu uve Head of Government ave niye uva Prime Minister*

Translator: Whoever holds the post of a Prime Minister to be the Head of Government.

Isiah Nyambara: *Na mundu mwenoyo yenyeka ave na masomo ka Public Administration yaani masomo kayasomela ku bwamihi.*

Translator: That person should have done public administration in his education.

Isiah Nyambara: *Na Rais witu wa Kenya yenyega ave mundu wiga Uvutuchi, economy*

Translator: The President of Kenya should be an economist.

Isiah Nyambara: *Ku amanye ndi bu uvutuchi bwitu bwa Kenya vunyala kunyolekana ndi kandi bunyala kupangwa ndi*

Translator: So that he knows how to arrange the economy of the country and to take care of it.

Isiah Nyambara: *Na kigira kukupi kivi na mang'ana kenoko*

Translator: We have a problem because of that.

Isiah Nyambara: *Na kuchagula avimilili va Parastatal. Kenyekanga avimili vukumilila tsikampuni tsia Parastatal vachagulwi ni Parliament.*

Translator: We would like the people who are heading our parastatals be appointed by Parliament.

Isiah Nyambara: *Shigira vanyingi vatovolwa nu mundu mulala mabatanga corruption*

Translator: A lot of them are chosen by one person and that is how corruption comes in.

Isiah Nyambara: *Avandu vene yava balindanga tsikampuni yaba kenyekhanga bave bandu basomela ikasi yavo.*

Translator: Whoever is in charge of this parastatals should have gone to school and learn how to take care of that particular parastatal.

Isiah Nyambara: *Niva ni kampuni yi biashara ave niyamanya Accounting, and Commerce*

Translator: If it is anything to do with finance you must have accounts and commerce.

Isiah Nyambara: *Kuvave vandu vali vadugilu avanyala kulinda tsikampuni tsienitsio tsilete matunda mukivala.*

Translator: That is how they will be able to take care of the company and we shall have profit in the country.

Isiah Nyambara: *Kumala Ndakatsi ku kindu ndi imilimi chive muKenya National Resource*

Translator: Natural resources and the wealth of this country.

Isiah Nyambara: *Na kwenyanga imilimi chive munu vandu vagula vave vatugi vanyingi na vataka vaveku ni kindu dave. Ku kwenya umundu mu Kenya uve hasi anyoole tsiekar likomi*

Translator: The rich in this country have taken all the land and the poor have nothing. So we would like the poorest person to have at least 10 acres.

Isiah Nyambara: *Nasuvila na kenago vutswa tu.*

Translator: That is all.

Com. Kavetsa Adagala: *Umundu ave ni milimi chikulu kabisa uveye kwa chini kwa hasi hene kuve tsiacre 10 na mundu uva numulimi munene kwene*

Isiah Nyambara: Uva nakwo umunene kwene avetse ku tsiacre 100

Translator: The person who has the largest acreage of land in this country should have 100 acres.

Com. Kavetsa Adagala: *Mmanyeye avandu vave kunu vaveye ni tsielfu likomi vandi tsielfu mia moja ku kwenya, avoola*

umanye inu ni ivulogoli tsiacre likomi ni kitu kinene ni kali bandi vaveye ni milimi minenene, chio chiavola.

Musakulu avandu vavalanga Pastoralists, basomali, bamasai, batrukana novola ndi vakuvola iliaya liavo ni liukugenda venavo vave ndi?

Translator: The pastrolists the people who move around with their cows and goats, what are we going to do about them?

Isiah Nyambara: *vandu vene yava venyeka vave nivamenya mu sehemu yavo navo vahelwi isehemu yavo kandi idugana ni mituku chiavo.*

Translator: The pastrolists should be given their own area, and they can move around to be able to take care of their flocks.

Interjection: inaudible discussion.

Com. Kavetsa Adagala: *Nuvola banya vene yaba bakuvola ikivale chitu chiatula Laikipia nikiiduga Kitale. Kindi kitula yiyi kitsia ila makivukula ku kali habundu kuli Tranzoia.*

Translator: You say that they should be given a limited area but they claim they have such a vast area so do we give them that vast area or where do we put them in?

Isiah Nyambara: *Suvilanga ndi uvwiyangu vukuhelwa ikivale chiosi kinyingi batumikilanga kindu chiali cha kale akavola ndi shikunyala kuvaha ovwiyangu kuvita kivala kivele chiavo ta.*

Translator: They are speaking of the past but for today they cannot be allowed to have that vast area of land.

Com. Kavetsa Adagala: *tsing'mbe, ni tsimbuli, mbula ikupa, bandu yaba vatula Arusha bavita Nairobi chivala chiabo, Nakuru kivala chiavo, abatsia balondanga imbula, ku kalunu nubabikila umpaka tsing'ombe tsiavo tsilakutsa*

Translator: This people have a lot of cattle and they follow the rain, so if you restrict them in one area and they get to a stage whereby the rain is over but there is rain on the other side what happens. The cows will die and the people too so what do we do with them?

Isiah Nyambara: *Suvila kunyala kuvavugirira mu liaya nabutswa vave ni sehemu habatula.*

Translator: They can be allowed to move their flocks, but for the area where they are supposed to live then we will restrict them.

Com. Kavetsa Adagala: *Nyanyanji mumanyi avandi vali na maisha kandi ku lwakuvola 10 acres kumanye yavo vave luganu.*

Translator: There are people who cannot be restricted any how.

Com. Kavetsa Adagala: *Luya – Councillor Nyabera aveho? Njoo hapa mzee hamba yinu kuu, hamba wihandikitsi vamany wamoloma. Councillor Nyabera ameenda hatutampa nafasi ingine. Mulanda Reuben Andefwa.*

Reuben Andefwa:

Lita liange bananga Reuben Andefwa

Translator : My name is Reuben Andefwa

Reuben Andefwa : *Ndalomaloma kindu kuli vandu vakali*

Translator: I will talk on women.

Reuben Andefe: *Ling'ana liange liukutanga liveye ndi kuveya na vaana vitu batsitsanga ichiova kuli America kuli England ichova.*

Translator: We have our children who live this country and go to places like England and America

Reuben Andefe: *Lwabaduga iwenilila chavakolanga banyolayo mukali ma valomba naye kiselo*

Translator: When they get to the foreign country they meet a girl and get married.

Reuben Andefe: *Mwavatsa ingo yinu ma mulala kuvo noho musatsa anyala kukutsa.*

Translator: When they come home one of them dies. Like the husband.

Reuben Andefe: *Ma silikali ibola kwenyanga mukali avukuli vindu vio musatsa alindi*

Translator: When the husband passes away the Government says the women should take the property of the husband and take care of it.

Reuben Andefe: *Na inzi mbola ndi*

Translator: But I say this,

Reuben Andefe : *Kuveyeho navakali vanyingi vakola ndio mavaheywa vindu bia basatsa babo.*

Translator: There are lot of women who do that, and then they take their husbands(not clear)

Reubden Andefe: *Basi lwaduka niyakhamenya hango he vindu viu musatsa alindanga nabutswa amanya avukula vitu vieniobi matsia navyo wavo wa ise.*

Translator: What they do eventually is to take the mans property and take it back to their home.

Reuben Andefe: *Na mwana atikala tsa mwele*

Translator: They leave sons who now have no property in the home.

Reuben Andefe: *ku inzi ndolanga mu katiba mwana avukuli vindu via ise alindi, sikira mukali woyo vavula ilwany baluyia sivamanyi da*

Translator: I feel that the children are the ones to inherit the father's property, not the women; because we do not know them we do not know where they came from.

Reuben Andefe; *Liakavili, molomanga ku milimi*

Translator: Secondly I am going to talk on land.

Reuben Andefe: *Kuve ni milimi munu vandu varegister nabutswa shivali ni Title Deeds dave.*

Translator: There are a lot of people who have registered their land but the Title Deeds have not been issued

Reuben Andefe: *kuinzi mboola vandu bahelwi Title Deed butswa buchila kukula tsisendi vavolelwa bu 3,000/=, 5000/=, 10,000/=.*

Translator: Anybody who have registered their lands should be issued with Title Deeds and not asked for money because they ask for K.shs. 3,000/= to k.shs.10,000/=.

Reuben Andefe: *na vandu venevo balala navataka kali sivanyolaku kali 1,000 dave na vutswa lutsitsanga bakuvola tsia haya let 10,000.*

Translator: Some of these people are so poor they cannot afford to get the money they have been asked for. They are taken round go here and there.

Reuben Andefe; *Lilondaku na mang'ana ku vwamihi vwamihi vwi kulu.*

Translator: I am going to talk about administration.

Com. Kavetsa Adagala: He is not talking about Administration. He is talking about structures of Government

Reuben Andefe: *Inzi mboola ndi President ave butswa mulala mu Kenya*

Translator: He wants we choose only one President.

Com. Kavetsa Adagala: *Uchilache kuvoola. Wenya President atovolwi ni mikoa chitano na 25% ? kuli kave ndio kalunu.*

Reuben Andefe: President anyala kutovolwa ni mikoa 42 (boosing

Com. Kavetsa Adagala: I do not know whether you know it **Luya** *Heyi muhuli umundu umoloma munu nu mundu mula yenyine* Hiyo ni jukumu yetu kuzungumza naye. Vola kandi musakulu.

Reuben Andefe: *Mboye ndi President kwenya avuli kutovolwa na majimbo tawe. Atobolwi mulala wenyine*

Translator: He does not want Federal President. One President for the whole nation, no Majimbo.

Interjection: Long silence. Inaudible question.

Reuben Andefe: *Lindi liveye ndi lulimi lwitu lwa baluhia kadugana lube mu Katiba*

Translator: I want the Luya language to be in the Constitution.

Reuben Andefe: *Lindi liukumalitsa Kuve ni hili tsindi tsialukitsa vandu vakali na kenaga kunyi kusula*

Translator: There are some tribes in this country who circumcise their women that should be out.

That is all.

Com. Kavetsa Adagala: Boaz Natoro. *Lita lilio momolome.*

Boaz Nandolo: On the side of education, we need free education and should be compulsory.

For discipline purposes the cane should continue in our schools. People who misbehave should be caned.

Salaries. There should be a body to balance salaries. Some people are highly paid and others are lowly paid.

Medical Care: District or Provincial hospitals should be absolutely free. Death is very expensive. Mortuaries should not charge.

Job. In future we need one-person one job. Those without jobs should be registered at district level. So that when jobs are available they can just use the list to employ.

Social Services should take over the care of orphans, in order to alleviate street children problems. Also those above 70 should be put on payroll to be maintained by the Government.

Provincial Administration should not deal with the matters of the land. This should be left to the community and the village headman. The post of the Chief should be abolished, they do minimal jobs. Most of the jobs are done by the Assistant Chiefs and the village elders.

Illicit brew. Changaa na busaa, we would like this to be legalized kama Uganda. Mtu akitaka kunyua changaa ama busaa akunywe. Some areas like Nairobi busaa is licensed, but down here in rural areas it is not.

East African countries there should be free movement without passports to anybody within the E. African country unlike it is today.

Leadership qualification. The President should be a university graduate. This also applies to MP. Councillor forms four with pass and; anybody who wants to vie for the job should not resign for example if you are teacher try your luck but do not resign first.

Police. There is too much corruption in the police force. There is a lot of exchange of hands and cash between the police base centers and the court. The minimum stay of a policeman in a post/area should be less than a year to eliminate corruption.

On education and employment, the disabled must be considered first and be maintained in better institutes not ordinary like this other ones.

People with Special Abilities should be given free education and be given first chances in employment and they should have the best learning institutions than the other Kenyans.

Court cases: there are some cases in the court that have taken 10 years and above at least any case in the court should not exceed three years.

Com. Kavetsa Adagala: Some questions for you. You are saying priority be given to people with special abilities and employment. What percentage would you want employment to be? For people with Special Abilities.

Boaz Nandolo: I would not give the percentage because I do not have the figures. Otherwise----

Com. Kavetsa Adagala: They are 10% of the population.

Boaz Nandolo: At least the 10%. We could even add up to 20 because of the disability. Give them up to 20 %

Com. Kavetsa Adagala: They complain about their children a lot, because of their disability. Should there be anything done to their children?

Boaz Nandolo: The Government should take over and assist their children at least in feeding and at least anything else.

Com. Kavetsa Adagala: *Luya – Orphans – babisandu vana vavisandu venava avalogoli bakola ndi vavisandu mu*

Boaz Nandolo: The family members used to assist, but I suggest Government to take over because the income is so down.

Com. Kavetsa Adagala: The Masai are saying that they do not want the Government to interfere with the orphans because their traditional system absorbs them. This is why I am bringing this up. We easily say the Government. Katiba is about a governors and the governed, watawala na watawaliwa.

Boaz Nandolo: If we go by the majority, the orphans should be taken over by the Government, we forget the minority.

Com. Kavetsa Adagala: Which means they will not have relatives, they will not know about kinship system. You know that is what happens. The Government takes you over you are its person. You want these people to go up like that?

Boaz Nandolo: Yes. Like that.

Com. Kavetsa Adagala: Without Grandmother/father?

Boaz Nandolo: The Government to take over.

Com. Kavetsa Adagala: Okay very good I am glad you are emphatic. Manasseh Adavuki

Manasseh Adavuki: Maragoli: *Nangwa Manasseh Andavuki*

Translator: My names are Manasseh Adavuki.

Manasseh Adavuki: *Ndamoloma kutula ikulu*

Translator: I want to start with the top job in the country.

Manasseh Adavuki: *Ndenyanga President achagulwi na vandu alright*

Translator: The President should be elected by everybody, and should get 25% in the five Provinces.

Manasseh Adavuki: *Ni chama nacho kichagula mundu wenula na avuli kuva ni constituency dave*

Translator: The President should be chosen by his party and the party will send him to the whole country for an election and he should not have a constituency. He should just be voted in as a President. If he has a constituency he will neglect the rest of the country

Com. Kavetsa Adagala: The other way round. If he has a constituency he will neglect his constituency for the rest of the country. Most people are saying what you are saying but this one is saying he will neglect his constituency.

Manasseh Adavuki: *Achagulwi na vandu avukuli 5 years na kandi 5 Years*

Translator: He will serve a term of five year and another if he is elected.

Manassah Adavuki: *Watula hila kuve nu mjumbe hundi.*

Translator: Wherever he comes from, we should have another MP who will cater for the interests of the constituency.

Manasseh Adavuki: Councillors should be elected by the people. The Mayor should be elected.

Luya : *Councillors vachagulwi na baandu vene na Chairman wi Council na Mayor vachagulwi na bandu vene. Council ive na powers yi tsisenti.*

Translator: The Chairman of the Council, Mayor and the Councillors should be elected by the people and they should have the money with which they can run the Council. Money they can manage.

Manasseh Adavuki: *kutulitsa senti kuvushuru kuveya na doube kali kabili bushuru, Government, icouncil ivukula*

Translator: Instead of the Councils collecting some taxes and the Central Government collect some taxes, or the money should be collected by the Central Government and then the Central Government should give 70% back to the Council to run.

Manasseh Adavuki: *henaho mali – Education ive free and Compulsory*

Translator: We want free and compulsory education.

Manasseh Adavuki: *Ikatiba indahi kenyekha ilete tsisenti mu vandu vasome*

Translator: I know there will be a shortage of money but a good Constitution should provide money to people for them to run the education system.

Manasseh Adavuki: *nuhutsa ku University universities shikukombolina dave sigira vahelwa tsiloni ma kandi vatunga badaaye lakini ndolanga cumbersons things tied up.*

Translator: I will not complain much about the university because they provide loans. The only complaint is, there is too much red tape on the loan. They should reduce the red tape on the loans so that everybody can get perhaps his/her access to the loan.

Manasseh Adavuki: *Militu. Imilitu government vavole mundu nali hango hehe kuduga ave ni misala*

Translator: The forests, because forests bring rain people should be advised to plant trees. Anybody who has a home, if they

cut trees they should plant some more.

Manasseh Adavuki: *Tsing'ombi kadugananga Vetenary vahelwi power yukuhakisha na vandu va vetenary vene not kutsia mu administration kushila wa DO. Veterinary vasingili ku vwavo.*

Translator: The Veterinary should be in charge of the animal husbandry so that if somebody has a problem with his or her cows the Administration should not come in. It should be the Veterinary people who could take people and prosecute them.

Manasseh Adavuki: *vaana bakana mmba. Avana vakana kulunu shivaheywa mulimi dave*

Translator: In the past when a Maragoli girl got married and she came back home, she was given land. Today people do not want to give them land; but I think they should go back to the old system whereby the girls were given land. If they live the land it can be taken back by the clan.

Interjection: Inaudible.

Com. Kavetsa Adagala: Excuse me you said that we do not have any minerals. I am asking you those children who are there in the river dying there naked what are they doing? I want you to tell me orodha ya natural resources?

Manasseh Adavuki: *kuve na gold, kuve na coal,*

Translator: We have gold in this part of the country and we have coal. We can get coal.

Manasseh Adavuki: other resources *ni kuli* ----

Com. Kavetsa Adagala: I want you to tell me without saying other things. What are the other natural resources you have? I need to have a record here of the natural resources of this area. Next person.(*Luya- Umugela kuvita ha dave*). Next person, Shabali? *Manasseh aveho? Wenya umolome? Endobo?*

Endobo Mugune: I have a written document but I will only highlight. I will start with Presidential powers. I propose they be reduced but not all. The powers to be handed over to the Parliament to be Supreme.

