

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS,**

**SHINYALU CONSTITUENCY,**

**ST. PHILLIPS CHURCH HALL, MUKOMARI**

**ON**

**1<sup>st</sup> August 2002**

**PROCEEDINGS OF CONSTITUENCY HEARINGS, SHINYALU CONSTITUENCY, HELD AT ST. PHILLIPS  
CHURCH HALL, MUKOMARI ON 01.08.02**

**PRESENT:**

Mr. Charles Maranga - Commissioner

**SECRETARIAT STAFF IN ATTENDANCE:**

Fatuma Issa - Programme Officer  
Wambeyi Makomere - Assistant Programme Officer  
Mary Babu - Verbatim Recorder  
Mr. Majanja - District Coordinator  
  
Martin Musonye - Chairman CCC  
Tom Shiyachi - Member CCC

The meeting was called to order at 10.10 a.m. by Commissioner Maranga as the Chair.

**Martin Musonye:** Wageni wetu wamefika leo, Bwana Commissioner wa CKRC na wengine wote ambao wako hapa, hamujamboni? Nachukua nafasi hii kumukaribisha nyinyi nyote hapa St. Philips Catholic Church na kabla hatujaendelea sana ningependa tuanze na maombi ambaye inatolewa na mmoja wetu Bwana Tom Shivachi.

**Tom Shivachi:** Baba, ni asante Mungu wetu Mungu wa rehema na upendo nakushukuru kwa sababu umetuwezesha kuamuka ashubuhi kuja kukutana hapa, mfalme wa mfalme wewe uliumba dunia ukaumba na watu ukawapa nafasi ya kujitawala na kwa hivyo Baba tunapokuja mbele zako tunakuomba utupatie marifa yale ambaye tunasema Bwana yawe matakatifu mbele zako na yote atakayo andikwo Baba yawe na ushindi wa kulete amani katikati ya watu wako. Naomba haya katika jina ya Yesu Kristu aliye mukombozi wetu. Amen.

**Martin Musonye:** Asante. Vile kupoteza wakati mwingi nafikiri nyinyi nyote munajua ni nini haswa imemuleta hapa na ningependa labda wakati huu nimujulisha kwa wageni wetu ambao nitauliza wajitambulisha kwa majina na kazi zao halafu upande wa administration na offisi ya CCC na tuendele.

**Com. Maranga:** I think it will be the other way round, mimi ningetaka wewe kwa ufupi kabisa kujitambulisha na watu wako halafu uite vile vile Bwana DO ahutubie wananchi wa sehemu hii halafu urudisha mika pande hii halafu nitajitambulisha hawa wengine.

**Martin Musonye:** Sasa, kwa kamati yetu ya Shinyalu constituency Constitutional Committee, sisi huwa watu tisa kwa jumla na wale wako hapa kwa sasa tuko watatu. Mimi ningependa kutambua Bi Zipporah Musonye kama mwana kamati, Bwana Tom Shivachi kama mwana kamati na mimi mwenyewe naitwa Martin Musonye nido mwenyekiti. Sasa wakati huu ningepeda mukaribishe Bwana DO.

**DO:** Thank you very much Mr. Musonye, Honorable Commissioner from the Constitutional Review Commission of Kenya, Commission representative officials, Chiefs ambao wako hapa, wananchi wa eneo hili la Shinyalu. Hamujambo? (kiluyah)

Bwana Commissioner ama Honorable Commissioner, na tuko hapa saa hii kumukaribisha wewe .....yako upande wa Shinyalu na tuko tayari hapa, wananchi wako tayari kupeana their own views regarding the Constitutional Review. Upande huu ni watu wamekuja, ni wachache but pengine wametumwa wamekuja na memorandum so inaweza inakua ni mtu moja anawakilisha pengine watu hamsini na tulifanya publicity na Bwana Musonye vizuri sana na I am sure you will get the views. Ile kitu ningependa kuwaomba wananchi wa hapa you should be very brief na sijui kama, not even brief, to the point. Mwendako akiwa ametoa maoni yake hapana rudia sawa sawa? Hapa rudia.

Lakini hatukatazi nyinyi, ukiwa na uwezo ama nafasi sawa sawa lakini hapana rudia na tutoe maoni yetu kwa njia ambayo ni ya utulivu tusivutane na mwenzako akepeana maoni musianze kupigia makofi amakushambulia sana hiyo ndio njia moja ya kupoteza wakati na si muzuri. Hatukatazi nyinyi mupige makofi lakini ni nzuri lakini kuiga ni moja tu. Sijui nafikiria Bwana Commissioner in other areas wanapiga makofi ama mtu anashangiliwa sana? Commissioner, we are very late, tuko tayari kuendelea wananchi wa hapa kwa kawaida ni watulivu and they are very late now. Waliniambia wanagojea wewe kwa ili uingia hapa na kupokea maoni yao so that you can take to the higher authorities. Lakini mujue hii ni Katiba si ndio, hii ni Marekebisha ya Katiba so munapotoa maoni hapa mutoe maoni ya kusaidia nyinyi siku ijazo, siasa, jami na kiuchumi. Mumelewa hivo? So, unatengeneza maisha yako ya siku ijazo na watoto na kila mtu ambao watakuweko nchi hii siku ijazo.

Na ni mzuri kutengeneza Katiba ambayo inaweza kudumu miaka mingi bila kurekebisha tena, ni nzuri kurekebisha kulingana na social changes or political or economic changes lakini ukiona kama ya America nafikiria imerekebisha pengine over 200 years old, 1786---

**Com. Maranga:** (interjection) 1776

**DO:** It came before that, 1780 something. Lakini haijawai kurekebisha mpaka wa leo. Pengine ni kitu kama 30 amendments so ni nzuri kutengeneza kitu ya udumu na ukiangangalia kama America wanasema every vote of....., every vote of .....ndio wanaabisha Rais, and they have been doing that for how many years? Miaka nyingi sana. So, ni nzuri tutengeneze Katiba yetu iwe nzuri sana in a very good way. Sawa sawa? Nafikiria Commissioner ataambia nyinyi mambo mengine, pengine yeye ako na utaratibu yake na hii si kazi ya provincial administration. Yetu ni kukaribisha nyinyi, provide security na

tuone kila kitu inaenda bila wasi wasi. Kwa hayo machache Bwana Commissioner, nasema asante sana. Karibu.

**Com. Maranga:** Asante Bwana DO, watu wa upande ya Shinyalu upande wa Ileho, mimi nawakaribisha kabisa katika hii kikao cha Marekebisha ya Katiba na sasa nataka kutangaza hii ni mukutano wa Tume wa Kurekebisha Katiba na sasa hii mukutano ni rasmi kabisa na yoyote ambayo anatoa maoni hapa hata toa chini ya hiyo sheria ya Tume ya Kurekebisha Katiba. Kabla sija endelea mbele ningetaka kuwajulisha ni akina nani wako hapa.

Ninatarajia ma-Commissioners wawili lakini moja hawezi akafika mwingine namutaraji Dr. Githu Muigai sijui kama anaweza akafika lakini Commissioner Nancy Baraza jana alisafiri hadi Nairobi kwa sababu kuna maneno ingine ya Commission ambaye ilikua urgent ambaye alikua anatakiwa kushugulikia. Kwa hivyo, yule na subiri Bwana Muigai mimi nitazidi na kipindi cha siku ya leo na nataka kuhakikishia kua hata muniona nimeketi hapa peke yangu maoni yenu yatafika katika Tume ya Kurekebisha Katiba na kwanza kabisa hebu niwajulishe ni akina nani tuko hapa na hawa.

Tuko na Programme Officer wetu ambaye anaitwa Fatuma Issa Jama, huyo ndio anahusika na maneno ya Secretariat, kama kuna chochote ambao unataka kuuliza kuhusu Tume ya Kurekebisha Katiba basi huyo ndio mwenye kuuliza. Ya pili, tunayo Mr. Wambeyi Makomere ambayo ni Assistant Programme Officer, vile vile tuko na hule ananasa sauti zenu ambaye anaitwa Mary Babu. Mary Babu ndiy mwenye kunaza sauti zenu kuhakikisha ya kua tumechukua maoni yetu, hata usipoona mimi nikiandika kila kitu ni kwa sababu tuna recorder ambaye ina-record kila kitu kwa hivyo, na hii report badaye mutapata kama watu wa Shinyalu.

Mimi ambaye leo ndio nakaa katika hiki kiao ya Kurekebisha Katiba, mimi naitwa Doctor Charles Maranga Bagwasi mimi ni Commissioner. Na kwa hivyo mimi nataka vile vile kuwaelezea kidogo kwa ufupi masharti ambayo sisi tutafuata.

Kwanza kabisa mtu anayetaka kuongea mbele ya Tume ya Kurekebisha Katiba tuna form hapa. Ukiingia hapa umeona mahali kuna meza hapo nje tunauliza watu wajiandikishe. Sisi tunafuatanga list vile watu wamefika hiyo orona ndio sisi tunafuata na unaweza ukaonyesha ya kua unataka kuzungumuza ama hutaki ama unataka kua observer. Kwa hivyo kuna njia tatu ya kutoa maoni. Ya kwanza kabisa, unaweza fika mbele ya Tume utoe memorandum kwa Fatuma, you register kama unaharaka unaweza ukaondoka hiyo maoni yako imefika kwa Tume. Ya pili, unaweza kua na memorandum lakini unataka kuhusia hile points muhimu vile Bwana DO amesema unatakiwa watu wawe kwa ufupi mapendekezo ndio tuna tarajia sana kwa hivyo mtu anaweza akatoa mapendekezo fupi ya kusema hii memorandum yetu imehusia hapa na pale. Hatuwezi kwa mfano, kama umeandika memorandum tukubalie wewe usome memorandum yote haina maana yoyote, inatakiwa utuambie zile points za muhimu ambayo iko kwa memorandum sisi kama wana-Tume tutasoma hiyo memorandum itachapishwo kama reporti na hiyo reporti itafika hapa Shinyalu baadye.

Kwa hivyo, usiwe na wasiwaisi ati oh mimi sija soma memorandum yangu mbele ya Tume, utupe ile maoni ya muhimu. Kwa

hivyo hiyo ndio njia ya pili ya kutoa maoni. Ya tatu, unaweza kua huna memorandum unafika mbele ya Tume naunatoa maoni yako bila kusoma kitu chochote. Unatoa maoni yako kutoka kwa kichwa chako unasema mimi kama mama ama fulani mimi hii ndio maoni yangu, basi hiyo ndio njia ya tatu ya kutoa maoni na vile vile, unakubaliwa ukuje uketi ndani hapa kwa kikao chetu usikize vile wengine wanaongea, sio lazima utoe maoni na ukisikia fulani ametoa maoni yako yote unahaki ya kusema ninkikuita useme mimi sitaki kuongea na fikiri maoni yangu yamefanya nini? Yamesha tolewa. Tunaelewana?

Kwa hivyo hiyo ni haki yako. Sisi tutakubaliana muda ule ambao sisi tunapeana. Kwa mfano, kama mtu anapeana memorandum na anataka kuguzia maneno ya muhimu, sisi tunampa yeye dakika tatu. Yule ambaye hajaandika chochote tunampa dakika tano. Kwa hivyo usifikiri hiyo dakika tatu ni chache, wacha nikueleze ya kua tumefika Kenya yote mzima hii ndio mukoa wa mwisho sisi tumefika kama Tume ya Kurekebisha Katiba watu wanatoa maoni hata baada ya hiyo dakika tatu hata hawana njia ingine ya kuendelea mbele wanasema tumemaliza kwa hivyo, na mimi kama Mwenyekiti ningetaka mutie hiyo sheria ili tufuate utaratibu bora.

Na baada wewe kutoa maoni hapa ukifika mbele ya Tume kwanza kabisa unajitambulisha majina yako kamili, kwa mfano mtu wakawanza hapa anaitwa Ernest W. Shimenga, nikiita Shimenga atafika mbele ya hapa atajitambuisha tena ile tufanye recordi kwa sababu tunataka tujue hii report ilitokana na nani. Tunaelewana? Ndio hata wewe ukiangalia kwa hiyo report ikija Shinyalu unasema mimi nilizungumuza kumbe nilizungumuza maneno ya muhimu. Kwa hivyo wakati unazungumuza hapa jua hii ni wakati wa historia katika nchi hii usije ukaonekana wewe ndio ulitoa maoni hayana muelekeo utoe maoni ambayo yatasaidia wananchi wa Kenya, watoto wako, vijuku na vituku. Tunaelewana? Kwa hivyo hiyo ni kazi ya muhimu.

Na baada ya wewe kutoa maoni sisi kama wana-Tume tunahaki ya kukuliza maswali, tunaweza tukakuliza swali fulani unafikiria nini, maana ya kukuliza wewe swali si ati tuna weka wewe courtini, hapana, tunakuuliza tu ili tuweze tukajua ulikua unafikiria nini. Kwa mfano ukisema Rais nilazima awe mtu kijana, sasa unajua jina kijana hatuwezi tukajua ni miaka mingapi kwa hivyo mimi kama mwana Tume naweza nikakuliza wewe unafikiria kijana awe miaka mingapi. Tumelewana? Kwa hivyo hiyo ndio maneno ya kuhakikishia ya kua unamainisha nini. Kwa hivyo hiyo ndio nafikiri, na baada ya kumaliza utarudi kwa Fatuma uweke sahihi kitabu chetu rasmi ya kuonyesha ya kua umefika mbele ya Tume ya Kurekebisha nini? Katiba.

Hiyo ndiyo utaratibu wa kutoa maoni. Kitu ingine ningetaka kuwakumbusha ni ya kua kama unamalalamiko kwa DO, kwa Offisi ya Rais, kwa PC, kwa Chief, kwa Assistant Chief hapana kuja hapa uanze kutaja ati DO jina fulani, kama sasa huyu anitwa Bwana Rono ati unanza kusema hule DO anitwa Rono siku ingine aliniweka ndani bila sababu yoyote, hapana taja jina taja Offisi ya DO. Offisi ya nini? Ya DO, kama unataja Offisi ya Chief hapana sema ule mzee wa nyumbani ambaye anakaa Chief ama Assistant ndiyo unataja fulani huyo tunakosana na yeye sana ametusumbua sana kwa sababu ya maneno, hapana taja jina yake sema mimi ni offisi ya Assistant Chief ama Chief ninataka iwe namna hii. Tuemelewana? Na kama ni mwalimu mkuu wa shule ni hivo hivo, kama ni Rais hapana taja jina lake unataja jina ya offisi Offici ya Rais, kama ni Mbunge hapana taja Mbunge wako taja offisi ya Mbunge. Tunaelewana?

Basi, hiyo ndiyo itakua mzuri tusije tukapata maneno, kwa hivyo kutaja majina ya watu hata kama mtu alikua Chairman ya Cooperative Society akaiba pesa ya society yenu upande sema kwa mufano fulani aliibia sisi pesa fulani anitwa fulani fulani ati anaitwa maybe Schivachi ama nini, hapana, wewe unasema hawa watu ambaye wanaibia sisi pesa ya cooperative tutafanyaje na utupe mapendekezo. Tume elewana? Na mimi hapa kama mwana-Tume mimi nataka mutu patie mapendekezo. Kama unasema elimu iko kali iko bei nini, unatakaje? Unataka elimu ya bure ama nini utuwambie hivo hivo kwa ufupi, kama ni maneno ya matibabu hivo hivo, hapana sema tu tabu zako kama mukulima na usipendekeze, fanya nini? Mapendekezo na kwa ufupi tu. Tume elewana? Haya. Basi nafikiri tumesikizana na mtu wa kwanza kabisa anaitwa ni Ernest Shimenga. Basi karibu sasa uje utoe maoni.

**Ernest Shimenga: (inaudible)**

**Com. Maranga:** Well, the way you want, I have given you three minutes it is you people who will decide how you summarize. Na huyu naye vile vile amefanya registration? Anaitwa nani? Secretary naye ameji---

**Ernest Shimenga:** nilikua nimefanya James Mlaga.

**Com. Maranga:** Okay, wacha nione, James nani? James Mulaga. Okay sawa sawa, kwa hivyo sasa nyinyi, wacha kwanza kabla hamujaanza mtu anaweza akaongea lugha yoyote unaweza kuongea lugha ya kimomba, lugha ya Kiswahili, lugha ya mama kama huelewi vizuri lakini sana sana wa-Kenya wengi wanajua lugha ya Kiswahili kwa hivyo munaweza mukaongea Kiswahili ndio DO asikie na mimi nisikie Fatuma na wengineo lakini huelewi hizo lugha bili basi unaweza ukafanya. Na tena kitu ingine wanfunzi wa shule sisi tutawapa special consideration wakati mko tayari nijulishwe halafu nitawaita, alright? Thank you. Anza kwa majina.

**Ernest Shimenga:** Bwana Commissioner, Bwana DO na wananchi wowote ambao tumefika leo, hamujambo? Kwa jina ni Ernest Shimenga.

**James Mlaga:** Bwana Commissioner, Bwana DO na wengine ambao mumekuja, hamujamboni? Kwa majina ni James Mulaga.

**Ernest Shimenga:** Tumekuja mbele ya Marekebisho ya Katiba na tuna memorandum ambayo tutapeana na kwa wakati huu binafsi ningelipenda tuzungumuzia kuhusu preamble. Kwa hile kitabu ambacho tulipewa wakati wa elimu, the Constitution Review Process in Kenya, sitaongea mambo yote ijapokua nita ongea juu ya political na economic powers vile iko ama zime wekwa nchi yetu hii.

Tulionelea, tuna-represent location ya Kambiri na tulionelea vile political power na economic power ziko zaidi kwa either mtu moja political power imewekua kwa mtu moja akiwa Office of the Executive ziwe decentralized ili tuwe na usimamizi kutoka kila pembe ya nchi. Vile vile economic power vile tuko nayo kwa sasa kila kitu tunaelewa kutoka kila pembe ya nchi lazima tuende Nairobi na hizi zikiwekwa kwa kila muko tutakua tunakua na kukua sawa lakini ikiwa tutaweka kila kitu Nairobi ama kwa Office of the President inaonekana tuko pale pale tu ikiwa ni kuandikwa ni mtu mmoja huyo huyo tu, ikiwa ni kuvutwa ni mtu mmoja huyo huyo tu halafu baadaye utakuta wengine wamendela sana na watu wengine wanabaki nyuma.

Ikiwa ni mambo ya economics utakuta headquarter hata ya miwa sisi wenykulima miwa pande hii offisi headquarter iko Nairobi na tukitaka kufuatilia jambo fulani lazima tutafute pesa tuende ku-spend Nairobi na hakuna wakati mtu ya Nairobi ambayo hajui mambo ya miwa atakuja ku-spend pesa yake pande tunalima miwa ama mahali tunavua samaki. So, tulionelea ya kwamba haya yote ya shambaziwe kwa nchi hizo economic power na political power tumeiweka ka maandishi.

Vile vile tuliangalia mambo ya elimu, elimu wakati baba zetu wale ambao walipigania uhuru walipigania uhuru kwa sababu walitaka wa-Kenya waelemishwe lakini tumefika mahali ambapo elimu si bure vile ilikua. Elimu haswa ya primary, Std. 1, Std. 8 tulionelea iwe bure mambo ya malipo mengine, building, serikali isimamie hizo.

Na mambo ya health vile vile tuliona sharti watu wawe wazima ndiyo wawe na uwezo ya kufanya kazi. Ikiwa sasa hospitali zetu wakati huu hakuna hospitali utaende utibiwe bure hata dakatari kukuangalia sharti uwe umetoa pesa na wa-Kenya wengi isijapokua wale wako na vibarua hawana pesa kwa hivyo utakuta wa-Kenya wanakufa kwa wingi kwa sababu ya high costs, so tulionelea hizo ziondolewe na watu watibiwe free vile wazee wetu walipigania uhuru. Ni hayo tu ndiyo naweza ku-highlight na zingine tuliangalia kwa preamble na tukafanya directive principles of state policy na Constitution supremacy halafu citizenship na Defence and National Security.

**Com. Maranga:** Asante, kitu ningekuliza swali moja, unasema unataka political and economic power iwe divorced to the provinces, ungetaka akina nani wasimamia kwa mfano political power kwa provinces, sana sana political power. Kwa mfano kwa provinces tuko na provincial administration, tuko vile vile na county council ni gani ungetaka isimamie?

**Ernest Shimenga:** Vile tuliangalia kwa kikundi chetu tulionelea, yani political power yote imewekua katika Offisi ya Rais na ingelikua ni vizuri Rais awachilie zingine ziwe kwa Parliament halafu vitu kama Ministries zingine zitawanywe ziwe kwa provinces ili tukiwa kama Ministry tatu Western Kenya na Ministry tatu Coast, Ministry tatu North Eastern at least tutakua tunaguza nchi yetu sawa sawa.

**Com. Maranga:** Okay, thank you very much. Nashukuru kwa maoni yenu kwa hivyo naomba muweke sign kitabu chetu rasmi halafu mutupatie hiyo memorandum. Thank you very much. Anayefuata ni Josphat Majanja. Atafuatiua na Tom Shivachi. Tom ako? You will be next. Proceed. Unanza kwa majina.



**Josephat Majanja:** Lira bananganga Josephat Majanja Namusende. .

**Com. Maranga:** Ngoja kidogo huyu atatrafisiri. Yani simama na karibu na mahali ako.

**Translator:** mimi naitwa Josephat Majanja.

**Josephat Majanja:** Bacheni befu boshi mulembe boshi mirembe handi

**Translator:** Wageni wetu wote namusalimu, hamujambo?

**Josephat Majanja:** Maoni kanje

**Translator:** Maoni yangu.

**Josephat Majanja:** Mbola endi

**Translator:** Na sema hivi.

**Josephat Majanja:** Ndikombaga

**Translator:** Na tamani sana.

**Josephat Majanja:** Serikali nianza

**Translator:** Serikali ikipenda.

**Josephat Majanja:** Irisubule malwa ko lutseshe

**Translator:** Itukubalie ulevi au kunya pombe ya kienyeji.

**Josephat Majanja:** Kolutseshe

**Translator:** Ile ya kienyeji ile ambaye ilikua inatumika na murija.

**Josephat Majanja:** Lia khabiri

**Translator:** Kitu cha pili.

**Josephat Majanja:** Mbomba serikali

**Translator:** Naomba serikali.

**Josephat Majanja:** Ikhubekeho muliro kwefu kwo

**Translator:** Itusaidie itukubalie msitu wetu huu.

**Josephat Majanja:** Khwayakho mutsing'ombe

**Translator:** Tue tukilisha ngombe zetu pale.

**Josephat Majanja:** Nukhunyole sikhwina makhono

**Translator:** Nakupata kuni ambazo ziko tayari tusiharibu miti lakini tupate kuni.

**Josephat Majanja:** Mbara kenako niko kandinako

**Translator:** Hayo ndiyo ninaio.

**Com. Maranga:** Mwambie asante sana.

**Translator:** Asante sana.

**Tom Shivachi:** I do not know whether I can put it in English.

**Com. Maranga:** Whichever way, sasa wewe ndiyo utaamua, you can talk in English, Kiswahili.

**Tom. Shivachi:** Nataka nizungumuze kuhusu mambo fulani labda nitatumia Kiswahili ili wengine hawaelewi msikie. Kitu cha kwanza, nataka katiba yetu mwanzo ya Katiba yetu, oh sorry, na jina yangu ni Tom Shivachi mimi ni mwenye kamati wa kamati yetu ya Constituency Constitutional Review Committee. Kwanza langu la kwanza nikwamba katika mwanzo ya Katiba yetu tuweke vitu kama vitatu kuonyesha ya kwamba tumefanya kitu, kitu cha kwanza nataka Katiba iandikwe na watu wa Kenya iwe kwa matumizi ya watu wa Kenya na iwe ya watu wa Kenya, by the people for the people and the people. Nataka hayo yawekwe kwa ile mwanzo ya Katiba.

Kitu cha pili ni kwamba nataka tukumbuke Mungu katika Katiba iseme ya kwamba kwa matumizi au kwa kazi ya mungu aliyumba mbingu na dunia na wote wa diomo, in the service of the Lord the almighty God, the Creator of Heaven and Earth.

Kitu cha tatu, nataka iwe ya kwamba ni Katiba ya maendeleo ambayo itakua Katiba ya haki kwa mapendeleo ya wananchi wa Kenya, for the prosperity of the people of Kenya and just welfare of the people. Hiyo ni upande wa utangulizi wa Katiba. Nitataja kitu kuhusu elimu.

Mimi najua elimu ni kitu muhimu sana, nataka elimu ya shule za msingi shule za secondary zipeanwe na serikali wananchi hawana pesa hizo za kulipa karo elimu ya University, yani the colleges and University iwe supported by Government as it was before. I was in the University of Nairobi some years back and we had some money which was been given to the students and therefore wananchi hawatawza shillingi elfu mia bili kwa mwaka kusomesha watoto wao.

