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CONSTITUENCY PUBLIC HEARINGS,

MALAVA CONSTITUENCY,

HELD AT SHAMONT SECONDARY SCHOOL

7TH AUGUST 2002

**CONSTITUENCY PUBLIC HEARINGS, MALAVA CONSTITUENCY, HELD AT SHAMONI
SECONDARY SCHOOL 7TH AUGUST 2002**

Commissioners Present

Zein Abubakar - Commissioner
Mosonik Arap Korir - Commissioner

Secretariat

Hassan Mohamed - Programme Officer
Joyce Wamucii - Ass. Programme Officer
Marion Nekesa - Verbatim Recorder.

The meeting started at 9.30 a.m.

Co-coordinator Mr. Caleb Amaswache: Watu wa Kabras division kwa jumla hamjamboni. Mbele yenu ni Macommissioners kutoka katika tume ya kurekebisha katiba. Tulichagua station ya Shamoni tukae hapa kidogo kwa sababu tuliona nyinyi kutoka hapa kuja Malava ni mbali sana, halafu tukasema tulate huduma karibu na nyinyi. Kwa sababu tunajua trend vile watu huwanga wanakuja kwa hii mkutano hatuwezi tukangoja tukasema kila mtu akuje. Tutaanza mkutano na kabla hatujaanza, jina langu ni Amaswache Caleb Themba mimi ndio co-coordinator wa Malava na Lugari. Tutauliza mmoja wenu atuombee halafu mkutano uanze. Asanteni.

Maombi: Baba wetu katika jina la Yesu Kristo tunakuinua na kushukuru ya kwamba ni asante kwa vile wewe mwenyewe ulipanga siku hii ya leo ili tukuje hapa tuzungumze mambo ya kujenga nchi yetu. Yesu mwana wa Mungu wale ambao wameingia hapa nawakabidhi wote mikononi mwako na wale ambao wangali njiani tembea na wao ili tushirikiane tuwe kitu kimoja. Tukianza tutaanza na wewe tena tukimaliza tumalize na wewe naomba nikiamini kwa upendo wa Yesu Kristo ndiye Bwana wetu. Amen.

Co-coordinator Mr. Caleb Amaswache: Kidogo nilukuwa nimesahau kuwaambia kuna mwenzangu mmoja mwenye ananisaidia, my assistant is outside there, his name is John Karouki yeye ndiye anaandikisha watu hapo nje. Asanteni Commissioners welcome, I hand over the meeting to you.

Com. Zein Abubakar: Eeh, habari ya asubuhi. Jambo langu la kwanza ambalo ninafaa kutenda ni kukitambua kikao hiki kama kikao rasmi cha tume ya kurekebisha katiba kwa minajili ya kupokea maoni ya Wakenya ili kubadilisha katiba yetu. My first duty is to recognize this as an official and formal sitting of the constitution of Kenya Review Commission, for the purpose of collecting views from Kenyans to amend our constitution. Nikisha kitambua namna hio kinakuwa kikao rasmi sasa cha tume ya kurekebisha katiba.

Jambo la pili ningemuomba Commissioner ambaye amekaa mkono wangu wa kushoto ambaye tutafanya naye kazi pamoja, awaambie na ajitambulishe kwenu halafu tutaendelea.

Com. Dr. Mosonik Arap: Hamjambo wananchi wa Malava. Jina langu ni Mosonik Arap Korir ni Commissioner. Asanteni.

Com. Zein Abubakar: Asante sana Dr. Mosonik. Mimi naitwa Abubakar Zein na mimi pia ni Commissioner katika tume ya kurekebisha katiba. Hivi leo sisi wawili ndio tutakuwa tunasimamia kikao hiki na kuchukua maoni yenu. Tulikuwa kama tume tumegawanywa katika vikundi vitatu, vya commissioner watatu watatu. Na commissioner watatu ambaye angekua nasi hapa leo ni Commissioner Isaac Lenaola lakini alihitajika kurudi katika makao yetu makuu huko Nairobi kwa mambo ya kazi ya tume, na alienda huko. Sasa sisi leo tutakuwa tunasimamia kikao hiki.

Tume imesanya maoni ya Wakenya nchi nzima, na leo ndio tunamalizia hapa kwenu, na leo itakuwa siku ya mwisho ya kukusanya maoni. Tutakuwa tukimaliza hivi leo, tutakuwa tumekamilisha kukusanya maoni katika sehemu za uakilishaji bungeni mia mbili na kumi. Na nyinyi kuwa ni watu wa mwisho au watu wa kufunga kikao si kwamba mnavuta mkia, nyinyi mlibahatika kuwa na nafasi bora ya kujitayarisha na kuwa na fursa ya kihistoria kwamba nyinyi ndio mtafunga vikao vya tume vya kurekebisha katiba katika kukusanya maoni. Kuna vikao vingine vya tume ambazo vinaendelea leo. Kuna kikao kule Emuhaya, kuna kikao Hamisi, kuna kikao Budalang'i, kuna kikao kingine, Khwisero, Ikolomani na Matungu pamoja na hichi kikao cha leo. Ikifika jioni tutakuwa tumefunga vikao vyote, na tutakuwa tumemaliza kazi ya kukusanya maoni katika sehemu za uwakilishaji bungeni na tutakwenda kutayarisha maoni hayo kama baada ya wiki tutakuwa tumemaliza kazi ya kutayarisha na

kuyasikiza maanake kazi ya kuyatayarisha yanaendelea. Tulikuwa tunafuatia alphabetical order ya Kiingereza, kwa hivyo tulianza na Central province, tukaenda Coast province, sasa tunamalizia Western. Ndio ya misho katika mikoa.

Jambo lingine la muhimu mimi kuwaambia ni kwamba leo ni siku muhimu sana, na sina haja kusema sana kuhusu hayo kwa sababu nyinyi mnafahamu ndio mko hapa. Sasa kiasi tunamsubiri Mkuu wa shule afike maanake mila na desturi zetu za Kiafrika hazituruhusu sisi kuanza mambo bila mwenyeji wetu kuweco, yeye ndio Mkuu wa shule. Karibu nilikuwa nimetumana uitwe.

Nilikuwa nazungumzia kuhusu kwamba leo ndio tunamaliza vikao vya tume na ningependa kuchukua fursa hii kwanza kumshukuru Principal kwa kutupa fursa sisi kuja katika shule hii, na kutumia Hall la hapa kufanyia kazi hii muhimu. Na kumweleza tu kwamba bwana Principal jambo hilo nzuri mliofanya ni la kihistoria kwa sababu tutakapomaliza kazi zetu, tutachapisha watu wote waliochangia pamoja na tasisi zilizochangia kufanya kazi yetu ikawa imefana. Na nyinyi mtakuwa katika ile roll of honour, tutakuwa na roll of honour na shule yenu itakuwa katika roll of honour na ninafurahi kwamba pia umetayarisha wanafunzi ambao wako hapa wengine watatoa maoni kwaniaba ya wanafunzi wengine; na tungeomba tukupe fursa hii najua tumeshavunja mipaka ya kuwa wageni, chukua fursa hii utukaribishe rasmi. Asante.

Isiah Luchiko Kakai: Wageni wetu wa siku ya leo, wananchi ambao wamefika ningependa kuchukua nafasi hii niwakaribisheni katika shule ya upili wa Shamoni kwa jambo hili muhimu; kikao ambacho ni cha manufaa sana kwa taifa nzima la Kenya. Kabla hatujaendelea sana ningesema kwa vile(?) tuko katika harakati ya kukamilisha terminal reports na baadhi ya wanafunzi tulionelea wasiwe hapa wengetupigia sisi makele makae nyumbani, na wale ambao wamejiandaa kutoa maoni yoa wachangie katiba ya Kenya, na nawatarajia nadhani wako karibu kufika.

Tuna waalimu wachache na tuna wanakijiji, na mimi binafsi kwa majina ni Isiah Luchiko Kakai, ningependa kusema kwa niaba ya shule na halmashauri ya shule ni kwamba tumepokea tumeheshimu,(?) mumetuchagua kuwa kuchangia katika kupeana hii Hall(?) na tunachukua vizuri tunachulia mvua.....(?). Kwa hivyo mkiwa hapa mjisikie mko nyumbani. Najua tatizo liloko Africa ni kwamba watu hawazingatii wakati, lakini nina hakika kuwa wananchi watafika, na watachangia vizuri viwezekanavyo. Asante sana.

Com. Zein Abubakar: Asante sana bwana Principal tunashukuru kwa maneno yako pamoja na ukarimu wenu wa kutukaribisha hapa. Sasa mimi nitaanza tu kwa kutaja mambo yaliyo muhimu ili tufahamikiane katika kutoa maoni yetu ili tuwe na nidhamu pamoja na kuendesha kazi hii inavyotakikana.

Kwanza kabisa, kila Mkenya anayeingia hapa anahitajika kujiandikisha nje pale. Hata kama utakuwa hutoi maoni, umekuja tu kushuhudia mambo yanayo tendeka hapa; pia unahitajika kujiandikisha pale. Na ukijiandikisha pale itaandikwa kwamba wewe ni observer au ni mtu uliokuja kushuhudia au kuwa shahidi kwa mambo yanayotokea hapa.

Kwa hivyo ningepomba wale ambao hawajajiandikisha nikimaliza kutoa mwelekeo huu, waende pale nje wajiandikishe.

Pili kwamba ikishajaa form ambayo zile zinaendelea kuandikiswa pale tunaweza chelewa sisi. Kama sasa tuna form mbili tayari, na hii form ndio tutakayotumia katika utaratibu wa kuita majina ya watu ili waje watoe maoni. Yule aliyejiandikisha jina lake kwanza ndiyo atakayepewa fursa ya kwanza kuzungumza. Lakini sisi kama tume tulikuwa tunajipa haki na kuwaomba nyinyi mtupe haki hio ya kutoka katika utaratibu huo ikiwa kuna sababu za kutosha lakini si kwa muda mrefu halafu tutarudi kwenye utaratibu. Na baadhi ya sababu ambazo zinaweza kutufanya sisi kutoka katika utaratibu huo, ni kwamba tuwe na mwalimu ambaye pengine ana kazi za kusahihisha mtihani kama alivyosema Principal, na angeomba apewe fursa azungumze halafu ndio arudi kwenye kazi hiyo; tutaomba nyinyi utupe haki hiyo, kumpa mwalimu kama huyo haki ya kuzungumza halafu aende. Au akaja mama mjamzito ambaye hawezi kuvumilia kukaa kwa muda mrefu, pia tunaomba haki hiyo hiyo. Au akaja mtu mlemavu, au mtu mzee sana yaani ni watu ambao kawaida sisi kabila zetu za kiafrika huwa tunawafikiria. Sijui kama mnatupa haki hiyo, eh sawa eh.

Jambo lingine la muhimu kufahamu ni kwamba, sisi tumetoa njia tatu za kutoa maoni. Njia ya kwanza ni kwamba uwe na maandishi, au memorandum; eh umetayarisha maandishi yako kwa muda mrefu, unayo sasa na unataka kutupa sisi kama tume. Hiyo njia ya kwanza inaweza kukufanya wewe ukaenda moja moja kutoa maandishi hayo kwetu. Na tutatumia njia ya, najaribu kufupisha nazungumzia hivyo kwa kazi pamoja na kuwajulisha kwenu, wafanyi kazi wa tume tuliokuja nao, niwajulishe halafu nirudi tena niwaambie kazi zao; lakini nataka nikiwaambia kazi zao ndio mtawakumbuka vizuri. Sasa nitaanza na yule bwana aliye kaa pale yule. Yule ndio kiongozi wa wafanyikazi wa tume tuliokuja nao anaitwa Hassan Mohammed, Hassan Mohammed ni Programme Officer katika tume ya kurekebisha katiba ya Kenya. Ukiwa unamaandishi yako na wewe hutaki kuzungumza sijui kama tunaielewana, una maandishi hutaki kuzungumza unataka kutupa tu maandishi hayo sisi tuyashugulikie uende moja kwa moja baada mimi kumaliza mazungumzo, unaweza kuenda moja kwa moja ukatole maandishi yako kwa Programme office, ambaye ni kiongozi na msimamizi wa kazi za leo. Atayachukua na uta sign register yetu baada ya kwamba umejiandikisha kwa hii form utasign kwenye register tofauti ya form hii, na register ile ni kwamba register ile inasema kwamba wewe umetoa maoni, form hii inasema wewe umehudhuria kikao. Unaona register aliyoinua utasign hapo, halafu ile memorandum ulioleta utamwachia ukaiweka katika file ile. Kila kikao kina file yake, kwa hivyo kikao cha hapa Shauri Moyo itakuwa file yake ni hii. Utatoa utakuwa unemaliza kazi, ukitaka utakaa chini usikize wenzako, au ukitaka utakwenda nyumbani. Hilo limeeleweka, hiyo ni njia ya kwanza.

Njia ya pili ni kwamba unamaandishi una hiyo memorandum, lakini huitaki kutoa hivi hivi unataka upewe fursa uchague yaliyomuhimu katika memorandum ile, uyazungumzie ili Wakenya wengine wajue ni mapendekezo gani unatoa kwa tume ya kurekebisha katiba. Hiyo ndio njia ya pili, unaruhusiwa hivyo. Na ukija hapo tutakuomba usisome yote kutoka mwanzo mpaka mwisho. Utuchagulie na utuchambulie yaliyo muhimu, na useme Wakenya wenzangu, haya ndio mambo muhimu ninayoyatoa kwa tume. Na njia hiyo ya pili tutakupa dakila ngapi? Tano, uzoefu wetu wa kazi unatuonesha kwamba ukitumia dakika tano zile, kutoa mapendekezo na mambo muhimu, zinakutosha kabisa. Kuna njia ya tatu, hii njia ya pili imeleweka? Eh.

Njia ya tatu, njia ya tatu inasema hivi; kwamba wewe unataka kutoa maoni yako kwa mazungumzo, kwa kauli yako utoe yaliyo moyoni na kichwani kwa ulimi wako bila kutoa maandishi. Pengine una maandishi kidogo ambayo umeandika points tu zikukumbeshe jinsi tutakavyozungumza hiyo pia inakubalika. Sisi tungependa kutoa dakika tano pia kwa mtu kama huyo lakini kwa vile atakuwa hajaandika maoni yake, ikiwa bado unatoa points ambazo zinahusiana na ubadilishaji wa katiba, tutakuongezea muda, up to ten minutes, lakini haipiti dakika kumi. Sijui kama tunaelewana. Nitakujaribu kukuweka kwenya line ya dakika tano, lakini up to ten minutes, kwa sababu utakuwa pengine unayakumbuka kwenye akili. Ni sawa hivyo au si sawa? Maanake sisi hujaribu kuwaomba watu tukubaliane maanake ukiseme tumpe mtu two hours, tutashauriana halafu tusema ni sawa, halafu wazungumze watu wachache. Hizo ndio njia tatu.

La muhimu pia kuelewa kuhusu maneno unayozungumza hapa ni kwamba, commissioner mwenzangu na mimi, tunaandika kwa mkono. Mnavyosema pengine tunasikiza halafu tunaandika yale tunaona tunafaa kuandika. Halafu kuna yule binti amekaa pale, ameinua mkono anaitwa Joyce Wamucii. Jocye, kazi yake yeye ni assistant programme officer, na atakuwa akiinukuu akiandika kwa mkono mambo yote yanayotokea hapa. Nani akasema nini, nani alianza vipi, yote anaandika kwa mkono. Halafu kuna yule binti amekaa pale, anaitwa Marion Nekesa, Marion Nekesa ni verbatim recorder, unaona amekaa karibu na speaker na ana tape zaidi ya moja, hiyo moja anaonesha mifano kwa sababu ile ingine inaendelea na kazi kule. Kazi yake yeye ni kurecord kila neno linalosemwa hapa.

Wengine wanasema hata ukikohoa, kikohozi chako kitakuwa mle ndani. Kwa hivyo usiwe na wasi wasi maneno yako pengine yatapotea, commissioner mwenzangu au mimi tumesita hatuandiki tunakusikiliza tunataka kukuelewa, kusema mbona hawaandiki mambo yangu muhumu ninayosema? Tunarekodi tatu ya macommissioner, ya binti Jocye, na binti Marion anarekodi kwa record, verbatim recording. Sijui kama tumeelewana. Hatutaki kitu chochote kipotee, ni sawa hivyo?

Sasa tuzungumze mambo ya lugha. Lugha ambayo tutatumia hapa ni Kiswahili, ambayo ndio lugha yetu ya taifa, Kiingereza ambayo pia ni lugha rasmi nchini. Kuna mtu yeyote asiyejua lugha hizo mbili? Kusema tunasema hivi, ikiwa wewe unajiamini kwamba mambo wawili, ikiwa kwanza hujimudu kuzungumza Kiswahili au Kiingereza, una haki ya kutumia lugha ye yote ingine ya Kenya, ambayo inazungumzwa na watu wengi hapa. Ni lugha gani inayozungumzwa na watu wengi hapa? Kiluhya cha aina gani? Eh Ki Kabras ndio unaweza tumia ukiwa unataka, hio ni njia ya kwanza, kama humudu Kiswahili au Kiingereza.

Njia ya pili ni kwamba pengine unamudu Kiswahili na Kiingereza lakini kuna mambo mengine unasema huwezi kuyaeleza isipokuwa kwa Kikabras. Lakini tungewahimiza wengi wenu mtumie Kiswahili na Kiingereza ikiwa unaweza kukimudu na unaweza kujieleza ya kutosha. Kwanini tunasema hivyo? Kwa sababu ikiwa tutatumia Kikabras utatakiwa mtu wa kutafsiri awekwe hapa ukizungumza halafu yeye anatafsiri, kwa hivyo atachukua nafasi za watu wangapi? Wawili. Hatusemi usitumie, unahaki hio, lakini utumie kwa kuwa unawatilia manani wenzako pia wanataka kutoa maoni, au si sawa hivyo?

Haya, kuhusu lugha tena, lugha tutakayotumia hapa, ni kule kwetu Mombasa tunasema lugha murua, lugha yenye heshima ambayo haitakufanya wewe ukasirike, ikiwa ni mzee amekuja mtu akazungumza hapa hautakasirika, ikiwa ni kijana hautakasirika, ikiwa ni mtoto hautakasirika. Lugha ambayo inaheshimu kila mtu.

Halafu, ni muhimu sisi kukuambia pia lolote utakalosema hapa unalindwa kisheria. Sheria inavyotulinda sisi, ndio inawalinda ninyi. Hakuna mtu atakayekufuata au tahsisi itakayokufuata kuuliza kwanini ulitoa maona haya? Unalindwa kisheria. Lakini kwamba unalindwa kisheria isitumike kwamba hiyo ni fursa ya kugeuza kikao hiki kuwa kikao cha fujo, hatutakubali mtu kuja kutukana mwingine, kumharibia jina au kutaja watu majina.

Ukiwa wewe una matatizo na Commissioner Abubakar Zein wacha nijifanye mimi ni mfano unamatatizo na mimi zungumzia ofisi ya commissioner usinitaje mimi jina. Sijui kama ni sawa hivyo eh? Ukitaka kuzungumzia ofisi ya chief ni sawa; lakini usije ukasema, mimi na chief fulani tuna matatizo yetu nyumbani uanze kutuambia habari ya matatizo yako na huyo chief umemtaja. Unaweza kutaja kama una matatizo na chief lakini usimtaje jina. Ni sawa hivyo.

Lingine la muhimu kabisa kufahamu ni kwamba, tunaomba mtakapokuwa mkitoa maoni unaweza kuzungumzia shida na matatizo tuliyonayo kama Wakenya, na shida hizo na matatizo Wakenya wengi wanazijua; lakini la muhimu zaidi ni wewe kutupa mapendekezo, je tutatia nini, ni mambo gani katika katiba mpya. Ukituwacha na matatizo peke yake, itatupa sisi kazi ya kuenda kukutafutia njia ya kutatua na pengine haitakufurahisha. Ikiwa unazungumzia elimu, utuambie unataka vipi. Ikiwa unazungumzia uchumi, utawala, viongozi, kila kitu uzungumzie ukituambia nataka hivi na hivi.

La mwisho kabisa, mambo mawili ya mwisho. La kwanza ni kwamba, nitaomba ninyi mnipe ruhusa mimi kwa sababu nimepewa fursa na ndugu niwe Mwenyekiti wa kikao hiki leo. Ikiwa mtu ametoka kwenye line anazungumza mambo ambayo hayahusiani na ubadilishaji wa katiba nimrudishe kwenye line, mnanipa ruhusa hivyo, nimwambie ndugu rudi kwenye line.

La pili, ni kwamba sisi tuna mila ada na desturi kama waafrica. Na mila na ada na desturi zetu zina heshima; na kawaida mtu akipewa fursa kuja kuzungumza huanza na kusema, ma commissioner mlifika hapa hivi leo, tunawakaribisha sana, tunawapongeza kwa kazi nyingi mnayofanya watusifu kidogo si ni kawaida hii? Wamtaje na pincipal, na chifu wetu akija, akaja mbunge utamtaja na mbunge wetu, na viongozi mbali mbali wa kidini. Achukue dakika tano zile tulimpa kutukaribisha. Na hiyo ndio mila na desturi yetu, na kwamba katika mila zetu mtu ambaye amekomaa kimawazo, hawezi kuendelea kutaja jambo moja kwa moja, lazima azungumze kwa kuzunguka au sio hivyo? Si ni hivyo, lakini ningewaomba leo mila, ada na desturi hiyo tubadilishe, kwa leo tu.

Ikifika jioni tutarudi kwa mila zetu, ni nzuri. Lakini kwa leo ukija hapa, ukishaitwa jina unakuja hapa unasema, mimi jina langu fulani wa fulani. Sio kwamba hatujui jina lako, tumekuita; tunataka sauti yako wewe mwenyewe itaje jina lako wewe mwenyewe kwa kujitambulisha. Useme mimi fulani wa fulani. La pili utakalofuatia, mapendekezo yangu ni haya. Sijui kama

mnafahamu hayo.

Na ikiwa ni mwanafunzi, mwanafunzi kidogo pengine tutatoka katika ada hio na tumwambie atutajie jina lake darasa lake, shule yake, ma miaka yake. Na ikiwa unawakilisha kikundi, tutakuambia ututajie jina lako, na jina la kikundi chako. Ni sawa hivyo? Bwana coordinator, tunahitajika kuwa na mtafsiri wa ishara, sign language interpreter. Yaani kukiwa ndugu yetu ambaye hasikii ataweza kufuatilizia mambo yanatokea katika kikao hiki kupitia ishara. Ameenda kuitwa yuko karibu kuja.

Na Caleb Amaswache ambaye ni co-coordinator atakuwa anatafsiri kwa Kikabras. Ikiwa kuna mtu anataka kuzungumza Kikabras. Na ikiwa kuna mtu yeyote anataka usaidizi, tafadhali usije kwenye meza hii, uende pale kwa programme officer utoe malalamiko yako, au uombe usaidizi wako, halafu yeye atajua jinsi ya kushughulikia ombi lako.

La mwisho kabisa ili tuanze, ukiwa uko katika kikao hiki, unajua nilianza kwa kusema kikao hiki ni kikao rasmi cha tume ya kurekebisha katiba. Mtahitaji kuwa na mkimia kabisa. Sijui kama tunaielewana. Tuwe completely silent, hata silence iwekwe hapo, kwamba atakaye ruhuswa kuzungumza ni aidha sisi tuko hapa, au yule atakayekuwa akizungumza pale. Ukiwa upande ule unataka kuzungumza na rafiki yako, utoke nje mzungumze, mmaalize, mrudi ndani ilikuheshimiana maoni ilikuheshimiana maoni. Ikiwa kuna jambo atakalosema mtu, litakukasirisha au litakufurahisha ubaki nalo moyoni mwako. Likiwa litakufurahisha ukapiga makofi na kushangilia, likikukasirisha utafanya nini? Utasomea, eh bas hapa kuwe kimwa kabisa hakuna makofi leo, ada hiyo ya makofi tumeondoka nayo, hakuna makofi, hakuna kushangilia, hakuna kukasirika. Ikiwa hukubaliana na jambo, ngoja fursa yako ikija, useme sikubaliani na jambo hili. Ukiwa unaunga mkono, ngoja nafasi yako ije, muunge mikono.

Sasa la mwisho kabisa mimi nauliza je, kuna mwenye swali kuhusiana na haya niliyosema, eh? Si mambo ya civic education ama swali mengine; kwa haya niliyoyawapa kama muongozo, kuna mtu yeyote mwenye swali? Hakuna, kuna mtu yeyote ambaye hukubaliani na muelekeo huu tuliyotoa? Hakuna, kwa hivyo naomba nipe fursa ni mwrite mzungumuzaji wa kwanza aliyebahatika kutufungulia kikao chetu leo, ni Benard Wako Wanjila. Na ikiwa nitataja jina la matu vibaya ni kwa sababu ya kuandikwa kwake, au ni kwamba ulimi wangu huajazoea kutaja majina ya aina hio, na utanisamehe kwa mwanzo, asante sana.

Benard Mwaka Wanjila: Kwa majina yangu ni Benard Mwaka Wanjila. Wa Kabras Emirembe, mimi niko na maoni yafuatayo na kwanza ni kuhusu rais, ama the presidency in this country. Mimi ningependa kupendekeza ya kwamba, rais wa nchi hii hutilia manani makabila yote ya nchi hii. Kufuatana na hayo, urais uzunguke katika mikoa ya Kenya yote, kwa kipindi cha miaka kumi kwa kila mkoa. Na mkoa wa Nairobi kwa sababu ni mji mkuu wa Kenya, tutengewa makabila ambayo ni machache sana kama Wahindi na Wazungu wawe considered wakati mkoa wa Nairobi unafikiwa.

La pili ni kuhusu utawala wa mikoa, ama provincial administration, hii ningependa kupendekeza ya kwamba idumishwe iweko lakini wapewe mamlaka na elimu zaidi, ili washughulikie maswala kama ya kulinda mazingira, environmental conservation; na kilinda haki za watoto na kuelimisha watu wakati kuna majanga kama ya magonjwa kama ya ukimwi, na shida zingine za

kawaida. Lakini wapewe mamlaka ya kushurutisha watu kuungana kufanya kazi kama kurekebisha barabara na kazi zingine kama hizo.

La tatu ni hizi pombe za kienyeji, ama local brews. Mimi ningependa kupendekeza ya kwamba serikali ya Kenya, iruhusu wananchi ya Kenya kutumia pombe zao za kiasili; kama hapa busaa, changaa na zingine. Na kama serikali inataka kusimamisha pombe, hata beer isiruhusiwe kunywewa Kenya kwa sababu hio ni pombe pia.

La nne ni administration of justice, hapa Kenya ukishtakiwa ama ukishtaki mtu, kesi inachukua muda mrefu sana, hata unaweza kushindwa kumaliza kesi. Kesi zifanyike kwa haraka kuwe na courts kwa kila divison, na kuwe na muda ambao kesi itafanyika. Na mimi napendekeza kesi isichukuwe zaidi ya miezi minne.

Kuhusu sheria ya nchi, ama land matters, hapa Kenya kununua shamba ama kurithi, ama kupewa inakuwa bei ghali sana kupata title deed. Hii inatakikana kurahisishwa na watu wapewe vieti vya kumiliki mashamba na DO, na chief, village elders wapewe mamlaka kumaliza maneno ya mashamba, bila watu kupelekwa mbali na kutumia pesa mingi, na vile mambo yalivyo sasa.

Kuhusu ndoa, maneno ya kuoja, sisi Waafrika kutoka zamani mtu anaruhusiwa kuoja zaidi ya mke mmoja. Hii iwekwe katika sheria yetu, kwamba mtu akiwa na zaidi ya mke mmoja, apewe marriage certificate. Isiwe eti mke mmoja ndiye anatambuliwa, hii ni tabia ya Kizungu, ni ya kigeni, na sisi tunaumia sana hapa kwa sababu ya hiyo. Nikiwa na wake zangu watatu, wote wapewe marriage certificate na watambuliwe sawa kama wake zangu.

Kuhusu watoto, sheria hii mpya, inatakikana iwe sheria kwa serikali kutunza watoto wote waliozaliwa katika nchi. Na mtoto atambuliwe kutoka siku mwanamke amepata mimba, kwa sababu huyo ni mtoto. Na mwanamume akifanya mwanamke mimba, na asiitunze mtoto achukuliwe sheria, afungwe afanye kufanyia serikali kazi na serikali itunze watoto wote. Katika sheria mpya ningependa kuona watoto wote ambao wako barabarani wanaitwa street children waondolowe wawekwe mahali, watunzwe na serikali wapewe elimu, wapewe chakula na malezi bora. Hilo ni jambo la muhimu sana kwangu na ninaumia sana kila mara nikiona watoto wanavuta glue kwa barabara, na wanalala kwa barabara; hiyo hianifurahishi hata kidogo.

Kuhusu local councils, hizi local councils inatakikana councillor wote wawe watu wa elimu ya form four. Hii ni kwasababu saa hii tuko kwa age ya computer na internet, na elimu imeenda juu na tunataka councillor wawe able kuelewa mambo ya kisasa, waende seminars hata akienda ng'ambo asikie ile maneno inayoendelea huko na atuletee. Kwa hivyo wawe na elimu ya kutosha.

Kuhusu taxation, ama ulipaji wa ushuru; saa hii serikali mwongozo ile inatumia kutax Kenyans si nzuri. Mimi napendekeza ya kwamba wale watu ambao wanabiashara ndogo ile ina capital ya chini ya shilingi elfu moja, wasilipe ushuhuru; kwa sababu hao ni watu ambao wanajaribu kujimudu kimaisha, na hii wakati wanafukuzwa na watu wa county council kulipishwa ada, hio inaua

biashara na inaua uchumi. Kwa hivyo taxation, watu wakiwa na vitu kidogo ya shilingi elfu moja, wasilipe ushuhuru.

Kuna hii jambo la registration of societies katika nchi, hili haswa nalenga upande wa makanisa. Katika sheria ya nchi sasa, ni vigumu sana Mkenya kuregister society haswa ya kidini. Kwa sababu wameweka sheria kali, na sisi tunaona mtu akitoka nje, kama mzungu akiwa hapa akiwa na organization yake, ni rahisi sana kuregister kuliko sisi wa Kenya.

Makanisa yawe treated kama companies, hata zikiwa milioni moja, wananchi ya Kenya wepewe uhuru wa kujiandikisha vyama na makanisa, vile wanataka; isiwe na restriction yeyote.

Na mambo ya afya ningependa kupendekeza ya kwamba serikali isisema, tusiambiwe tu ati kuna free medical care, serikali ihakikishe ya kwamba kila health centre iko na madawa na hata kama ni kuincrease taxation kwetu sisi wa Kenya, tulipe ushuru zaidi ili tuwe na matibabu kwa kila Mkenya. Na kuna magonjwa ambayo ni bei ghali sana kutibu, kama ugonjwa wa cancer, ugonjwa wa diabetes, na huu ugonjwa wa ukimwi. Serikali katika katiba hii lazima iweke mkazo ya kwamba, kila serikali itakayokuja kwa nchi; lazima itoe madawa bure, na utunzaji kwa wale wagonjwa wa cancer, ukimwi, na yale magonjwa ambaye yanahitaji pesa mingi ili kutunza wagonjwa wa ugonjwa huo wa cancer na ugonjwa wa moyo.

Kwa upande wa security, mimi ningependa kupendekeza katika katiba mpya, all security agents kama polisi, wasiwe na mapendeleo katika kuapply the law. Kwa sababu tumekuwa tukiona polisi kama watu wa upinzani wakiwa na rally yao hawatoi usalama, ama wanatumiwa kupiga watu. Hii sio kazi nzuri. Na katika katiba hii, polisi watengwe kabisa na siasa, na vyama vya utawala. Wasiongozwe na mwanasiasa, kwa sababu kuna wa Kenya ambao hawalindwi kabisa na polisi wakati mwingine; kwa sababu labda ni mpinzani. Hiyo tunataka katika katiba mpya iondolewe. Na commissioner wa polisi ama askari yeyote ambaye anasimamia area fulani akiwacha watu waumize mtu fulani achukuliwe hatua na sheria. Na ningependa kuhusu upande wa security; kuna sehemu katika nchi ya Kenya ambazo hazikaliki, na kuna majeshi Kenya, kuna GSU, kuna navy, kuna askari wengi sana hapa nchini. Hizo sehemu ambazo zimekuwa declared security zone, wapeleke huko majeshi kisheria, mpaka kila sehemu ya Kenya iwe huru kwa Mkenya yeyote kuishi na kufanya kazi na kufanya biashara.

Kwa upande wa social services, huduma ya kijamii, upande wa michezo; serikali kupitia katika katiba mpya, ningependa kupendekeza ya kwamba kuwe na pesa maalum: zipewe kwa kila area ya councillor location. Ili wapromote michezo, mbio na mipira na kila aina ya michezo, ili kuzuia vijana kujiingiza kwa maneno ya uhalifu.

Na upande wa mishahara ya wafanyikazi wa serikali, wabunge macouncillor na hata Rais. Ningependa kupendekeza ya kwamba mishahara yote ya Kenya iwe ikitengenezwa na Public Service Commission. Tusiwe na wakati kama sasa tumeona wabunge wanajiamulia mishahara yao wenyewe, na hii inatufanya sisi Wakenya wengine tujisikie kama tuko discriminated. Na hata retirement benefits kama vile walikuwa wakifanya za rais wetu ambaye ana retire sasa; tunataka hiyo package iwe tailored, iwe sawa na Mkenya mwingine yeyote ambaye ana serve katika public. There should be no special treatment for any Kenyan,

because that amounts to discrimination, we want all Kenyans to feel the same to be given equal treatment.

Interjection Com. Zein Abubakar: Umemaliza dakika zako na wewe una memorandum
.....(Inaudible)

Benard Mwaka Wanjila: Unisamehe. Sasa ningependa kwa upande wa international relations, Kenya imekuwa ikisign mikataba ambayo unasikia sheria ya watoto nini nini, hizo vitu zote ziko katika mila na desturi zetu. Wakati wanataka kusign mikataba hiyo, washauriane na sisi, kupitia kwa bunge; ili sisi tuhusike katika mikataba mengine. Kwa sababu mengine inatumiza ama ina interfere na cultural beliefs zetu.

