

**CONSTITUTION OF KENYA REVIEW COMMISSION
(CKRC)**

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS
MALAVA CONSTITUENCY
HELD AT ST. TERESA CATHOLIC CHURCH MALAVA**

ON

1ST AUGUST 2002

**CONSTITUENCY PUBLIC HEARINGS, MALAVA CONSTITUENCY, HELD AT ST. TERESA
CATHOLIC CHURCH MALAVA 1ST AUGUST 2002**

Commissioners Present

Domiziano Ratanya	-	Commissioner
Abida Ali Aroni	-	Commissioner

Absent with Apology

Keriako Tobiko - Commissioner

Secretariat

Ismail Aden - Programme Officer
Merry Mayabi - Ass. Programme Officer
Susanne Mutile - Verbatim Recorder.

The meeting started at 10.05 a.m. with Commissioner Ratanya in the chair.

Co-ordinator Caleb Amaswache: Tukae chini tuanze mkutano. Macommissioner na watu wa Malava, leo ni siku ya Malava constituency hearings na wote mnakaribiswa. Jina langu ni Caleb Amaswache co-ordinator wa Lugari na Malava constituencies na kabla hatujaanza kusema maneno mengi mengi, tungeuliza Father atuombe kwanza.

Father Proto Musonyito: Na tusimame kwa maombi. **Prayer:** Kwa jina la Baba la Mwana na Roho Mtakatifu, Munga Baba Mwenyenzi tunakushukuru kwa siku ya leo, tunakushukuru kwa sababu ya kila mmoja wetu wewe ni(?) tangu mwanzoni ulitupatia amri kumi za kulinda maisha yetu na hazo ndizo amri za kutuongoza sisi kama watu wako. Tunakuomba sisi kama watu wa Malava watu wa Kenya wakati ambapo tunatafakari mambo ya sheria ya kulinda sisi wewe mwenyewe kwa akili yako na kwa wema wako utushushie Roho Mtakatifu aweze kutuongoza kwa yote ambayo tunaandaa na yote ambayo itasaidia sisi ambayo tuko hapa na wale ambao wanazaliwa na wale ambao watakuja siku za usoni ili sheria yetu iwe nzuri na itulinde sisi kama watu wako. Tunaomba hayo kwa njia ya Kristo Bwana wetu. Kwa jina la Baba na Mwana na Roho Mtakatifu. Amina.

Co-ordinator Caleb Amaswache: Kabla sija-handover programme kwa Macommissioner, CC Members wenye wako hapo wasimame kidogo watu wawaone. Huyu anaitwa Mr. Rapando, yeye ndiye Secretary wa CC ya Malava. Huyu ni Mr. Chibeu, representative wa disabled kwa committee wa Malava na huyu anaitwa Mrs. Sarah Mikolwe representative wa akina mama wa committee ya Malava. Wengine watakuja, na sasa nimejitoa napeana programme kwa Commissioners ili tuanze hearings. Asanteni.

Com. Domiziano Ratanya: Hamjamboni nyote wananchi wa Malava. Sasa ni wakati mwingine yangu sasa ni wakati mwingine tukianza sasa. Tumemaliza wakati mwingine Rift Valley na sasa tumeingia Malava Constituency. Sasa hivi tunataka kuanza kikao cha Tume ya Kurekebisha Katiba ya Kenya. Mimi ningesema kwamba(**Inaudible**) ni yetu, kwa sababu tumeandwa na sheria, sheria imetupa nguvu kuchukua maoni yenu na nyinyi mpeane maoni yenu. Kwa hivyo msiope msiseme yeyote akifanya lolote ataenda kuchapwa ama bibi asiseme kwamba akitoa maoni yake atapigwa nyumbani na bwana,

hawezi, kwa sababu sheria inatulinda. Kama akina mama mnatoa maoni yenu mkiwa huru kabisa na turekebishe katiba yetu.

Nikaonana nao wazee wakatuambia watapigwa na(?) huko nyumbani kwa sababa ya(?) unajua boma ya(?) na serikali lakini huwezi kokosa kutoa moani yako(?) hakuna yeyote atakuuliza na tuwe tunajua kwamba yeyote.....(?).

Kabla hatujaendelea, ningetaka kuwajulisha wale ambao tunao hapa siku ya leo.(?) kupita kwa ndugu yake Simiyu(?) lakini sasa ningetaka kuwajulisha wale ambao tumekuja nao kutoka kwa Commission. Kwanza tuna Programm Officer wetu Bwana Ishmael ambaye anabeba ofisi yetu kutoka Nairobi ni Programm Officer(?) na yeye anasaidiwa na officers wengine kutoka headquarters. Kuna Mercy Mayabi, Assistant Program Officer Mercy amekwenda wapi? Suzanne Mutile ambaye anahusika na recording kwa sababu yale ambayo mtasema yote yatakuwa recorded. Tukiongeza tena kuna officers wetu ambao walitubeba, hawako hapa lakini wako nje ya officers wetu wawili na dereva wawili, na Commissioners wawili. Na commissioners ambao wako hapa upande wangu wa kulia, yaani hakuna mwingine wa kushoto lakini ambaye ninaye hapa ni Madam Commissioner Abida Ali ambaye ni mwenye kiti mdogo wa Commissioner wetu wa Constitution of Kenya Review Commission.

Commisioner Abida: Hamjambo? Tunawakarabisha sana katika hiki kikao na nafikiri mwenzangu amesahau kuwaambia kwamba tunafaa tuwe Macommissioners watatu, lakini mwenzetu ambaye ni Commissioner Keriako Tobiko hayuko ako na malaria kidogo na ameshindwa kujiunga nasi, pengine atajiunga nasi kesho. Karibuni.

Com. Ratanya: Asante sana Commissioner,(inaudible) Na mimi bado sijajitambulisha, mimi naitwa Domiziano Ntochokera Ratanya ambaye ni Commissioner.

Tukiendelea, tunawajulisha kwamba siku ya leo, kwanza naona kama list6, unaandika jina. Kila mtu anajiandikisha hapa kwa list na hii inamaanisha kwamba tutatumia list hii. Kila mmoja amefika kutaendelea namna hiyo. Lakina kama unasahau yeyote ya kuvuka, hiyo labda(?) kwa mfano kama kutakuwa na wanafunzi kutoka shule na angetaka kurudi darasa lake tutampatia nafasi, apeeane maoni na arudi classroom. Pengine mwalimu vile vile, kama ako karibu na anataka kutoa maoni yake aende. Tena kama kuna mama ama baba mzee sana, na tuone kwamba huyo pengine hawezi kukaa wakati mrefu, tutampatia nafasi atoe maoni yake na aende nyumbani kupumzika. Vile vile kama kuna disabled, mtu ambaye hajiwezi, tunaona kwamba amekaa hapo na angetakea kupeana maoni yake aende ama kama anataka kuketi chini angoje ni sawa sawa, lakini akiwa na haja ya kupeana maoni yake apumzike kwa sababu ni mtu asiyejiweza, tunaweza kuvuka hii list na kumuita apeeane maoni yake.

Na tena tukiangalia tuone kama pengine akina mama, kwa sababu ni wachache wakati huu, tunaweza pengine kuvuka kusikia sauti ya akina mama na kurudi tena, lakini sana sana tutatumia list isipokuwa kuwe na sababu ya kutosha. Na kila mtu ambaye amekuja hapa anajinadikisha huko nyuma ya(?)

Kitu kingine nataka kuwafahamisha ni kuhusu lugha. Lugha ambayo tutatumia mnajua ni mbili Kiingereza na Kiswahili inatumika sana na kama(?) kama huwezi Kiingereza au Kiswahili una uhuru wa kuendelea namna hiyo ama(?) Lakini kama kuna sababu yeyote ya kutumia lugha ya kienyeji, hujui lugha ya Kiingereza ama Kiswahili una huru ya kufanya hivyo, unaweza kuongea lugha yako, sijui kama ni Kiluhya ama Kimalava. Kwa hivyo lugha ya kiluhya kama kunaye I am not(?) kama unataka ama unafikira hiyo lugha ndio itapeana maoni yako yaingie katika Katiba yetu ya Kenya una uhuru ya kufanya hivyo. Co-ordinator atatutafutia mtu wa kutafsiri. Tena kama kuna wale ambao ni viziwi ambao hawasikii co-coordinator atafanya mpango kuwe na interpreter wa sign language.

Nyingine wakati unapeana maoni, kama memorandum, una maandishi refu na unataka tu kupeana hayo maandishi halafu ujiandikishe na kuenda bila kusema lolote unaruhusiwa kufanya hivyo. Unapean hapa kwa register yetu kwa sababu umepeana memorandum unaweza kuenda, lakini unaruhusiwa kutetea hiyo memorandum yako kama una memorandum na unataka kuhighlight ama kusema mambo machache ya muhimu kwa hiyo memorandum, tutakupatia. Kama kawaida huwa ni dakika tatu hivi kuhighlight kusema machache uongeze machache yale unafikiria ni ya muhimu katika memorandum. Lakini sio kuchukua memorandum namna hii na unaanza kusoma, hii nikama ishirini eh na memorandum kwa sababu watu wengi wanangoja. Ukifika jioni tutakuwa na watu karibu mia mbili kwa hivyo hakuna mtu atazungumza. Sasa ukiwa na memorandum chukua hizo dakika unepewa kama tatu just to highlight. Kama una point; ishirini pengine kuna tatu mbili imesemwa hapa, mengine tutasoma kwa sababu kuna experts huko ofisi yetu watasoma na waanalyze na tutasoma vizuri.

Kama hauna memorandum, na unataka kupeana oral presentation, utakuja utaketi hapo na utapewa dakika tano na utazungumza mambo yako yote kwa hizo dakika zako tano. Kwa hivyo hapa tuheshimiane tu. Usiwe ukakaa hapa kusema una contribution ya pili ya tatu halafu ukae usahau kuna wengine. Nikikuamimbia kwamba wakati wako umikwisha tuwe na heshima unipatie memorandum yako na umalize ili tuweze kusikia kila mtu kufikia jioni. Tena kama tungetaka kuuliza swali, nimi ama Commissioner mwenzangu anataka point of clarification, ama kufafanua jambo fulani, kwa hivyo hapo tutakuuliza na utangoja tutakuuliza maswali.

Na ningetaka kuwajulisha kwamba tena, hayo mambo yote yatakuwa recorded, yatawekwa hapo na sauti yako itachukuliwa. Utakuwa unaketi hapo, unaongea kwa hicho kipaza sauti na ukianza utasema jina lako ili jina liingie kwa machine ijulikane ni nani alizungumza, kwa sababu tuna-record.

Na ukimaliza mambo yako utaenda hapo kujiandikisha halafu unaenda. Ama ukitaka kuketi una huru wa kufanya hivyo. Na nikifikia hapo isipokuwa kama kuna mengine yatapatikana baadaye nitaweza kuwakumbusha, sina mambo mengine na ningetaka sasa tuanze mkutano wetu.(?).

Com. Abida Ali-Aroni: I am sorry that we are not allowed according to our procedure to have any deliberation this morning.

If you have anything regarding the review process may be you can go aside and talk to our programm officer; for now I am sorry to tell you that our procedures are strict. We must start with our program, we are expecting many, many people and we may not be able to complete our program for today in time.

Speaker: I am a civic education provider...

Com. Abida Ali-Aroni: Yes, if you have any problem, tafadhali kwa hisani yako, speak to the man in charge of the program please.

Speaker: I don't understand .

Com. Abida Ali-Aroni: Tafadhali...

Speaker: (Inaudible)

(Murmuring and noise from the audience)

Com. Abida Ali-Aroni: Our work today is very specific.

(Murmuring and noise from the audience)

Com. Abida Ali-Aroni: We have very strict instructions, tafadhali kwa sababu hata ukitoa malalamiko yako we cannot address it at this point. This is a meeting for a specific program. If you have a problem please address it to the man in charge of the program he will see how best to address it. Hizo shida zako sio shida za public, tafadhali.

Speaker:(inaudible)

Com Abida Ali-Aroni: Yes, but we cannot solve your problem now. Please, let us be sensible and reasonable. Go to our Program officer, he will see how best to handle your problem, tafadhali, please. *(Murmuring and noise from the audience)*

Let us call Mr. Maikuba Shitanda.

Com Ratanya: Hebu tunyamaze. Unajua wananchi kama tutaendelea kupiga makelele, hayo maneno yaote yataingia kwa machine, in record. Kazi yetu ya leo ni kuchukua maoni ya wananchi, that is our mandate today. So we have started. Maikuba Shitanda ameitwa na amekuja. Sema jina lako na uendelee.

Maikuba Shitanda: My name is Maikuba Shitanda, and I am a member of this constituency. Honorable Commissioners, members of the public, good morning to you. First I will start by mentioning some points, which may touch on what people are complaining about. We have not been able to have some accessibility to literature and other stationery concerning the guidelines on the Constitutional Review. Therefore, honorable Commissioners, our presentation may not be very organized but you will bear with us.

First, the confusion arose because Malava constituency it happens that it transverses up to Lugari District and part of it touches Kakamega district. So there was that confusion of coordination. I therefore propose that there should be no constituency that should transverse more than one district. The constituency should sit wholly in one district.

I also propose that some political party chairmen should not have exclusive powers to control ministers during their official duties. Especially during this time of unitary government. If it happens that the Chairman of the ruling party may interfere with the smooth running of the government by allocating ministers some duties or summoning them here and there, I propose that the party chairman should not be having the powers to control the ministers even if he is the chairman of the ruling party. Because it amounts to consistance to the existing Constitution.

I also propose that the close family members of the outgoing president, whether retiring by death or any other way of leaving office, the close family members should not qualify to vie for presidency. That is more specifically the wife, the brother, the first cousin, the uncles or aunts and the grand-children. Until after the presidency has rotated to other three presidents is when their family members can qualify to vie.

I also propose that the members of the public in that province in which the outgoing president was should not qualify to present a candidate for presidency until after the presidency has also rotated in other provinces for three presidents. This is to avoid some monopoly or something like a monarchy sort of rule.

(Interjection) **Com Ratanya:** Okay, umemaliza?

Maikuba Shitanda: No, I have not finished.

(Interjection) **Com Ratanya:** Okay you have a minute left.

Maikuba Shitanda: Okay. I am proposing that, we should have in Kenya the government of national unity instead of the current unitary government. This current system where the winner takes it all, it makes other people to start coveting leadership through unfair means. Therefore I propose that, all the parties concerned should be involved in the cabinet by their strengths in parliament, and the winning party should produce the president and the president should have the executive powers.

The second winning party should give the prime minister, sorry not the prime minister, the second winning party should give the Vice President. And still the winning party should give the Prime Minister, and the third party should give the deputy prime minister.

The president should not have powers to appoint ministers directly, but should be given the names by the concerned political parties.

Com Ratanya: Maikuba, wakati wako umekwisha, tumpate mtu mwingine. Enda ujiandikishe, Vitalis Onanyo uwanja ni wako.

Omole Vitalis Onganyo: Mwenye kiti wa leo pamoja na mkutano, mimi kwa majina ni Omole Vitalis Ong'anyo, ingawaje pale iko Vitalis Onganyo na nimeongeza Omole.

Maoni yangu naanzia pahali ambao mtu akishazaliwa, anaanzia maisha kama havezi ama anaweza na pia ndio mahali ambapo atamalizia maisha. Hiki kitu ni shamba. Mara kwa mara nchi yetu ya Kenya, naona kesi za mashamba zinafanywa Nairobi, unaishi hapa kwetu Kabras lakini kuna mtu anapambana na wewe kwenye lile shamba Nairobi ambayo tunasema kortini.

Hakimu hajui shamba lipo wapi, na kwa ajili mwenye pesa amekushtaki, kesi mnakwenda mnafanya Nairobi au Mombasa. Na shamba lile mnatwetania ni la Kabras hapa. Wenye wamejua lile shamba ni wazee mahala pale ambapo ulizaliwa, wao hao ndio wamejua mipaka ya lile shamba ilikuwa ikipitia wapi ambao labda wangehusika na kutoa hukumu na kusema, ingefaa mpaka huu upite hapa na shamba hili ni la mtu fulani. Maoni yangu ninapinga kesi za mashamba kufanywa kortini, zirudi zifanywe penye shamba lilipo.

Sehemu yangu ya pili, hapa Kenya karibu kuna wizara tofauti tofauti, mtu akiajiriwa kufanya kazi kuna ile tunasema uhamisho. Uhamisho hauna ubaya wowote, sababu ulikubali kufanya kazi ndani ya Kenya. Lakini kuna wizara fulani ambapo huamishwa haipo, halafu baadaye uharibifu inapatikana. Tuna wale tunawaita watawala, hasa naibu wa chifu na chifu, mbona hawa watu hawawezi kupata uhamisho? Kwa sababu mnaishi naye, kwanza unaweza kupata yule anakupenda zaidi, hii itakuwa kimaisha yako umefaulu zaidi kwa sababu unaishi na yeye mpaka atakapokufa. Na ukipata yule ambaye hakupendi, una taabu mpaka atakapokufa ama awache kazi. Kwa hivyo hawa pia ingefaa wapate uhamisho, yaani transfers, aende afanye katika sub-location nyingine na mwingine pia aje afanye mahala pake ambako alitoka. Sio kwamba ni lawama, lakini ingefaa kubadilishana mawazo kwa jambo kama hilo.

Hapa kwetu Kabras, pia kuna wazee wetu ambayo ni sisi wenyewe tunawatawaza kutulinda, village elders. Hawa pia, ingefaa wawe na muda, kama ni mimi ningesema uwe muda wa miaka mitatu, ikiisha tunachagua mwingine. Sio atakayekuwepo mpaka atapata makosa ndio awache, hapana. Hiyo inafanya mtu afanye kazi yake kwa bidii, maana anaona ni yeye tu alioko hakuna

mwingine atakayepitishwa tena.

Kwa hayo machache nasema asante.

Com. Ratanya: Asante sana Vitalis, jilandikishe. Tunataka kuwajulisha kama unapeana maoni yako usiendelee sana kutumia dakika yako yote kueleza lakini tungetaka upendekeze,(Inaudible) your recommendations, au kwa vile hakuna kusaidia kurekebisha Katiba yetu kwa sababu itanza story yote na dakika yako bado inakwisha katiba yetu hakuna mapendekezo umefanya hakuna proposal, hakuna kitu umefanya. So give specific recommendations, toa maoni kabisa ama(?) Twende kwa namba, mwingine anaitwa Shivia Ndunde.

Mshevia Ndunde: Hamjambo watu wa serikali wote viongozi, hamjambo tena. Mimi naitwa Mshevia Ndunde. Neno langu la kwanza ninaona sheria imewekwa mingi kwa sub-chifu. Sub- chief nimeona wateuliwe na wananchi kwa sababu anakuambia mimi ninatumikia sheria na nilipitia kwa mtihani fulani. Sub-chief, na chief wateuliwe na wananchi.

Neno la pili, sisi ni Wakristo na sidhani ile Bible tunaweka kortini tunabeba juu kama mamlaka hiyo sio haki kwa sisi wa hubiri. Bible itabakia kwa makanisa.

Asante, sitarudia maneno ya mashamba Vitalis amemaliza. Asante sana.

Com. Ratanya: Asante sana Ndunde njojea swali.

Com Abida Ali-Aroni: Ikiwa unapendekeza tusitumie Biblia kama wakati ambapo watu wanaapishwa kortini una pendekezo na kitu kingine kinaweza kutumika ili kuhakikisha kwamba watakaochukua na kutoa ushahidi kortini wataweza (inaudible).

Mshevia Ndunde: Sisi tuna mamlaka kwa Kiluhya, kuna wazee wale wa zamani kutoka huko nyuma, mzee anawekwa hapo na walikuwa wakitumia njia mbili, wanatumia mitishamba kama mtu anaua mtu kusudi akishaua yule mtu na anaenda huko anakiri, anapewa dawa fulani anakunywa. Huyu anakatiwa kiwango hicho. Lakini Bible sifikiri kama inaweza maliza hiyo maneno.

Com. Ratanya: Asante sana, kuna Christopher Sikwaka.

Christopher Sikwaka: Asante, kwa jina ni Christopher Sikwaka vile mlivyosikia. I am here representing the SDA church and I have a document from this church. Because it is written, I will go over the main points and I will hand over the memorandum.

The Bible consistently affirms the role of the government as an instrument in the hand of God for the establishment of law and

order within the civil setting. We therefore as the church feel obliged to give our views to this Commission.

1. The presidency, the SDA church feels that for one to contest for the presidency he or she must be a Kenyan citizen and one who has stayed in the country for at least 10 years.
2. He should be in the age bracket of 30 and 65; besides he should have attained at least an undergraduate degree of education.
3. We are also for the idea that, for one to emerge as a winner in the presidential election, one must have obtained at least 51% of all the votes cast besides raising 25% of the votes in at least 5 provinces.
4. Otherwise, there should be a run off election between the first and the second candidate in the first election. In the run off election one should win with a simple majority vote.
5. We also agree that, the fact that the powers of the government should be decentralized; the powers of the president as it is now should be trimmed. He should not be above the law.
6. The constitution document, the language in which the constitution of our country is written is quite abstract and a far much removed from the common Kenyan. Based on this premise we feel the new one should be translated in various language dialects in the country. This will enable all Kenyans to understand the constitution.
7. Religious liberty, we also agree that everyone should have a right to profess or not to profess a religion. There should be a freedom of worship to all Kenyans. SDAs worship on Saturday and therefore, it should be a government workers ' day off just like Sunday.
8. Land inheritance, the girl child is discriminated against in the land succession and general inheritance of property. We therefore feel that there should be a provision in the constitution where all siblings should have an equal right to parental inheritance. We also recommend that land succession from the dead owner, should be free with the help of a local chief and a land tribunal. Besides the land tribunal should also include women aged above 45. We observe that there is an equitable distribution of land in the country; some have large tracks of land up to 1000 acres or more, when others are squatters having no land at all. The constitution should only allow one to own land up to 1000 acres, if she or he is able to develop it for economic growth of our country. Otherwise the un-used land should be repossessed by the

government and be shared to those who don't have land and can be able to develop it.

9. We also have something on social life; the HIV pandemic has really taken toll on many a Kenyan's life. Much need to be done in order to curb the spread of this scourge. We therefore recommend that HIV Aids counseling and testing should be made mandatory to all Kenyans. Those tested positive should be made public. Besides life being precious and that is commences at conception abortion should be outlawed. Those found having done or in the process of doing it should be given life imprisonment.

10. Poverty eradication...

Interjection Com. Ratanya: Your time is over. We will read your memorandum. Thank you very much.

Christopher Sikwaka: Thank you, asante. Thank you.

Com. Ratanya: We have Henry Karamanja. Henry Karamanja ni wakati wako.

Henry Karamoja: I am Henry Karamoja and a retired education officer.

There's a necessity of preamble being included into our new constitution, and among others it should highlight exactly what our constitution is like, having the opinion of all the Kenyans, distribution of power, the government of the people for the people by the people, popularly elected leaders, protect the human rights of the people and a constitution that has been discussed by everybody just like we are doing now.

The name, we have the Republic of Kenya which does not specify clearly whether Kenya is a democratic country. It is my suggestion that that name should be replaced by the Democratic Republic of Kenya. That will entail exactly Kenya being a democratic country.

The leadership of Kenya is my proposal that we should have a ceremonial president who is elected by the people and we should have a head of government that is a prime minister whose duties should be specified very clearly by parliament. Executive should not have massive power, but the parliament should be given powers to vet almost every important position and offices, which are within the government that has been formed.

I don't want to repeat many others, which have been said. The freedom of individuals that is the protection of fundamental

rights in our constitution, it is my proposal that civic disobedience should be included.

Now where a person who is elected is not running the office properly and where the parliament is unable to function properly, the civic the people, the common people should impeach the president from the office.

Free and compulsory education, clean water and many others.

Freedom of worshipping God and this God should be specified to avoid devil worshipping. And the God that should be worshiped freely must be the God of Abraham, Isaac and Jacob and I have to give reference in the bible which is 1st Chronicle 29:8, and the God that gave Moses ten commandments so on. Mount Sinai, that is Exodus 20: 1-9 and specifies that you should have no any other God than that God, because there is freedom of worship and that why you find that even people have to worship devils and not the right God. As a Christian it is important.

Citizenship, it is my proposal that we have two citizenship, that is the natural and the paper. And probably if I have married a noncitizen of Kenya, since she is my wife, automatically must become a citizen of Kenya and possibly the children have even if we are in America or elsewhere they should automatically be Kenyans as the father is a Kenyan.

Trust land, it has been said we are people with chunks of land and others in Kenya are without land. Actually my proposal is that those without land in Kenya and we have a big land in Kenya a person should not have less than 15 acres and not more than 50 acres. But the land belonging to the government to develop and surplus be given to every individual and not particular tribes, or the ruling people to own land while others are not owning land in Kenya and yet we are all citizens of Kenya. Transition.....

Interjection Com. Ratanya: Henry, I think your time is over. Sema la mwisho.