Kitu cha tatu upande wa afya, vile Mzee Jomo Kenyatta alianzisha serikali na akaleta matibabu ya bure sijui ni nani alienda kuharibu, ule mtu ambaye alienda kuharibu mpango huo sijui tuseme nini, basi tunaona watu wapate matibabu ya bure katika hospitali, madawa yapatikane kwa mpango wa serikali na watu wawe na nguvu ya kufanya kazi.

Upande wa ukulima naona ya kwamba vifaa vya ukulima visiwe bei kali sana yani vitu ambavyo vinahusika na ukulima visiwe bei kali sana yani vitu ambavyo vinahusika na ukulima viletwe katika nchi hii bila tax yani vitu kama bolea, mahindi ambayo inatoka hapa Kitale, sijui ni kwa nini vitu hizi vinakua vikali na hawa wazee hawawezi ku-manage, so, all agricultural things should be duty free or should be cheap in order to improve our agricultural production.

Kitu cha tatu ni kuhusu the security. Yani ulinzi ya wananchi. Nchi hii imekua na maafa mengi sana kitu cha kwanza sitaki hiki kitu cha clashes kuaanza kua kwa katika nchi hii. Mtu ambaye atanzisha mambo ya watu kupigana kwa ukabila huyo mtu astakiwe sawa sawa kwa sababu sisi watu wa Kenya lazima tuishi kwa amani. So, clashes ambazo zilifanyika hapa 1990, 1991 and 1997 have completely spoiled our image kwa hivyo mtu yoyote ambayo atapanga hayo mambo akiwa mwanasiasa awe ni nani huyo mtu sheria lazima imuchukulie sawa sawa.

Kitu cha pili, watu wetu asa Police Officers wako tayari sana kupiga mtu risasi. Now, this security element is becoming disturbing kwa sababu unaangalia hata maneno ambaye inafanyika mwana mufunzi anatembea huko Police anapiga yeye risasi mimi nataka Policemen wasiwe na marisasi, life in their guns, let them just walk with those things because they do not know how to handle them.

Kitu cha mwisho labda ni kuhusu hali hii ya Mungu, nitazungumzia mambo ya Mungu kwa sababu bila Mungu sisi hatuwezi kuishi. Mambo ya Commission ya devil worshipping lazima itolewe watu wasikie hiki kitu kilikua nini. Kitu cha pili, lazima sheria ipeane ukweli au mwongozo katika hali ya kuabudu hatuwezi kubali watu ambaye wanchinja watoto wanachukua masikio na vitu vyo wanasema wanaabudu, that is what we mean is the Constitution must be in such a way that the true worshipping should be there not just a general saying anybody is free to worship halafu wengine wana-worship manyoka wengine wana-worship ngombe na huku wanaua wengine ati wanafanya worshipping. So at the style of worshipping there must be the true God who made everybody, let people worship them through any other direction but let the God Almighty be the one who will be allowed to be worshipped.

Ya mwisho ningependa ya kwamba Kamati hii ya Constituency Committee ibaki, kamati ya coordinator ibaki, offisi ya

coordinator ibaki, offisi ya Secretariat in Nairobi ibaki, wakati hii Constitution itakua imesha andikua imekwisha hizo offisi tatu zibaki ata kwa miaka mengine mitano ili wakati wazee hao watukua na mambo ya kuuliza kama sheria walipitisha zinafanya kazi sisi tunaweza itana haraka tuchunguze ni nini kilifanyika kwa sababu ikiwa dismantelled sasa mtu mwingine atachukua hiyo Constitution aweke kwa Attorney General na atakalia kwa hivyo I suggest that when the Commission finishes its work these three offices should remain at least for a time until all the Constitutional things are done.

Na mwisho nitasema ya kwamba Ministries ambazo zinachaguliwa katika nchi hii hazichaguliwi vizuri inachaguliwa kwa njia ya ukabila na nataka Parliament iwe na uwezo ya kuangalia ni Ministries gani ambayo zinatakikana na ziwe distributed for the welfare of the people by qualified people. Thank you very much.

**Com. Maranga:** Asante Bwana Shivachi asante, lakini ningetaka kukujulisha ya kua wahindu wanaabudu ngombe saa ingine kwa hivyo nikazi ngumu sana, ukienda India useme hivo pengine utakua kinyume ya matako yao lakini asante, hiyo ni maoni yako.

Yule anayefuata sasa ni Julius Milimu. Atafwatiwa ni Kipchumba unataka kuongea, Ruto? You want to say something? Brief, okay sawa. Milimu.

**Julius Milimu:** Bwana Commissioner na wengine namusalimu wote, kwa majina ni Julius milimu. Ningelipenda kukuguzia sehemu tatu, administration, forest na education.

Kwana nianzia kwa administration. Mimi ningelipenda mtu kama Assistant Chief, Chief wawe wakichaguliwa na wananchi na wawe wakipata transfer waende wakifanyako kazi sehemu zengine na wapewe muda wakufanya uchaguzi kama ni miaka tano, kama ni miaka tatu wawe wakichaguliwa na wananchi. Hapo nimemaliza hivo.

Kufwatana na forest, mimi ningeliomba serikali irudishe mambo ya forest kwa wananchi kwa sababu mwananchi ambao anaishi kwa forest ndie anajua vile anaweza kulinda msitu yetu hii. Watu ambaye wanalete wizi kwa forest ni watu ambaye serikali inaajilia kwa sababu analeta mtu ambaye hajui mambo ya forest na huyu anakuja anachukuwa wananchi wanaenda kutengenezea makaa kwa forest ama mbao, anafaidika hapa amapata mshahara kwa serikali tena pia anaharibu msitu wa serikali. Sasa inafa serikali irudishe mambo ya forest kwa mwananchi watengenze Committee zao za kulinda forest. Nimemaliza hapo.

Narudi kwa elimu. Elimu ningelipenda serikali ipeane masomo ya bure kwa darasa la kwanza hadi la nane ili watoto wetu wapate hiyo elimu na mambo ya kutoa kiboko kwa shule mimi ningeliomba serikali discipline lazima iwe kwa shule kwa sababu mtoto asipopigwa na mwalimu hawezi akajua kitu ma sisi wazazi tunapendelea kwa sababu mtoto sisi tunashindwa na watoto nyumbani. Akiwa kwa shule mwalimu nido huu anamutengeneza akuje kwa line kidogo. Ni hayo...

**Com. Maranga:** Unasoma magazeti saa ingine walimu wakichapa watoto kiboko wengine wanakufa, wengine wanaumizwa, na unajua hiyo inaenda kinyume ya haki za kibinadamu za watoto, International Convention for the Childrens Rights, sasa utafanyaje?

**Julius Milimu:** Bwana Commissioner, mwalimu ambaye anapiga mtoto anaua huyo ni magaidi kwa sababu mtoto wako ukichapa kiboko ya kumuonyesha amefanya hii makosa hiyo siku muua sasa ule ambayo anapiga mtoto anaua huyo ni magaidi na anafaa achukuliwa sheria ya serikali. Asante.

**Com. Maranga:** Asante ni maoni yako, tupatie hiyo memorandum nauweke sahihi. Bwana Ruto. Unaanza kwa majina yako kamili.

**Kipchumba Ruto:** My name is Kipchumba Ruto ambaye nitato maoni in my privat capacity as a citizen of this Republic but not as a DO. Kwanza kabisa ningependa kutoa maoni juu ya the three organs of Government that is Legislature, the Executive and the Judiciary. That in our Constitution we should have a clear separation of powers so that the Executive should be purely Executive so that Ministers or Assistant Ministers amamanaibu wa mawaziri wasiwe waBunge. They should be purely, ama member wa Executive lakini wasiwe waBunge na waBunge wawe kwa waBunge wasiwe ni members of the Executive.

The Judiciary, mahakama lazimai iwe independent and free na mtu yoyote asiwe, ukiangalia waziri utakuta waziri ni Mbunge yeye ni member wa Bunge lakini ukiangalia vile vile waziri ni member wa Executive so asifanye hiyo kazi so mtu yoyote asiwe anafanya kazi ya ubunge vile vile asiwe anafanya kazi ya Executive. Tunasema mtu moja na kazi moja naikiwa kuna shida kati ya the three organs of the Government they should be equal in power wewe sawa isiwe Executive iko na nguvu kuliko Parliament ama Parliament iwe na nguvu kuliko Executive ama Judiciary so lazima iwe na checks and balances na tunasema ikiwa kuna shida ama jambo ambalo lina husu taifa nzima kwa kingereza tunasema a matter or a general matter of general importance or an important matter which is very important across the country, it should be subjected to Referendum, wananchi wote Kenya waamue kwa kura si kura ya Rais ama kura ya Ubunge wananchi wote waamue. Kwa mfano, wakati wakuondoa Section 2(a) katika Katiba ilichukua muda mrefu sana mpaka ikalete tension lakini siku moja iliambuliwa na chama lakini kama ingetupiliwa wananchi waamu ingechukua maybe siku chache na ingekua nzuri sana so jambo lolote linahusu taifa nzima lazima ipigwe kura ama referendum wananchi wote ndio wata piga kura.

Police, idhara ya Police. Wamepewa jukumu kubwa ma wako na uwezo kulingana na sheria, sheria ambazo ni mingi na Police wanapo itekeleza kazi yao hakuna mtu ambayo wana-supervise Police hao ni Police lakini juu hakuna mtu ambaye ana-supervise. Tunasema tunataka Police wale ambao wana-supervise Police wengine ama any other authority ambao wata-supervise Police kwa sababu wananchi wanalia sana, utakuta wameshikua huko msituni wakafanya Kangaroo court wakienda ku-complain wanaenda kupeleka the same, same report kwa yule Police mwenyealie fanya Kangaroo court so huyo

mwananchi hatapata haki. Mapolice wako na sheria nyingi sana so wengine wanapotosha sheria so tunataka proper supervision from another organ of the Police to supervise or any authority to supervise the Police so that they can not render injustices to the members of the citizens.

Offisi ya Ombudsman hiyo nikuangalia mambo ambayo yana shida za wananchi, ikiwa haijatekelezwa na DO, mwananchi ako na fursa ya kwenda kumulalamikia amakupeleka malalamiko yake kwa offisi ya Ombudsman. Jukumu ya Ombudsman ni ku uliza idhara ambayo huyo officer anafanya kazi aulize kwa nini huyo officer hajafanya hiyo kazi. Ukiangalia nchi zingine wako na hiyo offisi, ukiangalia kama Scandinavia and countries kama Norway, Denmark ata Britain wako na Parliamentary Commissioner for Administration. Ukichelewesha unajua unakuja offisi huko inachukwa week moja hata kitambulisho ama unaambiwo shida yako itaangaliwa, utangaliwa, ukirudi mara ya pili bado, bado tunaangalia inatakiwa iwe very effective and efficient na ukichelewesha mi jambo ambalo tunaita mal-administration si jambo nzuri so kwa Katiba tunaomba ama ninaomba kama ni maoni yangu ya kwamba iwekwe kwa Katiba na hii offisi lazima, ama tunasema iwekwe kwa Katiba. Na mwenye atakwa Ombudsman Kenya lazima ni mtu of high integrity, must be educated, must also be a person who is concerned with the citizens of the republic and fair administration in the country.

Jambo lingine nikuhusu appointments, wale ambao wanateuliwa kuchukwa jukumu---

Because mtu anaweza kua mwizi leo kesho ndio anasimamia pesa nayeye anjulikana ni mwizi manaa anajua. We have seen people wakati wa.....na mimi natoa hii as a private citizen of this country, mtu ana-grab shamba ama beach plot kule Coast ama Pwani anataka million hamsini anakuja kwa wananchi anambia sasa kwa sababu ya wizi yangu na niko na pesa sasa niniataka niwe Mbunge si analeta hizo pesa hapa anakuja kufanya harambee mwishowe mutachagua yeye awe ni Mbunge na akifika Parliament sasa atakua yeye ni waziri. Wewe ni mtu mzuri katika nchi hii kweli? Sijui, sitakai niulize nyinyi maswali lakini mara kwa mara inatendeka namna hiyo so any appointment should be subjected to Parliamentary scrutiny ikiwa mtu atafanya kazi kwa njia nzuri ama hapana.

Public Accounts Committee katika Parliament. Mara kwa mara wana-record matumizi ya pesa ya serikali wakati ambazo hizo pesa zimetumiwa na ni maramoja kwa mwaka tuseme hili kukinga ama kuchunga hizo pesa isitumiwe kwa njia ilio mbaya ama njia ambaye si nzuri ni sharti watoe reporti yao mara mbili kwa mwaka so that they can rectify the department kama wame misuse hizo pesa. They can rectify so that in the next part of the financial year they should be able to do something or save some money so that it can not be wasted.

Parliament ama mbunge maoni yangu iwe mara mbili tuwe na house of representatives aliyo lazima ichaguliwe na wananchi kama sasa na tunaomba ama naomba House of Senate kama ile House of Lords ya wingereza na hii ni lazima ama wachaguliwe kulingana na mikoa na hi House of Senate kama ile kabla ya uhuru ama baadaye ya uhuru lazima iwe na checks and balances so that they can control each other hii ikitaka kuongeza msharha ya MP hii chumba lingine inasema hapana so that wapewe special

duties so that they can control the other one lakini House of Representatives ndio watachaguliwa na wananchi House of Senate kulingana na mikoa. Pengine wawili wawili ama kila district moja moja ama wawili wawili kutoka district.

Maoni yangu kuhusu sheria ya Kenya za Kenya ukiangalia sheria za Kenya from independence hawajawai kufanyia marekebisho ni kama Katiba for a very long time some of the laws of this country they are obsolete hawaja rekebisha ni kama hii Katiba ya Kenya sasa, hawajawai kurekebisha mpaka wa leo hata tunawapo kutekeleza kazi yetu ni shida sana utakuta mtu 63 inasema kupatikana na changaa kuenda courtini ni jukumu la kimwi kusema utatoeshwa shilling tano..... na litre moja ya chaanga mpaka wa leo the same same Magistrate bado wanatumia hiyo sheria shillingi tano ya 63 na shilling tano ya leo ikotafauti sana na hiyo sheria tunasema zirekebisha.

Haki za binadamu should be protected, should be respected and should be entrenched in the Consitution.

Mwisho, nasema the wishes of the majority in this country utakuta kabila ingine iko kubwa ingine ni wachache so the wishes of the majority should prevail but the interests of the minority should be also protected in the Consitution. Kwa hayo machache nasema asante sana.

**Com. Maranga:** I have a question. I am very keen on the Police Department, are you happy the way the Police is today? For example you have Administration Police, Kenya Police, Stock Theft Unit, GSU and so on, what can you give as a way forward? Because we have had a lot of complaints from mwananchi I want to hear from your own point of view.

**Kipchumba Ruto:** From my experience as in the provincial administration training wanapata kwa njia iliyo nzuri sana sheria wanafundishwa ya kutosha but when they come down to the people at least the .....they are in a better position to those tunaweza ku-control hawa even the Police but now when they are alone wanapo teleleza kazi yao tunapo watuma waende inje utakuta yeye huyo officer na mwananchi so hawafanyi kazi kwa njia ilio nzuri, sio wote wachache ndio wanaharibu lakini majority wanafanya kazi lakini inatakiwa proper supervision and to add on that mimi nasema this officer is arresting officer anapeleka wewe kwa kituo cha Police ukifika mahakamani they are also the prosecuting officer wanafanya kazi mbili mtu moja.

So, kwa kuongeza na hiyo ninasema ama maoni yangu ni that the Police should not arrest and go and prosecute. Mwenye ana-prosecute should be independent body, the prosecution service Commission, we should have a prosecution service Commission so that we de-link to Police from arresting and prosecution so we should have another department.

**Com. Maranga:** The last question, how can we for example control false accusation by the Police because most wananchi what they have said, somebody will be arrested maybe he was trying to take kuni from the forest but when the Police Officer feels that is not good enough anamuwekea changaa mtu anawekewa changaa pengine ni Reverend or he is an elder in the village. How do we, because that is really been a very serious complaint.

**Kipchumba Ruto:** Hiyo, that is why nilisema tuwe na hile offisi ya Ombudsman, tuwe na hiyo offisi ya Ombudsman atakua ana-inquire then ya pili nimesema wale ambayo wana-prosecute should be independent from the Police iwe a different department altogether.

**Com. Maranga:** That one I agree with that.

**Kipchumba Ruto:** Yes. Thank you.

**Com. Maranga:** Thank you very much Bwana DO, please sign our official register and give us that memorandum. Thank you for your good views. Now niite wanafunzi wa Chandarima Secondary School, sijui niwangapi kwa sababu majina yao sioni so can we have them, the order they are going to come. How many are you? Two, there are three of you? Okay, so I think you can present one after the other, you start with your names you tell me the school and the Form you are in okay? Good.

**Ogada Perminus:** We are three but I am the one to present.

**Com. Maranga:** The two are not talking?

**Ogada Perminus:** They will just say their names. My names are Ogada perminus in Form 2.

**Com. Maranga:** Okay, let me have the other ones.

**Joshua Ligavo:** Nawasalimu nyote hamujambo? Kwa majina ni Joshua Ligavo mwanafunzi wa Chandarima.

**Com. Maranga:** Any Form?

**Joshua Ligavo:** In Form Four.

Nawalimu nyote, hamujambo? Kwa majina ni Evelyn Fatenje from Chandarima Secondary School, Form Four.

**Ogada Perminus:** I will present the news then I translate it into Kiswahili.

**Com. Maranga:** You can present them in any way there is no problem.

**Ogada Prerminus:** Suggestions; The Government should establish a Commission that shall be charged with the responsibility



of disasters, e.g. floods. When there are flood it is when the Government is coming in to establish a Commission to deal with it, they must just establish it earlier to deal with such cases. The Commission should get its share of funds from the Exchequer of this fiscal year.

A question on Constitution. How will the new Constitution ensure that the recommendations of Commission set by the Government are followed? Second, we do not know how the old Constitution was about so that we are just being told we have a new Constitution so we do not know how to rectify our need, we should have been given out how the old Constitution was headed we can amend the new one.

Then, I will talk about opposition parties. I think we have more than 40 political parties in Kenya but for students like us we just know of KANU which is always just talked about in our mass print everyday and whenever they broadcast their news they are just favouring the political party, so we should have a new Constitution whereby every party will be presenting its views, its future arrangements at least every week so that we can know the..... I think that is all.

**Com. Maranga:** Let me answer the first question, how will the new Constitution be implemented, I think you need to tell us how but what we are supposed to do after collecting the views of Kenyans we are going to collate them, that means that we are going to put them together, after that we will analyze and see what Kenyans have said, after that we are supposed to change the laws of this country. You heard the earlier speaker saying that the laws are obsolete so we want to change the laws in such a way that they can be consistent with the Constitution. For example, if you want to establish a Commission on disaster management then I will put it from the Constitution but that, that kind of Commission needs to be established. How and when and how it will work now that becomes the domain of Parliament, Parliament now through an Act of Parliament will be able to formulate the policies and programmes of that Commission. Are you getting my point?

Why did we not give you the old Constitution? Well, we tried as a Commission given the short period of time we gave people to undertake civic education but that is one of the major problems which we have said that the old Constitution was never accessed by many Kenyans but what we are saying is that the law which established this Commission actually you can ignore the old Constitution in such a way that you give your views so that if they are any sections of the old Constitution which tally with your views that section should remain. Are you getting my point?

So, we said we do not also want to belabour the point but we want to go through the old Constitution and suggest specific amendments. The law which established this Commission is that it is for comprehensive Review of the Constitution, that means Kenyans can decide to come up with a completely new type of Constitution. For example when you say people say we want majimbo, that is not in the current Constitution but it was there in 1963 but that 1963 Constitution was never implemented it was never given a chance, you get my point? So I think you have already given your views and let us hope for the best and thank you very much for appearing can you sign our official register and hand over your memorandum. Then next person

anaitwa, namuitwa sasa Netty N. Mate. Okay, atafuatiwa na Eupharata Musavi, ako? Yes you will be next.

**Netty Mate:** Hamujamboni wote? Mimi kwa majina naitwa Netty Aroso Mate natoka---

Hi maoni yetu tulikua, tulikaa kwa kikundi halafu tukafanya mujadalo halafu tukaandika majibu yake ndiyo mimi naenda kulisoma na tuliandika katika kimombo.

**Com. Maranga:** Nafikiri ungetupa tu kwa ufupi kama ni mrefu tutajie ile main points, tumeelewana? Yani badala ya kusoma memorandum yote uwe unatutajia ile maneno ya muhimu, kwa mfano tulisema preamble tukazungumuzia maneno ya whatever namna hiyo. Tume elewana? Unanielewa?..... Hapana, sasa hiyo kama ni kuuliza majibu na ku-answer hiyo, that one you can hand over to us but if you want to highlight some points you better because hiyo itakua kama wewe unafundisha watu hapa itakua kama mwalimu.

**Netty Mate:** So I should only read the others.

**Com. Maranga:** Just highlight the main points, what did you come up with as your main recommendation. Do not ask that question which we have in the booklet and then you answer it, just give us the highlights that what you have agreed is a,b,c,d.

**Netty Mate:** Sisi tuliandika kuhusu management and use of national resources. Our nation has experienced problems with.....management and distribution of finance and management of human resources. ....controls these powers.

.....namba moja ilikua Parliament to support community participation in management and use of resources. ....tukajibu, yes Parliament should be trained halafu tukajibu foreigners or.....harambees, fund raising through transparently organized .....promotion of income generating activities in .....which can be envisaged in the Constitution is through.....

Jibu ya tano ikawa yes the Government should be required to apportion benefit from resources between the control Government and the community where such resources are found. Jibu ya sita ikawa, we can enhance the role of the Controller and Attorney General by having him appointed thorough Parliament plus having other senior officers know by the public to assist him. Jibu ya saba ikawa, the Parliament should appoint the Controller and Attorney General. Jibu ya nane ikawa, the.....which Parliament can use to control management and use of public finances is the ability to ..... Jibu ya tisa ikawa, in order to attach....Kenyan to work in the .....services they should be.....powers to appoint most of them. Jibu ya kumi ikawa, we can strengthen the management and discipline policy of the Public Service Commission by ....the appointment procedures, e.g., .....Commissioners. Ya kumi na moja ikawa, members of the Public Service Commission should be appointed by the Parliament. Ya kumi na mbili ikawa, .....should be a court of ethnic by ethnic.....in order for them to know that they should also follow..... Ya mwisho, ikawa yes the public officers should be required to declare their .....

**Com. Maranga:** Thank you very much, hand over the memorandum and sign our official register.

**Euphrata Musali:** Kwa majina naitwa Euphrata Musali from Lunyu sub location. Tulikalisha vikundi tukifundisha civic education tukatoa maoni kwa wananchi na tukaandika chini. Our topic was cultural, ethnic and regional diversity and communal rights.

Kenya has a rich diversity of cultures that are not addressed in our Constitution. Number one, Kenyas ethnic and cultural diversity does not contribute to a national culture that is sukuti, in-fighting, alcoholism initiation in brackets circumcision, tooth removal and excetra.

Number two, cultural and ethnic diversity should be protected and promoted by the Constitution like.....and property inheritance. Number three, any Kenyan person should exercise his or her rights to vote. Cutural and ethinc needs within the Republic that is circumcision, female genital mutilation. Number four, I do consider myself as part of a distinct social group who 's interest should be catered for in the Constitution, that is as a Luyha, mukoloko in brakets.

Number five, you mentioned the.....group.....and requirements the groups specific needs and requirements should be adequately addressed e.g. the style of Tiriki circumcision. Number six, ethnicity should be duly recognized and appreciated but noticed in promoting...and patriotism, e.g. it is not wrong to support a Luyha politician if you are Kalenjin and vice versa. Number seven, the Constitution should provide for protection from the discriminatory aspects of culture, e.g. compulsory marriage and forceful marriage. Number eight, we should have more than two national languages, e.g. Kiswahili, English, Mother tongue and any other foreign language which is lingala or any other. Number nine, the Constitution should recognize and promote all indigenou languages. And that is all.

**Com. Maranga:** Let me ask you a question. What did you say about Female Genital Mutilation? Do you want to circumcision of girls to continue or not?

**Eupharata Musali:** If it is there let it be known to natural, if it is there or if someone wants to do it or any tribe let it be known.

**Com. Maranga:** So you have no problem if the Luyha's are doing it they can continue.

**Euparata Musali:** If it is known but not to continue doing it in such a way.

**Com. Maranga:** Okay, thank you very much, asante, sign and give us your memorandum. Edna Sirisia. Karibu, halafu

atafwatiwa ni Erastus Sore, Erastus ako? Okay uwe tayari.

