

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS ,

KANDUYI CONSTITUENCY, AT

NZOIA SUGAR COMPANY

2nd AUGUST 2002

CONSTITUENCY PUBLIC HEARINGS,
KANDUYI CONSTITUENCY HEARINGS – NZOIA SUGAR COMPANY
ON 2ND AUGUST, 2002.

Present

Com. Bishop Njoroge

Com. Ibrahim Lethome

Secretariat In Attendance:

Triza Apondi – Programme Officer

James Macharia – Assistant Programme Officer

Lydia Moraa – Verbatim Recorder

The meeting started at 9.55 a.m with Com. Bishop Njoroge being in chair.

Com. Bishop Njoroge: ----- ili tuwe katika hali moja. Tunaye furaha kwa kuwa hapa kama Commissioners wa Tume ya Kurekebisha Katiba, kwa ajili ya kupokea maoni yenu. Huu ni wakati muhimu katika nchi yetu na kabla hatujaanza, ningeita mmoja wetu atuongoze kwa maoni. Sijui kama kuna mtu aliye tayari ambaye angetuombea ili tuanze kikao hiki kwa maombi.

John Juma: Tuamini na tuombe. Mwenye anaomba ni John Juma.

Mwenyezi Mungu Baba wa rehema, ni wakati huu wa asubuhi tunakuja mbele yako na Baba tunakushukuru kwa vile wewe uliteuwa siku ya leo tuwe katika hiki kiwanja, kujadiliana mambo ya Katiba. Na Baba ukawe mwenye kiti mwema, ukatuongoze na hata na wale wenye wako njiani wanakuja ili tuandamane pamoja. Baba ukatuunganishe, yote yenye tunanena hapa iwe ya kusaidia nchi yetu na yawe ya kujenga. Hata wale wenye watuongoza Baba wewe ukawe Mwenyekiti wao.

Ukawafundishe, ukawe mshauri mwema kwao. Baba tuanze nawe na tumalize nawe. Na ni katika jina la Yesu Kristo Bwana wetu. Amen.

Com. Bishop Njoroge: Nafikiri sijui kama co-ordinator bado yuko hapa, lakini mimi naitwa Bishop Bernard Njoroge, ni Commissioner. Na niko na mwenzangu ambaye pia ni Commissioner ambaye tutachukua maoni pamoja na yeye na nitampatia dakika moja awasalimie.

Com. Lethome: Mulembe bosu?

Response: Mulembe.

Com. Lethome: habari zenu? Mimi naitwa Ibrahim Lethome.

Com. Bishop Njoroge: Pia, tuna staff ambao tumekuja na wao, tuna Programme Officer na ningetaka ajulishe staff wake kwetu ili tuwajue pia. Karibu.

Triza Apondi: Hamjambo? Mimi kwa majina naitwa Triza Apondi, mimi ni Programme Officer kutoka CKRC yaani Constitutional of Kenya Review Commission, na mwenzangu ni James, atatusaidia kuandika maneno yale mnayozungumza yote. Na pia, tuko na Lydiah Moraa, ambaye anatusaidia kunasa maneno yale mtayozungumza. Asanteni.

Com. Bishop Njoroge: Pia kunaye Co-ordinator wa district hii, nitampatia nafasi atujulishe CCC na pia aseme machache.

Wabobwa Welinywa: Mulembe bosu? Wakati nilikuwa nikitembea kuwasalimia niligundua-- unajua Nzoia Sugar Co. inaajiri watu kutoka Kenya mzima. So, for that reason, we don't have difficulties of Kibukusu language or something like that. Lakini pia tutakuwa na watu ambao wako hapa karibu, kwa sababu mashamba mengi makubwa kuwa nucleus, na upande huu watu wengine walikuja Bungoma. Kwa hivyo tutakuwa na watu kama wafanyi biashara wenye Bukembe na around here watakuja huku. Mimi ni mshirikishi wa Constitution Review Commission of Kenya hapa Bungoma. Kwanza, nimefurahi kuwa nyinyi wafanyikazi wa Nzoia na wakaazi wa hapa mumekuja asubuhi sana. Nimeambiwa na mzee Buteiyo kwamba alikuwa hapa saa moja na nusu.

Tumeambiwa wakati tulikuwa na civic education Bwana Commissioner Chairman, kwamba, Kenyans also want management of time to be in the Constitution- because one of the things people have said is that, we have developed a habit where we say unachelewa na unasema "I was keeping African time". There is no such a thing as African time. So it is a convenient way of coming late, sometimes it is critical. So, nimesema asante sana kwa nyinyi kufika na ninafikiri mkimaliza, wale ambao mnamaliza najua mnaenda kazini. Lakini wale ambao mnakutana na wenzenu, waambie Commissioner watakuwa hapa mpaka views zote

ambazo ziko huku zichukuliwe. Mimi ningependa kuwajulisha kwenu hawa wafuatao ambao wananisaidia. Sijui Wycliff ako wapi? Wycliff Baraza Wasilwa, CCC member wa Sirisia. Lakini yeye ananisaidia kwa ofisi yangu. Mzee Wakhili ako wapi? Yeye ndiye Committee member ambaye anasimamia upande huu. Wakati Commission ilinipa CCC members kufanya nao kazi, mimi nilikuja nikawaweka kwa locations. Na locations za huku nilimpa huyu mzee, watu wote ambao wamekuja hapa - yeye ndiye ameleta mabarua zao na ndiye amenisaidia kuhakikisha wanakuja. Wapi Richard?

Richard Wekesa: I am here.

Wabobwa Walinywa: Richard Wekesa ni CCC member wa Kanduyi, lakini yeye anasimamia town. Amekuwa akinisaidia pia. Kuna Kaitano Wekesa Opilo ambaye ni translator wa Kibukusu. So, kama kuna mzee anataka kuzungumza mambo ya utamaduni wa Kibukusu na labda hataki kuzungumza kwa Kiingereza kwa sababu hawezi kueleza vizuri, mwaambie aje Kaitano ako hapa anajua Kibukusu vizuri. Yeye anatoka hapa kando ya barabara mahali kunaitwa *khane wama waena mwana wase?* - sorry I am speaking Kibukusu now. I will translate later. He comes from Chekhulo. Kuna mtu mwingine kweli amebaki? Kuna translator *khane bakhulanga bali sina mai?* Christine Malobi *asomianga school*, Special school for the deaf Mumias. Na yeye amekuja hapa, kama mna mtu yeyote ambaye ni deaf, she will ensure that huyo mtu anelewa yale mambo ambayo yanaendelea. Kwa hivyo, mambo yako shwari. Kwa hivyo nitarudisha kwa Bishop ili tuendeleo. Asante sana Bishop.

Com. Bishop Njoroge: Kila mtu ambaye atapeana maoni yake, atakuja na kukaa hapa mbele. Tutakupatia dakika tano kama una memorandum- hutasoma kila kitu lakini uta-highlight. Kwa sababu baadaye, tukirudi Nairobi, tutachukua na ku-analyze hiyo memorandum. Tuna watu wengi zaidi ya thelathini, kazi yao ni kungoja hizo memorandum na ku-analyze na kuziweka katika report. Kwa hivyo, hatungependa usome kila kitu lakini u-highlight kile kitu cha muhimu. Ukija hapa ukimaliza, utaenda pale kwa Programme Officer na kujiandikisha, ukitoka hapa, utaenda pale na kujiandikisha katika register. Tutaanza na Gaitano Buteyo. Gaitano Buteyo yuko? Aje hapa mbele.

Gaitano Buteyo: Mwenyekiti, wanachama wa Committee na wananchi wenzangu hamajambo? Mimi jina langu ni Gaitano Wafula Buteyo, nimekuja hapa kwa niaba ya Buteyo Meat Park na nitaeleza maoni yangu kwa Kiingereza. So, the first thing I want to say is that I am happy to have got this chance to be able to come before the Commission today, and I will be presenting my memorandum in English. I will present this memorandum with special reference to Western Province or Western region. I am going to confine my submission to page 21 of the guide. Those who have it here you can page 21 says “environment and natural resources”. I am going to deal specifically with the environment and natural resources. I’m going to focus mainly on the four pillars that sustain life and these are; our land, our forests, our water and our air. Those are the four pillars that sustain uhai of the Kenyans.

Now, in this particular respect I want to start off by talking about the forests. First, I want to make this statement; that it is an

undisputed fact that a country whose forests have been destroyed, the country's whose water bodies and air have been polluted, the country whose land is eroded due to destruction of vegetative cover cannot provide a healthy environment to sustain life of its people. In this respect, among the country's resources, the forests are one of the most important natural resources. They act as important water catchments protection. Unfortunately, the Western region does not have adequate forest cover. As destruction of indigenous trees in the Western region has affected the unique bio diversity within the region that is causing change of climate and hence Agriculture suffers, and is surely leading to desertification if it is not controlled. Therefore I would recommend that the Constitution should provide for serious (inaudible) protection and conservation of indigenous trees. Whether in private individually owned land or government forest. That finishes my submission on pillar number one- that is the forests.

Pillar number two, I am going to deal with our land. The present land ownership policy allows individuals to own land from the hilltops down into the middle of the river. The individual owner cultivates the hilltops and the riverbank destroying all the vegetation that protect the soil from erosion. In this respect, I recommend:

- a) That the Constitution should unify land ownership Legislation to avoid contradiction in the application of the law by different government ministries.
- b) I recommend that the Constitution should provide for stringent land use control so that, for purposes of conservation all hilltops and side areas susceptible to soil erosion, be confined for conservation as only land use option. In this regard, at least 500 metres from the hilltop-all round the hill and 50 metres corridor on each side of the riverbank be made mandatory forest and soil conservation areas to be planted indigenous trees. Commissioners, while we are sitting here, we are not far away from a hill just down here called Sangaru. Now, during your stay around if you observed, you will have noticed that Sangaru hill is the typical example of the worst form of bio-diversity destruction and soil erosion which requires urgently, such Constitutional measures to save the land. You go out there to Sangaru and you can see. In the days when I was a boy, the whole hill was fully covered in forest. Today it is only rocks standing out and I am sorry to say that, one of these days those stones will begin rolling. I don't which direction they will go but you can imagine what disaster that would be. And today all the soil from the hill has been washed into Chwele river. Where are we going? Unless we do something now to save the situation. That is why I consider that is important, that the Constitution should protect the hills as one of our resources.

On the water- that is pillar number three - water is an essential resource for sustaining all forms of country's life. Be it human, plant or animals. A country without sufficient good quality water is a hardship country. The Western region occupies very strategic position in the Lake Victoria water catchment zone as some of the important rivers drawing into the lake, have sources or flow through this region. It is, therefore, important that all water sources in this region be fully protected against any form of pollution and misuse. Therefore in this regard I recommend that the Constitution should provide for control of all forms of water pollution through industrial or urban waste discharges into the rivers and other sources of water supply.

- b) That, mandatory rehabilitation of all existing water dams in the region.
- c) Acquisition of all wetlands, swamps or marshy lands for water conservation purposes. E.g. we look at Sio River. Sio River has a source right in Bungoma town around Kanduyi. You may not notice it, but Sio river originates from Kanduyi in Bungoma town and you can see it had beautiful swamp all through. But today what is happening is that as the town is growing, people are demanding land for building, therefore we are draining all the swamps around the river. And this is not only to Sio river, but many other sources of water which are not protected. So, I consider that there is definite need to control and protect.
- d) Control of haphazard planting of eucalyptus trees in water catchment and marshy areas. Currently, after destroying all the indigenous trees, we are now planting exotic trees; they maybe good for timber but they have also got their negative impact on our land. In that the eucalyptus trees take a lot of water. And if we plant a lot of them in our swampy, in our marshy areas, in our water sources, we are drying up our water sources and this in the long run, is a dangerous trend of development.

My final pillar is air. I am saying that clean air is essential for healthy human, plant and animal life and therefore, I recommend that the Constitution should provide for stringent control of all forms of air pollution especially by industrial emissions into the atmosphere. This should also control smell and noise nuisance. Then, I wish to make the following general recommendations:

- a) That, the environmental protections to be included in the Constitution as I have already outlined - the one to five that I have mentioned.
- b) That enforcement of laws on the protection of environment should be done by district environment development committees, using the government arms of the Provincial administration and the courts where necessary.
- c) Ownership of natural resources in each region should be by people of the region through their councils. Well, have you will forgive me, but I am imagining that we are already in a regional set up and therefore, people within their region, should be stakeholders and therefore should own the natural resources in those regions.
- d) The role of local communities in the management and protection of the environment should compliment the efforts of the District Development Committee.
- e) That all natural resources including land, water, forests, air, minerals and wildlife should be protected by the Constitution.
- f) Responsibility for management and protection of natural resources should be vested in the regional government and the stakeholders guided by the district environment development committees.
- g) That management and protection of natural resources should be by the regional government involving the local communities.
- h) That soil erosion control measures must be fully enforced. Here, I believe there used to be a law but I don't know whether that law is still there, because today, there is so much soil erosion and nobody seems to be seriously

considering how to save our land.

- i) Sources of all rivers, springs and dams in the region must be protected by providing at least 500m of conserved land around each water source.
- j) All herbalists in the region must be registered and licensed and on registration they must show proof prove of owning and having established herbal medicinal arboretum on their own land, as sources of their medicinal supply to avoid encroaching of other peoples' resources. In this regard may be, I should explain a little. That, was it is happening, now that herbal medicine is becoming popular, everybody wants to be a herbal doctor and they are looking for herbs for treating the people from everywhere. They, themselves, don't have resources. They have not planted and yet they want to be doctors, and a herbalist as a doctor has got to have his own source. And, therefore unless they provide for that, how are they going to serve the community in future treating them with the herbal medicine for which they have no source? So I believe that, to be able to help the situation to be able to encourage planting of indigenous trees especially herbal medicine, all the herbalist must be registered and licensed and that, one of the conditions there in will be, that whoever wants to be a herbalist must show that he has actually the material or the source for his medicine.

Finally but not least Mr. Chairman, at this particular point in the life of Western region as I have already mentioned elsewhere, indigenous trees have been destroyed and much as we may not want it, but it is important that we shall have to rebuild this destroyed shrines. To be able to do that, we want to encourage everybody particularly as we have no proper forest in the region now. We would want to encourage individuals or groups of people who are interested in promoting the development of the indigenous forests. We want to encourage them to do that and in order to do that, I am recommending that the Constitution should in this particular respect should provide for special funds to promote individual or group efforts committed to establishing indigenous trees, forests or arboretum. Mr. Chairman, the time to save Kenya is now. Tomorrow will be too late. Thank you sir.

Com. Bishop Njoroge: Thank you very much. I must admit that since we started we haven't heard such topic being covered the way you have covered and we are very grateful to you and I can assure that what you have said, will get its way in the Consitution. Thank you.

Gaitano Buteyo: Thank you sir.

Com. Bishop Njoroge: Can you come and register. Can we have Justo Wekulo? Justo Wekulo?

Justo Wekulo: Morning everybody?

Response: Morning.

Justo Wekulo: My names are Justo Wekulo Webele born in Mwibale village, Mwikhubo sub location Bungoma District, Western part of our country Kenya. I wish to be brief as per the points here. My first emphasise is on the natural resources as someone has said but, mine is a bit different. Here, many of us have heard of people having or owning large tracks of land while others live as squatters. We have seen that todays governing class or rules have no principles in terms of managing that sector. Therefore, it is my plea that those ones who have more that one thousand acres of land, should have it distributed so as to settle the landless people. We have seen that especially in our side here in Bungoma district, the population is dense and up there, we have some owning acres and acres of land. Therefore, the Constitution should take note on that, that those ones staying as squatters' life should also be settled.

Com. Bishop Njoroge: We have taken that point.

Justo Wekulo: Then, the second point is on freedom of worship in our country here. Many a times when we look at the hierarchy of the church, the church leaders play a central role in organizing the citizens spiritually so that, when it comes to the life they take, these people should not be in a mess all the time. Therefore, we seek the Constitution that is good for them, to define freedom of worship to get rid of the devil worship. In that, you see, they are preparing us not to fall into mistakes all the times. Churches are there to advise and guide the citizens. So, the church has a role for the citizens to make them stay or lead that commendable life.

Com. Bishop Njoroge: Point taken.

Justo Wekulo: Then, the next point is that Parliament should have powers to reduce nepotism, tribalism and many other evil things. We realize that- I personally and other the youth, went paliamentarians to be very incentive persons, not one who has to be corrupted before he can help a child or anybody in any circumstance. We feel that the issue of tribalism, corruption in the country should be taken note and be eradicated fully to ensure peaceful and freedom in our country. Now we see that in our current Constitution, then our teachers have failed to define the duties of the President. The President has got all the power. It is my plea that some of these powers have to be reduced in order that we may have fair and free elections in our country his duties have to defamed.

Lastly, I wish to emphasize this; like down there on the floor of River Nzoia we have a place known as *Mwikhupo* and there is a waterfall of a height of 150m high and once it drops, there is a kind of smoke- bluish indicating that such a place, if organized well can generate hydro-electric power. The government has been planning to do rural electrification but, in such area it is good for them to come and visit that place to see whether the place can serve the citizens and thus, giving or rather creating job opportunities. I say thank you.

Com. Bishop Njoroge: Thank you very much Justo for those views. Could we have Caleb Kadoyo? Caleb Kadoyo?

Alex Kadoyo: Thank you Mr. Chairman and Commission members. As you know the time is short, so I am going to read very quickly as possible. “To prorogue and dissolve Parliament---

Interjection. Com. Bishop Njoroge: Your name first?

Alex Adoyo: My names are Alex Adoyo Nyumba, Box 285 Bungoma. To prologue and dissolve Parliament, is the duty of the Speaker. The Speaker must be elected by MPs. He is the one to control the Parliament. While Parliament is dissolved, the Speaker becomes overall to control the country until election is done.

Vice President: it is the duty of MPs to appoint or elect the Vice President. It is the duty of a President to appoint and dismiss Ministers and Assistant Ministers, Permanent Secretary, DC, DO and local Chiefs, company Managing Directors and Chairmen. The appointment of the President: this process should be done by wananchi by secret ballot.

Duty of the President: the duty of the President is to lead the celebration of national holidays and official duties only. When I come on development within the area, it is the duty of the DO, MP and local chiefs only. After they have finished their duty, they must inform the DC and PC and must be checked by those official people. On that project, MP is the chairman to look after that project within his area. MPs are free to speak to wananchi and no action should be taken against them on the words which they have spoken. MPs are free to hold any meeting within his or her area. He or she must inform the local Chief for security. Anybody interfering with that meeting must be arrested.

African alcohol should be put in the Chiefs Act.

Com. Lethome: African what?

Alex Kadoyo: Alcohol; chang’aa and busaa. These people when they are arrested by the Chiefs or Assitant Chiefs, they must work under chiefs supervision building school, bridges or other projects. Hapana mambo ya kufunga mtu kwa sababu ya chang’aa.

Com. Lethome: Must they be arrested or ----

Alex Kadoyo: They should be arrested by their Chief or Assitant Chief and they should work within the chief camp or schools. Wafanye kazi kwa mashule na chief’s camp kwa kufagia huko, wakate nyasi huko.

Com. Lethome: Kwa hivyo unataka katika Katiba kunywa busaa na Changaa iwe ni hatia?

Alex Kadoyo: Ni hatia, lakini wafungwe kwa Chief camp huko. Halafu wanarudi nyumbani. And this should not go for many days. There must be a limit of days; 30 days.

Education: as from standard one up to standard eight, the children or the parent must pay only 150/- per year. As from form one up to form four, school fees for borders should be 7,000 /- per year. Day scholars must pay 5,000/- per year. University or degree graduates must be loaned free food pocket money- not less than 100/- per month, and, these students must be given jobs by the government. The President should not be above the law. Let the law be above the President. And the presidency must be rotational among the provinces, e.g, when Western province for example we take Mudavadi to become our President, next time we go to Rift Valley to elect. The Rift Valley people are the people to elect the President. Multiparty system should be abolished in Kenya.

Com. Lethome: (inaudible)

Alex Kadoyo: Kwa sababu hawa ndio wanaleta clashes in the country.

Com. Lethome: What clashes?

Alex Kadoyo: Mambo ya kupigwa hivi --clashes sorry. Retired President should not---

Interjection. Com. Lethome: Sorry, are you suggesting that we should go back to single party?

Alex Kadoyo: Single party peke yake. Retiring President should not engage in any politics in the country or outside the country. Any Kenyan citizens be allowed to contest the post of presidency whether he has enough education as from KCPE, aged 35 years onwards. MPs should have offices within their constituencies so that they can address wananchi properly on development and this they should work from 7.00 a.m to 5.00 p.m, except during Parliament session. These MPs should hold office for two terms only. Any Kenyan citizens whose father has held the post of Presidency should not engage in politics. Any crops or materials delivered by local farmers to the factory, the payment should be within 30 days. If the factory cannot pay him within 30 days, then the factory should pay this amount with interest not less than 20%. Imports such as mtumbas should be abolished so that where the factory which makes those materials can run and the people can get the jobs there.

Prominent people such as the MPs Company Director, Heads of parastatals bodies, Accountants and the President should account for their wealth. Import duty on goods and products which are locally available or can be locally processed should be increased such that, their prices are higher than local product to protect our local industries. Kenya citizen who have not qualified for entering public universities can join private university or can be allowed to join low grade universities. We want

universities to be graded according to superiority with public universities graded superior and the private ones less superior. Any student going for pararell programme can only be allowed in low grade university and their degree certificate should bear the name “pararell student”.

Com. Bishop Njoroge: Give the last point.

Alex Kadoyo: The last point, is that all Ministers and Assistant Ministers, President, all forces within Kenya must tell Kenyans how they get their riches within Kenya and they should explain to Kenyans, they are the people who spoil the economy of Kenya. All prisoners serving a term of from two years, must be given leave of not less than one month. This will enable them to enjoy with his family and then he shall go back to prison. Tena, mambo mtu anafungwa miaka mitatu, hajaona mtoto, mama anataka mapenzi hata Sarah na Abraham walikuwa wanafanya mapenzi na yeye ni mtu wa Kenya. Na ukichunguza, amefungwa kwa chang’aa au tuligombana kidogo na ajaua mtu. Miaka mitatu hii nimekaa kwa jela hapo, si mama pia ananihitaji?

Com. Bishop Njoroge: Thank you very much, thank you very much. This is why the Review of the Constitution is important to Kenyans because we haven’t heard anywhere else somebody saying a prisoner must be given leave which is very sensible. Cyprian Walutila.

Cyprian Walutila: My names are Cyprian Walutila; I am presenting a paper to the Commission, representing Christian Community Golden Time. So, I am presenting quite a big crowd, and I would have loved if you could have allowed me to read the draft but I can go into the main point if necessary.

Com. Bishop Njoroge: Because, eventually we will have to analyze that paper as I said before we started- we have over 30 people in our Headquarters waiting for these memoranda to analyze them and put them where they belong. So, you really don’t have to go into details.

Cyprian Walutila: Thank you. I will take this opportunity to highlight main points in this paper. The members have gone through the whole booklet and tried to come up with what they feel is the best way for Kenyans through their eyes and I hope, that the Commissioner will see that we have done our contribution.

The first point, is on preamble: we feel that the Kenyan Constitution needs a preamble and the preamble should actually highlight what is highlighted in our national anthem. Our national anthem has a lot of points, which we need to put down and be highlighted properly in the Constitution so that we protect them -the Constitution protects those highlights. And these are; Kenya should be a county of peace, unity and love. Kenya is a God-fearing nation, Kenya to be a country of liberty and freedom, Kenya should be self sustained. The preamble should reflect the following common experiences which Kenyans

should strive to eliminate and these are; illiteracy, poverty, disease, corruption, tribalism and nepotism, hunger and starvation.

The Constitution should have statements capturing the national philosophy and guiding principles. We should be mindful of other Kenyans' welfare, Kenyans should be self sufficient in food production, Kenyans should be a God-fearing nation, be efficient and effective in the use of resources to avoid wastage of resources. The other highlight that I would like to point out is that the Constitution should be Supreme. There should be no law above the Constitution and the Constitution should belong to the people and that, some parts of the Constitution should be beyond the amending of the Parliament, these are; Kenya will remain a multiparty state, two five-year term Presidential term shall not be changed. The Constitution should provide for an independent Electoral Commission to conduct the referendum and supervise free and fair elections without influence from the government in power. Those fundamental rights, we feel should not be changed by an Act of Parliament a part from the referendum of the whole electorate.

Citizenship; the members felt that those people qualifying for automatic citizenship are: children whose both parents are Kenyan citizens, a child whose father is a Kenyan citizen, spouses of Kenyan citizens. Where a Kenyan man marries a non-Kenyan woman, the wife automatically becomes a citizen. Where a Kenyan woman marries a non-Kenyan man, such a man shall not gain automatic citizenship. However, citizenship for such a man may be considered after the background and character is determined to be compatible to Kenyans and he should be living in Kenya. So, we are not giving citizenship to non-resident Kenya foreigners. So, a person to be a ----

The right to life, the right to own property and live anywhere in Kenya, the right to quality education, the right to clean and safe environment, the right to freedom of association, the right to freedom of movement, the right privacy, the right to freedom of movement, the right to political awareness that is, when we talk of political awareness, is not just belonging to a political party, we are talking about- that I'm able to propagate my political ideas without interference. If I want to campaign for somebody, or I want to talk about a topic I should not be controlled that I need some license or somebody to give me permission to give me that opportunity. I should be able to give awareness like in seminars and so on without any hindrance.

The right for quality education, the right to justice- that is in court, the right to share the national resources, the right to participate in formulation of public policies, the right to good governance by public authorities, the right to health care. Also we gave the citizens some duties, that is obligation of the citizens. The citizens have obligations to do certain things. These are: paying of taxes to the government- that should and obligation of the citizens. Anybody found trying to evade paying tax and that should be actually a criminal offense and should be dealt within the criminal court. Loyalty to the country, protection and maintenance of clean of clean and safe environment. As the mzee who was here was talking, was touched that, there should be a law within the Constitution that each on of us has to protect the environment in the best way possible. If you are living in a place, it is your duty to make sure that, that place is clean. You should not expect somebody else to come and clean it for you after you have put dirt there.

Com. Bishop Njoroge: You have already spent 8 minutes, dakika nane- 3 minutes above, I will give you two minutes to finish.

Cyprian Walutila: Okay, on the political parties, they should not be funded by the State. Every party should look for its financing on its own and be able to finance its projects and use its own resources. In addition to that, the State should not interfere on where the source of the funds come from. The political parties should be able to source for their fund from wherever they can get it. On the political parties also, they should be de-linked from the government and especially political functions should be completely non-interference free from the Civil servants or government functionaries.

The Legislature; this is where I have major input that I need to-- just give me some one minute there, I finish, it is that or our recommendation is, we retain our Presidential system. The appointment of Heads of ministries should not be from MPs because, we believe that if we want to separate powers, the Legislature, the Executive and the Judiciary, then it is unfair to have a Minister who is both a Legislator and an Executive. I don't see how you can separate those powers. This is holding two positions. One is the legislature, another one is the Executive. So, us we believe that the heads of ministries should be complete Civil servants who are appointed and interviewed by Public Service Commission and recruited. After the President has appointed them, the Parliament will vet and will remain civil servants to head ministries. The Legislature is just to make law and to ensure that those are followed but not to have people attending both. The age limit for the President, we have put it between 35 – 75 years, and that means, the President should not be elected who is above 70 years since he will go beyond 75 year limit.

That one is because if we are taking judges of the wise people, and their retirement is 74, it means wisdom however good it is, ends at some age. So, we want the President to be in full capacity when he is a President. Anybody beyond 75 will be senile and we believe, he will not lead this country properly.

On the nominated MPs, we have said that there should be no nominated MPs. We believe that the nominated MPs have been used badly by the nominating organ and if we have any people with disabilities or women whom we want to have greater representation, they should elect their own people. Nobody should nominate for them. It is their duty to elect that group, not somebody else nominating for them and bringing somebody in who is not right or who is just a supporter.

Com. Bishop Njoroge: ----- (inaudible)

Cyprian Wamutila: Okay thank you. No, it is alright. I have everything written. So my final point will be just on Local government where we have recommended or our wish is that the Constitution takes care of the Local Authority and people elect their chairmen and Mayors directly. And powers of the Provincial administration; the Provincial administration should be removed and those functions should be done by the Local authorities; that is the local Chairman should be the one who is Executive in that place. Not somebody being appointed from elsewhere, coming there and imposing himself on the people, it is

not right. Thank you.

Com. Bishop Njoroge: Thank you very much for those views, I can assure you that we are going to analyze that document. Now can we have Kemoiti James? Endelea.

Kemoiti James: Mr. Commissioner, thank you very much for giving this opportunity to air my views. My names are Kemoiti James; I'm just giving a verbal contribution. My main point is that there should be equitable distribution of natural resources and development. Currently as it stands, there is a lot that tends to benefit only special areas in the country. You find most of the areas are so undeveloped while a lot of development is elsewhere, and I feel that that is not correct because we all pay taxes and we should receive equally what is due to us. Because when you take an example, like if you went to Teso District now, you will think it is not part of Kenya. There are no roads, people are living in abject poverty because the cash crops which are grown there, their prices are low, payment is a problem, and so is actually a big problem. So, there should be equitable distribution of national resources to all areas.

Then, this issue of land Mr. Chairman, there is a lot concerning to land and in fact it is the lifeline of all the people of Kenya. So, my submission is that there should be equitable distribution of land. Currently in Kenya, there is enough land for every Kenyan if the process is well managed. Because, it is actually shameful to see somebody called a squatter in Kenya. When I was in Uganda, I used to hear people called squatters and I was thinking that it was a tribe- I didn't know they were people just like any other people but actually it is shameful to have people "squatting" in their country and yet there is a lot of free land. There should be a ceiling of land ownership.

Com. Bishop Njoroge: How many acres?

Kemoiti James: 100 acres may be should be the maximum. If that is done, then everybody will be entitled to at least- even if it is half an acre so that he is settled there. Then there should be a lot of improvement on marginalized tribes. We have tribes in Kenya which have been trodden on for years and in fact, when it goes to development, you find they don't receive much and they have remained in that state for years. Okay, may be it might be attributed to their lifestyle, but all the same, they are Kenyans they also deserve their rights. Kenya as a country has had its image totally tainted by corruption. Corruption has become a disease and it is all because people are rushing in for quick riches. The most affected area is the Land department; when you come to the Judiciary, it is even a problem to dispense justice.

Interjection. Com. Bishop Njoroge: James, you know Commissioners are Kenyans and we know the problems. And the problems will never get their way into the Constitution. What will get into the Constitution is the proposal you make to eradicate corruption. So, you can save our time by telling us there is corruption, this is what we suggest the Constitution should do. That will help us even much more. So please don't tell us about problems because we are Kenyans, we know them, we

know they are there. Tell us the proposals actually what should be done.

Kemoiti James: Thank you. My next point is that there should be created a position of Prime Minister so that he can run the government and this is the man to form the Cabinet and then run the affairs of government. The Judiciary should be completely separated from the Executive. In case of a problem or incapacitation of the President, let the Speaker take charge and then the Presidential term should be a maximum of two terms. Beyond that, he runs out of ideas. There should be a culture in Kenya, of one job, one man. The moment one man holds too many positions, that is a prelude to corruption. Passports should be issued to Kenyans free just like ID cards. We see no point why it becomes so difficult for a Kenya to get a passport. Generally, Mr. Commissioner, I think those are my views. Thank you.