The type of the Constitution. I propose we should have a Democratic written and Unitary Constitution.

Protection of the Constitution. I propose that the majority people to change the Constitution should be.

Interjection: Inaudible discussion.

Edobovu Mugune: Protection of the Constitution. I propose that the majority votes to change the Constitution should be 80% and not 2/3 like now. This one will emerge from and other parties can be affiliated.

Separation of the powers. That is the independence of the three arms of the Government. I propose that they should remain independent and autonomous with clear scope of operation.

Interjection: Inaudible question.

Edobovu Mugune: I want it autonomous. Political parties they should be reduced, and we look at their manifestos we should just have 2 or 3. Federal, Liberal after looking at their manifestos. We come up with the margin, so I do not think we should have 40 the way we have now. They have gone up to clan tribal parties. So we just look at their manifesto and say that this one fits in Federal, Liberal, and Democratic.

Education: I propose that education should be free at the primary level. This will allow basic education. When it comes to the exam the children with Special Abilities are disadvantaged because when they come up for the National Exam, the Examination Council times them with the normal children which is 2 hours. 2 hours for mentally retarded child and 2 hours for a normal child, that is very unfair.

Pre-school. Special Primary should ----- you find that may be after primary education you go to a pre-school they are paying this. It has become difficult for parents to take a child to a pre-school.

Employment especially in the Public Service or TSC. When they advertise the jobs, the way they employ this days is very unfair. You find that like now they have advertised. I feel that this should be left to the organizations like TSC to employ the teaches starting with those who graduated earlier, because you find that somebody who graduated yesterday is employed, and that one who graduated five years ago is left because he does not have a godfather. The TSC should employ not the Board of Governors or the PTA.

Land should be distributed equally. My proposal is everybody should be given at least 2 acres. If somebody has a big land that he is not utilizing, he should be taxed for leaving the land idle.

Finally. That was my final view. The Land .

Com. Kavetsa Adagala: Bwana Endobo you said something about political parties being a maximum of three or two, and you

even gave them names as Federal, Liberal, Democratic. What is your rationale for giving those names why only those names? Supposing I want to start a party and call it Green Party or Conservative party?

Edobovu Mugune: I wanted us to look at their manifestos and then look at their in policies and then say this one falls in the liberal, Democratic and that is what I wanted us to look at.

Com. Prof. Ahmed I. Salim. So this one is just an examples?

Com. Kavetsa Adagala: I want to be a little bit sure on free school, nursery. Early childhood education. You have said for people with special abilities, what about the others? You have said early childhood education?

Endovo Mugune: Generally we have grouped them under that, Pre-school, early childhood,

Com. Kavetsa Adagala: Thank you very much for your presentation please register yourself.

Com. Kavetsa Adagala:*Luya Kuveye na observers vanyingi na observers genya mumanye ndinanga ni kindu cha maana kuva observer sikave kumbita butswa dawwe ni kindu cha maana. Mumanye cha kuhinzila. Mulanga muti Katiba mulogoli “indagala “ Harrison Alunda.*

Interjection: Inaudible instructions.

Harrison Alunda: The office of the President should be given enough powers in order to be able to govern properly. A President without powers may find it very hard to rule the Kenyans.

Some powers like appointment to the State Co-operations should be removed from the Presidential power. Ministers and Civil Servants should not accompany the President when he is touring the country because they use a lot of money on those trips. The law should also be put in place to reduce the people who accompany the President when he goes on to official duties abroad. There should also be a law, which will stop chosen Ministers from going with the President all the time. Other Ministers should also be allowed to travel with the Head of State, and should not be more than three at one time.

The law should also allow wananchi to talk with the President at least. The president should meet with people once a week at the State House, and people should be free to ask him questions as in America.

So the President should meet his people once a week at State House and they should be free to ask him questions as the case in America where the Head of State talks to his people people who are visiting America on every Thursday. That is the day we

want to see him on TV and hear him address the people on radio. KBC. news should not be Presidential news all the time.

Land Law: People with large tracts of land should be forced to utilize the land. There should be a law which will make the people with large tracts of land be forced to utilize the land. There should be a law, which will make the people who leave the land idle to be punished at least in a court of law. If they are found not using the land for the second time, the land should be sub-divided and be given to poor landless Kenyans and give the owner a piece of land that he can manage.

Grabbed Land. There should be a law which should be but in place to return all the land that has been grabbed. The Minister of Agriculture should provide skilled staff that will teach wananchi about farming, like it used to be during colonial times.

The Government should also be providing affordable seeds to farmers to make all Kenyans play part in food production.

Chiefs Law: Chiefs should be given more powers, and landrovers to use when they are on duty. They should be given more APs, so as to be able to work properly. The name Chief is too Colonial and it should be changed to an Administrative Assistant.

They should be answerable to the DOs, whose name should also be changed to Divisional Administrators. The post of the Assistant currently should be changed and must be transferable like other civil servants anywhere in the country.

Mzee Wa Mtaa should be trained and be put on a full time employment. They should be given homes to care for and make sure that children in those homes are taken in the hospitals when they are sick, and make sure that those children go to school. They report to the Administrative Assistant. The powers should be well defined so that the issue of taking karae, sufuria, and cows should not be there anymore.

Interjection: Inaudible.

Councillors: this post should be scrapped. I have never known what they do, I do not know even my Councillor. Assistant Chiefs they should be promoted with a rank of Administrative Assistants and their sub-locations should be up-graded to full locations. They should make sure that Wazee wa Mtaa are doing their work. Wazee wa Mtaa this name should be changed to another name because most of them are not old.

Interjection:

Harrison Alunda: The other ones are Administration Assistants, maybe wananchi will choose what they want. I was just giving a proposal.

It is not the last one, please I have come all the way from Eldoret to present this.

Com. Kavetsa Adagala: Use your time expeditiously.

Harrison Alunda: There should be a law to protect wananchi from the matatus, they operate the way they want, they behave like they are another Government within the Government. They hike fares at whatever time they want. They stop wherever they want to stop; they operate without road licenses and insurance. There should be a law to ensure that matatus obey the law.

Police force. Police should be re-trained and be reinforced with new trained officers who will have to be trained in Britain or America. It might take a long time, but we might end up with a good police force, which is better than what we have today. After that we should have a better scheme of service for the police force.

Parastatal appointments. The Head of State should not appoint parastatal Heads, they should be appointed by the Public Service Commission and be taken to Parliament for approval. The appointment should not be tribal.

Tax law. Kenyans should be educated on why they should pay tax, because without paying tax we will always be poor. In Kenya today it is only the poor who pay tax, and the rich do not pay tax. Matatus should be made to pay tax plus other road users, such as buses and big lorries; the tax collected from them should be used to repair the roads.

MPs. The law should be there to make the MPs visit the area they represent once a week and talk to people they represent. The Government should put up offices for the MPs to be able to meet the people; this will make MPs have a free time when they are at home so as to be able to be with their families. MPs should be given offices in Nairobi as in the case in America, where the Senate is given a Government House, which they use, as Offices. MPs. must work from Monday to Thursday, and Friday should be a day to meet people at the constituency offices. They are paid well and they should work full time.

Com. Kavetsa Adagala: How many do you have. We shall read the rest. It is not your duty to read here.

Harrison Alunda: Pensioners should be paid well, and people who are not working or the old should be given some amount to keep them up.

KBC. Should not continue collecting TV. Licenses.

Com. Kavetsa Adagala: We want to know how many acres should one have, minimum? They were very good proposals.

Maximum ?

Harrison Alunda: Maximum can be to any size but he must utilize it. If he is not utilizing it, then it should be reduced to 2 acres.

Com. Kavetsa Adagala: Utilize your time. Msisome tuna vijana chungu nzima kwa Commission ambae watatusaidia na kusoma hii. Do not read the memoranda, present it and use your time well. We are going to reduce the time now because they are very many people okay.

Elizabeth Adavunki: Mimi ni kiongozi wa mama katika location hii. Mimi yangu nitazungunza kwa ajili ya wamama. Sisi wa mama tunateseka sana kwa maana tunazaa watoto wetu kama vijana wa nne na msichana moja. Huyu msichana anaolewa anaenda anazaa watoto, bwana anamfukuza. Akirudi kwao tena anafukuzwa halafu anaanza kuranda randa hana mahali pa kukaa. Sasa tunataka wasichana wapewe shamba kwao hata akiolewa awache shamba kule nyumbani amuachie ndugu yake mwenye wanasikilizana. Akifukuzwa kule arudi kwa shamba yake yenye alipatiwa na wazazi.

Sisi wanawake tuko na shida kwa maana tuko na watoto ambao wanaangalia tu wamama, na baba yuko pale munanunua shamba. Kila kitu kinakuwa cha wazee. Miti, majani yote ni wazee, wamama hawana chao. Wanaume wanachukua loan na mashamba kwa maana wako na Title Deed, na sisi wanawake hatuna kitu ambacho tunaweza chukua loan nacho kama Title Deed. Kwa hivyo tunasema Title Deed iwe na majina mawili. Ya Bwana na Mama.

Watoto. Tunasomesha watoto wetu mpaka form four, wengine wako na degree na hawana makazi, na unaweza kuona mtu moja anapata pesa nyingi. Tunaomba mtu kama huyu apate mshahara kidogo na wale watoto wengine pia wapate kazi kidogo, ambao watalipwa mshahara kidogo pia.

Upande wa utawala ningependa kusema hata wamama wapewe ligutu.

Com. Kavetsa Adagala: Mama sema kamili, kazi unajua hii vitu ni muhimu sana. Sema kamili pendekezo lako.

Elizabeth Adhavunki: Pendekezo langu ni watoto wapate kazi wakisha maliza kusoma. Na pendekezo langu tena ni wamama wa share Title Deed na mabwana zao. Lengine ni Magutu walipwe mshahara kwa maana wanafanya kazi nyingi.

Pendekenzo langu ni PC asiweko, kwa maana hana lolote la kufanya. Hawa Magutu na Assistant Chief wanafanya kazi nyingi na mshahara ule PC anapata ni mwingi sana na ako kule tu ameketi.

Wanawake wawe watawala, na wapate Title Deeds. Na wanawake wapatiwe U-Assistant Chief, pia na wawe ma DC.

Wanawake ndio hupiga kura ukienda wakati wa kura wanawake ndio wengi kwa mlolongo, na ukienda upande wa Parliament unakuta wanawake ni wachache. Tunataka wanawake waongezwe kwa Parliament watetee wamama.

Com. Kavetsa Adagala: Wanasema wanawake wenye kupiga kura ndio wataongeza wanawake kwa Mbunge kwa sababu ni—Kwa Bunge kuna wanaume wengi, na wamama ndio hupiga kura. Nini inatendeka hapa? Nataka uniambie kwa nini wanawake ambao ni voters wengi wanapeleka wanaume kwa Bunge.

Elizabeth Adhavunki: Wanawake bado tungali tunasema wanaume waende kwa Bunge, lakini ukiangalia wanaume hawapigi kura wamama ndiyo hupiga kura.

Com. Kavetsa Adagala: Kwa nini hawapeleki wakina mama kwa Bunge? Unajua wanawake mnachenza na vitu nyingi sana. Wanawake ni voters majority, kwa nini huko Bunge hakuna wanawake members of Parliament?

Elizabeth Adhavuki: Tunataka wanawake wapewe nominations.

Com. Kavetsa Adagala: Kitu wanawake wanafaa wafikirie you are the majority voters kwa nini MPs ni wanaume?

Elizabeth Adhavuki: Ukiangalia PC anapata mshahara mkubwa, lakini Magutu hawana kitu. Assistant Chief wawe wanapigiwa kura kama vile tunapigia Councillor. Na ikiwa watapewa kazi na Serikali basi wawe transferred. Wawe wakienda transfer kwa maana wamepewa na Serikali. Ni ikiwa ni sisi tutachagua, tutachagua watu ambae watatutawla.

Com. Kavetsa Adagala: Chief vipi?

Elizabeth Adhavuki: kwa upande wa Chief. Mimi napedekeza kwa Sabatia division wawe wa kienda round. Huyu anaenda hapa na huyu mwingine hapa. Lakini Assistant Chief tuwe tukiwapigia kura.

Com. Kavetsa Adagala: Haya umesema vizuri asante mama. Sorry tulikuliza swali kati. Kuja ujiandikishe hapa. Majina kadhaa. Wakina mama mkienda munapoteza wakati wenu. Wakina mama viongozi, Olipa na Elizabeth inafaa wakina mama wawe hapa 50%.

Maragoli:

Alfonso Ngase: *Ninzi alfonse ndevanga silikali ihenze mang'ana ka valema*

Translator: I am Alfonso I am asking the Government to look into the plight of the disabled people with special abilities.

Alfonso Ngase: *Kandi valeme valala vakwa ni mitoka na shivali na vandu vanyala kuvavikitsa ku luveka lwa silikali*

dave bakotela mukivala, kwenyanga serikali ihenzelitsi ihandike avelema venavo

Translator: Some of the people with Special Abilities are as a result of accident, and they had nobody to chase for them, so I would like the Government to build a place for them to stay.

Alfonso Ngase : *Ma kandi ling'ana lindi shichila bwamihi bwa hikulu, President, mbolanga President atovolwi ni kivala.*

Translator: Another issue is on the Presidential election. I would like the President to be elected in the whole country.

Alfonso Ngase *Kandi ndeva ndi kuli mbe ndi kwenya vana vitu hanu vave na masomo kigulu.*

Translator: When it comes to the Chief, when we are choosing them we should look for the people who are capable of taking care of the people. People with good background not necessarily with higher education.

Alfonso Ngase: *vavuli form 4 chio kindu dave. University degree*

Translator: We should not limit the choice of our people up to form four. We should make sure that our children go up to university level.

Alfonso Ngase: *vilwatsi va nyasaye vave nivatovolwi na bandi*

Translator: The church leaders should be chosen by the people. They should go to school and then be chosen by people before they take over the running of their churches.

Alfonso Ngase: *ma kandi avakali vakutsilwangwa mbola ndi shikenya mundu mukali nakutsilwi aleke mulimu gukwe atsi kugenda ilwanyi ma vana veve vavuli kunyola mulimi dave. Kenya musatsa nakutsi mukali ave hangu yaho.*

Translator: The widows. I would like when women lose their husbands, they should not leave their homes and go roaming around. They should stay at home and take care of their children in the home until they get old.

Alfonso Ngase: *Mbe namang'na manyingi dave kange nago.*

Translator: I do not have much that is all what I have today.

Com. Kavetsa Adagala: *Asante ku kovoye tanga ulindi mukali ukutsiwi, na musatsa ukutsiwi?*

Translator: You have talked about the widow what about the widower?

Alfonso Ngase: *Musatsa na kutsiwe ave hango yaho mpaka alet mukali wundi mu nyumba mumwe*

Translator: When a husband loses his wife he should marry another woman. (end of tape 3).

Com. Kavetsa Adagala: *Nitali musakulu avana nivaveye vati lwa mukali hundi aletwa vanyangana sana kadukana*

ndi?

Translator: When the children are young and the stepmother is brought in the children end up suffering what do we do about that?

Alfonso Ngase: *lu mukali akutsi ma masatsa utikale amali mihika 12 kwa leta mukal hundi.* (laughter)

Translator: When a wife dies I recommend that the man should wait for 12 years and then he can marry another wife.

Com. Kavetsa Adagala: Haya asante sana. For the sake of children isn't it? *Haya sande hamba wehandikitsi yaha ndinanga. Elisha Muhali? Yee hugira tsa vudinyu kuhulila.*

Elisha Muhali: (Luya)

Lita liange ni Elisha Muhali

Translator: My name is Elisha Muhari.

Elisha Muhali: *Ndakavoye kuluvega lwa President, yahevwa madaraka kava manyingi. Yu singilili Majeshi, Yu singilili Police, na vindu yevo vyosi*

Translator: On the issue of the President, I say the President has so many powers.

Elisha Muhali: *Kundakavoye tsikasi tsindala tsiduli kuye tsiheywe public.*

Translator: I would like the Presidential powers cut down and given to the Public.

Elisha Muhali: *Liakavili avandu vaveye vatuchi vavukula mashamba kosi kali ga settlement scheme na kunye vataka kuve butswa*

Translator: The rich people have taken over all the land in this country which was settlement land, and the poor have been left without any land.

Elisha Muhali: *Ndakavoye milimi chenecho chituliyo chive ku silikali. Silikali vave navo balinda milimi chenicho niva mundu yenya kukodesha, akodesha butswa naya atungange silingi ku selikali*

Translator: I would like the Government to take back all the land so that if somebody wants to rent the land they rent it from the Government. The land goes back to the Government.

Elisha Muhali: *Lindi maofisa ka silikali kaveye ni tsikasi tsinyingi kuli anyala kuva mubunge ave director nindi tsikasi*

tsindi tsinyingi, kenyekana tsikasi tsila tsigehitsiuku avavula tsikasi banyoleku

Translator: Some of the top Government officials have too many jobs. They are MPs, Directors, some of their jobs should be taken away from them.