Management ya natural resources, wale watu ambao wanashikilia ofisi za umma lazima wadeclare their wealth, na vile amepata kwa sababu tunataka tuongoze*end of side A tape I* Kwa sababu kuna watu ambao kutokana na matendo yao, hawawezi kukaa kwa watu. Na kutumia pesa kwa serikali tena kuwatunza si vizuri, kwa hivyo mtu anyongwe kama amefanya makosa makubwa, eh yale yanalingana na hiyo makosa yake.

Ya mwisho ni transfer of power, yaani kutoka rais mmoja hadi mwingine. Mimi ningependa kupendekaza ya kwamba wakati wa uchaguzi kama president ambaye ako kwa ofisi anagombea kiti, asiwe rais tena yeye ana campaign anataka kuwa president.

Speaker wa bunge awe acting president wakati president ambaye aka kwa ofisi anaenda kuuliza wananchi tena wampe nafasi ingine.

President akisha staafu aishi kama raia, asiandikiwa maaskari wapishi, yeye pia alipe watu mshahara, ajiri watu na awalipe na pesa zake. Asante sana.

Com. Zein Abubakar: Swali langu moja tu linalohusiana na maraisi wanaostaafu, viongozi wanaostaafu, wewe unapendeza mambo mawili. La kwanza unasema kwamba awe na marupurupu kama watu wengine tu. Asiwe na magari na security, na umeongezea la pili hapo security yake ashughulie mwenyewe, wapishi wake ashughulie mwenyewe. Swali langu ni hili kwamba, dunia nzima mtu ambaye anachukua wadhifa kuwa kiongozi wa nchi anapostaafu hupewa hadhi fulani inayostahiki kiongozi wa nchi, na baadhi ya heshima anayopewa ni pamoja na ulinzi wake, security yake, kwamba ukiwa kiongozi wa nchi utakuwa na marafiki wengi, lakini pia utakuwa na enemies wengi maadui wengi. Sasa ukisema security ya Rais, ni sawa na security ya Mkenya yeyote; basi mtu anaweza kusema pia hata akiwa katika mamlaka asipewe securiy yeyote manake ni kama Mkenya mwingine. Sasa sijui msimamo wako ni nini?

Benard Mwaka Wanjila: Mimi ningependa katika katiba mpya tuwalete marais wawe baadhi ya watu sisi wawe one of us,

hii maneno ya mtu kupewa mamlaka mingi hii inaleta hata ndio ina(?) akiwa anajiona kama ni raia anatembea kama na raia na hatakuwa na(?)

Com. Zein Abubakar: Kuna mpango wowote(?) raisi ambaye anakaa hivi.

Benard Mwaka Wanjila: Mimi ninajua raisi huyu wa Eritrea, ambaye anatembea akiwa huru.

Com. Zein Abubakar: Wacha nikuandikishie Isias Arferwoki ambaye ni raisi wa Eritrea sasa anaulinzi vile marais wengine wanaulinzi. Na hata alipokuja Kenya, alikuja na walinzi wake, wacha huko kwao, akija Kenya huja na walinzi wake, lakini ni maoni yako sibishani ngoja kidogo.

Com. Mosonik Arap: Na ulisema kwamba package ya president, iwe kama yawa Kenya wote, sio tu security. Sasa Wakenya wengine wote wana package ya aina gani?

Benard Mwaka Wanjila: Kuna formula ambaye imeandikwa(?) retirement package na other public servants the same formula should apply when it comes to the president.

Com. Mosonik Arap: Can you just enlighten us in which way.

Benard Mwaka Wanjila: For example if a Kenyan who retires receives a monthly pension so that(?) that it can remain 35% of the salary the retiring president should also get the same 35% of(?)

Com. Mosonik Arap: I also have one last one, you said that the tujadiliane kwanza international conventions kupitia bunge, pengine kwa ajili zinaweza kutofautiana na utamaduni wetu. Okay, kuna plan ya conflict between our culture and the international conventions.

Benard Mwaka Wanjila: Kwa mfano kuna sheria hizi zinazohusu watoto, sheria ya kimataifa inazuia wazazi hata saa hii katika mashule, wanasema watoto wasichapwe viboko; na katika mila na desturi zetu, mtoto kuchapwa sio eti anapewa punishment as such, lakini anarekebishwa, ili awe mtoto mzuri na akuwe mtu ambaye anaheshimu watu wengine na sheria.

Com. Zein Abubakar: Kwa hivyo wewe unasema, kukiwa kuna miktaba ya mataifa ambayo nchi yetu inaingi ndani ya miktaba hiyo; kwanza tuwe na njia ya kuipitisha katika nchi yetu na pili ilingane na mila na desturi zetu.

Benard Mwaka Wanjila: Ndio.

Com. Zein Abubakar: Asante sana, uende pale ujiandikishe, utoe hiyo memorandum umeandika. Sema kitu kidogo haraka.

Benard Mwaka Wanjila: Kulingana na hiya maswali naweza kusema kitu kidogo. Sasa naona kwa sababu ya hiyo.....(?) ambayo tunasukuma nayo, kuna sheria nyingi hapa Kenya ambazo zinakuwa adopted na zinapingana na maadili yetu na zina pitishwa sisi wananchi wa Kenya tunaumia tukisikia. Labda bunge imepitisha sheria sasa wanawake wapewe mamlaka zaidi, vitu kama hivyo na sasa tunashindwa na sasa mbona hawatulizi sisi tunasikia tu.....

Interjection Com. Zein Abubakar: Ngoja ndugu yangu, maana mbona hawatulizi sisi maanake nini kuna kura ya maoni.

Benard Mwaka Wanjila: Maanake sisi wananchi kuna mambo mengine hapa kwetu ambayo yako na utaratibu wake lakini wakati tunasikia sheria imekua passed kwa bunge huko ama imetoka.....(?)

Interjection Com. Zein Abubakar: Nipe mfano wa mambo ambayo ungependa wewe kuhusika katika kuyaamua kwa kupigia kura ya maoni kama Mkenya, mambo gani?

Benard Mwaka Wanjila: Sasa wakati inakuwa kama hii sheria ya watoto kutoadhibiwa, ya viboko haya wakisema usawa wa kijinsia, hiyo kitu gender quality. Kuna hii kitu wanasema genital mutilation, hiyo maneno yaani circumcision ya wanawake. Inalingana tena na circumcision ya wanaume. Watu wanatoka Ulaya.....(?)

Interjection Com. Zein Abubakar: Hiyo FGM wacha mimi nikuambie, FGM hailingani na ya wanaume kabisa.

Benard Mwaka Wanjila: Unajua wakianza na FGM wanakuja pia kuinterfear na our method of circumcision. Yaani wanasema FGM ni mbaya.

Com. Zein Abubakar: Wewe unapendekeza wanawake waendele kutahiriwa?

Benard Mwaka Wanjila: Hiyo ni mila sisi hatuwezi kupendekeza hapa, kwa sababu hapa hatutahiri wanawake; na hatuwezi kwenda Ukambani tukasema wanawake hawafai kutahiriwa na sisi hapa si mila yetu. Kwa hivyo hiyo iwachiwe. It's a cultural base tuwachie watu wenyewe kama hapa sisi kwetu wanaume wanatahariwa kwa njia fulani, hata sio wanakuja wanasema hiyo njia mnayotumia si nzuri.

Com. Zein Abubakar: Lakini usiwe na wasiwasi sijasikia mtu yeyote akisema wanaume wasitahiriwe. Asante sana. Au mumesikia kuna mtu amesema hivyo. Asante sana kwa maoni yako, juiandikishe ningependa kutambua kufika kwa Mheshima Angatia karibu Mheshimiwa. Tunaendelea na kuita watu, Alfred Kivuvi Wakuha karibu mzee.

Alfed Kivuvi Makoha: Kwa majina naitwa Alfred Kivuvi Makokha. Ningependa kupendekeza mbele ya tume ya kurekebisha sheria, ya kwanza kuna hapa Kenya unaletea pale mtoto halafu asomeshwe(?) natetea sheria ya wanawake nimejaribu.....(?) na sisi wazee nayo na maoni yangu naona hakuna mtu ambaye amejaribu kutetea wazee ikiwa umezaa watoto na umezeeka nao watalindwa namna gani?

Com. Zein Abubakar: Tunataka mzee utaje na upendekeze maoni yako.

Alfed Kivuvi Makokha: Pendekezo langu ni hili, ningetaka mzee kama amezeeka, kama ana mtoto, na amejaribu kufundisha mtoto, mtoto naye pia amsaidie. Kwa sababu watoto wengine wakienda hawawezi mjali mzazi.

Interjection Com. Zein Abubakar: Kwa hivyo unataka katiba iwajulishe watoto wasaidie wazazi wao, si usema hivyo na unyamaze.

Alfed Kivuvi Makoha: Eh katiba ilazimishe watoto, watoto hawa wawe wakisaidia wazazi wao.

Pili, katika kuajiriwa kazi naona watu wakiajiriwa kazi(?) wanaajiriwa tu na hivi mtu akitoka huko kama mtoto alikuwa amejiriwa mwalimu, ama askari polisi lazima ana(?) naona viza nyingi sana za uvunjaji wa sheria tuwe na form maalum, mtu akiajiriwa kazi kama ni officer, police officer, army. Awe amejaza form na hiyo form inaonyesha ya kwamba tangu aajiriwe nyumbani hana shamba, nyumbani hajakaa(?) wazazi wake wamekaa maisha.....(?) ya umaskini. Huyo akiajiriwa kama amejaza form kwanza mambo ya kwanza achunguze mshahara yake ni pesa ngapi? Ya pili kama ameo apatiwe.....(?) mahari kama wazazi wake ana nguvu amsaidie kama hana nguvu mwenyewe afanye hivo.

Tatu ndio tumalize hii mambo ya judgement kwa sababu hao wakiajiriwa, eh wanaenda kulima.....(?) wengine wanatoka huko wanaoa wanawake wengi(?). Sasa wakifutwa kazi ndio wanatoka huko(?) na kuharibu amani yetu.

Niko sasa kwa upande wa mwongozi, hapa Kenya tuna rais.....

Interjection Com. Zein Abubakar:(?) hukutambia(inaudible)

Alfed Kivuvi Makoha: Kama hapo tuna president wetu Moi sasa anaenda kureture, akita sijui akiongea neno, ama neno moja kama vile tunaona hapa kwetu ati president akitaka kuwacha atawachia mtu na anamfanyia campaign.....

Interjection Com. Zein Abubakar: Sasa mzee ashatoka hapo nyumbani niende.....na nini. Ngoja tukubaliane, nilisema hutaji jina la mtu, au sikusema hivyo ametoka kwenye au hajatoka kwenye line? Ukitaka kuto mapendekezo sema raisi anayestaafu asifanya hivi na hivi. Sijui kama tenaelewana. Haya.

Alfed Kivuvi Makoha: Raisi aliyestaafu asifanyie campaignie mtu. Awache tu kazi yake na wenyewanasimama wasimame na raia wachague wenyewe.

Kila mkoa ipate nafasi ya kutoa president, ili kila mkoa ipate kutoa mtu.....(?)

Com. Zein Abubakar: Mimi nina swali ndogo sana, uliposema wazee katiba iwalazimishe watoto wao kuwasaidia wazazi. Je wale wazazi wasiokuwa na watoto watasaidiwa na nani?

Alfed Kivuvi Makoha: Wale wazazi wasiokuwa na mtoto serikali iwasaidie.

Com. Zein Abubakar: Asante sana mzee. Bwana Jacob Emshitalo. Naomba radhi kwamba ikiwa sikutaja jina vizuri, mzee utaniambia vile linatamkwa, karibu mzee wangu, karibu mzee.

Jacob Sidialo: Kwa majina mimi ni Jacob M. Sidialo, mimi nina maneno masaba au sita hivi nataka nichangie. Neno la kwanza land matters succession, when aparent passes away the process followed to transfer a land from the deceased to the dependant is very long and expensive. Kwa hivyo tunaonelea mashamba, ikiwa baba amekufa amewacha watoto, tuna wazee wa vijiji ambao wamejua hao watoto. Hawa wazee wa vijiji ndio wanaweza kuangalia mambo ya shamba ambalo baba ameiwacha. Lakini mambo ati uende ushtaki kaburi kortini sijui kwa kaburi sijui kama mtu anaweza kuamuka tena aende afanye ushahidi kwa shamba lake. Kwangu mimi naolea ya kwamba, sheria ya Kenya, yaani mambo ya shamba kushtaki; mtu ambaye amekufa hiyo inachukua pesa nyingi hata watoto wenye kuwachwa ni maskini hawawezi kupata shamba kwa sababu wanakaa tu humo na tena mtu mwingine anaweza kufa na mwingine akufe, sijui unaweza sitaki nani.

The president should be aged above 42 years; a younger person should not be a president.

Interjection Com. Zein Abubakar: Unataka 42 chini(?)

Jacob Sidailo: 42 kuenda mbele. Kuenda juu.

Interjection Com. Zein Abubakar: Akiwa na miaka 100 sawa.

Laughter from the audience

Jacob Sidailo: Mimi naonelea namna hiyo kwa sababu.....

Com. Zein Abubakar: Sawa mzee endelea. Ingingine .

Jacob Sidailo: Nyingine ni, girls should not be given land by the parents, as this will break the institution of marriage and the family. Yaani nasikia tu ati mambo inaanza kupitishwa pitishwa saa ingine eti msichana apate shamba kwa baba yake, tena mvulana apate shamba kwa baba yake. Wasichana wengi watakuja kuharibu nyumba zao kwa sababu wanaonelea ya kwamba hata nikiwacha huyu mwanamume, nitaenda kupata shamba kwa baba yangu. Hiyo naonelea ya kwamba, hiyo sheria ikipitishwa inaweza kuwa nzuri, kwa sababu hapa kwetu kwa vile ninaona kama akina dada akiwa ameolewa mahali na arudi kwa baba yake na akufe, sisi hatuwezi kumshika hapo mbele tunamshika nyuma. Si namna hiyo.

Interjection Com. Zein Abubakar: Ukiona tunaitikia temeelewa na usitafute support kuto kwa watu kule. Useme si ni hivyo halafu watu wanaitikia eeh. Yaani sasa unafikirai hiyo point itakuwa nzito zaidi. Wewe unatoa ushahidi kwa tume, tosha kabisa hiyo mzee.

Jacob Sidailo: Namba mne, every Kenyan should only hold one job. Mimi naona watoto wengi wanateseka hapa wameilimishwa na hakuna kazi, na ukiangalia watu wengine wako na kazi tatu, kazi nne, kazi tano, na hao watoto wamekaa tu namna hii.

Namba tano, every province should have different laws, as we have different culture. So that our culture can apply when making important decisions. Like marriage, care for children.

Treatment of debts, mimi naonelea hii utungaji wa sheria ingeendelea kwa mikoa kwa sababu kila mkoa wako na mambo yao, mambo yao; lakini ikiwa ni pamoja namna hii tunaweza kuchukua mambo ya huko kwenu tunateta huku. Nachukua mambo ya kwetu hapa napeleka huko kwenu.

Interjection Com. Zein Abubakar: Sasa mzee umetupa mfano mmoja ambao unasema sheria iwe na tofauti katika kila mkoa. Mfano wa kwanza umetoa ni kuhusu ndoa, tupe mifano mingine ambayo sheria itakuwa tofauti kulingana na mikoa.

Jacob Sidailo: Nyinge ni kuhusu kutahiri hii. Kuna watu wengine wanatahiriwa na wengine hapana.

Interjection Com. Zein Abubakar: Sawa nyingine.

Jacob Sidailo: Nafika hapo tu.

Com. Zein Abubakar: Yaani sheria hii italingana na mila na desturi za watu wa eneo hilo.

Jacob Sidailo: Eeh.

Com. Zein Abubakar: Lakini point ingine sasa?

Jacob Sidailo: Point ya sita. The president should protect all provinces in the country, give every province a chance to lead the country. Yaani.....

Interjection Com. Zein Abubakar: Mzee si wewe wakwanza tuwe tunasikiza wengine wakisema, he is not the first person to recommend rotational presidency on the basis of provinces. Kwa hivyo ukiwa umekubaliana na yule alitoa mwanzo unasema mimi naunga mkono hiyo, kama unataka tujue tumeelewa. Ni hivyo mzee tumeelewa hii. Unapendekeza kwamba rais atoke kutoka mkoa mmoja baada ya akimaliza kipindi chake yule atakayefuata rais wa kutoka mkoa huu asisimame tena, wa mikoa mwingine ndio asimame, unataka hivyo?

Jacob Sidailo: Rudia tena.

Com. Zein Abubakar: Kwamba katika uchaguzi, akichaguliwa rais kutoka mkoa mmoja kipindi chake kikiisha, ikifika uchaguzi unaofuata wasimame watu wa mikoa mingine, mkoa huo ungojee mpaka izunguke katika mikoa mingine kisha ndio itarudi katika mkoa huo.

Jacob Sidailo: Sindio nataka namna hiyo.

Com. Zein Abubakar: Sawa sawa.

Jacob Sidailo: La saba na ni la mwisho, sisi tuko na watoto, na hao watoto tunawapatia walimu waelemishe hao watoto. Ni mtoto lengo lake akikosa ni kuchapwa viboko, lakini nasikia sasa mambo inaanza kuzungumzwa ati.....

Interjection Com. Zein Abubakar: Mzee hiyo lugha tumesikia, pendekeza tafadhali.

Jacob Sidailo: Nataka mniruhusu nisome tafsari kwa bibilia hapa, mimi ni pastor na niko na *laughter from the audience*. Nataka nisome proverbs mlango wa 23 na mustari wa 12. Inasema hivi, “apply your heart to instruction and your ears to words, knowledge do not withhold correction from a child for if you beat him with a rod he will not die. *Laughter from the audience*.”

Interjection Com. Zein Abubakar: Toa mapendekezo.

Jacob Sidailo: Sasa mimi noanelea ya kwamba, watoto wakichapwa, walimu ni walimu ambao wanaweza kufundisha watoto, na mtoto akikosea akichapwa anaweza kurudi kwa njia. Mimi naonelea ya kwamba ni vibaya sana kupea, huko kwetu tunalima na ng’ombe, upewe dereva ng’ombe kwenda kulima kwa shamba na uchukue misharati sasa hapo sijui hizo ng’ombe zinaweza kulima kweli? Mimi nafika hapo na mchango yangu.

Com. Zein Abubakar: Asante sana mzee kwa kutupa pia mafunzo ya bibilia. Sasa tunamwita Peninah Msungu mwanafunzi, kiasi Peninah anaenda kuitwa, nimwite Milimo Peter, student. Peter Milimo, eeh Sammy Bushasha, kiasi anakuja Peter usitoke nje tena nitakuita pamoja na Peninah nitawaita.

Sammy Bushasha: I am Sammy Bushasha and I would like to say the following. A government officers serving in any capacity once he is involved in fraud or corruption of any nature should be sacked and not be transferred.

Second, agriculture being the backbone of our economy should be tax free by the government this way, no license to import any agricultural product e.g. sugar, milk products and many others. When we can produce the same, the relevant bodies of e.g. sugar board should be the ones to issue such licenses after ascertaining the situation and discovering there is a shortage, or there is a shortage, somewhere, in short we should not import what we can produce ourselves.

This has led to collapse of our industries e.g. KICOMI, sugar companies like Muhoroni and many others. That is what I had.

Com. Zein Abubakar: Asante sana ndugu uende pale ujiandikishe na utuwachie hio memorandum. Sasa narudi kwa mwanafunzi Peninah Msungu. Peninah kama hayuko, ah Milimo Peter, unakumbuka nalivyosema Milimo utaje jina lako shule yako, darasa lako na miaka yako.

Milimo Peter: I am Milimo Peter from Shamoni secondary school, I am in form four East and I am having the collective views from my fellow students.

Interjection Com. Zein Abubakar: How old are you?

Milimo Peter: I am 20 years old. We as students we want free education the for youth from primary level up to University level. This is because we find that, we have some children who come from poor families, and we see they are clever but they don't get education.

We should have people we students after school we want to be assured of jobs, because we find that some of us after school, we start loitering we do things which lead us may be into death, or some other problems.

Then we have seen that corporal punishment should be back to school because we find that prefects have had hard time to correct students who are problem to schools because they know without being caned. So you find that a student after doing a mistake when you take him to a teacher, he knows very well he is not going to be beaten so next time he will just repeat the same mistake. But if a student is punished or beaten, they will know that if I repeat the mistake I will be beaten, so he will not repeat the mistake.

Then we want that each school should at least have a doctor or a nurse, because you find some schools come from outskirts of the lets say we have the Kakamega General Hospital. Your see some schools when students or pupils feel of fall sick they don't get quick first aid, so we would like the government to make sure that each school has a nurse or a doctor.

Then there must be specialization in taking some subjects right from primary schools up to university level. Such as when we have sciences one should just specialize in sciences right from primary up to University level.

Then we should have cost sharing in institutions such as schools or health centres. You see...

Interjection Com. Zein Abubakar:(Inaudible)

Milimo Peter: Yes.

Interjection Com. Zein Abubakar:(Inaudible)

Milimo Peter: You see the government says that they are paying something....

Interjection Com. Zein Abubakar: I am just saying you just proposed that you should have free education, why do you want to have cost sharing again?

Milimo Peter: We want the government.....

Interjection Com. Zein Abubakar: You have the government to share, a cost sharing in health and other matters.

Milimo Peter: So those are what I had.

Com. Zein Abubakar: Okay just hold on, what if you say you want the government to give job assurance to all students.

Milimo Peter: Yes.

Com. Zein Abubakar: What if there are no jobs? What should happen?

Milimo Peter: They should at least give some money, then they give to these who have finished schools they start something small like a business.

Com. Zein Abubakar: Thank you very much go and sign our register and give us the memorandum you have written. Sasa narudi kwa Penina Msungu, has Peninah come? Peninah you remember I said please give, how many copies of that do you have?

Penina Msungu: My name is Peninah Msungu from Shamoni secondary school, I am 19 years old, a form four and these are the points that I am going to talk about constitutional review.

The presidential powers to be trimmed, by this I mean they should be arrested whenever he has done any mistake. For example we find that sometimes the president trying to criticize some leaders or some people because he see that he cannot be arrested. And therefore we are asking the government that not to honor so much the president such that he sees that whenever he does anything wrong he cannot be corrected or he cannot be reacted upon him.

Secondly, schools should be categorized under one class and by this I mean, day schools, boarding, national, provincials, districts and harambee schools should cease, because facilities are not equally distributed or exams should be set according to the levels. Because you find schools like Alliance girls comparing with Shamoni we are having the same syllabus but these people at Alliance have a lot of facilities they learn a lot comparing to us who just get a little bit of education because sometimes we don't have facilities, or we don't have enough teachers.

Another one, countrywide secondary schools should have low fees, by this I mean schools which are in remote areas like Shamoni comparing with schools like Starehe boys, you find that sometimes they are indicating on the newspaper that we should have the same amount of fees being paid and it's very cumbersome sometimes for those parents who are taking their

children in remote areas like some of us. This happens because he or she took this student to this remote school because that is the much he could afford.

Interjection Com. Zein Abubakar: What do you want to be done?

Penina Msungu: We want the fees to be lowered in the school, which are in upcountry.

Interjection Com. Zein Abubakar: So you want the fee structure to vary according to the status of either urban or rural.

Com. Zein Abubakar: Who pays less.

Penina Msungu: The rural schools.

Com. Zein Abubakar: The rural schools okay.

Penina Msungu: There is also lack of confidence in the National Examination Council, because there has been this problem of leakages each. And every year and we are wondering if some of us are struggling very hard to attain at least to get a very good grade at the end and you find some school they are just starting for the main exam while some of us are just trying very hard, we don't know where the exam is set, but we are just trying to visualize where it's coming. And some like may be right know as form fours are preparing for the exams, there are certain school who already have leakages. They are just studying for the main exam.

Interjection Com. Zein Abubakar: Peninah could you name some of these schools for our information. Taja taja taja Peninah. You know I will tell you this, if there are such things going on it's already illegal under the current issue, legal structures it's illegal. And if a school is known to be doing that, they can even be deregistered the whole class of that year can be deregistered. You know that eh. But I am not trying to put you on the sport, if you don't want to answer that go to the next point.

Com. Mosonik Arap: But I think that is an important question because sometimes also when you are suffering from examinitis your imagination becomes futile you imagine that others have had these exam leak. You know we have been students, so unless you can substantiate not necessarily in public now it can be very dangerous just to assume that they are some who have had the leakages. So this is a police case you should go to the police you should go to a police station and you may arrest all of them.

Com. Zein Abubakar: Peninah you are allowed to see us in private and tell us the names of these schools if you have then.

Laughter from the audience. No I am serious this is not a laughing matter but go on to your next point Peninah.

Peninah Msungu: There should be also gender equality by this I mean, for example now I see approaching to this matter of voting, you see there are very few women who have stood up to for the presidential seat, or other departments; and yet we have so many women who can stand for their rights. And this is happening because women are being undermined, they are just being taken as just to be workers at home, not to be public workers and to be known in the countrywide.

Interjection Com. Zein Abubakar: Kwa hivyo unatakaje Peninah you must give us recommendations.

Peninah Msungu: We want also women to be given their rights to be leaders. One should not be allowed to have more than two or more jobs. By this I mean University graduates should not waste time searching for jobs after they have graduated, and this is causing a lot of harm to our country, because you find many people have finished the Universities and instead of being employed they start loitering and causing more harm to the country.

Interjection Com. Zein Abubakar: Sasa si upropose unataka aje?

Peninah Msungu: We want that immediately after the graduates have graduated, they be employed.

Interjection Com. Zein Abubakar: And if there are is no employment. Your know when we ask these question, if you have not thought of an answer you don't need to answer but there was another speaker who came before you Peninah who recommended that if there is no employment then we give allowances to these unemployed persons. In other words we should have a welfare state. At the end of the month if there is no job, you and get a small allowance. What do you think of that.

Peninah Msungu: It's okay. Continuous assessment test should be continuously included in the KCSE results because you find it it's very cumbersome for someone studying for four years then just doing an exam for two hours.

Institutions should be equally distributed countrywide, by this I mean when we have a certain number of colleges may be in Western or in any other province, that same number should be also in the other province or district.

Payment fees should be made per parent no matter how many children he or she might be having. I think that is all.

Com. Zein Abubakar: Thank you very much just hold on.

Com. Mosonik Arap: Peninah your teacher amesema you give her a copy ya memorandum, locate number seven which you skipped what does it say?

Peninah Msungu: One should not be allowed to have more than one job.

Com. Mosonik Arap: Just read it, ama you have changed your mind. You know you were saying this is students' collective views na nafikiri ukasoma ukaruka na macho. Number seven says what? Okay number five.

Peninah Msungu: Rapist should be sentenced to death.

Com. Mosonik Arap: Okay, you didn't read that now eh, then the last one you remember may be your colleague just said something about caning, corporal punishment. I am asking you a different question now not from here. What is your view of this collective this students regarding corporal punishment, the other student told us something now, we would like to hear yours.

Peninah Msungu: I feel this corporal punishment should be back you see.....

Interjection Com. Mosonik Arap: Even if the principal is sitting there he is not going to punish you because of the views you give. You are free to give us your views, your view okay. Go on.

Peninah Msungu: Yeah, for my sake I feel this corporal punishment should be returned back to school because you find students have now, they are feeling as if they have powers over teachers such that they see themselves as being equal to teachers. I feel it is better if this punishment is returned back so as to have very strict learning institution.

Com. Mosonik Arap: Thank very much go there sign our register and leave us a copy of the memorandum.

Com. Zein Abubakar: Thank you Peninah. Haron Wavito.

Haron Wavito: Majina ni Haron Ndicho Wavito. Wananchi wapendwa haya ndio maoni na mapendekezo yangu kwa tume.

Kwanza uraia, yeyote aliyezaliwa Kenya au kuishi Kenya baada ya uhuru apewe uraia. Mwenye kuishi Kenya zaidi ya miaka kumi anaweza omba uraia. Waume au wake wa raia wa Kenya wapewe pia uraia. Mtoto wa mzazi mume akiwa Mkenya anaweza pewa uraia, sio mzazi mke. Raia wote wana haki na majukumu sawa kikatiba. Kitaba ningependekeza kwamba

isiruhusu uraia wa nchi mbili.

end of tape I

Vyama vya kisiasa, ningependekeza kwa tume kwamba tuwe na vyama vitatu pekee vya kisiasa. Mapendekezo kwamba shughuli za vyama zigaramiwe na wanachama.

Bunge, ninapendekeza kwa tume kwamba, kazi ya ubunge ibaki kuwa ya masaa maalum, ili wabunge wawe na wakati wa shughuli zingine.

Pia napendekeza kwamba, wananchi wawe na haki ya kumfuta kazi mbunge wao baada tu ya miaka mitano kupitia kwa kura. Mishahara ya wabunge na marupurupu ya wabunge au waajiri wao au wafanyikazi maalum, kuwa sababu ni isimamiwe na Public Service Commission.

Pia napendekeza kwamba tuendelee na mipango wa kuteua wabunge maalum ila tu wawe ni watu wenye ujuzi, kipawa ua taaluma ya kipekee au makundi yasiojiweza katika jamii.

Chama, napendekeza kwamba chama chenye nguvu zaidi kiunde serikali. Na tuendelee na mfumo wa vyama vingi bungeni na chama kimoja katika mamlaka ya nchi.

Mamlaka ya nchi: napendekeza kwa tume kwamba masharti yafaayo kwa kutimizwa na mgombea kiti cha urais awe zaidi ya miaka 35, mwenye elimu ya kidato cha nne na zaidi, awe ameo au kuolewa, asiwe mlevi mvunja sheria, awe mbunge wa eneo fulani zaidi ya kipindi kimoja.

Napendekeza kwamba tuwe na kipindi fulani cha kuongoza hili kipindi kiwe cha miaka tano, pia mingine tano, yote iwe kumi, tosha.

Pia napendekeza kwa tume kwamba rais asiwe juu ya sheria. Rais aweze kuondolewa akiwa atakiuka majukumu yake aliyopewa kikatiba kwa kura ya kutokuwa na imani naye bungeni.

Haki ya ardhi na mali, napendekeza kwamba ardhi iwe mali ya serikali. Serikali iwe na uwezo wa kutoa ardhi ya mtu binafsi kilazima kwa lengo lolote, mradi tu igharamie uharibifu wowote wa mali ingine kama miti, mawe au mimea yeyote ile anayo.

Napendekeza kwamba watu wasio wa Kenya wasimiliki ardhi. Pia napendekeza kwamba utaratibu wa umilikaji wa ardhi urahisishwe kwa kuondoa kodi au ushuru.

Pia napendekeza mwisho kwamba, wanawake waliolewa au wenye nia ya kuolewa wasipewe uwezo wakumiliki ardhi, kwa kuwa hii itavunja au itavuruga ndoa zao, au mwenye kuolewa haki yake ya umilikaji ibadilishwe hati kwa mume. Asante.

Com. Zein Abubakar: Asante sana uende pale ujiandikishe na utupe hiyo memorandum tutaisoma. Just hold on, commissioner ana swali.

Com. Mosonik Arap: You recommend three parties, if you are asked which are the 3 political parties that you would recognize, only three out of a bout 50 now.

Haron Wavito: No, just tuwe na vyama vitatu pekee si ati vile ziko saa hii mbali sheria iruhusu vyama vitatu.

Com. Zein Abubakar: Ndio anauliza sasa kuna vyama karibu hamsini, tutatumia njia gani ilikufikia hivo vyama vitatu?

Haron Wavito: Maoni yangu iko kwamba wananchi wanapewa ruhusa kujiunga na vyama vitatu wapewe constitution ya kila chama wasome halafu waamue ni chama gani utajiunga nacho.

Com. Zein Abubakar: Asante sana ujiandikisha na utuwachie hiyo memorandum. Now the two students who had registered themselves as observers but they want to give personal views apart from the views which were given of behalf of students, Wilbroda Mutanda na Lilian Masubwa. Fanya haraka dada, fanya haraka uje. Ufanye kama wale wenzako.

Wilbroda Mutanda: My names are Wilbroda Mutanda from Shamoni secondary school am 18 years old and a form four. I have issues concerning girls as a whole. First, girls should be given a right to own property, by this I mean if a girl gets married somewhere and their marriage breaks down, the girl should be given an opportunity to own the property.

Secondly, equal opportunity should be given to a man and a woman, by this I mean that for example a woman is given the whole burden of the family. Ladies should be given for example if the man and a woman are both working, the man should go to the work earlier than the woman, because women are left to do some work at home.

Thirdly, if a girl marries a man from outside the country, that man should be given citizenship. By this I urge that how comes when a man from Kenya marries a lady from outside the country that lady when you come the Kenyan lady she is given a Kenyan nationality, while even the girl who has gotten married to a man from outside the country when the man comes in the country he is not given the citizenship.

Com. Zein Abubakar: Asante sana Wilbroda, tafadhali enda pale ujiandikishe na utoe hiyo memorandum. Yule mwanafunzi anayefuatia ni Lilian Asubwa. Lilian ufanye kama mwenzako.

Lilian Asubwa: My names are Lilian Asubwa from Shamoni secondary school, am 17 years old in form four. My view is about lake Victoria. If at all 90% of Kenyan rivers drain into Lake Victoria, and yet Kenyans do not benefit from it. We buy power from Uganda made by water from Kenya which is so expensive. Egyptians benefit from Lake Victoria water than Kenyans because of the 1922 treaty which protected river Nile and its resources.

Kenyan government should review its stand on the waters of Lake Victoria and the sources. Uganda be enact to lower prices of the power that it sells to Kenyan. Egypt should compensate Kenyan for our water and soil. Kenya should review the 1922 treaty.

Com. Zein Abubakar: Thank you Lilian just hold on.

Com. Mosonik Arap: Asante sana Lilian uende pale ujiandikishe. Asante Lilian eh. Mbona Lillian anajua mambo ya international treaties zilizoandikwa 1922, ehh sawa sawa, kwa hivyo hata vijana wanajua haki za nchi yao eh. Shatuma Patrick.

Shatuma Patrick: These are collective views of teachers of Shamoni secondary school....