**Edna Sirisia:** Murembe bosu murembe handi

**Translator:** Jambo(inaudible)

**Edna Sirisia:** Nangwa mbu Edna Sirisha

**Translator:** Mimi na itwa Edna Sirisia.

**Edna Sirisia:** Nyanza ndi nilokhobo lilondokhana nangwa President namalire khubakho yakweme yakho maliale serikali kabere kange nangwa khubulakho khukalura khandi khuye tawe khulobolere rero musituwo shindi

**Translator:** Nataka kuaanza na neno ili la....inasema ya kwamba wakati Rais amechaguliwa mara ya kwanza anapofika mahali pake amalize miaka tano inatubidi tena tusimuchagua.

**Edna Sirisia:** Kalolekhanga ndenangwa likhuwa lindi liakhubola ndi endangwa ndibula mwana muyayi.

**Translator:** Nina furaha kwa sababu mimi nimeza kijana.

**Edna Sirisia:** Mwana mweneyo alanyola mulimo

**Translator:** Huyo mtoto atapate shamba

**Edna Sirisia:** Khandi ndebula mwana mukhana

**Translator:** Tena nimeza musichana

**Edna Sirisia:** Mukhana mwene alanyola mulimo

**Translator:** Tena yule musichana apate shamba

**Edna Sirisia:** Khandi mwana mukhana oyio wachalukhale

**Translator:** Tena huyo musichana ameolewa

**Edna Sirisia:** Khumusakhulu wewe

**Translator:** ako bwana yake

**Edna Sirisia:** Mukhana mwene alakhwebwa

**Translator:** huyo musichana atalipiwa mahari

**Edna Sirisia:** Shichira wasio omurisha mwene alabula mubana khandi alemenya mukisi kwenoko alalinda omwana muyayi mweneyo.

**Translator:** Kwa sababu mahali ambapo ameolewa pale ndiyo mahali pake atalinda jamii hiyo.

**Edna Sirisia:** Shichira khololanga ndenangwa khuliranga sa munye kho serikali enokho abandu basakhulu bakhwamiranga likhuwa liene khulolanga niri--- tsa bandu saidi. Likhuba lia bana bakhana benebo.

**Translator:** Nasema hivi, nataka sheria iwekwo na muelekeo wa kupatia wasichana mashamba kwa sababu kumekuako na matatizo hayo wakati wazee wanakataza wasichana kupata mashamba.

**Edna Sirisia:** Khandi lindi lilondakho balarenga nomanya khumenyakhuno mumurembe.

**Translator:** Kitu kingine ni kwamba mukishaishi na jirani

**Edna Sirisia:** Kalorakha mube naye shilala khuli mwana wenywe.

**Translator:** Natakikana mupendane.

**Edna Sirisia:** Wakhole wari witsa khubudamanu mwanomba sa bulayi

**Translator:** Ikiwa kutakuako na matatizo kwa mpaka mushirikiane na murekebishe.

**Edna Sirisia:** Sendi namanyenje kanyala khubola khubirawo ta

**Translator:** Sina mengi ya kusema hayo ndiyo ninayo.

**Com. Maranga:** Basi, asante mama na nakuomba uweke sahihi kitabu chetu rasmi. Erastus Sore halafu atafwatiwa na Francis Temba, you will be next.

**Erastus Sore:** Hamujambo wote? Kwa majina ni Erastus Sore na ninasema yale ambayo tulizungumuza tarehe kumi na mbili mwezi wa saba katika kikao cha Lubol na tulikua Lubol Uyangu sub location of Kambiri na nitazungumuza tu moja moja na sita sema maneno yote kwa maana ni mingi.

Moja ni namna hivi, Constitution should be explained to the people, ni lazima watu wajue Constitution ni nini badala ya kufika courtini ndiyo mtu anajua sheria inasema nama hii inasema nama hivi, sasa serikali itafute njia ya ku-explain sheria kwa watu.

Freedom of speech ikiwa iko na freedom of worship iko sisi hatutaki devil worshippers, mulisema wahindi wanayao ya ku-worship wanyama lakini ilikuako tangu....lakini wakati huu ndiyo tumekua na devil worshippers ya kuua na kumaliza watu sasa devil worshippers si kitu ya kukubaliwa na sijui kwa nini tukifika mahali ya pombe tuna-separate. Watu wakubwa wametengenzewa ma...na wanaingia ndani na kukunywa pombe na huku inje mtu anapitishwa na busaa anabeba kwa mutungi ati yeye alipatikana akikunywa busaa. Sasa huyu maskini atapata namna gani haki yake ya kukunywa kama .....si akunywe busaa, kama huyu vile anavykunywa beer. This is why changaa inakuja. Changaa imekuja kwa wingi na hata sativa yani ile bhangi imekuja kwa maana mtu anajua nikienda kwa pombe nitamaliza wakati sasa nikienda changaa nitavuta tu haraka na nitamaliza na imekuja kwa wingi sativa imekuja kwa wingi lakini ukirudisha busaa clubs kama vile mumelete beer bars itakua sawa kwa wale watu ambao hawajwezi.

Na free medical treatment tunahitaji katika serikali yetu. Tangu zamani tulikua nayo na wakati wetu sisi wenyewe tunajitawala kwa nini tuisaide watu wetu kua wazima? Free education kutoka Standard one mpaka eight should be there na hi maneno kusema mpaka alipe shilling hamsini za activity, shilling mia mbili za coaching, shilling gapi namna hivi hiyo si free education, tunataka free education and completely free for everybody to manage to get education up to Standard eight. Sasa hiyo serikali ipate jukumu ya kufanya hiyo basi hata mtu akienda Secondary School sisi si imekuja juzi sana na serikali yenyewe inasema uchumi nigumu, na kwa nini wanapandisha fees na muzazi atapata wapi, kama uchumi imshinda hata serikali yenyewe .....wazazi watapata wapi pesa ndiyo wasomesha watoto kwa hii fees wameinua na kila mwaka kila mwaka. Serikali inasema hakuna fees mtu wakuongeza lakini nasikia fees yetu ya shule fulani imeongezwa ya shule fulani imeongezwa. So, ikiwa serikali inataka fees fulani na iwe na .....na ikae miaka fulani.

Parliament, si mzuri Parliament kufanya mishahara yao wenyewe. Hatuwezi kua na Commission? Wewe utajifanyia namna gani kama ni chakula yako? Si utasema ile ya juu sana. Sasa inafaa Parliament iwe na Parliamentary Commission ambaye ita-effect mishahara na pensions zingine. Haya, wamejua ya kwamba nchi yetu imekua ngumu kwa vitu kama uchumi na kwa nini wanapandisha mishara yao na sisi wengine tupandishe nini?

President si muzuri kua above the law kwa maana hata mimi nikiwa President ....nitaona mtu yangu iko hapa nani yangu iko hapa nani yangu iko hapa, hiyo si mzuri na tena unachukua serikali kama yako na saa ingine hata unaenda outside the law na hujui na hata ukienda hakuna kitu kwako. Tena kuna makabila, si mzuri kabila ku-learn kua above the law na ukichunguza sana katika serikali yetu kuna makabila ingine kwa vile tunajua Kenya ni nchi ambao si ya mtu mmoja, kua wahindi, kuna Waarabu, kuna watu wengine na kuongeza kwa sisi wenyewe lakini ukichunguza kwa jela za serikali yetu unapata kuna makabila fulani hiko kwa jela na haiwezi kuingia na sijui hawa wanakua namana gani above the law. Sasa hii kitu ikiwa tunatengenza Constitution yetu mpya hatutaki kitu kama hiyo.

Kazi kuanzia chini kuna wazee wa vijiji wanafanya kazi vizuri na Assistant Chief anafanya kazi vizuri, mimi sioni kazi ya Chief. Kazi ya Chief mimi sioni Assistant Chief ndiyo anafanya anapeleka tu report kwa Chief na yeye anapelekea DO. Huyu Chief mimi sioni kazi yake na the PC, PC afanye kazi yake ni nzuri, DO afanye kazi yake ni muzuri, DC anafanya nini? Hii ni maneno ilikua ya ma-Governor na sisi tunaona tu DC, DO, Assistant Chief wanaweza na wazee wa vijiji na huyo Assistant Chief munachukua tu mtu akiwa farmer anakua Assistant Chief, akiwa mwalimu anakua Assistant Chief, akiwa AP anaenda kua Assistant Chief. Yafaa tuwe na Assistant Chief waende training kama vile walimu wanaenda training na Assistant Chief awe transferred aende mahali popote Kenya kwa nini asiende mahali fulani ndiyo ananza kujenga sehemu yake, watu wake na unapate hawa ndiyo wanatengenza changaa wanafanya nini na hachukui kitu. Kwa hivyo wapate training na wapate transfer.

**Com. Maranga:** Ya mwisho.

**Erastus Sore:** .....mara mbili, tatu. Prison wardens. Serikali yafaa ichukuwe watu ambao wanaelewa kiini ya binadamu ndiyo waeneleze vikazi ile ya kugoja mbusu vizuri lakini mtu anachukua tu anafundishwa ku-shoot na hana njia ingine ya kusaidia mabusu lakini ni ku-shoot.

Natural resources yafaa ziwe kwa watu wenyewe, watu hawa wa-benefit kutoka kwa natural resources na kuna vitu ingine kama Power and Lighting na telephone, serikali inajua kila mtu anapenda hiyo vitu na maji na anahistahili kutumia, kwa nini watu wenyewe walie ndiyo wapate hiyo si watengeneze tu Power and Lighting moto ipite, maji iletwe, telephone iletwe mtu wakutumia atumie na hiyo serikali ijue imetufanya namna hii. Na ikwa President alikua mzuri sana kwa watu wake kwa nini kumupa security tena si.....mtu mzuri kwa nchi yake na munampa security, munampa benefits ingine nyingi, apate kwa hiyo pension yake.

Now, watu kama Army Officers na Police Officers, hawa ikiwa wanaenda training kwa nini kitu ikipatikana ama bunduki ikipatikana mahali ama bunduki ilipitia mahali fulani ni risasi yake ati wanenda kutafuta experts na hawa watu wote wanapoenda training hawapati training ya bunduki ama anaonyeshwa tu ku-shoot. Yafaa wawe experts afundishwe bunduki ni hii part of the bunduki risasi namana hivi nini namna hivi halafu ikiwa kitu imefanyika huyo mmoja wao aende kufanya hiyo as an expert. We do not need kutoa watu mbali kuja kufanya hiyo kazi kama sisi tuna ma-officer wetu wenyewe.

**Com. Maranga:** Ya mwisho.

**Erastus Ruto:** Ya mwisho, Hii maneno ya clashes inatoka wapi? Sisi hatutaki clashes anymore in Kenya, hatutaki kusema kabila fulani ni kubwa kuliko ingine ya faa watu wote wawe muzuri na wafanye vizuri na wawe katika nchi moja. Lastly, three political parties, hizi nyote tunafanya nini, ukishindwa na hii unaenda kwa hii ama hii na hii lakini hizi zote ni kulete tu chaos ama ukabila.

**Com. Maranga:** Asante mzee wangu asante, nakuomba upatiane hiyo memorandum na uweke sahihi. Francis Temba. Please brief na to the point.

**Francis Temba:** Commissioner wetu wa tarehe ya leo tarehe ya August moja. Mimi...

**Com. Maranga:** Na umejaitambulisha kweli?

**Francis Temba:** Mimi mwenyewe ni Francis Mwasio Temba kutoka .....Kambiri Location.....Division. Nina makaratasi hapa ambayo nitaongezea tu kwa Secretary wangu wamwenye anatoka hapa na kwa sababu sita zungumuza mengi yale amezungumuza kuna makaratsi mengine ambaye nataka.....hapo pia nikiomba hiki kikao Commissioner hii ya Katiba kwamba yale ambayo inatengenzwa leo iwe.....tena ya ukweli na ukweli mutupu isiwe kama ile ileyokua ya Njonjo, Ouko na.....

Mweshimiwa, tunazunumuza maneno mengi huwa mengine imepitizwa na tumapitia tu kumbe ni mambo imetengenezwa na naomba wananchi hawa wamepoteza wakati yao na Kenya zima impoteza wakati minigi kwa sababu ya kutengeneza Katiba na tumetengeneza hii na tunajua itaenda na itakuako na nyinyi mutakuako mpaka kila kitu ambacho kitakuako mutakua mukikifuata ile inatakikana. Na nafikiri sina mengi.

**Com. Maranga:** Asante, mzee nataka kukuhakishia ya kua hii Katiba ni maisha na sisi tutandika vile Wakenya wamezungumuza. Kama mtu amesema kitu fulani utaona kwa report.

**Francis Temba:** Hiyo ya ukweli.

**Com. Maranga:** Okay? Asante. Haya hand over the memorandum.. Bwana Joshwa Kisiyenya, utafuwatiwa na councillor Amawa, yes councillor Amawa utafuata.

**Joshwa Kisiyenya:** Commissioner of the Constitution Review na wenzangu, namusalimu hamujambo? Kwa majina ni Joshwa Kisiyenya na .....na wenzangu kundi moja kutoka .....group A natukaandika hapa memorandum kwa local government, electoral system, basic rights, rights and vulnerable groups, land property rights na kwa hizi zote imeandikwo hapa ambao majibu ni kwa hii memorandum sheet na ningeonea kusema jambo moja, mbili kwa memorandum ya basic rights.

Na pale nikiweka mukaso social rights, traditional drinks, cultural practices and cultural ceremonies should enshrined in the Constitution. Hii sherehe zetu za harusi, za kutayarisha, za matanga na vitu vingine kuna pombe ya kienyeji busaa na hiyo tungependelea tupewe licence ikubaliwe kwa maana hii ni kwa serikali, Police na watu wengine wanaona ni njia ya kupata pesa



na kufanya maneno mbaya kwa .....hata unawashika unawapeleka wapi sasa pamoja unawekelea juu yake bhangi na kila kitu na unawasitaki na wana sheria yao kidogo namna hiyo na .....ikubaliwe.

Kuna ingine kwa ile memorandum ya vulnerable groups. Vulnerable groups kuna mahali ingine ambaye nitaweka mukasi kidogo, especially concern for people with disabilities should be, wale .....na wengine ambayo hawajiweza wapewe education free in fact .....medical care. Na wapewe kazi pamoja na wale wengine kazi inalingana tu na utawala utaona pia disabled persons.....nishaona Chief ama sub-Chief....popote.....wakati kwa hivyo wapewe, they should feel free like other fellows. Thank you very much.

**Com. Maranga:** Thank you and I want to ask you to register with us and give us that memorandum, thank you. Councillor Amawa. Atafwatiwa na Atanas Muyayana, kama ni wewe. Muyayana, okay sawa sawa.

**Pius Amawa:** Bwana Commissioner, mimi ni mwanasiasa Councillor Pius Amawa Were. Mimi ni councillor were Vihiga ward na vile ninakuomba dakika tano lakini vile nahakilisha hawa watu utaniongeze hata...

**Com. Maranga:** Were, sio mukutano wa kisiasa wewe toa maoni, unajua, wacha nikueleze kitu inaitua political party ni sehemu ndogo sana ya Katiba, haya sasa wewe ongea.

**Pius Amawa:** Nimeanza. Hii mambo ya Commission ambaye inasanya maoni, nafikiria kuona kwangu mulipewa muda hii ikitaka ipigwe mtu yake na hawa wa kue independent kwa maana hii ni sheria ambayo itamaliza miaka na miaka ambayo tunataka ikiwe iangaliwe vizuri si wanasiasa waingilia au Head of State au wana MPs au Minister, tunataka hata ikienda miaka tano hata kumi iwe sheria ya maana.

Halfu hii Constitution ambayo tunataka au tunatengenza hii kwa maana hata saa hii mimi mwenyewe sijui sheria. Ningependa hizi sheria .....ipewe kwa primary schools ikuwe one of the subjects in primary schools ili mtoto akifika class eight akuwe anajua hii ni mbaya hii ni mzuri nikifanya hii nimeenda makosa. Nikikuja kwa mambo kama recruitment, vile watu wanchukua Forces, Army, Police, AP, Bwana Commissioner, tunataka tuwe na njia ambaye recruitment inaweza kuchukuliwa ndiyo unaona complaints zinakuja kwa Police hata kwa Army. Zamani tu unasikia Army inakuanga mtu mrefu na leo unapata kitu namna hii fupi na haichukulie kwa njia mzuri hata recruitment ilikua Kakamega, tutafanya namna gani recruitment ya forces iwe mzuri all over Kenya.

Mambo ya mashamba, transfer au succession, baba yangu amekufa, nipeleke pesa courtini nitafute lawyer na Chief huyu anajua baba yangu vile alikufaa, wazee wa hapo wanajua amekufa hata...hajui vile baba yangu alikufa judge huko Kakamega hajui. Succession tunataka mambo ya kuenda succession courtini itolewe ikue tu kwa wazee hapa. Hapo succession vile mama mwingine amesema umezaa watoto wasichana, wanaume, hile musichana amebahatika ameoleka mimi nasema hawezi kupata

shamba na hile hakubahatika kuoleka nafikiria apate shamba kwa maana ni mtoto wako. Mambo ya transfer of land Bwana Commissioner, tuko na shida hii land transfer unaenda kwa division unaenda Kakamega lands board ni nyingi ati hii mambo ya kuweka number hii imeletea sisi tabu hii transfer of lands tunataka hii mambo irudi tu kwa wazee nyumbani Chief atoe tu maandishi hii shamba ni ya fulani number ni fulani halafu unapewa title deed.

Ingawa ninafutia kidogo mtu alisema mambo ya busaa, you have Uganda waraji we have busaa in Kenya hata huko tuna whiskey, kwa nini serikali haiwezi kufanyaa mupango hii changaa watu wankimbilia hii iwe na machine ya kutengenza hii changaa iwekwe mahali watu wakuje kununua bila kukimbishua na AP's na provincial administration. Ni kinywaji kama whiskey, whiskey one litre is about six thousand the changaa one litre ni shillingi sitini, mimi nitaenda kwa whiskey kweli, serikali ifanye mupango kwa maana hiyo ndiyo pombe yetu ya kiasili lakini hii whiskey we are promoting other countries than promoting ourselves here in Kenya.

Nikiendelea, mishara kama ya wanasiasa, ningependela mishara ya Wabunge tuwe na independent body ambaye inaweza angalia Mubunge anaweza pata mishara kiasi fulani kama sisi walitengenza mishahara ya Wabunge peke yangu and we are on gratitude kama mimi councillor bado iko na elfu saba na sisi mishahara tunapata kwa soko watu wakisanyi, kama hawasanyi hatuna allowance. Ningependelea serikali pesa ya councillors itoke kwa selected bank vile ya wajumbe inatoka huko.

Mambo ya forest tunapa inaitwa game reserve. Ningependelea hiyo game reserve au game reserve katika Taveta au hapa ihusishwe na wananchi surrounding kwa maana nikipita huko Nakuru nikienda Umaasai wanyama ndio hawa ngombe za watu ndiyo hizo watu ndiyo hawa wanatembea ndani na hapa hakuna mtu anatembea ndani ukipatwa risasi au kupigwa au kushikwa. Hii forest ningependelea ihusishwe watu wetu, ihusishwe kwa watu wetu irudi katika council, county councils hapa ni council, namna hiyo.

Mambo ya makanisa Bwana Commissioner, tuwe na mupango ya makanisa, sijui hapa makanisa iko million gapi, tunataka ikuweko limit na ipitie kwa mpango kwa kila province, kanisa ikitaka kuja ikuako independent body ambayo itasema hii kanisa inafaa sheria zao ni hizi kwa maana makanisa ingine inakuja hapa hata.....sio mzuri tunataka tuwe kila province au district wakue na kamati ya kusema hii kanisa inafaa. Nitaenda mbio mbio Bwana Commissioner.

**Com. Maranga:** Hiyo ndiyo ya mwisho.

**Pius Amawa:** Excuse me Sir, Bwana Commissioner---

**Com. Maranga: (interjection)** Unaona hii karatasi kuna watu wengi wananchi wako wanataka kuongea, leo hawataki kusikia wewe wanataka kusikia, wanataka vile vile uwasike leo.

**Pius Amawa:** Zimebaki tatu tu. Bwana Commissioner, ningefikiria each constituency tuwe na vote magistrate akuako kwa maana transport kutoka hapa Kakamega ndiyo watu wamejazana district mzima kesho mpaka miaka tatu case inafanywa, kila constituency ikue na courti ile mambo kidogo kidogo inafanywa kwa constituency au kwa division.

Mambo ya President vile mumesema tumesikia tu sheria inaenda kwa Mbunge, mimi nilika councillor napata mshahara, vile napata mshahara nikitolewa ile kitu nilikua napata huko nitatumia nyumbani kwangu, hii mambo yakusema ati President atapata hii na hii ata sisi kama iko namna hii ata sisi tuonesiasia tufanyiwe hivyo tena.

Finally, ningependa kwa the Commission ingawa umeniharakisha hii post ya Assistant Chief, post ya AP, post ya DO iondelewe Chief abakie na wazee kama kutakua na mambo ya PC iondelewe tuwe DC, Chief na wazee hii maneno ingine iende kabisa hatutaki at AP sijui iko namna gani.

Mambo ya elimu kwa maana kama sikuguzia mambo ya elimu sio vizuri. Bwana Commissioner, labda mimi na wewe tunatoka kwa good family na hawa watu wanakua wanasomesha watoto anauza shamba anauza mali huyo mtoto kumaliza shule mimi ningependela serikali at least kama yeye bado haja pata kazi apewe kitu kidogo kwa maana saa hii tuna watoto hata huko nyumbani hatunakazi.

Mambo ya health---

**Com. Maranga:** Councillor, sasa nita----

**Pius Amawa:** Hata nataka toka sasa. Mambo ya health hiyo ya mwisho kabisa, mambo ya health hii ya binadanu wote hata mimi nikikua mgonjwa malaria hata wewe na mtu mdogo kwa nini mumeweka hospitali kubwa ya watu kubwa, hospitali ya watu watoto, tunataka mambo ya health kama ni hospitali iwe kitu kimoja all over Kenya ili mdogo kwa maana sisi hatuna pesa na serikali tumechagua tuko uhuru kwa nini tumechagua Minister hospitali ya Minister na mtu maskini. Bwana Commissioner asante ya kunisikiliza.

**Com. Maranga:** Niko na swali moja.

**Pius Amawa:** Swali mimi narudisha.

**Com. Maranga:** Wewe unasema makanisa yamekua mengi sana yako kila mahali, sasa hawa watu wanaingia hizo makanisa mpya mpya nani anawalazimisha kuingia kwa hiyo makanisa?

**Pius Amawa:** Okay, nitakujibu, hiyo makanisa ambayo imekuja nyingi imekuja na mashetani, mashetani imeanza kusanya watu

kuingia dani na kufanya vitu vibaya.

**Com. Maranga:** Na wacha nikulize, unajua tafauti ya shetani na ile kanisa ya kiMungu?

**Pius Amawa:** Najua.

**Com. Maranga:** Utajuaje?

**Pius Amawa:** Ile kanisa, mimi I am Catholic, ile tulikua na hubiri na ile makanisa wanaingilia mukongo tumeanza kuona inaharibu nchi hii. Wanaingia nguo uchi sasa hiyo itakua kanisa mzuri?

**Com. Maranga:** Hapana unajua wananchi wako na freedom of association sasa wewe uamue. Haya weka sahahi.

**Pius Amawa:** Haya, lakini nilikua bado moja.

**Com. Maranga:** Hapana, wewe kaa huko.

**Pius Amawa:** Unajua wananchi Bwana Commissioner watapigwa ombea mimi sub-Chief sisi tunataka hawa watoke wasipigwe.

**Com. Maranga:** Okay, asante. Atanas Muyayana. Sorry Bwana Ernest, halafu atafwatiwa na Samuel Mwanzi, Mwanzi ako? Okay you will be there.