Elisha Muhali: *kuli silikali bagabulanya tsiprovince, tsindale shitsili nende habundu da na milimi chibeye minyingi mu tsi area tsindi tsiosi.*

Translator: Some of the Provinces do not have any land where they can practice agriculture. Like in Western Kenya, that is why we end up being very poor.

Elisha Muhali: *Kenyekanga Provincial vaheywiku milimi cha vanyala kukolaku kilimo kusudi bahelwiku mulimi.*

Translator: I would like the people of Western Province to be given some Government land so that we can practice agriculture.

Elisha Muhali: *Kuliveka lwi kortii kunyi avataka nutsili mukorti ma utevwa leta--- na ive uve ni kindu da ma vakuhila mu kolokoloni, shivakuhaku habundu ha anyala kuprotecta badaka.*

Translator: In our court rooms the poor do not get hearings, because unless you have money the court will not serve you, so they just lock you up.

Elisha Muhali: *proposal iveye ndinangwa government ikukonye kunyi abadaka hakuva nikunyolela bukonyi*

Translator: A person who can correct you.

Elisha Muhali: *ikorti ilombe havundu hu mudaka anyala kulila niva vu uvuli kukolelwa bulayi.*

Translator: He would like the Government to provide help so that the poor people if they go to court and sometime the judgement is not fair, where they can go and appeal.

Com. Kaetsa Adagala: *Wenya Advocate, agenago kuhuli , wenya wakili aveho?*

Elisha Muhali: *Wa badaka.*

Translator: I would like the Government to provide legal aid for the poor.

Com. Kavetsa Adagala: *Na kandi venya mundu wu mudaka anyala kutsiaku avole mang'ana kenaga. Wakili kuhandiki. Wenya umundu wa vandu batsiaku mang'ana kakulekele, chief ahula dave, ikorti ihula dave, polise vahula dave, wenya vuchaniti?*

Elisha Muhali : Yee!

Com. Adagala : *Sigila wali nuvove nikugiri mundu wa mundu anyala kutsiaku ambole budinyu vuvye.*

Translator: I would like to have somebody we can turn to if the administration is not helping the court. Somebody I can turn to and advise me on what to do.

Elisha Muhali: *kwenya silikali irecorde abadaga mbula vakuha gu kasi. Sikila vandu vave kumadaraka yabo vavukula tsa baana vavo nivavikha ku tsikasi na vetu nivagunza vutswa yaha.*

Translator: I would like the Government to register all the poor children who have finished school so that they can give them jobs since the rich just dish our jobs among themselves.

Com. Kavetsa Adagala: Inaudible. Aligula?

Alex Aligula: (Luya)

Lita liange ni Alex Aligula. Ndamoloma ku tsinyimbo, Music ma molome ku mihanda chio mulusomo na maendeleo kachio.

Translator: I will speak on the subject of music, community group, and development.

Alex Aligula: *Ndakayanzi tsinyimbu tsia nombanga tsivuli kwivwa*

Translator: He composes songs and he is complaining about piracy.

Alex Aligula: *Bunyingi mbolelelwangwa kulombe lwimbu kulondekana ni topic Fulani. Ndakayanzi tsinyimbu tsivikwi mu malako ketu ga Kenya.*

Translator: Once it is entrenched in the Constitution that music piracy should be stopped. They need to be protected and also need to be consulted.

Alex Aligula: *Vikundi vi mikanda mulusoma. Ndangayanzi imikanda banyala kunyolaku mu abalina bu kuvakonya*

Translator: I would like the CDO to try and generate their own money, and look for people donors to give them money rather than depending totally on the Government.

Com.Kavetsa Adagala: *Wenyanji vindu via development? Sande wakamoloma ku mang'ana ga Culture yaha nuvulahi. Kamati turifurahi sana mulileta watu with Special Abilities, lakini upande wa wanawake tunashangaa sababu inaonekana wetu wanazaa Wa Maragoli hawako hapa. Nani anazaa watu wa sehemu hii? Wakina mama munataka kuongea. Wakina mama kawaida tunawapa nafasi; Mwavalekela tsigasi tsiosi vanyole vwiyanu. Yikali ku benchi yiyi. Margaret Kibisu. Na wengine wanaume munafaa muone aibu kwa wale wamemuzaa.*

Margaret Kibisu: My name is Margaret Muhonja Kibisu from Busali East Itegero.

Margaret Kibisu: *Yinzi ndakayanzi kuvola ndi kuli vwamihi vwetu noho kuli kwenyanga kivala chitu cha President kuve na kiligali, vandu vakupiri tsikura President wavo wavayanzi.*

Translator: On the issue of the Presidential election I would like the people to vote for a President of their choice.

Margaret Kibisu: *uvudinyu vuveye ndi sigira nikuhenza mutsisoma or mutsieria noho mu constituency tsietu kuve nuvuyanzi kunyi kutovola President wakuyanzi.*

Translator: Mothers go through a lot of sufferings so they would like if they have elected a President the President looks at their problems.

Com. Kavetsa Adagala: *Manyi vudinyu ni kindiki sikutovola ndionanga vuli diku?Kuvudinyu vuveho dave.*

Margaret Kibisu : *Kwenya maendeleo kwa sababu wamama ndio tunaumia. Kukumanya kwenya ndi President kandi ahenza ku wamama*

Translator : The mothers go through a lot of suffering so they like when they have elected a President. The President looks at their problems, the problems of the women

Com. Adagala : Heshima kwa mama mbele ya Katiba munaweza kuwanyanyasa huko nje lakini hapa heshima kwa mama.

Margaret Kibisu: *Liakavili kunyi wamama kugelitsanga kuli Sabatia kwigitsanga avaana vitu bakana kuvayayi kumanya imiluka chaliho kutika vakulu mutsihili, mukana noho muyayi chianyala kuletana bambotso noho vamwabo dave.*

Translator: We are instilling in our children in Sabatia that boys and girls do not marry their relatives.

Com . Adagala : *Kuwenya ndi?*

Margaret Kibisu: *Kunyi vakele kukunza na vana kuvikitsa. Pendekezo ive ndi serikali ikukonye sigira unyala kunyola vana vala vayivulwa kuvambotso makaloleka vana vene vala vanyala kulekwa ma kaloleka ndi ukulokoloko kwene kula lwakwivisa mbandu vitu ma mima chiva midamanu.*

Translator: The children who are born have a problem in our society. I would like to ask the Government to help us with any such children. When children are born out of such a union we would like the Government to assist such children because they are outcasts.

Com. Adagala : *Hula still wenya ndi?Wenya silikali ikole ndi? Ndakukaya utatsa ku yaha ovole nyenya silikali ikukonye dave. Uvole cha wenya silikali ikukonye.*

Margaret Kibisu *Selikali ikulombele tsisikuli tsia orphans tukuwe nazo kwa wingi.*

Com. Kavetsa Adagala: Hayo si orphans umetaja?

Margaret Kibisu: *Liakavaka kuve ni shida sigila kaloleka civil servants lwa va-resign or lwa va-retire still unyola valombi inzila yu kwenya kandi vilane ku silikali ivahe tsigasi.*

Translator: A lot of civil servants after retiring go back to the Government, and the Government gives them jobs.

Margaret Kibisu: *Makaloleka ndi kunyi vakele vakusominya vana kuve ni tsishida, kuve na vana vasoma na tsigasi kaloleka tsivula.*

Translator: Since these jobs are taken over by the retired Civil servants then our children who have been to school do not have an opportunity to get the job.

Com. Adagala : *Wenya ndi?*

Margaret Kibisu: *Niva-retire vave hango vatake majani vakolemu igasi.*

Translator: We want them when they retire they go back home, plant tea and do work in their homes, and not go back to work.

Margaret Kibisu: *Councillors kuchagulanga kuni vakele na mulolongo. Na kunyi wamama nikuyanzi Councillor, atsitsakilili kukola igasi. Na silikali Ikuhenzelsili sigila councillors kwenya vave vandu vaveye educated.*

Translator: We are the ones who choose the Councillors and if we want them we take them back. We want the Government to make sure that this people have good education, at least form four level.

Com. Adagala : (inaudible)

Margaret Kibisu: Form Four level.

Translator : Our Councillors should be at least Form Four level

Margaret Kibisu : *Shachila mbole ndio sigila kuve na balala vatsitsanga ma valeta mu corruption ili tupitie mlango wa nyuma ndio wakunyanyaze.*

Translator: Some of them go in and start a lot of corruption, so we have to go through back doors and pay bribes, they bring

corruption to the Council.

Margaret Kibisu: *Ku lwako silikali ikukonye Sisi wamama ndiyo tupate viti vya Councillor.*

Translator: We would like the Government to help us so that we get into the Councils.

Com. Kavetsa Adagala: Inaudible question.

Translator: How do you want the Government to help us as women to get in into the Council?

Margaret Kibisu: *Silikali ikukonye sigila kunyi vakele valala kali kwasoma. Silikali ikukonye ngwingiliku mu Council.*

Com. Kavetsa Adagala: *Vakele yivo vakupi tsikura, nivenya vandu vakali vingili mu Council valingila, silikali inyala kwitsa kukupi tsikura da. Simbe munyi mukupi tsikura? Mutondo lulani? Abandu bakali sigila gi sivaveye mu Council?*

Margaret Kibisu: *Umanyeye vakali vanyingi vave nu-vivu na wengine, ma kaloleka the Majority is men.*

Com. Kavetsa Adagala: inaudible.

Margaret Kibisu: Tunataka kina mama tuwe kwa Council, tuwe kwa siasa kama wanaume. Sababu wanaume wanatuachia kazi halafu sisi wamama masomo yetu inakuwa tu hivo.

Translator: We want the women to get into the council and be politicians like the men, because the men step on us. We would like to have those positions too. That is all.

Com. Adagala : (inaudible) Haya, *avola mwononyinga igasi yeye(inaudible). Lita lilio?*

Elizabeth Elamwenya :

Lita lia bananga Elizabeth Ilamwenya

Translator : My name is Elizabeth Ilamwenya.

Elizabeth Ilamwenya : *Indi maoni kange ndolanga luveka lwi Buluyia inu vakele vave ni tsishida. Nuhenza vakele vaveye na vitsiukulu banyingi mu tsinyumba yumu.*

Translator: On my side I see a lot of ladies in this part of the country with a lot of problems. They have a lot of grand children in their houses.

Elizabeth Elamwenya: *vana lwa vavetsa vakanyola mulina nu mwana muyayi isaa yindi unyala kuhila na vambakhane*

mwana nu wavo da na nu wavo.

Translator: Sometimes this Grand children get a child and when you take these child to the boys home, they say this child does not belong to them.

Elizabeth Elamwenya: *Silikali yavola iti mundu niyivuyi numukana mwana bamukhalange mushara nabasominyila mwana mwenoyo ndola malako kenako kilanyinyi ho.*

Translator: I want when somebody has a child, if they are working the salary should be deducted towards the upkeep of that child.

Elizabeth Elamwenya: *Sigila vamama na vaguka vasominya vana venavo vatuka mpaka ku secondary kukuli vana venavo kunyola tsigazi nubudinyu.*

Translator: The Grand parents educate children many times upto form four; but then at the end of the day this children cannot get jobs.

Elizabeth Elamwenya: *Ku nyenyanga silikali iganagane ku vana venavo sana ivahe tsigasi*

Translator: I want the Government to consider these children and give them jobs.

Elizabeth Elamwenya: *Sigila valenya kumanya mwana inuyu hahundi yasominywa nu mwibuli alalola ni mama wewe noho kuku wewe utunga schoolfees.*

Translator: They should consider the fact that the grand parents have educated these children.

Elizabeth Elamwenya: *Ni yako ndio kadushi.*

Translator: That is all.

Com. Adagala : Asante, kandi kavulaho? Ling'ana linene liuvoye kali mbuli buli mmba mang'ana ko kavemu. Sigave ndio? Haya sande. *Ulonduku ni vwaha? Jenifer?*

Jeniffer Efedha: My name is Jeniffer Efeza – Budaywa Sublocation.

(inaudible) *Ikatiba ya Kenya.*

Translator: My views are on the Kenyan Constitution.

Jennifer Efedha: *malako gitu ga Kenya, Kenya yalomba vyama vinyingi 44 na kenyeka vive vyama vivaka.*

Translator: Kenya has 44 political parties but I feel they should be 3.

Com. Adagala : *Umanyeye mukele Kenya yalomba ivyama dave, vaandu valomba ivyama.*

Jennifer Efedha: *sigila malako ka vandu valomba kuva vandu vanyingi mu Bunge navo vononyinya silikali kunyi avakele kuhumiya sana sigila sikuveku kuli kunyala kwikonya dave. Unyala kunyola. Kuli mwiduka liduka lya Moi aku*

Translator: We have a lot of problems because whatever shop Moi goes to shop in, you have to go and shop in it and it becomes too expensive for the ordinary person.

Jennifer Efedha: *Kenyinga vakulombeleku kunyi avaveye avaminikhu vagehelu mbindu, vakulombele maduka gitu gakunyala kukulamu*

Translator: Could we have subsidized shops where the poor could shop.

Jennifer Efedha: *Tsisikulu kuve na vana vageli vasoma vulahi ma vavita. Ifisi idaka nunyola*

Translator: The poor parents have children who perform well at school but when they have to go on with education there is no fees for them to continue.

Jennifer Efedha: *lienya litu lili ndi vana vadaka vasominywi na serikali mpaka vanyole ku tsigasi.*

Translator: We would like the Government to take over the poor children so that they continue with their education and be able to get jobs.

Jennifer Efedha: *Kandi muno ma-donors katula echiova venya kukukonya vadaka na lwatsidukanga kukotwa tsikotela hayi da.*

Translator: Donors bring in money here to help the poor but when the money gets here it never gets to the poor we do not know where the money disappears to.

Jennifer Elamwenya: *Kuvenya kandi kuvahe tsisenti na kunyi kuveku nitsisenti da*

Translator: They ask that people give them money before they can release any money to them.

Com. Adagala : *Vwaha ateba tsisenti?*

Jennifer Efedha: *Donor da, avandu vatuma vahinzili kuli vanga munyi ndi.*

Translator: The NGO asks to be given money before they can release any money to the poor.

Jennifer Efedha: *Havulemelu vwetu vuveye kuve vugila kindu. Vulwaye vwayitsa vwa ukimwi ma vakutangasila vimila vyayitsa vya ukimwi, ni tsisilingi 5,000/- na kuveku ni silingi kali likomi dave.*

Com. Adagala : *Wenya ndi:*

Jeniffer Efedha : *Kwenya vakuhe vutswa tsinyasi tsienetso sigila ukimwi ni bunyingi*

Translator: There is a lot of AIDS around. People cannot afford the drugs the drugs are too expensive; can the Government give these drugs to people free, for them to be able to survive.

Jeniffer Efedha: *Mulimi- kunyi kwenya machani kutage nuve ni tsisenti da, vavola machani ki loan na venya uhane tsisenti na uvula tsisenti unyala kunyola ndi machani kenako?*

Com. Adagala : *Kuteva wenya ndi?*

Jeniffer Efedha : *Vakukonye vutswa machani.*

Translator: Some of the poor people would like to plant tea, but they are told you have to bring money to buy the seedlings, can the Government arrange to give the seedlings free so that they can plant tea and maintain themselves.

Com. Adagala : *Umali. Okay Linda kuteve tsa kidogo*

Jeniffer Efedha: *Silikali yitu yakulombela kweli kulunu vakele bahinzila vana vakana vahinzila vasakulu vahinzila navutswa kuveku ni ofisi ya vakele da. Kuli DC aveye yaho wa bakele ngotwa subchief aveye ni ofisi ya vakele, DC aveye ni ofisi ya vakele?*

Translator: We would like the Government to give women their offices, so that when women have their problems they can complain to their fellow women; because men do not listen to us when we go to them.

Jeniffer Efedha: *Kutula ku likutu mpaka subchief mpaka chief, DC mpaka kutsia imbeli*

Com. Adagala : *Umanyi ilani yeniyi ifwela ku President . Kuwenya kandi President?*

Jeniffer Efedha: *Kali President ave mukali*

Translator: We would like to have the women offices, right up to the top of the ladder.

Com. Kavetsa Adagala: *Okay nya nguteve liteva lindi*

Translator: I want to ask you a question.

Com. Kavetsa Adagala: *Uvola ndi serikali ivukuli vana vadaka ivasominyi?*

Translator: You want the Government to take over the children and educate them?

Com. kavetsa Adagala: *Umanyane umwana navukulwa ave wa silikali kwalaviluka umundu wa silikali siava na kuku na senge dave. Ku kadukana kuhenze inzila ya silikali ikonyelamu. Nitali kandi ya kuva nu vwiko vwenuvu. Ukanakanyinyi ling'ana lieneli.*

Translator: You know, when the Government takes them over totally then they have no association with their grand parents:

the family is not there any longer. Can we find a way of assisting these children without removing them from the family.

Com. Kavetsa Adagala: Noel Limonya. *Vola lita liolio*

Noel Limonyo: *Lita liange bananga Noel Limonya. Lienya liange liandolanga ndi ku katiba yitu ya kalunu kuvuye nuvuminiku kunyi vakele.*

Translator: The way I see our current Constitution women have a lot problems.

