

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

MATUNGU CONSTITUENCY,

AT ST. JAMES BULIMBO SEC. SCHOOL

TUESDAY, AUGUST 6TH, 2002

**CONSTITUENCY PUBLIC HEARINGS,
MATUNGA CONSTITUENCY HELD AT
ST. JAMES BULIMBO SEC. SCHOOL ON 6TH AUGUST 2002**

Present:

Com Salome Wairimu Muigai
Com. Dr. Mohammed Swazuri
Com. Raiji Riunga

Secretariat in attendance:

John Watibini - Programme Officer
Gladys Gichuki - Asst. Programme Officer
Asha Bon - Verbatim Recorder

The meeting started at 9.55 a.m. with Commissioner Salome Muigai in the Chair.

Com. Muigai: Katika kikao hiki cha Tume. Lakini kabla hatujanza lolote ningetaka kumuomba Baba Parokia, atuanzize kwa maombi.

Maombi:

Kwa jina la Baba, la Mwana na la Roho Mtakatifu. Ee Mungu Mwenyezi wa milele, Baba wa mataifa yote na watu wote,

utuungalie kwa huruma sisi watu wako wa Kenya. Ubariki nchi yetu, waongoze watawala wetu, sheria wanazotunga, zilingane na sheria yako wewe uliotumba kwa ajili yako. Tena itusaidie kupata manufaa ya hapa duniani. Wajalie watu wote kipaji cha amani, utupe hekima ya kutafuta ukweli na haki katika mambo yote na kuishi kadiri ya amri zako. Uwashe moto wa mapendo yako myoyoni mwetu ili tusinde chuki na ukabila. Uangalishe sisi sote kwa muungano wa kindugu. Ubariki taifa letu, waongoze watumishi wote wa serikali na dini, ili watumize wajibu na kazi zao sawa sawa. Wasaidie raia wote wa Kenya, kulipatia hali njema haki na heshima. Na tunaomba hayo kwa njia ya Kristo Bwana wetu. Amen.

Com. Muigai: Asante sana Bw. (inaudible) sasa kama tulivyosema hiki ni kikao chenye kutangazia kuwa kikao cha kurekebisha katiba ya Kenya, na ni kikao cha dharura kwa hivyo kila mtu amekaribishwa kwenye hiki kikao, na ni kikao rasmi pia. Kabla hatujaendelea ningetaka kuwajulisha wana tume wenzangu tuliokuja nao, na nitawakaribisha wenyewe wajieleze mjue sauti zao

Com. Raiji: Hamujambo? Jina langu ni Riunga Raiji

Com. Swazuri: Habari ya asubuhi? Mimi naitwa Mohammed Swazuri.

Com. Muigai: Nami jina langu ni Salome Wairimu Muigai na nitakuwa mwenye kiti wa kikao hiki. Sisi kwenye Tume tuna lugha mbili na tunatumia Kiswahili na pia tunatumia Kiingereza. Lakini kwa sababu ya kikao hiki ukiona huwezi kutumia lugha hizo mbili unaweza kutumia lugha ya mama na tutatafuta mwingine atafsiri. Shida moja ya kutafsiri inachukua wakati mara mbili. Kwa hivyo tukipata watu wengi wanaojua Kiswahili lakini wanataka tutafsiri tutazungumziwa na watu nusu ya wenye wangetuzungumzia. Kwa hivyo tafadhali ukiwa unaelewa Kiswahili, unaelewa Kiingereza, utaweza kutumia lugha yoyote ile. Lakini ukikwamiwa kabisa tafadhali sikia uhuru kuzungumza lugha ya mama.

Utaratibu tunaofuata kwenye kikao hiki kwanza ni vile unatupa maoni yako. Unaweza kuja ukawa umeandika maoni yako, kwa hivyo unamjadala wako ama maandishi ya memorandum, ukataka tu kutupatia mbila kuzungumzia neno. Unaweza kufanya hivo. Unaweza kuwa pia una maandishi yako lakini ungetaka kutuambia maneno yako yale unaona wewe mwenyewe. Tafadhali uwe huru kufanya hivyo tutakupatia dakika tano kutuambia. Usitusomee memorandum, kwani memorandum inaweza kuwa page moja hadi hamsini, mpaka nyingi, sivyo? Kwa hivyo usitusomee memorandum tutakupa dakika tano tu na sisi wenyewe tutasoma memorandum yako tukishaichukua, neno kwa neno, kikomo kwa kikomo.

Ukishamaliza kutuambia ama kutupatia maoni yako, wanatume wanataka fursa ya kuuliza swali moja, mawili ama matatu. Elewa kuwa haya maswali ni ya kufafanua tu, ili tukuelewe vilivyo. Si ya kuuliza kwa nini unatuchezea hivyo, ama ya kutaka mjadala ili uweze kupatiana sababu zako. Tunakuuliza ili tukuelewe vilivyo. Tafadhali tungeomba wenye simu za mkono mzifunge, zinatatiza recodi zetu. Pia niwaeleze maneno yote tutakayozungumza uzungumze kwenye hiki chombo cha kupazi sauti kwani tunanasa sauti.

Tunafuata hili utaratibu orodha vile mlivyo jilandikisha leo. Tutaanzia wa kwanza hadi wa mwisho. Lakini kwa sheria inatuambia inatuamru kuhusisha kila mtu. Kwa hivyo tukiangalia tuna watu kumi na wote ni akina baba, akina mama; kukija baba wa miaka themanini na wengine ni wasichana wenzangu wa miaka hamsini, basi tutapatia huyo mzee nafasi ya kwanza ili ajieleze yule mama ama mzee baba. Pia tukipata watu wenye ulemavu unajua wengine (inaudible) pia tutawapa nafasi ya mwanzo mwanzo, ili wajieleze apate nafasi wa keti ama wapunzike. Mbali na hayo tutafuata orodha ya majina.

Pamoja na Macommissioner wenzangu, pia tuna wafanyi kazi wenye tumekuja nao kutoka ofisi yetu ya Nairobi. Tuna Bw. Waitibini pale ndiyo tumekuja nao na Gladys mwenye mdogo wake, na pia tuna Asha mwenye anatusaidia kwa kunasa maneno. Na hapa kuna coordinator Bw. Mwangale ametoka; lakini pia ananena kwa wakilisha wa 3C Constitutional Constituency Committee, akiwa mwenye kitu huko anaweza kutujulisha wenzake. Bw. Mwenye Kiti.

District Coordinator: Basi asante sana, hapa nina members watatu ndiyo wameshafika. Wa kwanza kule mwisho ni Bw. Petrelo Msumba, akifuatwa na Mzee (inaudible), halafu Bw. ??Mleno na mimi mwenye kiti Mohammed (inaudible) Asante.

Com. Muigai: Asante sana. Sasa ningetaka tuanze na utaratibu wetu, kazi yetu yenye imetuleta hapa leo na ningetaka tuanze na Alex Manyasi. Utakuja utaketi hapa mbele utachukua hiki chombo ukizungumzia, utaanza kwa jina lako ili tupate recordi na ukimaliza utaenda pale kujiandikisha kuwa umezungumza. Asante

Alex Manyasi: My names are Alex Manyasi. (interjection: inaudible) In the constitution making I would like it to have a preamble, this is kind of a vision is a protection, security to employment and in case of (inaudible) (tape not clear)

Parliament: the government auditor should determine the salaries and then (inaudible) and the auditor should not be appointed by the President. The concept of a nominated MP should be abolished in Kenya. The parliament should also have such powers to remove the Executive through vote of no confidence (inaudible)

Defence and national security. The president should have exclusive powers to declare war. The parliament should not have any role in invoking emergency margin powers (interruption) (inaudible) good health care and employment should be the responsibility of the government to take care to make sure they are executed well (inaudible)

There should be one national language in Kenya (inaudible) to avoid tribalism (inaudible) (interjection: inaudible) English.

Again I would like the government to legalise local brews as it acts as an income to some poor people. Those are the points I had I hope (inaudible) (*too much echo not clear*)

Com. Muigai: Asante Bw. Manyasi jilandikishe pale juu. Musa Luseno? Anza kwa majina yako kamili tafadhali.

Musa Luseno: Kwa majina naitwa Musa Luseno and I would like to talk about one, the political parties, that the number of political parties in Kenya should be reduced from (inaudible) to about 3.

2. How the elections are normally conducted. That, the period allowed to conduct the voting should have at least a minimum education of standard 8, so that they are aware of what they are doing during the elections. During the campaigns the aspirers should be given rules to follow; such that during the campaign days, they should address wananchi using the same platform, so that we don't have this idea of insults using abusive language against others, instead of addressing them aggressively to get votes.

Then we have this idea of nominating MPs, it should be done away with, but instead we should have the country divided into the number of constituencies that match the number of seats in parliament.

Next we have, Parliament should be in session at least five days of the week, and the sessions should be compulsory to all those MPs; so that they are not at their businesses at the expense of the mwananchi's welfare. A common mwananchi should have a vote of no confidence in the MP incase he is there and proving to be a bit corrupt, or he is not developing, he is not spearheading development projects in his constituency.

There is this idea of the local government to do with the taxation taking place in the open air market. We should have a discrimination of who should be taxed, because we find that this is where, I am a man who is worth goods worth 20 shillings but the tax is 10 shillings (interjection)

Com. Muigai: What do you propose? Give us proposals because that is what is good for us.

Musa Luseno: So instead at least the person taxed should be earning something about should have a monthly income of about above 5,000/= . And above all if the constitution is said to work well, then we should have some very stiff anti corruption unit to check on the corruption cases. Because if those cases are not checked, I think even the constitution will not work properly. I think that is what I had and if there is any question you may ask.

Com. Muigai: Thank you very much you are clear, there are no questions. Please register yourself there. Chris Watako?

Watako Lutta: My name is Chris Watako Lutta. Kenya should have free primary education so that all Kenyans can know how to read and write.

2. The President should not be above the law because this way we will avoid corruption. Some senior officers are corrupt and when they are taken to court or jail they are just released because something has come from above.
3. Kenya should have Majimbo so that every province should have its governor and if there is any msaada coming, the provinces should share equally.
4. The President should not appoint senior government officers such as the Attorney General, Ministers, Assistant Ministers, Judges, and Commissioner of Police (interjection: inaudible) The parliament. Then we should have fewer churches because we have so many churches and worshippers they are misleading young Kenyans and women. They go dancing the whole night and even committing crimes and now young men have no discipline.
5. Chiefs should be transferred from one location to another and, or even districts and even provinces; because if the chief heads a sub-location or sub-chief in his location that location, will have no development. Assistant chiefs should be elected by wananchi but not appointed by the District Commissioner. This will result to corruption in appointing assistant chiefs. That is all I have to say. Thankyou very much.

Com. Muigai: There are two questions for you.

Com. Raiji: You have said that there should be limit in freedom of worship exactly what do you propose that we limit?

Watako Lutta: We should have only Christianity and Muslims but not so many churches.

Com. Muigai: I also have a question for you. You have said that we need to go majimbo and share resources equitably. What about the production of those resources before we share them we have to produce them. Different provinces have different in production and resources what do you do with those provinces that are not able to produce enough resources to sustain themselves?

Watako Lutta: I think we have so many procedures (inaudible)

Com. Muigai: Thank you very much Sir. Can we have Batholomew Musumba.

Batholomew Musumba: Majina yangu ni Batholomew Musumba. Ni nayo maoni yangu juu ya marekebisho ya katiba na hasa ningesema kwanza utangulizi iweko na ieleze historia ya katiba. Kwa vile mnavyoelewa katiba iliyoko sasa iliundwa na mkoloni ambaye alikuwa na niya ya kutawala sisi. Na tena itatukumbusha jinsi vita via ukombozi na jinsi ilivyo unganisha makabila yote iliyoko katika Kenya, ikawa kabila moja, ambazo sasa ni Wakenya. Kwa hivyo utangulizi wetu uwe na umbo za Wakenya kama jamii moja sio umbo la kabila moja kama Mluhyia, Mkikuyu ama kabila ingine ile.

Na (inaudible) kwa raia mzalendo, katiba ieleze ako na haki ya kuishi, awe na haki ya kuwa na nyumba, chakula,

mavasi, na kitabu na elimu na uhuru wa kuadamana, kuoia na kuolewa, na kupeana talaka ikihitajika bila ubaguzi wa aina yoyote, au mme au mke.

Juu ya ardhi vile utangulizi utatuelezea jinsi katika kwa jamii moja ya Wakenya mashamba iwe ya Kenya, maana serikali iajibike kuona ya kwamba kila moja anahemua ya kuishi. Ikiwezekana apewe acre kama sitini na (inaudible) inavyoendelea kwamba mtu anahaki ya kumiliki shamba kwa miaka tisaini mbali sasa upunguzwe na urudishwe kwa miaka sitini.

Katiba ieleze ya kwamba kila mwananchi ambaye amefikisha miaka ishirini, ni lazima awe na haki ya kumiliki shamba. Na haswa sana katiba ionyesha kuwa wale ambao wanahaki ya kumiliki hiyo shamba au wale wanastahili kupewa hiyo acre ishirini. Na wale ambao wanaulemavu ambao huwawezi kuwaruhusu nao wapewe sehemu makazi.

Nitagusia ndoa, historia haijafafanua wazi wazi jinsi gani ndoa, inaweza kuwa haki ama bora. Katiba ielezea kuwa kuoia ni moyo, kwa hivyo mambo ya ndoa takatifu makanisani iongezewe, na katiba ipeana nafasi kwa makasisi wa madhehebu yale yanao ruhusu ndoa, wawe na mabibi wengi; ili kuzuia uzinifu ambao umenea sana makanisani.

Utawala wa mikoa huu ulikuwa utengenezaji wa mkoloni wakati walikuja kutawala sisi ndiyo akaweka huo msururu kukoka mzee wa kijiji mpaka kwa mkuu wa mkoa, ili kuwe rahisi kutambua wale walikuwa na mawazo kinyume na utawala wao. Sasa katiba yetu ambayo tunayo unda sasa hivi, itilie mkazo ya kwamba hizi vikao vya utawala sasa ubadilishwe na uwe sehemu za kuelembisha katika wananchi wa Kenya. Ukisimamiwa na kamati teule ya tume ambayo itaidhinishwa na katiba yetu ya kurekebisha katiba.

Nitazungumzia juu ya mali ya asili. Hasa sana nikilenga mito ambao ina mizizi hapa Kenya kwetu na ambayo inachangia ziwa Lake Victoria ambazo inadumisha nchi zingine za nje. Hii katiba ielezee vizuri jinsi mwananchi wa Kenya anaweza kufaidika juu ya hayo maji. Na ninapendekeza ya kwamba kwa wale wote wanaotumikia hayo maji, nje ya Kenya ni lazima watoe ushuru wa asilimia thelethini kwa matumishi yao yote, ambayo watakuwa wametumia kwa hayo maji yetu. Ikiwa ni stima, jumla ya stima yote inayotumiwa asilimia thelethini ilipwe ushuru wa Kenya, ili nao wapate kufaidika. Kumalizia ningehimiza tume ya kurekebisha katiba pia idumishwe ihalalishwe kikatiba, ili izidi kuweko, na izidi kuelembisha wananchi, na kwa marekebisho yote mbungeni, hii tume iwe inatoa mwongozo kwa bunge baada ya kile kifungu cha kurekebisha kuletwa chini mpaka mashinani, ili kieleweke ndipo wabunge wakubaliwe kubadilisha. Asanteni.

Com. Muigai: Asante sana Utajiandikisha Wincelous Walubi

Wincelous Walubi: Kwa majina mimi naitwa Wincelous Walubi, I represent ECWD. Kwanza nitaanza na Preamble. Sisi kama Wakenya tunataka tuwe na preamble, na kwa preamble tunataka tuwe na Peace, Love and unity, through a strong domestic and agricultural economy. Pia tunataka kwa preamble tuwe na tribal harmonization to achieve a meaningful unity. Na kwa preamble tunataka to eliminate shida ambazo tumepata kama vile hunger, tribalism, corruption and AIDS, job

opportunities.

Halafu nitaenda kwa ingine ambayo inaitwa defence and national security. Hapo tunataka sisi kama vijana tuwe na police station karibu, tuseme kwa kila sub-location, na hii police station viwe wawe wanahudumia security. Sio kwamba kufukuzana na pombe tu, mbali wawe wanaangalia maslahi ya watu. Kama vile huku kwetu tuna wizi sana wa ng'ombe, ambayo security iwe inaangalia. Sisi tunataka ya kwamba askari wasiwe wanaharass binadamu ama citizens wa Kenya bila ruhusa. Mpaka kwanza wawe na arresting warrant, ndiyo waweze kukabiliana na mhalifu wowote wa Kenya.

Ya tatu tunataka pia hii security wawe watu ambao wanatake care ya properties za wananchi, sio ya kwamba wanahusika katika huo uhalifu.

Halafu ya nne, tunataka watu kama wanajeshi pia nao waweze kuwa wanaingizwa ama wanafanya kazi ingine, ili pia wawe kwamba wanangojea tu kuwe na vita ndiyo waende wafanye kazi. Inatakikana wawe wanafanya kazi zingine, ili at least wawe wana generate income kwa economy yetu ya Kenya ambayo imeanguka.

Ya tano, tunataka ya kwamba Bunge iwe ina choose mtu mwenye atakuwa the Commander in Chief of Armed Forces. Sio kwamba the President awe the Commander in Chief of the Armed Forces.

Ya sita, tunataka ya kwamba Executive iwe na power nyingi vile ilivyo navyo ya kufanya kila kitu ile hali hawaulizwi wananchi au watu wa wengine ama wananchi ambao wanawa-represent.

Political parties: Hata political parties, tunataka Kenya is iwe na vyama vingi. Vyama ambavyo sisi tunaonelea zinaweza tosha kwa Kenya ni vyama vinne. Kwa sababu saa hizi tuko na vyama arobaine na nane na zote zinaonekana hazina mwelekeo. Tunataka Katiba iweze kuwapatia wakuwe na constitution mzuri, halafu na registration fee ipandishwe, ili isiwe tu wanaji-register wanakuwa na political party. Halafu pia iwe hii registration kama wameregister, itake long pengine 5 years, ndiyo hawa watu wawe registered, hii ni chama kimechukuliwa kama kuwa chama cha taifa.

Naenda kwa Job opportunities for the youth. Tunasema hivi, ya kwamba, serikali yetu iweze kutengeneza kazi kwa vijana, kwa sababu kuna vijana wengi ambao wamesoma, lakini hawana kazi; wanaambiwa waenda wafanye biashara na hawana capital ya kufanya biashara. Watatoa wapi capital? Tunataka Kenya iweze kutekeleza kazi.

Pili, tunataka serikali yetu iweze ku-represent youth pia wawe kwa parliament, kwa sababu sio tu kwamba watu wakubwa pekee yao ndiyo wanaweza kuwa kwa parliament. Tunataka youth wawe kwa parliament.

Three, tunataka pia watu kama wazee ambao wamefika age ya retirement, wame retire wamefika 60 years, to 70 wawe

wanachukuliwa wanawekwa pahali wanajengewa pahali ambapo wao watakaa huko for example hapa kwetu kama Wazungu. Wanakaa huko wanalishwa na serikali, isikuwe burden sana kwa watu wengine (inaudible) nchi zingine huwa zinafanya hivyo. Pia sisi tunataka kama wananchi wa Kenya, tukuwe na vitu kama hivyo.

Halafu kitu kingine, tunataka pia serikali iangalie kwamba isiajiri watu ambao wamefikisha 50 years and above; wanataka watu ambao wanaexperience. Na vijana ambao hawana experience wataenda wapi? Kwa hivyo serikali iweze kuangalia kitu kama hicho.

Naenda kwa education. (interjection)

Com. Muigai: Wakati wako umeisha nakuongezea dakika moja ukishaimaliza sasa (inaudible) utaratibu umalizie

Wincelous Walubi: Sawa. Kwa education nitaongea tu kwa kifupi, tunataka old system irudi. Hii new system inatu-waste sisi. Tunataka old system of education ikuwepo, naikikuwepo from class one to class seven ikuwe free.

Com. Muigai: Asante sana. Jiandikishe tafadhali, sasa tunapata akina mama Sarafina Nyongesa. Na atafuatiwa na Pamela Mudenyo, na Juliana Nyongesa. Ikiwa kuna akina mama wengine hawaja jiandikisha kuwa watazungumza, tafadhali ujiandikishe..

Sarafina Nyongesa: I am Sarafina Nyongesa. I am here to speak on behalf of Maendeleo ya Wanawake Organization. (interjection)

Com. Muigai: Hatukusikii kwa ajili chombo chako hakijafunguliwa.

Sarafina Nyongesa: Due to culture ignorance and discrimination many parts in Kenya have been left behind. (interjection)

Com. Muigai: Sarafina, is your mic on?

Sarafina Nyongesa: Our present Kenya new Constitution should make sure that all citizens are properly cared for and they should have proper security. They should be concerned with all tribes of Kenya without discrimination. It should protect human rights and their property. The Government of Kenya should protect and come up with laws concerning land ownership. The government should maintain peace and justice among all citizens without discrimination. There should be freedom among all Kenyans, be they old or young. Good association in our place of work and even institutions. The government should be able to build as many primary and secondary schools where pupils can reach easily.

We should have few political parties for us to be named successful (interjection)

Com. Muigai: How many?

Sarafina Nyongesa: Few.

Com. Muigai: How many are few?

Sarafina Nyongesa: About 3 are enough. The elected MPs should make sure that their constituencies are well established by building enough schools, roads etc. The government should be concerned with the disabled the poor, by supporting them through harambee. There should be unity between the state and the political parties, and by this our government will be strong.

We at least need 2 MPs in every constituency, a man and a woman, if a man is the head, then a woman is the assistant or the vice versa. The government should step in by giving necessary support by educating children and giving free education, and by keeping them busy in different areas.

The government should protect the widows, especially this issue of property inheritance, the government should come in to protect these widows. The government should take care of the youth, and they should at least give them a chance in education and in employment. We see that most of the youths are left at home, there are no job opportunities so the govt. should at least look into that. (interjection)

Com. Muigai: You have one more minute.

Sarafina Nyongesa: The government should also look after the elderly people, at least set a place for them, give them free medication and so on. That's all. Any question?

Com. Muigai: (inaudible) Do you have any questions? Ok thank you very much for the remarks. The next please, Pamela Mudenyoo.

Pamela Mudenyoo: Majina yangu ni Pamela Mudenyoo. Na nikiwa hapa sikuwa nacho chochote (interjection)

Com. Muigai: I would like to welcome the students, but you please have to be quiet because we are recording our proceedings, so we ask you to be quiet otherwise we will go back to Nairobi and when we try to listen to the tapes, it will be hard to hear what the people said unless you are very, very quiet. And the only thing (inaudible) is the tape is what the people of this constituency want to say. Do we understand each other? Karibuni sana. Mama endelea.

Pamela Mudeny: Nilikuwa nimeshaanza kusema, nikasema majina yangu, na nitaanza na maneno ya mashamba. Sisi akina mama tungependelea kwamba, ikiwa kuna mashamba, maandishi ya title deed yawe ya mama na baba pamoja. Kwa maana mjane akiachwa inakuwanga vigumu. Sisi akina mama tungependelea ya kwamba mambo ya kushtaki kaburi, kama mtu amezikwa, iondolewe. Wazee wakijiji wajue tu nani alikufa na shamba ni la fulani.,

Nikija kwa watoto wasichana, ningependelea Kenya yetu itoe mfano wa nguo ambayo wasichana wetu wataweza kuvaa ili wasivae zile nguo ambazo zinaonyesa mwili wao kufanya vijana wanawatamani. (clapping) Tena vijana wenyewe ambao ni wasichana, ikiwa amepata mimba kutoka kijana ningependelea ya kwamba hii maneno ifuatiliwe, halafu huyu mtoto akizaliwa, ajue baba ya mtoto atamsaidia ki vipi. Kwa maana huwa wanapata mimba wanaacha tu hapo. Sasa mama mzee anasubuka na mtoto na hali kwingine ni mtoto wa mwisho huyu nyanya hata hawezi hiyo kazi. Mambo ya wasichana ambao wamesoma na wameacha shule, ningependelea ya kwamba, kuna wakati mwingine kazi inatokea huko nje, wengine wakienda mara kufanya nini ningeonelea pia Kenya ifikirie hawa wasichana wetu ambao wanaishi bila kazi. Kuishi bila kazi inawafanya tena wanaanza kuzurura na kupata mambo mabaya.

Wamama wajane. Wamama wajane ningependelea kama bwana ake amekufa, sheria itolewe mtu asimrithi. Mambo ya kurithi akina mama ndiyo imefanya ugonjwa wa ukimwi ukaenea sana. Kwa maana mme akifa anaacha bibi angali msichana na mtu anasema nimeona msichana, lakini ningependelea serikali iondoe mambo ya kurithi.

End of Tape 1A. Cont. B Ningependelea kwamba mzee akiwa na (interjection)

Com. Muigai: (inaudible) ili tukusikie.

Pamela Mudeny: Mzee akiwa na contract ya shamba, ningependelea kwamba hata mama, wajiunge pamoja wawe na joint contract kwa maana akisha kufa, huwanga ni shida kwa huyu mama. Vijana wetu ambao ni vijana wakisha kuwa vijana wakubwa wapewe hata na sehemu yao kwa maana hujui ya kujao nyuma. Ni hayo tu.

Com. Muigai: Asante sana mama, jiandikishe. Juliana Nyongesa.

Juliana Nyongesa: Kwa majina ni Juliana Nyongesa. What our new government should do. Our new constitution should be the one to cover all 42 tribes of Kenya without any discrimination. It should preserve the traditional values and ensure that security is in all parts of Kenya. Our constitution should safeguard religion, political values, cultural development and all human rights and all aspects without hinderance. The Kenyan government should make sure that all Kenyan citizens have got enough land and are protected without any tribalism. Our government should fight against poverty by reducing the price of fertilizer and seeds which can make a poor man or farmer able to buy.

Our new constitution should fight against bribes and corruption in Kenya. It is our new government which should bring among citizens peace, unity and love for better development in our country.

Land ownership, property and inheritance. There must be a law to protect land from rural areas upto urban areas. Title deeds should be given to every citizen who have land, be it a man or a woman. Women should own title deeds with their husbands to avoid a lot of disturbance after the husbands death. Widows should inherit husbands property without any hinderance. Widows should never be forced to be married, since this also is a way of spreading HIV/AIDS and corruption in families. There should be the law to protect it. The government should find a way of helping widows, since we have some who are weak very old and poor. There must be a law to control marriages. Polygamy should be abolished since it is a form of corruption and mismanagement in family affairs and spread of HIV/AIDS.