Com. Bishop Njoroge: Thank you very much, when you register give us those notes. We will like to take everything you have. You write your name and give it, we don't want to leave it. I want to recognize the presence of the District Officer, on behalf of the District Commissioner, I will just give him one minute just to say "Jambo" and then we continue.

D.O: Thank you very much Mr. Commissioner Sir, the secretariat, Wakenya wenzangu ambao wamekuja kutoa maoni, nafikiri yangu nikushukuru Commissioners na serikali yetu tukufu, kwa kutupatia sisi nafasi na wao kutimiza sheria ile imetungwa ya Commission kufika mpaka hapa kwetu na nafikiri maoni yenu ni ya maana sana. Kwa hivyo Bwana Commissioner, I assure you that we are with you for posterity. It is a very good exercise and we shall give you all the necessary support. Thank you.

Com. Bishop Njoroge: Thank you very much Bwana DO, we had already had a lot of support from the Provincial Administration, from the DC here and we appreciate. Can we have Samuel Mutula? Samuel Mutura tafadhali karibu.

Samuel Mutula: Asante sana Bw. Commissioner, jina langu ni Samuel Mutula na ningetaka kutoa mapendekezo yafuatayo. Jambo la kwanza, hii Katiba yetu imekuwa kwa muda mrefu vile haitakiwi kuwa. Kwa sababu, nikichukua mfano katika Biblia kwa Daudi. Daudi wakati alivalishwa nguo ya Saul aende akapigane, aliona ni vigumu, hakuweza kuenda. Na sisi tulipopatiwa uhuru, tulivaa nguo ya wenyewe ambayo imetushibisha kutopigana na yale mambo yaliyokuwa mhimu; ya kwanza ni umaskini na la pili kutojua kusoma na la tatu ni magonjwa. Kwa hivyo, hatujaweza kufanikiwa kwa sababu tulivaa nguo isiyo yetu na sasa tunashukuru kwa sababu mumekuja kwetu ili tuwambie yale ambayo yanatufaa na yale yanaweza kutuwezesha kuendelea kupigana na mambo haya.

Jambo la kwanza ningeonzea ni kuhusu kanisa na serikali. Kanisa na serikali zinatakiwa kuwa kitu kimoja. Nikichukuwa kwa mfano chief na pastor, naona pastor hukutana na watu wengi kila Jumapili kuliko Bw. Chief anapoitana katika baraza. Kwa hivyo pastors wanatakiwa kutengenezewa seminar na serikali ili serikali iwaambie yale yanayohitajika ili wakayaongee katika makanisa.

Jambo lingine ningetaka kuongea ni kuhusu research. Serikali yetu inatakiwa kutilia mkazo sana katika kila idara ili waweze kuweka research kabisa. Kama ni upande huu wa miwa, iweke research kabisa na tujue ni miwa gani tunahitajiwa kukuza na jinsi gani inavyotakikana na katika sehemu zingine zozote.

Jambo lingine ni kuhusu self reliance au kujitegemea. Watu wanatakiwa kujifunza kujigetemea kabisa kuliko nchi yetu kukaa tukiomba omba kila siku, kila mara kwa sababu unasikia inasemekana ya kwamba unaobarikiwa ni mkono upeanao kuliko ule ambao unapokea. Kwa hivyo sisi tunatakiwa kupeana lakini si kupokea.

Jambo lingine nataka kuona ya kwamba, busaa na chang'aa zinatakiwa kupewa na ruhusa. Kwa sababu hata zikikatazwa, bado watu wanaendelea kukunywa chang'aa na busaa. Kwa hivyo wanatakiwa kupewa license ili wawe wakiuza kama pombe zingine katika jamii. Jambo lingine ni wale ambao hawajiwezi:- disabled. Hawa nao, wanatakiwa kupatitwa nafasi katika jamii na kutambulika vilivyo. Jambo lingine ni kuhusu maktaba au libraries. Library zinatakiwa kuwa katika kila sehemu ili watu wanapomaliza masomo isiwe inakomea kwa darasa tu, wawe wakijiendelesha katika public libraries. Watu wanasoma na kuzidi kukuwa na maarifa zaidi. Jambo lingine ningetaka kusema ni about regional government. Ninakubaliana tuwe na regional government ambazo hazianguki katika mipaka ya kikabila na viongozi katika zile regional government, wanatakikana kuchaguliwa na watu.

The Presidency; the President needs to be an Executive President, he should not a member of any party or be a Member of Parliament. He should be allowed to appoint Chief Justice, Auditor General, Chief of General Staff and Chairman and members of Public Service Commission.

The Executive: the Executive will be composed of the Prime Minister, Minister, Deputy Minister and Permanent Secretary na hawa wote wanaweza kupelekwa kortini. Jambo lingine ni kuhusu the Judiciary. They should be appointed by the Judicial Commission and approved by the Parliament. Provincial administration; no need to have Chief, DO, DC and PC because this would be taken care of by the regional government. Parastatal bodies; this should be appointed by Minister concerned and approved by Parliament.

Electoral system; the President should be elected by the people so also should the Vice President. The constituency; the constituency should be governed by the population and not by the geographical area. Date of elections should be fixed within the Constitution which may be altered by Parliament if need be. Presidential votes; 50% to the President and over, and 10% in every region. The term of Parliament should be 4 years. Term of service; all elected people should have 4 years contract renewable once only. Mambo ya kupiga kura kutumia ballot boxes; there should be transparent boxes. Electronic voting; this will give freedom to Members of Parliament to vote without fear of victimization. The Bill of right; this should be honoured and signed by the government of Kenya all and laws that go against humans right be deleted. Land; no trust land in Kenya but government land with a title deed. That is all I have for this Commission.

Com. Lethome: Thank you very much Mr. Samuel. Can we have now Emojong Ebron? Karibu.

Emojong Ebron: Commissioners and wasikilizaji wenzangu, hamjambo?

Com. Lethome: Anza kwa majina.

Emojong Ebron: Majina ni Jackson Emojong Ebron. Mengine yangu yamesemwa na wenzangu lakini nitapita haraka haraka. Kitu cha kwanza, kulingana na Katiba ambayo inaelekea mwisho, hiyo Katiba ilikuwa ina-protect samaki wakubwa katika serikali yetu ya Kenya. Unakuta mtu mwingine hana mahali pa kuweka kaburi lake wakati anapokufa, lakini kuna watu wengine unakuta wako na hekari elfu miatano, na wewe mahali pa kuweka kaburi peke yake huna. Sasa hapo hapo tunashindwa, sisi tuko wapi?

Com. Lethome: Sasa ungependekeza nini?

Emojong Ebron: Sasa ndio mimi ndio nasema hivi; hilo shamba ambalo samaki kubwa wamenyakuwa, wanyanganywe, wagawie wale ambao hawana mahali pa kulima.

Com. Lethome: Na hawa samaki kubwa wataenda wapi wakinyanganywa?

Emojong Ebron: Watabaki na kama hekari mia tano. Lakini elfu mia tano hii yote, hata wewe ukiangalia, si hiyo ni hasara kubwa kwa wananchi wengine? Ndio inafanya watu wengine wanaingia mitaani wanaanza kunyanganya wale ambao wako na pesa.

La pili, unakuta viongozi wa serikali, pengine ni Minister katika idara fulani. Unakuta tena ni mwanachama katika parastatal body fulani. Ako na post tano na kuna watu ambao wameelimika na wanakaa nyumbani, hawana mahali pa kupata shilingi tano peke yake ya sabuni.

Com. Lethome: Sasa unapendekeza nini?

Emojong Ebron: Tungependekeza hivi; hawa kama ni Minister mtu awe Minister. Hizi idara zingine zote wa-resign, wapatie wananchi wengine nao wapate matunda ya uhuru. Iwe one man, one job.

Com. Lethome: And for women?

Emojong Ebron: One woman, one job also. La tatu, katika Kenya tuko na provinces nane. Kwa hivyo kwa kila province tunataka tutoe kiongozi. Kwa mfano Central, wakati wao uliisha, Rift Valley, wakati wao ndio huu unaelekea mwisho. Kwa hivyo, province sita ambazo zimebaki, tunataka President atoke kwa hizo provinces.

Com. Lethome: Sasa unapendekeza atoke Province gani mara hii?

Emojong Ebron: Haijalishi hat akitoka Coast, Eastern, North Eastern, Western- Nyanza, bora ipigwe kura. Not somebody just picked from the bush ati “huyu, napendekeza huyu”. We don’t want that system. Hiyo inaleta mvuragano katika nchi na itasababisha vita. Halafu, number four, ni kuhusiana na mambo yetu ya kinyumbani. We have really lost au wadada na wamama wamekosa heshima katika nchi yetu.

Com. Lethome: Yaani wanawake kwa jumla wamekosa heshima?

Emojong Ebron: Wamekosa heshima.

Com. Lethome: Unapendekeza nini?

Emojong Ebron: Kwa sababu, unaweza kukuta mama mwenye ako na miaka zaidi ya arobaini na tano. Anatembelea longi na ako na watoto wakubwa- vijana- mwingine anatembea na kaptula akienda kwa soko. Imagine mama wa over 45 years, anatembea na watoto wake wasichana na vijana, wanaenda shopping na anavaa kaptula unadhani anaenda kucheza mpira! Hiyo ni heshima gani?

Com. Lethome: Hebu pendekeza mzee?

Emojong Ebron: Ndio mimi nasema hivi; tuwe- kwa mfano kama Wasomali na watu wa Mombasa. Halafu tukivuka mpaka, kama Waganda na wale wa West Africa. Wavae nguo ile ambayo inafika mpaka chini.

Com. Lethome: Hao ni wanawake?

Emojong Ebron: Hao ni wanawake.

Com. Lethome: Na wanaume?

Emojong Ebron: Halafu, unakuta mama akivaa hiyo nguo, wakati ule anapoinama huko nyuma anabaki uchi. Sasa akishikwa na wanaume watasema ati yeye amefanyiwa raping? Unakuta mwanamume ameshika huyu mama, anashtakiwa miaka kumi na

nne. Kwa hivyo lazima tuwe na heshima.

Com. Lethome: Na sasa wanaume nao mavazi yao?

Emojong Ebron: Wanaume ikiwezekana- lakini sioni wanaume wakiwa na shida sana kwa upande huo. Hata ikiwezekana, wanaweza introduce system pia wavae makanzu. Lingine, ni kuhusu mimea ambayo tunalima. Unaweza kuta kwa mfano mwisho wa Kenya kama Western, tunalima tobacco. Unakuta wakulima wanatayarisha mashamba kuanzia November. Kufikia May following year, hiyo mimea inakuwa tayari. Badala ya hiyo mimea kutengenezewa hapo, imaliziwe hapo, unakuta inapelekwa sehemu za Thika. Sasa wakulima wa area hiyo wanaumia, halafu wenye kustarehe na hayo mali ni watu wengine. Tunataka serikali, kama mimea inalimwa kwa hiyo area, imaliziwe hapo. Iwe finished product katika hiyo area to create jobs kwa hao wananchi wapate jasho lao.

Com. Lethome: Factory yake iwe hapo hapo?

Emojong Ebron: Iwe hapo hapo. Lingine, kuna government officials ambao wanatajwa katika makosa fulani fulani. Unakuta hao bado wako kwa hicho kiti. Hata mkilia, serikali haichukuwi jukumu lolote. Kwa hivyo tunaomba hii Commission ipitishwe ya kwamba, any government official who has been mentioned either in corruption or theft or killing any innocent person should be sacked immediately and prosecuted. Kwa hivyo, hayo ndio yangu ambayo nimeweza kutaja kwa hii Commission. Asanteni.

Com. Bishop Njoroge: Asante sana kwa maneno haya mazuri. Erastus Katakha? Erastus Katakha tafadhali?

Erastus Katakha: Ningependa kutoa salamu zangu kwa Commissioner. Mimi nina mambo machache kwa vile-- jina langu ninaitwa Erastus Katakha, mimi ni mzee wa kijiji kutoka Bugembe. Ningependa kutoa hoja zangu fupi kwa vile nyingi zimeongewa na wenzangu. Jambo la kwanza, ningependa kusihhi Katiba ishughulike na mshahara wa wazee ambao wanasimamia vijiji kwa vile hao, tangu enzi za wakoloni wamekuwa wakifanya kazi nyingi. Sasa ningependa waorodheshwe katika kupata mishahara ili nao waweze kujishindia katika hali zao za kila siku. Jambo la pili, ningependa kutoa hoja hii kuwa, wazee wa kijiji wawe wanaelimishwa kwa vile wengine hawafuati mambo sawa sawa, kwa vile wanakosa namna ya mwelekeo mpaka unaona wanaamua (inaudible). Mambo ambayo yanaweza kuwafunga wao wenyewe. Sasa wanatakikana waelimishwe ili wafuate mambo kwa njia ifaayo.

Jambo la tatu, ningependa shule zile za msingi na za secondary ziziwe karibu na masoko. Kwa vile, katika soko zile, kuna mambo mengi yanayoendelea huko. Kuna vileo huko, na kuna mambo mengi ya umalaya na hata tabia zingine ambazo sio mzuri, zinaendelea kwenye soko. Ikiwa shule yanaweza kuwa karibu na soko, nafikiria wanafunzi wetu wataweza kupotoka katika hali hiyo. Sasa ninawasihi, mtusaidie shule ziziwe karibu na soko. Jambo lingine ni kuwa upande wa kuoana, ningependa

Katiba itusaidie iwe kwamba, kabila moja lisioe msichana au mvulana kutoka kwa kabila lingine. Mbukusu aoe Mbukusu, na Mjalu aoe Mjalu hili kwamba, tuendeleze kitamaduni yetu. Tunapoteza utamaduni wetu kwa sababu, ikiwa wavulana kumi Wajalu wataoa - wasichana Wabukusu kumi wataolewa kwa Wajalu, mpaka utaona kama kawaida, mtu mwenye anazingatiwa kwenye boma ni mwanamume. Sasa atalazimisha msichana kufuata mila zao. Sasa ikiwa wasichana kumi wataolewa kutoka kwa Wabukusu, waende huko kwa wajalu, kutakuwa na upungufu katika mila zetu. Sasa iwe kwamba msichana Mbukusu abaki kwa Wabukusu na Wajalu watafute Wajalu wenzao na waweze kuwaoa. Singependa kuwathreaten kwa vile vile nilisema mwanzoni kuwa wenzangu wameongea mambo mengi, nilitaka kuongea juu ya ardhi na maji, lakini kuna mwenzangu ashaongea, sasa sitawajosha na zangu. Asante.

Com. Bishop Njoroge: Unawezaje kuweka katika Katiba ya kwamba- kwa sababu kuna uhuru wa kila mmoja kuo na kuolewa; na hiyo ni haki ya kibinadamu. Sasa, tunawezaje kuweka katika Katiba kwamba kijana asimuo Mjalu ikiwa yeye ni Mbukusu? Huoni kwamba tutaingilia haki za mtu katika fundamental rights?

Erastus Katakha: Ndio, umesema vizuri lakini kuna haki kwa mambo—

Com. Bishop Njoroge: Na kama tukiweka kama sheria, si lazima sheria iwe na hukumu yake? Sasa mtu akimuo mwingine na ni sheria, si lazima atahukumiwa?

Erastus Katakha: Nakusihi mzee kuwa- unajua kuna uhuru kwa mambo fulani na kuna uhuru kwa mambo mengine ambayo si ya kawaida. Kwa sababu- ndio kuna lazima kuwa mtu aoe na aolewe lakini hiyo, tumesema kuna wasichana wengi ambao wanaweza kuolewa, na tena kuna vijana wengi ambao wanaweza kuo. Sasa Wabukusu, wako wasichana wa kutosha wanaume wanaweza kuo. Sijasema kuwa hiyo ni kama kupuuzia haki za binadamu, lazima aoe na aoe mtu yule ambaye ametokana na mila zake. Ili, hata kwa nyumba wasikorofishane, mambo iende tu sawa sawa, wazungumze lugha moja. Hata mume akiomba kitu, msichana aweze kumpa kwa wakati ufao ili wasichelewe kuzaana.

Com. Bishop Njoroge: Haya asante, karibu ujiandikishe. Tupate Daniel Sangura.

Henry Sangura: Asante sana kwa hii nafasi ndogo. Kwa majina naitwa Henry Sangura na ningependa kuchangia kidogo. Jambo langu la kwanza ingawa limetajwa, ni kuhusu mashamba. Shamba katika nchi yetu hii, wengi tumeanza kuwa na matatizo na kupungukiwa na ardhi. Na ukienda kuangalia nchi yetu, kuna watu ambao wamebeba- mtu mmoja amebeba hata zaidi ya acre 3,000 keundelea na hiyo shamba, ukifuata sana, huyo mtu hakununua na cash money.

Com. Bishop Njoroge: Kwa hivyo ungependa kitu gani kifanyike?

Henry Sangura: Kitu ningependelea ili hata upungufu wa squatter wanaokosa shamba- hili shamba lipunguzwe kwa huyo mtu.

Mwanakenya asiwe na hekari zaidi ya hamsini ili, hata hawa wengine ikiwa kuna uwezekano wa kuuza, hata hawa wainunue kwa njia ya loan. Kwa sababu, kuna wale wamekaa kwa haya mashamba zaidi ya miaka thelathini wakiendelea kulipa loan. Halafu, jambo la pili, ningengea kuhusu wafanyikazi. Wafanyikazi hasa wafanyikazi wanaojiriwa kwa viwanda, ni casuals. Na hawa wafanyikazi, ningependelea kuwe na sheria ya kuweza kulinda hawa watu na kuwatetea. Wengi wao huwa wanateseka na hawana njia ya kuweza kujitetea. Yangu ni hayo asanteni.

Com. Bishop Njoroge: Asante sana Henry, jiandikishe. Michael Ete Papa?

Michael Papa: Chairman na Commissioners, distinguished guests, ladies and gentlemen. My names are Michael Ete Papa, by profession I am a para-legal. I want to start by contributing to the Constitution of Kenya Review Commission on Political parties. The number of political parties should not be limited since we are in a democratic country.

Structure and system of government: the introduction of federal system of government or devolution would not create tribal animosity and ethnic cleansing but portray unity in diversity of our people. Executive: the President should serve only two five years term in office. There should be a constitutional right in legal aid in the judiciary.

Com. Bishop Njoroge: Excuse me, can you hold your microphone like this and don't shake your hands.

Michael Papa: The Local government; the remuneration of councillors should be determined by the ministry of local government. The right of vulnerable groups: as we see, the issue of people with disabilities that the Constitution should address are: we should have a free legal representation. Those denied bail must be held in custody with modified facilities and their cases quickly be fought for. Secondly, public and private sector should reserve 5% of jobs- casual, emergency and contractual to the disabled. Thirdly, they should be excluded from paying tax on income from job. Fourthly, import duty and value added tax exemption on materials, articles and equipment including motorvehicles that are modified or designed for their use. Fifthly, there should be equal opportunities for the disabled in education, employment and participation in sports vocal and culture activities.

Women interests should be guaranteed in the Constitution. Cultural practices that deter women from inheriting properties from their parents should be abolished. Secondly, more women should be involved in conflict resolution. Thirdly, there should be gender equity. Fourthly, the Affiliation Act which stipulates that rearing of children even those born out of wedlock should be the task of both parents, should be revived. Fifthly, Affirmative Action should be revived as women are entitled to bigger representation in decision making bodies.

Land and property rights: public land irregularly acquired should be repossessed. Cultural ethnic and regional diversity and communal rights: the Constitution should provide for protection from discriminatory aspects of culture such as female

circumscision. Environment and natural resources, among environment protection issues to be included in the Constitution are compulsory afforestation, disciplinary action against endangering the environment and ban the use of pesticides or chemicals harmful to human beings. But also agricultural practices that promote soil erosion and burning of forests and trees should be banned.

Another point is on street children. Since they are a marginalized group, the Constitution guarantees their protection as children whose rights have been trampled upon. They should be rehabilitated through the department of children's welfare. But, even as this is done, the Attorney General should outlaw the sniffing of glue in a bid to cut down on its abuse among the street children. A welfare fund should be started to help these children.

The Constitutional Commission offices and its position. I am going to talk about the office of an Ombudsman. The concept of an ombudsman is convergent in nature. The original aim was that the office holder would have the task of investigating complaints from citizens against the State of mal-administration. Mal-administration here covers bias, neglect, inattention, delay in arbitrary and so on. Kenya should not have only one ombudsman but should have several of them. There should be an ombudsman for local government for legal services, for prisons, pensions, etc. An Ombudsman should be independent of the organization he investigates. Staff of an Ombudsman; an Ombudsman should be supported staff including legal advisors and investigating officers. There should be an Ombudsman Commission whose work would be to promote standard of good practice in the public and private sector. Examples of situations which can be investigated by the Ombudsman are:

- Where the wrong advice has been given.
- Where there has been failure to answer corresponding.
- Where there has been delay in passing on information, which will have adverse effect on a person and his property.
- Where the wrong amounts have been calculated in relation to the social benefit payments.

Com. Bishop Njoroge: Are you about to finish? I have already given you ten minutes. Can you just give us the final point?

Michael Papa: An individual addressing complaints to an ombudsman: an individual must address him through his Member of Parliament indicating difficulties experienced with the department or agency concerned. The complaint must be made within the 12 months of the mal-administration. Thank you very much.

Com. Bishop Njoroge: Thank you, I hope (inaudible) through your notes. Thank you very much. Can we have Patrick Buliala? Patrick Buliala?

Patrick Buliala: Nawasalimia nyote, hamjambo?

Response: Hatujambo.

Patrick Bulialia: Mimi kwa majina ni Patrick Bulialia. Nitaanza kwa maneno ya mashamba. Kupata title deed imekuwa kazi ngumu sana. Ningeomba Commission hii iamue kuanzia kitu kama hekari tatu, hekari nne, kufika sita, serikali itusaidie kupeana title deed bure. Kitu cha pili ni mambo ya usalama. Ningeuliza hawa Commissioner hivi ukienda kwa polisi kama umepata shida, unaambiwa utoe pesa ya mafuta- ya transport. Sasa nimeshindwa kujua kama ile transport yenye ilikuweco zamani iliondolewa na serikali au bado inaendelea? Mambo ya shule ---

Interjection. Com. Bishop Njoroge: hatutaki unyamanze, tunataka uendelee.

Patrick Bulialia: Okay. Mambo ya shule, unaweza kuenda shule na uulize headmaster, “hapa nitalipa nini na nini?” Anakuambia utalipa hii, na ulipe hii na itakuwa imeisha. Na baadaye unaona mtoto anafukuzwa. Ukienda huko wanakuambia, “wewe yale maneno unasome kwa gazeti hiyo hatutaki ulete hapa”. Na, ningeomba shule zote ziwe na mfano mmoja. Ikiwa tutalipa school fees tuambiwe ukweli na ikiwa school fees imeondolewa, tuambiwe ukweli. Kitu kingine, ni mambo ya kitambulisho. Kitambulisho kabla upate, utakuwa umetumia karibu shilingi elfu tatu. Hiyo imeshinda watoto wetu kujimudu kushika hicho kitambulisho. Mambo ya kazi ya casuals, wakubwa wenye wanasimamia idara zote wanapendelea ukoo mahali wanatoka. Wewe ikiwa wa ukoo mwingine, mtoto wako hatapata kitu chochote hapo. Kitu cha pili, ni mahospitali. Hospitali tunatangaziwa na serikali ati iko dawa ya bure- kila kitu iko huku. Wakati unaingia huko na mgonjwa, unaulizwa ya pesa kwanza. Mgonjwa huko anazimika zimika, na mwingine amesimama na list ya kuenda kununua madawa. Unaonyeshwa chemist fulani, unajua ile? Hiyo, tunataka hii Commission iangalie hayo maneno. Maneno ya mashamba--

Com. Lethome: ngoja, unajua Commission haiangalii yale maneno ungesema, inaangalia yale unasema. Ungetaka nini -habari ya mahospitali na madawa, unatakaje?

Patrick Bulialia: Mambo ya hospitali tunataka tuambiwe ukweli; kama ni malipo au ni bure.

Com. Lethome: Wewe unataka nini?

Patrick Bulialia: Mimi nataka niambiwe kama ni bure au tutalipa.

Com. Lethome: Ukiambiwa ndio utaamua kusema? Ugependekeza hivi, “nataka hospitali iwe ya bure au nitalipa?”

Patrick Bulialia: nakataka iwe bure kama zamani.

Com. Bishop Njoroge: Ya mwisho?

Patrick Balialia: Ya mwisho, ni mambo ya mazao ya wakulima. Mazao ya wakulima, mtu amepata taabu, hata nyoka ameuma yeye huko amenunua madawa, lakini kulipwa inakuwa shida.

Com. Lethome: Unapendekeza nini mambo ya wakulima?

Patrick Balialia: Napendekeza mkulima alipwe vile inatakikana.

Com. Lethome: Inatakikana aje?

Patrick Balialia: Inatakikana baada ya mazao yake kupelekwa mahali inatakikana, alipwe kwa muda wamesikizana.

Com. Lethome: Akipeleka miwa kwa Nzoia factory, analipwa mara moja?

Patrick Balialia: Ndio.

Com. Bishop Njoroge: Asante sana, kuna neno lingine?

Patrick Balialia: Nimemaliza.

Com. Bishop Njoroge: Asante. Councillor Lukas Sore? Coun. Lukas Sore? Yuko? Oh nilifikiria ni mtu mrefu.

Counc. Lukas: The Commissioner chairman, DO na wote ambao wamekuja hapa ili washirikishwe katika hii sherehe, nasema jambo? Mr. Chairman, my names are Mr. Lukas Sore, nikiwa Councillor wa Bukembe sehemu hii. I have four points to put across. Mr. Chairman, I wanted to say something about ownership of property in the society especially in this country of ours. Mimi ningependekeza hivi; we must have- in this Constitution- tuweke sheria upande wa ownership whereby we need to respect the agreement of the seller and the buyer. Whereby, you get somebody ameshauza shamba lakini labda yule aliuza shamba alimuuzia kwa bei ya chini. Akikuta mtu mwingine yule wa pesa nyingi, na yeye anakuja ananua the same. We need watu wakibadilishana- tufuate hiyo. Kwa sababu, if I am a seller and you are buyer, a title deed comes number three. Lakini kuna pahali ingine mtu ameshanunua shamba pahali na mtu mwingine naye anaenda kununulia pahali ingine, court inamptia title deed, akija anakwaambia “wewe toka”. Hiyo chairman tuangalie hapo.

Ya pili, I want to say something about Judiciary. In Kenya Judiciary must be let independent, whereby the law becomes the final in deciding so as penalty is imposed to law offenders or law breakers only. I say this one because if I am an MP or I am a senior man somewhere, mtoto wangu ameshakosa, wakati ule anaenda ku-face the law, mimi napiga simu huko ninasema hapana, huyo alikuwa wangu. Wanasema “oh kama ni wa Sore wacha arudi nyumbani”. That is very bad Mr. Chairman. So,

in this particular respect, I say that the Judiciary must be left independent to do its work.

Number three, protection of farmers. In this country of ours at this particular moment, farming is the backbone of this country. There must be a law to be put to protect a farmer for better yield production. There must be law and strict penalties for those who sell fake fertilizers, seeds and pesticides Pesticides for storage. By so doing, we shall end up by getting best yields from our farmers for a better and health nation.

Ya mwisho, hii changa kubwa ambayo sisi tuko nayo wakati huu ya ugonjwa wa HIV/ Aids- Ukimwi, we must come up with the solution and at least, through good ways to protect and treat people who are suffering from Aids because, we are only getting a lot of money being poured in for the same mission. But it is not helping us at all. In fact, it is helping to expand the same disease and so in this way, I say that instead of this money coming here in this country and we distribute it to people that to seminars, we should use the same money and buy medicine like the country of Zambia. Zambia has now imported some medicine to treat the people but here, we are using that moeny to go to seminars which is not okay. Mr. Chairman, those were my four points to make before you. Thank you very much.

Com. Lethome: As a leader from this area in fact we would you to clarify. It has been said elsewhere that the Bukusu customs and traditional circumscision is also helping in the spreading of Aids. I don't know what comments you have as per that?

Counc. Lukas: Okay, thank you very much Mr. Chairman. In fact you have just asked me a question when we are actually doing the same thing. With what we know, these days circumscisors- we have asked them as they use their knives, they do use the spirit. After circumscising, they use that spirit to clean and then use it to circumscise. I don't think that with circumscision, we have got a lot of dangers to do with those knives.

Com. Lethome: So should the custom continue?

Counc. Lukas: To me, I don't see the big risk than meeting a man and a woman.

Com. Bishop Njoroge: Now, can we have Mathew Wekesa. Asante Councillor, kuja ujiandikishe. Mathew Wekesa?

Mathew Wekesa: Asante sana Mwenyekiti wa kikao hiki cha Constitution Review. Langu ni pendekezo moja. Kwanza kwa majina, ni Mathew Wekesa. Pendekezo langu moja ni kuhusu umilikaji wa mali asili ya ardhi ambalo limezungumziwa zaidi. Mtu wa mwisho kuirithi ardhi awe ni mtu binafsi. Isiwe eti ni familia au mtu fulani amesimamia watu wengine. Tumekuwa na tatizo kama hilo likiwakumba watu wengi. Mtu anauza shamba, anatoroka na mali yote anaenda kuishi mahali kwingine na watu waliobaki nyuma, wanaishi kwa shida wakiteseka. Jambo lingine, mtu yule yule ambaye ni mtu wa mwisho kuirithi ardhi mtu binafsi, ndiye awe na uwezo wa kuuza au kumpa mtu mwingine kiasi cha ardhi anayoithi.

Jambo lingine kuhusu tena ardhi tu, mtu awe na title deed ambacho ni kibali cha kumpa yeye uwezo wa kuirithi hiyo ardhi ndiposa aitwe mumilikaji asili. Jambo lingine, tumekuwa na watu ambao wanalalamika kuhusu serikali kunyakua mashamba ya watu wengine huku ikidai kwamba inafanyia pale maendeleo- ndio maendeleo kumsaidia mwanadamu, lakini huyu, kulingana na uwezo wa serikali hana la kusema. Hapa, ningependa serikali iwapo inachukua ardhi ya mtu binafsi, imulipe marudufu kwa maana maendeleo yake mahali pale yatakuwa yamesimamishwa. Apewe mali ya kutosha ili kuenda kujiendeshea mahali anakoenda.

Com. Bishop Njoroge: Tumepata hiyo point, kwenda kwa nyingine?

Mathew Wekesa: Jambo lingine, Mkenya kununua shamba na kuishi mahali popote nchini Kenya, ana uhuru. Mradi tu, awe hana hatia zinazomfuata nyuma yake kutoka mahali anapotoka. Hapa, kuna watu ambao mtu anaweza kutoka Central province au Nyanza au mahali pengine, anakuja mahala kama hapa Bungoma, huko anakotoka watu wanamhofia yeye ni kama muuaji na anakuja kujificha mahali kama hapa, sisi hatumjui. Ananunua shamba kwa sababu anatumia pesa zake huku akikaa kati kati ya hawa watu, yeye ndiye tena anazalisha maovu yale ambayo ametoka nayo huko anayaleta mahala pengine.

Com. Bishop Njoroge: Jambo la mwisho?

