

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

SIRISIA CONSTITUENCY,

AT CHWELE MARKET

ON

SATURDAY, 30TH JULY 2002

CONSTITUENCY PUBLIC HEARINGS

SIRISIA CONSTITUENCY, AT CHWELE MARKET

HELD ON SATURDAY, 30TH JULY, 2002

Present:

Com. Bishop Bernard Njoroge
Com. Paul Wambua
Com. Ibrahim Lethome Asmani

Secretariat in Attendance:

Triza Apondi - Programme Officer
James Macharia - Asst. Programme Officer
Lydia Moraa - Verbatim Reporter

Meeting was called to order at 09:40 a.m. with Com. Ibrahim Lethome in the chair.

Prayers – Fr. Francis: Kwa jina la Baba na la Mwana na Roho Mtakatifu. Ewe Mungu Baba Mwenyezi tunaomba kwamba siku ya leo hii, tunapokutana hapa kama Division ya Chwele kuchangia maoni yetu katika Katiba tunaenda kutengeneza, tunaomba utupe hekima ili tuweze kujadiliana yale ambayo yatatusu sisi kama wananchi wa Kenya kwa Kenya ambayo tunahitaji na pia Baba tunaomba hawa maCommissioners ambao wamekuja kusikiza maoni yetu uwape hekima nao pia

waweze kuweka pamoja maoni yetu ili Katiba tutakayotengeneza iwe kweli Katiba ya wananchi. Na wananchi ambao watatoa maoni yao Baba tunaomba uwatoe uoga ili waweze kutoa maoni yao bila kuwa na wasiwasi wote wakijua ya kwamba hii ni nchi yetu na hii Katiba ndio itakayotulinda kwa miaka mingi inayokuja. Tunaomba haya yote kwa njia ya Bwana wetu Yesu Kristo Amen. Kwa jina la Baba la Mwana na la Roho Mtakatifu.

Com. Wambua: Asante sana Father kwa maombi. Sasa kwanza nitawajulisha walioko hapa. Tuko watatu maCommissioner ambao watakuwa kikao hiki hawajafika walikuwa watoke huko Bungoma. Mimi nikawa nililala karibu kwa hivyo nikafika mapema. Lakini hakuna haja ya kungojea taratibu ziko, wale ambao wananasa sauti zenu wako, kwa hivyo tunaweza kuanza halafu watakapofika tutawajulisha kwenu. Lakini wao ni Commissioner Bishop Bernard Njoroge ambaye ndiye alichaguliwa kuwa mwenyekiti wa kundi hili na yule mwingine mwenzake ambaye bado wako pamoja anaitwa Commissioner Lethome Asmani. Nami naitwa Commissioner Paul Musili Wambua na watakapofika nitawajulisha. Lakini tuko na wenzetu wengine hapa ambao tumetoka na wao kule kwa Tume, ambao wanatusaidia kuhakikisha ya kwamba majina yameandikwa na ya kwamba kile mmoja wenu amenaswa sauti yake. Na hawa ni kama Triza Apondi, ambaye yuko pale ni Programme Officer kwa Commission, wa pili ni James Macharia namuona pale na yeye pia ni Asst. Programme Officer wale wanaandika maneno yote unayotaja. Na hapa tuko na Lydia Moraa, Moraa ndiye mnaona anatumia hizo tapes kunasa sauti, hakuna neno lako litakalopotea. Ukizungumza ikichukuliwa huko itaandikwa. Kama huko itapatikana itaingia kwa tape. Nasi tuko hapa kama Commissioners kusikia.

Kwa hivyo taratibu ambazo tutatumia ni kama ifuatavyo. Ukija hapa utajiandikisha huko tutatumia hiyo orodha ambayo tumepewa hapa na yule ambaye amefika kwanza ndiye tutamsikiza kwanza, first come first heard, na yule ambaye amejiandikisha kwanza ni George Sitati Wekesa, tutamuita saa hii, lakini ukija hapa unaweza kuzungumza bila maandishi. Unaweza kuwa umebeba maandishi hapa ambayo umeandika maoni yako. Ukitupatia tutayaandika huku, yatakuwa registered halafu utatuachia maandishi tutaenda kusoma. Ukija hapa usisome maandishi maanake sisi tutaenda kusoma, taja yale ya muhimu tu – highlights, ile key issues halafu yale mengine tutaenda kusoma. Tutakupatia muda wa dakika tano. Ukija kama huna maandishi tutakupa muda tu uzungumze lakini ijapokuwa hujaandika bado tutakupatia muda mchache tu utaje yale ya muhimu. Ikiwa mambo yamezungumzwa yametajwa hakuna haja ya kurudia maanake tayari tumeyapokea. Kwa hivyo usirudie maanake uchukue muda mrefu maanake tunataka tumpe kila mtu nafasi ndio atoe maoni yake.

Kwa hivyo ukishamaliza kutoa maoni yako utajiandikisha huko ndio tujue ni kina nani walizungumza hapa na waliotoa maoni. Na ikiwa ushamaliza kuzungumza sisi kama maCommissioners ikiwa kuna mtu ama mambo ambayo hatukuelewa tunaweza kukuuliza maswali ndio ufafanue. Na mwisho kabisa unaweza kuzungumza ukitumia lugha ya Kingereza ama Kiswahili, kama Kingereza na Kiswahili kinakusumbua kidogo pengine unaweza kutumia lugha ya hapa na hiyo nafikiria ni Bukusu. Halafu tuko na mtu wa kutafsiri, mkalimani ambaye atatueleza yale ambayo unasema. Lakini hakuna haja ya kusema kuwa niko hapa Chwele nitasema Kibukusu ijapokuwa naelewa Kiswahili na Kingereza, hakuna haja. Maanake unazungumza nasi kama Commissioners. Kile tunataka ni kuelewa maneno ambayo unataka kuyatoa. Usizungumze kinyumbani maanake utaharibu

wakati saa zile unazungumza na mtu mwingine anatafsiri muda unapotea. Kama unaweza kutuzungumzia kwa Kiswahili ama Kingereza itakuwa sasa tuna-save wakati. Hakuna haja ya kupoteza wakati. Hakuna haja ya kuharibu wakati mrefu eti huyu anasema na huyu anatafsiri kama unaelewa hii lugha. Lakini kama kweli kuna mwenzetu ambaye hawezi kuzungumza Kiswahili hawezi kutoa maoni kwa Kingereza basi tutampa nafasi azungumze Kinyumbani, halafu tutatafsiri.

Nafikiria tuko na mama mwingine hapo nafikiria – ni wewe, aliniambia anaitwa Christine na yeye anaongea kwa ile lugha nyingine kama kuna mwenzetu hapa haelewi lugha ya kawaida ambayo tunatumia mdomo yeye atatumia mikono kueleza yale ambayo yanaendelea. Kama mnajua kuna mtu hapa haelewi ama hawezi kufuata vile tunavyoendesha mambo hapa, basi tueze ndio tumuambie Christine atafsiri, ako pale. Kwa hivyo tutaanza na tukianza tutaimuita yule ambaye alijiandikisha kwanza hapo George Sitati Wekesa, ako wapi? Basi Wekesa utaketi pale halafu taja jina lako kwanza linaswe halafu kwa muda usiozidi dakika tano sema yale yako kwa memorandum halafu ujiandikishe hapo.

George Sitati Wekesa: Mimi kwa majina najulikana kama George Sitati Wekesa. I propose for a Federal form of governance which should comprise of a Central Government, the Federal Government and various smaller Governments established at provincial level. All provinces put together form a federation. Each province to have its Governor, Legislature and Judiciary. There should be two sets of laws applicable – the federal law made by the Central Legislature and Provincial Law made by the Provincial Legislature and applicable only within its province. A citizen can decide to live in any of the provinces regardless of his or her place of birth provided that he or she abides by the laws of that province. The Federal Government to be in charge of the whole country and to be in control of the following:-

- Constitutional Affairs
- Financial Affairs – e.g. Federal taxation and monetary policy
- Foreign affairs and national security and
- Immigration and citizenship.

And Provincial Government to be in charge although not exclusive of certain affairs namely local health, local infrastructure, local education and provision of sanitary services e.g. water and sewerage disposal. Law state Government may make a law that contradicts the Constitutional of the federal law. Federal Government will ensure that our country is effectively managed, this will necessitate devolution of power from the centre to the provinces. Some leaders in Kenya have been talking about majimbo system without understanding the fundamentals of federal Government. Such leaders have argued that federal system would mean people going to areas where they were born or tribes to which they belong. That is a colonial majimbo system which was based on ethnic bigotry and which had very little federal content, in fact some a system can only lead to bacanisation of a country if not outright cessation of some parts.

Another point which I would like to talk about concerns Presidency. A person shall not be eligible for election or tenure as

President if he or she intends to contest as a Member of Parliament and therefore I propose that the President shall not represent any constituency as its Member of Parliament and this should also apply to the Vice President. This will make it easy for them to concentrate on national issues, as they are symbols of national unity.

Another point, about appointment of Ministers, I propose that the Ministers and deputy Ministers to be appointed from among citizens qualified for elections as Members of Parliament. Members of Parliament appointed as Ministers or Deputy Ministers should cease to hold their seat in Parliament upon such appointments.

Another issue which I would like to talk about concerns Constitutional Amendments. I propose that the Constitution shall only be amended if a bill providing for the amendment of any provision is supported on a second and third reading by at least 75% of the members of the National Assembly excluding the ex-officio members and a National Referendum has been conducted in accordance with the Constitution approving the proposed amendment and the proposed amendment is subsequently supported by at least two-thirds of the Members of Parliament.

Another issue that I would like to talk about is international treaties. Parliament shall have the exclusive power to ratify all international treaties, agreements or conventions with a two-thirds majority. Any international treaty so ratified shall have the force of law in Kenya.

I would also like to talk about Affirmative Action. I propose for Affirmative Action to ensure the full development and advancement of disadvantaged groups of society for the purpose of guaranteeing them equality.

And lastly I would also like to talk about Commission on gender equity. I propose for a Commission on Gender Equity which shall promote gender equality and to advise and to make recommendations to Parliament or any other body with regard to any law or proposed legislation which affects gender equality and the status of women. Thank you.

Com. Wambua: Bwana Sitati nitakuuliza swali. Let me ask you a question. When you propose that Parliament should approve international treaties by two-thirds, are you proposing that the approval should be sought and obtained before we sign the treaties or is it after the treaties have been signed, then they are brought to Parliament for approval? Which proposal do you have, I didn't get that very clear?

George Sitati Wekesa: Okay. International treaties. Parliament should have the exclusive power to ratify all international treaties and agreements and conventions with a two-third majority before.

Com. Wambua: Before it is ratified?

George Sitati Wekesa: Before it is ratified.

Com. Wambua: Okay, thank you very much. Asante sana jiandikishe hapo Bwana Wekesa.

George Sitati Wekesa: Thank you.

Com. Wambua: Thank you for your views, which are very good, which we will take into account. Wilfred Kisuya from the Association of Physically Handicapped, I believe you have a lot to say about the disabled. Please mention your name, the association you represent. Give us your proposals.

Wilfred Kisuya: Thank you very much. My names are Wilfred Wabwoba Kisuya, the Secretary-General of Association of Physically Handi-capped, Kenya. I propose the following to the needs and basic needs of the disabled.

- (1) Kenya to have disability revolving fund to cater for the needs of the disabled.
- (2) A disability service commission be formed to implement development progress of the disabled e.g. training, education, social, medical and economic participation of the disabled.
- (3) All disability appliances be given free regardless of gender and disability.
- (4) The National fund for the disabled of Kenya be manned by the disabled.
- (5) The disabled be represented in Parliament through fair and free elections.
- (6) All basic needs of the disabled be given as where and when need arises.
- (7) During all the fiscal year budget of the Kenya Government funds be allocated aside to meet the basic needs of the disabled to cater for their social and economic participation.
- (8) Special schools be available from district level and above for the purpose of empowering the disabled to participate equally.
- (9) Among the needs of the disabled, all disability organizations worldwide including Kenya among them, be given chances for participation through Parliament or any approved organization to meet and cater for their needs. Thank you.

Com. Wambua: I want to ask you a question Bwana Wilfred Kisuya. One of the issues we have been given views on is the question of integrating the system of education to ensure that we do not have special schools for the handicapped. The visually handicapped, mentally handicapped that they should be integrated into the normal schools and that will help them learn to live that those who are not disabled should know how to live with the disabled persons. What is your view on that, should we integrate the system or should be set aside? I notice that you talk of special schools, but what is your view on the integration, should we be integrated or should we not be integrated?

Wilfred Kisuya: My view about the integration should be, like this way I am talking may be you might have an integration system but its not on district level. So I think you must have that indication. We must have the same.

Com. Paul Wambua: Inaudible.

Wilfred Kisuya: Okay, thank you. We have two types of disabilities. We have mental, physical, visual and what have you. So at least we just have different schools for the same.

Com. Wambua: Thank you very much. Please register yourself there. Asante sana kwa maoni yako. Moses Simiyu Lusano. Moses taja jina na utupatie maoni yako tafadhali.

Moses Simiyu Lusano: My name is Moses Simiyu Lusano from Chengeni I represent Misambwa Group. I contribution to this:-

- (1) Land problems: Land was surveyed some years back but today the fee or tax is very high. We need land to be resurveyed after five years. Most of the poor people are unable and so it has become very difficult for anybody to own land because of that high taxation.
- (2) The President's decree to be taken to Parliament. I say this because sometimes there things which are enforced and then people find it very difficult.
- (3) During the World Cup, I saw policemen arresting people who were watching TV, watching the matches on TV. I ask the Government to see to it that such unnecessary harassment is removed.
- (4) I come to police cells and prisons. When you go to police cells and prisons the prisoners are no better than slaves, they are enslaved. So let a good Government check on this system. People are dying there like flies and when someone takes you there, it means he has taken you to the grave. To come back out of there it will just be God's wish.

- (5) I come to customary law courts: Kenya belong or has got very many ethnics groups and they have got different customs. So I think or I suppose the Government should establish a customary court to be dealing with this.
- (6) I come to freedom of conscience. There were people who fought for our Uhuru or freedom. These were Misambwa Uhuru fighters. Really these people are not considered because they have not been rewarded and even they are restricted not to continue with their sect or worshipping. So I urge the good Government to consider these people are then reward them something.
- (7) I come to our capital city Nairobi – it is congested and I propose that let the Government establish a capital city elsewhere and Nairobi remain a trading centre.
- (8) I come to Judiciary: Poor people are not well represented in courts because they don't have lawyers to represent them, so I propose the Government to hire lawyers for such people who are unable to represent themselves.
- (9) I will talk about Mount Elgon forest which is dying. When you look at our rivers now we have less water because that catchment area has been destroyed completely. May the good Government help us to replant the trees once more.
- (10) I come to farmers who grow coffee. The first area to grow coffee in Bungoma District or Western was Chwele. Upto now coffee has made the farmers in this area to suffer a lot and even our capable children who could pursue higher education are unable because the parents are unable to raise any amount. So I propose let the good Government build coffee millers in Western or in these areas, so that we cannot take our coffee to Nairobi and then we don't know what goes on there.
- (11) In addition to that, in this area guavas grow widely. So I propose the Government to make some light industries in this area, so that this will help to employ our people or school leavers.

Thank you, that is the much I can contribute.

Com. Wambua: Thank you very much. I think I will have to announce the arrival of two of my colleagues, kama nilipotaja tulikuwa na macommissioner wengine wawili ambao walikuwa njiani kufika hapa, wamefika. Tuko na mwenyekiti wa kikundi hiki ambaye ako karibu nami hapa Bishop Bernard Njoroge, Commissioner, tuko na Commissioner mwingine mwenzangu hapa Commissioner Ibrahim Lethome Asmani. Sasa hawa ndio tutaendesha nao kipindi ama kikao hiki.

Nafikiria mama D.O. utatukaribisha hapa maanake ni kwako tulipoanza hukuweco, tulianza tukaona hatutaweka watu tu, kwa

hivyo utaongea machache. DO wa area hii ako hapa nasi Caroline Onjoka. Kwa hivyo mama utataja machache utukaribishe, halafu tutaendelea. Kikao sasa kitaendeshwa na Commissioner Asmani Lethome ambaye nitampatia sasa nafasi aendeshe baada ya DO kuongea.

Caroline Onjoka – DO: Asante sana Commissioners wetu, viongozi wa sehemu hii ambao wamefika wakati huu, nataka kuwakaribisha kirasmi katika tarafa ya Chwele ili mtoe maoni yenu kama wakaaji wa sehemu hii. Kwa hivyo mmekaribisha wanaCommissioners wetu, hawa wamekuja nafikiri wengine bado wanakuja. Lakini ningewasihi kama inawezekana tutoe maoni kwa wingi kabisa. Kila mtu aweze kupata nafasi, ukijaliwa kupewa nafasi ujaribu kuharakisha ili wale wenzako wapate nafasi. Na pia ukimaliza kama unarudi nyumbani waambie wale wengine wanakuja. Lakini naona wakina mama ndio hawajakuja. Nafikiri wako njiani wasipike chai na ugali mpaka wachelewe. Kwa hivyo wazee mkienda mwapatie nafasi, huu ni wakati mzuri sana kama sisi Wakenya wa sehemu hii kupewa nafasi ya kutoa maoni kwa kuandikisha Katiba yetu. Kwa hivyo Commissioners wetu tafadhali mjisikie uhuru, muwe nyumbani muendeleo kukaa na hawa watu wetu wakitoa maoni yao. Asanteni.

Com. Wambua: Nafikiria tutataja District Co-ordinator wa Bungoma ambaye ako hapa na ninafikiria mnamjua. Mr. Walinywa ambaye ndiye anahusika kupanga mipango ya sehemu ya Bungoma. Kwa hivyo sasa Commissioner Lethome chukua usukani uendeshe kipindi.

Com. Lethome: Asante sana Commissioner Wambua. Watu wa Chwele Mlembe. Sawa, sasa tuendeleo, hiyo ndiyo Kibukusu ile ninajua, sijui ingine. Haya Justus Wabwire Nabiswa kutoka Usambwa.

Justus Wabwile Nabiswa: Nitaongea vile mwenzangu ametoka alikuwa kijana na msiseme ya kwamba narudia maneno yenyewe. Mtaniruhusu kidogo niongeze maneno, sitarudia yale ambayo ameyasema. Vile wale mashujaa waliopigania nchi yetu, nitaanza kwanza mnamo 1895 watu hawa walipinga Wazungu kuingia katika nchi yetu. Mwaka huo watu wale waliouawa katika mji au Tuhara Lumboka, na mwaka huo huo mwenyewe Webuye. Halafu wakafuatia 1908 watu wengine..

Com. Lethome: Hiyo maneno umetuambia ni muhimu sana na ni nzuri. Lakini sasa hiyo ni historia. Pendekeza.

Justus Wabwile Nabiswa: Ningetaka Katiba iliyoko kuhusu watu wale ambao waliuawa Katiba ambayo tunaiandika iwashtaki wale waliowauwa watu wetu kwa sababu waliuawa kwa ajili ya nchi yao.

Jambo la pili: Watu wale wa kikundi cha Msambwa waruhusiwe kujenga mashule, waelimishe watoto wetu, wajengewe clinic, watibu watu wetu na kazi zingine. Ningependa wafanyiwe hivyo. Na bila kupoteza wakati..

Com. Lethome: Kikundi cha Msambwa ni kikundi cha kisiasa au?

Justus Wabwile Nabiswa: Cha kidini.

Com. Lethome: Cha kidini. Kwa hivyo wapewe ...

Justus Wabwile Nabiswa: Waruhusiwe wapewe uhuru wa kuabudu, uhuru wa kuomba na uhuru wa kupata elimu kwa watoto wao. Na bila kuendelea na jambo hilo, nitaguza neno lingine. Kuhusu usalama ambapo nimesoma mahali fulani, nafikiri usalama wa raia katika nchi ya Kenya haulindwi ipasavyo katika Katiba iliyoko. Na ninataka hivi watu wengi wanauawa katika barabara, jambo la kwanza ni magari kuendeshwa mwendo wa kasi. Jambo la pili, gari kubeba watu kupita kiasi. Watu hutembea kama wamesimama wananinginia milangoni, gari mizigo nyuma mbele limebeba. Na ninaonelea ya kwamba gari lisiruhusiwe kubeba watu kama watu wamesimama. Gari liko na viti Katiba iliyoko sasa iandikwe kulinda uhai wa mtu, mtu atembe katika gari kama amekaa. Kwa sababu gari limejengwa lina viti vya kutosha, wakati wa mkoloni hatukuruhusiwa watu kutembea kama wamesimama.

Com. Lethome: Lingine Mzee.

Justus Wabwile Nabiswa: Jambo la tatu, kuhusu tu usalama. Kuna vitu kama wanyama, ng'ombe, ng'ombe akitembea barabarani anapigwa akauawa. Na hapo eti mwenye ng'ombe unashtakiwa ya kwamba wewe ulipe. Na ng'ombe hana fahamu, ng'ombe hajui kitu gani kinachokuja kutendeka.

Com. Lethome: Sasa hapo unapendekeza nini, ng'ombe akigongwa barabarani nani alipe?

Justus Wabwile Nabiswa: Aliyepiga alipe. Sio mimi kulipa. Pengine ng'ombe alikuwa tu anaruka barabara na muendeshaji gari akampiga na si wewe ukija na gari unaona yule ni ng'ombe, wewe unastahili kuhepa kupiga huyo ng'ombe. Kwa hivyo anayeu huyo ng'ombe alipe.

Com. Lethome: Na mwenye ng'ombe naye afanye nini? Huna jukumu la kuangalia ng'ombe wake asiende barabarani kwa sababu hana akili ng'ombe.

Justus Wabwile Nabiswa: Ng'ombe akiwa amepigwa hana uwezo, hana akili pengine alikuwa tu ng'ombe huyo peke yake anaenda kutafuta maji halafu ipigwe. Hapo mwenye ng'ombe hastahili kulipa kwa sababu ng'ombe haina elimu. Haya kuongeza tena mtu akiwa anatembea barabara unakuta watu wengine anauawa kando ya barabara na hapo halipwi. Kwangu naonelea ya kwamba mtu akigongwa na gari na alikuwa mkono wake, yeye aliyemuua anastahili kulipa. Hapo mimi napigania uhuru wa mtu au uhuru wa raia ya kwamba mtu yule alipwe asiwachwe bure.

Namalizia neno lingine kuhusu ardhi: Kuna kifungu mahali kinasema mimi namiliki shamba langu na nitasema tu msemu wa kifupi. Ikiwa mimi namiliki shamba langu, nikishaaga dunia naona ya kwamba eti mtu ambaye atarithi shamba hili ikiwa mke wangu atawashtaki kortini kwamba ndio wapewe huo urithi. Kwa nini washtaki, mimi singependa washtaki kwa sababu shamba hilo limejulikana, mahali ambapo nimekaa kuna serikali ya mitaa, kuna watu wa jamii wanaelewa mimi ni mwenye shamba, kwa hivyo watu wangu warithi bila neno lolote. Nafikiri kama muda ungeniruhusu ningendelea kidogo.

Kuna jambo lingine ambalo nitaliguza kuhusu sisi katika mila ya Wabukusu, kuhusu mtoto msichana. Mtoto msichana akiolewa kuna mwiko wetu au kuna kitamaduni chetu akishakwenda kwa bwana atachinjiwa mbuzi. Mbuzi huyu inamaanisha ya kwamba yeye ameolewa ni mke wa mtu yule. Sasa yule msichana akitoroshwa na mtu mwingine, kulingana na hiyo mila mtu ambaye amemtorosha atashtakiwa. Na yule msichana anastahili kukaa na bwana yake bila kuvunja ndoa. Naongea pale kwa sababu nimesikia mahali pengine ya kwamba wasichana wanataka ardhi. Akishafanyiwa hivyo yeye amepata bwana, ardhi atapata kulingana na bwana wake ambaye ameoleka huko. Asanteni.

Com. Lethome: Na yule ambaye hajaolewa msichana ama hataolewa, apewe ama aje?

Justus Wabwile Nabiswa: Kama hajaolewa, ataolewa. *Laughter.*

Com. Lethome: Asante sana. Shadrack Watima?

Shadrack Watima: Kwa majina naitwa Shadrack Watima nitazungumza kwa lugha ya Kibukusu.

Interceptions: *How do you want me to translate – summarise or?*

Com. Lethome: Summarise. Recommendations.

Shadrack Watima: *Khusakho khwikhuwa lilala.*

Translator: I want to touch one point.

Shadrack Watima: *Lubeka lwa baana besikhasi.*

Translator: About female people.

Shadrack Watima: *Khuli ne abaana befwe ngefwe babukusu.*

Translator: We have our daughters.

Shadrack Watima: *Olomaramo mima khulomalomakho.*

Translator: As it has been talked about.

Shadrack Watima: *Efwe omwana atsitsanga khu musacha mala khwana obukhwe.*

Translator: The daughter marries and we get dowry.

Shadrack Watima: *Sisiaba mukhasi uwo.*

Translator: Then she shall belong to where she has married.

Shadrack Watima: *Maala wakhwa omwana womundu aba mukhasi unono sakhayere khukenda kenda busa ta.*

Translator: Once married so she is then a wife in that home and should not loiter around or walk carelessly.

Shadrack Watima: *Nono luno ndalolanga babana balalobanga basecha ne bakenda busa.*

Translator: Today I see girls refusing their husbands and loitering about.

Shadrack Watima: *Khwenya khwisie khumwima khufwe nga abakuka babechanga.*

Translator: They used to pay dowry of eight cows.

Shadrack Watima: *Bakhwetsanga bakukhu tsikhafwa tsitaru.*

Translator: And then the marriage is confirmed by killing an animal.

Shadrack Watima: *Maala bakisa.*

Translator: Then she is complete wife of that person.

Shadrack Watima: *Aba omukhasi wa omundu.*

Translator: And when she is a wife of somebody, even when she is dead she can't be buried back in her original home.

Shadrack Watima: *Nabe omukhasi wa omundu nafwe sakabalonga wabwe ta.*

Translator: So today among the Bukusu.

Shadrack Watima: *Nono ndola andi wabukusu*

Translator: We want to reduce the dowry that has been 13 cows.

Translator: We want to reduce those 13 cows because now there are no cows.

Com. Lethome: 13 to how many?

Translator: *Wenya bakobasia tsikhafa tsinga*

Shadrack Watima: *Ndola ndi khukobola mukhafa tsama khuba sita*

Com. Lethome: Unajua, hebu sikizeni ngoja kidogo sasa tunavunja sheria, hata mchezo wa mpira uko na referee na uko na sheria zake. Sasa sheria yetu hapa nafikiri mliambiwa na Commissioner. Wakati mtu anazungumza hapa tunampatia nafasi atoe maoni yake. Wewe huko kama yale mtu anazungumza inakuuma wewe nyamaza tu, utapata nafasi yako utakuja kuzungumza. Kwa hivyo tafadhalini nyinyi mkae kimya huko, no comments, wacha azungumze akimaliza utakuja utasema yako. Sasa nitatoa "red card".

Shadrack Watima: *Tsikhafu tsibe asi wa tisa sita.*

Translator: Dowry should be between 6 to 9 cows.

Shadrack Watima: *Sikira mbolere endio.*

Translator: Why I propose so.

Shadrack Watima: *Tsikhafa musiba tsewema khulabetsanga abaana befwe kamakobi maana ofwa busa mala nibakhakhuwakho esindu ta.*

Translator: Otherwise we are demanding too much and people are not able to pay 13 cows and then because we are demanding too much, we end up getting nothing.

Com. Lethome: Okay, that point is made. Something else – tumesikia dowry – ng’ombe hizo umesema.

Shadrack Watima: *Elindi ndikho busakho khulubeka lwe abaana be kamaloba murisi.*

Translator: I want to talk about land inheritance.

Shadrack Watima: *Khuli nende etabu yimunyanga kamaloba nofire kamaloba.*

Translator: Today there are a lot of problems for people.

Shadrack Watima: *Tsikhurisia khumaloba komundu ofire khulanyalonga tsitaaba tsigarama tsingali.*

Translator: There is too much taxation and the process is slower.

Shadrack Watima: *Lolondi barusie kamaloba kaba mukhulo.*

Translator: Land should be removed from courts or whatever to clans.

Shadrack Watima: *Ekabere mukhole sikira nie ene bunyali.*

Translator: The clan has authority.

Shadrack Watima: *Abandu nibo omundu yafira kalekha bali mukholo.*

Translator: The people left behind by the dead belong to a clan.

Shadrack Watima: *Nono ndola tsigarama tsirabetsangakho notsa sa koti bakhunyanyasia afadhali khuli nene emea kamaloba.*

Translator: It is cheaper for the clan to handle the land succession than the courts.

Com. Lethome: Okay that point has been made. Something else.

Translator: *Esindu sindi.*

Shadrack Watima: *Esindu sindi ndakusiakho Mulomilomi wama khulomaloma khubarabara.*

Translator: He is going to talk about transport or road travelling.

Com. Lethome: Tell him not to recommend not to tell us the problem.

Shadrack Watima: *Khubarabara ngekhefu – malikha nikhalisia sikira rero sibarakho siokasi ekhafwa ebe khano ta nalekha busa neno ekhafwa enyala omwana atima nekhafwa ebira ne emotoka yimba maani yimba ne wekhafu ota khurunga okusie tsindukusi aba serikali khuyitasi.*

Translator: It is unfair for anyone who has his cow knocked by a vehicle pay for the damage on the vehicle and yet this is a cow that belongs to someone and has been knocked by a vehicle. It is better if the owner of the vehicle pays.

Shadrack Watima: *Ese ndolandindi ekhafu itsungwe no mundu ni imala paka wakhasia mundu ne tsimuni oba obututukhi emutoka yakhulekho accident niye mala emitoka ----amalesi akhaire wemutoka yarunge ekhafwa*

Translator: It is the person who has knocked the animal that should pay not the owner of the animal.

Com. Lethome: That point has been made. Now can he finish?

Shadrack Watima: *Ese kakasi nakamandio.*

Translator: I have ended there.

Com. Lethome: Thank you. Ngoja kuna swali Mzee.

Com. Wambua: I just wanted to confirm, I listened very carefully is he suggesting that under Bukusu customary law there was no divorce, once a woman got married she remained married until death, that is what I want to clarify.

Translator: --- *omukhasi uno karula balekhana nemusicha nomwe ta.*

Shadrack Watima: *Balekhananga nebasiri ngaluno.*

Translator: The rate at which they were divorcing is not like now but there was divorce.

Com. Wambua: But there was divorce.

Com. Lethome: Chriskellas Bellas Mutacho.

Chriskellas Bellas Mutacho: My names are Chriskellas Mutacho Wabomba. I would like to propose on two issues (1) On education; (2) On healthcare.

Education: My first proposal is that the courts and realistic governance to provide free education to all Kenyans. Now, in our country we realize that only those ones who are economically well off can educate their children.

This situation has caused so many street children of which it's causing insecurity in our country.

On the second issue, I would like that likewise the good Government to provide free healthcare to all Kenyans, because now most Kenyans who cannot afford the medical fee they are dying innocently.

On another issue which is not written in my memorandum, is that we realize that in our country Kenya we have got so many people who are learned but they have no employment. So we would like that in our country Kenya, the Government to provide at least certain amount as a way of appreciation for those ones who have learnt and are not employed anywhere. That is to get a salary despite the fact that they are not working.

Second, I would like maybe to verify on the issue of land at least the Government to simplify the procedure. That is from the High Court Nairobi, to district land board to tribunal courts and even at the divisional courts. Those are my views, issues that I would like maybe the Government to look into.

Com. Lethome: Thank you very much. Hand over your memorandum. Gerishon Walubengo – Bukusu Elder.

Gerishon Walubengo: I am Gerishon Walubengo working with Bukusu elders in Chwele division. I will give some highlights because I have a memo here, I will only give a few highlights from the memo. Now I think the long awaited Constitution should be a basis of a stable Government. That is a stable Government here means when there is some misconduct caused in the country, the Government should be held responsible because we have been having some tribal differences here and there and nobody came out strongly to point an accusing finger at the person who caused this misunderstanding between the Kenyan's

rights.

The stable Government again should be in the sense that it is an umbrella for every Kenyan be it poor, rich or tycoons for that matter. They should be equal in all aspects before the Kenya Constitution. Now, we have been having cries here and there over the economic recession in the country and this economic recession has occurred but we don't know what was the main cause of it. But personally I feel it is because people who have been put in charge of this have not been put there on merit. Therefore, if someone has been given an office and he messes up with it and fails the economy, I think the Government should be held responsible to say why such a person was given a big office and was not fitting in it.

Another one has been one way of rushing the Kenyans to stages that they have not matured to it – that is liberalization. Liberalization has caused a lot of redundancy in Kenya. Very many local industries have collapsed because of unchecked liberalization. I think if the Government wants to revive the economy they should work on how liberalization can be implemented because the liberalization we have is just open and anybody with poor goods or good quality goods comes in and sells the way he wants and liberalization the first time intention was it will create competition among the manufacturers. But that is not what is happening. Instead of our manufacturers competing they are now collapsing.

Now, I again say about the economy. Economic planners in this country have not been given enough time to go round and work with the wananchi, so that they identify some areas that can be utilized to produce proper economy. For example, we are importing hydro-electricity from our neighbouring countries but when you look at some areas in this country like Bungoma, you find that we have rivers with waterfalls. If these waterfalls are harnessed, I think Western Kenya would enjoy the hydro-electricity from the rivers around here. For example, we have Kuywa Waterfalls. It's here, its a good one. Kuywa is a permanent river throughout the year. We have another one on Nzoia.

Com. Lethome: Enough, examples are many – just one now.

Gerishon Walubengo: Another example is Nabuyole on River Nzoia.

Com. Lethome: Recommendation.

Gerishon Walubengo: Recommendation is we want the Government to harness these rivers so that hydro-electricity is produced locally here. Now we have another industry in this district of ours that is Panpaper. Panpaper they took away land from the locals and the locals are not benefiting anything from this paper mills.

Com. Lethome: What do you recommend?

Gerishon Walubengo: I recommend that they start subsidiary industries like producing matches, like producing cardboards. Because this factory only produced semi-finished products and these semi-finished products are taken to other areas and you know when they are taken to other areas, those areas that are receiving the semi-finished products are getting employment and the owners around here who gave them free land are not benefiting at all.

Another one, I would like to suggest that we have a constitutional court. The constitutional court is very very necessary because as far as I am concerned, it is very much unnecessary for the Government to have set out this Commission to go round taking the views because when you look at the current Constitution many of the things people are talking about are there. But the mistake has been the Government didn't provide a better way of making sure the wananchi have access to this current. That is one.

Two: There is no any office in this country which can watch the implementation of the current Constitution and I fear if we do not have Constitutional courts the same thing is likely to happen. We shall make this Constitution and we give it very good names or very good adjectives but if there is nobody to monitor the implementation we shall be just ground with the same zero work. Therefore, I feel Constitutional court is very very important to monitor or to be given the power to monitor the implementation of the Constitution.

Another thing is about the President: In my memorandum together with my colleagues we passed that the President should be given a term of two terms five years each. And after the two terms have ended this President cannot be allowed to contest for President, but can only be allowed to become an MP if he so wishes. I think with those highlights I will say thank you.

Com. Lethome: Thank you, hand over your memorandum please. Patrick Wanyonyi. Halafu kama kuna mama yeyote baada ya Wanyonyi, mama yeyote ambaye amejiandikisha aje hapa. We want to balance. Haya Patrick.

Patrick Wanyonyi Sikochi: Kwa majina naitwa Patrick Wanyonyi Sikuchi. Na nimeshukuru sana kuja kwenu hapa hasa mimi nashukuru serikali kwa kuwatuma nyinyi hapa kwa sababu.

Com. Lethome: Pendekeza sasa.

Patrick Wanyonyi Sikochi: Mapendekezo yangu ndiyo haya. Sisi hatuko uhuru, hatuko uhuru hata kidogo. Kwa sababu ni kwamba mimi sina kazi na nina mke na nimezaa watoto, na wanaenda shule. Kwa vile wanasoma sina namna na baba yangu alinipa shamba eka moja tu na nina watoto saba, pamoja na wengine.

Com. Lethome: Pendekeza sasa.

Patrick Wanyonyi Sikochi: Mapendekezo yangu ni kwamba tafadhali ikiwa serikali inahudumia tuwe huru, wasiwache hawa watoto ambao sisi tunazaa anakuja kushika mimi kama baba yake na ananisukuma mbele kwa ajili ya busaa peke yake.

Com. Lethome: Sasa unataka Katiba ifanye nini kuhusu hii?