Noel Limonyo: *Kunyi vakale vana vivula mu tsinyumba tsitu. Lienya liange live ndi umwana niyibuyi kumuyayi muyayi mwenoyo lazima avukuli mwana mwenoyo. Natambukula dawe amulindi ku tsingulu*

Translator: Our children and our grand children have children out of wedlock. I would like to say that these children should either be taken over by the fathers, or the fathers should be forced to take care of their children.

Com. Kavetsa Adagala: Luya. Umanye na vana vayayi venyine avivula ku vakana dave valala na vandu vasatsa vahindila vandi na vasakulu.

Noel Limonyo: *Kandi vasakulu vene yabo kandi kaveye tsa ndio. Nivivuyi ku vakana lazima vavukuli mwana mwenoyo valindi.*

Translator: Whether it is the young man or an old man who has had the baby, they must take care of their children.

Noel Limonyo: *Numwana muyayi noho mba mwana mukana anyala kuvukulwa avahilitswi havundu mwana muyayi mwenoyo amuhili, avukula mihika chivili ma mukunga ma kaloleka mwana mukana mwenoyo yatsa kukumina hango. Lienya lianje liveye ndi amubukuli ku tsingulu noho mba amuhe imali ma vavukane.*

Translator: Some of these young men marry the girls, and when they get there after two years they tell them to go back home. So I would like these boys to be made to stay with these girls, and if they have to leave they have to be provided for.

Noel Limonyo: *Kulivika lia vandu vakali kuve nilivika avandu vasatsa venya dave. Na kunyi vandu vakali kuvola ndi kenyekana kwiviki ku mufano kwosi kuveho.*

Translator: Men complain about our mode of dressing sometimes but we women feel that we should dress the way we want. They should not criticize our mode of dressing the fashion. T\

Noel Limonyo: *Suvila kaduchi henaho.*

Translator: That is all.

Com. Kavetsa Adagala: *Mundu atsi lukali hi noho naleti mukali selikali ivola ahandikwi vamanya vahandikitsa? Sigila uvola ndinanga vandu vatsitsa mavakungwa ku mihika chivili.*

Translator: When one gets married the Government says the marriage should be registered; are you complaining about people who have registered their marriage?

Noel Limonyo: *vavetsa vakili kuandikitsana ma vakungana.*

Com. Kavetsa Adagala: What would you like?

Noel Limonyo: *Lienya liange liveye ndi. Kali vave nivakili kuandikitsana dave kuduka muyayi avukuli mukana ku tsingulu.*

Translator: My advice is whether they have registered their marriage or not. This boy should be forced to take this girl.

Com. Kavetsa Adagala: Haya asante mama. Vwaha uveho kalunu?

Belenda Kanyasi: *Inzi bananga Beleneda Kanyasi ndula vukina sublocation*

Translator: I am from Bukina sublocation

Belenda Kanyasi: Inzi mbeye mama wa vandu yava vakali nende basatsa

Translator : I am the mother of these people both men and women

Belenda Kanyasi : *Na lwanzivula vandu yava ndi nzivula yengo kienyeji na Rais witu yali niyavola kuandikwa kuli wakunga ma kwaandikwa kuli wakunga kwatrainwa na kukunya vakali mutsisoma na kuveku nende hakunyolaku isabuni dave.*

Translator: We are trained as traditional birth attendants. We help a lot of women in the village at childbirth and nobody gives us anything. We are registered with the Government but nobody pays us.

Com. Kavetsa Adagala: Nobody gives anything with which to buy soap.

Belenda Kanyasi: *Kutula 1985 kunyi kukolatsa igasi na kuveku ni kindu chiosi dave na kali President mwene suvili kandi yivulwa kandi kienyeji. Vandu vaveye vingi vivulwa kienyeji.*

Translator: We have been doing this work since 1985, even the President himself must have been at home and a lot of these people here were born at home.

Belenda Kanyasi: *Kuhenaha ndi lienya liange livola ndi ling'ana yili livikhwi mu Katiba yitu bakonyangeku avakele vakonya vandi mumatala.*

Translator: I would like it enshrined in the Constitution so that the birth attendants are assisted.

Com. Kavetsa Adagala: *Umanyane mukele akuve hanu nivi mwene ubola kuli mutukana mukonywi*

Translator: You did not tell us how you want to be helped.

Com. Kavetsa Adagala: *Yivi nio ukuvola sigira nivi ukola igasi yeneyo.*

Translator: You have to tell us because you are one who does the job.

Com. Kavetsa Adagala: *Silikali ikutumi ku yivi ukuvole.*

Translator: The Government has sent us to you, so you have to tell us what we go back and tell the Government.

Belenda Kanyasi: *Kunyi kuli enya litu avakunga kuvola vavititsi vakuhetsagu kindu. Ndavola, vakuhe mushara.*

Translator: We would like to be put on salary.

Belenda Kanyasi: *Nukwivula mwana mukana anyolu mwana mmba noho mba avahili ku mundu fulani lwavahila.*

Translator: When I have a daughter I educate her then she ends up having a baby without getting married or she goes with somebody.

Belenda Kanyasi: *Omwanange lwatsitsa ku mundu ula sasa amanya vava nangaye noho mihika chitanu, chivili, chine ma mundu ula kandi amukunga, nutsia ku silikali ikukonye ma vavola kenyeke vave nivakola harus.*

Translator: When they come back home, when they are thrown out of their homes after five years, the Government says we cannot help you because you did not marry legally.

Belenda Kanyasi: *Ku kunyi kuvola si vave vosi vakola harus dave registra dave nivayanza mu katiba yitu umundu nakoli ndio atungi umukana ula tsing'ombe tsia yali akweyi.*

Translator: Not everybody who registers his or her marriage, so we suggest that in the new Constitution when a man lives with a woman for five years and throws her out, dowry should be paid.

Com. Kavetsa Adagala: *Umanyane kindi kiveho cha silikani idukana ikole, na cha Raia adukana akole uluveka lu kuletana kadukana umundu atsi kuhandikitsa.*

Translator: When somebody gets married, they should register their marriage according to the law.

Com. Kavetsa Adagala: *Niva Llako liveho lia silikali avandu batsitsa kuhandikitsa na yivi uvuli kukola llako lia silikali sigila ki silikali ikukonye.*

Translator: If you do not follow the law and register your marriage how do you turn back to the Government and ask them for help. (end of tape 4 A).

Com. Kavetsa : *Kuhandikitsana kienyeke ni kindiki mukel mbolaku ivulogoli?*

Pendekezo.

Belenda Kanyasi: vavolana ma kandi akunga mwanovo vugira

Com. Adagala : *Vola vugira maelezo, pendekezo?*

Belenda Kanyasi: *Mbola ndi amakutu kave ni gasi inyingi kanyole mshahara. Na chief kandi vatsitsangeku transfer.*

Translator: Village elders should be paid their salaries and Chiefs be given transfer.

Com. Kavetsa Adagala: Elizabeth. Your second name.

Elizabeth Liganyo : Liganyo

Elizabeth Liganyo: Mimi mama nasema hivi. Upande wa mama, kama mimi ni mhubiri.

Com. Kavetsa Adagala: Soko ambayo iko nyuma tafadhali muende nje muzungumze kidogo. *Ma mukilanage navutswa nuveye munu uchiling'ana.*

Translator: Like me I am a preacher.

Elizabeth Liganyo: Kwa hivyo kukiwa mimi ni mhubiri, upande wa kina mama tumebaki nyuma sana. Watu hawataki kuona mama amesimama mbele anahubiri. Wengine kama wanaume wanasema mama anaweza kukuhubiria namna gani?

(Translation in English I have taken it as repetition.)

Elizabeth Liganyo: Kwa hivo tunataka wamama na wazee tuwe kitu kimoja kwa upande wa mahubiri. Tena upande wa mama sisi wamama ndio tunakaa na watoto. Ukienda hospitali madawa ni bei kali sana; sasa saa zingine unarundi nyumbani na matoto akiwa karibu kufa, kwa hivo tunaomba hospitali ya Serikali irudi.

Com. kavetsa Adagala: Mama hospitali ya Serikali itafanya nini? Uzuri wake ni nini?

Elizabeth Liganyo: Uzuri wake ni ati tulikwa tunapata matibabu ya bure na ndio tunataka waturudishie. Ukienda hospitali ukiwa na mtu mgonjwa wanakwambia utoe deposit. Na mtu anakufa na unarudi kulipa deposit, na wanasema amechelewa kupata dawa kwa hivo hiyo deposit watoe. Nimefika hapo.

Com. Kavetsa Adagala: Nataka kuuliza mama muhubiri anakosa nini ambao baba mhubiri anayo? Usiniabie alizaliwa mwanamume kwa sababu hiyo ni mambo ya ujira.

Elizabeth Liganyo: Wamama, sisi ukisimama mbele ya wanaume.....

Com. Kavetsa Adagala: Kwa nini wanakataa?

Elizabeth Liganyo: Hatujui kwa nini wanatukataa kwa sababu sisi zote tuko pamoja. Madharau wanao. Madharau tu ndio wanatufanyia, lakini course tunaenda pamoja.

Com. Kavetsa Adagala: Mwingine.

Elizabeth Lisiki: Ningependa kutoa maoni yangu ya kwamba sisi wahubiri tunashida juu ya kitu kimoja. Serikali pamoja na makanisa tunaomba amani katika nchi yetu. Sisi wahubiri shida zetu ni vile tunaweza kusomesha watoto wetu na vile tunaweza kujisaidia katika maisha yetu; kwa sababu huwa hatulipwi kitu cho chote, bali tunafanyia Mungu kazi, lakini nyumbani watu wanaumia.

Tungependa Serikali ifikiriye vile tunatembea pamoja, na tunakaa pamoja kwa maombi watufikirie

Com. Kavetsa Adagala: Nimesema mara nyingi sana, Serikali imetutuma kwa wewe utuambie mambo yako na pendekezo. Umesema Serikali itufikirie tutaenda na nini tutaenda na zero? Sema vile unataka.

Elizabeth Lisiki: Nataka Serikali kama tunafanya kazi kitu ki-moja ifikirie kutupatia kama sabuni, ili ama itupe mshahara ndiyo tuweze kusomesha watoto wetu.

Watoto wetu tunao, tunawasomesha lakini zile viwanda za kosi hatuna upande huu wetu kwa wingi. Yani pahali watoto wanaweza kufanyia course hii inatubidi tupeleke watoto mbali na hiyo ni pesa. Kama hauna pesa yule mtoto anakaa nyumbani na hiyo masomo yake inakuwa ni bure hata bila kazi hapo tunaendelea kupata tu shida.

Pendekezo langu la tatu ni kwamba tuna wazee wale wakongwe wale wenye hawajiwezi, tungependa serikali iwafikirie kwa sababu nchi zingine kama America kuna mahali hao wazee hupelekwa wanaishi huko na kusaidiwa. Hawa wazee wanaweza ishi maisha marefu na kusaidia Serikali yetu na maoni.

Oni langu lingine ni kwamba sisi kama wamama tunafinywa sana, ukizungumza wazee wanaonyesha madharau. Kwa Serikali kunafaa wamama wapate kazi, ndio wasomeshe watoto wao, na waweze kupanga nyumba. Nyumba yote ni mama tu. Sasa Serikali itufikirie wamama vile tunaweza pata kazi na kupata mshahara kidogo na kujisaidia nyumbani. Nimemaliza.

Com. Kavetsa Adagala: America wana utamaduni wao na huo utamaduni unaruhusu uchukwe baba yako. Kama vile mnajua mimi ni na baba mkongwe ni mpeleke aishi kwa home ya wazee, kama Mji wa Huruma, kwa mila yetu itakuwa je? Tukichukua mfano wa America tujue wao wana mila tofuati. Nataka kujua hiyo mila itaingia je na yetu. Na pia wanalipa. Watoto wanalipa

ndivyo nyanya akae huko. Lakini kwa mila yetu tukitaka pahali kama hapa, itaingia je kwa mila yetu?

Elizabeth Lisiki: Vile itaingia kwa mila yetu. Ni kama vile Serikali inaendelea kutu jali na vile mmekuja tuwaelezee maoni yetu. Serikali ikielezwa shida za hawa wazee wakongwe, wanaweza kukubali na hiyo ikubaliwe.

Com. Kavetsa Adagala: Kwa mila yetu unalea watoto nao wakulee. Kwa nini unataka kutupa wazazi wako kwa Serikali?

Elizabeth Lisiki: Sio kutupa ni shida nyingi. Mzazi alikulea vile alikuwa na nguvu, na shida yetu ni ya kwamba watoto hawana kazi, sasa hata ukiwa na mzazi nyumbani anatakiwa alewe, na wewe huna kazi unaweza kumlea vipi?

Tereza Lukalo: Mimi ni mwana chama wa Maendeleo ya Wanawake Sabatia. Mimi kwanza ni kiongea upande wa wamama wapatiwe haki yao. Wakipata kibali kama Title Deed iandikwe jina la baba na mama, na hata next of kin; mtoto akiwa ni msichana moja na kijana moja.

Upande wa mayatima. Wawekewe kiasi fulani cha pesa cha kuwasaidia. Hapo nyuma mtu alikuwa anakufa, ndugu yake ama mtu wa ukoo anamrudisha kuishi kwa hiyo nyumba ndivyo atunze hao watoto. Lakini siku hizi, kwa sababu ya magonjwa hakuna kitu kama hicho. Kwa hivyo hiyo ni mzigo ambao Serikali inafaa ichukuwe na ijue hao watu wataishi namna gani.

Mashamba ni madogo na watu wanaendelea kugawia watoto wao. Zaidi wale wamama ambao mabwana zao wanakufa. Ukiwa na watoto watatu ukitaka kugawa shamba gharama ni juu sana. Nataka hiyo malipo ipunguzwe. Hiyo matoleo yote ya tax itolewe mtu anakaa miaka 20 bila Title Deed kwa ajili ya gharama.

Upande wa kazi. Vijana wetu wengi wamekaa bila kazi na kila mwaka watu huenda retire na retrenchement; sasa hizo nafasi ambazo watu huacha, wakati wanaenda retire kama ni 20 waandika hapo vijana 10.

Mashamba hapa kwetu Sabatia ni madogo sana, na watu wame shindwa vile wanaweza kulima na kugawana; tunaomba kama wanaweza kupata mikopo ya rahisi, ile wanaweza kulipa haraka na ndio tuone kama uchumi utainuka.

Watoto wenye wanasoma ni wale wazazi wao wanafanya kazi. Wale wazazi wao hawafanyi kazi hawasomi, kwa sababu hakuna fees. Sasa tunaomba kuwe na shule za kuhudumia watoto ambao wanajiweza na zingine zi someshe watoto wale ambao hawana wazazi, ama wazazi, wao hawana kazi.

Majani chai. Tuko hapa na factory, tungependa tuongeze ziwe mbili ndiyo angaa vijana wetu wapate kazi. Lakini kile cha muhumi ni wale wakulima wenye hawana kazi wapate mikopo.

Upande wa utawala. Kiti cha Rais kisiwe cha ukoo moja. Kiwe kina enda pahali pote nchini.

Com. Kavetsa Adagala: Kimekuwa cha ukoo moja? Shida imekuwa ati ni cha ukoo moja.

Tereza Lukalo: Makosa ikifanyika watu wasiseme ni cha watu fulani, kiwe ni cha Wakenya wote. Kila kabila wapewe.

Com. Kavetsa Adagala: Usiwaite walemavu wamekataa.

Tereza Lukalo: Hawa wenye Special Abilities, tunataka kuwe na njia ya kuwasaidia. Kama ni wale wako na shida ya kutembea wawe wanapata kiti cha kusukumwa. Na wale wenye hawana macho tuwatafutie kosi ili wajisaidie. Hatuna shule za walemavu hapa. Mito yetu isitumiwe ovyo ovyo, na wale wanajiona wana jiweza kuliko wengine. Mito itunzwe vinzuri ndio itusaidea kimaendeleo.

Com. Kavetsa Adagala: Umemaliza?

Tereza Lukalo: Watoto wetu wasichana wakipata watoto na wageni, hao watoto waadikishwe kama wenyeji.

Com. Kavetsa Adagala: Pendekezo. Mama wewe ni mama wa maendeleo ya wanawake. Maendeleo ya Wanawake ilikuwa na memorandum, iko wapi? Mambo yenye iko hapo uifanye kuwa ya Sabatia. Unasema shamba ni ndogo na tupate loan. Kwa nini mashamba ni madogo?

Tereza Lukalo: Ni madogo kwa maana tumekuwa wengi kushinda.

Com. Kavetsa Adagala: Sasa umechora Vihiga City. Unapendekezo nini kuhusu hiyo?

Tereza Lukalo: Nataka watu wengi wafanye biashara. Lakini hakuna pesa za biashara wapate loan.

Com. Kavetsa Adagala: Sasa tuseme hakuna mahali pakulima ni town. Ulikuwa Councillor nataka ufikiroye kwa forum ingine ya kesho, ama kesho kutwa uzungumze mambo ya Local Authority. Hujasema lolote kuhusu hiyo, na hiyo mambo ya Maendeleo ya Wanawake uiweke ili iwe na maana kwa Wasabatia. Asante wa kina mama wameisha. George Kegonde.