Mathew Wekesa: Jambo la mwisho, ni vile ambavyo wenzangu wamezungumzia kiwango cha kurithi ardhi kama Mkenya. Kiwango cha juu zaidi na cha chini zaidi iwe hekari hamsini hadi hekari mia moja. Tusiwe na mtu mmoja wa kumiliki maelfu ya hekari ya mashamba hapa nchini ilihali watu wengi hata watu zaidi ya mia, wanamimimia katika hekari moja na wote ni raia wa Kenya. Asanteni ni hayo tu.

Com. Bishop Njoroge: Asante sana Mathew. Anestes Wafula?

Wafula Wekesa: Distinguished Commissioners, my names are Anastes Wafula Wekesa. These are my suggestions to the Constitutional Review. That this Constitution is written by Kenyans and it can only be overhauled by the same people. Let it be a fundamental understanding that the time is money and has to be managed strictly by all and our motto I would add, should be peace, justice and unity.

Executive that is the presidency should be university graduate. The President shall work within the law established and in breach of it, be impeached. It should not be the President's authority to create districts or provinces. If there is need, it is Parliament that should create them, making sure that there is funds to build the headquarters and remunerate personnel thereof. These districts shall be for better administration. There shall be control to limit Presidential visit outside to be within the country's financial limitations. Otherwise Ministers can represent the government if need be. The size of the cabinet should be such that

the country can afford to sustain financially because, every ministry has fiscal tender boards down to the district. A successful candidate for the presidency need not to be an MP. A public servant need not to be employed at the pleasure of the President.

One need only to be competent. The President shall have the Vice President, Ministers, Assistant Ministers before sitting office. It is needless for a successful candidate to acquire 25% of valid votes cast in five provinces a simple majority is enough.

Parliament: a Parliamentary Service Commission shall decide on MPs salaries and other remunerations in line with the country's capability. Non-performing MPs and Councillors should be recalled by the electorate if a majority of the voters can make that resolution. Because during their campaigns, they say their agenda and yet they cannot after winning they keep quiet. They cause closure of business in House and, at the tax payer's expense. There shall be checks and balances for their performances. Mayors and Chairmen of cities, Municipalities and Councils should be elected by the public. There shall be a House committee comprising government and opposition members to prepare an annual budget. The size of Parliamentary and Council constituencies awards shall be served as by equal or near equal number of constituents or voters. This will make the work of representative even an affordable. Parliament shall have a committee to draft an annual calendar of events and a timetable. The President should not have power to prorogue, close or call the House sessions.

The Judiciary: to be sure that the three arms of government are independent, the Judiciary Service Commission should comprise of professionals. For example, lawyers, economists, personnel administrators all for hiring and firing. Proper remuneration should insulate them from corruption. There shall be court inspectors I have use that simple word, there could be a better word but let me use the word inspectors to assure the public that cases don't take unnecessarily too long. Let there be a Constitutional court or courts to arbitrate constitutional issues. In final judicial matters, law and Constitution, let there be a supreme court to preside over. Judicial promotion shall be on meritorial performance irrespective of ethnic background. The President shall not interfere with cases or inquiries going on in court. There should be provision for an individual or group of individuals. For example, aggrieved farmers on matters of economic mismanagement by the government or a parastatal company of the agricultural produce like sugar and coffee to go to court free of charge, to seek redress. This will be possible as I have said, if it will be free of charge.

All Kenyans shall be equal before the law for jurisdiction. Economic sabotage by the politically well placed shall not be allowed they shall equally face the law. General: sodomy due to lack of spouse is inhuman. So, the prisons should be human enough to sustain one's dignity. Overcrowding to cause sure deaths must be avoided. If the government arrests citizens illegally, a case of compensation should be instituted free of charge and leaves provided for that. Police's shooting-to-kill, violate human right; As much as possible, let them shoot to subdue for arrest and eventual court action. There shall be an ombudsman office down to the district for the public to register their complaints and views for redress.

Commissions of inquiry: ----

Com. Bishop Njoroge: I am just giving you one minute.

Wafula wekesa: Thank you. Foreign debts should be approved by Parliament and foreign loans shall be equitably distributed to improve the whole nation. Not at all should they be seen to bribe the Executive. Foreign treaties binds the country well adversely or dangerously. So, after negotiations by our government, they need parliamentary approval. The goodness of harambee spirit has turned to be corrupt. Arrangements must be put in place, to poroper tax collection and transparency (inaudible) One of our MPs reason for example why they are acting for an enormous package, is to be able to contribute creditably at fundraising meetings. I have said, let there be proper tax arrangement-let there be taxation---

Com. Bishop Njoroge: What you are saying here, you want harambee --- inaudible

Wafula Wekesa: I want Proper taxing to be done instead of harambee.

Com. Bishop Njoroge: Can you give us your last point please. We will read that memorandum.

Wafula Wekesa: Let me read just two last point- they are many but let me say these two. Freedom of worship shall not allow devil worship and if somebody has died of Aids, let it be clearly said so that people are free to take care of themselves wherever they meet individuals who have AIDS. Bishop, thank you very much, I am a CCC member from this area.

Com. Bishop Njoroge: You have very important points, I can assure you that we are going to take that thing and analyze it and get what is there. Can we have Bathlomew Wekesa na afuatwe na Sylvester Nakitari.

Bathlomew Wekesa: My names are Bathlomew Wekesa and I am here to talk about the succession mechanism of the presidency which I want to talk in detail. The Constitution must have a proper mode of succession of the President's office when she or he retires. So that it cannot be open to abuse. There should be a method of preventing the loopholes such that, the President does not propose his or her successor immaturely. I am saying, the Constitution must write down specific legality to support that so that there is no loopholes.

Judicial problems. Suites filed in courts must be heard and a verdict be made as soon as possible. We should not cases that take years to come to the verdict especially land cases. On agriculture, our Councillor has been saying repeatedly through various forums concerning the price of fertilizer and seeds especially for maize. And, I am also backing him by saying that prices of fertilizers should be reduced and the price of the seeds should be reduced to match the pockets of the poor farmers there. Also irrigation of land should be made as a national policy such that areas that are known to be fertile should be given or should be accorded proper irrigation method- may be from rivers or any other thing. We have cases in America where there is

no rain but then people are being fed because of using irrigation. So, we should not (inaudible) on irrigation to those marginalized areas that have no rain. We should also have irrigations done in areas that are really fertile especially in Western province. Thank you very much.

Com. Bishop Njoroge: Thank you very much, can we have Sylvester Nakitari?

Silverster Nakitari: My names are Sylvester Nakitari. Thank you very much Commissioners. I am going to talk about freedom of worship here. Freedom of worship depends on where you are going to worship; we should not abolish some people's worshipping whereby some decide to worship in a negative way or perhaps worshipping in a tradition form. Someone worshipping traditionally should be allowed to do that because- some may even term that one as worshipping satan. That might not be true. They might be worshipping because they way of going to God can be in any way. You can either worship him through tradition or through modern ways of worshipping.

Secondly is eating food; you should not be running after someone when he is eating his food. We may even have some people who eat gckos. You cannot go there and then you tell him "no you should not eat". That one should not---

Interjection. Com. Lethome: Why don't you come straight to the point?

Sylvester Nakitari: The point is that, whatever food someone eats he should be given freedom to eat it.

Com. Lethome: It should be legal?

Sylvester Nakitari: It should be legalized

Com. Lethome: No food should be illegal?

Sylvester Nakitari: Should not be illegal.

Com. Lethome: How about drinks?

Silverster Nakitari: Drinks -that is the other food I am saying. It should also be legalized.

Com. Lethome: Even if the DO is here, you don't have to beat around the bush. Sema tunataka busaa ihalalishwe, chang'aa ihalalishwe. Don't go about round ---

Sylvester Nakitari: Busaa should be legalized. We don't want the DO to be sending askaris to arrest people. Whereby, even when they have arrested them they don't even take them to court. They have some kangaroo courts either of the DO's office or at the police station.

Com. Lethome: Hiyo point itafika Nairobi.

Sylvester Nakitari: Councillors should be well educated.

Com. Lethome: To what level?

Sylvester Nakitari: Beginning from standard eight. Because, in standard eight we have some certain points which they should score. If someone had some 200 points or so, he should given a chance to campaign for councillorship. Even those with degree can seek for councillorship. Some years during President Kenyatta's time, we used to have Councillors who were even teachers. Those ones were running councils very well. It is not like these days whereby we can pick someone who never went to school and then he goes to be the Chairman of the council or the Mayor. When he is told to read a speech that has been prepare for him, he is not able to read even before the minister.

Com. Lethome: Who should appoint Chairmen and Mayors of the council?

Sylvester Nakitari: It should be ourselves.

Com. Lethome: Direct from people?

Sylvester Nakitari: It is we people who elect them. We should elect them. But the way they usually elect, is using corruption. Someone said we should continue with harambee but I feel it should be abolished. This is because, the more money people contribute, because if a person, say a rich trader comes to a school and contributes say even 20,000, the person though he had never gone to school will be elected just because he has contributed a lot of money. And because of having a lot of money, again he will be given the chairmanship whereby this man has never even spoken before the crowd. He may not even read a speech written by his secretary. Therefore, we should abolish the harambee, it is encouraging some poor people to enter even into Councils or even becoming MPs.

Com. Lethome: Point taken, something else?

Sylvester: Now, education; we should abolish what we call 8-4-4. It is even subtracting- eight take way four, take away four, it remains zero! Therefore we should replace it by 7-4-2-3, and introduce school fees for primary level and secondary

education while 'A' level or form five and six level as well as university, should be given free. I feel that someone introduced the 8-4-4 system as a way of just getting degrees.

We keep saying that there is free education in primary school, yet when you take your child to school the Headmaster will ask you to pay for so many things you end up paying even up to 20,000 or even 5,000. It could be better if we had a definite payment so that parents will know how much they are to pay.

Looking at the other one, if there is little time----

Interjection: Com. Lethome: You have one more minute.

Sylvester Nakitari: No, there is something I can also add; a President should have majority of seats to be voted for. As a chairman of a party the President will have problems going round campaigning for the MPs to get more seats. A President also, should have no constituency. When he is given a constituency, he has to concentrate in his constituency to build there. you will find that when the President has a constituency he will be building so many things there. When you go ---

Interjection. Com. Lethome: You have made your point. President should not be an MP.

Sylvester Nakitari: He should not be an MP, he should not be voted as an MP in his area.

Com. Lethome: Point made, can you finalize.

Sylvester Nakitari: We should also have some few parties. We have so many—

Com. Lethome: How many? We have got 48, how many do you want?

Sylvester Nakitari: I just want between 4 and 5 because many parties will bring tribalism in Kenya whereby, Kikuyu and Bukusu has his own party. Land cases; we should know that when a parent like myself- I have children- I have my land. When I have passed away, the government should ensure that at least the land is shared out among the remaining children. Here, when we go to the land board to get our title deeds it is very difficult. You are not even able to get a title deed for your father's land. Therefore, we should be allowed- the government should be coming round to survey land after four years or something like so. Therefore, the person here who should have to go round campaigning should be the Vice President and therefore, the Vice President should not be sitting to get nominated. The Vice President should have to go around asking for votes. We should have about three or even four Vice President vying.

Com. Lethome: Finally, finalize now.

Sylvester: Finally as we said we need some freedom here. We need to abolish the administration who are the DC, PC we find that this administration has been used as a means by which the President rules and yet the Cabinet is there. The Provincial administration has been used to pass rules instead of Parliament doing that.

Interjection. Com. Lethome: Okay we abolish the Provincial administration.

Com. Lethome: We place them by elected members.

Com. Lethome: Okay thank you.

Sylvester: Thank you very much.

Com. Lethome: If this is a lady, then can she come here. Concepta Masika? Is that a lady? Concepta? Tumempatia preference because she is the only lady here. Najua wazee Wabukusu mnazuia akina mama wasije kuzungumza. Kwa sababu mumetemesha hao sana.

Concepta Masika: My names are Concepta Masika. First and foremost, I will talk about the role and powers of the Judiciary. The Judiciary department should be responsible for the general administration of justice and interpretation of the Constitution and other laws in the country. Any judgment or decision to be taken at any time in relation to legal matters, must have a law reference. The political influence, those who have- must not interfere judiciary department as they are observed in our daily operations. Misuse of power by the Judiciary department for example, such issues like a file missing in the court of law, should be penalized accordingly. This will limit or control forces of corruption in law courts. Public finance; public funds for national projects expenditure be approved by the Parliament. An independent audit team be established and audit the above funds without any influence from any direction for example, from the political side. And disciplinary action to be taken against the same officers- not just terminating without paying him.

Something on natural resources: it should be a responsibility of everybody to cater for natural resources for example land and forests. Land adjudication and registration for public or individual land should be carefully done. For the effectiveness of the above to occur, the so-called land control board should have, three or four members appointed. Also, a full land control board members need to assess and give consent of land approval. District land registrars should strictly follow the right procedure in issuing land certificate. This will avoid cases of issuing two land certificates for separately in one single plot. The land registrar who go astray leading to last bid their (inaudible) coin should receive heavy penalty for if left, corruption will be high. Thank you.

Com. Lethome: Just one question on land; should girls inherit land from their parents whether married or not married?

Concepta Masika: Yes, they should.

Com. Lethome: So they can inherit from both the husband and from the parents.

Concepta Masika: Yes.

Com. Lethome: Asante mama. Antony Mukanda? Walter Okoth- utamfuata huyo.

Antony Mukanda: Yes, thank you Commissioners to have given me this chance. I am Antony Mukanda, I represent some organization in the community. The President should not have all powers e.g he should leave some powers to the Parliament for example, when it comes to the nomination of Minister and Assistant ministers. Job opportunities; I propose that Civil servants and parastatal employees should only work for ten years and quit office and leave office for school leavers and graduate leavers. The government should finance school leavers to start small businesses regardless to political affiliations or differences. The government should only register two political parties so as to control government resources when it comes to election. Citizens of Kenya should be allowed to use government resources e.g government vehicles whenever need arises. For example, when you need a government vehicle to take you to the market, it should be ready. The government should be ready to give you the vehicle instead of denying you.

Com. Lethome: To take you to the market?

Antony Mukanda: Yes. Because it is a government resources. That is all I have for now.

Com. Bishop Njoroge: Do you visit the market frequently?

Antony Mukanda: When I need to--- inaudible

Walter Odhiambo: Thank you bwana Commissioner and the audience. Mine bwana Commissioner- my names are Walter Odhiambo Okoth. There is this law called law of trespass. This law has given the police a lot of power to arrest innocent people and this law, I don't think it is doing any better for the republic of Kenya. So, it should either be strengthened or some parts be removed so that- for example I can be in my house and police may come and arrest me. If I had visitors they claim that I was either taking chang'aa or something else. So this law I think, should be revived.

Interjection. Com. Lethome: Let us be very clear. You know this cassette will be transcribed. You don't want the transcriber to have the problem on what you are trying to say? Just be straight to the point.

Antony Mukanda: What I want is, I want the police to be stopped from entering the peoples' premises.

Com. Lethome: Suppose they want to arrest you, you are an offender, you are a criminal and they want you?

Walter Odhiambo: Well, they should come through my village elder and not a policeman. Two, Bwana Commissioners, is about the property ownership. Here I mean, that we have children both girls and boys and if God takes me away, I would have liked the law to be put in place that, my children should benefit from my property. If a girl is married somewhere, my property should be shared all among these children. Mr. Commissioner sir, there is robbery with violence which is now common. I would like the law to be amended that anybody arrested for robbing somebody, the penalty should be death and nothing less than death simply because, before he robs you, his aim is to kill you. So I don't see why his life should be despaired.

The last point Mr. Commissioner, is about education. Here we have had a lot of problems. We take children to school and now they are becoming worse to ourselves. Let the law be put in place in a way that, this people or anybody- because some are bright children with may be an 'A' score, that from "A" to C+ they should at least be absorbed in a college and not be left roaming around in the streets. That one will at least help us parents, at least we have done something as opposed to the current position where people are dumped. The universities should also be told that they should not be changing every time students get a lot of marks. They keep changing the cut-off points. Let them put a mark in the passmark position; if it is 58 for university, let it remain 58. Not every now and again they go down and they come up. Thank you Mr. Commissioner, with those few remarks I have given.

Com. Bishop Njoroge: Thank you very much Walter. Can we have Haggai Liboi, na afuatwe na John Kamau Macharia.

Haggai Liboi: Asante sana Commissioner pamoja na wenzangu wote tuliokuja hapa, ninawasalimia hamjamboni?

Response: hatujambo.

Haggai Liboi: Mimi napendekeza hivi: oh jina langu naitwa Haggai Liboi Matala. Mimi, napendekeza hivi; sisi kutoka tupate uhuru, tumekaa vizuri. Lakini kuanzia wakati waliweka sheria ya kuzuia au kusema busaa na chang'aa watu wakipatikana wakamatwe, imefanya watu wanakaa wakiteseka teseka kukimbia mbio mbio. Hiyo sheria, mimi napendekeza itolewe, raia wakae salama kwa sababu police walipopata hiyo sheria iko, kweli ilikuwa sawa kabisa. Lakini sasa ile makosa iko, polisi

wanakuja wanafanya msako, wanashika wanaenda. Wengine nao tena wanakuja ati wao ni police wanakuja wanafanya msako, na kumbe ni wezi. Sasa kwa hivyo, inashinda raia kutofautisha police kamili na police wale wa kuibia watu. Hicho kitu kitoke halafu tujue kama kuna msako, police aje kwa subchief wa hiyo area, watembe naye kwa sababu yeye watu wanamjua. Sasa wakifanya msako itakuwa sawa, hatuwezi kuwa na shida kwa watu wake. Hii inafanya wezi wanasumbua watu sana, wakikosa kujua police ni nani na mwizi ni nani. Kwa hivyo hicho kitu kinafanya watu kuhangaika na hiyo sheria itolewe.

Ya pili, kuanzia Sub-chief, Chief, Councillor, Mbunge hata Rais, tuwe tukiwapigia kura kwa sababu, Sub-chief huwa wanatusumbua wakisema “hata ukifanya nini, mimi nitakutawala tu kwa sababu mimi sijaguliwi na kura yako. Hata chief anasema mimi nitakusumbua tu, na wewe huna kitu utanifanya kwa sababu mimi sipigiwi kura”. Kwa hivyo tunataka sisi tuwachague sisi wenyewe.

Com. Lethome: Mzee wacha nikuulize swali moja, si Mbunge sasa hivi unamchagua?

Haggai Liboi: Ndio

Com. Lethome: Sasa hivi kuna kitu gani mnaweza kumfanyia kabla miaka tano haijaisha?

Haggai Liboi: Mimi nakuja upande huo. Mbunge sub-chief, chief, mimi napendekeza kuwa tupewe nafasi kabla ya miaka miwili na nusu, tupige kura ile ya maoni. Ikiwa ni mtu tunaweza kuendelea naye, tuendele naye kwa maana wengine wanatufinya mpaka miaka mitano inaisha na tena yeye anaenda, ameshakula pesa, na yeye bado kutufanyia kazi ile tumemtuma yeye. Tunataka hapo katikati tuwe na njia ya kupiga kura ya maoni. Tunaweza kumtoa kabla ya kutusumbua kwa wingi au kutunyanyasa.

Lingine, napendekeza juu ya mashamba; Kenya, yule mtu anaweza kuwa na shamba kubwa sana, awe na hekari kama elfu moja. Na huyo ni Rais au Minister. Kwa zile zingine zinabakia- raia sisi wengine hatuna shamba hata nusu hekari- tupatiwe kuliko mtu mmoja kukaa nayo na halimi, hajui hiyo shamba inafika wapi na raia wanateseka. Badala ya kulima hilo shamba watoe mahindi isaidie watu wengine, inakaa bure.

Com. Bishop Njoroge: Point ya mwisho?

Haggai Liboi: Point ya mwisho, mimi napenda hivi; Rais asituchagulie kiongozi mwingine yule atakuja. Sisi raia, ndio tunataka tuchague kiongozi. Yeye aseme tu watu ni hawa, yeye atuachie, hapana yeye kutuchagulia.

Com. Lethome: Ujue kuna kuchagua na kuna kupendekeza. Kwa mfano anasema mimi nampendekeza Haggai. Hiyo kuna

tofauti baina ya hiyo na kumchagua au unasemaje?

Haggai Liboi: Ikiwa ni kupendekeza kwake, iko sawa tu.

Com. Bishop Njoroge: John Kamau Macharia?

John Kamau: Kwa majina mimi naitwa John Kamau Macharia na mimi pendekezo langu ni kuhusu biashara. Hapa, naona tunaumia zaidi kama wafanyi biashara kwa sababu license ambayo tumewekewa na County Council- na bahati mbaya Councillor ametoroka ndio nilitaka niongee akiwa karibu ili aende na hilo pendekezo. Tunaumia kwa njia hii; serikali ilituondolea license ikawa kidogo kama shilling mia tatu, mia moja hivi. Nafikiri wafanyi biashara wenzangu wanajua hivyo. Na County Council inatu-charge license yao shilling elfu tatu. Kwa hivyo maduka mingi, mahoteli, ma-butchery hapa Western, nafikiri yamefungwa. Inakaa kama nyumba za watu kulala kwa sababu, ukifungua upatikane na hawa watu wa county council wanatembea na polisi, wanakuuliza wapi license ya county council- huna, hapo unashtakiwa na unapewa bond. Kwenda kortini, hakimu naye amepata kukunyanyasa kabisa. Wewe ni kaidi, unakataa kulipa county council bond yao na sasa unapigwa fine ya juu. Kufika pale, unarudi nyumbani kuuza kuku wako, pengine na mbuzi ndio utolewe pale.

Sasa, nyumba nyingi saa hii hata vile muko hapa Commissioners, ningeliza kama mnamaliza muende kama maji ya mto (inaudible), ukiteremka hivyo mpaka Matisi iko stima. Nyumba zinaanguka, hakuna watu wanafanya biashara kwa sababu ukifungua na huna hiyo pesa elfu, unashikwa. Ndio unaona uchumi wa hapa huwezi kuendelea. Hivyo tunanyanyaswa na county council kwa sababu wanavuna mahali hawajapanda. Hatupati huduma yoyote, hawaleti tractor ya kurokota takataka, hakuna mtu wa kufagia na wanatuwekea kodi ya juu. Mimi ningeliza, wafanyi biashara wenzangu, kama inawezekana na county council inataka kutu-charge license yao, tunakaa nao pamoja, tunajadiliana. Kwa sababu hapa ni reserve na kule town kama wewe Commissioner umetoka Nairobi utalala pengine Tourist, utakula, utakunywa, utawacha pesa pale. Lakini hapa huwezi lala. Unaona unaweza lala wapi? Labda Nzoia Guest. Sasa, hakuna mtu ambaye atatoka reserve anakuja kwa hoteli yangu aseme “mimi nataka kipande ya kuku na ugali”. Hiyo ni gharama maana anatoka nyumbani lakini wewe itakulazimu utakula. Hata maji ndio maana unaona saa hii umeweka hapa maji safi. Huwezi kubali haya tunakunywa ya Nzoia River kwa sababu unaogopa typhoid. Si ni sawa? Kwa hivyo, tungeomba County Council kabla ya kutuamulia license ni kiasi gani tatalipa, tuwe tumekubaliana na wao, tunakaa kama wafanyi biashara, tuone area tunaweza charge kitu gani ili kuokoa wafanyi biashara.

Com. Bishop Njoroge: Tumepata point hiyo, kwenda kwa nyingine.

John Kamau: Sasa kwa lingine, kuna shida moja mimi naona ambayo tunahangaika na imeongewa sana, kuhusu pombe; chang'aa na busaa. Hii pombe ilikuwa tangu zamani; hata babu yangu nilikuta kama anakunywa na haikuwa inadhuru mtu. Kama busaa ni mbaya, wacha tutoe chang'aa na madawa ya kulevya mengine- hata brewery ifungwe na watu waende

nyumbani kwa sababu hiyo ni kileo. Hatuwezi kuwa na ujanja ati pombe fulani ni nzuri, pombe fulani ni mbaya. Inapatia police- hata assistant Chief ako hapa- askari wake sasa wakienda msako, si ndio yule. Kama wanaenda msako wakushike na chang'aa, uhakikishe utakuwa na shilling elfu tatu kusudi, Bukusu wanakataa kwenda kortini. Afadhali hata akuachie bibi atororoke badala ya kwenda kortini. Kwa hivyo, watu wa hapa wanaumia ya kutosha. Police wamepata nafasi kwa sababu ati hii pombe imekuwa si halali --kila jioni, kila asubuhi, unaona wawili wawili wamama wanahangaishwa.

Com. Bishop Njoroge: Hiyo ungependekeza kwamba busaa ifanywe kuwa halali?

John Kamau: Iwe huru kama Uganda. Hata chang'aa inapikwa kwa soko.

Com. Bishop Njoroge: Haya, kwenda kwa nyingine.

John Kamau: Sasa ya mwisho, tungependelea au ningependa katika wale wazee ambao wanawakilisha kule kijijini, Wakasa pia wapewe elimu. Kwa sababu, kuna wengine wanapewa hicho cheo lakini hawawezi kutekeleza. Anatumia kwa kupendelea na ule upendeleo wakati mwingine unaweza kufunga yeye kwa sababu anafanya uamuzi ule usio wa haki. Kwa hivyo tuwe na watu wa aina hiyo na kama uamuzi unaamuliwa, ningepomba Assistant Chief awe karibu hapo wakati kesi yeyote inaamuliwa kwa area yake. Isiamuliwe na mimi kama Mukasa ninakaa kiti na niamue kufinya yule ambaye hana nguvu. Tena ile pesa inadaiwa wakati unafanyiwa kesi yako, mimi ningesema iondolowe isikuweko. Kwa sababu kama wewe utato mia mbili na mwingine atoe mia nne ndiye atakuwa mshindi kwa hayo maneno. Yangu ni hayo.

Com. Bishop Njoroge: Thank you very much Bwana Macharia. Peter Masinde na afuatwe na Procus Muhande. Peter Masinde yuko?

Peter Masinde: Ninawasalimu kwa jina la Yesu, mimi ni mmoja wa wahubiri na nimekuja hapa siku ya leo. Kwa majina ni Rev. Peter Masinde na natoka hapa Njoya, Kanduyi area. Ninawashauri viongozi wetu au watawala wetu, nikiwa ndani ya viongozi wote wa makanisa, wa dini tofauti tofauti. Tunalaumiana sisi bure katika nchi yetu ya Kenya tukiwacha kumtegemea Mungu. Hapa sisi sote tumekaa hivi naona hakuna asiye Mkristo.

Com. Lethome: Mimi ni Muislamu.

Peter Masinde: Ndio, wewe ni Muislamu, wewe ni mtu wa Mungu, wewe ni muamini wa Mungu. Kwa hivyo ninaona Mungu ametupa sisi mawaidha mazuri sana Ki Koran na Biblia na tunaona serikali yetu zaidi ni serikali ambayo inapokea maombi sana kutoa kwa watu wa kanisa au watu wa dini.

Com. Bishop Njoroge: Mzee, tunataka utuambie mapendekezo ni nini. Usituambie yale maneno tunayoyajua.

Peter Masinde: Kitu cha kwanza, au mashauri yangu au maoni yangu, nimeona katika nchi yetu hii kuna hongo au rushwa imeendelea sana. Hata mkisema nini ingali inaendelea zaidi. Afadhali ikome na kupinga watu kwa haki yao- wanapingwa tu- mtu anapingwa kwa haki yake tu. Anaambiwa “wewe kwenda”, ananyimwa haki yake. Imalizwe hiyo kwa sababu haki na hukumu ziko na zitengenezwe vizuri kwa utaratibu. Kitu kingine, serikali yetu au viongozi wa utawala kuchanganya uongo na ukweli, ikome. Kitu kingine ambacho ninaona kinakosekana zaidi, hata kwa kijana, mtoto, mzazi ni heshima. Tunaona haiko. Iimarishwe.

Ninaona nchi yetu iko na makabila arobaini na mbili. Na vile inaongozwa chini ya Katiba ya Kenya, sioni ni shida gani inaweza kutokea. Ikiwa kila kabila inaweza kutoa mtu wao kama kiongozi kuweza kuwakilisha hata kwa Parliament. Hata wakichagua Minister au nani, lakini huyo mtu anaenda kuwakilisha jamii yao. Anajua mambo yote ya nyumbani bila ya kupeleka mtu mwingine angaike huko. Kitu kingine, tufautishe vile Mungu aliweka binadamu- maumbilie. Mwanamume na mwanamke wakisimama hapa watolewe nguo, tofauti iko. Kwa hivyo kufuatana na maumbile ya Mungu, Mungu alitaka wanaume wapende wanawake wao na wanawake watii waume wao. Watoto wote vijana waheshimu wazazi wao. Na hayo mambo naona- mambo hayo yanaanzia kwa makanisa, mpaka yanaendelea lakini naona hayaimarishwi, bado inatushinda sisi. Kwa hivyo tunafananisha vitu vya mbinguni na vitu vya duniani. Tutofautishe. Vitu vilivyo kwa mamlaka ya Mungu ni vya mamla ya Mungu. Lakini vya hapa duniani, ni vya dunia hapa, kwa sababu tunaona wamelinganisha mwanamke na mwanamume kuwa sawa na Mungu ametofautisha hata maumbile.

Com. Bishop Njoroge: Thank you very much. Njoo ujiandikishe hapa. Wanaume ni tofauti na akina mama, lakini nafikiri kila mmoja wao ana haki zake. Tupate Cleophas Muhande. Cleophas? Ni wewe? Hapana. Nimesema Muhande. Okay kuja wewe mzee, sio wewe- huyu.

Immanuel Khisa: Mimi naitwa Immanuel Khisa. Neno langu la kwanza nitaongea kwa upande wa walemavu; sisi walemavu hapa Kenya tumesahauliwa sana kwa sababu unaweza enda kwa mkubwa kama kwa DC huko Bungoma, unaongea na yeye anakwambia ufanye hivi na vile na siku ya- kama leo nimesikia nyingine unasikia wametoa shilingi milioni kumi na tisa. Unaenda huko unakuta jina lako liko kwa mlango wa DC na siku ya kupewa vitu, wanapewa watu watatu na wewe wanakuambia hapana. Ati wewe ngojea “tutaenda kuuliza mzee”. Sasa mimi nashindwa kwamba yaani mzee hakujua watu wengine wako na wewe ndiye uliandikisha jina lako. Mimi ni mmoja wao si ati nasema uongo. Ndio sababu mimi nasema serikali ya Kenya, hata ingawa sisi hatujulikani lakini, mjaribu kutusaidia kwa maana wanatangaza ati wanasaidia walemavu na siku ya kutusaidia hainokeni.

Com. Bishop Njoroge: move forward, tumepata hiyo.

Immanuel Khisa: Okay. Nambari mbili ni upande wa korti. Unaweza kuwa na kesi, halafu ukienda kortini wanakuambia

urudi kesho. Kesho hiyo ikifika, wanakuambia mpaka tarehe kumi na tisa mwezi ujao. Uende mpaka umalize miaka miwili na mpaka pesa inaisha na hawajui wewe unatoka wapi. Hiyo mimi nasema ni afadhali serikali ya Kenya irekebishe hiyo sheria iwe mzuri.

Number tatu, nitaongea kama Mzee John Macharia ya kwamba, wamama wafanyibiashara- ninaona watu wa County Council wanakuja leo wanaambia mama “mimi natoka Webuye”. Anamptia pesa. Kesho yake utaona mwingine amesimama hapa ati “mimi natoka Bungoma”. Sasa mimi ninaomba ya kwamba ikiwa inawezekenana mtengeneze sheria nzuri. Mseme siku fulani, tunakuja kuchukua pesa. Mama huyo akitoa pesa, anajua tu mpaka tarehe fulani tena watakuja. Sina maneno mengine, Mungu awabariki.