Interjection Com. Zein Abubakar: Give the teacher peace, an equal chance to present in peace. Sitaki watu wazungumze huko nyuma tafadhali. Mwalimu uanze kutaja jina lako na kwavile unatoa group memorandum utaje na group.

Shatuma Patrick: I am Shatuma Patrick from Shamoni secondary school, I am representing teachers and the staff. Our focus was on the composition of the government, election process and resource management.

We propose a modified highbrid system of government in Kenya, a government that will integrate all political parties the opposition included, this is a unique government. Given that the opposition is constitutionally put in place, they should participate in running the affairs of this country. And based on this we propose the following figures in running the Kenyan government. Executive president, the prime minister, the vice president who is autonomous and lastly unatononomous monitoring unit. That all the four above should at least have minimum education qualification of a degree.

The president, the presidency in Kenya we feel should be disinfected because for long it has abused it's power. The president would be elected by 60% votes registered by the Electral Commission of Kenya that particular year. And in addition he should get 25% of total votes registered in at least five popular provinces.

Duties, we will appoint a team of ministers but vetted by the parliament. His or her duties shall be defined the national duties to be delinked from the private one. We should be aware whether the president is acting as the president, whether he is working as a private individual. If he goes to the funeral he should know that is a funeral he is a wife a husband and that kind of a thing.

His office should only have two ministries, the ministry of state and national heritage. The retiring outgoing president should not be assured of his security, neither should he be immune to illegal processes. That will determine the end of his ten years that we will evaluate his performance in the office. And based on his achievement or the success he has brought to the country then shall he be guaranteed of his security.

The prime minister, the prime minister shall be the second presidential hopeful in terms of votes. This will be the second senior most position in the hierarchy of power. His office shall comprise one ministry plus all the commissions in that country such as, the ECK or Electoral Commission of Kenya, that Anti Corruption Commission if there is one, the Public Service Commission and even this Constitution Review Commission should fall under the prime minister's office.

The prime minister shall co-ordinate the operation of such commissions and shall appoint the PS's all the PS's whose credential shall be vetted in parliament before approval.

The vice president, that the presidential hopeful should name his vice president while campaigning for that session, so that we are made aware of who our vice president will be. The vice president shall serve in his capacity until his term expires, or otherwise constitutionally stated. This will make the vice president autonomously. He will be the leader of the government business, he will have one ministry that of the local councils, while he will co-ordinate the functioning of local councils.

In addition he will be the one to appoint directors of state corporations. The next part is our autonomous monitoring units AMU. The units will be in charge of monitoring and supplying necessary direction to the arms of the government, to co-ordinate separates activities over diverse units. This units will comprise high-ranking lawyers, the accountants, the leading educationists, economists, auditors, journalists, religious leaders and soldiers.

The team shall have express permission to access and evaluate the functioning and performance of officers in public and private units. They will give an annual report for assessed bodies and that will be published to show whether the bodies are functioning or not. This part will be headed by the controller and auditor general, who will be appointed by the president but approved by the parliament.

Then the election process in Kenya, a code of ethics should be drawn to govern election process in the country. That anybody holding an office at the time of election should not set rules for election, neither should he or she supervise the election in that country.

The Electoral Commission should have powers to offer certificate of operation with expiry dates. That a political aspirant certificate should run for a maximum of 10 years, thereafter it expires and should not be renewed. The commission should have the power to withdraw or cancel a certificate of operation if:-

1. The candidate causes violence in the election.
2. If the candidate becomes nomadic or migratory, or the candidate keeps defecting. Such a candidate should never acquire any other certificate unless otherwise stated.
3. By elections based on the cost of by elections in Kenya, we suggest that we should only hold by elections: twice within the ten-year of the parliament.
4. Then nominated MPs: given that nominated MPs mostly serve the interest of individuals, they should not hold ministerial positions.
5. Resource management: we suggest that there should be an administrative allocation; there shouldn't be administrative allocation of resources. But resources should be distributed by the market mechanism.

For equitable distribution of resources our provinces should be given the authority, to advise the government on suitable projects to set in a given province to check if there are enterprises that are meeting the target set for. And this should also create additional resources for the province.

Harambee: the harambee spirit has been abused, and therefore harambees if possible should be abolished, because the government has abdicated its responsibility. If we should have harambees then they should be conducted at lower levels especially if there is a sick case or if there is a medical case or education for a child.

Then hospitals or medical care, all Kenyans should be accessible to medical care. The retaining of corpses in mortuaries or patients in hospital, because the bereaved cannot pay the fee should be punishable in the eyes of the law. Thank you.

Com. Zein Abubakar: Thank you very much mwalimu please sign our register and give us the memorandum on processing, thank you. Charles Naika. Mmeona nimempa mwalimu muda zaidi ya dakika tano ingawa alikuwa na memorandum kwa sababu alikuwa anatoa maoni ya group, he was representing the teaching community in the school. Thank you very much.

Charles Naika: Nafikiri maoni yangu itatoshea tu kama dakika nne namna hii, nitakuwa nimemaliza, sitakuwa mtu wa kumaliza wakati.

Com. Zein Abubakar: Sijakuharakisha ndugu yangu, nawaelezea kuhusu mwalimu ndio watu wasishangae kwanini nimempa muda zaidi nawelezea kwa sababu alikuwa anuzungumzia group. Wewe kwa vile ni individual upewe wakati kama Wakenya wengine.

Charles Naika: Mimi nitatoa haki kama Wakenya wengine...

Interjection Com. Zein Abubakar: Nam, nautaje jina lako ndugu.

Charles Naika: Kwa jina naitwa Charles Odongo Naika. Nikitoa haki yangu kama raia wengine, maneno ya kumikili mashamba. Kumiliki mashamba imekuwa ni gharama nyingi na kufikia shamba hakikisha kuwa ni yako, unachukua muda mwingi unakufa na hata unawacha mtoto kabla hujamkabidhi shamba.

Masharti ya shamba inafaa irekebishwe, kila mtu awe akimiliki shamba lake.

Jambo la pili ni kuhusu kitu kama unywaji. Unywaji wa pombe ya kienyeji kama busaa, na changaa, inafaa iruhusiwe na inywewe. Kwa sababu ya kusema hivyo, mimi ni mwananchi wa kawaida ninafanyia kwa mchana moja nafanyai shilingi hamsini, na hamsini hizo sitaweza kuingia nazo kwa bar, na ninataka nikunywe pombe ya kienyeji nitakuwa na nunua ya kumi, na shilingi arobaini nitampelekea mama nyumbani, alinde nayo watoto wake; na ikiwa pombe hakuna Kenya, pia iseweko na whisky isiweko.

Jambo la tatu nikuhusu nimeumizwa, kufikia P3 uipate kutoka kwa polisi inakuwa ni shida unatumia pesa nyingi. Unafikia hata ma elfu ya pesa ndio ufikie hiyo P3, receipt ya pesa ambayo polisi wanapokea kutoka kwako ndio upate P3 uandikiwe risiti. Ikiwa pesa itawekwa kwa upande wa P3 inafaa tuandikiwa marisiti. Na ikiwa daktari wa kujaza P3 atajaza na pesa, vile vile iandikiwe risiti kama vile matibabu inaandikiwa marisiti.

Jambo la kumaliza ni jambo la nne, kususu machifu na manaibu wao, inatakikana wachaguliwe vile vile kama mbunge anachaguliwa na councillor na President. Na ikiwa hatachaguliwa na raia aende transfer. Hayo ndio maoni yangu kwa tume ya kurekebisha katiba.

Com. Zein Abubakar: Asante sana, ndugu asante sana. Hakuna swali tafadhali utoe memorandum hiyo umeandika kwa yule bwana pale, na ujiandikishe, asante sana. Hasbon Shayo.

Hasbon Shayo Ket: Kwa majina naitwa Hasbon Shayo Ket. Yangu nikuanza na katiba. Napendekeza kwa tume kwamba wanapoandika hii katiba watafsiri kwa lugha arobaine na mbili ili iwe lugha rahisi kwa mwananchi wakawaida kujua vile hiyo katiba inasema, isiwe tu katiba ya majudge na lawyers peke yake.

Ya pili ni president powers, mimi napendekeza presidents powers ziwe limited. Yaani hizi power nataka ziwe namna hivi, president awe kwa administration asiwe anakuwa chancellor wa public universities, pia yeye ndio ana appoint commissions za kuchunguza mambo, halafu pia yeye ndio ana appoint vice president. Vice president ateuliwe na bunge...

Interjection Com. Zein Abubakar: Subiri ndugu yangu, ndugu mwenye furaha kubwa kufurahia mwenzako alipozungumza na wewe. Kwa nini hatupi mwenzetu heshima azungumze bila kuzungumza huko nyuma. Nitarudia mara ya mwisho ikiwa kuna mtu yeyote mwenye kutaka kuzungumza na rafiki yake watoke nje wazungumze wamalize maoni yao halafu ndio warudi ndani. Si mnaona mimi nikianza kuzungumza hivyo napoteza wakati wenu? Tumpe mtu fursa azungumze, endelea. Jambo lingine muhimu kujua ni kwamba kwa vile tuna record kila kitu watu wakipiga kelele, hiyo kelele inaingia na mazungumzo yake, halafu itatupa kazi kuyaprocess hayo mazungumzo asante sana. Pole ndugu, pole endelea.

Hasbon Shayo Ket: Halafu jambo lingine ni napendekeza kwa tume kwamba, appointment of chief justice, hiyo ifanywe na bunge asiwe ni president. Appointment of attorney general, attorney general ateuliwe na bunge, na apewe specified period ya kukaa katika office.

Kuhusu mambo ya mashamba, mambo ya mashamba tuko na mashamba ya serikali, na hiyo mambo ya mashamba ya serikali lazima tuwe na mpangilio natujue ile faida hiyo mashamba inaleta vile inatumika, wananchi wa kawaida waelezwe.

Halafu tuko na importation of foods from overseas, importation of foods from overseas wale watu wanataka kuimport vitu kutoka nje, lazima majina yao ikaguliwe na bunge, ili wapewe license.

Mamba ya wasichana kurithi mashamba, mambo ya wasichana kurithi mashamba, hiyo iwachwe kulingana na mila za watu, wasiweke kwa katiba.

Corruption in the government, mambo ya corruption in the government, corruption ikiwa nyingi katika serikali they should call a national referendum halafu wananchi watoe maoni yao vile wanataka, kama watakuwa na kutokuwa na imani na serikali halafu iondolewe.

Leakage of examination, mimi napendekeza kwa tume kwamba, ikiwa mihani utapatikana umeibwa kwa mashule fulani, hizo shule isiadhibiwe, lakini wavunjilie mbali Examination Council, na watu wengine wapya waandikwe sababu hao ndio wanahusika na hiyo mambo.

Mambo ya biashara: kuhusiana na biashara ya wageni, kuna wageni ambao wamekuja katika nchi yetu ya Kenya wanafanyia hapo biashara. Kwa mfano kama tuko na viwanda ambavyo vinashughulika na hii bidhaa ya kilimo. Hawo wenye viwanda

wasiwachiwe mamlaka ya kutengeneza sheria za kufanyia biashara na wakulima. Kwa sababu mtu anachukua advocate anamtengenezea sheria halafu analazimisha, kwa mfano wakulima wafuate hiyo sheria ambayo ametengeneza mwenyewe na advocate bila kuhushisha wakulima .

Wafanyi biashara wakigeni wapewe masharti ya kuheshimu wenya nchi. Ni asante ni hayo tu peke yake.

Com. Zein Abubakar: Asante sana ndugu Hasbon subiri, hakuna swali tafadhali ujiandikishe pale na maandishi utuwachie, sasa namwita Nathan Andala, Nathan Andala, ni mwanafunzi huyo? Ni mwalimu eh, kuna mwanafunzi mwingine alikuwa amejiandikisha kwamba yeye hazungumzi lakini anataka kubadilisha aseme anazungumza, anaitwa Lydia Shamala. Akowapi Lydia.

Nathan Andala: I am Nathan Andala presenting a group memorandum from Shamoni primary school, na tunapendekeza hivi. Jambo la kwanza ni kuhusu uraia wa Kenya. Tuna njia mbili ambazo tumependekeza ya kwanza uwe umezaliwa katika nchi ya Kenya. Njia ya pili unaweza kujiandikisha kama umeishi Kenya kwa miaka saba. Na wale ambao labda niwakimbizi wasiruhusiwe kuandikishwa kwa urai wa Kenya warudishwe kwao.

Tungependa tupendekeze tena kuhusu price of citizen ya kwamba, jambo la kwanza tuwe na freedom of speech, freedom of association, freedom of worship towards the true God not satan.

Freedom of election and then freedom of movement.

Defense and national security, we are proposing that department of defense should be independent from the office of the president.

Recruitment of military personnel and police force should be done:-

- a) On vocational level patristic be parlance to all over the country.
- b) And not be manipulated in any manner e.g. taking bribes.
- c) Should be presided over by assistant chief and chiefs.
- d) Produce academic documents to prove his or her qualifications.
- e) Age limit should be 18 years to 30 years.
- f) Should be advertised in all media.

National security: concerning national security, provincial administration, that is the office of the PC should remain but the names should change to governors who should be elected by ordinary citizens of the area. Old district boundaries should be revived to form former say to district boundaries and all the rest.

Political parties, political parties, any political party in Kenya should have a national outlook, all parties should be registered and led by people with sound mind. All political parties should be financed by ex-chequer. All parties should produce a clear and well spelt manifesto to all.

National media e.g. KBC should be independent and not biased.

Structure and system of government: both the president and the prime minister, we suggest that we want the president to be there in a condition to be on conviction and also the Prime Minister should be there. The prime minister should therefore be the secretary of the head of government and the president should be the head of state, and commander in chief of the armed forces, but should not be above the law.

Judiciary and legislature should be independent and not enforced by a president. Legislature: MPs should be elected by public and not through the influence of bribes and other godfather. The Parliament Service Commission should liaise with the public and ex-chequer to decide or deliberate on the salaries of the MPs. The president should serve for a maximum of ten years and each term should be five years.

Executive president: Kenyan citizens aged 50 – 70 years, when you want to become a president should be aged between 50 and should not exceed 70 years. Should be literate and also fluent in English and Kiswahili. Should not be insane and should be a national figure. A vote of no confidence should be passed against the President who misbehaves within office, while in office; and this one should be done in parliament.

Now instead of provincial administration, which you have said that we replace the PC with the governor, we should have the governors, the DC, DOs, assistant chief, and then we are recommending that we have a very important personnel that we forgot which is very useful on provincial administration, the village elder. This village elders, we want to recommend that should be in our constitution and he should also be paid. That is all.

Com. Zein Abubakar: Asante sana, subiri kuna swali.

Com. Mosonik Arap: You said candidates for the presidency should be literate, what do you mean by literate? Knows A B D or.

Nathan Andala: Pardon.

Com. Mosonik Arap: The educational qualifications for presidential candidates. You said should be literate, so I am

wondering how literate is literate? You said also be fluent in English and Kiswahili, but can you put some qualification of the education. You must know it surely, is it a standard one who is literate or.

Nathan Andala: No he should be somebody with a degree.

Com. Mosonik Arap: Is that what you call literate?

Nathan Andala: Yes.

Com. Mosonik Arap: Okay.

Com. Zein Abubakar: Asante sana mzee utupatie hiyo memorandum, tutaiangalia na uandikishe jina pale tafadhali. Mwanafunzi Lydia Shamala nataka ufanye kama wenzako Lydia.

Lydia Shamala: My names are Lydia Shamala from Shamoni secondary school form four West I am 18 years old. First of all I am going to give my views on the side of education. Setting of examinations should be based on school categories i.e. schools like Shamoni students struggle to get higher grades like B+ but they don't have better facilities as compared to schools like Mang'u and Starehe boys. But when it comes to a time to join University they are just considered equally.

Second I am going to talk on culture, in this country the population of girls is very high so the system should not allow the culture to be oppressive to the girl society. *End of side A* which has led to girls indulging in early marriages and prostitution hence vulnerability of HIV aids. So the government should empower the girl child economically and socially, i.e should be given self-help projects.

Fourth, I am going to talk about violence, girls are exposed to rape causing them physiological environment and torture. They are also looked at as a result of social discrimination.....(?) not heard by low offenses.

Com. Zein Abubakar:(Inaudible)

Lydia Shamala: Collective measures should be taken, i.e. those are indulging in raping activities, the government should jail those people for 14 years and above.

Com. Zein Abubakar: Subiri kidogo.

Com. Mosonik Arap: You said something about culture, you said that the population of girls is very high, then culture should

not be oppressive. What did you have in mind?

Lydia Shamala: It is a fact that the population of girls is very high, the girls should be given right to own their parents property, and when they are married their names should not be changed. The girls should be given the right to own their parents properties.

Com. Mosonik Arap: Just because the population is very high.

Lydia Shamala: Yes.

Com. Mosonik Arap: Since you were trying to say something, for example somebody might say since the population of girls is very high, men should marry more than one of them, you see what I mean, what is the importance of the high population be may you had something in mind which you have forgotten.

Lydia Shamala: I had something, because the girl population is very high it is not a must that they should be married, they can just be given money to start projects.

Com. Mosonik Arap: Since you are saying, since there are so many girls that many of them may not be married, that is why they should be able to inherit from their parents to make them(?) asante sana.

Lydia Shamala: Then on the education side, teachers from upcoming schools like Shاموني should be given chances to participate in setting of the national examination.

Com. Zein Abubakar: Thank you very much Lydia, uende pale ujiandikishe na, Lydia uende kwa yule Programme Officer ujiandikishe na hiyo memorandum utuwachie. Thank you very much. Narudi kwenye list Edward Lwamba. Karibu bwana.

Edward Lwamba: Asante sana tume ya kurekebisha katiba, yangu ni machache sana. Ningependa kuomba wale wametumwa kushirikiana nasi isiwe mambo kama ya mwaka ambayo serikali ilitaka tuandike nini yetu kufuatana na madeni ya A.F.C. na hii nafikiri mtatuma Nairobi, au mtarudisha majibu yetu kutoka Kabras

Sheria ambayo imepewa polisi kushika watu, tuseme kama makosa imetendeka mahali na haswa zaidi upande wa pombe. Utapata mtu ameshikwa hata hakuwa karibu na kwamana hawakupata vile walikuwa wanataka hapo, wanakuwekelea mambo ambayo haiko karibu nawe. Ningependa DO, PC, DC wafute sheria ya bunge, wasitengeneze sheria zao binafsi.

Interjection Com. Zein Abubakar: Sasa umetoka kwa polisi umeenda kwa DC, ah ah si vichekesho nataka kujua kama

ameend apoint ingine.

Edward Lwamba: Nilikuwa nimemaliza ya...

Com. Zein Abubakar: Sasa nilikuwa nataka kuuliza habari ya hiyo polisi, ufafanue tu kidogo. Unataka aje?

Edward Lwamba: Mini nilikuwa nataka nafasi ambao polisi wapewa ati wanafanya kazi 24 hours, wanatumia mamlaka yao kwa njia mbaya. Kama inawezekana hiyo sheria ambaye inawapa 24 hours iende irekebishwe. Wafanye, wakati wa kulala tunalala sisi wote. *Laughter.*

Com. Zein Abubakar: Enda kwa ma DC sasa.

Edward Lwamba: Nilikuwa nimefika kwa PC, DC, DO, tuko na sheria ambayo inatengenezwa na bunge na ndio serikali, lakini utaweza pata ile sheria imeandikwa ile inatakikana mwananchi alindwe nayo, DC anaenda anatengeneza yake tu, kwa mfano nitataja upande wa pombe. Hii pombe ya kienyeji tuko na leseni ambayo inatakikana itolewe na DC, DO, mahali tuko na sherehe ya kienyeji. Mimi siungi mkono mambo ya changaa, pombe ya kienyeji hii na haidhuru mtu mwili, lakini utapata DC amesema hakuna cha permit mtu atapata. Na hiyo kwa bunge hiyo act haijatolewa, ndio inataka mwananchi ajue, tukona mwenzangu alisema hapa kama hii katiba itarekebiswa, iandikwe kwa lugha 42. Kila mtu aelewe katiba ni nini. Sasa hii mambo ya DC ni amri tu kwa mana hako na kofia ya serikali. Pendekezo langu wakati itarekebishwa hiyo mamlaka yote isiwe kwa mtu kama huyo.

Tuko serikali inataka tufanye biashara ndogo ndogo, lakini biashara tunafanya kidogo kidogo utapata mwananchi haendeshi kwa njia nzuri. Utapata mtu ako na sabuni yake hapa ni kitu ya kulipa shilingi tano tu, kama ya urban council au county council lakini anahitajiwa atoe leseni ya shilingi elfu tano na bidhaa zake ni shilingi elfu moja. Vile ataweza kujimudu ndio umaskini ukwishe hatujui itakuwa namna gani hapo. Pendekezo langu biashara kama hiyo serikali iwachie mtu afanye ndio umaskini ukwishe.

Na sheria ya kulinda advocates, advocates wananyanya watu kula pesa. Mimi naweza kuwa na kesi napeleka kwa advocate, advocate anachukua gharama zake zote akishalipwa pesa anakula na serikali inajua amekula na wanamwachilia tu, hawawezi kinisaidia vile nataweza recover hiyo pesa kutoka kwa huyo advocate. Lakini kufuatana na sheria nimempa pesa, kesi imekwisha amelipwa na mshtakiwa lakini ukienda sijui ni mlango gani unaweza ingia ndio wakusaidie hapo. Pendekezo langu tuwe na sheria ile ambaye inaweza shika advocate, au kutetea mwananchi wa kawaida. Nafikiri maoni yangu imefika hapo.

Com. Zein Abubakar: Asante sana mzee ngoja kidogo. Hakuna swali mzee tafadhali ujiandikishe pale na hiyo maandishi utuwachie. Sasa namwita Shivachi Khayo. Kama mtu hayuko, naenda kwa we ndio Mweni Shivachi, eh ukiwako ufanye haraka ndio nisikuruke.

Shibatshi Chesa Khayo: Majina yangu ni Shivachi Chesa Khayo kutoka Shamoni primary school, memorandum yetu ilikuwa imesha somwa lakini baada ya kuyaandika tulipata ingine ambayo nitasema off head. Ni kwamba wakati tunawaajiri walimu, we consider the first people to be trained first, ili mwalimu ambaye alikota chuo 1998 apate first priority bila kumwajiri mwalimu ambaye alitrain 2000 halafu mnafanya huyu anasononeka, anafikiria training haina maana. Asanteni.

Com. Zein Abubakar: Ngoja kidogo, ngoja kidogo bwana Shivachi taja tena ile group yako ndio tuziunganishe hizo hiyo na ile ingene. Taja group.

Shibatshi Chesa Khayo: Tuko na waalimu fulani....

Interjection Com. Zein Abubakar: Ah ah, nasema si unasema unaongezea ili kwa group, utaje group ndio tuziunganishe kwenye rekodi yetu.

Shibatshi Chesa Khayo: Shamoni primary.

Com. Zein Abubakar: Asante sana uende ujiandikishe pale, asante sana. Sasa namwita Isaiah Misiko, Isaiah Misiko ni principal amekuja kushuhudia na walimu na wanafunzi watamwakilisha. Alfonse Shikanga alikuwa amejandikisha kama observer, amebadilisha status zake unakaribishwa utaje jina na utoe maoni kama wenzako.

Alfonse Manase Shikanga: Kwa majina naitwa Alfonse Manase Shikanga nawakilisha maoni ya Abalina group kutoka Shamoni. Mapendekezo ya hii group itahushiana na kwanza ni legislature, the functions of.....

Interjection Com. Zein Abubakar: Hebu rudia tena hiyo organization, kwa sababu hapo ulikuwa umejandikisha kama mtu binafsi, tutajie vizuri organization ndio tuiandike hapa.

Alfonse Manase Shikanga: Abhalina group kutoka Shamoni.

Com. Zein Abubakar: Abhalina group, okay sawa endelea mzee.

Alfonse Manase Shikanga: Mapendekezo yangu ya hii group kwa tume hii, inaanza na kwanza ni legislature, the function of the parliament should be expanded in the following ways, kwanza:-

- a) Parliament should have a say in determining future leaders especially when there is a vacuum or crisis. The speaker should take over the government until the elections are held.
- b) Parliament should determine election dates so that all parties are put in gear for the general election.
- c) Parliament should participate in appointment of personnel. Appointments. Appointment of judges permanent secretaries, provincial commissioners, district commissioners and ambassadors.
- d) Parliament should control the president, it should have a say on anything done by the president. The president should be prosecuted incase he has done wrong.
- e) Members of parliament should not be in charge of their own salaries. Their salaries should be in line with the state of the countrys economy and a separate body should determine salaries of Members of parliament, as well as employees in the country. The concept of nominating MPs should be retained in recognition of an outstanding Kenyan or personally but all nominated Members of parliament should be vetted, so that the serving Kenyan are considered for nomination to parliament. MPs should be full time workers ready to dedicate their services instead of engaging in any other occupation.

The executive: the president should be not be an MP. He or she as a national figure should be seen to represent the interest of the whole country. He or she should be executive, but the powers should be put under checks and balances.

Land and property rights, the state government, or local authority should have control over the use of land. The idea of our daughters inheriting land be discarded since it contradicts our traditions and is obvious a catalyst for breakdown of marriages and social fabric among us the Luhya and many other Kenyan ethnic groups.

Defense and national security: the whole section 78 of the police force act should be over hauled to create room for a police service and not a police force. The duties should be stated out clearly. Recruitment into police and armed forces should be carried out equitably, with a view of creating a national cohesion. That is what I have for the group.

Com. Zein Abubakar: Asante sana subiri kidogo, hakuna swali asante sana uende pale ujiandikishe na utoe hio memorandum. Sasa naita Mheshimiwa Joshua Angatia, Mheshimiwa alikuwa ametoka eh? Akirudi pengine tutampa fursa. Sasa mzee Mheshimiwa akirudi tutampa fursa kwa sababu alikuwa amejiandikisha. Mimi nataka kutumia haki yangu ya kumpa mtu fursa, mzee unataka kuzungumza? Uko tayari uje hapa utaje jina halafu uendelee.

Musa Timoso Mulese: Asante sana kuniuliza nieleze maoni yangu. Mimi nilitumwa na wanakanisa la African Church of the Holy Spirit. Na kwa majina ni Musa Timoso Mulese. Sisi watu wa Africa Church of the Holy Spirit tukitaka kuchagua kiongozi tunachagua na sheria yetu ya roho mtakatifu. Hatuchagui kwa kusema ati twende mlolongo na tupige kura, la. Kwa hivyo ndio mimi nasema, sheria yetu ya kanisa, si vizuri kuingiliwa na kortini sababu ikiwa maneno imekosekana irudi kwa

wazee wenye kanisa watatue hiyo sheria. Na hiyo sheria iliwekwa kutoka mwaka wa hamsini na mbili ndio tulitengeneza katiba yetu ya Africa Church of the Holy Spirit.

Kiongozi wetu wakwanza alikuwa Solomon Nyahinduha alikufa. Halafu ndio tukaweka Kepher Kumaguru, Kepher Kumaguru alikufa ndio tukaweka Peter Julius Shimonje. Peter Julius Shimonje wakati alikufa, tukaweka Etechechi Tshin kuwa kiongozi wa kanisa letu la African Church or the Holy Spirit. Kwa hivyo yeye angali uhai.

Com. Zein Abubakar: Kwa hivyo mzee sisi tumeandika hivi, kwamba unasema wakati wakufanya kazi zenu mnapotumia sheria yenu la kanisa lenu hamtaki muingiliwe na mahakama.

Musa Tsimoso Ngeche: Ehh.

Com. Zein Abubakar: Sawa hiyo tumeandika, iko ingine.

Musa Tsimoso Ngeche: Halafu hiyo ndio nasema Etechechi Tshin angali uhai, hatuwezi kuchukua mtu mwingine kuwa kiongozi hila Etechechi Tshin kwa sababu yeye bado kufa. Hiyo ndio sheria yetu tuliweka kwa katiba yetu la kanisa la African Church of the Holy Spirit.

La pili, mimi nina ng'ombe kwa barabara, dereva anaendesha gari na ananiona na ng'ombe, anapeleka gari kwa kasi na ananigonga na ng'ombe pia inagongwa. Ng'ombe anakufa na mimi naanguka huko nikivunjika mkono, baadaye inasemekana ng'ombe yangu imegonga motoka, ng'ombe ndio inapeleka mtokaa ua ni mtu. *Laughter from the audience.*

Com. Zein Abubakar: Asante sana mzee ngoja, kwa hivyo nataka wanafunzi wawache kucheka sana. Ngoja mzee, ngoja mzee, ngoja mzee. Nasema hivi tumuheshimu mzee tumpe fursa aseme bila kumfanyia fujo. Endelea mzee tafadhali.

Musa Tsimoso Ngeche: Kwa hivyo nataka hiyo sheria vile iliwekwa katiba yetu ya Kenya irekebishwe. Si vizuri mtu amegonga ng'ombe halafu anasema ng'ombe imegonga mtokaa. Inatakikana dereva yule aligonga ngombe alipe mwenye ng'ombe pamoja na mejeraha ambaye mwenye ng'ombe alipata.

La tatu mimi baba yangu aliniwachia shamba, na sisi ni vijana kumi au tano au moja kama mimi namna hii, hiyo shamba la babangu mimi siwezi kujivunia mali ya babangu nikitaka nigawie watoto au wenzangu, inasemekana sheria imewekwa katiba ya Kenya kusema lazima mimi nistaki babangu yangu tena kotini, na babangu alikufa hata kama ugonjwa ilinivuruta tu kwa mkono yangu sikukubali ati baba akufe. Kwa hivyo mali ya babangu si vizuri mimi niende nistaki tena babangu kortini kwa sababu alikufa bila mimi kukosana naye. Hiyo sheria vile katiba iliweka hati tushtaki baba mama yeye amekufa hiyo irekebishwe. Maali ya baba ni ya baba, inatakiwa watoto wake wajivunie mali yao.

Com. Zein Abubakar: Sawa mzee, unataka katika kurithi ardhi, mtu arithi ardhi bila mapingamizi na matatizo mengi.

Musa Tsimoso Ngeche: Mm.

Com. Zein Abubakar: Sawa, endelea mzee.

Musa Tsimoso Ngeche: La tatu, mimi baba yangu alikufa ananiwacha na watoto wa vijana na wasichana. Na sheria yetu ya wazee walio weka nikusema mtoto akizaliwa katika boma yao naye ni msichana huyo ni mtu wakutoka kwa boma yoa anaende kutengeneza huko boma ingine na uzazi wake huko, si vizuri arudi kwa babake kupata mali ya babake tena. Kwa sababu tukikubali wasichana wafanye hivyo wengi watatoka mahali waliolewa na watoto wanakuja kujaza shamba ya babangu halafu vita inatokea. Ni hayo machache Mungu abariki neno.

Com. Zein Abubakar: Asante sana mzee, uende pale uandikishe kwenye register kwamba umetoa maoni kwenye tume ya kurekebisha katiba. Asante sana mzee. Sasa namwita Patrick Msungu.

Patric Msungu: Kwa majina naitwa Patric Musungu. Na ningependa kuanza na uongozi wa nchi yetu. Ningependa kuona uongozi ukiwa ni uongozi wa muungano wa kitaifa. Na taifa hili la Kenya liwe likiongozwa na rais, makamu wa rais na waziri mkuu, ambapo waziri mkuu ataunda serikali na pia aiongoze. Ningependa katiba ambayo itaheshimu mila na utamaduni wa Kiafrica. Wala sio hii katiba yetu ambayo tuko nayo kwa sasa, ambayo inaheshimu mila za Kiingereza. Mfano ni kwamba hivi sasa wasichana wanaruhusiwa kuridhi mali ya babake, hio ni njia moja yakuwawunja moyo wasioleke. Utamaduni wa Kiafrica ulibidi binti aoleke ili aridhi mali ya bwanake.

Kuwe na wakuu wa mkoa ambao watachaguliwa na wananchi kulingana na kila mkoa binafsi. Na wachaguliwe kila baada ya miaka minne. Wawe ni wenyeji wa mkoa huo, ili kila mkoa uwe unaongozwa kulingana na mila za watu wa mkoa huo. Ingawa kutakuwa na muungano wakitaifa, lakini mila zingine za kitamaduni ziheshimiwe kulingana na mkoa wenyewe binafsi.

Rais apunguziwe mamlaka; hii nikama ifuatavyo rais awe akipendekeza majina ya mabalozi wenye viti vya mashirika mbali mbali, lakini bunge liidhinishe isiwe tu ati rais anachagua na ni mwisho, hapana. Ningependa kumuona rais ambaye ako chini ya sheria, ikiwa ataenda kinyume zaidi ashtakiwe. Rais aruhushiwe kuongoza mihula miwili ya miaka mitano mitano ikiwa atachaguliwa.

Na ningependa kiundwe chombo ama tume itakayo fuatilia mienendo ya wafanyi kazi wa sherikali, hawa nikama makatibu wakuu, madaktari, maafisa wa lands pamoja na maafisa wa elimu na pia hata polisi. Hii ni kwa sababu mwananchi ananyanyaswa sana, kwa mfano polisi wakikudhuru inabidii uende ureport kwa polisi na huyo polisi hawezi akakubali kujishtaki

yeye mwenyewe.

Sheria ya kuweka watu kwa pingu. Ningependa sheria hiyo irekebishwe kwa sababu hivi sasa Kenya tuko uhuru. Ikiwa mtu amefanya makosa, haya makosa madogo madogo, achukiliwe tu na polisi bila kuwekwa pingu. Hii mambo ya kuwekwa kwa pingu ni yale mambo ya zamani ambayo tulikuwa tukigandanizwa na wabeberu. Isipokuwa pingu itumiwe tu kwa jambazi. Watu hao wa makosa madogo madogo wakishafikiswa huko kwa polisi ili kupunguza msongamano kwa cell ningependa watu hao wapatiwe free bond, ama wahojiwe ikiwa watapatika na mahatia, wapatiwe free bond ya kuenda kortini siku yeyote ambayo polisi wataamua, wala sio kusukumwa cell.