Patrick Wanyonyi Sikochi: Katiba ifanye hivi, kimila yetu mbeleni ilikuwa ya kwamba ikiwa mimi nimepanda njugu au mtama au wimbi, tulikuwa mbeleni tukifanya ya kwamba unaweza kutengeneza pombe yetu ya kimila na watu wakaja wakapalilia shamba na wakishapalilia shamba baadaye wanaweka mtungi wanakunywa hiyo pombe kwa ajili ni malipo yao.

Com. Lethome: Pendekeza sasa.

Patrick Wanyonyi Sikochi: Napendekeza ya kwamba, tuwe huru lakini

Com. Lethome: Kunywa busaa.

Patrick Wanyonyi Sikochi: Hapana. Sisemi hivyo. Tuwe huru kwa njia hii, ikiwa kweli pengine huenda ikawa watu wamekuja wamenisaidia kazi na pengine nimetengeneza kidogo watu wanakunya tusikimbizwe.

Com. Lethome: Yaani unataka serikali iwawachie huru busaa.

Patrick Wanyonyi Sikochi: Kabisa. Ndio hiyo, hiyo ndio lengo langu.

Com. Lethome: Wacheni niwaambie kitu kimoja Wakenya. Msione DO hapa mkafikiria kuna jambo fulani ambalo ukizungumza utachukuliwa hatua, hata kama PC yuko hapa, hata President umepewa uhuru na sheria useme vile unavyotaka. Kwa hivyo usianze kupitia pitia kando hivi kama unasema tunataka busaa iwe halali, sema wazi wazi. Hata DO anajua watu wako na uhuru wa kusema vile wanataka. Amekuja hapa kutoa maoni yake kama Mkenya. Kwa hivyo usiwe na wasi wasi.

Patrick Wanyonyi Sikochi: Mimi nasema tafadhali ikiwe tunakunywa busaa wasitukimbize, kwa sababu tutakuwa tumetoka kwa shamba letu kufanya kazi.

Interceptions: Limeingia hilo.

Patrick Wanyonyi Sikochi: Bwana Commissioner, vile umetembea, vile umekuja hapa hata vile DO mwenyewe anaona na macho yake. Hapa kweli tuna mahindi au hakuna?

Com. Lethome: Iko mahindi.

Patrick Wanyonyi Sikochi: Na walevi wanaweza lima?

Com. Lethome: Hebu niambie sasa.

Patrick Wanyonyi Sikochi: Si tuna kahawa hapa tunapeleka mitambo, mlevi anaweza vuna kahawa? Anaweza lima?

Com. Lethome: Hawezi.

Patrick Wanyonyi Sikochi: Hawezi, kwa hivyo tuwe huru sisi hatuna uhuru wowote. Tunanyanyaswa kabisa.

Com. Lethome: Uhuru ni kunywa busaa peke yake?

Patrick Wanyonyi Sikochi: Sio kunywa busaa. Jambo la pili, watoto shuleni kweli tuna hatari kabisa. Mara serikali inasema elimu ni ya bure.

Com. Lethome: Wewe unapenda nini?

Patrick Wanyonyi Sikochi: Mimi napenda elimu ya zamani 7-4-2-3. Thank you for your correction. Hiyo elimu irudi, kwa maana mimi nakumbuka mwaka wa hamsini na nane.

Com. Lethome: Wacha historia pendekeza, tunarudi kwa ile ya zamani.

Patrick Wanyonyi Sikochi: Jambo la tatu, wasichana vile mzee Shadrack alikuwa hapa unaweza kuoia mke ukatoa mahari na ukafanya tohara. Tohara ndio alikuwa anasema (Kibukusu) that tunaita confirmation kama ring, kama kikanisa. Lakini wazazi wale wanaambia wasichana wao wanarudi wanakaa kwao na wewe ulilipa mali. Sasa anachunga bibi na mali yako. Hiyo ni mbaya.

Com. Lethome: Sasa unapendekeza nini?

Patrick Wanyonyi Sikochi: Napendekeza msichana akioleka akae na bwana yake.

Com. Lethome: Mpaka siku ya kufa.

Patrick Wanyonyi Sikochi: Ndio hiyo tu kwa sababu mlikubaliana mnaenda kuishi na yeye mpaka kifo.

Com. Lethome: Hiyo imeingia, ingine.

Patrick Wanyonyi Sikochi: Jambo lingine, kuhusu kimila yetu ya Bukusu. Hasa mwezi wa nane ndio huu. Kusema ukweli utaona hawa vijana wanakuja wanafukuza sisi kwa nyungu yetu.

Com. Lethome: Sasa unapendekeza nini?

Patrick Wanyonyi Sikochi: Napendekeza watupe uhuru mila ibaki mila.

Com. Bishop Njoroge: Vijana gani wanakuja?

Patrick Wanyonyi Sikochi: Wenye kuja hawa.

Com. Lethome: Sasa Mzee nilikwambia usiogope kusema kama ni hawa vijana wametahiriwa. Sema kama ni polisi, sema ni polisi.

Patrick Wanyonyi Sikochi: Ni polisi. Sisi hatuko huru Kenya, hatuko huru. Hata niliona DO mwingine anatembia anatafuta chang'aa, na kumbe anapeleleza manyumba.

Com. Lethome: Sasa pia si inazuia msijiumize na hiyo kitu.

Patrick Wanyonyi Sikochi: Hiyo ni kweli, chang'aa ni sawa. Mimi nakubali. Lakini busaa watuachie watupe uhuru, hiyo ni chakula, ni ugali. Hiyo ni ugali, lakini chang'aa inakuua. Sisemi hivi na mbadilishe msemi walisema tumekataa pombe, vile nakumbuka IPPG vile ilikuwako tulipitisha na baadaye wakasema Bungoma walikataa pombe, ndio wakafunga vilabu '78. Hiyo hatutaki.

Com. Lethome: Hiyo hatubadilishi ina-record. Sauti yako itafika Nairobi. Bungoma wanataka pombe.

Patrick Wanyonyi Sikochi: Hiyo hatutaki kama ya '78 hiyo hatutaki. Iwe tu mtupe uhuru tukule chakula yetu lakini chang'aa mimi nakataa.

Com. Lethome: Maliza ya mwisho.

Patrick Wanyonyi Sikochi: Kumaliza yangu nasema ya kwamba hilo sitasema wacha likae. Tuna njia ingine, tuko kwa siasa inakuja na tuna mapendeleo na hatutaki mapendeleo, lengo langu ni hili: ikiwa tunaenda kupiga kura mwaka huu, kama ni polling station tuhesabu kura hapo hapo. Na report iende headquarters Nairobi kwa Electoral Commission, badala ya kuenda Sirisia na masanduku ingine inatoka Toloso sijui wapi nakujia kando. La, tunataka humanitarian right. Sasa kura tuhesabie penye tunapigia, kila mama kama amekuja ametunga mlolongo anajua tumempitisha huyu ikiwa mgongo au mlolongo.

Com. Lethome: Hiyo tumemaliza. Sasa kura inahesabiwa mahali pa kupigia kura.

Patrick Wanyonyi Sikochi: Hiyo tu. Yangu imekwisha.

Com. Lethome: Haya, orio.

Patrick Wanyonyi Sikochi: *Orio mno Msakhulu.*

Com. Lethome: Haya mama *inja ano mama*. Wanaandika jina lako kuweka record ya historia. Sema jina lako mama na uendelee.

Rose Wanyonyi: Asante. Kwa majina naitwa Rose Wanyonyi.

Com. Lethome: Hebu tunyamazeni tumsikize mama.

Rose Wanyonyi: Ningelipenda kuongea juu ya wamama. Wamama tuna shida nyingi sana. Jambo la kwanza ningelipenda hata sisi wamama tupewe uhuru wa kuongoe jambo lolote hata mbele ya wazee. Kwa sababu tumefinywa sana kwa njia nyingi.

Com. Lethome: Na leo ndio nafasi ya uhuru kabisa, sema vile unataka.

Rose Wanyonyi: Pili, ningelipenda serikali ikumbuke wamama ingalao tunateseka kwa njia nyingi. Tunapata shida hata jinsi unaweza nunulia mtoto uniform au kitabu unaona ni shida nyingi sana. Sasa serikali ikumbuke isaidie wamama kuwapatia kitu kidogo kama loan hata wapate nafasi ya kuuza mboga sokoni au kitunguu ama nyanya.

Lingine, watoto wetu wanateseka kwa njia nyingi, wengine wanakuwa raped tunapata watoto wengine wanapata mimba, lakini sisi kama wamama hatuna njia ya kujitetea.

Com. Lethome: Ngoja, watoto wa kike wakiwa raped unapendekeza serikali ifanye nini?

Rose Wanyonyi: Ichukue hatua.

Com. Lethome: Kama vipi kwa mfano mtu akirape afanywe nini?

Rose Wanyonyi: Afungwe. Ndiposa sasa wengine waone ya kwamba hata mimi nikitenda jambo hili ni mbaya sana nitafungwa.

Com. Lethome: Kama miaka mingapi hivi?

Rose Wanyonyi: Sita au saba.

Com. Lethome: Wakitia wasichana mimba?

Rose Wanyonyi: Tena akitia msichana mimba ninaona achukuliwe hatua kali, kwa sababu wengine wanaweza tiwa mimba wakiwa kama standard eight au wengine wako seven. Hata hawa watoto hawajui jinsi wanaweza kujisadia na watoto wao. Sasa sisi kama wamama tunapata shida nyingi kulea hawa watoto na hatujiwezi.

Com. Wambua: Hatua gani?

Rose Wanyonyi: Hatua ya huyo kijana kuchukuliwa pia ni kufungwa. Kwa sababu kuna wengine wanakataa hawa watoto. Wanawatia mimba na wakiambiwa wakuje pengine watoe mahitaji kwa huyo mtoto wanakataa msichana wanakataa na huyo mtoto pia.

Com. Lethome: Na akikubali kumuoa ama akikubali kumwangalia?

Rose Wanyonyi: Akikubali kumwangalia hapo tunaona tena inakuwa kama ni jambo lingine linaweza kuwa sawa. Na lingine tunaonelea kwamba hata sisi kama wamama ingelikuwa afadhali serikali kutupatia kama Ministry ya wamama, iitwe Women's Ministry. Sasa hiyo mahali wamama wanaweza kimbilia na kupeleka malalamishi yao. Asante.

Com. Lethome: Umesema kina mama wanapata shida ya kununulia watoto vitabu na vitu vingine vya skuli? Si ni wewe umesema hivyo? Ungependekeza nini ili hiyo shida iondoke, unapendekeza nini?

Rose Wanyonyi: Hapo niliongea ya kwamba serikali ingekumbuka kutupatia kitu kidogo kama loan, ili itutetee kwa kuuza vitu vidogo vidogo sokoni.

Com. Lethome: Asante Mama Rose. Tumpate mtu mmoja kabla ya kumsikiza Madam DO. Patrick Wambilianga?

Patrick Wambilianga: Kwa majina ni Patrick Wambilianga. Mimi ni mwalimu. Kitu cha kwanza ningependa niongee juu yake ni elimu kwa watoto. I would like to prefer that we have free education for all right from primary course. I wish to move that these other levies which come in unexpectedly should not arise at all. Now, the next thing that I would like to talk about is secondary education, which I believe should have a universal on standard fee structure. And at any cost once it is given out should not be given that maybe in future if it is approved by PS or anything in the Ministry, then we can go for some changes in that. Let it strictly remain the same from beginning of year upto end of year, regardless of what comes I think the Government can subsidize if there is need.

Now, also we find that we have very many children down here who are actually special groups of children, like the handicapped. You know most of the parents have not been given awareness on this, so I would like to feel that there is more need for the Government to act in such a manner that we have at least from the grassroots that awareness given to the parents of such children. And some institutions because now it is becoming more expensive to run them as institutions specifically for these children, I would like to propose that we have fully integrated programme for these children in the normal schools.

Now, I would like to look at this issue of our own Constitution in Kenya, where we are talking about the preamble. I would move that we have a preamble into our Constitution in Kenya, because:-

- (1) It is going to give us the historical background and each one of us will be much versed with and aware of why the Constitution exists. We also have in the same what we call terms of reference. To the needs of the people in terms of security and fundamental rights of bonafide citizens of the country. I think such like should be given in the preamble, so that if the public is called along to come and contribute to the same, they actually know what they are supposed to do. And they know the exact use of Constitution to an individual.

Now, from there I would like to also look at personal security of an individual in Kenya. Here I would like to move that, in some cases I have witnessed to my dismay that at times the police uses jungle sort of rules, when it comes to arrest of individuals. Some individuals have been arrested and even before they are given to be charged, normally you find these people have been manhandled even before the family members, they are manhandled. I would like to propose that in cases of arrest, the police should come in a manner that is friendly and arrest an individual with respect and whether this person is proved guilty or not, he should not be subjected to any manhandling. He should not be mistreated at any cost. If he is proved guilty, then let the law take its own course.

For security in our own villages, actually we have a lot of problems here. Now whilst we think that we can have what we call the vigilante in certain areas, these vigilantes are also outlived because may be it is not clearly stated what a vigilante in an area is

supposed to do. What I would like to propose here is that, we have a group which is a representative group of the people. I wouldn't like to propose that we have people who have been appointed by certain individuals for unknown reasons. If they should be there at all they should be elected by the villages, they should be elected by the sub-location, the locations by the members of those areas of jurisdiction but they should not be imposed upon the residents of that given area.

Now, I would also like to look at this issue of land ownership in Kenya. I would propose that land ownership in Kenya actually land is owned by an individual but for use and control I would like to propose that the local authority in liaison with the state should give proper guidance on how best land should be used for the purpose of productivity.

Now, another issue is this issue of inheritance or maybe purchase of land in Kenya. I have witnessed with a lot of dismay because we have our fellow countrymen who feel they can sell land because of certain problems. But after a short while, without going back to ask or maybe to consult the purchaser they change their mind all of a sudden. Now they come back claiming that because now the process is very complicated here, you would find after buying land someone decides to come back in a very simple manner and tells you to move out of that land and he is normally given the right may be by high authority, court authority that something like that is given. Now, I would like to propose that land transaction be made so simple that even after purchase, the process of transfer take a very short time and very little cost involved and also I would like to move that the agreement so made should be fairly binding. I would like to think that we should have a representative board at the local level which should be free, which should act without malice, without partiality to see to it that once land is sold, it is sold. And to reverse that agreement should not be there at all.

Now, I would also like to look at federalism in our country. I wish also to be for this federalis because:-

- (1) Federalism will help to take care of a smaller area. It will be more manageable, it will be easier to supervise and control for the purpose of maximum use. Now this also federalism will ensure that there is competition among the people.
 - Because these people would see how much these ones are working and also they will copy the same mode, so that we shall set up our own economic development or advancement given that now there is that factor of motivation for competition. Now I would like to say this because you find some areas in our country which have been actually managed from above.

Com. Lethome: Interjection: Give the recommendations only.

Patrick Wambilianga: Now, let me say I am for federalism. Now the next thing I would like to look at is the food policy in the country. It is very unfortunate that most of our people are going hungry. Now, what I would like to say is this:-

- That the Government subsidize the producer prices in those most viable land in the country without political affiliations or anything like that. Let the Government organize for this maximized productivity of food in the country. Now, our country should not at any given time, should not be attracted at all by maybe international prices to sell food from the country, even if we have excess until it is made sure that there is enough food in stock for the next five years for the citizens. But until there is food for the next five years in the country, I think the Government should not at any given time be attracted to export.

Now, we have what we call Government Buffer Stock. I also want to talk about this because when at times, in times of peak period of production normally we have our own crops like coffee in our area here, like sugar. Now, what I would like to say is that even when the prices are too low, the world prices are too low I want to move that the Government buys the same at reasonable price from the farmer and then the Government can stock this crop when the prices improve at the international market that is when the Government can now opt to sell the same, otherwise we should not leave farmers to go very much for these black market marketing of their crops. Let the Government stock the crop but give the farmers reasonable prices for the same.

Now on health: Most of our people are also faced much with health problems because of the costs they incur. I wish to move that if the Government can strain at all and love its own citizens, let there be introduced an insurance scheme, a medical insurance scheme for every individual person in Kenya.

Now, I also wanted to very briefly talk about this Executive. Who should be the President in Kenya? What qualifications? These are my recommendations:-

- (1) I would like to move that a person who opts to be a President in Kenya should be a well placed in academics.

Com. Lethome: What level?

Patrick Wambilianga: University. Whose CV should be crystal clear. Nobody should doubt. Next thing he should have served competently as an elected MP for at least one full term of five years.

- (2) The next quality thing that we should look at should be a person of high integrity capable of interpreting national and international policies without difficulties.
- (3) Should be a person who has proved beyond reasonable doubt that he can work and unite Kenyans. Also, I would like that such a person should be somebody who bears no criminal offence in at least the last 10 years, though we can look

at every offence on its own merit.

- (4) I also want to think that such a person should be able to co-ordinate for social, political and economic advancement of the country; otherwise those are the few things that I thought I would talk about.

Com. Lethome: Age of the President?

Patrick Wambilianga: Age: he can remain at 35 years not bad.

Com. Lethome: Maximum?

Patrick Wambilianga: Maximum should be 70 yrs.

Com. Wambua: When you say that we should examine the offence, what do you have in mind? Are there offences which you feel that will not deter somebody being a President and if so, which offences are these?

Patrick Wambilianga: Well, occasionally we have some criminal offences of which one is charged but if we can see that this person has clearly reformed, he has actually reformed to an extent that we feel this person may not go back at the same crime, I think then we can see that.

Com. Wambua: What crime do you have in mind?

Patrick Wambilianga: Crime. Things like some people have been public robbers, maybe they have embezzled public funds in a major state. If this person can really assure us that he has reformed.

Com. Lethome: That I will never do it again.

Patrick Wambilianga: Maybe.

Com. Lethome: Now, I call upon Madam DO to come and give her views now, please.

Caroline Onchoka – DO: Thank you very much for giving me this opportunity as just a simple Kenya not as a District Officer now.

Com. Lethome: Please give your name for the record.

Caroline Onchoka – DO: My names are Caroline Onchoka. I just want to give some few inputs, personal inputs to our Constitution. I wanted to maybe put in an input on the issue of the family protection. I would wish that in the current Constitution we should have a section that will protect the family as a unit in our society. You find that currently, maybe it is applied discriminatively, you find that in other professions it is allowed for them to stay with their spouses. Like for example, if you go to Teacher Service Commission it is provided, where teachers can be able to stay with their partners also in other professions like nurses they can stay. But you find that in the civil service other cadres like maybe even the forces they are not regarded and I would wish if the family can be given protection so that they can be allowed to stay with their partners as much as possible.

Another input is maybe for free legal services to the poor. We are happy currently the AG takes criminal cases and we would wish also maybe for civil cases especially for women. Women lose cases in civil matters. FIDA has been doing a lot for the women but the workload is so heavy that they cannot manage, so we would wish to expand the services of our AG if they would be given more on free legal services to the poor generally.

Another issue also is the succession of land. Land is very difficult, it takes a very long time and I would wish if it could be provided in some section of our Constitution, where succession of land can be simplified. In many areas of this country, land is very difficult to succeed because it takes a very long process. I would wish if it could be simplified to come upto the District Magistrate's Court so that it can be simple for the public. Currently, it goes upto maybe High Court where you have to put in Kenya Gazette and I believe majority of Kenyans don't have access to Kenya Gazette, where we advertise for 60 days. So I would wish if it could be simplified and it can be put maybe in circular to chief's offices and DO offices so that the public can know in where it is concerned. For example if it is in a division, they put in that division and they circulate, so that the public can see if there is anyone with objection can object and it can be simplified like that and then it's processed. Those are my few inputs. Thank you very much.

Com. Lethome: There is a question.

Com. Wambua: On the question of family protection especially with regard to those employed in the public sector and the armed forces, are you suggesting the Government should take the responsibility of giving the spouses employment where one has been transferred or what kind of specific proposal do you have? I think we need to benefit from that.

Caroline Onchoka – DO: The partner should be allowed also to be given transfer to be closer to where the husband is. I am trying to focus a situation where maybe the husband is living here, maybe in Chwele and the husband is in Mombasa and maybe the wife is maybe in a profession like teaching or maybe the husband is in a profession like maybe veterinary services, can be brought closer to where the wife is. Same to the forces.

Com. Lethome: But suppose one of the spouses is not employed by the Government? For example you can try make business, what happens?

Caroline Onchoka – DO: If it is may be private sector, for example if the Constitution guarantees this, it means they will be protected and they will be allowed to move. Because currently you cannot be allowed to move because of that. Thank you very much.

Com. Lethome: Thank you very much for your views. Please register not because we want to arrest to you, but because of the historical records. Hosea Bikala W.? Halafu baada yake kama kuna mama mwingine amekuja aje azungumze. Kuna mama amekuja, mama you will follow. You are refusing na mnasema mnataka kupigiania haki? Haya.

Hosea Bikala Wakulumu: Asante sana. Kwa majina naitwa Hosea Bikala Wakulumu na niko na jambo moja tu kuhusu mavazi. Ningependa kama ilivyoandikwa katika kitabu cha Kumbu Kumbu la Torati ishirini na mbili, tano ya kwamba wanawake wavae mavazi ambayo inafaa wanawake. Na wanaume vile vile wavae nguo zile ambazo zinafaa wao kuvaa. Siku hizi tuko na mtindo unaona akina mama wanavaa nguo – long trousers na kadhalika zile ambazo zinaonekana zinaonyesha ya kwamba sio nzuri sana. Kwa hivyo ningependa katika Katiba yetu isisitize ya kwamba kila mtu avae mavazi yale ambayo yanaweza kuwa nzuri kwake, kulingana na Bibilia kama ilivyosema.

Com. Lethome: Kwa hivyo wanawake wasivae trousers?

Hosea Bikala Wakulumu: Wasivae.

Com. Lethome: Na wanaume wasivae skirts.

Hosea Bikala Wakulumu: Wakifanya hivyo unaona hata wanawake wengine wanavaa nguo zile ambazo zinawashika sana na hiyo inaeneza hata mambo ya usherati na tena na ugonjwa hii ambayo iko saa hii. Vile vile wanaume wale ambao wanavaa hata long iwe tu nguo nzuri, si lazima imshike aonekane kila pahali.

Com. Lethome: Na wanaume wale wavaa shorts?

Hosea Bikala Wakulumu: Shorts lazima iwe nzuri, si short ile fupi sana. Iwe mradi inafika magotini.

Com. Wambua: Na kuna wengine wametoboa masikio?

Hosea Bikala Wakulumu: Kuna wanaume wengine wameanza kuweka vitu kwa masikio, kwa shingo na hiyo sio njia nzuri. Hiyo nafikiri wanaonyesha kwamba Mungu alikosea kuwafanya kuwa wanaume.

Com. Lethome: Haya asante sana Bwana Hosea. Ezekiel Khaemba? Halafu afuatwe na Pepela Watila. We will call you.

Ezekiel Khaemba: Kwa majina naitwa Ezekiel Khaemba. Mimi nitazungumza kuhusu kukaa kwa wanawake kwa ma-baiskeli siku hizi.

Com. Lethome: Wanawake kukaa kwa mabaiskeli siku hizi – sema kwa nguvu.

Ezekiel Khaemba: Kukaa tu kama vile wanakaa mmeona kwa boda boda inaleta haya sana. Wakae tu vile wanawake walikuwa wanakaa zamani. Ninaomba serikali iingilie kati pahali wanapitia wakasa wako, sub-chief wako waone huyu boda boda kurahihisha vitu wampe namba. Kama amembeba wamuandike namba yake halafu wampeleke.

Com. Wambua: Wanakaa namna gani Bwana Khaemba hebu tuambie? Wanakaa namna gani?

Ezekiel Khaemba: Wanakaa namna hii, sasa kukaa namna hiyo si njia nzuri. Na njia moja ya kueneza hii umalaya mwingi. Unajua ukibeba asali kwa kiganja hutabeba mara mbili, sasa serikali tunaomba irekebishe hayo itusaidie. Wakae tu vile wanawake ingawa waliomba usawa lakini usawa mwingine ni wa kuleta aibu mbele yetu.

Com. Lethome: Halafu kuendesha baiskeli naona wamama Wabukusu wanendesha baiskeli. Unasema aje?

Ezekiel Khaemba: Hawa wanawake si shida tuna wengine wanafunga maleso, hao ndio wanaheshimu. Lakini wengine sijaona wengi lakini wengi wanafunga maleso kuheshimu wananchi na pahali wanapitia. Jambo la pili, nitazungumza kuhusu kahawa. Kahawa ingawa walisema tuko huru lakini kahawa hakuna uhuru. Unakuta kahawa yetu inauzwa lakini tukiuliza wale wasimamizi wa kahawa, wakuelezee vile kahawa yetu iluzwa au wakuonyeshe clarification ya kahawa wanakuambia hiyo ni confidential. Sasa ni uhuru gani, ikiwa mimi ni mkulima na nimepeleka kahawa yangu, badala ya kunipa karatasi ya kuonyesha vile waliuza kahawa wanasema ni confidential. Tunaomba serikali iingilie kati vile wameuza kahawa yetu wakupe clarification wakulima hata tujue bei ya kahawa yetu ilikuwa namna hivi – deduction ilikuwa namna hii.

Kitu cha pili, tunaomba serikali kama Bungoma District, Trans-Nzoia na Mount Elgon watupe millers karibu, badala ya kupeleka huko juu na kunyanyaswa. Wasimamizi wa kahawa wamekuwa wakora ingawa walisema uhuru hauko. Na ni hayo machache. Asanteni.

Com. Lethome: Pepela Watila?

Pepela Watila: I am Pepela Watila I have very little to say. Governance: I should like to recommend that here in Kenya in our review we should have only experts as economists, Permanent Secretaries and Ministers who are able to see Mombasa and Lwakhakha, Moyale and huko chini Tanzania. Right now we are having people who are just in the office in their houses and in their homes, so that don't know problems of Kenyans.

Education system should be primary, "O" level, "A" level and colleges. If that can be followed then we are able to sieve our Kenyans better.

Com. Lethome: Are you suggesting we revert back to the old system?

Pepela Watila: We revert. Social land should not be interfered with especially by now we have our dams our wells, social grounds and churches. Land which was left by our fathers is being interfered with and nobody checks. So I should like to urge that the Government should be alert, so that such like pieces of land should remain as they were for the future of our people. I should recommend that retrenchment of young people be stopped because you get a child who has gone upto Masters degree or Doctors degree be retrenched after three years. You wonder what is really happening.

Com. Lethome: You want them to retrench the old ones?

Pepela Watila: If he is old, let the old ones go not young. Salaries in Kenya should be reviewed in such a way that somebody earns what he has worked for, not that you get somebody else by virtue of being in that office and he earns a hundred times more than another one who is working very well, especially when you compare the work of a teacher and the work of a manager.

Com. Lethome: Or an MP?

Pepela Watila: Or an MP. Let that one be changed and let it work with all Kenyans. Land, I feel that the Government should be in possession of land so that we stay in the land of Kenya as a Government. Any time they feel that this place is unproductive and we don't have food, they can even push us to a dry place provided they give us water and then they get food for us in that area. So that is the only thing I had to recommend.

Com. Lethome: Thank you Mr. Pepela. Isaac Mtoro? Umeandika hapa KANU, unazungumza kwa niaba ya KANU? Basi sema jina lako.

Isaac Mtoro: Mimi ni Isaac Mtoro. Mimi kama Isaac Mtoro nitaongea juu ya matatizo ambayo yanaweza kutukumba kama

sisi wananchi. Natangulia kuongea kwa habari ya usalama, usalama kama sisi wananchi tulikuwa tunaonelea kwamba kama mtu kama sub-chief angepewa askari wa kumlinda bila kuenda kwa chief peke yake, kwa sababu watu tumekuwa wengi ukitaka kama wewe uko na matatizo kukimbia mpaka kwa chief itakuwa ni mbali. Sasa ikienda hivyo sisi tutaumia zaidi.

Kitu cha pili, nitaongea kwa maneno kama wazee wa mtaa. Wao wanafanya kazi ngumu sana na hawapati mshahara. Bali wale watu wanafanya kazi kidogo ndio wanafanya mshahara.

Com. Lethome: Pendekeza kuhusu wazee wa mtaa?

Isaac Mtoro: Haya, wapate mshahara. Nikirudi kwa administration nitapendekeza ya kwamba inatakiwa mtu kama assistant chief apigiwe kura, kwa sababu yeye anakaa na wananchi sasa anatakiwa apigiwe kura ili wananchi wajue wanachagua yule mtu atakayewalinda. Jambo lingine ambalo ningependekeza nalo tuna shida kama sisi vijana wakati matitle deed ilikuwa inatolewa zamani wakati wa sasa tumeenda miaka mingi. Huwa ukitaka title deed unanyanyaswa zaidi, hii maneno ya title deed serikali ingefaa ichunguze ili ikuwe kama sheria ya kwamba ukiwa una miaka fulani upate title deed kama mzazi wako amekupa shamba.

Jambo lingine ambalo ningechangia kidogo, habari ya watoto shuleni sisi kama Wabukusu huwa tunasema kwamba mtoto mkorofi ni wa kiboko. Na ikiwa serikali itatoa katika mashule viboko kwa watoto, sisi watoto watazidi kuwa wakorofi zaidi kuliko hata sisi wazazi wenyewe.

Com. Lethome: Si kujua wazazi ni wakorofi.

Isaac Mtoro: Sisi ikiwa tutakataza mtoto hawezi kupigwa kiboko, hata akija nyumbani wewe hutampiga. Kwa sababu atasema ikiwa anaenda shuleni serikali inakataza kiboko, sasa mtoto hata atashtaki baba yake akiwa amekosa makosa.

Com. Lethome: Kwa hivyo unasema watoto wachapwe.

Isaac Mtoro: Watoto wachapwe hata shuleni.

Com. Lethome: Sawa.

Isaac Mtoro: Ningechangia jambo lingine kwa sisi kama sasa Wabukusu kuna sheria ambayo ilikuwa imetolewa ya kwamba kama haswa kabisa kama kwa makanisa. Kwa sisi wanawake zaidi kusimama mbele wakihutubia wananchi, hiyo haifai sana. Kwa sababu kuna wazee wengine wanakaa hapo nyuma tunasema wana fimbo yao wameweka hapo kwa mkono. Huwa mwanamke akisimama hapo mbele anajiharibu kwa kimila ya Wabukusu.

Com. Lethome: Unapendekeza nini?

Isaac Mtoro: Ningependekeza mwanamke asihuburi akisimama mbele akihubiri kwa wanaume wakiwa kanisani. Asante. Ni hayo tu.

Com. Lethome: Sasa hiyo kanisa inafuata kimila ama inafuata ki-religion?

Isaac Mtoro: Kanisa inafuata kimila.

Com. Lethome: Kanisa inafuata kimila?

Isaac Mtoro: Kwa sababu sisi sio Wazungu. Sisi ni Waafrika.

Com. Lethome: Kwa hivyo unataka kanisa iweze kuheshimu mila ya Wabukusu?

Isaac Mtoro: Ya Waafrika. Asante, ni hayo tu.

Com. Lethome: Sasa kuna mzee moja hapa ambaye tunataka kumpatia nafasi azungumze halafu akapumzike kidogo. Wamnyokoli Timothy? Wacha azungumze halafu apumzike halafu Fr. Francis Sikisa utafuata huyo Mzee. Haya.

Wamnyokoli Timothy: Asante sana kwa nafasi hii.

Com. Lethome: Majina tafadhali.

Wamnyokoli Timothy: Timothy Wamnyokoli, mtu wa hapa Chwele. Nilipata nimealikwa kuzungumzia juu ya International Relations. Vile Kenya kwa wakati huu is one of the country's that are well known na because of that we should relate very well in what is known as globalization, which means that many norms and obligations are being created at the international level. These have implications on domestic laws. Kwa hivyo kuhusiana na hii, the first question should the conduct of foreign affairs be the exclusive responsibility of the Executive? Meaning that the Presidency labda ofisi yake ndio imekuwa ikihusika sana na maneno ya international affairs. Kwangu ninasema ndio ni hivyo lakini in close consultation with the Judiciary and the Parliament. The reason being that both or the three wings of the Government when it comes to international matters drafting treaties, legal aspects of crime na vitu kama hivyo haviwezi tu kufanywa na Executive peke yake. Lazima wahusike, vile vile tunazo NGOs sasa hapa mimi naongeza makanisa, mauniversities and other registered NGOs should also participate in international affairs. They should not be the preserve of the Executive only.

The second question, what role if any should Parliament play in the conduct of foreign affairs? I think quoting from what is going on now, when the international treaty of punishing those involved in various crimes such as ile ambayo ilifanyika Rwanda, Kosovo. Ninaona ya kuwa Parliament lazima iwe ndani yake, ili wakati ukifika lazima ipitishwe msawa ambao una-protect ama unasaidia watu wetu, hasa wale ambao wanaenda katika nchi za nje kwenda kujaribu kuleta usalama na nini wasiumizwe. Parliament lazima iangalie hapo ione wale vijana wetu, wavulana kwa wasichana ambao wako kwa military na kwa polisi na kazi zingine za international. Labda wakiwa huko kama mnavyojua huko Sierra Leone wengine walikuwa kidnapped, wakauawa. Lazima wawe protected na Parliament ipitishwe msawa ambao utasaidia hawa wakipatikana katika nafasi ambayo ni mbaya. Kwa hivyo nimesema ya kuwa Parliament in close consultation with Judiciary should be ready to adjust any laws that may disadvantage the country and its people to relate meaningfully to our other nations that we might serve.

The third question was, how should the role of Parliament in the conduct of foreign affairs be distinguished from that of the Executive? Mimi naona hapa ya kuwa kama tunavyojua Executive ni implementers na legislatures ni wale ambao wana-formulate. The Judiciary ni wale ambao wana-protect kuona ya kuwa yale ambayo yamepitishwa inafanywa vile ilivyopitishwa. Kwa hivyo, hapo kuna division of labour kama inavyosemwa katika Constitution yetu ya wakati huu.

Com. Lethome: So Parliament should only be limited to as far as foreign affairs is concerned.

Wamnyokoli Timothy: I have mentioned above that there is a time they have to adjust when an incident happens internationally, where Kenyans are very much involved Parliament should be called in to protect them. And what I have here is the American one, they refused to sign that treaty, kwa sababu they are all over the world, hata Afghanistan nilisikia waliua watu the other day. Kwa hivyo Parliament must come in.

Halafu ingine, hapa nimesema tu Parliament to formulate laws concerning foreign affairs in consultation with the Executive and Judiciary and other relevant institutions such as the United Nations Charters and so on. Parliament should take recognition of that and also Parliament I know is very close to Commonwealth Parliamentary Institutions and so on. Therefore, they cannot be left out but they will come in very relevant areas where they are required.

The fourth one is, should international treaties and conventions, regional and bilateral treaties have automatic effect in domestic law? Since the word globalization means that the world is so small now, we are in very many ways very close to each other, however there are certain treaties such as the River Nile which was signed between the Colonial Government and Egypt that we cannot interfere with waters, even Nzoia River we cannot dry it here the Egyptians will come and intervene. You know that law is there. Nafikiri hawa wananchi wanajua ya kuwa.

Com. Lethome: Okay, what do you recommend?

Wamnyokoli Timothy: Mimi na-recommend ya kuwa they should not be given long durations, they should be reviewed after maybe 10 years to see how effective they are, how they are affecting our people, our other institutions such as education and so on. Iko ingine kama ya hydro-electric, Owen Falls ambayo vile vile sisi tunatumia na Uganda vile vile ilitengenezwa na serikali ya ukoloni.

Com. Lethome: I think this falls under the same.

Wamnyokoli Timothy: The same, okay. So that can take care of the rest. Okay the fifth which is actually the last one should laws and regulations made by regional organizations that Kenya belongs to have automatic effect on domestic law?. If not how else should they be effected? That's very close to the other one, where I have talked. However there are certain values that even if Kenya, Uganda and Tanzania make treaties we must observe, so that our values can remain there at the scenes we like such as circumcision in Bukusu, we circumcise only men. Maybe in Mount Elgon you may like circumcision of women to continue, so long as those values make a lot of sense to us, we cannot just pass a treaty and say mutilation and so on. It has never been mutilation, it has been a very crude kind of thing going on. So they should know our society any treaty or any commitment that adds value to our norms, customs and so on should be respected. Nataka kuongeza moja au mbili, au hiyo inatosha.

Com. Lethome: Ongeza moja ya mwisho.

Wamnyokoli Timothy: Ya mwisho ninasema hivi. Nataka ile ofisi ya President, Head of State iwe protected and one way of protecting it the Head of State should not in his house engage any close relatives as in the official capacity. Privately yes, but not on official capacity.