**Atanas Muyayana:** Ndalalomaloma lwisukhwa. Bwana Commissioner naabandu bo bosu mirembe bosu

**Translator:** Bwana Commissioner na wageni wote namushukuru na namusalima wote, hamujambo wote?

**Atanas Muyayana:** Mani eshe mwene nangungwa mba Atinas Muyayana

**Translator:** Na mimi naitwa Atana Muyayano

**Atnas Muyayana:** Maoni karulanga mwinzu mwene

**Translator:** Maoni ambaye inatoka ndani mwangu,

**Atnas Muyayana:** Mbola endi

**Translator:** Nasema hivi,

**Atnas Muyayana:** Serikali yefu iri mkenya kukana kechinyanga nikhuli khena khulano

**Translator:** Serikali yetu ya Kenya vile tunavyo fikiria sasa,

**Atnas Muyayana:** Khubola ibe serikali ya Majimbo

**Translator:** Iwe serikali ya majimbo,

**Atnas Muyayana:** Sichira sheni nje sii

**Translator:** Kwa sababu,

**Atnas Muyayana:** Omwanda hii kuu

**Translator:** Hii barabara,

**Atnas Muyayana:** khemenye mwa khwitsa khu

**Translator:** Saa hii serikali ambayo iko haiwezi hata kuirekebisha.

**Atnas Muyayana:** isaa yeno ino serikali irikho sinyalikha ta

**Translator:** Hii barabara kutoka Kambiri

**Atnas Muyayana:** Omwanda hii khurula Ikambiri khulamu

**Translator:** Mpaka Chepsonoi,

**Atanas Muyayana:** Mupaka khudukhu Ikwepsonoi

**Translator:** Inahitaji kuwekwa lami kwa sababu hiyo biashara imekwama.

**Atanas Muyayana:** Khwenya ilamu nikoitekwe tseserani

**Translator:** Sasa tumestajabiaka,

**Atanas Muyayana:** Makhudu khwatenya

**Translator:** Kwa hivyo nasema kwa ufupi tupate majimbo ili tupate maendeleo kwa kila sehemu.

**Atnas Muyayana:** Makhuba kwanje khu khwimbe lazima khubolanga serikali ibe mumjimbo Kanje kario nombamba kabwere

**Translator:** Hayo ndio maoni yangu.

**Com. Maranga:** Na wacha nikulize mzee wangu, mulize kama badala ya kupewa majimbo ila tu vitu ifanyike kwa uzuri yaani tuseme njia ya kupeana nuvu kwa kila mahali, hiyo itakua vizuri?

**Atanas Muyayana:** Kanyala khuba kario nikali bindu bilayi birekhanekhane nibikhayi nibirekhanekhalala tawe

**Translator:** Hivyo ni vizuri ikiwa vitu zitafanyika katika njia inamipango musafi.

**Com. Maranga:** Okay sawa, wacha aweke sahihi. Haya Bwana Mwanzi, Samuel.

**Samuel Mwanzi:** Commissioner wetu na DO na wenzangu, hamujambo? Yangu, mimi si mzuri sana kwa Kiswahili, Kingereza labda lakini nitajaribu kwa Kiswahili wananchi wasikie. Ninamambo Commissioner wetu muhimu, mimi nimeonelea namna hii nimiona mazugumuzo imekua kukue na ceremonial President tukue na majimbo vile munasikia. I believe and strongly believe the present structure of Government of having the President, Vice President and Ministers should be replaced, why? It is cost effective, ukiwa na watu wengi itaharibu uchumi yetu na ikuwe mbaya sitakua mzuri.

Question of Prime Ministers I do not support it, why? Vile tunajua ujumu wetu ni pesa mingi and the services will not be good. I go to Executive, Office ya Executive, the person has control over everything in this country, yes, he can do anything he wants with any individual. I believe and I strongly suggest that these powers should be curtailed, some of them should be taken away, for instance he appoints Chairmen and departmental heads or Managing Directors of various firms and you find that most of our Parastatal bodies zina anguka zina anza kuuzwa, why? Just because the people who are being appointed are not competent, they have no knowledge they have no technical knowledge of that Parastatal knowledge, so what I am saying or what we are suggesting Mr. Commissioner, these appointments should be vetted by the Parliament, after the Parliament has vetted these the Parastatal bodies reports should be submitted to the Audit General for scrutiny and for onward transmission to the Parliament.

My colleagues have mentioned powers of Executive of extending Parliament giving themselves salaries it must be checked we can not run a society where you can give and take the way you want when others are suffering, so what I am saying those powers if they are there in the old Constitution should be scrapped. MP's should discuss and see exactly what you do and when I come to that I am saying we should have an office or a council for this instance I have suggested myself the Electoral Commission should be empowered to have the checks and balances of this ...but it is the Parliament and the President.

Provincial administration, I will move a bit faster because I have a memo. I believe this time we are going to new technology there is a waste of time in our Government system, how? My colleagues have mentioned here our Commissioner, you want something you go to the legal room, Assistant Chief, Chief, DO. When I look at the other countries from my house I see that is a waste of time, I am suggesting, respectfully suggesting to the Commission the office of the Chief, the PC's office those...offices must be done away with. The Assistant Chief should be empowered to make his report to the DO, the DO I will give a suggestion, the DO should in turn make a report to the DC, the DC should in turn make a report to a director in the Office of the President who also is answerable. I believe that system is a waste of time when I am trying for something I should get it straight away, the Chief just waits for the report in his office he does not do anything, the Assistant Chief will die or toil the whole night, the whole day and...and I recommend in my memo the village elders should be given something which the Chief was earning. They should get some remuneration that is what I am suggesting.

**Com. Maranga:** The last point.

**Samuel Mwanzia:** Administration Police; Administration Police we do not need them. Appointment of the Ministers should be done by the President but it should be vetted by the Parliament so that we get people who have not been involved in corruption, people who have no cases in court. These are the people who have a sense of belonging that is to the electorate.

Land; land, I am just finishing Commissioner with due respect, land, our land hii shamba zetu ni zetu, ni zetu, ni zetu, lakini na fikiria serikali inaingila inasema ina-protect sisi inaingilia. When our land and I have a title deed with my name I am controlling that piece of land and at the same time ile kitu iko chini yake, underneath say coal, I should also control it so if anybody wants something in that, that coal it should be a willing seller willing buyer basis.

Judiciary; Tumekua, watu wetu wamekua na masikini sana lakini kupeleka casi mbele kwa courti lawyer wamepeleka casi zako mbele sana, and I believe the poor people languish just there in the up-countries, I believe the Government should employ state counsels to be representing those poor people who can not present their cases in court that is from the pay, the tax payer payroll, the City Council is there for instance, Kakamega District, Mwanzi nikikua na shida na mimi sijiwezi anaenda kusimama. Kwa nini anaangalia mambo ya Chief, ya Assistant Chief and these are able people.

And lastly primary education, primary education is very important, I know and understand siwezi kusema education ikwa free in the country, no, but lazima primary education should be completely free. What I am saying is no levy hata chalk hata nini inunuliwe na serikali na fees kama mwenzangu alisema ya secondary ikue too the level which is manageable to the wananchi. Thank you so much.

**Com. Maranga:** Thank you. I have got two questions for you. One, how does the electoral Commission control the

President and Parliament?

**Samuel Mwanzia:** What I am saying, thank you very much, is if we empower in the new Constitution the electoral Commission we shall now give them their job description and then these other peoples, one say for instance the MP's want to start they have to submit their details for scrutiny so that electoral Commission will be having those records and they now can see what is happening. So, what I am saying for their checks like the salaries what and what these people can be able to know, no this is not proper.

**Com. Maranga:** And the second question, you are saying that the individual should have the ultimate ownership of land and you are saying that the Government should not have any powers to take any piece of land.

**Samuel Mwanzia:** Correct.

**Com. Maranga:** Now, a question I want to ask you, if for example you want to set up a school or a hospital in a given area and you have no land every land has been occupied, what will the Government do to provide the services?

**Samuel Mwanzia:** Commissioner, I did not mention correctly, it will be on a willing seller willing buyer basis.

**Com. Maranga:** If there is no willing seller there?

**Samuel Mwanzia:** We will have to find a solution there.

**Com. Maranga:** Which solution, that is the one I want.

**Samuel Mwanzia:** Now, the solution is we have got, I will give you the answer, we have got Government land now—

**Com. Maranga: (interjection)** No, assuming there is no Government land in a given area, like now you are setting up a factory or we have discovered in Mwanzi's land there is a lot of gold which we need---

**Samuel Mwanzia:** It will be now the responsibility of the Government to sell their product, if they want to set a school they have to sell their products by convincing that mwanachi that this school is important for them.

**Com. Maranga:** And then?

**Samuel Mwanzia:** I believe that will be the way forward.



**Com. Maranga:** Okay, thank you very much. Hiyo ndiyo maoni ya wananchi. Ogada Perminus halafu atafuatiwa na Chales Sousi? Ogada amenda so can we have Charles Sousi and then there is another one who is David Lilumbi Musavi but you have indicated yourself as an observer, you now want to speak? Briefly, okay be ready there.

**Charles Sousi:** My names are Charles Lubwa Sousi, I am a teacher at Chadarima Secondary School and these are not just my views but the views of the teachers of Chadarima and because we have made a handwritten copy because we did not have enough time for the memorandum I will just go through some of the main areas I can be able to mention.

I would maybe like to put some stress on, number one, about our Constitution, the Constitution is not know to the public and therefore it should be made available if possible in schools and in all Government public offices so that the mwananchi should be able to know what the Constitution is all about.

Number two, we feel the Parliament should not retain the power to be able to change he Constitution, the Parliament can only initiate changes on the Constitution then we should be able to carry out a memorandum, our Constitution should be able to allow for the carrying out of a memorandum so that our Constitution is not subjected to so many changes every now and then and as another colleauge said our Constitution should also be able to allow for holding of a referendum and some of the most important issues in our country.

About our defence and security I do not want to say much but I will be able to say that if we are supposed to have national Defence Forces, national Armed Forces then we should be able to give equal chances to all areas, give equal chances in all areas to be represented in the national Security Forces but not having maybe members of one tribe dominating maybe the Army or the Navy and so on, people do not respect it.

Number three, on political parties I should be able to suggest that we should be able to limit the number of political parties that we have. At most we should just have about five political parties because we are having so many one man or two men political parties and number three on political parties again I should like to say that we should have an independent registrar of political parties and that one of other organizations because a church and a political party are in Kenya are now being registered by the same Office of the Attorney General.

On the structure of the Government, I would like to say that we should retain the Presidential system that we have in Kenya but my suggestion is that the Vice President should not be an appointee of the President. I suggest that as we elect the President let us also have the chance to be able to elect a Vice President and when we elect a Vice President his powers should be clearly specified and his duties and responsibilities should be clearly stipulated in our Constitution.

I am suggesting here that I disagree with some of the people who said that we should have a Prime Minister in Kenya, I do not think Kenya needs a Prime Minister it only needs the strong office of the Vice President because that will be creating so many offices and it is going to just create confusion between here and there on who is in control. On the President, I suggest that a President should be elected with at least 51% of the votes cast in every Province. If we do not have in the first election we do not have somebody getting 51% then we should have a run off between the top two candidates and on the President I am saying here because the President is elected by the whole public our President in Kenya is not answerable to the public, I suggest the President which will be answerable to the public and in this case my public I feel should be represent by the Parliament, I feel that there should be a day set aside like it is being done in some other countries where the President will have to appear in Parliament and answer questions from member of Parliament, not just to appear in Parliament when we have the budget being read.

The Civil Service, I think that the positions of senior civil servants like the Permanent Secretaries should be advertised and the appointments should be done by a Commission not an individual, I also suggest that the positions of various heads of Parastatals bodies should be appointed by a Commission but not by an individual and those positions should be advertised so that we can be able to know who is the most qualified person to be able to hold such an office. We should also allow for only one person one job, not having somebody having three, four jobs and very many other people are jobless.

On Parliament, I suggest that the number of Ministries and departments of the Government should be set by the Government so that we do not have very many ministries of very few ministries.

**Com. Maranga:** Last point.

**Charles Sousi:** Let me go to directly to education. On the issue of education I say that the policies and plans of education in this county should be decided by qualified educationists because the problem we are having is that everything is decided in this country by politicians, managers of the Ministry of Education should be qualified educationist not political appointees and they should be free basic education, how do you have free basic education? We only have free basic education by allowing for the budget to be able to decide how much we are going to spend on education and we should be able to revive departments of education like Kenya School Equipment Scheme which should be able to give the free things that are required in the primary schools so that the teachers are not there and they do not have what to use. I had many other things to say but they are in my memorandum.

**Com. Maranga:** Thank you very much and please give us you memorandum and sign, then the next teacher is David Lilumbi.

**David Lilumbi:** Mimi ni mwalimu Daudi Lilumbi Musavi. Sitakua ma mengi kwa sababu .....mwenzangu kuandika ambayo yako pale lakini nitaguzia kidogo machache ambayo yamejitokesa wakati wakusikiza.

Kwanza ningependa kusema nasikitika hatujawai kupanua jela zetu ingawa hatujitaki au hatutaki walifu uendele lakini tangu tupate uhuru sijawai kusikia tunafanya harambee ya kupanuwa jela na wakati moja niliwekwa cell nilijuta ndungu zangu, nafasi ya kusimama hakuna kwa hivyo ningependa Katiba ifikirie jambo hilo.

Ningependa pia wakati tunafanya campaign Katiba ifikirie kiasi cha pesa ambazo mtu anaweza tumia akitumia kiasi ambacho kinapendekezwa astakiwe. Ningependa kuruhusu majimo kwa sababu majimbo tukikubali yaruhusiwe wale ndugu zetu ambayo wanafanya kule baharini watafukuzwa na sisi huko hatuna bahari kwa hivyo tutakua na shida kuwapatia kazi.

Mshahara; Ningependa Commission zozote zile ambazo zinateuliwa na serikali yetu tukufuu hii ikiwa moja wapo yale ambayo yanapendekezwa iyaheshimu na itekeleze. Tulisikitika kusikia haikua na moyo kwa kutekeleza mshahara ya walimu wakati tayari walikua wakikubaliana wametia sahihi lakini kuja mshahara wa Wabunge wakakubali zaidi ingawa walikua wakisema pesa hazipo kwa hivyo niombi langu ya kwamba katika Katiba isemwe ya kwamba ya kwamba Commission zinazoteuliwa ziheshimiwe na yule anaye ziteua.

Hili pia nitaguzia kwa sababu ni kutilia mukukazo, sisi ni majirani wa musitu hapa tumeulinda musitu huu vilivyo ni Mola alietujalia musitu huu kama aliwajalia wengine bahari wengine akawajaliwa ziwa ingekua bora yuwapo kazi zinapotolewa, si semi tuharibu tu ingeia kule lakini wapo musitu huo unawafaidi wenyeji wawe ni wale ambalo ni majirani wanafaidiaka zaidi kutokana na ule musitu.

Wakati tulipata uhuru musanzilishi wa taifa alitangaza mambo matatu muhimu, tupigane na njaa, na umasikini na ujinga. Nafikiri tulikua tumejaribu lakini kwa kua Katiba yetu haitetei hayo mambo nafikiri tumefika mahali pabaya zaidi kwa hivyo ningependa Katiba ikitengenezwa haya mambo yatiliwe mahanani mambo ambaye itazua njaa, umasikini na ujinga. Kwa wakati huu watu ni wajinga zaidi sio kwa kupenda kwao wameshindwa kugarimu ile garama kwa sababu garama ya masomo imekwenda juu halafu kazi kupatikana katika nchi imani yangu inaniambia hatujafika kiwango ingawa tumekua wengi vile lakini imani yangu huniambia hatujafika kiwango cha kusema hatuna kazi.

Iwapo tumefika kiwango kile kuna nchi jirani, kuna nchi bali wakati tunasema tunataka watu fulani ningefikiria ingekua jambo la busara Katiba ikipeana ile ruhusa iwapo kazi imepatikana hapa na jirani yetu nchi au manchi ya mbali inapeana kazi tusiwe na vikwazo vya kukua.....ambao ungependa kuenda inje.

Halafu, jambo ambalo wengine wamezungumuzia napenda kutulia mukazo pia ni ibada. Katiba yetu izungumuzie tuna abudu nini? Sio kusema tu freedom of worship, uhuru wa kuabudu, kuabudu nini? Ningetambulika vitu ambavyo tunataka tuabudu ziwe katika Katiba na zijulikane ni Mungu au kuna mambo mengine ambayo tunataka kuabudu.

Mwisho, ningependa, na nasikitia hapa awali wakati mvua ilikosekana waKristu, waIslam na wengine wote wanamuita Mungu walikutana pamoja wakaweka maombi. Mungu asielala akasikia maombi yao. Ningependa wowote wale ambao wanaabudu Mungu wawe wakiomba na Mungu awe akisikia ili yale ambaye tunapanga yote tutaweza kupata baraka za Mwenyezi Mungu. Asanteni.

**Com. Maranga:** Nina swali moja, wewe ni mwalimu wa shule, secondary ama shule wa upili

**David Lilumbi:** Shule ya upili.

**Com. Maranga:** Sasa wewe ungetaka mshahara yenu iwe kiasi gani? Mshahara kidogo kabisa ya mwalimu inatakiwa kua kiasi gani?

**David Lilumbi:** Kwa sasa, siwezi kukupa jibu kamili kwa sababu, nitakuelezea pale. Kuna wataala...juu wapo niliweza kusoma gazeti kila siku miaka ya .....thamanini na sita hata thamanini na nane, nilikua na weza kununua gazeti kila siku na iwapo sasa nashindwa, watu ambao wamesomea area ile ya uchumi wakiambiwa wakae wataniambia huyu ni mshahara ambao hunistabili.

**Com. Maranga:** Hapana, sasa mwalimu unahepa swali yangu na unajua mimi naye ni malimu. Mimi ningesema makisio yako kwa mfano kwa budgeti kunakuanga na makisio na walimu wanamakisio approximate figure ile ungesema ni mshahara mzuri, kwa mfano Wabunge saa hii wana kula elfu mia nne na kitu hivi, sasa mwalimu ungeona afike upande gani?

**David Lilumbi:** Efu arubaini hamsini hakuna makosa.

**Com. Maranga:** Forty thousand and above, that is all I needed, kwa nini ulikua una hepa swali? Haya esabu hapo. Haya asante, sasa namuita muingine ni Jackson Muhambe halafu atafwatiwa na Elisah Mumudi, ako? Basi you will follow Jackson.

**Jackson Muhambe:** Bwana Commissioner, Bwana DO, kwa majina ninaitwa Jackson Muhambe, nitatoa maoni karibu tatu, nne.

Nitazungumuzia ya kwanza ni mambo ya homeground. Homeground kwa maChief na manaibu wao. Mimi naonelea ya kwamba hawa maChief na manaibu wao wachaguliwe na wenyeji ikiwa serikali itakubali na ikiwa wanataka wachaguliwe na serikali ningependa wawe wakienda ma-transfer. Hiyo ya kwanza.

Ya pili, nitazungumuzia habari ya protected areas katika Kenya. Kuna kitu kama misitu, kuna bahari na mambo mengine mengi ambapo mimi naona Bwana Commissioner, watu ambaye wanalete uhalifu kwa mazingira haya ni wale wafanyikazi wa serikali

ambao wanaajiriwa na wanaleta uhalifu namna gani? Wana lete uhalifu kwa njia hii, kwa vile mtu ameandikwa kutoka Coast, Mombasa, akija hapa anaona ya kwamba kuna.....teak mimi nikijiingiza kwa kupatiwa mbao na ni kijiingiza kwa kutoa makaa nita tajirika mara moja, kwa vile ningependa sheria ikubalie wale wenyeji ambao wako around----

Bwana Commissioner, ningependa, katika nchi zingine kama UK kuna sheria zingine ambazo hajiandikua nataka ile sheria ambayo haijaanikwa katika sheria iwe ikitumika. Yani kwa mfano, ninona saa ingine unatembea town au kwa njia tu hapo unaona mtu anaanza kuharibu mazingira, pengine hii ni nyumba na unaona mtu anaweza akatoa choo hapo naunajua sasa hiyo sheria hakuna sheria ambayo inaweza kusema umupeleke kwa Chief au umupeleke kwa Assistant Chief ndiyo aje amushike nataka tu mwananchi aruhusiwe akiona mazingira inaharibiwa hiyo sheria iwe ikitumika alazimishe yule mtu fanya hivi na fanya hivi na iwe hivo.

Ya nne, ni kwamba ninaona katika Kenya kuna watu wengine ambayo niwanasiasa wazuri sana Bwana Commissioner, hata wanpendwa na wananchi na wanaweza hata kutawala wawe kama Rais lakini shida ni kwamba hawana uwezo sheria inasema akitaka kusimama kwa kazi ya Urais lazima akubaliwa na chama kwa vile ninapendekeza ya kwamba hata mtu akiwa mzuri na anataka kua Rais anaweza kujisimamia mwenywe.

Ya tano Bwana Commissioner, nitazungumzia haki ya binadamu.

**Com. Maranga:** Na iwe ya mwisho.

**Jackson Muhambe:** Hasiwa kwa.....Bwana Commissioner. Ninataka watu wengine hua wanafungwa jela na akisha fungwa jela anamaliza huko miaka kumi, akitoka huko unakuta huyu mtu hana chochote ingawa jela ilifundisha kazi hata akitoka huko kama amefundisha kazi ya ujengi serikali iwe inamupatia vifaa au pesa aje aanzishe maisha na hizo pesa. Ya mwisho Bwana Commissioner, nitazunumuzia about Affiliation Act. Ninaona hii ninataka irudishwe kwa vile nataka affiliation iwekwe kwa vile watu wengi hawa machokora ambao munaona town ni watu ambayo wanaza watoto halafu wanawachia mama, akiwachia mama sasa mama hana la kufanya anafikiria mimi ni peleke huyu mtoto Nairobi au Kakamega aende uko kwa vile hajiwezi. Ingawa anajua yule mtu alimufanya ....lakini sasa kwa vile hakuna hile Affiliation Act huyo mama anaona tu solution ni kwamba niende kumutupa huyu mtoto.

**Com. Maranga:** Basi asante mzee wangu, nashukuru sana kwa maoni yako na hiyo memorandum utupatie na uweke sahihi kitabu chetu rasmi. Elisha Mumudi, halafu atafwatiwa na Peter Kichama. Peter ako? Utakua next.

**Elisha Mumundi:** Mimi ni Elisha Mumudi Ingosi na ninatoka Liu sub location na nikija hapa hivi nafikiria nilikua nikionge kutoka kwa kikundi vyama tatu. Kwa hii vikundi zinamaoni ambao wamenipatia na sikuchapisha wala kutumia lugha moja because I am not trained on one particular language, nintatumia Kiswahili ama Kingereza halafu tuone kama maoni yao

itawakilisha.

Mimi ninatoka Lini kwa kikundi ambacho kinaitua Ndinyu Transporters na FSA Bank Shinyalu, mimi nikiwa kwa.....kama katibu. Maoni yangu ya kwanza ni kuanzia kwa President kwa vile President ndiyo kichwa cha taifa. President anatakiwa mwenye kumucha Mungu, he should be one who fears God. Someone of the power of the President should be removed like being Vice Chancellor of University, he should not also be the Chairman of any Parastatal body. One should not be a President for more than two years or two seasons, not two years, two seasons. The Constitution should be taught in schools as a subject as from primary education so as our children will grow knowing this is right and this is not right.

The Ministers should be given power on their Ministries not the President to advertise on any issue of a Ministry when the question comes it comes to the Minister, when the Minister has got no answer .....President advertises such thing is free as the previous advertisement of free education in primary schools. The questions were rising to the Minister yet the Minister had no answer immediately.

Administration; Hawafanyi kazi zao ipasavyo. Ukitaka kuandiksha report yoyote kuhusu mambo ambaye imetokea kwa OB unaulizwa utoe kitu kidogo kama huna kitu reporti yako haitaandikishwa kama nikukamata mtu huna kitu huyo mtu hata kamata kwa hivyo administration wafanye kazi yao vizuri.

Retrenchment; Why should junior me only be retrenched. The PC and the DO seem to be dormant. Wanaonekana kama hawana kazi, kija akiuliza kazi anauliza DC, DC naye anauliza Chief, Chief naye anauliza Assistant Chief, hapo mimi kwa maoni ninaona kama the DC should remain in power the Chief, the Assistant Chief, because the Assistant Chief has got a lot to do kwa hivyo Assistant Chief should be given more than 10 AP's to assist him in his duty.

Results of national exams, shule ikionekana nyuma kama miaka minne consecutively ule mwalimu mkuu kwa hiyo shule ya faa apelekwe mahali pengine halafu aonekana kama shida ya kufanya hiyo shule ni yeye ama ninani. Tena kuandikwa kwa walimu tutumia quota system, kama munajua mashule za hapa rezervini elimu iko chini sana na shule za mujini walimu wengi hupenda kua mujini kwa hivyo walimu kwa town ni wengi na ukija upande kama hapa eleo walimu ni wachache wakiletwa wanaanza kulalimika area hii si nzuri na kwa hivyo walimu hua na kazi mingi kwa vile wanakazi mingi sana na walimu ni wachache kwa shule. Kwa hivyo quota system location ichukuliwe walimu kama ni kumi kila location ama kama ni tano kwa kila location iwe kama quota system.

Political parties; each should be limited not over three parties and these parties should all be aided if there is public funds, these parties should all be aided not only one party.

**Com. Maranga:** Last point.

**Elisha Mumudi:** The last one. Their news should be over the radio, the finance should also be audited by the Public Auditor.