Henry Karamoja: Thank you, but may I mention that the Speaker during the time of transition should be in charge of the government and the transition period should not take more than 3 months before another president takes over.

Local authority, may I say form four should be the status of going to county council. And graduates should be level ground of parliamentarians and even the president so that lack of understanding of many businesses in parliament and county councils should not be there. Thank you Sir since you have given me enough time.

Com. Ratanya: Thank you Henry but there is a question for you.

Com. Abida Ali: Mr. Karamoja please tell us why you want to have a ceremonial President elected by people. Secondly, you want freedom of worship in this country but the explanation for me, you want some freedom(?) for Kenyans you have freedom to worship and then you are trying to tell us whom they should worship. So this is not a Christian state, it is a secular state and things as they are today(inaudible) not all Kenyans are Christians, so if you want Kenyans to have freedom to worship and then you define God to be God that Christians to define God to be are we really giving freedom of worship or are we defining God?

Henry Karamoja: To begin with a ceremonial president actually is that , since the Prime Minister has to be there he should be the person answerable to the day to day running of the government in parliament. Since the president does not always attend the parliament, and that is why he should become or just be a ceremonial president.

With the freedom of worship, surely I am not talking about Christians, I am not talking about Jesus Christ, whereby we have the Muslims with Mohammed and we have the Hindus with whatever, but we have one God. All these people come under a God and this is the God that created everybody, he is the one who even created Jesus Christ, that as a Christian, I may mention. But worshipping one God of Abraham, it is even written in the Muslim Quran or even the Hindu, so that is the God I am talking about. I am not talking about a devil god actually there's nowhere a devil god is there to be worshipped. Mfano wa Africa ilikuwa inalenga tena kwa huyu Munga Ngai huyo Mungu hata Kabras walikuwa wanaplant miti yao mtoto na.....(discontinued)

Com. Ratanya: Thank you, mnajua hayo ni maoni yake. Asante sana, kwa sababu hao watu wa Mungiki wamekuwa na maoni yao, watu wa Dini ya Msambwa na maoni yao. Si ni maoni ya kila mtu? Huntington Chweya.

Hannington Chweya: Commissioners my names are Hannington Chweya from CPDA, Christian Partners Development Agency. Working with the communities in Malava.

We propose certain principles to be included in the new constitution, which include the ultimate power should lie with the citizens, all citizens are equal before the law. We would like a continuous civic education to all people of Kenya. We have a principle in the constitution which says that respect for the rule of the law, and that a constitution that is understood by the local population.

On the executive we propose that laws to be enacted which can impeach those in the executive arm of the government.

And on the supremacy of the constitution, we propose that a retention of 65% of votes by the parliament, except for the

following cases which a referendum should be conducted; the bill of rights, presidential term, political systems, citizenship, electing and removal of the president and submission of the governors.

On citizenship, we propose that there be automatic citizenship for a child born of any Kenyan parent. We propose dual citizenship because of intermarriages. We propose Kenyan women to confer citizenship with their foreign husbands. We also propose passports be issued to as a right.

On political parties, we propose that parties that garner less than 5 seats in a general election cease to be recognized as official parties in the next general election. We also propose that parties to have national representation and that is to spread out through out the country. We also propose that we have a maximum expenditure per candidate and parties during campaign. We also propose candidates to disclose their wealth publicly. And the political parties to have equal access to the media.

On governance, we appeal for a system that will ensure women participation to the management of public affairs and process. Moreso, we feel for a system that will ensure participation of the vulnerable groups or the people we refer to as people with special abilities. We would also want a system that would empower KACA investigate and prosecute all corruption cases in court. And we propose the judiciary members to be responsible and accountable for their decisions. We also propose that the auditor general remain act as the general financial watchdog.

On the legislature, we call for the affirmative action where 35% of the parliamentary seats to be reserved for women and a member of parliament to be a fulltime job, and on the judiciary we propose an establishment of a Supreme Court with at least nine judges that sit together and shall be the highest court of the land.

We propose that appointment of judges be subject to parliamentary approval where gender equity would be taken into account. We propose legal aid to the persons unable to afford prices of a lawyer, particularly the capital offences and other serious offences and also we propose criminal and civil cases to be dispensed with within 6 months from the time they are taken to court.

On the Electoral System, we propose voter registration be a continuous exercise and that we have an Electoral Police Force to prosecute election-related offences.

On social and cultural rights, we propose that, any person who infects HIV or Aids to another person be construed as an abuse to the right of life. And that early and forced marriages should be construed as a denial to right of education or freedom of choice. Sexual harassment should be concluding as a denial to the right of employment and providing for one's livelihood. Provisions to be made where a person, an interested party, can bring action on behalf of the vulnerable groups and enacting of laws that(?) inheritance, and early marriages.

Interjection Com. Ratanya: The last one.

Huntington Chweya: The last one, on land and property rights, a spouse's approval regarding and disposal acquisition of property should be mandatory and included in the Constitution, and that on constitutional office to have an office of the Ombudsman who will check on abuse of power and corruption and other malpractices by the public and private officers.

The other details the Commissioners will read in our memo.

Com. Ratanya: Thank you Mr. Hannington, hand in your memorandum and sign our register. Francis Sayia.

Francis Sayia: Commissioners, I am Francis Sayia, a teacher by profession and I wish to say something on defense and national security. Of late there has been a wave of corruption that has saved the forces especially the recruitment exercise and the traffic department, the bribery is now at the highest rate. It is my opinion that efforts in curbing corruption is prioritized. Departments like the anticorruption department of police, are corrupting themselves. The government select committees on anti corruption are corrupt. Corruption cannot wipe out itself, therefore, I propose private investigation be used in such matters to avoid (Inaudible) influences of the people involved.

I want to talk something on political parties; political parties should be funded by public funds. Now that was item four, as from that item it's important to note that sometimes a leader may come to power without actually having deserved it. This is against the democratic rules, it's therefore good that someone without leadership qualities should not come to power because he is richer than one who really deserves to be a leader. I therefore propose that every party should be sponsored by public fund, be given proper public coverage and also the media as the ruling party.

Sponsorship, should also be on cost sharing terms, so that the public only chips in upto a given percentage of the total cost of every given political party's expenditure. Commissioners allow me to talk something on legislature again that, appointment of ministers should be vetted by parliament. Also heads of various Commission and public departments. This will ensure that people with qualifications and good track records are given opportunities to govern, hence eliminating mismanagement.

A leader should be exemplary to those being led, as time goes by people change in character. We need a learned leader; we don't want a chancellor who is not a professor to give degrees to graduates it is add. We want people of good character, certificate of good conduct not obtained through corruption, so that there is order in parliament. Imagine our Member of Parliaments fighting in the most highest house of the land, what does that really mean?

Commissioners may I also talk(?) now I am being brief because of time. President should not be above the law. President should be removed for misconduct while on duty, for example if there is proven case of mismanagement by virtue of his office,(inaudible) of public funds....

Interjection Com. Ratanya: Francis just stop where you are. Say the last one.

Francis Sayia: You have given me the shortest time so far, compared to others.

Interjection Com. Ratanya: We have already given you five and a half minutes, going to six minutes.

Francis Sayia: So may I say lastly because I am a teacher that every child should have a right to free education starting from nursery up to standard eight. And let also the constitution cover the street children because they are the ones causing problems after having been dumped in the streets. Thank you.

Com. Ratanya: Thank you. Can we have Lukuyu Namanda.

Likuyu Namanda: My name is Likuyu Wechuli Namanda, I repeat my name is Likuyu Wechuli Namanda, Social Development Officer, Kabras division. Kwa niaba ya kikundi, tunaonelea hivi, vikundi vinahusiswa vizuri zaidi kutoka juu, lakini ikifika kwa provincial administration hawana right ya kujiongoza wenyewe. Provincial administration that is powers should be reduced towards the development groups that is women, youth and self-help groups.

Second, services at the bank for the groups, our resources are spent or are deposited at the bank but then the rules are just to make people with the rich people and yet the groups are still very young and unable to serve themselves. Kwa hiyo wanakosa njia ya kujiwekea na wajimudu wenyewe.

Third, illiteracy in Kenya will never be eradicated unless the services of the teachers adult, education teachers is improved. Having no other word to add on, I end. Thanks.

Com. Ratanya: Thank you Alfred Mulamba, are you alone.

Alfred Mulamba: Majina yangu kamili ni Alfred Mulamba, nikiwa kama afisa wa maendeleo ya kijamii katika Kata. Nina jambo moja tu la kuwakilisha katika Tume hii ya marekebisho ya katiba. Na nitapenda nifanue vyema ili lieleweke, jambo lenyewe ndilo hili; kwamba tuna vijana wetu ambao wanawacha shule katika darasa la nane hata labda katika kidato cha nne. Hao vijana wako jinsi mnavyoelewa hamna kazi, kwa hivyo wako tu. Kwa hivyo pendekezo langu ni hivi, ingelikuwa vyema na bora serikali kutenga viwanja na hata ikiwezekana katika ngazi za kata ndogo. Hivi viwanja ili vitumiwe na hawa vijana

kutambua vipawa vyao kimchezo, sababu unapata ya kwamba vijana wengi wana vipawa vizuri katika michezo mbali mbali mbali: mbio kandanda na kadhalika. Kwa hivyo wanangoja mpaka nyakati za jioni ndio wanaenda katika viwanja vya shule na hata hawapati nafasi bora ya kuvitumikia. Kwa hivyo ikiwa jambo hilo litatimizwa nadhani tutakuwa na maendeleo mazuri katika jamii.

Na kwa sababu sikujitandaa vizuri nawashukuru kwa kunipatia fursa hii ili kutoa pendekezo hilo. Asanteni.

Com. Ratanya: Asante Alfred nenda ujiandikishe. John Mulinge.

John Mulinge: Mimi ni John Mulinge, nawakilisha kanisa la Church of the Holy Spirit na nina haya.

We are a church abiding to the laws of Kenya and led by the Holy Spirit in all our daily lives. As law-abiding Christians, we therefore recommend the following to the Constitution Review Commission of Kenya: -

1. Delink religious affairs from registrar of societies. We would like to delink judicial affairs from the office of the president. The two can create a ministry of justice and religious affairs. This is aimed at solving problems, which arise as quickly as possible. Religious organizations can(Inaudible).
2. To maintain free worship of the true God for every Kenyan who is a citizen. The constitution should spell out clearly what is true worship and ban all activities aimed at worshiping the devil. We need peace and prosperity; it is only the true God the Almighty who can grant peace and no other God.
3. In our court system, the law courts that, is the plaintiffs and are defendants solemnly swear using the holy books, that is the Bible, the Quran e.t.c. In many cases they end up saying lies. The Holy books are therefore treated as a mockey. Let the written constitution substitute them. The swearer should be made to understand that he or she is swearing to God by what is expressed in the constitution, that is man-made laws but not the Holy books. The constitution can be used for swearing if such is provided.
4. Corruption is rampant in our Kenyan society, this was started off by the Ndegwa Commission of 1970, it is the church's view:-
 - a) To reduce the Ndegwa Commission and revise it if possible by another Commission. The Government has to implement the new recommendations of the new commission.
 - b) To Constitutuinally create an independent authority responsible for corruption. This body should not be allowed to be manipulated by any other organ of the Government even, the President.
 - c) The civil servants to be employed to declare their wealth as part of the economy, crimes bill and commit to public ethics cord.

5. The organization structure of the government to be should include a prime minister as distinct from the president. The

enormous powers of the president should be shared between the two.

6. Churches have been allocated dozens of land throughout the country for need to carry out their spiritual activities. The problem is that the Constitution should be clear. It should allow allow.....(?).

Interjection Com. Ratanya: Say the last one.

John: It is that after independence Africanization and Kenyanization were the policies put in place to change the economic dependence of Kenyans to foreigners. Kenyans were to be the main economic operators of their own economy, but Kenyans are hard workers and abiders. But now they are the Asians and other foreigners who are running business and a Kenyan in his own country has become a puppet and stooge. We the church sympathize with poverty and we would like the present constitution to take care of that. And from time to time.....

Interjection Com. Ratanya: Your time is over we will have the next person, you have run out of time. Nyongesa Mause.

Nyongesa Mause: My names are Nyongesa Mause and I am specifically going to talk about the structures and systems of government. So here I want to look at how power should be devolved to the lower levels. As for now Kenyans have the power to vote out or vote in the President, but we cannot vote in or vote out the assistant chief or the chief.

So what we have as our proposal as the youths is that we should do away with the provincial administration completely and replace this with local councilors like the example of Uganda. So we should start from the very lower levels of the village. Here we should have local council one who should be represented by a village elder in Kabras is called a Liguru.

So this one would be the local council one, and will work under a council of elders and both these should be elected by the villagers and they must be entitled to some salary. Then from local council one we move to local council two, so this will be headed by a council chair-person and this council chairperson will be elected directly by the members of his area or jurisdiction.

So this chairperson, will be working with local council members and the council members will also be elected. This means the people have the power to elect.

From that we move to local council three, and local council three will be what might also be called a federal system, so this one will be working. But the local council 3 will be under a chairperson, that is a local council three chairperson, and he or she would be working with local or council members and these must also be elected as well as the chairpersons. So this means that people will have the power to elect as from the lower level up to the federal system and up to the national level.

Then from there, I will move now to what I call the some vulnerable groups, those are the aged.

Interjection Com. Ratanya: Nyongesa, since you have a memorandum, which you will present to us, just try to summarize.

Nyongesa Mause: Okey, so this vulnerable group of the aged and every Kenya is going to be an aged whether you like it or not. So what we need Kenya, the constitution should have some policies for the aged person. Which means if you acquire an age of 50, you must be entitled to a salary to keep you going.

And lastly is about the local brews, that the brews that each ethnic group has been producing since time immemorial, let us have them legalized and they will be made under hygienic conditions. Take the example of Uganda where they have localized and legalized the Waragi and we have never heard of people dying after taking Uganda Waragi, but in Kenya people die daily because of the brews being produced under unhygienic conditions. Thank you very much.

Com. Ratanya: Thank you very much; okay let us have Charles Baraza Chenyege.

Charles Baraza Chenyege: Kwa jina ni Charles B. Chenge, kutoka South Kabras Maira sub location Kakoyi area. Sir, kabla sijazungumuza, nampongeza Rais Moi kwa uongozi wake wa uthabiti kwa makabila 42, Bantus Hermites and Nilotes.

Interjection Com. Ratanya: Okay sasa, niliwaambia kwamba tulikuja hapa kuchukua maoni yenu, kwa hivyo haya ni maoni ya Charles, nyamaza wakati utatoa maoni yako utatoa. Okay hayo ni maoni yake kwa hivyo mkiendelea kuongea na mnajua hiyo rekodi inachukukua kila kitu na hapa Malava itasemekana tunapiga kelele tu kwa machine ikifunguliwa. Kwa hivyo mpe huyu Mzee aseme maoni yake.

Charles Baraza Chenyege: Neno langu la kwanza, katika Kenya upande wa mashamba, mwaka wa 1969 ndio survey iliingia katika Malava division, tulikuwa na wazee ambao walikuwa wazee wa kamati ya mipaka ya mashamba. Na ukiona sasa mashamba yanasumbua watu katika Kabrasi, mtu anaingia katika shamba la mwenzake, na sheria ilisema, mtu akitaka kuuza shamba lake, familia yake, Maguru wote wajue anauza shamba kwa mtu. Lakini Malava shamba inauzwa ovyo ovyo. Tena mtu anaingia kwa shamba la mwenzake vile nina certificate kesi inaendelea mpaka kwa high court. Yangu ni hayo.

Ya pili, barabara yetu ya kutoka Kaburengu to Kakamega imebomoka kabisa na tena ni barabara ndogo, kuna mashini ya West Kenya Sugar Company, matractor kama inabeba miwa na gari inakuja tuseme ni trailer kubwa na insababisha ajali, watu wanakufa kwa barabara yetu hii.

Ya tatu katika Waluhya, tulikuwa na pombe yetu ya zamani ya mrija. Akina mama walikuwa wakilima, akina baba wanafyeka.

Ikifika saa za jioni saa tisa wanaoga wanaenda mama akiwa amebeba kiti na mrija wanaenda kunyua. Na siku hizi pombe ambayo inakuja ni haramu ya chang'aa. Maoni yangu inasema chang'aa hiyo ipigwe marufuku kabisa. Hii pombe ya wazee walikuwa wakitengenezewa ukoo. Na pombe ya mrija kama mtu anagonjeka walikuwa wanatengeneza Waluhya miti inaitwa omutoto, miti na mawe wanaweka hapo. Walikuwa wanatengeneza unaona mtu akiwa mgonjwa sana, anaonekana anakuwa nafuu.

Sisi waluhya kama mtu analaza kata yake, huyu mtu alikuwa akienda kutupa mbali kabisa hakuka na wengine. Na siku hizi unaona watu wa makanisa mtu akifanya maneno mabaya wanasema kuja tuombe hiyo maneno ikwishe. Sio hivyo, hiyo mila ni mbaya sana inaharibu Kenya yetu. Ukiwa mtu ameuwa mtu, sisi Waluhya kama ni ile tunaita man-slaughter, alikuwa akitoa ng'ombe apaceane kwa familia ya mtu ambaye ameuwawa, lakini siku hizi wanawacha tu.

Com. Ratanya: Sasa wakati wako umekwisha Charles, asante sana kwa maoni yako. Sasa tunaita Laban Onono Ivamtali.

Laban Onongono Mtali : Neno la kwanza langu. Jina ni Laban Onongono Mtali. Upande wangu, nitazungumuza upande wa Katiba. Tangu Kenya ipate uhuru wa Africa walienda wakavunja katiba ya Waingereza na wakaweka Katiba ya Waafrika. Saa hii ndio bado inaendelea.

Nasikitika kusema ati Katiba ivunjwe kwa nini? Ndio nasema tulipata uhuru Waafrika tulikuwa tukipigwa tunawekwa gerezani, tunanyang'anywa mali kwa ajili ya court.

Ya pili, naguzia upande wa mashamba uuziwa mbali. Watu wenye wanauza mashamba mbali ndio makosa wenye wananunua, haswa wanakutatiza sana. Makesi iko kortini nyingi sana kwa ajili ya shamba. Yangu ni machache hayo.

Com. Ratanya: Asante sana Bwana Laban, jilandikishe. Tunaenda kwa Sarah Mukolwe.

Sarah Mukolwe: Honourable Commissioners, as a public, my name is Sarah Mukolwe and a member of this constituency.

I will only talk about a few things and I will start off with the girl child. Before a woman becomes a woman or mother, she is a girl child. And my views are that, the constitution should have in place that the government of the day develop programs to promote from what women literacy.

Ban promote research documentation, dissemination of information regarding issues of girls and women.

An early marriage and child labour. Also ban traditional cultures that affect women those that are bad to be removed completely. And the bad ones are these, widow inheritance, early child marriages and any other form of bad cultures on

women.

The other thing is when we come to creation of employment. Guaranteed full employment should be there for all. And gender balance should be observed.

Land and property rights: I feel that equal rights to land and property ownership should be for both female and male members of a family. Land fees to be reviewed and be reduced so as make it affordable for other members of the public who cannot afford the high rates of land fees.

Land certificates to bear names of both husbands and wife. And I think I will end there because I hope to get some other time on the other side to talk about the constitution more. Thank you.

Com. Ratanya: Thank you Sarah, give us your memorandum and then you sign here. Next we have Enock Bokocho, utuambie jina lako kwanza.

Enock Mudonyi Okocho: Mimi ni Enock Mudonyi Okocho. Maoni yangu mimi nawakilisha kikundi na pia nawakilisha watu maskini.

Jambo la kwanza mimi napendekeze kwamba rais mstaafu asikubaliwe kupigania kwenda katika bunge tena.

Bunge lisiwe na mamlaka ya kubadilisha katiba yoyote; likiwa na mamlaka tutakuwa kama tunafanya kazi bure.

Jambo la tatu, katika Kenya elimu cha kiwango ya msingi ni ya watu maskini. Mimi napendekeza kwamba elimu ya bure iendelee hata kidato cha nne, ndipo watu wote wapate uhuru wa kusoma. Isipokuwa hivyo ni kama watu wengine kutengwa.

Jambo lingine matibabu yanafaa yawe ya bure katika nchi hii, kwa sababu watu wenye wanakufa sana ni maskini.

Serikali iwe na mpango wa chakula kwa watu wote, kwa sababu watu wenye njaa ni watu maskini. Mawakili lazima tuwe na mawakili wa serikali ambao watu maskini wanaweza kuwakilishwa nao.

Na mimi napendekeza hata ikiwezekana tuwe na mahakama ya kitamaduni. Pia napendekeza mahakama iwe ikiharakisha kesi zao kwa sababu hapa mzee wa kijiji anafanya kesi kwa siku moja na mahakama ya Kenya inafanya kesi karibu kwa mwaka mzima.

Napendekeza wafungwa wapatiwe uhuru wa kukutana na waume zao ama wanawake wao. Kwa sababu kama sivyo ni kama

hata mke amefungwa ama mume amefungwa ambaye hakuwa na hatia.

Jambo lingine, masomo katika Kenya, masomo ya shule ya msingi ndio bora. Kwa hivyo mtu kuajiriwa lazima awe na masomo ya msingi. Kama sivyo ni sawa kutenga watu maskini kuajiriwa hata kuwakilishwa. Mtu akianza masomo ambayo ni kibali cha masomo ya msingi anafaa kufikiria kitu chochote, kwa sababu watu wenye wamesoma kuendelea juu ni watajiri. Sasa lazima, ikiwa elimu ya bure ya kiwango cha msingi lazima watu wa shule ya msingi wapewe nafasi kupigania kiti chochote katika nchi hii kwa sababu wana uwezo wa kuongoza, lakini wanatengwa kwa sababu ya elimu.

Nikiendelea, tuwe na lazima ya Mkenya kupata elimu na pia tuwe na lazima ya Mkenya kuajiriwa. Kwa sababu hii kitu itakuwa hasara ukilazimisha watu wapate elimu sana na huku wanakosa kuajiriwa kazi, na mtu atagharamia pesa mingi hata kuuza shamba kuelimisha mtoto.

Jambo lingine tunataka tufanyiwe marekebisha ya uhuru wa kuabudu. Uhuru wa kuabudu katika Kenya uko kweli lakini una kasoro fulani ambayo nataka kuzungumzia. Kasoro yenyewe ni hivi, kuna madhehebu mengi katika Kenya, mtu akikosa makosa katika dhehebu hili anakimbilia dhehebu nyingine, kwa hivyo madhehebu ambayo tuko naye katika Kenya hayawezi kurekebisha makosa. Kwa hivyo lazima tuwe na Katiba ya kurekebisha uhuru wa kuabudu uwe na marekebisha. Mtu akitika dhehebu hili apate kibali, ikiwezekana hata kibali cha serikali.

Kuna mengine ambayo sitagusia nafikiri nifike hapo, asanteni kwa kunikubalia.

Com. Ratanya: Ngoja kuna swali Bwana Enoch, kwanza hapo umesema kubadilisha Katiba tusiache kwa Parliament. Sasa unapendekeza nini kama hutaki wabunge wabadilishe?

Enock Mudonyi Okocho: Mimi napendekeza hii Tume ya constitution watu wawili watatu wabaki katika ofisi ili waangalie tu maneno ya katiba, kama kuna marekebisha fulani irudi kwa hiyo ofisi nayo iulize wananchi tukubali. Kwa sababu kama si hivyo mtu anajitengeneza jambo la kupitisha katika bunge na anafanya inakuwa sheria.

Com. Ratanya: Nakuuliza katiba ikitengenezwa baadaye miaka ijayo, pengine ulikuwa unasema hutaki bunge ifanye amendments.

Enock Mudonyi Okocho: Hapana, nilikuwa nasema isibadilishe jambo ambalo imepitswa kama katiba.

Com. Ratanya: Inaonekana kwamba ulisema yaende kwa wananchi.

Enock Mudonyi Okocho: Eh.

Com. Ratanya: Asante sana. Benjamin Imbogo.

Benjamin Imbogo: Ladies and gentlemen, my name is Benjamin Imbogo. I am representing Malava Matete retired teachers and other retired Officers. We had formed a series of recommendations, unfortunately, some of the people have not arrived, so nitazungumzia yale ambayo iko tayari.

Electral system: we recommend, as others have done, that the president should be the head of state and the prime minister be the head of the government. The president should be in charge of defence, internal security and international affairs.

Qualifications, as others have said, to be a President or a Member of Parliament to be a graduate and civic should be form four at least 4th division or D+.

Now political parties, they should not be more than three, mtu akisema multi-party moja the way NAK is going on they should actually consolidate and make one. For a party to be registered and it should be registered by the Electoral Commission not Registrar Societies, it must have 5000 supporters from each district and 500 founder members from each district for it to qualify for registration.

Now the Electoral Commission to be appointed by the Parliament, and for a constituency to qualify or to demarcate a constituency, it must be done in three stages: first the arid areas should have a population between 8,000 to 7,000 registered voters. Rural areas where the population is high, it should be about 25 and urban areas Nairobi, Mombassa about 45.