Com. Lethome: There is a question for you.

Wamnyokoli Timothy: Naulizwa nitaweza?

Com. Wambua: Hapana, hapana don't worry Bwana Wamnyokoli. I think you have come up with very very interesting issues which you have not given us clear proposals and I want you to – you look to be very familiar with these international issues. I don't know whether you worked in foreign affairs or where, but I have that feeling. But let me ask you, one of the issues we are concerned with is how we should domesticate international treaties, that is an issue we are requiring as a Commission and we know in some countries like the Arab world before a country ratifies the treaty, it must be subjected to a referendum in that country. It must be subjected to Parliamentary approval so that when it is signed we do not have a contradiction where Parliament later rejects it. You have said that the role between Executive and Parliament should be well

defined and Parliament should concentrate in making the laws. But you find that in most of the situations these treaties are actually negotiated by the Executives and I am talking of those experts who are in Ministries and in foreign affairs. They sit, they negotiate they think the treaty is for the benefit of the country and therefore they recommend that it be ratified. So what proposal do you have, do we first subject these treaties to some kind of a referendum, do we subject them to some kind of approval by Parliament before they are ratified or how do we have a domestication procedure. I think that is what I wanted to be clear about.

Wamnyokoli Timothy: Infact you have answered for me. The only thing I can add is that Civic Education is very important on anything that is not made in Kenya or even if it is made in Kenya. There should be some fora, there should be some room provided for wananchi to contribute. They should not be taken for granted, in fact at this time you people may be realizing certain problems in Civic Education, on our Constitution or what we are supposed to be doing now is very confusing.

Com. Lethome: What do you recommend?

Wamnyokoli Timothy: I recommend consultations, civic education seriously. Anything made outside of Kenya must be subjected through Parliament.

Com. Lethome: On the Constitution?

Wamnyokoli Timothy: Yes.

Com. Lethome: Because this is not the last time that maybe we are reviewing our Constitution. In future we still have to make Kenyans understand their Constitution. So how would you like Civic Education be conducted?

Wamnyokoli Timothy: I think we are now at the beginning of this, so once it is completed a feed-back should be made to those who contributed.

Com. Lethome: You haven't answered my question. Civic Education, should it just be taught once because of a certain thing?

Wamnyokoli Timothy: No, it is a continuous process.

Com. Lethome: That is what I wanted to hear.

Com. Wambua: But you are saying they call it a (inaudible) to a referendum?

Wamnyokoli Timothy: Yes, if it is a treaty. For example the Nile River one and others must be.

Com. Lethome: Thank you Timothy. Tupate Fr. Francis Sikisa. Afuatwe na Oriama Benson. Oriama yuko? Haya utamfuata.

Fr. Francis Sikisa: I am Father Francis Sikisa from Chebkaka Catholic Parish. Here with me I have a memo from Chwele Division, they asked me to present on their behalf. I am just secretary but I have my own few suggestions to put across, which I want to do now. Okay one of the things that I would like to point out is that in our current Constitution there is no preamble. Though it was mentioned, somebody who presented here but I would like these points to be highlighted or captured in that preamble.

- (1) It should capture the point of Justice and issues of ethnic and cultural diversity be acknowledged in Kenya.
- (2) That you should also acknowledge those heroes and heroines who fought for our independence.
- (3) The issues of security should also be included there and then of course the issue of Justice, I mean transparency and accountability should be included issues in future in the preamble.

Okay, another thing I would like to propose is the type of Parliament or House that we would like to have in the future Government. I am proposing that we should have a two-chamber house that is the Senate and the House of Representatives. So in this senate we said that we should have a limited number of members there representing regions, like the regions we have in Kenya and they should be mature people. The age limit is from 50 and above and you qualify to go to the Senate and if a Bill goes to Parliament debated by the Lower House, for it to proceed to the Upper House it must have a backing of 65% and for it to be passed to become law in Kenya, something binding, the Senate must have 75% approval.

Another issue I would like to highlight is on the issue of appointments of the Chief Justice and Judicial Commission. Currently, as it is, we see that the President as the Executive has the power but I would like in this case, this to be done by the people through their representatives that is Parliament. It appoints them and even the Judicial Service Commission should be left to Parliament to appoint them. And then only the President is given not really to approve to his wishes or what he likes, but just to sign and say that it has become a legal law because it has been debated and it is the wishes of the people.

Another thing is that those decisions made by court should not be contradicted or interfered with by anybody even the President should not have the powers to interfere with those decisions. What the court has decided it's final and it remains binding.

I would also like to look at the issue of Electoral Commission: The Electoral Commission is actually the referee when elections come around and I recommend strongly that it should be independent. It should also be appointed by people through their representatives and they should be answerable to us not that the parties nominate them and then the President is given to choose among the two and he is also going to contest for the same elections, that will not be a fair game. So I recommend that the Parliament should do the same also, because they represent the people.

I would also like to point out the type of Government we would like to have in future. I am proposing that we have a federal type of Government, and in this type of Government that we shall create Kenya maybe into four regions. We don't want to divide the country into communities or via ethnic groups. No, but just create Kenya into four regions or so and that we take into consideration the different communities that are there, they are all included in the Government. So in this federal Government we shall have the Governors and then every Governor will have their Parliament there and then they will have their civil servants there who will be working in the offices and so on. But then we remove the idea of the chief, the DOs, the DCs, the PCs then they will not have a job to do because then these people who will be appointing them and if they have to be there, then they must be appointed by the people. That is what I mean by the people by the representatives of those people who have been elected to represent those regions of the Government.

And in the Central Government then we shall have a President like what we have the system in America and few key Ministries like foreign policy, foreign affairs, finance and defence. I would also like to add the Ministry of Justice that should be created above there. I would also like to propose on the future President of our country that for one to go and contest to be elected as President of this country, first and foremost he must be a mature man. Maturity here I am talking of 50 years and above because I realize that sometimes we delay into mature. You know some people take somebody's Katiba yet he is not yet mature. So I am thinking at least when somebody is 50 he is mature enough to be able to lead the country. Not only should he not belong to any party.

Com. Lethome: How old – what is the maximum age?

Fr. Francis Sikisa: The maximum age is 75 yrs. So he should declare his wealth and tell us how he got that wealth. He should not have been convicted of a crime – I don't have to put it in legal terms but there are some crimes which are exceptional that is what I mean. Like political crimes of political nature – this man maybe was fighting for freedom like I want to give an example, am I allowed to mention names here, names like Shikuku, they were saying names like Orenge, kina Kivutha Kibwana, they have been thrown in. So crimes of political nature and if they were fighting for independence of people and freedom kind of, they should be allowed to contest for Presidency. But if he has been a public thief, a robber, a corrupt man he should not even hold any public office.

And then also this man, President, should have a least a minimum in terms of education a minimum University 1st degree – BA.

But in exceptional cases, special talent he should have a diploma but from a recognized institution in this country or any other country. I also want to look at our representatives in Parliament like the MPs and so on. Okay, these guys should be men of integrity, he should not be convicted of any crime.

Com. Lethome: Men or women?

Fr. Francis Sikisa: Men and women. These people should not have been convicted of any crimes except if it is political crime and fighting for our rights, its okay. Then they should also have at least BA or diploma and should be at least 35 years and above.

Com. Wambua: Are you saying a BA or graduate?

Fr. Francis Sikisa: Okay, let us put it at graduate. To safeguard our Constitution that we are making now I think and I recommend we should have a Constitutional court that is able to interpret the issues concerning the Constitution and this should be independent. And how do we get it? It should be created by Parliament again because Parliament speaks for the people. We should have a Constitutional court which will work together with the new Ministry of Justice.

The issue of courts. Other than what we have in the courts, I am also proposing we should have traditional courts to reduce congestion. Some cases could be handled by elders in the villages instead of them congesting people in prisons and so on. That position could be made there. I think that will solve a lot of problems.

And then I also want to mention about political parties: The political parties we don't need many. At the most we could have five at most. All political parties they should be funded by the Government. Even the Presidential candidate should be funded by the Government. And the MPs to be funded by their parties and councillors. And then I would also like us to put a ceiling for the expenditure during campaign time because this will check people when they print fake money, pouring money into the market.

Com. Lethome: Okay, wind up Father.

Fr. Francis Sikisa: Okay, thank you. To wind up I would like to mention one issue that was mentioned here about land inheritance and transactions concerning land. First of all, I would like that the title deed should read not just the name of the man. But the land should be owned by the family so that if the man dies the lady does not have a problem going to the Land Boards going to whatever to transfer this land into her name or her children. But it should just say the man and the woman as their land and then ultimately also the land should be owned by the local community, ultimately. So that if we have some disputes, instead of taking to the DO taking those Land Board and offices or chiefs, they should be handled by the local

community. They know better and by the local community, I mean people who stay there not necessarily ethnic or whatever but people who stay in that village or in that area, constitute that local community. So I think this is what I have to present.

Com. Lethome: Thank you Father. There is a question.

Com. Wambua: One of the questions I wanted to ask is should we provide for our retiring President? I think that is something you have seen all over today and what sort of retirement arrangement should we make for those who have served as Presidents and want to go home should they have it in the first place and if so, what proposal do you have?

Fr. Francis Sikisa: Thank you. The retiring Presidents I think even what is given today in the newspapers is good except what I think is that if the man – we look at how he has led the country and if he has not embezzled the public funds and he has done a good job, then he deserves to get a retirement benefit. But if he has been corrupt and has misused the public funds he forfeits that. Secondly, the amount being proposed for the retiring President in terms of the pension he will get that 80% of his salary, I think that is too much, already we are strained and we are poor. This man has been earning a lot of money and he has received other benefits. I think 25% will be good for him and I am sure he will be comfortable and then 25% of the salary of the last month. And then I also think these other details like giving him security, secretaries, entertainment, we could give him such benefits.

Com. Wambua: If he gets that percent should he continue in political activities or does he pack up and go home and stay at home? No, no we are talking to Father. This is an issue which we have to address as a Commission and I think it has arisen elsewhere we know what the experience Zambians are going through and we want to get it right. If we provide for a retiring President and give him a package so that he goes home, does he come back to politics, and if he does, does he lose those benefits? I think this is an issue we would want to address. It is not academic; it is practical because as we write our Constitution we must capture it properly.

Fr. Francis Sikisa: Thank you. Sir, I think I will answer that question in my view. When somebody has retired, retirement means you go home. So once you have retired there is no question of saying that I will be the Chairman of this and this political party, that's out because you will be interfering with the day to day running of the affairs of that party and you will still want your ideas to prevail. So I think the man should pack and go home. He can be a member of a political party but he should not be given any post in that party he should be like any other member. That's what I think.

Com. Lethome: Father there is a question from a Bishop but his voice has a problem. I am asking on his behalf. You suggested that we have four regions, we divide Kenya into 4 regions we had a problem understanding how we are going to divide Kenya. Just give us a proposal. You have that map of Kenya in mind, see how we divide it into four.

Com. Bishop Njoroge: Okay, like we can combine Nyanza province and Western province and parts of Rift Valley. We have had many communities represented, that becomes

Com. Lethome: Then we should look at it geographically?

Fr. Francis Sikisa: Yes. The other side Central, Eastern and parts of Rift Valley also and some other region.

Com. Lethome: In other words what you will do draw a map of Kenya like this.

Fr. Francis Sikisa: Not just simply saying like that. No. I don't know how – if I had a map I would draw and show you.

Com. Lethome: Father we are still here until the end of the day. Once you go back there sit down with a piece of paper draw something for us, hand it over, it will help us.

Fr. Francis Sikisa: Okay, fine thank you.

Com. Lethome: Because elsewhere it has been suggested that we go by the Longitudes and the Latitudes. Okay, we look at the Longitudes and the Latitudes and those form our regions.

Fr. Francis Sikisa: Okay.

Com. Lethome: That's one suggestion.

Fr. Francis Sikisa: Okay,

Com. Lethome: You can draw down.

Fr. Francis Sikisa: I will, I'll try. Thank you.

Com. Lethome: Thank you very much Father. Can we have now Oriama Benson. Na tujaribu kwenda haraka haraka sasa, Oriama. Watu ni wengi sana. We have over 200 people who want to speak.

Oriama Benson: Majina ni Oriama Benson. Nitaguzia mambo machache kidogo ambayo ninaona yanamguza mwananchi wa kawaida. Jambo la kwanza linaguzia ufisadi. Na nilikuwa ninaona kwamba kuweza kuepusha ufisadi katika utumishi wa serikali, nafasi kama madaktari ambao wameajiriwa na serikali wasiweze kuruhusiwa kuwa na biashara zingine kule kando.

Kwa sababu mara wakati mwingi wanatumia kuhudumia biashara zao na hawahudumii wagonjwa katika mahospitali. Madawa yanapotea mahospitalini kwa ajili ya kupelekwa katika biashara zao. Kwa hivyo wasiweze kuruhusiwa kuwa na biashara zao kule nje.

Pia jambo lingine ambalo ningependa kuguzia ni kuhusu Wabunge wetu ambao wako katika Bunge. Wako kule kwa ajili ya kumwakilisha mwananchi wa kawaida na tumeona kwamba Wabunge wengi hawafanyi kazi jinsi ambavyo inawapasa. Ningeomba kwamba katika Katiba yetu mwananchi wa kawaida aweze kuruhusiwa kama Mbunge hataweza kufanya kazi jinsi inavyompasa akaweze kuregeshwa nyumbani na pia akaweze kushtakiwa na agharamie by-election.

Jambo lingine ni kuhusu Rais wa nchi yutu pamoja na mawaziri. Tunapata ya kwamba kama Rais wa sasa anatumia wakati wake mwingi kutetea chama badala ya kutetea mambo ambayo yanahusu nchi yetu ya Kenya. Kwa hivyo Rais anapochaguliwa kama Rais aachane na mambo ya Chama na ashughulikie mambo yanayohusu nchi yetu. Hivyo hivyo likaweze kutendeka kwa mawaziri wetu pia.

Jambo lingine ambalo ningependa kugusia ni kuhusu jinsi ambavyo wamepoteza pesa. Ni pesa kiasi gani wamepokea na jinsi ambavyo wametumia. Kwa hivyo kila baada ya mwaka mmoja wakaweze kuelezea juu ya matumizi ambavyo wameweza kutumia hizo pesa.

Jambo lingine ni kuhusu msafara wa Rais. Tumeona ya kwamba Rais anaposafiri kwenda mahali, anakuwa na msafara mrefu na huo msafara kidogo unatumia fedha ambazo zinatoka kwa mwananchi wa kawaida.

Com. Wambua: Msafara wa magari ama wa watu?

Oriama Benson: Msafara wa magari na watu pia. Kwa sababu gari haliwezi kukimbia bila mtu. Kwa hivyo huo msafara ukaweze kupunguzwa ili kwamba fedha zinazotumika kwa huo msafara pia zikaweze kupungua.

Com. Wambu: Unapendekeza magari mangapi?

Oriama Benson: Ikiwa zaidi isizidi magari kumi.

Com. Lethome: Na wakati anaenda ng'ambo na ndege?

Oriama Benson: Akienda ng'ambo kama ni shughuli ambazo zinahusu Ministry ya Foreign Affairs atembee na Minister wa Foreign Affairs na Katibu wake. Lakini utapata kwamba mara kwa mara unasikia Minister asiyehusika na mambo ya ng'ambo, pia amesafiri. Kwa hivyo hiyo tunaona kwamba sio mzuri kabisa.

Jambo lingine ni kuhusu elimu: Tukienda katika shule zetu hasa shule za upili utapata kwamba kuna wanafunzi ambao wana wazazi ambao wanajiweza na wengine wazazi wao hawajiwezi kulipa karo. Lakini kwa vile wamepata katika shule moja huyu mwanafunzi asiyejiweza anapofukuzwa nyumbani ataketi pengine mieze miwili na akipata karo ya kuweza kurudi shuleni, analazimika kulipia ule muda ambao hajakuwa shuleni. Kwa hivyo analipia ule muda ambao hakuweza kuwa shuleni na zile services ambazo hakuweza kupata. Kwa hivyo kama kwamba itawezekana akaweze kuruhusiwa kulipa ule muda ambao atakuwa shuleni.

Jambo lingine ni kuhusu wafungwa wetu katika jela zetu. Wafungwa hawalindwi kwa njia ipasavyo. Mnasikia kwamba mfungwa akiwa mgonjwa hata kupelekwa katika hospitali inakuwa shida. Kwa hivyo kupata matibabu kidogo inaumiza ndiposa tunasikia wafungwa wamekufa katika jela. Kwa hivyo badala ya kuwarekebisha ili wakaweza kuwa wazuri katika jamii unasikia kwamba ameanga. Kwa hivyo sioni kama hapo tutakuwa tunawasadia. Badala ya kuwasaidia wakaweza kubadilika tunawasaidia kwa njia ya kuwaua. Kwa hivyo mimi naonelea kwamba mfungwa anapofungwa akaweze kupata matibabu wakati anasema kwamba ni mgonjwa.

Na pia ule uhamisho wa mfungwa kutoka jela moja hadi ingine. Unapata kwamba mtu amefungwa Bungoma kesho unasikia yuko Kodiaga, siku ya tatu unasikia amekufa kule. Kwa hivyo inakuwa ni mzigo katika jamii kuweza kuenda kubeba ule mwili wa huyu mfungwa kuweza kuleta nyumbani. Na kama itatendeka kwamba mfungwa amehamishwa na ameweza kuaga dunia mimi naonelea kwamba serikali ikaweza kugharamika, kumbeba huyu mfungwa kutoka pale ambapo amekufia, kuletwa nyumbani na pia gharama ya mazishi – nusu yake ikaweze kugharamika na serikali.

Jambo lingine ni kuhusu mawakili – advocates. Wamekuja kuwa watu waongo na wezi zaidi ya kiasi. Badala ya kusaidia watu ambao wamepatikana na cases kule kortini, unapata ya kwamba wanatumia hiyo nafasi kuona ya kwamba wanajinufaisha wao bila kusaidia huyu mtu ambaye yuko mahakamani.

Com. Wambua: Mtu mmoja ama wengine?

Oriama Benson: Wengine. Lakini sasa akiweza kusaidia hata hawa wengine pia wasipatikane naonelea kwamba kabla kesi haijaweza kukamilika huyu wakili akaweze kumuwakilisha huyu mshtakiwa na iwapo hiyo kesi itaweza kufaulu basi akaweze kulipwa pesa zake zote. Na mahali ambapo inahusika kwamba mimi ninadai pesa halafu yeye anapokea kwa niaba yangu isiwezekane kabisa. Pesa zikitolewa mimi nipate na nimlipe kazi yake. Na kama ya kwamba nitapoteza hiyo kesi kwa ajili ya uzembe wake, basi malipo yake yasiweko ama kama yatakuweko kwa sababu amekuja kortini alipwe nusu ya hizo gharama.

Jambo lingine ni kuhusu uhuru wa kuabudu. Naamini Katiba yetu ya sasa inaongea tu kwamba kila mtu yuko huru kuabudu. Kama utakimbia uchi ukijigamba kwamba unaabudu uko huru, lakini mimi naona kwamba Katiba itakayokuja ikaweze

kuangalia ni kiwango gani cha uhuru. Leo isipatikane kwamba mtu anaamka kivyake anasema ameanzisha kanisa fulani, na kwa vile Katiba inamruhusu kuabudu atasimama hivyo. Kwa hivyo tutafika mahali tuone kwamba tunapata njia nyingi sana za kuabudu ambazo hazifai kabisa. Kwa hivyo licha ya kwamba tutakuwa tunaabudu lakini kuwe na kiwango fulani cha kuabudu na wakati unaofaa. Isiwe tu kwamba utapata wengine tunapiga kelele zaidi ya kiasi, leo hapa tuko kwa bar dakika mbili zijazo watu wako wanahubiri na nini. Kwa hivyo kuwe na kiwango cha ule uhuru.

Com. Lethome: Dakika moja umalize.

Oriama Benson: Jambo lingine ni kuhusu wagonjwa ambao wamelazwa katika hospitali. Utapata kwamba mgonjwa amelazwa hospitali na ameweze kuaga either kwa uzembe wa wanaomlea katika hospitali ama wale madaktari na kama kwamba mgonjwa atapatikana ameaga kwa ajili ya uzembe wa madaktari, mimi naona kwamba zile gharama ambazo mgonjwa anahitajika kulipiwa zisiwezekane kulipiwa. La si hivyo wagawane gharama wale watu wa mgonjwa pamoja na hospitali.

Jambo lingine ni kuhusu hii habari ya appointment and re-appointment. Mtu leo amechaguliwa kwamba yeye ni chairman pengine wa Nzoia Sugar ameweza kufanya ulanguzi wa pesa kule, kampuni imeanguka anasimamishwa leo baada ya miezi mbili tatu mmesahau yale makosa alifanya, kesho unasikia pengine ameamkia kwa Lake Basin Development Authority. Kwa hivyo hilo jambo mimi naona kwamba hakika lisiweko. Mtu akishaappoint-iwa amefanya kosa, amefutwa ashtakiwe na abakie hivyo hivyo na aweze kugharamia kulingana na jinsi alivyokosa.

Jambo la mwisho kabisa ni kuhusu Commissions ambazo zinateuliwa na Rais. Hasa nikiambuka pengine zile ambazo zimetuliwa kwa ajili ya kuangalia tribal clashes, tangu 92 mpaka sasa. Naamini alipokea hiyo report na hatujasikia lolote kuhusiana na hiyo report. Kwa hivyo mimi naona kwamba once commission imeteuliwa imefanya kazi yake imemaliza na ime-hand over hiyo report kwa Rais, baada ya miezi miwili naamini atakuwa amepitia ya kutosha na akaweze kuiweka wazi na yeye akaweza kujua ni kwa nini ama ni mambo yapi ambayo waliweza kupata katika ule uchunguzi wao. Na hayo ndio mambo ambayo nimeweza kuwa nayo mchana wa leo. Asante sana.

Com. Lethome: Asante sana Benson.

Com. Wambua: Hawa maCommissioner wote ni mawakili.

Com. Lethome: Na sio wezi. *Laughter.* Tupate sasa, kuna mama yeyote ambaye alijiandikisha na hajazungumza, mama. Nyinyi Wabukusu mlizua kina mama kuja kuzungumza ama namna gani? Chief Henry Munyole? Tumsikize chief sasa.

Chief Henry Munyole: Mimi kwa majina naitwa Henry Munyole ni Chief wa Chwele location. Nitazungumzia hili jambo ambalo sisi sote tunahusika ni culture of violence ambayo imeenea sana katika areas zetu, utaona mtu anaamka anapiga bibi

yake hata anamuua ama anamuumiza zaidi. Mtu anaamka anapiga ndugu yake anamuumiza zaidi. Hiyo imetokea mara kwa mara. Iko rape cases nyingi na hizi zote mimi napendekeza ya kwamba P3 forms zikae na daktari ambaye anatibu huyo mtu. Zitoke kwa polisi ziingie kwa daktari. Na immediately yule mtu ambaye amefanya kitendo daktari akijaza hiyo P3 anashikwa mara moja na kushtakiwa.

Com. Lethome: Na hii mambo ya kupiga wanawake unapendekeza nini?

Chief Henry Munyole: Mimi nasema mambo ya kupiga wanawake isikuweco kabisa, hata kidogo. Kwa sababu mwanamke ako na akili unamuambia anaelewa. Kuna mwingine alisema ya kwamba ujue mimi nilikuwa nimeandika kuwe na mobile courts, lakini nimeambatana na yule alisema tuwe na traditional courts. Kwa sababu iko some petty cases ambazo hazistahili ziende kortini, zimaliziwe tu na wazee wa vijiji. Sasa tuwe na traditional courts. In most cases kuna mtu ambaye anaweza lease ng'ombe mtu. Naweza lease ng'ombe mtu na baadaye huyo ng'ombe auze kwa sababu ya shida yake. Kwenda kudai huyo ng'ombe anasema tuliandikishana wapi. Cases kama hizo sasa huyu mtu anaona hana ushahidi halafu ana resort kupigana, na tukiwa na hizo traditional courts hii itasaidia sana.

Tuko na trial marriages ambazo tunataka we discourage that one. Tuko na watu wengi anaoa bibi akizeeka tu kidogo anafukuza na watoto wote. Unaona hawa watoto wanateseka.

Com. Lethome: Kuzeeka ni miaka mingapi?

Chief Henry Munyole: Bora tu azae watoto kama watatu hivi ataonekana yeye amezeeka sana sasa anaenda kwa yule ambaye bado mchangamfu kidogo. Na huyu atatupiliwa mbali. Tuko nazo mingi sana nafikiri sasa Constitution yetu iseme ya kwamba ukioa bibi, maybe kumfukuza ni through the court. Lakini usiwe unaamka halafu unamfukuza. Wale watoto ambao wameachiliwa – abandoned children, tusaidiane wote kila mtu ambaye yuko kwa hicho kijiji akiona mtoto amefukuzwa na wazazi wake mtu yeyote ana jukumu la kuchukua atuletee mahakamani na mwenye mtoto ashtakiwe. Yeyote tu bora apate mtoto ako abandoned. Process ya kuenda through children office, Bungoma inachukua muda.

Inginge mimi napendekeza ya kwamba corporal punishment kwa shule zetu irudishwe, hiyo wasitoe. Watoto wetu wamekuwa wabaya na wakikosa shuleni achapwe kiboko.

Land transaction, kuuza shamba, ikiwa mtu anauza shamba mimi napendekeza ya kwamba vile mzee moja alisema kwa Land Control Board yule mzee wa ukoo – Land Chairman awe kwa board. Yeye pia athibitishie kwamba huyu mtu anauza shamba genuinely kwa reasons ambazo zimepeanwa. Kwa sababu wengine wameuza shamba na wamesubject families zao kuwa landless. Chairman wa clan awe kwa Land Control Board, yeye pia apeeane consent ya kwamba hiyo shamba imeuzwa.

Outdated traditions kama kutahiri wanawake, hiyo isiruhusiwe kabisa. Iambatane na Bwana Wamnyokoli hiyo ifutiliwe mbali.

Com. Lethome: Na ingine ambayo ni outdated?

Chief Henry Munyole: Outdated ni kama kurithi wanawake. Hiyo pia itupiliwe mbali.

Com. Lethome: Chief anatoa maoni yake.

Chief Henry Munyole: Upande wa security namalizia hii ya mwisho. Upande wa security tukiwa na insecurity hapa sometimes sisi kama administration tunakuwa na kazi ngumu sana. Naomba tu serikali iki-provide votes pengine ya kugharamia security within a certain area. Kwa sababu tumekuwa na majambazi wengi ambao wanafanya uhalifu. Sometimes we sacrifice we fuel the landrover or we hire a public vehicle ili kufukuza hawa majambazi ambao pengine wamepiga watu wetu. Kwa hivyo Government iki-provide certain funds itakuwa sawa sawa. Thank you very much.

Com. Lethome: Kuna swali.

Com. Wambua: Kuna pahali pengine tulisikia mambo ya akina mama wakipiga wazee. Sijui wewe kama chief umewahi kupata complaint kama hiyo? Umesema akina baba wasipige akina mama na hukutaja namba ya akina wazee ambao wanapigwa na ungelipenda kusema nini?

Chief Henry Munyole: Asante sana. Jambo kama hilo liko lakini it's very rare. Siwezi taja majina ya watu lakini kuna examples bibi ambaye alipiga bwana na alipiga baada ya kuvumilia. Huyu bwana baada ya kutoka amelewa akija na nyama yake anaweka hapo anakata vipande vipande na kipande anahesabu hivyo vipande hakuna kimoja ambacho kinaliwa. Moja iki-miss anapiga bibi na watoto. Sasa bibi wakaangalia siku moja wakaona huyu ni mlevi. Wakampiga sasa maybe out of protection, self-defence lakini kwa kimila yetu ya Wabukusu sijaona bibi akipiga bwana, it's rare. Pengine out of protection.

Com. Lethome: Maswali mawili kuhusiana na kwa sababu ya kazi yako. Hebu ngoja tumsikize kwa sababu ya kazi yako. Ya kwanza kuna watu wanapendekeza machief badala ya kuchaguliwa vile wanavyochaguliwa hivi sasa wawe yaani kuteuliwa sasa wanateuliwa wawe wanachaguliwa kama vile Mjumbe na Councillor wanachaguliwa. Sijui una maoni gani kuhusu hiyo. La pili, sijui kama ulikuweco, jana tulikuwa Sirisia na hapa Chwele na sehemu zingine za Kenya tumesikia watu wanasema local brews should be legalized. Hapa watu wako wanasema wanataka busaa, waachie wakunywe busaa bila kuingiliwa na polisi. Wewe kama chief tungenda utoe maoni yako, pendekeza.

Chief Henry Munyole: Swala la kwanza liko namna hii. Wananchi wanafikiria pengine chiefs wako na privileges nyingi, lakini for example mimi kama tawala chief kuteuliwa ni kama election na nahudumia watu wengi sio eti watu wa Chwele peke

yao. Mwingine anaweza toka Mount Elgon anadai huku kitu chake pengine msichana wake, pengine pressure pump amepeana mtu na imepotea na mimi mtu ambaye anapigia mimi kura na mtu wa Chwele. Sasa mimi kitu ambacho nafanya kwa vile sitaki nipoteze kura yangu, mimi nasema tu hakuna kitu chako hapa na anaenda, na kumbe ng'ombe wake ako upande huu. Siwezi kufanya haki, kwa sababu nikifanya haki nichukue ng'ombe mtu atoke Mount Elgon anakuja hapa anadai ng'ombe na mimi nichukue ng'ombe nipeane niko napoteza kura yangu, hiyo haiwezi fanyika hiyo.

Com. Lethome: Hebu nyamazeni tafadhali. Sikizeni haya maoni.

Chief Henry Munyole: Ingingine tuko na maybe application of cases. Nikiona ya kwamba huyu mtu ni my supporter na ako na dispute na aje mbele yangu. There is no way I can rule in his favour kwa sababu niki-rule in his favour hatanipatia kura. Nitaona ya kwamba wananchi wenyewe watakuja kuumia wenyewe. Niko tu hivyo hakuna kitu ambacho nitafanya nipoteze kura yangu.

Com. Lethome: Hiyo tumesikia kwa hivyo wateuliwe vile wanateuliwa.

Chief Henry Munyole: Busaa, sisi tunafuata sheria ambayo pengine imepitishwa na Bunge, Parliament ikisema isiruhusiwe sisi hatuwezi kuwafuata.

Com. Lethome: Sasa wewe zungumza kama Mbukusu. Usizungumze kama Chief. Hebu nyamazeni tusikie.

Chief Henry Munyole: Mambo ya busaa kwa sababu nchi yetu iko mbioni nasi tunataka maendeleo sio kuingilia tu busaa kwa sababu nchi yetu iko mbioni kila kitu ni competition. Tunataka watoto wetu wasome. Na ukiangalia area ambayo pengine tumependelea tu kunywa busaa hapa hakuna maendeleo.

Com. Lethome: Unapendekeza nini wewe?

Chief Henry Munyole: Napendekeza ya kwamba hii busaa isikuweko.

Com. Lethome: Iendeleo kuharamishwa. Mtu akipatikana nayo anashikwa.

Chief Henry Munyole: Anashikwa. *Laughter.*

Com. Bishop Njoroge: Hii mambo ya mabwana kupiga mabibi kwa sababu umesema imeenea sana na wanaume ku-rape akina mama na wasichana na watoto. Ungetaka sheria iwekwe kwamba mume ambaye anampiga bibi yake ashikwe na ashtakiwe? Pili, mtu ambaye amemnajisi mtoto au mtu bila kupenda kwake unajua sheria inasema unaweza kufungwa miaka

saba lakini hiyo inaonyesha haitasaidia. Ungetaka hukumu gani ili kuzuia mambo haya?

Chief Henry Munyole: La kwanza, bwana kupiga bibi yake inategemea bodily harm ambayo imefanyika. Kama alimkatakata kwa panga hiyo pia anaweza fungwa hata miaka kumi akimkatakata kwa panga. Na akimpiga kwa fimbo pia magistrate anaweza angalia na jinsi ugomvi ulivyotokea anaweza kum-release depending the damages on the body. Anaweza kum-release ya kwamba hata ikiwa bibi alikuwa na makosa na pengine ilikuwa tu kama discipline magistrate anaangalia.

Com. Lethome: In other words, unasema kama alimpiga kwa sababu ya discipline inakubaliwa?

Chief Henry Munyole: Kiwango ambacho sio bodily harm.

Com. Lethome: Sawa. Mwanamke akikosa discipline bwana akubaliwe kumpiga lakini asiumize.

Chief Henry Munyole: Asimumize.

Com. Lethome: Sawa. Na bwana akikosa discipline apigwe na nani na hatutaki aumizwe lakini atandikwe acharazwe na nani?

Chief Henry Munyole: Mimi nilisema ita-depend na judgement ya magistrate.

Com. Lethome: You are not answering my question, when a woman misbehaves she should be disciplined by the husband lakini asiwe na bodily harm. Who should discipline the man when he misbehaves in the house?

Chief Henry Munyole: The person who must discipline the man maybe bibi anaweza kum-report kwa authority.

Com. Lethome: Sio bibi amtandike?

Chief Henry Munyole: Tunaangalia political make-up pengine bwana ako na nguvu bibi anaweza kumpiga na anaweza kumtandika na halafu bwana amshinde nguvu. Anaweza kumtandika anyway lakini bwana anaweza kumshinda nguvu. Na hiyo inategemea kiwango cha bodily harm. Saa ingine kwa mila ya Kibukusu kwa sababu mambo ambayo inaletwa pengine bwana kuchapa bibi ni unfaithfulness. Sasa kitu kama hiyo lazima bwana anaweza piga bibi na kiwango ambacho hawezi kumuumiza. Na bwana akiwa unfaithful.

Com. Lethome: Na bwana akiwa unfaithful bibi amfanye nini?

Chief Henry Munyole: Na bwana akiwa unfaithful kwa Kibukusu anyway we allow may be polygamy.

Com. Lethome: You know being a polygamist is different from being unfaithful. Those are two different things. Ama, you can think about it anyway. Kina mama kataeni kuzungumza shauri yenu. Haya. Thank you very much.

Chief Henry Munyole: Thank you very much.

Com. Lethome: Henry Wekesa. Halafu afuatwe na mama yeyote ambaye amejiandikisha anataka kuzungumza. Wekesa Henry. Hayuko? Haya tunaendelea tumpate Godfrey W. Murunga, KNFU Chairman. Murunga? Okay, welcome Murunga. Afuatwe na Cleofas Wayongo. Wayongo yuko? Okay, Wayongo utamfuata.

Godfrey Murunga: Kwa majina ni Godfrey Wafula Murunga, KNFU Chairman, Chwele Division. Nina maoni kuhusu hii Katiba mpya kwanza ningependelea hii nchi iendelee kuitwa Republic of Kenya. Kitu cha pili, aina ya serikali iwe aina ya majimbo. Na isimamiwe na Governors basing on provincial boundaries. Tuwe na Central Government vile vile headed by the President and he/she should be elected directly by Kenyans after every five years for not more than two terms that is 10 years. The person should be with a clean record who is not a criminal and must have been a resident for more than five years and a farmer, because Kenya is an agricultural country. He must not aspire for any other seat e.g. an MP or party chairman. The age must be between 35 to 70 years. We need to have a Prime Minister who will be elected by the Parliament. Appointments are as follows:-

(1) We need to have one man one job.

Com. Lethome: One woman?

Godfrey Murunga: One woman one job also. No more than that. The President should be given powers to appoint the Vice President but the President should not be above the law but should have power to hire and fire.

Uraia: Uraia ningependelea kuona raia wa Kenya awe kwa kuzaliwa, kuoa au kuolewa kwa kutuma maombi. Ukiishi hapa kwa miaka zaidi ya kumi lazima ujiandikishe kuwa raia wa Kenya. Kama mzazi ana kicheti cha kuwa raia mtoto wake automatically ni raia wa nchi. Tuwe na uraia mara mbili: wa nje na Kenya. Tuwe na uraia mahali mbili – Kenya na uwe at least na any other country. Uraia wetu uwe identified kwa kutumia national ID card na cheti cha uraia.

Ulinzi na usalama wa taifa: Ulinzi na usalama wa taifa ningependelea kuona hasa GSU, police na askari jela hivi vyombo vya usalama na matawi yake yaundwe na Katiba. Na tuwe na utaratibu wa majeshi na silaha kupitia kwa Bunge. Na Rais asiwe amiri jeshi, jeshi wasimpe uwezo wa kuwa amiri jeshi. Na Bunge lipewe uwezo kuamua juu ya kazi ya usalama wa nchi.