Com. Lethome: Ngoja mzee Khisa, kuna kitu kimoja nataka kukuuliza. Kwa mfano, tunajua mambo ya Wakenya (inaudible) Wabunge. Si ndio? Je, ungependa kuwe na wawaakilishi wa watu walemavu Bunge ambao wanatetea mambo yao au unaona Mbunge wako anatosha tu kukutetea.

Immanuel Khisa: Tunataka tuwe na mtu wa kutetea walemavu.

Com. Lethome: Na yeye awe ni mlemavu pia ama?

Immanuel Khisa: Awe mlemavu ndio awatete vizuri.

Com. Bishop Njoroge: Hebu nikuulize, tunajua walemavu wana shida nyingi. Habari ya masomo ya watoto wao, ungelihitaji yawe bure ili waweze kusoma pia?

Immanuel Khisa: Ningependa serikali ya Kenya tena, isaidie watoto wa walemavu wasome bure.

Com. Bishop Njoroge: Asante sana. Tupate Samson Adera. Samson Adera?

Antony Adera: I want to honour the presence of all those who are here more so in this important occasion, I am having my personal views which I would like to air out ---

Com. Lethome: Your names?

Antony Adera: I’m Antony Adera, I am having some views I would like to air, more so for our representatives of the people who are here to take high note of them. I am having two or three points here. I want to talk about corruption and this one, I want you to take high note of it more so, when we are talking about it---

Interjection. Com. Bishop Njoroge: Let me tell you Adera. Don't tell us what you want as to do because, the reason why we came, we value everything everybody says. We have no discrimination. So please go to the points, don't tell us what to do.

Antony Adera: Thank you. Why I am saying so is that this is our views and I believe you will see where we are having a problem and exactly to see what should be done. I am going to talk about corruption; this is what my personal views is all about. It is a tendency under this particular aspect, more so to the parastatal bodies. When someone has messed with the government funds- this is my view- instead of transferring this particular person to a different sector, let this person be taken in and that money be recovered. It will help instead of giving this particular person a transfer---

Interjection. Com. Bishop Njoroge: Do you see how I am putting my microphone?

Antony Adera: Sawa. Instead of taking this particular person, giving him a transfer, aende pahali pengine, plus the money the person has stolen. So my view on this particular ground let this particular person be caught and the money be recovered and not to be transferred to a different sector.

Second point is about taxes. The Kenya government is taxing people including even the companies. This money is not properly being used. I would like to put it like this; we are having Kenyan citizens who are staying under poverty, I believe you know very well that about 63% of Kenyans citizens are staying under poverty. And we are having people also who are educated and they stay under that low capacity. From the tax the government is getting, I would rather say that can they formalize a way on how this particular people who are not employed can get a fraction. This one will help us to eradicate poverty in Kenya.

Another point which is going to be my second last point, is about elections. I know it is a matter which is giving us a lot of problems in Kenya here. According to my views, we need ample time for us to do grassroot elections. As it is now, it is Parliament that is deciding things for us. They are there representing us but, we should need ample time to prepare ourselves here so that, when election time comes, we should be able to know the specific person to take to Parliament. Because, we are always selling our policy to individuals and this is very common for mothers around. They are venturing into elections without having the basic knowledge about it. Due to lack of ample time to have a fundamental knowledge pertaining to this particular aspect, I may rather say ----

Interjection. Com. Bishop Njoroge: What you are suggesting is we should have voter education before elections?

Antony Adera: That is exactly what I meant.

Com. Bishop Njoroge: Okay fine, we have taken it. Do you have any other point?

Antony Adera: Yes. My last point is about the Budget of Kenya which is done in Parliament. I would like to put it like this; by the time the budget is being drawn, the specific class of people- they are always basing their point of argument on- forgetting the majority of Kenyan citizens which I have already said, are suffering most. I would like to put it clear that, during such occasions let us try to base our point of argument on people with no (inaudible) which dominated the most population in Kenya here. By so doing, we shall be able to come out with a better means on how we can eradicate poverty because, you can see the system or the style of living in Kenya is very high forgetting the majority of the population of Kenya here. By the time the Budget is being read there, there is a very big percentage which is being left out. Therefore we should be much more considerate, let us try to take our time, collect the statistics, and views, on common men before we come out with appropriate resolution pertaining to that particular aspect. I believe with these few remarks, let us be much more considerate to see that we are having a better Kenya.

Com. Bishop Njoroge: Thank you very much. You are suggesting that the Budget must take into account the level of poverty in every province. Okay thank you. Come and register yourself.

Antony Adera: Thank you.

Com. Bishop Njoroge: Lets have Charles Mwingi. Charles Mwingi? Jared Wanyonyi? Afuatwe na Charles masika.

Jafred Wanyonyi: Jina langu ni Jafred Wanyonyi na nina mapendekezo yafuatayo. Kwanza kabisa, ningependa kupendekeza ya kwamba baada ya kiongozi wa nchi kuteua Cabinet yake, ile Cabinet ikaweze kuthibitishwa na Bunge yaani kila mmoja wa Mawaziri au assistant minister, awe anapigigwa kura katika Bunge, na kama hataweza kupata idadi kubwa ya Wabunge ambao wanamuunga mkono, yeye jina lake litaondolewa na kiongozi wa nchi ataweza tena kuchagua mtu mwingine.

Pendekezo langu la pili ni kuhusu Bunge. Napendekeza ya kwamba, kwa sababu tuko na shida ya fedha katika nchi yetu ikiwa ni nchi maskini, sioni haja kabisa mtu yeyote aweze kupata mshahara na yeye hafanyi chochote. Kwa hivyo napendekeza ya kwamba Mbunge maalum asikuweko katika bunge letu kwa maana yeye hana sehemu yake ya uakilishi kwa hivyo mshahara wake ni kama unaenda bure. Napendekeza tena ya kwamba kiongozi wa nchi akaweze kujiuzuru miezi mitatu kabla ya uchaguzi ili asiwe na influence yeyote wakati wa uchaguzi ili tusiweze kupata mtu ambaye hakuwa anahitajika. Kwa hivyo, kiongozi wa nchi aweze kujiuzuru na Chief Justice au Speaker wa National Assembly akaweze kusimamia nafasi hiyo hadi uchaguzi utakapoweza kuwa umemalizika.

Kwa sababu tumekuwa na shida ya chama kimoja, tulioma matatizo ambayo yalikuweko na tena tunaona vyama vingi vinaleta hali ya mugawanyiko kulingana na makabila, ukabila na mambo kama hayo. Ninapendekeza ya kwamba, tusiwe na chama chochote cha kisiasa katika nchi yetu na mtu akaweze kujitokeza tu kibinafsi, asimame halafu ataweza kupigiwa kura bila

kutegemea chama chochote cha kisiasa. Jambo lingine ningeweza kuguzia hasa ni employment ambayo ni shida katika nchi yetu hii ya Kenya. Ninapendekeza ya kwamba, wale ambao wanasimamia parastatal bodies kama Kenya Breweries, kama Kenya Pipeline, hawa watu waitwe kwa interview watoe makaratasi yao ya elimu na kadhalika. Lakini isiwe mtindo mtu mmoja kuweza kumteua mtu fulani na anaenda kusimamia kazi muhimu kama hii. Na hali kadhalika, mtu kama Permanent Secretary kwa sababu anasimamia wizara mzima, aende kwa interview ili akaweze kuthibitisha ya kwamba anaiweza hiyo kazi ndipo akaweza kuchukuliwa. Na hali kadhalika PC, DC na DOs kama vile Assistant Chiefs na chiefs huwa wanafanya interview.

Na ningependekeza tena ya kwamba wale ambao wanaenda for recruitment kama Kenya police, kama Army, Administration police na colleges zingine, majina yao yawe yanawekwa kwa noticeboard kwa kila division ili Wakenya waweze kuelewa ni akina nani na nani walienda katika pahali fulani. Hii itaweze kufanya watu wakaweze kutosheka ikiwa kuna kazi au hakuna kwa sababu watu wengi wamekuwa wakilalamika ya kwamba watu wengine wanapata kazi na wengine hawapati. Majina kama hayo kwa divisional headquarters yataonyesha jina lake, wilaya anayotoka, division yake, sublocation na kijiji na hiyo kwa hakika, itaweza kusaidia kama itawekwa kama sheria.

Halafu kwa sababu ya shida ya kazi katika nchi hii yetu ya Kenya, napendekeza ya kwamba mtu mmoja awe na kazi moja. Tusiwe na mtu ameshikilia vyeo mbali mbali na huku kuna wale ambao wanatoka universities, wanatoka colleges na hawana kazi yoyote. Na hali kadhalika wale ambao wanastaafu, wasipewe kazi kwa maana wao waliweza nafasi wakafanya kazi zao, wakastaafu na itakuwa ni vibaya kwa mfano mtu alikuwa PS amestaafu sasa sijui yeye ni Chairman wa Kenya Pipeline na kadhalika. Mtu huyo aende nyumbani kabisa kwa sababu alipewa nafasi yake. Ningependekeza tena ya kwamba, mishahara ya wafanyi kazi wa sehemu mbali mbali, tuwe na permanent committee ambayo itakuwa inashughulikia mishahara kila sehemu na kila pahali. Hii itafanya kuwe na haja ya kuongeza mishahara bila mapendeleo yoyote, hali ambayo ni kinyume kabisa na wakati wa sasa ambapo kila mtu analia, kila kikundi cha watu kinalia “tuongozee” na migomo pia itapunguzwa kwa sababu tutakuwa tunategemea committee kama hiyo kutupatia nyongesa na nyongesa, ambayo haina upaguzi wowote. Kwa hayo ningesema mbarikiwe sana.

Com. Bishop Njoroge: Thank you very much Jafred, those are very interesting points. Can we have Charles Masika? Can we have Lukas Kiberenge? Na atafuatwa na Evans Okumu. Twaambie jina lako.

Lukas Kiberenge: *Ese seLucas Kiberenge.*

Translator: My names are Lukas Kiberenge.

Lukas Kiberenge: *Se ndaloma lubukusu.*

Translator: I will speak in Kibukusu

Lukas Kiberenge: *Ese, epoint yase ye ebweni,*

Traslator: My first point

Lukas Kiberenge: *Ese nja khukhuirana khwa mundu ne kerire okundi,*

Translator: I want to talk about murder.

Kiberenge: *Mundu na kerire ukundi we kholo yewe omwene, ekholo, ekholo ne kholo,*

Translator: If someone has killed his kin or his clansman,

Kiberenge: *Lubukusu lukhale,*

Translator: In Kibukusu

Kiberenge: *Barunganga chikhafu.*

Translator: we used to pay cows.

Kiberenge: *se barunganga chirubia ta.*

Translator: We never used to pay money.

Kiberenge: *Chikhafu chiene chino, barunganga kumi na mbili.*

Translator: The cows were twelve in number.

Kiberenge: *Ese okhali we kholo ta.*

Translator: If he is not a clan man,

Kiberenge: *Ne kerire okundi,*

Translator: And he kills the other person who is not a clan man

Kiberenge: *Ne kerire okundi, mulubukusu arunganga chikhafu yesi Lundi.*

Translator: There was also payment in the form of cows

Kiberenge: *Barunganga chikhafu.*

Translator: They used to pay cows.

Kiberenge: *Chikhafu salasini na mbili.*

Translator: They used to pay 32 cows.

Kiberenge: *Chirupia se chabakho tawe.*

Translator: No money was involved.

Kiberenge: *Nono lubukusu lwene olu, ...*

Interjection. Com. Bishop Njoroge: What does he suggest we put in the Constitution?

Translator: *Nono wenya orie? Wenya orie?*

Kiberenge: *Nenya, bandi babakwisiakho bali barunga kamapesa, mala mundu sarunga kamapesa mundu ne kerire okundi ta.*

Translator: There should be no payment in a form of money as compensation for murder.

Kiberenge: *Lilondakho,*

Translator: Another one,

Kiberenge: *Ndikho nja khubandu ba baacha khukheba babana.*

Translator: I am going to talk about “*Bakheba, namwe baacha khukheba?*”

Kiberenge: *Babandu ba besisiingiso. Bakhekesia babana kimima tawe.*

Translator: I am going to talk about circumcision, and its culture.

Kiberenge: *Sisiingisio siene sili sio Omukolongolo nisio.*

Translator: This is a kolongolo generation, or age set.

Kiberenge: *Nono babukusu muulila*

Translator: You Bukusu who are hearing,

Kiberenge: *Mlatimianga babana.*

Translator: You are confusing children.

Kiberenge: *Bakorwa siingilo sina nisio khabeengila ta.*

Translator: The children don't know which age set this is.

Kiberenge: *Nono sikolongolo sikhe sino luno, sili namba mbili.*

Translator: This Kolongo that is on, is number two.

Kiberenge: *Silanga Nabiswa.*

Translator: It is called Kolongo Nabiswa.

Kiberenge: *Simalilisi khakhalake ikhabe elfu mbili na kumi, ekhalange khaoya.*

Translator: The last one would be 2010 and it will be called Khaoya.

Kiberenge: *Nekhumanya khurio, khukhache khumukwamet.*

Translator: From there we shall go to age set called Kwamet.

Kiberenge: *Nekhumala khurio khwicha khwola khu muchuma, na aba Lundi kwanja enyuma Lundi.*

Translator: When we go back to age set of “Muchuma” then we shall go back to square one.

Com. Bishop Njoroge: What is he proposing?

Kiberenge: *Se nga neny, niko neny babukusu mulio, mwekesie babana,*

Translator: He wants that the Bukusus who are here, to tell the children.

Kiberenge: *Mukhatimia abana ta.*

Translator: Don't confuse the children.

Com. Bishop Njoroge: Tell the Mzee, this function is for collecting views to make the Constitution. But what he is saying, he can do it in a chief's baraza so that he can tell the chief to tell the people. But we want issues that will go into the Constitution.

Translator: *Omutanyi, si lio, niko loma kano, okhache olomile wo omukasa namwe sub-chief. Lakini niko bano benyile, benyile bali, ewe obole kabali likhuwa liminanga, sisiingilo; kabali babandu khurusiakho sisiingilo, wenya bakhole bariena? Kabali likhuwa likhuminanga, namwe Serikali ikholanga sindu sikhumina, wenya bano bakhole bariena? bachenje chisheria chefwe, chisheria chiefwe chikhuyete chiriena?*

Kiberenge: *Abwene ao nenyile, ... bapingile bali abana sebengila ta. Esheria ya kuingila ebeosa mubasinde bakhole. Mbakho omwami orusiakho ta.*

Translator: I want circumcision to be on and nobody should ever talk about ever talk about abolishing it.

Kiberenge: *Ye khabili,*

Translator: The second one,

Kiberenge: *Efwe khuli nende chidistrict mu-Kenya.*

Translator: We have districts in Kenya.

Kiberenge: *Mala se khulikho nende chisenda ta.*

Translators: We have district without centers.

Kiberenge: *Nono ne musima, Serikali yefwe elikho namwe eicha,*

Translator: We want the government that will come,

Kiberenge: *Ekhuombakhile abundu, nio ereo e-district.*

Translator: It should build district headquarters before it declares a district.

Kiberenge: *Kakase niko ako.*

Translator: That is all that I had.

Com. Bishop Njoroge: Thank you very much mzee for those views. Can we have Evans Kakume. Na nyinyi wazee mumesikia vile ameongea juu ya kutahiriwa, msisahau.

Douglas Masinde: My names are Douglas Masinde Mulongo representing Evans Okumu, Salia, Kenneth Odhiambo Opanyi, Benedict Opanda Makaka Okuku, Calistus Okumu Sanja of Nzoia industrial estate group.

Com. Bishop Njoroge: did you discuss in that group

Douglas Masinde: Yes.

Com. Bishop Njoroge: and they sent you to do it on their behalf

Douglas Masinde: Yes.

Com. Bishop Njoroge: Okay we want it in point form- don't read the whole thing- we are still going to work on it.

Douglas Masinde: I will start with the Constitutional Supremacy. The Constitution of Kenya has been amended so many times in that it is difficult to state without doubt a certain part of the Constitution. Most of these amendments have been done with the sole purpose of partisan or individual benefits. This encourages corruption and causes human rights abuse. Parliament's powers to amend the Constitution should be limited to some parts like budgetary allocation which at most times are circumstantial and during emergency cases. This should be spelt out vividly in the new look Constitution. Major parts of the Constitution like life of Parliament; Executive and Judicial powers should be referred to people through referendums to determine any amendments. The referendum should be conducted by the Parliamentary House Committee created for the sole purpose of going to the people and see what they think and think about the anticipated changes.

Defense and national security; the disciplined forces, the military, the paramilitary and police should be established by Constitution to enhance their neutrality by extending their service to all the people of Kenya with fairness. Presently, they tend to protect the President and those who are politically correct- that is all Kanu is all about. Thus, leaving about 60% of Kenyan who are pro-opposition---

Interjection. Com. Bishop Njoroge: Evans, can you listen to me? Please we are all Kenyans. Please give us the proposals. No no. Now I am the chairman of this session and you will have to do what I tell you. Don't tell us the wrong things. Tell us the proposals that can help us right that wrong. Tunajua shida. Utwambie shida ya corruption ili tuimalize, tutafanya hivi, shida ya Kanu kuwa ndio tu inafanya mambo tungetaka tufanye hivi kwa Katiba. Hiyo tu ndio itatusaidia.

Douglas Masinde: Okay. My proposal about that; we need an Act or a clear part of the Constitution that stipulates the formation of the military and paramilitary and the police forces with Commissioners or Directors vetted by Parliament and with security of tenure to enable them serve without fear.

Political parties: political parties should play other roles other than political mobilization such as, civic education and enhancement of development projects. Constitution should regulate the formation, management and conduct of political parties to avoid abuse of office and other functions the party does. The number of political parties should be limited to form major parties that will transcend tribal and regional affiliations. Also, political parties should partly be financed from public funds because they belong to the public.

Structure and system of government: I support the hybrid system of government where Executive authority is shared between the President and the Prime Minister. The Legislature: several appointments should be vetted by Parliament. This shall include Chief Justice, Prime Minister, all Judges, all Ministers, Attorney General, Parastatal Heads, Central Bank Governor and Auditor General. Parliament should have powers to control its own procedures through standing orders.

The Executive: Ministries should be run by technocrats but not necessarily by Members of Parliament. However, they shall be subject to vetting by Parliament. Only the Chief Executive and his Vice shall be required to be members of Parliament. Parliament shall control his own calendar to avoid ambushing the electorate during election time thus the date should be stipulated in the Constitution as to when elections shall be held.

System of education: the government has been very unfair to local peasants concerning the 8-4-4 system of education. The people in the government have always placed very defective system yet they take their sons and daughters abroad. I propose the 7-4-3-2 system of education.

Succession and transfer of power: the incumbent should maintain the Executive powers during Presidential elections. Election should be declared within 24 hours of elections thus, the President should win by over 50% of the peoples' votes. The Speaker should swear in the in-coming President. The Constitution should make provision for security and welfare of former Presidents but this should only happened if and when the outgoing President admits to ills and wrongs during his tenure. Amnesty shall be the prerogative of the people of Kenya. It is the people of Kenya who should be asked whether to prosecute or forgive, this shall be achieved through a referendum. Thank you.

Com. Bishop Njoroge: Thank you very much for those very important points, we appreciate. Please leave the document with us. Now, can we have Bramuel Watiti?

Bramuel Watiti: Mr chairman of this sitting Commission of Kenya Constitution review, I salute you and other who have come to attend. I just want to – oh my names are Bramuel Mandu Watiti from Bungoma district. First of all, I would like to talk about legalizing of busaa and chang'aa. This one is important because the government will be able to collect taxes in form of license to the brewers. In this way, it will eradicate at least poverty and idleness by mothers, young men and young ladies. It will create employment.

Secondly, I would like to say that dowry should be abolished in the Bukusu customary law because during those days there used be big herds of cattle but now there isn't. Now, mandating a young man to pay a lot of cattle, it deprives him of money to start business. So, it should be abolished because it also creates even hatred between the families. Another thing I would like to talk about is the Kenya Revenue Authority. Instead of policemen installing roadblocks to harass passengers who are either businessmen or people doing their own important jobs, we should, instead, put Kenya Revenue Authority personnel at roadblocks to check goods which have gone through the right procedure by paying taxes but not to have a multi pool of roadblocks manned by police who are corrupt individuals.

Another thing, I would like the police's duty should only be to maintain peace and not to be at roadblocks. Another thing, I want APs to be integrated to be only one thing with the police. Not to have APs, Police, GSU and etc this will eliminate the

number of people who head those institutions. Another thing, to enable the Kenyan people to stay a modern life, I would advocate that roads, telephones, to be in every constituency and every village so that communication can be easy and this should be decided at the district level not in the centralized in the city. Parastatal chiefs to be vetted by stakeholders in the industry because, we don't want parastatal heads to be imposed on certain institutions because some people are imposed on us are just corrupt agents of the people who have given them this powers. The government should not have a role in managing factories or industries, they should only have shares, and also people who head those companies should not be appointed, they should go through a vigorous interview.

Com. Bishop Njoroge: Give us the last point.

Bramuel watiti: The last point- I am just about to finish sir. Water to be available to everybody so that irrigation and other problems can be eradicated. Education be made free. Chiefs, DCs, DOs even PC's be elected by the people. Salaries for askaris be increased so that they cannot be very corrupt. Also electricity be made available so that we can have industrialization. We should have also few ministries, non working class to be given assistance, agricultural produce be paid to the farmer without delay so that people can use their money. Lastly, is that the government which is in power should be based on the Ten Commandments of God to rule the country and corrupt servants and parastatal heads and even the President should be made to pay for any ills that he has committed while in office. I hope that all views which have been given by everybody will be taken into consideration and be effected. Thank you very much.

Com. Bishop Njoroge: Thank you very much. You have given us very important views. Can we have Geoffrey Were? Charles Masika amezungunza? Hayuko. Martin Kwata, utamfuata.

Geoffrey Were: My names are Geoffrey Njukhilile Were. I come before you Mr. Commissioners sir, to air this proposals that Kenyans must be ensured by KBC and other media of impartial and equal coverage regardless of political parties and so on. Most of Kenyans are now tuning to foreign media coverage like BBC because, they are people who cannot hide reporting events which have happened in current Kenyan society.

Two, I also reject the concept of one party system but multiparty is welcome but with at least, 3 political parties. I also propose that all votes cast must be counted at the same polling station and then the results relayed to a central place. That is to eradicate (inaudible) and other (inaudible) on way during transportation of ballot boxes. Corrupt people; those who have embezzled public funds and so on, the law should take its course as stated and they must not be allowed to contest any elective office in the land. Ambassadors representing Kenya overseas should have the right to air their views on the political situation in our country just like the ambassadors of other countries here in Kenya do. We should not be suspicious about them.

Com. Bishop Njoroge: You think that one can enter into the Constitution?

Geofrey Watiti: Yeah because this is where---

Interjection. Com. Bishop Njoroge: What I am saying is what we are writing is what has to go to the Consitution. Now, you are saying foreigners must be allowed to air their views. That is a statement that can be there, but we cannot write for foreigners their own Constitution?

Geofrey Watiti: Not so, partly may I suggest---

Com. Bishop Njoroge: Constitution is a very important document so don't just- because people have been talking; please give us views that we will put in. Those are views, but let us be a little bit serious because this is a serious exercise.

Geofrey Watiti: Also on sports, may I comment that coaches be hired from foreign countries to coach our players rather than depending on people from within. Local people have embezzled sports money and some sportsmen are just elected to represent us in the international tournaments because of may be bribes. And on athletics, there is no need of hiring foreign coaches since we are capable and our athletic- men have made our country proud by winning more than any other country. Also in Western province, we should be given freedom of religion for instance dini ya Msambwa as a sect be recognized. This is so because the person or the sect leader Msambwa Wanameme Elijah has been forgotten. During public ceremonies they must be rewarded in one way or the other by may be being given an opportunity even to address or to remember their heroic sensation during the time Elijah was alive. We must also be proud of our black colour and our culture which culture also may in one way be a tourist attraction that may earn us some foreign exchange.

Another issue, is that the sitting President must be in office for two terms by the mandate of the Kenyan electorate and that the President has not right to anoint or even propose a successor. Instead, the issue be followed as in the party Consitution as registered under the Act of registered parties. Because Head of State has all the state machinery and he proposes a candidate that the wishes, he might be making people security to be in a more unconducive environment. Let him follow the regulations or guidelines of the manifesto and the Constitution ruling the party itself.

Com. Bishop Njoroge: Give us your last point.

Geofrey Watiti: Women and political participation. In any society like Kenya, women make up to 52% and they are decision-makings organs yet they are not recognized. I therefore recommend the following Affirmative Action steps to be taken, campaign against early marriages and encourage our parents to invest in girl education, support the legislation that encourages equality to inheritance with exception on land among the Luhya community- that land cannot be owned by a girl in the society and that a woman must not be empowered in the house. The man is the head of that home.

Com. Bishop Njoroge: Thank you very much. You are saying a girl should not be given inheritance?

Geoffrey Watiti: A girl must not inherit land but other items, she may be allowed.

Com. Bishop Njoroge: Thank you very much, come and register here. Martin Kwata? Watiti how old are you?

Watiti: I am 30 years old?

Com. Bishop Njoroge: Are you married?

Watiti: I am married with three kids

Laughter

Martin Kwata: Mr. Chairman and other people, I salute you. I will start with my names; My names are Martin Kwata. I have few points to make before you. First and foremost, is that judges or those working under Judiciary, always go on retirement at about 85 years. That tenure should be reduced to 55 to enable other people to come into office. Most of us have talked about chiefs being elected to office. I am against that point because if Chiefs or Assistant Chiefs are elected to office, they will be serving wananchi rather than serving the government. But if, on that point proper vetting or- somebody qualifying to be a chief or an assistant chief must quality fully with a level of education. Also, these offices should be transferable. People should be transferable so that if somebody messes up with his duties, he is transferred to another sub-location or location. Concerning bicycle transportation: Boda boda as it is known in Western Kenya and Nyanza, is not gazetted in the Kenya gazette. This should be gazetted and be made a business whereby roads should be build to allow them even operate in town.

Concerning street children; juvenile deliquent institutions ought to be built in every district so that, they may be given education by government. This will also include Aids orphaned children. They should be given education through juvenile deliquent homes. Proper taxations should be made to enable education to be free- I mean direct taxation concerning the rich and the employed in Kenya. I mean that the workers should be taxed directly. On illegal beer or illegal brew, this is what I may say; when we arrest, the arrest is “disorderliness” not the real beer. Although it can be legalized, but when we legalize let say, busaa and chang’aa we arrest the disorderliness in people and not the real beer- I hope my point is taken and judgment must be taken straight away in court.

Com. Bishop Njoroge: Are you saying that those who drink and are not disorderly should not be arrested?

Martin Kwata: Yes. On that point judgement should be passed on whoever is disturbing other people after taking beer. He should be taken direct to court and not through the police. In the Chiefs Act Sec. 28 of the Kenya law, the Chief is allowed to employ anybody to help him in his duties but the village elders are not paid. I may say that village elders be given salaries to reduce corruption at their level of working. To reduce cases pending in courts, courts should be built to the divisional level and not only to the district level so that, there would more courts in every district for everyday judgement. Lastly, on corruption, I may say, those working should be given enough salaries depending on the job groups. That is all I had.

Com. Bishop Njoroge: I am very happy with you presentation, thank you very much. Immanuel Khisa? Sylvester Wamalwa? Atafuatwa na Jimmy Enamuli Ngoli. Yuko wapi? Jimmy yuko? Utamfuata.

Sylvester Wamalwa: The Commissioners in this function, I am Sylvester Wamalwa from Galolia. I have some proposals concerning the ID issue. In fact, the exercise has become a very expensive because those---

Interjection. Com. Bishop Njoroge: Can you just come straight to the point. If you want ID to be given without any constraint --

Sylvester Wamalwa: The ID should be given freely. Changing of names to the ---

Interjection. Com. Bishop Njoroge: There are people who would want to give their memorandums and they do not want to speak or to address us. They can come to the programme officer and give their memorandum. Ikiwa kuna mtu ambaye hatoki kuzungumza na ana memorandum, anaweza kuja hapa na kujiandikisha na kupeana hiyo memorandum.

Sylvester Wamalwa: Therefore, the ID should be given freely. Also changing of names among the people, you find it is very expensive whereby, you need to pay a lot for the exercise – you have pay 300/-.

Com. Bishop Njoroge: Don't tell us what you do, tell us what you want us to put ---

Sylvester Wamalwa: I propose that the exercise should be free of charge. Secondly, the doctors in hospitals should be disciplined. You find that some of them neglect their work. Where a patient needs to be attended, you find that they cannot even take care of him. Therefore, I propose that the doctors in the hospitals should be disciplined so that they can promote efficiency. Also the HIV; I propose that the government should, at least, find a way of defeating this dangerous disease- there should be a law on this so that people do not have to die daily of this disease.

Com. Bishop Njoroge: I haven't understood, can you read it again?

Sylvester: I mean, the government should at least acquire a way of avoiding this disease so that people may acquire some knowledge on how to defeat or avoid the disease.

Com. Bishop Njoroge: Are you saying that the government must have a knowledge of HIV in order to prevent it, or are you saying the government must take steps to make sure that people do not live in a way, they will be infected?

Sylvester Wamalwa: There you are.

Com. Bishop Njoroge: Last point.

Sylvester Wamalwa: As far as the law courts are concerned, the delay of the ruling of the cases in courts, you find that judges are not disciplined in their ruling; they are not impartial. Therefore, I have proposed that the judges shouldn't be partial in their ruling because this participating promotes corruption. Also at the divisional level criminal cases whereby the Inspector of police and the DO office- they don't follow their ruling. Therefore, I feel that the DO and the wazees should have a change in their ruling of cases especially land cases.

Com. Bishop Njoroge: Thank you very much. Can we have Jimmy Ngoli.

Jimmy Ngoli: My names are Jimmy Ele Ngoli, nyumbani ni mjini Bokholi. Ninafuraha siku ya leo kwa sababu Mungu ameniwezesha nimekutana na wenzangu hapa, kuna chairman na wananchi wa kijiji---

Interjection. Com. Bishop Njoroge: Sikia, sikia. Sema maoni yako.

Jimmy Ngoni: Maoni yangu siku ya leo ningalipenda kuongea freely, sitaongea kwa sababu nimeona magari au sitaongea kwa sababu nataka kuongea au sitaongea kwa sababu tumesema---

Interjection. Com. Bishop Njoroge: Excuse me. Listen. Vile tumekuja hapa, hakuna- katika sheria ambayo imetuweka imesema; hakuna mtu atadhulimiwa kwa yale atakayoyasema hapa. Hata kama DO yuko, hata kama Chief yuko, hata kama Sub-chief yuko. Kwa hivyo usiogope. Kwenda kwa memorandum, tupatie maneno, kuna watu wengi wanataka kuzungumza.

Jimmy Ngoni: Moja kwa moja, asante sana bwana chairman ningalipenda kuzungumzia maoni yafuatayo. Upande wa Provincial administration, Chief, Sub-chief au DC ati achaguliwe na raia isifanywe hata siku moja. Kwa mfano mtu kama sub-chief au chief, utasema "kumbe nilikupigia kura bure, kumbe ningalipigia mtu mwingine kura".