George Kegonde: I want to address the rights of the weak and the marginalized in the society. In this special case I am talking about the poor in the society, unemployed and the likes. (I note with concern.) I propose that the coming Constitution should cater for the rights of the marginalized, and I want to give an example.

The second one concerns education in school. Noting about the moral decency in the society I want to propose that religious education should be made compulsory in all schools starting from the primary up to secondary school level. This will ensure that moral values are strengthened in the society for this will be based on the Supreme being in the society.

Governance in a democratic society. I propose that we should have a skilled and liberal democracy. In this case we should look into how people come to stand to be elected. I want to propose that we should really look into the history of somebody. People should be skilled. People at least have a minimum of Secondary school education, and then we should try to see that when we come to the nominated Members of Parliament, somebody should prove their worth in the society. Some skills, this will ensure that we have a Parliament where people can give opinions, challenges and the rights towards better government. In this respect I want to propose that the Constitution should give due respect to free opinions. Nobody should be victimized for opinions. We should distinguish between opinions and actions. Let actions be dealt with as actions and opinions as so.

My other point concerns the eradication of poverty. Noting that the present Constitution so much inclines to colonial governance where people were asked to promote cash crops over food cropping. I note that the present Constitution should look for avenues whereby food crops should be enhanced. For instance take for example in the scheme. Right now there is a lot of maize produced and beans being wasted in the schemes. After farmers have wasted, later on the Government says sell the maize at K.shs. 1000/= and have nothing to sell. I want to propose that there should be a limit to capitalistic ownership in our society.

I propose that we should start development in the rural areas. This will cut down the transfer of labour resources from rural to urban Centers. I want to propose about the development of the rural area. The new Constitution should cater for the development of rural areas having an interest there because this will bring down the transfer of labour resources from the rural areas to the urban areas. This will enhance rural development.

The new Constitution should make sure that we step down the liberalization of the industries. The Constitution that we can make here in Kenya or Africa, we have not reached a stage where we can liberalize some of our industries. Experience has shown this true, when we see many industries going down and collapsing. Therefore let the Government have control over such things. Thank you.

Com. Kavetsa Adagala: Can you tell us a little bit more on rural development. You must have a configuration of this rural development, creation of jobs and industries. Is it a move towards more urbanization?

George Kegonde: Precisely, so the reason as to why I do not want to call it more urbanization is that you think of a town from Kakamega pushed towards this side. I want it to start for example when we have Modete tea factory. Let us have more of this instead of having youth moving from Nairobi to urban areas looking for employment, we can have it in the local societies.

Thank you.

Vincent Oigo: Commissioners, ladies and gentlemen. Allow me to present.

Com. Kavetsa Adagala: Do not address the gentlemen here, you are addressing the Commission and the Commission alone.

Vincent Oigo: My views to the Review Commission of the Constitution of Kenya.(some parts not clear Civic leaders and the Parliamentarians some after getting the job they just disappear. They do not go to the people. I want to propose that if this one happens there should be a clause in the Constitution, which allows for a vote of no confidence in such elected leaders.

There are some people who are transmitting diseases to other people willingly and knowingly. The Constitution should provide for a situation where they can be prosecuted in a court of law.

We have so many people who are mismanaging public funds, for example in the Sacco Societies. I have not seen a clause in the Constitution which is binding them and they can only be sued in the Civil courts. I would want the Constitution to provide for a situation where that can be criminalized. That situation where people are defrauding money from the Sacco societies. Let it be made a criminal offence in that you will be sued both in criminal and civil court.

We have had many Commissions, which are appointed to look into different issues. Many of them the issues are never tabled; I would wish that the findings be published for public consumption without any reservation.

We have heard some cases where people issue some statements which can lead to public unrest, and they are left to go like that; for example someone saying whoever is going to oppose this should be banned that is lynching and that person goes scot free. Such people should be prosecuted and all of us should be treated equally. We have some people who make such statements and they go with them just like that.

The issue of gender balance. Everybody in the country is talking about the gender balance yet Kenya is among the first countries where the Constitution provided for this gender balance; we should not look at women as different people, they should not be sympathy seekers. They should compete with men because if it means education, they have it, all rights are given to them. So anybody talking about gender im balance should not be there.

Com. Kavetsa Adagala: The Kenyan Constitution has had gender im balance until the IPPG and it is not the first one.

Vincent Oigo: Thank you for that correction it is noted. So we should not segregate and favour a people, one should be given everything on merit. I would also suggest that the Constitution should be drafted and given to people, so that they understand

what they are being governed by. It should be in the simplest language the lay man will understand. Thank you very much.

Com. Kavetsa Adagala: I would like everybody to know, kila mtu ajue haya mambo tunachukua hapa hii Commission itarudisha hapa hii reporti. Halafu pia tutaandika analysis ya nchi nzima. Tutarudisha hapa reporti ya Sabatia, lakini ya nchi nzima itakuwa kwa National Conference halafu itazungumziwa. Haja ya exercise hii, in ujisikie wewe na mimi ati hii Katiba ni yetu.

Com. Prof. Ahmed I. Salim: Kuna jamaa wawili wamejiandikisha hapa kutoka Standard Newspapers. Geoffrey Anyira, na Peter Asaya. Simon Kisia karibu.

Simon Kisia: Nimetoka upande wa East Busavi.

Translator: The Constitution which was made.

Com. Prof. Ahmed I. Salim: He had started with Swahili. He wants to change over? Sawa. okay.

Translator: He said he is not comfortable.

Simon Kisia: *Ikatiba yalombwa mwaka 1962 Lancaster House*

Translator: The Constitution which was made in 1962 at Lancaster house.

Simon Kisia: *siyalochitsa kuli valogoli venya vave dave.*

Translator: It was not made the way the Maragolis could like the Constitution to be.

Simon Kisia: *siyamanya mulogoli anyala kuva ni nyumba nende matsi ningira yukutsia hango hene hala dave*

Translator: They were not aware that Maragolis could have houses, roads and water in their homes.

Simon Kisia: *Ling'ana lia kabili, vutovoli vwa Council nende members va Parliament*

Translator: I would also like to discuss the election of the Council Members and the members of the Parliament.

Simon Kisia: *Na niva kwakatovola member wa Parliament noho Council kadukana aveyo ku mihika chitanu.*

Translator: When we elect them to their offices, they should stay in those offices for five years.

Simon Kisia: *Mu ofisi ya President kuvemu ni vikao vivaka*

Translator: In the office of the President we have three arms.

Simon Kisia: *Kuvemu na vajaji ni yindi ya police ni yindi ya va-Parliament*

Translator: We have the office of the Judges, the Police and the Parliamentarians.

Simon Kisia: *Nyenyanga vuli ofisi yive numutajiri wayo.*

Translator: I would like all those offices to have a Head.

Simon Kisia: *Na sigila ni mbola ndio Jaji sianyala kungalakila vulay dave sigira ndamotovola, nachio kigira ni mbola vave numujiri wavo.*

Translator: The reason as to why I am saying that is, once I have appointed a judge he will not be free to make judgement. He will not be comfortable making judgement.

Com. Kavetsa Adagala: You have to move the mike away from your mouth.

Simon Kisia: *Na vandu vene yava mutsiprovince munane*

Translator: We would like 8 representative from the 8 provinces to be in charge of each province.

Com. Kavetsa Adagala: *Luya dialect : Kuteva hee musakulu wenya vandu venava vakole kindiki*

Simon Kisia: *Vakonyange raia, mang'ana gavo kudukitsa ha kenyangi katsie.*

Translator: This 8 people who represent the 8 provinces will take the matters of the people forward.

Simon Kisia: *Luveka lwi gasi kwenyanga Minister wa labour aole vandu vosi vanyoli igazi.*

Com. Adagala : *Wenya ndi?*

Simon Kisia: *Nyenyanya igasi ive ya Minister wa Labour*

Translator: I would like the Minister of Labour to be in charge of all the employment in the country.

Simon Kisia: *Ling'ana lia va-assistant chief na vachief kadukana nivakatovolwa na mlolongo vatsi mutsima tsindi vatsi kweka mang'ana kandi.*

Translator: I would like the Chief and the Assistant Chiefs to be transferable and be elected by the queuing system.

Simon Kisia: *Na ling'ana sigira corruption liayitsi sigira makutu kadaka mushara kwa vanyolanga.*

Com. Adagala : *Wenya ndi?*

Simon Kisia: *Ndenya vave ku payroll*

Translator: I would like the village elders to be on salary and that will stop corruption.

Simon Kisia: *Ling'ana liu kumaliza liveye bu niva mundu ukumiywe, maduka mukorti maandika ibondi lwahandika ibondi mundu wakola makosa ula atsitsanga inyima ila ahane tsilingi ma ikesi ivula kukolwa.*

Com. Adagala : *Wenya ndi?*

Simon Kisia: *Nenyanga mundu ula akumilwi matsi mahilwi mukorti straight ma ikesi ikolwi vwangu lwitsikisi tsimalanga madiku nilwo lwa tsifile tsikotanga mukorti.*

Translator: There is a lot of corruption in the court because the accused pay money and they are released.

(End of tape 4). Tape 5 merged.

Com. Kavetsa Adagala:Luya Dialect *Haya musakulu kuvoye mundu chianya kukupi tsikura dave, umundu chianyala kukupi tsikura ma kandi umuhili atsi havundu handi dave. Nikuli kuvola Musalia kwamukupira ikura atsiku Gem ila atsi kuhinzilayo. So Chief naveye elected aveye wa vandu vala. Naveye nahandikwi igasi appointment nilwa lwanyala kutsia transfer. Haya vulayi. Francis Govoga?*

Francis Govoga: Nafikiri mengi yale nilikuwa nao wengine wamesema pendekezo langu la kwanza

nikutaka .

Interjection, Com. Kavetsa Adagala: (Luhya) *Watu wa Chamakanga muchiling'ane amang'ana kenyu kala kalakoneke sigira mumolomelamu kali hulilika dave, vitsikulu vu munya huyu nivalitsia kuhulitsaku sivalihula dave sigara liyoka lia mukola. Tafadhali nya mbole kandi dave musidi sana mutsitsakilila sana vandu vave inyima yavo muchiling'ane funga mdomo kwa wakati huu tafadhali.*

Francis Govoga : Pendekezo langu la kwanza ni kuhusu kiti cha urais. Mimi ningependelea ya kwamba kwa vile Kenya tuko na eight Provinces na katika hizi Province nane kunazingine census zake ziko nchini na zingine ziko juu zaidi, ama kabila zingine ziko nyingi na zingine ziko chini. Kwa hivyo mimi ningependa kiti cha urais kiwe rotational katika Mikoa.

Ya pili upande wa education act, tunapata ya kwamba katika education act

Interjection, Com. Kavetsa Adagala: Si maelezo (inaudible)

Francis Govoga : Mimi nataka kwa education act mamlaka ipewe school committee, yaani tusiwe na school committee halafu tene tunaambiwa ya kwamba headmasters ama wakuu wa shule ndio accounting officers. Tuntaka kama school committee imepewa jukumu la kuendesha shule iwe ya kusimamia pesa kama ni wakaguzi wanatoka kwa Seriklai wanakagua hiyo committee, na sio Headmaster.

Halafu ningependekeza ya kwamba, sisi kama vijana tuwe na kitu kama organization, kama vile wakina mama wako na organization ya wanawake, ndio tunaweza kupata at least mmoja wetu akituwakilisha kule Bungeni kama Zipporah Kittony anavyowakilisha wamawake.

Interjection, Com. Adagala : (inaudible) Na kuna wengine ambao hawawezi kufanya (inaudible)

Francis Govoga : Asante, nafikiri yangu ilikuwa hivyo.

Com. Kavetsa Adagala : Okay asante. *Choko aveyo? Tito Lishambu hamba uvole lita lilio* halafu tutakua na John. Tutakua na Mthambi Manguriki, tutakua na Philip Asirigwa, tutakua na Kaleb Hanginga tutakua na hao wafuatane hivyo haraka haraka. Jina lako na proposal zako.

Tito Vizao: Jina langu ni Tito Vizao mimi yangu ni haya, tunashida mingi kwa sababu tulisomesha

watoto wengine wakaenda college ya kuhubiri, sasa wakimaliza wanakuja tu nyumbani wanakaa.

Interjection, Com. Kavetsa Adagala: Proposal tafadhali nipe proposal pendekezo lako.

Tito Vizao: Nataka Serikali isaidie hawa watoto wapate kazi ile walisomea

Interjection, Com. Kavetsa Adagala: Okay endelea.

Tito Vizao: Basi kuendelea kwingine nataka *maguru* wapatiwe mshahara maana wanafanya kazi mingi sana. Watoto wale wanasoma wakigojeka wasaidiwe na daktari, maana kama wanagojeka ugojwa wa siku hizi wa Malaria hii, wakienda shule anafukuzwa, akienda hospitali anafukuzwa. Anaambiwa “wewe ulete shilingi mia mbili ama mia tatu”

Interjection, Com. Salim: Bwana Tito maelezo marefu itachukua wakati, pendekezo lako ni nini?

Tito Vizao: Nataka watoto wale wanasoma wasaidiwe kwa upande wa matibabu na waendeleo na shule

Com. Salim: Mzami Angaluki.

Interjection, Com. Kavetsa Adagala: Niliita majina yenu njooni hapa kwa desk hii ya karibu.

Com. Salim: Yuko Mazami hayuko, tafadhali ukitwa jina itikia, au inua mkono tuone; haya nani wewe ?

Philip Asiligwa : Hasirikwa.

Com. Kavetsa Adagala: State jina lako na uendelee na proposal.

Philip Hasiribwa: Jina langu ni Philip Hasiribwa. Mimi proposal yangu, President achaguliwe na mikoa nane.

Interjection, Com. Kavetsa Adagala: Kawaida anachaguliwa na mikoa yote nane nini shida?

Philip Hasiribwa: Hakuna shida hapo.

Interjection, Com. Kavetsa Adagala: Kitu gani kipya unasema.

Philip Hasiribwa: Kipya nataka waalimu wapewa transfer.

Interjection, Com. Kavetsa Adagala: Nataka kwa President kitu ngani kipya unasema? Endelea. (luhya) Avalogoli nimutsitsakilila ndi mulasingila ichiovila umundu yatsange chia mula mula. Nimutsitsakila ndi.

Philip Hasiribwa: (Luhya dialect) *Ma kandi mulinange yali hanu navola kuve ni korti ya Vislamu na kenyeka Vakristu na kunyi kuve ni korti yitu.*

Com Adagala : *Ikolendi?*

Philip Hasiribwa: *Ivititse amang'ana kitu, ka Vakristu.*

Translator: The Muslims say they have the Kadhi court so we would like the Christians to have our own court.

Philip Hasiribwa: *Kandi amukutu kuduga vanyoole mushara, sigila nivo vakola igasi inyingi kushila.*

Translator: The village elders should also get salaries, because they do more work than the other members of the administration.

Philip Hasiribwa : *Asst. Chief kutonde kuluvaso, chief kutonde kuluvaso, Council kutonde kuluvaso, Chairman kutonde kuluvaso.*

Translator: The Chairman of the Council, the Mayor, the Chiefs and the Assistant Chief should be chosen through the queuing system

Philip Hasiribwa: *Sigila kuhelwangwa chief, noho kuhelwa Asst. Chief wa kunyi kutenya da*

Translator: Because they impose Chiefs and Assistant Chiefs on us people not of our choice

Philip Hasiribwa: *Kenyeka kunyi vene kuchaguli, kukufwane vulahi*

Translator: We want to elect them ourselves because a lot of them have godfathers.

Philip Hasiribwa: *Ku sanditsi lwa mwitsi hanu,*

Translator: I thank you all for coming here today.

Philip Hasiribwa: *Kwitsa kuhula mang'ana gitu na muhandiki mang'ana gitu vulahi.*

Translator: Thank you for coming to listen to us and please record our views properly

Philip Hasiribwa: *Simbeye na manyingi dave, mwami amulindi*

Translator: I don't have much, God bless you.

Com. Kavetsa Adagala: (Luhya) *Nivi hukutanga kukusanditsaku hanu. Vwaha wananji lita kandi, Akinga yakutsia? Inzala yakumulekela? Elam? Hamba uvole lita lilio ukuhe* proposals without reading that memorandum of yours.

Hiram Mukhoha: Kwa majina ni Hiram Mukhoha mwalimu wa gumbaru. Proposals zangu nimeandika lakini nitasema kwa ufupi. La kwanza ni juu ya hongo imekuwa adui, ningepende hiyo iwekewe sheria, kwa sababu wanasema tupunguze tuende tuone lakina ianafaa iwekewe sheria.

Upande wa masomo – masomo inafaa iwe free education kama ilivyo, one to class eight. Lakini kuanzia form one upto higher education fees ziwe kiwango kimoja kwa Kenya nzima. Hapo nyuma imekuwa shilingi elfu nne, na mtoto anasoma mpaka anamaliza form four – iwe unified

Jambo lingine ni kuhusu mahakama - mahakama kwa sababu nimesema hiyo kitu ya hongo – katika mahakama kesi inaweza kuchukua miaka miwili, mitatu, minne. Ni heri judge watumie sheria ambazo wamejifunza, watumie sheria ambazo zinafaa kwa yule mshitakiwa.