Vyama vya kisiasa: Vyama vya kisiasa ikiwezekana tuwe na vyama vitatu. Chama cha kutawala na vyama vya upinzani viwili. Na vyama hivi vigharamiwe na fedha maalum kutoka serikalini.

Miundo na aina ya serikali: Kwa upande wangu naona tukiendelea kufuata tuwe na muundo wa aina ya mseto ambapo mamlaka ya nchi yamegawanywa, baina ya Rais na Waziri mkuu. Igawanywe kulingana na wingi wa kura na uwezo wa vyama.

Na upande wa Provincial Administration ningependelea kuona ya kwamba wenye viti hasa kutoka kwa sub-location mpaka district level wasimamie upande wa utawala, yaani Administration. Wapigiwe kura. Ukiwa mwenyekiti wewe usimamie kulingana na area ile umechaguliwa.

Bunge: Bunge iwe ikiendelea kila siku, working days from Monday to Friday, isiwe na siku mbili tatu na wanalipwa pesa nyingi. Waendeleo throughout the week – weekdays.

Na umri wa Rais ikiwezekana uwe between 35 to 70 years asiwe chini ya hiyo. Na wananchi wawe na uwezo ya kumregesha nyumbani Mbunge baada ya every after five years only – miaka mitano ikiisha ndio wananchi wana uwezo wa kumregesha Mbunge.

Com. Lethome: Kama vile ilivyo sasa.

Godfrey Murunga: Kama ilivyo sasa. Na Wabunge wafanye kazi kwa uaminifu kwa vyama vilivyowateua. Mbunge akipinga chama ambacho kilimteua automatically a cease kuwa Mbunge wa hicho chama. Apinge chama chake akiwa nje ya chama asiwe ndani ya chama, ili tuingize watu wengine.

Na upande wa gender, upande wa wanawake kuteuliwa mimi ningependa kusema wanawake hapa Kenya ndio wengi kushinda wanaume. Ni heri wanaume wateuliwe kwa maana wanawake wapiga kura wana kura nyingi kutushinda.

Hapa ninaenda kwa upande wa mamlaka ya nchi. Kwa maana kulingana na nchi yetu ya Kenya mamlaka ya nchi yamo mikononi mwa Rais. Lakini Katiba hii tupewe mamlaka Bunge iwe na mamlaka yote badala ya Rais kuwa na hayo mamlaka. Na ikiwa umepita kura uende kwa vipindi viwili tu hata uwe Mbunge, uwe Councillor ama uwe Rais vipindi viwili is enough uende retire.

Interjections: Inaudible

Godfrey Murunga: Five years kwa vipindi viwili yaani 10 years iwe maximum. Na unaenda retire. Bila makosa ulipwe

pension, ikiwa na makosa hakuna pension upoteze.

Na upande wa haki ya ardhi na mali hiyo ndiyo itakuwa ya mwisho. Ningependa swali ambalo liko ni nani anayepasa kuwa mmliki wa mwisho wa ardhi? Mimi nasema ardhi imilikiwe na jamii ya mahali pale. Na upande wa ardhi, je kuwe na kiwango cha juu cha ukubwa wa ardhi inayoweza kumilikiwa na mtu binafsi? Mimi nasema ndio. Iwe ili kila mwananchi apate haki yake ya kumiliki ardhi.

Com. Lethome: Eka ngapi lakini?

Godfrey Murunga: They divide according to the population of the country, ili kila mmoja awe ana haki ya kumiliki shamba.

Com. Lethome: No, umesema kuwe na kiwango cha juu, eka ngapi?

Godfrey Murunga: Ile ya juu isipite hekari kumi, maana wengi wana maelfu ya eka na hata hailimwi. Wanaume na wanawake wawe na uwezo sawa wa kumiliki ardhi. Hii swali kwangu mimi nasema haiwezekani. Kwa maana kulingana na kwetu hapa mwanamke huwa anaoleka akiolewa nje anaitwa mali ya mwanamume. Kwa maana mwanamume huwa analipa mahari na akiondoka kwa upande alizaliwa inaonekana it's minus hawezi kupewa kitu tena huko. Sasa umilikaji ikiwa tunataka iwe sawa mwanamke asiroleke na alipiwe mahari. Na shamba aende na shamba ya bwana, bwana awe na shamba waweke pamoja ndio tuwe na haki ya umilikaji.

Com. Lethome: Sasa unazungumzia habari ya mwanamke unazungumzia habari ya yule msichana ambaye anaolewa anaenda.

Godfrey Murunga: Ndio.

Com. Lethome: Na yule ambaye haolewi kwa sababu sio lazima. Kwanza ni hatia mwanamke kukosa kuolewa? Is it a crime?

Godfrey Murunga: No, no it isn't.

Com. Lethome: So she can decide not to marry.

Godfrey Murunga: Correct.

Com. Lethome: So what happens to this lady who is not married?

Godfrey Murunga: Mimi nasema ikiwa mwanamke hajaoleka na amekaa kwao na ana umri wa zaidi wa miaka hamsini huyo awe considered kupewa kitu. Lakini akiwa msichana bado hiyo itakuwa kugonganisha mahali ataoleka.

Com. Lethome: Watoto na bibi yako nyumbani ana haki ya kumiliki hiyo shamba ama? Yule ambaye umemuo. Mama ya hawa watoto.

Godfrey Murunga: Bibi yangu ni mali yangu. Na mimi nikiondoka watoto wangu watamiliki na mama yao atakuwa na faida.

Com. Lethome: Atamiliki ama hamiliki mama?

Godfrey Murunga: Kulingana na mimi na desturi na kimila yetu, mwanamke hana haki hata kidogo ya kumiliki shamba ila tu kupitia kwa mtoto wake.

Com. Lethome: Yaani yeye atapata faida tu ya ile shamba, lakini hawezi kumiliki? Title haiwezi kuandikwa kwa jina lake?

Godfrey Murunga: Haiwezi. Haiwezekani. Ikitoka kwangu inaingia kwa majina ya watoto wangu.

Com. Lethome: Wa kiume?

Godfrey Murunga: Wa kiume. Na tena hapa ningependa kumaliza hivi, upande wa mashamba ya marehemu ikiwa baba mzazi ameaga dunia tunaonelea mashamba ibadilishwe tu kwa majina ya watoto bila upingamizi wala gharama yoyote. Watoto wana haki ya kumiliki shamba la mzazi wao ambaye ameaga dunia na mambo ya kugharamia mimi naona inamalizia watu muda, tena inafanya wengine wameshindwa kubadilishiwa hiyo. Ikiwezekana wapewe. Malipo yatoke na ni ya juu sana.

Halafu ya mwisho, mimi nikiwa Chairman wa KNFU, waalimu wana chama chao kinaitwa KNUT. Na KNFU ina haki kwa mkulima. Ningependelea wakulima wote kupitia kwa ma-society zao na kila mahali wawe automatic members wa KNFU, bila kuwatoa nje. Asanteni. Thank you very much.

Com. Lethome: Ngoja kidogo, kuna swali hapa.

Godfrey Murunga: Uliza tu.

Com. Wambua: Mzee akifa na awe hakuwa na watoto wa kiume bado unasema mama asipewe au asirithi shamba, linaenda wapi?

Godfrey Murunga: Kulingana na mimi shamba ni la ukoo na ikiwa shamba ni la ukoo hata mimi nikifa ama mtu yeyote wa kiume akifa, hilo shamba ukoo ndio una uwezo wa kujua the next of kin. Kama ni mama ukoo una uwezo wa kumpatia. Kama sio mama lazima watajua ni yupi, hata kuna wengine akiona anaenda kufa na hana mtu wa kurithi, mambo ya Will vile vile ina umuhimu wake. Nadhani hiyo tutahimiza watu waelewe, akikosa mtoto na ajue mambo ya kupeana Will. I think it is like that.

Com. Lethome: Katika President umesema awe resident for more than 10 years, ama sivyo?

Godfrey Murunga: Five years.

Com. Lethome: Five years?

Godfrey Murunga: Yes.

Com. Lethome: Ninaweza kuwa mimi ni m-Tanzania au ni m-Ganda nimekuja Kenya nimekaa for five years, do I qualify to vie for Presidency?

Godfrey Murunga: Kwa utangulizi nilisema lazima awe mkulima na mkulima atalima wapi? Lazima alime kwa shamba ya Kenya na awe amepata hilo shamba kulingana na registration.

Com. Lethome: Okay nimekuja kutoka any country nimenunua shamba langu hapa, nimeanza kulima kwa hivyo nimekuwa mkulima nimefikisha miaka mitano. Do I qualify to vie for Presidency?

Godfrey Murunga: No. It's a capital NO.

Com. Lethome: Why?

Godfrey Murunga: Wewe ni mgeni.

Com. Lethome: Kwa hivyo the issue is not resident, he should be a citizen? Not resident?

Godfrey Murunga: Yes, that's why I put it there to be registered.

Com. Lethome: Unajua resident is different from citizen?

Godfrey Murunga: Correct. Thank you. Any other?

Com. Lethome: Haya asante Bwana mzee tumepata mambo mengi. Kuna mama yeyote ambaye anataka kuzungumza. Mama baada ya mzee utazungumza wewe mama. Halafu huyu mama akimaliza yule mama mwingine pale hivi. Hii ndio fursa mko nayo kuzungumza sio msem tukishaenda, sasa ndio nimekumbuka, ukikumbuka tutakuwa tuko Nairobi saa hiyo haitakusaidia.

Cleofas Wayongo Musee: Mimi kwa majina ni Cleofas Wayongo Musee. Mimi niko hapa na memorandum yangu kidogo ambayo nitajaribu kusoma.

Com. Lethome: Usisome yote.

Cleofas Wayongo Musee: The recommendations that I have here are very few they are not many. The first recommendation is concerning the President. The powers which have been given to the President are so much that he has been interfering with the powers of Parliament, when it should be independent. The elected people such as Members of Parliament and Councillors are directly elected and are denied meaningful role in administration. Instead he appoints people like the PCs, the DCs, the Chiefs and so on and these ones they are answerable to him and will not really help the citizens of the country. I therefore propose here that because of such powers, the Provincial Administration should be removed and be replaced by elected people for:-

- (1) Corruption in this country has become too much because of Provincial Administration, because it has been given a lot of powers and therefore they can do anything they like. Secondly, now this is the colonial era which was there and therefore it must be abolished.
- (2) I propose that we should have Coalition Government instead of the present Government that we have, so that the people of Kenya can be able to enjoy the freedom of independence instead of frustrations that are there within one party. I also propose that the disabled people in Kenya should be treated as any other Kenyan. I also propose that all customary by-laws of every tribe in Kenya should be maintained. For example, Wabukusu's by-laws such as circumcision, dowry settling and so on should be respected. And all ceremonies that are done by Wabukusu is always done by brewing beer that is busaa, which should be respected.

Com. Lethome: I believe that means should be legalized.

Com. Wambua: Are there some customs which you consider that should be done away with if we were to come up with a law which respects certain values like human rights and so on and so forth? Or are you saying that wholesale because yesterday we heard at another point in Sirisia that the Teso would want to be given their right to exhume their bodies and that

could offend the Bukusus. They said they should be given a right after three years to exhume the bodies and put the bones somewhere. Are there customs which you think we should do away with or must we say blanket all customs to be respected however offensive they are and we preserve them?

Cleofas Wayongo Musee: No if there is a custom that can affect the people, now that one is a different case but if there is nothing of that kind, then our customary laws should be respected.

I also would like to suggest that agricultural inputs which are now very high, the prices should be reduced immediately so that to allow the farmers to grow enough food for export and use at home. This I say because you will find that we always buy fertilizer at the price of around Shs.1,500/= that is one bag, but when we sell our maize when we go to the maize seed we buy it at 1,000/= around 400/= and after we have grown these maize and then we want to sell one bag, it only costs about 400/= which means the farmers are really suffering.

Com. Lethome: Okay we get the point. Go on.

Cleofas Wayongo Musee: I also suggest that the 8-4-4 system which has been there for long should be abolished and be replaced by the old system. Now all people should be set free to drink without interference.

Com. Lethome: Drink without interference.

Cleofas Wayongo Musee: Without interference because when you interfere with people that is the time when people get many crimes, but when people are set free you will find that most of the people will not really be affected in any way.

Com. Lethome: Excuse me, you know when you talk about people to be allowed to drink freely, I don't know whether you read in the papers or may be you heard it in the electronic media sometimes back watu walikunywa wengine wakakufa, wengine mpaka leo hawana macho, macho yamepotea. Sasa are you talking of that absolute freedom to drink anything, any poisonous drink?

Cleofas Wayongo Musee: Not anything. This is the drink which has been examined that one there can be said to be..

Com. Lethome: Busaa.

Cleofas Wayongo Musee: The brewer is the one that has to be examined.

Com. Lethome: Even that kumi kumi was also examined by the brewer. The person who brewed that kumi kumi that killed

people had examined it. It has not been examined properly that is why it killed people. In other words you are saying legalise busaa. Busaa should be legalized.

Cleofas Wayongo Musee: That one should be legalized.

Com. Lethome: Okay.

Cleofas Wayongo Musee: Now the duration of the President should be 10 years and the appointment of the President should be from 50 years onwards and the maximum should be 75. Now I also would like to talk about the salaries in Kenya because now that the economy has dropped and somewhere other people are getting a lot of money, so I propose that the minimum salary of every Kenyan should be K.Shs.10,000/= . And the companies in Kenya whereby the President has been appointing the Chairmen and so on, this one here should be appointed by the millers themselves and then be confirmed by the Members of Parliament. Thank you.

Com. Lethome: Thank you very much Cleofas. Moses Nandasaba. Oh, mama, mama. Halafu mama wawili, kisha Moses Nandasaba yuko. Haya, Moses utafuata hawa akina mama wawili. Haya, mama sema jina lako halafu uendelee.

Victoria Muyekho: *Esie ndaloma lubukusu. Nitaongea Kibukusu.*

Com. Lethome: Our Bukusu translator. She is Victoria who?

Victoria Muyekho: *Esie ndikho nomalomanga nga mayi*

Translator: I am speaking as a mother.

Victoria Muyekho: *Bindi bibie embona khulondakhano nde tsiloni nitso sirikali ilananga*

Translator: According to the loans given by the Government.

Victoria Muyekho: *Bakhasakhulu befwe bano babukulanga nga emikundu nibatitirira tsiloni mana efwe khuli nende abaana engo*

Translator: Our husbands are taking title deeds as security for loans and yet we have children at home.

Victoria Muyekho: *Esie nga mayi nende abaana sindamanyirekho da*

Translator: Without consulting us.

Victoria Muyekho: *Nono ngababukula tsiloni tsola abundu bakhirwa khurunga*

Translator: And when they are unable to pay.

Victoria Muyekho: *Mala efwe khumiya nende abaana bakhwangata khubarabara khukorwa khucha waena ta*

Translator: We are thrown out of our land and thrown on the roads and we don't know where to go.

Victoria Muyekho: *Malanga khutsa wakhubolera bari khotsa khumasa khotsa wasubchief mala ngabakhurebewo somanyirekho nolia ota okhutsiba ta nono esie embola ndi ebindu biakhutirira kumukunda elino barusiekho*

Translator: I recommend that the question of taking title deeds as security be removed.

Victoria Muyekho: *Namwe kabali sibakhola barrio ta balanga a family yosi ibewo niye babukula omukunda okwo*

Translator: If that title deed has to be involved then the whole family should be involved before it is taken as a security.

Victoria Muyekho: *Sikira efwe kata khwola abwenowo aba ngesie nga mama khwira nga nelomaloma malaba omusakhulu wachira ta okorwa wetsile mutown mala efwe khukhwirwa oli ocha khubarebe bakhwikana nono efwe khutsa wayi*

Translator: When we are dumped into danger the man takes off and now as a mother I am left without anywhere to consult and nobody to go to.

Victoria Muyekho: *Halafu likhola khabiri esie ndikho nemanoma khulubeka lwa abaana befwe besikhana*

Translator: I am talking about our children – girl children.

Victoria Muyekho: *Abaana befwu basikhana balala khunyola khwebulwa mana khwalekha khwebula ne tsikhabi ta mala ngabatsa muchinju basacha batasisi ne khani mu family niye wamiremo olikho nende khumukunda khumulayi sefwe bandi serikali nganekholakha malaka kano ekhole eri abaana befwe bakhana boshi banyolakhasia ngawetsisi libosi ta.*

Translator: I am proposing that if our girls get a less fortunate marriage, they should come back and get a share in their original home however little it may be.

Victoria Muyekho: *Halafu babulirenge sa mayi balala bosu bali unfortunated khubera banyala bebula mala khwibulawo omwano omusolili ta bamayi benabo bosu ba be consider kho babakho ishare niye banyala babawo mupaka khunyangawe malirisia*

Translator: There are some mothers who may not be lucky to get boys, such a mother should also be considered to be given a portion that they may live on forever.

Victoria Muyekho: *Halafu lilondakho khulondakhane nende idawari esie nga mama ndamuchi khukhwe babukusu baninia tsikhafu tsakhira ta batsifu kumi na tatu ---- libe lilaka mbu nikhuli bari babungie tsikhafu tsibekho ngali tsikhafa munane nombakumi awo bakhayika ta*

Translator: I am recommending that dowry to be reduced to 8 or 7 animals.

Com. Lethome: Ngojeni wazee inaudible. Wacha mama azungumze. Haya endelea.

Victoria Muyekho: *Halafu kekhandi nikemberekho ninako*

Translator: The last one I have.

Victoria Muyekho: *Halafu limaririkha liamberekho nalio esie khulondakhana nende protection yefwe abandi befwu administration ---- balenjetanga khwamira khumakasa subchief assitant chief khubira olubekalwa malobanga nengachira khuloma ebindu bilala khumira nanga mala ne abaandu bana nibakhadiya khumanyira area niye wama ngalwamenyere namwa omenyere orie nata khunyala khwabona khunyanyasibwa lukali nono ne abandu bano esie mbayeresia pongezi endi bayendelea nende ikisi neyabwa eyo khubera banakhurukanga mungira ya khuloleshia nganomenyere Lundi nganoli lubeka khulondakhana nende efwe bamayi nende ifamily yefwe yokhuli ninayo.*

Translator: I am proposing that the Provincial Administration starting with the village elder to the chief because they are appointed with our problems they should continue that service, because without them we would have a lot of problems. They know our problems they have helped us, so they should continue.

Victoria Muyekho: *Halafu nimalirisia kabisa ndasaba ndi efwe bosu bakina mama bakhuwekho a ministry*

yakhalolereesie lubeka lweba bakina mama khuli nende butinyu bukali ata khubana befwe bakhana bali batiti khunyala khwanyola omwana bamukurwakho mala okhwirwa liaburura niye muche mwikhale mulomelome ebindu ebia bio esie siabange bakina mama bosu babekho nende ministry yabwe.

Translator: I am recommending that women get their own Ministry to address women problems especially the raping of girls and other issues, so that they can address those issues. That Ministry be known for women and deal with women affairs.

Victoria Muyekho: *Bulayi Muno*

Translator: Asante.

Com. Lethome: Ngoja kwanza. Swali kidogo. Kwanza mama kuhusu msichana ambaye hajaolewa kupewa shamba na baba yake, apewe ama asipewe? Au, msichana ambaye ameolewa halafu hiyo umesema akikosana na bwana yake akirudi nyumbani apewe, lakini nasema yule ambaye hajaolewa yuko pale nyumbani. Baba yake akifa wakati anagawia watoto wa kiume shamba ampatisie yule msichana ama asimpatisie?

Victoria Muyekho: Ampatisie.

Com. Lethome: Mtoto apatisie hata kama hajaolewa pale nyumbani.

Victoria Muyekho: Ndio.

Com. Lethome: Na kama ameolewa?

Victoria Muyekho: Kama ameolewa na anakaa vizuri hiyo hatushuguliki.

Com. Lethome: Okay, achukue huko kwa Bwana yake. Na kama Bwana ni maskini hana shamba?

Victoria Muyekho: Hiyo ni kuelewana na wazazi tu.

Com. Lethome: Aelewane na wazazi wake. Haya sawa. Na ungependa shamba title deed badala ya kuandikwa jina la mzee peke yake, iandikwe jina ya mzee na bibi yake pia ama namna gani?

Victoria Muyekho: Ningependa inandikwe jina la bwana yangu na watoto yake.

Com. Lethome: Na bibi?

Victoria Muyekho: Hata bibi lakini not very necessary. Ni watoto tu na baba yake.

Com. Lethome: Ngoja. Hii haitaki translation. Hii ni direct.

Victoria Muyekho: Inatakiwa tu watoto na baba yake.

Com. Lethome: Lakini sio bibi?

Victoria Muyekho: Sasa bibi anaingia namna gani? *Laughter.*

Com. Lethome: Okay, that's good. Tumesikia bibi akiwa amekosa nyumbani tumesikia maoni hapa inasema awe disciplined na bwana, bora tu asiumizwe. Si ndio? Una maoni gani wewe kuhusu hilo jambo na bwana akikosa discipline afanyiwe kitu gani?

Victoria Muyekho: Wamshtaki, atashtakiwa.

Com. Lethome: Na unakubali hiyo mambo ya mama kuwa disciplined na bwana? Kupigwa?

Victoria Muyekho: Hiyo mimi sitaki.

Com. Lethome: Haya asante mama. Enda ukajiandikishe jina hapo. Haya, yule mama mwingine karibu. Njoo tusikie maoni yako. Unataka kusema kitu, hebu mpatie aseme ile anataka kusema. Tumekuja kuzungumza na nyinyi na Walinywa tumekuja kuchukua maoni. Sasa wageni wakija kwa Wabukusu si Wabukusu mila yao ni wao ndio wanapatia wageni lunch? (Mai wange) Mimi ni mgeni ama si mgeni? (Nenya busuma). Haya sema jina halafu uendelee.

Irene Walubengo: Kwa majina ni Irene Walubengo.

Com. Lethome: Haya endelea Irene.

Irene Walubengo: Jambo la kwanza nataka kuongea juu ya masomo. Tunaona ya kwamba mtoto au mwanafunzi akimaliza kidato cha nne kama amefaulu kwenda kwa chuo kikuu yaani university hapo kuna pahali penye mwanafunzi anaruhusiwa kupewa loan na hapo Government ndio ilitoa hiyo kitu mwanafunzi kupewa loan ili aendelee na masomo yake. Na hapo inasaidia wale ambao hawajiwezi kuendelea na masomo yao. Lakini tunaonelea ya kwamba siku hizi kuna points ambazo

zimewekwa kama hujapata hizo points huwezi ingia katika chuo kikuu. Na kwa hivyo unaweza kosa ingine kwa chuo kikuu kama ulikuwa less by one point ama two points hivi. Na kwa hivyo hapo unaonelea hutaacha masomo lakini utajaribu ili uendelee kwa vyuo vingine kama polytechnic.

Sasa hapo mimi naona Katiba yenye inakuja pia loans zipewe wanafunzi wenye wanafua dafu kuingia vyuo vikuu kama polytechnic kwa sababu kuna wengine wenye hawajiwezi lakini walijaribu sana ili wafikie kile kiwango cha kuingia polytechnic.

Kwa hivyo naona kama hii Kenya kuna national polytechnics chache sana. Kwa hivyo mimi naonelea hizo polytechnics wapeane loans kwa wanafunzi wenye wamefaulu kuingia hapo.

La pili ni kuhusu introduction ya akina mama ama pia wababa. Unaona kama uko pahali wababa wanajitambulisha eti I am Mr. somebody halafu upande wa wamama kuna Mrs, Ms. na Miss. Sasa kwa hivyo unaona kama mwanamume ako tuseme 20 years anasema I am Mr. David somebody na hapo inamaanisha lakini mwanamke akiamka eti anajitambulisha anasema I am Miss or I am Mrs. Kwa hivyo hapo inamaanisha kwamba mwanamke huyo atajitambulisha na kwa kujitambulisha kwake itakuwa inaonyesha kwamba ameoleka ama hajaoleka.

Com. Lethome: Yaani anajulikana.

Irene Walubengo: Anajulikana hapo hapo, lakini mwanamume hatajulikana hapo hapo, kwa sababu yeye amesema tu I am Mr. na saa zingine ako 20 years na mwingine ako 50 ama 70 anasema I am Mr. Kwa hivyo mimi naonelea wanawake pia kama tunataka kujitambulisha tuseme tu kama mimi I am Irene Walubengo, tuseme tu I am Irene Walubengo sio Mrs ama Miss. Ibaki tu hivyo.

Com. Lethome: Jina la baba yako ama jina ya bwana?

Irene Walubengo: Hiyo niko naendelea ngoja kwanza. *Laughter.*

Com. Wambua: Endelea.

Irene Walubengo: Halafu tena sasa nakuja kwa hiyo upande wa jina la baba ama la mwanamume. Mimi naonelea wanawake hata kama umetoka kwa baba yako ukioleka kwa bwana ako utimize tu hilo jina la babako. Sitaki ile utumie la bwana yako. Natakikana kama mimi I am the daughter of Mr. Walubengo nibaki tu Irene Walubengo. Sitaki niende kwa pengine nioleke pahali pengine halafu nikiwa huko nibadilisha eti Mrs. Wafula. Hiyo ndiyo sitaki, kwa sababu leo kama hiyo ya kusema eti Mrs. Wafula, today I might be Mrs. Wafula but by 2004 I might be Mrs. Wanjala under sudden circumstances which can lead to divorce. Sasa hapo mimi naonelea kama mtu ameoleka aende tu huko, lakini jina tu la babake liendelee kutumia si la bwana yake.

Com. Lethome: Wasakhulu sikizeni mama anasema nini, maneno muhimu hii. Haya endelea.

Irene Walubengo: Halafu ya tatu vile walikuwa wanasema upande wa baba na mama kwa nyumba. Kama bibi amekosa ama eti bwana ampee punishment na je bwana naye atapewa punishment na nani?

Com. Lethome: Wewe unapendekeza nini?

Irene Walubengo: Mimi naonelea bwana kama bibi amekosa anaweza pewa punishment lakini unajua kuna different punishments. Unaweza mpea punishment kwa pengine kama alikuwa amefanya kosa kidogo hapo huwezi ukampiga. Hapo unamgombeza tu and that will also be a punishment. Lakini mimi siruhusu bibi apigwe eti kwa sababu amekosa. Kama jambo ni kidogo ni kuelewana tu kama bibi na bwana halafu muendelee kuishi. Lakini kama bwana pia amekosa si eti lazima umpeleke mbele, kwa sababu saa zingine bwana yaani kuna makosa ingine it is just a habit yeye kufanya hivyo. Sasa kama kosa kama hilo si eti lazima umpeleke mbele inatakikana pia yeye.

Com. Wambua: Makosa kama gani mama?

Irene Walubengo: Wacha niseme kama kila siku bwana amezoea tu kuja nyumbani kama amelewa anaanza kugombanisha. Hiyo ni routine kwamba kila siku huyo bwana yako huwa anakunywa pombe. Sasa si eti kila siku tutakuwa tunapeleka report huko mbele eti sijui amefanya hivi, kwani uta-report mpaka saa ngapi? Sasa pia sisi wanawake tukae chini halafu tuambie wanaume wakawache tabia kama hizo. Na hapo wanawake namuomba msiseme tu eti bwana akikosa umpeleke mbele, pia wewe una uhuru ama una freedom ya kuambia aache hii kitu ama asiache.

Com. Lethome: Makosa kidogo asikupige, na makosa kubwa?

Irene Walubengo: Makosa kubwa, kama ni kubwa anaweza peleka mbele. Kama vile amemchapa halafu amemuumiza anaweza m-report.

Com. Lethome: Ngoja. I don't know why you are avoiding this, umesema bibi akiwa amekosea makosa kidogo hakuna haja ya yeye kupigwa na bwana. Si ndio? Amgombeze tu hiyo ni punishment inatosha, si ndio? Makosa kidogo kama kuvunja vunja vikombe nyumbani ama sima amepika haijaiva vizuri. Hiyo ni makosa kidogo, si ndio? Na anayefanya makosa kubwa je, bwana afanye nini?

Irene Walubengo: Mimi naonelea hakuna kuchapwa lakini ile tu kumuambia maneno halafu asikie, lakini kupigwa itolewe.

Com. Lethome: Kabisa.

Irene Walubengo: Ndio.

Com. Wambua: Na akina mama wasipige mabwana.

Irene Walubengo: Naona yaani wasipigane, ni mambo ya kuelewana tu kwa nyumba. Halafu point ingine ni kuhusu transfer. Wacha niseme kama pengine bwana amejiriwa kazi na serikali, sasa naona kama mtu ako Western – wote walikuwa wanakaa Western pamoja na bibi na bibi pia amejiriwa kazi na serikali, sasa naona kama bwana anapelekwa transfer maybe aende huko Central. Mimi naonelea kwa hii Katiba inakuja kama bwana anapelekwa transfer huko Central naona bibi pia, she has to be considered ili waende wakae pamoja na bwana yake – asiachwe nyumbani. Wapelekwe pahali pamoja.

Halafu point ingine ni kuhusu dowry. Mimi naonelea ya kwamba hii mahari inatakikana ilipwe, kwa sababu wazazi wengi huwa wanafundisha watoto wasichana. Sasa kwa mfano, mimi najua tu dowry italipwa kwangu kwa sababu I know my father is really investing in me, kwa hivyo inatakikana apate mahari sana. Na inatakikana ilipwe kulingana na kiwango cha elimu.

Com. Lethome: Kiwango cha elimu. Form four alipwe ngapi?

Irene Walubengo: Form four walipwe minimum of 8.

Com. Lethome: Class eight?

Irene Walubengo: Class eight – tatu.

Com. Lethome: Yule hajasoma kabisa.

Irene Walubengo: Mwenye hajasoma? Wampelekee mbili kama shukrani.

Com. Lethome: University graduates?

Irene Walubengo: University minimum ikuwe eight.

Com. Lethome: Ngoja, form four ndiyo umeanzia na eight. Class eight – tatu si ndio? Sasa msichana ambaye ni graduate alipiwe ngapi?

Irene Walubengo: Ambaye ame-graduate minimum ikuwe 10. Sasa ilipwe kulingana na masomo. Point ya mwisho ni kuhusu title deeds. Mimi naonelea kama mna title deed mimi naonelea jina la bibi na bwana lazima likuwe kwa hiyo title deed, kila mtu a-sign.

Com. Lethome: Swali langu ni hili, kuhusu msichana kurithi shamba kutoka kwa baba yake. Una maoni gani?

Irene Walubengo: Mimi naonelea msichana pia anatakikana arithi hilo shamba.

Com. Lethome: Whether married or not married ama?

Irene Walubengo: Ndio, whether married or not married. Kwa sababu hata kama huyo, hata kama huyo msichana ameoleka, pengine kama nafanya kazi anaweza kuwa anatoa huko pesa, halafu anakuja kueneza hilo shamba lenye alipewa nyumbani, hatalisahau sana. Lakini ni ile tu vile watu wamesema ati, ni ile tu wasichana hatupewi shamba, that is why we can forget our family. Na kwa hivyo, tukipewa shamba, hatutawasahau, tutakuwa tunarudi nyumbani tukiwainua.

Com. Lethome: Haya asante sana, ujiandikishe pale, Irene.

Haya kuna mwalimu, there is a teacher who has to go back and teach our children in school, Mwalimu Nahashon? He is also a teacher like you. That is Moses?

Amos Nandabasa: It is Amos, not Moses.

Com. Lethome: Nandasaba?

Amos Nandabasa: Yes.

Com. Lethome: From Teremi High School.

Amos Nandabasa: Yes.

Com. Lethome: Okay that is fine, it is written here, endelea mwalimu.

Amos Nandabasa: Nawashukuru kwa kunipa nafasi hii, hili niweze kupendekeza maoni yangu.

Amos Nandabasa: Kwanza kabisa, (**Interjection**)

Com. Lethome: Jina, jina, you have to repeat your name for the record.

Amos Nandabasa: My names are Amos Nandasaba.

Kwanza kabisa, ningependa kutoa hisani yangu kuhusu nguvu na uwezo wa raisi. Ningependa, raisi wa Kenya, apewe mamlaka ya kuwaadhibu kwa bakora, kufuta kazi, na kuwanyanganya mali mawaziri, manaibu wa mawaziri, maafisa wakuu walioteuliwa kama vile wasimamizi wa vyuo vikuu. Na, watu wa ukoo wake wanaoshiriki katika wizi wa mali ya uma, ufiada na unyanyasaji wa wananchi wa kawaida. Adhabu yenyewe inatajikana ipewe mbele ya umma. Hivi ni kwa sababu hatutaki watu wanaoiba bilioni za umma kupelekwa kortini, na mwishowe kuzigawanya na mahakimu, huku wananchi wa kawaida wakitaabika kulipa kodi.

Pendekezo la pili; kuhusu nguvu ya rais ni kuwa rais ashirikiane na wananchi kuamua mshahara wa Mbunge. Hivi sasa, tunapata kuwa, Mbunge baada ya kuchaguliwa, anaenda Bungeni na kuanza kupigania masilahi yake pekee. Na kitu ambacho kinapewa kipa umbele na huyu Mbunge ni kujinufaisha kwa kulipwa mshahara mnono. Kwa vile rais ndiye alichaguliwa na wananchi wote kutoka pembe zote za nchi, yeye ashirikiane na wananchi kwa kupata maoni kutoka kwao. Wajue Mbunge anapata mshahara, wa kiwango gani.

Pendekezo la mwisho, kuhusu nguvu ya rais, nataka hivi: rais anayeshindwa kutekeleza wajibu wake, kama vile kukomesha ufiada, na kufufua uchumi, ang'atuke uongozini kwa hiari, au kama hatafanya hivyo, mswada wa kutokuwa na imani naye uwasilishe Bungeni, halafu ang'olewe uongozini.

Maoni yangu ya katika sehemu ya pili, nataka nitoe kuhusu tume ya kuajiri walimu. Tume ya kuajiri walimu inaendeleza sheria za kikoloni na ubaguzi. Kwa mfano tukiangalia jinsi inavyojiri waalimu wa secondary, tunapata kuwa inawaajiri tu waalimu wa Kingereza, Science na hesabu. Na ilhali kuna waalimu wengine wa masomo mengine ambao wamehitimu kama kususa na wale wa lugha ya Kiswahili. Tunapata kwamba shule nyingi hazina waalimu wa Kiswahili, lakini hawataki kuwaajiri. Wanawabagua kwa kusema kwamba waalimu wa Science, Hesabu na Kingereza pekee ndio wanakufa na kustaafu. Na tunaona kwamba maoni kama hayo hayana maana yoyote. Ni ya uongo, sasa wanaendelea uongo.

Na tena, tunapata kwamba tume hiyo inagandamiza lugha ya Kiswahili, ambayo ndio lugha ya kitaifa. Na kwa hayo, ningependekeza hivi, serikali ibuni taasisi ambayo itashughulikia kukuza, kueneza, na kufanya utafiti kuhusu kuendelea wa lugha hii.

Kitu cha mwisho ningependa kuzungumzia kuhusu siku za kitaifa. Sitaki kila rais ambaye anaingia uongozini, abuni siku yake ya kitaifa. Kwa mfano siku kama siku kuu ya rais Moi, tunaona kama kwa sisi kama Wakenya, haina manufaa yoyote. Tunataka

siku kuu kama ile ya Kenyatta, iwe siku kuu ya mashujaa wa Kiafrika. Kwa sababu mimi huenda simpendi Kenyatta au Moi, na ninampenda rais Mandela. Sasa, hata mimi nipewe nafasi ile ya kusherehekea. Wasiseme tu Kenyatta au Moi. Ama mimi nampenda Dedan Kimathi, na simpendi Moi, hata mimi nitasherehekea kwa siku hiyo ya mashujaa wa Kiafrika.

Na tena kwa siku ile ya mashujaa wa Kiafrika, nataka nipendekeze kwamba, iwe inatumiwa kuwaadhibu wale ambao wanaeneza ufasidi na unyanyasi nchini. Na rais wa nchi, ndiye anatakikana kuwaadhibu.

Halafu mwisho kabisa, (**Interjection**)

Com. Lethome: Umesema kwa mara tatu point ya mwisho.

Amos Nandasaba: Ooh, yaani nimeyapanga maoni yangu kwa awamu tofauti tofauti. Sasa yale ni mwisho kwa sehemu moja, na mwisho sehemu nyingine, na mwisho sasa hii nakuja kwa mwisho wa sehemu ya mwisho.