Com. Bishop Njoroge: Tumepata hiyo.

Jimmy Ngoni: Point nyingine ni vinywaji na vyakula; tuwe free upande wa vinywaji hasa, vinywaji vile vinatatiza sana nasema tusiruhusiwe. Kama tukunywe chang'aa, tukunywe busaa na tuvute bangi- sitaki kusema turuhusiwe. Shida ni kwamba, hata serikali ya Kenyatta ilikaa chini ikaona hawa watu waruhusiwe au wasiruhusiwe. Ikaona kwamba inatatiza na mimi nataka kusema kwamba, shida ni sisi raia wenyewe- turuhusiwe au tusiruhusiwe, shida ni sisi raia wenyewe.

Com. Bishop Njoroge: Unazungumzia raia au ni maoni unatoa?

Jimmy Ngoni: Ni maoni ninatoa.

Com. Bishop Njoroge: Unataka iruhusiwe, iwe legalized au hutaki?

Jimmy Ngoni: Ninataka busaa iruhusiwe au isiruhusiwe. Wacha sasa nifafanue. Kuna hawa watu wanaharibia wale wanakunywa busaa. Kuna watu wale wanakunywa na wanaenda nyumbani, kunakuwa na amani---

Interjection. Com. Bishop Njoroge: Sikia; hii ni Katiba tunatengeneza. Mambo ni mawili; either useme, “ningetaka busaa iwe legalized au singependa iwe legalized”. Usituambie kuna wengine wanakunywa kidogo, kuna wengine wanakunywa nyingi, hilo sio pendekezao. Unataka nini?

Jimmy Ngoni: Kwa hivyo, busaa na chang'aa ziwe legalized. Bangi peke yake ndio isiwe legalized. Yule ambaye atavunja sheria ndiye atapatwa yeye mwenyewe, lakini busaa na chang'aa ziwe legalized. Holiday coaching, mambo ya holiday coaching isiweze kukubaliwa hata siku moja. Mtoto ataweza kuenda shuleni a whole term akae vizuri, asome kwa bidii, ajiandae kwa mtihani afanye afaulu, ifike wakati wa kufunga muhula. Mtoto anapewa report, ame-perform well na anaambiwa you go home for holiday coaching fees, “hatutaki watoto mfunge, mnabaki hapa”.

Com. Bishop Njoroge: Point nyingine?

Jimmy Ngoni: Na hiyo inafanya---

Com. Bishop Njoroge: Ban holiday coaching.

Jimmy Ngoli: Tungalipenda serikali yetu ya Kenya, iweze ku-provide land for own working individuals ili waweze kujiwezesha katika maisha yao. Hiyo ni njia moja ya kupunguza umaskini. Freedom of worship iwe legalized isipokuwa tu, hawa watu wa devil worship. Devil worshippers ni mchezo.

Com. Bishop Njoroge: Tupatie point nyingine?

Jimmy Ngoni: Point ya mwisho dowry must be encouraged. Mahari iwepo kwa sababu itajenga uhusiano mwema kwa sababu, wanawake watawaheshimu waume wao, majirani and all that. Mwanamke asipewe shamba kwao- mara nyingine amepewa kwa mume wake- mwanamke asipewe kamwe. Wataishi maisha ya kuvuragana hapa na pale. Haya ni mambo wenyewe tunajitea mwishowe yanatuvuruga, yanatukoroga, tunakusanyika “oh sasa Katiba, oh tutafanya nini” Ihali sisi wenyewe ndio tunaleta haya maneno. Kwa hivyo, ni hayo machache.

Com. Bishop Njoroge: Haya kuja hapa ujiandikishe. Wapi Bartholomew Wanyonyi? Atafuatwa na---

Bartholomew wanyonyi: Okay, I don't need that one I have a good voice.

Com. Bishop Njoroge: No no, yo have to use because- I will tell you the reason. If you don't use it, your voice will not go there and your views will be lost.

Bartholomew Wanyonyi: Thank you Mr. Chairman, these are my suggestions. My names are Bartholomew Wanyonyi and some people call me Omusambwa. These are my suggestions; about government, there should be what we call separation of powers. The Executive, Judiciary and the Legislature: that each should not interfere with the other. For example, even senior appointments like the Head of Civil service should be vetted by Parliament, not the President. For example government should control the calendar of elections. It is the Parliament which should decide when general elections should be called and not the President. Also, what I am saying is that powers must be vested in Parliament and not in the Presidency. This will eradicate corruption, incompetence and sycophancy. Also, Ministers should not be chosen from Parliament. They can also be chosen from the private sector. That one actually- because there are some efficient technocrats who can't go to Parliament but if you choose them as Ministers, they would perform better than Members of Parliament- many of them whom are very rich and go there because of riches. So we want what we call performance of technocrats- we want managers of the economy.

Transition of government: for example if the new government takes over, it should be presided over by the Speaker and the Attorney General. That would actually lessen chaos because we are a newly developing country. We don't want a vacuum after election. So somebody must be there to organize transfer fo government from the outgoing President to the new President. It should be the Speaker and the Attorney General.

Bill or rights: I emphasize the child's rights. I have found that the education we have is a richman's education. Actually many children are not learning because education is very expensive, not like our days. I am even feeling that during colonial days education was cheaper than our independent days because we learnt colonial times- from 1965- that is when I was in school,

up to 1968, where bright children were never left out because education was cheap. So that is why I declare that food and education should be declared human rights and not basic rights. So, a child has a right to food, has a right to education. In this way, we can eradicate poverty because the whole theme talks about education. If we don't educate somebody- in fact we are living out scientists. Today if a child is not educated, we might leave a genius and just take the children of rich people to go abroad and become drug peddlers or drug addicts-but a poor child will learn.

A President should be impeached if he violates the Constitution. Just like American Constitution, nobody should be above the law. We should have something like Truth Commission like the South African one because our government actually, has got in many problems and crimes committed by government officials. We didn't see only this during government Nyayo era, no, even during Kenyatta's government. These crimes are too many. If we go into them, we will not manage. So, let us have a Truth Commission so that people can be asked repentance and they can be forgiven. People should volunteer that. But people who do crime in the office they should be brought to court and their property should be taken over. They should pay what they stole. So, if you steal, you have to pay- not to be transferred to another place, no.

Freedom of the press: today, the radio is the only media of the common man in Kenya. Because many people don't read newspapers because they are expensive but the radio is the only media and is controlled by the government and one party. That is why I suggest that the radio- any individual, any society, any organization, any religious body should be free to start a radio station all over the country. Not just around the big towns. For example, Christians should be heard on radio all over Kenya but we find these stations only around Nairobi and Mombasa. They should be all over Kenya.

Members of Parliament: Most of them never visit their constituencies. Therefore, we should borrow from Uganda where electorates should be allowed to call a by-election before the end of Parliament so that the election can recall their MP and elect new ones.

Agriculture: agriculture has been neglected. We should follow Kenyatta's system- actually I liked the system of loans to farmers. There were cheap loans like credit schemes there. Kenya actually led in research institutions in the Whole of Africa. But they have collapsed because land has been grabbed like in the Kenya seed KARI KEMRI- they have been grabbed. But these are the research institutes, which can help us to produce because agriculture is the basis of our economy. Now if we don't have research we shall hunger. That is why I say that we should restore- actually as the Kenyatta system of diversification of agriculture with research institutions and so on. Because we don't have oil or gold, we emphasize agriculture in nation planning and in the budget.

Medical care: scientific research shows the connection between this disease called Aids and poverty. But now, we are emphasizing only on Aids- everywhere we say Aids and so on. No. if you don't have medical care you are likely to suffer from Aids. There is a present doctor in South Africa who said that- although they opposed him, but researchers have shown that.

Because when you go to hospitals, you find that Aids patients are put together with TB patients, they are put together with Measles patients. Why are they doing that? It is because of poverty. So, we should emphasize more on agriculture- we emphasize it more than Aids than Aids will be the thing of the past. So let us stress that one poverty, that one that poverty is the one producing Aids. These are the few points that I had.

Com. Bishop Njoroge: Thank you very much Bartholomew Wanyonyi, those are good points and we please you will give us your memorandum. John Singelisi? Sylvester you are there? utamfuata. Benson Nasongo? Benson Nasongo? Utafuata Sylvester. Na Pius wekesa? Pius wekesa?

John Singelisi: Thank you very much for the chance you have given me. My names are John Singelisi and I have got some few points I wanted to air before you. The first point is the protection of the interests of Kenyans from the foreign investors. Indians are exploiting Kenyans by giving them low pay, working on casual basis instead of permanent job and by harassment abuse. Secondly, is the introduction of headquarters; these headquarters some are irrelevant according to me. Some (inaudible) so that the government has to spend Kenya's revenue but that can be used on other things. The other point is that the government should exploit the natural resources that it's got and revive the industries to establish the economy of the country and create employment. The security of Kenya is not good, (inaudible) wars. The government should (inaudible) the security personnel by maintaining one Police boss then give them good salary and sophisticated weapons to this instability in the country. The President should not be above the law.

In the side of education: the money that is being set aside by Parliament for education should reach every mwananchi, even those in the local areas like Nzoia and even Lutungu. The government should offer free education in primary and the government should do cost sharing at secondary level with the parents so that education can be affordable to the parents. Lastly, on the side of management, opposition parties should be directly involved in the government Budget and they should monitor every movement or everything that the government does with the government revenue because this is the money that is used by the common mwananchi. Thank you very much.

Com. Bishop Njoroge: Thank you very much John. Can we have Sylvester? You are Sylvester?

Sylvester Onyaga: Yes.

Com. Bishop Njoroge: Can you go on? Tell us your name?

Sylvester Onyaga: My names are Sylvester Onyaga. I would like the new Constitution to expressly state that the citizen is the true source of the power and legitimacy of State. With respect to nominated MPs, the new Constitution should provide the following: Nominees to come from special interests group a person who has contested in general election and subsequently

lost should not be nominated, nominated MPs should not be nominated into the cabinet. Wakenya tuko huru lakini hatutaki Uhuru. The current Constitution should be changed into a permanent multi-party Constitution with the following provision:

- Funding of political parties by the government.
- Barring elected leaders who defect in the middle of their term running for parliamentary or civic seats for the rest of the term.

On the rights of persons: the right of persons in lawful detention, prisons, remand or otherwise in State custody, may be lawfully restricted but to ensure that there is humane and dignified treatment of prisoners. The new Constitution should guarantee citizens the right to information by provision of freedom of information Act and removing restrictions on freedom of expression and independence of mass media. We don't want KBC for "Kanu Broadcasting Corporation" but Kenya Broadcasting Corporation. The new Constitution should make provision for enactment of legislation to protect workers' rights and to punish economic exploitation of part-time and casual workers. The new Constitution should create mechanism to ensure that leadership at all level is encoded in patriotism, meritocracy and moral uprightness. People say we don't want dictatorship.

When it come to agriculture, the new Constitution should recognize the centrality and locality of agricultural sector in Kenya's economy and make provision for preferential taxation, inputs, effective marketing, democratic governance and income guarantee in order to enhance sustainable economic grow. The new Constitution should make provision for establishment of tax and policy mechanism to accord preferential treatment to such area of agricural centred economy of Western province. The new Constitution should also make provision for enactment of public code of conduct to ensure that leaders account for their wealth. Inculcate (inaudible) in public administration and penalize leaders found guilty of betraying public trust.

To enhance the peoples' rights to understand their rights and obligations under the Constitution and the corresponding duties of state, the Constitution be translated into local languages and be provided free of charge to every citizen. And again, last to Prevent the dumping of Commission reports in the office of the President like like that of Akwiumi report on tribal clashes, the Troon report on Robert Ouko's murder, I would like the Constitution to create another court that can order the release of these reports from the office of the President.

Com. Bishop Njoroge: Before you (inaudible). Let me explain to you what will happen. We have to go to all the 210 constituencies and now we are finishing our hearings in the whole country with the Western Province. When we go back next week, we will prepare to go somewhere for a month to write the constituency report, the national report and to come out with a draft Bill. The report will be brought back to you here to make sure that what we have written, is what you said. Then after that, we will be having what we call the National Constitution Conference, made of 639 people. Among them, 3 people from every district, 220 members of Parliament, 139 members from Churches and civil society, 40 from every political party registered by the year 2000. They will come then and they will taken into a building, they will be given the report the draft bill

and it them who will come out with the Constitution. Once they agree, the Attorney General will just be given the document as a formality to take it to Parliament- no discussions, and now the new Constitution will be in effect. So, you cannot send me to tell the President to publicize the report because, the Act demands that you people will be able to make this Constitution. Okay?

Sylvester Onyaga: I would like the new Constitution to allow the creation -----(inaudible)

Com. Bishop Njoroge: Okay, thank you very much. Nilitaka mjue hivyo msione kama ile kazi mnaifanya ni kazi ya bure. Sawa sawa? Hii Constitution itakuja na ni nyinyi mnatengeneza ili baadaye, tukiwa na watawala ambao wangependa kuichezea, mtakuwa na uchungu wa kuilinda. Sawa sawa? Sawa. Haya tupate Benson Nasongo? Afuatwe na Pius Wekesa. Wekesa yuko wapi? Pius hayuko?

Benson Nasongo: Mimi nina yafuatayo ya kupendekeza. Kwa majina ninaitwa Benson Nasongo. Ministerial appointments; mimi ningependekeza ya kwamba Mawaziri wasichaguliwa na Rais---

Com. Bishop Njoroge: Wachaguliwe na nani?

Benson Nasongo: Kuwe na Commission kama Public Service Commission kwa sababu previously, tumekuwa na mtu kwa mfano ana elimu ya kijeshi halafu anakuwa Minister wa education. State function: kazi ya Rais ihusike na nchi. Tusiwe na Rais ambaye akitembea kwa nchi akifungua vitu kama maonyesho ya ukulima, cattledips na vingine- That is a waste of public funds. Hiyo aachie watu kama Mawaziri na Assistant wake. Title deeds: in Kenya currently, the process of acquiring a title deed is so tedious. My recommendation is that something like a title deed should be given free of charge. Those concerned (inaudible) to particular persons who bought a piece of land. Land ownership: mimi ninge-recommend mtu mwenye ana shamba zaidi, awe na 500 acres. Currently we have got so many landless Kenyans. Ukienda mahali kama Kibera, Korogocho, there are so many people who are landless and we have people owning thousands and thousands of acres in this country.

I recommend that in the new Constitution, the President should not represent a Constituency. Somebody aspiring to be a President should just aspire to lead the country not be elected MP. Harambee: I recommend it to be abolished, initially it was of good use but currently, I feel it is being misused. There are people who have suggested in various Commissions' sittings that those aspiring for Presidency should be degree holders but, I feel, he should be a clean person. Leadership is not a level of education one has to take----

Interjection. Com. Bishop Njoroge: So what do you propose?

Benson Nasongo: I propose that form four level of education should just be enough because leadership is an inborn talent.

Tribalism: a lot has been said about discouraging tribalism and my suggestion is that in the new Constitution- I feel that tribal names, names that can identify you with a particular tribe should be banned.

Com. Bishop Njoroge: Next point

Benson Nasongo: Dissemination of information: somebody has said previously that so many Kenyans rely on radios and in Kenya, illiteracy level has risen. I suggest that in every constituency something like public library should be built where, government publications and even newspapers should be kept so that those people intending to get information should go freely and read. That is all, thank you.

Com. Bishop Njoroge: Thank you very much for those very good points. Come and register. Job Khaemba? Patrick Tangali? Nicholas Lukuntha? Uko tayari? Utamfuata.

Patrick Tangali: Yes; Bwana Chairman nimeshukuru kuchukua nafasi hii nina maneno machache kidogo. Mimi kwa majina naitwa Patrick Wakwabubi Tangali. Mimi napendekeza namna hivi; kwa upande wa wafanyikazi, ningependa wafanyikazi wa union, hao pia wawe wanapata pension kwa sababu mfanyikazi wa serikali akipewa kitu kidogo anamaliza within one week, na anabaki maskini. Afadhali aendeleo kama anakula kitu kidogo kidogo ili asukumu maisha yake, asonge kidogo. Pili, wafanyikazi pia, watu wenye wamebarikiwa wamepata kazi, serikali ichunguze ione ya kwamba afadhali watengeneze mshahara wa wafanyikazi. To solve employment problems for employment kwa wale wachanga, wapunguze miaka ya retire. Badala ya 55 iwe 50 halafu wapewe mshahara mkubwa. Akitoka huko atakuwa amepata pesa na hata akianza kazi ya biashara atapata ako na nguvu.

Halafu tukienda kwa election, nimeona corruption inaingia sana kwa upande wa kubeba beba masanduku kutoka hapa na wanapeleka huko. Hiyo kubeba beba na kupeleka huko na huko ndio wanaingisha ndani magendo. Afadhali kuwe na tight security halafu wahesabu hapo hapo kama agents wanahakikisha wanaona ni ukweli. Nafikiria hizo ndizo points nilikuwa nazo lakini kwa mtu mwenye hafanyi kazi sisi tuwe kama serikali ya South Africa. Wazee wenye wako na miaka fulani wawe wanapata kitu kutoka kwa serikali kwa sababu umaskini ndio unaua watu zaidi. Sasa akipata kitu cha kununua chai kidogo kidogo, atasukuma maisha yake, asonge kidogo.

Com. Bishop Njoroge: Sawa, sawa. Hayo ni maoni mazuri. Nicholas? Njoo hapa ujiandikishe. Nicholas Lukutha? Evans Karani yuko?

Nicholas Lukutha: Asante sana Mr. Chairman, mimi ningependekeza – jina langu ni Nicholas Lukutha. Mimi nina mawili au matatu. Kitu cha kwanza ningependekeza upande wa kupata title deed. Mtu kama ananunua shamba au plot, inaleta corruption. Wakati huu tungependekeza hiyo process ifanywe mapema, mtu akilipa pesa na process iwe imeisha. Wakati huu,

mtu kutoa hata file hapo alete hapa kwa meza, ni pesa. Hiyo inaumiza raia zaidi. Mtu unampa pesa, kesho yake anapenduka, inaanza kuwa korti case.

Kitu cha pili mimi napendekeza police hawajapata training ya kutosha. Wawe trained miaka miwili au zaidi na hiyo training ime (laughter)

Com. Bishop Njoroge: Endelea. Nyinyi mnacheka mtamfanya asahau yale atayasema.

Nicholas Lukutha: Wacha niendelee. Police hawafanyi kazi yao. Sijui walienda ku-train vitu vingine, na hii imefanya nchi hii imepoteza revenue.

Com. Bishop Njoroge: Kwa hivyo umesema police wawe waki-train miaka miwili na wale wako waende retraining- again?

Nicholas Lukutha: Waende Kabisa. Point nyingine ni upande wa elimu. Tunaona kama nchi yetu, 8-4-4 imetupoteza. Unapata hata nchi jirani, mtoto amefika form four, kabla ya university anaenda form five and six. Irudi kama zamani.

Com. Bishop Njoroge: Njoo hapa. Na hawa watu wanakupenda, wanacheka au wanakujua? Kuja ujiandikishe. Mnamjua huyu?

Response: Ndio

Com. Bishop Njoroge: ndio sababu

Evan Karani: Nawashukuru kwa wakati huu kwa kikao cha leo, kimekuwa ni kwa wakati mzuri kwa watu ambao tuko hapa lakini, sitakuwa na mapendekezo mengi sana kwa sababu --- oh poleni, majina yangu ni Evans Karani, naishi hapa Nzoia, mimi ni mmoja wa professional wenye hawana kazi- ni Engineering. Jambo ambalo nilikuwa ninaanzia- jambo ambalo nilikuwa nalo la muhimu, mwenzangu ametoka tu ametajia kwa sababu tunaonelea kweli ya kwamba, education system yenye walituletea ya 8-4-4 imeleta taabu. In fact, ndio imeleta umaskini mwingi katika Kenya yetu hii kwa sababu, unakuta education yenye tulikuwa nayo mwanzoni, tulikuwa na viwango kadhaa. Mtu alikuwa akitoka kwa Kenya junior anajua mahali anaenda kujitafutia. Hiyo ilikuwa kama sieve, wengine wanasonga mbele. Wenye wanatoka form four wenye wamepata kama division three, wanaenda for primary teachers training. Wengine wanapata nafasi wanaenda 'A' levels. At 'A' levels utapata wengine wanaenda kwa diploma na wengine wanaenda University. Sasa utakuta hizo viwango vyote vilikuwa vikisaidia sana kwa sababu hao watu walikuwa na stages za kukatisha katisha. Sasa hii form four-kumwaga watu wote ati form four unashindwa hawa watu wote wataenda wapi! Tunaona nchi yetu ikiendelea kusema kwamba inaongeza Universities. Unaongeza universities nyingi, unapeleka watu huko, akishatoka university hana kazi, mtu ana tarmac ten years.

Hata wakati huu tuko na mmoja hapa kwetu ambaye sasa amefanikiwa kuchukuliwa kama management trainee after being out for ten years. Hii education mpya ndio imelete hii taabu yote. Hii ni kitu niliona nitasitiza sana kwa wakati huu, na ningomba hii Commission ichukue jukumu kubwa kwamba kwa kweli education system ya zamani ilikuwa ni nzuri. Angalia vitu kama technical schools zenye tulikuwa nazo- mimi nilikuwa mmoja wao. Nilisomea Kisumu Technical. Hizo zilikuwa shule nzuri sana kwa sababu ziliwezesha kila mtu na kila mtoto wa mtu yeyote angeweza kuingia. Wakati huu vile waliweka ati polytechnic kuwa training institutes, hizo zimebaki luxury institutions. Unakuta kuwa yule mwenye anaenda ku-manage huko ni mtoto wa tajiri.

Mimi kwa kweli nilitoka katika familia ambayo haingejiweza lakini kwa ajili ilikuwa shule, Mungu alifanya nikaenda huko na ninashakuru hata wakati huu hata kama sina kazi. Lakini kwa wakati mwingine naweza kupata kibarua kidogo kidogo. Sasa ningependekeza pia kwa line hiyo ya technical education; kama wameonelea wamebadilisha viwango kuwa training institute ziwe hivyo, lakini wajaribu tena wa-introduce technical schools ambazo mtu akitoka standard eight, ataweza kuingi pia asome, afanye mtihani wake wa form four apate at least some knowledge in technical education basically. Ndio akienda interviews kama hizi pia, naye anawezafanya na (inaudible) akiwa na background ya technical education. Itakuwa ni jambo la maana sana.

Jambo ambalo ningeweza kuongea kidogo- kuna mwenzangu mmoja alikuja akaongea kuhusu foreign investors. Kwa kweli unaweza kukuta wachache, especially Asian community, wanatu-frustrate sana. I can may be name one in our Western province here, whereby we go there in the capacity of a contractor, so you find that you are supposed to may be, supply manpower. Na unakuta may be there are skilled manpower. They want to pay you per the contract which is applying- may be 225 per 8 hours. Lets say around 69 shillings per hour. So you find that you are now paying the person you have recruited may be 30 shillings. You are remaining with only 29 shilling as the contract per hour, out of which, may be the supervisor of the section wants you to give him something small and may the boss of that section also wants you to give him something small, he is insisting you use your own tool box! Now, you have also hired a toolbox from outside if you don't have one. You are paying for the toolbox. So you pay for the toolbox outside- now you have nothing left. I think even in our present Costitution- if I am not very much wrong- I don't think it is in order for one to use his own tools in such a situation.

You are doing for somebody a job and then he doesn't pay an allowance for your job. But you find that you are now being exploited, you are forced to bring a toolbox, if you don't have, you lose that chance and you are not paid even a shilling for your tools and you are being underpaid for the services you are rendering. So, I wanted at least ----(inaudible) I even see factory act- in every factory -----(inaudible). Something should be done on that thing epecially on the side of tools. If you use your tools, they should at least pay for it. I think that is very important. Thank you very much.

Com. Bishop Njoroge: Thank you Mr. Karani for your recommendation on employment. Moses Wanyonyi? Lewis Alumasi

yuko? Yuko pale? Alagalo Okinyi? Utamfuata huyo. David Balia, utamfuata huyo. Jafrey Kalumasi? Utamfuata yule. Na Councillor Mwala, na wewe utafuata.

Moses Wanyonyi: Mimi naitwa Bwana Moses Wanyonyi na nina haya machache nataka kuongea. La kwanza, nitaongea about corruption. Ninapendelea ya kwamba, kwa corruption tuwe na mobile magistrates. Wawe wakitembea mahali tendo limefanyika kuliko ati mtu anaenda huko, inapaoteza muda tena hilo jambo halitoki vizuri.

Halafu jambo lingine is about land. There is a lot of corruption on land. Ninapendelea ya kwamba, land ikiwa divided mostly in urban areas, pastors wawe involved to avoid corruption. On education, tuna watoto wale wako very bright na kupata hizo nafasi, hizo nafasi zinanyakuliwa na wale wakubwa. Napendelea ya kwamba kuwe na test ya kuchukua wale watoto wako very bright na ianzie kwa sublocation ili wale watoto wawe wakichukuliwa to expand our knowledge and to expand the economy of our country. Halafu tena jambo lingine is about street children. Siku hizi unakuta ya kwamba in every town unapata watoto wanatembea tembea kwa streets. Tuwe na ile commission ile ya kuchukua hawa watoto na tuwe na camp ya hao watoto. Then, these children should be disciplined when they live there and this will reduce wale watu huwa wanachukua watoto wanatupa kwa town au ita-reduce wale watoto wanatembea kwa town.

Jambo lingine ni employment. Tuwe na Act ambayo nimesema kama ya mobile magistrates wanakuwa- tuwe na Act ionyeshe kuwa mkubwa asiandike mdogo tu barua ya kumfuta bila yeye mwenyewe kuwa huko kujitetea. Anafuta mtu na yeye anakaa tu kwa sababu anamfuta na anatumia tu mtu wa kuenda kumtetea na yeye mwenye anakosa kufika huko ili huyo mtu akijitetea hakuna yule anamtetea. So that Act should be there. nilikuwa tu na hayo.

Com. Bishop Njoroge: Thank you very much Mr. Wanyonyi, we appreciate your very good presentation. Can we have Lewis Alumasi. Lewis ni wewe? Karibu.

Lewis Alumasi: Thank you Mr. Chairman, first of all, my names are Lewis Alumasi and not forgetting one thing, I am saved, I am a Christian. Point number one Mr. Chairman, I am disturbed with this idea- the characters of our politicians in Parliament. So, I will ask or appeal for the Constitution to allow the public views first, before the Parliament passes any Bill because, we have realized that the politicians are doing it in the interest of their own gain. Secondly, I think we should also have a ministry of Economic Engineering headed by non-politicians to allow for initiation of sources of income. Example; one company can give back to another related firm in the same area to avoid rapid rural urban migration. Third, is in agriculture. The Constitution should implement a system where a farmer gains equally with the miller and not the miller overdoing the farmer who is the main raw material supplier.

Lastly, as a concerned Kenyan, I support majimbo system of government with all political parties involved. Thank you very much.

Com. Bishop Njoroge: Thank you very much Lewis. Tupate Angila Okinyi? Okidingi

Angila Okiding’: Asante sana Bwana Chairman. Jina langu ni Anjela Okiding’. Kwanza naongea juu ya wabunge. Wabunge wanatakikana wawekewe sheria. Wakati wanachaguliwa warudi nyumbani kila mwezi mahali walichaguliwa waje wachukue mashauri kwa raia halafu wapeleke bunge wazungumzie huko. Halafu, elimu ningemba warudishe ule utaratibu ulikuwako zamani. Na hicho kidato cha tano na sita kirudishwe, iwe kwa line. Tena, kama President amechaguliwa, ningependekeza maneno ya kubadilisha pesa tena ili waweke picha ya kichwa cha kiongozi mpya, hiyo inasababisha kurudisha uchumi chini kwa sababu gharama inakuwa kubwa- kubadilisha pesa kwa wakati mfupi mfupi.

Com. Lethome: Picha ya nani iwekwe kwa pesa?

Okiding’: Inatakikana tuchangie wananchi wote, kitu kile kinatakikana kuwekwa.

Com. Lethome: Wewe unapendekeza kitu gani iwekwe hapo?

Okiding’: Tunaweza kuchagua kama Mt. Kenya.

Com. Lethome: Mt. Kenya, ehe

Okiding’: Au kitu kingine.

Com. Lethome: Kama miwa hivi?

Okiding’: Ndio sababu hiyo mimi nasema tuchangie. Wananchi wachangie kile kitu kinatakikana kuwekwa hapo. Kwa upande wa kujilinda; bado kunatakikana kuwekwe sheria zile za kushawishi vile vitu vinakatazwa kunyiwa kama pombe. Wanakubali tena pombe ile ya kigeni na wanakataza ile ya kienyeji. Sasa hiyo, wananchi hawasikii vizuri.

Com. Lethome: Wewe unapendekeza nini kuhusu hizo pombe za kienyeji?

Okiding’: Pombe za kienyezi zingepatiwa tu namna ya kuzitumia; kwa masaa. Halafu, kwa ofisi ikatazwe. Ukikuja kama umelewa, hautafanya kazi. Ukirudia mara mbili, basi kazi iishe. Mtu atapata nafasi ya kujichunga yeye mwenyewe kuliko kushikwa na kupelekwa huko na hawa askari nao wanarudi kuweka ushuru wao.

Com. Lethome: Hiyo tumepata. Ingine?

Okiding’: Yangu ndio hiyo tu.

Com. Lethome: Asante. Nyinyi ndio mume-interrupt, pengine alikuwa na nyingine mumefanya amesahau. David Baile? Karibu. Na Jafred Malumasi yuko? Utafuata huyu.

David Baile: Kwa majina naitwa David Baile. Mimi naona serikali yetu hii, inataka kujifanyia. Ingekuwa vizuri sisi wenyewe tuchague yule mtu tunataka si ati President atuchagulie mtu wa kupiga kura. La pili, ni upande wa mashamba. Serikali imenyanyasa wenye wananunua mashamba- wanafanyia biashara. Ukinunua kwa pesa, wakiona ingine ati ni nyingi anachukuwa hizo anatupa wewe nje. Na serikali itaandikisha shamba yako hiyo. Hiyo sheria kama hiyo hatutaki.

Upande wa 8-4-4: zamani tulikuwa na class eight na tulikuwa tunalipa fees. Leo wanapandisha pesa hizi kwa sababu ya 8-4-4 hiyo ilikuwa zamani lakini siku hizi, wamerudisha tu lakini ilikuweco kitambo. Sasa tunataka afadhali tuwe kama zamani; watu walipe fees kama zamani kuliko kunyanyaswa. Upande wa matibabu: wanaleta madawa kutoka ng’ambo ya kutibu hapa na wanaweka kwa office ya President. President huyo ni daktari au yeye ndio analinda nchi yetu? Sasa hatutaki- madawa kama inakuja waweke kwa ministry for health wapatiane hayo madawa kwa mahospitali. Upande wa wafanyikazi: kwa mapendekezo yangu nataka yule mtu amefika miaka hamsini, aachie hapo kuliko kuenda mpaka hamsini na tano na akienda nyumbani atakuwa amekwisha nguvu ya kufanya kazi kwa shamba. Zamani niliona serikali yetu ilikuwa na kitu kama ya increment. Union inapigania wafanyikazi, inawapatia percentage fulani, halafu baadaye serikali nayo inawaongeza percentage fulani. Wakati huu vile Nyayo aliingia hakufanya kitu chochote cha percentage kwa watu wa industries.