Women should be given a good chance in politics as men do so that we get better representation in parliament. There should be equality in education, employment and inheritance to both men and female. Street children should be cared for by the government. It should find out the root cause of these children being in town, walking up and down being beggers and elders in street. Pregnancy outside marriage should be abolished by engaging these young girls through parents. Anybody impregnating or raping a young girl should be jailed though out his life. (laughter)

Primary education should be given free and all materials provided. Orphans should be properly protected and cared for by the government. They should be given free education, treatment, shelter, food and clothing. Every division should have a school and a host ground to serve them. Handicapped people should be cared for and protected by the government. They should have free education, treatment and get employed. In every institution the government should have a school and a hospital for the handicapped. Youth groups are to be supported and cared for by the government. The government should introduce many ways of keeping young ones busy by introducing projects and small businesses for them. Elderly people should be given a home by government in every division. They should get free food, treatment and clothes. All citizens should be treated equally in every aspect without discrimination.

Councillors, MPs and even the President should not be nominated. Citizens are to elect the person they know that he can lead them peacefully. Citizens should be given freedom in worshipping in any church according to their wish. What we need is better leadership which can unite all Kenyans through love, peace and justice. Thankyou.

Com. Muigai: Thank you very much. Any question? I have one question for you mama. You said that we should jail those who make a girl pregnant, do you think we should also be educating men and boys about this? You know it takes a man and a woman to make a baby, we educate half of the population, do you think that will take us to the conclusion that you want to drive to?

Juliana Nyongesa: Yes, I said so because if we can educate parents and men, and we educate men and women how to care for these children from the youth when they are still small boys and girls they shall be spared and at least educated in a way for

growing.

Com. Muigai: You said that we should educate girls so that they don't get pregnant are we looking for the role of boys and men, so what do we do with them do they also need education?

Juliana Nyongesa: Yes they do.

Com. Muigai: Please register yourself. Rev. Boniface Makhoha.

Rev. Makhoha: My names are Boniface Rev Deacon Francis Makhoha, a believer of Christ. I would like to start by saying that the next constitution we expect it in a very simple and understandable language, which can be understood by every single Kenyan. That same constitution, should be made available even to our local bookshops, where one can buy and read for himself or herself and understand it.

Second point, would refer to the freedom of worship. The freedom of worship has penetrated many of our institutions, schools included, and so my suggestion is that all the missionary churches, which were the first and authorized in Kenya should sit down and propose a way for which every church coming up should observe in order for it to be considered as an existing church in Kenya. So much that in as much as we see freedom of worship being practiced in Kenya, there should be some limit. For example, if a teacher is in school, he should realize or she should realize, that he or she is in school as a teacher, not as a preacher, not as any other person.

Thirdly, my point falls imprisonment. It is my suggestion that there should be cases for which somebody should be imprisoned put in prison. However, in other cases, imprisonment should be turned into useful work which can be done for the local people. For example, people instead of being imprisoned through being put in prison, they can be made to work at home and report at the chiefs places. We have also heard cases where the simple and poor people are not able to pursue their cases especially in courts. I suggest that we should have government advocates who should pursue cases of poor people without being paid by the people.

Something else is to do with the NSSF fund. It is my suggestion that the money lying in the banks for people with NSSF, should be turned into useful work; that the people who are paying taxes, not necessarily to wait until you have done a mistake or you are retired so that you may have the money. Thank you very much.

Com. Raiji: Rev. Makhoha we appreciate the fact that the need to limit the freedom of worship, as you know this is one of the fundamental rights that we people in Kenya and elsewhere enjoy. We have been considering at the moment if we touch on anything we are going to get a lot of objection from the new churches and others who want to come in.

Rev. Makhoha: Well, I don't think so, because we are creating laws to join us and to make us be comfortable as friends. When we have freedom of worship, we have to observe that this freedom is leading to some other evils which God mentioned in the Bible itself (interjection)

Com. Muigai: Bring the microphone nearer

Rev. Makhoha: Then it will be good that create the constitution will enter it and back the good life of the people.

Com. Muigai: Thankyou very much please register yourself. Rev. Charles Makodeny?

Father Charles: Thankyou very much. My names are Father Charles Makodeny. I am the father incharge here of Bulimbo Catholic Church. I don't want to repeat myself but there are a few points, I would like to bring to your attention. I would like to see the new constitution stressing on the rights of immigration. And I would like to talk about immigration laws. If there is an area, the law is very discriminative is in this area of immigration. Say for example, a married couple, the wife wants to go, wants to get a passport, wants to get a visa to go somewhere, the husband must sign to give her the permission. When the husband wants to go to get a passport, wants to go somewhere, the husband is freely accepted to continue without the concent of the wife. So I feel that there is discrimination in that immigration law. So fair treatment is needed as far as immigration laws are concerned.

I would also like to bring to your attention the difficulties many Kenyans are experiencing in regard to our way of governance. I would like to propose decentralization of governments. Say for example, so many things are happening in the city, in one place you find that one has to travel all the way from Busia to the city of Nairobi, or from Mombasa or from wherever to the city of Nairobi, for a particular pay. So decentralization that will bring this government offices to offer services to different regions, might make it easy for many Kenyans to access to what they would like to have.

I would like to bring the third point on the right to own property. In our new constitution we should put attention to all property, particularly every family member I believe has right to own property that belong to his parent or parents. We know we have cultures that prevent and allows only the male family members to own property that belongs to their parents. This area should also be checked, the right to own property. Every family member, be it female or male, should have a right to own property that belongs to their parents, or to his mother or father.

The rest of the issues have already been mentioned, I don't want to feature them, but I find those three I wanted to bring forth strongly.

Com. Muigai: I do have a question for you. Although you did talk about freedom of worship, because that is your professional area, we would like to know your experience on that (inaudible)

Father Charles: I noticed there are things that are detrimental such as (inaudible) freedom of religion. I think there is much abuse in this. We have to point out that religion is a fundamental right of each person, individual. That is right. But that religion how it is done should be in view of justice, it should be in view of respecting the individual, the community, the family. So any practice that is against the right, the dignity of a human person should not be based any law that is not respecting the dignity, the respect of a human person, you have a right to refuse to follow that law. And I think this blooming of sects and religions is revealing some disrespect to human rights.

Com. Muigai: Thank you very much father. Please register yourself. Charles N Moss.

Charles Moss: My name is Charles Moss, I am representing the Global Catholic Parish. The confusion here is religious sects should be vetted so that worship hours are limited and not through out the night. (inaudible)

The building of churches is part of the national development, and we feel that it should be supported by the central government. To amend any part of the constitution, parliament should have the majority of votes at least 85%, effectively representing the wishes of all the Kenyan Community. Parliament powers to amend the constitution should be limited, instead we should have a public debate, or referendum for the way forward. And this we have said the Judge of the Court of Appeal, in conjunction with the Electoral Commission should conduct the referendum.

We feel for the identity on citizenship for any identity, a Kenyan should carry any of these two documents as evidence of citizenship. As much as we recognize the ID card with a letter from the assistant chief, a baptismal card, or a joint signed letter from the church.

On the government structure and system. We should adopt a system of government in which a Prime Minister is appointed from the majority party. In coalition government where the President is ceremonial one from a neutral party. And we feel that the office of the President should operate rotationally according to regions.

We have failed on the rights of vulnerable groups. We feel all boys and girls should be equally treated and on that we also feel that the illiterates or disabled should be taken care of. They should be treated equally in all traits including education, employment etc. Besides they should have special representation in parliament. In fact they should have a ministry created for them, to sustain and enhance their interests at all levels.

The government should guaranteed free and compulsory education of all groups- including the disabled of course - to eradicate

illiteracy upto primary education. On the part of the disabled, other vulnerable groups we take widows, orphans and aged. For widows we feel the government should assist, should protect their property, and should be able to protect their property. For the orphans the government should control the education up to the time they are self reliant. But for the aged we think they have relatives but they should access free medical treatment.

As far as street children are concerned, it may not always be a genuine case they should be taken to home those who have homes, but those who are genuine street children they should be taken to a rehabilitation centre.

We feel that minimum education for a councillor should hold form 4 education. And this councillorship, we feel the mayor, the chairman of the county council, should be elected by the people. On education we also feel that the university Chancellors should not necessarily be appointed by the Head of State but should be ably appointed to hold that office. And for an MP, we feel he should represent the people; in other words his contribution in the National Assembly or the Nation should be according to people's demand. And finally, the MP should have an office where he is accessible, in his constituency, preferably at the divisional level. Thank you.

Com. Muigai: Thank you very much. Register your presence. Isaiah Kituyi.

Isaiah Kituyi: My names are Isaiah Kituyi, I represent SDY (inaudible)

I will talk about structure and systems of government. Kenya should adopt a presidential system of government whereby she will be democratic. This kind of leadership will help wipe off corruption that is mostly affecting us our country, and the common mwananchi other administration bodies. Therefore, our new constitution should review the body from the national level upto the grassroot, whereby the President, PC, DC, DO, Chiefs, Assistant Chief, Sub-area leaders should be elected by wananchi. Also at each level mwananchi should appoint women representatives, youth representatives, aged representatives, vulnerable representatives. For the elections, incase the elected MP is not active, or does not work in accordance to his people, the wananchi should be given a priority of calling a vote of no confidence in that MP and elect another one to represent them. Elections process, should be democratic and should be conducted in the open, and after voting, counting should be done in the open and he process be witnessed by every one at the polling station.

Finally the transfer and inheritance of the land. It should remain in the hands of the area leaders it should not go beyond sub-chief level. And that is what I have.

Com. Muigai: I have one question. Do you feel that the when transfer of land comes to the local area especially to the sub-chief and the elders there is very little representation of women, and therefore they don't feel there can be a fair hearing what are your comments about this?

Isaiah Kituyi: This could be mostly because the place where that land is, is where all these people are found, so anything carried out would bring them in the hands of elders of the area.

Com. Muigai: Now I am going to go to the young people because this constitution we are making they are going to use it for a longer time than it will with us; and I would also like most of them to go back. The first speaker is Barasa Petronila, followed by Maureen Kibira, you can come nearer, and Christine Okemo and Praxides Netia. Madam start by telling us what your name is, what school you are in and what form are you, then give us your views. Go on.

Petronila Barasa: My names are Petronila Barasa, I am in Bulimo Secondary school. My views are that those boys who impregnate girls should also be dropped out of school so that that they also suffer the consequences with that girl. (clapping) And if they are men who are working they should be sacked from their work, they lose their jobs so that they don't get money so that they can also suffer the way the girl (not audible) Interjection

Com. Muigai: You need to repeat that point with the mic close to your mouth, so that we can hear you. Can you hear me? It is because I am using the mic properly. So could you use that effectively? Good.

Petronila Barasa: If they are men who are working, they should be sacked out of their jobs, so that they don't get their money and (inaudible)

Com. Muigai: Next? Go and register your self up there please.

Maureen Kibira: My name is Maureen Kibira and I am in form 3 in St. James Bulimbo Girls. I suggest that the government should provide jobs for university graduates, so as to prevent them from indulging in anti social activities . I also suggest that we should have only one national language which is simple to be understood by all people in the country. And that is all I have.

Com. Muigai: What language do you think that one should be?

Moreen Kibira: I think it should be Kiswahili.

Com. Muigai: Thank you very much. Please register yourself.

Christine Okemo: My names are Christine Okemo I am in Form 3, in St. James Bulimbo Secondary School. My view is that since most of the intelligent school children have been dropping out of school due to lack of school fees, I request that the government should offer free education from the nursery level to the university level. So that the students from the poor family can be able to pursue their education, and also exploit their chance. And that is all I have.

Praxides Netia: My name is Praxides Netia from St. James Bulimbo Secondary School, I am in form 3. My view is about corruption. You find that students in school they try very hard to study hard, so that they can get good grades to go to university; but after form 4 you get them they have managed to get a B- you find that this colleague who has gotten a D. You find that this colleague who has gotten a D, has managed to go to university through bribery and you have gotten B- will not get the chance to go because you don't have money to bribe. (clapping) I also want to talk about; my priest talked about freedom of worship. This freedom of worship granted by the government has led to devil worshipping. Many denominations have been confusing people. For example someone has heard a new denomination she makes sure she goes there which will lead to confusion and also has led to kidnapping of school children by the Devil worshippers (inaudible) That's all I have.

Com. Muigai: Do we have any other students who want to talk? Did you register yourself? No? if you have registered yourself I will call you but if you haven't you have to go back and register and say you want to talk. Meanwhile can we have Rabani Emily, followed by Maureen Wafula. Maureen come nearer. Go on Rabani

Emily Rabani: My names are Emily Rabani from St. James Bulimbo secondary school. I would like to talk about the problem of unemployment, for the government to curb the problem of unemployment. They should put up learning financial institutions so that school leavers can start getting licenses and earn a living. It will also establish training facilities like polytechnics and colleges to cater for students who got poor grades in national examinations, to at least give them a hopeful future. Another issue is about administrative centres in institutions like schools and other centres. If administrative centres discriminate the poor people from the rich people; the rich people are likely to pass and then the poor people are ignored. So I urge the government to enact the laws that restrict these values, and that's all I have.

Com. Muigai: Thankyou. Register yourself there.

Maureen Wafula: My name is Maureen Wafula. I would like to talk about the standard of living of teachers. Our teachers should be remunerated well for you find that the teachers are the one making all the people in the country. All the professionals the doctors, and even the Presidents. They are passing through the teachers so that they can get that chance and you find that they are being given good salaries. You find that when teachers are in schools, they will like to be involved in other duties for them to get enough salaries to go on with their life. Now I would like to ask the government to increase at least the salary of teachers. That is all I have.

Com. Muigai: Thank you very much. I will now go back to my original list (inaudible) those are the only students that I have registered as contributors. The rest of you are as observers. So you would like to change your mind if you would like to talk it means you have to go back to the registration and register again. P M Mabuka? No consultations in the hall if you want to consult your neighbour, please go out and talk with the students. If you need to consult please do that outside. Thankyou,

endelea.

Pascal Mabuka: Mimi jina langu ni Pascal Mabuka na wakilisha wazee (inaudible) Sheria ya polisi nazungumzia sheria kuhusu polisi nataka mtu aandike statement yake kama hajaenda kortini. Kwa sababu polisi wanaposika mtu wanamuekea maneno ya uongo na hiyo ukienda kortini ndiyo unanza kukusaidia ama kulinde kwa sababu hii maneno wamekwisha kuwekea. Hapa tunayo maneno ya pombe, ukipita mahali unawekewa pombe, ama bhangi na huyo mtu unamjua kamili, watu wamjua ni mzee wananunua. Anakushtaki polisi kwa sababu amekosa hongo anakuachia tu maneno ya uongo unaenda unafungwa. Kwa sababu hata bhangi ukikataa ni miaka saba nakwenda mbele. Polisi anauliza (inaudible) Kufuatana na maneno ya polisi kama polisi anaua mtoto wa university huyo polisi anyongwe. Kwa sababu sisi wazazi tumeshaumia kufundisha mtoto kutoka nursery mpaka university. Wazazi wengine wanauza mashamba lakini badaye wanapata hasara kubwa hata kwa ukoo.

Maneno ya kazi, kama mtu amefanya kazi miaka sitini na amezeeka kwisha enda mahali ingine anaandikwa na kuna watoto wengi wameshasoma. Kwa sababu hii imeshaleta uhusiano mbaya watoto kutangatanga na kuwa magaidi. Kwa sababu watu wanasema anafanya kazi, na yeye amemaliza kusoma na ako na degree, na anakaa nyumbani. Inafunya awe jabazi mkubwa sana. kama unajua mtoto wa university kuwa jabazi na kazi kado kwa sababu anajua watu waina gani.

Com. Muigai: Asante Mzee tafadhali jilandikishe Stephen Warubi? Yuko? Peter Otiko?

Peter Otiko: Kwa majina naitwa Peter Otiko nawakilisha kikundi cha JPC, nitaanza na makundi ya (inaudible) akina mama. Naonelea wakuwe na representatives parliament. Kitu ingine naonelea kwamba 1/3 of the MPs in the house should be women.

Halafu orphans wapewe free education, shelter, food halafu haya makundi wajengewe pahali wanaoweza kuishi. (interjection)

Com. Muigai: Unayozungumza kwa mic itatuwezesha ku-record.

Peter Otiko: Upande wa political parties, nilionelea kwamba kuwe na vyama tatu, sio zaidi ya hiyo.

Com. Muigai: Bw. Otiko isipozungumzia kwenye mic hatutaweza kuku-record. Ingawa tutakusikia, hatutaweza ku-record.

Peter Otiko: On the side of constitution supremacy. On the side of supremacy we find that our present constitution has allowed parliament to amend any part of constitution by 65% of the majority. But we should not retain this, we should have 85% so that we can avoid absentism in parliament.

Two, the parliament should have powers to amend the constitution but other things, should be discussed by public debate such

as budget, and may be terms of the President in the office.

In the side of land, property rights, nilionelea kwamba serikali ikiwa pengine itakuwa inachukua some private land, inatoa mtu pahali, huyu mtu inatakikana apewe one and a half actual market price, ili penye anaenda asisubuke. Then the government should also respect individual lands unless for national use. On the side of the land owned by individuals, tulikuwa tunaonelea kwamba, mtu awe na acre karibu mia moja, sio zaidi ya hiyo. Asanteni.

Com. Muigai: Kuna swali moja hapa , umesema kuwa serikali ikichukua shamba la mtu kwa matumizi ya kitaifa, irudishie impe mara moja na nusu kama ile mbei iko sokoni. Hii ni mali ya umma unataka mtu moja abahatike mara moja unusu kutoka kwa mali ya umma. Kwani hiyo pesa ni yako na bado inatumikia mtu mwingine?

Peter Otiko: Unajua wengi ???kama wanatoka hapa Mumias anaenda mahali kama Rift Valley, ama North Eastern, unajua kukaa na wale wengine (interjection)

Com. Muigai: Hatukusikii kwa mic

Peter Otiko: That environment, ukienda kama North Eastern that environment, ukikaa unachuka kitu kama miaka tatu, au zaidi ya miaka tano hivi, sasa to adjust to that environment.

Com. Muigai: Jiandikishe tafadhali. Arthu Indakwa Manda.

Arthur Indakwa Manda: Mwenye kiti, kwa jina ni Arthur Indakwa Manda. Ningependa kutoa maoni yangu kama ifuatavyo. Kwanza pension. Pension na provident fund iliwekwa wakati wa ukoloni kabla ya uhuru. Waafrika na Waarabu hawakuwa na ruhusa ya kuzungumza chochote kuhusu providence yao. Ni kitu kiliwekwa hapo. Sheria hii imewekwa hata baada ya uhuru mbila kufikiriwa tena. Kwa hivyo katiba mpya inabidi iwekwe sheria ili mtu akistaafu apate pension yake mara moja **End of**

Tape 1

Tape 2A

Arthur Indakwa Manda:..... ya kwamba former Chief Justice, ambaye jina lake ilikuwa ni Bwana Cockar, ulimlazimisha aende kortini ndiyo apate pension yake. Na hii nikusema kama Chief Justice anaenda kortini apate pension yake mtu wa kawaida kama mimi na mwingine, hana njia yoyote. Kwa hivyo katiba itetee.

Watu ambao wamestaafu kutoka kwa serikali wanastahili wapate free medical services, na kwanjia sawa, na wanastahili pia wapate annual increament. Hii ni kwa sababu ya kuonyesha kazi nzuri walikuwa wakifanya wakiwa katika serikali.

Tatu, katiba mpya inastahili kuwe na mfumo katika katiba mpya, ili serikali iweke minimum pension kwa kila mtu ambaye anastaafu kutoka kwa serikali. Na hii ni kwa sababu kuna watu katika Kenya, asilimia themanini na tano, wanaopata kwa kila mia moja kama pension, ukilinganisha na matatizo ya sasa, ya uchumi, na ukosefu wa kazi na mambo mengine, hiyo pension ni kidogo sana. Maoni yangu ni kwamba katiba iwaangalie.

Pia kwa maoni yangu, ya kwamba kuwe na kifungu katika katiba ili mtu ambaye hawezi kulipwa pesa yake haraka iwezekanavyo, aweze kupata compensation kutoka kwa serikali. Miaka ya kazi – retiring age inastahili iwe miaka hamsini, ili vijana wetu wapate nafasi ya kuchukua kazi hiyo. Hakuna haja ya mtu afanye kazi hadi miaka hamsini na tano, waachie watoto nao wapate nafasi hiyo.

Budgets katika pensions. Kunastahili kuwe na kifungu katika sheria mpya, ili waziri wa pesa aweze kusoma budget yake, aweze kueleza ni pesa ngapi ambazo ametenga kwa pension na kwa maintenance. Ukiniruhusu chance; tulikuwa na matatizo wakati moja kwamba serikali haikuwa na pesa wakati moja za pension. Wakati huu Bw. Cockar alikuwa kortini.. Kwa hivyo ni vizuri waziri apewe uwezo, atenge pesa za pension pamoja na maintenance.

Com. Muigai: Una dakika moja.

Arthur Indakwa Manda: Asante. To retirees, ama watu ambao wamestaafu Kenya; hawa hawana mtu ambaye anawatetea, iwe ni Ministry ya Labour, iwe ni Trade Union, iwe ni serikali yenyewe. Ikiwa mtu akistaafu anarudi nyumbani anakaa tu. Hata akiwa mgonjwa hakuna mtu anajali. Kwa hivyo katiba iangalie hapo.

Retrenchment. Retrenchment ni kitu ambacho hakifai kuwa katika sheria zetu za Kenya. Inaleta umasiki, inaleta ukosefu wa kazi, zinaleta kutoelewana nyumbani. Mtu akifutwa kazi, hivi hivi kama ilivyofanyika mwaka uliopita na juzi, hawezi kulipa fees ya watoto wake, hawezi kulipa madeni yake; na hiyo katiba ni maoni yangu katiba iangalie. Kutolewa katika kazi ya serikali, removal on public interest. Sheria hii iwekwe na bunge lakini it has been abused na watu ambao wanauwezo katika serikali ya Kenya. Mtu anaandikwa kwa radio, halafu anafutwa kwa radio, kwa sababu unasikia Permanent Secretary ameandikwa halafu saa saba mchana tena unasikia akifutwa kazi. Kuna ushahidi kwa watu kama Dr. Leakey, Dr. Gitu, Bw. Kaguthi, Bw. Kones ambao wameandikwa kwa radio na tena wanafutwa kwa radio. Katiba isaidie.

Com. Muigai: Dakika zako zimeisha.

Arthur Indakwa Manda: Asante.

Com. Muigai: Kuna swali moja kwako.

Arthur Indakwa Manda: Nilikuwa nataka kumaliza...

Com. Muigai: Endelea.

Arthur Indakwa Manda: Asante. Provincial Administration: Hii department ya provincial administration, inastahili iondolewe, na wale askari wa AP ambao wako chini ya idara hiyo, warudishwe katika idara ya polisi; baada ya kuchukua mafunzo huko Kiganjo. Mwisho security meetings (interjection) security meetings zinastahili chairman awe Provincial Police Officer, na DOs na DCs na wengine wawe members.

Com. Muigai: Asante. Kuna swali kwako.

Dr. Swazuri: Ulisema kwamba hutaki hii kitu inaitwa retrenchment iwe ni kwa serikali ama ni kwa makampuni ya watu binafsi; kwa sababu kama kampuni ikifilisika watu wanawezaje kuendelea kuandikwa kama kampuni imefilisika na imefungwa.

Arthur Indakwa Manda: Mimi nazungumzia habari ya serikali, kwa sababu kuna watumishi wa serikali walifukuzwa hawakupewa pesa. Kesi iko kortini huko Nakuru (inaudible) Swali lingine?

Com. Muigai: Asante sana. Tafadhali jandikishe. Joseph Nyongesa?

Joseph Nyongesa: Kwa majina naitwa Joseph Acheji Nyongesa. The highlight of my memorandum to CKRC is as follows. Part one Immigration and Migration. Kenya needs an immigration law that is tough but possible to prevail for everyone for than as for now the law is flawed and the immigration department (interjection)

Com. Muigai: Speak to the mic please. Thankyou.

Joseph Nyongesa: Kenya needs an immigration law that is tough but possible to maintain for everyone but as for now the law is flawed and we need some changes in the immigration act that will enable each and every citizen of Kenya to have a passport wherever and at that particular moment they want to travel in and outside the country. And this will also enable Kenya to remove that infamous story of Kenya being a notorious conduit and resident of drug barons, international criminals and proliferation of illicit arms.

Second, the emergence of small sects and cults. Kenya has witnessed a great increase of small scale churches and sects, small scale sects and cults, over years. So it is our wish that all sects that are private and are upcoming are vetted and are censored wherever they are practiced and suspicious. Because we have witnessed what I would term bunches of frustrated youth

joining some of these churches and results have been disastrous, the consequences are evident, and it is also suspected that devil worship usually spreads from some of these sects. And the activity of Mungiki sect, the notorious sect are quite evident. The government needs to have a law that checks sects like this, in one way or another.

Third is the devil worship itself and the commission of inquiry that we have heard of a number of years; and the reports are never released to the public. For example the commission of enquiry to the devil worship. The evidence we only have are the older hand and the stickers on the front pages of some Kenyan dairies but we don't have information concerning devil worship, as wanted from the commission of enquiry. Therefore, they should make these commissions of enquiry to be instituted by other arms of the government, for example the parliament instead of the executive.

Fourth, the religious people security, just like other political leaders, Kenya has witnessed a lot of several mysterious killings and harassment. Therefore, there is need for protection of those who are religious leaders for example the clergy in their ability also to be democratic citizens of Kenya. They need to express themselves and be given a chance to participate in the governance of the country.

Lastly the media. Media laws in Kenya are among the most rigid in the world, whereby people are not given a chance, for example the private institutions and individuals; they are given very little or no chance to open up may be TV stations or radio stations. Therefore, they should make these laws flexible so that christians stations are also opened.

The last one, scandals that usually befall leaders, you find that holders of political offices should also be scrutinized so that their background is known. So that those who are involved in bad moral practices, and financial misappropriation they should not be allowed to hold public offices. If they are holding they should be sacked immediately. Thankyou.

Com. Muigai: Thankyou very much please register yourself. David Malaria.

David Malaria: Majina yangu ni David Malaria, kwanza nitaanza na uwezo wa President. Ningependelea uwezo wa President upunguzwe ili asiweze kuchagua minister na kufuta yeye. Awe ana nafasi ya kupendekeza na parliament ina ruhusu.

Pili nataka uwezo wa President kuchagua viongozi wakuu upunguzwe, hasa kama kuongoza makampuni, kama Attorney General, kama Chief Justice; kwa sababu hao wanaenda kuwakilisha tu maoni yake, ama vile yeye mwenyewe anataka lakini wawe wanachaguliwa na parliament.

Tatu, nominated member of parliament na councillors, waondolewe kwa sababu hawana watu wa kuakilisha, wanawakilisha tu yule ambaye anawachagua.