Electral system again, to give fair representation parliament we should have mixed member operational system to apply. I am not going to explain because of time.

Now coming to cultural and traditional customs.

We have manslaughter which are major, we have ordinary offences. For murder it should be left solely for the courts to decide. Manslaughter should be decided by the elders who will have to form some kind of council to discuss and deliberate in view to compensate whoever lost the relative.

Now chiefs, traditionally chiefs have been the custodians of customary laws. One of my colleagues said they should be transferable. Chiefs should be appointed from the community because they know the matters pertaining to that community, they know the traditions, the customs and so they should not be transferred and they should be appointed by the popular vote. So are the Magurus, Bakasas, village elders who the Luhyas in our discussion feel this seriously that they should be appointed or

they should be paid.

Now marriages, we propose that dowry should be imposed among the Luhya community because it is away of stabilizing marriages among the Luhyas'. It has a sense of belonging and it creates direction.

The children who are born out of the marriage, the Luhyas' children don't belong to the parents of the mother, but they belong to the clan and so the clan is responsible for modeling their behavior. When a child makes a mistake it was the responsibility of the clan members to at least give direction of discipline.

Inheritance, is divided into three areas, mothers who have children have to inherit the property or become caretakers with the children. Now we have unfortunately some others who don't have children and they are probably married, and they are of age in their marriage, these ones should be considered for inheritance.

Young married couples; unfortunately one may be able to pass away especially the male when they are married. We recommend that they don't actually inherit the entire property of the late husband and the decision should be made by the consensus by the elders, and in this case.....

Interjection Com. Ratanya: Pengine utuwachie memorandum yako tutaisoma, wakati umekwisha, soma la mwisho.

Benjamin Imbogo: Yangu ya mwisho ni kusema siwezi kusahau mimi nimestaafu na pesa ambayo mnanipa ni kidogo, can you please write in bold letters we would like to get 300% of the increase of pensioners. Thank you.

Com. Ratanya: Kuna swali moja hapa Benjamin. Umesema kwamba Mzee wa kijiji, Liguru, achaguliwe, lakini hukutuambia achaguliwe na nani? Na serikali ama na nani?

Benjamin Imbogo: There is a conflict but in this case the Magurus were mainly chosen by the village elders. The popular person the one who is elected.

Com. Ratanya: Thank you Mr. Benjamin, I think you have answered my question. Can we have Nebueka Makokha Kabota Makokha Nabwuera.

Makhoha Nabwera: My names are Makokha Nabwera Abota from Malava constituency, and I have the following remarks to make.

1. Preamble: our Constitution starts with a statement that would entail three points:

a) It should declare itself the property of the people of Kenya.

b) It should have a national vision, which foresees a united democratic and welfare state in this country.

c) It should say the reason and purpose for its' being drafted and that reason and purpose is to protect the people of Kenya. Also including the state managed intolerance political intolerance and police harassment.

2. Directive democratic principles and values. I have come up with bad governance and the worst among the bad governance points has always in corruption. Corruption should be enshrined in the Kenya constitution. "Any Kenyan or foreigner known to be corrupt or to be having tendencies of corruption should not be allowed to hold office in this country.

3. Constitution supremacy, our constitution has been amended from time to time with only two thirds, 65%. This is notorious, we should change from that and say the following: - To amend any part or parts of the constitution of Kenya a minimum of 90% votes in the lower house and another 80% in the upper house will be necessary.

4. The structure and system of government, Kenya should adopt as my colleague has already said a hybrid or mixed sort of government system. That is we have the presidential system mixed up with what we call representative systems and we have that hybride style. Okay as my colleagues have already told you we should have a president and a prime minister and they should share power, why? Because countries where power is shared worldwide have a tendency of forming better accountability and transparency than others where power is concentrated in one hand.

5. The judiciary, it should be expanded to include in its set-up or structure, the Constitutional Court and the Supreme Court. Meanwhile we do not have those ones. The Judicial officers should be appointed by an independent Judiciary Service Commission which should have been votted by parliament. The tenure of these officers should be at most 30 years.

6. Citizenship, in my opinion citizenship should be in 3 parts. You should be a citizen of Kenya by origin of your ancestors, by naturalization and you could have a dual citizenship which should be limited and I will say how. If your spouse if a foreigner, she or he is free to acquire Kenyan dual citizenship, but as long as that foreigner is still married to a Kenyan. The moment that where limitations come in the moment they divorce the foreigner loses the Kenyan citizenship. I am

saying this because we want to avoid abuse.

7. Political parties, my friend has already said, they should be three and I say they should all be financed by public funds. And what should be their responsibility? Apart from mobilizing the public, they should also participate in what is called participatory governance. They should as well engage in the democratic process. Civic education, particularly political civic education of our citizens. From what we have seen this morning

Interjection: Com. Ratanya: Your time is over.

Makhoha Nabuera: Sorry, I would have applied for seven minutes from the beginning but I forgot.

Basic rights is my last point, these should be expanded to include meanwhile we have civil and political, they should be expanded to include economic, social and cultural rights. The state should ensure that Kenyans enjoy their rights and freedoms that means the constitution should compel the state. Provision should also be made in that Constitution for compulsory security, health care and other basic rights of Kenyans by the state. The state should guarantee that, if it did we would have no political violence that we had during the classes. Thank you very much dear Commissioners.

Com. Ratanya: There is no question for you. Thank you. Laban Chenenje.

Laban Tenenje: Kwa jina naitwa Laban Chenenje na nitasungumuza kwa Kiluhya.

Com. Ratanya: Bwana Co-ordinator kuja hapa utambie Kiluhya kinasema aje. Tukitafsiri tutatumia muda kwa hivyo nitakupa dakika chache.

Laban Tenenje: Hata mimi sina mengi.

Com. Ratanya: Okay, dakika tano tu.

Laban Tenenje: *Maoni kanje, kabere mbu,*

Translator: My views are,

Laban Tenenje: *Ee Serikali,*

Translator: the government,

Laban Tenenje: *Khubere nende abana mu Kenya, khubere nende abana mu Kenya, basomere zaidi. Mera kange*

nesie Laban Tenenje. Khubere nende abana mu Kenya, basomere, mana babula ikasi, kho sayanga mbu Katiba ino, nikhunyala khurekebisia, abandu bandi, balishe khurumishira omundu usiemika, hamsini na tano, karitaya tawe, kebe mika arobanne na tano.

Translator: My names are Laban Tenenje. We have so many young people in Kenya who are learned but they do not have jobs, so as you make this constitution you make sure that the retirement age is reduced from 55 to 45

Laban Teneje: *Omundu yesi mu Kenya, abe bali ukhaba ikasi, ye khumukonya.*

Translator: So that every Kenyan can at least do some work to help him.

Laban Teneje: *Number mbili, ndolanga mbu, etsiconstituency tsia mu Kenya sia babunge bo mu parliament sianyala, serikali yatasia tawe.*

Translator: Secondly, I feel that the number of constituencies in Kenya are enough. Kenya does not need to increase the number of constituencies.

Laban Teneje: *Sikira ni mbola endio, khwakhaba nende bange banji koti baliwo bano, balalitsanga tsishillingi, nomba mishahara kwe ekulu mu serikali khunyala obuchumi butakhayo.*

Translator: Why he is saying this is because when we have so many MPs like what we have now, they get so big salaries and at the end of the day they deteriorate the economy of state.

Laban Teneje: *Khandi sayanga serikali mbu, ikhureshe obwiyango bwo khwandika ba chief, nende assistant chief, efwe abane khgube tsikura khulira lia akhale*

Translator: I am also asking the government that we the locals be given a chance to elect assistant chiefs and chiefs as it was before.

Laban Teneje: *Sichira mbwe abene ngulwa khwachakulanga, khwachakulanga omwana omulayi ounyala okhulinda obandu.*

Translator: Why I am saying this is because when we used to elect these people ourselves, we used to elect responsible people who would take care of the people.

Laban Teneje: *Khandi sayanga ekitaba yino mbu, serikali, sub location tsiakhwali natsio tsiokhurunga, nitso tsiakhwa registra emukunda kiefu, ne balera sub location tsindi tsimbia, mana khuyiyanga ne khutsia mulandi, okhukhaba emukunda.*

Translator: And I am also requesting this constitution commission to ask the government to look at the issue of the sub-locations which we used early on to register for land because they have created new sublocations and locations, so that when we go to the Ministry of lands to go and look for solutions to problems of land, we have another problem.

Laban Tenenje: *Khendola endi no bulahi, e sub location tsiono, tsikalukhe ewetsiali, kho, abasakhulu balanyalwa na bashere nibatsia khukhaba mikunda kiabu, kilaba rahisi khunyola.*

Translator: So I am requesting we go back to(?) sub locations and locations so that the elders can go and solve a problem about land easily than the land commission.

Laban Tenenje: *Khandi sayanga serikali, Katiba ifumwa, khubere nende basakhulu, nende abashiere, balali nende abana, mana balanyalirwanga tawe. Serikali niyo inyalakhubakhonyakho, khuli nende shibala shindi shie erwanyi, shikhonya, abandu basakhuna mbona sikhwakhabere bulayi.*

Translator: I am also requesting that this Commission puts it to the Government that both men and women in the village who don't have income be helped the way other people are helped the helped in other countries.

Translator: In Kabras here, we have got very few police stations, so I am requesting if the government can bring security near to the people in places Ingabira and other places, it would be very good.

Laban Tenenje: *Khandi mu Kabras muno, khube nende tsisihemu tsili mbali mbali sana, okhurula khu police nende administration police, nemwakhahirerekho estation ya bakhulingabira khulwelifume, biakhonya bananchi mukari muno biakhabere bilayi.*

Laban Tenenje: *Okhumalira shibera bari, ne shichira shina mu Kenya abandu bosu basoma ni Kenya ni ikala, nebalomba Kenya indala bara ekulu express, ne buleka Lundi bara asi express, kata notsia onyola mundu mulalashipande, ne mwana ubere muno wanyola ke, lakin shili khukasi tawe, abundu ene aliyoa, bakhoyere bukhurekebisirio. Asante, imekwisha.*

Translator: I am also requesting this government to take care so that it does not creat this(Inaudible). Thank you.

Com. Ratanya: Sasa tuna Musa Andati.

Musa Apula Andati: Kwa jina ni Musa Apula Ndati. Nawakilisha sub location ya Sambreri location South Kabras.

Mambo yangu ninayouliza Katiba ibadilishwe ni mambo ya mashamba. Wakati tulipata uhuru tulikuwa watu wachache, na

watu wale walikuwa na nguvu wakajipatia mashamba yale yalikuwa ya wazungu. Na wana mashamba makubwa najua walinunua. Mtu ana shamba la heka elufu mbili, elufu tatu. Analima heka 200, na hizi heka zote zinaishi na wanyama na watu wengine wanataabika. Nataka Kenya Katiba ibadilishwe, huyo mtu ana shamba kubwa lipunguzwe na alipwe ridhaa vile alinunua. Maana yake inafika kiwango Kenya inakuwa na njaa, tunaenda kunua mahindi Amerika, nchi zingine hata mbali. Kenya inaenda hasara kunua maindi kuletea watu wenye njaa, na Kenya ina rotuba na mashamba mashamba ya kutosha, na kuna watu ambao wanaweza kulima hayo mashamba na Kenya iwe na chakula.

Katika Kenya kuna watu wengine wasiojiweza, anaweza kupata ugonjwa na akienda hospitali anaambiwa lete pesa na mwenyewe hana pesa, watu wanakufa kiholela holela.

Kenya kuna watoto wengi wasiojiweza kusoma, na tunatangaza tunataka ujinga uishe katika Kenya. Utaisha aje na kuna watoto yatima, kuna watoto hawana wazazi, pengine wengine baba zao wazazi wao hawajiwezi kuwasomesha. Nataka Kenya mtoto asome kutoka class moja mpaka class four.

Mimi nimekufa na nimewacha watoto wangu, na wanaenda kunishtaki kwa pesa mingi ili warudishiwe shamba. Pengine hawa watoto hawawezi kupata pesa ya kushtaki, na jamii na mkasa assistant chief wamejua nilikufa, hawawezi kugawanya hilo shamba kwa watoto wangu au lipewe mjane?

Mambo ya makesi katika korti. Mtu ameshtaki, anaweza kutembea karibu miaka tatu miaka nne kwa kesi moja hiyo. Ni nini inafanya kesi zinasimama kwa miaka mingi? Hayo ndio maoni yangu. Kenya ibadilishe mambo hayo tusiwe na njaa, nchi ilimwe ile imekaa bure. Ni hayo tu.

Com. Ratanya: Okey asante, tunashukuru. Tukiangalia kwa register yetu, kuna Fredriq Omusa. Sasa ni Mercy Shimwenye ni wakati wako.

Mary Chimwenyi: My name is Mary Chimwenyi not Mercy, I am a farmer and a Catholic(Inaudible) Malava.

I will start by critiquing some of the key areas in the old Constitution. Land Control Act Cap 302 and Title Act Cap 282, it talks about land control boards and issuing of title deeds. I propose that for any title deed to be issued to one as a lawful owner of land, the entire family that is husband, wife, children and an extended family of two at least people should certify the registration of the said land. This is because we have cases where people own title deeds and they never bought the land, they were never given as a gift, so we get surprised how they get this land.

Also in the old constitution chapter 1 section 1A, clearly says that Kenya is a multiparty country. This means every party has a right to have a share in resources and even in power. I want to propose that any leader, be it in opposition or the ruling party,

should participate in decision making at a level, that would include even sharing of resources and power for betterment of our beloved country. And this is to bring peace, unity and to promote democracy.

Also in the current constitution, opposition parties actually are not described their responsibility in parliament clearly. I want to propose that in Kenya since it's lawful to have more than one party they should all have a say even in decision making.

Constitution act chapter two, I propose that the creation and doing away of jobs and departments should not be in the hands of the president. What I mean to say is that the president's powers should be reduced and this should be left to the Public Service Commission in consultation to the ministry or finance. That is to update the commission on the financial status of the state.

I also talk of the President using powers to grant freedom to a convicted person. This has contributed to President dictating cases and dictating the judiciary arm, hence they lack power to convict criminals. This is one of the reasons that has promoted criminal cases.

And lastly ministry in this chapter, ministers are parliamentarians. I want to propose that MPs should dictate on who should take which ministry. If for example I am an educationist and I am being given a ministry of health to head and yet I don't know even how many panadol can heal a person, and this is what brings development behind because we give people powers where they are not able to exercise their responsibilities.

Also in Kenya the powers of the vice president are not clearly spelt out. I would wish the commission actually to spell out the powers of the vice president and the powers of the president being reduced to a situation where a president cannot dictate people to an extent. Where we are now, the President has got power even to order a man to submit his wife to another man without question.

I want us Kenyans to observe this issue of delegations of loyalties. Economically Kenya is so poor and yet we carry luggage, food, money whatever carrying going to plead our loyalty to the president. I want the Commission to consider this issues that in Kenya so long as one has passed as a president, he is respected as a leader of the state. But this issue of delegations should stop.

Finally, I also want to contribute to the issue of the judiciary. It should be separated from the president's office; that is to say, the judiciary should be an independent body where a president will not have a say.

Commissioners and fellow Kabras people, that is the little I have to contribute for today. Thank you.

Com. Ratanya: Thank you very much, sasa tunaenda kwa Daniel Museve. Daniel Museve ni wakati wako.

Daniel Museve: Commissioners, I am Daniel Museve representing Shilubu quarterly meeting. I have a memorandum. The memorandum contains the following:-

Kenya being a political country, we therefore have many parties politically, they should be given equal rights. During elections, the Government should hand over; the party that is now ruling should handover to the civil service so that the government goes back to the party's office. So that this will give a right to all parties now to ask the wananchi how to be elected in the office.

We also feel that the workers in Kenya its high time they were given adequate salaries. It is the inadequate salary that has contributed to a lot of corruption. You will find an officer in a very dignified office asking for kitu kidogo, somebody you cannot imagine to ask for such. So it's my proposal that salaries be given up to say 60,000 minimum. Where the money will come from, we have the sponsors and they have been there ever since, the money will be there, it is just a matter of you know, manipulating with the way people run the government house.

The Cabinet Ministers and other top officials in the government should resign after having been found in a mess, like other developed countries. You will find a minister, may-be taking your wife by force, you have no say whatsoever. He misuses the government funds and yet tomorrow in a seminar like this, he is still a boss, he is still a minister. He should resign to give respect to that office.

Interjection Com. Ratanya: Daniel since you have a memorandum, we will read it, so we would like to have it. Just say the last point.

Daniel Museve: Harambee spirit has been there since independence. Of course the wananchi accepted that, but today if it has to continue it must be wide spread to all areas, not particular places. We have areas here we have never heard of Harambee being conducted by the head of state. Thank you, those are the few that I have.

Com. Ratanya: Thank you. We have Nathan Anaswa. Nathan Anaswa is it Anaswa or Anascwa. Anaswa so, tell us your name.

Nathan Anaswa: Asante sana kunipatia nafasi hii, wageni mliokuja hapa nitoe jambo fupu kulingana na ujuzi wangu. Mimi ni aliyekuwa Mbunge wa Malava juzi mtondo, na kutoka ujuzi wangu nimeona mambo mengi ambayo ningependa machache tu tuyasahihishe.

Huyu kiongozi wa nchi, rais, amepewa uwezo mwingi sana usiokuwa na kifani, lazima tupunguze he should be not above the law Waingereza husema. Ili akifanya makosa basi, apelekwe katika koti akahukumiwe. Na vile vile tuko na maneno kadha

ambayo wanaomsifu rais, Mheshimiwa mtukufu mtukufu, mambo ya utukufu yako wapi? Tugesema tu mheshimiwa fulani fulani rais wa Kenya au rais wa Tanzania. Ukisema mtukufu anafura na kwanza yeye huko juu ya uwezo wa kushtakiwa anaanza kuaribu mamlaka mambo ya utukufu tumekataa. Mheshimiwa, mwalimu Julius Nyerere rais wa Tanzania. Neno hilo walitoe linasumbua sana kama nina navyojua.

Na vile vile katika mwaka wa elfu moja mia tisa tisini na moja, tulipitisha bungeni ya kwamba rais akienda zaidi aende tu mara pili na liwekwe tu namna hivyo wasilitoe, aende mara mbili tu mambo yake yitakuwa yimekwisha. Asirudie rudie kama yeye ndiye ako peke yake katika Kenya nzima, watu wamezaa tutapata watu ambao wanafanya kazi kama yake. Tuangalie hao watu wanaitwa wabunge, mbunge vile vile aende tu mara pili sio zaidi ya hapo. Kama rais wa nchi mara pili akienda zaidi wengine watakuwa wakongwe hata hujui wanasema kitu gani, kwani wana pesa wanaendelea kunyanyasa wananchi. Na yule mbunge au mtu ambaye amesoma mpaka chuo kikuu awe na degree ili aelewe ni kitu gani ambacho wanasema kulingana na uchumi wa nchi, mambo ya kiafya mambo mengine.

Na nimeona ya kwamba, tuko na mambo mabaya ambayo wabunge wameanza kufanya, kwa sababu wako na uwezo wa tutengeneza maneno katika bunge kamati yao ile kamati ya bunge ile. Wanasema kesho tutaongeza mshahara million moja wanakubaliana, wanapitisha wanapata milioni moja, na maskini fukara ambao wako nyumbani wanataabika. Tuwe na kamati kuu ya nchi hii. Napendekeza iwe ikichunguza mishahara ya kila wafanyikazi wowote hata kama ni wabungu, macouncillor au wafanyikazi wa serikali. Kamati spesheli ya nchi ya Kenya iseme hapana hamuwezi kupata milioni moja na mwalimu anapata shilingi 2,000/= saa hii wabunge wanacheza tu na nafasi hiyo, hatutaki.

Tuanguzie watu wanaitwa councillors, wakilishi wa sehemu zao. Tungependa wawe watu wenye wamesoma, wamehitimu masomo ya form four, kidato cha nne.

Vile vile ningependa kupendekeza kwamba kiongozi wa council fulani achaguliwe na wananchi moja kwa moja, iwe mayor au kiongozi wa county council achaguliwe na wananchi ili mwananchi aseme ya kwamba huyo ni fulani fulani mimi ndiye nilimchagua. Kwa maana hao macouncillor wakiwa pamoja wakuchagua hoa mayor, mayor ambaye ako na uwezo wa kifedha ananunua kila mtu anapeleka watu hoteli kubwa wanalala huko wanapeana pesa nyingi. Kuenda kule kesho kuchaguliwa, amechaguliwa amekuwa kiongozi. Wananchi wachague wajue kwamba ndiye Mayor wao.

Na neno lingine ambalo ningependa kuthibitisha hapa vile vile ni wananchi hao ambao wanaona watukufu wamekaa hapo, wengi wao hawana uwezo wa kiuchumi na haswa mtu akifika miaka ya 50 na zaidi wanakaa vile vile tu wanakuwa tu wanaparara parara tu wakitafuta pesa, hakuna kitu. Serikali ifanye mipango, serikali ya Kenya katiba katiba yetu ambayo tunaunda sasa. Mtu akifikisha ule umri, serikali inamtunza. Kwa mifano nchi ya Uingereza ifanya hivyo na nchi zingine zinafanya hivyo. Inafaa iwe mpango wa kutunza hao maskini ambao ni wazee au vizee.

Vile vile vijana wa siku hizi, vijana wetu ambao hawana kazi. Wameshasoma wako na degree, wako na vyeti kadhaa wa kadhaa lakini hawana kazi na wale ambao hawajasoma hawana kazi. Serikali ipange mipango ili hao vile vile wapewe kitu kidogo kuendeleza maisha yao. Ikiwa Waingereza wanafanya, kwa nini Kenya hatufanyi? Sisi tunatoa ushuru, hata mtoto akizaliwa mwaka mmoja au mbili hivi anatoa ushuru. Kununulia mtoto sabuni si anatoa ushuru? Hizo pesa zilindwe vizuri ufiisadi usiweko ili watu wasaidiwe. Utaona ya kwamba mtu anapata kidogo cha kumwendeleza kimaisha na mambo ya ukorofi au mambo ya kupigana itanza kuisha pole pole. Tukiwa na mpango wa kusaidia watu wapate pesa fulani kila mwezi au kila juma kama nchi zingine zinavyofanya na tutaendelea vizuri.

Nafikiri nitawachia pale kwa sababu watu ni wengi. Nikisema ya kwamba rais mambo ya mtukufu msahau, mambo mtukufu imekwisha wanaharibu maneno mengi. Na yeye achaguliwe na watu kutoka mikoa mitano, asilmia 30 sio 25. Asante kwa kunisikiza.

Com. Ratanya: Asante sana, kuja kwa register yetu na ujiandikishe. Tuna Hezron Kibeo.

Hezron Chibeo: Mr. Commissioner Sir, Madam Commissioner, and the wananchi that have come here today, I would like to say my names are Hezron Chibeo representing the disabled Malava Matete division. And before I give my few comments, what I would request the commissioners is that after 39 years of independent, we have had so many Commissions that have been formed and afterward they are disbanded without giving results. In any case I would request that because the government has wasted a lot of money on this Commission, I would like the government to be very serious that because we have spent a lot of money on this constitution making, let it be regarded as the first and last that(Inaudible) in our future. Now that I would not like to talk of other things, I will talk particularly on the disabled in this country of which I would like to say:-

I will talk on the rights of the vulnerable groups; Historical, social-economic and socio-cultural evidence shows that women and the disabled people, that is the lame, the blind, the deaf and dumb have been marginalized in our society for a long time.

The reviewed constitution should address their interests such as the basic rights that is health care, education, shelter, water, food, employment etc. and the constitution rights that is political, civil economic and socio-cultural rights.

Also the constitution should make compulsory provision for affirmative action whereby the state shall be compelled educate and train both boys and girls and the major political parties shall be committed to the reservation of specified structures of civic and parliamentary seats for women and the disabled people respectively i.e. 30% for women and 5% for the disabled.

The other thing I would love to add on before I finish, I would recommend that we have seen previously what has been happening in the previous government. I would recommend that if this constitution will go through at least they should give

at least some women and disabled to heard some of the parastatal bodies. The reason being that, we have had previously this able men and women who have been heading these parastatals, most of them are corrupt; you will find that some corporations that were there previously are now bankrupt such as Cereals Board, Kenya Creameries and other companies.

In any case I would request this Commission that in future at least the new constitution that would be made, they give priority to the disabled and the women of this country so that we have proper representative in the future. Thank you Commissioners.

Com. Ratanya: Okey, thank you very much Hezron you just sign our register. Then the next one is Kwalanda Shem, Mr. Kwalanda ni wakati wako.

Shem Wachia Kwalanda: Your honour Commissioners, my name is Shem Wachia Kwalanda, a retired teacher. This is an individual presentation. I would like to propose the following from my written memorandum which I will hand over.