Com. Lethome: Sasa unapendekeza nini?

David Baile: Hayo maneno ikose kuweko.

Com. Lethome: Maneno gani ikose kuweko?

David Baile: Yaani, kama kuna kupandisha percentages fulani, pia ipandishwe kwa watu wa industries kama watu wa Sugar Industries. Yangu ni machache na ni hayo tu.

Com. Lethome: Haya asante sana “Omusakhulu”. Jafrey Malumasi, atafuatwa na Councillor Mwanja. Councillor yuko? Councillor utafuata.

Jafrey Malumasi: Asante sana. Mimi naitwa jafrey Malumasi nafanya kazi hapa Nzoia kama Research Assistant.

- Katika hali ya introduction ya hiyo Katiba yetu, should stress on patriotism, unity of nation by thought, tracing our roots

as a nation and taking our, part of togetherness in restoration of broken structures.

- Education of our people and the youth; we need to see the importance of taking new pathways, change in education and learning school syllabus to broaden children's mind in issue perception and by giving all-round knowledge by involving spiritual, mental and cultural values. Hiyo imekwisha.
- Number four, Constitution amendment: Parliamentary increase from three vote to three quarter vote. Only covering political party operations as to numbers and mergers.
- Citizenship: foreign husband to a Kenyan woman or a foreign wife to a Kenyan man, becomes a citizen if marriage procedures say dowry paying or customary procedures are undertaken. A child born to a Kenyan and a foreigner should become a Kenyan citizen. A citizen should have own entitlement and responsibilities as his abilities uphold him. A child born of one Kenyan parent should have through his own abilities, all entitlement and responsibilities.
- Girls can inherit mothers' or father's estate and subject to customary laws. A child citizenship should have limited entitlement under responsibilities particularly in job applications decisions in public sector. If his profession is fruitful, he may enter into private practice. Or on occasions, be employed in public services when- through his extensive experience in acquired profession, his will be required.
- Dual citizenship be allowed.
- Kenyans can have either national IDs or passports.
- Political parties: as at now, there should not be a fixed number of parties until Kenyans learn and mature on this subject. There should be no government funding of political parties except during general elections when Presidential campaign are government funded including provision of security.
- Let us continue having a President, a system of electing a Prime Minister through Parliament by a majority party require very high level of maturity and responsibility and suitable in countries with little peace. We do not need this in Kenya.
- Systems of government and national unity; Prime Minister can be provided for in Constitution, but be termed as optional. Can be used by the Head of State to reconcile or harmonize the nation.
- Majimbo system is necessary for equal distribution of national resources and protect interests of marginalized communities.
- Parliament: Parliamentary Committees to check track records and characters of personalities proposed by the President for top national posts. Public service Commissioner and Judicial Service---

Interjection. Com Lethome: Mzee hebu ngoja kidogo. *Musakhulu*, tulia utakuja kuzungumza. You will come immediately

to give your view. *Musakhulu* utakuja baada ya huyu. Unasikia? Utakuja sasa hivi kwa hivyo get ready okay?

Jafrey Malumasi: Public Service Commission and Judicial Service Commission to appoint others. These and such organs, to serve mainly as advisory. Voting should be done mainly on maturity basis. So, law age limit should remain as it is. Code of conduct and behaviour is necessary to MPs. Voters should not be allowed to return an MP back home but only on the basis of defection. To maintain party loyalty, a defecting MP should re-seek mandate- this is to curtail corruption. MPs are elected because of their capabilities as determined by voters. They should make decisions through personal judgement but accountable to voters. Voters can also judge him on that accountability basis. Any of existing bodies in any form in consultation with electorate should determine MPs pay and emoluments. Women should be elected out of their competence and capability not because they are women and chances should not be created just for women. Nominated MPs serve certain interest and any party interested in having women for special interest should use the nomination opportunity. A government of national unity- Prime Ministers Office should exist in the Constitution as an option. Two thirds majority vote of no confidence in a government is enough.

The President should not necessarily be an MP. He should be free to choose experts from outside Parliament as Ministers to help him run the government. Fundamental rights; pandemics- I am talking about things like AIDS etc. Constitution should provide for preparedness and for urgent action when they strike. Negligence has contributed to wide -spread of HIV Aids. As at now, institutions or strict control measures is not possible. At initial stages, control by even vetting travellers is possible.

Com. Lethome: Don't read everything, just highlight.

Jafrey Malumasi: The law should ensure the children of separated or divorced parents are not denied their fundamental rights like education, health and clothing. Negligent parents should be punished by law as well as for flouting or breaking established rule. Every community should take care of their less fortunate to avoid the growth of numbers of chokoras or beggars.

Com. Lethome: You have just two minutes to wind up.

Jafrey Malumasi: Okay, let me leave others. Let me talk about culture. The Constitution should uphold African decency and dignity. Cultural practices should be upheld and promoted. We are talking about a number of things- when I am talking like this, I am talking things like women wearing trousers. African women must stop wearing trousers or any menswear forthwith. Parents should not buy menswear for their daughters.

Com. Lethome: Point taken, don't repeat that one. The last point?

Jafrey Malumasi: The role of President in implementation for culture; the Constitution should empower ruling President to uphold and promote good customs, traditions and cultures maintaining African decency and dignity. When taking corrective actions, we should quickly invoke the constitution provision for example, "I am empowered by the Constitution or I am allowed by the Constitution to uphold our peoples customs, traditions that promotes African decency and dignity".

Corruption: let this be a Constitution matter for it is a serious issue. Almost everybody is practicing this without the knowledge of the President yet the President is being constantly blamed. Serious punitive measures be put in place to hinder those that through corrupt procedures, may cause collapsing of peoples economy. If one causes poor performance of a factory through corruption, he should be punished. In some far East countries, punishment include hanging or paying----

Interjection. Com. Lethome: What do you recommend?

Jafrey Malumasi: Punishment.

Com. Lethome: What punishment? Death?

Jafrey Malumasi: Not death, life sentence.

Com. Lethome: Life sentence for corrupt officials. Thank you, we will read the document. *We musakhulu*, Njoo sasa utoe yako hapa hivi, ndio roho itulie kidogo. Halafu Councillor utamfuata huyu. Wacha atoe. Ile yote ilikuwa inakusumbua kwa roho, toa bila wasi wasi. Keti hapo. Sema jina lako halafu uendelee. Hold the mike for him because there is a loose wire. Ngoja wakushikie, unasikia vile unaambiwa?

Stanely Natembea: *Babana babukusu*,

Translator: Bukusu children

Com. Lethome: Jina lako kwanza?

Stanely Natembea: Stanely.

Com. Lethome: Stanely nani?

Stanely: Natembea.

Com. Lethome: Stanely Natembea? Haya tembea.

Stanley Natembea: *Sibala sino,*

Translator: This country

Stanely Natembea: *Kamakhuwa kaamila sa atiti.*

Translator: Things are just starting from a small place.

Stanely Natembea: *Khabeera bana bamalile sio.*

Translator: They are killing people to the terminal end.

Stanely Natembea: *Khubeela sa kamakhuwa ka cha'ngaa.*

Translator: Just because of chang'aa.

Stanely Natembea: Maaskari wamekuwa hatari. Let them be restrained or retrained.

Com. Lethome: Wewe nyamaza sasa. Wewe endelea.

Stanely Natembea: Wacha Wabukusu wawe huru, unajua mkiachilia chang'aa kwa nchi hii, watu wote watakuwa hai.

Com. Lethome: Haya endelea. Kwa hivyo unapendekeza nini kuhusu chang'aa?

Stanely Natembea: Napendenkeza mwaachilie hii kitu. Unajua kitu kikuwa huru hakuna mtu atakunywa.

Com. Lethome: Hiyo itawachiliwa sasa. Endelea kitu kingine.

Stanely Natembea: Kitu kingine, wacha tuseme hivi; Wabukusu ni watu wa kukaribisha watu, wamewaletea mambo na siasa imeingia. Mafupi yanasaidia. Wacha iwe mwisio hivyo. Sasa andika.

Com. Lethome: Ukirudi pale sasa ukae kimya. Councillor sasa ingia. Njoo ujiandikishe.

Translator: *Cho wandike eiyo wase.*

Cllr. Peter Mwanja: *Nja khuloma sa lubukusu lulwene. Basi Asante Bwana Chairman nende bandu bekhilile. Kwa maoni yangu nitatoa. Ne, nja khubola lulwefe sa lulwene.*

Translator: I am going to speak in our own language.

Com. Lethome: Your names?

Cllr. Peter Mwanja: Councillor Peter Mwanja Mwibale. *Bumicho bwe kamaindi.*

Translator: Maize seeds.

Cllr. Peter Mwanja: *Khuraka kamaindi, nga boola mukhwabalia, koonekha, kawangia, kafwana engubo ewanga, ngorwa mukunda kwase kwong'ene, namwe enywe mwesi.*

Translator: Maize seeds are so defective that once we plant, once the plants reach some level, to some level, the crop look very deteriorating.

Cllr. Peter Mwanja: *Abandu ba Agriculture ne musima, nende alala nende Serikali, mukhuwe embegu ino khwama khu Serikali ya Agriculture, muofisi ya Agriculture eng'ene. Ne khukopia kamaindi, mala efwe efwe khurake nga khwafunile kamaindi nio khubakobosilie embegu.*

Translator: The agricultural office should check the maize seeds- whether we have proper maize seeds and then the we have cultivated and we have got the money, we can pay back

Cllr. Peter Mwanja: *Busomi.*

Translator: Education.

Cllr. Peter Mwanja: *Lekha basoma sa, lekha khusomesie babana befwe sa free.*

Translator: Let education be free for all.

Cllr. Peter Mwanja: *Babaalimu, buli liwiki, chisilingi arobaini; buli liwiki arobaini. Chichichangae? Enywe mwesi*

mukhachibonakho?

Translator: Teachers are ever asking for 40/- per week. Where does this money go?

Cllr. Peter Mwanja: *Kamalwa.*

Translator: Beer.

Cllr. Peter Mwanja: *Ebia bekhesie asi.*

Translator: The manufactured beer should be reduced in it's price.

Cllr. Peter Mwanja: *Niyo ekila cha'nga, bandu ne banywa zaidi. Sikila ebia baninia. Nanu unywa eglasi ndala chisilingi mia moja, bali che bia? Nanu unywa?*

Translator: The manufactured beer is high in cost- it should be reduced so that people don't go chang'aa

Cllr. Peter Mwanja: *Ne echang'aa nayo echupa ndala, chisilingi hamsini, nemunywa bandu munane. Bandu sebawela khuchang'aa?*

Translator: A glass of beer, or bottle of chang'aa is only 50/- and we will drink very many of us. We will drink so many. So we will go to that one.

Cllr. Peter Mwanja: *Nono, Serikali niyo ilakilanga chang'a bandu ne banywa zaidi. Khubeela ebia yanina.*

Translator: Because of the hike of beer prices, that is why people are taking chang'aa

Com. Lethome: So what is he recommending?

Cllr. Peter Mwanja: *Bekhisie ebia.*

Translator: They should reduce the price of beer.

Cllr. Peter Mwanja: *Nebekhisia ebia, ne chang'aa nono se ebao ta.*

Translator: Once beer is reduced, chang'aa will not be there.

Cllr. Peter Mwanja: *Kamalwa.*

Translator: Beer

Cllr. Peter Mwanja: *Bakhaana befwe, babachakamalia.*

Translator: Our girls that are married,

Cllr. Peter Mwanja: *Bachakamalia babaacha khubasecha. Lundi bakobole efwe khubae kimikunda kya si? Ne elio nalo ...*

Translator: Those girls who have got husbands, why should they return to our homes?

Cllr. Peter Mwanja: *Baakame sa ebwene eyio.*

Translator: They should just remain there.

Cllr Peter Mwanja: *Namusomia naye,*

Translator: I educated her

Cllr. Peter Mwanja: *Chikhafu chyawa.*

Translator: Cattle got finished.

Cllr. Peter Mwanja: *Lundi bakobole babukule kumukunda?*

Translator: Then they come back again that they want land?

Com. Lethome: Another point.

Cllr. Peter Mwanja: *Sikhebo!*

Translator: Circumcision.

Cllr. Peter Mwanja: *Efwe efwe nga nekhukhebana, babandu befwe, be kimila yefwe kila ekholo,*

Translator: Circumcision is our culture.

Cllr. Peter Mwanja: *Kamalaki ke sikhebo, efwe khubichangamo babana befwe, nio ...khoya omwana arie rarawe, arie mawe, arie rarawe yo mundu yesi yesi, khubeela kamalako.*

Translator: It is a special occasion, which involves a bit of beer- we use that occasion to advise our children to respect their parents father and mother.

Cllr. Peter Mwanja: *Bubwami bwefwe bwa Kenya.*

Translator: The Kenya leadership.

Cllr. Peter Mwanja: *Bubwami bwefwe bwa Kenya, omundu wefwe wa kwanza khukhwamia, kaba Omukikuyu.*

Translator: The ruler in our country was a Kikuyu President.

Cllr. Peter Mwanja: *Owe khabili, mwamumanyile, Omunandi.*

Translator: The second one is a Kalenjin.

Com. Lethome: Sasa anapendekeza nini?

Cllr. Peter Mwanja: *Nono, hata Omujaluo kaamiakho, kaba Vice President.*

Translator: Even a Luo was a Vice President.

Cllr. Peter Mwanja: *Nono,*

Translator: So,

Cllr. Peter Mwanja: *Bubwami bunu nono efwe khucha khukhola ekindi.*

Translator: This time, the ruling President should go to another tribe.

Cllr. Peter Mwanja: *Lundi bukobole ebukikuyu Lundi?*

Translator: It should not go back to Kikuyu land.

Cllr. Peter Mwanja: *Ebunge;*

Translator: Parliament;

Cllr. Peter Mwanja: *Ebunge efungwe mara moja.bakhatasa kho ta.*

Translator: The Parliament should be prorogued immediately.

Cllr. Peter Mwanja: *Kimiva*

Translator: Sugar cane

Cllr. Peter Mwanja: *Kimiva, efwe khwalimile kimiva kimiaka kimikali, babana se basomanga ta, chingubo se khuli nacho ta,*

Translator: Here we have cultivated and planted sugar cane but children don't go to school, they don't get clothes---

Com. Lethome: What does he recommend?

Cllr. Peter Mwanja: *Byakhulia hakuna. Nono efwe khwenya khuli nga kimiva, bakhuwechengekho, -sikila bona khumalile kimiaka sita ne khukhaliakho kamapesa ta. Nono efwe khukane khulima kimiva, namwe khukhola khurie?*

Translator: I recommend that sugarcane be promptly paid. Do we stop planting cane?

Com. Lethome: So farmers should be paid immediately, that is the recommendation. Thank you. ...(Inaudible).

Cllr. Peter Mwanja: *Khurake busa?*

Translator: *Bali khakhurake busa.*

Cllr. Peter Mwanja: *Efwe bandu ba Western nga, hasa Bungoma, nai... mpaka khukhwama Ndalul mpaka eneno, sekuliko nende eskuli embofu ya University.*

Translator: We westerns from Bungoma, Kakamega- the whole of Western region, we have no university.

Com. Lethome: What does he recommend?

Cllr. Peter Mwanja: *Se mukhuwakho Serikali nio eana chi...*

Translator: Why can't you give us one?

Cllr. Peter Mwanja: *Se mukhuwakho fwesi hata ndala khwa...*

Translator: Why not give us even one?

Cllr. Peter Mwanja: *Khwailakhomo babana?*

Translator: So that our children can go there.

Cllr. Peter Mwanja: *Sendi ne kamakali tawe, lekha ndekhe mene ako.*

Translator: I don't have much; let me end there.

Com. Lethome: Patrick Masibo? Masibo Patrick?

Patrick Masibo: My names are Patrick Masibo, ni mkaaji wa hapa. My first comment is on Presidential. Since we have eight provinces, I don't know whether you are listening Commissioners?

Com. Lethome: You are being recorded, don't worry.

Patrick Masibo: My name is Patrick Masibo and my first presentation is on the Presidential seat which should be revolving within the the eight provinces in the country. Since Rift Valley have had one, Central have had one, mine was just to say --

Com. Bishop Njoroge: Point taken.

Patrick Masibo: Secondly, when it comes to election of the Vice President. The vice President should be voted by wananchi. Thirdly, on the side of education, we should have a system whereby the government should take care of the students joining the university. If they feel that within the country we don't enough space, they should have room for students to be given education in abroad. Fourthly, on the side of Judiciary, we should have mobile courts which should visit the places of either criminal or civil cases- where they arise. On the side of Aids, we should have a system whereby all bars within the nation should be manned by men and not ladies so that, we can curtail our disaster i.e. Aids. Since my fellow friends have views to say, could I register myself? Thank you very much Mr. Commissioner.

Com. Bishop Njoroge: Moses Makasa? Umezungumza? Karibu. Isaiah Matindu yuko wapi? utamfuata. Na Richard Wanyonyi? Utamfuata huyo mwingine.

Moses Makhaso: Asante. Kwa majina mimi naitwa Moses Makhaso. Mimi sina maneno mengi Bwana chairman. Mimi nasema tu hivi; kwa upande wa masomo ya watoto wetu, yaani mtoto akishatoka form four, aingie form five, akishaingia form five, aingie form six. Halafu baadaye, ndio aingie university. Hilo ni pendekezo langu la kwanza. Kwa upande wa administration, mtu kama sub-chief, hawa watu wapigie kura. Wananchi wenyewe wachague lakini wasiwe appointed ya kwamba Assistant fulani amechaguliwa tu. Wananchi wawapigie kura. Suggestion yangu ni hiyo. Ya mwisho, ni upande wa police. Naungana na mwenzangu mwenye alisema police warudishwe training, wachukue miaka miwili au mitatu hivi ndio tutakuwa na imani kwa police ambao wanatulinda sisi. Asante ni hayo tu.

Com. Bishop Njoroge: Asante kwa hayo mapendekezo. Isaiah Matindu? Akifuatwa na Richard Wanyonyi.

Isaiah Matindu: Asante sana mwenyekiti. Mimi kwa majina ni Isaiah Matindu Maunya. Vile ningependa kusema, kwanza ni kuhusu Parliament. Wabunge wanapokaa katika Parliament kuanzia asubuhi hadi jioni, tunaambiwa baadaye saa tatu au saa nne kwenye kipindi cha leo katika Bunge, kwamba imetafsiriwa na mtu fulani au fulani. Kwa hivyo, pendekezo langu lingekuwa kwamba hawa Wabunge badala wanaenda huko wanakaa wanaongea, na hayo mambo yanatafsiriwa na mwingine, yawe yanarekodiwa. Kwa vile huo muda wanafanya uwe unarekodiwa halafu katika station ya KBC- tuna vipindi fulani nyingi ambazo ninaona kama havina faida sana. Hicho kipindi cha Bunge ambacho kimererekodiwa kiwekwe pale ili tusikie Mbunge mwenyewe akiongea. Kwa sababu wako wengi wanaenda kukaa huko tu, tunasikia tu Mbunge mmoja au Wabunge wawili kila siku wanaongea lakini wengine hawasikiki na mtu amekaa miaka mitano na hajui anasema nini.

Jambo la pili ni kuhusu masomo. Masomo ya msingi, tafadhali yawe ya bure kwa sababu mtu kutoka darasa la kwanza mpaka university ni mzigo mkubwa kwa mzazi kwa dunia ya leo. Afadhali mtu aanze kulipa masomo ya shule ya upili kuelekea kule juu. Na kwa upande wa askari, hata kuna tabia nyingine ambayo ninaona si ya kufuraisha. Kwa hivi viziishi wanaweka barabara sijui kucheck nini. Ingelikuwa kama ni mahali kwa station fulani maaskari wanakaa pale, wanaangalia gari kwa mfano

kuna junction mahali wanaenda wanakaa pale. Wanaangalia gari wanasema gari iko sawa kuliko utoke hapa 100m roadblock ya askari. Ukisonga mmoja na piki piki pale, inafanya mpaka watu wanakaa kama wananchi ambao hawajui. Hiyo ni ku-encourage uhalifu. Kwa hivyo vitu vya barabara watoe. Ni hayo tu machache nilikuwa nayo.

Com. Bishop Njoroge: Thank you very much Isaiah. Tupate Richard Wanyonyi? Daniel Libuka yuko?

Richard Wanyonyi: Kwa majina mimi naitwa Richard Wanyonyi na nataka kuongea kuhusu ununuaji wa mashamba. Utapata mtu alinunua shamba mwaka wa sabini na wakati huu ni mwaka wa elfu mbili na mbili. Kubadilisha jina ni shida, ukienda kwa office, wenye wanahusikana wanataka hongo peke yake. Sasa katika Katiba yetu yenye tunarekebisha, inatakikana watengeneze hayo maneno. Mtu akinunu shamba wabadilisha jina hapo hapo.

Point ya pili ni kuhusu cases. Utapata kesi moja inamaliza miaka kumi kwa korti. Sasa hiyo Katiba ya wakati huu wafanye marekebisho. Halafu point ya mwisho, utapata hapa kaidi akifanya makosa hapa Nandoria, anakimbilia Kitale kwa police station ambapo ndugu yake anafanya huko kazi. Sasa anatafutwa hapa Nandoria na amekaa kwa police station huko. Sasa serikali inatakikana ifanye uchunguzi hapo kwa kitu kama hicho. Ni hayo tu kwa sasa.

Com. Bishop Njoroge: Asante. Daniel Libuka? Kuja jiandikishe tafadhali. Makhokha yuko Christine? Utamfuata tafadhali.

Daniel Libuka: Maoni yangu ni kuhusu hawa wananchi ambao kazi yao ni ya kiwango cha chini. Kuna wakati kwamba tunaona hii taxation irudishwe chini. Kwa sababu unaona mama anapanda mboga, wakati tunapeleka kuuza mboga ya shilling ishirini, wanamtax shilling ishirini. Atakuwa amepata faida au amepata loss? Sasa naona hawa watu wa county council, watoe taxation kwa wamama wa soko ndogo ndogo. Hii kupunguza umaskini- kuna watu wamesoma na serikali yenyewe haitaki kupunguza umaskini. Inataka kama wewe uko juu uendelee kuwa juu. Kwa mfano, wewe umesoma, lakini kibarua ikipatikana kama kuandikisha kura, returning officer utapata inapewa mwalimu, inapewa mtu ametoka kwa ofisi fulani, tena anaenda kuandikisha vitu kama hivyo. Sasa tunataka wale watu hawafanyi kazi wapewe kibarua na serikali. Sio tena wachukue mwalimu ati ndiye returning officer, kwa nini na sisi hatuna kazi? Tuendelee kuwa namna hiyo?

Kitu kingine ni kwamba kazi ya serikali ni kama viazi vya kila mtu- natural resources. Sasa ikiwa serikali haitataka watu wa-retire kwa miaka 40 na wengine wanazaliwa, wale wataendelea kuhudumu na hawa nao? Kwa hivyo serikali ipunguze miaka mpaka 45 ndio hawa wengine nao wapate. Kuna watu wanafanya kazi wawili- kwa nyumba na wengine hawafanyi. Kwa hivyo tunataka kama serikali inaandika mtu mmoja kwa shirika, mwingine afutwe. In fact, tuwe na mtu mmoja anafanya kazi na mwingine hafanyi. Kama ni mwanamke afanye, mwanamume asifanye. Mwanamume akifanya mwanamke asifanye. Wacha nimalizie hapo.

Com. Bishop Njoroge: Chispus Makhokha?

Chrispus Makhokha: Asante sana mwenyekiti na wananchi wote. Point yangu ya kwanza ni the issue of equal distribution of resource. The government should be fair enough. You find that other districts are highly developed unlike others that are still behind.

Industries: the post of Chairmen in parastatals should not be there because, we have Directors who can do that job and administration. The ruling party should go as per manifestation.

Com. Lethome: Only the ruling party or all parties?

Chrispus Makhokha: All parties. There should be atmost only 4 political parties in the country. For one to be an MP, we should consider the level of his education. Not riches or family background.

Com. Lethome: What level do you recommend?

Chrispus Makhokha: At least 'O' level and above. We should not have road blocks on roads, this is enhancing corruption. Murder; for somebody who has been found guilty of killing, he should be hanged to balance the equation. we have had people who have done so and after a few days, they are set free and this is through bribery.

Com. Bishop Njoroge: Point taken.

Chrispus Makhokha: The government should control school fees in schools and not the Principals/Headmasters. That is all I have.

Com. Bishop Njoroge: Thank you, thank you very much, can you come and register yourself. Wilfred Masika? Stanely, ukifanya hivyo tena, nitaona umeondolea hapa. Unyamaze, upatie wengine heshima. Sawa? Is that Masika? Now Joseph Mtumwa, njoo karibu hapa tafadhali. Patrick Wanyonyi? Donald Wanyonyi? Njoo hapa. Bildad Wanyonyi yuko wapi? ni wewe? Na Joash Were? Njoo hapa mbele tafadhali. Haya tuanze na –

Wilfred Masika: Thank you Mr. Chairman, I will start with the education system in the country. My names are Wilfred Masika. I recommend the old system of education, that is the 7-4-2-3 to be revived in the country. Two, I recommend that Mayors and chairmen of our county councils should be elected by wananchi and not by Councillors in the council. The other point I recommend that the Chief and Assistant chief should also have a rotation or rather transfer---- to the parliament. I recommend they should have a degree level of education while the Councillor should be 'O' level leaver. Politically, this is where we have a lot of problems. I recommend we have the majimbo system so that each region should be able to finance

itself instead of taking the funds to the central government. I recommend that we have three main opposition parties in the country to allow more competition. Lastly MPs who have been elected to Parliament and before the expiry of their five year term, I feel that the party which sponsored him or her to Parliament is not efficient, he or she should resign and seek new mandate instead of staying in Parliament while in another party. Thank you very much.

Com. Bishop Njoroge: Thank you very much. Joseph K. Tumwa?

Joseph Tumwa: My names are Joseph K. Tumwa and my views are as follows: firstly, the current government has forgotten marginalized groups and minority groups. Whenever they budget they don't include them. My first point is that, the current government just because of poor governance, has forgotten marginalized groups and even minority group and forgotten especially when they budget for the country, they are never included. And that one has created tension especially minority among the groups like the people of Mt. Elgon---

Interjection. Com. Bishop Njoroge: You are proposing equal distribution of resources.

Joseph Tumwa: Yes, that is it.

Joseph Tumwa: Second point is about land- we own land, we have been given land by our ancestors or fathers. For example, I am a son of my father, my father has given me land and may be I want to use that land as loan security, it will force me to get the land title deed and may be my father has died. You will find that it will take me a longer time to get the loan. So, I would rather request the government or the Constitution to provide that once somebody has got land and it is known that it is his, please them base on that and give loans other than seeking for that title deed and yet it takes quite a long time. Three, the three arms of government- they are not independent. They are always interfered with by one arm. Therefore, we feel, these three arms should be set independent especially Judiciary. You will find that is being run non- technocrats because, the head of the Judiciary is not a lawyer. Therefore we should have a lawyer to be the head of the Judiciary.

Com. Bishop Njoroge: Who is that who is not a lawyer?

Joseph Tumwa: We are looking at the current President. He chooses—

Com. Bishop Njoroge: You have made your point. Can you go to the next point.

Joseph Tumwa: I feel if we can have a Constitution that can create a commission to help in checks and balances of whatever is going on in every ministry. That would give us transparency and accountability. National resources are not shared equally- and that one I will not enter into it because somebody has already talked about it. Now, we don't have proportional

leadership. You will find an MP representing 160, 000 members and another one representing five thousand only. He is a minister and somebody representing 160,000- mine, is to have equal representation.

Com. Bishop Njoroge: You are saying equal representation. Can you go to the last point.

Joseph Tumwa: My last point: I wish the current Constitution we are looking creates a clause by which any member of Parliament- if he goes to Parliament, he has to be ready at any time if he messes or if he does not represent people in a way likely to bring peace or is unable, is to be called back so that we send somebody else or, wananchi tuwe na mandate ya kumrudisha nyumbani na tuchague mtu mwingine.

Com. Bishop Njoroge: Asante sana, njoo ujiandikishe. Nani mwingine nilisema? Patrick Wanyonyi.

Patrick Wanyonyi: Asanteni sana. Ningependa kuongea juu ya Presidential powers. kwa majina ni Patrick Wanjala Wanyonyi. I would like to talk about Presidential powers. ningependa Rais asiwe na uwezo mwingi zaidi wa ku-nominate 12 MPs- hiyo itolewe. Halafu he creates so many ministries, anaanza kuchukua Ministers watano, Ministers watatu. There should be not more that 20 ministries. There should be a manageable number of ministries so that the economy of the country will be well balanced. The MP who has been nominated, should not be given a top seat. Wale ambao walikuwa na wananchi wako na hawapewi kile kiti kikubwa na wanachukua tu mtu kutoka huko kando wanamuweka. Hiyo ni kama kuaibisha the elected people as well as the voters who chose their representative.

President asichague watu kama Head of Parastatals, Vice Chancellor, Company Secretaries, hiyo ndio inaleta mambo ya ufiadini.

Com. Bishop Njoroge: Ungetaka waandikwe na nani?

Patrick Wanyonyi: Hawa watu inatakikana kama kwa kampuni kama hii- wanachukua tu mtu yule mwenye ako na uchuzi. Yule mtu, ambaye amesomea hiyo kazi na wanam-promote. Lakini si kuchukua mtu labda alikuwa mwana- jeshi na wanampeleka awe Agriculture Minister mahali.

Com. Bishop Njoroge: Next point.

Patrick Wanyonyi: Ndio munaona shida inapatika katika nchi yetu hii ya Kenya. Point nyingine ni juu ya mashamba. Unapata mashamba yako hapa ya serikali kama ADC. Badala ya kugawia squatters ambao wako hapo, wanaenda Central, wanaleta watu hapa, wanaenda Nyanza wanaleta watu hapa. Na kumbuka ya kwamba sisi watu ambao hatuna mashamba hapa, hakuna mahali watupeleka huko Central, hawatupeleki.

Com. Bishop Njoroge: Pendekezo lako ni gani?

Patrick Wanyonyi: Pendekezo langu ni; ikiwa shamba liko mahali fulani wale watu wako hapo wapewe mashamba.

Com. Bishop Njoroge: Sawa. Nenda kwa point nyingine.

Patrick Wanyonyi: Point nyingine ni security. It should be highly observed by the government kwa vile utapata kama Nairobi, vijana wa Mungiki wamevamia watu wana-claim ya kwamba wametumwa na Mungu waje watahirishe watoto wa kike wote katika nchi yetu ya Kenya. Badala ya askari kwenda ku-control hiyo ili hao watoto wa kike wasitahirishe, utapata hapo wanapanda ma-helicopters, ndege ati wanaenda Eritrea for peace keeping. What type of peace keeping will you be observing kama hapa kwenyewe nyumbani kwako, shida iko na unaacha shida nyumbani, unaenda Eritrea, unaenda Somalia, unaenda---

Com. Bishop Njoroge: Kwa hivyo unasema, we outlaw all the groups that cause insecurity.

Patrick Wanyonyi: Yes.

Com. Bishop Njoroge: Okay fine. Another point.