Com. Kavetsa Adagala: Pendekezo lako ungependa iwe miezi gapi au miaka gapi?

Hiram Mukhoha: Kwa mtu kufanya kesi inafaa kama unauchunguzi iwe ni mwaka mmoja.

Com. Kavetsa Adagala: Endelea.

Hiram Mukhoha: Juu ya afya – afya kama wanasema iko bure lakini....

Interjection, Com. Kavesta: Pendekezo lako?

Hiram Mukhoha: Pendekezo langu, kuna kiwango kinafaa kiweko kwa sababu mtu anakufa unasikia anadaiwa pesa billion

fulani katika hospitali; au mnakatazwa kuchukua mwili wake au kutoa mgonjwa katika hospitali mpaka mlipе pesа hіzo. Nі heri watafute njia upande yetu.

Interjection, Com. Kavesta: Hiyo njia tumetumwa hapa wewe utwambie njia

Hiram Mukhoha: Sasa nitaeleza.

Com. Kavesta: Mtoke kwa hii mambo ya kitu Serikali. Hakuna haja kueleza kwa urefu sema pendekezo lako tumetumwa hapa kwa sababu ya pendekezo lako.

Hiram Mukhoha: Basi langu ilikuwa hivi (unandika?) Ni heri kutibiwa kuwe na pesа kiasi kidogo, isiwe zaidi ya elfu kumi, kumtibu mgonjwa isiwe zaidi ya elfu kumi. Hiyo ndio pendekezo langu.

Com. Salim: Lakini Bwana Hiram, ukisema elfu kumi wajua hii Katiba tukiandika kwa mfano iwe ni elfu kumi baada ya miaka mia, wafikiria thamani hiyo ya elfu kumi itabakia pale pale? Yaani twataka Katiba ambayo itadumu milele na milele.

Hiram Mukhoha: Na hii imefanywa ni rekebisho la mia mitano, sasa situtairekebisha tena.

Com. Salim: Hapana.

Interjection, Com. Kavesta: Na nani, wewe na nani?

Hiram Mukhoha: Kwanza niliuliza hapo mbele ni nani alitunga ile ya mbele, wakasema ni mzungu, na sisi tunatunga yetu, si ndio?

Com. Salim: Lakini itadumu mia kadha kwa hivyo tuseme pendekezo lako katika eneo hili la matibabu ungependelea kitu gani lifanywe?

Hiram Mukhoha: Kifanyiwe hivi, kwa sababu ni ukosefu wa pesа ni heri tuwe na ushirikiano kati ya Serikali na mwenye mgonjwa au hospitali na mwenye mgonjwa

Interjection, Com. Salim: Cost sharing.

Hiram Mukhoha: Cost sharing yeah

Com. Salim: Endelea.

Hiram Mukhoha: Mashamba – Mashamba kuna watu wengine wamekalia mashamba

Interjection, Com. Kavetsa Adagala: Tunajua, pendekezo lako.

Hiram Mukhoha: Kwa sababu siwezi nikazungumza, wengine wana mahekari nyingi

Interjection, Com. Kavetsa Adagala: Tafadhali pendekezo lako

Hiram Mukhoha: Langu ni hili wale wako na mahekari wapee Serikali kiasi fulani, ili Serikali nayo igawie wale wasio na mashamba hiyo ndio pendekezo yangu.

La mwisho ni juu ya kuteua awe mjumbe, awe ni President, awe ni Chief au nani. Wachague kitu cha kwanza wenye sehemu, watoe maoni yao na wajue ni kura gani siri au ni mlolongo watatumia. Hilo ndio langu.

Com. Salim: (inaudible)

Hiram Mukhoha: Langu ni kusema kama nimependekeza ni mlolongo iwe mlolongo, kama ni siri iwe siri.

Com. Salim: Lakini wewe huna pendekezo?

Hiram Mukhoha: Ninapendekaza iwe ni mlolongo, mengine nitapeana mtasoma pale

Com. Kavetsa Adagala: Asante asante sana. Reuben Ayumba njoo

Reuben Ayumba: (*Luhya dialect*)

Lita lia Reuben Ayumba

Com. Adagla : *Uvoya lita lilio?*

Translator: My name is Reuben Ayumba

Reuben Ayumba: *Silikali ive ni taabu lwayalomba rahamali ya Kenya yononyinya niha tsihili tsindala ikivala pe, nileka vandi nivanyola itaabu. Ku nyenya ndi,*

Translator: The Kenyan Government has a problem because some of the tribes have too much land others do not have enough.

Reuben Ayumba: *Kukenyaka ndi selikali yalomba rahamali ila ikilung'anyiku nutula ikungu mpaka utsia kuduka Kitale kivala kivala chele na vandi vavaye ni taabu*

Translator: The policy has to be changed because if you come all the way from Ngong to Kitale it is all empty tracks of land and some people have nothing.

Reuben Ayumba: *ku kadukana kuheywiku kivala kali Lugari hageha.*

Translator: We want to be given more land, because we were taken to Lugari but it is still too little for us.

Reuben Ayumba: *Kali kalunu maduma kakundila vutswa iwenila ni nzala niluma vandi*

Translator: The people in those places have maize rotting in their shambas, and the others are very hungry

Reuben Ayumba: *Kadukana amepu ka Kenya kachilung'anyinyi*

Translator: The Kenyan map should be changed.

Interjection, Com. Kavetsa Adagala: *(Luhya Dialect) Uvoye tsa vulahi, lindaga kukumali yili ndinanga. Umanyi imapu vachora kuli vindu viveye hasi. Haya kuli lwa vasungu vaduka valogoli kwali kuduchi yuku ku Kaimosi yuku nikuduchi kandi hayi mungoma niho ha vindu viasingila ma vandu vavola ndi vuli avandu Nyasaye yavaha ikivala chiabo ku chinu ni chetu kulunu nutsia kukala uchenje imapu ivukuli inandi uviki ivologoli ni lihe, uhulili? Imapu nichanja*

Reuben Ayumba: *Avandu yava vahila ikivala kinyingi he, nichio chigila ni vadala ni tsing'ombe hukwaya havula*

Com. Kavetsa Adagala: *(Luhya Dialect) Hula musakulu vaheku kivala kinyingi dave nikivala kikaveye ni mbula ku valonda imbula witsitsa ni vayitsa tsing'ombe. Vadala dave umanye yeneyo ni madharau mbele ya Tume hakuna madharau kwa mtu yeyote Kenya Kusema "vadala" ni madharau ni wafukaji*

Reuben Ayumba: *Ka mbele.*

Com. Kavetsa Adagala: *Yee mbulili.*

Reuben Ayumba: *Avana vesikuli kutula mu Nursery vaduki mu Four Four vakonywi butswa*

Translator: There should be free education from nursery school to form four.

Reuben Ayumba: *Kutsia wa daktari mundu uve mulwaye, winyalitsa na ukinyalitsa akonywi vutswa*

Translator: The hospitals should be free whether you are able or unable, there should be free treatment in all hospitals.

Reuben Ayumba: *Amang'a chigila uvumision umanya moloma mang'ana yaka chigira vavola vachenja kaliho katuliho mashia katse. Mukamba vandu vatanu valomba idini, vavili mavakola idini mavatanga vutswa liyoka kukenyekanga ndi tsidini tsiavahandikitsa tsiaduka*

Translator: There should be no more religious societies registered they are enough because some of them have two people,

five people.

Reuben Ayumba: *Mang'ana ka vana, vivulilwa mu tsinyumba*

Translator: Children born out of wedlock.

Reuben Ayumba: *isheria yali ya kale yali indahi umwana niyakola hundi inda yavukulanga, na kalunu kwenya avukuli kwa lazima, avukuli alindi kuli makeleve*

Interjection, Com. Kavetsa Adagala: *(Luhya dialect) sheria ya kale ni ilehe volaku*

Reuben Ayumba: *(Luhya dialect) Ya kale yakunga da.*

Com. Kavetsa Adagala: *(Luhya dialect) Iliha? Vola yene ya kale*

Reuben Ayumba: *(Luhya dialect) Yu mulogoli,*

Com. Adagala : *Yumulogoli.*

Reuben Ayumba: *vakunga dave*

Translator: Traditionally when a boy had a baby with a girl, they married them; but today they are throwing them out, so we want to go back to that tradition.

Reuben Ayumba: *Kunikwakakola ndio, kutsi ku serikali iveho, ni ndahi navutwa malwa yaka, malwa vandu va kale vanywetsa malwa vakumilwangwa ni vavowa dave, ninzi mbola ndi valeke malwa kave free, avandu yava vadake wa vakulanyila malwa, huyu ayenga, alelo vavuli havatsia kukulitsa.*

Translator: There is nothing wrong with today's Government, but what they should do is they should set the brewers free, and there will be so much drink around people will not have a place to sell their brew and they will stop brewing.

Interjection, Com. Kavetsa Adagala: *(Luhya dialect) Tanga ulindi, mang'ana ka malwa vandu vavola ndi kayengelwa mwidala ha noho kakulitsilwanga mwi dala na venya kaduli mwidala katsi kulishia katsi ku market ni license hawenaho ulola ndi? Amalwa vandu vayenga, navakulitsa vosi ive ibeer, ive whisky, ive chang'a ive busa vosi vave inasokoni.*

Reuben Ayumba: *Yee vave kusokoni*

Com. Kavetsa Adagala: *wenya iwenila? Avola ndi?*

Translator: He agrees he says that the brews should be sold at the market place not in the villages

Com. Kavetsa Adagala: *(Luhya dialect): Haya sande musakulu. Nicholas Munyasia (Luhya dialect) Mung'asia uve hayi?Nyila vilenge.*

Nicholas Munyasia: Mimi naitwa Nicholas Munyasia. *Inzi ndakayanzi.* Mimi pendekezo langu ningependelea Katiba mpya itusaidie kama watu ambaye tumepata uhuru. Kwa sababu sisi tunashida nyingi sana.

Com. Salim: Utaeleza shida na jinsi ya kuondoa.

Nicholas Munyasia: Shida ya kwanza hatuonekani kama tumepata uhuru, tunaonekena kama kuku zile zinafungwa zinaenda kuuzwa sokoni.

Com. Salim: Pendekezo lako.

Nicholas Munyasia: Pendekezo langu tupewe uhuru wakuongea.

Com. Salim: Yaani unataka uhuru wa kuongea?

Nicholas Munyasia: Uhuru wa kuongea, tusikatazwe kusema kitu kile tumeona ni kibaya.

Com. Salim: La pili.

Nicholas Munyasia: La pili hatuna mashamba, kwa sababu tukitaka hata loan tufanyie kazi ili tujinunulie shamba, hatuna namna.

Com. Salim: Pendekeza sasa.

Nicholas Munyasia: Pendekezo langu lingine.

Com. Salim: Hujamaliza juu ya mashamba?

Nicholas Munyasia: Sijamaliza upande wa mashamba.

Com. Salim: Tumeelewana shida, hakuna mashamba; pendekezo lako utatusaidia vipi?

Nicholas Munyasia: Pendekezo langu ningependekeza Serikali ichunguze yale mashamba wale wakubwa wamenunua; lakini hawatunii ili tugawiwe hata ikiwa ni za loan. Tugawiwe ili sisi wenyewe tupate sehemu ya nchi yetu.

Com. Salim: Endelea.

Nicholas Munyasia: Kwa sababu mashamba mingi inakaa bure.

Interjection: Commissioners: Tumeelewe hiyo.

Nicholas Munyasia: Tupewe uhuru – vile wanafungia pombe watu wengi wanakufa kwa ajili ya kufungiwa lakini wakiwachiliwa huru hawatakufa. Wawachwe huru kutengeneza busaa, wawe hata wakiuza wapate pesa ya kutumia kwa mahitaji yao.

Interjection, Com. Kavetsa Adagala: Umemaliza?

Nicholas Munyasia: Sijamaliza bado.

Com. Kavetsa Adagala: Uende haraka hawa watu wote wanangoja umalize.

Nicholas Munyasia: Sasa kwa haya ya upande wa pombe nimemaliza.

Com. Kavetsa Adagala: Sitaki kukuharakisha lakini ufanye haraka, okay asante sana; who is next after this one? Shambiti Ngaruzwa. *(Luhya) Uveho Zabeti? Haya musakulu hambi yiyi ndi wehandikitsi bandu vosi kali vitsukuluvo valamanye wamoloma ku mang'ana ka katiba. Zabeti kola vwangu. Inzi ku mita*

Shambeti Mingarizwa: *Inzi ku mita ni Zabeti Migarizwa*

Translator: My name is Sambeti Mingarizwa

Shambeti Mingarizwa: *Na moloma kuluveka lwa vandu vakali*

Translator: I am speaking on the issue of women

Shambeti Mingarizwa: *Maendeleo kaveho, kuve na vana vitu, vakana kuvayayi kwasominya na vana venavo muyayi yefwala ilongo mukana yifwala ilongo avoha itayi na natula yila na mutende wange naya avola umukanya wa vuyuyu a noho umukali wa buyuyu ave nuluswa wifwayi ilongo na kave kiligali vandu vakali vifwaye kuli vaganagani*

Translator: We have children both boys and girls, our boys wear trousers our girls wear trouser they wear ties, but when my children come home, people look at my daughter and think she is weird.

Interjection, Com. Salim: So what about the trousers?

Com. Kavetsa Adagala: She has not finished, she said women should dress the way they want.

Shambeti Mingarizwa : *Tsienti tsia mundu mukuli atsili kukula inguvu yeye ni tsiyahinzilila mwene shitsiveye*

tsiumundu amuhe dave kukuduka iviki kuli aganagani

Translator: When the women buy clothes it is their own money, so if you use your own money to buy your clothes, nobody should have a say in what you wear.

Interjection, Com. Kavetsa Adagala: We shall not tolerate rubble rousers and hecklers.

Shambeti Mingarizwa: *Ma lilindaku tsishilingi tsia yitsa muno tsi- bursary tsienyekhanga vakonye avandu vaveye nuvugehelu vasominyi vana vavo na vahetsa vuvugehelu dave vavukula tsishingi tsila vaha vana vavachief, vavasub-chief vava vandu vahinzila nivo vasomela*

Translator: There is a bursary fund which should be given to the needy children, but this money is normally not used for the needy; it is given to the children of the Chiefs, Assistant-chiefs, working people.

Shambeti Mingarizwa: *Livola lya vahane tsisenti tsila kuvandu vatinyalitsa vana vavo vasome avave nilienya kusominya.*

Translator: My wish is that this money should be given to the needy children whose parents want them to go to school, and the children are willing to go to school.

Shambeti Mingarizwa: *Ma tsisilingi tsia yitsa muno tsimikanda kutsitsanga vakuhe iloni yene ila vakuvola nuwenya tsisilingi tsi loni uhane tsindi ku kenya nyangi tsisenti kuninyole hayi tsiambana*

Translator: The CBOs have money which should be given to the people in the villages, but when you go to ask for the money, they tell you, you have to pay a certain percentage before you get any of that money.

Com. Kavetsa Adagala: *(Luhya dialect) Mama nulatsitsakila vanga vwaha?*

Shambeti Mingarizwa : *Kuli kunyi avivuli*

Com. Adagala : *Vanga vwaha vateva tsisenti?*

Shambeti Mingarizwa : *ndevanga mu vandu vahanwa kuvukula vwiyangu vwi tsisenti tsiene tsila vahane kuvandu tsiform.*

Com. Kavetsa Adagala: *(Luhya dialect) Vanga vwaha vatevi tsisenti, nanya manye.*

Shambeti Mingarizwa : *Avateva noho uteva?*

Com. Kavetsa Adagala: *(Luhya dialect) Nutevi tsisenti vakuvola leta tsisenti tsindi nangwa kuhe tsisenti? Vanga vwaha? Mikanda ki?*

Shambeti Mingarizwa: *Kuli vandu va Bursary*

Com. Kavetsa Adagala: *(Luhya dialect) Bursary ki, iveyo ya silikali iveho yi----*

Shambeti Mingarizwa: *Ya silikali*

Com. Kavetsa Adagala: *(Luhya dialect) Iveyo ya silikali iveho ya kindiki?*

Shambeti Mingarizwa: *Ya silikali, paka vakuteve uvahe tsisenti ku navo vilane bakuhe tsindi*

Com. Kavetsa Adagala: *Yaani utulitsi hongo?*

Shambeti Mingarizwa: *Kulienya liange kuli nyenya yava vakukonye tsisenti kuli tsivetsa tsihaniywi mundu akola ibidi yeye ma kalukitsa kuli vavatsa nivenyi akalukitsi.*

Translator: We would like this money to be given to us without bribes being asked for. We shall take the money, use it properly and repay it.

Shambeti Mingarizwa: *sigila kuveye ni likomba kusominya vana vitu. Kuve nilienya kusominya vana vitu.*

Translator: We would wish to educate our children.

Com. Kavetsa Adagala: She can go yes, we have finished with her, she was clear on her issues **(Luyha)** *Umolomi vulayi.*

Benard Chipendi? Daina noho Dena? Daina?

Berna Chipendi: *Lira lianga nangwangwa Daina Chipendi kutula ha Lutego*

Translator: My name is Berna Chipendi from Lotengo.