Maombi: Maombi ama freedom of worship ipunguzwe, ili kusiwe na kuabundu mashetani, ama watu kutengeneza dini ili wapate mapato ya tumbo, ama chakula.

Ya tano, viongozi kama chiefs, na assistant chiefs wachaguliwe na wananchi ili waweze kuchaguliwa vizuri kuliko kuchaguliwa na watu ambao hawajui; na pia wawe wanaenda kwa uchaguzi baada ya miaka tano.

Ministries and Ministers zao. Kila ministry au wizara, iwe na minister moja na assistant moja, badala ya kuwa wawili na kuwa na assistant ministers wanne; ni kama bibi moja kuolewa na mabwana zaidi ya mmoja. Kwa hivyo kazi katika hiyo nyumba itakua ngumu. Pia unakuta mtu amesomea agriculture, na anaenda kuwa minister wa elimu. Hajui kazi yenye anaenda kufanya.

Pia watu ambao wamestaafu, wasichaguliwe kwa kazi nyingine tena, sababu wanaendelea kuongezea upunguvu wa kazi. Mtu amefanya kazi, ameretire, unakuta tena President anamchagua enda ongoza parastatal fulani. Kuna wenye wamesoma, hawajafanya kazi, wako idle.

Wafanyi kazi katika ofisi: Yeyote anayetumia mamlaka ya ofisi yake vibaya, asipewe transfer, ama asiwe covered na godfather lakini apelekwe katika sheria za nchi. Korti ikimpata na makosa afutwe.

Kuchagua MP: Mtu yeyote ambaye amefikisha miaka sabini hata akiwa tajiri asichaguliwe kuwa MP. Sababu atazeeka kabisa hata kabla safari yake ijakuja katika parliament.

Vyombo via habari. Vyombo via habari vipewe ruhusa kwa vyama vyote kuliko kuangalia chama kinachotawala, ambacho kinaangalia ni nini kitasema ili mwananchi asikie. Kama wakati huu wananchi wa kawaida wanasikia tu gazette na havezi kununua. Lakini radio na TV ingawa zimeandikwa KBC, sio za Kenya ni za chama kinachotawala.

Ya mwisho mtu anayeitwa PC ama Provincial Commissioner, hana kazi yeyote kwa mwananchi wa kawaida. Kwa hivyo hiyo cheo iondolewe kwa sababu hakuna mwananchi wa kawaida anayefikia PC katika matatizo yake. Ni President tu anapokuja ndiyo unasikia PC amekuja. Pesa ambayo PC anatumia, ni pesa ya mwananchi ambayo hamhudumii. Asante.

Com. Muigai: Asante sana, jilandikishe tafadhali. Abel Timba.

Clr. Abel Timba: Commissioners, Jina langu ni Abel Timba Nabwaya, Councillor Bulimbo ward. Na nikiwa diwani nina machache ambayo ninazungumzia kuhusiana na local authorities. Act cap.265 (interjection)

Com. Muigai: Shika mic vizuri Bw. Diwani.

Cllr. Abel Timba: Local authorities Act. Cap 265; it is my wish that the said Act, that can be reversed, so that all mayors and chairmen of the local authorities be elected directly by the electorate, wananchi. Jambo la pili kuhusiana na hiyo, ilikuwa madiwani ili wahudumie wananchi ambao wamewachagua vizuri, wawe na kiwango fulani cha masomo, si mtu yeyote yule ambaye huenda ana pesa achaguliwe. Na kiwango ambacho ningependekeza ni form 4. Reasons are these, while officers na treasurers ambao wanatumia kutoka huko local authorities na ministers. They do talk about minutes after discussion, if no councillor has no proper knowledge as pertains to education will not be able to scrutinize through.

Three; local authorities should be empowered rather than centralizing everything on the minister, and permanent secretary for local authorities. Mabaraza ya wilaya za miji hayana uwezo, uwezo umeachiwa waziri wa wilaya na mabaraza za wilaya na makatibu za wizara hivyo. Kwa hivyo madiwani mara nyingi wanakuwa tu rubber stamp. May be that one should be reversed.

Upande wa mishahara. Mishahara iliyoko wakati huu, ni shilingi elfu saba mia saba, na mahitaji yaliliyoko, tungependelea kwamba wafikiriwe. Na kufukiriwa ni kwamba, pia wawe wakipata mishahara, kwa sababu wakati huu they are only working for sitting allowance which is almost equivalent to not even a quarter of a meeting for a house maid. And here we will find that they are the grassroot and they have a role to do for mwananchi. Therefore, they should earn from the consolidated fund to central government.

Mbali na hiyo, nitaongea juu ya urais, presidential. Ni maoni yangu kwamba katiba iangaliwe Rais asiwe akitoka tu sehemu moja. Kuna sehemu ya Kenya ni kubwa na uongozi mzuri ukitoka sehemu moja ukienda sehemu ingine hata maendeleo inapatikana. Kwa sababu vile tunaielewa; mara nyingi hata utasikia mtu mwingine akisema huenda siasa mbaya maisha mbaya. Mahali Rais hayuko utapata kwamba hawa watu wako na shida. Na ikiwa yeye amekuwa Rais hapa, tena kesho yake pale utaona kwamba sehemu zingine za Kenya hazitakuwa zikiangaliwa vyema. It should be rotational, and if it is not rotational, we request that at least huwenda majimbo iweko, ili kila sehemu ijisimamie bora.

Upande wa vyama. Ni maoni yangu kwamba katiba viwekwe angalau kuweka nambari fulani ya vyama, na mimi pendekezo langu ni kwamba kama ni nyingi sana ziwe nne. Kuliko wakati huu tuna vyama zaidi ya arobaine na saba na hizi vyama ni vya kikabila. Utaona kwamba kuna nchi kubwa huenda kama America utaona kama Ulaya, Uingereza utapata ni vyama viwili ama vitatu, mara nyingi ndiyo zinaongoza na uongozi uko bora. Lakini ikiwa tutaendelea kuwa na vyama aina hii, karibu kila jamii itakuwa na chama, na haitakuwa jambo bora. Kwa hivyo ni maoni yangu kwamba, angalau zirudishwe chini; na iwe ni sheria kwamba mwingine ambaye anataka kuandikisha chama iwe ni kawaida kutenda hivyo.

Com. Muigai: Unadakika moja diwani.

Cllr. Abel Timba: Shukurani. Upande wa provincial administration; ningependelea kusema kwamba, chiefs na assistant chiefs pia wawe wakipata uhamisho. Watoke sehemu moja hadi nyingine, kwa sababu wanaweza kuwa na huduma mzuri au mbaya,

lakini kila mtu aonje uongozi wake. Kuliko kwamba amekuwa hapa miaka ishirini na saba, miaka thelathini kama atakuwa na uongozi mbaya wananchi ndiyo watakuwa wanataabika. Ni kama wafanyi kazi wengine pia wa serikali pia wapate uhamisho. Kwa vile naona muda wangu ni mchache nitakomea hapo.

Com. Muigai: Diwani kuna swali.

Com. Raiji: Bwana Councillor umependekeza kwamba, pesa ile inalipwa kwa councillor iongezwe; je kulingana na vile tumesikia pahali pengine ni kwamba local authorities zingine hazina hata pesa ya kutosha na labda hiyo ndiyo kwamba inawafanya nyinyi kuwatoza akina mama pesa nyingi wakati wanaenda sokoni. Na tunajua sasa unapendekeza hii pesa itoke kwa serikali. Lakini sikusema hata serikali ni lazima ipate hiyo pesa kwetu. Jambo la pili, councillors wanafanya kazi full time, au ni part-time?

Cllr. Abel Timba: Bwana mwenyekiti pesa ambazo tunataka ni pesa ambazo madiwani waongezwe, ni kutoka central government. Wawe wakipata mishahara vile wabunge wanapata, ni watu ambao wanapigiwa kura kama Rais, ni watu ambao wanapigiwa kura kama wabunge. Lakini ukifika wakati wa malipo, wanataka wapate kutoka hapa chini, na hata wale maofficers serikali imetuma kutoka local authorities inataka zile pesa ambazo zimekusanywa sokoni, zilipwe wale watu serikali imeleta katika sehemu za grassroot. Kwa hivyo ni maoni yangu kwamba, hizo pesa walipwe katika mfuko moja, ambayo inalipa Rais, ambayo inalipa wale MPs ambao wako kule. Swali ingine ilikuwa Sisi tuko full time 24 hours, for the 5 years we are elected.

Com. Muigai: Asante sana Bw. Diwani. Jiandikishe tafadhali. Richard Wabuki? Bakari Osanya.

Bakari Osanya: My names are Bakari Osanya. Mimi ningeonelea citizenship iwe inatuzwa na raia (inaudible) citizenship so that raia ajue haki yake, raia ajue nchi yake vile ilivyo. Matatizo yanayokumba mwananchi. The police. Police in wengi sana, kuna Regular Police, kuna AP, kuna GSU, kuna Military Police. Hawa wote ni police na sijui ni sababu gani hawa hawawezi kuunganishwa wakawa kikundi moja ya police. Ikiwa hivyo hakuna mambo ya police akishika angalau upande huu na kesho la si hivyo hivyo atarudi pale pale kushika chang'aa hiyo. Kwa hivyo tunashidwa ni kazi gani ya AP, ni kazi gani ya Regular Police.

Matatu sector: Hii ni sehemu moja ambayo wananchi wanapata taabu sana. Matatu ningeonelea kwamba serikali ingejaribu iwezekanavyo, itoe njia zingine za usafiri. Kwa sababu wakati huu mwananchi anapata shida sana. Kuna a lot of harassment katika usafiri, na kuna a lot of mismanagement katika mambo yote ya matatu. Kwa hivyo ningeonelea sector hiyo iangaliwe.

Road carnage: watu wengi wanapoteza maisha yao barabarani, lakini serikali haijakuwa na msimamo maalumu, kuhusu mambo ya barabara. Watu wakifa kwa wingi tunasikia maoni mbali mbali, lakini hakuna chochote kinachotendeka.

Security: Kuna insecurity kuna robbers, gangsters, rustlers, katiba ingeundwa za kulinda mali na usalama na mali ya raia. Katiba ingeangalia pia usawa wa wananchi kuna wale wanaostahili wanaitwa bosses, wale matajiri; na raia wakawaida kuna watu aina mbili au wahudumiwi vile ilivyo na wahudumiwi sawa. Kwa hivyo ingaliwe vilivyo, mwananchi wa kawaida ahudumiwe sawa.

Kuna hawa maprofessionals kama malawyers, surveyors, land surveyors na contractors. Serikali kwa katiba ingejaribu kuprotect mwananchi wa kawaida maanake tunaposoma kwa magazine kwamba malawyers, wamewekula pesa za wateja, surveyors, wanapokea pesa lakini hawadumishi huduma.

Mila: Tungependa katiba mpya iheshimu mila za kila kabila au ukoo, kwa sababu hizo mila ndizo zinaleta heshima. Tuanita uhusiano mwema katika jamii. Upande wa marriage mimi ningeonelea kwamba dowries ni kitu cha lazima kwa Waluyhia, maanake ni kitu kinaleta security katika marriage; kwa hivyo dowry iwe tu kitu cha lazima. Polygamy mimi ningeonelea ya kwamba hiyo kitu sioni ubaya wake, kwa sababu kuna wasichana wengi wanarandaranda, polygamy isiporuhusiwa wasichana wengi watakosa mahali, nawatakuwa wanaranda randa barabarani ambako ukimwi ikiingia (inaudible) hii jambo ni la maana sana liangaliwe kwa makini.

Wife inheritance au kurithi bibi ambaye bwana ake amekufa, na familia ilikuwa zamani ni jambo la kumpa guidance, protection, na pia respect. Na tukiachilia hili jambo tutaona tutakua tumetupa wasichana hawa wanawake wetu hawa bado wachanga barabarani, ambao pia inachangia kwa ukimwi.

Local brews ama pombe za kienyeji; mimi naonelea hizi zinasaidia sana katika hali ya celebrations za kijamii na zingeruhusiwa ziweko. Burial ceremonies ziweko, lakini ningeonelea kulingana na hali ya siku hizi ziwe mchana badala ya usiku.

Economy: Economy yetu imekufa kwa ajili ya mismanagement... (interjection)

Com. Muigai: You have one more minute.

Bakari Osanya: Mismanagement, kwa hivyo ningeonelea land iwe ni ya serikali public land zote ambazo zimenyakuliwa zirudishwe kwa serikali. Corruption iondolewe mtu awe na kazi moja, mtu moja kazi moja. Nepotism isiweko, na retirement age iwe 65 kwa sababu watu wanaretire wakiwa bado wana experience na kazi nyingi kwa viwada (interjection)

Com. Muigai: and you time is over.

Bakari: Please bado niko na zingine lakini sasa...

Com. Muigai: (inaudible) Tutasoma memorandum yako neno kwa neno. Kuna swali? Mimi nina swali kwako;

umetuambia kuwa polygamy ikubariwe ndio akina mama wasitupwe njiani wakaeneza ukimwi, wife inheritance ndiyo akina mama wasieneze ukimwi. Hao akina mama wanaeneza ukimwi na akina nani?

Bakari Asanya: (inaudible) Si wanakwenda barabarani, na barabarani ndiyo kuna ukimwi (laughter)

Com. Muigai: Umesema kwa barabarani? Kwanza mwanamme ameshapata bibi mmoja watano, kila mtu ameshainherit, hao akina mama wanaeneza ukimwi na nani? Hiyo ndiyo sielewi after they are taken care of all the men from where are they getting ukimwi from?

Bakari Asanya: This is what I am saying, hali ya huko nje, ya mahoteli, mabar na nini, hiyo mambo; ukiachilia mama awe loose, utakuta atakuwa na reputation mambo kama hayo. Na akiwa katika family, itakuwa respect na atakaa katika family na nafikiri hiyo mambo ya ukimwi tutakuwa tumepunguza.

Com. Muigai: (inaudible) Ningetaka tuelewe kwani kila mtu ako sawa hata mimi akina mama wakienda barabarani wanapata ukimwi wanapata na nani?

Bakari Asanya: Na mwanamume.

Com. Muigai: So it is something to do with men.

Bakari Asanya: (inaudible) wanawake ndiyo wanajitangaza (interruption) wanaume hawaze ngonjea karibu na mwanamume mwanamke ambayo anaishi (not clear).

Com. Muigai: Hiyo ni maoni yako tunaiheshimu lakini kama tutadeal na ukimwi ni lazima tuangalie the two sides of the coin. Asante. Moses Wafula? Jeremiah Makokha.

Jeremiah Makokha: Kwa majina naitwa Jeremiah Pius Makokha. Haya ni maoni yangu. One, employment of trained teachers, inatakikana wakimaliza training yake ya TTC, anakaa nyumbani ajiriwe na TSC, ama Public Service; kwa sababu training (inaudible) not clear)

2. Maneno ya pension. Pension should be free of taxation. Kwa sababu, huyu mzee amefanya kazi, na hiyo ndio alikuwa anakatwa ili akienda nyumbani apate full; lakini iwe free of taxation. Siku hizi inakuwa taxed.

3. Assistant chiefs ama yaani maghurugo. Wanatakikana wapate mshahara, kwa sababu saa hizi mtu akikosa ndiyo pesa anapewa lakini hapati kwa serikali. Inatakikana Mafurugo wapate mshahara Hayo ni maneno yangu. Maneno kutoka

Bulimbo Catholic Church Wamefanya hii majibu iko hapa halafu majibu ndiyo haya.(not clear too much echo)

Com. Muigai: Asante sana. Vincent Mukwana?

Vincent Mukwana: Majina yangu ni Vincent Mukwana, niko mmoja wa CJPC.

Uraia: Kulingana na muudo wa saa hii, ninaonelea kwamba uraia upewe mtu yeyote bora amezaliwa Kenya na mama na baba.

Tena pia akiwa mzungu ameo Kenya apatiwe uraia.

Kitambulisho ama documentation: nimeonelea ya kwamba, mtu akiwa na ID card, birth certificate na church card, hiyo iwe inamwezesha kusafiri mahali popote.

Urithi na usalama: nimeonelea ya kwamba, mkuu wa silaha awekwe chini ya bunge. Rais asiwe amri jeshi mkuu; kwa sababu anaweza fanya vita wakati wowote, na kuumiza wananchi.

Vyama vya kisiasa. Tunaonelea vyama viwe vitatu na hizi chama wakati wa uchaguzi zitabuliwe sawa sawa.

Muundo na aina ya serikali: Naona katiba mpya tunayounda saa hii ama wa leo, iwemo President, Prime Minister na Deputy General na Prime Minister achaguliwe na Bunge bila kuangalia uwezo zaidi ya chama

Nimeonelea ya kwamba wabunge pia wawe na maofisi rasmi katika constituency yao waliochaguliwa; ili iwawezeshe kuhudumia wananchi waliowachagua.

Mamlaka ya rais: mamlaka ya rais yapunguzwe, kwa sababu sasa mamlaka hayo imefanya Rais ameharibu idara za serikali. Unaweza ona wakati wa kuona part show yeye ndiye anafungua kwa ya kuchagua mtu wote, kumapisha au kutumpa makamu wake kuenda kufungua, yeye ndiye atakuwa tu hapo pia.

Mahakama: Nimeonelea maofficer wa mahakama wawe na elimu ya kutosha, na kwangu nimeonelea wawe watu wa university. Maofficer wa mahakama wawe transferred, baada ya miaka tatu.

Serikali za mitaa. Wagombea viti za serikali ya mitaa wawe na elimu ya kidato cha nne. Wachaguliwe na raia. Kama sub-chief, chief, kama wafanyi kazi wa serikali wapewe transfer. La sivyo, wachaguliwe na raia. Viguru wapewe mamlaka na uwezo wa kukalisha kijiji na kuimplement kama project, kwa sababu viguruu wa saa hii ukimtembelea hakuna project ameanshiza katika kijiji chake. Na nimeonelea ya kwamba wapewe mshahara.

Com. Muigai: (inaudible)

Vincent Mukwana: Muundo wa taratibu wa uchaguzi: nimeonelea ya kwamba tushirikishe wanawake bungeni, kwa sababu tunawaacha nyuma na wanamawazo mazuri. Tuwe na asilimia hamsini bunge ama Rais kutangaza mshindi tuwe na siku tofauti tofauti ya kupiga kura; kama udiwani iwe siku yake, bunge siku yake na Rais siku yake; na yote itangazwe kutoka kila region.

Com. Muigai: Asante sana. maswala yako tumeichukua memorandum yako tutaisoma. Sasa ningetaka kuwazamia akina mama tena, Margaret Wandete na utafuatwa na Jared Afainya, halafu Wilfrida Ayuku, na Mary Wesonga.

Margaret Wandete: My names are Margaret Wandete, I am representing Jitengeneze Women Group in this constituency. Yangu nitaongea juu ya poverty reduction programme in Kenya. Na maoni ya akina mama ni kuwa ya kwamba kuna funds ambazo zinaletwa na serikali yetu tukufu, kwa kuanzisha mirandi mbali mbali kupunguza umaskini kati yetu na hii pesa wamama walionelea ya kwamba iwe ikiwapitia wao waanshize kamati katika constituency. Halafu wakishaanshiza kamati zao, wawe wanapendekeza ni mradi gani ambao wangependa kuwa pesa iwekwe chini yake. That is the bottom up approach system, of funding projects.

Pre-primary teachers employment: katika hii constituency ama mahali popote katika nchi ya Kenya, wamama wana wajibu kubwa ya kuwafundisha watoto; especially at the pre-primary level, na hao wamama hawalipwi. Sasa wamama walionelea ya kwamba, the TSC should recognize the role these women are doing, and be employed. The women are requesting they be employed by TSC.

Nomination of civic and parliamentary seats. Wamama walionelea ya kwamba, if you don't have enough resources to put into a campaign, and so they said that wamama ikiwa watakuwa represented in the council or in the parliament, they should be nominated.

4. Wrecklessness: Wamama walionelea kwamba there is a lot of immorality going on in our families. We find that at times we have our male parents raping our daughters, and so the women said that at this juncture the male parent who at that point happens to rape a daughter, should be sentenced to imprisonment at least 6 years.

5. Wamama walionelea ya kwamba, as long as they wish the education form of 7-4-2-3 system to be put in place; it should be free from standard one to standard 7. Kuna wazazi wengine ambao labda they do not ensure that **End of 2A Cont...** Should be distributed equatably to the family. Thank you.

Com. Muigai: Thank you very much tafadhali jiandikishe Clarence Akaiga yuko tayari? Wewe ndiye Clarence na wewe ni kijana?

Clarence: My names are Clarence Akaiga. I would like the new constitution to give chance to the youth and equal opportunities. The youth should at least be given a chance to elect their own representative to the parliament. This representative should be both female and male.

About marriage: the courts should establish a law whereby somebody should not be allowed to marry more than one wife. Also the system should change so that this system of dowry change. Some of the wazees take this chance to make a fortune. They make it a must if one who wants to marry they want him to pay dowry. After you have already paid dowry to enable the girl, if the husband has paid dowry, he thinks that he has already paid a go (inuadible) as the wife. The wife is not given a chance to talk if she the husband claims that she is just an object because he has already paid dowry.

Com. Muigai: So what are you proposing?

Clarence: I am proposing dowry should just be a sign of appreciation not a must. For those who want to give out can, but it should not be a must. Because you are old wazees come for their girl because you have not paid the dowry.

The MPs. The MPs the age limit should be a maximum age to be 55 years. Above this age should not be allowed to contest. About the local authorities the mayors, the chairmen and the rest the locals should have the authority to elect them. The MP also the MP if we feel he is not working to our expectation we should be given a chance to vote a vote of no confidence, instead of waiting for 5 years. The MP should establish an office in the local area where we can at least access him.

The power of the President. The Presidents power should be reduced; because he is given powers to appoint even choir masters to head parastatals. (laughter) The appointment should be on merit. When it comes to appointing the cabinet ministers, it should be on merit basis. Those interested in the post should take on their CVs and the best candidates selected. That's all I have.

Com. Muigai: Thank you very much. Jiandikishe pale. Wilfrida Ayuku.

Wilfrida Ayuku: Kwa majina ni Wilfrida Ayuku, natoka kwa St. Andrew's Women Group Catholic Church, Namungu Sublocation.

Preamble: We the women of St. Andrew's Catholic Group propose that our new constitution (interjection)

Com. Muigai: Zungumzia kwenye mic tafadhali.

Wilfrida Ayuku: We the women of St. Andrew Catholic Women Group propose that our new constitution should have a

preamble, and should address the following issues. Property and employment, insecurity, corruption, gender inequality, bias, discrimination on basis of race, respect for the good of law by all, respect for human rights and dignity, peace love unity and harmony in our country democratic and prosperous Kenya: directive principle of state policy. The basis of every state is to provide and promote welfare of every individual in Kenya, and the social group in which individuals live. Therefore, the new constitution should provide a firm framework for good governance and enjoyment of freedom and human rights eg human dignity, empower peoples provision of basic requirements such as schools, good drinking water, shelter, health and education.

We believe that the directive principle of state policy should be protection of life, property and liberty of every Kenyan citizen; irrespective of age, gender, tribe, political affiliation.

Guarantee human rights, equality, peace, justice, rule of law, security and such things. Promotion of a society in which the poor's needs protection under extreme poverty and degradation.

Citizenship. The provision of the old constitution are outdated and (interjection)

Com. Muigai: Weka chombo chako cha sauti karibu

Wilfrida Ayuku: and discriminative against women. We therefore, propose the following (inaudible) born or married to any Kenyan citizen to be a Kenyan citizen on application to (inaudible). Kenyans should be allowed to hold dual citizenship. Foreigners who have lived in Kenya for 10 years, be given citizenship on application. A citizen who attains the age of 18 years, should be entitled to a Kenya passport as a right.

Bill of rights: apart from the rights and freedoms mentioned in the current constitution, the new constitution should also include the economic social and cultural rights eg right to food, shelter and clean water. The bill should also include the right of the child and sharing in with consession charter of rights and welfare of the child. Prisoner detained in remand should receive human and nice treatment as he is a human being. Unions of workers and labour movement should be protected from interference by the government. Casual workers should be protected from exploitation by unscrupulous employers.

Human rights in our current constitution has been used to discriminate against women, and then we are denied rights. We therefore, propose that international (inaudible) of women rights should be included in the new constitution. At least one third of all civic seats in elective positions in any of the mentioned organizations from the village to the national level should be headed by women.

Wife inheritance should be discouraged. Opposition parties: we recommend that Kenya should be a multiparty state so as to uphold the survival of democracy.

Com. Muigai: Ok thank you very much. (inaudible) by your presence. Mary Wesonga.

Mary Wesonga: My names are Mary Wesonga from St. James Bulimbo. I as an individual, I would like to ask the government to check on the issues of police. In many parts of our country the Kenya police do not do their work as we all know the work of the police is to arrest the wrong doers. But this is not so after they have arrested the wrong doers they ask for money from them and that makes them to release the wrong doers and the wrong doers continue with their criminal activities.

Another point is development in rural areas. The govt. should take on development in rural areas; should distribute all social amenities and provisional facilities in rural areas equally, to avoid rural to urban migration so that rural areas should also develop.

Another point is; there is a problem of poor people, poor chronic diseases in this country. The very people ask for grants from people from the willing source so I would like the government to grant to them money, so that they may get operation and also they may solve their problem.

Another point is the government should also check on the job opportunities. One person should have one job in order to allow others who are in school so that they may also get job opportunities. In many cases in our country if you go to a sector, and you go to the other one you get the same same person the head of that sector. That makes the people to be jobless. The govt. should also avoid providing so much money to the campaigners, so that people may not be lured with money to choose the wrong people to lead them. This will make the people to choose the wrong people to lead them.

There is also freedom of speech in this country, so all Kenyans should be given the freedom of speech, either if they have a problem they should raise it so that it can also be taken care of, in order for them to solve their problem. If a person speaks wrong of a President there is a problem that he will be arrested and put in prison. That should be stopped by the government.

Com. Muigai: Thank you jiadikishe pale. Now I would like to have very very young people from the primary school and I would like to start with Samantha Nafula? Karibu.

Samantha Nafula: Majina yangu ni Samantha Nafula kutoka shule ya msingi ya Bulimbo.

Com. Muigai: Darasa gani?

Samantha Nafula: La saba. Naonelea ya kwamba maziwa ya bure irudishwe. (laughter) Hiyo ilikuwa ya kwanza serikali itupe lunch kwa kila darasa la saba na la nane. (clapping) Nasi wanafunzi tuwe huru wa kuenda kanisani nataka na walimu wadini wapewe nafasi ya kututembelea. Pia naonelea ya kwamba watoto chokora wapate kuelimishwa. (clapping)

Com. Muigai: Asante sana enda ujiandikishe pale. Mwanaisha Wesonga?