First, I would like to suggest the name of our nation to be called the Democratic Republic of Kenya. The president should be a ceremonial president and head of state with no executive powers. He should be elected by the national assembly, which has two chambers.

On assumption of office he automatically ceases practically all circumstantial inclination of party interests. To win he should have 2/3 of the majority votes cast in the national assembly.

We should have at least three political registered parties only.

The president should be subject to impeachment by the national assembly in the event misdemeanour or misconduct. He should have a running mate who is also to be elected by the national assembly.

We should have a Prime Minister and his running mate. The prime minister should be elected by the universal suffrage. He should be the head of government and commander in chief of the armed forces. He should also be the subject of impeachment by the national assembly after investigations by setout tribunals in the laws of Kenya.

The prime minister should nominate names of persons he dreams to be ministers. He represents the list to the national assembly for vetting. After being vetted, he presents the same list to the president for formal appointments.

Also ministers are subject to impeachment, and should not be protected by the prime minister or the president.

The national assembly or parliament, we should have two chambers of the national assembly. The Upper House or the

House of Representatives and the Lower House or the Senate. We should continue having or retaining the same constitution we have now.

The senators to be elected from each region and should be at least 5 of every region and they should be elected by regional universal suffrage to the senate. We should have a Government of national unity based on a system of regionalism. The two winning parties should form that national government of unity. The two winning parties, the first and the runner up.

Regional Governments: we should have regional governments and these should be elected by.....

Interjection Com. Ratanya: We shall read your memorandum, so try finishing.

Shem Wachia Kwalanda: Give me one minute.

Com. Ratanya: Yes yes.

Shem Wachia Kwalanda: Thank you. All public appointments especially to chief offices should be vetted by the national assembly. Qualifications for elections to public offices especially parliamentary and civic elections, for councillors, the lowest should have at least division three or C- minus. For MPs the lowest should have division two or C+ and above.

Land tenure: the largest land owned by an individual should have only 500 acres, the rest should be nationalized or regionalized or given to landless people in our country. Thank you very much.

Com. Ratanya: There is a question Bwana Shem. I think there is just one question for clarifications the first one you have not clarified how many or how the ministers should be chosen. Then there is the other one, you have said the president should be appointed by as well as the Prime Minister. Now what about appointment of Ministers and also elections of the Upper House because you only gave us the senate, may be it is in your memorandum, because I am asking what you have given us here.

Shem Wachia Kwalanda: The prime minister will pick names from the elected members of the house of representatives and the names he picks will not be automatically ministers but will have to be vetted by the national assembly. And then that same list will be given to the president just for formal announcement of confirmation that they be in the office.

Now the election to national assemblies they will come from all the constituencies in the country. From the three recommended parties.

Co. Ratanya: Thank you very much. Philip Mulanda. Again I am asking if you have a memorandum, you only have to highlight the most important points and this is why we give you few minutes to highlight because we shall read the memorandum, it will be read, analyzed and we have experts to do that. But if you are presenting orally you will have more time because you have nothing to present, so you can do that so that you save time. We have so many people waiting to present. Okey endelea Philip Mulanda.

Philip Muranda: My names are Philip Muranda, I wish to present to you points for today's agenda.

Office of the president, for one to be elected as a president, I propose that one must have top education, at least a degree and above.

He must be a mature person aged between 40 to 50 years old. He must be a married person and also a Kenyan citizen.

The President should not have power to dissolve the parliament. Parliament must be independent on its own, so that we must have a separate body to be in charge of the parliament, so that the president may not dissolve the present government.

On MPs as my fellow colleagues have said, for one to qualify as an MP we must have someone with a degree education, so that to plan for his people, economy and all the surrounding things. We don't want MPs who have lower education.

Finally, on land issue we should have the old system of the old wazees to run land affairs. And on education I propose that the government should fund school with money from central government so that schools should run properly. Because these days parents are the ones who are in charge of running schools from their pockets. Thank you.

Com. Ratanya: Okey thank you very much Bwana Philip. We should have Absalom Shikanga.

Absalom Shikanga: Thank you Commissioners. My name is Absalom Shikanga. I have got eleven points to pass over, of which some of them have been said by the previous speakers but I will just read.

Point number one is the size of the cabinet: the government should have a fixed number of ministers instead of being created and disbanded to please a few individuals. Any changes in this number should be vetted and approved by the Parliament, as need rises.

The number of ministers in the ministry: each ministry should have only one minister and one assistant minister. Too many ministers in a ministry are both expensive and ineffective since more is apparently irresponsible.

Government appointments: there should be a special commission to vet appointments to various posts in the Government e.g. secretary to the cabinet, chief justice, chairmen of various set-up such as the Electoral Commission, parastatal bodies e.t.c. ambassadors and higher commissioners.

The cabinet appointments: the cabinet appointments should be vetted to their posts by Members of the Parliament. These people should be national figures and disrepute their allocation countrywide.

Election losers: election losers can be nominated to parliament but should not be appointed to the cabinet because they will not have respect to the people who voted them out and hence may not be there.

General elections vote counting: vote counting should be done at the polling stations but not at a selected places such as the divisional headquarters to minimize cheating.

Summons: the current system of summoning the defendant is too slow causing the defendant to be charged. The assistant chiefs and chiefs should be given the task of taking summons to the people.

Provincial administration: the appointment of chiefs and assistants chiefs should be by election by the area people and not hand picking to give the people the right, responsible and qualified leaders.

Small courts for minor civil and traffic offenses. The government should introduce 24-hour courts in strategic police station. to minor civil and traffic offenses to reduce delays and crowding at the courts and the cells. Also it will reduce the cost of running the cells.

Application of Kenyan laws: no Kenyan is more Kenyan than the others, therefore no one should be above the law. The law should be applied equally to all Kenyan citizens just as the church laws apply to all its followers including the church leaders before court.

The last one, permanent secretaries: the post of Permanent Secretary should be renamed, "Government Secretaries," since nobody is permanent in this office as it sounds. That is the much I have.

Com. Ratanya: Thank you so much Absalom. The next one is Joseph Indimuli. Joseph ni wakati wako.

Joseph Musanga: Commissioners present today, my names are Joseph Musanga. I think I have already given my memorandum elsewhere but today I will just give a short highlight on a few things I have been meeting in my day to day experience.

The provincial administration, according to me I feel it should be abolished or if it cannot be abolished the chiefs and assistant chief be elected by a popular vote. The police should be retrained to suit with the New Constitution so that when they deal with the common wananchi they should be polite. They should not be above the people, when they deal with the public, they should be more of public relation officers than the way they behave today.

On land inheritance, I think land problems should be brought back to the elders who know the people, the families, how they stay and how they should inherit the land. Because the problem of going to the board, land board or tribunal until they reach the stage of getting a land title deed, it is so strenuous and expensive, and most of the people have not managed to get title deeds. Most of us are staying as squatters because we are unable to process land. Therefore I propose that, the land problem be sent back to the people themselves to sort out, and the stage that will remain is maybe that one of the land title deed which should not have any more strings

On nomination of MPs and councillors, I propose that the nomination be based or be focused mainly on minority or disadvantaged groups e.g. the disabled, women and the youth and also small ethnic communities. Because in the present nomination system, we find that there is a small community that cannot manage to get a popular vote from a certain area, and you find that one is elected in one area and a nominated candidate is coming from the same area, and the disadvantaged groups are missing that opportunity. So I propose that this should be taken into account.

I propose also that in the abolishing of the provincial administration, the village elders who are elected by the people should be paid salary commensurate to the duties they are carrying out. Because even on the land matters, I think they understand more the problems of the people than the assistant and the chief.

On the local brews, I propose that the constitution should allow local brews because there is a gap between the poor and the well to do. And that class, the poor, also would like to enjoy the same way wealthy people enjoy when they take the licensed brews. I think on that point, I cannot go further than that.

Com. Ratanya: Thank you Bwana Joseph sign our register. Let's have Esther Wanokanyi. Okey lets us Rogers Lugongo Musinde.

Rogers Lugongo Musinde: Thank you very much Commissioners. My names are Rogers Lugongo Musinde, I am representing Chuke sub-location and they have the following views to suggest to the constitutional review.

The head of state should be a popularly elected president who is the chairman of political party. Also suggested, under the president, we should have the prime minister who should be elected by the parliament, who then appoint the cabinet from all

parties and can also appoint public civil series.

Next suggestion, University institutions be head by highly educated professional Chancellors and not the president. Certain institutions are under the ministry of education headed by the minister for education who appoints the Chancellors.

The minister of a ministry be head of all matters in this ministry.

There must be freedom of movement, settlement and association for all qualified citizens of the country, without restriction or discrimination on tribal basis.

Our courts of law should handle cases fast enough and people under custody must appear in court within the legalized period of time without undue delays in police cells. Therefore the Attorney General chamber be picked in hastening cases upto the provincial level.

All denominations must be registered and as much as freedom of worship must be upheld, that freedom must respect the control of the government and must not be anti-development.

Political parties should be reduced to only two and if more than that they should three parties for the proper unity and peace of the country. Many parties have tended to divide some people.

Next suggestion is on loans; before government or any body gives out loan it must physically value the security of the loanee e.g land.....

Interjection Com. Ratanya: Roggers, we shall read that memorandum yah.

Rogers Lugongo Musinde: Yes please, I am just coming to the last one. So I will just finish up with that, in case the loanee is giving land as a security then the land should not all be sold. It can be leased to recover the money, which has been loaned instead of being sold.

Lastly, when we have disasters that are termed as national calamities e.g Aids, the government should bring in drugs at a much cheaper price affordable by a common man. For in any case, they should give free treatment for that disease. Thank you very much.

Com. Ratanya: Thank you very much Roggers. Let's have Easter Walengai, has she come?

Easter Walengai: My names are Esther Walengai, I have a memorandum but I have picked a few points to stress. One is on land. Part of land the women, I am a leader in one of the divisions in this constituency so the women thought they want the government to create occational land boards where women should be 50% to deal with land cases.

Reduce costs of land title deeds and adjust processes, otherwise it takes too long.

Title deeds to bear the names of both husband, wife and any of their two children.

Both boys and girls to get a share of their family land and property. Instead of the government, the women thought it would be better if the post of presidency is to rotate into ethnic groups and provinces. The latter should not repeat before others have had their chances or terms. The president and MPs to have only two terms in parliament. The president should not choose the person to succeed him after retirement, but leave it for the people.

Chiefs and assistant chiefs to be chosen by the people.

Corruption in government offices to be dealt with seriously without bias. To have women elders to deal with women problems at location levels. Local government, mayors and chairpersons to be chosen by the people. Councillors' allowances to be determined by the Public Service Commission. Women representatives in councils to be 35% and nominated chances all to be spared for women.

The side of education they said they want the government to give free education from standard one to form four.

Legislature: the parliament to consist 35% women. All nominated chances to reserved for women only.

Election losers not to be dominated because they are rejected by people and people know them.

The MPs' allowances to be determined by the Public Service Commission. On the side of health, women thought it would be better for the government to establish some fund in hospitals and all facilities to cater for poor patients especially expectant mother.

On the side of employment, they want all trained and qualified Kenyans from different colleges to be employed without bias considering the gender issue. Equal opportunists on job promotion where gender issue should be observed very much.

On the side of judiciary they have observed that they want us to have elders to deal with petty cases on locational and even divisional level. And the court fees is very high and should be reduced for some people to afford.

On the side of retirement they want the terms of retired people to be adjusted and retired people to get increment every year of their pension.

Lastly on the side of power eradication, they want the government to increase and enforce poverty eradication programmes to women groups. Thank you very much.

Com. Ratanya: Thank you very much Esther, we have Elizabeth Kasaya.

Elizabeth Kasaya: Commissioners, kwa majina ni Elizabeth Kasaya nawakilisha kikundi cha Samasi Women Group. Mimi ningependa serikali tukufu iwe na katiba ya kulinda akina mama. Hasa sana sisi akina mama wenye tunakaa mashambani kweli tumeunda vikundi lakini usaidizi wetu nao ni mchache. Unakuta kuna misaada ambayo inatolewa kwa hivi vikundi lakini kuna akina mama ambao wanapata hiyo misaada na sisi wa mashambani tumebaki tu hivyo hivyo na umaskini wetu hata hatuendelei. Na ningependa tuunde Katiba serikali iunde Katiba ya kulinda akina mama popote wale wa mjini na wale wa mashambani sote tuwe sawa ili maisha yetu ipate kuinuliwa.

Jambo la pili sisi akina mama kwa kweli tunanyanyaswa sana kwa upande mwingine na hatuna ulinzi wa kutosha, sababu ni kwamba sisi akina mama kwa mfano mimi ni Elizabeth nimeoleka mahali, bwanangu ametoa mahari. Huu Bwana ananifukuza pengine kwa sababu inayojulikana ama sababu ambayo hajajulikana nitarudi kwetu huku amenifukuza na amelipa mahari kwetu, sasa hapo nitakuwa tu kama chombo ambacho hakina mahali pa kukaa kwa sababu sasa wakati ule nikioleka unakuta ya kwamba bwana yangu ananifuata tena kusema ya kwamba huyu ni bibi yangu kwa maana nimelipa mahari. Sasa ningependa katiba iweko ya kulinda akina mama kutokana na wazee wetu ili wajue ya kwamba wakitua na kututupa iwe ni kama amevunja sheria ashtakiwe kwa sababu mimi nikioleka na huku bwana yangu ananirudia kushtaki mwenye amenioa unakuta ya kwamba mimi ndiye mwenye makosa, na mimi sina makosa kwa sababu bwanangu amenifukuza kwangu sasa nifanya nini na kwetu siwezi kuishi?

Jambo la tatu ni hii mambo ya urithi, urithi sisi baba na mama wakizaa watoto anazaa vijana, anazaa watoto wasichana na wote ni wa baba na mama, na unakuta wakati wa urithi ni vijana tu, watoto wa kiume, ndiye wana haki ya kurithi mashamba ama mali ya wazazi lakini sisi watoto wa kike hatuna haki ya kurithi. Hapo tena ningependa katiba itutetee sisi pia tuwe watoto wa baba na mama na tuwe na haki ya kurithi mali ya wazazi wetu.

Jambo la nne, hapa katika nchi yetu kwa kweli kuna watoto ambao wanaachiliwa wakiwa wangali wadogo, hata tukisema ya kwamba hawa watoto wote wapewe elimu, sio wote watafaidika kwa hiyo elimu. Tutakuwa na wachache ambao watabatia na hao watoto hutoka kwa ajili ya kujitafutia jinsi wayoweza kuishi. Wanaandikwa na matajiri fulani lakini tutakuta kwamba watoto hawana sheria ya kuwalinda, watoto wananyanyaswa kwa vile hawakuwa na uwezo wa

kuendelea na masomo sasa wanajitafuatia riziki yao lakini unakuta hao watoto wanasumbuliwa sana. Hawa watoto wawe na sheria. Kwa vile hao watoto wangali wachanga, watoto wadogo, hawajui mahali pa kwenda, sasa wananyanyaswa tu na wanakaa tu bure, juu hawajui njia yenye wanaweza pitia ili malalamiko yao yafikie mahali, lakini tukiwa na katiba ya kuwalinda nafikiria hao watoto watasikia vizuri maishani mwao.

Nikimalizia tu, kuna wasemi wenzangu hapo wamesema ati pombe pengine wengine ni wa maisha ya juu wengine ni wa chini ni hii pombe ya kienyeji iwe ikitengenezwa. Kwa kweli sio vibaya lakini hiyo pombe ikitengenezwa iwe tena, pengine ni sheria fulani ya kulinda hiyo pombe ili wanaotumia hiyo pombe wasije wakaichukulia kama ni mzaha tu, ni raha ya kunywa pombe kwa sababu kwa wa saa hizi sisi kama akina mama wengi tunaumia sana manyumbani mwetu kwa ajili ya hiyo pombe yenye wazee wanahimiza iwekwe. Kwa hivyo serikali yetu itulinde sisi wamama kwa maana sisi ni viumbe vidhaifu na saa zingine hatujui njia ya kuendea na hatujui mahali pa kwenda kupeleka malalamishi yetu. Asante.

Com.Ratanya: Asante sana Elizabeth kwa hayo maoni yako.

Com. Abida Ali: Anayefuata ni Lazarus Mukangai.

Lazarus Mukangai: Thank you Commissioner Sir. My names are Lazarus Mukangai, I am here to present my opinion and views to the Constitution Reviews Commission.

First, I would propose that president powers should be reduced maximumly each and on appointing different people to different posts. I propose that a committee to be formed comprising Members of Parliament for appointing such officials to head different departments e.g. police, army which means that he should not be commander in chief of the armed force of the country, he should not remain the chairman of all public Universities.

Second, if the president retires he or she should go home peacefully without having affairs with politics or interrupting, the President's fully should never remain the chairman of any party.

If the President retires, he should be charged if he has been involved in any kind of corruption in the government e.g. misusing of money and other offences against him.

I propose that the next president should form coalition government comprising of all MPs from two parties which have majority of Members of Parliament which means that the first and second parties in each general election should form this kind of government. This will ensure that we have equal distribution of public services to all parts in the country.

Parliament debate should be broadcast live through radio as being done in Tanzania, so that we can be sure of those that

contribute in parliament, problems afflicting Kenyan citizens.

This constitution should be written in Kiswahili and English. I propose that we should have development equally. This will ensure that every part of the country is evenly developed. e.g construction of hydroelectric power stations, roads e.t.c.

I propose that the next president should be an elected MP as the constitution says. This will ensure that we get a fit person in politics and who has experience enough.

Those who have attained the age of retiring and are not employed should be given money; this will be one way of reducing poverty in the country. Those that are single born and orphans should be given money so that their living standards can be at least improved and especially those living in broad areas which is so worse.

Women should not be allowed to equalize with men, this will be against biblical teaching that a woman should be ruled by a man. I do not know why our leaders fear to tell these women that they are not fit and they are not supposed to be demanding equality with men and which is(?) because in the beginning they are the ones who misled the man in the Garden of Eden. So a woman should just remain watchful to men and deliver their duties.

Issuing of ID cards, should just be done within two weeks just to reduce long awaiting of the ID cards. I propose that those having ID cards should be allowed to vote in the coming general election at the end of this year.

The last point, I propose that land rates should be reviewed to ensure that we have equality in land because we have those who have huge acres of land and we have even those without a point of land. Thank you.

Com. Abida Ali: Thank you, next we shall have Iboko Saisa.

Iboko Soita: My name is Iboko Soita. My first view is about recruitment of jobs. I suggest that recruitment of job should be done at the divisional level and bribery should face stern punishment.

Second view is about the millers; each miller should have its own zone and should be able to elect a representative to the Kenya Sugar Board.

Local brew: people, Kenyan government should have a timetable or should stipulate the time of arresting people who are found when taking local brew. Incase, on the point that if this is observed it will reduce the deaths which occur because of taking the local brews. That's all I have.

Com. Abida Ali: Please register. Solomon Muriedhi.

Solomon Muriedhi: My name is Solomon Muriedhi. I have some views, which I want to say about the Constitution. First of all is the mode of government, I suggest that the constitution should cater for a coalition government.

Secondly, the constitution should also provide for security of tenure for people like Attorney General, judges of high courts, Solicitor General and other important posts.

The constitution should provide that natural resources are owned by people, the citizens and not the government. Forest and public land should be protected by the constitution from the people who are there to grab.

The constitution should provide that other broadcast stations other than KBC should be allowed to broadcast nationwide, those stations which are able to broadcast nationwide should be given licenses and KBC should also be independent from one-party to bias. We should ensure that by putting up independent commissions, for communication comprising of journalists, lawyers, and NGO representatives.

The constitution should provide for referendum on important national matters and constitutional matters. Like addition of constituencies, change of education system should be through referenda.

Taxes for individual workers should be reduced. The Kenyan workers are taxed so much. And minimum taxable income should be **20,000/=** per annum.

All workers should be allowed to form trade unions. There should be no bias and no fear from the government of some sectors of the workers.

And lastly, the constitutional document, the constitution itself after production should be made accessible to the common mwananchi by giving copies to schools, colleges, other learning institutions, chief centres, assistant chief offices, so that it can be read by common wananchi. Thank you.

Com. Abida Ali: Thank you register. Vitalis Mbasu.

Vitalis Mbasu: Commissioners pamoja na wananchi wa Kabras nafikiria natoa maoni yangu ya kibinafsi kuhusu katiba. Nitaanza hivi, for the smooth running of our country, the central government has three arms that is the judiciary, executive and parliament. But in our daily experiences, the executive seems to enjoy the supremacy of overlooking the parliament and judiciary. Now, because of that, it has brought a lot of confusion in our country whereby we don't know if we are being run but

parties, constitution or the constitution of our land. Now if we want at least to separate the court of arms to work independently and efficiently do their work section 14 which makes the sitting president to be above the law should be looked into. So that his powers to be reduced the he will not have time to interfere with the Judiciary and Parliament. For example, if the Judiciary has to work independently, the Executive should be done a way with and give opportunity to the Judicial Service Commission to effectively do its work. For example kama tuko na appointment ya chief justice ama high court judges, it should be done by the Judiciary Service Commission but not by the president because the president because the president assumes the responsibilities and at times it brings problem, for example when there was the appointment of the present chief justice there was a lot of foul cry. But if the Judiciary Service Commission could have been given the opportunity to do that work, at least there could be no outcry.

When it comes to ministerial posts in parliament, I propose that ministers should be chosen by MPs and then they forward the names to Parliamentary Service Commission for scrutiny then eventually they forward it to the president for announcing so that at least these can work effectively and it would be the Parliamentary Service Commission which will set conditions for people wanting to be employed in various ministries. And at least this will make ministers to be serious with their work but not as what is happening. A minister is supposed to be in the house answering questions but because he went there for money, he is not in the office. But if the Parliamentary Service Commission can be given time to elect these ministers, at least wanaweza kufanya kazi vizuri.

Then mwisho kwa upande wa utawala, our chiefs and sub-chiefs wanafanya kazi nzuri, but in most cases wakifanya interview wanafanyia kwa DC, then at the end of it in some places we end up getting very wrong results. Kwa hivyo mimi napropose if we want to have good chiefs and sub-chiefs they should be directly elected by wananchi so that they can serve wananchi but this idea doing it in the DC's office it involves a lot of corruption and ends up missing the whole system.

Then finally when it comes to family life at least I would like in the next constitution that act of legalization of marriage, formal legalization of marriage should be done with. Because many people are just staying as friends, when a problem arises we have many cases, I am so and so's wife, I am so and so's wife. Okay, for us to avoid that at least there should be a law that would say when this is being done, it has to be registered officially with the registrar of persons so that the government can know that this is so and so's wife then incase of anything, incase of any forgery or what that record can help and we will find that our families are being stable.

Many I had have been said, may I say thank you.

Com. Abida Ali: Thank you. Florence Gimoi.

Florence Gimoi: Madam commissioner my names are Florence Gimoi and I am representing the Malava Yearly Meeting of

Friends. These are the views that we have about the local government on the choice of the mayor and the chairmen; they should be elected because they are representing many people and the minimum qualification for these mayors and the chairmen should be a diploma in relevant areas. They should continue to operate under the central government so that the government can subsidize the poor council. Councillors should have a form four certificate of education so that they can understand the trends and the challenges facing education fields because sometimes they have a problem they don't address the education field properly.

The councillor should serve a minimum of two terms and if they feel like going back they should go back to the electorate to seek for fresh mandate.

The other views of electoral system and process, we must retain the simple majority rule of winning election of a president plus 25% votes in five provinces for presidential candidates. We should have more women in parliament and local council. They should also be encouraged to vie for this position as the defectans should seek mandate from the electorate because they have chosen then. If an area MP feels like he wants to defect he should go back to his people and tell them whether they can allow him to do so then he can go ahead. The election date should specified in the constitution to avoid one party using it as a secret weapon so that all parties know when the elections should be there and then they can prepare themselves. The chairman of the Electoral Commission should be given more power to include prosecution of election offences and declaring back vacant seats like county councils and parliament. Electoral boundaries should tally with administrative boundaries to avoid confusion.

I also have views on basic rights: death penalty should be abolished and be replaced with life imprisonment. On security the convict should not be tortured while in police custody. On health care the government should provide free medical services. It should subsidize for adults and should provide clean residence for both rural and urban centres.

And finally, the constitution should protect children against child labour, defilement, torture and forced marriages and also female circumcision. There are quite a lot of views that I have but because most of them have been said by my colleagues, I feel I will stop there. Thank you.

Com. Abida Ali: Thank you Florence. Bernard Mdogo.

Bernard Mdogo: Okey I am Bernard Mdogo and I am going to read my memorandum and I am going to summarize it.