Katiba isiruhusu mtu mmoja kumiliki zaidi ya shamba ya eka mia moja. Shamba ambalo litakaa bure bila kutumiwa liwe likilipiwa ushuru ili kupunguza mashamba watu wako nayo, mtu mmoja ako na shamba eka mia moja ni imekaa bure, wakati mtu mwingine naye ni squatter hapa Kenya. Hii ni kuchochea kila mtu kulima vizuri, katiba iondoe ushuru kwa vifaa vya kilimo hivi ni kama ufuatavyo: mbole, mbegu, majembe, hata matractor na madawa ya kilimo. Hii ni kwa sababu sheria imefanya kilimo imekuwa na gharama kubwa na kuleta umaskini hapa Kenya, kwa sababu sio kila mtu atamudu hiyo garama. Viwanda vya kilimo pia, kama vya sukari, kahawa majani chai na vinginevyo viondolewe ushuru wa maligafi humo kiwandani ili kupunguza bei ya bidhaa zetu. Hii ni kwamba kwa mfano bidhaa zetu ziko na bei ghali

Interjection Com. Zein Abubakar:(Inaudible)

Patrick Msungu: Haya ofisi ya land igawanywe hapa Kenya katika kiwango cha tarafa hii ni kwa sababu ni process ndefu sana kwa mtu kufuatilia ili kupata land title deed, na ningependa mahakama maalum ya mashamba iteuliwe katika kila taarafa ili kurahishisha makesi za mashamba.

Katiba iruhusu watu wenye makosa madogo madogo kupewa free bond hata kortini...

Interjection Com. Zein Abubakar: Hiyo si ushasema bwana.

Patrick Msungu: Nilisema kwa polisi na sasa hii ni kortini.

Interjection Com. Zein Abubakar: Kwa hivyo sasa ukitaka kurudia ina maana umemaliza.

Patrick Msungu: Halafu ninamalizia hivi sheria namba 87A, ifutiliwa katika sheria zetu za Kenya, hii sheria inanyanyasa mwananchi kwa sababu polisi wanashindwa kutoa ushahidi kortini halafu iwachiliwa under section 87A, ukifika hapa nje, tena unashikwa kesi inanza upia.

Na pia hukumu ya kuchapa viboko iondolewa Kenya, na hukumu ya kifo pia iondolewe. Ni hayo tu.

Com. Zein Abubakar: Mimi nina swali, unaposema provincial administration wachaguliwe na watu na ambao wanatoka katika mikoa hiyo, maanake nini kwamba mimi Abubakar Zein niwe nafanya biashara hapa Kakamega, naweza kuchaguliwa kama PC.

Patrick Msungu: Nilikuwa nasema ikiwa kwa mfano hapa Western, tukichagua PC wa Western, awe ni mkazi wa Western yaani mwenyeji wa Western ili aelewe mila zetu.

Com. Zein Abubakar: Ndio nasema nikiwa mimi nimekaa hapa mkaazi wa miaka mingapi?

Patrick Msungu: Mkaazi wa zaidi wa miaka kumi na mbili.

Com. Zein Abubakar: Okay sawa. Lakini si lazima awe ni mtu kutoka kabila la Western?

Patrick Msungu: Yaa.

Com. Zein Abubakar: Haya asante. Halafu utoe hiyo memorandum, Raphael Juma, wacha siasa huko mtu anayepiga kelele huko zamu yako itafika uje utoe maoni. Bwana Raphael Juma ni zamu yako karibu.

Raphael Juma: Asante sana bwana commissioners. Mine is to contribute on the governance of our country. My name is Raphael M. A. Juma contributing as an individual citizen.

What type of government would we like to have? I would prefer that we continue with the current system we have, that we have an executive president who after being elected anaendesha kazi ya country hii bila kungojea mtu mwingine. So hiyo fikira ya kuwa na president ambaye ni ceremonial, vice president na prime minister ambaye atakuwa anafanya kazi, for our economy is so small, so low, we can't afford those luxuries.

Ya pili, a constitution should be able to set the number of ministries which each government should have, because this is affecting the deliver services to wananchi. Because also you find that the president keeps on changing ministries from one to another. Take for example ministry of agriculture, today its ministry of agriculture, tomorrow ministry of agriculture and livestock, the next day ministry of agriculture development marketing you to keep on demolishing changes.

Interjection Com. Zein Abubakar: Tushaelewa Mzee ukisema ukisema ministries isichangiwe na constitution zitakuwa ni zile za ministry ya contitution ikawa haikuwekwa kwa contitution, mtu anaweza kuweka hata ministry of sky, tumeelewa mzee.

Raphael Juma: Namba three, inaonekana the deliver of services to wananchi is affected by the fact that appointment ya ministers haingalii kuona yule ambaye anachaguliwa kuwa minister anajua na anaelewa kazi ambayo atalingana au atahitajiwa kufanya kwa hiyo ministry. Napendekeza ya kwamba minister ambaye anachaguliwa awe anajua; has some knowledge of the ministry which he is being appointed to head. So that I can discharge and understand the recommendations.

These ministers na also nominated MPs, nominated MPs should not come from losers, because if people have been excluded from competition I have lost. Akichaguliwa anao kipingamizi kwa wengine ambao wako nomination should be for non participating candidates. And from special interest outside those political lines, ndio wasaidie kuimarisha government.

These ministers na nominated MPs should be vetted also by parliament; kwa maana wengine wanachaguliwa ambao wanajulikana their background has too many problems, scandals and they would not perform well.

Parliament: the dissolution of parliament, election dates, and when the new president should take over should be set in the constitution so that it is not at the whim of the incubate president to keep on deciding his or her convenience. And therefore people can not plan you set in confusion and those things should be enshrined in the constitution so that inajulikana election day is such a time, the taking over such a time na watu wanapanga mpango yao.

Now a president kama Moi, a person has been elected to be a president may be he or she, and had been sponsored by party, once has been elected to the president he is now above the party politics. He is now the president of all the parties, opposition(?) everything. I propose that once one has been elected a president he should relinquish party leadership, the leadership of the party should be passed on to somebody else, kwamana this makes the incumbent president to keep on talking about party affairs instead of dealing with national issues.

The election the President the current law which says that, he is the one who should get the majority of the others. Like my colleague had proposed here, I propose that any president should come from anywhere but should get more that 55% of all the registered votes in the country. And none of them can get it.....

Interjection Com. Zein Abubakar: Ngoja mzee wangu, more than 55% of the registered voters or cast votes.

Raphael Juma: Cast votes. And if neither of them can get then there should a be re-run by the highest two. Because the President we are looking for is the one who should be able to be acceptable to the whole country.

Number five is a retiring president, when the president is retiring, if he has done all well and he will be given whatever the time and benefits they decide, he is a national figure whom we should be able to be referring to as the honorary person in the country. Kwa hivyo I would propose that any retiring president should not be in charge of the leader of any political party. He

should be only playing own roles to national bodies. Because when a retiring president now takes over the whole of a political party he has now come down to the lower level, when he is already above. And then in that case if he is a retiring president and now participate in local political activities, then he cannot qualify for national benefits.

Interjection Com. Zein Abubakar:(Inaudible)

Raphael Juma: Oh sasa ya mwisho tu.

Interjection Com. Zein Abubakar:(Inaudible)

Raphael Juma: Haya. Now also the second the president should not be above the law, kwa maana we have a number of things which are done by the President to the detriment of the country, and this is affecting the use of our national resources. Should I say for example, we are talking of fighting poverty let's say a national sugar research station which is supposed to be used for carrying out research, to improve the productivity that can feed this nation; and you find it is being sub-divided, and you are not providing an alternative research institution that will take care of the population. So if such a thing happens the President should not be above the law and there should be an institution, which should be overlooking and monitoring the performance of a Government; and this institution should be answerable to Parliament. And it should have powers to prosecute. Either the president or any minister or any public servant, who is misusing national resources because this is the area where we find very many of our leaders not taking care of national interests.

The last one Mr. Chairman is the judiciary, we have the lower court and the high court and then we have the appeal court. There have been very many incidents which you have seen. When it comes to the appeal court, because the appeal judges know the decision they make is final and nobody else will be able to cross examine or check it, very many wrong decisions have been made including politically motivated decisions. Therefore I would recommend a superior court made of some retired judges who will be reviewing appeal court judgments that have been made; in order to make sure that we are all covered and people are serious. Thanks very Mr. Chairman.

Com. Zein Abubakar: Please just hold on for maswali kidogo.

Com. Mosonik Arap: What would you like us to call the superior court.

Raphael Juma: What?

Com. Mosonik Arap: Name of the superior court.

Raphael Juma: Well just call it a superior court, like we have the high court. Because we have the low court, you have high court, then you have the appeal court, and this is the superior court to the appeal court.

Com. Mosonik Arap: How do you call it?

Raphael Juma: Superior to the appeal.

Com. Mosonik Arap: I am saying can we call it supreme court.

Raphael Juma: Supreme Court, whatever other name we will give we will give it higher, judicial powers than the appeal court will suit.

Com. Zein Abubakar: Sawa bwana Juma, mimi ninaswali linalohusiana na hilo superior court you are proposing, you are suggesting that the superior courts should be made up of retired judges. Judges are mandatorily required to retire under the current constitution when they are 74 years. And one of the reason why they are required to retire at 74 is because with age people assume that your ability to dispense justice suffers, but your are suggesting that these superior courts should be made up of retired judges.

Raphael Juma: Yes infact my proposal would be the retirement age for judges should be reduced from 74 to 65-70 so that we have some years where these people who have retired and have no personal interest theirs is to enhance whatever they contributed, so that they have those ten years on which they can contribute in any other aspect.

Com. Zein Abubakar: Thank you very much bwana Juma, please give us the memorandum you have written, and sign our register.

Raphael Juma: Thank you very much.

Com. Zein Abubakar: Asante sana. Naika Makale wa box 736 Kakamega. Hayuko akija pengine tutaambiwa, Daniel Makale inaonekana hao wanahusiana, Geoffrey Molenje pia anaonekana hayuko karibu akija pia tutaarifiwa, Richard Injenjere. Mzee wewe ndio bwana Injenjere.

Richard Onjenjere: Okay kwa majina naitwa Richard Onjenjere, nikiwa mkaaji wa eneo hili. Mimi kulingana na maoni ya siku ya leo nikaonelea nichangie. La kwanza ikiwa kwa upande we police officers ambao wanatuhudumia Kenya nzima. Tungependelea ikiwa hawa ni wafanyikazi wetu, waheshimu pia wananchi. Kwa sababu mtu anaposhikwa ni afadhali apelekwe police station afanyiwe mashtaka badala ya kupigwa na kusukumwa na kufanywa tu kienyeji. Na ni mtu ambaye pengine hana

makosa. *End of tape 2.*

Beginning of tape three

Kwa mfano kama hapa jirani wetu Uganda, wanaposhika mtu ni kupelekwa polis station mwishowe anapelekwa kortini na afanyiwe mashtaka hata kama hana makosa. Jambo lifuatalo na mapendekezo yangu ni kwamba ikiwa baba amekufa ameniaga bila shamba na shamba liko kweli. Na kwa kusema ukweli shamba ni letu vijana wawili watatu hivi. Inatubidi tumshtaki baba. Tukishamstaki baba ndiyo turidhi hiyo shamba lake. Inakuwa ni vigumu kwa sababu kushtaki kortini unatumia pesa ambazo zinatugharimu hata eka moja ya shamba. Inaonekana ya kwamba ikiwa kuna mtu ambaye analipa pesa kulingana na lile shamba ya baba na wana kama ni pesa vijana mkiwa watatu watano hivi ni kama mnanunua hilo shamba lote. Sasa ina lazimisha tuwe kama hatuna uwezo na tuna wababa ambao wamebaki ambao wanaweza kutufanyia ushahidi na tupewe tu shamba bila hata kununua. Kwa hivyo pendekezo langu ni kwamba sheria ibadilishwe wazee wa nyumbani wakae, waone huyu kijana ni wa mzee fulani ambaye alimwacha. Wakati wa mashamba wapande makonge na hiyo iandikishwe upewe land title deed. As simple as that. Rather than kuumizwa na pesa zingine zinatumiwa na watu wengine sio jamii yenu.

Pendekezo la mwisho ni kuhusu chali mwingine aliguzia lakini kwa sababu nimeandika nitaisoma. Watu wengi mashamba yetu iko karibu na barabara. Shamba upande moja pengine ni shamba lako, huku tena ni lako. Ulibahatika pengine barabara ikapita katikati ya shamba lako. Wewe mara kwa mara malisho ya ngombe ni karibu na barabara na huyu dereva naye ametoka huko na gari pengine amelewa au ni ajili vile mnavyo jua huja na gari anagonga kondoo yako au ng'ombe yako; na ni ngombe yenye dhamani ya shillingi elfu sita na hiyo gari ni la milioni ya pesa. Wewe mwananchi unalazimishwa lazima uende na urekebishe hilo gari kwa gharama ya pesa mingi na wewe ndio ng'ombe yako imekufa, na hilo gari pengine ni kitu kidogo ambacho mwenyewe angeweza kurekebisha. Lakini kwa sababu wewe ni maskini wewe ndio unafwatwa ili watoe pesa kwako ulipe pesa ya kutengeneza hilo gari. Kwa kutoa maoni naona kwamba hiyo sheria kulingana na serikali yetu tukufu na uchunguzi wenu ulio mwema tafadhali irekebishwe gari ikishagongwa tafadhali hiyo itengenezwe na mwenyewe kwa sababu pengine alikuwa mlevi hatujui. Ni hayo tu machache nilikuwa nayo na sema asanteni.

Com. Zein Abubakar: Asante sana, nina swali ndogo mzee wangu mawili. La kwanza unasema kwamba urithi wa mashamba ufanywe uwe kwa njia rahisi na unapendekeza wazee wasimamie mambo hayo, na je ukiwa kuna mmoja wa mrithi hakufurahia au hakukubali uamuzi wa wazee atapeleka malalamiko yake moja, na la pili je mkulima mwenye ng'ombe anajukumu la kuchunga ng'ombe yake ndio isiingie barabarani.

Richard Onjenjere: Okay la kwanza kuhusu ambaye mlalamishi ambaye hakutosheka na shamba lenye amepewa na wazee au wababa wenye walibaki, hilo sasa itakuwa ni different case; kwa sababu pengine ana sheria zake tofauti na ile sheria nimesema. Kwa sababu nimesema.....

Interjection Com. Zein Abubakar: Anaenda wapi?

Richard Onjenjere: Ataenda kortini.

Com. Zein Abubakar: Sawa.

Richard Onjenjere: Yah. La mwisho sometimes we have this careless drivers ambapo atapata tu ng'ombe hata kama uko kando ng'ombe inachungwa na anagonga.

Interjection Com. Zein Abubakar: Nimeelewa hiyo na je ikigongwa ng'ombe ambaye haina mchungaji?

Richard Onjenjere: Itakuwa inamchungaji.

Com. Zein Abubakar: Ah, wewe unasema kawaida ni makosa ya dereve, sasa akapata ajali na ngombe ambaye haina mchungaji. Je mkulima yule mwenye hiyo ngombe ana majukumu yeyote?

Richard Onjenjere: Ya, anamajukumu.

Com. Zein Abubakar: Asante sana uende ujiandikishe pale. Jeremiah Sunguti, kiasi mzee Jeremia anakuja kukaa, wacha niite watu kama wane hivi wajue vile list inakwenda usianze kutoka nje labda uko mbali sana halafu tukikuita huwe hauko. Baada ya mzee Sunguti, Soul Khakhai nataka nione mkono ni nani? Ni wewe Saul? Haya, halafu Saul atafuatiwa na John Kiprich, John Kiprich hayuko? Hayuko halafu atafuatiwa na Festus M. Shimwa wa box 98 Kakamega hayuko, Richard Waremalu uko mzee eh, utafuatiwa na Benson Chitala uko? Na Jane Kauka, Jane Kauka sawa mtafuatana njia hiyo. Haya mzee Sunguti uanze kutoa maoni yako.

Jeremaih Sunguti: My names are Jeremiah Chiruka Sunguti mkaaji wa hapa South Kabras. Naongea juu ya serikali. Ningelipenda president ambaye ana powers halafu awe na maanaibu vice president watatu, mmoja awe in charge of the executive, wa pili awe in charge of Parliament yaani mambo ya bunge, na watatu awe in charge of judiciary.

Baada yao tuwe na prime minister. Parliamentary system inafanyika kwa nchi zingine ambayo imefaulu kama Britain, India hata hapo jirani wetu Tanzania wana serikali kama hizo.

Mambo ya political parties, Kenya tuko na political parties nyingi ambazo hazina maana ningelipenda zisiwe zaidi ya tano. Na zile parties' ziwe ambazo zina wafuasi kwa kila corner ya Kenya, sio parties ambayo ziko tu na wafasi area moja.

Defense and national security, defense and national security tumeona mara mingi inasumbua. Zamani tulikiwa na ministry ya

defense, irudishwe. Pia tulikuwa na ministry ya internal security, pia irudishwe ili kila ministry to deal na hiyo na nafikiri huduma itakuwa mzuri kuliko sasa kwa sababu zote zimeunganishwa kwa ofisi moja ya president ambayo iko congested.

Judiciary, it should be restructured, yaani irekebishwe kwa sababu huduma zake kwa raia wakaida zinahuzunisha sana. Kama mtu anakesi, yule ambaye anapesa ndio anasikizwa kwa maana. There a lot of corruption in courts that is what I want to say, ufisadi iko mingi kwa court, kwa hivyo irekebishwe kabisa na iwe free from bribery.

Local authority, ningelipenda local authority iwe na mamlaka. Tukilinganisha local authority ya sasa na ile tulianzisha na uhuru, ningelipenda kama ile wakati tulianza uhuru local authority iwe hivyo; kwa sababu walikuwa na mamlaka na hata ungalikuwa unaona kazi ambayo walifanya hata mashule ndio walikuwa wanasimamia na tulikuwa tuaendeaswa kwa njia safi.

Chief officers of local authority should not be above the chairman of the local authority kwa sababu hapo ndio inaleta uvurugano mingi na mambo ya grabbing of land.

Interjection Com. Zein Abubakar: Wewe unataka aje mzee? Local authority iwe na haki ya kuhire na kufire.

Jeremaih Sunguti: Correct. Land mambo ya mashamba. Nataka kuongea na wenzangu ambao wametaja hiyo mambo, naona Kenya hapa tuko watu around 30 million. Ukiangalia na watoto ambayo tungali nazaa mashamba imeanza kuwa madogo kwetu, especially let me say now in South Kabras where we are, kuna watu hawataona ½ acre au ¼ an acre but you will get an individual owning nearly a province.

Interjection Com. Zein Abubakar: Pendekeza.

Jeremaih Sunguti: Okay I want, napendekeza ya kwamba mtu binafsi asiwe na shamba zaidi ya acre 200. Oh sorry mambo ya urithi ya shamba ina gharama mingi sana hata wananchi wote mashamba ilimalizika ku.. title deed hakuna kwa mwananchi kwa sababu ya gharama mingi wakupata title deed. Gharama ipungzwe ili mwananchi apate title deed kwa urahisi.

Provincial administration, ibaki na iongezwe nguvu, kwa sababu ilinyang'anywa nguvu wakati wa ilemuungano wabunge juzi wakati walirudisha mamlaka yao, sasa hivi hawana mamlaka hata raia hawajui wanafanya nini.

Badala ya province tuite region, iwe regional in that case I am proposing the majimbo should also be adapted. So each region should be governed by a governor, then tuwe na regional assembly.

Na DCs, DOs, chiefs and so forth should be there but with powers.

Interjection Com. Zein Abubakar: Iko lingine?

Jeremaih Sunguti: Iko lingine. Ningelipenda also kuongea juu ya urithi ya wasichana. Hapa kimila, yaani urithi ya wasichana ifuatane na kimila ya kila kabila. Kama kabila fulani inasema msichana arithi shamba, arithi. Kama kabila yangu hii Kabras inasema wasichana akitoka kwa boma lake anaenda kabisa, aende arithi huko.

Interjection Com. Zein Abubakar: Muda wako umekwisha.

Jeremaih Sunguti: Oh muda wangu umekwisha. Kama hata imekwisha.

Interjection Com. Zein Abubakar: Mimi sikuzuii kusema lingine, na naona unakunja kunja karatasi, kuna lingine lolote ambalo limebakia mzee?

Jeremaih Sunguti: Wakati huu sina lakini kuna joint memorandum ambayo inakuja ambayo itamaliza yote.

Com. Zein Abubakar: Sawa. Asante sana uende ujiandikishe pale hukuna maswali. Saul Khakhai.

Saul M. Khakhai: Thank you commissioners may names are Saul M. Khakhai and my views are as follows. First of all I propose that we maintain the state of government we are having on condition that the powers of the president will not be above the law governing this land.

Secondly, vice president should also be elected directly by the electorate, unlike as the case today where he is appointed by the President; as such he does not perform his duties effectively since he fears intimidation from his superior.

Thirdly, he should also be a person who has served for at least two terms or five years(?) to ten in Parliament, this will qualifies him to contest for the Vice President's seat.

Fourthly, I would also like to have a nation where the post of the vice president as the head of the state is rotated tribal wise, but not a monarchy sort of government, where a father leaves to the son, daughter or even to a friend.

The Judiciary, I propose that it should be a very free and independent body which can make decision on its own without fearing any strong post from somewhere.

The other one is about the Electoral Commission, you find that there is a case where a candidate loses a petition. He loses during campaign time, and then he finds a petition. When the commission is proved guilty, I propose that the commission right

from the top should collaborate with the one who is petitioned to meet the expenses. Commissioners those are my views today.

Thank you.

Com. Zein Abubakar: Asante sana namuita sasa bwana Richard Weremaru. Karibu mzee nilisema halafu atafuatwa Benson Chitala na Jane Kauka wakae karibu.

Richard Werenalo: Jina ni Richard Werenalo, mkaaji wa South Kabras hapa, sub location Cheboso, area ni Makale. Na nitaongea sehemu kama tano hivi mnihurumie.

Com. Zein Abubakar:(Inaudible)

Richard Werenalo: Haraka nikiharakisha nitaharibu. Sehemu zangu za kwanza, napendekeza foundation ya Kenya tangu sitini na tatu tupate uhuru, tulikuwa na watu wachache sana kama milioni sita half. Sasa ninapendekeza kwa imani waliotembeza hiyo kazi mpaka wakati ambao tuliwachiwa mtukufu rais Daniel kwa milioni kumi na saba. Nastahili apewe heshima kubwa kwa kiongozi ametambua hii taifa, taifa hili limetambulika ulimwengu mzima kwa juhudi yake.

Na ninapoangalia upande moja nikushukuru tu, upande ya Mungu. Tuna province nane katika Kenya. Hizo province kwa upande wa uchaguzi, ingawa mzee ashamaliza yake lakini muhula ingine napendekeza ya kwamba province kama Western, Nyanza na Rift Valley tutakuwa tunatoa mtu wa kugombea kiti cha urais. Kama tumemaliza msimu ambayo tuko hii. Central province, Coast na Northern Eastern zitawatoa mgombea kiti cha urais tuje tibishanie. Na zile provinces zime baki mbili hizi, zitamchagua makamu wa rais kwa wakati ambao tunakuja. Province mbili kama ya Nairobi sijui ingine ni gani, haya ndio sasa hizo tutapendekeza huyu makamu wa rais kwa sababu tunaona makamu wa raisi kuwe na mfano mzuri katika Kenya yako vile unalea. Hiyo napendekeza kwa imani yenu, kwa tume.

Saa hii nimerudi kwa upande ya commissioner wasimamizi wa uchaguzi, hapo ni hasa kuwasihi lakini kazi yao inaumiza wananchi, hiyo inaumiza mwananchi. Kwanza napendekeza tupate viti vya parliament 510. Wizara zipanuliwe zaidi ya thelathini na sita.

Ninaonelea hilo neno kuongea kwa sababu iwekwe kwa katiba ni population ya watu, wako zaidi sasa tumefika thelathini milioni tangu tuanze an sita milioni. Hiyo shida ambayo tumepata wapiga kura, ni tunatajiwa tu alama lakini file paper ya constituency inatajikana iwe na nini, iwe na rangi yake tofauti na constituency zingine. Ninamsihi hapo mtusaidie wapigakura tuwe na raha. Na commission iheshimu kabisa petition ya mtu isije ipoteze tu kwa ghafla, kwa sababu makosa inaweza tendeka binadamu lazima utende kosa.

Na upenda ya kilimo, nina hakika kabisa tuko na udongo yetu ya Kenya mumeimana sisi kazi. Kazi yenyewe ndio hii, kazi enyewe ndio hii. Tuko na udongo ya desert hamjampa hawa watafiti wa udongo wanaweza fumbua ni chuma iko ndani ama

tutapanda mimea gani ama tutaweka irrigation gani, hapo tunahuzunika kabisa. Na inatakikana mtekeleze mahali pa hapo. Na upande huo tuna mashamba ya ADC ni ya serikali. Mbona nyinyi muende mtengeneze mpango kuhajiri wananchi watoto ambayo tunayo, hiyo mashamba ni idadi kubwa kabisa haiwezi kutengwa tu. Kwa mfano ati inaamiliki kwa upenda ya kufuga ng'ombe, hapana hiyo udongo niwa Kenya Mkenya atumikie isije itengenezewe mipango ya kuweka kwa kizazi ambayo iko tumboni hatuwezi kujua tutakuwa na jerka kama ile ya Nuhu amatutawekwa moto hizo mruhushu tufanye kazi isipee mashamba ya ADC. Hizo misitu tunastaajabu kabisa mnatuambia hati ndio inaongoza mvua. Inaongozaje wakati wa kiangazi, mvua inakuja kwa majira yake, mvua inakuja kwa majira wakati yake hatuna mbegu ya mvua, mvua ni ya Mungu. Hiyo msitu itengenezwe upande inatengwe magogo ambaye inaweza tumika, sehemu zingine ipatiwe wananchi washughulike na kazi ya kilimo. Tutapanda mbegu kama tumbako, majani, tutapanda michele na chochote ile. Na hao watoto watakuwa wamepata kazi. Hatuwezi kwenda kutengeneza kazi kutoka nje na tuna udongo.

Interjection Com. Zein Abubakar: Endelea.

Richard Werenalo: Naendelea. Na ninapendekeza upande wa elimu, elimu inatakikama wafadhili waje kutusaidia tupate tu loan, kwa sababu tumeshindwa hata mashule za msingi na secondary na hata University. Tunashindwa kwa sababu hatuna mahali tunaweza kujiinulia kwa mapato. Hapo ni namna hiyo na naendelea hivyo.

Na ninastaajabu kabisa hapa akina mama wanatakiwa wawe kiwango cha mbele.

Interjection Com. Zein Abubakar: Pendekeza.

Richard Werenalo: Ninapendekeza ya kwamba walipokwenda jina mwaka sitaini na tano, hao hukuja kutembea hapa Kenya wafundishe wenzao lakini saa hii inatakikana wafundishe. Na mkiwapatia kazi upande ya serikali tunaamini ya kwamba wanafanya vizuri kwa upande wa wizara. Na kuongoza wangojeele wajifunze kwanza mpaka tufike kwa muhula nyingine.

Laughter from the audience. Eh na sheria yakiwalinda.....

Interjection Com. Zein Abubakar: Ngoja ngoja mzee mzee ngoja. Wangojee muda gani? Unasema wangoje kwa muhula urefu wake ni miaka mingapi?

Richard Werenalo: Tunamaliza retire hii kwanza.

Com. Zein Abubakar: Baada ya miaka mitano wanaweza kuja kusimama.

Richard Werenalo: Wakiwa wamejifinza. Kwa sababu ya sheria yakuwalinda ninaonelea kwamba, hawa akina mama ni tunda ambaye limetambulika mpaka kwa Mungu, na linataka lilindwe kwa njia hii. Njia yenyewe mtafanya utafiri mtume

America watengeneze kanda ya inner wear na ikiwa akiinajisiwa vile walisema Viking na hiyo ni nchi kubwa, mtu aliyofanya unajizi apigwe risasi na yeye akifanya mapenzi astakiwe kifungo iwe miaka saba. *Laughter from the audience.*

Interjection Com. Zein Abubakar: Mzee hizo kanda unasema hata Merikani wenyewe hawana.

Richard Werenalo: Watafanya utafiti.

Com. Zein Abubakar: Ngoja, ngoja, ngoja mzee. Nafikiri zile zako tano ziliisha sasa ngoja nikulize swali mzee. Kusudi sisi macommissioner tuelewe vile tunaandika, unasema hivi unasema kutafutwe kuundwe kanda mpya za under wear wapewe wanawake.

Richard Werenalo: Ndio.

Com. Zein Abubakar: ili wakinajisiwa iwe na ushahidi wakutosha.

Richard Werenalo: Asante.

Com. Zein Abubakar: Halafu huo ushahidi ufanye mtu apigwe risasi.

Richard Werenalo: Ndio aliofanya kitendo hicho.

Com. Zein Abubakar: Lakini mwanamke pia akifanya mapenzi na mtu afungwe maika saba.

Richard Werenalo: Afungwe miaka saba ni kweli. *Laughter from the audience.* Na ninapoendelea ni upande wa maovu, napendekeza hivi mwanajeshi wetu wa Kenya akiretire asichanganyike na raia kwa sababu anamafunzo kali kabisa.

Com. Zein Abubakar:(Inaudible)

Richard Werenalo: Awekewe seng'enge. *Laughter from the audience.* Na pia na polisi...

Com. Zein Abubakar: Mzee unasema watu waliojifunza uanajeshi au polisi wasiwekwe na raia wakisha retire,

Richard Werenalo: Ndio.

Com. Zein Abubakar: Wafungiwe mahali.

Richard Werenalo: Ndio wanaeneza uwizi inakuwa kali sana. Mfanyi biashara hatapata kujimudu ama kuenua kuandika watu na wale hawajapata kazi kwa serikali.

Na ninapo endelea hapo kidogo....

Interjection Com. Zein Abubakar: Uko karibu mzee?

Richard Werenalo: Nisamehe tu, samehe kidogo.

Com. Zein Abubakar: Ah ah, sasa.....(?)

Richard Werenalo: Niko upande wa mahakama.

Com. Zein Abubakar: Uko karibu kumaliza?

Richard Werenalo: Eh eh.

Com. Zein Abubakar: Haya.

Richard Werenalo: Upande wa mahakama nathibitisha ya kwamba iwe na nguvu. Isiishe inaregesha namna hiyo. Ndiyo yenyewe inafungua huyu mkora anakurudia. Naye atakuwa na hasira. Ikaze kabisa sheria idumu miaka mingi. Na hii memomrandum mnayo hii mkirudisha Nairobi uwe na imani ya kuwachagua professor, ma lecturers na lawyers na wakae na mtukufu raisi kwa conference center. Mfanye utafiti na mkitafiti msije msahau mahali sisi tumelemea muunganishe sentence. Hapo itakuwa sawa. Hii memorandam labda mnatafuta history ya watoto kusoma ya governmemnt. Sasa ni asante. Ile nimewacha itabaki namna hiyo. Nimewacha tu shauri ya Kenya yetu. Nimefurahi Kenya yetu itaongozeka vile mzee ameambia. Na unajua kitu ambaye inanifanya(?).

Com. Zein: Asante sana mzee wangu. Wewe unaelekea mzee wangu.

Mzee Richard: Tumalizie hapo.

Com. Zein: Ngoja ngoja.

Mzee Richard: Nithibitisha tu kitu moja.

Com. Zein: Hapana mzee wangu.

Mzee Richard: Kweli nimeomba.

Com. Zein: Aah ngoja mzee. Nimekupa ruhusa useme ya mwisho bora usiseme siasa. Maanake sasa umeanza kuingia kwenye siasa. Na sisi tunataka mapendekezo ya kubadilisha Katiba.

Mzee Richard: Ndiyo na itahusu siasa hiyo.

Com. Zein: Na hatutaki siasa.

Mzee Richard: Asante

Speaker: Sio -----(inaudible).

Com. Zein: Usifanye namna hiyo haturuhusu.

Mzee Richard: Sasa ile ya mwisho ni loan, na vile watu wafadhili wanatupa. Loan hiyo itawanywe kwa mashule na university. Asante. Nashukuru.

Com. Zein: Asante na mimi nakushukuru mzee, uende pale ujiandikishe. Umefurahisha watu wengi. Maoni yako umetoa vizuri. Ujiandikishe pale. Sikuweza kuwazuia watu kucheka kwa sababu walifurahia sana. Lakini tuwe tunafanya nidhamu kumpa mtu fursa ya kuzungumza vile anataka.

Benson Chitala: Commissioner na wenzangu ambao wako hapa. Majina ni Benson Chitala. Jambo langu la kwanza ni upande wa mashamba. Upande wa mashamba kama sisi wa Kabras.

Com. Zein: Mzee tafadhali uitoe kelele huko. Wenzako walikusikia vizuri sana. Wacha nawe usikize mzee Chitala naye.

Mzee Chitala: Upande wa mashamba tuna matatizo hapa sehemu ya Kabras. Ya kwamba baba anakufa sisi tunabaki na watoto wake. Hakuna la kufanya. Wanakuambia ushtaki kaburi.

Com. Zein: Ngoja mzee Chitala. Sijui ulikuwa umesikiza wanaozungumza wane. Wamezungumzia jambo hilo hilo. Na wakazungumzia baba akifa na kushtaki kaburi. Vile unavyosema wewe ndivyo walizungumza. Je unawaunga mkono wao?

Mzee Chitala: Ndiyo nawaunga mkono

Com. Zein: Basi wewe sema mimi naunga wale mkono waliozungumzia juu ya uridhi wa mashamba. Na nataka kuongezea hili.

Mzee Chitala: Yangu ya kuongeza shida kubwa sana. Nataka hawa ambao wameachwa wapate barua ya assistant chief na kuenda nayo kwa control board na hiyo imekwisha wapate change of names through the land board through the assistant chief bila kuenda maneno mingi kutumia pesa nyingi.

Jambo la pili ni upande wa traditional legacy, sisi pombe yetu ya kienyeji kwa Waluhya wote kwa jumla ni busaa. Nataka ya kwamba sheria hii yakufukuzana wazee kama sisi ambayo tume komaa mtu(?)

Interjection Com. Zein Abubakar:(Inaudible)

Mzee Chitala: Nataka busaa iweko ihalalishwe na sheria fulani sio mkebe.