Nataka kupendekeza tena kuhusu urithi wa mashamba. Tunapata kwamba shida ya ugawanyaji wa mashamba imekumba wananchi wengi. Na ningependa hivi; kuna wananchi ambao wana mashamba makubwa, na hata hawajui namna ya kuyatumia. Ningependekeza kwamba, serikali ipewe mamlaka ya kunyakuwa mashamba kama hayo ambayo hayatumwiwi, ili iweze kugawia wananchi ambao wanaweza kuyatumia.

Pia kuna wazazi wengi ambao wanakatalia mashamba hadi kifo chao. Na ningependa kupendekeza kwamba, umri wa kumgawia kijana shamba uwekwe. Na nataka iwe baada ya kufanya mtihani wa Kidato cha nne. Iwe kati ya wakati ambapo amefanya mtihani wa kidato cha nne na kabla ya kuoa, ama kuolewa.

Com. Lethome: Msichana, kijana kuoa au kuolewa.

Amos Nandasaba: Kuoa au kuolewa.

Nawashukuru kwa kunipa nafasi hii kupendekeza maoni yangu.

Com. Lethome: Mwalimu nina swali moja tu. Umelalamika kuhusu namna tume ya kuajiri waalimu inavyofanya abaguzi katika kuajiri. Sasa kwa mfano, wewe ikiwa ni mwalimu na umeona kuwa umenyanyaswa na tume hiyo kwa sasa, kuna chombo chochote, au kuna mahali popote ambapo unaweza kwenda kulalamika? Kama hakuna, unapendekeza nini? Is there a forum which you can go and complain or T.S.C's final. Whatever Benjamin Sogomo decides, is that final or can you go and complain elsewhere?

Amos Nandasaba: Kwa wakati wa sasa, naona kwamba, hata ukitoa maoni , hayatazingatiwa.

Com. Lethome: Hapa sisi tutazingatia maoni yako.

Amos Nandasaba: Ndio kwa sasa, lakini nataka hivi, sheria pia ipitishwe, na wale ambao, ama taasisi ambazo hazitiliwi maanani, yale maoni ambayo wananchi wanatoa. Mkubwa wake (**Interjection**)

Com. Lethome: Kwa nini unakuja kwa ujumla, swali langu sio la kijumla, swali langu ni hasa kuhusu malalamishi yako wewe mwalimu kuhusu tume ya uwajiri wa waalimu. Do you have any place where you can go and complain against T.S.C or not?

Amos Nandasaba: Right now it is not there.

Com. Lethome: What will you recommend? Would you want T.S.C to remain as the final, or what?

Amos Nandasaba: No.

Com. Lethome: What do you recommend?

Com. Wambua: Do you want a system of appeal?

Amos Nandasaba: Yes we should have a sytem of appeal in

Com. Wambua Where now? Maybe you are not happy with their decision, what do you propose?

Amos Nandasaba: I want us to us to do this, to be given power to sue.

Com. Lethome: T.S.C?

Amos Nandasaba: To sue the T.S.C.

Com. Lethome: Okay, thank you mwalimu and register, can we have Mwalimu Nahashon Maasai, say your name and then go on.

Nahashon Maasai: Naitwa Nahashon Maasai. Napiga asante kunipa nafasi hii. Maoni yangu yatakuwa juu ya vitu vinne hivi.

Ya kwanza ni juu ya ardhi or land. Najua wengi pengine wamezungumzia hili jambo la land. Nahashon Maasai, my names are Nahashon Maasai.

Com. Lethome: Okay we have recorded.

Nahashon Maasai: Okay.

Narudia nyuma kidogo, kukumbuka yale yaliyosemwa na mzee hayati, ya kwamba, kama tumenyakuwa uhuru, kitu kubwa ambacho Wakenya watakuwa wanapigania ni vitu vitatu. Hayo ni illiteracy, umasikini na ugonjwa. Na kwa hayo matatu, mimi nimeonelea kwamba, kitu kubwa sana cha kuondoa umasikini, ambao hata unakula nchi yetu ya Kenya kwa sasa, ni ardhi.

Nataka kusema ya kwamba, mtu ambaye ako kwa nchi yake ambayo imepata uhuru, kama tunataka kusaidia yeye vizuri, ni awe na haki ya kumiliki ardhi. Awe na haki ya kumiliki ardhi, hili aweze kujikakamua.

Ninajua ya kwamba, hata wengi wanajua kwamba hapa Kenya kwetu, rais wetu Moi, ama rais mwingine, huwa na uwezo wa kupeana shamba. Na mimi nimeonelea ya kwamba huwa anapeana shamba kwa watu ambao wanajiweza. Amewahi kupeana shamba kwa watu wakubwa, pengine kwa serikali yake, zaidi ya elfu moja, iwe zawadi. Ona, mtu huyo, kama amekuwa P.S ama alikuwa Major, na ndio huyo amepewa 1,000 acres of land. And he earns a big salary, very big salary but he is worth that much, or he can even be by more than that land. Na tuko na mtu mwingine somewhere, who doesn't have a point. Unaona? So, how is this particular person going to survive?

I recommend that the President should not have that power.

Kitu ya ardhi iwe, kuwe na special commission on land. Tuwe na special commission on land, to study who is in need of land.

Na mambo ya President kuwa na mamlaka ya ardhi na kupeana watu ambao wanafaidika (**Interjection**).

Com. Lethome: Do not repeat, do not repeat.

Nahashon Maasai: Thank you, nafikiri mmenisikia hapo vizuri, asante.

The second point is on forestry; forestry in Kenya helps us a lot. First and foremost about forest is that, they help bring us rainfall.

Com. Lethome: What do you recommend about it?

Nahashon Maasai: I recommend that, tuwe na commission maalum, which should control our Kenyan forests, so that our country doesn't become a desert. Tusiwe na mtu binafsi, awe na mamlaka ya forest, yaani, to clear our forests anyhowly. Kama juzi tulisikia Mzee wetu mpendwa Biwott, alivyonyakuwa forest on the other side.

Com. Lethome: So forests to be protected.

Nahashon Maasai: To be protected.

Com. Lethome: Another point?

Nahashon Maasai: Asante.

Nakuja juu ya waheshimiwa wetu, Members of Parliament. MPs are very bad people to a common man. Na wengi wa waheshimiwa hao, huwa wanaingia Bunge na hawakuji tena nyumbanii. I am recommending that every MP should be elected from a Constituency, awe anafungua office maalum within the divisional head quarters of this constituency.

Kama hapa kwetu Sirisia, MP wetu awe na office maalum na siku maalum, hapa Chwele. MP wetu awe na office maalum hapa Sirisia division, anaserve watu wake wampate raisi. MP wetu awe na office huko Malakisi, awe na Nalondo. And specific time when people should go and meet him there. Si mtu kutembea kutafuta MP wake Nairobi, ama nyumbani kwake.

Mwisho, promotion ya civil servants. Civil servants, tuwe na sheria maalum ya kufuata, kulingana na promotion, kulingana na masomo na experience ya mtu. Hii mambo ya haphazard promotion, ndio sisi tunalalamika sana. Watu wamesoma, na mwingine hajasoma vizuri, na ako high grade. Nasema, kupitia kwa Public Service Commission, wawe na sheria maalum, na wote tuwe na haki sawa, of being promoted.

Com. Lethome: On merit?

Nahashon Maasai: On merit. Asante.

Com. Bishop Njoroge: Nani atahusika na protection of forestry? In some places we have heard that the local community should be the one charged with the responsibility to conserve forest, and the reason being that those who are posted to these areas as Forest Officers have no interest of the local community at large. What do you propose? I know you have mentioned

about protection or preservation of forest, do you have any specific proposal that who should take the responsibility, is it the Government or the local authorities, or the local community?

Nahashon Maasai: Most of the Africans are not mature enough. I think in Kenya by now, let us just have a special commission set by the Government, and to care for these particular forests, but the local community cannot manage.

Com. Lethome: Thank you Mwalimu, sasa tutampata, thank you, just register your name. Mukhandia Hamsini yuko? Halafu atafuatwa na Mwalimu mwingine, Johstone, what is the second name Mwalimu, Nyongesa, utakuja hapa. Unajua we are giving you special consideration, because of our children. Jina lako?

Jonathan Mukhandia: Jina langu naitwa Charles Jonathan Mukhandia Khamusini.

Com. Lethome: Khamusini?

Jonathan Mukhandia: Khamusini please.

Com. Lethome: Sini?

Jonathan Mukhandia: Yes, please.

I have got views here which I want to present before the commission or the chairman of the commission, and maybe to be noted, so that they will help me or to help others who will come and they will be going ahead with life to do this.

Ya kwanza, kivyangu mimi nimeonelea Kenya to have what we call Upper and Lower Houses, so that, tunaweza kuendelea vizuri, na Government yetu. Ninasema hivyo, kabla sisi hatujaanza kuwa kama, kama hatujakuwa na democracy, tulikuwa na hizo, lakini zimekuja sasa zimelegea kidogo. So, I feel, we should have that idea, and maybe get used to the coming Government of Kenya.

Two, I feel we Kenyans are having the President, where by he is having a lot of privileges and we feel as we Kenyans, whoever will come as a President, must be literate on the side of privilege or power.

Number three; I feel we Kenyans, we can have few parties in Kenya, say we have coalition Government. (**Interjection**)

Com. Lethome: How many parties do you recommend?

Jonathan Mukhandia: I recommend one to three.

Number four, I feel, we are Kenyans we having what we call prisons, and by doing so, we should have improvement and we consider people taken to prison as people like ourselves.

One; when one is taken to prison, or maybe when he has been charged, he is a man, she is a woman, and we feel, if a man has maybe got imprisonment, we feel also the wife be meeting as different sexes. By doing so, we shall discourage some maybe outside movement. By doing so, I feel or we feel, the Government must have some special houses, when a partner of that prisoner feels to see the husband, she has the right to go there, and meet with the husband, and afterwards she goes home.

Also I feel, on the side of maybe administration; we should have fair administration. By doing so, I feel the lowest administrative unit maybe the Assistant Chief, Chiefs, must be voted from the people, from their areas, by maybe lining or using votes, or secret ballot. That will be fair enough because me, I would know that he is fit.

Say, he cannot get it and I have got it, and there will be something to sema wewe, hivi na hivi na hivi. So I feel, we should have queing behind your back and we count the numbers.

Also, there is another thing that I feel, the salary of the MPs, Assistant Ministers and Ministers, Permanent Secretaries, is too high. I mean quality too high. I say so because, getting an MP maybe his or her salary consist Bungoma District Teachers.

Com. Lethome: What do you recommend?

Jonathan Mukhandia: I recommend to be lowered.

Com. Lethome: Okay,

Com. Wambua: You know how much the P.S's earn?

Jonathan Mukhandia: It is almost a million.

Com. Wambua: Around 80,000/= shillings salary.

Jonathan Mukhandia: Well, but that is a bit high because, suppose he earns 98,000/= shillings, and me here I am a principal maybe a teacher, I earn maybe 30,000/=, there is a big difference.

Com. Wambua: Inaudible.

Jonathan Mukhandia: Yes, please.

Com. Lethome: Point taken, will be reviewed, go on.

Jonathan Mukhandia: Aside of maybe appointing Ministers and Assistant Ministers, me personally I feel it is not wise enough, because we are having some congestion of Ministers and Assistant Ministers in the same same areas, while other districts, other constituencies, have no single Minister of Assistant Minister and I feel we should have to share that.

Com. Lethome: Equitable distribution of Ministers?

Jonathan Mukhandia: Pardon Sir?

Com. Lethome: Equitable distribution.

Jonathan Mukhandia: I think that is the thing I feel.

Com. Lethome: Something else, and then that must be the last minute now.

Jonathan Mukhandia: There is another thing that I feel, this is maybe retire. You can get a person being a boss, or having a high post in the Government, and when he retires, still he will be recalled back to serve or to lead a certain either department of whatever. (**Interjection**)

Com. Lethome: So you recommend after retirement, no more appointments?

Jonathan Mukhandia: No, there are two things, I recommend this way. We should also have the lower civil servants who have left, must also be be considered. Because if I have been working in the Government, I have been earning little money, and he has been earning higher the highest and be considered again, that is very unfair to the Government.

Retrenchment; retrenchment must be at least done to those ones who have maybe worked more than 45 years and above rather than a person who has maybe finished schooling and maybe graduated one, two years.

Com. Lethome: Worked for 45 years, or the age 45?

Jonathan Mukhandia: Who has, just a moment. Those ones who have got an age of 45 and above. I say so because, (

Interjection)

Com. Lethome: No don't go into the details, there are about 200 people who are waiting to speak.

Jonathan Mukhandia: Yes Sir.

And the other thing is recruitment. This is maybe when we are recruiting teachers, maybe forces and whatever. There is this tendency of maybe whoever is recruiting, they want a lot of money so that they take your son or your daughter to join maybe the team. And by doing so, some of us who don't have maybe money, we are losing we are having children at home. Because, I remember, few days ago, **(Interjection)**

Com. Lethome: Recommend, what do you recommend?

Jonathan Mukhandia: I recommend, this must be restricted enough that when the officers or the people concerned, should be fair enough when they are doing the recruitment of this.

Com. Lethome: You wind up so that we give somebody else a chance.

Jonathan Mukhandia: Okay, I think we are having a problem is some of the Provinces or district rather, by doing so or by saying so, we are having a problem of maybe in Kenya, we are having a number of universities, whereby they are congested at one place.

Com. Lethome: What do you recommend?

Jonathan Mukhandia: I recommend to be scattered or to be utilized, or to be equalized at least in every Province or in every district. I think that is the much I have to say. Thanks a lot.

Com. Lethome: Hand over your memorandum, can we have Mwalimu Johnstone. And please, it is now going to three, just go to the point. Because we have about 200 people who still want to speak.

Johnstone Nyongesa: Well my names are Johnstone Nyongesa, and these are my recommendations;

One; on health, I do recommend that there should be free medical services to children who are 14 and below, not cost sharing. Even the disabled, all those who are disabled should get free medical attention.

Also, I want the Government to set aside a special kitty to cater for Aids patients. Because this is a disaster and we have to have a special kitty.

And on agriculture, I would wish to recommend that the inputs should be tax-free, the inputs and machinery, because we want to boost our economy and agriculture is basic to our economy.

And as far as education is concerned;

One; mid level colleges, should also be given a provision of loans.

And when it comes to recruitment of teachers, I am recommending that teachers who have been qualified in all the colleges should be employed rather than being subjected to further interviews, because they have already qualified in colleges, and therefore, they should just be employed directly other than going through what we are seeing at the moment.

When it comes to the judiciary, the Chief Justice, I recommend that, should be appointed by the parliament, not the President.

On Electoral Commission: the Electoral Commission as it is, should be nominated or appointed by all the political parties, other than the ruling party.

On the national assembly: the people, registered voters in a particular constituency, I recommend, they should be given powers at least by two thirds of registered voters, to recall back an MP who is not performing. Two thirds of registered voters, if they pass a vote of no confidence, then such a member should be called back.

On constitutional review: Constitution be reviewed after every ten years. And I recommend strongly, that this commission should continue, it should not be abandoned or dissolved after this exercise.

On the same; that enough money should be set aside for the review exercise, so that those who even provide civic education should be paid. So far, some people have not even been paid in Bungoma here.

Then, lastly but not least; that land is very important, and that the usage of land should be vested upon the community. The community should determine the usage of land. But should there be any useful resource that is important to the nation, then the Government can consult with the community first. If they would want to utilize, and the community should be able to give consent. Thank you very much.

Com. Lethome: Thank you, just a minute, there is a question for you.

Com. Wambua: I think I want to ask Bw. Nyongesa as a teacher, this process of the so-called in-service programme for teachers, which results in promotions. I think you are familiar, more familiar than me, is it a satisfactory system, and is there anything which should be done to improve the process? I am asking this because you have said that those teachers who have qualified should be employed without further interviews, and that presupposes that these are the ones who are trained in colleges. What about those who are employed before they are trained, the so-called UTs, who are still there in the system, what do we do with them? Do they get trained, and in what form?

Johnstone Nyongesa: Thank you so much, the serving teachers, and I am very particular to this, the serving teachers can only be subjected to further interview if they are only going to be promoted. But those who have not been employed, and have been trained in a given college, should not be subjected to any interview.

Com. Lethome: Can we have Mr. Isaac Wekesa, I called you but you were not in, I didn't skip your name. I called your name you were not here. Okay, go on anyway, it is not an issue now.

Isaac Wekesa: Thank you very much Sir, I am called Isaac Wekesa, I don't have a written paper, but I am going to contribute.

Now, there is a customary law, which you being lawyers, I want it to be written in our laws. Wazee have contributed here on a married woman. Customarily, we have some laws that a cow is slaughtered and it confirms that a woman belongs to me. Now, after that customary rites have been done, those rites, that then becomes your wife and someone tampering with her, I can be sued in court and according to our customs that person can be charged for it.

Unfortunately in law, that will not stand very strong because, according to if it is customary law, when you marry, you marry through church and certificate is given, or through the D.Cs office, and certificate is given. But in our customary laws nothing is written. So, in my contribution here I wanted such customs which takes prominence in our marriage, you go to the Chief to certify when such rites have been done and a certificate to be given by the Chief, so that this cannot be repugnant against the written law.

Com. Lethome: What you are suggesting is that customary marriage should also be registered?

Isaac Wekesa: Must be registered in the Chief's office and certificate given, so that it doesn't become a repugnant with the written law.

Com. Wambua: What about this point of the person who interferes with the wife, what proposal are you making? We have

understood that your proposal is that customary law should be recognized as a marriage, and a certificate given. What about this person you mentioned when he interferes, do you want to say anything about it, and what proposal do you have?

Isaac Wekesa: Now, for such a person then, I will put him before the court and he is charged for messing about with my wife.

Com. Wambua: In the same court?

Isaac Wekesa: In the same court, because I have got a certificate giving me the right, through the customary law, that this one is my wife.

Com. Wambua: Well, currently we don't have such a law, we don't have a law where you can have somebody charged with the offence of taking away your wife, stealing a wife. So, what you are proposing is that, that right given by customary law which used to be there, I believe in the Bukusu tradition, if you take somebody's wife you are charged in a court before elders and you are fined. You are saying that should also be recognized?

Isaac Wekesa: Should now be recognized because, normally.

Com. Lethome: It is okay mzee, I think we have understood.

Isaac Wekesa: Now, let me come to the questionnaires which you brought to us on the amendments of the law. My colleagues, I am not going to repeat much on what my friends have talked here, because of time. Now, the two thirds majority passed in parliament on amending the law, it should not just be finished with the parliament. Such amendments when recommended by the parliament, should just come to the referendum again, come to us down here and you people who have been working on accepting these views can continue helping us, so that we can change any Constitution. But, amendments after we have done here, they should not be done quite a lot.

Now, secondly on the amendments Sir, I should wish to say that when we amend the law, it has eluded me, let me go on, maybe I will come back to it later.

Now, on the structure of the Government, I wanted to look at the presidency as a symbol of leadership in this country. I wanted to put my views, which are a little bit different from what my colleagues have given.

Now, I wanted the Government to have a President, and a President with power. And this President should work with the jury, the lawyers, and the lawyers should be mature of not less than 65 years.

Now, the Government should have the parties, and the parties should not be more than four, as my colleagues said, and should have the Prime Minister. But the work of the Prime Minister should be silent. The President should be more important than a prime minister, with the jury. So that these people will be supervising on any bribery and other messes which are done, which have been happening with our present Government. That is my view. And this is the type of President of France.

Now, secondly, I wanted to look at the MPs and the Ministers. The Prime Minister in power will appoint Ministers and these Ministers should go with the qualification of the type of work they are appointed for. Say you are a lawyer sirs, if they appoint you as a Minister or Permanent Secretary in the Ministry of Medicine, I don't think you will perform. It will be difficult. So, when they appoint this Minister, they should go with the qualifications which qualify them in the particular areas, where they are going to serve.

Now, I wanted also to get to public corporations, there has not been many talk about the public corporations, so I wanted to say something about them, parastatals.

Unfortunately, these ones have been falling because the ministers have not been competent, and ministers in various areas have not been competent. And my recommendation is, that such people should now be prosecuted, according to my presentaion. Such people ought to be prosecuted.

Com. Lethome: You have a minute Wekesa.

Isaac Wekesa: And the last one, the last one is on the local Government, because nothing has been talked about them, I wanted to contribute something about them.

Com. Lethome: Go ahead.

Isaac Wekesa: Now, on the local Government, money should be given to local Governments, to administer on the activities pertaining to the local areas, as it used to be done previously on roads, housing, education and so on.

And Municipalities also be given time to promote their activities in the areas where they exist.

Now, I think that is about all that I would contribute.

Com. Lethome: A question from Commissioner

Com. Wambua: Not a question but an observation. If you have proposal finds favour on the jury, none of these Commissioners here will be appointed, because we do not qualify.

Isaac Wekesa: On the jury, on the jury I said you will be there, because of the **(Interjection)**

Com. Wambua: Because of the age, you proposed 60 years and above.

Isaac Wekesa: No, not one of you will be qualified. I never said it, but I know you don't qualify to stand on that jury. Thank you very much.

Com. Lethome: Now, we have another Chief, Mr. Wanguto George, George Wanguto, he has taken off, thank you Bw. Chief, we will give that position to somebody else. Wycliffe Kisuya, karibia hapa, na sasa tutaenda mbio mbio sasa. Na afuatwe na Wycliffe Tembula, Tembula yuko? Wycliffe Tembula, hayuko. Atafuatwa na, ngoja tupate watu vile watafuatana mbio mbio. Peter Wasike, Wasike? Haya Wasike utamfuata huyu mzee, sawa? Haya tufuatane hivyo. Joseph Mutaki, okay, Mzee utafuata wasakhulu wawili hapa. Haya.

Wycliffe Kisuya: Asante sana, mimi ni Wycliffe Kisuya. Na kitu cha kwanza kabisa ningependa kuchangia, ni kwamba Katiba yetu izingatie huyu mtu wa katikati sana. Sababu, saa hizi Kenya yetu imesahau huyu mtu, na ndio tatizo kubwa. Naye ni kijana. From 20 years to 35 years. Yeye ndio ako na matatizo mengi sana, na wamemsahau, wampe nafasi akapate kuchangia maswala ambayo yanahusu vijana. Hasa, hata wakati huu, wakati tunakuwa na mkutano wowote, hata kama huu wa National AIDS Control Committee, huwezi kupata kijana kule, lakini tunaona ya kwamba vijana ndio wako wanatatizika na huu ugonjwa sana. Sasa naona ya kwamba, vijana wapewe nafasi, vile vile kama vile akina mama walipewe nafasi ya kuhold conferences zao kuhusu maswala ya maisha yao.

Kazi; vijana vile vile, waangaliwe. Wakitoka chuo, serikali yetu ikapate kujua hao vijana wanaenda kukaa namna gani. Wajue wangapi, nafasi ngapi hao vijana wataajiriwa, na wangapi hawataajiriwa na watakaa namna gani.

Vile vile vijana wakapate kuwa na maswala kutoka areas zao mpaka kwa nation. Ili tuone hata hivi, tuone ya kwamba hata hizi works ambazo zinatatiza jamii, vijana wakapate kujua vile watatua hiyo shida, maisha ya baadaye. Sababu tunaona ya kwamba wakati huu, wazee wanazingatia kimila, na vijana nao hawawezi kuingia katika kimila sababu hawana mali, hawana mashamba, hawana jinsi vile wataishi. **(Interjection)**

Com. Lethome: Unapendekeza nini sasa?

Wycliffe Kisuya: Vijana wawe na nafasi, wapewe nafasi ya kufanya mikutano ya kutatua, kuongelea maswala ya kuwahusu

maisha yao.

Ningependa kuchangia tena kwa hawa wakulima. Wakulima ndio wako na shida sana, na ningependa kusema ya kwamba, serikali ikapate kudhamini mkulima, iwapo mali yake imeharibika kama wakati huu wa mvua ya el nino. Mkulima alipwe na serikali, sababu atakuwa ameweka mali yake katika hiyo ukulima, kama ni ng'ombe au mifugo wamekufa apate kulipwa ili akapate kuwa established na maisha yake.

Nitaongelea juu ya implementations, ama development. Serikali ama nchi yetu, iwe na ratiba ya kupangia jinsi vile itafanya maendeleo katika nchi yetu. Si ati kuona ya kwamba, nchi hii, kama chama cha kitawala kama ndicho kina uwezo, lazima wafanye katika area ya mtu ambaye ako katika chama tawala. Lazima aone ya kwamba kama huku Western, inatakikana kama stima kila mahali, waweke kila mahali. Kama tarmac roads ziwekwe kila mahali. Kama universities ziwekwe vile vile. Si ati waone kama inaunga chama tawala ama hapana, wasiweke huko.

Nitaongelea juu ya three arms of the Government. Hizi lazima ziwe tofauti kabisa separate kabisa zisiwe interfered by the President. Kila sehemu iwe na jukumu lake la kufanya.

Na tuwe na office ya ombudsman, mtu ako neutral, ambaye anaona hivi viwango vitatu vinafanya kazi sawa sawa ama la, ombudsman office.

Nitaongelea juu tena ya freedom of worship, hii imeleta shida sana. Watu wetu wamekuwa sacrifices za watu wengine ili wajipatie mali. Tuone ya kwamba serikali yetu ama katiba iseme ya kwamba, iwapo kanisa lolote ama dini yoyote inaenda kubuniwa, lazima iwasilishe masharti yake ya kuumini, ama ya kufanya worship. Lakini tusiwe tu na kila mtu anatokezea tu anaanza kuchinja watu, anaanza kufanya nini ati hiyo ni sacrifice na hiyo ni freedom of worship.

Com. Lethome: Mzee maliza sasa.

Wycliff Kisuya: Ningependa kuongea juu ya Chiefs, Mayors, Councillors should be voted for, hao lazima wapigiwe kura.

Na tuwe na watu kama disabled na youth wawe represented katika kila nafasi yoyote, na akina mama pia.

La mwisho, hii system ya ku-privatize, yaani kufanya mali ya serikali kuwa private, hiyo inaleta shida sana. Unakuta ya kwamba wanafanya kama hospitals kuwa private sectors, halafu sisi tunapata shida, tukienda huko hatuwezi kuudumiwa vizuri.(

Interjection)

Com. Lethome: Unapendekeza nini?

Wycliff Kisuya: Napendekeza ya kwamba, hiyo ibaki mali ya serikali na serikali isimamie ione ya kwamba hizo zinaweza kutoa huduma kwa wananchi ipasavyo.

Grabbing; tunaona ya kwamba national assets zimekuwa grabbed by hao watu wakubwa wakubwa. Lakini naona ya kwamba serikali ifuatilie ione ya kwamba kama hiyo ni mali ya serikali, ibaki tu kwa mkono wa serikali, ikitoa usaidizi kwa kila raia. Sio ati ipewe mtu ati kwa ajili amefanyia serikali kazi kwa muda mrefu ama anao wadhifa fulani.

Ya mwisho kabisa, tusiwe na land squatters, hao watu wenye hawana mahali pa kukaa kabisa. Kenya yetu bado iko na nafasi, na ukiona tuko na squatters, wapewe sehemu ya kukaa kama wananchi. Asante sana.

Com. Lethome: Thank you Wycliff, next, anza kwa jina.

Peter Wasike Chapesa: Peter Wasike Chapesa. So, because of limited time I think I will have to go through my memorandum, and where necessary the question will be imposed, I would have to expand.

Okay I will start with actually governance; I prefer a multi party state, with the following factors;

One; I want a multi party state with universal suffrage by secret ballot at regular intervals.

The second factor; I want a multi party state with unlimited access into the political competition by all citizens.

Another factor; separation of powers of the executive, the judiciary and the legislature.

I want a free press and devolution of power from central to local Government.

The political system of Government should be a political system broadly defined which should comprehend actual as well as prescribe form of political behaviour of not only the legal organization of the state, but also the realities of life. With a settled process of interaction with other non-political sub systems, such as the economic system.

I would like actually to have a political system with a progressed, inclusive, non-partisan, non-sectarian and conforms among others to the following principles:

- Participatory democracy

- Accountability and transparency
- Access to all positions of leadership by all citizens and on individual merits, as the basis for election to political offices.

Another thing is political parties should be formed out of horizontal polarization like we can have actually a competing social economic interest from their respective societies. But not on vertical polarization like actually, political parties formed out of religion or tribal basis.

Then another point is, participatory democracy. Actually, the Government should be decentralized to the lowest level. Like district councils we should have councils starting from the districts. So, on this case, I would like district councils which should be composed of elected Councillors, with differing shades of political opinion and beliefs.

Power to recall a Councillor belongs to people, hence the Councillor should have security of tenure.

The central Government cannot dissolve any council except in very exceptional circumstances, where administration of district has become impossible.

On the same point: district councils should be composed of Councillors, each from location or division, in the district. The chairperson in the district council is directly elected by secret ballot.

The district chairperson appoints the district Government with the approval of the district council, which is presided over by the district speaker, who is elected from among the Councillors.

Candidates should be elected on their individual merits.

Councillors should not be sponsored by parties but should state their political conviction.

During campaigns for local Government offices, all the Councillors should address the electorate at the same rally attended by voters in that particular area.

Government with good governance, and democratic participation in decision-making by the people, on matters affecting them in their daily life.

Decentralization will assist the local Government, councils, determine their budget and collect local revenue.

The rights of vulnerable groups; I will prefer inclusion of marginalized groups.

The parliament should be composed of directly elected MPs representing constituencies and a woman member representing each district.

Representatives of workers, people with disabilities, the army and the youth should also be represented in the parliament and the respective local councils. So that on their own they are not politically organized to influence political decisions.

Members should be allowed to debate freely with no fear of being thrown out of their political organizations.

There should be no whip in parliament, to ensure that the ordinary members of the party support the Government. Instead, the Government minister should try to convince Members of Parliament to either in committees or in plenary sessions to support Government policies to avoid polarisation of society on a sectarian basis.

Com. Lethome: You have a minute, to finish.

Peter Wasike Chapesa: Okay, on the side of creation of employment, I would prefer our Government to implement various projects at least to create more employment opportunities.

One: by accelerating the rates of investment and savings.

Two: should improve the atmosphere for domestic investment.

Three: the Government should increase foreign private investments and increase public investment in strategic infrastructure projects such as power and communication. These measures will transform Kenya but maximizing production and creating employment between the various sectors of the economy.

The Government should absorb more educated Kenyans into economic activities, which will result in a greatly expanded output and higher standard of living for every one.

To wind up, the Government should create suitable environment for increased investment and savings. To do this, they should actually create incentives for greater domestic investment, improving in the financial sector to provide more finance for domestic investments.

The Government should promote an entrepreneurships using schemes such as soft loans for college and university graduates, to utilize liberalization of policy.

The Government should have direct intervention in greater strategic sectors, e.g textile, manufacturing, coffee processing, fruit growing and fish processing.

So, on the side of education I will prefer to have a national organization for the students, which should be represented at all levels of education. **(Interjection)**

Com. Lethome: Wind up please.

Peter Wasike Chapesa: So, maybe on the side of lands, which I have not also included on this memo, I prefer Kenyans to be free in acquiring land from actually any part of Kenya.

On the side of marriage, I would prefer all marriages to be legalized by the Government. Every married couple should have a marriage certificate. Actually with that, thanks very much.

Com. Lethome: Thank you Wasike, now, I think the next person is supposed to be Joseph Mutake, followed by Moses Maruti, Maruti yuko? Moses Maruti. Alfred Maunda yuko? Utamfuata huyo. Halafu Kassim Mung'asa, Kassim utamfuata Munanda, haya tuendelee.

Joseph Mutake: Kwa majina naitwa Joseph Mutake. Mimi nitaongea juu ya land, mashamba. Mashamba katika nchi yetu hii ya Kenya, inayo mashamba mengi sana. Na watu wachache wana hayo mashamba mengi sana. My recommendation, I should like to say that the rich person should only have 50 acres and the poorest one should have at least five acres. Tunayo mashamba ya kutosha na watu wengine wananyanya wengine kwa sababu wana more lands than others. **(Interjection)**

Com. Lethome: Hiyo point umetengeneza, asipitishie hamsini na wa chini awe na tano.

Joseph Mutake: Awe na tano yes.

Com. Lethome: Endelea na ingine.

Joseph Mutake: Ingingine ni ya kwamba ninasitikika kusema ya kwamba kuna hao watu ambao wanaitwa masquatters katika nchi yetu ya Kenya. Masquatters hawa wanatoka wapi? **(Interjection)**

Com. Lethome: Unapendekeza nini?

Joseph Mutake: Napendekeza masquatters wasiweko, kwa sababu masquatters walikuwako wakati wa ukoloni.

Point ingine ni ya kwamba, health, yaani medical treatments; naona watu ambao ni masikini, wapewe treatment ya bure. Hata watoto kuanzia mwaka moja mpaka miaka kumi na tano, wapewe treatment ya bure. Government ina pesa ya kufanya hivyo.

Nafikiri sina mengi, nilikuwa na hayo machache tu. Ahsante sana.

Com. Lethome: Ahsante sana Joseph, Alfred? Halafu Kassim, halafu afuatwe na Isaac Kituyi, Kituyi Isaac? Hayuko. Haya endelea Mzee. Sema jina.

Alfred Maunda: Kwa majina naitwa Alfred Maunda, Bukusu Elders Group.

Na jambo langu la kwanza, nashukuru serikali ilioko kwa wakati huu. Tangu zamani sisi tulipokuwa hapa, serikali ilikuwepo walitulinda vizuri, na uwezo walipewa local Government, kama mwaka wa 1970. Kwa hivyo, inatakikana serikali iliyoko, local Government ipewe nafasi, na wafanye mtindo ambao ulikuwepo 1970.

Ya pili; sisi kama Wabukusu tuna kabila sita kubwa. Na hizi kabila sita kubwa walipoishi tangu zamani, walikuwa wanaishi vizuri, wanafanya vitu yao vizuri, wanakula vizuri, hawakuwepo na mambo yoyote ambayo ya kuzozana. (**Interjection**)

Com. Lethome: Hebu yataje hayo makabila ya Bukusu, moja.

Alfred Maunda: Abasilikhwa, Bamalava, Banabai, Bamwalie, Babeyala and Bakikayi, those are six.

Com. Lethome: Okay, endelea.

Alfred Maunda: Na tulipoishi, wazungu walikuja wakatupata, na tukapewa mipaka kama tunavyoishi sasa. Kwa hivyo tulipopewa mipaka inatakikana kama tunavyoishi na tuheshimu ile mipaka ambayo tulipewa na wakoloni. Sababu, tukifanya hivyo kuna watu tofauti wanapopata pengine kitu fulani ama wakisoma vizuri na waone watu wengine wachache wanawa-minimize. Kwa hivyo tunataka sisi tuishi, kama tulivyoishi zamani.

Com. Lethome: Haya endelea.

Alfred Maunda: Kwa upande wa vyama ili tusiwe na (**Interjection**)

Com. Lethome: Sasa jamani huko nyuma, mtatuharibia recording hapa. Kina mama na wazee huko mnapiga makelele na

mvua inapiga kelele. Recording itaharibika hapa sasa. Kwa hivyo tumsikizeni *Omusakhulu* hapa kidogo.

Alfred Maunda: Kwa upande wa vyama tusiwe na vyama vingi kama wenzangu walivyosema, ni lazima viwe viwili au vitatu hivi. Mbili au tatu ili tuzuie mambo ya ukabila na zingine. Na vikiwa vingi tuta-encourage ukabila.

Ninapokuja kwa upande wa kuabudu, ukiangalia vizuri kwa upande wa kuabudu ukiangalia vizuri, kuna Bible, kuna Koran. Halafu kuna kitabu kinaitwa Kidasi, na hii Kidasi ni ya Wabahai. Sasa unapoangalia kwa upande wa Bible watu wameweka vipande vipande na tukiwa tunaenda namna hiyo. Kwa nini tusiwe na dini hata wakiwa watu wengi na wawe tu kama wanaheshimu Bible na waheshimu kwa upande mmoja tu. Wasiwe wakigawanya huyu na yake huyu na yake, huyu na yake. Kwa hivyo mimi nasema hivi; kwa upande wa Bible na Quran na kitabu hiki cha Kidasi, viwe kama vitabu tu vitatu na vyote vinasema maneno ya Mungu. Kuliko kugawana watu wengi huku na huku.

Halafu nikija kwa upande wa wanawake, wanawake nao wana haki. Inatatikana wapate nao Ministry yao na wawe wakifanya kazi yao kwa uangalifu. Kwa sababu yule ambaye anasema hawawezi kupata mamlaka kuna watoto wale walemavu, kuna watoto wale ambao hawajaolewa. Wale wote wasipopata haki na kuna vijana ambao wamekunywa hii busaa, ukifa na uwaache hapo watapata shida. Kwa hivyo inatakikana hao wapate Ministry yao vizuri.