**Com. Maranga:** Thank you very much. Peter. Atafuatiwa na Abednego Asango. Asango ako? Okay you will be next.

**Peter Kichama:** Mkuu wetu wa Katiba, boss wa Katiba siku ya leo na wenzetu wale ambayo tumekuja kutoa maoni namusalimu tena, jambo? Asante, mimi kwa majina ni Peter Kichama KANU Chairman wa..... Maoni yangu ya kwanza ninaonelea nitaenda pahali pa watu kama kwa Majeshi, Army na Military Police, nafikiri kwa maoni, ninaonelea kama tunge rudi nyuma tuchukuwe watu wa Military Police na watu wa Army kwa sababu wakati hatuma vita katika nchi warudi kusaidia vitu kama barabara vile walikua wanafanya hapo awali ingekua vizuri kuliko kukaa tu kugojea siku ya vita na hakuna vita kwa hii nchi. Tena wakati serikali yetu inapotoa watu kuenda kufanya kazi kwa nchi za inje wakati wa vita huko ile kitu ambao wanatoa huko kama wamelipwa na serikali hiyo serikali yetu ionyeshe serikali yetu ya nchi yetu ili tujue wakati watu wetu walitoka kuenda kusaidana inje vita wakati ilizuka kwa nchi zao walirudi na kitu fulani na inasaidia serikali kwa muradi fulani.

Ya pili, mtu kama ameshikwa kwa nchi yetu ningenelea maoni yangu ya kwamba ingekua karibu kama wangelete courti ama judge wakuje kwa division kufanyia kazi kwa division ingekua vizuri kama mtu ameshikwa na makosa angefanyiwa haraka casi yake kama ni ya kuhukumiwa ahukumiwe makama sio ya kuhukumiwa awachiliwe arudi kwa kazi yake haraka kuliko kupeleka kwa district ndiyo apate kuhukumiwa huko.

Maoni yangu ya tatu watu wanayofanya kuhudumia raia anaanzia kwa sub location na ingefaa Assistant Chief kama amechaguliwa na serikali kwa kupitia kwa njia ya interview na wale watu ambao chama kinacho unda serikali raia ndiyo wanachagua hili mtu kutoka hata kwa sub location, hawa watu wote walipwe mshahara.

**Com. Maranga:** Akina nani unataka walipwe mshahara?

**Peter Kichama:** Kama mtu kama chama ambacho kina----

**Com. Maranga:** (interjection) Kama wewe sasa?

**Peter Kichama:** Kama mimi sasa.

**Com. Maranga:** Oh, Okay.

**Peter Kichama:** Viyombo vya serikali kama magari, misitu, barabara na vitu vingine ambazo vinalete pesa kwa serikali kama bahari hizo vitu pesa zile ambazo zina toka huko kama tuna vyama viwili vile ambavyo vinaendesha nchi hii viama vyote vijue

kazi ya hizo pesa kuliko chama kimoja kutawala hiyo pesa.

Neno langu la mwisho ama---

**Com. Maranga:** Hiyo ndiyo ya mwisho.

**Peter Kichama:** Hiyo ni ya mwisho hiyo mimi naenda kusema. Tue na mali hii ya uma ambayo tuko nayo kama tunaweza kua na shule mahali na hiyo shule itolewa na hiyo shule itolewe halafu hiyo plot inabaki bure empty, hiyo plot kama tuko kwa divisions kama yetu ya Vihiga hii tupatiwe hiyo plot tuna watu wale wanakufa hawana mahali ambapo antawanweza hata kuzikwa tukubaliwe na serekali tutumie plot kama hiyo kuzika hawa watu. Asante sana Bwana Commissioner kwa hayo.

**Com. Maranga:** Bwana, wewe ni KANU Chairman, kuna shule yoyote imefungwa hapa na unataka iwe cemetery?

**Peter Kichama:** Tuna hata makanisa zingine zili weza kufungwa na hiyo viwanja zimebaki bure.

**Com. Maranga:** Imebaki bure? Lakini hiyo makanisa ilikua na title deed?

**Peter Kichama:** Ziko naye.

**Com. Maranga:** Sawa. Asante. Weka sahihi hapo, kuja weka sahihi na upeane memorandum. Abednego, atafuwatiwa na Martin Musonye, Martin Musonye ako? Okay you will be next.

**Abednego Asango:** Basi Bwana Commissioner, wazee, wamama ambao wamefika hapa nawasalimu, hujambo? Mimi kwa majina ni Abednego Asango mimi ni muraia mwema mukazi wa hapa. Niko na mambo ya kusema mawili, matatu.

Jambo la kwanza ni kuhusu vyama vya kisasa. Ningependekeza mbele ya Commission ya kwanza tue na vyama vichache sana, ikiwezekana pengine vyama viwili tu vinatosha. Hii vyama vingine vyote ni kupotesha wananchi but mwishowe tunatoa kiongozi ambaye pengine si popular.

Jambo la pili ni kuhusu serikali ya majimbo, federal Government, federal Government we do not need it at all....serikali ya majimbo kwa sababu serikali ya majimbo inaleta ukabila, tribalism, nepotism, and .....kwa hivyo mambo ya majimbo tukiwa nayo hata kua unity yetu ya Kenya kwa hivyo hapo serikali ya majimbo Bwana Commissioner, mimi natoa maoni yangu nasema siipendeli sana.

Kwa upande wa Legislature Bwana Commissioner, naona ya kwamba the President should appoint Minister, Assistant Minister



and top civil servant only lakini at other appointments as in the case today like judges, Parastatal Chairmen tuwachi Tume fulani kwa sababu tuko na competent people down here who can be appointed by a Commission that because they have not been seen in the eyes of the President they are left suffering down there. Kwa hivyo ningependekeza these other civil servants I mean hata Commissioners kukiwa na Commissioner ambaye unaweza ku-elect watu ambaye wanaweza kujaaza offisi ingine za serkali.

Kuhusu mambo ya mshara ya MP's, MP ni mwananchi kama mimi hapa kwa nini yeye anapewa nafasi ya kusema mambo ya mishahara wake na mimi hapa kama mwalimu sipewi nafasi ya kusema mishahara wangu? Kama sisi wote wana Kenya MP akisema mambo ya mshara kwa Mbunge huko na mimi pia hapa kwa shule ni seme mambo ya mishahara yetu hapa halafu tutakua na usawa otherwise naonelea ni makosa hii nikusema tunalia upande pamoja wengine watu akipata shida.

Tena kwa upande wa MP's, nominated MP's, hawa ambaye wanateuliwa mimi sioni haja na maleta MP unless he is nominated to serve a few kwa sababu kama elected MP's why should he have nominated MP's? Lazima mtu ambaye anaitwa Mbunge ambaye anaenda kupata yule mishahara mnono apate kura ya wananchi kutoka hapo chini lakini hii mambo ya nomination nikuonyesha there is an agenda somewhere hidden ambaye unataka huyu mtu a-support, hiyo sasa kwangu nasema siwezi nikakubali hiyo.

Lingine, President, President should be removed from office if, yafaa Rais atowe kwa offisi kama uchumi wa nchi ni baya kwa sababu kama uchumi wa nchi una yumba yumba like these public...President aendele, aendele, aendele, hapo tunaharibu serikali. Kama yeye pia ako corrupt lazima tuwe na njia ya kusema sasa serikali sio muzuri wewe unatoka kwa offisi, tena kama fikira zake si muzuri....lazima pia atolewe kwa offisi tuone nani anaweza kuendesha serikali na pia asiwe involved kwa scandal ingine mambo ingine ya hapa na pale, nataka akiwa President awe mtu straight. Bwana Commissioner naenda haraka tu.

**Com. Maranga:** Last point.

**Abednego Asango:** Last point but not least. The two year term for Mayors and Chairmen of county council is very short kwa sababu mtu hajaonyesha competence yake. Ningependelea pengine mtu akitaka kua Mayor ama Chairman wa county council apatiwe miaka mitano ili ndiyo aonyeshe nguvu zake ama ujuzi wake hapo.

Na la mwisho ni kuhusu hii death sentence Bwana Commissioner, tumesikia watu amekosa mambo fulani pengine ameuia mtu halafu courti inasema huyo mtu tunataka tumufunge apitie kwa kinyangi anyongwe lakini baada ya miaka kumi tunaona hawa watu wanatembea hapa halafu tunashindwa tulisika huyu mtu yafaa anyongwe, kwa nini tena anatembea hapa? Ati he has been pardoned by the President, if it is life, life must be life for life, why should he curtail somebody's life and then tomorrow you expect to enjoy you own life? Asante sana Bwana Commissioner.

**Com. Maranga:** Asante, na uweke sahihi kituabu chetu rasmi. Martin Musonye halafu atafuatiwa na Constance Shakali, wewe iko? Okay sawa.

**Martin Musonye:** Yangu Bwana Commissioner, nikuhusu good governance in the country. Good governance---

**Com. Maranga: (interjection)** Anza kwa majina.

**Martin Musonye:** Majina yangu ni Bwana Martin Musonye na mimi ni Chairman wa Shinyalu Constituency Constitutional Committee. Maoni yangu ya kwanza ni kujusu good governance. Good governance I am talking of a Government which is transparent, accountable and with a vision. For Kenya's economic growth Bwana Commissioner, we make these ones to be addressed strictly. Bwana Commissioner, nafikiria kua na hayo kufanyika vizuri inatakikana tuwe na judiciary ambayo iko independent na tena nafikiria tuwe na Police force ambayo iko na watu ambayo wame elimika via kutosha na wanaweza kufanya kazi bila mapendeleo.

Accountability inatakikana mtu awe protected legally ili accountability ionekane na inatakikana watu wawe ambao wanaandikwa ambao wasiwe wanajifikiria masilai yao wenyewe.

Law and order Bwana Commissioner, inatakikana kila mtu wote Kenya mtu yoyote awe mdogo awe mukubwa awe protected equally na serikali yetu kisheria.

Fraud; fraud is an economic ill, it is my proposal Bwana Commissioner that we have a clause in the Constitution to state that anybody involved in fraud when it comes to economic issues should be subjected to prison, imprisonment because it is from this juncture or in this case where even investors are always discouraged from investing in our country. We have some institutions like public procurement. Public procurement imeshikwa na ufisaji sana, it is therefore my proposal Bwana Commissioner that the Office of Public Procurement Officer should be empowered and should be a fully fledged office with Secretariat who are properly educated and experienced to be looking into the procurement procedures of public goods and services.

Infrastructural issues Bwana Commissioner, tumekuta kuna ufisaji ambao inatokea wakati watu wanaporekebisha ama kutengenze barabara zetu na tunataka watu ambao wanahusika kwa sababu kila wakati pesa zinalipwa kutengeneza barabara na hizo barabara hazitengenezwi vilivyo kwa hivo tunataka yoyote ambaye anahusika na kutengeneza barabara zetu na anafanya kazi duni astakiwe.

Bwana Commissioner, mambo kuhusu elimu ninamapendekezo ya kwamba elimu ipewe bure kutoka class one mpaka Form two, hapo nafikiria mtu atakua amejimudu kusoma na kuandika. Pia Bwana Commissioner, ni mapendekezo yangu ya kwamba

wasomi wakifika University na wakitoka huko wapewe kazi na serikali wasipopewa kabla serikali kwa sababu ya ukosefu wapewe loan za kuanzisha biashara kidogo.

Bwana Commissioner kuhusu national resources ni mapendekezo yangu ya kwamba kila tribe Kenya iwe considered equally na napendekeza ...ya kwamba national resources iwe based on population. Mambo kuhusu natural resources ni mapendekezo yangu ya kwamba watu ambao wanakaa karibu na natural resources na...msitu waandkiwe kazi ya kulinda hiyo misitu.

Elections, ninapendekeza ya kwamba watu ambao wanafaa kuchaguliwa kua councillors ama Wabunge wawe na minimum qualifications of Form Four na kwa vile nimependekeza decentralization of resources Bwana Commissioner, na pendekeza tena hawa watu wakifika huko na wakose ku-perform they should be recalled within two years.

**Com. Maranga:** Last point.

**Martin Musonye:** Bwana Commissioner, I am talking about children, children should be given free education, basic rights and basic needs and for those who are incapacitated they Government should provide for that.

**Com. Maranga:** Thank you, thank you very much. Now we have Constant Shakali.

**Constant Shakali:** Bwana Commissioner na wengine ambao wako hapa pamoja na wamama na wananchi ambao tunaishi nao hapa, hamujamboni? Hamujambo tena? Mimi maoni yangu Bwana Commissioner, ni kuhusu umaskini ambaye iko kwa sisi na ninawazungumuzia hii upande wa administration.

**Com. Maranga:** Majina sema kwanza.

**Constant Shakali:** Constant Shakali. Upande wa umasikini wetu iko hivi, tangu mwaka wa 1967 wakati ambayo land registration ilikua ikipita hapa hata sisi, hiyo ni maoni yangu tunataka serikali itusaidiye. Wakati huo tulikua bado wajana ni over thirty years now. Sasa sa hii, ukitaka kupata number yako ya shamba yako hata baba yako akitaka kukupatia shamba ni ngumu sana Bwana Commissioner. Kitu ambaye kinakuletea shida lazima uwe na pesa ndiyo hata baba yako akupatie shamba.

Kitu imkuja iko hii lazima uchukue baba yako muende naye kwa courti muende uchukue watu wa.....na nyinyi ni vijana kumi, sasa watu wa .....hao kila mtu anatakiwa elfu tano na mimi sina kazi, hiyo Commissioner, nataka usaidizi hapa. Watu wa land registration warudi baada mwadakano wakuje wale vijana ambao hawajapata mashamba wanapewa kwa sababu iko wale ministries, wameongeza ministries hapa Kenya na ministries hizo, hizo pesa ambayo zinatumiwa kwa hiyo ministry haina kazi. Ukienda kama Ministry of Works wame weka tena Transport and Communication na hawa watu yote wanafanya kazi....

Tafadhali hata warudishe Ministry of Works wa kutengeneza mabarabara watoe maneno ya Transport and Communication na hizo pesa ambayo ziko kwa Transport and communication ziwe za kulipa hao watu ambao watakuja ugawaie hawa watu masharti.

Neno lingine ambao maoni yangu. Tunafinyika, tuko na Ministry of Forests, tuko na Ministry of Administration, tuko na Ministry of Livestock halafu tuko na Ministry of Water Development, huwezi kupata mtu ya Water Development anaenda kuingilia Ministry of Works lakini kwa wakati huu tunataka muturekebishie sasa Ministry of Administration imeingilia Ministry ya pori. Hapo tumeshindwa sasa kila hii wakati ambao yako nyuma, beleni, ilikua mtu kama iko kwa Ministry of Livestock afwatane tu na ministry yake asingilie ministry ya mtu ingine lakini hapa tuko na shida. Unaweza kupata Administration Police wako kwa musitu.

Mtu akienda ati wameiba ngombe hawaendi, wanataka kwa musitu ili ndiyo wapate mtu huko mtu anachoma makaa ama anaiba mbao hata hao ndiyo wanatengenza plan ya kutengeneza mbao ndani halafu wanasema huko watapata posho hiyo tunataka murekebishe.

Neno lingine ni hivi kwa maoni yangu, Assistant Chief anapata report kutoka kwa .....Chief anapata report kutoka kwa Assistant Chief lakini mtu ambayo amebeba mufuko ya hawa watu wote mpaka kwa DO ni mzee wa mtaa na mzee wa mtaa hapati mshahara na yeye ndiyo iko na kazi mingi amejua kwa Samuel, amajua kwa Joshua amejua kwa .....lakini Chief hata kwangu hajui hata DO kwangu hajui na anapata mshahara kwa maneno ambayo mzee wamuta ame---- Mimi naona hii vitu yote mzee wa mtaa apate mshahara. Tena kwa hawa wazee wa mtaa tunataka wamama wa mtaa tuko na ma-case ingine vile ambaye watu waekosania ndani ya nyumba mama wa mtaa hakuwako wakupata hawa wamama mulikimbisha hawa. Na hayo tu, asanteni.

**Com. Maranga:** Asante Bwana Shakali, weka sahahi kitabu chetu. Chales Mbwabi halafu atafuatiwa----

**Charles Mbwabi:** Ma-Commissioner wetu nawahusika wote, hamujambo? Mimi kitu ya kwanza—

**Com. Maranga: (interjection)** Ni majina kamili.

**Charles Mbwabi:** Mimi naitwa Charles Mbawbi...mimi ni Chairman wa party hii Ford Kenya. Mimi kitu ya kwanza nitazungumzia mambo kuhusu hospitali. Mimi nimitoka nimienda kujibiwa kwa hospitali kama Kakamega halfu bahati mbaya mimi nakufia huko, nikikufia huko sasa inaonekana watu yangu jamaa yangu walipe hospitali bill ya hospitali tena kwa motuary mahali ambaye niliwekwa store ya maiti tena walipe huko. Hiyo jambo nikulipa mara mbili, afadhali mtu alipe mara moja kwa hospitali halafu waje wachukue maiti yangu kwa kutoka kwa mortuary. Mtu hawezi akallipa mara mbili na alikua anakufiwa hapo.

Jambo la pili, mimi nasema namna hivi mimi ni mzee nilienda retire na mimi nataka kupumizika au kupoa na wazee wenzangu mimi sioni kwa nini nimienda kupoa huko na wazee wenzangu nakimbishwa bio bio saa ingine mkono imefungika ati mimi nakunyua pombe haramu, ni nani alita pombe hii haramu na kama anaita hii pombe ya busaa haramu na changaa je, pombe yetu ya kienyeji ilienda wapi, huyo mtu atuonyeshe hiyo pombe asilimali ambao tutaenda kukaa tupate freedom to refresh ourselves.

Haya, mimi jambo lingine mimi nazungumuza nikuhusu hii safari ndefu ya President. Unasikia President ametoka anaenda Amerika na amechukua msafala wa watu mingi, hao watu wanenda kufanya nini kwa hiyo mukutano? Baada ya kuchukua mtu moja waende wapitishie kwa mukutano yale wanatarijia warudi sasa ni musafari ya watu wengi haya, wengine wanatanguliwa kule pesa mingi kama hii Presidential Press Unit. Hilo jambo naona kama inamaliza pesa ya Kenya bure.

Jambo lingine, mimi nataka hivi, watu wengi wanenda courtini wakienda courtini, mimi sijui Kizungu, ile magistrate kwanza akiwa magistrite mwanamuke anazungumuza haraka haraka Kingereza yako hiyo mimi sisiki sasa mimi nastukia tu mimi naitika jambo fulani kumbe hilo jambo niliitika, nataka courti tuzungumuze lugha ya mama lugha ya kienyeji, understandable language. Kama Wazungu wanazungumuza Kiluyha huko tena hapa tuzungumuze Kizungu, kama Wazungu hawazungumuze Kiluyha huko sisi hapa tuzungumuze kienyeji courtini na tena court hii ya makosa ndogo ndogo mimi naonelea ikuje .....chini. Pia Chief awe na magistrate wake wa ku-deal na cases ndogo kama ya makaa, hii changaa munaita pombe halafu na ni pombe mzuri ya kienyeji hii.

Halafu kitu ingine, mimi nitazungumua ni kuhusu nomination. Hii mambo ya nomination, hii mambo ya nomination katika Kenya, new Kenya ambao tunaenda na hii Katiba ambao tunatengeneza saa hii, hii mambo ya nomination ikwishe kwa sababu mimi naweza ku-nominate rafiki yangu au relative fulani na kesho mimi namupandisha job kua Waziri, Waziri wanakula pesa mingi halafu kesho nalia pesa imekwisha serikali imefirisika, kumbe ni udanganyifu au ujanja ujanja, hiyo mambo ya nomination mtu achaguliwe tu na raia, kama anaanguka ameanguka. Mimi nafikiri yangu imekuisha, mimi naitwa Charles Mbwabi.

**Com. Maranga:** Asante mzee wangu weka sahihi hapo. Tunataka Shiembekho Shashita, majina marefu haya na ni magumu kweli, halafu atafwatiwa na William Shimenga ama huyu alizungumuza, William alizungumuza? Ni wewe? Okay utafuata.

**Shiembekho Shashita:** Mukenya wetu wa Katiba ni asante sana kukuja hapa, jina langu ni hiyo Shiembekho Shashita ninatoka sub location ....Kambini location. Ni asante Bwana Commissioner, ya kwanza uju mukoa huu ilikua imetupwa imesahuliwa hata sijui watu wa juu kama wanajua kuna watu kama hawa ambo wanaonekana uso kama yao. Shida ambyo iko kwa hii mukoa ni kitu kimoja, sisi watu ya Kenya sitini na tatu tulikua na mafafanuo uhuru imeingia na hii uhuru imeingia kando ya ....ya watu haikuingia kwa uso, tunaomba hapa Kenya wnapewa ...na kitambulisho na sisi watu wa ....tungetaka loan tunaambiwa kwanza leta title deed na hii watu ambo wanafanya hapa business kubwa biashara ni watu wa kitambulisho

wanachukulia pesa za Kenya. Mimi kama moja na sikitiza sana hata wako hapa Kambiri hawana shamba nchi hii hata point hawana lakini wanatumia pesa za Kenya kwa loan na mimi .....sasa nitauliza .....hapo Bwana Commissioner, tunasinyua kwa sababu sisi uhuru iko kwa bavu hapan iko kwa uso. Hiyo neno tuna .....sasa kwa masikio, kwa roho yetu kama mimi mmoja.

**Com. Maranga:** Unataka kuniambia hamuna title deed?

**Shiembekho Shashita:** Tuna title deed lakini nasikitika mimi nikiataka loan nitaulizwa title deed---

**Com. Maranga:** Na wengine hawaulizwie?

**Shiembekho Shashita:** Na wengine hawaulizwie wanapeana kitambulisho tu. Ya kufuata kwa hiyo maneno, wakati watu ya hapa Western Ileho division, kwa Shinyalu division ndiyo walikupatia hikupatia hi musiti wanaweka katikati tunamatatizo imeingia juzi juzi kuhusu hii watu ambaye wamazingira hii musitu kamba yake ni Shinyalu division na Ileho division. Hawa watu ngombe zao zilikua zinakunywa maji hapa.....hawa watu walikua wanatoa kuni kwa misitu, sasa Bwana Commissioner, hizi ngombe zikipatikana huko zinaenda maji zitabebwa zitaenda kulala sehemu ingine .....kama week moja ngombe zimefungiwa hiyo maneno inaumiza wale watu wanakaa round ya hii msitu. Na sijui hii mimi zinatengenezwa na nani, sijui ni ya mtu binadamu mwenyewe ama ni ya serikali na hii watu mwezi jana tunaomba serikali ya nchi hii elfu mbili zikapelekwa huko .....zidakufaa, hakuna hatua zimecukuliwa.

Nahizo ngombe hazikupelekwa courtini mtu alikua ana wekwa hapo na karatasi wewe mwaka zako ni ngapi na anlipa tu kwa huyo mtu kwenda chagua ngombe zako. Hii Bwana Commissioner, kama ni uhuru inataka iwe uhuru ya imani kwa binadamu. Sisi ambao watu ya Ileho division mwaka ingine tulikua hapa na Mungu moja hata nikiuza hii.....buru alinyima hapa miwa akapanda akaondoka na hiyo mali mpaka kwake na sisi watu wa nchi hii tukitaka hii shamba tupewe inakua ni kikwasa kwa watu wa Western.

Inginge Commissioner, kutoka hapa kama unajua hii watu tunakutuma uende kufungua hiyo mlango kama inafikiriwa .....kwenda kata iwe wazi kwa sababu yake unaona kama Elgon, mulima Elgon, nimetembea, watu ingine huko wanalima .....kwa hiyo msitu huko hakuna mazui ngombe zinakula huko, hii si msitu ya forest? Kuja hapa Kiangui watu wanalima hapa karibu na sisi kwa forest wana.....ndani na nini wanachota. Hii musitu kama hii ya Western hapo Bwana Commissioner tume shanga hata tumeshindwa sisi ni .....sisi hapana watu wa Kenya? Na hapa musitu yetu hii hakuna ndovu ndani, hakuna nyati ndani, hakuna chui ndani ni nugu zinatoka huko zinakuja kula mahindi yetu, bahati mbaya mtoto akiua hiyo nugu ni reserve itakuja kwako, .....nugu tangu imetoka huko musitu kama hapa inakuja chukua chakula yangu, tutafanya namna gani? Hapo tunashida kubwa sana Bwana Commissioner, tuna shida kabisa kabisa kuhusu hii upaka wakati iliingia hapa inanyayasa kila mtu hata yule anakaa kilometre sita kwa hiyo musitu ananyayaswa na hii watu wa bank.

Na nikimalizia, si kusema na makosa hakuna mtu ya Western anafanya kazi na hii watu hata sijui mtu akichagua hii watu wanatoka mbali na mimi najua Bwana Mwashimiwa Commissioner, hata sa ingine watona hii ngurue wataita ni boko na hawa hawajui ngurue na boko. Matatizo hii inatusumbua sana.