Interjection Com. Zein Abubakar: Mzee, mzee uliyopiga makofi sasa mzee hii ni mara ya pili na unaingilia kikao ya kwanza ukikasirika maoni yule mwenzako alitoa ukatoka ukampigia kelele na sasa unapiga makofi kwa sababu huyu mzee amesema jambo lililokufurahisha. Naomba ujizuie nikikuita uje utoe yako yote yaliyo moyoni sawa? Sawa haya asante mzee. Pole kwa kukusumbua.

Mzee Chitala: Nilikuwa nikisema ya kwamba busaa ni pombe yetu ya kienyeji tangu zamani ihalalishwe iwe ikitumiwa mrija kwa mtungi, mtu akimwaga maji kizamani. Na sheria isewekwe kwamba polisi wakimpata umeweka kwa mtungi wanamkimbiza huku na kule safi tosha.

Jambo la tatu ni uchaguzi wa president ningependelea uchaguzi wa president ufanywe na wale ambao wamejiandikisha kuanzia maika kumi na nane kuendelea kupitia kwa secret ballot. Bila kusema ya kwamba wachague tume tena ya kwenda kusema fulani ndio ataenda kusimama hapa. Kama vyama vimetoa chairman wao, na huyo chairman ndio wa chama, awe mgombezi wa president kwa chama chake na sisi raia ambao tumejiandikisha tumchague bila kuangalia. Punguza hiyo mambo ya vyama mpaka viwe viwili mara hiki na(?)

Nikikuja upande wa domestic violence, hii mambo ya wanawake na wanaume kupigana kwa nyumba mara hivi na vile. Kuna sheria ambayo inasema mwanamke alale kwa bedroom yake na mwanaume huko, ukitaka umuandikie barua ndio aje huko wewe uende kwake, nataka hiyo sheria ichunguzwe itolewe. Huyu ni

Interjection Com. Zein Abubakar: Ni sheria gani hiyo mzee wangu utueleze na sisi tuelewe vizuri.

Mzee Chitala: Nambari ndio sikuangalia, lakini kunayo kwamba ukienda umuangukia tu mwanamke na hata ni yako hiyo umenajisi, umetumia vibaya.

Com. Zein Abubakar: Okay, unasema kuhusu mke na mume, kusiwe na sheria inayosema mume anaweza kumnajisi mke wake.

Mzee Chitala: Hapana.

Com. Zein Abubakar: Unasema hivo....(?)

Mzee Chitala: Huyu ni mke wako hakuna unajisi hapo.

Com. Zein Abubakar: Haya sawa.

Mzee Chitala: Hivo nilikuwa nataka hiyo sheria irekebishwe kisiwe na mambo kama hayo, huyu ni mke wangu nimempa ng'ombe mahari imetosha.

Com. Zein Abubakar: Unasema mambo ya kizee wachanikuulize mambo ya kizee. Kwa hivyo katika fikra zako mwanaume anahaki yakumlazimisha mke wake kufanya kitendo chochote anavyotaka yeye.

Mzee Chitala: Lazima kunapo.

Com. Zein Abubakar: Wakati wowote.

Mzee Chitala: Hakuna lazima lakini when you need.

Com. Zein Abubakar: Haya sawa. Akifanya lazima.

Mzee Chitala: Lazima, tangu zamani hakuna kulikuwa na wakati wake. Nilikuwa na hayo machache yamekwisha.

Com. Zein Abubakar: Asante ngoja kidogo hukuna swali lolote, tafadhali uende na hiyo memorandum pale ujiandikishe, na utuwachie hiyo memorandum.

Mzee Chitala: Thank you.

Com. Zein Abubakar: Asante sana bwana. Jane Kauka, karibu madam.

Jane Kauka: Commissioner my names are Jane Kauka, I represent the Education Centre for Women in Democracy in Malava Lugari constituency. These are the views I am having. The name of our country in the previous constitution did not bear people, but we have proposed that the name of our country should be the Republic of the people of Kenya.

The three arms of the government should be separated, this is to say that the executive, the judiciary and the legislature. The executive should not interfere with the office of the judiciary and also the office of the legislative. All the three arms should be all independent, they should work separately.

Succession and inheritance, in the previous constitution the women were not allowed to get any title deed, but now in the new constitution we say that, the women should get land and plot title deeds of their husbands. There should be no widow inheritance because of the HIV and Aids.

Single mothers who did not get husbands should get part of their father's land as a gift. There should be no person in Kenya who is called a squatter. The government should observe and give these people land where to stay.

Natural resources like land, water, forests, wild life and human resources, taxes and national buildings and other essential equipment should be managed by the wananchi.

Women and child rights, women and children rights should be very much observed by the new constitution, just from the basic needs like free education to primary pupils, free education to every woman and others like feeding, clothing, shelter, social and assembly, freedom of speech and movement.

National resources, national resources should be divided to every province, to make employment easy to our people in our country; and to every place but, not to be centered in one place.

Citizenship, there should be an automatic citizenship for all Kenyans, spouses, female and male.

Girl child, the girl child should be educated just the same way as a boy child, because she has also to get all her rights without any discrimination of sex. That is what I had, thank you.

Com. Zein Abubakar: Just hold on madam, we have a small question for you.

Com. Mosonik Arap: You said there should not be a squatters, everybody should be given the land. Where do we get the land to give everybody?

Jane Kauka: We have land which is just separate from other people, this is the government land, this government land should be reserved for the squatters, we should not as Kenyans here have a person called a squatter, as if they are refugees from other countries; but we have to look at them as people, as Kenyan citizens.

Com. Zein Abubakar: Thank you very much madam, please sign our register give us the memorandum. Joseph T. Likinyi, karibu mzee karibu ukae hapa halafu ukisha kaa mini nitaita majina ya watu wengine wajue wanakuja vipi, njoo tu ukae. Daniel Akoyo, hayuko, Jonathan E, Mwanzo, ndio utafuatia halafu Peter Obandi, eh utafuatia, halafu Mathayo Mashinde utafuatia, Nashon Indimuli, Nashon Indimuli utauatifa na Patishi ehe utafuatwa na Ezakeil Mukalama, halafu Emily Angatia, ehe halafu utauatiwa na Lazarus H. Wasia, uko? Halafu utafuatiwa na Joseph Alukwe eh, utafuatiwa na Christopher Yadi, halafu utafuatiwa na Philip M. Mwalati ndio, halafu utafuatiwa na Rosemary Shikasi yuko, utafuatiwa na Isiah Muheri, Alfred Watai, halafu huyu ndio atakuwa amefikia half. Tuanze na wewe mzee utaje jina na uendelee.

Joseph Ritanyi: Thank you, I am a retired teacher.....(?) is called the(?) contitution review and I will try to go through up to twenty two I don't wether it is not very long , I will talk briefly. So I start this way on the side of the constitution of Kenya Review Commission

Com. Zein Abubakar: Mzee subiri kidogo kama kuna wanafunzi wanataka kutoka, watoke ndio mzee apate fursa ya kuzungumza kwa sababu mkitoka hivi mnapiga kelele tafadhali. Na uanze na jina mzee. Ngoja, ngoja watoke wasikupigie kelele. Asanteni sana wanafunzi, asanteni sana.

Joseph Ritanyi: My name is Joseph Chirimi Ndikini retired teacher. I went through so I was just going in brief one by one, and I started with the preamble, whereby they had asked a question and then I said we need a preamble in our constitution. The national vision the vision of Kenya is that we should be a government to be developed as an African country whose citizens freely elect their political representatives to manage their public affairs. At the same time share equal opportunities and rights based on African beliefs and traditional culture. This will allow democracy in Kenya. As such Kenya will have formed a democratic government where the view will be on economic developent, social, development and political development. That one is on Kenya preamble.

So the common experience we have seen, that this time we have had the president who is now our commander in chief of the armed forces. This should remain because it should be our president in the review should remain the commander in chief where

we have a national flag and our national anthem should just remain. That one is on preamble.

We come to directive principles of state policy, we need statements in our constitution capturing the national philosophy and the guiding principle, and we need that one, so it should be there. The democratic principles are that people who live in Kenya have to send their children to school have to share medical services freely. We have to raise the standard of agriculture to prevent famine, citizens to live peacefully love each other and unite as one nation.

People to worship God in a good manner, to conduct meetings freely, to have freedom of speech, no imprisonment without trial in a court of law. So Kenyans have important values which should be included in the constitution. That is on directive principles.

Intrejection Com. Zein Abubakar: If you have a memorandum you can not read everything in the memorandum, kama sasa ukichagua directive principles, ukitajia yale yaliyo muhimu kabisa kwa sababu sisi tutasoma hiyo memorandum tuiptie vizuri tuhakikishe tume process kila kitu. Ukiendelea hivyo muda wako utakwisha kabla hujamaliza, sasa utachagua kama unataka kusoma nitakuruhusu usome lakini ikifika muda wako umeisha nikuambie muda umeisha; au uchague yale muhimu tu ndio uwatajije wengine unapendekeza nini halafu sisi tutasoma hiyo memorandum.

Joseph Ritanyi: So I think I will go on citizenship. Citizenship, people who should be regarded as automatic citizen of the Kenyan state are those who are born in Kenya. Wale ambao wamezaliwa katika nchi ya Kenya au wale wamezaliwa tu(?) by registering. Na the spouses of Kenya citizens regardless of gender should be entitled also to be citizens of Kenya.

Na the right of these citizens, they should have freedom of movement, and freedom of worship. Freedom of speech should be there, no imprisonment without trial in court. We should have free medical services, which is on citizenship.

Defense and national security, this one it take as political parties, I will go to political parties, political parties should not play roles that is they have to have political mobilization in their parties not just to play a constitution saying that there should play roles and then there should be development conscious. The constitution should regulate the formation and management and conduct of political parties.

The number of political parties should be limited to two, whereby we have the one in government, and then another one opposition party not having so many parties, have two parties opposition and the one forming the government.

The terms and conditions will depend on the party in question. Now we have structures and systems of government, we should retain the presidential system of government in Kenya. We should not obtain that parliamentary government of which we have a

prime minister again, because this is now a republic of Kenya so when we come back to prime minister it means we shall have gained the independence so they should have(?). The prime minister should not be because it will allow us again to say we have gone back again.

Hybrid system, hybrid in which exact authority is shared between the president and prime minister, should not be adopted, that one should not be adopted. So we should retain our unitary system of government in which the affairs of state are controlled by the central government, which will allow the government to plan in all provinces of Kenya how to run the government.

So the federal system of government we should not allow that. Then we come to legislature the appointments to be vetted by the parliament, appointment of attorney general, chief justice, ministers, Vice Chancellors that one should be vetted by the parliament. So chances of the government should be expanded within, or through constituency so that when the government is going on it is put through the constituencies and then they should have limited powers to control. So if a member is in parliament should be given time.

Age requirement: changes should not be made to age requirement for voting and contesting parliamentary seats and presidency. So this language test should be there, should remain because the languages if are not allowed, how shall we know the parliamentary man what he is going to do. So the language test are required in the parliamentary election.

Interjection Com. Zein Abubakar:(Inaudible)

Joseph Ritanyi: Okey asante, karibu nimalize tu.

Interjection Com. Zein Abubakar:(Inaudible)

Joseph Ritanyi: So we should introduce moral and ethical qualification. So peoples can recall the MP because if they leave him alone that will be.....(?). Now when we come to ..(?) parliament powers to remove the executive through a vote of no confidence that can be allowed because(?)

Now when we come to the executive the constitution should specify the qualification for presidential candidates, so someone to qualify for the president he should be a Kenyan citizen, you can't just have a president from outside, he should be a registered voter, he should be a constituency member of parliament. Because you cannot not just pick someone and make him a president if he is not a member of parliament; and they should be as they have passed over 35 years, that should remain.

So on the judiciary, the present structure of the judiciary is inadequate we need a Supreme Court in our constitution. A constitutional court is also required to support other courts. So judicial officers should be appointed by the government through

the president. So minimum qualifications should be University level with a degree in matters concerning legal affairs that is judiciary. You should not just allow someone who has never learned over what the law is, so the tenure of judicial officers shall holding office should be over 40 years.

When we come to the chief kadhis, those of concerning Islamic those should be only, should be included because they are also in Kenya, so Chief kadhis should have similar qualifications as those of the Kenyans.

Local government, we talked of mayors, mayors and council chairmen should not be elected directly by people. They should be elected and after the election the members elected elect the mayors. The current two year term of mayors should be increased up to three years not two, so the council have to continue to operate under the central government. We should be allowed to make their by laws.

Then lastly although time is gone, the electoral systems this one was on electoral system which we can practice in Kenya they should practise secret ballot not queueing.

Participation of women should be increased in parliament. Women should participate in parliament. There are some candidates who fail to seek nomination from another party, should be allowed to contest in another party. So the last one is on basic rights.

Our constitutional provision of fundamental rights are not adequate, so land ownership opening schools, universities so long as we have wealth. So this state sentence should not be abolished because if it is abolished, people may be just taking things for granted, so this one should be abolished. So the constitution should protect the security, health care, water, education status and employment as basic rights of all Kenyans, so the government should have the responsibility of ensuring that all Kenyans enjoy basic rights.

There are people who are handicapped, the interest of women fully should be guaranteed in the constitution. Women rights should be addressed in the parliament and they should be put in practice. The interest of people with disabilities in Kenya are fully taken care of, only it should take the whole Kenya not in some parts, all Kenya. Then the constitution should have(?) concern of these people with disability.

Although I should have much, I have put on the paper from number one to twenty two.

Intrejection Com. Zein Abubakar: I know mzee, you have addressed all the questions in our booklet but you have taken the time which is equivalent to three people speaking; so I have allowed you a lot of latitude because of your age and because of the time you have spent to write your memorandum, but we will read each and every word you have written there.

Joseph Ritanyi: Thank you.

Com. Zein Abubakar: Thank you very much mzee, asante sana. Mimi nimemuheshimu mzee msione kwamba kila mtu sasa atakuja atumie dakika kumi na tano, na ninyi mheshimu nashukuru asante sana mzee. Jonathan Mwanzo.

Jonathan Mwanzo: Kwa majina naitwa Jonathan P. Mwanzo. Mambo yangu nikuhusu mambo ya mashamba kufuatana na malipo ya ushuru. Ndio mimi naona kama inasumbua kwa maana saa zingine huana mtu wa kukusaidia na sasa umekufa inasumbua hauna pesa.

Plot, ukiwa umenunu plot yako, umejenga na inatakikana hiyo ploti wewe unalipia tena pesa mimi naona kwamba hiyo tena iondolewe. Halafu mambo ya ugonjwa, unaweza kuwa na mgonjwa unampeleka hosiptali private, mtu analipa pesa nyingi sana ambaye inaweza fika hata elfu thamanini hulafu mgonjwa anakufa, mtu amekufa na bado inatakikana ulipe hizo pesa, mimi naona hizo pesa inaweza ondolewa. Kwa maana hakuna mtu atalipa hizo pesa na wewe umekufa, ndio mimi naona ni kama mzigo kwa jamii ambayo wamewachwa nyuma.

Mambo ya kesi kortini, maskini na tajiri inasumbua inatakikana kesi iwe ikilingana na ushahidi tu kuona ya kwamba hii kesi ushahidi yake inatokana namna gani usiwe unalemewa kwa sababu wewe ni maskini hauna lolote inafanya umesema mshahidi wa ukweli lakini kesi yako inatupwa. Nataka hiyo maneno iangaliwe sawa sawa.

Nafikiri mambo ya ajali ya ng'ombe kwa barabara wameongea mimi narudia tu kusema ya kwamba sheria hiyo mimi naona iondolewe. Kwa mana wewe unashida nimechukua mzigo wangu napeleka sokoni niende niuze, mtoto anasoma nataka niende nilipe school fees, lakini gari itaua mtoto ako nyumbani na unatakiwa tena uende utengeneze hilo gari. Hii naona ni mzigo kwa maana mambo itakuwa imekulemea mambo wawili.

Intrejection Com. Zein Abubakar:(Inaudible)

Jonathan Mwanzo: Eh, kwa hivyo mimi naona ya kwamba hii mambo ya ajali ya barabarani hii wasiwe wakicharge mwenye ng'ombe iondolewe. Asante.

Halafu mimi naonelea ya kwamba, mambo ya kiboko hii kwa jela kuchapa mahabusu, wachape wale ambao wana makosa kubwa lakini kwa wale hawana makosa kubwa hiyo iondolewe.

Kufuatana na mambo ya ng'ombe zetu zamani zilikuwa zinatibiwa bure, dawa ilikuwa inaletewa na serikali inatibiwa bure, saa hii hatuna pesa za kutosha. Naona ya kwamba watu wa vetenary wawe wakitutibia mifugo vile walikuwa wakirudia kutibu mizigo.

Halafu kwa hospitals za serikali kuna malipo zingine ambazo zinasumbua mwananchi wakawaida ambazo hawezi kulipia(?) aende alipe hapa hapa na pale nawe saa zingine wewe umepeleka hauna pesa wanakwambia kama hauna pesa mtoto hatatibiwa. Unahangaika pale mtoto anakufa pale kama hauna namna unaweza fanya. Nilikuwa nafikiria ya kwamba naona hiyo sheria afadhali hawa wawe wakaisaidia hao watu ambao hawajiwezi. Akitibu kama hana pesa awe akitibu vile walikuwa wakitibu zamani. Nafikiri maoni yangu ni hayo tu nilikuwa nimeona ya kwamba niseme maneno saba hiyo. Asanteni.

Com. Zein Abubakar: Subiri kidogo tafadhali.

Com. Mosonik Arap: Umesema wale wamefanya makosa madogo wasichapwe viboko lakini hayo ya makosa madogo ni gani, ama tuseme yale makubwa ni gani ndio wachapwe?

Jonathan Mwanzo: Kuna gaidi ule anaweza kuja mpaka afungue hii mlango akuingilie kwa nyumba akukata kate kabisa na unapata pengine ameenda huko wewe ni maskini amewachilia huka hata kitu ya kuandika. Na kuna makosa madogo pengine mtu anaweza, pengine amevunja mahindi au muwa na unapata amefungwa kabisa. Kwa hivyo mimi naona ya kwamba kama hii ya muwa hii muwa tu, ama mahindi isilingane sana na yule ambaye amefanya makosa kubwa kuvunja duka, au kua watu wa nne hivi.

Com. Zein Abubakar: Asante sana uende pale ujiandikishe tafadhali na utuwachie hayo maandishi. Peter Omondi endelea ndugu.

Peter Omondi: Asante sana macommissioner. Kwa majina ni Peter Omondi Ombok mkaaji wa Chainda, Mukumu village. Kitu cha kwanza ikiwa serikali yetu ambayo inakuja inataka mwananchi wa Kenya awe na mapato jinsi alivyokuwa katika ngazi ya chini, lazima serekali idhamini wale wakulima wadogo wadogo wa ngazi ya chini, na watadhaminiwa kwa njia gani? Lazima wapewe kitu kama mbegu, mbolea, kwa sababu unapopata mbolea na hauna namna utajitahidi sana mpaka utengeneze shamba lako na upande, na uchumi yetu itainuka vilivyo.

La pili, nikienda kwa hospitali, mwananchi wa kawaida lazima apate matibabu ya bure. Ili ajiweze na nikiendelea zaidi kuhusu mahosiptali, na nitaunga mwenzangu mkono kwa sababu kwa mfano nikiwa na mgonjwa wangu nampeleka hosiptalini, tunasikilizana na daktari anitibie mgonjwa wangu na nitakulipa. Lakini baadaye mtu wangu anakufa, matibabu yake ataweka juu isitoshe hatakuwa na huruma, maiti yako inapokaa pale ndio inazidi kuongeza magharama inakuwa zaidi. Kwa hivyo hii sheria lazima ichunguzwe ikiwezekana hii sheria itupiliwe mbali; kwa sababu mwananchi wakawaida mdogo anaumia zaidi.

La tatu, hii sheria ni damu ya umma inajarubu kutatiza baadhi ya watu kadha wa kadha, inawanyima nafasi ya kujumuika

pamoja. Pendekezo hili sheria ifutiliwe mbali, watu wajumuike pamoja. Nikiendelea ili sheria

Interjection Com. Zein Abubakar: Hiyo ni sheria ile Public Order Act, inaofanya ikiwa unataka kukutana uende upewe report police.

Peter Omondi: Naam, sasa kuna wengine wanayeitumia kwa njia mbaya...

Com. Zein Abubakar: Nimeelewa nilikuwa nataka kujua tu ni hiyo. Haya endelea.

Peter Omondi: Nikiendelea rais akiwa na makosa afunguliwe mashtaka bungeni. Nikiendelea kile chama ambacho kina zaidi ya viti ishirini bungeni kidhaminiwe na serikali. Nikiendelea lazima tume, lazima tuwe na kura ya maoni ili impe raia wakawaida namna ya kuunga mikono kile kilicho kibaya ama kilicho kizuri. Nikiendelea, wizara lazima ziwe chini ya kumi na nane, na ikiwezekana iongezwe, lazima huu mswada upelekwe bungeni, na ijadiliwe bungeni na bunge ndie amue kuongeza wizara.

Tume ya uchaguzi inastahili iongezwe mamlaka zaidi na ipanuke. Utowaji wa vitambulisho iwe chini ya tume ya uchaguzi. Kuandikisha wanakura, kupeana leseni kwa vyama vyote kufanya mikutano zao, ipewe upanuzi zaidi.

Wafanyikazi wote wa umma inastahili wawe wakiajiriwa kwa namna, kwa njia ya muktaba na ikiwezekana iwe baada ya miaka mitano muktaba wako unachunguzwa na una apply application na ikiwezekana iwe miaka kumi basi wachie wengine na aendelee na kazi yake.

Kwa ofisi wa rais mimi naunga mwenzangu mkono, rais anayekuja asiwe juu wa mamlaka. Na kwa upande wa bunge lazima rais awe akitangaza wakati wa uchaguzi wazi kwa kila vyama na asije akastusha vyama ni tarehe fulani. Kwa hivyo yangu nakomea hapo.

Com. Zein Abubakar: Asante sana Peter Omondi, nakuomba Mathayo Masinde aje. Peter uende pale ujiandikishe na hayo maandishi utuwachie. Mathayo Masinde karibu bwana.

Mathayo Masinde: Asante macommissioner. Majina yangu ni Mathayo Masinde sanduku la posta 118 Malava. Nataka kuchangia kutokana na mamlaka ya nchi. Ningependa kupendekeza ya kwamba rias awe mwananchi ambaye ni raia wa Kenya, awe mtu wa kuheshimika na jamii zote yaani mwenye sifa nzuri. Awe msalendo ambaye ajapatikana na hatia ya ufisadi katika maisha yake tangu ujana wake. Awe na uwezo wa kifedha na kijamii ili kuchaguliwa au kusimama kama kupigania kura ya president. Na president hata.....(inaudible) za kupewa commander in chief wa defense kwa sababu kuna watu ambao wanatafuta kazi, watu wengine wapewe kazi hizo za defense hata huwa wa chancellors wa university wawe watu

wengine na sio President. Ni kwamba mamlaka hayo yaondolewe kwa kiongozi wa taifa. Rais awe uongizini kwa kipindi cha miaka mitano, na akipendwa na watu apewe nafasi ya kuchaguliwa tena kwa kipindi kingine cha miaka mitano, na kiwe cha mwisho ili asiruhusiwe tena kusimama na kupigania kiti hicho.

Na katiba isimruhusu raisi kuwa na uwezo wakifalme, kwa mfano wakupendekeza mtu fulani apewe mamlaka fulani kama kiongozi bila idhini ya wanaohusika. Huyu raisi apewe tume ya kuchunguza mienendo yake ili kwamba akivunja sheria apelekwe mahakamani. Na yeyote anayetaka kusimama kwa kiti cha urais ni lazima apitie kwa kiti cha ubunge ajitahidi apite kwa kiti cha ubunge ili achaguliwe pia kwa kiti cha rais na akipoteza cha ubunge atapoteza vyote.

Nakuja kwa urithi, ningependekeza kwamba speaker aongoze nchi akishauriwa na mkuu wa sheria wakati kuna uchaguzi. Matokeo ya uchaguzi wa rais yatangazwe na tume ya uchaguzi kama vile anavyofanywa kwa kiti cha ubunge. Na rais aliyechaguliwa aanze kazi baada ya kuapishwa. Huyu raisi aapishwa na judge mkuu akishauriwa na viongozi wa makanisa.

Mahakama, tunahitaji mahakama inayowatumikia raia wote sawa bila kujali rangi ya mtu, kabila au dini ya mtu. Afisa yeyote wa mahakama akipatikana na makosa ya ufisadi apewe adhabu kali pamoja na kupoteza kazi yake. Nafasi ya kuajiriwa kwa mahakimu na majudge kuwe wazi kwa mtu yeyote aliyehitimu kama mwana sheria bila kuchunguza dini yake, kwa sababu sheria itamtumikia sawa watu wote.

Na mahakama ya kidini iondolewe kwani sheria itamhudumia, itahudumia sawa watu wote bila kujali dini ya mtu. Hiyo sheria pia inajulikana inalinda haki ya mwananchi bila kudhulumu, au kulazimishwa na kuhangaishwa na mtu yeyote.

Uhuru wa kuabudu, thehebu lolote lililosajiliwa kisheria, isiingilie taratibu za thehebu lingine bila yakukubaliwa na thehebu linalohusika, wala kulilazimisha kufuata taratibu saa zote zilizo za mafundisho ya dini hiyo. Kwa mfano tukiwa na sherehe ya mathehebu mengine kama Wakristo, kuna lazima ya kwamba hawawezi kutengeneza au kuchinja ng'ombe yao bila idhini ya Waislamu, wala kuku ama kondoo hauwezi kuchinjwa kufanywa kitoweo kwa sherehe hizo., Waislamu watawalazimu washtakiwe, la sivyo Muislamu atachinja na kufanya taxation ya kazi yote na hii ni kazi nyingine au, ni imani nyingine isiyo ya dini hiyo.

Vyombo vinavyotumika kwa kazi hiyo na Muislamu ni sawa na vyombo ambavyo thehebu lingine linavyotumia na hatutaki mambo kama hayo kuingilia makanisa mengine. Kusiwe na raia, kusiwe na sheria inayoruhusu makanisa mengine. Kusiwe na raia, kusiwe na sheria inayoruhusu dini yeyote ile kulazimika kutumikia dini nyingine kimabavu na kuharibu imani ya hao kiroho.

Upande wa mashamba: Mambo ya title deed ipunguzwe na iwe kama shilingi mia moja kwa sababu mhusika huwa ametoa maarifa mengine kwa survey na hata kwa land control board kuidhinisha shamba hilo kwa mwenyewe. Wizara kama ya

physical planning hatuoni kazi gani inafanya kwa mashamba ya watu; ili kuiboost malipo au hand out kwa kazi hiyo yao. Inafaa hizo handouts ziondolewe.

Nakuja kwa usawa: Tunapofikiria, kuhusu jambo hili la usawa, tufikirie pia mipaka iliowekwa na Mwenyezi Mungu, kwa maana anayeoa ni kama muajiri na anayeolewa ni msaidizi ambaye hawezi kuwa na mamlaka ya kuongoza huyo aliyemuoa.

Kwa hivyo jambo la usawa, liwe tu katika watu wenyewe walioona kusikizana.

Health insurance: Ningependekeza kwamba, kila raia apewe nafasi ya kuandikishwa kama alipiwe health insurance na serikali, jinsi serikali inavyofanya taxation ya kila kitu raia anachonunua. Nafikiri yangu yamefika hapo. Ni asante sana.

Com. Mosonik Arap Korir: Subiri kidogo, asante. Utapendekeza kwamba mgobeaji wa kiti cha Rais, awe na uwezo wa kifedha na kijamii, hatukuelewa hiyo ulimaanisha nini.

Mathayo Mashinde: Kwa sababu, bwana commissioner, mtu akiwa hana fedha huenda akahangaika na kukopakopa kwa watu, na huyo hatakuwa na sifa za kuwa kiongozi. Na mtu ikiwa hana uwezo wa kijamii yaani vile anavyoishi, personality yake na mambo mengine hatakuwa na uwezo wa kuamua yale yanayotakikana kwa taifa lake.

Com. Mosonik Arap Korir: Lakini hujanijibu, uwezo wa kifedha awe na shilingi mia moja ama million moja, ama ni nini?

Com. Zein Abubakar: Swali linaloambatana na hilo mzee, yani kwa lugha ingine, watu wanaogombea uchaguzi wawe matajiri peke yake. *Noises from the crowd* Hiyo ni maoni yake, tunataka ufafanuzi ndio tunayoandika tujue, lakini msimwingilie, hayo ni maoni yake. Sema mzee usiogope, sema vile unavyotaka.

Mathayo Mashinde: Mtu ambaye anayetaka kugombea kiti cha urais, inatakiwa awe na shilingi million mia moja kwendelea mbele; kwa sababu mtu atadaiwa madeni kwa kukopa na huenda akapoteza mali ambayo ni ya family, ambayo haikusimama kwa jambo hilo.

Com. Zein Abubakar: Asante sana mzee, uende pale ujiandikishe kama umetoa maoni kwa tume ya kurekebisha Katiba. Sasa nina, wewe nani? Josphat who? Josphat Patidi, ngoja, ngoja, ngoja tufuate sheria, nilimuita mara ngapi huyu? Ulipokuwako, nilikuita? Ulikuwa hapa? Kwa nini hukuitikia? Kama ulikuwa huko nje, kwa nini useme uongo ndugu? Sasa ngoja, ngoja, kama wewe tulikuita ulikuwa hauko, nenda pale kwa programme officer, utoe jina lako, atalinganisha na orodha yetu, atatupa sisi ushauri. Enda uzungumze na programme officer. Sio unakuja ati unakaa unajipa wewe mamlaka ya kusema. Tafadhali nenda pale kwa programme officer, umpe jina lako halafu atatushauri. Sasa kuna dada ambaye alikuwa anasema hakuja kutoa maoni lakini amebadilisha anataka kutoa maoni Mary Shimweni. Karibu dada.

Mary Shimweni: Tume ya uchaguzi, mimi kwa majina naitwa Mary Shimweni, nina jambo moja tu ambayo ningependa nitoe maoni yangu. Commission ya kurekebisha Katiba nina jambo moja tu ambayo ningependa nitoe oni juu lake na ninaangalia katika as we strive to create a just society in Kenya kuna areas ambao hatuangalii, hawa watoto ambao wanaitwa street children, mara nyingi watakuwa watu wazima na hawana belongings, sasa wanaona kama ni watu ambao wanaweza kutenda chochote. Ninapendekeza ya kwamba, serikali itafute njia ya kupatia hawa watoto maybe wajenge centres ambao hawa watoto wataita kwetu, ili tupunguze hawa watoto katika streets za urban areas in Kenya. Kwa sababu wakiendelea hao ndio watakua tatizo kwa hii nchi yetu. Napendekeza ya kwamba watafutiwe mahali hata kama ni adoption, au ni nini, lakini wapate mahali pa kukaaa. Nashukuru kwa sababu ni shatoa maoni yangu mahali pengine, lakini hili ni pendekezo ambalo nilisahau kwa ajili ya muda na nimeona nilitoe hapa. Asanteni.

Com. Zein Abubakar: Asante sana dada Mary, lakini unahitajika pia ujiandikishe pale leo. Nilikuwa nimeitengea nafasi hii Joshua Pakisi, endelea.

Joshua Patisi: Majina yangu ni Joshua Patisi, nina vipengere kumi na mbili, kipepengere cha kwanza napendekeza tuwe na serikali ya umoja wa kitaifa.

Kipengele cha pili Rais akichaguliwa asiwe Mbunge kusema ya kwamba anawakilisha eneo fulani fulani. Kwa ajili tunajua cheo

cha Rais ni jukumu kubwa akiakilisha eneo fulani fulani itakuwa kazi nyingi kwake. Napendekeza ya kwamba sehemu hiyo ingeliwachiwa mtu mwingine. Napendekeza ya kwamba bunge ipewe mamlaka jinsi ya kuongoza mambo yake yenyewe, jinsi ya kujua muda ambayo itakuwa katika kazini, na muda ambao itadumu na tena itaisha ili iwe na uhuru wa kuendesha mambo yake. Isiwe chini ya Rais kusema kwamba bunge hili nalivuja kwa muda fulani,

Interjection

Com. Mosonik Arap Korir: Excuse me. The chairmans permission, you made your views, you started very well the first one when you just finished it and it was very direct, government of national unity, president not to be an MP, Parliament to have its own caledar, just do it like that.

Joshua Patisi: Thank you, thank you, asante Kipengele cha nne, kuhusu kazi, twajua ya kwamba nchi inayokua lazima iajiri watu wake, na hili limekuwa tatizo la nchi hii, Napendekeza kazi kupewa wale ambao wanaohusu kutoka vyuo mbalibali.

Kipengele cha tano ni kuhusu corruption, napendekeza ya kwamba, Katiba hii ipewe anticorruption moment nguvu, ili iwe inachunguza hayo mambo.

Kipengele cha sita, napendekeza government resources ziwe zinagawanywa sawa sawa katika kila eneo, tuseme maji, moto, yaani electricity.

Kipengele cha saba napendekeza elimu ya nchi hii iwe elimu ambayo inakuwa na mpango, yaani imekuwa stable, ili tusiwe na kusema kwamba serikali inayokuja inaingiza elimu hii, ingine inakuja inabadilisha, sasa imefanya elimu ya nchi hii haijakuwa na mizizi yake.

Kipengele cha nane, napendekeza wabunge wasiwe na mamlaka kusema kwamba tumejiongezea mshahara shilingi fulani, Mshahara uangaliwe kulingana na budget. Tuseme ya kwamba hiyo yote iwe inakatiziwa, na yule ambaye anasimamia mambo ya fedha.

Tisa, napendekeza tuwe na ugawanyaji wa resources za national resources kwa usawa.

Jambo lingine, napendekeza tuwe na kupeana madawa kwa wagonjwa wa ukimwi na wawe wanachukuliwa kama wananchi wengine. Napendekeza, tunaunga mkono wale ambao waliotaja ya kwamba tuwe na matibabu ya bure, kwa ajili wananchi wa nchi hii ndio wanawachangia kwa kutoa kodi na mambo mbali mbali. Asante.