Com. Lethome: Kuhusu busaa unasema nini na umetaja saa hizi?

Alfred Maunda: Nasema hivi; kwa upande wa busaa, mimi kwa upande wangu nasema isikuweko.

Com. Lethome: Ipigwe marufuku?

Alfred Maunda: Ipigwe marufuku, isiweko.

Com. Lethome: Mbona sasa mwafanya makelele. Si mngoje tu, ni maoni yake. Ukija utatoa maoni yako. Si makosa yake, ametoa maoni yake.

Alfred Maunda: Kwa sababu nikisema hivyo ati isiwepo unapata watu wengi wanakufa kwa sababu hiyo. Unapata mtu hawezi kufanya kazi na vingine vingi. Sasa, hatuwezi kufikiria eti kitu kama hicho tuwe nacho. Afadhali ipigwe marufuku na sisi tukae vizuri.

Kwa upande mwingine, kwa upande wa ufisadi au mambo ya corruption. Haya mambo ya corruption yanakuja kwa njia hii. Corruption haingekuwepo. Kwa sababu nikisema haingekuwepo wakati ule corruption ilianza, mimi naanza na mkubwa. Ikiwa ni mkubwa anafanya kitu na mimi naiga vile vile mimi nachukua kitu kidogo. Kwa hivyo hii corruption haingekuwepo. Kwa

sababu tuna ofisi. Pesa au kitu kikija nakiwekwe mahali na wale waweke maanani kufuatilia hii corruption haitakuwepo.

Com. Lethome: Unapendekeza nini? Kwa sababu iko sasa. Unapendekeza kitu gani?

Alfred Maunda: Mimi napendekeza kamati iwepo ya kuangalia hivi vitu ya corruption. Awe nani, awe nani lakini sheria iweko ya kuangalia vitu kama hivyo.

Com. Lethome: Nakupatia dakika moja Mzee.

Alfred Maunda: Hata nimemaliza.

Com. Lethome: Umemaliza?

Alfred Maunda: Ndiyo.

Com. Lethome: Asante. Amemaliza. Alikuwa anafuatwa na nani? Nimekuita Mzee? Kassim endelea.

Kassim Mung'asa: Kwa majina naitwa Kassim Mung'asa. Katika mapendekezo kwa Katiba. Mimi nitaanza kwa upande wa Rais. Power. Rais ana nguvu zaidi. Amepewa mamlaka makubwa zaidi. Sasa mamlaka yake yamemfanya yeye kuwa kama dictator. Nasema yapunguzwe.

Tunakuja kwa utawala Majimboism. Majimbo haifai katika Kenya kwa sababu Wakenya wengi hawafahamu maana ya Majimbo ni nini. Mimi nikisema Majimbo, huenda mwingine akasema, wale wa kutoka Pwani warudi Pwani na wale wa kutoka Pwani watasema watu wa bara warudi bara. Sasa Majimbo Wakenya wengi hawaelewi Majimbo na Majimbo sasa haifai katika Kenya.

Nakuja kwa kitu kama equality. Kuna positions za equality zenye wanawake wanapigania. Hii equality imeleta mvurugano zaidi katika Kenya au jamii. Kwa mfano sasa tunatengeneza Katiba, hii Katiba ni sheria. Tuchukue kijamii kama Serikali familia kama Serikali lazima tuwe na kiongozi. Nani ataongoza mwingine? Sasa kama sisi sote tuko na equality nikiambia mtoto nenda ukachunge mbuzi, anasema mimi niko na usawa wangu na haki yangu sitaenda. Na katika Bunge huko wanasema, 'usipige mtoto.' Vitu kama hivi vinaleta mzozo katika jamii. Upande wa wanawake, akiwa kama ana haki, sote tuko na haki katika mishtaria. Lakini lazima tuwe, yupi atatekeleza sheria na yupi atasukuma sheria. Vitu kama hivyo lazima tutofautishe.

Upande wa Judiciary: Kuna cases zingine zenye hata ukiingia kortini, mtu akiwa na pesa ndio atashinda wewe hata kama ukweli utapatikana. Lakini kama kuna kesi zingine wakihusisha kijamii. Kuna local courts za zamani, walikuwa wanaingia katika viapo,

ili itakuja kutoa ukweli kwa cases zingine zenye zimeshindwa na korti.

Tukija kwa upande wa Chiefs: chiefs ni civil servant, lazima naye apigwe transfer kama wafanyikazi wa Serikali wengine. Au sio hivyo, achaguliwe na raia kwa miaka mitano.

Tukija kwa vileo, vinywaji, pombe: Pombe ni pombe, hakuna pombe haramu na pombe halali. Mwenye amekunywa bia kwa bar, akilewa hufanya maovu na mwenye amekunywa busaa ama amekunywa chang'aa. Pombe ni pombe. Kusiwe na tofauti kuwa, kuna pombe haramu na pombe halali. Kama ni pombe vya kienyeji, Serikali itumie mbinu ya kutafuta kama ni kodi, watoe kodi na wananchi waendeleo na mastarehe zao. Wasitofautishe pombe haramu na pombe halali. Kwa vile hii pombe tukisema pombe haramu na pombe halali ni wakubwa ndio wana viwanda vya kutengeneza hii pombe wanasema halali kwa kunyanyasa wanaotaka kujitafutia kwa kutengeneza pengine pombe kidogo ili nao wapate mapato. Kwa sababu ni njia moja ya kuwafungia.

Schools: Mambo ya shule na hospitals lazima iwe free. Kwa vile upande wa uchumi umekuwa mbaya. Tukisema mambo ya hii kugawanya 'cost-sharing'. Cost-sharing imeumiza watu wengi sana kwa vile mama huenda pengine hata hana shilingi hamsini ama ishirini. Akienda hospitali ana malaria wanamwambia leta shilingi hamsini ama ishirini ndio akutibu. Vitu kama hivi vinaleta kama...sasa ndio unaona vifo vinatokea. Shule: Wanakenya wamekuwa maskini zaidi. Lazima shule ziwe free, from pre-primary mpaka Secondary.

Mambo ya ufisadi: these corruptions. Corruptions hizi zinatokea juu. Mbinu ya Rais huwa anatumia kama Minister akichaguliwa, awe anamaliza miaka yake mitano, katika Uwaziri, katika that Ministry. Ndio kama kubadilishwa, atafute wakati mwingine. Lakini mbinu ya, anamaliza leo miezi miwili katika Ministry ya Land, kesho amepigwa transfer ako kwa Ministry ya Agriculture. Kesho kutwa ako kwa finance. Hii ni njia ya hali ya juu ya kupoteza njia za kutafuta ufisadi ni nani.

Domestic violence: Domestic violence isiwe inachukuliwa na mambo ya polisi. Domestic violence ipewe mamlaka na Chifu. Kwa vile mimi nikipigana na bibi yangu, Chifu ndiye anajua yupi katika hao watu, mwenye ana kichwa mbaya. Lakini tukiingia katika polisi, polisi hajui bibi yangu huenda pengine anarandaranda na kuja usiku saa nane ya usiku. Na nikimuuliza anasema niko na haki yangu. Ama bwana ni mlevi. Lazima, Chifu ndiye anajua huyu ana mtendo fulani. Sasa yale mamlaka yapewe Chief ndiye anaweza kutatua.

Tukija upande wa pengine. Nikirudia haki ya wanawake vile wanasema, kwa vile saa hii, wanawake wanapigania kuwa wana haki. Hii haki ya wanawake imekuja, divorce zimekuwa mingi sana. Kwa vile ukijaribu kupiga bibi, wewe utaenda polisi. Kitu kilioko afadhali mtengane. Na mkitengana, chokora wamezidi. Sasa kitu kilioko watoto machokora wamezidi, na ukimwi nao unazidi. Kwa vile bibi anasema, 'mimi nitajitegemea.' Atajitegemea namna gani na hata shilingi mia moja hana? Sasa ni kuingia katika "land" aangalie tu, mwenye ataingia na mia au mwenye ataingia na nini. Kama tungekuwa na sheria kama wanawake

kwanzia pengine (inaudible) wanawake iwepo kufikia miaka kwanzia twenty five and above, iwe wanajitambulisha kuwa mimi ni bibi ya fulani ama nakaa pande gani kwa madhumuni fulani.

Hii natoa example kwa sababu wakati moja nilikuwa Garissa, mapolisi walikuwa akishikwa na ugonjwa kama Kisonono, wanawake wanakusanywa wanawekwa ndani. Wakiwekwa ndani, apimwe akipatikana na ugonjwa, anafungwa miezi sita na huku anatibiwa. Lakini wengi walikuwa wanajitetea kama ni rafiki ya mtu anasema, 'afadhali mimi niwe unitetee kama mimi ni bibi yako'. No. Kama tungekuwa na sheria kuwa lazima mabibi fulani wawe na mabwana. Vitu kama hivyo pengine vitapunguza vitu kama ukimwi. Lakini tukisema tujitete. Yaani..... (inaudible).

Com. Lethome: Kassim unasema, kila mwanamke lazima awe na mme?

Kassim Mung'asa: Kila mwanamke awe na mume. Kama sio hivyo, awe anakaa kwa njia inayoeleweka. Sio tu anatoka hapa, amepangisha pengine hapa Chwele ama Bungoma kule kibinafsi yake. Hao ndio njia moja ya kusambaza ukimwi.

Com. Lethome: Na wanaume hawasambazi ukimwi?

Kassim Mung'asa: Wanaume wanasambaza ukimwi, ndiyo. Lakini kama kuna sheria kuwa, mwanamke lazima aambatane na mumewe. Wengi wao hata kama kutakuwa na taabu, watasema lazima nikae na bwanangu. Hatasema tu..... (inaudible).

Com. Lethome: Na kila mwanaume naye lazima aambatane..... (inaudible).

Kassim Mung'asa: Na mkewe.

Com. Lethome: Sawa.

Kassim Mung'asa: Thank you.

Com. Lethome: Wako yuko wapi? Asante. Sasa kuna akina mama wamekaa sana hapa, wafuatane wote. Mary Khisa. Jeniffer Mamayi. Alice Tua. Wote ni Mrs. ingawa tuliambiwa tusitaje Mrs. lakini wote wameandikwa Mrs. hapa. Your name.

Mary Kisia: Jina langu naitwa Mary Khisa. Langu ni ya kwamba, wanawake lazima Serikali iangalie. Kuna mashamba yale yalipeanwa na Wazee kabla hawajakufa. Lakini wakati alipewa kijana, akiwa na msichana, akienda kudai huko kitu, anamfukuza. Anasema, 'nenda uoleke.' Kwa hivyo tunaomba Serikali iangalie, kama ni mwanamke, mpaka arudi kwao, sheria iweko. Hata ingawa alipewa Title Deed ya shamba mpaka agawiwe msichana.

Halafu mambo ya machokora. Tunaomba Serikali iangalie kama inawezekana, iangalie mahali pa kuweka machokora. Wapelekwe kama shule na Serikali iwasaidie na wapewe mahali pa kukaa. Vilevile vile wao wanafanya watoto wale wakorofi, wanapelekwa approved school, sasa wapeleke hao machokora mahali. Wasome ili wamalize ufasidi yaani wizi. Tuseme kama town kubwa kubwa unapata watoto wanatembea tena hawana afya nzuri. Sasa hapo Serikali iangalie masilahi.

Kufuata mambo ya pombe, Serikali ingeangalia watoe pombe. Hata ingawa busaa, chang'aa na hata bia. Watu warudi kwa makanisa wa-ban hiyo yote. Pombe isipatikane, pombe ndio inaribu watu wasisome. Utapata baba anaamka tu asubuhi, anaenda kukunywa pombe, unampata njiani anaanguka, anguka tu. Mama pia anaweza enda hata na mtoto wake kijana. Pombe haina heshima hata kidogo. Utapata mama anakunywa pombe, analewa, hata amesimama na mtoto wake. Anaenda kukojoa hapo, na mtoto ako hapo amemuangalia. Pombe haitakikani hata kidogo.

Kulingana na mambo ya siasa, Serikali ingeangalia iache vyama kibaki tu chama kimoja. Wa-ban hivyo vingine vyote. Sasa kama Western, sisi upande wa Western, vile waliweka vyama mingi, sisi hatuna maendeleo yoyote. Utapata watoto wamesoma, wako nyumbani hakuna kazi. Juu wamefuata tu vyama. Ataenda njia gani? Mbele hasikizani na mkubwa. Kwa hivyo tungerudi tu mahali pamoja halafu tupigie mtu mmoja tu kura. Kama ni President awe mmoja. Kama ni MP hivyo. Ndio sisi pia tupate maendeleo. Ni hayo tu.

Com. Lethome: Asante Mary. Wazee, mnajua sijui kwa nini mnalalamika na mama anatoa maoni yake. Wewe utakuja, utatoa maoni yako. I will give you time. You will come and speak. No. Ngoja Mama. Sikiza. We are presiding we are giving special considerations for teachers and even women. How many women are in this hall? Ngoja kidogo. Omusakhulo subiri. Tuendeleo mama.

Jeniffer Mamayi: Asante sana. Mimi kwa majina ni Jeniffer Mamayi.

Com. Wambua: Tulipoanza wale walikuwa hapa, tulitaja ya kwamba sisi tuko na haki ya kupatia mtu nafasi, ijapokuwa yeye alikuwa amechelewa. Kama ulikuja umechelewa nilisema hayo. Na hiyo ni haki yetu kufanya hivyo.

Jeniffer Mamayi: Asante sana, mimi ni Jeniffer Mamayi. Mimi nazungumza kwa upande wa siasa. Sisi hapa Western, wanawake tunaumia zaidi. Hata ukitembea tu huku Bungoma, hakuna mwanamke ambaye ni Councillor. Hakuna mwanamke Chief. Hakuna hii side. Secondly,

Com. Lethome: Kitu gani inazuia? Ni kitu gani inawakataza wasisimame?

Jeniffer Mamayi: Eti sisi ni wanawake, hatuwezi kuongoza wanaume.

Com. Lethome: Sasa unapenda nini wewe? Unapendekeza kitu gani katika sheria mpya?

Jeniffer Mamayi: Napendekeza ya kwamba wanawake tu...

Com. Lethome: Mpewe nafasi pia. Mpewe nguvu ya kuongoza, Councillor na Chiefs..

Jeniffer Mamayi: Na MPs

Com. Lethome: Na Chiefs?

Jeniffer Mamayi: Na Chiefs. Second, naongea mambo ya kinyumbani. Wanaume wanaumiza sisi kabisa. Wanawake tunaumia zaidi.

Com. Lethome: Namna gani? Mnaumizwa namna gani?

Jeniffer Mamayi: Kwa njia ya nini... (inaudible). Kama unafuga kitu kama kuku ama ng'ombe sasa mwanaume anachukua tu na nguvu.

Com. Lethome: Anaenda anauza.

Jeniffer Mamayi: Anaenda anauza. Sasa anakula yote, anaenda kwa bar, anamaliza yote. Na anaacha mama kama anaumia nyumbani na watoto.

Com. Lethome: Hapo ungependa nini?

Jeniffer Mamayi: Ningependa kama mwanamke ako na kitu chake, lazima auze atumie kwa kazi yake binafsi.

Com. Lethome: Na bwana aombe ruhusa kwa bibi?

Jeniffer Mamayi: Aombe ruhusa kwa bibi. Asante. Ni hayo tu.

Com. Lethome: Asante sana Jeniffer kwa maoni yako. Jeniffer jiandikishe pale. Tafadhalini tukaeni kimya kidogo kwa sababu ya recording. Kuna machine ina-record hapa. Tutakupatia nafasi utazungumza Omusakhulo. Huyu mama akimaliza, uje uzungumze, unaonekana uko na moto sana. Sema jina.

Alice Tua: Kwa majina naitwa Alice Tua. Nimekuja hapa kuchangia juu ya waalimu wa Nursery. Sisi waalimu wa Nursery huwa tunateseka sana. Sisi ndio msingi lakini Serikali haijawahi kuangalia mambo yetu. Huwa tunaenda college kwa course, tunasoma, tunarudi nyumbani. Tukifundisha hakuna pesa. Wanasema eti wazazi watatulipa. Na wazazi unajua kwa reserve huko hakuna pesa. Sasa tunataka Serikali iwe inatu-employ sisi waalimu wa Nursery.

Com. Lethome: Kama waalimu wengine?

Alice Tua: Kama waalimu wengine, nimesimama hapa kama waalimu wengine. Huwa tunateseka sana. Ni hayo tu.

Com. Lethome: Asante sana Alice. Kuna Mzee mmoja hapa ana mambo yanamchoma choma sana, wacha atoe sasa. Sema jina lako Omusakhulo.

Benson Maunda: Mimi nimefungwa probation karibu miaka mbili. Naendanga narudi karibu saa sita hivi. Yaani nikipata mtu anipe shilingi kumi, nashindwa kuenda kwa bar. Mpaka nipate busaa ama ingine. Sasa mimi naitwa Benson Maunda. Mahali mimi naishi ni hapa Sirisia. Hata nimeandika huko, kila mtu amejua nimeandika huko hata wenyeji wa hapa wanajua. Mimi nimefungwa probation nafanya kazi, kwanzia saa mbili mpaka saa sita.

Com. Lethome: Kwa Chief?

Benson Maunda: Kwa D.O. Sasa hiyo kazi nikitoka hapo, mimi huwa nimechoka sana. Sina hata la kufanya. Lakini nikienda nyumbani, ugali kweli.mimi sina bibi, mama anaweza kunipikia na mimi nakula. Lakini sasa kama nimepata shilingi kumi na kweli mbele ya Mungu mimi napenda pombe. Sitaki kudanganya mtu. Sasa nimepata kumi na mwingine ameenda kwa bar kwa sababu ako na mia mbili. Kufika tu kwa land hapa hivi, mimi naona tu wanashika tena, wanapiga kofi. Sasa hiyo tufanye namna gani?

Com. Lethome: Wewe unapendekeza nini Benson?

Benson Maunda: Napendekeza hivi; afadhali wenye wako na wimbi kidogo, wakule kidogo na wenye mingi wakule mingi. Hiyo ndio mimi napendekeza.

Com. Lethome: Wale wanaweza bia ya bar wakunywe.

Benson Maunda: Wakunywe bia.

Com. Lethome: Na wale wanaweza busaa wakunywe.

Benson Maunda: Yes.

Com. Lethome: Na wale wanaweza chang'aa?

Benson Maunda: Aah. Busaa, sio chang'aa.

Halafu kuna kitu kingine. Unaweza tu kufika tu mahali, umekaa tu, kama hapa Chwele yetu hii. Unaona umekaa tu hivi; hata umeshika mtoto wako hivi. Unaona mtu anatokea tu anakuuliza, bwana mambo yako ni nini? Hiyo nguo yako chafu, sijui nini chafu. Na huna hata ndululu ya kununua hiyo sabuni. Anakuja anakwambia bwana, mimi nataka mchango.

Com. Lethome: Nani huyo, Chief ama nani?

Benson Maunda: Wakasa. Wakasa, yaani wazee wa kijiji. Hata unaona anashika hata kuku yako kwa lazima tu. Anachukua kuku yako na nguvu. Ukimfuata anasema sasa, hebu nipe hamsini nikurudishie kuku yako. Wakati unapea yeye hiyo hamsini, anakurudishia kuku, ukienda kwa kitabu wewe hakuna. Kumbamekula hongo.

Com. Lethome: Sasa unapendekeza nini?

Benson Maunda: Sasa mimi napendekeza hivi, afadhali kama nyinyi Wazee vile mmekuja hivi, Commissioners na wengine ndio mimi napendekeza. Kama mimi ni mtoto wa Maunda tu. Ile kitu mimi napendekeza, watu wasikuje kwetu kudai ya kuwa eti nataka ushuru kuna harambee kuna nini sijui kuna nini. Wanakunyang'anya vitu na nguvu hapana. Hiyo mimi nimependekeza hivyo.

Com.Lethome: Benson ya mwisho sasa.

Benson Maunda: Ya mwisho sasa ni kati ya busaa yangu hiyo. Unajua sikuwa nimemaliza. Sijui kama mtakubali tukunywe ama hapana.

Com. Lethome: Wewe ndio unapendekeza.

Benson Maunda: Mimi napendekeza hivi ya kuwa; watuachie busaa tukunywe.

Kama, unajua mimi ni mtu wa probation nimefungwa, natoka kazi. Kukuja napata vile unajua tu Mzee. Kunywa kidogo kwa sababu umechoka mpaka nawe upate kitu. Sasa umepata tu kumi na rafiki yako amekupea. Kwa bar huwezi ingia. Si

unaenda kwa busaa kwa sababu hiyo pesa inatosha busaa? Yaani hiyo pesa unayo ndio inatoshana na kitu yenye unaenda kununua. Sasa mimi napendekeza ya kuwa, busaa tuachiwe tukunywe.

Com. Lethome: Asante. Sasa tunaendelea na list. Tumpate sasa Fredrick W. Mutoto. Fredrick Mtoto? Atafuatwa na Moses Onguli? Hayuko. Tumpate sasa Joseph Wafula. Utamfuata huyo. Afuatwe na Ibrahim Simiyu. Ibrahim Simiyu hayuko? Tumpate John Maratanya? Haya utafuata. Halafu afuatwe na Ben. Wangila. Wangila yuko? Basi wale nimewaita majina mfuatane hivyo. Endelea Mzee.

Frederick Wasike Mutoto: Huyu anaendelea majina yake ni Fredrick Wasike Mutoto. Ni wa Democratic Party of Kenya. Kwa hivyo yangu nitazungumza juu ya Constitution Review Commission of Kenya. Constitution and law. The main lawmaking institution in the country is the Parliament. It is given bodies such as Ministries and Local Authorities. These people do not carry out their duties properly. It is the supreme that solely regulates the institutions of Government. Therefore, it should remain dependent of its functions. Each institution should remain independent such as Parliament, Presidency and the courts. Each should remain independent.

It is that sense that the Constitution is referred to as the foundation of a country's governance. This is referred to as, in most African communities, the father is the head of the family and he must consult the family and not dictate. The three institutions be independent and consult each other and not dictation. This enables the political human rights to have free expression assembly movement and freedom of expression. A good Constitution therefore, sets out a clear mechanism through which the people can force their leaders to respect human rights.

Law and policy: The Constitution should regulate farming, establishment and management of schools, hospitals and roads. The Constitution affects our daily lives by determining how laws are made. This is important because it is bad laws and enables Government to ignore people's needs.

Com. Lethome: Fredrick don't read the whole thing. What you do is recommend? What are your recommendations? For example about the roads, you said they should be improved. Farming should be supported. Then go to something else and just recommend. Don't read the whole paper, please.

Frederick Wasike Mutoto: Thank you. I had gone upto laws. Bungoma for example is not Kanu, therefore roads are very bad.

Com. Lethome: What do you recommend?

Frederick Wasike Mutoto: I recommend that the coming Government should implement the roads better.

Com. Lethome: Regardless of the party that is heading a country. Go on to another point.

Frederick Wasike Mutoto: Another point is; it is important to note that proposal of the Bills are taken to Parliament individual member called Attorney General. Since Executive is more powerful, always the laws are passed by Parliament are not followed. Therefore, if a country has bad laws regarding economic and social, go badly due to pressure from the Executive.

Com. Lethome: So, what do you recommend about the Executive?

Frederick Wasike Mutoto: Therefore, the Executive should remain independent.

Com. Lethome: Separation of powers. They should be separated.

Frederick Wasike Mutoto: Separated. Also, if there is misuse or theft, the matter should be referred to court without the permission of the Attorney General. Here the citizens should challenge a bad law or policy decision by protecting basic human rights and setting up a mechanism to stop Executive and Parliament from effecting bad laws or policy decisions.

Next, Constitutional Review, the country of Kenya is an old Constitution. This is because it was made by an agreement between the colonial Government and a group of Kenyan leaders before independence in 1963. Therefore, this one we are now on, should amend that Constitution.

The next one, I come to Parliament and its weaknesses. The Constitution of Kenya gives Parliament a lot of power then it takes all away. A good Constitution makes sure that the three Arms of Government are independent from each other. **(interjection)**

Com. Lethome: You are repeating that point. That one is only a repetition Sir. Why don't you go to something else.

Frederick Wasike Mutoto: The next one is Administration. A good Government should observe time consciousness, honesty and obedience of law. A good Government should have that one. In the Kenya Government, these terms are not followed. Therefore, this causes the rural community to suffer from poverty very much.

Com. Lethome: What do you recommend to eradicate poverty?

Frederick Wasike Mutoto: The Government should pay....(inaudible).

Com. Lethome: Allowances?

Frederick Wasike Mutoto: Allowances.

Com. Lethome: To everybody?

Frederick Wasike Mutoto: To everybody. No. No. Excuse me, I have come to the farmers. For example, you have taken cane to the factory. They may grow crops for their income but it is assimilated by the Government. For example, cane taken to the factory. Coffee, maize produce board and K.C.C. for their milk and are not payable to the farmer. So, that one we are suffering.

Com. Lethome: What do you recommend?

Frederick Wasike Mutoto: I recommend that the Government should improve on that. It should pay the farmers as soon as they take their products to processing plants.

Administration now. The Chiefs and D.O., Assistant Chiefs, I recommend that we should have only Chiefs to administer and they must be elected by wananchi.

Com. Lethome: So, we do away with D.Os and Assistant Chiefs?

Frederick Wasike Mutoto: Yes.

Com. Lethome: What about the D.C.?

Frederick Wasike Mutoto: That one should remain.

Com. Lethome: You have one more minute now.

Frederick Wasike Mutoto: My last minute comes to education system. I would like the coming Government that they go back to syllabus forty-three and sixty seven. 8-4-4 should be out completely because upto Standard eight you cannot employ any boy or girl. So that one should be taken out.

Land and settlement: There are some people in Kenya who are owning over five hundred acres.

Com. Lethome: What is the maximum for one person?

Frederick Wasike Mutoto: One person should be allowed to own ten acres.

Com. Lethome: Only?

Frederick Wasike Mutoto: Yes. I think I have finished. Thank you very much.

Com. Lethome: Nani alikuwa anafuata Mzee. Nilikuwa nimeita majina. Wafula endelea. Huyu alikuwa ni Fredrick. Sasa tuna John Maratano.

Joseph Wafula: Mimi ni Joseph Wafula, mkaaji wa hapa Chwele.

Com. Lethome: Nimekuita jina Mzee?

Joseph Wafula: Umeita Joseph Wafula. Si uliniita?

Com. Lethome: Endelea.

Joseph Wafula: Mimi ni mkaaji hapa Chwele, naitwa Joseph Wafula, napendekeza namna hii. Wale wenye mashamba, wazazi wao walikufa vile Madam D.O. alisema, kesi ziendele mpaka kwa high court ndio wapewe Title Deed. Iwe inatoka kwa Wakasa, kwa sub-chief, kwa chifu mpaka imalizikie kwa D.O. ili apate Title Deed. Badala ya kushtaki na pesa mingi wanatumia.

Neno langu lingine naomba Serikali, ile Chiefs Act ifanye kazi vile inatakikana. Neno langu lingine naomba vile mwenzangu mwingine alisema hapa, wajumbe ambao wanapata mishahara mikubwa pamoja na Ministers. Hao watu ambao wanapata huo mshahara mkubwa wangukuwa waalimu na madaktari. Kwa sababu usipokuwa mwalimu, huwezi kuwa daktari, huwezi kuwa Minister. Na ndio mimi napendekeza watengenezee waalimu, mishahara ya Wabunge ipunguzwe.

Neno langu lingine, wakasa ambao wako Kenya hii vile wanaitwa Wazee wa vijiji wapewe kitu kidogo kutoka kwa Serikali ili wafanye kazi yao. Kwa sababu wanatoka nyumbani saa ingine hawakunywi chai. Anaitwa usiku eti mwingine amekosea mwingine. Anakuwa anafanya kazi bila chochote.

Neno langu la mwisho. Hii mambo ya elimu mwingine alisema hapa, watoto wanafukuzwa, anakaa nyumbani karibu miezi mbili.

Na atakwenda kugharamia hiyo gharama yote, kama school fees anatakiwa alipe na hayo masomo yeye bado kusoma hizo subjects. Sasa watoto hawa akiwa anapata hiyo mitihani ambayo anafanyiwa, hakuna kitu chochote atapata. Kwa sababu hakusoma hizo subjects zake na amelipa hiyo school fees. Apate kulipa hiyo pesa waweke. Kama alichelewa, baba yake labda alikuwa hapana pata hizo pesa upesi. Alipe vile ameanzia mahali amerudi kwa shule. Kwa hivyo kwa hayo machache, Mungu awasaidie. Asante.

Com. Wambua: Wewe ni mmoja wa Wakasa?

Joseph Wafula: Mimi ni mmoja wa Wakasa. Asante sana.

John Maratanya Kimalewa: Naitwa John Maratanya Kimalewa. Kwanza nataka kuongea juu ya village elders. Napendekeza, kwa sababu wanafanya na Administration pia Serikali iwaangalie pia wapate mishahara. Village elders.

Ya pili, cases kama hizi za watu wanashikwa wanapelekwa kortini, cases kama busaa, nini. Napendekeza zirudie Ma-Chiefs kuangalia hizo kesi. Kwa sababu hawa wanapelekwa kortini, akikataa anaambiwa unaenda fourteen days kwa rumande ndio urudi kwa kesi. Na wengine hawajaonja hiyo rumande, hawamalizi hata wiki, unakuta amekufa na hajaanza hata hiyo kesi.

Com. Lethome: Kuna nini rumande inaua watu?

John Maratanya Kimalewa: Wengine hawajaonja na iko vidudu vimejaa hata hiyo rumande hakuna kusafisha. Hata mablanketi hapana safisha. Wengine wanakojoa ndani, wanakunya ndani. Sasa napendekeza hizo cases zirudi kwa Chief.

Com. Lethome: Hiyo tumesikia. Kuhusu rumande, unapendekeza nini? Kwa sababu mahali ambapo Wakenya wanaingizwa, inafaa ama haifai kwa binadamu kuingia mahali kama pale. Na unapendekeza kitu gani?

John Maratanya Kimalewa: Upande wa rumande, napendekeza Serikali iangalie usafi wa rumande. Kwa maana ni binadamu wanaenda huko, sio wanyama.

Kitu cha tatu, kustaafu kwa President. Wengine wameongea vile anaenda kupumzika. Mimi nasema hivi hata nimesoma magazetini ile pesa anapewa hata kwa mwaka ni mamilioni. Mimi napendekeza hivi; President akienda ku-retire apewe benefits zake peke yake. Hapana mishahara ya wafanyikazi ati magari saba, wafanyikazi sijui wanakula elfu thelathini kwa mwezi, driver peke yake anakula elfu thelathini. Hiyo pesa itengewe hata vitabu kwa mashule. Lakini yeye apewe benefits aende apumzike. Kwa maana ku-retire hakuna kufanya kazi ingine ama kisiasa hawezi kuingia.

Namba nne, wanawake kurithi mashamba kutoka kwa wazazi wao: Mimi nasema hivi; labda yule amekaa na wazazi na

hajaolewa, huyo ndiye anaweza kuhurumiwa. Lakini yule ameolewa hawezi. Kwa sababu tukifanya hivyo, tuta-encourage yule hata ameolewa, anaambia bwana, 'si wewe tuko na shamba kidogo, wacha nirudi nyumbani watuongezee.' Hiyo ninapendekeza ya kwamba hakuna, ibaki hivyo.

Ingingine, wengine wameongea juu ya Wabunge. Tuna Wabunge wanachaguliwa kama sasa hapa kwetu Sirisia. Tangu aende miaka kumi, hajawahi kuangalia masilahi ya wale waliompigia kura. Nataka tupewe sheria sisi pia wananchi, tupewe uwezo, akimaliza miaka miwili na tuone kazi ile amefanya tuone D.C., watu wa constituency wote waende for no confidence na huyo mtu arudi nyumbani tuchague mwingine.

Langu la mwisho Bwana Commissioners, mmekuja hapa, uchaguzi ambao unakuja, wengine wamesema eti wanapendekeza Parliament iwe extended. Mimi nakataa. Tukimaliza hapa mjue ya kwamba Chwele wamekataa, uchaguzi utafanywa December mwaka huu.

Com. Wambua: Wewe sema yako.

John Maratanya Kimalewa: Hayo ni mapendekezo yangu. Ya kwamba uchaguzi usiwe extended. Tufanye mwaka huu. Asante sana. Mimi naitwa John Maratanya.

Com. Lethome: Wajua vile Commissioner anakwambia, kwa vile ukija hapa unakuja kutoa maoni yako. Usiseme ni watu wa Chwele wamesema hivyo. Sema, 'mimi John nimesema hivi.' Tumpate nani sasa? Mzee nilikuwa nimekuita? Lete Mzee wangu. Huyu Mzee akitoka, namtaka Fred Muhongo. Fred Muhongo yuko? Halafu Bernard Juma wewe unalalamika nimeruka jina lako, I cannot see your name among the lists ambazo nimepitia. Sijafikia jina lako Bernard be patient. Nikifikia jina lako, I want everybody to speak. That is why we are here today. Kwa hivyo utapata nafasi ya kuzungumza. Kwa hivyo tupate Muhongo, atamfuata huyu. Halafu Henry Wanyonyi. Wanyonyi yuko? Henry Wanyonyi hayuko. Afuatwe na David Namasake. Hayuko? Hudson Msungu. Hayuko. Tumpate Charles Wanjala. Utamfuata. Halafu tumpate...twendelee na hawa watu watatu kwanza. Endelea. Jina Mzee.

Francis Watila (In Kibukusu)

Translator: He says, what I want to say should be heard and be recorded and be taken upto Nairobi.

Com. Lethome: Assure him there is a machine in front of him.

Francis Watila: Likholoma lwa kwanza niye ndenye khubolerekha babukusu baliba bandu bamanya idini khubama khale.

Translator: Bukusus hafe known religion right from the beginning.

Francis Watila: Bamanya were.

Translator: They know God.

Francis Watila: Lundi babisiano abana babwe.

Translator: They used to baptize their children.

Francis Watila: Sikhwama omwana wewe nasalirwe omusoli aliria nasalwa ---- omwana asalirire omwana sina ari musolili mala bari khumutsi mubatisie.

Translator: They baptized the child right from birth, a boy or a girl.

Francis Watila: Balosi batsa babisia bari omwana onu bari barilanga ingo.

Translator: They used to baptize them by such names as Walubengo.

Francis Watila: Olia walakhu khukhwingira khwatsa khungira bamumwira batsa mubatisa mulukhole khabiri.

Translator: After circumcision, he is again given another name.

Francis Watila: Basi niyo khwenya khuri nibiri ebienobo nikhwalekha birio.

Translator: We would like that to continue.

Francis Watila: Basi nenjire bamubatisia mala batilawa bamuba malaka.

Translator: After circumcision, he is baptized, he is given the rules or the regulations of the clan.

Francis Watila: Bamubolera bari inji yabene inji kalo khatsama ta.

Translator: Denying him any adultery.

Francis Watila: Awo bari khubamweresianga kamaloka kamusi kamalako ekhumi.

Translator: According to the laws of Musa, the Ten Commandments.

Francis Watila: Nibangwere mene kako nibamubuliro bari okheba ta.

Translator: They again tell him not to steal.

Francis Watila: Wakhere omundu wabene ta.

Translator: Don't kill.

Francis Watila: Elienorio lienyere lingire mukatiba yeo.

Translator: That should be in the Constitution.

Francis Watila: Basi ngobola khulubeka lwe khuba nende abaana omwana omukhana.

Translator: I want to talk about girls now.

Francis Watila: Omwana omukhana narekukha natsa munju.

Translator: When the girl gets married.

Francis Watila: Natsa khumusacha.

Translator: And gets a husband.

Francis Watila: Atsire --- mbu acha khunyola khumukunda ta.

Translator: Goes forever and never to return for anything in the home.

Francis Watila: Ne omundu newachirekho olio oyo yo.

Translator: The man she has married.

Francis Watila: Nimubolera muli omwana kabolaha akabola mungu mubwe nganyolere khumukunda ----- aka sibakhola bulayi tawe.

Translator: You are causing discord between the husband and the girl married there if you say she comes back for anything at home.

Francis Watila: Aba nono niye sakhalikha abaana alikha sa alikho achanga bulwale bwa ukimwi buno.

Translator: It is just like bringing HIV/AIDS.

Francis Watila: Atsa mutaabu amasinde ako netsareba abandu nakabosia mungo mwabwe.

Translator: She will go carelessly, recklessly, habitating and then bringing the children at home.

Francis Watila: Khandi bacha khubayerishe khumukunda.