**Com. Maranga:** Asante Mzee wangu hayo tumeyasika.

**Shiembekho Shashita:** Ya pili nikimalizia kitu kidogo, ndugu yangu tumezaliwa na ndugu tumegawana shamba na mama na baba ....wewe utakaa hapa wewe na kaa hapa, tunaomba Bwana Commissioner, ukienda juu kurekibisha hii mambo hatutuaki ndugu yangu kuuza shamba bila kufahamisha wandugu zake sababu ya kuuza hiyo shamba. Anakula hiyo pesa huko Kisumu ama hapa town anarudi anakuja kusumbua mini patia mini mahali ya kuzika mwili yangu. Tunaomba hiyo maneno irekebishwe.

**Com. Maranga:** Asante Mzee wangu, maoni umetoa na yamefika kuja weka sahihi hapo. William Shimenga hata fuatiwa na na Gladys Mbaya, Gladys ako? Basi awe tayari.

**William Shimenga:** Bwana Commissioner, mimi kwa majina ni William Shimenga, Vice Chairman wa FORD KENYA katika Shinyalu. Mimi nitazungumuza kuhusu the three arms of the Government, Executive, Parliament and Judiciary. Hizi three arms hatuwezi kusema ziko independent because utakuta Executive is the product of Parliament and the Judiciary is an appointee of the Executive. In this case haziwezi kua independent.

**Com. Maranga:** So, what are you suggesting?

**William Shimenga:** Na suggest tunazagana ziwe completely independent mtu awe wa parliament awe tu Mbunge, Executive hazi-appoint mtu kwa Judiciary ama awe nominated. Section 25 and 6 and 51 of the Katiba inatakikana irekebishwe.

Elected members of Parliament ni watu wa raia si watu wa President, kwa hivyo President hawezi kuvunja Bunge bila raia kujua inatakikana Bunge iwe continuous kwa mtu fulani ijilikane Bunge itazungumuza kutoka hapa mpaka kufika hapa iwe na-terms mtu zake kama vile shule ziko na terms, first term, second term, kitu kama hiyo, vunja isi vunjwe vujwe tu bure na President. Nominated MP's; Hawa nominated MP's haitakikani wawe wapewe kiti kama ya ministerial post because they are only nominated by.....an individual na wakipewa kazi ya serikali hawawezi kutumia raia kwa maana alikua nominated na atatumia yule mtu ambaye alimu-nominate hapo kwa hivyo nataka huyo asipewe kazi ya serikali.

Nitaongea kuhusu election period. Election period inatakikana ijulikane isiwe tool ya mtu natakikana kama wakati huu tuwe tayari tunajua election ni tarehe gapi mwezi gani, isiwe tool kwa mtu individual.

**Com. Maranga:** Unatarehe yoyote ambayo unataka kupendekeza?

**William Shimenga:** Naweza kupendekeza tu wakati wa December wakati wa holiday bora tu shule zimefungwa.

**Com. Maranga:** Lakini December unajua watu wanenda Christmas, kama Waluyha wankuja wote wanawacha Nairobi wazi.

**William Simenga:** Baada ya Christmas. Baada ya Christmas you Lordship. Haya Pblc Commission; Public Commission hiyo ni Commission ya public, sasa ikiwa ni public itakuwache tusijue ni report gani ilipata hiyo report inaenda kwa mtu anaweka huko na ilikua public, nini maana ya public? Hiyo inatakikana itangazwe tujue ni kitu gani hiyo Commission ilichunguza na ilifika wapi na ilikua namna gani.

Pengine na weza kukilia tu mukazo kwa hii mambo ya pombe ya kienyeji. Hii pombe ya kienyeji na taka, ningependekeza iruhusiwe kwa maana tunafunga ama iko banned na lakini si kwamba haiko, iko imetengenezwa---

**Com. Maranga:** Lakini wewe unaonekana mzee wa kanisa.

**William Shimenga:** Ndiyo mimi ni mzee wa kanisa lakini ninazungumuza kwa wale wenye hawatumi, wako wanatumia.

**Com. Maranga:** Si wewe munatakikia muleta hawa watu kwa kanisa wawache kukula hiyo kitu? Okay endelea.

**William Shimenga:** Hii pombe ya kienyeji Bwana Commissioner, inatakikana tu iruhusiwe kwa maana tunasema tume-ban lakini inatengenezwa na mtu fulani ama askari anaenda kushika yule mtu na analipa kitu kidogo kwa hiyo mtu afadhali iruhusiwe na ushuru iwe isiende kwa serikali.

**Com. Maranga:** Haya asante, ya mwisho.

**William Shimenga:** Ya mwisho----

**Com. Maranga: (interjection)** Unjua nyinyi ni wanasiasa hamuezi mukamaliza. Ya mwisho.

**William Shimenga:** Ya mwisho Mweshimiwa, hii ni Attorney General. Attorney General kama legal advisor to the state hatuwezi kumupa nguvu sana a-discontinue casi wakati date inaendelea, kama casi imeamulishwa iendele iende na imalizke na kama ame discontinue ile ya serikali mimi binafsi nikipeleka case yangu courtini nime tumia pesa yangu asikatishe mimi kwa maana kama yeye akikata kuendesha hiyo casi then kulikua na kitu fulani alificha na mimi nikitaka kusumbua hiyo kitu aniwache.

Thank you you Lordship.



**Com. Maranga:** Asante weka sahihi na utupee hiyo meorandum. Gladys Mbaya.

**Gladys Mbaya:** Kwa majini mimi ni Gladys Mbaya nikiwa .....location. Niko tu na point karibu tatu hivi venye nilifikiria nikipeane kwenyu Sir, ya kwanza ni kitu kuhusu compensation kwa mfano kwa forest. Kuna nyama zinakula vyakula zetu hata zingine zinakula watoto wetu hata na watu wetu na wanenda tu bure hakuna malipo. Tungependa destruction yenye inafanyiwa .....forest serikali yetu ipeane compensation pia nikiwa kwa forest especially game reserves, kuna ushuri yenye inatolewa kwa milango ukitaka kuingia tuseme kama hapa Buyale anapeanako kitu kidogo ndiyo uingie uende uone vitu venye viko kwa forest, ningependa hizo pesa zirudi kwa communities within the forest ili waendeleze na maendelo yao kwa maana wamenyimwa nafasi ya kuingia kwa forest kwa hivyo zile pesa kidogo yenye inatolewa tungependa ipatiwe the communities within the forest ili nao waendeleze muradi yao.

Lingine, pia kwa hii forest ningependa wakati wanafanya recruitment wawe wakichukua zile communities zenye zinakaa kwa forest kwa mara tuko na watoto wamesoma na wakati wana-recruit hawa askari wa forest utakuta mtu ametoka mbali huko anakuja ana kua askari kwa forest sasa unashindwa na hawa wenye wanasoma wenye hawawzi waka kua askari wa kulinda hii msitu?

Na mwisho kwa upande wa mama kama saa hii vile inflation iko sana tunependelea ikiwzekana wamama wasetiwe banking system yao kando, yaani yenye iko na low rates ili wamama wajisikie ya kwamba hata wakienda kufungua, wakifungua za bank yenye itatoshea kwa maana saa hii ukienda kwa bank wanakuambia ukitaka kufungua account ufungwe na pesa hii hata zenye huna kwa hivyo ningependa kwa upande wa akina mama tu setiwe banking system yetu iwe kwa mapato yetu kulingana na sis wakina mama.

Na hii nayo sikuandika isipokua imekuja tu ningependa hizi viti ya wakati wanakua nominated heri zipatiwe sana sana wakina mama kwa maana wakati tunafanye campaign ili wamama waendeko Bunge au wawe coucillors tunashidwa sana na wazee kwa hivyo heri tupatiwe special seats kwa upande wa councillor shift na Ubunge ili wamama nao yaani hata akishindwa lakini mama asetive nafasi yake kwa Bunge au kwa u-councillor. Ni hayo tu asante.

**Com. Maranga:** Asante mama karibu na uweke sahihi na utupe hiyo memorandum. Richard Isiahu halafu atafuatiwa na Pascal Lusuli. Pascal ako? Okay utafuata.

**Richard Akwenda:** Bwana Commissioner, na wengine wote walioko nina machache karibu mawli hivi nitasema na kwa majina mimi naitwa Richard Akwenda Isiahu. Mimi nitazugumuza kwa upande ya matajiri wetu hapa Kenya na wale ambayo wanyjiyakulia mashamba kubwa kubwa. Langu la kwanza ni hivi, hasa kwa hawa matajiri ambaye wako hapa Kenya hata hawa wa Kihindi, Waafrika wetu ndiyo sasa wamechangia sana kwa umaskini wa Kenya. Wamefinya sisi wafanyikazi,

tunapata mshahara kidogo na kazi ni nyingi pia ukienda kwa upande mwingine utapata hao matajiri alikufukuza kazi na umefanyia karibu miaka ishirini utakuja kupata hawa wandugu zetu labour na NSSF pia hawa wamechangia kwa hawa matajiri wana jiunga wanakua kitu kimoja pengine wamemufuta nyinyi wafanyikazi mia mbili hivi na mutajikuta ya kwamba sasa hamuko mahali.

Offisi ya labour na offisi ya NSSF wamejiweka pamoja mtatoka bila kitu sasa mtu wa labour ndiyo atapata kitu, mtu wa NSSF ndiyo atapata kitu, kwa hivyo ningependa hizo offisi mbili na hizo pesa zingine mujaribu kupika mzaza manake wamechangia sana kueneza njia ambaye munasema ile muchango ya kisadi. Mukirudi upande wa watoto, pia ya faa mzazi kama umewachishwa kazi upewe haki yako hata kama ingalao ni kitu kidogo ili pia huyu mtoto aendele na masomo yake. Bila hiyo watoto hawawezi kusoma vile munasema mutataka watoto wakule vizuri wasome vizuri, watakulaje na mimi mumenipiga teke nje huyu tajari anakuambia hata enda kwa offisi ya President ama kwa Ministry of Labour na kweli ukienda kwa huko uwezi pata kitu.

Ningefanya marekebisha hapo matajiri pia wapate sheria katika ...nakutuwekea na kuchangia muchango ya kuweka NSSF na ingineo yote hii uchumi yetu intapanda juu kuliko mtu moja kula hiyo. Na nikirudi mahali pengine, nita rudi kwa upande ya barabara zetu za Kenya kwamba munasema zimekua nini ni nini accident mingi ma-driver nini la, hapo ningependa mukirudi huko mwambie ya kwamba barabara zetu za Kenya zimechangia kua bofu ndiyo vile tunapata accident nyinigi tena pia ma-driver wetu na wafanyikazi wengine, unapewa mda fulani uondke hapo ufike Kampala baada ya siku moja na unapata barabara yetu ya Kenya inamashimo mengi kwa hivyo unasikia accident imetokea hiyo pia muchangie kuaangalia masilahi ya wafanyi kazi ambayo sisi tunafanye kazi ndefu mimi nikiwa mmoja wao, nimewai kutembelea karibu Africa zima ukiangalia hapa Kenya tuko na mabarabara bofu sana lakini ukingia hapa majimi zetu wako na barabara safi. Pia muangalie hiyo.

Nikienda mahali pengine---

**Com. Maranga: (interjection)** Na ya mwisho.

**Richard Akwenda:** Ni ya mwisho pia. Tuko na matajiri hapa wamejinyakulia mashamba acre arubaini, acre ishirini lakini ukianza kufika tarubini utakuta umaskini ime kua mengi, huu tajiri amenyakua shamba ametupa wale watu walikua kwa hiyo shamba wamekaa kwa barabara kwa mufano, pita kwa Athi River, kuna ma-squatter kwa barabara, pita kwa barabara mzee alienda juzi kuanzi Soie kuna ma-squatter wamtupwo barabarani kuja hapa.....utakuta ma-squatter wametupwo barabarani.

**Com. Maranga:** Unapendekeza nini?

**Richard Akwenda:** Mimi ningependekeza kwa hayo mashamba, mimi nina acre elfu mia moja ama acre elfu ishirini, ni heri mungeenda mujadiliane na hawa watu pia hizo mashamba wagawiana hawa watu ma-squatter ama mutujenge ingalao factory

kama hii sehemu yetu hatuna hapa factory moja tuko na miwa, tuko na chai, tuko na kahawa lakini factory ikija umesikia umerushwa imenda wapi? Inenda kwa Waturkana.

**Com. Maranga:** Lakini mzee mimi nakuliza, sasa wewe tukipatia squatters wote shamba yaani hiyo itamanisha kweli squatters wataisha Kenya hii na wengine wale ambao baada yawe squatters kumalizika?

**Richard Akwenda:** Asante sana hapo uesema vizuri.

**Com. Maranga:** Tutafanyje?

**Richard Akwanda:** Kitu tungefanya, Kenya yetu hii ninamashamba makubwa sana kwa mufano mimi niko na acre elfu mia moja kwa nini sigawie ma-squatter? Alikuta msichana moja? Nakujibu.

**Com. Maranga:** Sawa, huyu wa elfu mia moja aki.....hiyo, apeame na tukishamliza kupena kabisa sasa ingine itatoka wapi kwa sababu watu wanazidi kuzaa

**Richard Akwanda:** Bado si kwa nyingi, yule atapata mubaya atamupatia huu squatter mahali ambapo hii ametoka vile sisi wazee wmetuwachie hapa.

**Com. Maranga:** Okay, asante basi weka sahihi vitabu vyetu. Tupate Pacle Lusuli halafu afwatiwe na Joseph Ikomeli. Joseph ako? Okay, uwe karibu, haya haraka haraka toa maoni yako.

**Pascal Lusuli:** Commissioner, na wananchi wenzangu, hamujambo? Mimi nina maoni kama matatu hivi---

**Com. Maranga:** Jina?

**Pascal Lusuli:** Jina ni Pascal Lusuli.

**Com. Maranga:** Haya toa maoni yako.

**Pascal Lusuli:** Kutoka Lukusi sub location. Maoni yangu ya kwanza ni kwamba kuhusu Katiba kwa sababu nasema tubadilsho Katiba na ukiangalia sana sana hapa vile tumekaa tuko kwa Katiba na wengine wamesema iwe kama fuzo kwa schools na hawazungumuzi kuhusu wazee kwa sababu hapa hakuna wazee ambao wanawza kukuja kwa juu ya juu ya Katiba na wako wanabaki nyumbani lakini kwa kua hawajui maana ya Katiba wamebaki nyumbani kwa sababu watukuja na kitu hawajui. Mimi kupendekeza kwangu ningiona Katiba wnagechapisha vitu kama vitabu vidogo halafu ziwe distributed kwa

ma-Chief au ma-Assistant Chief ili wakiita mukutano au baraza wafundishe hawa wazee kwa sababu wazee ndiyo wanakuja wengi katika barazaa ya ma-Chief wawafundishe kuhusu Katiba kwa sababu ukiagalia hapa na wazee na tumekuja kuhusu Katiba.

Jambo la pili, tunasema kweli tuko uhuru na tumepata uhuru lakini ukiangalia sana sana kama sisi wananchi wa kawaida ni kama ambaye hatujapata uhuru kwa sababu ya kusema hivyo unakuta mzee au mtu fulani yuko na shamba lake au yuko na boma lake nyumbani kwake halafu unakuta yuko na miti, amepnada miti yake na yuko na njaa anataka kukata hii miti kawaida achome makaa au apasuwe mbao unakutaa amechoma makaa ama amepasua mbao anataka kupeleka kule ambapo apate kitu kidogo cha kutumia unakuta huko njiani anasumbuliwa sana unakuta either Administration Police au Police sasa unashindwa mtu kama huyu na hii ametoa katika shamba lake hakuenda katika forest sasa unashindua ni kwa sababu anaishi karibu na forest au ni sababu ni mtu ambaye hana kitu ama ni sabu gani anasumbuliwa na jambo kama hilo kwa sababu ni kitu anabarua na amebeba makaa na anapeleka kwenda kuuza lakini unakuta anasumbuliwa na ni jasho lake na ametoka kwa shamba lake sasa unakuta na Chief yuko na ndiyo alimupa hiyo barua yuko na barua ya Chief, yuko na barua ya sub-Chief, yuko na barua ati ya DO lakini unakuta anayanyshwa huko njiani sasa unashindua tuko uhuru kweli?

Jambo la tatu, ningezungumuza kuhusu hawa watoto munasema chokora jinsi wanvopatikana kwa sababu ukitembea katika mijini watoto chokora wako wengi sana.

**Com. Maranga:** Tunjua wanapatikana kwan jia gani lakini tunataka utoe mapendekezo, unataka tuwafanyie nini?

**Pascal Lsuli:** Mapendekezo yangu vile wangefanyiwa au jinisi tungejaribu kusuluhisha chokora wasiwekwo unakuta mzazi kwa sababu hawa ndiyo wenye hao watoto sasa huyu mtoto anapatikanaji kua town mpaka anakua chokora? Tuangalie tue na sheria fulani kuangalia mzazi kama ameza watoto tuwajibu wake apeleke huyu mtoto kuenda shuleni kwa sababu akienda shule hata kua na wakati wa kuenda kuzunguka zunguka mpaka awe chokora. Hayo ndiyo maoni yangu ningependekeza.

**Com. Maranga:** Asante nashukuru weka sahihi na utupatie memorandum. Joseph Ikomeli karibu halafu utafutiwa na Fabian.

**Joseph Ikomeli:** .....hamujamboni wote?

**Com. Maranga:** Fabian Chite? Iko? Karibu.

**Joseph Ikomeli:** .....ni nayo----

**Com. Maranga: (interjection)** Anza kwa majina mzee.

**Joseph Ikomeli:** Mimi ni Joseph Koniri Lukhalo na naishi.....mimi hapa ninayo ...mbele yenyu mimi nakaa hapa nikanunua shamba huko mbali niko mbali na forest alafu taabu nilikua nayo niko.....na niko na mtoto kwa ndani ya school.

**Com. Maranga:** Ongea kwa mke kwa sababu tuna record.

**Joseph Ikomeli:** Nina mtoto kwa school halafu hii mtoto ndani ya school iko secondary na mimi nilikufia mama yako na kweli nilifanya bidi nikapanda shamba yangu ni shamba kubua.....nikapanda miti na iko miti ingine ile ya kienyeji ya kizamani ningefikiria nitafanya nini na mimi ni mzee vile unaniona hivi sasa mimi niko na mwaka sabini na sita mimi nimezaliwa nilizaliwa ishirini na tano ukifanya ishabu. Basi, nilitoka moja kwa moja nikaenda kwa Likuru, nikamwambia Likuru hii miti yangu nataka nifanye kazi.....Likuru akasema ningona kweli kwenda ona Sub Chief, nikaona Sub Chief , Sub Chief ako.....nikaenda kwa Chief, Chief alikubali, nikaenda kwa DO, DO akakubali yes. Wakati niliona kujua kukata hiyo miti hakuna.....manake nitalimo hiyo juzi juzi hiyo nikakmatwa na hiyo makaa ngunia ishirini wanataka ni-draw fine shillingi elfu ine, hiyo makaa ilicukuliwa ikaenda na ile watoto walika wana.....makaa hiyo wakafungwa ndani mwezi mbili. Sasa hiyo .....ndiyo unaona katika Kenya yetu tutafanya nini hiyo ni yangu ya nyumbani sisi na kaa karibu kwa forest na hawa watawala wote wamesha pata wamesha pewa mimi report sema kuenda fano wakati .....sasa mimi na shikua tena baada ya Sub Chief akipea mimi nafasi Chief amshapea mimi nafasi Chief amshapea mimi nafasi tuende hapo watu wa KEPI wanachika wewe.

**Com. Maranga:** Hiyo watu walichgka wewe ni watu wa forest ama game---

**Joseph Ikomeli:** Hapana. Askari ya KEPI, ya .....na watu ya KEM.

**Com. Maranga:** Kwa hivyo watu wa Administration Police?

**Joseph Ikomeli:** Basi, wanasema pia---

**Com. Maranga: (interjection)** Ulirudi kwa DO?

**Joseph Ikomeli:** Kurudi kwa DO pia wanaseme.....

**Com. Maranga:** Ni huyu huyu, yuko wapi?

**Joseph Ikomeli:** Sasa yeye amepata transfer, halafu Chief sasa kutoa barua ingine Chief akakopa kwa maana sasa inaonekana saaa inngine anaweza kuharibu kazi yake ndiyo mimi naona nifike hapa kwenyu then katika ndani ya Kenya mali yako imebaki hapa ndiyo unapata...utapeleka wapi sasa.

**Com. Maranga:** Na hiyo case ilikua Kakamega? Case ulichukulia wapi? Kakamega? Ulichukuliwa courtini wapi?

**Joseph Ikomeli:** Hiyo unapeleka kwa camp yao haiendi Kakamega.

**Com. Maranga:** Kwa hivyo hiyo ni Kangaroo Court, ulipigiwa fine wapi?

**Joseph Ikomeli:** Fine walipiga sisi hapo hapo wanapiganga fine kwao hapo kwa camp yao.

**Com. Maranga:** Haya, wewe utaongea na hiyo DO hapo inje halafu---

**Joseph Ikomeli:** Sasa hapo nikisema hiyo hawataki kusikia maana wanasema sio hi siko kazi yetu sasa uende kwa officer ya forest anashika wewe ukikuja upande wa Polisi, Polisi inashika wewe, ukikuja upande ya KEM, KEM inashika wewe, ukienda upande wa.....inashika wewe, sasa utafanyje hapo katikati na mahali wewe, niko nyumbani sasa niko ma miaka karibu kumi na tano kwa sababu mama amekufa na mimi nimebakia na watoto hao mimi mwenyewe na lisha sasa mimi na kwisha nguvu ya kufanya kazi mimi nilikua kazi ya driver ya kuenda huko Zaire, kurudi hapa sasa nguvu yangu imekwisha.

**Com. Maranga:** Lakini una miti yako kwa shamba yako?

**Joseph Ikomeli:** Sasa natmia shamba yangu.

**Com. Maranga:** Sasa kuna DO mupya utamuona halafu kwa sababu hata Minister alikubali ukipewa kibali unakata miti yako bora tu usikate mingi uharibu, unakata halafu unatumia kwa matumizi yako bora tu hapana haribu ile environment lakini uwe umeona District Environmental Officer, si ni hivi Bwana DO?

**DO:** Yes, kama ni yake, ni yake tunakua tunaomba permit.

**Com. Maranga:** Hiyo permit yeye anasema alipewa halafu Chief naye akamupa hata Assistant Chief hata kwa DO lakini alishikua baadaye, alichoma makaa wakachukua makaa----

**DO:** (interjection inaudible)

**Com. Maranga:** Sasa wakati huu hakuna tabu sasa.

**Joseph Ikomeli:** Kwa hapo ile barua walichukua wakararua.

**Com. Maranga:** Sawa, sasa tutona DO mpya. Kuna DO mwingine anaelewa hiyo maneno na inaonekana yeye anaelimika vizuri ata kusaidia.

**Joseph Ikomeli:** Sasa ndiyo mimi naomba hapa kazi ili minigine ndiyo mimi nishanguza hata makaa ingine ninayo nymbani huko na kaa, nitafanyaje?

**Com. Maranga:** Enda offisi kesho. Okay? Asante weka shahihi. Fabian Chite halafu atafuatiwa na Jacob Lukano, Jacob ako? Kama hayuko huyu niamusahao. Fabian Chite, haya toa maoni yako kwa ufupi na kwa ukweli.

**Fabian Chite:** Asante sana Bwana Commissioner, Bwana DO na wenzangu muko hapa.

**Com. Maranga:** Majina yako kamili.

**Fabian Chite:** Jina yangu ni Fabian Chite mimi mukaji wa hapa. Nina maoni matatu lakini nilikua nayo nyingi nimesikia wenzangu wanasema. Nashukuru kwanza ningepomba Commissioner kwa maoni tunazaa vijana na vijana wengi wako idle hawana kazi na nafikiria tu-organize hili national services tu-recruit hawa vijana waende kwa national services wafundishwe kazi ile itawasaidia instead kukaa kwa barabara kukua idle baadaye watukua watoto wabaya.

Inginge sema lakini wame sema ingawa nitarudia ningependa terms ya MP na councillors ningefikiria wananchi...mkono kuwapeleka kwa Bunge au kwa council wanabunge anafanya kazi hata si sawa amenda huko shauri ya mshahara. Ningefikiria Commissioner, tuwe na power tumuitie huyu Bwana tuchague mwingine within less than two years kama mwenzangu amezungumuza hapa mbeleni tujaribu mwingine kabla haja reach miaka mitano huko ningependelea hivi hivyo councillor kama hafai asikae huko mpaka miaka mitano na anatumaribia area yetu.