Mwanaisha Wesonga: Kwa majina najulikana kama Mwanaisha Wesonga, kutoka shule ya msingi ya Bulimbo darasa la nane. Nimeonelea ya kwamba wanafunzi wavae viatu. (laughter) (interjection)

Com. Muigai: Tafadhali kuwajulisha kuwa bado tunafanya recording moja kwa moja naningetaka kuomba mkubali maoni ya Mwanaisha yapate kusikika kwenye recodi. Endelea.

Mwanaisha Wesonga: Ya pili ningependelea ya kwamba masomo ya kwetu tunasoma subjects tano ili iwe ni bora kwa sababu (interruption)

Com. Muigai: Asante sana mwanaisha. Jiandikishe pale juu. Sefero Chachi?

Sefero Chachi: Mimi ni Sefero Chachi kutoka hapa Bulimbo. Ningependa upande wa Rais wachaguliwe na bunge kwa sababu yenyewe hatuwezi tukachaguliwe tu na yule ambaye ako saa hii. Wale viongozi tuliopewa tafadhali wajue masilahi ya wasiojiweza. Watu kama macouncillor na madaktari na mayor, hawa watu ni kwa sababu hii: tunapoangalia ni wachache tu wanasauti. Na tunapoangalia masilahi ya wengine wanaumia ukienda hospitali, unasimama kule mpaka utoke kule kama hujatibiwa. Unapoangalia wale ambao ni mayor na macouncillor, kuna viwanja ambavyo zinatolewa kusaidia watu, lakini wasiojiweza hawawezi kupata hata moja. Na wengine wanatatu au nne.

Upande wa polisi. Ningependa polisi hii, katiba wasaidie kwa hii katiba. Wasiwe wanaingilia watu usiku kama wanalala. Wanawekea watu pombe, na wengine hawatumii pombe.

Tatu, saa ingine unaweza kuwa umetokea mahali umechelewa na wanakuwekea vikwazo vingine. Wengine ni wa makanisa, unaweza kutokea mahali fulani, unashukia mahali fulani; na nyumbani ni mbali na unawekewa vikwazo mpaka sigara kubwa, na tena kufika pale hawana msimamo wanasema tu toa kitu kidogo. Na wewe huna njia ya kutoa kitu kidogo.

Pili, ningesema hivi, mambo ya kitu kidogo imeharibu nchi yetu hii. Unapokuwa na malalamishi, kuenda kulilia wale ambao ni viongozi wetu, wanakula upande na upande na wewe ambao huna chochote wewe ndiyo utaenda tu. Ningependa watu kama Viguru wasiweko tena maana ni jina tu. Hii katiba ningependa serikali yetu ya Kenya hii kuweka kila mahali viwanda tofauti, sababu kuna watoto ambao wamesoma lakini hawana kazi. Na tena ndiyo hao wameingia katika wizi tena. Kama ingelikuwako viwanda tofauti tofauti, wangepata mahali ya kufagia. Kama hapa Mumias kuna kiwanda cha sukari peke yake, na wengine hawakulima hiyo miwa. Sasa watu ambao wanalima miwa wana taabu. Hawana njia ingine. Ningependa serikali yetu iwafikirie hapa Mumias.

Com. Muigai: Jambo la mwisho una dakika yako ya mwisho.

Sefero Chachi: Jambo la mwisho, asante sana kunipatia hii nafasi. (laughter) Jambo la mwisho ni kwamba tafadhali serikali yetu hii ingeweke uhuru upande wa maombi, watu wazidi kuombea nchi ya Kenya hii, iwe kwa amani. Mungu awabariki.

Com. Muigai: Asante sana tafadhali jiandikishe. Mark Chilali.

Mark Chilali: Kwa majina naitwa Mark Chilali, nasoma katika darasa la nane. Mimi nimeonelea kuwa serikali ya Kenya inapaswa kutupa masomo ya bure. Kwa sababu wazazi wengi hawawezi kulipia watoto wao karo.

Ya pili, waalimu, wanafunzi wasifanye kazi shuleni, hasa sana kama kuleta maji na kulima; kwa sababu hupoteza wakati mwingi wa kusoma. Ni hayo tu.

Com. Muigai: Asante sana Mark, Omar Musumba.

Omar Musumba: Kwa majina ni Omar Musumba, niko katika darasa la nane katika shule ya msingi ya Bulimbo. Mimi ningeonelea kuwa shuleni tuwe tukichapwa lakini sio kuumizwa.

Pili, tungetaka serikali itupe vitabu vya kuandika na kusoma vya bure. Ni hayo tu asanteni. (clapping)

Com. Muigai: Asante sana. Tom Wafula?

Tom Wafula: Kwa majina naitwa Tom Wafula mimi nina maoni matatu. Kwanza ni kuhusika na sheria ambayo tunatengeneza saa hizi. Sheria ya Kenya imekuwa na gharama ya juu zaidi. Mtu asiojiweza kama hata pata wakili wowote kwenda kortini hauhudimiwi; kwa sababu hawa watu wanaitwa wakili wanalipisha gharama ya juu sana. Kisha ukiwaambia ngoja kidogo utapata, sasa unapelekwa kulia kushoto, kulia kushoto, mpaka mwisho unaamua kuacha hiyo maneno. Ie ambayo si haki yako.

Jambo la pili ni kuhusu utamaduni wetu. Hii pombe kama kienyeji, ambayo inakunyiwa na mrija ni utamaduni wetu. Yapaswa kama mwezi huu unakuja ambao tunapasha tohara vijana wetu; ni kitu moja ambayo ya maana sana wakati tunafanya tohara tutumie hii pombe ya kienyeji. Na utapata sasa hao askari hawawezi kuturuhusu kutengeneza hiyo pombe ya kienyeji. Sasa kwa mila zetu, ndizo zinafanya sasa tugawanye jamii yetu, na hata pia hiyo kitu kwa maoni yangu naonelea, tupatiwe kitu kama majimbo iweko, kusudi kila watu waweze kulinda mila zao.

Jambo la tatu ni kuhusu elimu ya chuo kikuu. Miaka ya sabini katika chuo kikuu ulikuwa ukifika pale utagharamia na serikali,

ulipiwe chuo kikuu, na pia utapata marupurupu kidogo. Lakini kwa sasa, saa hizi gharama ya elimu ya juu hiyo imekuwa ya juu zaidi. Na kuna wazazi wengine ambao hawajimudu kuweza kulipia watoto kiwango hicho cha chuo kikuu cha taifa. Na ni hayo tu.

Com. Muigai: Tafadhali Murunga? Hezron Muchera Mapesa. Aanza na majina yako tafadhali.

Hezron Mapesa: Asante sana. Yangu ni subject.. majina ni Hezron Muchere Mapesa. Restoration of traditional leadership in Kenya constitution.

1. Traditional cultural leader shall have no political interest but to concentrate on preservation of our traditions culture, history and historical sites, which shall solidify our community and have our people live and work together as they used to formally; before coming of Europeans.
2. When restored leaders shall sit together and discuss on matters like caring of AIDS victims and orphans including wife inheritance which shall be discouraged, and if applied then shall be selective.
3. Shall have control over natural rivers, forests, and soil erosion.
1. As used to be in old days, the preservation of traditional cultural and historical recondition shall have impact on poverty reduction and community teamwork, since some problems like school fees, discipline among the youth, genuine marriage negotiation shall be seen like a community responsibility; and not be left to individuals which eventually breeds and causes hooliganism and lead to high rate of school dropouts from school out in such cases are as a result of individualism in our society.
2. Cultural and economic activities like pottery, blacksmiths, herbal medicine, initiation rites are superior of heirs shall also be viewed by traditional leaders. This kind of traditional leadership is still maintained successfully in other communities of the world eg. Britain, Morocco, Swaziland, Lesotho, where their leadership is recognized and included in its constitutions as it works well with the government.
3. We also request our government to include our Nabongo kingdomship to be our traditional and cultural leadership within Abaluhya community, prior to the coming of Europeans when Nabongo who was the leader who was liked by the entire community. Under him that was the whole of Western, Nyanza and part of Rift Valley provinces including the greater part of Eastern Uganda. (laughter)
4. That type of government we prefer is the federal type with the Executive President to serve at least two terms of five years each; whose powers should be derived from the parliament; cabinet representation to be regionally equal.
5. Constituents to be allowed to report their member of parliament when they seem not to be satisfied with him, before or half the term ends. Domestic quarrels should be settled by the community, other than being taken to court. Land cases to be left to the community, who have knowledge as to how inheritance or divisions began to the families concerned. Charges

on land succession are too high for an ordinary person to afford, and there is no reason why one should pay tax or charges in order to succeed his predecessor's properties.

6. Education should be free as from nursery upto university level. But only for Kenyan citizens whereby employment guaranteed for recovery of expenses incurred by the government. Our neighbouring Tanzania pays for its (inaudible) Any question (laughter)

Com. Muigai: We do not have any question jiandikishe tafadhali. Christopher Ngano? Is that your name? Njoo utuambiye majina yako kamili.

Ngono: Kwa majina naitwa Christopher Ngano Onyango. Naanza na Preamble. Nasema ya kwamba preamble itakuweco kwa hii constitution yetu tunatengeneza. Hii itakuwa map ya Kenya na itakuwa na alama ya peace, love and unity. Halafu any Kenya citizen should invest here in Kenya to create employment and job opportunities.

Two, a person should hold only one job in Kenya by law.

2. Any job being announced should Experience being five years experience and yet somebody is just from training.

Thank you.

Com. Muigai: Thankyou, Christopher please go and register yourself. Ismail Salasia?

Ismail: Yes, kwa majina kamili naitwa Ismail Atemba Salasia. Your honour nimefurahi siku ya leo, na yangu ni haya ninayo hii ninafikiria iwekwe katika katiba ya Kenya. Ya kwanza ni mtu yeyote anae gombea kiti chochote achaguliwe bila kutoa pesa. Akitoa pesa astakiwe kama mfsadi. Ya pili tuwe na vasi rasmi ya Kenya ili tujiepushe na watu wengine kutoka nchi zingine.

Ya tatu, Mkenya akizaliwa apewe cheti cha kuzaliwa, na apewe passport ya kusafiri mahali pote, kwa sababu ni Mkenya.

Ya nne, utawala wa nchi tuwe na assistant chief, councillor, makamu wa rais, na rais, ili tutetee uchumi.

Ya tano, kuna waagizaji wa bidhaa kutoka nje, kuna ushuru yenye huwa inatawa. Ningeonelea kama Mkenya angechukuliwa jina yake. Kama Mkenya angechukuliwa jina yake, kama Mhindi anataka gari, ama Mzungu aitishiwe kwa jina ya Ismael na hiyo ushuru niwe nikipata. Ni hivyo.

Ya sita, kuna wale watu wenye waliiba pesa ya Kenya wakaweka nje ama wameweka huko nje ya nchi. Mamilioni ya pesa, serikai ningeonelea iweke sheria, hawa watu wawe wakurundisha pesa au wafukuzwe hapa waende wakaishi mahali wameweka pesa.

Ya saba, watoto wa shule za msingi serikali iwe ikigharamia kuwaletea magari ya kuwatembeza mambuga za povini na mahitaji zingine ili wajue nchi yao. Kwa shule watoto wafundishwe lugha ya mama ili wasipoteze tabia za kimila zao. (laughter)

Ya tisa, wanafunzi wawe wakifunzwa ile kitu yenye watahitimu kama ni mechanic wasiwe wanamaliziwa akili zao kufunzwa history na ule ni mtu wa science au ni mtu wa kiingereza.

Number kumi (interjection)

Com. Muigai: Na hiyo iwe ya mwisho tafadhali.

Ismail: Recruitment ya polisi ingekuwa ikichukuliwa polisi, army and recruitments zingine, sisi tukuchukuliwa kutoka kwa sub-location, ili kuhakikisha kuna balance ya utawala.

Your honour ungeniongezea tu some minutes.

Com. Muigai: Dakika moja.

Ismail: Asante. Bouncing cheques: ningeonelea sheria iwekwe mtu mwenye anatoa bouncing cheques afutwe straight. Kwa sababu hiyo ni moja ya undanganyifu. (clapping)

Mwenye anauza bangi, ahukumiwe kifo kwa sababu atakuwa ameua watu wengi (laughter) Wapunguze gharama za rais kutembea nchi za nje na msafara yake iwe ipunguze kwa sababu kutetea uchumi.

Com. Muigai: Na hiyo basi itakuwa ya mwisho Asante sana jiandikishe. Francis Wamalwa. Tueleze majina yako tafadhali....**End of tape.**

Tape 3A

Wamalwa: Kwa majina naitwa Francis Wamalwa ninatoa maoni yangu. Maoni ni haya. Watumishi wa serikali: ningependelea watumishi wa serikali kama subchiefs, chief na assistant chief wakuwe wakibadilishwa mara kwa mara. Kwa maana ni watumishi wa serikali wawe kama watu wengine wanafanya na serikali.

Polisi wawe na utaratibu wa kushika watu, kuna makosa tofauti tofauti. Kwa upande wa polisi kila kosa ni sawa na ingine. Akipata mlevi ako kama mhalifu. Anashikwa na bunduki na kuwekwa pingu. Mambo ya shamba wamama wanataka wawekwe kwa title deed. Na kama una wa mama watano wote watakwenda kwa title deed hiyo?

Com. Muigai: Wamama mtapata nafasi na nyinyi mtueleze maoni yenu, tafadhali wacheneni aongee.

Wamalwa: Upande wa wanajeshi wa Kenya; wanajeshi wa Kenya wawe wakifanya kazi. Wasingoje tu vita na kupelekwa nje. Mtu kama ana miaka hamsini au zaidi ya hamsini na awe hana elimu au na mali kama pesa, asigombee ubunge au councillor, akae tu, angoje vijana.

Upande wa usafiri, ni shida magari ya matatu serikali iangalie upande wa usafiri wa mwananchi. Tuna shida magari inaua watu sana sana.

Kurithi kwa vitu vya familia. Kweli na ni mbaya na tuangalie mtu amekufa kifo gani, sio turudi kwa bibi kwa maana angali msichana. Tujue amekufa kifo gani. Yangu ni hayo.

Com. Muigai: Asante. Jiandikishe Geoffrey Makau? Majina yako tafadhali.

Makau: Kwa majina ni Geoffrey Makau Mulama, basi nitasoma na kueleza.

Com. Muigai: Hautaweza kusoma. Utatungazia tu yale makubwa kwani una dakika tano peke yake.

Geoffrey Makau: The Constitution should recognize the traditional leaders including Nabongo, as opposed to colonial titles of chiefs and DC for there will be no need for DCs in this setting. Another one, the constitution should respect positive cultural values and ways of life. The constitution that empowers local people, should be beneficiaries of their natural resources i.e. like in Mumias at least we should spare 60% of our produce to remain in this area, and another 40% can go to the central government. The constitution should protect our cultural heritage and traditional shrines e.g. Amakunda or the Chiendevo, just as it was traditional leaders should spare us and so on.

The constitution should also return the ownership of land to the native Kenyans, the other Kenyans natives who are citizens by virtue of law and history, should be limited to this all (inaudible) Business should be placed in the hands of native Kenyans. This will improve raising Kenyans economically; and any business started by other races should be in joint partnership with a native Kenyan. The situation as it is now, calls for urgent remedy as a native Kenyan has been reduced to mere spectators as the economy is in the hands of foreigners, reducing the native Kenyans to a beggar status, of poverty stricken people in their own native country. This does not auger well for the nations stability in our mother country. It is our view that the starting point of any constitution is the economic empowerment of any people or the natives. The whole world recognizes this reality and Kenya should follow that example; as the local people are the majority and there can be no other democracy other than the natives controlling their own destiny of their country.

Pension, like you realize my age is of that pension and I have suffered quite a lot; so I propose in the constitution that for those who are coming in to take over from us when we are gone, there should be a continuous or a timely reviewing of the pensions schemes for the retired civil servants. And there should be decentralization of pension offices and bring all these offices closer to all these groups who can't make it to Nairobi. These offices should be at sub-locational level or that lower level or location division in order to manage the scheme pension. The retirees need to be removed on that office of finance which is already too congested and it should be given to another ministry, so that the process of retirees pension is continuously managed.

Land transfers to be made similar, by moving the land offices nearer to the people may be at sub-locational level or divisional level for easy identification within the community.

The distribution of resources that are so given in this country because after tax, the people have paid tax that the normal Kenyan and it all goes to the develop Nairobi and electricity and all our children just think they better go to Nairobi because there is no water project, no electricity, whenever a member of parliament goes to parliament says, I will bring electricity, and it has never been that kind of a thing. Just to add (interjection)

Com. Muigai: You are in your last minute.

Geoffrey Makau: For my last minute I want to talk about corruption because everybody I think as far as I have heard was talking about corruption. An office of ethics and integrity as a ministry should be set, to do the checks on this corruption issue, that is rampant in our country. Ombudsman office should assist in checking this corruption.

Election laws: No mlolongo since it is not acceptable internationally. This is a way of rigging elections just before elections begins. International and local observers should be invited and left to supervise, for fair and free elections in this country. It should be one person one vote, other than the Head of State coming up to dictate on who should be voted for. Thankyou.

Com. Muigai: Thank you very much. Teresa Anyande?

Teresa Anyande: I am Anyande Teresa representing St. James Bulimbo Girls. My issues concerns the youth. The government should provide free recreational facilities, for example swimming pool and sports. If possible at the location level so that the youth can be occupied to avoid idleness, drug abuse and other immoral activities.

Com. Muigai: You have finished already? Ok Esther Thamba?

Esther Thamba: I am Esther Thamba from St. James Bulimbo. Here are my views. First I would like to ask the government

to grade achievements for different schools as per the facilities of each school. For example, a local school which is having less facilities should be given a certain grade to be attained, before they go to university. They should not be expected to get achievement which are - they are not supposed to be getting the same achievement as girl who is in Alliance, a school which is well facilitated.

Then, the second the campus (inaudible) should be selected as the grade and not as per their wealth. The third point incase of pregnancy, both the boy and the girl have misbehaved and so they should both face the death penalty. (laughter)

Capable children with poor parents should be educated by the government in the advanced level. Then people should be paid as per their work. Like teachers train, but the money they receive, I think it is not enough for their work. Then the politicians at the campaign they like giving us empty promises, they may tell us we elect them so that they may build dorms for us, but after they leave; they would have done nothing of what they would have talked of. That should be rectified also. The government should – whatever politicians say should be followed and be ensured that it is done.

Then equal resources should be provided countrywide. Females should not be regarded as inferior because we are all equal and that is why I feel that monogamy should be followed strictly. It would be fair for women if men would like to marry more than 5 wives, then it will be fair for women to be married to more than five men. (laughter)

Com. Muigai: The good book says out of mouth that the children shall come words of wisdom, we are being taught to be very bright outside and today people are very focused on their issues. So I think we also follow that and we are focused, and a lot of people will be able to see within a very short time. So if you think there are problems with the powers of the chief, please don't go into the background because we all know, we are all Kenyans, we know the chiefs we know what happens. Just give us very focused like them, and give us the mapendekezo yenye itakusaidia kuweka kwenye katiba. Danspaid Mabuna?

Danspaid Mabuka: My names are Danspaid Paul Mabuka. My views are as follows. MPs or councillors, those who give out their manifesto should sign and failure to do so we should be allowed by-election. MPs when coming out of the office, should give out their record before election. Anybody or any person retired from any office, should not be eligible to contest for any party. So that we create job opportunities to school leavers. Each school should allow or honour the sponsors request. Any results from our company 80% should be allowed to be taken by the surrounding environment, and 20% to the government. 80% of the workers of that company should come from that surrounding area, and 20% from any place. Thankyou.

Com. Muigai: Thank you. Joakim Lutta. Boaz Mutini?

Boaz Mutini: My names are Boaz Mutini at CJPC Bulimbo. I am here with my memorandum. First land succession; title deed processing and its succession is too high and takes too long to be ready hence bringing bribery. Many Kenyans are landless whereas some land is left for white reservation, and other land spared for the ADC farms. The government should look for other ways of helping primary pupils who cannot continue with secondary education, by having practical subject in schools eg electrical installation, mechanic planting etc. They are only found in colleges and secondary schools. In every department within the system of government, we should have a youth, a woman, man and the whole thing represented from the national level to the locational level.

Courts should speed up hearings to help stop bribery from the culprits; those with advocates should be abolished. An industry, any industry or company entitled to farmers, the government should assist that industry to enable farmers have national insurance hospital fund to the employees of the same industry. An employee of any company should to be given loan especially with the sugar industry, to be given loan to the cane cutters though they are not permanent workers; but they play an important role in the sugar industry where harvest machines are not there.

School recruitment per province should be equally to students within the districts in that province. Local ploys should be allowed to change their occupant when different seasons of the year and the local environment of different groups of people. More than 5 should be specified.

Police harassing innocent people and setting road blocks on the road to police space should stop. To have a chain of command from the district, DO, chiefs or sub-chiefs and then to the local Viguru of the village. In a democratic system of governance the President should not be above the law. Any Bills to come up should be passed by the citizens representatives who are parliamentarians.

Birth certificates to be issued by sub-chiefs as it is to having permits. This will enable local citizens to have his or her birth certificate. It is only right for the person to go to the district level where may be it is far. Obtaining an identity card should be compulsory and free of charge to enable one walk free and participate in any kind of election which needs ID cards.

Health institutions should render services regardless of ones race, education or financial stand. It has become a business to some of the health institutes. The denominations to respect one another. Wife inheritance should be abolished hence it leads to diseases and family breakups. All Kenyans are equal whether men or women. If this is to be in a new constitution where both the boy and the girl child will grow up respecting one another. I hope that our motto comes in there, it was that first come first serve, but I am seeing that it has been violated in come cases. Thankyou

Com. Raiji: Correct me if I need to be corrected. Did I hear you say boards and Advocates should be abolished?

Boards and advocates should be abolished and be replaced with I am not wrong about that.

Boaz Mutini: Here I meant that courts should speed up the hearing and stop bribery from the public. You find that in Kenya courts are given to (inaudible) do a wrong doer. Advocates advocate even a wrong doer. These two things I am seeing that they should be abolished.

Com. Muigai: Thankyou very much especially for pointing out that we are not following the first come first serve, we are also doing the affirmative action within here and infact right now I would like to ask. Kuna mtu mmoja mlemavu hapa alikuja kuzungumza na hajapata nafasi ya kuzungumza? Au mlemavu wa kutoona, wa matembezi, au kuna mtu mwenye amekaa mahali kuna mtu mwenye hana masikio? Ok I would like to confess first come first serve, but we also have affirmative action. Godfrey Wamaya?

Godfrey Wamaya: My names are Godfrey Wamaya Lusaya, I am representing Bulimbo Catholic Youth. I will start of by unemployment crisis in Kenya. The youths say that a retired person should not get employment anywhere here in Kenya; and contracts should be done away with on all jobs. They also said government should be holding one (inaudible) to help the youth (interjection)

Com. Muigai: Get a microphone (interruption) ndiyo tukusikie vizuri.

Godfrey Wamaya: and this should be organised by the President. Foreigners who have business and companies in Kenya should employ Kenyans not their own people.

On education: School fees should be reduced in all learning institutions, to help the poor people. Universities and colleges should be distributed evenly in Kenya, it is sad you find that in Western we don't even have a national school. Caning in schools should only be done by the headteachers, if not it should be abolished immediately then. There should be fair intake of students in colleges and universities. Here we find that most Wanga's are only given chance in teaching courses and agricultural courses.

Com. Muigai: Thank you. Jandikishe tafadhali. Dennis Onyango, Julius Masinde, this is Julius or Dennis? Masinde? Jina lako la kwanza? (inaudible) Crispus Makokha, Yusuf Mohammed Son? You are Makokha? Karibu.

Crispus Makokha: This views were collected by students from both Namanga and Malaba secondary schools and I am Crispus Makokha from Namanga secondary. We looked at the basic rights and these were our recommendations. The provision in our constitution about our fundamental basic rights are not adequate. The other rights that should be entrenched in the constitution are access to quality education, creation of employment opportunities, access to quality health care. Despite the fact that the constitution guarantees the right to life this (inaudible) capital punishment should remain unaltered based on the mistakes one has committed.

The constitution should remain for security, health care, water, education, shelter, food and employment as basic rights for all Kenyans without considering race, religion and political opinion. The government through the relevant ministry, should have the responsibility of ensuring all Kenyans enjoy their basic rights such as security, healthcare, water, education, shelter, food and employment.

The specific issues that the constitution should guarantee in security are:- the government should extend police services to reknown areas to curb cattle rustling. In case of any problem of insecurity that affect the worst cases like assassination of our MPs, the government should take the necessary legal measures against the mentioned people in a period of not more than 3 months. This should be done in considering the political positions held by the abused if any.

Under healthcare, the government should ensure that all Kenyans have access to medical care which are affordable by the common man. About water, the government should ensure that all people have access to clean water.

About education, there should be equal distribution of national schools and universities in provinces. We are surprised that our Western province has no national school nor university. We also agreed that the education system should revert to the former one. The government should ensure all children access to quality education. The government should start a programme on civic education to inform the public about some of their rights and freedoms, and generally about the provisions in the constitution being made now.

About shelter, the government should ensure that all Kenyans have equality in shelter. About food, the government should supply farm inputs at affordable prices to facilitate high harvest. The government should support poor people by revitalising the moriband government corporations like the Kenya Cooperative Creamaries and the Kenya Meat Commission; which will encourage farmers to preserve their produce.

About employment, the government should create employment opportunities to absorb qualified professions in various fields. The government should approve a board that will deal with new appointments; to ensure that only qualified people are employed and on merit.

Com. Muigai: Your last point sir.

Crispus Makokha: The constitution should provide for compulsory and free education from standard one to standard eight, from form one to four and higher education. The government should give out bursaries and loan facilities to support the high cost of education.

Com. Muigai: Thank you very much. Can we have Yusuf Mohammed Sun.

Yusuf Mohamed: I am Yusuf Mohamed Sun. I am going to represent myself. First I want to talk about education. Education should be discharged freely from primary to university. Second, 8-4-4 should be changed to old system. Third, the government should provide enough facilities to all schools. The government should make sure there is equal distribution of teachers in schools.

Then I want to talk about marriage. The government should make sure that, or the government should enter in wife's marriage to make sure that his husband or in-laws pay dowry.

Then I am going to talk about the presidency. The President should be loyal, should serve every individual in this country equally. That is all that I have.

Com. Muigai: Thankyou, please register. Hamisi Mumia.

Hamisi Mumia: Majina yangu naitwa Hamisi Mumia Shiundu. Mimi na represent Waislam wa Makunda Muslim Community. Mimi nataka Kadhi awe akisikiza kesi zote kortini mradhi tu, wale wenye wanasikizwa wawe Waislamu. Mimi nataka hiki cheo cha Kadhi kiwe kinachaguliwa na Waislamu walioelemika, wanaojulikana kama Mufti. Na tena Kadhi akichaguliwa awe ana masomo ya degree na amesomea sharia. Halafu tuwe na korti of appeal, Kadhis appeal court ikuweko, kwa saa hizi hakuna, awe akisikiza kesi na hakuna mwenye atasikiza kesi hiyo baada ya yeye.