Com. Zein Abubakar: Asante sana, uende pale ujiandikishe na maandishe utupe. Namuita sasa Ezekiel Mukabana, halafu ndio nitamuita Josphat Lucheli Nyamu. Wewe ni Josphat, baada ya mzee Mkabana uje hapa.

Ezekiel Mukabana: Mimi yangu nitasoma tu kwa sababu iliandikwa na washiriki wa kanisa. Mimi ni pastor Ezekiel Mukabana wa African Church of the Holy Spirit Box 183 Shinyeri ya Kakamega, ilioanzishwa mwaka wa 1927.

Interjection

Com. Musonik Arap Korir: When mzee came here, he told us it was registered in 1952, is it the same church?

Ezekiel Mukabana: Katiba, ilianzishwa mwaka wa 1927

Interjection

Com. Musonik Arap Korir: Excuse me, African Church of the Holy Spirit, of the Holy?

Ezekiel Mukabana: Spirit. Yes.

Com. Musonik Arap Korir: That's a different one, sorry, you know we want accurate records, nilisikia mzee akisema, 1952 sasa unasema 1927, are they branches of the same church or the same church?

Ezekiel Mukabana: That's what I thought. Sasa hili unasema mtu kwa registrar, kwa certificate.

Com. Musonik Arap Korir: I remember mzee was saying, when we have

Interjection

Ezekiel Mukabana: Labda ni hotel.

Com. Musonik Arap Korir: Ngoja Bwana, now I'm getting rude because you don't want to listen to me. We just want to clarify. Unasikia? Mzee alipoanza, akasema tukiwa tumesema nani ni kiongozi wa kanisa, watu wengine wasiingilie makodi, si ni kweli? Sasa umetaja ile ile kanisa, na umetueleza ni mwaka wa ishirini na saba, na mzee alikuwa amesema hamsini na mbili, can we have it clear?

Ezekiel Mukabana: Sasa, ile ambayo ninazungumza, yangu ndio iko clear, iko kwa registrar, ndio kwa certificate, labda huyo aliwapoteza, unajua kuzungumza na hata unaweza zungumza ya hapa au upoteze mwaka. Watu wanasema pesa sio kwa nguvu, labda alisahau.

interjection

Com. Musonik Arap Korir: No, I'm not arguing with you Bwana, because I'm not the registrar of societies. Now is that a different group? Unajua mzee alikuwa anasema kwa niaba ya kanisa vile nilielewa, sasa is it the same church exactly, or you have another cogregation or something?

Ezekiel Mukabana: Labda tucalculate kwa miaka lakini ni kanisa moja.

Com. Zein Abubakar: Kulingana na record niliandika, mzee Musa chimose, alizungumzia siku ile iliteuliwa kiongozi, wewe unazungumzia siku chache ilikuwa registered,

Ezekiel Mukabana: Hey, Hey, kiongozi

Interjection

Com. Zein Abubakar: Hebu mzee tufafanulie tu, isiwe kazi ndefu, useme tu mara moja mzee.

Ezekiel Mukabana: Ishirini na saba ndio roho mtakatifu alichagua watu kutengana, hao wanaenda Nairobi, na hawa

walibakia _____ katika Kaimosi cells, halafu

Interjection

Com. Zein Abubakar: Kwa hivyo mzee unasema haya ni makanisa mawili tofauti?

Ezekiel Mukabana: Ee, sasa, sasa, hii, huyu maneno yetu ni moja isipokuwa sheria yetu ilitengwa 1952 na mtu ambaye alikuwa anatengeneza Katiba alikuwa _____ na mtu wakati alipata register ya kanisa hilo.

Com. Zein Abubakar: Sawa, basi keti tushasikia mzee. Keti hapo, wewe utoe maoni yako.

Ezekiel Mukabana: Haya, mimi naota kama okay, inaenda hivi, sisi wafuazi wa African Church of the Holy Spirit, tunahuzunika ama tunahangaika sana na mambo ya kort, kort na serikali, na kanisa pia inaongea mambo ya serikali. Wakati kunapopatikana mzozo kati ya viongozi wa kanisa, na wamepelekana mahakamani kutatua nani atakayekuwa kiongozi, badala ya mahakama kuamua ya kuwa waumini warudi nyumbani wale wamchague kiongozi ambae anaweza kuwalinda, mahakama inapendelea na inaamua tu fulani ndiye anaweza kuwa kiongozi. Hio tunaomba serikali ijayo iwaachie makanisa kuamua ni nani atawalinda. Hata kama hana mali lakini ana roho ya Mungu ambaye anaweza kuongoza watu, anaweza kulinda.

Mambo ya wamama na wazee ama mume na mke. Kanisa limeonelea ya kwamba, mtu wa kwanza alikuwa Adam, akafuatiwa na Eva, hiyo inamaanisha ya kwamba mume ndio kichwa ya nyumba. Na ikiwa sheria zingine zinasema ya kwamba mama awe na nguvu kwa nyumba, watu wawili, wakiwa wote na nguvu, hawawezi kuishi, kwa sababu mama haki yake aliambiwa ya kwamba atazaliwe na atawacha familia yake na ataenda kwa jamii ingine kutengeneza huko nyumba yake. Kwa hivyo, kanisa linasema hivi, mama awe chini ya mzee, kufuatana na mamlaka, kazi anaweza kufanya tu, kama ni kuandikwa anaweza andikwa. Na kuna wengine ambao hawafanyi kazi na wanaishi tu nyumbani wanafanya kazi ya kutengeneza nyumba, watoto, na kubadilisha hiyo tena ni kazi sio tu wamama wapewe mamlaka ati hata wawe President. Mwanamke akuwe president? Hata ukizaa mapacha, kuna yule wa kwanza kutoka, ndiye mkubwa, na bibilia inakwambia ya kwamba kutoka kitabu ya mwanzo, ishirini na nne, inasema ya kwamba Adam ndiye wa kwanza, kwa hivyo heshima sana mkifanya mama na baba wawe sawa, dunia itapasuka.

Inaudible interjection

Ezekiel Mkabana: Ya, nilikuwa nafanya break tu. Mambo ingine, ni mambo ya viwaja ya kanisa na ya shule, kuna makanisa na shule, hata shule, serikali imetuma huko walimu, hata bendera ya serikali, na hizo plot hazina number lakini kuna headmaster, kuna bendera inapepea huko, lakini kufanya juu na chini waone ya kwamba hiyo iko registered imepewa number, hakuna. Kwa hivyo naomba hivi, serikali ijayo, ikiwa inawezekana, itengeneze mambo ya viwaja ya shule na ya makanisa, kwa sababu makanisa na serikali ni kitu kimoja. Muwapunguze tena mambo ya _____

Mambo ya kuridhi mashamba, hiyo nitafanyia tu correction kidogo ama nitaongezea zangu tu kidogo. Baba yako amekuachia shamba ya acreru tatu ama nne, na amewacha watoto karibu saba. Sasa mukienda mambo ya kuridhi hiyo shamba, wanamwambia shiringi ile ambayo imeshida hata hiyo shamba kununua gharama.

Inaudible interjection

Ezekiel Mkabana: _____ okay sababu zimekuwa _____ unajua bado mtu ana maoni yake. Hata ukileta hapa chakula huyu aweza kula pia na huyu akule kidogo, huyu anaingilia, lakini bado ufike mahali wana haki.

Com. Zein Abubakar: Unataka ikifika dakika tano nikwambie zimeisha dakika tano? Maanake ziko karibu kuisha,

Ezekiel Mkabana: Karibu namaliza tu. Kwa hivyo nataka(?)

Interjection

Com. Zein Abubakar: Eh, sasa ulikuwa unasema utasoma, sasa unasoma halafu unawacha kusoma, unarudi tena nyuma unazungumzia yale ambayo ushazungumzia.

Ezekiel Mkabana: Kuna pahali nimeachililia, vile nilikuwa nimeandika.

Com. Zein Abubakar: Eh.

Ezekiel Mkabana: Ya.

Com. Zein Abubakar: Usijirudie lakini tafadhali.

Ezekiel Mkabana: Okay, karibu namaliza tu, kwa hivyo mambo ya mashule na kuna mambo ingine ambayo ni administration, utawala kuanzia assistant chief, chief, DO, kwanza DO, wakisikia ya kwamba kuna pastor ama mhubiri fulani, wamesikia tu fununu, ati anafanya kitu fulani, hawa wanamuambia tu bila huyo kiongozi ninaweza kumwendea kwa njia gani. Wanamaibisha mbele ya watu, mbele ya watoto, sasa ukifika kwa police, ikifika kesho hakuna makosa ambayo ulifanya, wanakurudisha nyumbani. Sasa nataka warekebisha namna hii, serikali ijayo ikiwa inaweza kutusaidia, ikiwa mhubiri ama kiongozi wa kanisa amefanya kosa kidogo, wamuendee pole pole, kwa njia inayositahili bila kumaibisha mbele ya watu. Ni hayo tu, yangu imekwisha.

Com. Zein Abubakar: Asante sana. Hiyo memorandum, hiyo utatupatia tusome, ulisema utasoma lakini umeamua kusema kutoka moyoni, utoe hiyo memorandum halafu saa ile unajiandikisha, ile point aliraise commissioner, you make sure that we are clear the difference between church ile ya mzee na church yako.

Ezekiel Mkabana: Hata sasa hii ninaweza kweli kuleta Katiba?

Com. Zein Abubakar: Hapana, sikiza mzee wangu, mimi sibishani na wewe kuhusu Katiba. Nasema, kama kuna tofauti ya makanisa hayo,

Interjection:

Ezekiel Mkabana: Sio tofauti.

Com. Zein Abubakar: Haya, nenda kajiandikishe, basi.

Ezekiel Mkabana: Aliyetangulia ndie alipotea kidogo.

Com. Zein Abubakar: Kaandikishe basi. Haya, Josphat, utaje jina na uendelee.

Josphat Nyamu: Majina ni Josphat Cheli Nyamu from Shomoni, Box 44 _____ yangu ni kuhusu mavasi. Inajulikana wazi kutoka nyuma hapa Kenya mavasi ya wanawake inajulikana ni marinda, vile kila mtu anajua, na ya wanaume pia inajulikana. Lakini imekuja hivi karibuni, wanawake wameita mfano wa nchi ingine, wanavaa long,

Interjection

Com. Zein Abubakar: Josphat, unajua sasa ukianza kunihaidithia hivyo, hatutajua tuweke nini kwenye Katiba, wewe pendekeza, unataka je?

Josphat Nyamu: Mimi ninaomba mtengeneze sheria ile itaondoa, itapinga wanawake wasivae long, kwa hivyo hiyo inawaibisha ama maubile yao haiwaruhusu. Mengi wamesema, ni hiyo tu nilikuwa nimembaki nayo.

Com. Zein Abubakar: Asante sana Bwana Josphat. Hakuna swali, tafadhali ujiandikishe pale kwamba umetoa maoni kwenye tume ya kurekebisha Katiba. Asante sana. Nafikiri wale wanaoanza kupiga kelele huko nyuma, walikuja wamechelewa, hawajui mzee. Ni yule yule mzee wangu anayefanya fujo, mzee? Mzee? Hebu ngoja, ngoja mzee, hebu niangalie mzee, mzee niangalie, unaitwa je wewe? Jina lako? Taja jina lako, nataka utaje jina nisikie, Jina lako?

Christopher Iad: Unisemee?

Com. Zein Abubakar: aaa, taja jina mzee.

Christopher Iad: Unisemee?

Com. Zein Abubakar: Mimi mzee ndio chairman wa hii kikao, naomba unitajie jina lako. Ngoja mzee, wewe ndio

Christopher? Nasema na wewe mzee.

Christopher Iadi: Christopher ____

Com. Zein Abubakar: Basi ngoja mzee nikupe mwelekeo, utaje jina, uanze kutoa maoni.

Christopher Iadi: Mimi naitwa Christopher Iadi, mimi ni mzee wa tatu, mini sikusoma, lakini pendekezo yangu iko namna hii.

Nimependekeza kwanza Rais Moi, nilienda nikamuapisha mwaka 78,

Interjection:

Com. Zein Abubakar: Mzee, mzee, nilisema tusitaje majina,

Christopher Iadi: Christopher Iadi, kitu mimi nataka kupendekeza kwa nyinyi ni hivi, ni uzazi. Unaweza kuwa umezaa watoto wasichana na unasomesha hao watoto, na hao watoto wanakuja kuzaa watoto wengine na wanakuwachia hao watoto. Tunataka mpatie miaka ya mtu akizaa kwa mtoto yako, mtoto, ikiwa miaka sita ine, akuje achukue aende na mtoto yake. Kwa sababu sisi wazazi tumefika hapo, na muweke gharama ya mtu huyu kulipa mzazi.

Neno la pili ni hawa police. Police wanakuja usiku kama saa kumi na mbili kuingia kwa boma yako, hata wewe hutengenezi pombe, hata yule anatengeneza pombe wanamshika, kama mimi nina wanawake watatu, wawili, anaingia nyumba hii, anapata mwanamke huyu, wana shika na pombe kwetu, anawacha yule mwenye pombe, anakuja kushika mwingine. Anapata hata huyu amekaranga kuku yake ama nyama, anakula, hii nini? Nimeona watu wa Malava, police ya Malava.

Com. Zein Abubakar: Sasa unataka je?

Christopher: Nataka hawa watu wapolic wapewe mamlaka ya kushika mtu. Akiwa nayo wa mshike, akikosa nayo wasimshike na kumkulia pesa yake halafu wanashika na wanamkata pesa bila kortini. Wanachukua pesa yake elfu mbili elfu moja. Hao police wananyanya raia.

Com. Zein Abubakar: Wasijipe mamlaka ya mahakama?

Christopher: Ya. Neno ya tatu, sisi tukitahirisha watoto ama msichana wako akienda harusi, tunatengeneza pombe ya busaa. Sasa pombe ya busaa mnakuja mnajengewa watu wanakaa wanakaa mnajadiliana, Ugo, yaani mahari. Sasa mahari kutakuwa ng'ombe kumi na mbili, ama kumi na tatu, ama nini, na mnakunywa hiyo pombe. Sasa mnasikilizana mnafanya agreement na mnakunywa vinywaji ya pombe ya busaa. Hapana chang'aa, hatutaki chang'aa lakini busaa. Nataka busaa wakubaliwa watu wa busaa wazee wa zamani wakunywe busaa. Wasijaribu kukimbizwa mara kwa mara.

Neno lingine, tunataka maneno ya vile mtu alisema ardhi, maneno ya shamba, wapunguze gharama ya uridhi, kwa sababu mtu anaweza kuwa na watu kumi, wanaume unajua wa hapa wanazaa watoto hata ishirini, na sasa akitaka kushtaki _____, anaona ni pesa mingi sana, wapunguze hapo.

Neno lingine sasa hapo, upande wa katiba. Kama tumesema hapa katiba, msigeuze Katiba ya Shamoni mpeleke huko Nandi, mpeleke wapi, msem maneno ile sisi tulisema hapa na iende kwa bunge. Mimi Christopher Iadi

Intejction

Com. Zein Abubakar: Asante sana Mzee Christopher, uende pale ujadikishe, lakini kwa vile nimekuheshimu, nikakupa fursa uzungumze kabla ya watu wengine kwa sababu ulikuwa una hamu ya kuzungumza, sasa usingilie watu wengine. Jiadikishe basi mzee, asante sana Mzee, asante. Haya kwa vile nimempa mzee mbele, sasa nirudi tena kwa list, Emily Angatia. Mama karibu.

Emily Angatia: Tume ya kurekebisha katiba ni asante, namshukuru. Sasa langu la kwanza napendekeza kulikuwa na loan za watoto wote, niseme wanafunzi kutokea 1974 kwendelea. Hakukuwa na kusema ati huyu ni watajiri na huyu ni mtu masikini. Napendekeza loans zipewe wanafunzi wote wanaenda university, iwe private au iwe ya serikali.

Ingingine, naunga mkono mama yule alisema ati mtu akifiwa, akiwacha mme au akiwacha mke asiridhi kwa sababu ya HIV. Mtu ajitenge tu, asimame kama mme, kama mke, na ajisimamie. Napendekeza, sijui tutafanya nini na mambo ya ukimwi. Serikali

ingechunguza ijue vile tulikuwa na maradhi ya kukoma, halafu watu wote wana ukimwi. Nafikiri tunaweza punguza, serikali itufanyie hivyo. Wawekwe pamoja, watibiwe, wakiwa wamepoa sasa tutakuwa na mambo mzuri, wajengewe mahali wakae pale, sana sana watoto hao wanawachwa. Kama wako na ukimwi, kama wako na HIV, wapewe mahali pakukaa halafu nafikiri Mungu akipenda tutapunguza haya magonjwa.

Neno lingine ni napendekeza mke na mme wakiwa na mke wasikilizane na mambo ya kudhuru mwingine kimapenzi, kiafya, serikali ichunguze hayo. La mwisho napendekeza shule za kutokea chini kwenda mbele na watoto wale tunakaa wasichana, nimeshangaa kusikia ati mtoto wa miezi tisa, amewachiwa baba na baba amemuji nafisi sasa raping a child of that kind. Is it human? Sasa ninataka ikiwezekana serikali iweke sheria ya kuguard hawa watoto na wakina mama, wasichana especially.

Com. Zein Abubakar: Achukuliwe hatua gani?

Emily Angatia: Hata maisha iende nayo, wamumalize tu kwa sababu akirudi ataendelea kunyanyasa wengine.

Com. Zein Abubakar: Asante sana mama.

Emily Angatia: Mm yangu ni hayo. Asante.

Com. Zein Abubakar: Asante sana mama, uende pale ujiandikishe kwamba umetoa maoni kwenye tume.

Emily Angatia: Mungu amubariki.

Com. Zein Abubakar: Asante sana, hata wewe mama asante. Lazarus H. Wasia,

Lazarus H. Wasia: Macommissioners, jina langu naitwa Lazarus Hada Wasia kutoka West Kabras, hapo Lukume na nimeandika memorandum na nina maneno mawili tu matatu ya kupendekeza. Yangu nataka kuongea juu ya parliament.

Parliament imepatiwa mamlaka kubwa kushinda kiwango na kwangu ningependa kupendekeza ya kwamba tungerudisha senate. Senate kama ingerudi halafu mambo ikipitishwa kwa parliament, ije ipoeshe. Hapo kwa senate, tulikuwa tumechagua kila mwaakilishi kutoka kwa kila district anakaa kwa senate. Wawe wakiongea maneno ikitoka huko kama vile walipitisha pesa yao ya mshahara bila kujulisha hata wananchi. Inaweza kuwa hapo na ipoeshe hapa halafu tujue itakuwa namna gani.

Neno lingine linahusu mambo ya mashamba, watu wameongea zaidi lakini ya ukweli iko ya kwamba serikali ilichukuwa hiyo shamba. Hakuna cha kusema kupunguza pesa ya mambo ya kuridhi, serikali _____.

Nina neno lingine ambalo sijui serikali iko namna gani. Maconstitution mumepatia watu ya advocates, auctioneers doctors. Powers nyingi hata charges sijui serikali kama inaweza rekebisha hapo, mwananchi wa kawaida ajue ya kwamba akienda kwa daktari ni kiasi gani ya pesa inatakiwa kwa gani na gani. Kwa maana ukienda kwa daktari, unajikuta ya kwamba unalipa pesa ambayo hata huwezi kujua utafanya namna gani. Hata hiyo pesa, hata ukipatiwa shidano sijui si moja au ngapi unaambiwa tu ulipe shilingi elfu ngapi, na kua shida sana kwa wananchi.

Auctioneers naye akija pengine una deni, achukue ng'ombe mbili, ng'ombe tatu. Wakati wewe unaenda huko kwa deni ya shilingi elfu kumi, elfu tatu, unakuta hata anakudai tena pesa ingine na ameziuza ng'ombe na mwananchi wa kawaida hajui ni sheria gani hawa watu auctioneers wamepatiwa. Ningependelea ya kwamba serikali ichukue hatua, ione ya kwamba watu ya auctioneers wananchi wamekuwa protected na sheria. Na vile tumesema vile advocate, unakuta tu kesi iko anakwambia pay so much money, hata hujui hiyo kesi ni ya aina gani.

Muongezee hapo, nataka kuongea mambo ya mayor. Mayor kweli amechaguliwa na hawa watu, lakini ile kazi anafanya inakuwa ya watu kama for example Kakamega Municipal, kunakua na mayor na huyu mayor anataka afanyie municipal council.

Na vile amechaguliwa na coucncillors na hata nashidwa area gani anaweza fanya kazi nzuri nielezane nayo. Ningependelea achaguliwe na hawa wa municipal hao wamupigie kura kwa maana yeye anachaguliwa kwa hiyo municipal ama county council apigiwe na hao watu.

Com. Zein Abubakar: Apigiwe na macouncillors, au na municipal yote, na wafanyi kazi wake?

Lazarus H. Wasia: Anatoka kwa area, halafu anaingia anakuwa councillor, halafu councillors wanampigia kura ya umayor.

Lakini mimi napendekeza kwamba apigiwe kura na watu wa municipal.

Com. Zein Abubakar: Inaudible question.

Lazarus H. Wasia: Hapana, iko memorandum lakini haina, naongezea tu. Halafu, this political parties, foreigners wanafanya tunagongana. Tunataka first pesa yao itoke kwa sisi members kuliko foreigners kuleta pesa kwa chama hii, kwa chama hii, halafu wanagonganisha wananchi kwa njia ambayo haifai hata kidogo. Na ninapendekeza ziwe vyama tatu. Yangu imekwisha.

Com. Zein Abubakar: Halafu utoe hiyo memorandum, asante sana mzee. Sasa nitaita majina ya watu wengine tuone tunapokwenda. Joseph Alukware, Si nilikuwa nimekuita? Basi joo ukae, wacha niite wengine wajue vile wanafuatana. Philip Muarati. Uko, Rosemary Sikasi, nini mum? Sasa ngoja nikwambie mama, ngoja, ngoja mama, ukiona nimemuita mtu akae, ni vizuri umuache, either uinue mkono nikutambue, sio uje umutoe halafu ukae. Lakini kwa vile umekaa, sitaji jina lako tena, mara ya pili halafu utuambie.

Speaker: Asante, nilikuwa tu kuweka.

Com. Zein Abubakar: Aaah, uanze na jina mama. Kaa utaje jina lako tena, halafu useme kile umesema umesahau.

Angatia: Mimi ni Angatia. Nilisahau, bunge isiwe mchezo. Watu wameenda huko, tumewachagua, wameanza kupigana huko, sisi wananchi tunashangaa, ni watoto au ni watu wamekomaa? Sheria iweke kulinda bunge. Asante.

Com. Zein Abubakar: Asante mama, asante sana. Nimekuita Bwana. Pole kwa ... urudi ukae, keti halafu usubiri. Philip umesema upo? Rosemary Shikasi, uko. Isaiah Muheri, Alfred Watai, halafu Jonathan Werunga. Jonathan Warunga? Timothy

Makale, Cyprian Lumumba. Uko? Daniel Kisukia. Nicholas Shem. Hezron Makunda. Sasa, hao ndio watu watakaofuatana na kulingana na register yetu, hakuna mwingine amejandikisha kwamba anataka kusema. Au yupo? Ulikuwa umejiandikisha mzee? *End of side A*

Na ameenda kuangalia memorandum anarudi. Lakini si swali ile uliuliza mimi, mimi nimeuliza, nilikuwa nauliza swali lingine, ngoja niite wengine. Jonathan Makhoha, Laban Wafula. Nasema yani, mzee wangu sijui kama utanielewa vizuri. Nasema, kulingana na register zetu, hao ndio watu wa mwisho kujiandikisha. Kuna mtu mwingine yeyote ambaye alikuwa anataka kusema na hakisikia jina lake? Yuko? Hakuna mtu mwingine? Haya, sawa. Twende na mzee Joseph Alukwe. Utaje jina mzee wangu halafu uendele.

Joseph Alukwe: Mimi naitwa Joseph Alukwe Juma naye natoka Sieboto, South Kabras, na swali yangu inasema katika Kenya tumeona mtu anayeitwa masikini anashida tena hatabuliwi namna gani. Sheria ya huyu masikini kusaidiwa sijui iko wapi, nyinyi ndio mnaweza kuniambia.

Com. Zein Abubakar: Ukiniuliza mimi maswali leo, haitatusaidia sisi, ngoja, ngoja, nyinyi msinipigie kelele tafadhali. Mzee jaribu utwambie, hao masikini watasaidiwa vipi?

Joseph Alukwe: Iko hivyo, ni asante zile zenye kunyorosha kwa sababu nikuzungumza. Masikini mara nyingi ukienda kwa kila idara ana shida kufanikiwa ile kitu anataka. Hiyo ndio neno langu la kwanza na ningeomba msamaha kwa sababu nilikuwa na memorandum na nilisahau mnakuja hapa leo sababu nilisitushwa kwa njia wamekuja halafu nikakosa kuchukua hiyo. Hiyo ndio neno ya kwanza na nilitaka masikini asaidiwe kwa sababu ni mwanadamu. Mungu anajua tajiri, mwenye kusoma na masikini ni mtu moja tu, ni mtu. Masikini akumbukwe.

Na neno ingine kufuatana na hiyo neno la masikini ambao hapo zamani tulikuwa na watu wakisoma na sisi hatukujua watu walikuwa wanatoa wapi pesa, serikali ilikuwa inafanya ile kitu tunaita loan yenyewe ina gharamia kwa njia ya kitambo kidogo lakini vile tulipata uhuru ilibakia kwa shule inayoitwa university. Ndio ilikuwa ikisaidia sasa tena ina watu. Sasa watoto wa shule wenye kusoma ni wachache sana. Wanaweza kusaidiwa na njia gani?

Com. Zein Abubakar: Sasa ngoja mzee. Kwanza umesema unataka masikini apate huduma katika idara za serikali bila kubaguliwa, hiyo nimeandika. Sasa unasema habari ya elimu na loan, unataka elimu iwe vipi?

Joseph Alukwe: Elimu ichukuliwe na serikali.

Com. Zein Abubakar: Iwe bure?

Joseph Alukwe: Ya,

Com. Zein Abubakar: Sema hivo basi kwenye microphone. Unajua ukisema nataka umasikini, elimu iwe hivi, huduma ya afya iwe hivi, mambo mengine yawe hivi, hiyo ndio tunaandika tu.

Joseph Alukwe: Huduma ya shule iwe kwa serikali.

Huduma ya hospitali: Huduma ya hospitali mnakubaliana na mtu wakati unavyolipa pesa, mtu huyo apone, halafu unapata mtu huyo amepona, halafu unapata mtu huyo amekufa. Na ndio wanakubaliana zaidi. Sasa nikakosa kujua serikali inaweza kusaidia wamasikini kwa njia gani? Kwa sababu ningechukua hiyo nafasi namna vile ninavyosema kwa shule, hospitali na hata nikiunga mkono vile walivyoelezea wandugu na wadada, hata kwa mashamba ya kutoa kodi. Hiyo nafikiri nimemaliza hapo, ninaenda kwa neno la mwisho.

Neno la mwisho, ufisadi, hii mambo ya ufisadi ni neno ambayo ni kubwa, na hata ni neno lingine ambalo huwezi kueleza ukamaliza. Ufisadi watu wanaweza kuwa hata mkoa mzima na mtu mfiisadi ni mmoja. Amechukua mali ya mkoa, na huyu mtu akishikwa pengine atapelekwa jela, ati anahojiwa, hii mambo ambayo wameweka sheria hukumu mtu mfiisadi, haitoshi kitu. Inatakiwa hata itolewe.

Com. Zein Abubakar: Auawe?

Joseph Alukwe: Ee,

Com. Zein Abubakar: Unataka mtu akishikwa na hiyo kosa la ufisadi afanywe vipi?

Joseph Alukwe: Yeye na ukoo wake utoke.

Com. Zein Abubakar: Maana ya kutoka maanake nini?

Joseph Alukwe: Maana ya kutoka, hii mali alikula ni ya mkoa mzima ambao ni watu hawawezi kuhesabika. Kwa hivyo hata ukimshika umueke hapa, hiyo mali bado inamkinga tu, atolewe na ukoo wake, ndio mali irudi kwa watu hao.

Com. Zein Abubakar: Aaa hujanielewa mzee wangu, unasema maanake ni nini? Ahamishwe, au unasema kutolewa ni kuuawa?

Joseph Alukwe: Apigwe risasi.

Com. Zein Abubakar: Yeye na ukoo wake?

Laughter

Joseph Alukwe: Yee.

Com. Zein Abubakar: Sawa, tumesikia, asante sana. Hayo ni maoni yake msimwingilie. Na umesema ndio ya mwisho hiyo.

Joseph Alukwe: Ndio ya mwisho.

Com. Zein Abubakar: Asante sana mzee wangu uende pale ujiandikishe.

Joseph Alukwe: Nilikuwa nimeandika.

Com. Zein Abubakar: Ee, lakini pale unajiandikisha kusema umetoa maoni. Philip Mwarati,

Philip Mwarati: My names are Philip Maina Mwarati. I have some proposals on the following:

Presidential powers: currently the president has alot of powers given to his office. I propose that most of the powers, like choosing judges, the high court, court of appeal, those powers be reduced.

Com. Zein Abubakar: You say reduce the power of appointing judges maanake nini?

Philip Mwarati. The President currently is the one who appoints judges of the high court, he also appoints judges of the court of appeal.

Com. Zein Abubakar: Yes, unataka je?

Philip Mwarati: I only propose that they get us a different body to be appointing judges of this particular body.

Secondly, the stage of qualifications, currently we have just, he must be a Kenyan, over 35 years, he must be holder, I want to propose that a president, on the qualifications he must be a degree holder. This is because we want people who can interpret policies and formulate policies to the country.

Also a law must be formulated to bar the president from making presidential appointments especially in private and public sectors. This is when somebody goes for someone who goes for president, you will hear Wamalwa, Wafula, in all the public sectors and what have you.

Interjection

Com. Zein Abubakar: Who should appoint the public officers?

Philip Mwarati: We have the Public Service Commission but it is overridden by the president. The chief's act was recently reviewed and removed. I want to propose that we must have a law because currently, we have criminals who do a lot of criminal activities may be at night but because wananchi don't have a way of arresting and accusing then because lack of evidence, they go free. They go posing during the day because formerly the chief was empowered if you could suspect anybody, while arrest and detaining for any suspicion of criminal activities. Currently criminals are operating free because there is no law unless you take him and arrest him with exhibits. So law should be formulated that can protect people of a given area, if they know this person is a kind of _____ or a robber and causes of evidence that can allow members to be detained, so that the public can be free and secure.

Com. Zein Abubakar: So you want the chief to be given the powers to detain people without evidence?

Philip Mwarati: When I was saying formerly it was there, and it used to help but it was abused. but if it can be re-introduced in a formal way it can also help.

On unemployment, currently all graduates from most universities or colleges are not employed. I propose that the government give this people loans without security to enable them start their own business or whatever so that they can live like any others who are educated.

On matters affecting the security of the state and any other foreign policies, I want to concur with these people who gave the views earlier that we must have opinion polls. Opinion polls on anything that affects the security of the state, to know what Kenyans are saying about research because somebody says Kenyans are saying this and he has not consulted the Kenyans themselves. So we must have a opinion polls, that can empower somebody to talk on behalf Kenyans.

Com. Mosonik Arap Korir: Opinion polls or referendum? Because opinion polls somebody can take a sample from you people, say Kenyans wamesema hivi and they are just surveying may be 10,000 people and saying these are representatives for

Kenyans. So would you want conducted opinion polls conducted by newspapers or like a referendum?

Philip Mwarati: Well, even referendum can do then I have no problem.

My last observation is on nominated MPs. We have people who fail to make it through the normal way of being elected to parliament, but because he has some good backing with the may be the President in power, he is nominated and given ministerial post, and the one who was elected remains just a mere MP. So I want to propose that nominated MPs should not be given ministerial posts, and that's my observation.

Com. Zein Abubakar: Asante sana, uende pale ujiandikishe, uache maadishi yote ulionayo. Rosemary Shikashi,

Rosemary Shikashi: Asante kwa tume yetu ya marekebisho,

Com. Zein Abubakar: Asante dada, utaje jina kwanza halafu uendelee.

Rosemary Shikash: Jina langu ni Rosemary Shikash Aimoi na ninazungumzia kuhusu wanawake. Shida ambaye ningezungumzia ya kwanza, mke anaolewa na bwana halafu unazaa watoto wasichana na mwishowe bwana yako kwa bahati mbaya anakufa na ameachiwa shamba kama amegawiwa; mwishowe ndugu za bwana wanafukuza huyo mama kwa shamba na watoto wake wasichana. Nataka tume yetu afadhali muweke hiyo kitu kwa katiba yetu, mama ikiwa baba amekufa na amemuacha watoto wasichana tupu, na ana shamba, watoto wale wasichana waridhi hilo shamba.

Na kingine, mke anaolewa kwa bwana, na bwana anaoa wake wengine, na tena huyo mwingine anafaidika kupata watoto wasichana tu, kitu kinafanyika, mama akishakufa yule alizaa wasichana, sasa watoto wale wa bibi walizaa vijana wanafukuza wale watoto walizaliwa na mama peke yao bila kijana, na tunaona hawa watoto wamekuwa na shida kwa kuwa wengi wote hawapati mabwana. Shida yao, wakati wanapata watoto ndani ya nyumba wanakosa kile wanaweza kutunza hao watoto kwa kuwa hawana mahali pa kuishi, na hao watoto ndio wengi sana ambao tunawaona wanarandaranda ovyo ovyo; kwa kuwa wale walizaa hawana mahali pa kuishi. Na uridhi ulikuweco, shamba ilikuweco lakini inachukuliwa na watoto wengine.

Interjection

Com. Zein Abubakar: Dada ngoja nikuulize, kama sikukuzuia utaendelea, ya kwanza umesema, ikiwa kuna mzazi amefariki amewacha mama na wasichana peke yake, wasichana wawe na mama wawe na haki ya kuridhi ardhi, lakini kama aliwacha wasichana na mvulana mmoja?

Rosemary Shikashi: Hiyo kama anawacha wasichana na mvulana mmoja, hata kijana akiridhi hiyo shamba, hawa wasichana wapewe, watakuoko. Kama msichana hana mahari, hakufaidika kuolewa, huyo kijana aweze kumgawia hilo shamba la baba yake.