So on children's right, we have seen that children should have the right of education, life, health facilities, freedom of thoughts, freedom of expression, freedom of association, freedom from labour and freedom from abuse. Those above mentioned freedoms and rights can be enforced through the following measures: -

- The constitution should pass a law that will make it mandatory that all children of school going age should be at school.
- Parents and guardians whose children do not attend school should be made to face stern measures.
- In case of tough economical consideration, on the part of the guardians and parents the constitution should make laws which allow free education to all Kenyans at all levels. This means that the laws of education should force the budget to give the education sector the highest consideration to reduce school dropouts on account of lack of education.
- The government should also employ more special teachers to deal with special children because those children also have the right for education.
- Abortion should also be illegalized so that anybody carrying or engaging in any sort of child abortion should face stern measures.
- Then, the parliament should have a child representative to represent the views of the children.
- Child labour should be banned, but because some children engage in child labour because of lack of money, the constitution should allow small legal income generating activities for children in order to reduce the temptation of engaging in child labour.
- On leadership moral and ethical qualifications are necessary for one to be declared to be a leader, but citizenship should also be ensured so all politicians should be true patriots and should not engage in business activities because that will encourage corruption.
- Members of parliament should be full time occupants of the house, and should not work on part time basis, so they should be forced to attend all parliamentary sessions so that they should be in tune with what is going on on current affairs.
- On provincial administration, I propose that the provincial administration should be phased out because of duplication of duties; instead a council of elders should be elected by the people to deal with local disputes.
- On the legislature the constitution should create Parliamentary Service Commission which should be in charge of recommending the remuneration of parliamentarians in line with other civil service.
- Then the salaries of other civil servants should be considered along-side those of MPs.
- Then lastly on amnesty is the work of politicians not the law, so people who have robbed our country millions of money should be prosecuted to face the law so that, that should enforce equity and the rule of the law.
- Then promotion and appointments should be based on ability and not gender, because equality comes from ability not sex.
- Then on culture, African culture should be given a prerequisite in the constitution and foreign culture should be discouraged. Thank you.

Com. Abida Ali: Please register. Burudi Mukangai.

Burudi Mukangai: Okey, I am Burudi Mukangai presenting my views. First of all I would like to present the views about the constitution. So the constitution being an essential and integral element in any organization, more so a county like Kenya, should

be supreme to anything else, that is we should not have cases where they say somebody is above the law, that one should be out.

And then on education, policies and recommendations on education matters should be left to professionals let it not be the work of politicians. They should give the key stake holders in the education sector to make any necessary changes after collacting and colleting the views from the teachers, parents, pupils and people who are very close to the education sector.

Then also on education, the way Kenyan education system is examination based, then let us have merit working its way for any promotion for any further education, it should be strictly on merits and not on any other thing.

And then on security, we have the Kenya police more so who are the people to keep law and order, but instead we have observed then causing disorder and unlawness because of corruption, bribery and negligence of duty. And also when choosing these police officers, let us not look at the height or the strength of someone, let us look at the ability, the academic qualifications of the police officers because we were not training them to fight but if they are of high intelligence they will be able to work very very well.

Then on Affirmative Action, as much as we are saying that there should be equality but I propose that most appointments should be based on ability and not on gender and there should not be any advocacy.

Then political parties should be minimal and I propose that we should only have two political parties in Kenya having at least 40% support from all the Kenyans and therefore the political parties should be funded by the government.

Lastly, on local government I propose that councilors should have a minimum of form four qualifications. The health services should be free for all Kenyans. That is what I had to say.

Com. Abida Ali: Thank you, please register. Thomas Wanami.

Thomas Wanami: Jina langu ni Thomas Wanami. Mimi maoni yangu inaonekana serikali imetupa raia mdogo zaidi na inaonekana raia mdogo anataka awe akilindwa. Mambo yote tumepitisha hii mambo hata tukipitisha sisi hatutaendelea kwa maana hatujui Kenya inaenda namna gani. Nataka sheria ipitishwe na isaidie raia, lakini tutapitisha hii maali itaenda ikwame na hatutaendelea kama tunataka. Maoni yangu naona sheria kama tumepitisha iletwe mpaka kwa chief na iletwe kwa mtu mdogo awe akijua sheria ya Kenya ndio hii.

Cha pili, president anafaa akae miaka kumi mwisho, sitaki aendelee miaka ishirini. Kitu kingine raia wote wa Kenya alindwe popote anapokaa kwa ajili miaka iliyopita mambo yalitokea kwa maskuota waliokuwa na matatizo zaidi. Maoni yangu natakia

raia wa Kenya wote walindwe na wawe na uhuru wa kutosha.

Cha tatu, elimu ya primary iwe bure kwa ajili wazee wamelipa mpaka sasa wamechoka, ninaomba serikali itusaidie.

Mkulima awe na nguvu. Mtu anatembea na maziwa kutoka Rift Valley mpaka Kakamega na hii inaonyesha wakulima wameanguka, tunataka kampuni ya society waone vile tunaweza kuuza maziwa kwa makampuni zao. Mahindi pia tunafaa tuuze kwa society, mambo ya mkorokoro imetumaliza kabisa. Yangu imekwisha.

Com. Abida Ali: Asante ujiandikishe. John Mukongoi.

John Mukongoya: Asanteni sana, mini naitwa John Mukongoya na nitaanza na namba one. Mtu akifika miaka hamsini, haswa sana hao watu ambao hawafanyi kazi awe na haki ya kupata kitu kidogo cha kustaafu, kama wale wengine wafanya kazi. Kwa sababu hata mtu akiwa mkulima ni mfanyakazi wa Kenya.

Ya pili, mtu yule ambaye anaishi Kenya na hana kazi, kila mwisho wa mwezi inatakikana apate kwa kila mwezi angalau shilingi elfu mbili kuendelea mbale ya kumsaidia ili tupungeze uiizi.

Ya tatu, mtu mmoja anaweza kuiba kuku, na anafungwa jela miaka saba na kiboko, na yule mtu ambaye anaiba 160 milioni hafungwi na harudishi hizo pesa na anawacha watu wengine wasiojiweza wanahangaika.

Mwalimu wa nursery anafanya kazi nyingi sana na halipwi pesa nyingi. Mzee wa mtaa anafanya kazi nyingi sana na hapatiwi pesa, ningependa serikali iwalipe watu hao ingalau hata shilingi elfu sita kwa mwezi, kwa sababu wana kibarua kigumu.

Kuhusu mashamba, mwanamume na mwanamke wake wapatiwe land title deed jointly yaani pamoja. Mmoja akiaga dunia asihangaishwe na kufanya kushtaki kaburi.

Mtu yeyote akipeleka kitu kuuza sokoni kama hao watu wa municipal council wasikate watu kodi. Mama anaweza kupeleka mboga ya shilingi ishirini kwa soko na anakatwa kodi shilingi ishirini, sasa ataweza aje kusomesha mtoto.

Kenya hii, wale ambao wameendelea kwa settlement scheme, mtu mmoja ana shamba hekari elfu sita heka na mwingine hana shamba hata moja, serekali inafikiria watu watakula namna gani na hawana mashamba, sio mpaka atafute majangili waingilie hawa matajiri. Naomba matajiri wa Kenya wasaidie maskini wa Kenya ndio waishi maisha mazuri.

Kuhusu loan, loan imekuwa uchumi wa serikali. Mtu amekula loan kwa mfano shilingi 100,000/= . Loan imepanda kwa mwaka mmoja kufikia elfu mia tano shamba lake linauzwa, huyu mtu atakaa namna gani? Ndio sababu ya kupata chokora.

Kuhusu ma-president wa Africa wamefanya kupiga kura, watu wakipiga kura president aanguke, president anaenda msituni tena na silaha na hawezi kubali mwingine aendelee. Wazungu wametupitia nini.....

Interjection Abida Ali:(?) Next is Zablon Burudi.

John Mukongoya: Asante.

Zablon Burudi: Ninasema Tume ya leo hamjambo? Mimi kwa majina ni Zablon Burudi. Ingawa sijui kama nyinyi ndio wenye katiba au ni uongo kwa sababu hakuna kitu kinaonyesha ndio nyinyi, haisuru nitasema.

Interjection Abida Ali: Bwana Burudi(?)

Zablon Burudi: Wacha nisome kwa sababu nimekaa sana. Kitu cha kwanza nasema ni kuhusu masomo. Masomo imekuwa tatizo sana kwa wazazi. Ninaomba hoia ma-officers wa elimu wasiwe watu ambao walikuwa waalimu kwanza, wawe tu watu ambao wamehajiriwa wameenda training kama ma-officers wa elimu. Kwa sababu ufiada ambao waalimu wako nao hata ukienda kwa ma-officers wanaona tu kama ni kitu ambacho wamezoea.

Nikikuja kwa upande wa medical, tunaomba medical iwe kitu cha bure, ama wawe wanasaidia wagonjwa kwa sababu kama hauna pesa kupata matibabu inakuwa shida sana.

Kitu ambacho watu wameguzia sana ni hii mambo ya kuhusu title deeds. Hii kitu ninafikiri imekuwa kama ni business na tuko na watu ambao wamefiwa kurithi mashamba ya wazazi wao imekuwa ni shida sana, kwa hivyo ninaomba ikiwezekana katika hii katiba, watembee upya kwa mashamba ya watu na watoe manamba kwa upya.

Nikija upande wa mayatima, wanastahili kwa upande wa bursary kama zinatolewa, waangalie kitu cha kwanza mayatima wale ambao wanaweza kusiadiwa na watoto wao wapate ulimu.

Upande wa law courts, Law courts za sheria zinakaa kwa muda mrefu sana, na kesi za watu ambapo sio mzuri warekebishe hapo. Accidents kama magari zimegongana kwa barabara inaonekana polisi na daktari wanatumwa ni kama biashara. Wawe na njia ya kusaidia watu ambao wamepata accidents. Daktari afanye hiyo kazi kama ni kazi yake na polisi vile vile na tena inastahili sherikali inaweza kurudisha huo mwili baada ya uchaguzi, isiwe gharama kwa watu wa huyo mtu.

Nikimalizia, vitambulisho itolewe kwa njia iliyo nzuri na wale akina mama ambao wanatoroka mabwana iwe ni sheria ambapo ukienda kama unapata mali yako umeibiwa na bibi, inaonekana bibi amechukua mali yake hakuna sheria ya kushtaki huyo mtu

na kadhalika. Asante.

Com. Abida Ali: Asante, ujiandikishe. Oscar Nabweni.

Oscar Nabwani: Wageni wetu wa leo mimi naitwa Oscar Nabwani. Yangu ni kwamba serikali igharamie watoto vitabau vya kusoma na vile vile vitabu ya kuandikia.

Halafu matibabu yatolewe bure maanake maskini wanaumia sana, kama hawawana pesa hawawezi kutibiwa.

Serikali isiingilie mila na desturi za makabila mbalimbali.

Hii pombe inayoitwa busaa, nadhani ya kwamba serikali ihalalishe maanake watu maskini wanatumia kupata pesa ili waelimishe watoto wao.

Kitu kingine tena kama mtu ameshikwa akipelekwa kortini hawa wadogo wadogo kupata bond inakuwa shida sana, kwa sababu ya land title deed wengi hawana. Kwa hivyo ningependekeza ya kwamba wawe wakitumia Identity Card badala ya land title deed.

Jambo lingine tena, polisi wakishika mtu wasimdhulumu; badala yake wamshike vyema wampeleke katika kituo cha polisi badala ya kufanya police torture.

Kitu kingine tena kwa upande wa rights, ningependekeza ya kwamba the winner president should get 50% of the total cast votes. Rais ahudumu kwa miaka kumi.

La mwisho kubuniwe cheo cha Prime Minister.

Com. Abida Ali: Asante sana ujiandikishe. Next is Margaret Kiongo, hayuko? Moses Chisindili Indale.

Moses Chisindili: Jina langu ni Moses Chisindili Indale. Point number one ambayo ninayo ni kuhusu Presidents ambao watakuwa wakistaafu. Mimi napendekeza kwamba after two terms of office, kama president yule amefanya vizuri katika hali ya economy apewe token. Lakini tusije tukakimbilia mswada ambao pengine tunataka kupeleka kwa bunge, tuseme mtu akistaafu apewe magari mawili, apate milioni mia moja ishirini na nne na vitu kadhalika kwa maana tutakuwa sasa tunaingilia hali yetu ya uchumi na vile tunajua uchumi wetu uko chini.

Cha pili ni kuhusu misitu, nafikiri Commission hii tuangalie vile mnaweza kurekebisha hali ya misitu iwe kama zamani. Stiff

penalty iweko watu waheshimu misitu. Tulikuwa na misitu yetu na hio misitu imeisha na wakati mwingine miaka thelathini iliyopita, tulikuwa na sehemu fulani ilikuwa inatengwa ukitoka kwa misitu ukija kwa mashamba yetu na watu walikuwa wanaheshimu. Siku hizi kila mtu anaingia kwa misitu, kwa hivyo naomba stiff penalty iwekwe kwa upande wa misitu.

Point number tatu nimekuja kwa kesi zetu ndogo ndogo ambazo zikienda kortini zinachukua muda mrefu, hii ina-allow assistant chiefs, chiefs hata polisi kuweka kangaroo courts ambazo wale ambao hawajui katiba badala ya kwenda pengine hapa tuko na butali umepatikana na changaa emelewa, ungekatwe shilingi mia tano na wewe unabeba shilingi elfu mbili unaletea polisi hapa. Kwa hivyo korti zetu ziharakishe kesi zingine ili watu wetu waende kortini wakijua wataenda na wamalize hizo kesi ili tusiallow watu wengine kuwa na makangaroo courts vichakani.

Civic education iwe kitu ambacho inaendelea, isiwe process ambayo inafika mahali inasimama, hata mamangu hajui katiba ni nini? Saa zingine hata tukitoka nyumbani ananiuliza mnaenda kufanya nini? Watu wengine wanaambia hata wale akina mama watu wanataka kutoa fulani kwa utawala. Kwa hivyo mkiandika katiba mjaribu kuandika kwa lugha ambayo itaeleweka na kila mtu. Tusitumie maneno mazito ili tuhangaikwe nayo tukitafuta watu wa kutafsiri.

Na nikimalizia kabisa ningeliomba tena commission hii ambayo tuna hakika maoni yetu yanapitia kwenyu na mtafikisha haya maoni mahali mnajua ili tusiwe tunapoteza nafasi hapa na pengine mumeset constitution ambayo sisi pengine tutakuja shtuka pengine mnasema eti wananchi walikuwa wanasema hivi. Tuna uakika mambo ambayo tunasema yanaenda kwa mikono mizuri na yatafika mahali ambapo tutapata majibu mazuri.

Com. Abida Ali: Asante sana jilandikishe. Sikolia Benedict.

Sikolia Benedict: Honorable Commissioners na wananchi wa Kenya, kwa majina naitwa Sikolia Kizito Benedict and I am presenting my individual views. First of all I will talk about the youths. In the present society most of the young people do not have a place especially when it comes to issues that concerns the high offices. So in this constitution there should be some clauses that will allow the youth to play some major roles especially regarding the issues that are affecting the youth. And then as many people have talked about the land policies, there is a very big need for the land policies in Kenya to be reviewed. We have people who are owning so much land and yet others do not have any. So the government should implement assisting whereby they will have a specific number of acres that one should have, and then in case one possesses more than that then they should set some taxes that will go to the extra pieces of land so that the poor people will also have land.

Most of the poor people can not afford the higher institutions such as Universities because of the money that is there. So we should try to find a way of helping these poor people and due to this, we are lacking jobs and yet we have so many people who are having more than five jobs like the lecturers who are lecturing in different Universities and yet there are other people who can do it.

And then as a colleague of mine mentioned earlier on, we do not have clear policies that govern the appointment of the vice president and even some other employees like, the senior government employees. There is a situation whereby people are appointed on the road when the president is going for his function. At least we should have some regulations governing this issue of appointing people, and the president should not have these powers of appointing any person he feels like. There should be a service commission that will appoint these people and in case we have these positions they should be advertised for people to apply for them and the commission to interview the people and give the jobs to those people who qualify not giving to anybody because of the political status or because of the tribe.

And then there is also a very big problem with the judiciary system, at least the judiciary system should try to establish a system where we shall have a jury to listen to crucial cases such as murder and give a verdict following the example of the American Judiciary System. This system will also help us.

And then when it comes to currency, the present currency, there is the head of the president. Now I would suggest that instead of having the head of the president we should try to look for any other important or greater land-mark in the country to be on the coins rather than having the president. With those few remarks thank you very much.

Com. Abida Ali: Thank you please register. Isaack Amutanyi.

Isaack Amutanyi: My names are Isaac Amutanyi. I have a memorandum here, I would highlight some parts. The process of changing the constitution should always be through referendum but not the parliament. A Kenyan system should remain as per the old constitution where the spouses of Kenyan citizens regardless of gender are entitled to automatic citizenship. Kenyan citizens should carry either of the ID, birth certificate, passport as evidence of citizenship.

Defense: the military, paramilitary police, prison officers should all be harmonized and be called the armed forces, because the prison warders and the paramilitary and police also do handle the ammunition. The Parliament should have power to declare war but not the president. The commission should not permit use of extra-ordinary powers in emergency situations such as war, national disasters and breakdown of public order but the parliament should do that. The parliament should also have a role in effecting emergency powers. The defence council should be formed and consist of men and women of integrity and be appointed so that it will be in charge of appointing the senior officers in the armed forces, but not the President to be given that power.

Political parties: all political parties should be registered before elections and should not be funded because Kenyans have already been taxed heavily, so I don't see where the money for funding the political parties will come from.

We should remain with the presidential system of government, that is the unitary system of government in which all affairs of state are controlled by the central government through different ministry departments, and be stipulated by parliament.

The district should remain as the basis for development. The cabinet should be vetted by Parliament. There should be a commission to deal with salaries of Members of Parliament and other civil servants, so that their terms of service should be harmonized. Like in the case of medical allowances, you find that some people are given a lot of medical allowance more than others while the price of panadol for example is the same...

Interjection Com. Abida Ali: Summarize, once you have summarized give us your last sentence.

Isaac Amutanyi: Maybe lastly, that is succession and transfer of power. During elections the Speaker of the national assembly should lead the country until the new President take oath.

Com. Abida Ali: Please register. John Wandunga.

John Wandunga: Asante Commission. Jina langu ni John Lumbasi Wandunga kutoka Kimanget East Kabras location. Yangu ni kusema ya kwamba, tangu tuwe katika ukoloni na hata tupate uhuru serikali za mitaa zilikuwa zimenunua ploti na watu wanajenga manyumba ya biashara na ikawa kila mwaka huyu mtu analipa rent kwa ploti hiyo. Na hata wakati huu wangali wanalipa hata ikiwa umejenga gorofa hauna uhuru kwa hiyo ploti. Kwa hivyo ningependa katiba ya sasa ifikirie hapo ikiwa mtu alijenga nyumba kwa ploti ya county council na amelipa miaka na miaka, atakuwa squatter miaka mingapi? Katiba ya sasa napendekeza ya kwamba huyu mtu apewe title deed, awe akimiliki hiyo ploti ambayo alipewa na county council.

Ya pili, katika Kenya tumekuwa na watu wengi ambao hawajiwezi na upande wa elimu tunataka watoto wapate elimu. Ningependelea kwamba katiba ya sasa ikiwezekana watoto wapate masomo ya bure kutoka darasa la kwanza hadi kidato cha nne. Kwa sababu kuna watu wengi ambao hawajiwezi, kuna watu wengi ambao wamekufa na wamewachwa mayatima au mayatima wamewachwa kama wako wadogo hawawezi kujiweza, kwa hivyo elimu ikiwa ya bure hawa watoto watapata masomo na watapata akili ambayo wanaweza kuishi maisha yao katika nchi hii.

Na nikimalizia, upande wa utawala ningependa chief na assistant chief wawe wakichaguliwa moja kwa moja na wananchi ambao wamejua fulani anaweza kutusaidia kwa njia hizi, kwa sababu hao ndio msingi wa maendeleo katika nchi yetu ya Kenya.

Na vile tunachaguliwa kutoka Nairobi tunaletewa mtu ambaye hata hajapeleka mtoto kwa nursery amekuwa mtawala. Kwa hivyo katiba ikipenda hao watawala wachaguliwe moja kwa moja kutoka kwa wananchi. Asanteni kunisikiliza.

Com. Abida Ali: Kuja ujiandikishe Yohana Mukhanya.

Yohana Mukhanya: Ni asante sana Commissioners, mimi ni Yohana Mukhanya nawakilisha Kanisa la Marafiki. Kwanza ningependa kwamba mamlaka ya rais yapinguzwe na wabuni cheo cha waziri mkuu. Mahakama iwe huru, isiingiliwe na mkubwa yeyote, sheria ikishapitshwa imepitishwa na mtu ahukumiwe kisheria.

Makanisa yawe huru kuikosoa serikali ikiwa kuna lazima, maana huwa tunawekewa vizuizi kwamba makanisa yasiingilie siasa na sisi sote ni wananchi.

Vyema vimekuwa vingi vya kisiasa, afadhali viwe vitatu au vinne maana umekuwa tu ni uwanja wa fujo hatuelewi tunafanya nini. Nafikiri mambo yangu yamefikia hapo, asanteni.

Com. Abida Ali: Asante, jiandikishe. Jafred Mutoso, Eliud Muyeko.

Eliud Muyekha: Thank you Commissioners, I am known as David Muyekha a voter in Malava. I have the following contributions to make. I first want to begin by saying that of late there is Aids which is threatening people's lives. So I suggest that a compulsory Aids test for all Kenyans should be carried out so that those who test HIV positive are stamped at a place where at least somebody who develops this(?) in another can see to curb the increase of such infection.

In addition to that I also want to make the following contribution, that police brutality should be stopped. In Kenya we have a lot of police brutality, police harassment is very common they shoot very innocent people just on mere suspicion. We know that life is precious; it cannot be bought using any given amount of money, talk of even trillions.

In addition to that, I want to stress that policemen are not given adequate training. Policemen perform a very important role, you know they are the people who keep and maintain law, and so they should be well versed, well furnished with the law of the land. So I suggest that they should be given a two-year training course.

In addition, I also want to talk about the institution of the president. I am doing that because this is a very sensitive area. Of late people are engaged in a lot of argument about who should take over the presidency of this country. So I want to say that the president of Kenya should be a Christian who is God fearing and a sober-minded person who doesn't strictly drink. We should not allow desperate alcoholic psychopaths to head us.

The President should be a person who has never committed any offence and should produce a certificate of good conduct. He should not necessarily have served as an MP, even a person who is outside the parliament should be given the opportunity to vie for that post. Also he should declare his wealth and in any case should be immensely wealthy to avoid corruption. The post

of the president should not be confined to specific communities. We know that in Kenya we have forty two communities so all these 42 communities should be represented equally, which is a problem that most countries have faced. To say just but a few examples, we have our neighbors Rwanda here and Burundi, so we need equal representation. So in that case I want to say that the country should be divided into parts so that each part is given the opportunity to produce a president.

Interjection Com. Abida Ali: Please summarize now.

Eliud Muyekha: Okey, I also want to say that I had quite a lot but because of time I shall beg for some little time to finish up..

Interjection Com. Abida Ali: We shall read your document, so highlight what you think is important and hand in your document.

Eliud Muyekha: Okey so let me wind up. The president should be restricted to one post only. The president's and MPs' salary should be taxed. Gender equality should be exercised so that female are given a chance to rule. The President's tribe should not hold key positions in the Government to avoid tribal(?).

Com. Abida Ali: Thank you very much, we will read your document you shouldn't worry. Thank you. Mageso Mathias, David Yavusumba.

David Yavusumba: Honorable Commissioners. I am David Yavusumba from Kabras sub location. I have a number of things to put across. I want to say that the brewing of chang'aa should be legalized as long as the brewers obtain a trade license from the authority. This is because chang'aa has been known to fetch massive wealth to the brewers, and to the fact that it creates employment opportunities.

I want also to say that military education should be compulsory for all able-bodied in Kenya to enable them contain and withstand difficult situations especially during times of wars.

Also I wish today that there should be a special commission to regulate salaries of members of parliament to prevent unscrupulous Members of Parliament from increasing their salaries and as a result impoverishing taxpayers.

Also I want to talk about the land tenure system that the individual owner operator should be abolished and be replaced by the state-owned land tenure system to enable landless people to carry out farming activities. This will enable us avoid a situation where one person is owning 200 acres of land and another person is owning zero, and that person does not use the land.

Finally, I would wish to suggest that in future, Kenyans should be adequately prepared when such an exercise takes place. In

the first place I don't know what the constitution contains. I would wish to suggest that, the word constitution should be introduced as a subject in secondary school so that by the end of the four year course a student having gone through the four year course is able to know what the Constitution is so that if told to change can change the Constitution. I think this time we are not ripe enough to change the constitution because we don't know what it is, or else the government should print pamphlets and booklets and distribute to all Kenyans so that we are able to obtain information concerning the Constitution. Otherwise thank you very much for paying me all these.

Com. Abida Ali: Please register. Samuel Musosi, Johnson Wamache, Tunde Izakiah, Sakwa Wambulwa.