Patrick Wanyonyi: Juu ya beer, waliongea na sitaki kurudia. It should be at a reasonable price so that we deviate from illegal brew. Or else, hii beer ikiwa juu, tutafanya aje na baada ya kazi- na vile mnaelewa, beer brings people together. Sasa tutafanya aje? Hata kama mungeturuhusu tunakunywa hata hiyo chang'aa, unaweka kwa kabati, unafanya kazi yako, baada ya kazi unarudi unakunywa kidogo, you relax.

Com. Bishop Njoroge: Sawa. Tumeandika hiyo. Ya mwisho?

Patrick Wanyonyi: Juu ya umri wa Rais: hata tukiona as per biology, mtu akipitisha over 55 years, tunaona senses zake, reasoning capacity inaanza ku-deteriorate lakini sisi President anafikisha century. Hata anafika mahali hajui chenye anafanya.

Com. Bishop Njoroge: Kwa hivyo ungehitaji awe miaka ngapi ndio a-retire?

Patrick Wanyonyi: Mimi kwa maoni yangu, ningependa Rais wa nchi aanzie 30 or 35 and not more than 55 years. Si kuona mtu wa 71 years ndio anataka Urais.

Interjection. Com. Bishop Njoroge: Sasa wewe unatuambia hadithi. Tunataka tu points. Ya mwisho?

Patrick Wanyonyi: Juu ya tribes. Hapa Kenya we are 42 tribes na kila tribe tungependa ichukue wadhifa wa urais. Si eti kabila moja tu ndilo linakalia makabila mengine. Hapa nchini Kenya mnajua kabila ambayo tulianza nayo baada ya kunyakua uhuru. Halafu baada ya huyo, kuna yule mwenye alichukua. Na wakati huu, ningependa at least, zile mbili ambazo zimechukua, sizirudi huko, iende kwa kabila nyingine. Kwa sababu kwa kabila zingine, tuko na watu ambao wanaweza kutuongoza- au kama hawako sisi we are ready.

Com. Bishop Njoroge: Yeah I know like you you can lead. Now can you come and register here.

Patrick Wanyonyi: I have some views. Equal distribution of government resources. Tuangalie Kenya vile iko, tuko na provinces nane lakini ukiangalia hapa Western, how many universities do we have?

Com. Lethome: Unapendekeza nini?

Patrick Wanyonyi: Ninapendekeza, tukiwa na 8 public universities in Kenya, Western iwe na moja, Central moja, Rift Valley moja, Coast moja, Eastern moja, North Eastern moja ---

Interjection. Com. Bishop Njoroge: Hiyo imetosha.

Patrick wanyonyi: Lakini si ku-accumulate mahali pamoja.

Com. Bishop Njoroge: Haya kuja ujiandikishe sasa tafadhali. Kuna watu wengine ambao—

Patrick Wanyonyi: Sasa ile yenye ninaenda kuongea hata hawa hawataongea,

Com. Bishop Njoroge: Sikia, you are becoming disorderly. You understand? This is a very serious thing. Ukiambiwa umalize, you are not going to take 20 minutes talking, there are others who want to talk. Can you give your last point?

Patrick Wanyonyi: Kwa vile hii, hakuna mtu mwenye ameizungumza, hata vile nitaguzia utawauliza. Pension to be given to old people. Wale watu ambao hawajaandikwa na wameezeka, at least wawe wanapewa a small fraction kwa sababu hiyo inafanya watu wanakatalia uongozini. Akiingia hivi, hataki kutoka. Anafikiria nikitoka sasa nitafanya namna gani, how am I going to survive at home?

Com. Bishop Njoroge: Asante sana.

Com. Lethome: Sasa unapendekeza ile retirement package ya President- President awe na retirement package au asiwe nayo?

Patrick Wanyonyi: Asiwe nayo. Yeye amepata, amekula sasa aendelee kupewa? Hata kama Biblia inasema ati yule ambaye anaye umuongezee lakini, it will reach at a point whereby we should reverse.

Com. Lethome: Wanyonyi orio.

Com. Bishop Njoroge: Bildad Wanyonyi? Bildad Wanyonyi? Can you come here. Joash Were Yuko? Okay, wewe utafuata.

Bildad Wanyonyi: Majina yangu ni Bildad Wanyonyi. Point yangu ya kwanza ni juu ya Rais. The President should not hold other posts other than being the President. The President should not be the chairman of the Party yaani akiwa Rais, awe Rais wa watu na yule mwenye atakuwa Chairman wa ruling party awe mwingine. Yeye ahusike tu na mambo ya wananchi ambao anawaongoza, lakini asihusike na mambo ya chama kinacho tawala.

The second one, is the appointments and reappointments. Utapata mtu alikuwa appointed akafanya kazi, baada ya kufanya makosa, akachishwa akaenda nyumbani, halafu unapata amekuwa re-appointed. Na penye anaenda, anaenda kufanya pia yale yale makosa aliyofanya mahali alipokuwa pa kwanza.

Kwa upande wa health, doctors and nurses shouldn't run their own clinics and chemists kwa sababu wakifanya hivyo huwa wanaibia serikali madawa, wanaweka hapo kuuzia watu na wakitibu watu wengine. Akiwa daktari, abaki kuwa daktari. Maoni yangu ndio hayo tu. Asante.

Com. Bishop Njoroge: Thank you very much Bildad, umesema mambo muhimu asante. Joash Were, tafadhali:

Joash Were: Kwa majina naitwa Joash Were Wafula. Maoni yangu ni kwamba, kwanza nitaanza na urithi wa mashamba. Ningeonelea ya kwamba, kitu kama land title deed ikitolewa na land board, inatakikana ihusishe mama pia jina lake liwepo ndani na kijana mmoja wa familia pamoja na mze- kuwe na majina matatu kwa land title deed. Hiyo itawezesha kama mmoja anakufa, wawili bado wataendelea kuwa na urithi wa hilo shamba sawa sawa. Jambo la pili, tumekuwa na maradhi mengi sana katika jamhuri yetu ya Kenya. Na haya maradhi hasa ni Ukimwi. Kuna watu wengine wamejifanya kuwa wale ndume sana, yaani wale wanapenda wanawake. Hata wanafanya raping. Ile hukumu kwa raping ambayo imetoa ya miaka saba, hiyo haitoshi. Ninataka, kwa maoni yangu, hawa watu wakipatikana au mtu akipatikana ame-rape msichana mdogo au mama mzee au mwanamke bila ihari yake, huyo mtu awe castrated kwa sababu, pengine ako na maradhi anaeneza kutoka hapa na pale. Huyo mtu awe castrated kabisa ili asiende kwa mwanamke mwingine.

Jambo lingine, sisi katika jamhuri yetu ya Kenya, hii inaitwa Rift Valley Province, imeleta matatizo mengi sana katika jamhuri ya Kenya. Ninaonelea kama hii sheria itungwe vizuri au kama marekebisho ya sheria itafanywa wagawe hii Rift Valley Province iwe na Provinces tatu au nne na hiyo itatoa ukabila, hiyo ndio mwanzo ya ukabila hapa Kenya. Ninataka hiyo Province iwe split into four provinces; kama North Rift, Central, Southern and Eastern Rift Valley. Kuwe na PCs wane na hiyo itasaidia. Bure tu, hata kama hii Katiba itabadilishwa na tuwe vile tuko wakati huu, huu mkoa ndio unaleta ukabila katika Kenya.

Jambo lingine wananchi hasa wakulima wameteseka sana na hii inatokana kwa sababu serikali inasema, tunarudisha umasikini chini. Lakini itarudishaje umaskini chini na haina mwelekeo wowote? Tunataka serikali kama iko na pesa, itoe hizo pesa, igawe katika cooperative societies. Na hizo cooperative societies ndizo zitanunua mazao kwa wakulima, ziuzie National Cereal Board. Hiyo itasaidia mkulima wa kawaida. Bure tu, mtu ako na mahindi gunia tano, anaambiwa apeleke kwa cereal board. Atapeleka namna gani?

Jambo lingine, tumekuwa na vitu vingi ambavyo vinatoka nje, vinarundikwa hapa Kenya, hata hapa Nzoia leo sukari imejaa hata hatuwezi kuuza. Sukari iko nyingi na ingine inatoka nje. Badala ya kuangalia waseme ya kwamba, tunataka hii kiasi ndio inakuja, wanaleta nyingi na yenye tuko nayo inakosa soko. Na wanasema punguza, na gharama ya kutoa sukari imekuwa juu zaidi. Hiyo haifai. Tunataka sheria ambayo inalinda wananchi na viwanda vyetu ili watoto wetu wapate kazi.

Jambo lingine ni kuhusu masomo. Masomo yamekuwa bei ghali kwa wazazi na kwa kila mtu katika jamhuri yetu ya Kenya. Universities zimekuwa introduced lakini jambo la kushangaza, tunatoa university graduate lakini they are not getting employment. We are not consuming them- there is no consumption on these graduates. What are we going to do? Jambo nzuri tuwe na balanced education. Tujue ya kwamba, if we are producing such number of graduates, they will be able to get employment instead of producing so many graduates and they are not going to get employment. Lastly, these universities are just put in one place; Rift Valley. Sangale Institute, our institute here, iko na hekari mia tisa. It is the best place to be given a university and (inaudible). Kwa nini wanarudisha university zote Rift Valley as if other Kenyans are not able to qualify for university.

Com. Lethome: How many universities are in Rift Valley?

Joash Were: They are now four. I can name them: Moi, Egerton, an-Adventist University (Baraton University),

Com. Lethome: Count public because we are talking of public universities.

Joash Were: Right now they are three because, Moi Kabarak is now a university. Lastly, nitarudi nyumbani. Wamama wanateseka sana. Wababa wanapiga wamama kama punda. Tunataka sheria ambayo inalinda wamama nyumbani.

Com. Lethome: Mzee akipiga mama afanywe nini?

Joash Were: Mzee akipiga mama afungwe zaidi ya miaka mitano kwa sababu wamama ndio wanalinda boma; wakati huu hata ukienda nyumbani wazee wengi wako sokoni. Mama ndio anashughulika kupika, kulinda watoto, na kutuangalia.

Com. Bishop Njoroge: Sawa, we have gotten the point.

Joash Were: Asante

Com. Bishop Njoroge: Thank you very much. We appreciate your views. Alfred? Msifanye kelele tafadhalini. Alfred Agesa? Charles Juma yuko wapi? Charles Juma yuko? Njoo hapa mbele. Na Ismael Magabo? Na Chris Lukwetu uko? Okay.

Alfred Agesa: Asante sana nimekuja hapa kwa hii Commission na napiga asante, jina langu Alfred Agesa. Nimekuja kwa hii Commission kutoa maoni yangu. Maoni yangu ya kwanza kwa hii Commission, nitaongea hivi; kuna wale watu wanajiita candidates katika nchi hii. Ningependa hao candidates wakati ule wanakuja kwa wananchi, wale ambao wanataka wawapige kura kitu cha kwanza, tungetunga sheria voters wenyewe wawe waki-interview hao watu kwa platform kabla ya kuchaguliwa. Kwa sababu mtu anakuja tu na anaanza kuongea zake na sisi voters hatuongeti juu ya yeye na anaenda bila sisi kukagua yeye kumjua yeye ni mtu aina gani. Lakini kama tungekuwa tunaruhusiwa sisi voters tuongee juu ya mtu kama huyo, nafikiria members wangukuwa na lengo la kujua huyo mtu ni mzuri au mbaya. Hilo ni la kwanza.

La pili ni kazi ya doctors in the country. Nafikiria kwa maoni yangu, government inge-reverse that system- all doctors wangukuwa waki-sign kwa kufanya kazi badala ya kuandikwa na serikali permanent ndio unaona mambo ya corruption inaendelea. Lakini kama mtu atakuwa aki-sign contract kwa muda wa miaka fulani, nafikiri hapo wangukuwa very careful. Hawangukuwa wanaendelea na hayo maneno.

Ya tatu, ningependa sheria inaundwa katika nchi na hiyo sheria inakuwa ni ya watu. Haiundwi kwa mtu ati huyu mtu ni Chief, huyu mtu ni Minister, huyu ni nani. Tunataka sheria ikiundwa, iundwe kwa kila mtu equally. We are all human beings and we are all Kenyans. Iwe equal kwa kila mtu. Asante na sitaendelea sana.

Com. Bishop Njoroge: Charles Juma?

Charles Juma: Well, I will be very brief. My names are Charles Juma. On the issue of corruption, this issue should be addressed to each and every mwananchi and particularly, any learned person should be taught on how to alleviate poverty- not

only the government individuals. Another issue is on ignorance and poverty: there should be free education up to class eight. From form one up to the tertiary level, the parents and the government should take care of that thereafter. There should be employment of qualified personnel to relevant science and social institutions, industries and whatever. To alleviate Aids, there should be education on youth and others alike.

Secondly, on Aids eradication, the youth should be taught through engagement of their peers in sports activities not only in football and athletics but it should enable them participate also in games like hockey, volleyball and even martial art

Lastly, this issue of Muslims in the country; I feel that the Chief Kadhi should be elected by the Muslims themselves in the country. He should not be elected by the government officials- instead, by the Muslims countrywide. Hand in hand with that, the Chief Khadhi should be given other privileges a part from issues like marriage, divorce and inheritance. Thank you.

Com. Bishop Njoroge: Thank you very much. Ismael yuko wapi? kuna watu wengine wangetaka kuzungumza na wako huko juu. Wale hawajazungumza na wanasikia wanataka kuzungumza? Haya. Wacha nitangaze tena. Kuna mtu ambaye angependa kuzungumza na hajazungumza. Ugependa? Njoo hapa hapa mbele. Kaa hapo. Kwa hivyo Ismael yuko pale, Chris Lusweti ni nani? Njoo hapa mbele. Kwa hivyo tutaanza na Chris na kwenda kwako, na kwako na kwako, na kwako. Wewe umezungumza. Okay tutafuatana hivyo.

Ismael Nangawa: Asante sana Mwenyekiti, kwa majina ninaitwa Ismael Nangawa. Nitaongea tu machache, maneno mawili matatu hivi. Ya kwanza itakuwa presidency. Kwa mapendekezo yangu mimi ninaonelea kama tungelikuwa uhuru zaidi, hii Presidency iwe spread all over eight provinces. Kwa vile imekuwa Central, ndio hiyo imekuja Rift Valley, sasa ingelikuwa bora zaidi ije Western au iende Nyanza.

La pili, tumeongea sana juu ya ugonjwa hatari wa Ukimwi. Mimi ninaonelea ingetenezwa sheria sisi wote wamama, wazee turudi ndani ya makanisa. Kama wewe ni Muislamu urudi kwa sheria ya uislamu. Nafikiria mambo ya Aids itakwisha. Kama wewe ni Mkristo urudi katika sheria ya Kikristo na mambo ya ukimwi yataisha.

Com. Bishop Njoroge: Sawa hiyo tumepata.

Ismael Nagawa: Kwa hivyo ni hayo tu machache nilikuwa nayo.

Com. Bishop Njoroge: Chris? Ismael njoo ujiandikishe.

Chris Lusweti: Kwa majina mimi naitwa Chris Lusweti; kwanza, pendekezo langu ni kwamba, some of the radio adverts are very discouraging in the sense that, you find wanasema ati "Trust" kwa upande wa Aids wanasema tutumie "Trust" ilhali watu

wakubwa, wanaendelea kutuelimisha kwa mikutano wakisema tujikinge na maradhi kama haya- ilihali hawa wanasema ati “Trust”. I am of the opinion that, some of the Aids advert like this one, we should reject it.

Another issue is that old schools established by Missionaries- if it is a Salvation army school, or a Friends and such like, that should be headed by somebody of that religion. We know that we will alleviate Aids. I am saying this in the sense that, kuna watu wakubwa wakuu wa shule ambao ukiona wakuu wenye wa hizo shule labda sio wa ile dini sasa,---

Com. Bishop Njoroge: Tumepata hiyo.

Chris Lusweti: In order to upgrade moral standards, it will be of no importance. Another issue is that of rape. Ningeonelea ingekuwa vizuri kama wangechukua mtu mwenye ametenda kitendo kama hicho, kama wakipata amefanya hiyo, wamchukulie hatua—

Com. Bishop Njoroge: Hatua gani?

Chris Lusweti: Wamuchukulie hatua- iwapo mtu mwenye alifanyiwa kitendo kama hicho, kama ni mwanamke akuwe na mavazi aliokuwa amevalia au, tuwe na witness wenye walikuwa karibu wakaona ati kweli alitenda kitendo kama hicho. La pili, ningeonelea askari wetu watulinde kidogo. Babarabara ndio tunaona kuna viziishi vingi sana. Ngingepedelea hivi viondolewe kwa sababu unapata kwamba usafiri unakuwa wa hali ya pole pole, mahali ulitaka kufika hufiki, unasimama sana barabarani.

Com. Bishop Njoroge: La mwisho?

Chris Lusweti: Ni hayo tu.

Com. Bishop Njoroge: Okay asante. Njoo hapa. Kuna wengine wamekuja wanataka kuzungumza? Njoo hapa chini. Nimeona wengine wamekuja hapa. Mama unataka kuzungumza? Njoo hapa.

Mama: Ehe---

Com. Bishop Njoroge: Njoo, ukiambiwa uje, njoo. Mama, unajua tunataka uwe karibu tukuone ili tukiendelea tuendelee haraka.

Daniel Woloto: Asante. Kwa majina naitwa Daniel Woloto. Mapendekezo yangu ni kwamba, Rais – ikiwa ule mswada wenye uko Bungeni, akistaafu, hiyo pesa yake yenye ametafuta alipwe kidogo tu kulingana na vile amefanya kazi. Lakini si kila mwezi ati apewe pesa fulani na security nyingine. Hiyo yake imeisha. Kulingana na Rais kama anaenda mahali, labda anatoka

Nairobi anaenda Teso, akitoka Nairobi kama amefika mpaka wa Nakuru na Nairobi, lazima ile security ya Nakuru imuchukulie hapo, imulete kwa mpaka ya Nakuru nyingine na halafu security ifanyiwe kwa district. Si atoke na magari nyingi Nairobi anaenda Teso, hiyo inatugharimu pesa nyingi sana. Akienda mchango, ikiwa Minister amejisikia kuenda naye, yeye mwenyewe ajilipie pesa yake kwa mfuko, mafuta na kila kitu. Kulingana na pesa ya Kenya, tunataka portrait moja. Kama ni Kenyatta, au ni Bunge au ni Central bank- hatutaki vichwa vingi kila wakati kubadilishwa badilishwa. Kulingana na advocates, mtu ameua mtu kama ameona- lakini mtu anaenda kushika advocates! Unaenda kortini kubishana na mtu mwenye humjui. Hiyo mambo ya advocate kama mtu ameua mtu, yeye mwenyewe aende kortini. Hatutaki mtu ashike advocate anajua tu kubishana zaidi.

Com. Bishop Njoroge: Sawa. Haya kwenda kwa nyingine.

Daniel Weloto: Ikiwa mtu ameshikwa na kitu kama exhibit, kitu kama bangi labda mtu ajawai ona na kweli atashikwa na unaona askari anatembea na bangi, anakupeleka kortini anashtakiwa kweli amepatikana nayo na mwenye ajawahi ona. Askari akishika mtu, lazima kuwe na mtu mwingine hapo ili awe shaidi ndio apelekwe kortini. Mtu akishtakiwa kwa haraka, mara unaenda kortini “advocate ako Nakuru”, “advocate ako Kisumu”, siku zinahirishwa. Tuwe na committee ya wazee wale ambao wanaweza kusaidia korti. Asante sitaendelea na mengi kwa sababu nitapeana memorandum.

Com. Bishop Njoroge: Asante. Umesema hutaki mtu akiua mtu na unajua ameua hutaki advocate?

Daniel Weloto: Advocate hapana.

Com. Bishop Njoroge: Kuja kumtetea?

Daniel Weloto: Hata na yeye awe killed.

Wakoli: *Lisina liase bananga bali Wakoli.*

Translator: My name is Wakoli

Wakoli: *Nono ese ndoma ndi,*

Translator: What I want to say,

Wakoli: *Onyala waba ne bakeni,*

Translator: You can have visitors.

Wakoli: *Wekhale mungo ne masalao.*

Translator: You have sat in the home with your mother in law,

Wakoli: *Ne basikari becha mungo.*

Translator: Then the police come to your home.

Wakoli: *Ne babona mwekhale, si bareba sichilila ta.*

Translator: They just see you sitted but they don't know what is going on,

Wakoli: *Ne obona babukula omulosi okhusalila omukhasi!*

Translator: You see them arresting your mother in law!

Wakoli: *Ne bakhuboa kimikoye ne masalao.*

Translator: They arrest you alongside your mother in law

Wakoli: *Se bariakho ta.*

Traslator: They don't fear.

Wakoli: *Ne babukula masalao chana bamufwala kamalwa.*

Translator: They put beer on your mother in law

Wakoli: *Wakhekana oli kamalwa se kabelekho ano tawe ibele echai,*

Translator: Even if you say there was no beer, they will say--

Wakoli: *Ne bakhaya oli kamalwa.*

Translator: They will say it was beer.

Wakoli: *Ne barakho masalao oyo enjaka.*

Translator: They put bang on your mother in law.

Wakoli: *Nono efwe sekhuli ne buuru ta.*

Translator: We have no freedom,

Wakoli: *Kenya selikho ne buuru ta.*

Translator: Kenya has no freedom.

Wakoli: *Basikari bali ne buuru.*

Translator: The police are the ones with freedom.

Wakoli: *President wefwe niye ali ne buuru.*

Translator: The President is the one with freedom.

Wakoli: *Akhukhalakila busa ali siosi siosi kha mukhole.*

Translator: He can decide for you what to do.

Wakoli: *Nono efwe, khukhola khurie?*

Translator: What do we do?

Wakoli: *Khakhube busa khurio.*

Translator: Let us just be like that.

Wakoli: *Nono ese kakase kawa.*

Translator: Mine is finished.

Com. Lethome: Bado hujamaliza. Unataka nini kuhusu askari akienda kushika mtu, unataka ashike namna gani?

Translator: Wenya basikari bakhole barie?

Wakoli: *Basikari ne becha, barebe bali ko, ali mungo muno mukhola si?*

Translator: The police should come quietly and ask what is going on.

Wakoli: *Namwe barebe bali omusasi we mungo muno ali wae?*

Translator: or even ask the head for the family.

Wakoli: *Mala ese nje mbole ndi mungo muno, kamakosa se kalikhomo ta.*

Translator: Then I explain if there is nothing wrong in the home.

Wakoli: *Bukhupani bulimo? Ne ese mombolela ndi bukhupani bubeleo.*

Translator: If there is any fighting, I will say that ...

Wakoli: *Ne bosu bamanye. Nembalangile,*

Translator: If I have called them

Wakoli: *Nono senabalangile ta, becha si?*

Translator: Now that I have not called them, why should they come?

Com. Lethome: *Orio Musakhulu.*

Wakoli: *Kalaa musakhulu.*

Com. Bishop Njoroge: Asante sana. Karibu.

Vitalis Wamalwa: Naitwa Vitalis Wamalwa. Ningependa kuongea matatu hivi. Jambo la kwanza, ni wasted knowledge. Wasted knowledge, pengine ningependa kuguzia ya kwamba kuna watu wengi wakubwa wamesoma kabisa, wako skilled in various fields, lakini kwa sababu ya hii mambo ya retirement, wanaenda retirement na sisi tunaendelea kusumbuka. Tena, kulingana na hayo maneno, unaona ni mtoto wa shangazi, au wa nyanya analetwa pale. Ningependekeza kwamba, hawa watu wamesoma sana, hata kama miaka yao imeisha na wame-retire wameenda nyumbani, wangukuwa kwa advising committees wawe wakiwa consulted everytime, wakija kuona maneno yako namna gani. Kwa mfano, sijui kama itawezekana- lakini kama mzee akienda nyumbani, ni vizuri aje ashauri watu---

Interjection. Com. Bishop Njoroge: -----(inaudible)

Vitalis Wamalwa: Pointi nyingine ni kwa upande wa miwa. Hasa sisi wakulima tungependa tujue utaratibu wa miwa. Kwa mfano, miwa inapokatwa kutoka shambani, ikibebwa kilometer fulani unalipa kiasi fulani. Ikifika weigh bridge wakipima tones fulani, hujui wanalipa pesa ngapi. Kutoka hapo inapoingia ndani, vitu vyote vinakatwa tujue kama ni stake wamekuletea, stake moja ya kupanda ina-cost pesa ngapi- ili, mkulima awe ukijua umebeba stake ngapi unajua ulikatwa pesa kiasi fulani kwa sababu hapa Nzoia, miwa inaenda huko na wanakuambia walikupa stake tano na kumbe walikupa stake moja ya kupanda. Sasa tunataka waki-supply hiyo seed, we sign somewhere, tujue tuli-receive hii, tukienda huko tunajitetea. Kwa sababu hata unaweza shikanisha wewe na jirani yako ako huko, wanasema “enda uchukuwe huko mbegu”. Wanamwaga mara tatu watu wanaenda usiku wanabeba lakini wanaku-charge. Sasa hiyo tunaona ni hasara.

Way of worship: mimi ningependa serikali pia kama wameruhusu kila mtu ashiriki kwa kanisa lake anapenda, lakini pia Serikali ingeteua kamati wafuate njia vile watu wanaomba. Sisi tunaona wakubwa wetu haswa, wamejenga makanisa especially ile inaitwa Free Masons, inaingiwa makubwa makubwa kama makubwa kama haya yamesimama hapa. Tunasikia wanaenda kwa mgongo- na hao ni wakubwa. Sasa tunashindwa watasema namna gani. Wakati ule unaenda kusema huko, unawekwa ndani ya gari kwa boot. Utashtukia uko kwa nyumba yenye hakuna mlango. Sasa tunaomba serikali ichunguze vile watu wanaenda kuomba, wafuate utaratibu. Kwa mfano, tuseme mimi ni Mkatoliki, waende waone hawa watu wanaeneza neno la Mungu au wanaeneza maneno ya shetani.

Com. Bishop Njoroge: Tumepata hiyo.

Vitalis Wamalwa: La mwisho, ningependa kuona- sijui serikali itatumia mbinu gani- mwenzagu ameguzia maneno ya askari. Kwa sababu, mambo ya TTK wamesema yamekwisha lakini ukienda kama gari imejaa. Tungependa utaratibu uwe kama wa Uganda. Kama Nissan tunajua inachukua watu kumi na wawili na inaenda, tungependa ichukue watu exactly. Sijui wata-effect namna gani kwa sababu bado haya mambo ya kujaza kwa barabara yako na accidents bado zinatokea lakini kwa sababu utakuwa na kijisanduku cha kiberiti uweke kitu ndani utupe chini mzee achukue, wewe utaenda lakini accident itakuwa mbele. Asante.

Com. Bishop Njoroge: Thank you very much.

Fred Nyongesa: Kwa majina naitwa Fred Nyongesa Torofu. Yangu ningependekeza juu ya upande wa Kenya police- mimi nasikia kwa matangazo kila mara wanatangaza kuwa sisi tuko huru na police sasa ndiye mkubwa- hata mkubwa kwa President!

Ukikutana na askari badala ya kukuuliza unaenda wapi, anakuharakisha, kofi ndio hiyo, amekushika na kukuchukua, mtafika huko- pengine distance kama ile choo iko huko, ndio ajue wewe haukuwa na makosa. Kwa hivyo, mimi nalia askari warekebishe kidogo. Police walikuwa tu wa kulinda wakubwa sio kuharakisha wakubwa ingawaje, mimi si mkubwa. Lakini hata nilikuwa na mkubwa akaharakishwa, hata tai ikamnyonga bila yeye makosa kuwa na mokosa yoyote. Kwa hivyo, harassment ya police irekebishwe.

La pili, ningetaka kuzungumzia maneno ya baba na mama nyumbani. Bibi na bwana nyumbani- kuna sheria kutoka tangu zamani. Kuna Mukasa, kuna Sub-chief mpaka kuna Chief. Wakipigana kwa boma Chief na Mukasa ndio huwa wanamaliza.

Com. Lethome: Unajua kuna tofauti baina ya kupigana na kupiga. Nasikia hawa Wabukusu wanaita *khusola*. Sasa hiyo *khusola* sio kupigana, ni vita. Pande moja ndio inapiga ingine. Hiyo utasema ichukuliwe hatua gani? Unajua kuna tofauti mimi na wewe tukipigana na kuna tofauti wakati unapiga mtu ambaye hakupigi- anapiga tu mayowe.

Com. Bishop Njoroge: Na pia unaona siku hizi watu wanapiga hata wanaua. Sio kama zamani wazee hata kama anapiga anajua bado ni mke wake. Siku hizi sio wazee wa zamani. Wazee wa zamani hawakuua au kuumiza. Kwa hivyo lazima tuweke sheria.

Fred Nyongesa: If you put that law, then the wife are going to beat them.

Com. Bishop Njoroge: Sheria ya domestic violence ikiwekwa ni party zote mbili. Bibi hawezi kupigwa na bwana hawezi kupigwa na labda, itawasaidia kuzungumza kwa sababu, hakuna kitu kizuri kama mazungumzo. Hata kukiwa na shida gani, inatengenezwa na nini? Na mazungumzo.

Com. Lethome: Lakini wewe toa maoni yako vile unataka.

Fred Nyongesa: Maoni yangu, hiyo sheria itoe kwa sababu sisi wanaume ndio tunapigwa- hapa hapa tu. Ukikosana na yeye, anakimbia huko na police nao wakiona bibi, hawawezi kuongea na wewe, ni kupigwa tu. Sasa hiyo sheria itolewe ibaki kwa sub-chief na Chief na Mukasa kama zamani.

Ya tatu, ninalilia juu ya representative kama mimi mkulima wa Nzoia sugar company. Mimi ni mkulima niko na miwa na

Kanduyi hapa, MP yule ambaye tunachagua, huyu akija anasema ‘mimi ndiye nitaweza nikimbie hata office ya President mpaka waje walipe wakulima’. Lakini tukishapitisha yeye, anaenda anakaa Nairobi. Hashughuliki hata ukihesabu hapa MPs au Minister, tangu tuchague miaka mitano vile imekwisha, hakuna minister ameingia hapo. Kwa hivyo MPs, wale tunachagua-wale representative wote wa kusaidia washughulike na maneno yetu hapa kwa vile sisi ndio tumewaandika. Waje washughulike na sisi hapa kwa shida ile tuko nayo. Sio kusimama kwa miti na kusema ati kwa President hatuwezi fika. Wewe ulisema unafika, tena ni kitu gani kiimekuzuia wewe kufika kwa President?

Com. Bishop Njoroge: Sawa. Point nyingine.

Fred Nyongesa: Imekwisha.

Com. Bishop Njoroge: Imekwisha?

Fred Nyongesa: Mh.

Com. Bishop Njoroge: Kuja ujiandikishe hapa.