Berna Chipendi: *Mbola ndi avashele vavisandu khuli vikhonya. Nuli numwana avetsa ni nyumba ye nivi mushela uve mu yoyo khuli wilikhitsa shiunyala dawe.*

Translator: Am talking about the widows: you are widowed, your children have their homes to run, you live in your house alone and you have nobody to help you

Berna Chipendi: *Hango halala bandu vahelaho vavwa, ma bana barikalaho vele kuli vana venavo vikhonya shikhulola dawe*

Translator: Some of the homes, all the people die and they leave orphans, all the children in the home are orphans, they do not see how we can help these children.

Berna Chipendi: *Mbeye na vashela ha Lutego vavili vinyalitsa dawwe khuli khuvakhonya shindola dawwe khumbola mwatsa mukhonye.*

Translator: I have two old ladies at Lutengo we would like to see how somebody could help them because they need help. That is all.

Com. Kavetsa Adagala: So what did she say Margaret?

Translator : (inaudible)

Berna Chipendi: (inaudible)

Translator: (inaudible)

Com. Kavetsa Adagala: Jina lako?

Kwa jina Naitwa Anasatcia Kavyuachi.

Com. Kavetsa Adagala: Jina lako kwa sauti, watu ambao wanazungumza mnaharibu record yenu mnaharibu recodi yenu

Anasatcia Kavyuagira: Kwa jina Naitwa Anastasia Kavyuagira. *Ndamoloma ku vupande bwa education*

Translator: My name is Anastasia Kavwakila. I am going to speak on education.

Anasatcia Kavyuagira: *Ndola I-Constitution ya niyiveho, masoma kave free khurula khu Nursery mpaka Standard Eight.*

Translator: I would like in the new Constitution, a provision should be made for free education from nursery school upto secondary school.

Anasatcia Kavyuagira: Halafu upande wa Secondary, school fees should be reduced from form one upto form four. *Halafu haluveka handi khuli tsi-college tsialeho ni Diploma khuli tsia vekitsi vatsitsamu khale kenyekha tsikalushitswi ho. Khu khuve nende vwiyanu vunyishi vwi tsigasi.*

Translator: I would like to propose that the diploma colleges we used to have a lot of them were scrapped, I would like them returned for teacher training.

Anasatcia Kavyuagira: *Halafu sasa namanya nzotsekhu vupanda vwa health*

Translator: Now I will speak on the issue of health.

Anasatcia Kavyuagira: *Vandu vanyakhana sana khu vupande vwa health vandu. Vatsitsa muhospitali mavarebwa tsisenti makalolekha avulakhu tsisenti mavakalukha numwana yingo vamuvolele akhave tsisenti.*

Translator: People go to the hospital with their children, when they get to the hospital they are asked for money, when they

say they don't have money they are sent back home to go and look for money with very sick children.

Anasatcia Kavyuagira: *Khulwayako, kenyekhanga Health service ive free.*

Translator: In that line I feel the health services should be free

Anasatcia Kavyuagira: *Ipointi yindi ni ya valwale va ukimwi*

Translator: Another point is for the people who are HIV positive

Interjection, Com. Kavetsa Adagala: *(Luyha dialect) Wenya ndi?*

Anasatcia Kavyuagira: *Kenyekha tsinyasi tsia varumikhila tsive free.*

Com. Kavetsa Adagala: *(Luyha dialect) Na wenya kukole kindiki ukimwi bugehe?*

Translator: They should bring free medicine for people who are HIV positive. Now what do you want us to do to reduce the AIDS?

Anasatcia Kavyuagira: *Kenyekha mundu nahili mukhali ategemee butswa mwenoyo. Noho vandu wenya khuhilana vabimwa kwanza khulelo bahilane.*

Translator: When couples want to get married, they should go and be tested and couples should be faithful to one another.

Anasatcia Kavyuagira: *Issue yindi yili khu maguru. Maguru kakhola igasi inyishi sana khulwako kenyakha kanyole mushara.*

Translator: The village elders do a lot of work in the village and so they should earn a salary

Anasatcia Kavyuagira: *Milimi –Title Deed yili yikulu sana. Kenyakha ive butswa free.*

Translator: The costs of issuing a title-deed is too high for most people so could they make it free, when you want to get a title-deed you get for free

Anasatcia Kavyuagira: *Katushi yaho.*

Translator: That is all

Com. Kavetsa Adagala: *Mama wewe una title-deed (luhya)? Uve ni Title Deed*

Translator: Hana

Com. Kavetsa Adagala: *Sasa unajuaje cost iko juu? Ungependa nini kuhusu title-deeds?*

Anasatcia Kavyuagira: *Khuli na vandu vanyishi vali nende ititle deed dawwe yavatsa ndio shichila yili yikulu kabisa*

Translator: I know a lot of people who can not afford to get title-deeds, so they just keep sub-dividing their land without getting titles for them. That's all

Com. Kavetsa Adagala: Committee Chairman ako wapi? (*Luhya dialect*) Haya simula imbula nikupa, simuhula nikupa, kali mang'ana kakuvola kingila mu-tape bulahi da sigaila simwavika i-ceiling mu nyumba mwinyu da, mwavikamu da, mumanya mukola ndi imbula nikupa. Haya vandu vukumalitsa valava ni tsidakika tsivili, tsivili, unakuja unasema ile unasema bila maelezo (*Luhya dialect*) tsivili, tsivili kumale, kali nukola maelezo --- (a lot of rain) (inaudible). Haya mukiling'ane, mukamedada kuliyoika li mbula dave chiling'ani kutsi vageli. Lita lilio

Philomena Enzai: (*Luhya dialect*)

Lira lianje bananga Sulumena Inzau. Lienya liange live ndi avandu kuli inzi ndi

Com. Kavetsa Adagala: (*Luhya dialect*) Ah, sitaki hiyo nenyu uvole Lienya lia live ndi nuvola.

Philomena Enzai: Lienya live ndi avandu kwanyola tsindeve kwamenyamu lelo mumarulamu—

Com. Kavetsa Adagala: Nenyu umbole ilienya lilio

Philomena Enzai: Ilienya liange kuli inzi mula

Com. Kavetsa Adagala: Wenyu ndi?

Philomena Enzai: kunyolaku asante, sigila indeve ya Kanu kuli inzi namenyamu madiku matambi

Translator: They have been holding KANU seats for a long time, so when they retire they want to be paid KANU fee

Interjection, Com. Kavetsa Adagala: By whom?

Philomena Enzai: Kwenya kutungwi. Kuli inzi mbe hanu

Com. Kavetsa : Mutungwi na vwaha? Kaunu imutungi? Endelea

Philomena Enzai: Valuyia balakukonya. Liakavili kuveye kutovole kindu sigila chi kumanya kwilana inyuma sichila chi kuleta vitina, vandu kwachila vitina kutovole kindu ---

Com. Kavetsa Adagala: (inaudible) I don't know what she is saying, she is talking about I don't know? Who is next?

(*luhya dialect*) Nutenyi kumoloma mang'ana ga maana, shauri yako. Moloma luswahi, umolome ni sauti.

Kezia Indangasi : (*Luyia Dilect*) Inzi ku lita nangwa Kezia Indangasi

Com. Kavetsa : Vakulanga?

Kezia Indangasi : Kezia Indangasi

Com. Kavetsa : Liukutanga? Kezia. (inaudible) tafadhali usirukaruke ufike huku hakuna ana ruhusa ya kufika hapa.

Kezia Indangasi : Inzi ndakenyi ---

Kezia Indangasi : Okay nitajaribu Kiswahili,mimi napendekeza ya kuwa Serikali itupe usalama wa kusafiri na kuiishi. Tunataka usalama kwa sababu watu hapa wanaishi kwa hofu kwa sababu wana tishwatishwa kila mara. Hata ukisafiri usiku huwezi kuwa na imani utafika, kwa sababu watu wana-ambush wengine njiana, na hiyo Serikali ifanye kitu.

Com. Kavetsa Adagala: Unataka Serikali ifanye nini?

Kezia Indangasi : Ilete usaalama, wale ambao wanadhibu watu washikwe au watambuliwe wapelekwe korokoni.

Com. Kavetsa Adagala: Mama ukiishi kwa kijiji unajua huyu mtoto wa fulani ni mlevi huyu ni mwizi, huyu ameua mtu mnaishi nao. Na nyinyi mtafanya nini kwa security?

Kezia Indangasi: Tunataka tusaidiwe na elders wa vijiji wawe ndio wanatoa habari kamili kwa Assistant- Chief, Chief na wengine wa kubwa.

Jambo la pili mimi napendekeza kuhusu kuajiriwa kazi hapa nchini watoto wetu wanasoma

Com. Kavetsa Adagala: Sema pendekezo lako ni lipi

Kezia Indangasi:: Tunataka watoto wajiriwe kulingana na vile wamesoma kama wamepitia course fulani, mtu apate kazi kulingana na vile amehitimu. Kitu cha tatu ni mambo kuhusu judiciary na hizi kesi za mashamaba ambazo hupelekwa kortini na kila mara wanasema kuja wiki hii, tena anachukua muda mrefu mpaka watu wanakufa kabla hawajaonja kile walikua wanapigania.

Com. Kavetsa Adagala: Pendekezo.

Kezia Indangasi: Pendekezo waajiri watu ambao wanaweza kutatua cases haraka.

Com. Kavetsa Adagala: Haraka ni nini?

Kezia Indangasi: Miezi miwili au majuma tu machache, wasiach kesi ikae miaka na miaka. Kitu kingine ni kuhusu usaidizi wa watoto werevu katika jamii maskini. Inaonekana watoto werevu kutoka katika jamii maskini na hawana usaidizi, mtoto anaweza kusaidiwa na tuseme relatives, akifika huko juu apate kazi.

Com. Kavetsa Adagala: Pendekezo.

Kezia Indangasi: Nataka Serikali isaidie wale watoto werevu iwapatie kazi baada ya masomo, asante.

Com. Kavetsa Adagala: Bursary ulisema?

Kezia Indangasi: Busary ipewe wale ambao wanahitaji bursary, si wale kama mimi ambao wanapata penny vichache, asante.

Com. Kavetsa Adagala: Wewe kwa nini ulikuja late tafadhali wakina mama mnafanya mchezo.

Amina Malesi: *Lita lia ni Amina Madesi. Lienya liange live ndi, kuve na vana noho mbe numwana yaliho ma wakutsa na vudangaswangwa yubu navio vamumala, ne nakutsa*

Com. Kavetsa Adagala: *(Luyha dialect)* Linda kuvolele, wenya uvole ki bundiki

Amina Malesi: *Vavulanga Ukimwi, yali muyayi*

Translator: I lost my son as a result of AIDS

Amina Malesi: *Ne nakutsanga yali naveye na vasomi nivakoli amachela nivaviti vavili avakana ku vakana venava mula wava ulangilwi ikaimosi na hundi wava ulangilwi ivokoli.*

Translator: When he died he had two daughters who had done their CPE, one was supposed to go to Kaimosi Girls another one Vokholi Girls but they are just there.

Amina Malesi: *Ma vakana venava vakota vutswa manyi wavaveye dave. Na avemu muyayi muche aveye mu kilasi cha saba na alatsia mu chu munane muhika mushia.*

Translator: The girls have disappeared, I don't know where they are, and there is a boy who is going to class eight next year.

Amina Malesi: *Nuhilaku wavavola vokonyi ku vana vavanyina navise vakutsa ukaywa.*

Translator: She has approached everybody to try and get assistance, she has told the MP the children's parents have died, but nobody wants to assist her.

Amina Malesi: *Ma mwana mwenyu navukuliku mita nahila kandi kulahandika mita malele chavula vutswa mbetsa mangenya vutswa eh kali va ndi.*

Translator: She has been giving in the name of the boy to several people, but they are not coming up with anything for her, so she is wondering what she is going to do with this boy.

Com. Kavetsa : *Wenya ndi?*

Amina Malesi: *Nenya vavola vana vavisandu vakunywi, ma ndetie lita liu mwana mwenyu wa muli*

Translator: She says she heard that orphans should be helped, so she wanted to see what kind of help you can you give her

Amina Malesi: *Lindi lilongaku, kwahandikwa amita vakunzakali sigila tsisilingi tsia vasakulu vetu vatunga vushutu tsiveyo mu silikali tshinzila ma nivahandika vakunzakali. Kulolaku kindu dave.*

Translator: She is a widow and she registered as a widow, and they have been waitin to get any money from the Government but nothing is forthcoming.

Amina Malesi: *Vushutu vwa vatunganga sivuliyo? Vakunzakali vavolelwa vatungwi. Mali manyingi kononyinya chindu. Makeke kakola igasi.*

Com. Kavetsa: *(Luhya dialect)* Sande mama kuhandiki mang'ana gogo mukele. Who is next? Jethro Endovo? Jethro Endovo yakutsia? Uhugiri. Sema jina lako halafu tunataka tu pendekezo hiyo kitu usisome pendekezo ukisomo nitaku ---

Jethoro Indogo: My names are Jethoro Endovo. I will begin with the President – I propose that the President or anyone vying for the Presidency should be not less than 35 years old, and the maximum age should be sixty five. Those vying for MP should be twenty four years and Presidential elections should be carried out earlier than civic and parliamentary elections which can be carried out simultaneously.

Political parties – I propose that they be limited to a minimum of two and a maximum of four.

Com. Kavetsa Adagala: How should they be limited? What method should we use from the current figure of 48?

Jethoro Indogo: We should just have two parties at least and four parties at most and not more than that

Com. Kavetsa Adagala: You tell us how the method will be used to reduce them from forty eight to two?

Jethoro Indogo: Because most of this.

Com. Kavetsa Adagala: The method not because the method the how.

Jethoro Indogo: We want national parties and not tribal parties so it should----

Com. Kavetsa Adagala: How will they be reduced?

Jethoro Indogo: In case they are tribal, we reject them we don't register them.

Com. Kavetsa Adagala: Endelea

Jethoro Indogo: Come to citizenship – I propose that anybody born in Kenya should be a citizen of Kenya, anybody married to a Kenyan if he or she so wishes can be a citizen of Kenya, that is my proposal.

On employment – I propose that one person one job. Retirees, I propose that their retirement benefits should be processed within a month, it should be ready, it should not take more than two months before one gets it.

I propose that nominated MPs should only be nominated if they are catering for special interest groups otherwise we don't need them. I also propose that Ministers should be professionals just like the Permanent Secretaries. In case they are not professionals then one can be nominated to take that particular office.

Property inheritance – I proposal that anybody who dies interstate his or her should be honoured and in case one dies without having made a will, then the spouse and the family should inherit his or her property. I propose that education be made free all the way from pre-primary to secondary. Health be made free, and MPs should work fulltime and not part-time as it is as of now, thank you.

Com. Kavesta: (inaudible)

Jethoro Indogo: On early childhood education, it should be free so that even the teachers should be paid by the Government, thank you.

Com. Kavetsa: Childhood education is the most important education so you should not be leaving that out. Charles Chavene?

Charles Chavene: Jina langu ni Charles Chavene kutoka Itegero Sub-location. Mimi kwanza naongea juu ya Serikali wa vipengele vitatu. Hivi vipengele ni Judiciary, Executive na Legislative Council. Judiciary lazima iwe peke yake isichaguliwe na Executive. Na Executive tena tuwe na Commissioners ambao wanaweza kuchagua hicho kikundi, ndio hivi vikundi vifanye kazi yao pamoja vizuri.

Sasa tukiendelea kwa upande wa legislative Council, tutakuta hiyo sasa pendekezo langu ni kuona hiyo iwachiwe raia wawe wanachagua wabunge kuenda kwa Leggico.

Com. Kavetsa Adagala: (inaudible)

Charles Chavene: Mimi nasema kwa hivi vikundi vitatu, lazima tuwe kila kikundi ambacho kina sehemu yake

Com. Salim: Ulisema kwamba watu wachague members wa Legico.

Charles Chavene: Yes.

Com. Salim: Lakini sasa ndivyo mambo inavyofanyika umesema jambo jipya hapo?

Charles Chavene: Hapo ndipo naunga mkono hiyo iwe hivyo

Com. Salim: Endelea.

Charles Chavene: Halafu sehemu ya mashamba – Shamba mtu akinunua shamba kutoka kwa mtu mwingine, inafaa apatiwe title-deed kuonyesha amerithi hiyo shamba sasa ni yake. Kwa maana kuna watu wengine ambao wamenunua shamba tangu mwaka wa sitini na hawajapata kibali cha kuonyesha hiyo shamba ni yao.

Upande wa mavazi – Mavazi yafaa tuwe na uniform kuonyesha ukiona tu hili vazi utajua huyu ni mama na huyu ni baba. Yaani nasema kama sheria inaweza pitishwa tuwe na mavazi ya kike ijulikane tu hii ni mavazi ya kike, na hii ni mavazi ya kiume. Tusichanganyikiwe kwa ajili tunaona tu fashion.

Com. Kavetsa Adagala: Mavazi ya kiume itakuwa nini?

Mavazi ya kiume iwe “long” na mama avae “rinda” pengine hapo tutakuwa tumeshukuru kwa maana tumeweka uniform ya watu pamoja.

Com. Kavetsa Adagala: Kwa nini umesema hili jambo?