Sakwa Wambulwa: Tume ya marekebisho, wananchi wa Malava kwa majina mimi naitwa Sakwa Mbulua Mkaswa Mkai. Kwa upande wangu nataka kuchangia marekebisho ya katiba kwa upande, ukija kwa upande wa inquiry Commission. Kwa upande wa inquiry commission mimi naonelea kwamba iwapo mustel fulani umetokea kwa nchi pengine tunataka kuchunguza ni president mwenye amekosa makosa, inatakikana Parliament committee iwe ndio inadhinisha inquiry commission sio rais kwa sababu ikifikia mahali fulani inaonekana inaenda upande mwingine, hiyo commission inazimia bila kujua yale malengo yenye ilikuwa inatakikana yafikiwe kabla haijafikiwa.

Kwa upande wa elimu, mimi naona education system inatakikana iendelee na Review kwa sababu ikifanyiwa review kila wakati it will be coping up with the standard of the times.

Kwa upande wa madaktari, mimi naona ya kwamba daktari wakati anapoendelea na masomo yake, nafikiria ya kwamba anapitia wakati mwingi kuangalia jinsi inavyotakikana aangalie maisha ya binadamu, kwa hivyo mimi naona ya kwamba madaktari inatakikana wawe na committee yao ya kuangalia jinsi mishahara yao inatakikana ipangwe.

Nikikuja kwa aid programmes yaani yale mambo yenye inatoka ng'ambo kwa donors. Inatakikana kamati iundwe ya kuangalia jinsi huo msaada ulivyokuja uende mpaka mahali ulitakikana ili ihakikishe kwamba ule msaada umefanya kazi yenye ilipangiwa ifanye. Yaani tuwe na monitoring na evaluation committee ya kuangalia jinsi hiyo misaada imefanya kazi.

Kwa upande wa land adjudication: kwa upande wa land tunaonelea kwamba tangu uhuru mababa zetu ama mababu zetu wengine walifanikiwa kupata land title deeds lakini wengine hawakufanikiwa. Kwa hivyo tunaona ya kwamba serikali iangalie ni muda gani haya mashamba yaligawiwa watu, iwapo watu hao hawajiwezi basi serikali itusaidie kupata title deed bure bila kulipa chochote. Serikali iangalie iwapo mtu ni maskini na tangu apewe hilo shamba na land title deed ingali kwa board, wahakikishe kwamba hilo shamba angalau mwenyewe amepata land title deed ili kama ni wakati wa kupata kitu kama loan iwe security ya kwenda kwa co-operative ndio apewe mkopo afanyie kazi.

Kwa upande wa local industry, naona ya kwamba to protect the local industry tunaona ya kwamba bidhaa zenye zinaundwa

hapa nchini kwa mfano sukari, hatuna haja ya kuingiza sukari hapa kwa maana tuna bidhaa kama hizo. Kwa sababu kuleta bidhaa kama hizo hapa inaleta matatizo kwa wakulima kwa mfano hapa Malava mambo hayo yanafanya miwa yao inapunguzwa hadi kiwango cha chini sana kulipiwa.

Com. Abida Ali: Tutasoma mengine. Moses Kono.

Moses Kono: Mimi naitwa Moses Kono kutoka Makunga sub location Kabras, nina maoni machache ya kupeana wakati wa leo. Kwanza naonege kuhusu president, president asiwe mtu ambaye ako kwa chama fulani. Achaguliwe bila kupitia kwa chama ili ahudumie vyama vingine vyote, asibague chama akiwa president.

Kuhusu retirement, mtu akiretire huwa anaenda nyumbani na sioni kwa sababu ya kupea president nyumba na ofisi. Asiwe na ofisi, yeye labda apewe tu marupurupu kidogo na aende nyumbani kwake apumzike. Kwa sababu tukiwa na kita mtu apate ofisi apate manyumba tutakuwa na president kumi kuna manyumba kumi na ofisi kumi haina maana.

Kuhusu watoto, napendekeza ya kwamba kila mtoto azaliwaye ajulikane mzazi wake ili watoto wa kurandaranda mtaani wasipatikane. Mtoto akizaliwa lazima watu wa hospitali waulize mama ama msichana baba ya mtoto huyo ili ajulikane kabisa apatiwe mzazi wake.

Mambo huhusu mashamba, shamba liwe na mtu mmoja ambaye ni mzee, akigawanya hilo shamba kwa watoto wake asimpe cheti cha kurithi ili mambo ya uuzaji na ununuzi wa mashamba ipungue. Kwa sababu ukimpa mtoto shamba akitaka kuuza huna ruhusa tena. Kuhusu anaponunua shamba ni lazima wazee wa mtaa ama wazee wa jamii wajue ni kwa nini mtu anauza shamba na anauza kwa nani.

Mambo kuhusu kifo, katika mila zetu ni wavulana ambao wanapewa shamba na msichana huwa ameolewa hawezi kutoka kwake tena arudi nyumbani apewe shamba lingine. Ni watoto wavulana watapewa shamba. Na msichana kama anarudi nyumba atakaa na wazazi wake bila kupewa shamba, kwa sababu akipewa shamba ataliuza tupate mtu mwingine kwa boma.

Nahimiza kwamba mila ya kila watu iheshimiwe. Mtu asiamke tu asubuhi na kusema ya kwamba neno fulani litolewe. Kama ni mila ya Waluhya wakisema wavulana watahiriwe, watahiriwe, ni mila yao. Ikiwa wamesema wasichana watahiriwe iende hivyo hivyo vile wenyewe walichagua. Kwa sababu nikisema ya kwamba mtu atasema tu kesho mila fulani itolewe basi itakuwa mwingine akiwa mtawala atatulazimisha mila yake ambayo si yetu. So mila ya kila watu iheshimiwe.

MP na councilors waende safari mbili peke yake. Na MP ama Councillor ambaye hawahudumii watu wake arudi nyumbani.

Interjection Com. Abida Ali: La mwisho.

Moses Kono: Ya mwisho, hiyo ndio ilikuwa ya mwisho, wajumbe hao na macouncillor wakifanya makosa arudi nyumbani kwa watu wake tena achuguliwe upya.

Com. Abida Ali: Asante, jiandikishe tafadhali. Isiah Chekuani, Henry Ndombi.

Henry Ndombi: Commissioners kwa majina ni Henry Ndombi natoka Maira sub location Kabras. Yangu la kwanza ningependekeza ya kuwa president wetu asiwe mtu wa kuchagua permanent secretaries, parastatal heads na ambassadors, hiyo ipitiswe na bunge.

Watu kama PCs, DCs na Deputy Secretaries wawe watu wa kuchaguliwa na Public Service Commission. Chiefs to be regarded as traditional leaders, hao watu washugulike sana na mambo ya utamaduni wa kunyumbani na wao wachaguliwe baada ya miaka mitano na wananchi.

Jambo la nne ni ya kwamba(?) serikali yetu iweke muda kwa korti, mtu akishtakiwa ajue ya kwamba atakuwa ndani au hayo makosa yake yatashughulikiwa kwa muda fulani kwa sababu tukiwa na cases kama za mashamba huchukua hata miaka minne au miaka mitano.

Jambo la pili, recruitment: hii idara ya polisi, health, ualimu na army, tuko na corruption nyingi sana. Ningependekeza ya kuwa wasiwe wakiangalia mambo ya ukabila. Mtu achaguliwe kulingana na maumbile yake na elimu yake wasiangalie kwa mambo ya ukabila. Ni hayo tu ninayo. Mungu awabariki.

Com. Abida Ali: Jiandikishe tafadhali. Memeti Momasi.

Wellington Memet: Macommissioners, kwa majina ni Wellington Memet Mumasi. Na ningependa kufanya tu summary maanake mengi yamesemwa. Kwanza napendekeza kwa Constitution Review ya kwamba katiba ibadiliswe ili wanafunzi wote kutoka kiwango cha elimu ya msingi mpaka University wakati wa kufanya budget, budget iwe ikifanywa ili wanafunzi wote wapate haki, pesa ziwe. There should be a vote for that allocated to cater for that.

Pili, courts zetu ziwe na prosecutors wawe wale watu wenye wamefanya legal law, wale wanasimamia mambo ya prosecution, maanake watu wengi kama case ikienda huko wale ma- prosecutor ambao tuko nao wananchi hunyanyaswa zaidi.

Kuna watu wengi wanaumia kulingana na kutopata matibabu. Kila mwananchi tena vote iweko akienda kwa matibabu serikali iwe inaweka vote ya pesa ya kugharamia matibabu kwa wananchi mpaka wakati huu wote wanalipa taxation. Kwa hayo machache maanake ningekuwa na mengi lakini yote yamesemwa na sitaki kurudia tena. Kwa hayo machache Commissioners

asante kwa kunisikiza.

Com.Abida Ali: Asante Mzee. Sophia Mercy, Mashati Mukavana, David Ochanu.

David Ochanu: The Commissioners, my fellow Kenyans my names are David Ochanu. One, it has been said severally that ignorance of the law has got no defense. I tend to propose that it should have defense because most of these laws that are governing us have not gotten access to the citizens. One buys a stolen item for example and then goes to sell it at a public market, somebody comes and buys it honestly out of his own sweat halafu anashikwa na hiyo kuku. Yeye inaonekana kwamba kifungo chake ama punishment yake ni kubwa sana hata kuliko yule ambaye aliiba na yeye alinunua kuku huyo kwa kutojua kwamba ni ya wizi. Because of that, I wish to propose that the government should look at that and see how much civic education about this constitution that we are talking about can reach the citizens. Because even right now I am not in a position to have evaluated the old constitution to know the areas that are supposed to be amended or not.

The police professional ethics is appalling, I am suggesting that the training to be looked into very much. The current one is harassment oriented. Unakosana na mtu kwa mpaka kule nyumbani na kwa sababu huyo mtu ana pesa, anaenda ananunua police wanakuja kushika wewe. The same person takes an advocate and files a case very far away from your area of residence. I want to propose that cases to be filed in the nearest courts available so that we should not punish unfairly. Also under the same police professional ethics, we have had very unfair arrests beside on individual differences. You reach the cells umewekewa bangi, unawekewa chang'aa ambayo hata haukuwa nayo. Thank you very much, there is a last one.

The government poverty eradication programme has been a failure and because of that the gap between the richest and the poorest has continued to widen and this has created a loophole whereby those seeking elective posts are using handouts to bribe these poor Kenyans so that they get the votes and this has made us realize poor representation in parliament and civic bodies. Over the same I want also to propose in order to safeguard our economy that is ailing, the government should look into the issue of buying vehicles that are easy to maintain for government civil servants and so on. Because we have realized very expensive cars being bought and I think this is uneconomical to this country. Thank you.

Com. Abida Ali: Thank you please register. Wechuli Francis.

Francis Wechili: Wageni wetu the Commissioners, majina ni Wechulo Francis. Langu la kwanza nitaangalia katika kazi ya leo ama shughuli ya leo tukijaribu kusahihisha makosa mahali fulani ama kuunda kitu fulani ili kisaidie wananchi wa Kenya.

Na kitu cha kwanza huwezi kuwa mwananchi wa Kenya kama uko landless, sielewi katiba itasaidia nani ambaye hana haki nchini Kenya. Natarajia kila mwananchi wa Kenya awe na a piece of plot at least na iwe automatic kwa serikali kuhakikisha huyo mtu amepewa kibali cha kupossess that land.

On that note nimeona serikali iko na so much idle resource forest reserves ile kitu inasema eti it is an income generating whatever na mwanachi naye hana chochote. Instead the lions, the baboons are interfering with these na mwanachi hana a piece of plot. The Government should help these people either in the reserves na serikali ikitaka kufanya project irehabilitate these animals in the arid areas using the resources of the donor funds, ndipo mwananchi alime shamba kama hii forest apate chakula kitu cha kwanza.

Kitu kingine land ownership. Tunaelewa kila mtu, hapa tukiwa hivi, out of the a hundred, sixty people hawajapata haki za kumiliki mashamba, because hiyo ministry ina ugumu sana. Tumejaribu. Unapata an indigenous Kenyan tayari ako na title deed lakini mtu ambaye alizaliwa hapa Kenya, ni kizazi cha zamani hana title deed because they way to reach that thing is really complicated. I want to say that there is too much corruption in the land settlement.

Kitu kingine sisi ni wazazi na hatuwezi kusema sisi ndio tunazungumza, mtoto naye nani anazungumza juu yake? Nitaongea juu ya basic needs za watoto kama education. Tunaona ya kwamba mtu yeyote ambaye anajali maslahi ya watoto lazima awe na uwezo wa kuhakikisha every bit of requirement should be easily provided. Tunataka serikali ifikirie jinsi kila mtoto anavyoweza basic education apate. Na ikiwezekana huyo mtoto aelezwe faida za kupata elimu. Zamani tulikuwa tunafikiria unapata elimu ili upate kazi, na sasa kwa vile kazi imekuwa ngumu vile vile tunataka serikali itafute uwezo wa kuhakikisha huyu mtoto atapata elimu na vile vile awajibike kwa sababu amepata elimu.

Kuna vitu vingine kama policies katika education, unasema ya kwamba mtoto asichapwe. Kusema ukweli that is interfering with how somebody brings up a child. Tunaelewa ya kwamba the canning of a child is not killing, unlike I leave my son or my daughter na mwishowe aende awe a victim of these drugs labda ndio hao wanachoma wengine wakiwa shuleni, I don't think that will be proper. Mtoto aadhibiwe kulingana na nafasi yenye anaenda, because there are so many things we should learn from that before you reach the Government. Kwa hivyo the amount of punishment in the school should be spelt out if not, canning to continue.

Political rights, sioni kwa nini civil servants wanakatazwa na wakati unataka kura nitakupigia. How do I elect a president and I am denied that should not practice that? So we want all persons of Kenya to practice politics but to some limits.

Nimeona excessive powers and harassment has been talked about. For sure I don't see how I am a Kenyan and a fellow Kenyan is harassing me starting from the provincial administration, the chiefs and assistant chiefs, those people have powers beyond their knowledge. A junior assistant chief is able to harass a retired police officer, that one I don't think we shall be preserving culture and respect at all at all. I don't see why an assistant chief instead of dealing with petty crime, and domestic issues he can as well advise your woman to go and report you in the law courts, he is promoting what we want to say, a kind of dismantling, he is not actually bringing hao watu together and that is because they are not experienced they are still young. We

want that post to be taken by an elderly person, even if a headmaster has retired he can assume that post because he is experienced, he is elderly, he knows the ethics. Huyo mtoto mchanga atabebeshaje mila ya watu?

Unemployment one man one job; sincerely let us have it that way one man, one job. Kuna watu wako na excessive things. Mtu ako mara hapa, sijui anafanya nini, huko sisi tumekaa tu. Unapata sisi wengine we don't have any job, one man one job.

Interjection Com. Abida Ali: Summarize, malizia.

Francis Wechili: Haya nikimalizia. And we want in job employment tunataka kila community in Kenya ipate nafasi. We have got some jobs huwezi pata makabila fulani, why? The government should look into that. Halafu.....

Interjection Com. Abida Ali: Thank you very much, tutasoma hiyo karatasi.

Francis Wechili: Sitaiwacha kwa sababu it is sketchy.

Interjection Com. Abida Ali: It's okay, we will read it the way it is, don't worry. Thank you. Musavini Gilbert.

Musavini Gilbert: I am Musavini Gilbert. The first one is that our constitution must have a kind of unity. I therefore propose that a constitution should be imposed for over ten years for any alteration to reflect takes place.

Capital punishment which is death penalty, to me it should be removed as a form of punishment since it achieves nothing to the affected instead I propose life imprisonment.

The Member of Parliament performance and responsibility can be increased if a mechanism or a control mechanism is found. I propose that since they owe their allegiance to the constituents a constituency committee be formed to analyze their performance which aims at dismissing or advising the affected; we shall also be able to reduce some of the technical appearance in parliament because we are told that an MP has only to be absent for over or around 8 times. That is so much, at least the constituents should also have a say.

Law is very important, it affects everybody. Therefore for Parliament to transact any business in this country, it needs only 30 members. To me those are very few compared to the number we have of two hundred and twenty two. I therefore propose that a half of members should be able to transact house business.

Nominated MPs to me are now irrelevant because initially they intended to cater for the marginalized, the disadvantaged group. A House of 22 we are able to get the disadvantaged what the initial intention was. So nomination of MPs to me can be done

away with because those who are nominated serve the interests of the nominees.

The role of the Attorney General has to be reduced to enhance efficiency and performance. The AG to me is an MP, he is a minister, and a judge and therefore those offices can be distributed to other people to enhance efficiency and performance.

Finally on(?) that is economic enhancement of each Kenyan is required. Presently we have got people who use money at least to entice others, say Member of Parliament or any other. This is a nutshell promotes corruption because he needs money to give in fund raisings and all these. And therefore I propose that other means should be looked at enabling the local mwananchi to be able to meet his basic requirements. We shall discourage this idea of begging.

Com. Abida Aroni: Thank you, thank you very much. John Olusese, Bi. Kwayero Sasabi.

Kwayero Sasabi: My name is Goyet. Why do we have a President who has lived in this country(?) who will speak something today, tomorrow is changed, that is law. He must be a person who has strength to speak something to people, that things he would do. One day I hear discrimination in this country, that discrimination was said I am going to deal with people from(Inaudible) to Mombasa, but the people from(inaudible) to border of Tanzania to Uganda I will be able to work with them and yet we have brought it to him. Western Nyanza's we have have vote for our leader, why discrimination come?

Second word he himself promised teachers I will do this, therefore after that he has denied saying I will not do. That is not the way to lead. We want a person who has taken the chance of leadership; he must be of reality from diplomatic to upper standards or a graduation who can read everything to know thoroughly without translation.

Interjection Com. Abida Ali: Umemaliza?

Kwayero Sasabi: Not.

Laughter from the audience

Kwayero Sasabi: According to the education opinion we are very very backward. I have reason why, in Europe some years eighteen something Europe was continuously education their people thirty years for science only. Here, we have attempted for this arts and so no job because we have taught one subject and we are unable to promote our children to get employment.

Now we want as Kenyans(?) we try to solve(?) to bring industrial here everywhere near the villages which can help our children to get employment.

Third, I am going to finish with ladies. You ladies of Kenya you are ashaming us very much. Ladies when you have better education you forget your husband and say I am the one I can do whatever I want. How? God wants permanently two people to live together. Am I wrong? No. When you have education you are high you sit there and if your husband is going wrong, be patient and you look after your children.

So, from now otherwise I am going to talk about churches. We have churches who speak very nicely but they don't know how to take care of their people, verbally they never but when you go behind these pastors you get children are there and they cannot have education because there is no payment. This Commission please you will sit and try to help these churches which are very lame to pay their pastors to save children in nursery school please. Thank you.

Com. Abida Ali: Thank you very much ujiandikishe pale Mzee, thank you. Moses Mulunda.

Moses Mulunda: Honorable Commissioners, mimi kwa majina ni Moses L. Mulunda. Jambo la kwanza ambalo ningependa kupendekeza ni kuhusu hizi sheria ambazo zinaonekana zimetupwa wakati wa ukoloni. Ni sheria hii ya kuhusu mwizi na rape. Utakuta kwamba yule ambaye ameiba kuku atafungwa miaka mingi sana kuliko yule ambaye amefanya raping. Sasa ningependelea iwe vice versa yule amefanya raping ambaye amefanya matendo mabaya afungwe miaka mingi na viboko vingi na ule mwingine afungwe miaka kidogo.

Jambo lingine ni kuhusu utamaduni wetu. Utakuta nchi kama Uganda ambapo kulikuwa na wafalme, sasa viongozi waliokuja baadaye wakavuruga na walipouharibu ufalme nchi ikaanza kuendelea vibaya. Hapa pia nchini Kenya tuko na yale makabila yaliyokuwa na ufalme. Ningependekeza kwamba huo ufalme uwe revived.

Jambo lingine ningependa kupendekeza ni kuhusu Kenya Sugar Board. Utakuta tumeambiwa factories kama mbili tatu zimeunganiswa pamoja na utatokea wakati ambapo prices zitakuwa tofauti, ningependekeza kwamba ikiwa kuna factories zile ziliunganishwa pamoja mbili tatu hivi prices ziwe ni zile zile.

Jambo lingine ningependa ni kuhusu civic education. Mtaona ya kwamba kiongozi wa nchi anasema fulani ndiye atanirithi na watu wanalalamika sana na hii inatokea kwa upande wa ukosefu wa civic education, kwa sababu wananchi wanakosa kujua proposing, electing na nominating.

Jambo lingine ni kuhusu hawa wajumbe wa nominated MPs. Wale nominated MPs watoke kwa zile minority tribes kama vile Ogiek, walemavu, wanawake na vijana. Ni hayo tu nilikuwa noyo.

Com. Abida Ali: Thank you, ujiandikishe. Sophia Macy, Jona Liwa.

Jona Liwa: Your honor Commissioners, I am Jona Maliwa from Chiruku location. I would like to say the following:-

Farmers: I would like to appeal to the government at the side of farming it is the most generating project in the country while the input is too high. The price of goods is too low, one remember this year the price of maize is too low, most of the farmers were unable to sell the maize. There- by I propose, the Commissioners at your honor, the price of maize to be increased not less than 1500/=. Most of the majority in Kenya import.

Secondly, employment: mzazi amesomesha mtoto akapita mtihani, ameenda kwa College tena kazi wanasema interview. Interview ya nini na mtoto amepita mtihani? Mambo ya interview watu wanakaa kama mumekaa ndio where tuko na corruption, kama mtoto amepata training, amepita apate kazi immediately. Kutoka mwaka 1998 karibu zaidi ya miaka tano watoto hawajaandikwa. Tafadhali serikali iandike watoto.

Discipline: kila mtu amesoma iko hapa, bila discipline kwa shule watoto hawawezi fanya vizuri. Ukienda Starehe discipline iko high zaidi na shule zingine. Mambo ya discipline vile amesema mtu alikiwa anachapwa zaidi. Bila discipline kwa shule, inategemea na discipline yenyewe unapatia mtoto, bila discipline watoto ndio wanachoma shule na kadhalika. Lazima mtoto apate discipline kulingana na makosa yake, kuliko kuchoma shule aende afungwe, nani anapata hasara? Ni mzazi.

Health, kama hospitali imekuwa kama hali yetu hii Malava district hospital, tafadhali serikali ilete daktari kwa district hospital, ndio daktari mtu akiita daktari anajua mambo yote ugonjwa jinsi anaweza kusaidia wagonjwa. Kwa hayo, finally, asante sana Commissioners.

Com. Abida Ali: Asante jiandikishe tafadhali, jiandikishe pale tafadhali Mzee, asante. Tom Wangusi, Zakayo Indakala.

Zakayo Indakala: Asante sana Commissioners. Mimi naitwa Zakayo Indakala Wemayasi kutoka Kakunga sub location East Kabras. Asanteni sana niko na maneno kidogo ya kuchangisha kwa sababu mengi yamesemwa. Ya kwamba serikali hii ilipokuwepo zamani tulikuwa na price control na watu walikuwa wanaendelea vizuri kuliko sasa kwa sababu mtu anauza kama anavyotaka alafu kuuza kwao kunaleta taabu kwa watu wengine kama akina mama ambao hawana pesa.

Lingine la kwamba mzazi alipata shamba bure kwa mzazi wake, naye ana watoto wake amezaa vijana na amegawanya lakini hajawapa namba, baadaye baba anakufa. Land wanalazimisha yaani sheria inalazimisha ya kwamba wewe ushtaki baba yako ambaye amekufa ndipo ugawie watoto wako shamba au ndipo upate shamba hilo. Watu wanapata hasara ya kuuza mashamba yao ili apate lile shamba pia kwa sababu bei ambayo ya kupata shamba lako ni ghali sana.

Polisi: polisi wa zamani walikuwa na discipline kubwa sana, nzuri sana kwa sababu walikuwa under commissioner pekee yake,

lakini kwa sasa discipline yao iko chini kwa sababu wanasisia wameingilia hawa askari. Ukitaka kumwambia askari amefanya makosa eti mtoto wa fulani ni mkubwa Wanaharass wananchi na hauwezi kusema kwa sababu ni mtoto wa mkubwa.

Utamaduni wa wazee wa zamani: kulikuwa na wazee zamani wanakaa kwa nyumba fulani wanazungumza wakiongea mila za zamani na wanaburudika na busaa kidogo na mrija, si changaa, hiyo walitoa halafu wamefanya serikali inaharass wazee, hata wakipata kama umekaa tu kwa nyumba yako unazungumza na mwenzako unashikwa eti wamefanya makosa unakunywa pombe ilhali unazungunza na mwenzako kwa nyumba. Ningependekeza ya kwamba hao wazee wangepewa uhuru wao wa zamani. Lakini si chang'aa busaa ndio kama zamani kwa sababu kila kabila ilikuwa na mambo ya mila ya watu na iwachiliwe watu wenyewe isiingiliwe.

President awe akifanya kazi kwa miaka kumi kama inayosemekana na watu wengine au na sheria. Asipite miaka ishirini kama iko sasa na awe mtu wa degree.