Patrick Kitui: Kwa majina naitwa Patrick Kitui. Ningependa kuongea juu ya recruitment of Police, Army na Navy. Tuna watu wengi huwa wanaenda interview lakini wakati unafika huko, ukiangalia ukikagua vitu vyenye wako navyo, unaona wana faili. Halafu wakija unasikia wanasema wengine wamechukuliwa kitambo eti list imekuja na watu wako kwa kiwanja. Kwa nini wasichukue hao, na list hii ilitokea wapi? Sasa, tunataka tuwe na fair system of recruitment. Kwa mfano hivi sasa ukiuliza mtu kama anataka aende police, atakwambia kuwa kama angekuwa Eldoret angeenda haraka lakini, sehemu kama za Bungoma unajua unajua-- hatutaki hiyo. Tunataka kama mzaliwa wa Bungoma kama unajisikia kwenda kwa wanajeshi, unajisikia huru kwenda huko. Sio eti utaenda namna gani? Kwa mfano, watu wengi wana-qualify lakini, kama hawachukuliwi, tunaona majambazi. Kwa maoni yangu naona hawa watu wenye wanastahili wafanye hiyo kazi na wakikataliwa, hasa hawakui na alternative kwa maana wanajiona wako vizuri, sasa wanaamua wapambane na hao watu wamechukuliwa na serikali. Ndio munaona majambazi ndio hawa, wanavamia police kwa maana waliwakataa na wanataka wawaonyeshe kuwa pia nao wako na ujuzi.

Com. Bishop Njoroge: Thank you very much. Kuja ujiandikishe hapa.

Ann Adhiambo: Kwa majina naitwa Adhiambo, mimi ni mkaaji wa Nzoia na ningependa kuzungumzia juu ya elimu- bursary funds. Mimi kwa upande wangu ninaweza kusema hivi; education is a basic need for all Kenyans irrespective of gender and ethnic ground. Since the government’s duty is the need to eradicate poverty, hunger and provide education among Kenyan society, I feel little has been done concerning the education sector. Alliance boys high school and Starehe Boys Centres were

established for the less fortunate and bright children from poor families. Now, it happens to be for the well to do families in our midst. The bursary was meant for students from poor families so as to pursue their education especially in secondary schools. But right now, the bursary funds are for pupils from the politically connected families and no wonder most of them are pupils of men and women sitting in the Board of Governors. My proposal is that, this bursary fund should be placed under an independent department in the Ministry of education or Social services so as to cater for education of pupils from poor families or those of HIV/Aids parents, so that they can get education as the others.

Secondly is about traditional liquor: kama kuna maswali mtaniuliza baadaye. As well as we can appreciate the banning of traditional liquor by the government, I do feel that the banning was orchestrated by the colonial governors who felt that their security would be at risk if the black Kenyans were left free to brew their beer. This law is not African- oriented and I can say by example; our neighbouring country like Uganda and Tanzania, they have practiced it and it has proved more successful. I do feel that, the government should uplift that law so as the menace of police officers who are empowered to arrest and prosecute those found in the offence should stop that corruption of soliciting money from the culprit. That will also help the government to fight this cause of corruption. My proposal is that, the government should legalize traditional liquor this being busaa, mnazi and chang'aa so as to easy congestion in our prison. I say and I mean, this should not be legalized freely but there must be a law to govern this business and set the time limit for those who want to consume, it may be from 2.00 pm to midnight so that employees cannot be affected.

Sasa, wazee mtusaidie tafadhali kwa sababu, kuna wazazi wetu ambao wamefiwa na baba zetu- yaani wajane. Hawana namna yeyote na kama hawezi kuuza hii chang'aa especially wakati huu kuna ugonjwa wa ukimwi, hakuna haja mama mzee wa miaka arobaini au hamsini, apewe shilingi hamsini kwa ajili ya ugonjwa wa ukimwi ati anaenda kujisaidia. Kama hii pombe kweli, mtuwachie na muunde mtusaidie. Hatuchagui watu kwenda kukaa huku juu kufunga tai lakini tunawachagua watusaidie. Hii pombe iwekwe, vile vile Uganda na Tanzania. Kwa kusema ukweli, hata Uganda huwezi kupata mlevi- mtu mwenye ameenda Uganda na Tanzania, kweli kuna mlevi unaweza kutana naye njiani? Kwa vile hatuna freedom ya kutosha, mtu ananunua chang'aa ishirini "anapiga touch" ili police asimpate na police akimpata, anataka pesa kutoka kwake na tena anamwaachilia. Sasa kama police kama anaweza kupata pesa kutoka kwa yule mtu, mpeane percentage fulani na pombe iwepo.

Kitu cha pili, kuna hivi vitu vya freedom from hunger walk. Hata subchief yuko hapa, tunapewa forms za kujisaidia wale watu hawajiwezi upande wa chakula na unapata, hata huyo Mukasa ndiye anapata mahindi mingi kuliko yule mtu mwenye alitakikana apate hayo mahindi. Sasa hapo pia mtusaidie. Na mimi vile ninaongea hivi; hata mimi ninaye mtoto na nilipata nje ya ndoa na ninataka nijisaidie na ninataka niepuke na maneno ya ukimwi haya- ambapo sina kazi lakini nimesoma. Kwa hivyo ninaweza sema niuze chang'aa ili nipate mapato yangu na mtoto wangu pia, lakini Police wamekuwa wagumu. Nikishikwa wanachukua pesa kwangu. Sasa kuchukua pesa na kupeana percentage fulani, nilipe gani mzuri? Tunataka mtusaidie, kama pombe iwepo, iwepo na kama haiwezi kuwepo na hata police asipate hongo kutoka kwangu. Ni hayo tu.

Com. Lethome: Hebu ngoja kidogo. Unajua mwaka uliopita sijui kama ulisoma kwenye vyombo vya habari. Kuna watu walikufa, wengine wakupoteza macho mpaka leo hii ni vipofu na watu wengi wamepoteza maisha kwa sababu ya hii pombe haramu. Hata busaa imeumiza watu wengine- lakini una uhuru wa kutoa maoni yako. Sasa how do you take care of that now?

Ann Adhiambo: Mimi najua vizuri sana. Hata wakati huu, Nzoia kuna pombe inaitwa miti ni dawa na ninajua hiyo pombe, hakuna tofauti ya miti ni dawa na busaa. Kwa sababu hii pombe inatengenezwa na mwanadamu vile hata busaa inatengenezwa na mwanadamu. Sasa kama kutakuwa na vitu kama hivyo na pombe iweko, bora isiwe kumi kumi ya kuumiza watu. Unajua kuna watu wanatafuta pesa na kuna watu wanataka pesa, kuna haki yao. Sasa hao wenye wali-introduce mambo ya kumi kumi ya kuuu watu- na hata sijawahi sikia hata mmoja alishikwa hata kama siko karibu na Nairobi, lakini siwezi kujua kama hawa watu walichukuliwa hatua. Sasa kama kutakuwa na vitu kama hivyo- pombe hiyo imekuwa tangu kitambo lakini sasa pombe hata kupimwa, tunaweza kubali ipimwe bora iwe pombe nzuri na iwe na permit, watu wakunywe na wawe salama. Kuliko mtu apige chang'aa ya ishirini na aende afe. Mwenye amemuuzia anashtakiwa, na yeye amepoteza maisha yake.

Kitu cha tatu ni kwamba, kama mtu amuuawa mahali fulani, tafadhali police itusaidie kuchukulia hawa watu hatua. Hakuna haja mtu ameuawa, familia yake inasikia uchungu na police wanakula hongo ya shilling elfu tano na mtu amepoteza maisha yake. Tusaidiane. Serikali ilikuja kulinda usalama wa watu wa Kenya na itusaidie. Mambo ya hongo tuache. Hata barabarani ajali nyingi zinatokana kwa mambo ya hongo. Mtu anapewa shilling ishirini na watu wanapoteza maisha ya watu ishirini. Hiyo tafadhali pia mtusaidie. Lakini upande ya pombe nitarudia; kama hiyo pombe mtatuachilia huru na ipimwe pia wajue kama ni pombe nzuri watu wanaweza kunywa au ni pombe inawezadhuru watu.

Com. Bishop Njoroge: Hebu mama nikuulize swali?

Ann Adhiambo: Niulize baba niko hapa kujibu maswali.

Com. Bishop Njoroge: Hawa watu wanakunywa chang'aa ya ishirini na wanakufa, wanauwawa na nini?

Ann Adhiambo: Anakunywa pombe akiwa na njaa- hajakula, lakini anaona afadhali akunywe chang'aa na hii chang'aa hana freedom. Anakunywa haraka haraka ili police wasimpate. Na katika ile hali, anakunywa chang'aa, "anapiga touch" na anajua police anakuja---

Intejction: Com. Lethome: Tumia language ambayo tunaweza kukuelewa.

Ann Adhiambo: Language gani unataka nitumie?

Com. Lethome: Unamaanisha nini ukisema "anapiga touch?"

Ann Adhiambo: Yaani, anakunywa haraka- katika ile harakati asikutwe na mtu. Unajua mwizi akikuibia kitu chako, si anakua na wasiwasi. Mara anakimbia nini. Sasa ndio hiyo ninasema “touch.”

Com. Bishop Njoroge: Chang’aa haitaji mtu ---

Ann Adhiambo: Chang’aa haitaji mtu apige touch. Kama watu wengi ni walevi sana wanaamkia pombe na unajua hawali kitu. Ni chang’aa tu. Sasa hii chang’aa akiipata anajua “mimi nikikutwa na askari, nitatoa elfu moja”. Sasa kitu kilichoko, nipige touch na niende.

Com. Bishop Njoroge: Akinywa pole pole hatashikwa?

Ann Adhiambo: Akinywa pole pole watamshika apelekwe police.

Com. Bishop Njoroge: Lakini kama akinywa pole pole atakufa?

Ann Adhiambo: Hawezi kufa. Wewe uko na freedom, wewe unaenda hoteli umenunua chakula chako, unakula haraka aje kama mwizi? Si unakula pole pole Sasa hiyo, ndiyo tunataka yaani akunywe pole pole na ajue tu kuwa hivi vitu vimewekwa uhuru, tunalipa percentage fulani. Iwe consumer, iwe na nani bora tu iwe na percentage fulani. Lakini hii ya touch, anakufa kwa sababu amepiga touch na matumbo yake iko bure, hakuna kitu amekula na inamuua. Mwenye ameza anapelekwa ndani. Na hata hivyo akipelekwa ndani, hakuna hatua anachukuliwa.

Com. Lethome: Unasema nini kuhusu vita vya nyumbani, mama kupigwa na baba kama discipline, unasemaje?

Ann Adhiambo: Mama kupigwa na baba, hata hivi vitu vilikuwako kitambo na siku hizi vimeisha ambapo siku hizi kukutana na mama anapigana na baba- mtu kama mimi mamangu hawezi pigana na baba kwa sababu mimi ni mkubwa. Kama kuna ugomvi wa nyumba, baba na mama watakaa chini na waongee. Na ikiwa kutakwa na kitu kama hicho- najua kuna watu bado wanafanya hivyo vitu- ni Chief, Sub-chief na Mukasa. Hawa wanafaa waongee hayo maneno, ikiwazidi ndiposa wapeleke mbele lakini si ati mtu amepigana na bibi yake na police wanaenda kumchukua, Police wako hapo kuchunga usalama si kuchunga vile watu wamegombana. Kuna watu wanaweza kuwa wana-renew mapenzi na police wanaingilia namna gani. Lazima kwa nyumba wapigane lakini si police waingilie. Ndio maana kuna Chief na Subchief na Mukasa.

Com. Bishop Njoroge: Unakaa hapa, unafanya kazi gani?

Ann Adhiambo: Mimi, vile unanion hivi, mimi ni casual wa Nzoia sugar company katika department ya agriculture na mimi

kazi yangu yenye ninafanya, mimi napanda miti. Nafanya afforestation na kibarua yangu inakuwa for three months and after three months, wana-renew. Hata kweli, mzee umeongea vizuri. Mimi nimekaa hapa, nilikuja 1998 as a volley baller. Nimefanya hii kazi, nacheza mpira, nafanya kibarua. Hata confirmation peke yake sijawai pewa. Pia hiyo mtusaidie. Kama mimi hivi sasa ni mtu mkubwa, nimefanya vibarua vya miezi tatu na nimeshindwa. Hata saa hii imefika mpaka lazima utoe hongo ndio hicho kibarua yenye unatakikana upate. Sasa nitafanyaje kama mimi single mother nitafanyaje? Ukimwi ndio hiyo imejileta, iko mlango.

Kitambo, unajua mzee, Ukimwi ilikuwa inaua mtu na watu walikuwa hawajagundua. Ukimwi ilikuwa kwamba, mtu anakupa 50,000 na anakuambia- after amekupa ukimiwi anakuwambia 10,000 itakuwa ya sanduku. Wakati huu, Ukimwi unapewa bure, na tusaidiane. Ukimwi wakati huu Uganda hakuna. Kama kweli mnaweza kujua tu dawa zinawezapatikana za kusaidia watu, kuna watu wengine hawajiwezi lakini wana huo ugonjwa. Sasa tafadhali mtusaidie. Wazazi wetu kama hao au hata mimi, mnisaidie nisiwe na mawazo nyingi ili ukimwi naye isinipeleke haraka. Mnaweza kunisaidia na mawaidha fulani kwa sababu watu wengi wenye wanapata ukimwi ni wale hawajiwezi.

Mambo ya squatters: mnasema kuna watu squatters na kuna watu wenye mashamba hekari thelathini, arobaini na hawayalimi. Kwa nini kweli hatuwezi toa hii jina squatter na tugawie hao watu wengine hata walime pia. Mashamba yanakaa bure na wanasema hili ni shamba la mtu fulani na hilo shamba ni mfano kwake, na wengine wanaitwa squatter, squatter inakuja aje? Mtu kama ana shamba kama hekari 10 au 20 na hana uwezo wa kulima na wenye wanakaa squatter wanakaa squatter wana nguvu walime hayo mashamba. Halafu yeye, aende aongee na serikali. Kwa sababu shamba haiwezi kukaa bila kulimwa na kuna wenye wanaitwa squatter, hayo maneno pia hatutaki. Tunazungumzia kwa hayo mtusaidie.

Com. Lethome: Haya asante Ann, tumeshukuru sana.

Ann Adhiambo: Asante.

Com. Lethome: Nafikiri huyu ndiye alikuwa mtu wa mwisho. Njoo ujiandikishe Ann. Ala mbona tumekaa tumemaliza watu. Ann ndiye alikuwa mtu wa mwisho? Nani mwingine anataka kuzungumza? Basi dakika moja moja. Tulikuwa tumemaliza bwana. Haya endelea. Sema majina.

Hezbon Nitia: Kwa majina naitwa Hezbon Nitia na ningependa kupendekeza yafuatayo: jambo la kwanza ni recruitment ya forces. It should be done at the divisional level and not district kwa sababu, unaweza kupata district iko na vijana karibu elfu hamsini wanataka kuchukua vijana kumi peke yao. Hapo kuna corruption kwa sababu mwenye anajiweza ndio ataenda. Sasa kama impelekwa division itakuwa rahisi kwa sababu watu watakuwa wachache sana.

Jambo la pili, most industries zinatakikana ziwe privatized kwa sababu, if an expatriate can come from outside na anakuja hapa

Kenya, yeye hajui Mkikuyu, hajui Mluhya, hajui Mjalu anajua a qualified person. Kama wewe umequalify utaandikwa kazi. Lakini kampuni zikiwa kwa sisi wenyewe, watu wengi hawatapata kazi kwa sababu mtu fulani hajiwezi hata kama ni expert. For example, kama Kicomi huko Kisumu ilianguka kwa sababu watu wa hapo wenyewe walitaka kujiandika wenyewe na hawangeweza ku-produce according to their labour.

Jambo lingine ni mambo ya MPs au mambo ya Parliament. Either a President or an MP before are declared to be fit to stand somewhere, he has to declare his wealth. Inatakikana asimame mahali na wengine ambao wote wanataka kuwa MPs, they also have declare their wealth. Baada ya hiyo, government should not sponsor any person who is doing campaign. Mtu atumie wealth yake mwenyewe kutafuta hicho kiti na ajue anaenda kusaidia watu. Na mambo ya hongo kwa kupata kura isikuweko. Kuwe na watu kutoka nje wa kusimamia kura- wasiwe watu hapa wenyewe kwa sababu wa hapa wenyewe huwa wanaharibu kura. For example, like a Kikuyu will be in Bungoma, kura ya Councillor inaharibika, kura ya President kumbe anapigia mtu wa kwao.

Jambo lingine ni kuhusu pesa. Pesa ya Kenya isiwe na sura ya mtu yeyote. Iwe na court of arms badala ya kuweka sura ya mtu kwa vile tunaona after five years, President anatoka, hatutaweka kila miaka tano kichwa cha President mwingine kwa pesa. Pesa iwe na court of arms badala ya kuwa na sura ya mtu. Ni hayo tu.

Com. Lethome: Asante.

Joram Wanjala: Kwa jina langu naitwa Joram Wanjala na ningependa kusema kuwawa serikali inalia ya kwamba uchumi umezoroteka- na kuna sehemu ambayo ningeweza kuzungumzia ya kwamba, hasa wenye tunaishi kwa bara bara hii, unaona ya kwamba serikali inapoteza a lot of tax kwa sababu ya mambo ya corruption. Unaona kama, labda vitu vinatoka Uganda vinakuja Kenya. Wakati mwingine unaona gari moja ikienda weigh bridge, mdosi ako mbele na amebeba vitu ambavyo si halali, analakiwa mbele anapewa pesa na hao wanakuja wanapita tu. Akifika kama labda Webuye hapa, anarusha kitu anawaambia “ndio hao wanakuja nyuma”, wanapita tu. Kwa hivyo pesa nyingi tunapoteza ambayo ingekuwa kama tax kwa sababu pesa ambayo ingekuwa kwa serikali inarudi kwa police.

Mimi naona, wa-increase pesa ya askari ndio wafanye kazi nzuri kuliko sasa wenyewe kuharibu uchumi wa nchi yetu ya Kenya. Vitu vinatoka nga'mbo ambavyo vinahitaji tutoe pesa lakini kwa sababu askari wanataka wakulie humo, wanaachilia vinapita na serikali inapoteza pesa na tunajua uchumi umezoroteka. Point ya pili ni kwamba, suspect asiteswe. Anateswa mpaka anakufia kwa jela na yeye hana makosa. Mwishowe, wanathibitisha ya kwamba huyu mtu hana makosa, na amepigwa anaenda kukufia nyumbani. Sasa mtu yeyote unless witness akuweko, asipelekwe speed kiwango ya kuumizwa kabla hajaweza kuthibitisha kwamba ana makoa. Sasa hilo jambo, ninaona kwamba watu wengi wanaumia sana, na hali hiyo inafanya watu wanapoteza masha yao. Ni hayo tu, asante sana.

Com. Lethome: Dakika mbili umalize, tutamaliza na huyo mzee ambaye alikuwa ameziandikisha, akaenda kazini kidogo.

Johnstone Wabwire: *Khu masina bananga bali Johnstone Wabwire.*

Translator: I am called Johnstone Wabwire.

Johnstone Wabwire: *Ndakachulakho khu lubeka lwa balanganga bali dictatorship khu biongozi.*

Translator: I am talking about dictatorship in our leadership.

Johnstone Wabwire: *mbara ra nandi mungo khubechanga nende oimelela singa papa.*

Translator: In the home we have a father,

Johnstone Wabwire: *Ne mala ne khufananisha khurio nende sibala, aba ali President.*

Translator: when we give that analogy he is like the President.

Johnstone Wabwire: *Papa mungo ali olindile email ye banyelee.*

Translator: The father looks after the welfare of those he is in charge of.

Johnstone Wabwire: *Nga President na lindile email ye wananchi.*

Translator: Just like the President looks after the welfare of the country

Johnstone Wabwire: *Nono omundu nomuele, nomuwelesia enafasi ye khukhulindila email yowo,*

Translator: If you have entrusted someone to look after your wealth,

Johnstone Wabwire: *Sanyala kacha mumusilu katibia chikhafu, mala oendelee khuba ne naye ta.*

Translator: He cannot go with the cattle and loose them in the forest and then you continue keeping him.

Com. Lethome: Come to the point.

Johnstone Wabwire: *Epoint yange niyo ino,*

Translator: This is my point,

Johnstone Wabwire: *Omwami nga omwimilesi we sibala President,*

Translator: like now the President,

Johnstone Wabwire: *Sali ao khubukula kamatoka, Lundi apange kumusiru uri khukhwama ao khucha khuola aao.*

Translator: He should not have a fleet of vehicles,

Johnstone Wabwire: *Khusuta basikari,*

Translator: To carry Police, Ministers,

Johnstone Wabwire: *Ba delegates, kho bacha khukhola e-conference mala eli sisindu sili binafsi tawe.*

Translator: To do a conference which is an individual's ...

Johnstone Wabwire: *Bibiene ebyo bibindu bilala bilareranga enjala musibala, mala birera corruption.*

Translator: That is what is bringing down the country, bringing hunger and corruption.

Johnstone Wabwire: *Alubeka wa corruption,*

Translator: About corruption,

Johnstone Wabwire: *Khuli nende barumikhi banyelele balanga bali basikari;*

Translator: We have people or our servants called police;

Johnstone Wabwire: *Khu ministry ya defense,*

Translator: In the ministry of defense,

Johnstone Wabwire: *Babandu bano babaweesia chisilingi chingali sana.*

Translator: They have been given a lot of money.

Johnstone Wabwire: *Kenya babapungusie, mala bekolasi ekho khulondekhana nende sibala nge ne si, babandu nga bali musibala siosi.*

Translator: They should reduce their salary to match with the other civil servants.

Johnstone Wabwire: *Mala busikini se bulabakho ta.*

Translator: Then there will be no poverty.

Johnstone Wabwire: *Ndikhi nja busa kwa ufupi, sikila mulomile basi chisaa chinditi nicho.*

Translator: I am rushing because I am told that there is no time.

Johnstone Wabwire: Bursary fund:

Translator: Bursary fund:

Wabwire: Chisilingi nichyo batenganga khuyeta bandu bali banyala be...bakesi, mala khukhwama mu-family chikhanyala ta,

Translator: Bursary is meant for the bright and poor children.

Com. Lethome: Can he recommend?

Johnstone Wabwire: Lakini nono abundu anao abechanga oli chisilingi chirura khu-Serikali, chiicha khuolela abandu bano,

Translator: But when it come to giving out the bursary,

Johnstone Wabwire: Se chola chya yeta abandu ba bakesi mu-family chioli poor tawe.

Translator: It is hardly directed to the poor.

Com. Lethome: What do you want yourself?

Johnstone Wabwire: Nono ese ndolelele khusaye mbu khubira khumukanda kwa Constitution Review Commission,

Translator: I am recommending to the Constitution Review Commission that,

Wabwire: Babukule bandu khukhwama muchi-areas bamanyile bandu masikini bano, mala banya basuna bachia ebweni bayeta chi-family chyabwe.

Translator: Let there be a committee from the locals who know those children so that they can recommend their rights.

Johnstone Wabwire: *Baane chisilingi to the right people.*

Translator: So that it is given to the right people.

Johnstone Wabwire: *Khu county council,*

Translator: About county council,

Johnstone Wabwire: *Babusia chisilingi khukhwama khu raia.*

Translator: They collect money from citizens,

Johnstone Wabwire: *lakini se balikho ne buyeti bwosi bwosi khubafanyi biashara tawe.*

Translator: They don't offer any services.

Johnstone Wabwire: *Nono kenyakha bawekesie bafanyi biashara bano chisilingi nga chi-loan,*

Translator: They should give the business people loans,

Johnstone Wabwire: *bapanue bibiashara biabwe,*

Translator: To expand their business.

Johnstone Wabwire: *mala babukulekho profit ne baila nga khurunga chi-license.*

Translator: So that they can take a bit of profit to pay for the licenses.

Johnstone Wabwire: *Eshida ye chikasi mu Kenya selabakho tawe.*

Translator: There will be no problem of employment in Kenya.

Johnstone Wabwire: *Khulapungusia bujambazi musibala.*

Translator: We shall reduce thuggery in Kenya.

Johnstone Wabwire: *... besie khubasikari.*

Translator: About defense on police,

Johnstone Wabwire: *Basikari, musibala syefwe sino, babawesia bunyali bwakhila.*

Translator: Our police are given too much power.

Johnstone Wabwire: *Onyola omukhasi akhalomana ne papa mungo,*

Translator: Even when a wife is quarreling with the husband.

Johnstone Wabwire: *Omusikari anyala kawesia mama enafasi khukona ewewe.*

Translator: The mother will be given an opportunity to go and share a place with the policeman.

Johnstone Wabwire: *Mala ne bamayo, solalomalomakho liosi liosi tawe.*

Translator: Then a man will have nothing to say.

Johnstone Wabwire: *Nekhali, obirirra busa musikhupo ... khwicha khukhuboa direct.*

Translator: Then you will just go for imprisonment.

Johnstone Wabwire: *Nono abwene aobele ndasabanga Serikali mbo,*

Translator: I am requesting the government

Johnstone Wabwire: *Batase muda ya khutreina basikari ne bali mukambi.*

Translator: Policemen should be retrained for a longer time.

Johnstone Wabwire: *Ne mu-area mwosi khubechenge nende youth khubirira khu basasi,*

Translator: So that, in an area we should have youth through parents.

Johnstone Wabwire: *Khuchagua bandu banyala batatua chishida chye muching , khubeela khuli nende chikholo tofauti tofauti.*

Translator: So that, we can now form our local committee plus clansmen to kind of solve domestic problems.

Johnstone Wabwire: *Banyala bakhuyeta khumala eshida khulondekhana nende sikhale.*

Translator: to resolve those domestic problems traditionally,

Johnstone Wabwire: *Khulondekhana nende e-community mu-area muno.*

Translator: according to the community in that area.

Johnstone Wabwire: *Shairng of powers.*

Translator: Sharing of powers.

Johnstone Wabwire: *Ese ndolesia nandi sibala sia Kenya,*

Translator: I say that Kenya,

Johnstone Wabwire: *Sili sibala silimo chi-district zaidi ya hamsini.*

Translator: has more than 50 districts.

Johnstone Wabwire: *Lakini onyola mbo buongosi bwalola lubeka lulala luong'ene.*

Translator: it seems it is partial administration.

Johnstone Wabwire: *Haya, khuli ne chi Province munane.*

Translator: We have eight provinces.

Johnstone Wabwire: *Mundu anyala kama ariena mu-Province ndala, aruka kumwaka kuno, Lundi kukwicha luno aruka, kukwicha luno aruka?*

Translator: So how can they dominantly have one person from each province---

Com. Lethome: What do you recommend?

Johnstone Wabwire: *Sio ndikomenda mbo, kenyebwa babukule bubwami bakaba buli chi-district, chi-Provinces, Khukhwama khu Province mpaka khu District.*

Translator: there should be distribution of leadership in provinces.

Johnstone Wabwire: *Ndikho ngachula khu njala,*

Translator: I am talking about hunger

Johnstone Wabwire: *Sibala siefwe sia Kenya silikho ne njala tawe.*

Translator: We should not have hunger in Kenya

Johnstone Wabwire: *Sibala siefwe sili ise bulimi.*

Translator: this is an agricultural country.

Johnstone Wabwire: *mala ne sikhaya nono Serikali khubela mbo seli nende chi-powers chingali khuyeta balimi ta,*

Translator: Because the government does not support the farmers,

Johnstone Wabwire: *khunyola mbo mavuno kaba matiti, kaba asi,*

Translator: We see the harvest is less.

Johnstone Wabwire: *Nono khwenya bapungusie egarama ye bulimi,*

Translator: They should reduce expenses in farming,

Johnstone Wabwire: *mala omulimi na nyolile mavuno kewe*

Translator: so that the when the farmer gets his harvest,

Johnstone Wabwire: *kalayeta khurusia enjala musibala.*

Translator: it will reduce hunger.

Johnstone Wabwire: *kali kario.*

Com. Lethome: Thank you. Haya mtu wa mwisho kabisa.

Charles Masika Musungu: Naitwa Charles Masika Musungu, na hapa Nzoia niko kikazi, na nyumbani ni Mihanga, mahali panaitwa Matiku, Busia District. Nina mambo matatu. Mimi mwenyewe sijaelimika, lakini nitaongea mambo matatu.

Kitu cha kwanza, mwenzangu ameguzia na ilikuwa ndani ya roho yangu. Kwa sababu nilikuwa hapa, nikawa namba thirty three. Sisi wengine kama wazazi, hatujiwwezi. Lakini unakuta ile bursary inakuja, itaenda kwa Assistant chief, tajiri mwenye yuko na wengine, na wengine- walimu- zinaenda huko. Lakini utakuta shuleni masikini kweli wa mwisho watoto wako nyumbani.

Com. Lethome: Unapendekeza nini?

Charles: Napendekeza hapo nikisema, Serikali ikitoa sheria ifuatilie sheria, Kwa sababu Serikali inasema lakini haifuati. Hiyo ndio shida inayoumiza maskini. Kitu cha pili, utawala. Maskini asiposoma, atatawaliwa miaka yote; kama vile wanihubiria katika Biblia, Waisraeli wakati walikuwa katika Misri, na Yosufu vile alikufa, wakaanza kusema ya kwamba, Waisraeli, wakiwa wanataka kuzaa, watoe watu wa kuenda kuwazalisha, na waue watoto wanaume ili “wasije tena wakatutawala”. Hiyo inamaanisha ya kwamba, uchumi usipofikia maskini, inaoneka maskini natawaliwa na ana watoto, na ataishi na ujinga milele.

Com. Lethome: Sasa unataka tufanyeje ndio maskini waache kutawaliwa?

Charles: Nataka, Serikali ikitoa bursary, au ikitoa maendeleo fulani, iangalie masikini naye abarikiwe. Ya tatu, namalizia-nimekuwa kwa radio mara kwa mara, maoni ya usiku, maoni... lakini wakati watu wanatoa ma-point za manufaa, unakuta mtu mwenye anaandika haandiki hizo point. Anaziwacha. Hiyo ndio shida inayoendelea katika Kenya. Kwa sababu, mtu unaweza kuongea point, na kweli hiyo point ukiangalia ni point, unakuta mtu kwa radio anasema hapana hiyo imekwisha, time imekwisha, wacha tu hivyo---

Com. Lethome: Sasa unapendekeza nini?

Charles: Naona hapo, sasa inaonekana kwamba Serikali kutuletea kutaka maoni, inaonekana kwamba wenyewe wameamua kitambo, na yale wanataka kwa raia, haina maana- wanataka kuwapumbaza.

Com. Lethome: Hebu wacha nikuambie kitu kimoja. Hapa uko uhuru kusema kile unachotaka. Don't beat about the bush. Come straight to the point. Unataka kusema nini? Usiogope chochote. Elewa sheria imesema, mwananchi wa Kenya ana uhuru kusema kile anachotaka. Ukitaka kuchambua Rais, chambua. Ukitaka kuchambua Commission, chambua, Kwa hivyo, don't beat about the bush. Come straight to the point.

Charles: Vile nazungumza, unashika vizuri. Nimesema ya kwamba nimekuwa katika radio, maoni ikiendelea, mtu aki-shoot point unakuta mtu mwenye anammoja anasema kwamba “saa imekwisha, saa imekwisha” haandiki hiyo. Sasa hiyo napendekeza ya kwamba, inaonekana ya kwamba, muna sheria yenu, lakini kutafuta kwa raia, hamuna haja kuandika ma-point hizo.

Com. Lethome: unajua hujapendekeza sasa. Unataka nini? *Wenya shi?*

Charles: Nataka Serikali iweke mkazo. Mtu akitoa neno, lifuatiwe na lichunguzwe. Ni hayo tu.

Com. Lethome: Sasa ndio imeingia kabisa. Orio musakhulu. Nafikiri sasa kwa hayo maoni moto moto kabisa, tumefikia mwisho wa kikao chetu kwa siku ya leo na watu wa Nzoia tunawashukuru sana. Tumepata maoni ambayo tangu tuje hapa