Com. Zein Abubakar: Ingingine nilikuwa nataka nielewe, wewe unasema hivi kwamba, msichana awe na haki ya kuridhi ikiwa hajaolewa?

Rosemary Shikashi: Ee, hilo ndio lengo langu nilikuwa nikisema mkiweka katiba, afadhali watoto wakiwa mzazi amekufa, shamba ya baba, akiwa mvulana, awe msichana, aweze kuridhi hilo shamba. Wasiweze kutupa wasichana nje, kwa kuwa wanazaa, wengine wanazaa watoto hata wanatupa watoto, wameua watoto kwa kuwa hawana vile wanaweza kulea hao watoto. Na hiyo sisi ndipo wamama ambao tumetupwa njiani, tuna shida sana hilo tatizo. Wasichana wako na shida sana na hilo tatizo. Kwa hivyo Katiba yetu ni heri muweke lengo, uridhi wa baba ugawiwe watoto wote.

Com. Zein Abubakar: Mama, una jambo lingine?

Rosemary Shikashi: Hapana ni hayo tu nilikuwa nayo.

Com. Zein Abubakar: Haya ngoja, ngoja kidogo dada kuna swali.

Com. Mosonik Arap Korir: Nikulize mama, uliwasikia wazee wengine wakisema, wasichana wakiwa wanaridhi mali ya baba yao, pengine wengi wao watakataa kuolewa na waende kukusanya watoto kila mahali na kuleta nyumbani. Sasa unasema je kuhusu hilo?

Rosemary Shikashi: Isiwe hivyo, mtoto anaweza kuzaa mtoto mwingine nje kwa bahati baya, huyo mtoto anakatishiwa na baba kwa kuwa ulikuwa urafiki na hawakutarajia watapata mtoto, sasa atakapopata huyo mtoto, huyo mtoto anakosa mahali pa kuishi. Na ikiwa wamemgawia uridhi kidogo ya baba yake, huyo mtoto atakaa hapo.

Com. Mosonik Arap Korir: Na unafikiria je wakisema pengine wasichana sasa watakataa? Wacha yule alipata tu mtoto, akatae kuolewa kwa ajiri anajua yeye ana mali yake.

Rosemary Shikashi: Msichana hawezi kataa kuolewa. Kwa kuwa msichana hata akiwa anapendeza, lazima waishi wawili. Kwa hivyo kuolewa ni matusi wanawekelea wanawake. Hakuna mke anaweza kataa bwana.

Com. Zein Abubakar: Asante sana mama. Mnasikia mama anasema yale ni matusi watu wanawawekelea. Mama uje ujiandikishe hapa. Isaiah Muhiri, Isaiah Muhiri.

Isaiah Muhiri: Kwa majina mimi naitwa Isaiah Muhiri na yangu sio mengi sana isipokuwa ningependekeza ya kwamba mamlaka ya Rais yapunguzwe vile wengine wanasema. Kwa mfano, unakuta Rais amechaguliwa katika nchi, na huyo rais wanasema yeye ndio Chancellor wa vyuo vikuu, hata pengine Rais huyo hakufika chuo kikuu. Inakuwa ni makosa sana.

Ya pili, tuko na upande wa kupendekeza yaani kuchagua district fulani ati sehemu fulani imetosha kuwa district. Nataka hapo tuchunguze sana idadi ya watu kwa maana tuko na district zingine, ziko idadi hata sio elfu ishirini, ya watu ambao wanakaa kwa hiyo district. Na wanapewa uwezo wa kuwa district.

Com. Zein Abubakar: Unataka district iwe na watu wangapi?

Isaiah Muhiri: Mimi naonelea district inatakikana iwe na kama watu elfu sitini. Ndio iitwe district.

Com. Mosonik: Pengine una mfano ya district ambayo haina hesabu kama hiyo?

Isaiah Muhiri: Tuko na district kwa mfano kama mount Elgon. Hiyo district iko na mbunge mmoja na idadi ya watu ambao walijiandikisha kama wapiga kura si hata zaidi ya watu elfu thelathini. Sasa nashidwa hiyo ni district ama ni kama division.

Com. Mosonik: Pengine tunakosea kwa ajili chairman alikuwa amesema tusiyataje majina ingawa hii ni district, lakini ni wale wamejiandikisha kupiga kura kwa district, unajua watu hupiga kura kwa ward ama constituency. Lakini kunaweza kuwa na watu wengi hawajajiandikisha kupiga kura. Wale wanaishi area hiyo, ama wale ambao wamejiandikisha kupiga kura?

Com. Zein Abubakar: Sisi tulipokuwa mount Elgon tuliambiwa wakaazi wa mount Elgon ni zaidi ya laki moja. Lakini wewe unazungumzia registered voters. Registered voters ni kwanza lazima uwe na miaka kumi na nane na uwe na kipande. Sasa mara nyingi huwa wakazi ni wengi kuliko registered voters. Wewe unatakaje? Unataka registered voters, kama alivyosema Commissioner mwenzangu, hiyo inahusiana na constituency. Wewe unazungumzia district.

Isaiah Muhiri: Yaani nilikuwa nasema hivi, kufikia kiwango cha district lazima tuwe na registered voters, yaani watu wazima kama elfu sitini hivi registered voters, sio watu wote. Registered voters peke yake.

Jambo la pili upande wa kufaa na kuridhi kiti cha urais. Nilikuwa naonelea vile Kenya tuko na kabila mingi, isiwe tu kurudia rudia sehemu moja ama kabila moja liwe likitawala kila wakati, baada ya huyu kumaliza kipindi kama ni cha miaka tano ama kumi, tunapeana kwa kabila ingine. Si ati kabila moja liwe likirudia rudia.

Jambo la tatu, nataka, yaani proposal yangu ni kwamba bei ya vitu yaani tuseme bidhaa, inatajikana isimamiwe na serikali. Kwa maana saa hii tunashidwa hata bei ya kitu fulani ni nini. Kwa maana unasikia leo kampuni fulani imeongeza, yaani kampuni inasimamia tu kuongeza vitu. Hapo naomba hii Katiba yetu ambayo tunatengeneza, serikali isimamie.

Jambo la nne, upande wa police, kuja kushika mtu nyumbani, wawe na heshima, kwa maana ukishikwa hujapatikana na hatia, lakini unatolewa tu kwa nyumba tayari umewekwa pingu, na pengine kufika huko huna makosa. Na wakipitisha tu kwa watu

wakikuonyesha pengine umetenda ile na ile ambayo ni makosa.

Pia naomba kwa hizi mahakama zetu, tuwe na free bond, mtu akishafika kule asomewe mashtaka na apewe bond ya bure arudi nyumbani. Siku ile atapatikana na hatia ndio anahukumiwa. Kwa maana mtu anaweza kaa remand hata miaka tatu na mwishowe anashinda case. Sasa hapo tunashindwa unaweza shitaki nani?

La mwisho, tuko na wazee wetu wa zamani, hata sana kwa babu zetu walikuwa na ile pombe vile mwenzangu wamesema. Tunataka ile busaa ihalalishwe. Ni hayo.

Com. Zein Abubakar: Kuna swali ngoja kidogo.

Com. Mosonik: I just may be to give you some information, this is called electoral fact book, social economic and political profiles _____ of Kenyas districts prepared by the Institute of Economic Affairs, the publication of the year 2002. And on page 20 it says Mount Elgon, the total population is 135,033 and it brake down in terms of males and females. Then it says constituency, my population per MP, because Mt. Elgon district is also the same thing as the constituency because there is only one constituency, it says one thirty five thousand and thirty three, and then the area per MP and then it says election information on the margin here it says. Mt. Elgon is a one constituency district, all registered voters, voted in the 1997 general elections, the area MP covers 944 sq. km., the widest area covered by an MP in Western Province to reach his 135, 033 constituents. So you see, a district is not the unit for election purposes, and I think when you talk about population per district, its an administrative unit then I _____ constituency, ward, ni watu wa kupiga kura, so the two concepts are not the same. Let us _____.

Isaiah Muhiri: Yaani, hapo nilikuwa naongea tu kwa watu wazima kwa maana hao wenye wanapita kura ni watu wazima. Ndio nilikuwa nataka yaani wawe wakichunguza idadi ya hao watu wazima. Sasa ukiongeza hao watoto, ndio tunajua kamili ni watu elfu ngapi, lakini nilikuwa naonela tu watu wazima wakiwa kama elfu sitini, hao wanatosha kuwa district. Na kama tukiongeza watoto tunaweza sema district iwe na watu kama elfu mia mbili. Namna hii, yaani watu wote. Yaani kama

tunahesabu na watoto lakini hapo nilikuwa naongea tu kwa watu wazima.

Com. Zein Abubakar: Yaani tuseme mufano mimi kama nakuelewa vizuri, Nairobi, Kasarani constituency, inazaidi ya laki moja watu registered, hiyo iwe district?

Isaiah Muhiri: Hiyo inatosha kuwa district.

Com. Zein Abubakar: Maanake Nairobi inachukuliwa kama one district na ina registered voters, ukichanganya yote, wanafika hata million.

Isaiah Muhiri: Sasa Nairobi vile wanaichukua kama province, hiyo pia nilikuwa na

Interjection

Com. Zein Abubakar: Aah, Nairobi inachukuliwa kama district pia. Unajua sisi, sisi kama tume tunaangalia district zote, Nairobi inachukuliwa kama Province na kama district.

Isaiah Muhiri: Sasa ndio nilikuwa naonelea kama hiyo Nairobi,

Interjection

Com. Zein Abubakar: Ee, ifanywe districts nyiingi?

Sasa, nitakwambia kitu kingine, Marshabit district, inaweza isifike watu hao, lakini ukubwa wake ni 11% ya nchi nzima ya Kenya. Sasa tuangalie number ya watu peke yake, au ukubwa wa eneo pia?

Isaiah Muhiri: Sasa tukiangalia ukubwa wa eneo, na mfano wanatoa msaada kama kwa eneo hilo ambalo halina watu. Sasa hiyo msaada itatumiwa na nini? Tunatakikana tuangalie watu, kwa maana msaada ikitolewa kwa area fulani, hiyo msaada inaenda kwa watu.

Com. Zein Abubakar: Sawa, asante sana. Alfred Watai, kama Alfred Watai hayuko, tumuite Daniel Akoyo. Wewe ulikuwa

umeitwa mapema lakini ukawa hauko. Sio? Rudi basi.

Daniel Akoyo: Asante commissioners wetu kwa kunipa nafasi kutoa maoni yangu. Nitazungumzia mambo matatu, jambo la kwanza nitatoa mapendekezo kuhusu ownership of land. Proposal yangu ni kwamba, tuwe na limit ya kiwango cha shamba ambacho mtu mmoja naweza kumiliki. Maximum ziwe hundred acres.

Com. Mosonik: We are supposed to listen to you up to the end, but I think this thing keeps being mentioned all the time, kiwango cha ardhi, ambayo mtu binafsi anaweza kumiliki. Sasa umesema acre mia moja na tukielekea North Eastern Province ama Turkana inaitwa hazard, unajua hard inamaanisha nini? Arid and semi arid lands, is a hundred acres in Marsabit or Mandera the same as a hundred acres in West Kabras for example? You see it just occurred to me that we need to consider that factor when we talk of the size of land. How about if it is not productive?

Daniel Akoyo: Hii ambayo nazungumzia nafikiria kwamba ni ile iko productive, tunaweza exempt hiyo sehemu ambayo unasema.

Com. Zein Abubakar: Yaani sasa unasema ni agricultural land?

Daniel Akoyo: Yes, ile ambayo unaweza kuitumia kupanda mimea. Kwa mfano ile ambayo iko hapa Western Kenya.

Com. Zein Abubakar: Na mtu akiwa na zaidi ya hiyo acre mia moja?

Daniel Akoyo: Napendekeza kuwekwe ushuru fulani ili watu wasiwe na mashamba ambayo hawatumii. Yale ambayo haya wezi kugharamia ushuru wake, wayatoe wauzie watu ama yagawiwe wale ambao hawana.

Com. Zein Abubakar: Na kama ni zaidi ya acre mia moja na anatomia?

Daniel Akoyo: Kuwekwe ushuru ambao utafanya watu wasiweze kugharamia.

Com. Mosonik: Kama sasa ya Delamere? Unajua maziwa ile tunakunywa tukielekea Nairobi, ana nchi kubwa lakini anatumia kila acre. Tufanyie nini?

Daniel Akoyo: Nafikiri tusiwaruhusu, yaani nataka tuwe na limit, kwa hivyo nafikiri tukiweka limit, serikali itazuia ili kila mtu, badala ya kuwa na squatters ama mtu hana chochote na kuna wengine wana nyingi na hawafanyii chochote. Yaani haja yangu ni kwamba kila mwananchi aweze kupata angalau kipande.

Halafu kwa shamba vile vile, ninependa kutoa pendekezo kuhusu dada zetu kuridhi ardhi kutoka kwa baba zao. Napendekeza kwamba wasichana waweze kuridhi ardhi ikiwa hawana brothers. Hapo naweza pendekeza waruhusiwe kuridhi ardhi. Lakini kama kuna brother yeyote, tukiwaruhusu kuridhi ardhi, hawatawaheshimu waume zao. Watakuwa na kiburi mahali ameolewa, akijua kwamba nitarudi nyumbani na kuna shamba la baba, nitaishi tu. Kwa hivyo tuweke kikwazo ili waheshimu waume zao na kuishi nao. Na wale ambao hawana brothers, hao nalegeza sheria, waruhusiwe kuitumia.

Halafu nikitoka hapo naenda kwa office ya Rais, kwa office ya Rais napendekeza kwamba assistant chief na chief waweze kupewa uhamisho. Hapa wataepukana na mambo fulani ambayo haijafanyika kwa office zao. Kwa mfano hongo ama kujifanya kwamba ni kama hawalipwi mshahara, ukitaka huduma lazima ufanye kitu ndio uhudumiwe. Wakiwa transferrable watakuwa answerable for wananchi na yule ambaye amewaandika kazi.

Halafu, kwa office ya Rais vile vile, nitatoa maoni kuhusu Presidential candidature. Qualifications: nitapendekeza kwamba, umri uwe 30 years and above, tupunguze ili tukipata vijana ambao ana uwezo, waweze pia kuruhusiwa. Halafu qualification ingine awe na political experience. Hapa ninamaanisha awe mtu ambaye amewahi kuchaguliwa kwa kura kuwa mbunge. Elected MP au mtu ambao amewahi kuhudumu kama waziri; ama wakati huo uchaguzi unapofanyika ni waziri na awe waziri ambaye ana sifa nzuri.

Halafu napendekeza kwamba ingawa vyama vinaweza kuwa na sheria ambayo inaruhusu rais kumpendekeza candidate wa presidential seat, Vice President awe automatic candidate wa presidential seat. Asizuiwe. Halafu kwa hiyo office ya Rais kuna sehemu ambayo ningependa kuzungumzia, sijui kama iko kwa office ya Rais, hii inahusu wafungwa, wafungwa wa vifungo vya miezi sita na chini wawekwe kwa probation, wasifungiwe ndani kupunguza congestion kwa jela zetu. Na kutoka kwa probation, wafanye kazi ya umma. Wasiwe wakipiga, tu lakini hivyo ndio sheria inasema sasa, lakini vile ninajua ingawa inaweza hao hupiga tu report kwa office ya chief na hawafanyi kazi ya umma.

Com. Zein Abubakar: Ungependa namna gani

Daniel Akoyo: Ningependa ama napendekeza, wafanye kazi ya umma, kazi kama kutengeneza barabara, kufanya kazi shuleni, hospitalini na mahali kama hapo. Na wasiwe answerable kwa chief, wawe wakipiga report kwa officer maalum. Yaani kuletwe officer ambaye atasimamia hao wafungwa ambao wamefungiwa nje.

Mwisho na pendekezo kuhusu civil service. Sote tunajua kuna ukosefu wa kazi hapa Kenya, kuna unemployment na wale ambao wako unemployed ndio wengi kuliko wale ambao wako employed. Napendekeza kwamba civil servants wastaafu wakifikisha umri wa miaka hamsini. Yaani tupunguze miaka kutoka hamsini na tano, hadi hamsini. Ili angalao these strong jobless youths watumiwe.

Com. Zein Abubakar: Asante sana, kuna swali.

Com. Mosonik: Just, ukasema wale wasichana ambao vile mama alikuwa anasema, hajafanikiwa kuolewa, ainherit. Ni kweli? Ulisema hivo.

Daniel Akoyo: Sio wale hawajafanikiwa kuolewa, wale ambao hawana brothers. Na ako na brother, hata kama hakuolewa, huyo napendekeza asiguziwe. Kwani tukiweka hiyo, kwa wataq relax kuolewa kwamba atapata uridhi.

Com. Mosonik: Alright. Hapo nasikia. Second one, ukapendekeza kwamba Rais awe na umri wa miaka thelathini, lakini ukaendelea kusema, awe mbunge mtu ambaye amekuwa mbunge halafu tena amekuwa waziri with a good reputation. Si ni kweli?

Daniel Akoyo: Nimesema hivi, awe amewahi kupitia kwa kura kuwa mbunge. Halafu ikiwezekana, sio lazima, ikiwezekana awe amewahi kuwa waziri,

Com. Mosonik: Na yeye ni 30 years, so amekuwa MP, amekuwa minister,

Interjection

Daniel Akoyo: Not necessarily 30, at least 30. the lowest 30. But can be above 30.

Com. Mosonik: But then we cannot put this into the law to say they should be..... either it is either or the law by the law by the way incidentally. Because if you say

Interjection

Daniel Akoyo: That is not a must, it is the lowest. You know you can become a minister when you are even 21 years, or even 18 years. Bora umepita kura, unaweza pewa ubunge, 18 years, unaweza pewa uwaziri.

Com. Zein Abubakar: Unaweza kuwa ukiwa 21 lakini sio 18. Minimum age ya kuwa MP kwa sasa ni 21. Ama unataka tuteremshe mpaka 18?

Daniel Akoyo: Nilisema 18 kwa vile unaweza piga kura, na 21 ikiwa

Interjection

Com. Zein Abubakar: Ngoja kidogo, asante,

Com. Mosonik: Did you say anything about being a graduate?

Daniel Akoyo: Kwa education unaweza kuweka kiwango cha form four.

Com. Mosonik: Okay, because akiwa graduate, unajua kupata shahada ya kwanza, you get it at 24. halafu uwe elected, halafu uwe minister, halafu uanze hiyo kazi ukiwa 30? Hiyo ni record ya

Interjection

Daniel Akoyo: Education iwe minimum form four, na akiwa graduate si mbaya.

Com. Mosonik: Asante.

Com. Zein Abubakar: Asante sana, utupe hiyo memorandum, tutaisoma na ujiandikishe kwenye register yetu. Alfred Watai, Alfred Watai mara ya mwisho. Jothan Warunga, Jothan Warunga.

Jothan Werunga: Mimi kwa majina naitwa Jothan Werunga, Shomoni area. Mimi napendekeza ya kwamba, mtu ambaye yote ni mtawala, lazima ateuliwe na wananchi.

Jambo la pili, ikiwa naongezea yale ambayo yamesemwa, wasichana ambapo hawajafanikiwa kuolewa, sio lazima waridhi mashamba; kwa maana tukisema hivyo wasichana wengi hawataolewa. Pia napendekeza hivi, ikiwa kuna wasichana ama wavulana, wasiruhusiwe kupata mimba kiholela. Upate mimba ukiwa nyumbani sawa, kwa maana hiki kimekuwa kikwazo kwa familia. Msichana anapopata mimba akiwa nyumbani kwao, analeta msiba. Iwe sheria msichana asizae mtoto nyumbani kwao.

Com. Zein Abubakar: Na akiwa na mimba?

Jothan Werunga: Fine.

Com. Zein Abubakar: Wewe unasema tuweke sheria, mvulana na msichana wasiruhusiwe kufanya msichana apate mimba.

Unasema hivyo?

Jothan Werunga: Eee.

Com. Zein Abubakar: Na akipata mimba?

Jothan Werunga: Akipata mimba ashtakiwe na sheria kwa maana tukiwacha hivyo mimba ziendelee kupatikana, na vile nchi imekaa hiyo ndio ambayo inazaa hiyo ugonjwa ambapo inaitwa ukimwi.

Com. Zein Abubakar: Sasa mtu aruhusiwe kupata mimba akiwa na miaka mingapi?

Jothan Werunga: Nyumbani kwake.

Com. Zein Abubakar: Akiolewa?

Jothan Werunga: Akiolewa akiwa kwake. Na hiyo ndio ilikuwa maoni yangu.

Com. Zein Abubakar: Asante sana Jothan. Tunataka sasa kumpa fursa Principal atoe maoni yake, kwa niamba ya shule na waalimu.

Isaiah Misigo (Principal): My names are Isaiah Misigo Kakai, principal Shamoni Secondary school. These are my personal views, I'm dealing with the government. Starting with the parliament or the legislature. The function of the parliament should be free from manipulation. Parliament should have its own calendar. It should be vested with powers to vet appointed personnel. Be they judges, ambassadors, etc.

Parliament should have powers to institute proceedings against the sitting president in cases of multipractices. It should be deprived of powers that the Members of Parliament have assumed themselves of awarding huge salaries to themselves and allowances which is not in line with the remuneration of other workers in this country. Therefore, this should be harmonized with other remuneration of the rest of the Kenyan professionals determined by the Public Service Commission.

The executive: when you look at the executive, I think the tendency seems to be moving towards monarchical rule. This should be discouraged. It should be rotational, it should be preserved for men of integrity with proven national stature. I suggest that it should be begged at 45 years and 60 years. We should avoid this euphoria of young turks. These are men and women I believe in capable of sustaining our stability.

The office of Prime Minister, Vice President should be as well introduced to cater for sectarian interests. What I mean by sectarian interests, there is a complain all over the country that some sections have not been considered the running of the country. May be if a president comes from a certain province, it would be necessary to balance by having a Prime Minister, and the Vice President; to serve the interest of those people who feel that they are not well represented. You will find that my views are concurring with Mr. Shatuma's views who presented the interests of my teachers.

The Vice President should be designated to take over or to compete for the office of the Executive at the expiry of the sitting President. Because he is the person who is understudying the President, he has the experience, he should be given a free hand to compete.

The judiciary should be independent and autonomous. The appointment of judges should be carried out by a judicial body which is free from any political interference.

Judges who involve themselves in fraudulent deals should be replaced. In a case that advocate who fail their clients through bezzlement of funds should be prosecuted and deregistered. These are my personal views, and I believe they are in agreement with the views which were presented to the commission by one of my teachers. But I felt it is necessary to highlight points, which I look at as very important.

Com. Mosonik: Asante sana Bwana Principal. Just a very small one, you said the presidency should be rotational but I didn't hear you say rotational at what level?

Isaiah Misigo: I didn't point out the academic.....

Interjection

Com. Mosonik: No, no, rotating at what level. You said rotational,

Isaiah Misigo: I agree with the members who talked about rotational on provincial level.

Com. Mosonik: Okay thank you.

Com. Zein Abubakar: Asante sana Bwana Principal, utusignie register yetu na utupe hiyo memorandum tutumie Asante. Sasa namuita Mheshimiwa Joshua Angatia ambaye alikuwa hapa na nafikiri uko tayari sasa. Karibu Mheshimiwa.

Hon. Joshua Angatia: Nasikia niliitwa na nikawa nimetoka kidogo lakini naomba msamaha. Asante sana. Kwa niaba ya watu wa Shomoni nawakaribisheni Shomoni. Mlipanga hii programme yenu vizuri sana, mkafanya North sana ya constituency, mkaja katikati, na mmekuja upande huu, ili muwape wananchi wa upande huu nafasi nao waweze kuzungumza na kuwaona nyinyi. Nimeshaandika, I have written answers to questions in this booklet which I appreciate very much that the commission was able to put out this. I just wish there were many more copies to guide citizens so that they could respond in a guided manner; although people will still be free to depart from the guide. The KANU kamati ya Malava.

Under the judiciary, there are many citizens in this country who do not pursue cases beyond the first stage. They don't go to court of appeal, they don't appeal to the higher court; the court of appeal because they cannot afford it. We would like the state to assist anyone who wants to follow up his case, to find out whether it is financial constraints or other difficulties that are making them leave clearly genuine cases go without appeal; especially where there has been bribery at a lower court. Although commissioners this is a very tricky area, maybe judges and magistrates should not have the exclusive records of court proceedings. Because when an appeal is launched a magistrate who is biased will have written proceedings in such a way that, the next stage of appeal will just follow what the lower court has said. Therefore we should be found to make court records to

be genuinely true court records and those people who cannot appeal should be assisted.

I also think that a body should be established where people who cannot appeal, can write to the courts; certain matters that were not taken into consideration in the court, because they are not strictly evidence.

There is something of the English law, which says ignorance is no defense. This is a very unfair statement against Kenyans, it ought to be removed. There are many people in this country who don't know a great deal, they don't know what is going on, they get in problems without realizing they are getting in problems, just because they are ignorant. And it is not criminal to be ignorant, so ignorance in court should not be criminalized. People should be enlightened, people should be assisted.

On the electoral system and process, people who defect in the council from one party where they were elected to another party; or defect in parliament, if they are individuals they should seek the mandates of the electorate. People should not defect the way they have done in this last parliament and just be left to carry on. But if 75% of members of the party decide to defect to decamp as a whole party from one side of the house to the other side then they should not be required to go back to the electorate. They should only clear with their own national executive committees, national governing councils and be allowed to shift their party from one stand to the stand of the ruling party, or the opposition party.

Under the same electoral system, there is still too much rigging in elections in this country. I think the commission should look into ways of tightening further the loop holes through which people rig elections. I wish money could be excluded completely from campaigns for example commissioners is there any way people could be given, people could buy cards for fuel for feeding their supporters for whatever by printing postures but so on and not have cash to give to voters, because this has completely destroyed democracy in this country.

There are too many people in this country who would be nobody's if they did not have any money they would have been completely no bodies. But because their came by money somehow they looked to be very big. I had you telling somebody in the morning we should not mention names so I think that will do but I just feel a way should be found to seal the loopholes for rigging especially for bribing voters, in order for them to vote for particular people.

The Electoral Commission should not be involved in the actual day-to-day administration of the Electoral Process in a given constituency; because they have tended to be influenced and they have tended to be biased.

Any Electoral Commission official or commissioner suspected to have taken sides should be removed; to be stopped from administering elections. And where there is a petition first the Electoral Commission should not take sides of opposing, the Electoral Commission should be interested in finding out whether an election was done freely and fairly. And therefore if there is any suspicion if there is any complaint, if there is any allegation the Electoral Commission should be interested in investigating the allegation, and setting right what may have gone wrong; not to take the opposition side. Like in an election petition the Electoral

Commission automatically opposes the grounds raised by a petitioner. That is totally wrong, because they are frustrating democracy. The Electoral Commission should be seen to be interested in developing democracy in this country. And where there is any allegation, it should find out, and if necessary prosecute those who will have made the mistakes or who will have misconducted elections; whether they are Electoral Commission officials or candidates or voters, in order to enhance democracy in this country.

Finally on Electoral Commission, commissioners should not be appointed by political parties, should not be recommended to the appointing authority by the political parties. This is totally wrong, because the experience we have had is that they are totally biased, they think they are there to take care of interests of the political parties which appointed them.

On environment, it has been a mistake for the government to allow individuals to own mountains, forests like in our case here the Nandi Escarpment. Individual farmers own land from the plains right up to the mountain up to the top, and that is totally wrong. An Escarpment like this one should be owned by the government or by an authority of the state; so all hills, all river valleys, all waterways whether they are rivers or lakes, forests, significant hills which cannot be tilled cannot be farmed should belong to the state. So that the state looks after them on behalf of wananchi. The environment in the lake basin has been destroyed; rivers, which used to be very big rivers, are now little streams trickling down to Lake Victoria or river Nzoia, because the major hills in this area were destroyed by either unscrupulous exploiters or were given to wananchi to cultivate. As a result the environment in this area is deteriorating at a very alarming rate, therefore I suggest that the state should take over all(?) hills or definitely all mountains, all escarpments, all lakes, all major rivers should be protected even little streams, even springs from which wananchi draw water should belong to the state not an individual. Because an individual can exclude other people who drink from that spring. Somehow the state should be responsible.

I want to suggest that squabbles in this country arise mostly because people want power, and power was concentrated in certain hands and looked very attractive and looked too exclusive. I think the offices of prime minister should be created, two or three vice presidents, deputy prime minister, to broaden the apex but it is useless, I don't think we should have an arrangement like the Tanzanian, one or the Indian one. We should have an arrangement where we create these offices so that they can exercise power not so that there can be ceremonial or idle. There should be found where people can share power, and everybody be seen to be participating, to be contributing to national formulation of policies and national implementation of those policies.

I suggest that the Prime Minister be of the main party, the party that has a majority in parliament, the president, the vice president and even the prime minister will all come from the party that has won a majority at elections. But while the president should appoint the vice president, it is necessary that the president present three names of the prime minister to the national assembly, to recommend one, for the president to appoint. So that he is a popular leader, genuine leader of government affairs, in the national assembly.

I want to support one prominent politician who suggested, if the office of the president falls vacant, before the term for which the president was elected expires; the five-year term expires. And the first vice president should automatically succeed to act until the term of that president ends. When he does that, the second vice president should become first Vice President then that acting president should now appoint another person to become second vice president.

I think since I have written all the details I will stop there and answer any questions which might be asked.

Com. Mosonic Arap: Thank you very much Mheshimiwa. A very small one Mheshimiwa you said the members of the Electoral Commission should not be party appointees, but you did not tell us who they should be.

Mheshimiwa Joshua Angatia: Oh yah. We need a parliamentary committee, which should not be made exclusively of parliamentarians which should include a few experts, may be the chief justice, may be the attorney general and a few other people to form a committee, to which those who wants to be commissioners, members of the Electoral Commission should apply. They should be assessed thoroughly by parliament, and then the names given to the president for appointment.

Com. Zein Abubakar: Thank you very much Mheshimiwa we gave you latitude to present because you are representing a group, we will read the details from the memorandum. Please sign our register and give us the memorandum.

Mheshimiwa Joshua Angatia: Yah, I have signed I will place it there.

Com. Zein Abubakar: Thank you very much.

Mheshimiwa Joshua Angatia: Thank you very much.

Com. Zein Abubakar: Thank you. Ndugu Timothy Makale, Timothy ameshatoka eh, Cyprian Lumumba, karibu ndugu.

Cyprian Lumumba: Asante sana commissioner wetu kuja kututembelea. Majina yangu ni Cyprian Lumumba, nina point tatu hapa ya kutengeneza. Nina fikiria tuwe na mpango sarafu yetu iwe na symbol moja tu; yaani kwa mfano iwe ni symbol ya mwanzilishi wa taifa. Tukifanya hivyo tutakuwa na pesa zile zinatumika kila president a kija anakuwa na symbol yake, mwingine akija anakuwa na symbol yake. Nafikiria tuwe na sheria ya kuwa tu na symbol ya kichwa moja.

Jambo la pili, nikuunga tu wale wengine mkono, mbunge mteule asipewe nafsi wadhfa wowote katika bunge.

Com. Mosonik Arap: Sikuelewa vizuri, rudia ile umesema saa hii.

Cyprian Lumumba: Mbunge mteule asipewe ministry ama wadhfa wowote katika bunge.

Com. Mosonik Arap: Oh yah, nominated MP okay.

Cyprian Lumumba: Yah, nominated MP. Halafu jambo la tatu ni administration, local assistant chief, na chief wawe wakienda transfer. La sivyo, wachaguliwe na wananchi. Ni hayo tu.

Com. Mosonic Arap: Asante sana Mr. Cyprian Lumumba. Mr. Daniel Chisutia.

Daniel Chisutia: Kwa majina naitwa Daniel Chisutia. Shida ni maisha ya shule na ukulima, tunapata shida. Kuna watoto wanasoma na sisi wengine hatuna kazi, tunapeleka baisekele njiani ili ndio tupate mkebe ya chakula.

Tunafanya njiani ndio tupate mkebe ya chakula, ili watoto wapate chakula. Na sasa wakienda shuleni watoto wanafukuzwa juu ya pesa ya mjengo; na huko shambani muwa iko, na hiyo muwa kupata permit ni shida dhidi mpaka utoboke shilingi elfu mbili, ama elfu tano ndio upate permit. Sasa hiyo ndio shida yangu hapa risafu na watoto wanasoma sina, la kufanya sina kazi yeyote.

Mimi nafanya boda boda barabarani. Ni bahati sana kupata hata shilingi sitini. Nikija kutegatega tu serikali yetu ikipenda inaweza kutuonea huruma hapo kuhusu shule, na kuhusu upande wa ukulima.

Shamba ni yako mwenyewe, muwa ni yako mwenyenye lakini kupata tu permit ya kuingiza miwa ndani ya factory, mpaka utoboke; na huko watoto wanataka chakula, huko watoto wanataka uniform, sasa hapo tumeshindwa tuko wapi? Tunaenda wapi? Yangu ni hayo tu.

Com. Zein Abubakar: Asante sana ujiandikishe upande ule, nenda ujiandikishe pale. Nicholas Shem, mbona unainua mikono kijana, kijana sema. Sijaita jina umeinua mkono. Nicholas Shem, baada ya Nicholas Shem ni Hezron Makunda akae karibu, sawa.

Nicholas Shem: Asante sana commissioner mimi sina mengi nemesikia wameongea ile nilikuwa nimepanga lakini nataka kuongezea tu. Naongezea hivi; kuna shida upande wa mahakama kuna mzee alisema kuhusiana na mawakili. Mzee wakawaida anakuwa na shida kuendeleza kesi yake, kwa sababu gharama imekuwa kubwa. Kama kungukuwa na mpango fulani tupate body ambayo inaweza kusaidia wananchi wakawaida. Tuseme kama vile tuko na hii chama ya wanawake wa FIDA. Kama tunaweza kuwa na ingine ya kusimamia hiyo, kusaidia mzee wakawaida akiwa na kesi yake.