Chairman wa county council au chairman yeyote ambaye amechaguliwa achaguliwe na wananchi kutoka nyumbani, asichaguliwe na council. Mbunge awe mtu wa degree na councillor awe mtu wa form four. Ni hayo ningependa kuchangisha kwa sababu mengi yamesemwa.

Com. Abida Ali: Thank you. We have Masisai Lotumia, Amos Shamala, Makano Wanami.

Makano Wanami: Commissioners, residents of Malava, I am Makano Wanami. I personally feel the next Government should be a coalition government hence the powers of the president should be reduced hence a President to be non-partisan.

Ten chances should be preserved in Parliament, five for ladies five for youths. Councillors should be of at least O level education and above for proper(Inaudible). Elected leaders who do not perform their duties as per the aspirations and wishes of the electorate they should be eliminated before their term is in office expires..

Education to be free for all Kenyans and medical services also be free. Land title deeds should free for all Kenyans. Provincial administration should be abolished and instead elected leaders should take over their duties. Thank you very much.

Com. Abida Ali: One question, you have said that MPs who do not perform should be eliminated. We should kill them or you mean remove them?

Makano Wanami: I said MPs or elected leaders that is MPs or councilors or President who do not perform their duties as per electorate's aspirations and wishes should be eliminated not to kill.

Com. Abida Ali: What do you mean by elimination?

Makano Wanami: The Electorate should be given an opportunity to remove them from their offices before their terms elapse.

Com. Abida Ali: Okey, thank you, thank you, thank you. Rober Webuye.

Robert Webuye: My name is Robert Webuye. I have a few remarks to make, I mean proposals. Parliament should approve a constitution if well-drafted to accommodate the rights of the public, protect them, the public to exhaust them with justice and the state constitution to remain a block against trespass into justice.

Parliament, when approving this Constitution, to consider land ownership, farming, that is small scale farmer, market for farmers, good administration for good security against rural theft(Inaudible) Now again briefly land ownership, land title deed or certificate identity are acquired through long processes and expensive. It should be short, simple, clear, less taxation and closer to the public.

Farming: small-scale farmers should be uplifted by either through simple loans or the government allocate these farmers a fraction of any foreign aid. In particular it is for early preparation of land, seeds and fertilizers. This is an alternative to reduce poverty and hunger. Market for dairy and crop products should be stabilized to improve the welfare of the farmer.

Administration: the administration is what we need in the rural life, but it is an organ existing in the wrong government since it considers chiefs as KANU prefects. They can even lose their employment in failure to comply with the needs of the party.

Family disputes, land disputes and any disorder with residents in the rural have never been settled with justice. My suggestions are as follows: -

- Reduce the created administration boundaries to avoid idling and incompetence among the chiefs since they are more that their duties and are earning wrong salaries.
- Overhaul the administration if it has to exist, as a cleane organ.
- Clip their powers for concentration of their duties by providing freedom for the public to forward their negligence at the DOs offices.
- However, we should not elect the administration, they are not politicians and they should not behave like politicians.
- Dominant clans will win such elections and will marginalized minority clans.
- They are meant to serve the public without favour.
- At one point there is need to replace the administration by another organized organ but funds to retire all the

administration is a heavy part into the government considering our bad economy.

- Judiciary is very untrustworthy with what we have experienced at the Kakamega law courts, court clerks and magistrates have collaborated in taxing the disputing parties heavily before any verdicts, and the innocent complainants and plaintiffs have been victimized. Provide powers to watch this.
- Political representation: a responsible rural councillor foresight should be above illiterate and this can be reached through strict and right interviews at the nomination of the candidates, or hand written English or hand-written Kiswahili, some bit of Maths, they are enough to clear a candidate and not necessarily a form four but can speak.

Interjection Com. Abida Ali: Malizia sasa, give us your last sentence.

Robert Webuye: The last is Moi day was imposed to Kenyans by the parliament under one party system. Remove this from the constitution as a public holiday since it was not by the demand of the public and it's unnecessary after the Moi regime. Thank you.

Com. Abida Ali: Thank you. Juma Mumasi.

Juma Mumasi: Mimi jina langu naitwa Juma Mumasi, upande wa Kabras P. O. Box 82 Malava. Kusikitika yangu upande wa polisi, unaweza kuwa unatembea na mvua ikupate njiani uingie kwa nyumba ya mtu kujikinga mvua. Hujui kama kuna chang'aa ndani, au ni nini iko ndani. Na polisi wakija wakupate hapo na hata hunywi pombe na hata hujui kama pombe iko ndani ya nyumba. Na polisi atakuja akuweke kwa kamba uende polisi na uende kortini, na hukukula pombe na hata tangu uzaliwe hujawahi onja pombe na hata wewe ni Mkristo. Ukifika kortini unaambiwa kortini ya kwamba unashtakiwa kupatikana na pombe. Ukikataa unaambiwa utakwenda rumande na hiyo sio sheria nzuri. Kwa sababu rumande ni kutisha mtu aitike makosa yale ambayo sio yake. Hiyo sheria itolewe korti kulazimisha mtu kukubali makosa kuharibu sifa yake na yeye sio mkulaji wa pombe.

Ni afadhali korti itake mtawala wake kama sub-chief akuje atoe ushahidi kujua kama huyo mtu anakula pombe, ndio mtu ashtakiwe pale. Hilo neno naona sheria hiyo korti hata ya hatari inalazimisha watu tu ukionyesha mahali kuna makosa polisi hawataki kusikia wanakimbia mahali kuna pombe, gari lao linaenda mahali iko pombe kwa sababu wanajua hiyo sheria ni rahisi utakwenda kubali kortini, sijui kama wanapata madaraka kwa hiyo sheria siwezi kujua. Hiyo sheria ni mbaya, kulazimisha watu kukubali makosa yale ambayo hawayajui. Yeye ni Mkristo anaaminiwa na Ukristo lakini akirudi nyumbani watasema oh naona hao Wakristo wengine

Interjection Com. AbidaAli: Haya uko na jambo lingine Mzee?

Juma Mumasi: Jambo lingine iko.

Interjection Com. AbidaAli: Haya sema.

Juma Mumasi: Jambo la pili, tena bado kortini. Nikishtaki mtu kwa koti na akubali makosa, ngo'mbe yangu alikula na anataka kulipa, korti inakuambia enda urudi tarehe fulani na huyo mtu amekubali. Si kufanya attachment, anarudi ya nini? Kurudi unasikia ati una mshahidi. Hiyo mambo ni mbaya kwa wananchi.

Ya tatu, ng'ombe barabara: unaweza kuwa na ng'ombe unapeleka soko na unaona gari linapelekwa na mtu mwenya macho na ng'ombe inaweza shinda kila mtu hata akuwe minister au rais. Mtu wa gari atagonga ngombe ni lazima ataambiwa ya kwamba ukigonga ng'ombe, gari likigonga ng'ombe uende utengeneze hilo gari kwa sababu ng'ombe imegonga gari na ngombe huwezi kushika. Kwa hivyo hiyo sheria ya barabara na ng'ombe itolewe. Gari lione kama ni ngo'mbe lipunguze mafuta liende kujua ni ngo'mbe kwa sababu ng'ombe inaweza kushinda kila mtu. Mtu hawezi kushinda ng'ombe, ng'ombe ni mnyama. Hiyo sheria itolewe, ng'ombe ichungwe na dereva wa gari kuliko mtu atengeneze gari. Hiyo gari inatengenezwa sasa imeharibika na unamtengenezea ati taa imepasuka itakuwa wewe ukitengeneza.

Com. Abida Ali: Asante. Isaac Malumasi.

Isaac Malumasi: Kwa majina naitwa Isaac Malumasi Box 28 Malava. Ajenda yangu ya kwanza ni hivi, mimi ni jirani wa forest na wakati mipaka ilipita ya forest mwaka wa thelathini na tano wabeberu walikuwa wakija na askari na wanaambia baba zetu ati sasa inatakiwa muondoke kwa haya mashamba yako karibu na forest, serikali inapitisha mipaka kwa forest. Halafu wakafukuza baba zetu na wkapitisha tu mipaka kwa forest ikachukua mashamba yoa ikarudisha kwa forest. Sasa hii mambo ndio sisi tunataka ya kwamba mkienda Nairobi muambie Parliament itengeneze tume ya kuja kuchunguza misitu, ije a round kwa misitu na sisi pia jirani wa misitu tuwe na committee yetu tuwaonyeshe forest yenyewe ilikuwa ikipita hapa hivi na hii mashamba mengine haya walipofukuza baba zetu ndio wakachukua haya mashamba wakarudisha kwa forest. Hili ndilo jambo langu ambalo ninalo.

Jambo lingine la kufuata hilo, tunataka tena watoto wetu kutoka kwa nursery mpaka University wasome bure, na malipo yao sisi wenyewe tutakubali ya kuwa tuna mashamba, kila mtu aliye na heka mia moja awe akitoa kodi kwa kila hekari shilingi ishirini ishirini mpaka hiyo kodi yote iende kwa serikali kusomesha watoto wetu. Hata watu wenye forest tena nao watailipia forest hiyo kodi. Hata wale wanyama wa porini watalipiwa kodi kwa zile hekari zao wanazotumia.

Interjection Com. Abida Ali: Asante Mzee, jiandikishe pale.

Isaac Malumasi: Niende pale?

Com. Abida Ali: Ujandikishe wakati wako umeisha sasa.

Isaac Malumasi: Nina lingine nilikuwa bado sijamaliza.

Com. Abida Ali: Haya la mwisho.

Isaac Malumasi: Ningali nayo mawili. Moja ni kuwa sisi tuna factory yetu hapa ya Western Kenya nayo inatulipisha kwa tani moja ya miwa shilingi 1000/= na factory zote zilizo katika Kenya hulipisha watu, hununa muwa kwa shilingi 2500/=. Kwa hivyo inafaa mpeleke hiyo report Nairobi hawa wajamaa waje watutetee, maana factory hii kwa nini inatuuu zaidi namna hivi na sisi ni wananchi wa Kenya?

La mwisho barabara hii ni nyembamba zaidi. Na kutoka hii barabara huende mpaka Kitale na upande huu huenda mpaka Kisumu mpaka Kisii. Na ukitoka Webuye unakwenda Kitale ni class B barabara na ukitoka Kakamega unakwenda mpaka Kisii ni class B na hapa kwetu Malava ndio walifanya tu class C ikawa nyembamba zaidi. Kwa nini walitudharau namna hivyo? Mpeleke tena kwa parliament watuongeze hii barabara yetu iwe class B ndio sasa iwe pamoja na zingine ndio twende vizuri.

Com. Abida Ali: Asante, sasa jandikishe pale, asante sana. Okey Mukangai Stephen, Chitiari Godwin.

Chitiavi Godwin: Okey thank you, my names are Chitiavi Godwin, I am from around. I would wish to highlight the following :-

That our constitution should have a preamble, one that will be designed, describe and define the Kenyan people and as people with an objective and those objectives can only be achieved if we have a certain culture which we are going to be proud of.

I would wish to state that in the previous constitution we have heard some people being above the law, I would wish that whoever, so long as somebody is a Kenyan whichever status he holds in this community should be under the law.

We need a government of national unity. We need also a government with a prime minister and we need a government with a president who is partyless.

We need also to respect the issue of checks and balances when we reflect at the three arms of the Government. Sometime you find that a law has been passed but the executive intentionally fails to implement the law. So it is important that we have and maintain that particular clause.

On tradition I would wish to say that there should be a body of traditions, which should be formed of retired judges,

representatives of civil society and maybe the Speaker of the current parliament.

In the office of the Attorney General, I would wish to have two divisions; the prosecuting division and the legal government act(?) so they should be those two divisions.

Constitutional reforms: in addition to the 2/3 in parliament we need a referendum, the same area of parliament, some laws are passed by the Parliament but I don't like fraction of the majority. I wish that we have 2/3 of the Members of Parliament.

I would also wish to highlight on the issue of the powers of the president. The president is so much empowered to a level that sometimes it is normal that a human being can not contain all those powers.

On citizenship I would wish to say that passports should replace the IDs.

Girl child I would wish to highlight the issue that the unwritten law favours male characters in Kenya; I would wish that the written Constitution should put into consideration that for a long time men or other males in our society have had a privilege over female characters.

Taxation in Kenya is too high, I would wish to highlight in that issue.

I would also wish to highlight the issue of human rights, the so-called Bill of rights in America. We understand the basic human rights and it is not good to see some people going hungry while others are.....(?) I would not be happy to see so many people having a lot while others have none.

Parliamentarians must only be in Parliament for 8 years that is four for every period instead of

5. The president should also be in Parliament not for at most 10 years but 8 years.

Interjection Com. Abida Ali: Please make that your last point.

Chitiavi Godwin: I would also wish that the constitution will protect both the natural and the human resources. Thank you very much.

Com. Abida Ali: Thank you very much, register. Next we Elly Mulusi.

Ben Mulupi Lichungu: Mini majina yangu ni Ben Mulupi Lichungu kutoka Shibanga location Malava constituency. Nitasema maneno yangu kwa ufupi *end of tape 4 side A.*

Mkenya yeyote asiwe president kama umri wake umezidi miaka sabini. Na kwa yeyote kuchaguliwa kuwa president lazima awe juu ya miaka 35. Presidential elections isichanganywe na parliamentary na civic elections, hii itawezesha sisi kufikiria vizuri tunapochagua president.

Parliament: ukiangalia constituencies zetu Kenya, utapata kwamba constituency zingine ni kama sub-location na zingine ni kama districts. Mimi napendekeza ya kwamba, mipaka ya constituencies lazima ziangaliwe vizuri sana, waangalie population kwa sababu utapata constituency moja iko na watu zaidi ya mia moja elfu, unapata constituency ingine iko na watu saba. Sasa hao wabunge wawili wanapata mshahara mmoja. Hiyo ni unfair.

Kwa upande wa umri wa parliamentarians mimi napendekeza ya kwamba mtu ambaye atachaguliwa kuwa Member of Parliament lazima awe zaidi ya miaka 35.

Local authorities: ukiangalia hii Kenya yetu mipaka pia ya local authorities ni ya kushangaza sana. Utapata district moja ina local authorities nyingi, district ingine ina local authorities chache, hawaangalii mambo ya population na nini. Napendekeza ya kwamba mipaka ya local authorities pia iangaliwe kulingana na population.

Interjection Com. Abida Ali: Mwisho.

Ben Mulupi Lichungu: Mwisho. La mwisho ni kwamba upande wa land. Siwezi kutoka hapa kabla sijasema kuhusu sheria zetu za mashamba. Mashamba hapa kwetu tuna shida, unaweza kupewa shamba na mzee lakini kupata title deed ni ngumu. Ziko pesa zingine wanalipa kuanzia kwa assistant chief mpaka kwa chief, mpaka kwa Land Control Board hakuna receipt yoyote inapeanwa. Ningependekeza ya kwamba hizo pesa ambazo zinalipwa za kupata title deeds ziondolewe. Na Mkenya pekee yake tu ndiye anafa apewe shamba.

Mwisho education policy yetu ni mbaya, inatakikana pre-primary na primary education iwe financed na serikali. Wasitudanganye kwamba primary education ni free na tunalipa pesa. Na napendekeza kwamba system yetu ya education iwe 8-4-2-3. Kwa hayo machache ninasema asanteni.

Com. Abida Ali: Asante jiandikishe tafadhali. Lumati William.

Lumati William: Honorable Commissioners I am Lumati William. I have the following to present. First the government should have a duty to educate its citizens on the Constitution.

The Constitution should only be changed or reformed or reviewed by a national referendum. We should not entrust parliament

to do that, and such changes should come after at least five years.

System of government: while I want to support our current system of government but I want to propose the separation of powers should be enforced.

Another one is on local government; I want to propose that our local authorities be given enough powers to execute all duties that are presently done by the provincial administration. That the provincial administration has outlived its usefulness because they are just duplicating services offered by other departments of the government.

Chairmen and mayors should be elected and should serve a full term of five years.

On employment: I want to say that we should have one man one job. Cases where we have one person being a chairman, an executive chairman of this parastatal body, a chairman of a commercial bank and so on should be abolished.

Interjection Com. Abida Ali: Last point.

Lumati William: Last point is on freedom of worship, this one should be enshrined in our constitution and should be respected especially to our students where we had cases where a student is forced to do certain things on his day or worship. And then if there is a national activity requiring the participation of everybody it should not be done on any day of worship. Thank you.

Com. Abida Ali: Thank you, please register. Next is Davy Ambani.

Davy Ambani: Thank you Mheshimiwa Commissioner, kwa majina ni Davy Ambani Kuria kutoka Samisi sub-location. La kwanza ningependa kutoa risala zangu za rambirambi kwa ndugu yetu Bwana Commissioner Dr. Oki Ooko Ombaka.

Maoni yangu ya katiba ni haya; ya kwanza ningependa katiba yetu iwe supreme na pia iwe iseme ya kwamba ni ya wananchi wa Kenya. Pia katiba yetu iseme ya kwamba serikali yetu iwe ya kidemokrasia. Ningependa pia katiba yetu iseme ya kwamba kila mtu awe president, awe nani awe chini ya sheria. Ningependa pia katiba yetu serikali ya provincial administration iondolewe iwekwe serikali ya local authority.

Ningependa pia president wetu achaguliwe akiwa na miaka 33 hadi 65 na iwe serikali ya mseto na isiwe na vyama zaidi ya vitano. Ningependa pia serikali yetu ya Kenya iwe na prime minister. Ningependa pia kuona ya kwamba President akihudumu miaka mingi, basi iwe miaka kumi.

Tena ningependa hawa watu wachaguliwe na parliament na sio President; huyu ni Chief Justice, Attorney General, Electoral Commissioner, Controller General, Auditor General, Speaker National Assembly, Police Commissioner na Prison Commissioner. Ningependa pia katiba yetu iseme serekali yetu ni ya vyama vingi, na vyama hivi ningependa kuona pia katiba ikiwatendea sawa, they should be treated equally constitutionally.

Ningependa pia kuona katiba yetu the three organs, The Executive, Judiciary and Legislature mamlaka yao iwe separated completely. Pia ningependa kuona parliament ikiwa imepewa uwezo zaidi wa kukagua the two organs.

Interjection Com. Abida Ali: La mwisho.

Davy Ambani: Ningependa pia kuon Wabunge pamoja na viongozi wa makanisa wakiteuliwa kutoka district level tunone ya kwamba na ndugu zetu(?) watatu(?) katika(?) kuhakikishia kwamba magistrates wale tuko nao wanafanya kazi wala hawakai tu.

Interjection Com. Abida Ali: Asante hiyo nyingine tutasoma kwenye memorandum. Thank you.

Davy Ambani: Asante sana.

Com. Abida Ali: Asante. Musa Victor.

Musa Victor: Honorable Commissioners, I am Musa Victor from Malava. I wish to highlight on the following:-

The President powers – I would like the present President, the(?) president power to be reduced. I mean he should only be confined to his post being a president and not everything.

Secondly, there should be standadization of worker salaries. I mean I don't see any reason why some people should earn heavily while others who are also qualified earn lowly.

The new president should be elected by Kenyans and not to be nominated by President. This is a risky offer and might force a leader to people whom they don't recognize.

Then fourthly, if a person dies, his body is rushed to the mortuary and then left there. So in future I believe that it should be taken back and this will reduce some cost to family members.

Then lastly, the Government should also recognize the effort of youth in our society as defined the

.....(?) I mean the youths are ready to work but the problem is they are not motivated through incentives little money. Thank you.

Com. Abida Ali: Thank you very much. Ben Mulupi, Fredriq Imbusi.

Fredrick Imbusi: Kwa majina naitwa Fredrick Imbusi kutoka Musingu sub location East Kabras. Nashangaa vile serikali yetu haingalii watu maskini kama malipo ya hospitali. Malipo ya hosiptali hawa ndio wanachangia tena ugonjwa kuwa mingi kwa sababu tuna watu wengi ambayo hawajiwezi lakini tunalazimisha twende hospitali tulipe. Hiyo sheria kama iko malipo serikali waangalie iwe tofauti, iwe free.

Jambo lingine tuna mambo mengine yanasemwa pesa za harambee ama za ujenzi zimeondolewa, lakini huwa tunaendelea kwa sababu wanatoa lakini hawaweki pesa za kuongoza shule. Hiyo maneno waangalie. Wakitoa hii na serikali ichukue hayo maneno yenye ilikuwa ya wazazi waendeleo kuendesha shule, itakuwa vizuri.

Na jambo lingine la tatu, mwanamke na mume, hii maneno ya mwanamke mume ati tuwe sawa kwangu naona si vizuri. Lazima mwanamume awe juu kwa sababu tunaweza kwenda kinyume cha Mungu. Mungu alikuwa na sababu ya kuumba mwanamume kwanza ndiyo aumbe mwanamuke wa pili. Kwa hivyo mamlaka yasiwe sawa. Hayo ndio nilikuwa nayo. Asante.

Com. Abida Ali: Nataka kukuuliza swali Mzee kuhusu hilo neno umesema la mwisho. Sasa kwa mfano mini na mwenzangu hapa, tumeandikwa tunafanya kazi sawa, tumekaa hapa mbele yenu. Je, tukiwa na uwezo sawa kuna makosa? Ungekuwa umekasirika ukiona mimi ndiye nina- kuita jina na mwenzangu hakuiti vile tumekaa hapa? Tuelewane kwa sababa sikuelewi.

Fredrick Imbusi: Hee.

Com. Abida Ali: Hee, hapa vile tumekaa wawili na kufanya hii kazi ya kurekebisha katiba. Iko shida?

Fredriq Imbusi: Hakuna shida.

Com. Abida Ali: Asante, hiyo ndio tunasema equality of opportunity sio nyumbani mama awe bwana. Sawa?

Fredrick Imbusi: Haya.

Com. Abida Ali: Asante. Jiandikishe hapa Mzee tafadhali. Mulenje Jomo.

Mulenje Jomo: Kwa majina naitwa Mulenje Jomo nimetoka shule ya Nguvuni. Sisi tulipewa guidance na maswali ya kujibu kwa hivyo nita pitia pitia.

Interjection Com. Abida Ali: I will give you three minutes, so just summarize.

Mulenje Jomo: Okay, jambo la kwanza tungependelea kwamba mayors na chairmen wa county council na city council na municipality wawe elected na wananchi na sio macouncillors.

Na kiwango cha elimu wawe na elimu ya Form IV, yule ambaye anaweza kuongea Kiswahili na Kiingereza.

Jambo la tatu councils ziendeleo kuoperate under the central government kwa sababu wakiwachwa independent zitaanguka.

Councillor akishindwa kufanya kazi vizuri, ni lazima wale ambao walimchagua wamrudishe nyumbani wachague mwingine.

Tambo la tatu, yule ambaye atatangazwa mshindi katika uchaguzi wowote lazima apate 50% of the registered votes. Tuseme kwa mfano ikiwa nambari moja ana kura elfu ishirini namba tatu namba nne wana kura elfu sabini, lazima wa kwanza na wa pili warudie ili tupate mshindi.

Wale ambao wata-defect, defectors, kutoka kwa chama kingine waende kingine should not be allowed to contest for the seat again immediately after defection. Mtu akitoka Ford-Kenya anaenda KANU asikubaliwe kusimama kwa miaka mitano.

Na hiyo mambo ya president kupata kura 25% in five provinces iondolewe, president apate 50% of the registered voters in a country. Tarehe ya uchaguzi itangazwe na iandikwe katika katiba ya Kenya.

Mwenyekiti wa commission tunapendekeza apewe mamlaka mengine zaidi kushinda yale ambayo anayo, kwa mfano awe na uwezo wa kudissolve the Parliament and fix election date.

Ministers and assistant ministers should surrender public vehicles and public property immediately Parliament is dissolved.

Mambo ya mtu kuhumiwa kifo iondolewe na awe na life imprisonment .

Mambo ya shamba tulipendekeza ya kwamba, shamba liwe kwa mume lakini mwanamke awe na uwezo. Jambo lingine kuhusu walemavu tulisema ya kwamba the government should protect the disabled iwapatie pesa, mavazi na chakula free.

There should also be free education from pre-primary up to secondary level.

And on customary laws and traditions should be protected and respected, kwa mfano mambo ya circumcision should be respected as per the community. It should also be classified clearly between traditional liquor and illicit brew because tuna traditional beer ile ya wazee wetu wa zamani na tuna ile ambayo inaitwa illicit, kwa hivyo lazima tupate tuone ni gani.

Jambo lingine wale ambao wanavyo the haves and the have-nots should not be treated equally. Tuna shule ambazo zilikuwa zimetengwa kwa watu hawana kwa mfano Starehe Boys for the poor lakini wale ambao wanaingia huko ni wale watoto wa ministers na watoto wa watu wakubwa wakubwa. Kwa hivyo tungependa turekebishe iwe shule ya wale ambao hawajiwezi.

Na jambo la mwisho tulipendekeza ya kwamba mtu akimaliza masomo lazima apate kazi kwa sababu amejifunza na amepita mtihani na lazima apewe kazi. Asanteni.