Naenda kwa uhuru wa kuabundu. Mimi napendekeza kila mtu awe akiomba kwa nyumba yake, ama kwa misikiti ama kwa church. Watu wasiwe wakienda kuomba mtoni, msituni ama wakingoja chief akiingia hapo wanaenda kuomba mahali popote, kama sokoni, madukani, kwa mabar, hapana. Mimi napendekeza natoa maoni kwa Tume hii ya katiba registration ya religious sects ipunguzwe; kwa sababu hawa huwa wanatoa makanisa yao kwa malengo yao, na malengo yao huwa mabaya. Na kuabudu mtu akiabudu, aabudu kulingana na maandiko kutoka Koran ama katika Bibilia. Asianze kuabudu kufuatana na miungu zingine, kwa mfano ng'ombe, mtoni, mvua, sio hivyo.

Taxation: mimi napendekeza Kadhi akishaamua kesi ya taxation korti zingine zifuate uamzi huo. Na kila Mkenya anatakikana apate National ID card bila masharti yeyote, bora amefikisha miaka kumi na nane ama zaidi, apewe.

Bwana Muislam akikufa awache mwanamke na watoto, na huyo mama mjane ameachwa na aolewe na bwana mwingine; basi asiishi hapo mahali pa bwana yake. Kwa sababu huwa huyu mwanamke bwana mwenye amemuoa huwa wanachukua mali ya watoto, ama huyo mwanamume mwenye amefariki na anapatia huyu mwanamume mwingine mwenye amemuoa. Sasa watoto huwa wanabaki wakitaabika kwa sababu huyu mwanamume amempatia huyu mwanamke mapenzi ya kutosha hajali watoto.

Kwa hivyo naonelea mama akishaolewa na bwana mwingine, waende waishi mahali ya huyu mwanamume huko.

Na religions zote zinatakikana ziheshimiwe. Kwa mfano ukipata Muislamu anaenda hospitali kutibiwa utapata mwanamke anamwambia mwanamume wewe toa kanzu nikupige shindano, na ile hali huyo mwanamke sio Muislamu na Muislamu hatakikani aangaliwe uchi wake na mwanamke. Kwa hivyo mimi naomba hili litengenezwe. Ukienda shuleni utapata shule kama za secondary kwenye watoto wanalala makundi, pale utapata wanatengenezewa chakula ambacho Waislam hawakuli na wanashurutishwa wakule hicho chakula. Nimeandika hapa religion please be respected in all public institutions. Ni hayo tu siku ya leo, mimi ni mwakilishi wa Makunda Muslim Community, asanteni.

Com. Muigai: Swali langu ni kuhusu hospitali, je katiba inaweza kufanya huko kwenye hospitali mtu mwingine asihudumie na pengine hospitali zingine hapa ni za rural areas, kuna nurse tu wakati huo amepelekwa amekuwa na ajali ya barabara. Tukiweka hii kwa katiba itasaidia aje hata yule Muislamu mwenye atakuwa kwa accident na amepatikana na hali ya dharura na anataka utumishi wa haraka ndiyo pengine ataokoa maisha?

Hamisi Mumia: Ndiyo, kwa sababu ninasema serikali ikiwa wanamahali waweke pale daktari. Wanaume wawili, mwanamke mmoja.

Com. Muigai: Bakari Watako? Vincent Mapesa? Ramadhani wa kutoka kwa.....

Vincent Mapesa: Majina yangu ni Vincent Mapesa. Jambo la kwanza (interjection)

Com. Muigai: Ngoja kidogo Bw. Vincent, wewe umesema jina lako ni nani?

Vincent Mapesa: Vincent Mapesa.

Com. Muigai: Japheth? Ok utamfuata yeye.

Vincent Mapesa: Whereas freedom of worship should be in the constitution, there should be limited religions groupings.

Two; sponsors of institutions should be mandated to have a hand in the appointment of administrators in the same. There should be the same type of education in the country. Early childhood development teachers be fully paid by the government. Local councils are contributing to poverty in our communities by over taxation. The workers of the local councils should be paid by the local government.

A specific date as to when the elections are due in the country should be stated in the constitution. Any violent campaigner or

aspirant should be barred from contesting for any seat, and every polling station should be a counting station. There should not be more than 5 political parties in this country.

Devil worship should just but be criminal – a criminal offense. There should be free and compulsory education in this country.

National infrastructure should be fairly spread throughout this country Minimum age for a Kenyan President should be 40 years, and a maximum of 70 years. All members of parliament and councillors irrespective of their party should be treated equally, and be regarded the same by the government during campaigns.

Public trustee process is rather too slow, and it is causing a lot of suffering to the people. No commodity should be imported into this country, when this country is producing such a commodity unless it is in short supply. Thankyou very much.

Com. Muigai: Thankyou. Japheth? Japheth what happened? Are you coming?

Japheth Watako: Asante sana wakilishi wetu ambao wamekuja kusikia maoni ya Katiba. Kwa majina naitwa Japheth Watako Maji. Nitaanza na upande wa bunge kubadilisha sehemu yeyote ya katiba kwa asilimia 65. (interjection)

Com. Muigai: Tafadhali zungumzia kwa mic.

Japheth Watako: Nitaanza na upande wa bunge kubadilisha sehemu zote ya katiba kwa asilimia sitini na tano ya kura zote. Sisi tunaona ya kwamba, jambo hili sio mzuri, naonelea ya kwamba watu wote wahusishwe kwa jambo hili; kwa sababu kubadilisha sehemu kama hii, sio jambo mzuri kwa sababu raia ndiyo wako na uwezo mkubwa; wanastahili kubadilisha sehemu yeyote ile ya katiba. **End of tape 3A Cont... Side B** Kwa wabunge iwe asilimia ya chini sana. Sisi tungeonelea hata iwe asilimia kumi; kwa sababu sisi raia ndiyo tunaumia sana. Wanaenda huko wanatengeneza sheria zao za kuwafinya raia wa kawaida.

Jambo la tatu, tungependelea watu kama maguruu walipwe mshahara na serikali; kwa sababu hawa viongozi wanafanya kazi muhimu sana katika kuwakilisha raia wa kawaida, na wasipopewa mshahara huwa wanafanya kesi kwa mapendeleo. Kwa sababu yule ambaye atapatiana pesa, ndiyo atampendelea.

Jambo lingine, tungependa pia waalimu wa nursery wapewe mshahara na serikali. Kwa sababu ni ajabu kuona ya kwamba hata waziri mzima anasema huyu mwalimu wangu, alikuwa mwalimu wangu wa nursery, na hana mshahara. Huku ukienda kwa baraza wanahimiza nursery zijengwe karibu kila kijiji, na ikiwa wanajenga nursery, hawa waalimu hawalipwi mshahara, watatoa wapi pesa? Utakuta kuna waalimu kama wale wanafunza shule kama zile za Centrol, hawa ni wa watoto wa matajiri hawa unakuta mwalimu wa darasa analipwa shilingi elfu hamsini. Sasa nyinyi mkija kuandika waalimu wa nursery labda kwa sehemu

mnazotoka mpatie kitu kama shilingi mia tano atasema mbona? Mbona mwalipa mwalimu wenu shilingi elfu hamsini na mimi hii shilingi mia tano nitagharamia aje hayo maisha yako magumu? Sasa inakuwa ni vigumu.

Jambo lingine, ningeeongea juu ya hawa watu wanaitwa mawakili; wamefanya raia wa kawaida kuwa maskini wa mwisho. Kwa sababu saa hii ukiwa na kesi kwa korti, ni vigumu sana kueleza mambo na ionekane ni ya ukweli. Kwa hivyo hata watu wameogopa hata kutoa ushahidi kwa korti, kwa sababu yale maswali wanaulizwa na mawakili ni ya kuzungusha mtu akili sana. Unakuta wanataka watumie yule mtu ameshtaki na yule mshtakiwa sasa unashidwa kesi inaamliwa namna gani? Itaamuliwa kulingana na yule ambaye ako na uwezo mkubwa wa pesa. Hawataki ukweli wa mambo.

Jambo lingine, ningependa upande wa umilikaji wa ardhi uwe wa mtu binafsi; kwa sababu tukisema umilikiwe na serikali, serikali inaweza kukuambia toka mahali hapa, tunataka kujenga shule kama wale watu ambao hawana uwezo, utatoka tu kwa sababu hauna lolote la kusema. Na tungependa pia urahisishwe mtu kujua ardhi, labda unaonelea mguruu ndiye atakuwa mtu muhimu sana kama mzee amekufa, yeye ndiye anajua yule mzee amekufa, ndiye anajua wale watu wanakaa pale; sasa angepewa jukumu kubwa kuandika barua hawa watu ndiyo wanahitaji wamiliki ardhi. Na hiyo barua iende kwa sub-chief na sub-chief pia apelekee kwa chief, na chief ashughulikie hayo maneno bure, bila kulipa chochote.

Com. Muigai: Dakika zako zimeshaisha. Mrs. Wafula?

Mrs. Wafula & Bw. Soita: Sisi tunawakilisha Bulimbo Girls, Mrs. Wafuna na Bw. Soita. We are representing groups of communities, and this is the data collected for constitutional review process in Kenya. First and foremost, we would like to address the teaching profession. We want to say that there should be a protective Bill for the teachers. The teachers should be protected from assault from the students in case of a strike, and from caning children. Like there is a Bill protecting the child, but there is no bill protecting the teacher. A good case is the Kyanguli Boys Headteacher who was arrested for a case beyond his ability to control. With the removal of the cane, the teacher is more vulnerable to the above mentioned issues.

Secondly, there should be risk allowance for the teacher. Other professionals like the doctors have risk allowances, unlike the teacher who risk being in school very early and the like. If anything happens to him or her, there is no allowance towards the same. We looked at the public relations part for the teacher. Other professions have dual part, while the teacher is the one who relates more with the society more than any other. We are also addressing corporal punishment; as we can and we are saying that the removal of the cane has been replaced by guidance and counselling has been posing a problem, because there is a lot of indiscipline after the removal of the cane; and instituting of corporal punishment. We are also noting that this same cane has not been removed in other departments of the government, and we have in mind the prison. (interjection)

Com. Muigai: What is your proposal please?

Mrs. Wafula & Bw. Soita: My proposal is, corporal punishment should be there alongside counselling. We are also saying that the teacher will have an idea about the teacher, but there is the children's Bill. So far the teacher could seek if there is a law on the children's bill more than any other stakeholder like parents, administrators and other professionals where there is no against them. But it comes back again to the teacher, these amongst others judiciary demoralizes the teacher in his relation with the child who is supposed to be assisted by him.

Pension: No law so far has been enacted to combat efforts by the TSC who pays the teacher in a specified period of time. This brings suffering to the teacher and many others. Concerning the curriculum, we are saying that the curriculum is unstable and biased because it is so soft and has lost confidence (inaudible) like we talk of Kenya being industrialized by the year 2020 in the air and yet the technical subject and institutions are being phased out. So we are saying that experts especially the teacher, should be consulted incase there is any change in the curriculum, since we are the people on the ground and non-teaching teachers and foreigners have betrayed the government for a long time.

On policy making we are saying that the government should prioritize the project wisely e.g. the Turkana power project towards this place. The river is seasonal and the community around cannot benefit from the same. Such a project should be subject to public debate to cut down the waste of public funds.

On commissions, we are reporting that the government should not waste public money on commissions whose recommendation and reports are not followed. Some of them are not even published; at times they are edited to suit certain interests. We have in mind the anti corruption , devil worship among others.

On parastatals and public institutions; parastatals, government ministries must be headed by professionals in this case people who hold good records. We have in mind in Uganda, whereby professionals agree on his name and that is why they are growing economically, socially, better than Kenya. We feel in Kenya it has been ridiculous because you find a historian manning finance.

On the side of political parties, we have said that the number of political parties should be reduced to at least 3. This is because nature in itself (inaudible) Besides most of the qualities and the manifestos of many of these parties are the same across the board. We also said that party members should fund their parties and we should not use public funds towards the same. Political parties should work in partnership, if not in concordance with the state. We are saying no for under collective politics which we have in Kenya.

Com. Muigai: You have the last minute mwalimu.

Bw. Soita: Using the last minute, I would like to say structures and systems of government should be as follows. We should

retain a unitary system of government which all affairs of the state are controlled by the central government. The reason being this fasters national integration and we are a multi-tribal country in Kenya.

Finally, we are saying that foreigners should go away so that we ourselves can manage our own economy. (clapping) For example we are having foreigners manage our own economy and actually ruining it, that is why we are suffering we Kenyans. Lastly, to curb corruption, (interjection)

Com. Muigai: No you have more time if you are going to talk, I did say I had given you 5 minutes before so you have more time if you want to take over. Finish.

Mrs. Wafula: Thank you very much. Yeah, to curb corruption let the budget be put in use by the government. For example let them give assistance, free education and they should also have free medical to care. Otherwise the money will just go in and that is why we are having a lot of swindling of money in the parastatals and many other places. You will get somebody somewhere swindling one hundred and eighty nine million, that money if put in use does not have a loophole to it.

Nominated MPs: We should not retain the concept of nominated MP, because this has been misused. What do the nominated MPs do that can't be done by the elected MPs? We are dealing with the democratic rule by the majority. Quoting the forthcoming presidential aspirants $\frac{3}{4}$ are in one way or another as a result of nomination. That is why they have no choice but to tell the President lies, they are put in the ministerial posts so that public funds is circulated around back to the government or whoever.

Ministerial reshuffles: The President in Kenya misuses his powers. The future president should be very careful. This ruins the economy before one understands the ministry, there is another reshuffle. Before they put the record together, another reshuffle. Therefore, in this country we have no accountability and transparency. (laughter)

The Presidential qualifications, the next President or the President we choose should be a professional in economics and political science, or any relevant or sociological studies, a man of integrity. The next President should be right man to exult a nation. We also feel the next president should be patriotic and development conscious, very visionary. Should also be a leader who can mobilize people for a common goal, in the positive direction. In case we have a president who is not having this qualification, then lets take them to learn just the same way we learned the finance and land economy, and many other people can lead us. Otherwise God Bless you.

Com. Muigai: There are questions waalimu. Sasa wakati wa kuuliza maswali.

Com. Raiji: I think the first one goes to Mrs. Wafula, you have proposed that we do away with nominated MPs. We have

received proposals that nominated MPs be used in order to remove certain imbalance, like where we don't have women, or disabled and other marginalised groups that are more directed MPs. If we improvise your recommendation, what would you suggest in order to bring on board, those people who have been left out in the electoral process? That is your question. Let me direct another one before you answer. Bw. Soita, I think you mentioned something to protect teachers from assault by students, and you cited the case of Kyanguli, but Kyanguli one was found out that the teacher was negligent, he did not perform his duties; as a result of which the tragedy occurred. Are you suggesting that the teachers be above the law, so that even when they fail in their duty they walk out possibly even in cases like that?

Bw. Soita: No, we are not saying that they have to go scot free but we are saying that besides that, we don't have any protection. So in any case we are at the mercy of whoever is not happy with the judicial research. Because in any case there are certain things beyond the ability of the teachers to control. So in such cases we should also have the protection otherwise we many not teach well.

Mrs. Wafula: About the nominated MP we have this feeling that those who have been nominated seem not to have power over anything. They are so shy because they have to dance the dance of the nominator. So if we could have a way we could have a strong (inudible)

Com. Muigai: Thankyou very much both of you. Michael Malala?

Michael Malala: Honourable guests, ladies and gentlemen, my names are Michael Andrew Malala, the Director Youth, Matungu constituency. The first one I would like to put across is the idea of armed forces. The armed forces of Kenya are said not to be among the govt. of Kenya on the three arms of the government, the Parliament, the Judiciary and the Executive. So we would like the armed forces in this case to be included in the three arms of the government; so that they are also recognized as members of the government.

Two, there are some chapters in the constitution that chapter 189 to 208 in the constitution. These chapters are left behind for the armed forces. In this case our government is not following the chapters of the constitution of Kenya. So in this case we would like the 8 chapters and the 9 chapters that are left behind, to be included in the new constitution, and let the armed forces be among other people of the nation.

Three; there is this idea that the armed forces are being selected from every section of Kenya. Now for this case, we are encouraging that we must have a fair recruit from every region. We have this case of loyal armies in Kenya. These loyal armies must be recruited from every part in Kenya. We have realized that these loyal armies are being chosen from this region of the president who is in the power. So in this case, we would like to encourage those who are making this choice of armies to be there on every side. There is this number that is supposed to be elected for the president a (inaudible) by the people. For the

presidency we are encouraging 10% for the CJ 5% and not 30% as it is now in the normal constitution, or old constitution.

The next step is the Nyayo philosophy. It has come to our notice, that the Nyayo philosophy is ruining Kenyans. This is because the President of Kenya is trying to use this idea of Nyayo philosophy, and is squandering the properties of Kenya. In this case we would not encourage the Nyayo philosophy, and would like the new constitution the Nyayo philosophy should be done away with.

Three, land ownership should be individual, but the parliament should have a right to deal with any person who is not using his land correctly. Because we have some big people who are having a lot of land to use, but now for that case those people are using their land. The government should take that part and make sure that these lands are not used or else given to people who do not have land.

Youth: Youth are supposed to be elected to the parliament, as much as women are being encouraged to be elected in the parliament.

Four; elections should be carried in 2 phases. One phase should choose the majimbo leaders, the 2nd phase should choose the Head of State and this is going to encourage democracy. The next one is this, employment should be given in accordance to the level of education, and secondly the salary of one as a member of Kenya must be given in accordance to the level of education. So with those few remarks, I would like to thank you all. God bless you.

Com. Muigai: Thankyou very much. Kadima John? Ramadhani Omari? Michael Lutta?

Michael Lutta: Kwa majina naitwa Michael Makokha Lutta. Nina maoni mawili kuhusu hii sheria. Ya kwanza ni wahalifu wasipewe bond. Bond isitolewe kwa wahalifu. Maana ya kuondoa bond kwa maalifu unakuta mtu amefanya uhalifu lakini ameenda kortini. (interjection)

Com. Muigai: Ongea kwa mic tafadhali. Iweke karibu na mdomo. Asante.

Michael Lutta: Unakuta kesi mhalifu amefanya uhalifu na kesi iko kortini, unakuta anapewa bond anapata ruhusa ya kuwa nje. Akisha pata ruhusa ya kuwa nje, anazunguka huko na huko, kwamba apate kufaulu hiyo kesi, na hiyo ndiyo sababu ya maoni yangu bond iondolewe; ili uhalifu usiendelee kwa maana akipata bond ya kukaa nje na afaulu kesi atarudi kuendelea uhalifu.

Wakili waondolewe kwa maana utakuta wakili, mhalifu akiwa anakesi kortini, unakuta wakili anamtetea ili apate kufaulu, na akisha faulu anarudi huko nyuma na anaendelea uhalifu. Ndiyo sababu naonelea ya kwamba bond na wakili waondolewe ili

uhalifu ukomeshwe.

Com. Muigai: Asante sana. Washington Mwanja? Salome Kaweya? Leta mic karibu na mdomo. Iko na taa ya red? Then it is on.

Salome Kaweya: Asante sana kwa nafasi hii umenipa. Kwa majina naitwa Salome Kayewa kutoka Korea Catholic Church. Maoni yetu ilikuwa hivi kuhusu mashamba. Wanawake wamepunjwa sana na wanaume, sasa tukaonelea ya kwamba wanawake wote wanawekwa kienyeji kwa ajili wanaume wengine wanauza mashamba bila wanawake kujua. Vile vile wasichana, mzazi akigawa shamba, huwa anagawia hata msichana asisahau msichana nyuma. Vile vile kwenye contract ya miwa, inatakikana vile vile bwana aweke bibi yake kwa miwa; kwa ajili kuna wanaume wengine wakipata pesa wanapotelea nje na wanasahau kila kitu nyumbani, wanarudi kama pesa imeshaisha.

Upande wa mwanaume kupiga bibi yake. Tunapata ya kwamba bwana anapiga bibi hata akija kwako, ama hata amue kwa ajili ni bibi yake. Hapo inatakiwa tuweke sheria mtu akipiga bibi yake, ashikwe na afungwe ndiyo hiyo ikawezeshe wanaume wawache kupiga mabibi wao.

Upande wa kazi, wanawake wawe wanapatiwa nafasi, ukiwa katikati ya wanaume wakiwa watatu (interjection)

Com. Muigai: Tumia mic yako vizuri tafadhali.

Salome Kaweya: Ukiwa kwa kazi wanawake wapewe watatu na wanaume vile vile wawe hivyo an mishahara wapewe sawa. Kwa kikazi hapo kama kuna jambo lenye linahusu wanawake, mwanamke ataweza kutoa haki na kusema ukweli kuhusu wanawake.

Upande wa tax collectors. Unaweza kupata mtu ametoka nyumbani kwake na lets say mboga ya 30 shillings, na unapata hawa watu wa tax collectors wanachukua 20 shillings. Unapata ya kwamba huyu mtu hawezi kupata chenye angekuwa amepata. Sasa afadhali waweke kiwango ya chini zaidi, kulingana na kitu yenye mtu atakiwa awe nayo.

Upande wa elimu. Waalimu wa nursery wachukuliwe sawa sawa na waalimu wengine, wamewasahau sana. Serikali iwe inawapatia kitu. Wanakazi nyingi, na hawapati chochote. Vile vile watoto upande wa masomo, wasichana wasomeshwe sawa na vijana. Tena, picha, kuna picha zingine wanatoa mbaya mbaya. Hizo zinasababisha watoto wetu ambao bado ni wadogo wakiona hizo mapicha huwa zinawaharibu fikira. Sasa hapo inatakiwa warekebishe. Ni hayo tu asanteni

Com. Muigai: Asante Bi. Salome. Nancy Makokha? Musundi Everlyn? Are you Everlyn? Nancy? Everlyn Musundi? Basi karibu.

Everlyn Musundi: My names are Musundi Everlyn from St. James Bulimbo Girls. I would like to suggest that the government should ensure that the Kenya National Examinations Council should be returning the examinations schemes for the students, so that they would revise, and so that they would be able to revise their mistakes putting in mind that examination is not the end of life. They may just return our scripts so that we may just be aware whether they marked well or not. (clapping)

Com. Muigai: Job Netia? You are Job Netia? Makokha unaona kama inaweza kuwa wewe? 21? Ok Job Netia?

Job Netia: Kwa majina naitwa Job Murunga Netia. Mimi maoni yangu kwa hii katiba inayosemwa, lakini lile ambalo ningependa kuongezea ni hili. Ya kwamba upande wa waalimu, naonelea kama ingekuwa jambo mzuri waalimu pia, kama wafanyi kazi wa serikali ama waakilishi wa serikali, wangeweza kupewa nguo rasmi, yaani uniform.

Vile vile, ama la pili, kuhusiana na kitu kama watoto wasichana. Unaweza pata kuwa tuko na wasichana ama vijana sana kitu kinatupoteza ni ukosefu wa kazi, na kuna watu wengine ambao pengine wako na kazi ama vyeo, kitu mara mbili au tatu hivi. Kwa hivyo hayo maoni yangu katiba iliyoko kuangalia; mueze kurekebisha, ama kuangalia kiundani. Asante.

Com. Muigai: Rev. Peter Mukholo?

Rev. Peter Mukholo: Nataka kuwashukuru commissioners ambao wako hapa siku ya leo, na nina machache ya kuwaambia. Ya kwanza nataka constitution review ijue (interjection)

Com. Muigai: Naomba wengine tutulie tafadhali, ukiwa na jambo la kuhakikishia na mwingine tafadhali unaweza kuenda nje kidogo; ndiyo tusikie hiyo habari kwenye recodi tafadhali. Asante.

Rev. Peter Mukholo: Ningependa kuanza na Constitution review yenyewe, ambaye nyinyi. Ningependa kusema ya kwamba iwe independent, na ifanye kazi kila miaka saba hadi kumi. Si kwamba iende mpaka miaka na miaka. Ya pili ni kuhusu serikali; ningependa tuwe na serikali kama ile ya mwaka sitini na tatu yani centralization.

La tatu ni election: Tungependa tuwe na uchaguzi mara mbili, ili kila jambo lieleweke vizuri; yaani hiyo ya President na hizi sehemu zingine. Ikiwa tunaweza kuwa na councillor na deputy kitu mwezi wa saba, halafu yote tumalizie mwezi wa saba itakuwa ni vizuri.

Number nne, ningependa kuzungumzia kuhusu natural resources za Kenya, hii ndiyo chanzo cha matatizo ya Kenya. Rasilimali za Kenya hazijagawanywa sawa sawa, kimkoa na hasa kulingana na watu waliomo. Kwa hivyo mimi ningetaka kutoa maoni yangu ya kwamba, rasilimali ya Kenya igawanywe kimikoa, na mikoa, ifanywe kulingana na wingi wa watu. Hapana kimajimbo

tu ya makabila la. Lakini kulingana na wingi wa watu. Kabla sijaenda sana, nitazungumzia habari ya lands. Ingawa watu wanasema juu ya mashamba, ya kuwa watu binafsi lakini bado nina wasi wasi. Kwa sababu shamba zingine zimeanza kuweko meter tatu pekee yake, hata mtu hawezi kujenga nyumba huko. Kwa hivyo mini ningetoa maoni yangu ya kwamba, nchi ya Kenya mambo ya kuweka mipaka iangaliwe kwanza na constitution kabla hatujaenda sana mbele. Ili kesho tena tusianze kusema nchi imekwisha. Lakini kuna nchi nyingi hata katika sehemu za Kenya, ambayo haitumiwi na watu. Kwa hivyo nchi inataka mtu akiwa na miaka kumi na nane, apate kutoka na mkoa anahusika. Lakini si kwa mipaka mipaka.

Umasikini: Natumaini tangu tupate uhuru, tulikuwa na matumaini. Hivi sasa kuna watu wengi wamasikini na kuna nchi zingine huko nje wamaskini wanalipwa mshahara. Kwa sababu sasa maskini anaendelea kuachwa namna hii ataendelea kufanya namna gani? Atasomeshaaje, nasikia shilingi iwekwe kwa kila mtu ni lazima, lakini atatoa wapi pesa? Kwa hivyo mshahara wa maskini uwepo kutoka kwa serikali.