Ya mwisho, tuombe Commissioner, wengine wamesema mambo ya majimbo. Ningependelea maoni yangu tungekua na serikali si ya majimbo kwa sababu tukifanya majimbo italetu chuki, italetu watu bila kuelewana na hii miaka tumekaa kwa uhuru ni mingi. Ningependelea wengine wamesema tue na Prime Minister, naona hiyo ni bure afadhali tuendele tue na President elected na tue na Vice President elected. Hawa wata fanya kazi na itatusaidia. Kwa hayo machache nimeshukuru, asante.

**Com. Maranga:** Asante, weka sahihi na utupatie memorandum. Jacob Lukano, wewe ukienda kutembea tutapita wewe na hatutaita wewe tena.

**Jacob Lukano:** Kwa majina ni Jacob Lukano. Maoni yangu, serikali imekua sana. Moja, mimi ni mukulima napanda mboga, ikipelekwa sokoni mboga ya shillingi hamsini serikali inachukua ushuru shillingi ishirini na baki na thalathini.

Kwa local government ndiyo inamaliza sisi kabisa.

**Com. Maranga:** Wanatakajee, unataka itupiliwe mbali?

**Jacob Lukano:** Local government ufanye tu kama vitu imetandikwa sokoni wafanye tu ushuru mwaka moja si ati nimepeleka mboga ya shilingi ishirini na local government inachukua shilingi ishirini sasa natoka hapa with totally nothing nitabaki bure. Hiyo ya kwanza.

Ya pili, maoni yangu naona kienda courtini ukae huko maasa ishirini na nne maasa hii ishirini na tano upelekwe cortini, courti imaliza uamuzi sio ati ukae from Monday masiku kumi na nne halafu mwisho yake ionekane ya kwamba wewe hakuna makosa.

Tatu, Police wasikimbishe watu na bunduki kwa makosa ndogo ndogo, kuna makosa kama kuiba, kuua mtu wakimbishe mtu na bunduki na kubora maji lakini makosa ya kinyumbani askari asionekane na bunduki kwa maboma ya watu akirandaranda hovy hovy.

Nne, mabarabara, mabarabara serikali itende tu pesa na igawanye kwa ma-province wakati wa budget. Wakigawanya budget watende tu Western Province pesa ya barabara kiasi fulani, North Eastern kiasi fulani, hiyo ionekane hadarani pesa inakuja kutengeneza mabarabara ma-million fulani Western Province ama Nyanza namna hiyo.

Na ya mwisho, President asichague Vice President. Vice President kwa mufano, President akitoka Coast Vice atoke Rift Valley, President akitoka Rift Valley Vice atoke Nyanza. Yangu ni hiyo.

**Com. Maranga:** Thank you, kuja hapa uweka sahihi Lukano. Sasa anayefuata ni Julius Lihanda. Karibu utafwatiwa na Bernard, nani huyo sijui ni Muyeno, Muyeno ako? Okay you will be next and your names are tough.

**Julius Lihanda:** Bwana Commissioner, majina yangu ni Julius Lihanda natoka sehemu za.....kambiri location. I do not have a written memorandum niko na mambo mawili matatu yale ambyo nitaguzia.

Jambo la kwanza ni kwamba tunazungumuzia mambo ya Katiba ambyo wengine ambayo tuko katika area hii yao tumekua hapa tukitoa maoni. Ukweli ni kwamba hatujui hiyo Katiba inazungumzia nini. Ingelikua au ingelifa vile mwenzangu hawa wawili wamezungumzia tue na Katiba ambyo kila mwanchi wa Kenya tuijue inaguzia nini inazungumzia nini katika idhara zote ambazo zinahusika na serikali ili.....tunapotoa maoni au tunataka kubadilisha sehemu fulani unajua sehemu fulani inasema hivi na tunataka iwe hivi, kwa hivyo we are talking of the Review of the Constitution ambaye hatujui kwa hivyo hata kama tutapendekeza Katiba ingine iundwe mpya tungelihitaji yale ambaye tunaguzia kila mwananchi wa Kenya aweze kujua Katiba



hiyo inazungumuzia nini.

Na mambo ya Parliament kuweza ku-amend tungelihitaji referendums wale ambaye tutaguzia haya mambo ya Katiba tupewe hiyo nafasi ya kufanya amendments katika Katiba yetu. Jambo lingine ni mambo ya ufisaidi huu ambayo tumelia viliyo vimkuepo ni ajabu sana mtu kuiba pesa za uma ma milioni ya pesa na unasikia kwamba sheria inasema unakuta huyu mtu hiyo pesa ameziweka katika account number ya mukewe au za watoto. Mtoto wa miaka sita anaweza kua na million sita kwa account? Unashindwa huyo mtoto kwani yeye anafanya kazi wapi kwa hivyo unakuta ya kwamba sheria inasema yeye hawezi kustakiwa mama au mwanamke wa huyu bwana aliiba pesa hawezi kustakiwa. Tungelihitaji sheria iwekwe ya kwamba hata kama huyu ni mama aliowekewa hiyo account astakiwe maana hiyo pesa sio zake.

Jambo lingine nilitaka niguzie kidogo ni mambo ya sheria ambaye imepitizwa na hiyo inaumiza sisi sana wanaume ya kwamba ukumulazimisha mukeo katika hali ya ngona bila yeye yani kukubali unastakiwa ana uhuru ya kuenda kukustaki. There are some other men who ambao...katika shida kama hii wengine hata wanapigwa na wanawake na sheria haiguzie hiyo kwa hivyo tungelipenda ikiwa sheria imewekwa ya kwamba mwanaume ambaye anaweza kumulazimisha mukewe kua na ngono astakiwe hata nao pia wanawake wale ambaye wanalazimu wanaume au mabwana zao kua na hali hiyo pia nao wastakiwe. Kwa hivyo sheria isileme upande mmoja.

Jambo lingine tumeguzia mambo ya musitu na wengi wameguzia jambo hilo sitaki kulirudia sana lakini tungelipenda tue na uhuru wale ambao tunakaa karibu na musitu tuweze kupewa nafasi hiyo nzuri ya kuifadhi huo musitu ili rasimali ambazo zinatoka ndani wale ambao tunakaa karibu tuweze nasi kupata share yetu. Ni hayo machache ambaye ninazo.

**Com. Maranga:** Asante. Bernard.

**Bernard Muyeno:** Commissioner wetu na wageni wengine wote pamoja wazee, wamama habari zenu/

**Com. Maranga:** Anza kwa majina yako na uonge kwa mike naona wewe ni mrefu.

**Bernard Muyeno:** Kwa majina ni Bernard Likavo Ndwoye. Kwanza ningependa kuguzia kuhusu wafanyi kazi wa serikali civil servants. Sheria yetu ya Kenya inasema mufanyi kazi amalize miaka hamsini ndipo apate retire yake, hiyo ilikua sheria ya kitambo saa hizi vijana tunamaliza shule kama tuna miaka ishirini, ishirini na tano kama wameenda sana sheria yetu inatakikana irekebishwe mufanyi kazi wa serikali amalize miaka arubaini ama thalathini na tano awe ame retire arudi nyumbani .....vijana wengine wapate kazi.

**Com. Maranga:** (interjection inaudible)

**Bernard Muyeno:** Thalathini na tano retirement arudi nyumbani. Kitu cha pili ningependa kuongea kuhusu Wabunge wetu na ma-councillors. Wabunge wetu wanatuaidi vitu fulani, nitakufanyia hivi, tutakufanyia hivi, tutamufanyia hivi kama tunawachagua, tunataka iwe sheria kua na mtu kutoka kwa Commission asimamie kama mimi nimesimama kua councillor vitu ambaye na agiza wananchi all those policies venye naambia wananchi nita mutengenzea barabara hakikisha ametengeneza, asipotengeneza ashtakiwe.

Ya tatu kuhusu Ministers, Mbunge hatakiwa kua Minister tena akue, Mbunge hatakiwe kua Mbunge amechagulia as a Minister tena achaguliwe as a Minister in a certain, kwa widhara fulani. Mbunge akue tu Mbunge wa fulani, Minister for Health akue tu Minister for Health asiwe Mbunge tena akue Minister tena Minister anatakikana achaguliwe by MP's not by the President. Akiwa Minister awe Minister akiwa Mbunge akue Mbunge asifanye kazi mbili kwa wakati moja.

Kuhusu uchumi, economy, economy yetu irudi vile in 80's miaka ya thamanini nilikua nikiona watu wanatembea kwa maduka madawa zime-expire wanatoa, mtu akipandisha vitu juu anashikwa hivo hivo vitu vingi lakini wakati huu vile our President.....uchumi wetu uko free watu wanatuuzia vitu hata kitu ambacho hakina za maana hata vitu .....KPL---

**Com. Maranga:** Sasa ungetakaje?

**Bernard Mukonye:** Ningetaka uchumi wetu hiyo sheria irudishwe.

**Com. Maranga:** Okay, price control?

**Bernard Mukonye:** Price control. Five, ningependa ikiwa tutachagua mtu huku kama MP kama Chief tuchague hawa watu kama councillor huyo mtu asipofanya vitu ambaye tunataka we should have a vote of no confidence in him. Thank you that is what I had.

**Com. Maranga:** Thank you, asante, sign and give us your memorandum. Mwingine anaitua John Isabwa? Ameenda? Okay then we have Maulidi Bin Hamisi.

**Maulidi Bin Hamisi:** Saalm Aliekum, Aliekum saalm. Commissioner, na wale waliofika hapa hamujambo wote? Kwa jina naitua Maulidi Bin Hamisi, na nikiua Chairman wa FORD katika Kakamega District, Chairman of FORD People.

Mimi maoni yangu katika sheria. Kwa upande wetu kama sisi Waislam ninependa huyu Chief Kadhi au Kadhi achaguliwe na Waislamu wenyewe kwa sababu Kadhi anachaguliwa na serikali. Basi inaonyesha kama dini ya Kislam inaongozua na serikali, nataka hiyo sheria wakujuishi Kadhi atachaguliwa na nani.

La pili, sis wale Waislam tutko katika reserve sheria inaonekana kama tuko na sheria mbili, kuna sheria ya Kikristu na sheria ya Kislam lakini sheria kwa serikali inaonekana ni moja. Nitapendekeza sheria iwe moja kwa sababu ninaona sisi tukifika mahali Waislam tunarukushwe kuchinja na tunafika mahali ingine utapata hata watumishi wa serikali wanachagua mtu Mukristu kuchinja na akichinja sisi hatukuli sasa hapo inaonekana sheria ni mbili.

Nikiona kama mimi nikisimamia Kakamega ninaona kila division iko na tafauti kwa sheria. Upande wa musitu wenye kuharibu musitu sio raia ni watumishi wa serikali kama ma Assistant Chiefs kwa sababu hiyo uwezo washapewa mpaka wanagundua ndiyo pahali kuna chakula yao na ndiyo pahali kuna kangaroo court yao.

Kwa upande wa reserve hii changaa, changaa unapata kuenea na hawa utawala wa Assistant Chief kwa sababu yeye anajua kila nyumba lakini kwa sababu haendi transfer yeye anapendelea ukoo hawawezi kuona katika ukoo wake kama unatoa uhalifu ..... Ninapendekeza Assistant Chief aende transfer hiyo ikiwa ni sheria itafanya vizuri kwa sababu yeye akiketi mahali mmoja kama Assistant Chief na wewe mulikosana na yeye atakuumiza mpaka siku ataenda retire na wewe raia utakua ushaumia umia kushinda kibaba. Kwa hayo machache mimi Maulidi Bin Hamisi namaliza.

**Com. Maranga:** Asante, kuja weka sahihi Bin Hamisi. Sammy Jomo.

**Samuel Jomo:** Asante Commissioner, mimi kwa majina naitua Samuel Jomo kutoka sub location ya ..... Mimi yangu ni maoni. Maoni yangu inahusu kwa vijana, vijana tumezaliua tuko wengi sana na kazi imekua ngumu na wazee wenye wameza sisi tumerudi nyumbani tume kaa na hao na hawa wazee wako na mashamba makubua wengine wako na mashamba kidogo na tumerudi kufanya kazi kwa hiyo mashamba tunapanda miti saa zingine tunapanda hata miwa na mboga na wengine tunaenda kwa biashara jua kali tunafungua kiosk kidogo na kwa upande wa serikali inajaribu kukunyanyasa sana. Hiyo tunaweza kupanda kwa shamba ya mzee miwa tunapeleka kama kwa-factory kama huko Western Kenya ukipeleka hiyo miwa wakati unaenda pesa anakupea list fulani wanasema ati hii pesa imekatua unakata nusu ya pesa yako ingine wanasema ati sijui county council imekata pesa kwa sababu ya barabara na hatuoni kama barabara inatengenezwa.

**Com. Maranga:** Sasa unatakaje?

**Samuel Jomo:** Tunataka kama wanakata pesa namna hiyo ya kutengenza kama barabara na hizo barabara ziwe nzuri kwa sababu vile tunaendelea na kulima miwa barabara ikiwa nzuri ndiyo hiyo iweze kuenda kwa factory. Na kitu kama vile tuko nyumbani tena tunafanya biashara kidogo kidogo unaweza kufungua kiosk unapikia hapo watu chai na serikali imeweka licence tena juu sana kwa sababu licence kama town kubwa kama Kakamega na home reserve ni sawa sasa ndiyo tunashanga huko reserve biashara ya hapa reserve na town sio sawa, ijaribu kugawanya hapo. Kama hapa reserve iwe na pesa kidogo kulingana na vile biashara inaendelea hapo na town tena iwe hivyo. Ni hayo tuu.

**Com. Maranga:** Asante, thank you very much. John Isabwa, kuja sign hapa. John Isabwa? Fatuma can I have the other list if there is any.

**(interjection inaudible)**

**Com. Maranga:** Hapana, wewe Councillor uliongea for fifteen minutes. Hapana, wewe niliona saa yako. Hapa sio campaign sasa mutakuja kupambana na FORD People na wengine na KANU wakati ile, siulina KANU Chairman aliongea?

**(interjection inaudible)**

**Com. Maranga:** Hapana, wananchi wanatoa maoni yao ndiyo hawa wametoa maoni yao kama Juma Bin Hamisi. Hiyo ni yako ulikua ukitoa kama councillor. Benjamin Muinami? Benjamin? Okay karibu.

**Benjamin Muinami:** Asante Commission Review ..... Kwa majina ni Benjamin Muinami, si kua na written memorandum iko tu verbal.

**Com. Maranga:** Haya ongea ile ambayo unaiyo Bwana, sisi hatujui.

**Benjamin Muinami:** nitaongea ya kuhusu Identity Cards. Mwana Kenya yuko na uhuru wakuishi kwa Kenya sio lazima awe aki...kwa identification yake kwa hii country ya Kenya, ni vizuri awe anapewa tu hiyo identity card after 18 years free without paying tax.

Jambo lingine la pili ni kuhusu denominations. Mambo kuhusu denomination, denomination ime zambaratika sana mpaka kiwango ya watu kwanza kuabudu mashetani. Kwangu kuhusu mambo ya denomination through the Office of the Attorney General ningependelea kua denominations ziwe tu tatu, Mislam, Protestant na Catholic hii mambo ingine itupiliwe mbali.

Mambo ya kuhusu welfare, hii mambo ya kuhusu welfare inakatanisha sana haswa wakati kama mtu amefariki next of kin, mtu ikiwa yeye amejua kua yuko na watoto watatu na watoto ikiwa wako underage wako na birth certificates ni vizuri hizo birth certificates zi-ensure hao watoto kwa properties zao kuliko Government kuweka hapo mtu mwenye anaitua next of kin mwenye hua anaenda kiwango ya kwanza kunyayasa hawa watoto.

Jambo lingine ni kuhusu private sectors na public sectors, sana sana tukiingiwa votes...ni vizuri Government vitu kuhusu ministries kama health iwe tu public tusikue na private health centers kwa sababu hiyo vitu, hizi vitu za private hua zinaenda as far as kunyayasa Governmental health centers na zinaanza ku-separatika ziki nyanyasa wananchi. Vitu kuhusu shule tukue tu na public schools tusikue na private schools. Hizi vitu za kuhusu public schools zinaenda as far as competing public na hapo

mwananchi mwenye hajiwezi anayanyaswo sana.

Na ku-finalize naenda kwa land. Hii mambo kuhusu land inatetenisha sana haswa sisi wenyeji wa Kenya hakuna mtu mwenye aliji-force kuingia hapa Kenya, we were just born as Kenyans na ni vibaya kupata mtu mmoja ana-own land 50 acres na mwingine yuko na nothing, therefore we should have a policy whereby mtu akiwa na 1 acre and above should be taxed awe anakua taxed ndiyo at least hawa watu wenye wame.....mashamba kubwa kubwa hawa wajaribu ku-reduce hizo mashamba zao ama sivo tax itafanya watauza. Ni hayo tu. Asante.

**Com. Maranga:** Sasa wacha nikuulize swali. Wewe unasema tuwe na ma.....matatu. Islam, Protestant na Catholic, sasa hii Protestant utajuaje ni akina nani chini ya Protestant?

**Benjamin Muinami:** We should just have a church called Protestant.

**Com. Maranga:** Sasa unataka Wakenya wote wawe kanisa moja inaitua Protestant? Wanawachagua wanaabudu siku gani?

**Benjamin Muinami:** On Sunday.

**Com. Maranga:** Na wale ambayo wanaabudu Saturday?

**Benjamin Muinami:** Yaani iwe kama sheria, you either choose Catholic, Protestant or Islam.

**Com. Maranga:** Sasa hiyo kweli ni haki ya kibinadamu?

**Benjamin Muinami:** hii freedom ya---

**Com. Maranga:** (interjection) ya worship, hiyo iko kweli? So hakuna freedom, itolewe?

**Benjamin Muinami:** Yes, imeanza kuleta .....kwa Kenya.

**Com. Maranga:** Okay, asante weka sahihi. Peter Manyui ama nani? Peter ni nani? Amekuja tuu saa hii na ni kutoka Kambiri. Peter? Ndiyo huyo, afike, hana hata point afike atoe maoni yake ama kama sio tayari Joseph Indeche, wapi Joseph?

(interjection inaudible)

**Com. Maranga:** No you can not prepare just appear otherwise nitawafungia kwa sababu hii ni watu wa mwisho, nyinyi ndiyo

watu wamwisho, nitafunga.

**Joseph Indeche:** Okay thank you for whatever you have.

**Com. Maranga:** Anza kwa majina yako unadakika tatu ya kutoa maoni.

**Joseph Indeche:** My names are Joseph Akwene Indeche from Kambiri sub location in this division.

**Com. Maranga:** Haya pendekeza, toa mapendekezo.

**Joseph Indeche:** Because I had not arranged and I am always a compliant to whoever is in charge I am taking this opportunity to say that currently I am happy to meet the Constitutional Review Commission and here though it is just minutes I have arrived I would like kupendekeza kuhusu mambo fulani fulani kuhusu Katiba yetu.

One, I would like to emphasize that ikiwa Katiba hii itakuweco ningependa iwekwe katika mahali ambazo common mwanchi ataisoma na ajue sheria inasema nini ndiyo ikiwa kila mwanchi ako na civic education kuhusu people ama sheria asiwe akikosa mara kwa mara na kwa sababu siku pewa muda wa kujitayarisha ninachukua tu nafasi hii kusema ya kwamba machache ambayo nimekua nikiyaweka katika hakili yangu tangu Katiba ianze hapa na facilitators wetu wakuna Musonye na wengine wa kwamba nimeona tumejadiliana kuhusu Katiba hapa ile tu kuna kiwango fulani fulani ambavyo sikuviona katika hiyo kitabu cha Katiba.

Jambo kama hili la local beer, I would like to emphasize before this crowd that local beer iwe legalized so that busaa iwe kwa watu masikini na beer kama hii yenye sisi tunakunywa .....zibaki kwa wenye wanajiweza kwa sababu watu wetu mingi sana ambaye hawajiwezi kulingana na uchumi wa nchi wamefungiwa hawawezi kujiburudisha ama lesiure time yao hawawezi wale wana pesa ndiyo wanaweza enda kukaa kwa bar wakunywe chupa moja moja.

**Com. Maranga;** Kuna wengine wamesema beer ama pombe ipigwe marufuku Kenya, tutafanyaje?

**Joseph Indeche:** Walikua wanatoa maoni yao lakini mimi kibinafsi kama Indeche they way I stay with my people---

**Com. Maranga:** (interjection) Unataka hiyo kitu kidogo hiyo.

**Joseph Indeche:** I would like to say apart from kitu kidogo I remain firm with my decision that this local beer should be legalized so that tusiwe na embarrassment ya Administration Police.

**Com. Maranga:** Okay asante. Thank you very much.

**Joseph Indeche:** Kuhusu maneno ya kuchagua watu umesikia wengi nikisoma magazeti na nini na nini ya kwamba wanazingatia elimu sana lakini sisi wale ambao tunakaa huku kitu kama hiki cha udiwani we do not see the need to put people on higher education because even after all---

**Com. Maranga: (interjection)** Haya pendekeza ni education gani unataka kwa councillors?

**Joseph Indeche:** Kwa councillors because the Kenya education curriculum begins from CPE ninataka hawa watu wawe considered kwa sababu hiyo ni certificate ya masomo na wawe na test language ya writing because kuna wale wa Form Four ambaye even if you give them one minute to address this congregation hawata weza ku-address kwa kingereza. Because saa inaenda sana I would like to say that even me the person who is currently addressing this congregation I am not a Form Four leaver but I am able to address people at whatever circumstances. Thank you.

**Com. Maranga:** kuja hapa weka sahihi, weka sahihi huko huko. Sasa unaona ulikuja umechelewa hata ndiyo huji maneno namna gani. Haya uanze kwa majina yako.

**Peter Wanyonyi Tamba:** Majina yangu ni Peter Wanyonyi Tamba. Kwana kamati ambyo inaendesha mukutano wa leo ningependa kumushukuru kwa kuja kuchukua maoni yetu kulingana na vile mutawasilisha kwa kamati ya Consitution.

Jambo la kwanza ningependa kusema ya kwamba bei ya bidha hapa nchini imekua hana musimamo kamili kwa sababu bei hua inaongeza kila mara kwa mara hata sasa watu wadogo wameshindwa jinsi ya kujimutu. Tungependa bei isimamiwe na serikali kwa sababu ukipatia mtu uwezo museme bei iwe liberalized itakua vigumu kwa sababu kila mtu ataendelea kuongeza tu bei kila mara ukienda leo unapata ameongeza kesho mtu ameongeza na hajali masilai ya watu wadogo.

Jambo la pili na case za mashamba. Case za mashamba tungependa wazee wawe wakisikiza case za mashamba kwa sababu hawa ndiyo wanakaa karibu na wananchi kwa sababu ikiwa courtini itakua vigumu sana kupata uamuzi wa hakika na pia macasi courtini huwa inachukua mda mrefu sana.

Na jambo lingine ni bei za survey. Survey hua imeongeza bei sana hapo zamani malipo ya survey ilikua chini kidogo sasa watu wadogo wamekua vigumu kununua mashamba na kufanya survey sasa wengine wamekua wakika tu kwa mashamba kama squatter.

Jambo lingine ni uchumi. Uchumi wa Kenya unaonekana umerudi chini na sasa watu wameelimisha watoto na watoto wengi hawana kazi, tungependa kurekebisha uchumi tungependa kuna watu wengine ambao ni wakubua mishahara yao ni minono

sana wengine wanazaidi ya shilingi elfu mia nne, mia tatu ama mia moja kuenda juu.

**Com. Maranga:** Kua unatakaje?

**Peter Wanyonyi Tambiaa:** Tungependa ikiwezekana mishahara watu wapunguze mishahara wale wanamishahara minono ipunguzwe kiasi ili wale ambao wanapata pesa kidogo kuongezewa kidogo na wale ambayo hawana kazi pia wafanye nini? Wapateko hizo pesa ili waendeleze maisha.

**Com. Maranga:** Na ya mwisho.

**Peter Wanyonyi Tambiaa:** La mwisho nikunga tu mukono mwenzangu ambaye amekua hapa amesema ya kwamba sisi wote ni Wanakenya na kila mtu anapenda kufurahia maisha.

**Com. Maranga:** Local brew?

**Peter Wanyonyi Tambiaa:** Local brew. Hawa watu wadogo ile pombe ya kienyeji ya zamani ya kufukuza mashetani hawa wazee wakiwa wanaburudika pole pole bila shida wapewe uhuru wa kuburudika hivo kwa sababu kila mtu hawezi kujimudu kununua beer, beer iko bei kali, whiskey iko bei kali kwa hivyo tungependa wananchi hawa wadogo wapewe nafasi ya kuburudika kidogo.