Translator: At their own home there is land.

Francis Watila: Kamenekho sikenyebwa kadiba imbere ngebeko khwefwe sikhweresie omwana omukhana atsire ----- abasolili tawe.

Translator: Once married, the girl should never come back to disturb the brothers at home.

Francis Watila: Niwo khubola mwekesie mani efwe efwe mukhwama khale.

Translator: From the beginning

Francis Watila: Khwengiranga.

Translator: We used to get circumcision.

Francis Watila: Nikhwola abandu mwakhola muli murewo omundu wekhangaranga mana okhali – sibakhengira tawe.

Translator: There should be no such a law that Bukusus should not be circumcised.

Francis Watila: Efwe khukhwamba khale khwarukanga mabandu efwe khwarukanga abaandu

Translator: We used to rule over people.

Francis Watila: Sikhwabetsanga --- bibe tawe.

Translator: We used to be peaceful and never caused wars.

Francis Watila: Abandu beba baana babwe basolili na abakhana nibandu abobo mwingisie khubindu bikholekhe likhuwa lienimalu naaba kimukunda -----

Translator: There is a land problem here.

Francis Watila: Mwingisia mukatiba babukala khumikunda ebio ebio kirekhe khutsa mukoti tawe

Translator: Land problems should not be taken to courts.

Francis Watila: Nikitsa mukoti abandu balasia abaandu sibi omundu wa tsirubia tsingali atsa khurula ngu omundu atsa khubukula advocate.

Translator: Through corruption, using money, people will acquire land which is not in theirs.

Francis Watila: Basi atsa khubukala advocate nanyula omundu oyo khumukunda okwo maana amunyule.

Translator: He will use an advocate and then unfairly get that land.

Francis Watila: Omundu oyo oyo munyusie alekhe kutsakho mu-koti tawe khwakame busa nebandu --- ne chief ne subchief nebandu bango babe mitoka bakhala misanga omweno kwosi bakumanyire.

Translator: The village elders, the sub-chiefs, the Chiefs and the local community and the clan should be involved in land disputes.

Francis Watila: Esie esie niko embere nako kamalako kongane.

Translator: He had more but he is unable to express, so he will be leaving it for others to say.

Com. Lethome: Next person. Proceed. That is Fred Mukhongo.

Fred Mukhongo: Fred Mukhongo is my name.

Com. Lethome: What is Mukhongo?

Fred Mukhongo: If it is interpreted it means mkubwa. But I am not mkubwa. I want to contribute to this Commission on the following points:

One, the President: I feel that the President should be above party politics. Because a party President takes too much time trying to popularize the party at the expense of the country's development and other areas.

Two, Presidency should be rotational. That is, if we have one President from a given Province, if his time expires, the next President should not come from the same Province.

Choice of President: There should be a body which I call it, the Kenya National Presidential Selection Board be formed. This is because I feel that the Presidential candidate should not belong to a party. So, we have a body that should select Presidential candidate.

Sponsorship of Presidential candidates: I feel the Presidential candidate should be four but they should all be sponsored by the treasury and should be given equal air transmission when they are campaigning.

Appointment of Ministers: The President should come up with names on their proven professional proficiency and other academic credentials. The list be presented to Parliament for vetting. This should be done while the other Government is still in power to avoid power vacuum. They should be appointed across party lines.

Land ownership:

Com. Lethome: One thing that is not very clear, you are saying, Ministers they should be technocrats, professionals?

Fred Mukhongo: That's right.

Com. Lethome: Necessarily from Parliament or even from outside Parliament.

Francis Mukhongo: They do not have to be particularly Parliamentarians. Because there are certain cases where some parliamentarians don't fit.

Land ownership: I feel as many other people have contributed, the maximum piece of land one should own is fifty acres. Irrespective of the riches of somebody.

Commissions: All important Commissions to be appointed by the Parliament. Their findings and report be the property of Parliament. After approval, it is when it is taken to the Executive for implementation.

Com. Lethome: Should our findings be made public?

When they go to the Parliament they are being made public. That is the word I had in mind. Creation of districts, provinces and what have you, should come from Commission findings, a report given by the Commission. I am leaving out certain areas deliberately. If you ask I will explain.

Political parties: I feel very strongly that if we want to have fair competition and healthy one in fact, we should have three parties in the country. That will cut across ethnic lines.

Finally, I want to look at education. When education goes up, it becomes more expensive and when we say somebody has educated this child from Standard One to Form four, then he goes to University and continues educating. That poor man will have become poorer and will not be able to sustain that child at University. So, I feel the Loans Board should take care of full education for somebody who has joined University. There we shall ensure that anybody who qualifies to go to University will actually go. Thank you very much Mr. Chairman. I have a copy which I can give you.

Com. Lethome: Thank you. Hand over to the Program Officer. Thank you. Can we now have Mr. Wanyonyi? Is it Wanyonyi who was following? Wanyonyi hayuko. Tulikuwa tumemwita David Namasake. Hudson Msungu. Hatukumpata. Charles Wanjala. Wanjala ndio anafuata sasa. Halafu afuatwe na Bernard Juma. Sasa ndio nimefikia jina lako kwenye list, number 81, that was your number.

Charles Wanjala: My name is Charles Wanjala Lotweti. I want to talk about bride price or dowry rather. I am of the opinion that bride price should be left to individuals to decide on whatever animals each needs to her daughter basing on calibre rather than having a fixed number.

On land, I am of the opinion that trustland be given to individuals to help landless people. Three, I recommend that our younger

daughters should not be given a promise that after failing in marriage they have to be given a piece of land that will make many break their marriages.

Com. Lethome: So, we should not promise them, no land for them?

Charles Wanjala: No land for them. So that they stick to their husbands.

Com. Lethome: If the husband turns to be an animal, anampiga piga, what happens?

Charles Wanjala: The legal measures will be taken. Number four, I suggest that land disputes should end in office of D.C. and any other transaction to minimize expenses. On succession, this should be reduced, if not be free in order to help the poor ones to have equal documents.

I also suggest that there should be free education to Secondary Schools and if possible revive Form Five and Six. I suggest that Members of Parliament to be given full time not part-time because they are paid a lot of money. For smooth running of the country, we need a Constitution which lines up with coalition Government. That will make our country achieve its target.

I also suggest that in our Constitution we need to have Prime Minister who will be answerable to Parliament. I suggest that cost sharing be stopped and the Central Government should meet the burden in all sectors. Our Constitution should reflect such that we have equal Universities according to the Provinces we have in the country. To have more rain, I recommend that we should have a law that all individuals along the roads plant trees. This will attract more rain and we shall have enough rains.

Nursery school teachers be paid by Local Government. I also recommend that some districts which have low population should be amalgamated to one district from economic point of view. Thank you.

Com. Lethome: Thank you very much. Can we have Juma Bernard? Omusakhulo, njoo ujiandikishe hapo. Bernard Juma?

Bernard Juma: My names are Bernard Juma Wabwire. Naenda kuongea kwa mambo ya National Institutions nchini Kenya na nitasoma. Democracy is based on the principles of freedom, justice and equality which regulates over lives in a more civilized way. Democracy demands the creation of multiple centres of powers whose authorities diffuse and are shared by various authorities.

Com. Lethome: You cannot continue that way. You know you are reading and I want you to recommend. Don't read the whole.

Bernard Juma: I will recommend later.

Com. Lethome: No. Can you recommend? We came here for the recommendations.

Bernard Juma: So, in democracy what I recommend, one, to review the Constitution to ensure checks and balances that will bring discipline to the Executive.

Two, to give Kenyans an opportunity to have a say in the review of the Constitution so that they can have a sense of ownership and national feeling. The tendency to sideline the ordinary Kenyan will be discouraged.

Three, respect Human Rights of individuals and rights of people to freely assemble, associate and enjoy freedom of speech.

Four, to institute a very effective system of civil education to help Kenyans learn and appreciate their rights and responsibilities, thereby enabling the ordinary people of Kenya to be more assertive and satisfactory in the affairs of their country.

Land policy: To have transparency and accountability, we must have the following: Institute an efficient land adjudication system that will ensure that the process of land allocation and ownership is carried out fairly and (inaudible).

Two, thoroughly review property ownership laws: This will ensure that the issue of squatters is given urgent and serious attention and guarantee the rights of individuals to own property anywhere in the country.

Three, develop an effective public land policy to ensure that never again in Kenya, will public land be given to individuals or executives.

Transport: If we want to be efficient in transport in Kenya we must do this; One, to ensure efficiency and professionalism in the development of our roads network and guarantee development of rural access roads as a prerequisite for accelerated for economical development.

Two, provide constant tax holding for local and foreign investors willing to help. Construct major road systems that will open some parts of the country to economical activities. Ensure modernization and efficient management of our rail and transport system.

Fourth, to comprehensively overhaul the public transport system to correct the system to passengers transport. This sector is vital to the running of the country economy and its operator should be involved in signing a comprehensive policy that will sustain business.

Communication: I will not go into that.

Com. Lethome: You have only one more minute.

Asante. Social equality: What we must do: One, to push the affirmative action. Allocation to give women an opportunity to fully participate in decision making in the Government of the country.

Com. Lethome: Would you allow a Bukusu woman to be a Chief?

Bernard Juma: Exactly. Two, to support legislation that requires both parents to participate in taking care of their children.

Three, to support legislation that encourages equality in inheritance issues taking into account various cultural, religious and other backgrounds.

Com. Lethome: Should girls inherit land from their fathers?

Bernard Juma: Hundred percent. That is right.

Com. Lethome: Whether married or not married?

Bernard Juma: Whether married or not married.

Com. Lethome: (inaudible)

Bernard Juma: Nakubaliana nawe. Mke, mtoto mwenye umemzaa, awe msichana ni mtoto wako. Yaani unasaidia akiolewa, na akikosa kuolewa ataenda wapi? Utapeleka mtoto wapi? Hiyo ndiyo inaleta umalaya zaidi. Pesa yako, uwagawie kisawa hata watoto kumi. Awe msichana. Na wasichana gawa hao shamba. Ndio hiyo tutaondoa maneno ya prostitution yaani umalaya. Kwa sababu mtoto mmalaya, mtoto msichana anafikiria, nikikosa kusoma, ataenda umalaya. Lakini kama atajua babake atampea shamba, hatafanya umalaya tafadhali.

Ya mwisho, campaign against marriage of girls. Girls be given and encourage all Kenyans....

Com. Lethome: Ngoja. Marriage of what?

Bernard Juma: To campaign against early marriages of girls and children and encourage all Kenya communities to invest in the girl-child education.

Com. Lethome: At what age should a girl get married?

Bernard Juma: I think over eighteen.

Com. Lethome: Na mtu akipatikana ameo below eighteen, afanywe nini?

Bernard Juma: Aende jela.

Com. Lethome: Asante sana Bernard. Now because you have been reading from that book, that form is now our memorandum. Can you hand over everything now to our program officer. Kwa hivyo Mzee akipatikana ameo below eighteen unaingia ndani. Sasa tumpate Emma Mukhebi. That must be a lady? She is not here. She spoke. Muliro Kunikina? Muliro yuko? Maratia Wambei. Hayuko? Tunaendelea. John Kituyi? Hayuko. Henry Brown W. ? Ni wewe? Karibu Mwana-brown. Japheth Werunga yuko? Hayuko. Halafu tuna Kimnai Matifali. Utamfuata. Halafu tuna Silas Wafula Mkanda yuko? You will follow. John Wanyimbi? Wanyimbi yuko? Sasa mtafuatana hivyo hao wazee hivyo nimewaita. Na mwisho kabisa katika hiyo list, Jemkori Masababi? Yuko? Haya mtafuatana hivyo Masababi. Ndio mtu wa mwisho katika hiyo list. Twendelee sasa. Dakika tatu tatu.

Henry Mulama: My names are Henry Mulama Lokoholi. I hope I am allowed to use both languages, Kiswahili and English. The first point is capital punishment shall be abolished. On education, specialization of subjects should be picked from Standard one upto University level. Specialization of subjects. That is to mean, if a child gets specialized in woodwork or motoring, he should continue like that upto the University. Traffic laws are not resourceful for the farmers.

Com. Lethome: Just keep a little distance from the mic.

Henry Mulama: Thank you. Traffic laws are not resourceful to our ordinary farmers. Reckless drivers have been knocking down farmers' cattle intentionally in the essence of wanting to be compensated by the cattle farmers. This should be reviewed.

Com. Lethome: What do you recommend yourself, when somebody knocks down a cow on the road? What should happen?

Henry Mulama: That driver should, the car owner should have to pay the farmer.

Com. Lethome: Because you think they knock the cow deliberately to be paid?

Henry Mulama: Yes.

Com. Lethome: Don't you think now the farmers will take the cows to the roads deliberately?

Henry Mulama: Even if it is deliberately but we should put it that driver has eyes.

Com. Lethome: What about the person herding the cow? Does he have eyes also?

Henry Mulama: Sometimes, farmers normally don't do like that deliberately.

Com. Lethome: Okay. But let's be reasonable. What is the purpose of the roads? What is the road for?

Henry Mulama: For vehicles. But you find that we have some farmers living along the road, so when they cross the road, the animal crosses. So, the driver should be very careful and drive with the standard speed that is good.

Currency: Since the Head of State shall be allowed to be in power for short duration, the currency should not bear his portrait. Instead, it should be replaced by the symbol of code of arms on one side and the other side could bear the Kenya economy resources such as agricultural products, i.e. maize or coffee.

Care for old aged: Kenya should establish homes for the old aged people or alternatively pay them something little every month in order to meet their daily needs. Protection of freedom of conscience, freedom of thought and of religion. There shall be terms and conditions of worship. Too much freedom has caused the birth of satanic cults and worship in Kenya. Succession of land to be free. Many farms and lands have not been succeeded due to high costs of performing this exercise. Dowry payments to be standardized to all Kenyans. I recommend to pay seven cattle.

Salaries and wages also to be standardized among Kenyans. Be it an engineer, a doctor, he should have a standard salary. The idea of dressing has been highly addressed among ladies. Ladies have mostly been dressing half naked and very tight clothes. This has caused most rape cases.

Com.Lethome: What do you recommend?

Henry Mulama: We recommend ladies to wear a little bit loose clothes.

Com. Lethome: Long?

Henry Mulama: Long.

Com. Lethome: Now when you talk about dress codes, are you just talking about the dress codes because we have gone to places in Kenya here whereby as we were sitting, we could see the private parts of men sitting down. So, when you talk about the dress code, are we only addressing women or also men?

Henry Mulama: They should be applicable to everybody.

Com. Lethome: Everybody. Because, I don't agree when you say that only a man can be attracted by the body of a woman. Even a woman can be attracted by the body of a man.

Henry Mulama: On Basic Rights, the (inaudible) Act allow police to arrest anyone whom they suspect of having no residence or employment. This should be abolished completely. Cultural courts should be established to deal with all offence dealing with cultural issues. These courts should have the cultural Judge who shall be advised by the cultural elders. The Constitution should accept candidates to run or vie for the given seats on an independent ticket.

Com. Lethome: What you mean, we should allow independent candidates?

Henry Mulama: We should allow independent candidates. We support a mixed system of coalition and Federalism type of Government.

Com. Lethome: Come again. Because I got the word terrorism.

Henry Mulama: Federal Government. Foreign Aid: Foreign loans or receiving coming from donors should entirely be vested among the citizens. Citizens should only, however, be coming to borrow money on intended purpose or projects. The Government shall get an okay through a national referendum.

Dual citizenship should be allowed. Languages: We should also allow indigineous languages to be studied in our Universities like other countries do with their languages such as French, German, Spanish e.t.c.

We should equal representation in the constituencies. The present demarcation should be reviewed in order to have equal population among the constituencies for ideal representation. Constitution lawyers should be employed by the Government to assist poor people who cannot express themselves properly before the Judges on Civil and criminal cases. These poor people should be assisted freely.

Freedom fighters: Bukusu communities especially dini ya Msambwa in Bungoma district and other small tribes have not received recognition as freedom fighters. Therefore they should be recognized and compensated the same way they have been doing to other freedom fighters.

I am winding up. On succession and transfer of power, the Speaker of the National Assembly or independent Electoral Commission or the Reverends shall be in charge of executives during Presidential elections as long as one does not belong to the outgoing Government.

On environment and natural resources: Air pollution should be curbed by bringing proper filtering in industries before smoke is released in the air. Sound pollution: All types of noise sources like aeroplanes, vehicles and noise from the industries shall be fitted with silencers to reduce this intense noise. Farmers should be issued with loans. Loans shall be issued to poor, large and small-scale farmers in order to increase their productivity and enhancing..... (inaudible) I think that point is clear.

The Constitution shall guarantee land for every Kenyan who has attained eighteen years. He should be given at least two acres of land.

On electoral system and processes: A winning candidate should have fifty two percent for Presidential candidate and fifty-one for MP and Councillor for one to be declared a winner. Failure to attain this percent, the first and second candidate should go for the second round elections.

There must be a minimum education qualification for Councillors. This should be K.C.S.E. and good pass, that is C and above. The aspirants should be made to write a composition and insha and read them before Commissioners of remuneration to avoid the cases of forging certificates. The last one, I think it is over.

Com. Wambua: We will read everything. Don't worry. I know there is a lot to be read in your memorandum. Just hand it over to the Program officer. Nani alikuwa wa pili? Ingia. Naona ni karibu saa tisa na nusu na bado kuna wazee wengi wanataka kuzungumza. Kila mmoja apate nafasi. Msirudie yale mambo yamesemwa sana. Leta ile mpya mpya.

Kimunai Matufai: Mimi jina langu ni Kimunai Matufai. Nitazungumzia mambo mawili au matatu. Jambo la kwanza nitazungumzia juu ya Agriculture na Kenya Seeds. Hii Agriculture na Kenya Seeds ndio inalinda sisi.

Com. Lethome: Agriculture na?

Kimunai Matufai: Kenya Seeds.

Com.Lethome: Kenya Seeds.

Kimunai Matufai: Kenya Seeds na Agriculture wanatutengenezea mbegu mbaya. Lakini hakuna mahali tunalalamika. Mwaka wa elfu mbili tuliuzia watu mbegu, halafu ikakuwa mbaya, mashamba haikumea. Tukawapatia ripoti, wakakataa ku-receive hiyo mbegu. Na hiyo sisi tukaonelea ya kwamba, Serikali haitulindi vizuri.

Com. Lethome: Unapendekeza nini?

Kimunai Matufai: Napendekeza huyu mtu wa Agriculture atengeneze hili jambo. Tusiumie.

Com. Lethome: Na nikiwa na malalamishi, kama wanatupatia mbegu mbaya na hawafanyi kazi yake, unataka ukalalamike wapi?

Kimunai Matufai: Nataka ofisi ya Agriculture itengeneze sheria. Jambo la pili, hao watu wa Agriculture warudishe research ili tupate mbegu mzuri na tupate mavuno mazuri. Ya kufuata hiyo, nitazungumzia juu ya elimu. Elimu, tukifika kwa mwaka, Serikali inaweza tangaza wasomi wa Primary watakuwa hivi hivi. Baadaye ofisi ya education inatangaza nayo mambo mengine kuongeza kwa ya Serikali. Sasa hapo tukashindwa, Moi ndiye mwisho au ofisi ya elimu ndiyo ya mwisho?

Com. Lethome: Unataka nani arudishwe?

Kimunai Matufai: Awe President. Akitangaza iwe hivyo hivyo. Kuliko President ametangaza na watu wa ofisi ya chini wanatangaza yao. Jambo la mwisho.

Com. Lethome: Sasa nani expert na mambo ya elimu? Is it the Ministry of Education ama ni President?

Kimunai Matufai: Ni Ministry, ni lazima aulize President ndio azungumze. Sasa yeye.... (inaudible).

Com. Lethome: Na yeye President kabla hajazungumza aulize mtu ama asiulize?

Kimunai Matufai: Aulize.

Com. Lethome: Ngoja kidogo.

Kimunai Matufai: Kabla yeye hajazungumza ahakikishe hilo jambo anasema litafaidi mwananchi na Serikali. Vile vile

President ataunga mkono. Kuliko yeye amesema hii na President amesema hii. Jambo la mwisho, shule ya Secondary: Mzazi anaweka huko shilingi elfu moja, emergency. Halafu mwishowe mtoto akitoka shule, hiyo emergency money hairudishwi.

Com. Lethome: Caution money.

Kimunai Matufai: Eh, hiyo inakuliwa na mwalimu.

Com. Lethome: Unataka aje sasa?

Kimunai Matufai: Hiyo pesa inatakiwa wafanye hesabu iende kwa mijengo ya shule, kuliko mwalimu kukula tu.

Com. Lethome: Okay.

Kimunai Matufai: Ya mwisho, mtoto anaweza kufanya mtihani wa kidato cha nne na apate C- (minus) na atume application kwa college yoyote. Na usipofuata na pesa, huyo mtoto hawezi tumiwa barua ya kuenda ku...

Com. Lethome: Ya kuitwa.

Kimunai Matufai: Sasa hiyo sheria ilindwe na mtoto akipita mtihani amepita, aende huko na afanye interview akianguka aanguke kuliko kufinywa kwa sababu wewe huna pesa ya chai. Ya hongo.

Com. Lethome: Ya?

Kimunai Matufai: Ya chai.

Com. Lethome: Hongo?

Kimunai Matufai: Hongo.

Com. Lethome: Umeiita aje? Soya.

Kimunai Matufai: Ee soya. Ni Kibukusu na hiyo ni hongo. Hayo ndio maoni yangu.

Com. Lethome: Haya, asante sana. Nani mwingine sasa? Wewe mzee, jina?

Silas Wafula Mukanda: Silas Wafula Kanda.

Com. Lethome: Wafula nimeita kweli.

Silas Wafula Mukanda: Asante sana. Kwa majina ni Silas Wafula Mukanda. Nitatoa mapendekezo kuhusu muundo wa utaratibu wa uchaguzi. Nitasoma tu.

Com. Lethome: Endelea.

Silas Wafula Mukanda: Tupate mfumo wa secret ballot pia kwa kufinya kidole kwa box badala wa kuchora kwa box kwasababu kura nyingi zitaharibika na wasiojua kuchora.

Com. Lethome: (inaudible).

Silas Wafula Mukanda: Namba mbili.

Com. Lethome: Kwa hivyo mtu anayejua kuandika na asiyejua kuandika, wote watumie kidole?

Silas Wafula Mukanda: Wote watumie kidole.

Com. Lethome: Okay.

Silas Wafula Mukanda: Mshindi hasa councilor awe na percent fulani ya kura kutoka kwa kila sublocation na MP awe na percent fulani kutoka kwa kila division ya kumpitisha awakilishe.

Com. Lethome: Sasa unajua Bwana Wafula, hatutaki utuambie percentage fulani, wewe recommend percentage gani.

Silas Wafula Mukanda: Italingana na watu wanaokaa katika hiyo area.

Com. Lethome: Hata kama ni watu wawili, kuna percentage.

Silas Wafula Mukanda: Thank you.

Com. Lethome: What percentage do you recommend? Umesikia hapa wengine wamesema President lazima apate 50% ya kura zote. Wengine wamesema MP apate 51% percent. Sasa wewe, civic leader county council ama councillor unataka apate

percentage ngapi? Usiseme fulani.

Silas Wafula Mukanda: Mimi nataka councilor apate 45%.

Com. Lethome: Okay, katika kila?

Silas Wafula Mukanda: Kila sub-location.

Com. Lethome: Okay, sawa.

Silas Wafula Mukanda: Utaratibu upangwe wa wanawake na wanaume kuwa kuanzia grassroot. Kuwe na aslimia ya chini 50% kwa udiwani na pia ubunge.

Com. Lethome: Na huyu diwani, councillor huyu ... (inaudible).

Silas Wafula Mukanda: Eeh?

Com. Lethome: Umesema 45%?

Audience: 45%

Silas Wafula Mukanda: It is almost nearer.

Com. Lethome: Okay fine, go on.

Silas Wafula Mukanda: Wagombea viti wanaokosa kuteuliwa na chama kimoja waruhusiwe kuomba uteuzi kutoka kwa vyama vingine. Tuwe na (?) ili chama kipya kiinuke kifedha na pia muombaje ajulikane kirasmi. Tuendelee kuwa na aslimia hamsini kwa jumla ya mikoa saba.

Com. Lethome: Kwa uchaguzi wa nani huyo?

Speaker: Uchaguzi wa nani?

Silas Wafula Mukanda: Uchaguzi wa President.

Com. Lethome: 7 provinces?

Silas Wafula Mukanda: 7 provinces. Viti visitengwe kwa makorti maalum. Tuendeele kuwa na mfumo wa maeneo ya kijeografia ya uwakilishi. Sijatosheka na ugawaji wa maeneo ya uwakilishi wa bunge.

Com. Lethome: Unapendekeza nini?

Silas Wafula Mukanda: Tuunganishe maeneo madogo madogo kwa kupunguza gharama. Tuwe na, ndio, tuendeele kufanya uchaguzi wa bunge na mabaraza wakati mmoja kwa kuokoa wakati na saa. Utaratibu wa uchaguzi urahisishwe, kila mtaa iwe na polling station yake. Kuhusu Tume ya Uchaguzi wa Katiba ya Kenya, ndio kuwe na kiwango cha juu cha matumizi ya fedha za uchaguzi kwa kila mgombea kiti, kulingana na miradi atakayofanyia area zake za uwakilishi.

Com. Lethome: Haijafamika hiyo. Umesema kuwe na kiwango ambacho kila mbunge anakubaliwa kutumia.

Silas Wafula Mukanda: Eeh.

Com. Lethome: Kutumia wakati wa campaign ama wakati gani?

Silas Wafula Mukanda: Wakati wa campaign.

Com. Lethome: Asipitishie kiasi gani?

Silas Wafula Mukanda: Asipitishie 50%.

Com. Lethome: Sasa na mradi unaingilia wapi hapo kwa sababu umesema kulingana na ile miradi atakayofanya. Imeingilia wapi hapo katika campaign?

Silas Wafula Mukanda: Imeingilia hapo kwa sababu mbunge anapojitolea kwenda kutafuta kura.

Com. Lethome: Eh?

Silas Wafula Mukanda: Inaonekana because he is not transparent, huenda alielewana na kule juu ya kwamba mnipe kiasi fulani niende nifanyie watu miradi ili baadaye wanipe kura.

Com. Lethome: Okay.

Silas Wafula Mukanda: Sasa it is not really transparent to the public.

Com. Lethome: Kwa hivyo the amount of money he spends on the campaign should depend on the project that he uses to woo the electors?

Silas Wafula Mukanda: Yes.

Com. Lethome: Okay. Kwa hivyo sasa kama mimi nataka kura yenu naweza kwenda huko niwaambie nitatengeneza barabara, nitawaletea stima hapa na kiwango changu kilingane na hiyo project nimewaambia nitawafanyia.

Silas Wafula Mukanda: Yes. Na iwe implemented.

Com. Lethome: Kabla ya uchaguzi?

Silas Wafula Mukanda: Kabla ya uchaguzi.

Com. Lethome: Haya.

Silas Wafula Mukanda: Tarehe ya uchaguzi itangazwe kwa katiba kirasmi. Uchaguzi wa rais upate utaratibu moja kwa moja na wananchi. Tuwe na utaratibu wa uchaguzi wa 2002 kwa kutumia secret ballot na pia kwa kufinya kidole badala ya kuchora ... (inaudible).

Com. Lethome: Hiyo unarudia. Umerudia hilo jambo.

Silas Wafula Mukanda: Thank you. We expect 22 commissioners and chairperson of conducting elections and by-elections.

Com. Lethome: That should remain as they are.

Silas Wafula Mukanda: The qualifications of the commissioners should be elders aged 55 years and above, learned and educated ones.

Com. Lethome: What do you mean by learned? Class 8 or form four, graduates?

Silas Wafula Mukanda: We know very well that we have got people who are learned but are not educated so we are not

interested to know how much you know but we have to have an interest in what you care.

Com. Lethome: So it could be a totally illiterate person but he is learned.

Silas Wafula Mukanda: He should be interviewed by the elders.

Com. Lethome: Okay.

Silas Wafula Mukanda: And over 55 years.

Com. Lethome: Is it the Commissioners who are aged over 55 or the elders who are interviewing who are over 55 years.

Silas Wafula Mukanda: It depends.

Com. Lethome: You recommend.

Silas Wafula Mukanda: So, I recommend the commissioners to be aged over 55 years to interview the person who is going to take the seat.

Com. Lethome: Endelea.

Silas Wafula Mukanda: Ma-commissioner wa uchaguzi wasiwe na usalama wa kazi kwa sababu wako kwa nchi iliyopata uhuru.

Com. Lethome: No security?

Silas Wafula Mukanda: No security.

Com. Lethome: Okay. No security of tenure.

Silas Wafula Mukanda: Na wahudumu katika uchaguzi pekee yake.

Com. Lethome: You have only a minute ndio uwachie wengine nafasi. The rest we shall read.

Silas Wafula Mukanda: Okay. I can just reach there.

Com. Lethome: Okay. Thank you Mr. Silas. Thank you very much. Who was the next person? Alikuwa nani nimemuita jina?

Speaker: Wafula (?)

Com. Lethome: John

Speaker: Wanyimbi

Com. Lethome: Wanyimbi, hapa imeandikwa Wanyimbi halafu anafuatwa na Chestmorek Masababi. Amekuja? Jestmore, hajafika. Kwa hivyo tukitoka kwa huyo tunaingia kwa Wasike M. Henry, yuko? Wasike Henry? Hayuko. Tuna Saulo Makona. Saulo Makona?

Audience: He has gone out.

Com. Lethome: Hayuko. Vincent Siteke.

Vincent Siteke: Niko.

Com. Lethome: Uko? Utamfuata, halafu na Alex Wafula. Alex Wafula ameenda. Edwin Baraza. Edwin Baraza hayuko, halafu Alfred Mulongo.

Alfred Mulongo: Niko.

Com. Lethome: Haya, tutafuata hivyo sasa. Tuendeleo.

John Wafula Wanyimbi: Kwa majina naitwa John Wafula Wanyimbi. Ya kwanza ni kuhusu discipline ya shule. Hiyo sheria irudishwe, waalimu wawe na nguvu ya ku-discipline watoto ili watoto wawe na nidhamu.

Com. Lethome: Kwa hivyo watoto wachapwe skulini.

John Wafula Wanyimbi: Wakiwa na makosa wachapwe.

Com. Lethome: Haya endelea.

John Wafula Wanyimbi: Ya pili, naona mambo ya busaa sio itengenezwe nyumbani, irudishwe kwa soko kama zamani, iwe na vilabu

Audience: Ndio

John Wafula Wanyimbi: Ili watoto wa shule wasiende kurandaranda wakinywa kwa village. Wakipatikana kwa soko wachapwe na watoto wetu watasoma.

Com. Lethome: Okay.

John Wafula Wanyimbi: Eh. Ya tatu, market price control. Hiyo imetutatiza sana. Hiyo act sijui kama iko ama ilitolewa kwa vile tunanunua mkate shilingi ishirini leo, kesho thelathini. Sasa tunataka hiyo ifanye kazi. Upane wa DO, DC naonelea wawe wanachaguliwa kwa parliament kwa vile tunaona DO na DC ni kabila moja na tunataka wachaguliwe parliament na members.

Com. Lethome: Na iwe kabila yote?

John Wafula Wanyimbi: Iwe kabila yote, sisi hatutaki (?), nini. Hapana. Ya mwisho, President aki-retire apewe benefits zake na aende nyumbani akae kama Wafula Wanyimbi vile anakaa nyumbani angojee kupigia mwingine kura.

Com. Lethome: Ume-retire wewe?

John Wafula Wanyimbi: Si mimi nili-retire niko nyumbani.

Audience: Laughter.

John Wafula Wanyimbi: Na asipewe security yoyote wala hiyo ofisi wanasema wampe, hakuna hata nyumba. Aende kwake kwa boma yake.

Com. Lethome: Na mshahara?

John Wafula Wanyimbi: Mshahara, apewe pension yake tu na aende nyumbani. Ni hiyo tu ninayo.

Com. Lethome: Wee, ngoja Wafula.

John Wafula Wanyimbi: Uko na maswali kwangu?

Com. Lethome: Iko maswali kwako.

John Wafula Wanyimbi: Asante.

Com. Lethome: Unajua kwa sababu ya kuwa na package hiyo ya retirement, ndio yule President ambaye anakalia kwenye kiti asikufie hapo, anakatalia hapo. Aone kuwa hata akitoka, ako na security yake na maisha yake itaendelea vizuri. Ndio sababu tunamuekea hiyo package ambayo itamsaidia baada ya yeye ku-retire. Sasa watakatalia kwenye kiti bwana.

John Wafula Wanyimbi: Hapana, we shall not (inaudible) about that. Mtu aki-retire aende tu nyumbani. Sisi wenyewe tutajua vile tutachagua wengine.

Audience: laughter

Com. Lethome: Naomba tumalize. Ni Wasike sasa ama ni nani? Tumeita nani baada yake, Wasike? Eh? I think I called some names to that. Huyu alikuwa ni John Wanyimbi Wafula, si ndio?

Audience: Ndio.

Com. Lethome: Sasa Jestimore, hayuko? Sasa tunafuata hapa na ni Wasike S. Henry. Hayuko. Kwa hivyo tunamuita Vincent Soke. Kuja hapa na Alex Wafula akaribie. Kama yuko ama hayuko basi halafu Alfred Mulongo. Alfred Mulongo halafu ufuatwe na huyu msakhulu. Mfuatane ha huyu msakhulu vile mko hivyo.

Vincent Soke: Asante sana Commissioner. Point yangu ya kwanza ni civil servants ambao wame-retire. Pengine hao watu walikuwa wanafanya kazi mzuri halafu baada ya ku-retire, serikali inawasahau. I think you have got my point.

Com. Lethome: We have got the point.

Vincent Soke: Yeh. Serikali inasahau civil servants ambao wame-retire. Kuna shida upande wa land. Kweli, lazima Government ipeane title deeds freely especially kama succession inakuwa ni problem kwa mtu ambaye pengine baba yake alikufa akiwa mdogo. Namba tatu, watoto wote ambao wako chini ya miaka kumi na nane ni watoto kulingana na sheria ya Kenya. Inatakikana wapate medical services free na wale watu ambao ni 50 years and above. Tukija upande wa chiefs, chief wanatakikana wawe elected na raia not from the President's office. Tena hawa chief after 3 years, inatakikana kwa sababu

chief according to the present law, chief akipata hicho kiti anakalia tu mpaka akufe. Kwa hivyo hafanyi maendeleo yoyote. Hata awe corrupt ama nini, atakuwa tu chief. Kwa hivyo hapo, inatakikana after 3 years tufanye elections kama any other civil servant.

Advisors wa President must be appointed by parliament and from all tribes.

Com. Lethome: Endelea.

Vincent Soke: PC, DC, DO and chiefs should not be involved in any elections because they normally corrupt and impose a leader who is not capable. Doctors should not run clinics and have chemists if they are still serving the Government. Tunatakikana tuwe na parties mbili katika Kenya ili kuwe na nguvu, opposition and the ruling party only. Commissioners should be appointed by parliament as well concerning the, for example if we consider about the clashes. We have refugees in our own country, which is very wrong and so because tangu uhuru, hakuna commission imekuwa appointed na President na results zikatoka. That is a defect to a human being. Tukija upande wa busaa (local brews), mimi nafikiria ikuwe licenced under liquor, kwa sababu mimi sina pesa kweli ya kununua bia ni 55 shillings. Niambie bibi yangu anitengenezee busaa kwangu sitaenda kwa watu sijalewa, halafu wakati na release myself kwa sababu sina pesa ingine, polisi ananishika na ninaenda kufungwa pengine miezi sita... (inaudible).

Com. Wambua: Tumelewa.

Vincent Soke: Hakuna uhuru.

Com. Bishop Njoroge: Kwa hivyo bibi ndio wanatengeneza busaa?

Vincent Soke: Eh? Bibi. Tukija upande wa administration, village elder ama 'omukasa' is a very important person na serikali ilimsahau upande wa salary.

Com. Wambua: Okay. He be paid salary.

Vincent Soke: He be paid salary. Upande wa chief, ikiwezekana chief because as civil servants wawe transferred because chief akikaa tu mahali pamoja anajua formula ya kula pesa na anakaa hapo hapo, anaumiza wananchi.

Com. Wambua: Lakini sasa hapo umeji-contradict. Kama wamekuwa elected, wanaweza kuwa transferred namna gani?

Vincent Soke: I am saying if we are using the current law.

Com. Wambua: Unataka gani? Wewe sema ile unataka.

Vincent Soke: Tunataka awe elected.