Corruption: Chanzo cha corruption, kile mimi naona ni msaada. Kwa sababu wengi wa watu wa Kenya ni maskini wanasikia kuna kitu kinatwa msaada kinakuja hata devil worshipping ilianza na msaada. Kama tutakua na dini itaanza hapa Kenya, bila kutegemea msaada ya nje, sasa hatutapata devil worship ikiingia hapo. Kama tutakuwa na Kampuni ambayo itakuwa hapa mbila kutumia msaada ya nje hatutakuwa na ufisadi ukiingia hapa. Lakini ufisadi umeendelea, kwa sababu wa msaada kutoka nje. Everybody anataka apate. Kwa hivyo liberalization ndiyo dawa ya kumaliza ufisadi ya kila kitu.

Com. Muigai: Uko na dakika yako ya mwisho.

Rev. Peter Mukholo: Mimi na propose medical na education ziwe free. Culture services: mikopo ya kilimo iweko kama vile ilikuweco wakati wa wazungu. Political parties siziwe zaidi ya nne. Ndoa ipangwe kulingana na jamii zinazohusika. Mtu akifa hospitalini arudishwe na gari ya serikali. Kumaliza ukimwi tuwe na mipaka, watu wakiwa wamehusika na ugonjwa makubwa watengwe, wawe na makao mbali mbali na watu raia. Ufadhili wa fedha kutoka nje ziwe tu kwa ajili ya afya, education, agriculture lakini sio kwa dini.

Com. Muigai: Asante sana, sasa umefika mwisho wa wakati wako. Mimi nina swali moja kwako. Umesema liberalization itamaliza ufisadi. Katika pale tunaenda tunaambiwa tuko uhuru haswa kwa ajili ya kuuza mapato ya mashamba inawaletea wakulima mambo makubwa. Sasa wewe ungechangia nini hilo?

Rev. Peter Mukholo: Kuuza shamba yako sio liberalization pekee, nazungumzia liberalization ya masoko.

Com. Muigai: Yeah, hiyo ndiyo nasema itaondoa liberalization ya soko, ndiyo itaondoa ufisadi?

Rev. Peter Mukholo: Ndiyo.

Com. Muigai: Na wengine wametueleza kuwa liberalization ya soko ndiyo ingeweza kutuletea wizi kutoka nje; sukari na kila kitu tunakuza hapa kwa hivyo watu wengi wameona kama hii ndiyo imetuletea taabu nyingi. Na wewe unaonelea the opposite. Unamaoni gani juu ya hayo?

Rev. Peter Mukholo: Hiyo itafanya tuwe stable, haimanishi kuwa itaharibu. Tulikuwa tumeisahau kwa sababu inaendelea kuharibu kukulisha watu wengine. Asante.

Com. Muigai: James Watsa? Kidogo James kabla ya hujaanza. Sasa ni saa nane na dakika ishirini, ningetaka kukatizia muda tunaoupatia watu, kwani tumeshasikia mambo mengi kuhusu mambo mengi na mpe kila mtu dakika tatu, ili aeleze mambo ambaye haijazungumzwa mbeleni, mtakubaliana na hayo? (audience: hapana) Bado kila mtu anataka dakika tano? Na bado kila mtu anataka kurudia mambo yenye imezunguzwa? (audience: hapana) (discussions in the audience) Basi nitakupa dakika zako tano, lakini usirudie rudie mambo yenye yamesemwa; kwani usiporudia hutamaliza kabla ya dakika hizo tano. Endelea. Wewe una dakika tano.

James Watsa: My names are James Watsa. My view is on the way of worshipping. To me I propose freedom of only worshipping one God who is the creator and not any other God.

2. Church and politics under church and politics I could propose that govt could allow churches to encourage in its affairs as a spirit of togetherness.

3, Under executive, the Presidency should be scrapped and replaced by the Prime Minister, who should be open to criticism in parliament.

4, Constituency boundaries. Constituency boundaries should be reclaimed back as it was initially.

5. Political parties, all political parties should be equal, and fair access to the public media.

6. A commission office. We should have a commission office to see to it that human rights are not violated e.g. an Ombudsman office should be present in Kenya in locational level. **End of tape 3B cont... Tape 4.**

7. Gender: Women should be given a chance in decision making and free to rule or hold some offices.

8. Price control: Govt. should control the price of essential goods.

9. Traditional liquour: traditional liquour like busaa and Changaa should be legalized like any other.

10. Corruption: anybody to stand a chance be it presidency should number or state how he or she got wealthy.

11. President: a president should be impeached by the parliament on offences, so that he or she is to be accused if found guilty.

12. Ministries award: Ministers should be awarded ministries according to their professions.

13. System of government: I propose sub-section to rescue racial discrimination as well as structure of leadership.

Com. Swazuri: First you say that we should replace the president with a Prime Minister now you are saying the President

should be impeachable.

James Watsa: I say to replace the President by the Prime Minister, I didn't mean that to remove the President as a title in Kenya; but during parliament time you find that when the President is in parliament you find that may be parliamentary members when they want to make it to clash. (interjection)

Com. Swazuri: Do we have a president and a prime minister or a prime minister alone?

James Watsa: Both of them but during parliamentary time. Asante.

Com. Muigai: Asante sana Jacinta Baraza?

Jacinta Baraza: My names are Jacinta Baraza. (interjection)

Com. Muigai: Jacinta hold the mic in front of your mouth, so that we can hear you. Like this, at an angle.

Jacinta Baraza: I am from Bulimbo Girls. My views are those people who have AIDS should be isolated from the society, so that they can stop the spread AIDS. And secondly, education should be given to primary students because many people think that they are fresh when they come from school now they should be given education to take care of themselves. Then education of the girls should be equal to the education of the boys then job opportunities should be given according to qualifications not according to tribe or race.

Fourth, universities should cater for even poor people because in most analysis, many poor people are the ones who pass and if you come to the society you find that somebody who gets an A, she is still at home; she is not getting her education because there is no money. So education to go to the university should be catered for the poor in the society. That's all.

Com. Muigai: Thank you. Juma Burin. Come and tell us your names

Juma Burin: My names are Juma Burin from St. James Bulimbo in Form 4. I suggest that for the new constitution to guard the spread of AIDS. It should also not forget the people those who are found spreading the disease should be done away with or being imprisoned. Also factories that manufacture the condoms should be abolished because this encourages people to indulge in premarital sex using condoms, because they think they are safe.

Another point, I suggest that for Western province to develop, western authorities should stop overtaxing and delay in paying sugarcane farmers; since most of the farmers depend on their farm, and when not paid in time it does not bring development in

such areas. Also I suggest that the government should stop importing things which it has; for example sugar in Kenya is being imported and we have a lot of it in our country. And this brings down development since it spends much money on importing such things. That's all I have.

Com. Muigai: Thankyou. Matilda Raboya? Nancy?

Nancy Anyango: My names are Anyango Nancy, from St. James Bulimbo Girls. For the expression the new committee that we have, we would like to have from now under the Bill of Rights the freedom of expression. I think the government has neglected the issue as a right to human beings. In as much as an individual tries to bring out this view even though they are right, there are many cases where individual who put expression are murdered with no reason. The corporal punishment also in school should be abolished or if there, the government should limit to a minimum of 2 canes and a maximum of 5 canes. Then if not another form of punishment should be given to students. This is because some teachers come from home when they are annoyed, when they have quarreled at home with their husbands or wives, and in this case through their anger they end up hurting students.

Under the recording of Broadcasting corporation, hapo mahali ya matangazo (inaudible) kila wakati mtukufu rais, mtukufu rais, inaudhi. Ningependa matangazo they should limit and it is only God who should be glorified but not we human beings. (clapping)

Com. Muigai: Thankyou. Pepeta Ajante? What is the other name? Lilian Makokha?

Lilian Makokha: My name is Lilian Makokha from St. James Bulimbo Girls. My suggestions are the govt. should ensure that one who is employed only works for 5 years so that he gives chance to the trained one (inaudible). Boys and girls should be given equal rights and education. Employees should be paid and given good conditions by the employer. This I mean, the bosses should not take chances of misusing young girls and ladies. The govt. should protect its market and only import when a need arises. Thankyou.

Com. Muigai: Thank you. Geoffrey Makau, Peter Makokha?

Peter Makokha: Chairman or Chairperson whoever is in chair, my full names are Peter Makokha Nanjira. I am a retired assistant chief and an agricultural officer. I propose the coming constitution have a federal government. What has brought tribalism in Kenya is this question of unitary government; because in unitary government when a person or a president is in the state house, all the people in the civil service even in the parastatals they all come from one tribe. (interjection)

Com. Muigai: Please speak to the microphone just hold it at an angle.

Peter Makokha: So if we have a federal type of government, whereby we shall have federal assemblies or legislative assemblies, this will stop tribalism because I don't see the reason why a Mr. Langat should be brought from Marakwet to be a DO at Laitum and my son graduated for the last two years and is just sitting at home for the future govt. But if we have federal government, I think those issues of tribalism will not be there. I propose that Kenya should be divided into 6 states. One, the whole of Nyanza province should be a state on itself comprising of Mt. Elgon which is Kitale North up to Isebania in the border. Then Kericho District should also be in Nyanza province in the new state up to Busia. That is a state on itself with a governor, a regional assembly whereby all the traditions like people of Wanga we had Nabongo of Mumia, and I think you are all aware that before Wazungu came here we would reign from Jinja to Naivasha, he was bordering with Kabaka of Uganda and somebody Kinyajui of Kikuyu. But when the Wazungu came it is not his kingdom; they brought their own way of government and we are no longer have our Nabongo today

Com. Muigai: (inaudible) to the mic so that we can record you.

Peter Makokha: So, I propose the second state should be Nairobi area, as I mentioned 6 states, third state should be Central province. Fourth state should be part of Eastern province plus North Eastern state. Coast province, should be a state with 6 governors with 6 regional assemblies; and we should do away with provincial commissioners, because they are doing nothing. If we have states in the regional govts. The local authority should be encouraged to have powers, many things like finance, education, state, commerce and the central government should only be left with very few things to be done or to run. That is central govt., should run only foreign affairs, Central Bank of Kenya, and defence. So the central government should man those things and leave the other things to the federal govt. For example I have to mention tribal things here but forgive me, for example, during Kenyatta's time, when he was a Kikuyu, the whole of state house was nothing but Kikuyu. The whole govt offices was nothing but Kikuyu, when Moi came today, every one is Kalenjin (inaudible: too much echo) and that is why the only thing that can save us is federal government. This unitary govt. is nothing but tribalist.

Second is about this native brews. I think the govt. should legalize native brews especially busaa. This is a brew whereby people of one class could sit down and settle their own problems. Like divorce, marriages, land and what have you. But you find that police come and wreck these wazees when they are enjoying their brews, and start to harass them and when they are taken to court when they reach (inaudible) there, toa kitu kidogo. The government is losing a lot of money if they only legalise chang'aa, by bringing a machine to refine as Uganda does. Wazees, mamas should be taken there raw material to that factory where it will be refined the govt. will get revenue, people will not be harassed and children go to school. So in short, we should have federal government in Kenya.

Com. Muigai: There is a question hold on.

Com. Raiji: Yes, Mr. Makokha, thank you for your contribution. Now you have raised some points which I need clarification, on two issues, one regards the federal govt., I think it is one of the issues we are supposed to examine in this review process. I just want your views as an experienced civil servant. Are you satisfied that the states will have enough resources to maintain themselves, bearing in mind that some of the issues raised this morning are to do with complaints against taxation of local people, by the local authorities. Are you satisfied that there will be enough resources to that is the first question. Now the other thing you mentioned regards to tribalism that you attributed to unitary government; are you suggesting that if there is federalism there is more jobs that are coming by virtue of being in federalism? (inaudible)

Peter Makokha: Thankyou Mr. Chairman your first question was, yes the money we get from donors, who are eating? Few people from Nairobi. Millions of shillings we have 10 millionaires out of 30 million people. That money should go to the state and employ people. Another question? (laughter)

Com. Raiji: About federal states and the local taxation?

Peter Makokha: Yes, that is what I said to remain in federal states, should not go to the central government, for few people to eat and other people are not eating.

Com. Muigai: Thank you very much Mr. Makokha.

Peter Makokha: Thank you very much madam.

Com. Muigai: There is the migration desk there. Charles Cheche?

Charles Cheche: Kwa majina mimi ni Charles Cheche former sub-chief of this area, Matungu Location. Langu ni kuzungumza tu upande wa serikali. Serikali imeleta mgongano wa kuwa mashule nafasi inaamua mwaka ujao hakutakuwa school fees Now hawajakaa na watu wa education, wakubwa wa education, waongee pamoja, maneno hayo iwe pamoja. Shule hiyo haijakuwa na ujenzi na haijakuwa na kitu chochote. Sasa inakuwa vigumu mzazi kusikizana na mwalimu. Mwalimu kuona kama wewe hutajenga hii shule peleka mtoto kwa serikali, na serikali haijajenga hapo shule. So hapo mgongano unatoka kwa upande wa serikali ndiyo inagonganisha wazazi na waalimu.

Neno la pili; registration ya watu wale kama watoto wanataka kupiga kura, kuandikisha watu wakati wakupiga kura. Unapata mtoto anatoka Butere anakuja kuregister hapa. Na kuna watoto wa kutosha wale ambao wako na elimu. Ingekuwa watoto wale ambao wanatakiwa wawe registration clerks hapa ni watoto wa area hiyo. Nitaongezea hapa upande wa education, kwenda kwa interview ya waalimu unapata mtoto anatoka Vihiga anakuja kufanya interview hapa. Na hapa wako watoto wale ambao wanatakiwa waende interview hiyo. Watoto wa hapa watasikia tu interview imekwisha.

Ingingine ni upande wa wakuu wa shule. Wakuu wa shule wanatakiwa waite assistant chief wa area, wakiwa na mikutano kama ya kamati, wapitishie mipango ya ujenzi pamoja, kama wako pamoja. Saa hizi unapata mwalimu anaendelea na wazazi, na upande wa shule area assistant chief or chief hayuko. Ikifika mwaka ujao area hiyo, inapatikana hakuna ujenzi. Shule iko chini, mwalimu anapabana tu upande wa education. Upande wa improvement haiendelei. So hizo

Com. Muigai: Unataka tufanye nini?

Charles Cheche: So hapo, ingetakiwa assistant chief, the area awe kamati pamoja na wazazi. Wapitishie neno moja kwa shule hiyo, ile ambayo matatizo iko. Unapata mwalimu ana ng'eng'ana na wazazi peke yake, vile wanakwenda mpaka kwa province. Wazazi wengine ndiyo wanatoka hapa wanaenda kuandika huko maneno baada ya kumaliza vita, vita vinaenda kwa mkuu wa shule. Hiyo haitakiwi. Inatakikana mkuu wa shule yuko kwa area division or zone, akae na wazazi na waalimu amalize hiyo fitina. Lingine ningepomba serikali upande wa matibabu, kwetu tuwe na clinic na dispensary. Wazazi wanaweza kuwa wanajaribu kujenga dispensary na iwe hapo na serikali inawaleta daktari mmoja hivi; lakini upande wa ujenzi ningepomba serikali isaidiane hapo. Hiyo dispensary ni kitu ya maana, haitakuwa ya mtu mmoja siku hizo. Siku zijazo watoto wakija watapa hiyo dispensary imeendelea.

Upande wa retire, ningezungumza lakini iko kwa number 13 chapter no. 13 iko mtu ambaye ako retired nilikuwa nimalize hapo lakini iko kwa number 13 imezunguzwa. Upande wa area wa ma DO, wajue area sublocation iko wazee, wazee wako wale wanaweza kaa nao kama wazee kumi na wajaadiliane kulingana na mzozo ile ambayo ni ya area. Upande wa sub-district, hawakati hao kukaa kwa meetings zao, hiyo tutasauliana sio yaani tutakuwa pamoja na ile ambayo haitakiwi. Kuna mzozo unaendela hapa hata kuna retired officers wanakaa huko wameona kitu kingine na akiongea huko inatambuliwa; anasema area hiyo iko hivi na hivi. Kwa hivyo wakae pamoja na wamalize mzozo. Sina mengi nitawachia hapo, former sub-chief Makunga sub-location.

Com. Muigai: Asante sana Bw. Chief. Hijra Makokha?

Hijra Makokha: My names are Hijra Makokha. My views I would like the government to distribute equal teachers to schools. For example you get schools like Alliance have many teachers, and you get some schools have only 2 teachers. You find that one teacher has five subjects, or 3 subjects and in other schools you find one teacher having one subject. So we would like the government to distribute equal teachers to the schools. That is what I had.

Com. Muigai: Asante Hijra, Cecelia Soni, Ephraim Cheri

Ephraim Cheri: Kwa majina kamili naitwa Ephraim Cheri Watakho kutoka kijiji cha Nabongo Catholic church Bulimbo,

parokia ya Bulimbo. Ningependa kutoa maoni yangu kama ifuatavyo. Vyama via kisiasa viwe vitatu navigharamiwe na hazina ya serikali kuu.

Muundo wa aina ya serikali. Tuwe na serikali ya ubunge na waziri mkuu achaguliwe na raia kama kule Switzerland Bunge isiwe na uwezo usio na kipimo kwa kuthibiti utalatibu wake. Kwa mfano hivi juzi walijirundikia ndonge nono, na ambapo wakati huu tuna uchumi ambao umezoroteka. Anayepaswa kukata shauri za mishahara na marupu rupe ya bunge awe mwananchi aliyemchagua.

Uwezo wa urais: Rais asiwe na uwezo wa kuvunja bunge, kwa sababu hufanya hivyo wakati mijadala na mambo mazuri yanapojadiliwa; na hapo naona anavuja bunge na hata raia huwa wanaweka maanane kusikia yale wajumbe wao wanaongea. Mamlaka yake, rais asiwe mbunge kwa sababu hawezi kuwakilisha watu wake vizuri, kwa sababu anaakilisha nchi nzima yenye Wakenya milioni thelathini.

Muundo na utaratibu wa uchaguzi: Ningependa tuwe na angalau asilimia 15 ya waakilishi katika mikoa mitatu; kuwezesha usimamizi kupata kura, ama kupita kura hizo, na matumishi nao ya huduma mara tu uchaguzi unapo kamilika.

Haki za kimsingi. Hukumu ya kifo itupiliwe bali, kwa sababu Mwenyezi Mungu tayari ameeleza kifo katika dunia na tena ndiye muamuzi kwa kila jambo; na tena hivi juzi tuna magonjwa mbali mbali kama ukimwi, ambao unaua watu wengi zaidi. Ambako hata yule ambaye ametoa hukumu ya kifo yuko katika mtego huo.

Urithi: Watoto wasichana warithi mali ya wazazi wao iwapo katika nyumba yao mvulana hakuzaliwa. Ni hayo kwa leo. Asanteni.

Com. Muigai: Thankyou. Tabitha Saisi?

Tabitha Saisi: My names are Tabitha Saisi, I represent the women group Matungu Women Group. The Matungu Women Group recommend the following.

The preamble of the new constitution should address all issues of this nation values that should be functioning.

Principles of state policy: 35% women representation in the parliament, local authorities and all leadership and policy officials. The President, the Vice President shall not be of the same gender, especially when a women contests let her have the advantage of being given the seat.

On constitutional supremacy, automatic citizenship to be granted to any child whose father or mother is a Kenyan without any bribery.

Defence and national security, equal opportunity, gender balance and (inaudible) balance should be strictly observed in the employment within the armed forces.

Political parties: they should not aimlessly be accepted. The Kenyans shall (interjection)

Com. Muigai: Please move the mic close to your mouth so that we record .

Tabitha Saisi: Kenya should remain a multi party and should allow 35% elective positions to be reserved for women. It should be fair.

Structure and systems of government. Dismantle all districts and provincial based tribal boundaries and the replace with economic boundaries.

The legislature: Nomination to the local authorities and parliament shall affirm the affirmative action and shall benefit women by a 50% margin. Section 34 C of the constitution of Kenya is discriminative and must be repealed. It has especially left out people with disability eg. the blind.

The executive: The office of the executive will be a constitutional office. The powers of the executive be left to a regional office, to bring power back to the people, to rationalise so that not less than 80% of that is retained. So that 80% of the taxes is retained in the region, to give better services to the majority of the grassroot level.

The judiciary: Legal services to be offered to all citizens who cannot afford legal fees in particular women, children and persons with disability.

Local government: to call affirmative action. That affirmative action must be applied to allow for all to participate at of all levels.

The electoral system and process: affirmative action for people with disability participating in the elections be institutionalized.

Rights; rights as basic rights, freedom of association, and freedom of choice. The girl child is guaranteed education.

Health, strategic action engender all proper that affect women and health; establish community awareness programme on the importance of women health rights.

Com. Muigai: You have one minute now.

Tabitha Saisi: I will go to the girl child education – should continue formal education where it has to be terminated then an action taken. Education or employment and accessible for all. Land property entirely should be addressed to both.

Poverty and women: the constitution of Kenya should make adequate provision to catch on women, youth, children, persons with disability and persons of age, with programmes that promote sustainable poverty alleviation.

Violence against women: Affirmative action in form of sensitisation, mobilization and even development to the areas of right of women, child rights, and a person with disability. Right to career opportunities to the girl child and persons with disability. The women of Matungu note that the career opportunity open to the girl child, and persons with disability and even to start stereotypes like teaching, nursing, secretarial, clerical, metal, jua kali artisanship. Traditional culture that encourages traditional practices like widow inheritance should be outlawed.

Com. Muigai: Now that is the last point or? Is that your last point?

Tabitha Saisi: Lastly, the law of succession to uphold women equal status to men including persons with disability in us all. I might have repeated some of these to the commission especially the point get on colliding for a new constitution to be observed by Kenyans. Thanks so much.

Com. Muigai: Thanks so much, Harun Peter Mubaka, Francis Okemo, John Wesonga?

John Wesonga: My names are John Wesonga, I am a teacher by profession, I am a vice secretary of KNUT this District, and I have the following to say. The government should be able to control the number of mushrooming churches.

2. The traffic police should be replaced with mobile courts, because the government is losing a lot of money in the roads.

3. Basic education in schools should be compulsory. There must be a follow up action.

(interjection)

Com. Muigai: You have 5 minutes but if there are 5 minutes whereby none of the Commissioners understands you, then they will be very bad people.

John Wesonga: Ok, fine, I hope you will compensate time.

Com. Muigai: No I won't. But you still have five minutes but be slow so that we can get you.

John Wesonga: Thankyou. 3. Those basic education from standard one to primary must be made compulsory. I would like that the tension in Nairobi be defused. Those national offices ministry headquarters to be distributed equally throughout the country.

4. Establish an education levy where poor children in the country will benefit from the national kitty.
5. There should be a law protecting men against women violence.
6. The Presidency should be nationally rotated to all tribes because Kenya has got 42 tribes.
7. The constitution should specify the number of ministries, and which ministries they should be.
8. The Preamble: the preamble of the constitution of Kenya should be bear the following.
 1. It should be reflective to the wishes of the governed. It should the action illustrate the mission and vision of the nation, and should be all inclusive. It should reflect the wishes of the people within the republic. And therefore, we say, it is the property of the people in this republic, and the opening statement to the preamble should be 'we the people of the Republic of Kenya, and then following other words continue.

In the constitutional supremacy; I would like to say the constitution should be declared the property of the people of the republic of Kenya and nobody should tamper with it. And the three arms of the government, the judiciary, the executive and legislature should be under the constitution. Any amendment should actually be done by the people in the same process that we are carrying out today; through a commission established by the commission..

Citizenship:the citizenship of the people of the republic of Kenya should be categorized into 3

1. Natural and original inhabitants of this nation.
2. Citizenship by registration.
3. Citizenship by naturalization I would like to say that due to that kind of categories; this country holds that business opportunities in this country should actually be also acquired and managed under the same problems. We are saying that those ones those ones who actually holds the country and do not have any attached citizenship in the country anywhere should not be denied small scale business. We are saying that those ones who have come to this country to register a business of Asian origin particularly should all come and get a mid class business - I mean the small scale business. Dual citizenship should be allowed. It should be allowed in such a way that particular conditions should be set and put in place. If someone wants to come to this country, he should register or should know the reason why you want to be a citizen of this country. Just as it is in America if you have to go, you have to have certain qualifications, and you have some amount of wealth. The same should apply to Kenya. The country should make it easy for people to acquire passports and should be allowed to acquire and look for jobs outside the country.

Political parties. I want to say the country has been torn apart by the political parties that we have. Those ones are only tribal outfits and we would like to have a country with 3 stable political parties; whose confirmed and registered memberships should be 2.5 million people, drawn from all provinces in this country. We would like to make it clear in this constitution that, unless you have registration of 2.5 million people following you, confirmed allowed the country, you shouldn't be allowed to register a political party because it is actually tearing the country across. Even the political party should be funded by the ex-chequer and this should be the strength of the number of people who are registered voters that have registered that political party.

Political parties must account for the money through annual general meetings where they exchange with their members how they spend the money.

Political parties should be audited, and public funds given to political parties be audited thoroughly and discussed in the parliament.

Com. Muigai: Last point Mwalimu. We are going to read that memorandum.

The parliament should have power to head the appointments of all classified jobs in this country. The new justice should rule this country should be able to have moral and should be morally upright. For example it is immoral for a leader who does not have a wife leading several public ministers. We want everybody who has to take up an office in this country must be either married, or have a wife.

Com. Muigai: Thank you very much. We have a question for you.

Com. Raiji: First of all we want to thank you I can see you have taken time to prepare a very detailed memorandum, we shall take note of it.. Now one of your proposals was that we should establish an education levy to fund education for the poor. Now is the problem we have in education, funding is lack of money or is it way the money is allocated. Tied to that we have had complaints including that people are very seriously over taxed. Have you considered we have a lot economy and the people themselves will be able to bear further taxation when you are already paying very large tax of about 180 billion.

John Wesonga: The problem has not been the tax. The problem has been corruption. I want to say that basic above all should be education. We can do away with one area of taxation and establish an education levy than the roads so that whatever you collect as a district will enable the children of that district to benefit. The government should go back to the previous system of supplying materials for learning schools and corruption should be a capital offence. Anybody with a previous record of corruption should be subjected to capital offence Act and the president should not be given **End of Tape 4A**

Tape 4B

Com. Muigai: Cecilia?

Cecilia Kakha: Kwa majina naitwa Cecilia Kakha kutoka Makutano Women Group. Haya ni maoni ya akina mama wa Makutano Women Group. Anayepata kuwa wa mwisho kumiliki ardhi au achangiwe mahali pale. Kuwe na haki kweli na kanuni za kununulia mtu ardhi ikiwa serikali ichukuae ardhi yake. Serikali iwe na uwezo wa kumiliki na umilikaji na ukaaji

anapotumia ardhi. Mwanaume akifariki ndugu zake wasirithi mali yake wamuachie mjane. Serikali ichunguze watu wenye wako na ekari nyingi ya shamba, wagawie watu wenye hawana shamba.