**Com. Maranga:** wewe mzee unaendaga kanisani?

**Peter Wanyonyi Tambiaa:** Ndio hata mimi naenda kanisa.

**Com. Maranga:** Kanisa gani?

**Peter Wanyonyi Tambiaa:** Kanisa la Quakers.

**Com. Maranga:** Ya Quakers, wanasemanga muniwe pombe?

**Peter Wanyonyi Tambiaa:** Sasa kuna mtu anapenda chai, mwingine anapenda pombe.

**Com. Maranga:** Kwa hivyo ni chai ya wazee.

**Peter Wanyonyi Tambiaa:** Hiyo ni chai ya wazee. Asante sana.



**Com. Maranga:** Okay asante, weka sahihi hapa. Basi, kwa niaba ya Tume ya Kurekebisha Katiba sijui kama kuna mtu yoyote hapa ambaye angetaka kutoa maoni ambaye nitafungia sasa kwa sababu nataka kufunga sasa. Haya, hawa ni watu wale wanajua wamekula lunch ndiyo wamekuja. Dakika mbili mbili, kaeni karibu hapo sitaki musije mujasema ati nimewafungia.

**Clement Liseshe:** hamujambo wote? Mimi wananita Mwalimu Clement Omushira Lisheshe. Mimi ni mwakilishi wa walimu wa secondary katika chama cha walimu .....

**Com. Maranga:** Haya toa mapendekezo tu.

**Clemet Liseshe:** Kitu cha kwanza ningetaka kuongea juu ya ile nimesimama hivi ni hali ya elimu ambayo inaendelea Kenya. Elimu ya Kenya imezoroteka kufika kiasi ambacho sasa wanafunzi ambao tunawatoa wakienda inje kufanya kazi hawana ile uwezo wa kufanya kazi yao kwa sababu ile elimu tulianza nayo imekua sasa ya wanasiasa. Tungependelea wanasiasa wawachie wale ambao wametimu wameitimu katika kielimu, professionals watengeneze education act na waendeshe ile elimu ambaye itafaidi watoto wetu. Kwa mfano, saa hii kunawatoto na ma-degree katika barabarani hizo si kitu ambacho uliona hapa awali, final degrees hazina kitu kwa saa hii kwa kufanya kwetu.

Kitu cha pili, ambacho ina...sana ni huyu mtu munaita mwalimu, mwalimu siku zangu mimi nilikua nikisoma nilikua nikiheshimu mwalimu sana lakini kwa wakati huu mwalimu ndiyo kitu cha mwisho mtu kuheshimu hata kwa wakati huu mwalimu hata akiuliza tu shiling mia moja aongezewe imekua kama ameenda kuchokoza nyuki kutoka kwa mzinga. Lakini ningependelea kwa wakati huu heri walimu wapewe nafasi katika Education Act ambo mshahara yao hautakua na u.....wowote mtu apewe mshahara aongezewe mshahara kufwatana na vile miaka yake imekua. ....kuna walimu primary wame kaa grade moja miaka kumi anafunza mtoto ankuja anamupiga, secondary hivo na wakati tunauliza hii kitu inakua kama sisi tumechokozana---

**Com. Maranga: (interjection)** Unapendekeza kiasi gani ya pesa?

**Clement Liseshe:** Ninapendekeza ya kwamba ikiwa mwalimu anaweza kupewa pesa za ku mulinda maisha for example, mwalimu wa primary kwa wakati huu akipewa zaidi ya karibu shilingi elfu kumi na sita zitamusaidia nyumbani kuliko shilingi elfu nne ambao wanapata saa hii.

**Com. Maranga:** Na wa secondary?

**Clement Liseshe:** Mwalimu wa secondary ukimupatia ishirini na nne kwenda mbele si mbaya, kutoka elfu ishirini na nne kuendelea mbele.

**Com. Maranga:** Twenty four thousand.

**Clement Liseshe:** Na apewe allowances ingine kwa maana---

**Com. Maranga:** Hapana, unapeana ile jumla ndiyo wananchi wanajua mshahara.

**Clement Liseshe:** Kuna mshahara, kuna allowances.

**Com. Maranga:** Okay, hiyo ni salaries.

**Clement Liseshe:** Kwa maana tumekwambia ya kwamba mujumbe ni rahisi kupata mshahara mingi Kenya na hana kazi anafanya kabisa.

Tatu, hii kitu tunaita Bunge, Bunge tunahitaji ifanye kazi na tusiwe na msuada ambaye inalalia kila wakati ati Jumapili, Jumanne tulikua na Wabunge sita, kufika jumatano wamekua watatu na hawa watu kazi yao ni kutetea sisi na wako na wakati ambao wanaenda nyumbani kukaa kwa likizo kidogo. Hiyo mambo ya Mbunge kupata mshahara mingi na asifanye kazi tue tunazungumuza tunagojea mawakati mwingime mpaka muswada ingine inasongesha katika Parliament ingine hiyo haita .....iwe mzuri.

**Com. Maranga:** Last point.

**Clement Liseshe:** Last point ni hii kitu inaitua Executive. Tumepata ya kwamba ni rahisi sana mukubwa wako kukupatia order ufanye hata ikiwa hiyo order kufuatana na sheria ni mbaya. Hii Executive imekuja kufika mahali ambako sisi ambao wako chini hatujui ni nini ambacho Chief angeambia Assistant Chief afanya ama mwalimu mkuu angeambia deputy afanye. Mwishowe ukigundua wewe uko kwa makosa na hawa wanaruka. Tafadhali Executive tunataka itoke katika Judiciary itoke kabisa Parliament na iwe independent ili kila hizi tatu, mikono tatu ya serikali iwe na uwezo ya kufanya kazi bila kuingiliwa mahali popote. Asanteni sana.

**Com. Maranga:** Thank you, asante, hand over you memorandum and sign up. My last speaker is Limbuse Philip.

**Speaker:** Give them my memorandum.

**Com. Maranga:** Wewe Bwana, nilikuambia ufike mbele nitakupa dakika mbili na inaonekana huja fanya registration. Huyu karibu na councillor, yes you must be near here otherwise I will not give you a chance. Endelea.

**Philip Limbuse:** Yangu ni machache.

**Com. Maranga:** Anza kwa majina.

**Philip Limbuse:** Philip Limbuse. Yangu ni machache ya kunena. Ningependekeza ya kwamba kuna askari, AP, Police hata Army, hawa watu serikali ianzishe viwanda ambavyo vinaweza kuwafanya wawe wakifanya kazi kila maara kwa sababu wamekaa tu huko bila kazi tuseme kuna AP line mahali kama hapa Vihiga wamekaa hapo bila kazi wanakaa tuu. Wanaanza sasa kuzurura wakisumbua raia bila sababu yoyote kwa hivo tungependekeza tue na viwanda ya kuwafanya hawa watu wafanye kazi ya kuonyesha ya kwamba wawe occupied.

Neno la pili, ninigependekeza ya kwamba watu kama councillors, councillors na watu wa muhimu sana ukikuja huko nymbani ndiyo wanarahisisha kazi ya MP au Ministers hawa ndiyo wanarahisisha kazi ya MP kwa hivyo inatakikana mshahara yao tena inangaliwe iinuliwe.

**Com. Maranga:** Unataka walipwe pesa gapi?

**Philip Limbuse:** Ikiwezekana elfu arubaini kuendelea mbele. Councillors tena ni watu ambao wanapatikana nyumbani mashambani huko, haitakikani wapewe kiwango fulani mtu awe amesoma kufika mahali fulani bora tu wanaweza kuongea Kingereza, anasikia anaelewa tena anaweza kuandika hata Kiswahili pia anaweza kuongea kwa sababu hao ndiyo wanjua shida za watu huku na ndiyo watu wanawafahamu vizuri vile wanaweza kuwatumitia.

Halafu, neno lingine ambalo ningependekeza, haitakikani Rais awe ndiyo anashugulika kwa kila jambo kuna Minister kwa mfano kuna Ministry ya Education, huyo Minister ndiyo anatakikana ahusike na mishara ya walimu, mishahara ya wafanyi kazi kama daktari kuna Minister wao. Sio kila jambo lazima President afanye nini aweke sahihi ndiyo aseme tunapatia mshahara watu fulani.

**Com. Maranga:** Kwa hivyo unataka nguvu za Rais ziteremushwe kidogo?

**Philip Limbuse:** Ndiyo ziteremushwe ziwachiliwe Ministers.

**Com. Maranga:** Okay thank you, kuja weka sahihi hapa, hapo kwa Fatuma. Haya wewe toa maoni yako kwa dakika mbili.

**Isaiah Shikunzi:** Kwa majina naitwa Isaiah Shikunzi. Ingawaje nimechelewa ningependa niseme hii mbele ya Commissioners. Kwanza ni kwamba Katiba yetu ilitengenezwa na wa-koloni na tukapewa jina Kenya. Maoni yangu ni kwamba tungetafuta

jina kama Wakenya sasa sisi wenyewe ili tuite nchi yetu.

**Com. Maranga:** Ni gani unayo? Unataka jina gani wewe? Pendekeza, hatutakua na wakati tena, tuambie jina gani unayo.

**Isaiah Shikunzi:** Maoni yangu ilikua ni kwamba tupendekeze jina sio mimi nipendekeze.

**Com. Maranga:** Wewe ndiyo unapendekeza sisi kama Tume hatuwezi kupendekeza kitu ambaye wananchi hawajapendekeza. Kama unajina lolote ama unataka nchi yetu iitwe badala ya Kenya tuambie, hata kama unataka iitwo igloo tuambie.

**Isaiah Shikunzi:** Hiyo pengine ukinipatia mda---

**Com. Maranga:** Ulikua hujafikiria?

**Isaiah Shikunzi:** nilkua sijafikiria.

**Com. Maranga:** Okay utalete hiyo maoni.

**Isaiah Shikunzi:** Sasa jambo la pili mimi nimukaji wa hapa Kakamega na tuna rasilimali yetu kubwa ambaye ni forest. Ningependa yale yanapatikana kutoka kwa msitu wa Kakamega sisi tue watu wa kwanza kupata faida yake kwa sababu wakati huu musitu huu watu wa Kakamega wenyewe wanatunza na hatuoni faida kubwa tunapata kutokana na musitu.

Civil servants, na hii inakuja sasa kwa Executive, tumekua na shida ni kwamba watu hatutafautishi ni mahali gani siasa inaingilia na ni mahali gani serikali inaingilia kwa Executive. Ningependa siasa iwe completely delinked na wanye kazi wa serikali hasa provincial administration, siasa imechanganyua na provincial administration mpaka watu wankua hostile na kwamba kazi ambao watu wanafanya ingekua ya muhimu kama ingekua delinked completely na siasa.

Tuna jambo ningeguzia kwa local government, tuna mambo inahusu plot. Tuna ma-plots ambazo zimepewa watu na wanalipa revenue, ukikaa chini na uangalie baadaye unalipa pesa mingi unakuja unalipa pesa upande wa rent unalipa pesa ukianzisha biashara. Ningependa serikali tuchunguze hiyo kwa Katiba yetu ili tue tu tukilipa rent lakini plot ukipewa unapewa uwezo wakui-own kabisa usiendele kulipa rent kila mwaka.

Tuna jambo kuhusu mashule, ningependa serikali ichukue jukumu ya ku-maintain mashule kwa kujenga angalao pengine wawachie watu kununua vitabu lakini serikali lichukue jukumu ya kujenga mashule hata kama ni mbili, tatu kwa mahali fulani ili watu wazitumie na waiweke kwa standard ambaye itavutia watu kwa sababu watu watakimbia kwa mashule za serikali waingie

kwa shule za private kwa sababu zinajengwa kwa njia mzuri na zina kua equipped kwa njia mzuri.

**Com. Maranga:** Ya mwisho.

**Isaiah Shikunzi:** Ya mwisho ningependa nipendekeze kwamba tuweke sheria ukumu kubwa sana kwa mtu yoyote ambayo atapatikana akitongoza msichana wa shule. Tukiweka ukumu kwa mfano, mtu akipatikana ametongoza msichana wa shule afungwe hata miaka thalathini ama arubaini litafanya watu waogope watoto na watawachia watoto wetu nafasi ya kusoma. Tuweke hata sheria mtu akipatikana kwa mlango ya shule kama si mzazi anafungua hata bila kuulizwa mambo mingi hata bila kutafuta ushaidi.

**Com. Maranga:** Na wale wazazi ambao wankua wanatongoza wasichana?

**Isiah Shikunzi:** Wafungwe pia. Mimi ningependekeza namna hiyo, tue tu tukijua mtu akikaribia shule ni mzazi ama ni mtu ni mzazi wale wengine wakipatikana hapo wanapelekea wanafungua, ukifungua miaka thalathini uta zoekea kwa jela hata hurudi tena na kuharibu mashule.

**Com. Maranga:** Asante, haya kuja hapa weka sahihi. Kuna yoyote tena amebaki? Mimi nafunga sasa. Basi kwa nyiaba ya Tume ya kurekebisha Katiba tumefika kikumu cha kikao cha leo hapa upande ya Mukomari St. Philips nime sema asante kwa wananchi wa area hii, hii maoni yenu ambao mumepeana sisi kama tume tutarudisha hapa kulingana na sheria, report itakuja hapa ya Constituency kwa hivo mutaona majina yenu na report zile ambao mulitoa hapa. Pengine huwezi ukaona ile maneno sawa kabisa ulitumia hapa lakini utaona hii maneno mimi nilizungumuzia kama fulani.

Kwa hivyo tutakua na Constituency report ya Shinyalu, vile vile tutakua na report ile ambao tunaita national report. Kulingana na sheria ya sasa inatakiua tue tunazambasha hizo reporti kwa siku sitini ili wananchi wawexe wakasoma. Baada ya kusoma inatakiwa tue na mukutano wa kitaifa ama ambao tunasema National Constitutional Conference na hiyo National Constitutional Conference itabidi watu watatu wachaguliwe kutoka wilaya zote nchini Kenya na kila wilaya inatakiwa iwe na wawakilishi watatu na vile vile kwa hawa wakilishi watatu mmoja lazima awe wakina mama. Kwa hivyo hiyo National Constitutional Conference ndiyo itapitisha hii reporti ya Tume ili iweze ikawa Katiba mpya.

Kama National Constitutional Conference itapitisha basi itakua Constitution, na kama kuna maswala yoyote ambayo yatabakia kutoka mukutano ya kitaifa basi itakua sisi kama Tume itatubidi tuende kwa National Referendum na baadaye Wanakenya wataamua kama it is either yes or no. Kwa hivyo hiyo ndiyo itakua sasa mpango tutafuata kama Tume na lakini kwa sasa mimi nimesema asante. Inaonkana kuna wageni wamefika. Can they register, let all of the register in those forms, all of them. Sawa tu, they can register as they are seated, hebu ask Fatuma to come in. Mimi ninaona kuna shule ya wanafunzi imefika hapa, kuna wanafunzi wamefika hapa I want to welcome you to this session. Actually we were closing you are very lucky you were only a

minute, I think if you came a minute late you will have found us closed but now if possible you are going to sign in your names but let me know those ones who are going to present and I want you to stand here so that I can be able to, you start immediately and then you give your presentation and you must be very brief and give us only the highlights, you start with your names and give us your recommendations. Yes, that is okay. You start with you name and you tell me which Form you are in and which school okay?

**Lydia Abwoga;** The Constitutional Review Commissioner, ladies and gentlemen, my names are Abwoga Lydia I am in Form two, St. Philips Girls, Mukomari.

I would like to talk about the girl child. Laws should be put to protect women and girl child generally e.g. the girls education should be free and compulsory both in primary and lower secondary i.e. that is Form one and two. Stiffer penalties should be imposed to people who still carry out the cliteredoctmies and those people who still involve in forced marriage to girls and those people found involved in acts like rape and defilement should be sentenced to death.

A law should be put in place to enable women to be members of Parliament that is a third of members should be women through nomination of parties. The law on inheritance should be changed, that is the girl child should be allowed to inherit their parents property. Thank you.

**Com. Maranga:** That is all? Thank you very much you go there and sign proceed to this side. Next.

**Modesta Mushram:** The Constitutional Review Commissioner, ladies and gentlemen, good afternoon? My names are Musharam Modesta from St. Philips Girls School, I am in Form four. I would like to talk about Presidential elections.

A President must be elected by a minimum percentage of 50% of the total votes cast. If nobody gets that then a re-run must be held whereby whoever gets more votes than the other becomes the President. A President must not be a member of any constituency to make himself or the constituencies equally. Kenyans should directly choose a Vice President who should not represent any constituency. A President should not be above the law that is should be taken to court when he breaks any law and lastly a Parliament can dismiss a President.

**Com. Maranga:** Okay, thank you very much now you can sign and give us your memorandum. Next.

**Lydia Movu:** The Constitutional Review Commissioner, ladies and gentlemen, my names are Movu Lydia. I am in Form four.

I would like to talk about the education system. The Government should introduce a law that primary education should be free and compulsory to all Kenyans. It should establish bodies that will help to produce money and facilities in the schools instead of asking parents due to poverty, this will help to reduce....

Street children. The Government should introduce a law that any parent who will fail to educate his or her child should be arrested. The Government should discourage if not abolish the idea of mixed schools especially in secondary. This is to reduce immoralities such as indiscipline, girls pregnancy that will lead to drop outs.

The fees in secondary school should be the same in all schools and moderate to parents to protect poor parents. The Government should expand bursary schemes to help poor families. The Government should discourage day school. The Government should have an equal distribution of teachers in all schools.

**Com. Maranga:** Let me ask you a question. You said you abolish mixed schools? What about when they go to the University, do you also want a University for girls and boys? Or they are adults by that level?

**Lydia Movu:** Yes, they are adults.

**Com. Maranga:** That time they are okay they can decide, they are of 18? Now you are not of 18 most of you?

**Lydia Movu:** Yes.

**Com. Maranga:** Okay come and sign, thank you very much.

**Lylian Maende:** The Constitutional Review Commission, before you is Maende Lylian from St. Philips, I am in Form four. I would like to talk about the qualities of a leader.

First, the President and the MP's, they should have reached Form four, he must not have been convicted in a court of law and then he must be healthy and patriotic to our country. He must be a least 40 years and he must be married. Then judges and senior public servants should be appointed on merit and should be appointed by the Parliament through two thirds of the majority of those people of the MP's and Parliament and should be chosen after serious investigation.

Their sacking out should be approved by the court of law and then any public officer with a case concerning corruption and other scandals should be resigned or sacked out.

**Com. Maranga:** That is all? Thank you very much. Next. You sign our register and hand over your memorandum.

**Velma Okaron:** The Constitution Review Commission, ladies and gentlemen, in front of you is Okaron Velma from St. Philips Girls ready to talk about the rights to the disabled children or orphans.

Actually, the disabled children are the special group of people who need special care. As human beings they are entitled to certain rights, some of the rights are, they have a right to life no one is allowed to deny the disabled children the rights to life. They also have a right to own property, these rights apply to all human beings, one has the right to personal property. Another one is they also have a right to freedom of speech as they are allowed to talk and express themselves before people.

Another one is freedom of movement. They should not be restricted due to their disableness also they have a right to basic needs that is special education not just like normal students, shelter and food provision etc. They also have a right to some activities which they can do better like weaving, sewing which they can perform and exploit their talents for their own excellence. Also due to their disablement it is not supposed to create segregation to the disabled people as they form part and parcel of a complete society for the same God created them all.

To orphans, one should not find a loophole for their mistreatment because it was unfortunate that their parents passed away, I am talking due this referring mostly stepmothers, they like mistreating the orphans and the disabled children, instead these children the disabled instead of being mistreated they should be given a company to make them feel wanted and also to make them feel at home. Believe me or not if we adhere to these rights as Kenyans we never know God may.....a few of them to be future leaders of the normal people who claim to be super powers. Thank you.

**Com. Maranga:** Thank you very much, and also let me also remind the students who have come in, we are passing a list, a file of the Constitution of Kenya Review Commission, you need to sign up your name even though you are not presenting here you indicated yourself as an observer to this meeting, it is important for our own records, so I think the file is one and I want to ask Fatuma to give another list so that by the time we are finishing all of them have signed in. Make sure your name is in as an observer from ST. Philips, Mukomari. Proceeds, your name.

**Ivon Risiki:** The Constitutional Review officials and the room at large, I am Ivon Risiki from St. Philips Girls Secondary School in Form three and I would like expound on the education system. First the 8-4-4 curriculum should be abolished and replaced by the former one 7-4-3-2. This should allow the girl child to be able to choose on which career subjects she wants in Form six and five. There should be technical schools and academic schools. Also the workload should be reduced by increasing the number of optional subject for example agriculture, home science and other technical subjects, at least we should be able to choose one subject for the... Also, the topics of the subjects should be reduced at least those ones that do not need much concentration can be put out of the syllabus and those one that are for example inside the country we can use them.

Also, computer sciences must be expounded in every school, this calls for the Government to add more facilities for computer subjects and also we need more teachers and equal distribution of these facilities.



**Com. Maranga:** Now let me ask you a question Ivon, you are in the 8-4-4 system, how do you know about the 7-4-2-3 system? How have you come to know about the advantages and disadvantages?

**Ivon Risiki:** You know, during that system there were just few subjects that people were doing and I think if we do those little at least few subjects we will be able to concentrate on those ones the we know our careers are based on.

**Com. Maranga:** Okay, thank you very much, sign and have your memorandum taken. You are who?

**Sarah Naliaka:** Sarah Naliaka. The Constitutional officials I am Sarah Naliaka in Form four from St. Philips Girls Secondary School, I am going to talk about land ownership.

Kenyans should be allowed to own land anywhere in the country that is, a law should be put in place to force people to to put their land in practical use to avoid land wastage. This can only be done by enforcing a tax on unused or undeveloped land. Public land such as forests can only be given to individuals by the Parliament, grabbers of public land and utilities such as the hospitals, the schools should be taken to court and made to return back what they have stolen.

The sale of family or ancestral land should only be legal if if the sellers family members agree to the deal, this is to protect the family from losing their land through secret selling. Thank you.

**Com. Maranga:** Thank you very much, maybe I have one question. Those ones who have grabbed land and maybe they have developed the land, like now they have put a school, a hotel or something, what do we do with those structures?

**Sarah Naliyaka:** The thing is here, is that they have grabbed the land that is when they grab the land they do not have permission of that land and when they put up that school it means that they are putting for their own benefit it does not benefit the person from whom they have grabbed the land.

**Com. Maranga:** Thank you, thank you very much. Now, that is our last speaker, do we have anybody else? Any student who wanted to speak and was not among the six or seven? Any teacher? Alright, I want to say thank you very much on behalf of the Constitution of Kenya Review Commission, we feel happy when students come and appear before us because the Constitution we are making they are the really persons who are going to feel about it because us who are old maybe we will not be able to use this Constitution in good time. This Constitution we are making belongs to the youth and the young people and we normally take their views and issues very seriously.

So, I am very happy that St. Philips, Mukomari was able to appear before us and let me assure you that you will read those reports and most of you will appear in the annuals and records of history that you were some of the people who participated in

the Review process. So, I was just summarizing and saying that after this you are going to expect a report for this particular constituency, Shinyalu, we are also going to develop what we call a national report which will also be circulated to the general public and apart from that general report and whatever, we are also having some stages of the Review process which are remaining, one of the major stages is where we are supposed to do the collation and analysis of the views of Kenyans, after we have analyzed the views of Kenyans we are going to ask the Kenyans again to participate in assessing those reports which come out of the Commission.

So, we will also have the National Constitutional Conference which we are going to have as one of the major organs of Review where Kenyans are going to make a decision and the delegates are going to come from all districts of this country and we are going to have three delegates per district where one must be a woman and the rest can be men or even all three can be women if you so wish. So, those are people who are going to discuss that report and if there are any disagreements, if there will be any outstanding issues after the National Constitutional Conference then the law is very clear it suggests that you must move on to a Referendum. For example, if we have an issue like majimbo where some people are saying they want majimbo, others say they do not want majimbo that is the kind of issue which can easily be subjected to a Referendum and in a Referendum you either say yes or no to an issue. So that is the stage, soon after that then the report will be taken to Parliament, we will draft a bill where there will be an enactment of a new Constitution.

So, on behalf of CKRC, that is the Constitution of Kenya Review Commission, I want to say thank you very much and particularly to the people of Shinyalu this area of Mukomari, we are very happy and we are excited that you are able to come and present your views. Ladies and gentlemen, once again we say thank you very much and God bless you all. Now I request one person, Bwana Coordinator to pray for us and then we can end this session. Thank you very much. But meanwhile the student sign that register.

**Mr. Majanja:** Commissioner Sir, ..... I came late, my name is Majanja, I am the District Coordinator, thank you very much for coming. May we bow our heads in prayer.

O' Mighty God we thank you for all the activities that we have carried through for the blessings you gave us, for the protection you gave us, for all those who managed to come and present their views. We have now reached the end of the discussion, we are now returning to various places. Please God we pray to you that we may all go back to our various places comfortably, peacefully and we may get there safely. In Jesus Christ I pray, Amen.

The meeting ended at 6 P.M.