Pili, mzee wakawaida amekuja kortini; waakili anamvuruta huyo mzee akili mpaka mzee anashindwa atasema nini. Kwa mfano mzee amekuja kwa kesi yake la shamba halafu amefika hapo; wakili badala ya kumuliza mambo ya shamba, anamuliza wewe

mzee uko na wanawake wangapi? Sasa zile mzee anaulizwa hivyo akikata kujibu akisema mimi nimekuja juu ya mambo la shamba, magistrate anamwambie jibu swali. Sasa inabidi huyo mzee aseme ako na bibi watatu; halafu amechanganya alikuwa amekuja kwa maneno ya shamba.....

Interjection Com. Zein Abubakar: Sasa unataka je?

Nicholas Shem: Inatakikana kuwe na mpangilio, kama umeenda kwa kesi ya shamba unaulizwa mambo kuhusikana na shamba. Na kama labda umeulizwa na wakili, magistrate naye awe na uwezo ya kumwambia wakili, aulize maswali kulingana na vile wamepeleka makaratasi yao kortini.

Com. Zein Abubakar: Kwa hivyo wewe unataka njia zinazotumika mahakamani ziwe rahisi na zinafahamika vizuri.

Nicholas Shem: Yah, ndio mzee wa kawaida apate kuelewa, amekuja kwa kitu fulani. Ijapokuwa shida nyingine ni kwamba tumeanza kuona hata ukiwa na haki, umejaribu keuleza mambo yako, mtu wa kawaida mwenye amekaa huko anaona kweli umesema mambo ya maana. Hii ni kwa sababu kumekuwa na corruption, unakuta ile yote ulisema ya maana inatupiliwa kesi yako imetupwa. Sasa hii corruption, hata tumeanza kufikiria maybe in future lawyers watakosa kazi. Kwa sababu lawyer anaenda kurepresent mzee, anasema haki za mzee, halafu lawyer mwingine naye anajaribu njia zake, vile anavyoweza kukutana na magistrate na nini na nini, sasa huyu lawyer anapoteza hiyo kesi sio ati hakupresent inavyotakikana. Lakini kwa sababu ya corruption. Sasa tumeanza in future may be mawakili atakosa kazi kama magistrate

Interjection Com. Zein Abubakar: Sidhani wewe utalia sana mawakili wakikosa kazi, nafikiri unataka ufisadi uondolewe katika mahakama.

Nicholas Shem: Ndio hiyo, ndio hiyo. Halafu kitu ingine ya mwisho ni upande wa wafanyi kazi wa serikali. Unapata wewe mzee ama kijana, umeenda kwa ofisi ya serikali kusaidiwa, vile unavyo chukuliwa unanza kutetemeka, unaona kama umeenda mahali penye hauna uhuru. Kwa mfano umeenda kwa ofisi fulani unataka kitu fulani wanakuambia enda hapo uandikiwe, ukisha enda hapo kuandikiwa umekuja na karatasi mtu anakuuliza, wapi jina lako. Na wewe wakati uliambiwa uende pale hukuambiwa utaenda uandikiwe jina na nini unambiwa tu enda hapo upewe karatasi. Inatakikana kuwe na njia ya kuelimisha watu ambao hawajui, ndio mambo yote ikuwe rahisi kwa watu, wazee wakawaida ama akina mama wakawaida. Ni hayo nilikuwa nayo mengi wamesema.

Com. Zein Abubakar: Asante sana, uende pale ujiandikishe kwamba umetoa maoni kwa tume ya kurekebisha katiba. Mtu wa mwisho katika horodha ya majina yetu ni Hezron Makunda.

Hezron Makunda: Asante sana, kwa majina najulikana kama Hezron Makunda, kutoka Maira South Kabras. Jambo la

kwanza mimi napendekeza, katika nchi hii tuwe na matibabu ya bure kwa kila mwananchi; kwa vile hivi sasa matibabu imekuwa gharama ya juu, na wananchi wa kawaida wengi wanashindwa kugharamia. Ugonjwa unaweza kushika mtu wakati wowote, na kama hana pesa anashindwa kujitibu. Kwa hivyo tuwe na matibabu ya bure.

Jambo la pili, napendekeza kwa upande wa elimu, serikali iwe na mpango wakuhakikisha watoto mayatima, ama wale watoto wamezaliwa kwa jamaa ambaye hajiwezi, wanasaidiwa kuendelea ki elimu. Sasa unapata mtoto amefanya vizuri shuleni, baada ya kufaulu anashindwe kuendelea na masomo ya upili, kwa vile pengine anatoka jamaa maskini, ama hana wazazi na siku hizi hakuna mtu anamshughulikia unaona mtoto anarandaranda tu bile kujua afanye nini. Napendekeza serekali iwe na elimu ya bure kwa watoto.

Jambo la tatu ni kuhusu employment yaani kuajiriwa, tunavyojua watu wengi hawana kazi hapa nchini.....

Interjection Com. Zein Abubakar: Kenya asiyejua kwamba kuna ukosefu wa kazi.

Hezron Makunda: Karibu kila mtu anajua.

Interjection Com. Zein Abubakar: Eh, sasa nipendekezee mambo ambayo tutatumia kudeal na hiyo ukosefu ya kazi, kwa katiba lakini.

Hezron Makunda: Napendekeza kwamba katika katiba ijayo, serikali ilioko mamlakani ipange kujenga viwanda, unajua katika kila sehemu kuna pengine muwa, kuna mimea fulani inakuzwa sehemu ingine, viwanda ijengwe ili ipatie vijana kazi, hiyo ndio pendekezo langu.

Com. Zein Abubakar: Ikiwa bado hakuna kazi, wale ambao hawana kazi watafanyweje?

Hezron Makunda: Yaani hiyo ndio njia moja yakusaidia tupate nafasi za kazi. Jambo la nne kuna wakati mwanamke anaolewa na bwana unapata wanaishi vizuri. Lakini wakati inafika tuseme kibahati mbaya bwana anakufa sasa bibi amebaki na watoto, utapata wale mashemeji wataingilia wanasema sasa huyu hana haki pengine kwa shamba na marehemu bwanake ama watoto hawana haki. Kwa hivyo ningependekeza tuwe na sheria, bibi na watoto ndio watakuwa waridhi wa ile mali ya yule aliaga.

Jambo la tano ni kuhusu matumizi ya pesa ambazo hukusanywa kutoka kwa local government. Mimi naona local government inakusanya pesa nyingi lakini kwa vile hii pesa inaenda in central government huwa ikienda huko hairudi kusaidia wananchi. Tungependa iwe decentralized ili pesa ile inakusanywa Kakamega inafika hapa Kakamega itoke hapo irudi isaidie watu mashambani, pengine kujenga barabara, kujenga shule na mambo kama hayo.

Jambo la sita, jukumu la kufundisha vijana hasa maadili kuhusiana na jamii, yaani family life. Naonelea kama Wakenya wengi wameachia hiyo jukumu kwa walimu na unajua.....

Interjection Com. Zein Abubakar: Unataka aje?

Hezron Makunda: Mimi nataka kuna ile sehemu ambayo inahitajika ifanywe na wazazi kama kufundisha watoto jinsi ya vile wanahitajika wakea wasiwe wanatembea kwa njia mbaya, ili mtoto hata anapata mimba kama hajaolewa, kwa vile amekosa kufundishwa.

Jambo la saba, kuna appointments ambazo nafikiria wale wako mamlakani, wana appoint mtu mmoja unasikia yeye ni chairman wa hii.....

Interjection Com. Zein Abubakar:(Inaudible)

Hezron Makunda: Tunataka mtu mmoja kazi moja ile ya appointed.....

Interjection Com. Zein Abubakar:(Inaudible)

Hezron Makunda: Halafu mwisho napendekeza kwamba ile mamlaka wa rais ipinguzwe.....

Interjection Com. Zein Abubakar:(Inaudible)

Hezron Makunda: Yaani rais anakuwa na mamlaka zaidi...

Interjection Com. Zein Abubakar:(Inaudible)

Hezron Makunda: Kwa mfano kuna wakati unapata rais anaweza kuamrisha kitu fulani kifanyike; kwa mfano, na pengine hicho sio sawa kwa wananchi. Lakini kwa vile yeye ako na hiyo mamlaka amepewa na sheria; sasa inabidi ifanyike, hata pengine kama wananchi wengi hawapendelei. Ni hayo tu.

Com. Zein Abubakar: Asante sana ndugu uende pale, hayo maandishi utuwachie tutayatumia, uandike pale jina lako. Sasa nimepewa list ingine na kama kuna mtu alikuwa anaitwa na anakata kuja ata sema kwa nini anakataa kuja na alikuwa hapa. Jotham Makhoha, nilikuwa nisha mwita tena Jotham, na ameenda ameandikisha tena, na hayuko tena. Jotham Makhoha,

Laban Wafula, kaa hapa. Na Laban ulikuwa hapa toka mwanzo, okay keti. Robert Natiri. Emanuel Kupora songea karibu, Patrick Omwerema songea karibu. John Kariuki. Kwa hivyo nataka hawa watatu waje hapa mbele. Je kuna Mkenya yeyote ambaye alikuwa anataka kutoa maoni yake na hakupata fursa ya kutoa maoni yake? Nitarudia mara ya pili, na kikao hiki kiwe shahidi kwamba narudia mara ya pili. Kuna Mkenya yeyote ambaye alikuwa anataka kutoa maoni yake na hakupata fursa ya kutoa maoni? Basi itakuwa hivyo hao watatu ndio watakuwa wa mwisho kutumalizia kikao kwa vile hakuna mtu mwingine ambaye alikuwa anataka kutoa maoni. Na nyinyi mliondoka mmeshududia hivyo au hamkushuhudia hivyo? Sawa.

Wafula Laban: Yes thank you my names are Wafula Laban. I wish to propose as follows:-

1. That we should have an executive President whose qualification should be a graduate, and the president should be chosen outside parliament.
2. The winning party should have the President; the cabinet ministers should also be vetted from without parliament.
3. And they should be vetted by Parliament, who also should be scrutinize if there are people of integrity, and have the necessary experience for whatever ministry they are to undertake.
4. For a president to be elected, he should have the simple majority of 25% in five provinces, and also 50% of the active votes.
5. I propose that we should have two chambers to put checks in the house, on the Parliament activities like salary; and should anything happen contrary to the two houses, a common system will be able to petition.
6. No persons should be allowed to hold public office in case of any past misappropriation of office procedures or any scandals.
7. The Electoral Commission should be an independent body, and this should be able to be recalled back in case of non-performance. I don't know how you will do it, but you know there you can create your way.
8. A limit of land of 20 acres to every individual, 20 acres of arable land.
9. Harambees should be stopped and a special tax funds to be introduced to minimize corruption.
10. Land ownership should be to all, irrespective of sex, the acquisition of title deed processes should be shortened.
11. Political parties should be limited to a certain number. I cannot suggest the number, but let the rules that are going to be set should be through to minimize only political parties which have what we call national representation.
12. Court procedures should be(?) and they should ensure that there's fairness in their verdicts.
13. MPs or presidents working on voter expectation should be treated as a form of corruption; you see what the voter expects is different from what the official role is, so anybody who is bound to pent on voter expectation should be(?) should be treated as corruption.
14. Any bill or motion that is passed and at any other stage it is found to be defective, the Attorney General should be brought to task.

Com. Zein Abubakar: Asante sana uende ujiandikishe pale na utuwachie hayo maandishi tafadhali, asante. Anayefuatia, taja jina na uendelee.

Emmanuel Par: Kwa majina naitwa Emmanuel Par. Ningependekeza ya kwamba wafanyi kazi wa serikali, and top civil servants and parastatal chiefs; should be vetted by parliament before their appointment, and their duties should be terminated after they have been scrutinized by parliament.

Political parties should be maximized to four in the country, to avoid unnecessary political groupings. Working conditions for civil servants or public servants as a whole, should be set by parliament and should be reviewed after every ten years.

Another one is, the anti corruption unit should scrutinize the expenditure of every ministry or public institutions at the end of each financial year.

Another one, farmers should be given the mandate by the constitution to be in charge of co-operative bodies dealing with farming.

Another one, the government should be empowered by the constitution to set prices for all cash crops in the country. That is all, thank you very much.

Com. Zein Abubakar: Asante sana hakuna swali uende pale ujiandikishe. Patrick Omwarema, Patrick ndio atakuwa mtu wa kuzungumza wa mwisho leo kutufungia kikao hiki.

Patrick Omwerema: Kwa majina naitwa Patrick Omwerema kutoka Mwera sub location na mimi niko na swali walisema mwana Kenya yeyote awe na

Interjection Com. Zein Abubakar: Patrick kwanza leo ilikuwa sisi kuuliza maswali halafu pili, hata swali ulilokuwa ukitaka kutuliza hulikumbuki. Unakumbuka swali ulikuwa ukitaka kutuliza?

Patrick Omwerema: Nakumbuka.

Interjection Com. Zein Abubakar: Haya utulize bas.

Patrick Omwerema: Mwanakenya awe na haki yake, mimi nataka kuliza *end of side A* nikitaka kwenda mahali popote nitafanya namna gani?

Ni kama, jambo la pili wana boda boda wowote wanaweza pata haki yao, wanaweza pata loan kama ni wana Kenya?

La tatu, mimi nauliza, pendekezo kama kuna viwanda hapa tuko na viwanda, lakini lazima utoe hongo hiyo hongo tutatoa wapi ndio(?) hiyo tulipe..

Interjection Com. Zein Abubakar: Yaani unamanisha ukitaka kuajirawa kwenye kiwanda unatakiwa utoe hongo kwanza?

Patrick Omwerema: Sio hivyo.

Com. Zein Abubakar: Eh, ni vipi?

Patrick Omwerema: Kenya yote, kwa maana hata ukitoka hapa ukienda wapi hadi hongo kidogo na sisi tunafanya kwa barabara. Kupeleka tu mtu ndio upate shilingi tano au kumi, hiyo tano uweke shilingi moja ndio utoboke pengine hadi utajiri wanafanya kazi mmoja unaambiwa ati we hufanyi vizuri. Lakini hukusoma utafanya namna gani na watu wenye hawakusoma watafanya namna gani ndio waajiriwe.

Com. Zein Abubakar: Kwa hivyo Patrick unataka wale watu wanafanya kazi ya boda boda wasiulizwe kutoa hongo na wala wasisumbuliwe.

Patrick Omwerema: Eh.

Com. Zein Abubakar: Haya.

Patrick Omwerema: Kuna ingine.

Com. Zein Abubakar: Sema sema bwana.

Patrick Omwerema: Mimi ninauliza nilisikia hapa ati wasichana hata wasipo oleka wapewe ardhi, ni kama hawata oleka watahika ardhi. Ardhi ikuwe yao.

Interjection Com. Zein Abubakar: Hivyi ndio ulisikia Patrick, sasa wewe maoni yako ni nini, unakubali hivyo au unapinga au unasema namna gani?

Patrick Omwerema: Sikubali.

Com. Zein Abubakar: Kwa hivyo wewe hutaki mwanamke awe na haki ya kuridhi shamba, hutaki kabisa hivyo. Hutaki mwanamke ashike shamba?

Patrick Omwerema: Sawa sawa.

Com. Zein Abubakar: Sawa ya mwisho?

Patrick Omwerema: Ya mwisho iko hivi, narudia tu ile nimesema.

Com. Zein Abubakar: Unasikia Patrick ikiwa huna ingine, mimi nimekupa fursa ikiwa una ingine, kama hauna ingine, useme tu yameisha.

Patrick Omwerema: Ingingine nina sema.

Com. Zein Abubakar: Lakini usirudie.

Patrick Omwerema: Kwa nini mimi sikusoma, lakini nasikia watu wengine wanapatiwa msaada lakini mimi niko kwetu huko, ati msaada imepewa mahali fulani, lakini mimi sipati na mimi ni mwana Kenya.

Com. Zein Abubakar: Kwa hivyo anataka msaada ikitolewa isitolewe kwa kubaguana.

Patrick Omwerema: Kwa kila mtu yeyote.

Com. Zein Abubakar: Sawa.

Patrick Omwerema: Asante.

Com. Zein Abubakar: Asante sana Patrick uende pale ujiandikishe kwamba umetoa maoni kwa tume ya kurekebisha katiba. Sasa tumekifunga kikao hiki na ningependa kutambua kwamba kikao hiki tunakifunga rasmi. Lakini kabla ya kumaliza, ningependa kusema mambo mawili matatu, ya kwamba leo kwa vile ni kikao cha mwisho nitampa fursa pia commissioner mwenzangu aseme machache, kwa sababu huo ndio tunafunga kazi kwa mara ya mwisho kabisa.

Kwanza ningependa kushukuru sana wananchi wote waliojitokeza kwa wingi leo kuja kutoa maoni yao na kuhakikishia kwamba maoni yoa tatajimuishwa na yale maoni mengine ambayo tumeyapokea kutoka kwa Wakenya wengine. Patrick sasa

uwe kimia kidogo ili turekebishe katiba yetu. Baada ya kupokea maoni haya, tutakwenda tuyashughulikie na yale maoni mengine tukae chini tuandike report ya kila sehemu ya uakilishaji bungeni. Tunatakiwa kwanza tuandike repoti ya constituencies yaani ya sehemu ya uakilishaji bungeni, tukimaliza hiyo tuandike repoti ya kitaifa ambayo itakuwa inajumuisha na kujulisha maoni ya Wakenya katika sehemu zote hizo, 210 halagu tutoe mapendekezo yaani draft proposal ya constitution au bill. Msuada tuwe tumeutoa. Halafu tutahitajika kuyarudisha mambo hayo kwenu, ili muwe na fursa ya kuchunguza kwamba yale mliotuambia ndio yale tuliyoyaandika, na kwamba mapendekezo yetu yakikatiba yanaafikiana na mambo mliotuambia.

Tutahitajika pia kawa na vikao vya kimkoa, baada ya kuwapa fursa yakuchunguza ripoti zetu ili muje mtupe maoni zaidi kuhusu ile ripoti na msuada ule halafu, ndio tuite mkutano wakitaifa ambao utajimuisha kwa wakilishi wenu wa bunge pamoja na wakilishi watatu kutoka kila wilaya pamoja na wakilishi wa makundi mbali mbali ya kidini, ya wanawake ya wafanyikazi na kadhalika; ambao kwa makadirio itakuwa karibu watu 600.

Katika mkutano huo wataangalia ule msuada tuliyopendekeza, na ikiwa kuna maafikiano ya theluthi mbili; basi msuada ule utapelekwa bungeni. Lakini ikiwa hakutakuwa na maafikiano kuhusu mambo yaliyomo katika mapendekezo yetu ya msuada ya kikatiba, tutahitajika kufanya kura ya maoni katika nchi, ili wananchi wajiamuliwe wawe ndio watu wa kuamua mambo ya mwisho, halafu baada ya hapo turudi tena bungeni. Halafu bunge lipitishie tuwe na katiba mpya. Hayo ndio mambo ambayo baado hatujayafikia leo tumekamilisha hatua moja tunangoje tufikie hizo hatua zingine.

Na pia ningependa kuwashukuru kwa niaba yenu, Wakenya wote kwa sababu nyinyi mmepeata

fursa wa kuwa watu wa mwisho katika kutoa maoni. Wakenya waliojitokeza kutoa maoni yao mbalimbali, na kwamba tunawashukuru watu waliohusiana na sisi katika kufanya kazi hii kuwa kazi nzuri. Tunashukuru watu wa provincial administration ambao kwa mapana ma marefu wamesaidia sana kufanya kazi hii ikawa imefikia mahali ilipo sasa. Tunashukuru sana wale wanakamati wa 3Cs ambao walifanya kazi kubwa sana katika kila sehemu ya uakilishaji bungeni. Twashukuru macordinators wetu kama mnavyojua katika kila district tuna coordinator nchi nzimana hapa ni Caleb Amaswache yeye ndio amekuwa akisimamia kazi ya hapa. Tuwashukuru pia wabunge ambao walikuwa ni wanakamati na watu wote walioweza kutufanyia sisi kazi hii ikawa rahisi.

Na katika sehemu mbali mbali za jamhuri yetu tukufu, tumeweza kupewa ukarimu na kuweza kupewa mahali pa kufanyia kazi, na taasisi mbali mbali. Na kama leo kama tuko hapa tunamshuru sana Principal, kwa kuweza kutupa fursa hii kuwa hapa. Na hili jambo la kihistoria litakuwa katika Historia. Litakuwa katika historia yetu kwamba shule hii ilichangia kufanya kazi yetu ikafana, na kwa miaba yune ningependa kuwashukuru wafanye kazi wa tume ambao wamekuwa wakifanya kazi kwa wengine wenu hamjuu lakini tumekuwa wanafanya kazi usiku na mchana. Ukifika

usiku kuna huko national secretariat yetu kuna wanafanya kazi wanaendelea na kazi asubuhi wengine wanaendelea na kazi usiku.

Ningependa kumpa fursa hii ndugu yangu, na kumshukuru sana tumefanya kazi naye vizuri. Tumezunguka mkoa huu wa Western pamoja, na tumefanya kazi vizuri ningemuomba naye aseme machache halafu ndio atufungie mkutano huu rasmi. Dr. Mosonik Arap Korir.

Com. Mosonik Arap Korir: Yes commissioner mwenzangu Abubakar, Zein Abubakar, na wafanyikazi wenzetu wa kutoka tume ya kurekebisha katiba, bwana Hassan Mohammed program officer, Joyce Wamucii assistant, na Marion Nekesa yule ameketi; sisi tumekuwa hapa leo Malava constituency kikao cha pili kwa ajili lazima kulikuwa na kikao kingine mahali pengine. Tumefanikiwa kwamba kikao cha mwisho kabisa cha tume, kikao rasmi tumemaliza kwenu. Mlielezwa asubuhi kwamba sisi tumegawanywa kwa vikundi vinane na ndivyo hivyo hivyo tulifanya

Kazi. Leo wenzetu walikuwa Emuhaya, Hamisi, Budalang'i, Emuhaya tena yaani Emuhaya ya kwanza ilikuwa Kimwa mission, ya pili Ebungwe, halafu Khwisero, Ekalamane, Matungu. Tumefanya kazi namna hii tangu mwanzo wa mwezi wa tatu 27th of March I think is when we Started tulianza tuliita pilot survey tukafanya majaribio kuona kwamba je kazi hii itawezekana na tuifanye kwa njia gani. Kwanza tulikuwa tumependekeza ama wananchi walikuwa wamependekeza, na nitaeleza ilikua nini, kwamba tuwe na mkutano zaidi ya miwili kwa kila constituency. Halafu tena kukawa na

pingamizi ama problem of time, halafu tukafikiria ama tufanye siku moja ama kikao kimoja mahali. Tukaanzia area ya Nairobi and its environments kufanya pilot survey, tukawa na hakika kwamba kikao kimoja hakitisho kwa constituency; ndio tukaongeza iwe vikao viwili. Kwa hivyo ilikuwa ni mwanzo wa mwezi wa tatu lakini hii ya vikao viwili tulianza tarehe 17 mwezi wa nne. Na tukaanzia vile mwenzangu chairman waleo alieleza, kufuatia serufi wa alphabet. Tulikuwa tunafikiria tuanze wapi, na kama kutahiriwa ing'awa kila mtu anataka lakini hakuna mtu anataka kutangulia awe mbele afikishia wacha kwanza wengine wafanye kwanza ndio tuwafuate tusikie iko nanma gani. Sasa kulikuwa na mabishano tuanze wapi mpaka tukakubaliana kwamba alpha-bet hakuna mti alipanga, tufuate alphabet tu vile iko, ndio tulianza Central province, tukaenda Coast province, tukarudi this way Eastern province, tukaja Nairobi province halafu North Eastern Province halafu Nyanza province, halafu Rift Valley, halafu mukawa wa nyuma.

Na wengine tukasikia kwamba watu walikuwa wamelalamika pengine area hii na Rift Valley kwa ajili gani, sisi wawe wa mwisho. Lakini kama wakati mwingine wanasema wale wa mwisho watakuwa wakwanza, the last shall be the first. Kwa kumaanisha kwamba kwa bahati hiyo alphabet watu wa Western province wakapata muda mwingi kushinda mikoa ile yote mingine ya kujutayarisha, kwa ajili hii nikama mtihani. Mtihani ya kutoa ile maoni na kuhakikisha kwamba maoni imeingia kwa katiba mpya. Sasa nyinyi mlipata fursa ya kujitayarisha mkawa wa mwisho. Na vile tumeona na mwenzangu hapa commissioner. Watu wa Western kila mahali tumeenda they are very organized. Wanaweza kuwa na

maoni tofauti kabisa wanatofautiana, kama tuseme mlima wa Elgon na chini hapa upande huu. Lakini vile wale wanasema na hata hao wanasema wamepanga vizuri. Hiyo nikusema kwanza kwa ajili walikuwa na muda ya kujitayarisha, na tena hiyo ni kumaanisha kwamba wale walikuwa wanafanya kazi kamati the 3Cs the district coordinators, with their MPs and then the providers walifanya kazi nzuri. Kama kazi imefanywa vizuri namna hiyo inarahisisha kazi yetu sisi, kwa ajili tunatakiwa kufahamu vizuri. Na sasa kuanzia hivi karibuni kama vile mwenzangu amesema tutaketi sasa na kwanza kusoma kila mmoja, hii ni folder ya Western province kila province na yake.

Sasa tuanze kuanzia number one, mpaka mwisho nakusema wananchi je walisema namna gani tulipokuwa Kwale, Mandera, walipokuwa Webuye na Malava. Halafu kutafuta sasa the common friends, ikiwa mmepanga vizuri vila mlifanya inatusaidia. Hatukwenda tu kwa constituencies ama kwa mikoa. Kwanza mwanzo mwanzo kama mnakumbuka mwaka jana tulipoanza hii kazi mwezi wa June na mwezi wa July tulizunguka kwanza every provincial headquarters, to launch the process halafu baadaye tukaenda tuliita provincial hearings, tulikuja tena sasa sio kuluanch lakini kusikiza maoni kwa provincial headquarters ndio tukaja Kakamega nakadhalika.

Na tena hiyo kufanya provincial hearings wakati uli ulikuwa wa tukaita organized groups. Ambao tuliwahesabu kwamba hawahitaji civic education sana kwa ajili wamejifunza tayari. Nikifupisha niseme kwamba sasa tunajukumu ya kwenda kusoma, kuelewa na kuandika. Sisi kama tume tulikuwa tumeomba bunge, na tunafurahi mheshimiwa wa zamani yuko hapa. Kwamba watupee muda ya kutosha ndio tusichezee haya mawaidha, hayo maoni ya wananchi. Tukasema mpaka mwesi wa May watu wengi hawakutufahamu wakafikiria pengine tunapenda tu kukaa hivi. Lakini kukaa nikuketi vile tumeketi leo, kila siku tangu mwezi watatu tuko mahali tunaketi. Lakini tunataraji kwamba wananchi na viongozi, wajumbe wa bunge watatuelewa na kutupatia nafasi ya kuandika vizuri. Kwanza kuelewa kwa kusoma na kuandika ndio tutoe ile katiba inayohitajika.

La mwisho ni kusema kwamba, mimi ninafunza Historia University, na nikifikia hivi kwa damu yangu nina elewa kwamba tunafanya historia. Historia tunaifanya making history because ni mara ya kwanza sisi wananchi wote kuketi na kujadiliana kuhusu katiba yetu. Una jua ile ya Lancaster ilikuwa ya viongozi wetu wakisiasa, walienda ng'ambo London. Baadaye wabunge wamefanya kazi nzuri wakarekebisha Katiba, lakini walifanya kama wakilishi wetu bungeni. Sasa hii ni mara ya kwanza tumehuziha wote. And we are proud and happy that we have associated with the process. We want to say may this process bring about the national consensus that we all need. Na tulisema hata vile inafanywa inasaidia, the process and the method is important as the result, kwa ajili watu wataona kwamba it is a result of consultation of working together on the same process.

Sorry Mr. Chairman that I had the opportunity to do that, kwa ajili kawaida, any way I am feeling a bit sentimental so asanteni sana. Let me give him back the microphone, asante.

Com. Zein Abubakar: Sasa ningependa kumpa co-coordinator, pengine coordinator atampa tu fursa baada ya kusema machache, principal atufungie kikao kwa kusema machache na kumpa mtu mmoja wetu atufanyie sala kabla hatujaondoka. Caleb Amaswache coordinator wa eneo hili.

Caleb Amaswache: Asante sana wananchi wote wenye wako hapa na ma-commissioners, na wale wenzangu wenye wametoka kwa Commission, vile mmesikia wametembea kutoka Pwani, Central Pwani na Western imekuwa ya mwisho, na vile wamesema tena sio mwisho kuja, baado watakuja tufanye provincial meetings.

Langu ni kuwapa wananchi wa Kabras ya chini asante, kwa kuja kwa wingi. Nimeona record yetu hapa ni nzuri kwa kutoa maoni yenu. Commissioners, just one minute before I call the principal to close the meeting. Honourable Angatia I recognize your presence, you are a leader and an opinion leader in this region, please say something.

Honourable Angatia: Asante sana kwa hiyo nafasi kwa niaba ya watu wa area hii, na watu wa Malava kwa jumla, nitawarudishieni wana commission wote, ma-commissioner na staff wao asante kubwa sana; kwa kutupa nafasi ili tusema yale ambayo tumeweza kusema. Tunajua ya kwamba kazi ya katiba ni kazi ngumu, na hii ni mara ya kwanza hii kufanywa katika Kenya; kila mtu ana-tarajia ya kwamba hawa ni wataalam kwa sababu wengi katika nchi hii kuna watu na wale ambaye hawajasoma hawaelewi katiba inaweza kuandikwa namna gani, lakini nyinyi kama wataalam. Na ile msaada mumepata kutoka kwa wananchi, na wataalam wengine tuna hakika na tuna hamu tunatarajia katiba nzuri, ambae inaweza kutuongoza katika shughuli zetu za nchi hii.

Mumekuwa misunderstood ya kwamba katiba itatoa umaskini, ugonjwa, ujinga, sasa hiyo katiba Itatuongoza kwa shughuli za hizo sectors kujaribu kutengeneza mambo yetu.

Lakini katiba peke yake, na hao wazee na staff wao wakati watatupa katiba mpya hawatakuwa wametoa hayo mambo yote, watakuwa wametupa mwongozo. Na katika Kenya miongozo ya kuandikwa ya kufikiriwa, yakutekelezwa na ma-commission ni nyingi tena nzuri sana. Shida imekuwa tu utekelezaji. Mambo yanaweza kutengenezwa na yawe mazuri yaandikwa, lakini watakayoitimiza ndio wanatulet down. So we just want to wish the commissioners every-success wafanye kazi yao waridhike hata sisi turidhike, baadaye watatuwachia itakuwa ni sisi tutailinda namna gani. Sheria iko katika nchi, mambo yako katika nchi hii imeandikwa mazuri, lakini sisi Wakenya wenyewe tumeshindwa namna ya kuwatekeleza.

Jambo ambalo ninajua ni ngumu sana kwa commissioners, kama inawezekana kumshawishi Mkenya aitekeleze haya mambo. Kama mnaweza kuwa na clause katika katiba ambayo Inaweza kuwafanya watu wafanye wajibu wao ingekuwa kitu kuzuri sana. To cheer, people to urge people to be committed, to be patriotic kufanya hiyo kazi. Sijui katiba inaweza kutufanyia

nini ikiwa mngetuletea hiyo, itakuwa mume leta mambo ya ajabu katika nchi hii. Na tutakuwa na maendeleo, tutaleta maendeleo upesi sana. Sitaki kuwapa lecture ingine, sisi tuko tuna furaha tumepata nafasi, najua watu wengine hata hawaelewi katiba ndio nini, kwa hivyo wengine ambao labda wangependa kuwa hapa, hawakuweko. Lakini wale walikuja ndio wale walikuja ndio wale wale walitaka kusema kitu ndio wakazungumza na wakafanya hii kazi kwa niaba ya wengine. Bwana Amaswache sitaki kuongea sana, umejua mimi ni mwalimu na tena mwanasiasa naweza kuongea mpaka watu watachoka. Asanteni sani kwa niaba ya wananchi nitawashika mikono(?) asante sana kuja kututembelea, asante sana na mambo mazuri mumetufanyia, asante sana commissioners.

Caleb Amaswache: Mnajua commissioners why I called honourable Angatia is that my experience in Lugari constituency, is that the area Member of Parliament never attended any of our sessions, instead the former MP Nabwera was there he attended the session, Apili Wawire came and he gave a memorandum and gave his views. In Malava the MP has not attended any of the sessions here, that I was surprised I have seen honourable Angatia here, I saw honourable we Rangai in Matete. So that is why I am saying that may be the Former MPs we replaced are more interested in this constitution and the present MPs. Sina

Mengi, mwalimu walisema wewe ndio utakuja kutufungia, wewe ndie utawaita Omshali, atuombe halafu tufunge kikao. Welcome mwalimu.

Isiah Luchiko Kakai: Isiah Luchiko Kakai:(?) tena kwa niaba ya jamii ya shule ya upili ya Shamoni, commissioners waliofika siku ya leo, na wageni wetu walioko(?) ninayo mwenzangu mwalimu mkuu wa shule ya msingi(?) kuna wengine wengi wamekuja nasema asante sana kwa(?) katika hali hii muhimu.

La pili, nitataja yule ambaye atatuongoza katika maombi na si mwingine basi ni huyu mzee ambaye amejulikana Kiba Kimau Kibe nadhani hakuwa anatarajia kutuongoza katika maombo lakini vile alivyo ni koingozi wa kanisa.....(?) na ningependa kumpa nafasi hii(?) tunapotoka hapa tunaomba ma-commissioners wapitie katika afisi yetu kidogo tu lakini.....(?)

Kiba Kimau Kibe: Prayer Asante sana nafikisha(?) pamoja na officers wote waliofika hapa. Kwa jina Safina W. mwongozo wa(?) wetu kufika hapa kutueleza(?) na kwamba sisi tumepata maneno mingi ambayo hatukujua temejua kwa jina Safi na.....(?) utuongoze watu wetu wakurudi nyumbani waende vizuri, wamalaika wa Mungu utuongoze hawa wazee wakirudi

nyumbani.....
.....(inaudible) Amen.

Isiah Luchiko Kakai: Asante sana Pastor.

The end