Mtoto yeyote alieyezaiwa na mzazi Mkenya awe raia wa Kenya, na awe mmilikaji wa ardhi. Umilikaji wa ardhi uwe kwa msichana au mvulana. Matibatu yawe ya bure hasa kwa akina mama waja wazito. Mwanamke na mwanamume wawe na uwezo wa kumiliki ardhi kuwa wote katika title deed. Wakenya wawe na haki ya kumiliki ardhi mahali popote nchini bila kizuizi. Katiba ihakikishe haki ya kila Mkenya kumiliki ardhi. Mwanaume akioa mwanamke wa pili, amwachie mwanamke wa kwanza mali yake waliopata wakiwa wawili; aanze kutafuta mali na mwanamke huyo wa pili.

Com. Muigai: Asante sana Cecilia. Festus Baraza.

Festus Baraza: I am Festus Baraza. My suggestion to the commissioners is this. All the elected leaders tenure of office should be stated in the constitution of Kenya; so that we avoid elected leaders who stay in office for a long time which is due to corruption we have stated. All elected leaders are always on contract and therefore, they should not be given pension a golden handshake if at all they have managed the organization successfully. The constitution of the organizations should be peoples driven. For example if you have been elected to a Company Director, then the constitution of that company should be given to the owners to be able to make the constitution.

Provincial Administration: to reduce abnormal expenditure in Kenya, offices of the PC, DC, DO, in the country should be abolished. More services are rendered in the DCs office, unlike the PC and DO offices. The police at the national office should be deployed in the office of the DC, the chief, and the assistant chiefs to beef up the security which is there to build the country.

Commissions of enquiry. For any commission of enquiry, the parliament should be charged with such a responsibility to avoid the many commissions appointed by the president who is there today, and then come to an end without any action.

Also concerning the education, all school age going children; should be compulsory and the government should be able to supply materials to those schools, so that every child is able to know how to read and write.

The President: The President should not be above the law, as it is today in the constitution. This encourages misuse of power in the office. The Presidents budget should be allocated to him by the parliament and if at any time he's found to spend outside their approval, then he should be taken to court for trial in the independent constitutional court; which should be constituted in the new constitutional of Kenya. The president is not supposed to be issued with exclusion (interruption) because they are likely (inaudible)to structures in the country. Currently the president does use harambee in ironical manner. The government is supposed to make a national harambee if it is ?? so that the money it has got can be distributed equally to the whole country.

On the national security, military officers should be trained in various courses, apart from military duties to take up various duties; rather staying in the army barracks for the rest of their working period.

Political parties: political parties in Kenya should be reduced to 3, and they should be required to mobilize people on development matters such as socio-economic development. The government should be able to fund the 3 political parties nationally; so that they have equal in participation in politics. Political parties to this members of parliament and councillors, should not defect to any other party before the expiry period of 5 years.

Legislature: the parliament should be autonomous, to run its affairs without the President interfering; such as dissolution of parliament. The elected member of parliament or a councillor can be called back home through a vote of no confidence: if the member of the people who elected him are not satisfied. A councillor or a MP should not defect to any political party.

The executive: The president should have attained at least form 4 leaver at least with a professional training, so that he can be able to perform well.

Com. Muigai: Last point.

Festus Baraza: The cabinet should be appointed by the head of the government and I propose that there should be a position of a Prime Minister, who will be incharge of the govt.

Com. Muigai: Thankyou. Jorum? Are you the one who wanted to demonstrate your.... Can you wait until you will be the last one? Because after we have watched you we may not want to come back to talking? Or we need a break for two minutes? Ok come. Demonstrate, do it in your own way.

(Demonstration – Acting)

Com. Muigai: Asante sana hiyo ni maoni na nimaoni nimesikia imekuwa ya kutumbuiza kidogo tukapata break. Arua Asisi, James Masinde.

Mururi Masinde: Kwa majina naitwa James Mururi Masinde. Nitaanza maoni yangu. Maoni yangu ya kwanza mfanyi kazi wowote asipatikane amekunya pombe kazini.

Ya pili: ni assistant chief awe akichaguliwa na watu, sio aandikiwe huko mbele, kwani ataandikwa huko mbele na watu anawaojua (not clear). Na akichaguliwa awe akizunguka kama wafanyi kazi wengine wa serikali katika pande zingine tofauti tofauti.

Jambo la tatu: uongo wa polisi ni mwingi sana. Ukiwa na pesa ukienda kwa polisi huwezi ukafungwa, lakini mwenye hana pesa na akiwa na kosa atafungwa. On that line ningependelea noti ya shilingi elfu moja itolewe, kwani huku nyuma kuna wamama wazee na hawawezi kuenda kuvuja hiyo noti. Afadhali warudishe noti ya shilingi tano, shilingi kumi, na shilingi ishirini, kama zamani.

Jambo langu la mwisho ni kwamba elimu shuleni ya secondary schools iwe karo moja iko wngine juu iko wengine chini. Hiyo ndiyo yangu asante.

Com. Muigai: Asante tafadhali jiandikishe Bonaventure Omboche

Bonaventure Makokha: Kwa majina naitwa Bonaventure Makokha Omboche, kama mwaandishi wa Pachia Women Group. Maoni ya hii group ya kwanza, ni kuhusu kiwanda cha sukari cha Mumias. Wamama wameonelea ya kwamba, hiki kiwanda kinakuwa molasses, na hii molasses serikali ingefanya juhudi, ili tuwe na kiwanda ambacho kitatengeneza mvuke wa power lighting.

Jambo la pili, ni kuhusu administration. Hii group inaonelea ya kwamba assistant chiefs, chiefs, wawe wakichaguliwa na raia kama zamani; ili wakifanya kazi, watafanya wakijua ya kwamba, raia ndio amemchagua hawezi kufanya ufiisadi.

Jambo la tatu, ni kuhusu vikundi vya akina mama; serikali iwapeleke masomo, yaani seminars, ili wajue umuhimu wa kulinda watoto, na kulinda nyumba, ili watoto wasiwe wengi chokora. Watotowanakuwa wengi chokora kwa sababu mama hawajui kulinda watoto vizuri. Hapo hapo upande wa akina mama inatakiwa serikali iwapeleke training.

Jambo la nne, ni kuhusu local government. Nataka central government iwe ikisupervise county councils, municipalities, kwa sababu wanakatisha levies za kutengeneza barabara na huwa barabara hazitengenezwi.

Jambo la sita, ni kuhusu mashamba. Kuna mtu ameonelea kwamba mambo ya mashamba; kesi zirudishwe kwa community, kwa sababu communities ndizo zinajua ya kwamba fulani ndiye alikuwa analima hapa mpaka pale. Wakati huu shamba inafanywa kesi na serikali, mpaka imefika wakati ule hajiwezi anany'ang'anywa shamba lake linaenda akiona nahana jambo la kufanya.

Jambo la saba ni bursary. Hii group imeonelea ya kwamba bursary serikali ichague kamati kutoka kwa sub-location; kwa sababu bursary zikitoka huko zinakuamia huko juu; na wale watoto ambao wangesaidiwa na bursary wanakosa elimu. Sababu bursary inaenda kwa matajiri, na yule maskini ambaye hawezi kutoa kitu kidogo ili apewe bursary, mtoto wake anashidwa kuendelea na masomo, kutoka primary mpaka secondary school.

Jambo la nane, nakuja kwa mashamba na hii sasa iko tofauti na ile serikali iangalie kuna watu wengine wanamashamba zaidi ya acre elfu moja, analima upande mwingine upande mwingine ni wanyama wa msitu ambao wanaishi huko. Na huko kwingine watu ambao hawana mashamba wanahangaika. Hawa wenye mashamba makubwa serikali iwe ikikata kidogo inagawiya wale wanaowekwa kama squatters.

Jambo la mwisho; ni upande wa primary schools. Hii group imeonelea ya kwamba, masomo ya zamani yarudi; kwa sababu zamani watoto wa primary kufikia class ya nne walikuwa wanafundishwa wajue location zote ziko district yake, na chiefs wote. Kwa hivyo siku hizi hata ukiuliza mtoto, ya kwamba sub chief wako ni nani hajui. Hayo ndiyo maoni ya Pachia Women Group.

Com. Muigai: Asante sana . Idris Baraza?

Idris Baraza: Kwa majina naitwa Idris Baraza, mimi ni mkaaji wa hapa Matungu. Na haya ndiyo nilikuwa nayo katika huu mchango wa leo. Kuhusu local government, nigeongea juu ya councillors. Ikiwa councillor hatakuwa na utedanji bora katika kazi yake, tunataka sheria iundwe, ili sisi ambayo tunamteua, tuwe na nafasi ingine ya kumuita, aje ili tuongee na yeye; ikiwa hatatujibu vilivyo tupate tena kuruhusiwa na hiyo sheria, tena tuteue councillor ambaye atakuwa na utetaji bora. Pia kuhusu councillor huyo huyo, hii mambo ya remuneration for councillors, tutaonelea ya kwamba kuwe na sheria ambayo itaruhusiwa na mwananchi ndiyo councillor apewe ile viongelesho sisi watu tunamchagua ndiyo tutaweka sahihi kuonyesha ya kwamba councillor wetu na mahali anatututea, inafaa ndio tutamruhusu apate remuneration kwa kazi yake.

Tatu nitaangalia kakika utendaji wa bunge, na huyu tunataka kuona ya kwamba huyu kiongozi ambaye tumemchagua, awe kiongozi mkarimu katika kazi yake. Na hii itatendeka hivi. Tutatumia chombo cha habari ambacho ni radio, mnaijua KBC ama kituo kingine chochote; watuletee sijui kwa kimombo tunasema live, ili tupate kujua mbunge wetu anaongea nini katika ile tumemtuma bungeni.

Jambo lingine ni kuhusu election ya mbunge katika every constituency yenu. Hapa pia tungetaka tupewe nafasi wakati wa uchaguzi, material day, nimeonelea kwamba MP asitoke kituo chake cha nyumbani. Hii itazuia mambo ya ufisadi, ama wizi wa kura katika kile chumba cha kuhesabia kura. Kwa maana hapa nitaongeza zaidi kulinga vile tulivyona wakati uliopita. Wakati tulipomaliza kupiga kura, ikaletwa katika hii hall tumekaa, wakati wa kuhesabu kura, polisi walipata kupataa fursa ya kusikia mzuri wakati waliambiwa kwa kuangusha wananchi kwa njia isiyafaa katika haki zao Na hiyo ilitokana na mjumbe ambaye anataka kugombea kiti hicho, anataka kutumia nguvu, ili apate kura; na hiyo itatolewa ikiwa bunge sheria itabumiwa abaki tu katika ile kituo chake cha nyumbani. Ni hayo tu asante.

Com. Muigai: Asante Bw. Baraza kwa manoni yako. Jared Mavya

Jared Mavya: My names are Jared Mavya, and also what I had has been simplified (inaudible) lakini the most valuable one yenye imenisumbua ni hii about elections. My views are like this: Elections especially in Kenya, if we can put some qualifications for those who are going for MP and even presidential, why can't we also put some qualifications for a voter? I think elections are not properly set, because kulingana na vile naona watu wengine wanapiga kura na hawatakikania hata wapige kura, hawajui kitu wanafanya. So I think that there should be some qualifications for someone to vote. Hiyo, especially those ones who are not voting, waangaliwe vizuri, those ones are the ones wenye wanaleta shida. I see according to me, naona si vizuri sana, na ningeunganisha hiyo na mambo ya tribalism, especially Matungu here the minor tribes suffer. Some people talk about Nabongoism which is just terrible here, and it has made some of us to suffer, because we don't like to be born in smaller families, or smaller tribes. So somebody passed by majority because those people are there, I don't like that system. So I say, there are some qualifications that have to be set, and especially those ones if you don't know what you are doing, then you better remain at home.

I will talk something about basic rights. I know I have a right to be employed in Kenya. And I know I have a right to be promoted. Some of us, may be you are a teacher you have served the country for 20 years as a P1. That is just terrible. We have our union here, and they have been unable to solve that problem. We have people who started working in 1980, but up to now they qualified in colleges as P1s, and upto now they are just P1, while other people are being promoted. We have a right to be promoted. So something about the civil servants, if a teacher can train for 2 years, what about a policeman who is going to handle a gun? A policeman trains for 6 months and is given a gun and he is going to handle people's lives. I don't like that also. And we have also arrived at a culture, and I see some cultures have to be maintained, those ones that favour development; but those ones cannot favour development should be thrown away. For example we have our culture here shikalo some times it brings a lot of problems; especially we have two clans here which (Kiluyhia) we are tired of this people. Sometimes someone is dead, you have nothing, the people left there have nothing, then you carry away the cow. Please I think such a culture should be abolished. Thank you very much.

Com. Muigai: Thankyou. Osman Nyapwaya, Bombwacha Muumbu, Abulzik Musomba, Mohamed Kulumbu.

Mohamed Kulumbu: Asante sana watengenezaji wa katiba yetu ya Kenya kwa kazi ambayo inafanywa humu, na ni kazi ambayo ni lazima iwe ina utaratibu wa kuandika maongozi ambayo itatuongoza hapa nchi yetu. Haswa ni kianza ningeonelea nchi yetu hii kulingana na sarafu, ama pesa zipate chapa moja tu, sio baada ya president anaweka chapa yake, mwingine anakuja anaweka chapa yake. Tunataka chapa moja ambayo president gani anakuja itakuwa ni ile ile chapa.

President: President kama mfanyi kazi, kama wafanyi kazi wengine. Lake ni kuchunguza tu maoni, lakini asiwe na mamlaka ya kusema jambo hili liwe hivi ama hivi, hapana. Yeye ni mfanyi kazi kama wafanyi kazi wengine. Mhura wake ukishafika asiwe ana force lazima hii hivi vile, hapana.

Ministers, ama katika bunge kila ministry itakuwa inafanya budget yake inaleta katika ile ofisi ambayo inatakikana. Halafu ministries zote zitakuja pamoja, zinatengeneza budget inaenda kuchunguzwa kwenye parliament, halafu parliament inapitisha. Sio president tu kuchukua mtu fulani, fulani, anafanya budget. Ministers akiwa ni minister wa local government, asiwe anaingilia mambo ya ministry of agriculture. Ministers wasiingiliane katika kazi zao.

Wanawake: wanawake ni lazima wapate heshima ya kwanza, kwa maana huyu ana heshima kama mimi Muislam mama anaheshima kushinda baba. Kwa hivyo wamama wapewe heshima, wapate kila jambo ambalo mwanaume anaweza akapata.

Schools: Ningeonelea kwamba schools za wasichana zifunzwe na wanawake. School za wavulana ziwe zinafunzwa na wanaume, kwa maana hawa wamama wanajua malezi ya wasichana, mimi mwanaume siwezi jua malezi ya mtoto msichana. Na mwanamume atajua malezi ya mtoto mvulana, kulingana hao ni wavulana kwa maana kuna siri zingine ambazo mwanamume huwezi ukazitekeleza kwa mwanamke. Schools zikifika kama secondaries, ningeonelea serikali yetu iwe inatenga schools za wanawake, na schools za watoto wavulana; kwa maana hao wanapochanganya pamoja wanaleta mfulugano ambao unakuja kuharibu mambo ya watoto. Katiba inasema hata itawatenga na mambo matatu. Tuna hii katiba ambayo sisi tunaizungumzia hapa, naona unangalia time na mimi namalizia, tuna katiba ya dini katika za dini, tuna dini hapa ambayo ni Christianity, halafu Muslims hao wana katiba zao kulingana na mipango yao. Ni lazima tuangalie katiba ya Kiislam inazungumza nini kulingana na masharti ya Muislam. Na wapewe fursa ya kuendeleza hiyo katiba yao, katika kitabu chao kitukufu ambacho ni Koran. Pia Mkristo awe hivyo hivyo.

Sponsors in the schools hapa tunamchanganyiko wa Wakristo na Waislam, sasa vile tuna uhuru wa kuabundu isiwe ina lazimishwa mtoto Mkristo mpaka afanye mambo ya Kiislam, na mtoto Muislam awe anafanya mambo ya Kikristo. Tuwe free katika mahubiri, na katika ndini zetu. Sina mambo mengi, ni hayo machache ambayo ningeweza kuzungumza hapa.

Nikimaliza sorry, hospitals, namalizia ingefaa serikali itenge hospital wards za wakina mama na wards za wababa. Kama vile mzungumzaji alizungumza kwamba sisi Waislam si halali sana mwanamke kuona uchi ya mwanaume. Na mwanaume si halali sana kuona uchi wa mwanamke. Hapa ikiwa wards zimetengwa hapa, itakuwa wanaume watahughulikia wanaume, na wanawake wanashughulikia wanawake.

Nikimalizia courts, (interjection)

Com. Muigai: Zimeshakuwa dakika mbili juu ya wakati nilikuwa nimeshakupa. Malizia sasa.

Asante. Courts: sisi hasa courts kuna watu ambao hawajiwezi, wanafungwa kulingana hawajui vile wanaulizwa kulingana na sheria. Serikali ingetenga mtu ambaye anaweza kumzungumzia huyu mtu kwa maana anafungwa tu bure, kwa maana anaona

hapo judge, crown, anaona polisi hapo, anaona nini, sasa anashidwa kuzungumza. Na malizia naenda zangu na hao watu wa chemicals (interjection)

Com. Muigai: Sasa mzee tunang'eng'ana, tafadhali jiandikishe na kwa hivyo asante. Ali Atemba.

Ali Atemba: Member of commission which has (inaudible) ladies and gentlemen and the public, hamjambo? One, Majina ni Ali Atemba, I am a civil servant, and I have a few issues to put here. One, there has been this outcry from politicians that religious leaders should not be involved in politics. I think the politicians should come out very clearly and specify, as to what is the role of religion as far as we are concerned in this country. Because you will find every Sunday, every Friday, the religious leaders are playing a very major role in leading the people, guiding the people on how they should live. Therefore, politicians should not **End of Tape 4.**

Tape 5

Cont.....from 4B Therefore the politicians should not come out complaining when religious people are pointing out peoples in the eye. I would mention here about that it will be in order if religion became the fourth arm of the government. I think it will play a very major part in the community. (interjection: inaudible)

Two, the executive should not be above the law, because the laws we are making here are supposed to cover everybody; and if you are going to say the executive is above, then that will be the start of all the problems we are creating. And we shall not be able to solve them. So I feel that the president should not be above the law, and incase of anything or incase of failure to deliver individual should be (inaudible) to the president.

The other thing is about the civil service. I would like to recommend that the permanent secretaries being a career civil servants, professional should be the ones incharge of ministries and members who are there as politicians should only remain in parliament. Being a permanent secretary should be responsible or answerable to the chief secretary of the government and the civil service. And if there is any issue the politicians want to know, then they should address themselves to the president and the chief secretary.

The other thing is, Kenya should be a country with only 3 parties, which will be funded by the ex-chequer not having Ford Kenya being among the Luhyas, you find DP is being with the other tribe, you find that currently they are based on tribal lines; and I feel the number should be limited. The other thing is, incase of an MP quits his party, or an MP moves from his party such should face the elector. They should go back to their constituencies and immediately elections should carry out because some parties are going to have weaker MPs, inferior ministers using the public money, and when they go to the parliament you find he is affiliated to another party. So you find that if an MP is elected, and then defects to another party the ultimate thing

here is that the one who sent him is going to call him each MP should go back to his constituency and elections carried out for a new MP to be elected in that area.

There should be minimum academic qualification for the future presidents and parliamentarians. Being a member of parliament, being incharge of over 200,000 people is a very big assignment, and you don't just behave like a kid and you manage our affairs. At least minimum qualification should be a graduate of a university, should worth to campaign for any elective post, that is parliamentarian and also being the president of this country.

Then the other thing is that every parliamentarian should have an office, where any sitting MP, should be accessible to his people. We don't a situation whereby MPs go to stay in Nairobi, or if you want to see the M.P. you have to use proxies, you have paid somebody to direct you, you have pay him to Nairobi for him to direct you to your MP. This constituency office should be funded by the ex-chequer.

The other thing, the powers of an MP should be limited, technical inflation what have you, as you move on from year as per day I can recommend that the MP should not earn a figure exceeding 300,000/=. Because I still believe that Members of parliament they will be required to travel abroad if it is possible to end the (not audible) of his people then he should be using some of this money to represent a and then to parliament.

Com. Muigai: The last two points?

Ali Atemba: There should be an age limit towards elective posts, councillors, president and MPs. Anybody above 70 years should not represent any part in this country, or you will find old company, old people forming organizations they want young leaders. But here there is case whereby you will find somebody even his age does not allow him to work. I wonder what type of leadership. I think a politician is (inaudible) he is incapable but he is still going to ran as an MP, do you think such a person will serve? Therefore, I recommend that in future, MPs or presidents should be not more than 70 years.

Com. Muigai: Last short point?

Ali Atemba: The last one I think (interjection)

Com. Muigai: You can find one?

Ali Atemba: I think I have one..... A president should be entitled to annual leave, and when he is away, his vice president should be able to act as a president. We want to develop our future leaders. In any organization, and I think I will take a big organization you find that whenever the chairman, an officer is away, his immediate deputy is the one who is acting, so that in

future when somebody passes away and happens not to be in the office an office can continue. And lastly madam, if you can allow because people are talking about AIDS, and they are giving a recommendation towards it and it is a very crucial issue.

Com. Muigai: What is that?

Ali Atemba: What I would like to say about AIDS is that doctors should be allowed to declare the death of any person including the cause of AIDS. If a patient dies of operation, it should be declared on his certificate. The problem we have as per now is that doctors are not allowed by law to disclose the death of any person and if the cause has not been said maybe malaria, typhoid or whatever, and then at the end of the day I end up infecting so many other people. So, I recommend this few points to the present commission, that in future, it should be written on the certificate then immediate cause of death should be made possible. Thank you very much.

Com. Muigai: Thank you very much. Moses Wafula?

Moses Wafula: My names are Moses Wafula, and I wouldn't say much as has been said so I will just say a few. My points are one, that all Makangas should be chased away from all bus stations. Bus conductors and matatuts, matatu owners should honour their passengers. The mobile phones are so important or having a phone is so important in a country so their prices should be lowered to enable poor Kenyans to at least have one to everybody.

All public roads should be tarmacked by the government. We need clean tap water in every home, and this should be an effort made by the government. All oppressive laws eg the colonial laws, chiefs had laws which were enacted during the colonial laws, should be done away with. Land should be owned individually. Land transfer and succession should be simple in a way that it should not be expensive. The surveying fee for land as for now is very high. Money if there will be any in future as a result of parents paying school fees, should only be left in the hands of the parents in schools, to one person as local leader to represent the government to uplift general development of schools, and not teachers. This is so because teachers have taken that chance to misuse money, and their positions should be only to uplift education in schools.

National security: the discipline forces or security forces should be established by the constitution so as to make it simple towards each ones occupation. The Kenya Army Commander should be made the Commander of the Armed Forces, and not the President. The executive should not have exclusive powers to declare war, but more powers should be given to the legislature, and this will make the cabinet aware, and make sure they do what is reasonable enough. Extraordinary powers also in emergency situations such as war, national disasters, breakdown of public order, should not be used, but the extraordinary powers should be used only in war with the outside countries.

People with disabilities. These people have to be built for special schools to provide them with education. The engineers or those people who construct houses or buildings should at least give accommodation to this people; because at one time you find

any person with knowledge, it is hard to get to the upper room of a given building. They should have their parliamentary representative who will make sure they are recognized, and this should be a lame person also or a person with disability. The minority has to be represented in parliament for more recognition also. That they have also to be considered when issuing national resources and this enable them to be exposed and being sound-minded.

Our government should ensure that the HIV victims especially in our country medicine is accessible to all, and given medical care, or else we hear by now there is no medicine to cure HIV. But to make them to at least stay a longer period, so the govt. must make sure that it gives the HIV victims medical care.

Com. Muigai: Thank you very much, your time is up. Please register yourself. I would like to ask again whether we could have points that have not been spoken, and I have more than 20 speakers it has been a long day, so please if you have points that have been said, usirudie rudie zile zimesemwa, kuja na maoni yako tueleze zenye hatujagusiwa; halafu hizi zingine tuweke kado za kusoma. Tumeelewana? Tafadhali usije hapa dakika tano na kurudia zenye zimesemwa na wenzako. Ernest Maloba?

Ernest Maloba: Mimi ni Ernest Maloba. Ningependa serikali iwe na majimbo na kila jimbo liwe na rais. Kwa sababu tangu tupate uhuru sehemu nyingi hazijastawi kabisa. Vile vile serikali iundwe ya waziri mkuu, ambaye atachaguliwa na mwananchi. Uchaguzi huu uwe wa maoni kwa kuepusha wagombea uchaguzi kununua kura.

Usalama: ningependa polisi wafuatiliwe na wakubwa wao, ili ufidia usiwe wa hali ya juu kama sasa. Serikali iwe ikilipa kitu kidogo, kwa vijana wanaofanya kazi kwa kujitolea.

Mahakama: Hakimu wawe wakihamishwa baada ya mwaka mmoja ili waepuswe kukula rushwa zaidi.

Elimu: waalimu wakuu wa shule wasiwe kama signatories kwa accounts za shule kwa sababu serikali haipeleki kule mswaada wowote wa kifedha, na wale waliochaguliwa na wanakamati wawe signatories. Na KNUT ishughulikie tu waalimu wa chama yao. Kama mwalimu amepatikana amekula pesa wa shule wasimutetee. Elimu ya watoto wa std one hadi std.8 iwe ya lazima na iwe ya bure.

Mashamba: tuwe na kamati maalum katika mahakama zetu, ili wawe wakitoa title deeds na transfers. Na hawa wawe wakichaguliwa katika kila sehemu na wananchi. Pili mawakili wasiruhusiswe kwa kesi za mashamba. Ni hayo tu asante.

Com. Muigai: Asante kwa kuwa very very brief. Abubakar Waitiko, Bernard Mutiba, Idd Kwangoto?

Idd Kwangoto: Kwa majina ni Idd Kwangoto, ninawakilisha kikundi cha Furahisha Youth group. Ninaanza. Ukuu wa

katiba; bunge isiendelee kuwa na utaratibu wa kubadilisha sehemu yeyote kwa katiba, kwa asilimia sitini na tano kwa kura zote. Bunge liwe na uwezo wa kubadilisha sehemu yoyote kwa kiwango cha asilimia thamanini kwa kujumuisha vyama vyote vya upinzani.

Ya tatu, na hayo maneno yasiwe maneno muhimu ya katiba, iwe kama mjadala bungeni, na kama ni katiba wananchi wapige kura kwa maoni ya kubadilisha.

La nne, mikutano ya maoni yaongozwe na kamati maalum, na hiyo kamati ichunguzwe kwa kila mkoa. Nafikiri nilikuwa na (inaudible) lakini sitazungumzia kwa sababu wengine wameweza kulizungumzia nitaenda mbele kwa lingine.