Com. Abida Ali: Jiandikishe tafadhali. Valliey Mwenesi.

Valliey Mwenesi: Honorable Commissioners, I am Mwenesi Valliey. I have a few points to make. First point is to safeguard girl-child, there should be equal share in inheritance thus even land should be allocated to daughters.

My second point, for any recruitment even if one has some disability in structure but normal and legible enough should qualify even to be a president.

My third point, there should be no hanging act or kinyonge in Kenya, instead replace by life sentence.

My fourth point, we only have two ICU care in Kenya which is in Eldoret and Nairobi. I would urge the government to bring near the people at least one ICU in each province. That is enough for now, thank you.

Com. Abida Ali: Thank you Mwenesi. Laban Wasoro, Keah Juma.

Keah Juma: Hamjambo Wakenya wenzangu. Mimi naitwa Keah Juma. Ningependekeza ya kwamba serikali iwe ikidhamini tuseme katika kila wilaya ama province kujenga polytechnic centres, colleges na ziwe free kwa sababuz itasaidi private sectors kujiendeleza.

Pia ningependekeza sheria iweko kwamba mtu akifa kwa mfano uwe umepeleka kesi kortini na uwe umekaa kwa shamba hilo kwa zaidi ya miaka 12, ikiwa mmoja kati ya hao watu wawili atakufa kwa sababu kwa mfano umenunua hilo shamba, huyo mtu akifa na amekaa kwa hilo shamba zaidi ya miaka kumi na mbili, hilo shamba sheria iwe kwamba yule ambaye amekufa watoto wake wasinyanyaswe na wapewe hilo shamba. Kwa sababu kuna wakati fulani mashamba yamekuwa yakileta shida wakati

mwenye shamba amenunua na halafu akafa.

Ningependekeza ya kwamba wanaume na wanawake wawe wakipewa nafasi kwa mfano uongozi. Kila mtu awe akijaribu kwa uwezo wake kwa kupiga kura, ikiwa ataanguka iwe tu hivyo lakini apewe nafasi ili ajaribu.

Tena ningependekeza ya kwamba tuwe na free waves, nikisema free waves inamaanisha ya kwamba kila chama ambacho kiko katika siasa ya Kenya ipewe nafasi ya kutoa maoni yake kwa njia ya radio ama njia yoyote ile. Ni hayo tu asante.

Com. Abida Ali: Asante jilandikishe. Indeje Edwin.

Indeje Edwin: I am Indeje Edwin from Malava Boys' High School. First I am going to talk about the freedom of worship. The freedom of worship in Kenya should be looked upon, this is to say that there are some churches which have come in Kenya we call it devil worshippers. These churches are for the benefit of devil worshipping not for the true worship of God.

President powers: President powers should be continue as we discontinue with this year, we have no changes for saying that the President powers should be less or more.

Cultures of Kenyans', we will say the cultures of Kenya are different in communities. They are there but we are going to talk not to say that culture of Kenya should be of a measure. This is to say some communities are there whereby they practice circumcision and other communities they don't practice circumcision. So there will be no restrictions of the cultures of Kenya to be looked upon.

Taxation: taxation we feel that in Kenya it is very high and we wonder we students when we grow up how will it be, since taxation is so much every year as it continue running.

Gender equity: I think gender equity should be there for men and women for equal rights of the Kenyans. This is to say that if a person has to acquire land, he should acquire land in a legal manner and should have that land through good procedure. I say also that gender equality should be there to promote competition between men and women. When we say that men and women, men only have some things to do but it will come a time that there will be(?) in Kenya since the women will have less powers.

Natural resources: natural in Kenya is that they're so much, they are being diminished, that is to say in Kenya as a country has to look into that. Even the forests in Kenya are being wasted, that is to say that is being used for people who are wealthy to buy lands in Kenya in forested lands.

Education policy: education policy is quite good so long as the people concerned put more efforts in whatever they are doing.

Com. Abida Ali: You are through, thank you. Raphael Mukonyi

Raphael Mukonyi: Hamjambo wageni wetu wa katiba. Jina langu naitwa Bw. Watahi Mokonyi kutoka Kabras division, South Kabras Marikha sub-location, Kakamega district, Western province in Kenya, Nairobi headquarter.

Maoni yangu kwa katiba inasema namna hii; sisi tunataka mtu kama amekuwa mtawala, awe mtawala kutoka kwa chief, au kwa sub chief kwa Likuru apigiwe kura kwa mlolongo, kwa sababu mtu akichaguliwa kama ati anapitia kwa interview wanachagua mtu hata ametoka kwa jikoni ya mamake na ujue mamlaka ya sheria hata hajui maneno ya kimila, kama mtoto mwingine anafanya mapenzi na mwenzake. Na yeye hajui kama wanaweza kuzungumza mbele ya watu, na wanaweka tu kwa sub chief. Kwa hivyo mtu anafaa apigiwe kura.

Kwa nini Kenya mzima, ukienda huko Nairobi watu wanakunywa busaa wanaweka kwa mtungi na wanaweka mrija wanakunywa tu hadharani. Na hapa kwetu kwa nini tunazuliwa? Hiyo mkirudi Nairobi mwambie Mzee President watu wa Western province wanapata shida sana kulingana na hiyo pombe kienyeji. Hatutaki mambo ya changaa, mambo ya busaa ni ile watu wanafanyia ki sheria yao ya kimila ya Kiafrika. Hiyo ni pombe yetu ya kiafrika ndio hata ukioa msichana wazee wanakaa kwa mrija wanazungumza maneno yao, kusema huyu msichana ni wa nani, anaenda kukaa na nani. Hapa hao watu ni wazuri. Kwa hivyo mkirudi Nairobi muwaambie busaa iwe kitu cha kunywa hadharani bila kuzuliwa....

Interjection Com. Abida Ali: Iko mambo mengine.

Raphael Mukonyi: Tena nyingine mambo ya(?) hao watu wanaweza kutengeneza hata chief, DO, wanakaa mahali fulani wanafanyia hapo sheria watu wanakuja wanasanyia hapo wanapiga hivyo vitu.....(?) kwa nini sisi tunazuliwa hiyo maneno? Ukienda hata pale mtaani huko Nairobi unapata Wakikuyu wanasanyika wanapiga hivyo vitu vyao wanafurahi na hapa hatujaruhusiwa kufanya hivyo. Kwa nini? Shida yangu ilikuwa namna hiyo.

Com. Abida Ali: Njoo ujiandikishe tafadhali. Mukoyo Peter a student. Say your name, the name of your school and class please.

Soita Wanakacha: I salute you all; I am Soita Wanakacha from Malava Boys representing the teachers, students and the nonteaching staff. I am in form IV.

Under cultural, ethnic and regional diversity we accept that it should be maintained since it foster unity among Kenyans hence peace will prevail in the country. This includes, circumcision of boys and cultural dances in schools and even in the villages.

Under management and use of natural resources, a national body should monitor distribution of resources. A national body should be created monitor distribution of natural resources and also public officers should declare their wealth since some of them got these wealth through illegal means.

Under environment and natural resources, factories and national resources should be evenly distributed all over the country without favourism and discrimination.

Succession and transfer of power, Attorney General should be in charge of the executive powers during presidential elections. Therefore a president should be a local man campaigning to go back to the State House or if his two terms have ended therefore he should just campaign for his own person.

The president should get 50% of the total vote cast but not 25% from five provinces as it has been said earlier own.

An independent body should be set to appoint Electoral Commissioners but not the president to prevent rigging of elections, since these people they rig elections because the president has appoint them and there is no way they can turn against the president. They should

The office of the vice presidents; a committee should be set among the cabinet ministers to appoint the vice president but not the president himself.

Then this Vice President should not be dismissed by the president at will. If he has done any mistake then this committee should come and intervene in this case, and if he is found guilty then they should declare vote of no confidence in him and appoint another Vice President.

Education: caning should be re-introduced in school because since the time it was abolished in school we have had many cases of unrest, strikes and now students are ruling the schools that it has become very difficult to manage them.

The government should strictly implement its policies, for instance recently the president said that there is free education in primary schools but right now the parents are still paying school fees in primary schools. Therefore they should say what they know and follow it up.

Powers of the president: the powers of the president should be reduced. He should not be above the law, then he is serving many posts thus he is creating unemployment in the country. Some of the posts that he is holding, for instance he is the chancellor of the Public Universities in the country, he should leave to other Kenyans so that he will be creating employment to

the Kenyans. And also he should not appoint judges because these judges they favour the government because there is no way they can refuse to support the president of the government since the president will dismiss them.

Employment: there should be an official age for retirement, 50 years of age, to create employment for the youths.

Then management of schools: the Government should support all schools be availing teaching and learning materials for instance text books, computers and others. Otherwise thank you, may God bless you.

Com. Abida Ali: Thank you, do we have any other student who would wish to talk, because it looks like not all of you want to talk. Do we have more? Is that all? Okey thank you very much. Ernest Matete.

Ernest Matete: Nafikiri jina langu Ernest Matekwa Mbio kutoka Kakamega, sub location Bukhungu. Maoni yangu moja nafikiri kulingana na sheria ya serikali vile watu wanaishi. Nataka kujua serikali inakuajiri kama wewe ni mfanyakazi wa serikali na unaweza kutumikia serikali kwa miaka 20 au 30. Wakati ambapo unawacha kazi unapata ridhaa, na saa zingine unapewa pension. Hiyo pension yako ambayo unalipwa, pengine unapewa pension ya pesa kidogo sana. Karibu miaka tano unapata hizo pesa, iwe mia tano ni hiyo tu, hakuna kuongeza kitu hata kidogo.

Ya pili, naendelea kuona sheria ya serikali kitu kama magari ya serikali. Nyingi sana zimetapakaa katika madistrict, katika hospitali unaweza pata hayo magari yakiguzwa tu kidogo yanaonekana yameharibika na gari halijaharibikia kitu kikubwa. Pengine ni kitu kidogo tu ambacho kinaweza kurekebishwa na serikali lirudi kwa barabara na utapata wakisema gari limeharibika. Kwa hayo nimeonelea si nzuri sana na huku wananchi wananyanyaswa, walimu hawawezi kupewa pesa wanasema pesa hakuna, huko kwa hospitali wauguzi wakitaka mshahara wanasema mshahara hakuna. Hawa watu hawalipwi na pesa inatumika kwa kununua magari na ukienda station utapata magari yamelala tu pale, na wanaenda kununua magari mengine mapya. Ni vizuri serikali iangalie badala ya kununua magari mapya watengeneze hayo mengine wauze ndio ionekane magari yote mbovu yametolewa huko.

Mishahara katika Kenya watu ambao wanafanya kazi ya mashamba, kazi ya cooks, kazi ya house boy, kazi ya waiters na nyingine ile hawana mishahara ambayo inaweza kurithi hata watoto wao vile wanaweza kusoma shule, ni ngumu. Na hayo maneno tumeangalia serikali irekebishe mishara ya wafanyikazi wa nyumba hata ikiwa mtu anafanya kwa shamba gani awe akijua kwa mwezi mishahara ni pesa inaweza kurithi watoto wangu wakati ninapoondoka nikienda penye Mungu anatuita.

Maneno ya mume na bwana, mimi naendelea kusema mke ni kielezo cha nyumba. Nyumba ikikaa bila mke nyumba hiyo haiitwi nyumba ya mwanamume. Kukagua mwanamume, kukagua mwanamke, mwanamke na bwana ni sawa kwa sababu huyo ni makamu wa rais, bibi akiwa ndani ya nyumba unajua nimewacha kiboko changu tu kwa sababau yeye ndiye anajenga kwa kutengeneza nyumba mgeni akiingia anamwambia karibu, wapi bwana, bwana ametoka kidogo kaa. Bwana akitoka kule

huwa na furaha kwa sababu amemwacha bibi kwa nyumba. Kwa hivyo mwanamke apige kura yake maoni ya wananchi ndio itachagua kuliko kuchagua mwanamume ati mwanamke hajui, hawezi kufanya kazi. Vile mko hapo namna hili wananchi vile nimeona mama ako pamoja hapa wewe ukienda nje na huyo anakamata usukani, ni sawa. Kwa sababu tunasema hata ndege hupaa wawili. Mtu akiishi pekee yake kwa nyumba hana raha.

Ya tatu hawa madereva wa serikali wanaofanya kazi na idara ya serikali inatakiwa serikali iwape kitu ya kuwa, mshahara mzuri,(Inaudible) mzuri na house allowance mzuri ili akiendesha wakubwa anajua yuko mikononi mwa serikali. Asifanye uovu kwa sababu yule mkubwa anayebeba ni sauti ya wananchi.

Com. Abida Ali: Umemaliza wewe?

Ernest Matete: Eh nimemaliza.

Com. Abida Ali: Asante sana. Kuna mtu yeyote ambaye angependa kuzungumza? Mbona haukujiandikisha? We are through with the list, you know we have been here since morning mtu kuja hapa saa kumi na mbili ni vibaya. Sasa nitawapatia one minute each, I will start with the lady, although wewe umekuwa hapa masaa mingi. Wapi jina lako, what is your name?

Speaker: (inaudible)

Com. Abida Ali: Who?

Speaker:(Inaudible)

Com. Abida Ali: Umeandika kama observer hukusema unataka kuongea nitakupatia dakika mbili lakini wale wengine one minute only.

Rose Nasimiyu: Asante sana kwa majina ni Rose Nasimiyu Kibarech kutoka Malava Kabras. Yangu nilikuwa nataka kuongea upande wa discipline, upande wa serikali yetu hapa. Ningependa katiba yetu iwe na high discipline upande wa serikali, kwa ajili upande wa polisi hata upande wa hospitali hata pia kwa shule. Kwa mfano akina mama wengi wanakufa kwa ajili ya kupanda, bila kutetewa. Ningependa sisi akina mama tuhurumiwe ama tuwe kama wanaume pia, wake wanaweza kuwa wamekosewa na mumuwe nyumbani ama amepigwa zaidi na anaenda kwa upande wa serikali kulilia serikali ama utawala, lakini lazima atasema leta pesa, ama ukienda kwa polisi anasema leta pesa na hauna pesa yoyote. Hapo tunaumia sana, ama saa zingine mzee anakufinya na mambo ya nyumbani anaenda kunywa kutoka ni asubuhi kurudi ni usiku wa manane na matusi. Sasa hapo anakuletea hypertension. Na ukienda kuelezea watu wa nje ama utawala hawawezi kuchukua jukumu kumuuliza.

Interjection Com. Abida Ali: Unataka unataka afanyiwe nini sasa?

Rose Nasimiyu: Sasa hapo tunataka tutetewe kwa mfano akina mama wawe na uhuru yaani wawe free, wawe kiongozi hata nyumbani kwa maana kila mara hao ndio wanakaa na watoto kila mara. Hata mama ndiye analima kwa shamba na hiyo miwa hata akilima pengine inauzwa hata hawezi kupata hela na hata mtoto hawezi kusomeshwa anaenda tu popote. Sasa hapo naomba serikali yetu itusaidie sana.

Interjection Com. Abida Ali: Tufanye nini sasa hapo?

Rosina Simiyu: Hapo nilikuwa nataka akina baba wale kama wanapiga wake wao, ama wale akina baba hawafanyi kazi nyumbani wanaenda tu kwa pombe lazima serikali iangalie sawa sawa wajue ya kwamba kwa nini anataabisha ama ananyanya bibi yake. Hapo iwe na sheria fulani kwa maana wanawachia akina mama watoto, hawajui vile watoto wanakula, hajui vile wanasoma hata hawajui vile wanavaa. Tena hata wasichana wanapatia watoto wasichana mimba nyumbani. Sasa mama watoto wanangojea mtoto wa mtoto wako na ungojee wako na hawawezi kuchukua jukumu kwa yule kijana anampea, mtoto akikua anapelekwa tu kwa a friend.

Kwa upande wa health. Unaweza kuwa na mtoto anagonjeka sana na kama hujajulika kwa hiyo hospitali hata mtoto anaweza kufia tu hapo bila kutibiwa. Na ukiwa umejulikana ama kama una pesa unatibiwa kwa haraka sana. Sasa hapo inatakikana tuwe na mtu wa kuangalia upande wa hospitali sana.

Upande wa polisi, anashika mtu kama mwizi, akifika hapo anamwachilia kwa ajili amepewa pesa. Mwenye kumshika anaambiwa yeye ndiye alikuwa anamngojea kumshika kama gaidi. Sasa hapo tena upande wa polisi tunaona ni mbaya na upande wa serikali.

Tena kwa upande wa viongozi wa mtaa. Viongozi wa mtaa inatakikana apate mshahara kwa ajili yeye hufanya kazi nyingi sana kushinda hao assistant chiefs.

Upande wa civic education ama Electoral Commission inatakikana kama unataka kuchua MP sio lazima ulazimiswe kupigia kura mtu fulani ama mzee anakulazimisha bure bila your authority. Hapo tena upande wa MPs ama councillors kwa mfano tunaweza kuwa na mtoto hajiwezi kwenda shule lakini anaenda na mtoto ana akili ya kutosha lakini upande wa bursary ikitoka hao ndio wa kwanza kupeleka watoto wao kupewa bursary, hao councillors ama chiefs. Lakini maskini hawawezi kujuliswa.

Upande wa watoto, lazima tena waangaliwe vizuri wajue hii bursary inaenda kwa mtoto wa mtu aina gani. Mtu wa councillor, mtu asiyeweza ama ni mtu aina gani. Akina mama wahurumiwe wawe tu mfano mmoja na akina baba, kwa mfano baba anaweza kufa awache boma bure na labda hajakuonyesha namba ya shamba lenu, na hiyo namba iwaweza kwenda hata kwa

mandugu zake na wanaweza kukunyanyasa sana.

Com. Abida Ali: Thank you, ujiandikishe pale. One minute and I will be very strict.

Wafula Laban: My names are Wafula Laban. I propose as follows that the constitution should contain a preamble stating our aspiration but it should not highlight-failed philosophies like Nyayo.

Two, the President's power should be trimmed. A president should not be an MP and should be a man who should not be tainted or a woman who should not be tainted; who is morally upright.

The cabinet should be selected from without parliament not from within. The parliament should be autonomous and powerful organ and the quorum of the parliament should be $\frac{3}{4}$ not 30 MPs as it is. Their salaries should be checked by another independent body. There should be an office of Ombudsman. The Judiciary should be independent and powerful. The ECK should be empowered to set morals of aspirants and those implicated in any scandal should not be allowed to stand for any public office.

Mayors should be elected by the public. The Attorney General should be appointed by parliament.

Land title deed should have two names, the names of the husband and the wife and incase of death, the first child should be enjoined on the land title deed. MPs should be recalled incase of poor performance and the work of an MP should be full time. They should have an office in parliament and at the constituency level.

No nomination because that rule has been misused. Representation to be pegged on population not geographical area.

Citizenship should be dual in Kenya. I propose that the PC and the DO, the PC the DO and the chiefs should be scrapped only to leave the DC's office.

A tax for education and medical covers should be established and medical and education to be free. Any law or act that is assented by President and it happens that it is part faulty, the Attorney General should be taken to court, because he is the chief adviser of the government.

Com. Abida Ali: Thank you, please register there and leave that paper with us.

Kibet Erick: I am Kibet Erick. Thank you the Constitution Kenya Review Commission. I would like to present the following issues and these are:- Members of Parliament should have powers of the PCs and DCs. What I mean is that Members of

Parliament have been looked down upon by the administrators.

Equal distribution of the national wealth, we can see that some other areas are receiving those wealth that are possessed by the Government rather than other sides.

In Kenya we need a prime minister, only that prime minister would be dealing with a lot of matters while the president should be ceremonial.

And then one-person one job. Thank you very much.

Com. Abida Ali: Thank you. Next.

Philip Baraza: Commissioners, I am Mr. Philip Baraza and I have the following opinions on the constitution. The traditional technology to be reviewed as most of our young generation have gone astray. They have left all their social and cultural traditions; they are not conducted in our present societies as it is used to be long ago. Roles and responsibilities have eroded. Diseases and early deaths, is on the magic, why? No guidelines to our youths therefore reforms should include traditional and technology.

Legalize traditional brew, busaa, and license the brewer, hygiene be the principle before licensing them. This will reduce deaths brewed chang'aa which is drunk hurriedly in fear of the police on the patrol.

Chief and his assistant chief be elected through queuing or show by hands. By doing so only those with quality leadership will be elected in the location and sub locations.

Executive the parliament and the judiciary to remain independent organs. Kenya to remain as a united state headed by the president who should be a national figure. Introduction of the post of prime minister to help the government of the day. The government to control farm input ensuring there is enough food in the country.

Introduce salary to a person who has attained 50 years and above. That is all.

Com. Abida Ali: Thank you very much.

Jomo Lumbasi: Asante kwa kunipa nafasi hii, kwa majina ni Jomo Lumbasi. Kwangu mimi ningependa kuongea kuhusu kimila. Serikali isijaribu kuingilia mambo ya kimila kwa sababu kama sisi walie tunatahirisha wanaume sio wanawake na serikali ikisema ya kwamba sisi wanaume tusitahirishwe itakuwa ni vibaya. Na wenye wanatahirisha wasichana serikali isiingilie lazima

kama ni kimila yao kutahirisha wasichana waendeleo hivyo, ilitu serikali ichunguze vyombo vyenye wanatumia kutengeneza hiyo kazi viwe safi.

Pili, mambo kuhusu wageni wenye wanakuja hapa Kenya, wamepewa uhuru zaidi hata kuliko sisi Wakenya wenyewe, haswa sana kama Wahindi hao Asians wako na uhuru zaidi kuliko sisi. Tukiangalia pesa kama zenye Patni alipotea nazo, ni pesa nyingi sana, anatoleswa inje hali sisi Wakenya tunazidi kuumia, barabara zetu ni mbaya, hospitali watoto wanaendelea kufa wanakosa madawa. Na serikali inadanganya kwamba inaendelea kuchunguza. Hata wakishika huyo mtu akienda ndani keshoye ameshika bond, kesho yake mtu ametoroka ameenda nje. Inakuwa ni mchezo wa siku nyingi sana. Punde si punde unakuta hiyo maneno imetupiliwa tu mbali namna hivyo, kwa hivyo uwezo kwa mtu mwenye anatoka nje kuja hapa Kenya lazima aheshimu sisi ajue kwamba sisi ni Wakenya na nchi yetu lazima iheshimiwe. Wasipewe uhuru kubwa namna ile. Asante.

Com. Abida Ali: Kuja ujiandikishe hapa.

Com.Ratanya: Sasa tumefika mwisho wa mkutano wetu. Okey sasa kwa kumaliza mkutano wetu(?) tulipoanza asubuhi tumekuwa hapa tumesikia watu wengi na nawahakikishia kwamba Tume itachukua maoni yenu kwa njia nzuri tutayapeleka huko headquarter yetu na yataangaliwa ili yasaidie kurekebisha katiba yetu. Na ningetaka kuwashukuru wale wametupatia kikao hiki kama wenye shule hii ya St. Teresa's kama wako hapa tungetaka kuwashukuru sana, tumesema asante sana kwa kutupatia nafasi hii kwa niaba ya commission na wale wengine wote wametusaikia, na hata wale wote wamekuja kepeana maoni yao na nyinyi ambao mmengoja mpaka sasa tusikiliza.

Kwa hivyo kwa niaba ya commission yote pamoja na Commissioner mwenzangu Abida Ali na kwa mimi mwenyewe binafsi ningetaka kuwatangazia kwamba tumefunga mkutano wa leo, kikao cha Tume ya Kurekebisha Katiba ya Kenya. Asanteni sana.

Na mwisho kabisa tutaomba. Nani atatusaidia kwa maombi?

Mama Mary: Kabla hatujaomba nataka kwa niaba ya community ya hapa kuwashukuru kwa kupata nafasi kutuletea kikao hiki hapa. Pia ningependa kuwahakikishia kwamba mwanzo mwanzo kulikuwa na mtu ambaye tumejaribu kuchunguza si mtu wa hapa hatumjui alitaka kudisrupt kikao chetu ningependa kuomba msamaha msiende na impression alikuwa mtu wa Malava hatujamtambua ni nani mpaka sasa. Ikiwa ataonekana Shimoni pia msimruhusu kuingia kwa hicho kikao. Naomba tusimame kwa maombi.

Prayers: Mungu Baba Mwenyezi ni wakati mwingine tunakurudishai shukrani tukijinyenyekeza Baba tukiomba kazi hii ambayo tunayofanya ni kazi ambayo italinda maisha yetu ya kesho. Baba Tume inapoendelea kuzunguka mkoa huu wa Magharibi upate kuwapa wananchi wa mkoa huu hekima ili wapate kutoa mchango wao na busara. Pia naombe safari yao

mahali popote wanapoenda upate kuwaongoza. Na asante Bwana jina lako liinuliwe, kwa jina la Yesu Kristo mwanao Mkombozi. Amen.

The meeting closed at 4.30 p.m.