Charles Chavene: Hili jambo limeonyesha mimi nikivaa “long” na mtoto yangu msichana avae “long” hata tukitemebea hapo pengine mtu aweze tofautisha huyu ni mwanamke na huyu ni mzee.

Com. Kavetsa Adagala: Lakini kwa nini kuwe na tofauti ?

Charles Chavene: Hiyo ni kuonyesha maumbile

Com. Kavetsa Adagala: Hizi nguo tunavaa ni za wazungu ingekuaje tuvae vile tulikuwa tunavaa traditionally.

Charles Chavene: Unajua kusema haki lazima sisi tuwe na sheria yetu tusifuate sheria ya jirani.

Com. Kavetsa Adagala: Endelea.

Charles Chavene: Sasa upande wa masomo yafaa masomo kutoka nursery kufika kidato cha nne iwe free ndio tuwe tunasaidia watu ambao wanauwezo kidogo kwa jamii yetu.

Com. Kavetsa Adagala: Endelea.

Charles Chavene: Kukiwa na nafasi za kazi kwa Serikali, inafaa kazi hizo zingawanywe sawa katika mikoa yetu. Kama vile tunapata usaidizi wa madawa, unasikia pengine ni mkoa wa Western peke yake ndio inapata hizo dawa, je kuna huu mkoa wa kati nao utasikia aje. Yafaa sasa tugawanye misaada ya Serikali sawa.

Com. Kavetsa Adagala: La mwisho, umemaliza?

Charles Chavene: Asante.

Com. Kavetsa Adagala: Haya asante, mama ako wapi? njoo hapa mama. *Vola lita*

Speaker: *Ndenyanga mwanange yali muyayi mwechitsi. Ndali nu muyayi umwikitsi yalangwa zakaria Mugoha ma na kutsa Kandi mukelewe kandi mwikitsi kandi nakutsa na ndali vutswa nu mwana mulala yeng'ene vavili dave mavaleka utwana, twana twene yutu nubudinyu na kandi umwana mukana hu Mugoha avandu vavete kwitila Nairobi wayindekela kana ne ngotwa kana kenaka wayanyola, nu musakulu wahana tsimoni wagona vutswa niyahana.*

Translator: My son died and his wife too died they left a child my husband is blind I do not know how to take care of this child.

Speaker: *Kulwandilanga nimbola mumba muyanza wa Nyasaye mwakola buhatsu mwangonya? Sigila kana kene kalekwa yako kali ngotwo ngole ndi.*

Translator: So I am asking to see how I can be assisted with this child because my son who died was the only child I had I don't have any other children who can take care of this child

Com. Kavetsa Adagala: *(luyha) Okay, uveye na kandi?*

Speaker: *Kandi kambolanga ni kunyi kwatanga mu maendeleo ka Kanu, kukili kunyola ku kindu dave.*

Translator: We are the founders of KANU and since we founded KANU we have not seen anything out of the KANU party.

Speaker: *Kwatulaku handu kwatsia kuduka*

Com. Kavetsa Adagala: *(luyha) Agandi?*

Speaker : *Ling'ana lindi liambolanga, muyanze, Nasaye ayanze kambolanga ku kana kalekwa yaka, mulole kuli cha mungonya. Mbeku na mang'ana dave*

Com. Kavesta : Mukele i-Commission yiyi

Translator: All I am begging for is to see how anybody can help me with this child because I have no means, I have no way I can take care of this child.

Com. Kavetsa Adagala: *(luyha) Mukele vindu vivili, sikukonya vandu kuli vokonyi vwovola yobo dave, natsa kunyala kuhandika ma vana vosi avakutsilwa, vavivuli vakutsila mu Ukimwi ku madiku katsa vanyala kukonywa natsa ku lwenulu sikuveye ni nzila dave nitali kunyala kuhandika ku nangwa nakuvole avakele vadamba. Haya Musakulu*

Translator: We cannot give you the kind of assistance you are asking for, we are recording this things so that in future the orphans and people who have problems like yours, we can see how the Constitution can see how they can be helped.

Com. Kavetsa Adagala: *(Luyha dialect) Musakulu wapakula ivwama vivekunu vya vavoku. Assistant chief wowo ni vwaha. Assistant Chief, na chief na councillor vakukonye umanye wa vandu vavoku vaveye nu mukanda kwavo.*

Translator: You should look for the bodies which take care of the blind, you register your old man with one of those bodies so that they can see how they can assist you.

Com. Salim: You have said what I wanted to say.

Com. Kavetsa Adagala: (*Luyha dialect*). *Kali Professor avola ndio. Utakunza navo mmba da, utakunza nu musakulu mmba dave.*

Com. Salim: Mwajua jambo ile la kina mama hasa kina wazee na wakina nyanya kama huyu bibi aliyekuja kuzungumuza na sisi mambo kama haya kwa hakika ni wajibu wa jamii ambapo yeye huyu mama anatoka kumsaidia. Sisi tunandika Katiba, kiasi cha kuandika Katiba na kumaliza na kutoa mapendekezo yetu juu ya kuwasaidia wazee. Huyu mama hatakuwa amefika mwenye hali mbaya sana. Kwa hivyo tungependekeza sisi sasa nyinyi mmekuwa mkipendekeza kwamba wote kati yetu hapa ambao ni viongozi, District Coordinators. Members of the Committees mjuane na NGOs hapa hapa katika eneo ili muweze kusaidia on a personal level to contact the necessary organizations to help, this is an emergency case. We have not time really to put something in the Constitution that will help this old lady tomorrow or today, and we have heard such appeals before. We have heard so many just today here, but I think it is up to the community, or the community leaders from the Councillors, to the Chiefs and so on to help like this one. We expect at least the members of the 3Cs to see what they can do to help.

Com. Kavetsa Adagala: Sostenus Guda (*Luhya dialect*) *uveho? Utsa? Okay. Haya vola ilita lilio ma umolome.*

Sausnes Ngunda: Kwa majina mimi niatwa Sostenus Gunda, pendekezo langu ni kwamba Serikali imetufanyia hasa tarafa ya Sabatia imetuletea kiwanda cha majani chai mudete na hospitali ya macho hapa Sabatia. Kwa hivyo ningependa ya kwamba wengi wetu sisi tumesoma na hatuna kazi, kwa hivyo pendekezo langu ni kwamba hata kama ni kazi ya kufagia kwa kiwanda cha majani chai hasa kwa mtu kama mimi inafaa mtusaidie sana.

Com. Kavetsa Adagala: (inaudible)

Sausnes Ngunda: Watu wote wenye hatuna kazi sio mimi peke yangu.

Com. Kavetsa Adagala: Watu wote ambao hawana kazi mfanye kazi kwa Mudede?

Sausnes Ngunda: Sio Mudede peke yake mahali popote tu.

Com. Kavetsa Adagala: Viwanda vingi vitengenezwe?

Sausnes Ngunda: Ndio viwanda vingi vitengenezwe tena hospitali nyingi zitengenezwe. Pendekezo la pili ni kwamba inafaa Serikali ipatie wanafunzi elimu ya bure, tena iwape vitabu vya kusoma na kuandika kwa sababu wanafunzi wa wazazi hawana

pesa za kununua vitabu za kusoma na kuandika.

Pendekezo la tatu ni kwamba sisi huwa na harambee na sherehe mbali mbali na katika hizo sherehe na harambee sisi huwa na matumbuizo kama nyimbo na ngoma tena tukoa na mashahiri tena na choral verses. Kwa hivyo pendekezo langu ni kwamba wakati wageni waheshimiwa wanawasili kama choir inaimba ama kama mwanafunzi amekariri shairi inafaa mgeni kama anapeana zawadi apatie tu ile choir yenye inaimba; aipatie tu zawadi pale na pale, kuliko kupatia hawa watu wenye wamesimamia hizo vipindi za matumbuizaji. I think that is all I had.

Com. Kavetsa Adagala: Okay sikiliza Serikali ilileta tea factory, NGO na Mbunge wakaleta hosipitali ya macho, sio Serikali ni ya NGO ya Ujeremani na Mbunge (*Luhya dialect*) *Imbula yakagehaku kutsitsakilili noho? Nitali namuhenze nambiki i-ceiling munu vandu va Salvation*

Florence Kinyosi : *Lita ni Florence Kinyosi. Ah ndali nimbandiki dave*

Com. Kavetsa Adagala: Jina?

Florence Kinyosi : Jina ni Major Florence Kinyosi.

Com. Kavetsa Adagala: (*Luhya dialect*) *Ku ukolangi kindiki lutahandiki?*

Florence Kinyosi: Kwanza mimi ni mhubiri na tumetumwa wote wawili.

Com. Kavetsa Adagala: Tupe pendekezo lako.

Florence Kinyosi: Ningependekeza kwanza mimi binafsi ningeonlea ya kwamba niwqwe nikipata mshahara kwa maana niko na watoto na jinsi tunavyotembea hapa na pale inakuwa ni vingumu sana.

Com. Kavetsa Adagala: Nani awe anakupa mshahara?

Florence Kinyosi: Watu wa jeshi la wokovu. Sasa pendekezo langu ni kwamba tuwe tunapata mshahara, kwa maana inafika wakati mwingine ambapo wakati wakusomesha watoto inakuwa ni kazi ilio ngumu sana, kama hauna mshahara. Kwa hivyo ningependekeza iwe ya kwamba.

Interjection, Com. Kavetsa Adagala: (inaudible) jambo la pili.

Florence Kinyosi: Sasa jambo langu lingine ni kwamba vile tuko wawili na tumetumwa hivyo. Kwa hivyo ningependekeza vile nilisema mshahara, iwe mimi nipate mshahara tena bwana yangu apate mshahara.

Interjection, Com. Kavetsa Adagala: (inaudible)

Florence Kinyosi: Wote tunafanya kazi ya kuhubiri. Hilo ndilo jambo langu ambalo nilikuwa nalo

Com. Kavetsa Adagala: Abogee Abogee *yakutsia*, Christopher Abogee haya tunapita huyu. Herman Asali, Asali, Kennedy Mbete, Mbete Kennedy, endelea. Chivagale Ibrahim come here (*Luhya dialect*)

Lomba ikitambaya yecho Margaret, lomba ikitambaya.

Shivagale Ibrahim: Nitaongea kuhusu elimu.

Com. Kavetsa Adagala: (*Luyha dialect*) *Imbula ikola liyoka kandi munyi mwosi mukola liyoka, nimuyaniza chiling'ani. Nimuyaniza chiling'ani.*

Shivagale Ibrahim: Mapendekezo yangu yako hivi, watoto ambao wanajulikana ni mayatima lazima wapewe elimu ya bure kuanzia Primary hadi university. Ya pili watoto kama hao ambao ni yatima lazima Serikali ichukue jukumu ya kuwapa hawa watoto kazi, ili waweze kujendelesha baada ya masomo yao. Tatu – scholarship board wale ambao wanapeana foreign scholarships lazima tuwe na panel ambayo inaweza kuchunguza majina ya watu ambao wanafaa waende nga'mbo kwa masomo. Kwa sababu kuna mambo ambayo wakimpa Director fulani anachukua watu kutoka kwao lazima tuwe na panel.

Com. Kavetsa Adagala: Endelea tumeshaandika hiyo.

Shivagale Ibrahim: Okay, tena elimu lazima iende sawa, na nafasi za kazi sio watoto kupewa masomo fulani ambayo haiwezi kuwasaidia wanafunzi baada ya kumaliza masomo.

Com. Kavetsa Adagala: Endelea.

Shivagale Ibrahim: La tatu lazima tena mtu anapomaliza course apate kazi si vizuri watu wanapewa course, na baada ya kumaliza course wanakaa bure. Lazima Kenya iwe imebuni kazi ndio watu wapate course hizo.

Com. Kavetsa Adagala: Endelea.

Shivagale Ibrahim: Ya mwisho.

Com. Kavetsa Adagala: Wananchi tafadhali nyamazeni kama umechoka enda nyumbani, kazi yetu ni ngumu sana na mnaifanya ngumu zaidi. Kama umechoka enda nyumbani tafadhali tuage uende. Kama unaketi hapa, please shut up.

Shivagale Ibrahim: Ingingine kuhusu pengine ofisi ya President – lazima rais awe na kazi moja. Kazi zingine zipewe watu wengine, one person one job. Ingingine kuhusu mambo pengine ya majeshi uteuzi wa watu kuwa viongozi – lazima tuwe na Council maalum ambayo inaweza kuwa hata kuanzia hata kwa kiwango cha tarafa mpaka hata kwa province, wachague wajue ya kwamba huyu mwana-jeshi anastahili kupandishwa cheo. Sio mtu kiongozi fulani kuchukua kiongozi fulani kwa sababu anatoka kwa jamii yake. Kuhusu pengine mambo ya watu kuteuliwa kwenda kama mabalozi, lazima huyu mtu amehitimu kazi ambayo inapatana na mambo ya foreign affairs. Sio mtu kuchagua watu kulingana na Katiba, kwa hivyo kazi zote zifuatane na uteuzi.

Kuhusu mambo ya mashamba, ningependekeza ya kwamba mtu akiwa ana shamba ambayo haifanyi kazi anyang’anywe hilo shamba ligawiwe watu ambao wanauwezo. Ila sivyo alipe kitu kama tax on that free land, that is not worked on.

Ingingine kuhusu pengine mambo ya polisi; lazima polisi anapopata mafunzo ya kuwa pengine traffic-police, awe watu wamemjua ya kwamba ni mtu ambaye anaweza kujua mambo ingine.

Com. Kavetsa Adagala: Pendekezo.

Shivagale Ibrahim: Pendekezo ni ya kwamba watu ambao ni traffic commandant wawe ni watu ambao wamejua kazi si watu ambao wanapata rushwa. Jinsi watu wanafanya unapata mambo kama ajali zinapatikana kwa sababu ya rushwa.

Charles Chavene: (end of tape 5).

Charles Chavane: Rushwa; jinsi watu wanafanya unapata ajali zimepatikana kwa sababu ya rushwa.

Com. Kavetsa : Endelea.

Charles Chavane : Kuhusu mambo ya Mbunge ningependekeza ya kwamba Mbunge anapo teuliwa lazima awe anajua, kama ni kitu ajue, awe anatembea kwa Sub location yake akijua shida za watu wake. Kwa sababu wengi wao wanakaa Nairobi hawaji huku wanapewa nyumba huko Nairobi, tena siku hizi na sikia wamepewa offisi huko Nairobi. Hizo offisi zao ziwe hapa sub location level ndio wajue shida za watu wao.

Watu wenyewe wa sub-location ndio wanatakiwa wawe wanampa mbunge majina ya watu ambao wanatakiwa wasaidiwe.

Kusiwe na mtu mwingine wa kusema (mimi nafanya kama kumuandikia Mbunge majina ya watu ambao wanataka kazi, huyu akuwe Secretary hapana). Watu wawe wakikaa Baraza na kusema mtoto wa fulani anastahili kazi. Nafikiri hiyo ndio yangu.

Com. Kavetsa Adagala: Kazi ya Mbunge ni kupatia watu vibarua?

Charles Chavene: Kazi ya Mbunge anaweza kuteta.

Com. Kavetsa Adagala: Fikiria hivo kazi ya Mbunge inafaa iwe nini: Halafu utatuandikia one page then the defination of the work of the MP. Asante. William Kitungilu?

Interjection: Rain.

William Tungilu: Nasema mtu akiua mwingine na yeye pia anauliwa. Mwanamke akitoka kwa bwana yake na akae miaka nyingi huko nje asirundi tena kuambia bwana yake ati wagawanye mali. Yule bibi, bwana yake ameleta ndio watakaa na yeye na agawe mali. Lakini watoto watapata mali ya baba yao.

Kwa sababu wanawake wengi wanaenda na bandu wanaenda kutanga tanga huko halafu wanarudi nyumbani.

Com. Kavetsa Adagala: Kwa nini baba achukuwe watoto na si mama?

William Tungilu: Kwa nini yeye alitoka kwa bwana yake na hakuwa amefukuzwa akaenda kutanga tanga? Mtu akinyanganya mwingine vitu na nguvu sheria ni afungwe miaka mingi ndani ya jela ama auliwe. Siwezi kata miaka, Judge ndiye ataamua.

Com. Kavetsa Adagala: Judge ametutuma kwa wewe utuambie?

William Tungilu: Mtu akishika mwingine kwa barabara ashikwe naafungwe maisha. Tunataka kuishi na amani mtu mwenye kuvunja nyumba ya mwingine ashikwe na auliwe.

Com. Kavetsa : Asante mzee. Na hilo la mwisho.

William Tungilu : Haya maoni yangu ni hiyo.

Com. Kavetsa : Asante. *Thomas Toweti. Avandu vaticaye nimuyaniza, namuve Ivogoli vandu va mutikaye avatamolomi namumbe Ivogoli mulwakavaka. Sigila ndi kumala dave, muhulili, mukusalili ni ka Nyasaye, nimuyaniza namumbe Ivogoli. Okay I-report yalakatse hanu mulakasome, I-Conference ilavehomulatumikili, nimuyaniza namumbe*

Ivogoli na kumolome. Haya sande Nyasaye amugasitsi.

Interjection: Rain.

Hon. Musalia Mudavadi.(inaudible)

The meeting ended abruptly due to heavy rains. No prayer.

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