Vyama vya kisiasa katika huu mfumo wa vyama vingi kuwe na idadi maalum ya vyama serikali isajiliwe kwa sababu vyama, vingi hukosa mwelekeo, na vingine ni vya kujitakia ukuu, ukabila na kuendelea kunyanyasa wananchi. Kwa hivyo vyama visajiliwe vinne pekee kulingana na uwezo na viti vyao vya ubunge.

Bunge: kazi ya bunge irekebishwe na iwe siku mbili kwa wiki, na mishahara yao ipunguzwe. Umri wa wapiga kura na wagombea viti vya ubunge na urais ibadilishwe. Wapiga kura wawe kuanzia miaka ishirini na tano kuenda mbele, kwa sababu ya kiti changa kwa watoto wa miaka kumi na minane. Wagombea viti vya ubunge wawe kati ya miaka 35 –55. Wagombea viti vya urais wawe na umri wa miaka arobaine hadi umri wa miaka sitini. Diwani awe kati ya miaka 35 – 50.

Com. Muigai: La mwisho?

Sasa nina enda kwa elimu. Elimu ndiyo ufunguo wa maisha, na watu wengi hukosa masomo kwa ajili ya karo. Tungependa masomo yawe ya bure, hata secondary angalau wananchi waweze kueleleka kimasomo. Mufumo wa elimu urudi kama zamani ulivyokuwa, shule ya msingi miaka saba, secondary miaka sita, na chuo kikuu. Kwa hivyo tungependa kutoa maoni yetu ya kwamba karo iwe tu kuanzia kwa chuo kikuu. Afadhali hata tukiwa na cost sharing kwa secondary, lakini iwe malipo ya chini kabisa, kila mtu aelemike. Usawa wa elimu uweko kwa vijana na wasichana bila kujali aina gani ya watoto.

Com. Muigai: Hiyo ilikuwa yako ya mwisho asante sana. Ilikuwa point ya mwisho. Moses Baraza, Moses Wanjala, Phillip Munyedo, Josphat Baraza, Benjamin Karejo, Henry Thimba, Propat Wakilwa, Chistopher Mwanza, Omari wa Rutiru, Topista Nyongesa.

Topista Nyongesa: My names are Topista Nyongesa, I am from Bulimbo Girls, my views are as follows. The president should visit all schools including provincial schools and district schools e.g. you get the president concentrating only on national schools that are in Rift Valley only. Whereby you get the president visiting only national schools that are developed, and leaving the schools that are not developed to suffer. This makes the students from national schools, provincial school and district

schools different. Every province should have a university to reduce the cost of travelling to far countries so that you can get so that anyone can join the university.

The govt. should provide basic needs for street children by giving them food, cloth and shelter. If possible they should be taught jua kali jobs e.g. welding so that to reduce them in upcountry which may be caused by lack of finances, facilities. This is where the street children should have licenses paid on and then they concentrate on snatching people there purses, whereby they will start slowly by slowly and end up becoming gangsters. Whereby they attack people, travellers and bankers and they steal our money. Thankyou.

Com. Muigai: Thankyou Topista, Caroline Nyasila, Yusuf Okumu, John Juma Karibu.

John Juma: My name is John Juma Masai.

Com. Muigai: Tafadhali zungumzia hicho chombo chenye machine ndiyo tukusikie, hata ukileta hapa mbele hivi, endelea sasa.

John Juma: Yangu namna hii.

Com. Muigai: Anza na jina lako tena.

John Juma: John Juma Masai. Nina maneno matatu kwanza ni communication. Communication (inaudible) our stocks to be protected. My story is just short cut. How can you communicate.... Security is very important.

Com. Muigai: Umemaliza mzee? Umebakiza dakika moja.

John Juma: Bado dakika moja tu.

Com. Muigai: La pili?

John Juma: La pili, with government – taking over, handing over how do you know that Uhuru has a gift you cannot prove that Uhuru can do.

Com. Muigai: Asante sana. Jiandikishe pale Juma. Leo Odanga Kweu.

Odanga Leo: Thank you very much. My names are Leo Odanga Kweu, and I have this contributions. One, well I don't know whether this contribution has been said, it is about the MP and the terms in parliament. I would suggest they be given a

maximum of two terms in parliament. All positions they are to be elected. Second is that I want the air waves liberalized. This I mean that other stations also be given the opportunity to reach out all Kenyans, to be able to give equal coverage to all aspects of our national affairs. You realize what we are getting now is too inadequate for KBC, too inadequate and it's a propaganda sort of.

My last point is that about policemen. Now policemen, I think the first confession before they are trained somebody is accepted to be trained as a policeman he should be qualified in all other terms probably by (inaudible) saying B- and above. This is to enable them to elect highly technically orchestrated crimes. I will give an example here. For instance in Nairobi, you find an University student in Nairobi who are not employed, they come together and they form a cartel to go around committing crimes, say theft. This cannot be followed up and vetted by a policeman who is a standard 8 graduate, or something you see. That is the point thank you very much.

Com. Muigai: Thankyou Leo, Lemba of box 556, Mary Malanda? Anza kwa majina yako tafadhali Mary.

Mary Malanda: Kwa majina ni Mary Malanda nakunja kuchangia kikundi ya St. Lukes Kilimo Group. Sisi kama wanachama wa St. Lukes Kilimo Group tunaanza hivi. Watoto shuleni: watoto shuleni inaonelewa ya kwamba lazima wachapwe viboko kwa sababu wakati huu watoto wanakaa na kichwa ngumu hawajali walimu, hawajali wakubwa. Sasa tunaonelea wachapwe kiboko wapate laini, kwa sababu waalimu ndiyo wanakaa na watoto muda mrefu. Sisi tunaweza kukaa na watoto kwa miezi miwili kwa mwaka. Sasa vile wanaona (interjection)

Com. Muigai: Weka mic yako karibu na wewe Mary, tafadhali ni vile unavyoishika. Hebu niangalie. Shika ikiwa karibu na mdomo wako.

Mary Malanda: Wachapwe viboko, watoke huko kama wananchi wazuri. Ya pili ikiwa bwana ana bibi wawili, inatakikana apatie bibi mdogo ridhaa. Kwa sababu akifariki watoto wa mama mkubwa huwa wanasumbua wamama mdogo, wasipewe ridha yoyote.

Ya tatu sehemu ya miwa, kahawa na majani, wazee wa area hizo wawe wakiandikisha account yao na akina mama; kwa sababu hao watu akina mama wanafanya kazi wakipata hiyo miwa, wazee wanapotea wanakula hizo pesa zote na wanawacha mama hivyo. Sasa inawabidi akina wazee wajiandikishe wote na akina mama. Asante.

Com. Muigai: Asante mama Mary, Mohamed Mulama.

Mohamed Mulama: Kwa majina ni Mohammed Mulama Salasya. Mimi nina matatu, ya kwanza administrative leaders, assistant chief, chief, plus DO. Any assistant chief, or DO who have ruled his or her daughter, not be allowed take the same

post family wise to reduce flow of the same, same quality leadership.

Secondly, farmers should be given at least (inaudible) national wide instead of this money used on repair season workers.

Last roads. Any pedestrian must be respected on the road including even touts, makangas and so on; whereby you find cars kill and that poor old man is forced to repair the car of the person who giving responsibility of money. So any pedestrian must be respected. Thankyou.

Com. Muigai: Ayub Abuti atafuatiwa na Jackson Atete, na Mathew Kuyu.

Suleman Wabuti Were: Mimi ni Suleiman Wabuti Were, coordinator wa mazingira. Nitaongea kwa mazingira na pili mambo ya shule.

Kwanza, maoni yangu ya mazingira ni kwamba, mazingira yawe ikilindwa na watu wa sehemu hiyo, ambapo mazingira inatoka watu hao waruhusiwe kuangalia kwa kila jambo, na kushughulikia mambo yote ya mazingira ya sehemu hiyo.

Pili ni kwamba, mazingira hayo hayo serikaili iwe kudhamini kwa hayo, na iwe ikipangilia mara kwa mara kuangalia mitindo yao na jinsi wanavyofanya kazi yao. Mazingira hayo yawe haya maji, chemichemi, misitu na vingine vinavyofanana na hivyo. Iwe ya kusimamiwa na watu wa sehemu hiyo, kwa maana hapa hatuwezi. Pili ni haya, nimeonelea tuwe na uazi katika sehemu zote za mazingira na mali ya asili.

Shule, katika shule ningeonelea kwamba, wasimamizi wote wa shule ambao wamechaguliwa kuwa chairman, na hawa wengine wafuatao, wawe wakipata training kwanza kabla hawajaanza kazi zao. Pili watu hawa wakipoteza pesa zote za shule ambazo wanachama na wananchi wameleta, washtakiwe wany'ang'anywe mali yao, na wasirudi katika shule zote katika sehemu hiyo. Ni hayo tu niliwa nayo.

Com. Muigai: Asante Jackson Katete.

Jackson Katete: Mimi kwanza, majina naitwa Jackson Katete, nitaanza kwa kuwapongeza kwa ajili ya kuja kuchukua maoni yetu. Na maoni yangu ni kama ifutavyo. Kuwekwe mahakama, pesa zisichelewechwe bila sababu maalumu; bado mkopo ipitishwe haraka iwezekanavyo kuzuia kupoteza wakati mahakamani. Hukumu ya kifo ipunguzwe hadi kifungo cha maisha gerezani. Wizara ya afya ihakikishe kuwa kuna wauguzi wa hali ya juu mahospitalini. Kuhusu ukimwi, biashara za kimapenzi na mavazi yasio faa zipigwe marufuku kuzuia uenanji.

Kila kituo cha polisi kiwe na gari, kuwezesha polisi kufika mahali kwenye mikasa haraka iwezekanavyo. Wizara ifunguliwe

kushughulikia mambo kuhusu dini. Uchaguzi mkuu ufanywe chini ya katiba mpya. Maofficer wa kudhibitisha ubora wa bidhaa, wafanye uchunguzi kila wakati, ili kuzuia kupatikana kwa bidhaa ambazo zimepita muda wake wa matumizi umeisha. Bidhaa duni siziregeshwe hapa nchini. Serikali ihakikishe kwamba kila officer, wa umma amehitimu kwa wadhifa ambao anaushikilia. Kiongozi yeyote ajue kwamba ni Mungu ambaye anaongoza kupitia kwa wanadamu, ili kiburi kisije kikampanda. Ni hayo tu asanteni kwa kunipa fursa ya kutoa maoni yangu.

Com. Muigai: Asante sana Katete Mathew Kweu na atafuatwa, na Suleman Wabuti na Noor Marenje

Mathayo: Kwa majina naitwa Mathayo Kweyu. Nina machache ya kusema. Kwanza assistant chiefs, na chiefs kwa sababu hao ndiyo viongozi wa area, wachaguliwe na wananchi kwa sababu wananchi hao ndiyo wanajua mienendo ya hao watu

Ukimwi: Officers wa serikali na wa kampuni ndiyo wanaeneza ukimwi, kwa sababu wanawandanganya watoto wasichana kwamba watawapa kazi, na wanawatumia na wanawatupa. Kwa hivyo hiyo sheria ichunguzwe iwekwe mtu yeyote akiwa kwa serikali, ama mkuu wa kampuni, akipatikana akindanganya mtoto msichana, afungwe hadi miaka ishirini.

Wanafunzi kuchaguliwa katika chuo kikuu: Mwanafunzi akitaka kuchaguliwa kwenye chuo kikuu, waangalie recordi yake from form 1 – 4. Kwa sababu kuna watoto wengine huwa wanafika form 4, na wanaibiwa mitihani na wanapita na huko walikuwa wajinga, na wanawacha mtoto mwerevu angeenda asaidie wananchi.

Parallel degrees: Mtu unaweza pata mtu, amepata C+ na anaenda anachukua certificate, mtoto wa mwenyewe anaachwa mahali amepata B- ama B+; na anasema points zake hazitoshi kuenda kufanya medicine. Inatakikana wachunguze huyo mwanafunzi kuanzia form one vile alikuwa akifanya masomo ya science, halafu apewe hiyo kazi afanye.

Ya mwisho korti zetu zinachelewesha kesi sana, kwa sababu majudges wanakaa sana wanachelewesha kesi kwa kutafuta hongo. Hizi kesi zipewe muda fulani, sheria itengwe kesi fulani iwe na muda fulani. Na mwisho serikali iwe ya majimbo na tuwe na waziri mkuu ambaye atakuwa akiunganisha hawa watu wote kutoka mikoani. Asante.

Com. Muigai: Asante sana. Noor Marenje Noor ni wewe?

Noor Marenje: Hamjambo nyote. Kwa majina naitwa Noor Marenje nawakilisha mskiti wa Narumungu. Niko na maoni yangu machache. Kwanza nitazungumzia juu ya Khadi mkuu. Kama kielelezo cha Waislamu, tumeonelea ya kwamba, Judge mkuu achaguliwe na Waislamu, serikali iwe pia na wakilishi wachache.

La pili: awe mtu ambaye amelimika, na hii elimu ya kawaida, na pia elimu ya juu kulingana na Koran tukufu. Mbali na kuelimika na kesi za urithi n.k., ofisi ya Khadhi Mkuu pia ishughulike na mambo kama ugomvi kati ya Waislamu, ugomvi kati

ya vikundi vya Kiislamu, na hata vitu kama mashule ya Kiislamu n.k.

Pia tuwe na korti ya appeal, chini ya korti ya Khadi, na hizi korti ziwe katika kila district.

Ya sita, mavasi ya dini yaheshimiwe, kwa sababu itakuwa kitu ya aibu kuvaa kanzu na umekaa katika bar. Mahubiri hii ya nje pia yapunguzwe, watu watumie majengo yao ya maombi, kwa kumuabundu Mwenyezi Mungu. Na maombi yawe kama vile imeandikwa katika kitabu kitukufu cha Mwenyezi Mungu. Pia ningependelea familia iwe na dini moja tusije tukawa katika familia moja kuna Muislamu hapo kuna Mkriso hapo, hiyo huleta mfurugano wataki wanahubiri n.k.

Pia dini zote ziheshimiane ziheshimu maoni ya dini zingine. Kwa upande wa kitambulisho kila mwanakenya ambaye amefikisha miaka kumi na nane na zaidi, apatiwe kitambulisho bila kuchunguza huyu niwa dini gani.

La kumi na mbili, watoto Wakiislamu ambao wanasoma katika shule ambazo zinasimamiwa na madhebu mengine, wafundishwe Islamic Religious Education, wasilazimishwe kusoma Christian Religious Education. Asanteni

Com. Muigai: Asante sana End of Tape 5A Cont. B. Benedict Katete?

Benedict Katete: Majina yangu ni Benedict Katete, na haya ni maoni ya kibinafsi Kitu ya kwanza ningependekeza kwamba rais asiwe anapewa mamlaka ya kuwasamehe wakubwa, kwa kuwa hii inasaidia sana mtu kukaa ndani muda mfupi kabla hajaandikishwa, mtega anatoka nje amemaliza kifungu kilichowekwa na korti kuu. Na tena marekebisho ndani ya hizo cell mtu aendelee kufanya kile alikuwa akifanya kama ni mchezaji aendelee kufanya mambo ya michezo, kama ni mimbaji aendele na kazi ya uimbaji asije akanyimwa. Tena kama ni chakula apewe chakula anachopenda yeye mwenyewe, si kulazimishwa chakula ambacho hapendi.

Kuhusu uhuru wa kuabudu, ni lazima serikali ichunguze na isimamie maneno ya kuabudu. Kwa kuwa tumejiunga na tumekuwa na shida kabisa kwa kuwa madhehebu mingi yamejitokeza ambayo hayaeleweki. Ningesema kwamba serikali iandikishe madhehebu yote ambayo inajulikana mienendo yao na malengo. Yale ambayo haijulikani yapigwe marufuku. Kwa kuwa kuna wale wanaabundu shetani, kuna wengine ambao wanasema muuze vitu zote wanaweka akiba mbinguni. Na kuna wengine ambao hata wanapinga mtu asiende hospitali kwa matibabu.

Kwa upande wa mashamba ni ngependa kusema ya kwamba, mtu yeyote ana ekari zaidi ya mia tano, hiyo shamba ipunguzwe na agawie masquatters. Kwa kuwa kuna watu hapa Kenya ambao wanakula wengine hawana kazi na hawana mashamba. Na mashamba ambayo inakaa tu, ambayo haifainyi kazi yeyote, ni lazima yapeanwe kwa wale watu ambao wako tayari kufanya kazi hapo, walete chakula kila mmoja afurahie. Kama haiwezekani hivyo, awe akilipia ushuru serikalini, kwa kila acre ambayo anayo. Kama asilimia ishirini ya bei ya saa hii ya shamba.

Upande wa matibabu: ni lazima kila Mkenya kuanzia siku mmoja, hadi miaka kumi na nane, apewe matibabu ya bure na serikali. Hii itasaidia sana magonjwa ambayo huua watu kwa ghafula kukabiliwa. Na yule ana miaka kumi na nane kuenda juu, lazima ahusishwe kwa kugawana gharama hospitalini. Halafu huyo amekuwa mzee tena wa miaka sabini kuenda juu, apewe matibabu ya bure, kwa kuwa hajimudu pengine kutafuta pesa kwa matibabu.

Security forces: kila askari, ama yeyote ambaye anaenda kushika mtu kwa boma lake; lazima abembe vitu viwili mikononi mwake, huku akiwa na arrest warrant, ama search warrant kutoka kortini; na lazima awe na lazima awe na administrator yeyote.

Kama ni viguruu, assistant chief na chief. Hii itasaida sana kumaliza uhasama kati ya hawa watu wanajifanya ni askari, kumbe sio asikari.

Tukirudia upande wa elimu, lazima tuwe na elimu ya msingi ya bure, kwa kila Mkenya ni ya lazima. Mtu yeyote akipeleka mtoto shuleni, yeye aende aletee serikali shida kila kumpzika. Hii itasaidia sana kutojua kusoma na kuandika Kenya yetu. Na tuwe na vyama vitatu vya kisiasa, ambavyo yote itakuwa ikitoa usaidizi kwa serikali, kuliko kuwa na vyama mia moja, ambazo zote ni kufuruga amani iliyoko nchini. Na viguruu, assistant chief, na chiefs, wote wawe wakichaguliwa na raia; na qualification ya kwanza ya hawa watu lazima awe anapenda kilimo. Hii itasaidia sana kupunguza umaskini kati yetu na chakula tutakuwa nacho kingi, ambacho kingine tutapeleka kuuza nchi za ngambo. Na kuwe na mavasi rasmi ya Wakenya, popote tulioyoko kama heshima mbele ya mataifa mengine Asanteni sana.

Com. Muigai: Mohammed Shiugu? You have represented ok. Fredrick Omolo? Patrick Atemba? Njoo

Atemba: My names are Patrick Atemba, and I am not representing any group. I will talk about marriage. It should become a law, or rather I am suggesting that before any ceremony is conducted, before anybody marries, he should have a certificate from the hospital certifying such a person is free from the world scourge which is AIDS.

Another issue I will comment on is education. This idea of gender should not be, if there is any chance when it comes to academics, you find that one has taken a degree course but he or she, maybe she is a lady, they should give the support inspiration. Maybe you find that they lady has a C+ in certain subject, because C is the grade.

Another thing I have to comment is, I will comment about our MPs. Our MPs contribute the and unequal distribution of resources in the country, whereby you find they are working less, they are contributing nothing in the parliament; yet they are the most highly paid people; as if those are the most high professionals we have in the country. That's all.

Com. Muigai: Thank you. Lucy Ouma? Lucy you can walk faster.

Lucy: My names are Ouma Lucy, from Bulimbo. My views are, our counry should not be used by developed countires as disposal for waste whereby the region of North Eastern area. Some places are being used as disposal areas and visitors (inaudible)

Second, the salaries of MPs should be reduced, and the teachers salary increased, because when you look at the teachers, the MPs do less than the working teachers in our lives.

Third, the govt. should only insist on science subjects in our country, so that we open up industrialization, so that you see that the key subjects will be industrialization on science subjects.

Four; the govt. shoud not over tax. Some items in the shops when we look at our economy in Kenya you find that the all the Kenyans are financially able to buy the items at the prices charged by the government, thankyou.

Com. Muigai: Thank you. Tumefika mwisho wa watu waliojitambulisha kwa kutaka kuzungumza. Kuna mtu mwenye alikuwa akitaka kuzungumza? Haya ulikuwa umejitambulisha? Ulikuwa umeandikwa?

Speaker: Ndio sijaandikwa hapa.

Com Muigai: Na katika na wewe

Speaker: Nimejisajilisha lakini

Com. Muigai: Ninakupa dakika mbili tu. Tafadhali.

Speaker: (inaudible)

Com. Muigai: You have two minutes 15 seconds have gone in that explanation.

Charles: Thank you Commissioners, and the members. I have 2 points here.

Com: Muigai: Your name?

Charles: I am Charles Khaemba.

Com. Muigai: Endelea:

Charles: Kulingana na Katiba hii, on certain affairs and lands and settlements, between rich and poor people they had not enacted. I don't know why the reason, why the rich people, kulingana na familia yao ni chache sana, kama wanafikia style ya wazungu kama America system kulinda watoto. Na ukirudi upande wa poor people, maskini hawajui kulinda watoto na wako na family nyingi, wanakaa sana lakini wale wanajua mwelekeo wa kuishi wako na familia ndogo, sasa kwa ufupi upande wangu kuna hasa. Wale tajiri fulani ana acre ishirini na jirani wake ana familia kama wavulana saba, na ana acre tano; tena unagalia wale wakilima chakula zao kwa acre tano tena wanachukua wanaenda kununua hapo acre nne. Na anajua wako hapo.

Com. Muigai: Unapendekeza nini?

Charles: Sasa mimi naona, ni vizuri watu wakinunua shamba waende wakanunue kama ni North Eastern, ama ni hapa Tito kuliko kununua hapa karibu, kulingana na wale maskini sana. Kulingana na wale maskini sana.

Point ingine inakuja upande wa elimu. Kusema kweli secondary school tafadhali naona iwe free na ukimaliza form 4, halafu unalipa pesa kwa maana sasa watoto wa maskini anaingia kwa secondary amalize halafu pia wa... annual

Com. Muigai: We have gotten the point free secondary schools education. Any more?

Charles: Sasa nikimaliza mimi naona kulingana na upande wa churches, naona kanisa hizi zikae, na wengine waendeleo kama ni Roman Catholic, sisi bila Islamic kwa maana wengine wanaingiza tu hawana mpangilio. Ni hayo tu.

Com. Muigai: Ok Asante sana kwa point zako, tafadhali jandikishe. Wa pili dakika mbili? unaenda wapi? Ulikuwa unataka kuzungumza? Hebu chukua hiyo nafasi una dakika mbili kama zilizotolea wa kwanza.

Omar: Asante sana Commissioner na wenzangu wote. Mimi kwa majina naitwa Omar Iambira Tongala. Sasa mimi kwa maoni yangu naonelea juu ya walemavu. Walemavu ni watu kama watu wengine ambao ninaomba hii commission ifanye mpango wakati majibu itatoka, wawe kama wanafikiriwa kama watu wengine katika jamii. Hawa walemavu wengine ni wazazi na wako na watoto, pengine warevu sana lakini wanakosa elimu kwa sababu ya pesa ya kuwalipia karo. Naomba serikali ambayo inaundwa baada ya hii commission, ifanye mpango watoto wote katika katiba walemavu wapate elimu ya kutosha.

Upande wa matibabu na sema wafanye mpango, mahospitali yapatikane katika rural, kwa sababu hizi hospitali za watu binafsi zinanyakuwa pesa za wananchi na hao wanafanya biashara na hata hawajui kulivyo. Ni yiyo naomba pia ikiwa itatiliwa maanani, watu wanakufa sana sababu kuna walaghai wanandanganya, na hawajui kutibu hawajui. Serikali hii isimamie matibabu hayo.

Upande wa elimu, naendelea sababu wakati umenipa ni mdogo, upande wa elimu, shule za msingi tunafurahia ikiwa serikali

imepeana bure lakini zingine ndogo ndogo zinakusanya hata pengine serikali haijui. Maana sijui hauzia katika commission unakuta mama mkongwe anabaki na watoto, na hajui hata kuzielimisha sababu pesa kidogo kidogo. Baada ya mwaka mmoja unakuta amelipa zaidi ya elfu kumi. Hiyo ni primary school. Ningeomba pia hii secondary school ingawa inapitisha wamesema mengi lakini nasema, mtoto kama amepita mtoto maskini serikali imsimaima masomo yake ikiwa yeye ni mwerevu. Isiwache huyu mtoto akae nyumbani sababu hana mwenye kumsimimia sababu kuna wengi ambao wameachwa wachanga sana kulingana na ule ugonjwa ambao unaitwa ukimwi.

Com. Muigai: Sasa point yako ya mwisho.

Omar: Point yangu ya mwisho mimi nasema kwa upande wa mashamba, ningeomba mtu akihakikishiwa anakaa kama ni mkaaji na anajulikana ni mwenye hiyo shamba, isije ikanyakuliwa na matajiri ama mtu mwingine kwa sababu ya pesa na mkopo mdogo mdogo. Mkopo ulete shamba yake ibandilishe hiyo pia serikali ifanye mpango ya iwe inachunguza na kama ni shamba ya mwananchi kuuza ijue inauza kwa njia gani. Kwa hivyo hiyo shamba isiuzwe kwa auction kwa sababu ya matibabu hiyo shamba iuzwe kwa auction kwa sababu ya mambo mengine na hali yeye ingawa ana familia. Hiyo familia itakuja kuhangaika kwa sababu hakuna wizi utapatikana katika nchi hii watoto wa wazazi wameshanyakuliwa shamba yao na watoto wamebaki sasa wamekosa mwelekeo ndiyo wanakuwa wezi sana wakuiba.

Sasa ya mwisho sasa tafadhali, upande wa biashara tuko na wafanyi biashara, wengine wadogo wadogo; ambao hata kwa nchi jirani na marafiki wanaweza enda huko wanapata kitu kidogo wanakuja kuuza. Unakuta hiyo kazi iko juu sana. Mimi naomba kitu ambayo hii iko chini ya tonnes tano tafadhali naomba ile bidhaa ambayo iko chini ya tonnes tano naomba hiyo asiwe ahusike na huyo jirani auze bila kuwa na charge yoyote ya serikali yetu hii tukufu. Nina mengi lakini nimechelewa tafadhali. Asante.

Com. Muigai: Asante. Jiandikishe tafadhali

Makokha: My names are Said Katani Makokha. First I have about six items to talk about.

The first on, the constitution learning should be introduced as subjects in our schools from primary to secondary; to enable every Kenyan know his and have his knowledge of rights.

Number two, polygamy should be enshrined in our constitution to protect those who practice it. Currently the NHIF does not.

Third, all civil servants who are paid by the exchequer, should be hired by one service commission that the public service commission.