Com. Wambua: Awe elected. Akiwa elected hawezi kuwa transferred.

Vincent Soke: Yeah, sawa.

Com. Wambua: Endelea.

Vincent Soke: Tukija upande wa DO. Kwa sababu hapo tunapata administration police wako hapo. DO atapeana gari itoke na aende kutafuta pombe haramu na hiyo pombe haramu inaitwa busaa. Mtu akishikwa kwa busaa, akifika kwa DO na ukienda huko, unapata hapo.....

Com. Wambua: What is your proposal?

Vincent Soke: Eh?

Com. Wambua: Mapendekezo?

Vincent Soke: Ndio nilikuwa nasema hii point. Ukienda kwa DO utapata ni kama law court na high court kwa sababu askari atakuambia kama ni busaa 500. He is charging you. Ukisema pengine matatizo yametokea kama pengine majambazi wamekuingilia. Ukipiga simu kwa DO wanasema hakuna mafuta kwa gari. I have seen that through experience and it is very painful. Upande wa MP, MP anadanganya watu na baada ya elections anaenda kukaa Nairobi na ukimuuliza maendeleo anakwambia ninafanyia family yangu, na normally inakuwa 5 years. Kwa maoni yangu, nataka after two and a half years, kama huyu mtu is not capable and is not doing any development in the area we vote a vote of no confidence na tunaandika kwa Speaker.

Com. Wambua: Endelea.

Vincent Soke: Tukija upande wa education, surely 8-4-4 should be abolished.

Com. Wambua: Okay, go on to the next one. 8-4-4 to be abolished and we revert to the old system.

Vincent Soke: Yeah.

Com. Wambua: Umemaliza?

Vincent Soke: Bado kidogo. Sasa nakuja upande wa office of the President.

Com. Wambua: Hiyo ndio ya mwisho

Vincent Soke: Ndiyo ni ya mwisho.

Com. Wambua: Haya.

Vincent Soke: Kitu cha kwanza, the President must be a graduate. Minimum qualifications for a President awe na diploma kweli kwa sababu to separate powers is a problem. Asikuwe ana-appoint judges kwa sababu if anything goes wrong, ni simu tu pekee yake.

Com. Wambua: Sawa.

Vincent Soke: Ukisha..... (inaudible).

Com. Wambua: Umesema ni ya mwisho.

Vincent Soke: Si hiyo ni ya mwisho. Ukija upande wa retirement, the President is a human being like any other person. If the law says 50% retirement for any civil servant, he must be given 50%. Apewe security kidogo lakini not 80%. That is too much.

Com. Wambua: Sawa sawa.

Com. Wambua: I think you are through. Wacha nimuite mwenzetu mwingine hapa tafadhali.

Vincent Soke: Okay.

Com. Wambua: Naona ume-exhaust mambo yako yote. Asante sana, tafadhali jiandikishe hapo.

Vincent Soke: Asante.

Com. Wambua: We move on to the next person but let me guide you a bit because it does not matter how many times you repeat an issue. Once we have recorded it, tumeisikia na hiyo ni one of the issues and one of the proposals. So ikiwa kama jambo limetajwa hapa, hakuna haja ya kurudia na kurudia tena maanake sasa hiyo itakula muda tu bila mafanikio yoyote.

Kwa hivyo ninawasihi wale ambao wanakuja hapa kama mambo yametajwa, tafadhali usirudie. Wewe sema ninakubaliana na hii na hii na hii, lile jipya ninataka kutoa ni hili so that we move fast. Tunafunga kikao, twende tuka-analyze views maanake tunaka Katiba mpya haraka iwezekanavyo, so tukirudia maneno hapa ni kuharibu. Kwa sababu hata saa hii ukiniambia nikuambie yale yametajwa tangu asubuhi, nitakuambia. Busaa inatakikana, yote nitakutajia na tumeandika na yamenaswa. Kwa hivyo tusirudie. So, Mzee taja jina lako, umesikia yale nimesema, tupatie maoni kwa kifupi.

Alfred Mulongo: Kwa majina naitwa Alfred Mulongo.

Com. Lethome: Alfred Mulongo.

Alfred Mulongo: Alfred Mulongo na nimepongeza hii Katiba vile imekuja wa Professor Ghai, vile mnaendelea, tumeshukuru sana vile mumefika hapa Chwele. Kwa hivyo pendekezo la kwanza nita-recommend upande wa elimu. Kwa watoto wale wa shule za msingi kutoka chini tuna recommend kutoka zamani vile tuliona hata kama mbeberu alikuwa hapa, ilikuwa mambo ya kushika watoto na kwenda kwa shule na nguvu na walikuwa wanataka mtoto awe na elimu mzuri na sasa kwa hivyo tuko na wale watu ambao hawajiwezi. Tunasema, ikiwa hii katiba itaendelea sawa sawa, watoto wa shule za msingi wasome bure. Isiwe mambo ya kusema mtoto wa shule ya msingi kutokea chini alipe pesa.

Com. Wambua: Yawe bure na compulsory.

Alfred Mulongo: Yawe bure na kufika kwa secondary, wazazi wawe wanalipa.

Com. Wambua: Na iwe compulsory?

Speaker: (?)

Com. Wambua: Iwe lazima.

Alfred Mulongo: Yaani isaidie wazazi wale hawajiwezi.

Speaker: Kwa bursary.

Alfred Mulongo: Kwa bursary, kufuatana na serikali.

Com. Wambua: Haya, endelea.

Alfred Mulongo: Waendelea, watoto wasome. Na akifika secondary sisi tunakubaliana mzazi alipe karo, hata ikiwa university, alipe karo.

Com. Wambua: Haya, sawa sawa. Jambo lingine Mzee.

Alfred Mulongo: Jambo lingine, upande wa administration. Kutoka zamani kwa vile nilikaa na mbeberu, vile wengine wamesema, nina-recommend upande wa chief achaguliwe na watu asichaguliwe kwa ofisi ya President. Akichaguliwa na watu ataona hao watu kweli... (inaudible).

Com. Wambua: Tumeelewa.

Alfred Mulongo: Ile kazi anafanya itakuwa si kazi mbaya.

Com. Wambua: Chief achaguliwe na watu vile ilikuwa hapo awali. Next point.

Alfred Mulongo: Sasa, upande mwingine wa serikali kama polisi wanapewa mishahara na kazi yake ufisadi umezidi sana, haijakua kama vile mbeberu alikuweko. Mtu akifanya maneno mbaya, hawataki kushika na sasa tunataka warekebishe ile maneno ya polisi wafuatane na makosa. Wakija kukamata mtu awe na warrant ya kuonyesha huyo mtu ako na makosa fulani. Wewe unaitwa Mulongo, umeshtakiwa kwa makosa Fulani na unatakiwa kortini.

Com. Wambua: Hiyo imeingia Mzee.

Alfred Mulongo: Mambo ya busaa.

Com. Wambua: Hiyo mzee..... (inaudible).

Alfred Mulongo: Nina-recommend upande wa busaa wawachie watu.

Com. Wambua: Sawa.

Alfred Mulongo: Wakunywe.

Com. Wambua: Sawa. Hiyo.

Alfred Mulongo: Hata wa zamani (inaudible).

Com. Wambua: Hio iliingia zamani.

Alfred Mulongo: Zamani watu wanaendelea hivyo.

Com. Wambua: Mzee hiyo iliingia zamani.

Alfred Mulongo: Eh.

Com. Wambua: Sasa taja lingine.

Alfred Mulongo: Lingine.

Com. Wambua: Kama hakuna wacha tumpe mwingine.

Alfred Mulongo: Okay.

Com. Wambua: (?)

Alfred Mulongo: Lingine nikionelea vile mmekuja hivi, sitasema mengi lakini mengi mmesikia hata nitarudia rudia tu na haitakuwa vizuri. Kwa hivyo mwingine aseme mengine .

Com. Wambua: (?)

Alfred Mulongo: Na tukutane tena.

Com. Wambua: Asante sana.

Alfred Mulongo: Asante.

Com. Wambua: Asante sana Alfred na nilisema kidogo nilikuwachia kwa sababu nasikia wewe ni Councillor uzungumze lakini maneno ambayo yametajwa hakuna haja ya kurudia. Tukiandika tumeandika na haipotei, imeingia kwa mashini kwa hivyo yale yote umetaja yameingia huko. Ukitaka uje hapa tukuchezee usikie tena utasikia. Kwa hivyo asante sana na ujiandikishe huko. Yule alikuwa anafuata ni?

Speaker: (?)

Com. Wambua: Mzee mwenzetu hapo. Utatutajia jina Mzee na yale yamesemwa usirudie tafadhali. Tuambie mapya ndio tunase mapya maanake yale yamesemwa ya busaa, akina mama, yale yote tumeshika. Tuambie mapya.

Robert N. Nakitare: Kwa majina naitwa Robert.

Com. Wambua: Robert?

Robert N. Nakitare: N. Nakitare.

Com. Wambua: Nakitare.

Robert N. Nakitare: Robert N. Nakitare.

Com. Wambua: Okay.

Robert N. Nakitare: Mimi nitazungumza kwa upande wa polisi. The department of police should be left independent in the hands of general inspector or commission. It should not be interfered with by any political leader.

Com. Wambua: Hiyo tumeelewa Mzee.

Robert N. Nakitare: A policeman should not have a vehicle operating on the road as matatu.

Com. Wambua: Nani atachagua huyu general inspector?

Robert N. Nakitare: The parliament.

Com. Wambua: Parliament.

Robert N. Nakitare: Yeah.

Speaker: Hatutaki kelele huko tafadhali. Haya, endelea Mzee.

Robert N. Nakitare: The police work is very simple. Boys and girls who are Standard 8 drop outs should be allowed to be recruited in the police department. Highly educated people should be fewer.

Com. Wambua: Tumeelewa hiyo

Robert N. Nakitare: According to the disciplinary spirit of the police. Illiterate people should be more. Umeelewa hapo?

Com. Wambua: Kabisa.

Robert N. Nakitare: The police department should form or try to form friendship between the public and the police, a very close friendship so that they can get a way of snatching defaulters.

Com. Wambua: Sawa sawa.

Robert N. Nakitare: The judiciary should be free under the control of the Chief Justice.

Com. Wambua: Yes, that had (?). Independent judiciary under the control (?).

Robert N. Nakitare: The judiciary should also be friendly and helpful to the public so as to encourage them to go and give evidence in any case and when a public witness is called to testify in court, the evidence against the defaulter must be paid for return transport and lunch as it is in other countries but in Kenya you use your own money.

Com. Wambua: That is okay.

Robert N. Nakitare: If this is done, we shall be very free to give any assistance to the police and the police will give assistance to the judiciary.

Com. Wambua: (?)

Robert N. Nakitare: Nikirudi kwa nyumba yetu yenyewe, a punctured girl in the home by a certain boy.

Com. Wambua: Punctured?

Speaker: (?)

Robert N. Nakitare: Kijana akimpa msichana mimba kwa boma, ile penalty ambayo ilikuwako ambayo Mr. Njonjo alitoa, irudi. Huyu kijana amuo msichana huyu au asimamie gharama ya mtoto mpaka miaka kumi na nane.

Com. Wambua: Sawa sawa, hiyo tumeelewa.

Robert N. Nakitare: Yule msichana pengine alikuwa scrap, hakuna mume ambaye amemuoa, amekaa kwa boma ni lazima apewe kipande cha shamba. With sub-section B, msichana huyu akipata kuolewa, hiyo shamba inachukuliwa inarudi kwa ukoo na ikiwa hataolewa na apate puncture, the person puncturing that girl should be responsible for the child. Hawezi kupata hiyo shamba ya mama. Baba yake tu aliyemzaa ndiye atamchukua.

Com. Wambua: Sasa Mzee maliza kwa sababu wakati wako umekwisha lakini malizia tafadhali. Una jambo lingine ulikuwa unataka kutaja.

Robert N. Nakitare: Nilikuwa na jambo lakini..... (inaudible).

Com. Wambua: Taja basi

Robert N. Nakitare: If my character is injured, then I lose everything.

Com. Wambua: No, no, taja hiyo ya mwisho.

Robert N. Nakitare: Ya mwisho, sisi watu wa Bungoma or Western Kenya plus Trans Nzoia, tuna mashamba makubwa. Tunalima mahindi, kahawa na miwa, tunafuga ng'ombe na tumenyanyaswa sana kwa upande wa kuuza. Kwa hivyo mikono ingine ndio inakuja na kuchukua mimea hii inaenda kuuza na kujipatia gharama kubwa kuliko sisi. Kwa hivyo sisi tupewe nafasi ya kutajirika vile vile.

Nitaenda kwa President, hiyo siwezi kuwacha.

Com. Wambua: Haya

Robert N. Nakitare: Hiyo sitawache, nisameha tu. President akichaguliwa kupitia kwa chama, huo ndio mwisho wake kuwa

politician. Lazima akiwa President wa nchi akuwe mkubwa wa vyama vyote na itakuwa hatia yeye kuzungumzia kile chama chake alitokea. Huo ni mwiko, itakuwa ni mwiko. Tukiona tu anazungumza na anawacha kututawala sisi sote na anazungumza upande wa chama chake, sisi tuna-lose confidence kwake. Kwa hivyo mimi kuomba kwangu naomba any person trying to be a President of this country must be a person of all races, political parties, religion and whatever. Hiyo tu.

Com. Wambua: Asante sana Mzee Robert Nakitare kwa mambo yako. Tafadhali jiandikishe hapa. Tutaendelea tumuite, nani alikuwa anafuata? Jina?

George Wanambisi: George

Com. Wambua: George Wanabisi. George, kama mambo yametajwa tafadhali usirudie. Tuambie mapya na ukirudia nitakusimamisha maanake bado unaona list hapa vile ilivyo na ni saa kumi

George Wanambisi: (?)

Com. Wambua: Haraka tuende. Endelea

George Wanambisi: George Wanambisi. Ningependa kusema ya kwamba wale watu ambao watachaguliwa kusimamia shule ama public institutions za elimu wawe at least na kiwango fulani ama wawe professionals in that field. La pili, all public institutions of higher learning, if they must train somebody, then they should employ him.

Com. Wambua: Okay, endelea.

George Wanambisi: Ya mwisho, administration police ni kama police wale wengine na kwa hivyo they should be called back to the police college halafu wa-train-iwe na wawe kama polisi wa kawaida. La mwisho tu, at least our constitution should allow or create two seats in parliament whether on nomination or what to represent the interests of the youth. Thank you.

Com. Wambua: Very brief, thank you very much. Jiandikishe hapo. Sasa kuna mwingine alikuwa anafuata? Turudi kwa list hapo sasa ngonjeni. Ulikuwa unafuata?

Speaker: (?)

Com. Wambua: Tunafuata list na tunaenda haraka haraka maana mambo yametajwa karibu yote.

Speaker: Fikiria wazee pia.

Com. Wambua: Tunataka kusikia yale mapya, kulingana na list page 12, tunataka kusikia Albert Nyongesa. Yuko hapa? Nyongesa hayuko kwa hivyo tunamruka. Kuna Erick Masumbai.

Erick Masumbai: Yes.

Com. Wambua: Erick utakuja hapo halafu utafuatiwa hapo na Gerishon Wetima, yuko? Wetima hayuko. Harin Walubego

Speaker: (?)

Com. Wambua: Alizungumza.

Audience: Ndio.

Com. Wambua: Vizuri. Elijah Watesi? Elija Watesi, hayuko. Mark Baraza.

Speaker: Alienda.

Com. Wambua: Alienda. Evans Chankalwa, Cosmas Wagila? Cosmas Wagila? Not there. Tutamaliza saa hii. Reuben Wanyama?

Reuben Wanyama: Niko.

Com. Wambua: Wewe Mzee ndiwe utafuata, si nilisema tukumbuke wazee?

Audience: Ndio.

Com. Wambua: Tumewafikia. Utafuata baada ya yule mwenzetu, ako wapi? Yeah, utamfuata Wanyama. Kuna Boniface Munialo? Boniface Munialo? Hayuko. Joachim Wamalwa? Haya, wewe ndiwe utafuata mzee hapo. Simeon Okemwa? Tunamaliza saa hii. Twende kwa Elijah Nabibe? Elijah Nabibie?

Speaker: (?)

Com. Wambua: Victoria Mukhekhu?

Audience: Alimaliza.

Com. Wambua: Alimaliza. Patric Miluki? Patric Miluki? Alfred Wafula? Richard Wasike

Richard Wasike: Yes

Com. Wambua: Wewe ndiwe utakayefuata huko. Stephen Makata? Wycliffe Makari? Wycliffe Makari? Fred Hamusini? Hamusini aliongea kwa hivyo sasa tufuatane hivyo. Tumefika page fifteen na tuanze na huyu mzee na nimewapatia vile mtaenda ndio tumalize haraka haraka. Taja jina hapo na uendelee ndugu. Yale ambayo yametajwa tafadhali usirudie.

Erik Masubai Sanyanda: Kwa majina ni Eric Masubai Sanyanda.

Com. Wambua: Eric?

Erik Masubai Sanyanda: Eric Masubai Sanyanda.

Com. Wambua: Eric endelea.

Erik Masubai Sanyanda: Kuchangia, mimi nimeonelea, harambee katika Kenya iondolewe.

Com. Wambua: Endelea.

Erik Masubai Sanyanda: Wakulima e.g. wa kahawa

Erik Masubai Sanyanda: Wakulima wenyewe wauze mazao yao. Mtu akigonjeka na apelekwe hospitali afe, hawezi kulipa kitu chochote, arudishwe nyumbani na azikwe.

Com. Wambua: Endelea.

Erik Masubai Sanyanda: President hawezi kuchagua wafuatao, PC, DC na DO. Hao wachaguliwe kulingana na academics zao.

Com. Wambua: Nani atawachagua?

Erik Masubai Sanyanda: Parliament.

Com. Wambua: Okay, endelea.

Eric Masubai Sanyanda: Lingine, pesa ya kulipa kila mara kwa shule ya msingi ya vitabu, ya chalk.

Com. Wambua: Hiyo ilitajwa, free education.

Eric Masubai Sanyanda: Free education

Com. Wambua: Endelea, hiyo ilitajwa.

Eric Masubai Sanyanda: Lingine, Electoral Commission does not provide for national calendar, when to dissolve Parliament.

Com. Wambua: What you want is that there should be a calendar for parliament, a fixed timetable for parliament?

Erik Masubai Sanyanda: Yes.

Com. Wambua: Hiyo imeingia.

Eric Masubai Sanyanda: Ni hayo tu.

Com. Wambua: Thank you very much. Jiandikishe huko. Wacha tufanye kazi kwa haraka. Wale nilitaja majina wako wapi? Wako wapi wale nilitaja majina waje hapa mbele? Kujeni hapa, Mzee mfuata na ungojee hapo. Wale nilitaja majina wako wapi?

Audience: (?)

Com. Wambua: Ngojeni nakuja kwa hiyo, nataka kumaliza mambo yenu sasa. Wale ambao wamejiandikisha na hawajaitwa wanataka kuzungumza, inueni mikono? Haya, tuje pande moja sasa ndio twende haraka. Mnaweza kuja karibu tafadhali, nyote ambao mnataka kuzungumza hapa

Speaker : (?)

Com. Wambua: It doesn't matter who, just clear them. Wale ambao wanataka kuzungumza mkae mahali pamoja ndio nione nita-allocate wakati gani maanake saa zimeisha. Kujeni pande hii tafadhali, wale wanataka kuzungumza wote waje hapa.

Tumejaa sasa? Ndio hii group yote? Mzee ndio unazungumza?

Speaker: (?)

Com. Wambua: Na wewe?

Speaker: (?)

Com. Wambua: Baada ya huyu. Sasa...(inaudible).

Speaker: (?)

Com. Wambua: Sikizeni wazee ndio tumalize haraka. Sasa ni saa kumi na nusu na tukirudia maneno hapa yale yamesemwa tutakaa hapa mpaka saa kumi na mbili na hakuna haja. Kwa hivyo tutagawa wakati ndio kila mtu ataje jambo lake lile linamsumbua. Yale yametajwa tusirudie tafadhalini, tuchukue dakika mbili mbili tufunge kikao halafu nyinyi muende mukaangalie shamba, ng'ombe. Yule ambaye anataka kwenda kunywa busaa kama DO hayuko karibu, akanywe busaa. Tuendele. Dakika mbili Mzee, yale ya muhimu na kama yametajwa usirudie, tumepata yale na tutayaangalia, taja yale ambayo hayajatajwa.

Robert Wanyama: Kwa majina naitwa Reuben Wanyama. Nina machache kama yafuatavyo. Nitaanzia na uchaguzi wa rais wa nchi yetu. Ninaona huyu asiwe mwenye chama chochote cha siasa, awe neutral.

Com. Wambua: Imetajwa hiyo, endelea.

Robert Wanyama: Muda wake ofisini uwe miaka tano, kama amefanya vizuri afanye application tena na kama atafaulu aendele. Akishindwa, mwingine achukue, isiwe zaidi ya miaka tano. Kuteua rais, kuwe na kamati fulani ya kuchunguza wanaotaka kiti hiki na wawakilishi hawa wawili kutoka katika kila mkoa kuangalia maneno ya wanaotaka kiti hiki. Sipendelei rais yeyote akichukua hatamu kusema nitafuata aliyekuwa katika ofisi hii. Kuna mambo mengine wanasema watafuata na kumbe wanalipisha kisasi.

Com. Wambua: Sawa sawa hiyo tumeelewa.

Robert Wanyama: Sidhani ni vizuri. Awe na mambo yake na yawe mazuri. Aliyekuweko, yakiwa mazuri ayafuate na kama ni mabaya asiyafuate, kutoa kitu ambacho kinaitwa nepotism.

Com. Wambua: Lingine?

Robert Wanyama: Kwa education, waziri wa elimu anakosea wakati fulani. Watoto wa darasa la nane, matokeo ya mtihani yakitokea, anasema kiasi fulani cha watoto watapata nafasi katika shule za serikali na wengine hawataweza. Anataka hawa waende wapi?

Com. Wambua: Propose, unataka nini?

Robert Wanyama: Nasema aachie mzazi, yeyote ambaye mtoto amefaulu, kupata nafasi katika shule za serikali asiwe na pingamizi. Cost sharing imeumiza wananchi sana.

Com. Wambua: Hiyo imetajwa.

Robert Wanyama: Kutoka hospitali, watu wengine wanakufa nyumbani kwa sababu hawawezi hii cost sharing.

Com. Wambua: Hiyo imetajwa.

Robert Wanyama: Namalizia, watoto wetu wa miaka 18 na zaidi, wanajiona wao ni wazima na wakitaka kuo au kuolewa, wanatumia uwezo wao vibaya. Kama ni mvulana wangu anachukua msichana ambaye sijui na hata simfahamu na anamleta kama bibi yake na huu mzigo unakuja kwangu kama mzazi. Nilipe gharama ya mahari na kadhalika na kesho wanakosana na huyu msichana wake, nani anapata hasara? Napendekeza kwamba hawa wavulana na wasichana wetu, akipenda mpenzi wake, ajulishe mzazi na mzazi awe na la kusema na kama wanamuunga mkono, mambo yawe sambamba.

Com. Lethome: Wasipomuunga mkono?

Robert Wanyama: Wazo lingine liwepo.

Com. Wambua: Mzee asante sana.

Robert Wanyama: Hayo ndio maoni yangu.

Com. Wambua: Asante sana kwa maoni yako mazuri, tafadhali jiandikishe hapo, tumeyasikia. Mzee mwenzetu hapo afuate Richard. Ufupishe maneno maanake mengi yamesemwa, tupe mapya usirudie yale yamesemwa. Taja jina tena.

Richard Wasike: Richard Wasike na ningependa kupendekeza hivi; on the President, the immunity of the President must be

lifted in the constitution so that he faces the court of law (?). On the side of the President also, he should be able to be attending the parliamentary sessions so that he is able to answer various questions that are very touchy. On the judiciary side, I think the judiciary should be independent completely such that it should not be interfered with by the head of state in the event of officers performing their duty. The judiciary should have Judicial Commission that so far appoints them to that position they hold and because of that the President will not have powers to interfere with cases they oversee.

On political parties, we should have atleast 2 parties to avoid tribal parties in the country and causes confusion. All parties must participate in the development of the country. On the side of legislature, we have the members' salary in Parliament should be determined by the parliamentary commission which should not involve members as members of the commission, it should have an independent commission of parliamentarians to determine salaries. On the other side, we have those MPs who do not perform, should be recalled by the electorate. Members should be part-time to allow them time to attend to constituencies' issues.

Com. Wambua: Inaudible.

Richard Wasike: Yes. I should cherish the coalition Government. On education, I would recommend that the constitution provides the Government to give the textbook, i.e. the Kenya School Equipment Scheme should be revived and should be written in the constitution so that no body messes up with.... (inaudible).

Com. Wambua: Free education.

Richard Wasike: Yeah. I also want to recommend that the Government must provide employment to its people regardless of the race and it should not have any malice, fear or favour. On elections, there should be no defection from one party to another. Candidates who are elected, those who were once elected or not elected should not be allowed to switch to another party for (?). Seats in parliament should be reserved particularly for people like physically handicapped, women, etc. Election dates must be defined in the constitution, maybe let it not be part of the President.

Com. Wambua: That has been mentioned.

Richard Wasike: Thank you very much.

Com. Wambua: Asante sana Bwana Wasike kwa maoni yako mazuri, tafadhali jiandikishe hapo. Tufuate hapo na kama jambo limetajwa usirudie, leta yale ambayo ni mapya tumalize.

Jack Wamalwa Watibo: Kwa majina naitwa Jack Wamalwa Watibo

Com. Wambua: Jack?

Jack Wamalwa Watibo: Jack Wamalwa Watibo.

Com. Wambua: Endelea.

Jack Wamalwa Watibo: Maoni yangu napeana upande wa katiba isiwapo Kenya yetu, iondolewe mbali.

Com. Lethome: Katiba iondolewe mbali?

Jack Wamalwa Watibo: Iondolewe mbali.

Com. Wambua: Hakuna haja ya katiba.

Jack Wamalwa Watibo: Hakuna haja ya katiba.

Com. Wambua: Badala yake tuwe na nini?

Jack Wamalwa Watibo: Badala yake tuwe Wakenya watupu.

Com. Wambua: Bila sheria, bila katiba... (inaudible).

Jack Wamalwa Watibo: Tuwe na sheria na tutawaliwe na President akipenda watu wake wote.

Com. Wambua: Bila sheria bila katiba

Jack Wamalwa Watibo: Kupitia katiba, nimesema...

Com. Wambua: Kama unataka kufikiria, tutaweza kumpa mwingine nafasi, ufikirie kwanza halafu nitakuita baadaye.

Jack Wamalwa Watibo: Sawa.

Com. Wambua: Maanake inaonekana ni kama maneno yamepotea. Wacha tumpe mwingine nafasi. Fikiria tutakuita tu, keti hapo

Jack Wamalwa Watibo: Pole, kupitia kwa katiba mpya ama President, naomba tusiwache uhalifu utatize wananchi sana kwa sababu hii maneno ya uhalifu imeumiza wananchi. Hasa upande wa Pokot

Com. Wambua: Tupatie proposal tafadhali, pendekezo ni nini? Ugependa katiba iseme nini?

Kwanza umesema hutaki katiba, unataka nini wewe? Tupe proposal.

Jack Wamalwa Watibo: Hapo nilipotea, sio katiba, nilipotelea tu.

Com. Wambua: Sasa nataka proposal yako ni nini?

Jack Wamalwa Watibo: Nataka President alinde wananchi wake kwa umoja.

Com. Wambua: Hiyo tumeelewa.

Jack Wamalwa Watibo: Asibague.

Com. Wambua: Haya, next one. President alinde wananchi wake kwa umoja, asibague. Tuambie next point.

Jack Wamalwa Watibo: Upande wa kugawa mashamba, ikiwa anataka kugawa mashamba ikipatikana, achanganye, mwananchi wa Kenya ni Mkenya.

Com. Wambua: Hiyo tumeelewa, next?

Jack Wamalwa Watibo: Anaweza kutoka Mombasa na aishi hapa Bungoma.

Com. Wambua: Tumeelewa hiyo. Next one?

Jack Wamalwa Watibo: Upande wa Pokot, watu wakifika msituni wanaumiza watu na kuiba ng'ombe, hawalimi. Hiyo misitu igawiwe wananchi, wananchi wachanganywe.

Com. Wambua: Tumeelewa.

Jack Wamalwa Watibo: Nchi itulie kuliko kuvuka huko na bunduki.

Com. Wambua: Haya, tumeelewa. Next?

Jack Wamalwa Watibo: Kwa upande wa msaada wa ukimwi, naonelea watu wa ukimwi wapewe msaada.

Com. Wambua: Haya

Jack Wamalwa Watibo: Maoni yangu ni kwamba watu wa ukimwi wapewe chakula tu, wasipimiwe chakula. Wasipewe pesa halafu waongeze kuumiza wananchi kwa sababu wana pesa mingi.

Com. Wambua: Una jambo lingine?

Jack Wamalwa Watibo: Nafikiri hiyo ndio ya mwisho.

Com. Wambua: Asante sana, jiandikishe hapo tafadhali. Mzee fuata. Jambo kama limetajwa usirudie tafadhali.

Peter Wenani: Asante.

Com. Wambua: Tuambie mapya. Taja jina na uendelee.

Peter Wenani: Kwa majina naitwa Peter Wenani. Langu la kwanza nasema upande wa mkulima, ningesema apewe advance wakati anapopeleka kahawa yake katika mitambo, 15 shillings per kilo advance. Wakati wa clashes 1992, watu walikufa hapa mlimani na serikali haikuwalipa, ningependekeza hao watu wafuatwe na walipwe.

Com. Wambua: Haya, next.

Peter Wenani: Ninaloongeza ni juu ya wazee ambao wako 55 years and above, wazee hawa wapewe kitu cha kuwalinda katika maishani mwao.

Com. Wambua: Next.

Peter Wenani: Linalofuata ni juu ya waalimu, mtu akipewa promotion tafadhali, awe kazi yake ionekane ndipo apewe promotion wala si bure. Jina la 'chokora', naomba katika Chwele tafadhali, jina la chokora litupiliwe mbali kabisa katika Kenya. Litafanya wageni kutoka nje waseme ya kwamba watu fulani chokora wako mahali fulani. Chokora litupwe mbali kabisa.

Com. Wambua: Endelea.

Peter Wenani: Mtu akitoka chama na aunde chama kingine asipewe uwezo huo wa kuunda chama kwa sababu yeye anataka kuchokora serikali hii.

Com. Wambua: Hilo limetajwa, endelea.

Peter Wenani: Mtawala yeyote akipewa, kwa mfano kama DO akipata transfer aende, mambo ya kusema kwamba wazee, ‘changa kitu kidogo kwa maana DO wetu anaenda’ isiweko.

Com. Wambua: Endelea.

Peter Wenani: Wakulima wa mahindi, mambo ya gorogoro itupiliwe mbali na serikali ilete store ili watu wajue jinsi ya kufanya kazi yao kwa shamba.

Com. Lethome: Gorogoro ni nini?

Peter Wenani: Gorogoro ni ile kitu ya kupimia mahindin, mtu akija ananunua hapo ya kupima

Audience: Two kilos.

Peter Wenani: Two kilos, ule mkebe tafadhali uondolewe na serikali itupatie ma-store ya kulinda ... (inaudible). Kitu cha mwisho ni juu ya rumande yaani jela. Na-recommend jela iwe safi, chakula safi, matibabu yawekwe halafu mtu hata ingawa ana taabu, apate maisha mazuri. Ni hayo tu.

Com. Wambua: Asante sana. Hiyo ya mwisho ilikuwa imetajwa lakini tumeisikia tena. Jiandikishe hapo.

Peter Wenani: Asante sana.

Com. Wambua: Asante sana. Sasa watu wasiongezeke, tutamalizia kwa huyo mzee ambaye ako na kofia hapo, hao ndio tulihasabu mwisho. Taja jina na uendelea.

Joseph Kimakuti: Kwa majina naitwa Joseph Kimakuti.

Com. Wambua: Joseph?

Joseph Kimakuti: Kimakuti.

Com. Wambua: Endelea Kimakuti.

Joseph Kimakuti: Jambo la kwanza ni kwamba nataka tuwe na uhuru wa kuabudu.

Com. Wambua: Limetajwa hilo, freedom of worship.

Joseph Kimakuti: Ningetaka kutoa mfano halafu ni-single moja halafu nizungumzie hii.

Com. Wambua: Freedom of worship is what you are proposing. Nimesema tafadhali, nitakupatia muda na tusiharibu muda na nikasikia hapa watu wanasema hiyo freedom of worship isiingize devil worship. Kwa hivyo kama unataka kugeuza hayo tupatie mapya, kama ni hayo hayo wacha tu na uendelee na jambo lingine.

Joseph Kimakuti: Jambo lingine, wale ambao wanafanya biashara ya jua kali, pendekezo langu ni kwamba watu ambao wana stock ya 50,000 and above wapewe license lakini 50,000 and below wafanye biashara bure.

Com. Wambua: Fifty (?)

Joseph Kimakuti: 50,000 and below wasichukue licence, wafanye biashara bure. Jambo lingine ni kwamba watu ambao wana miaka 60 kuenda juu, kwa mfano kama wanakosa kosa ndogo, askari asiende kwake na pingu. Aende amuambie polepole kwa sababu old age inasababisha shida.

Com. Wambua: Imetajwa hiyo.

Joseph Kimakuti: Okay. Jambo la tatu ili kupunguza ukimwi, vijana waweze kuwa examined. Chini ya hiyo ni kwamba wanafunzi wa shule, primary na secondary wapewe penalty ama prosecution, akipatikana akifanya mapenzi. Jambo lingine ni kwamba wale ambao wana virusi vya ukimwi, mtu mzima akipatikana akifanya mapenzi na innocent party aweze kushtakiwa. Lingine ni kwamba madaktari, ninapokufa kwa ukimwi hospitalini, waweze kutoa certificate kwamba nimekufa ukimwi na administration waje nyumbani na kutangaza kwamba huyu amekufa ukimwi ili uweze kupungua.

Jambo lingine, naunga wale walisema serikali iwafunze. Kuongezea, serikali iwape mashamba.

Com. Wambua: Okay (?)

Joseph Kimakuti: Kuhusu afya tumeona kwamba mtu anakufa kwa veranda kwa sababu hana pesa ya kumuhudumia. Kwa hivyo daktari ama nurses ambao wana kiburi, abuses na mistreatment, negligence ya kazi na mtu akufe pale, waweze kushtakiwa. Jambo la mwisho ni kwamba, customary law ya Wabukusu ni kwamba ng'ombe 13. Ninapropose ziwe sita.

Com. Wambua: Za nini tena?

Joseph Kimakuti: Customary law.

Com. Wambua: (?) dowry?

Joseph Kimakuti: Yeah.

Com. Wambua: Una-suggest 6 cows?

Joseph Kimakuti: From 13 to 6.

Com. Wambua: Asante sana, jiandikishe hapo. Taja jina na utuambie mapya.

John Walabamechi: Majina yangu ni John Wamalabe Mechi.

Com. Wambua: (?)

John Walabamechi: John Wamalabe Mechi.

Com. Wambua: Ngoja kidogo tafadhali. Mzee nilikuambia uje hapa, sijui, ulizungumza?

Speaker: (?)

Com. Wambua: Ushazungumza wewe?

Com. Lethome: Because you have been here since morning.

Com. Wambua: Kuja hapa. Huyu Mzee.

Com. Bishop Njoroge: Wewe mzee umekuja sasa hivi?

Speaker: Eh.

Com. Bishop Njoroge: Ni wewe ninazungumzia.

Speaker: Eh.

Com. Bishop Njoroge: Si umekuja asubuhi?

Speaker: Eh.

Com. Bishop Njoroge: Haya, ingia pale.

Com. Wambua: Wacha sasa tuone vile tutaelekea. Mzee utafuata, namba two, number 3, number 4, number 5. Tulikuwa tunaishia hapa, sijui hawa wametoka wapi wengine.

Audience: (?)

Com. Wambua: Number six, seven, eight, nine, ten, mwisho. Mtu wa mwisho hapo ni mwenye kuvaa shati nyeupe, amesonga hapa awe namba seven lakini yeye ndiye wa mwisho. Kwa hivyo tuelekee hivyo basi. Tuambie yale ambayo hayakutajwa na una hakika hayakutajwa.

John Wamalabe Mechi: Yale yenye.... (inaudible).

Com. Wambua: Jina?

John Wamalabe Mechi: Jina ni John Wamalabe Mechi.

Com. Wambua: John?

John Wamalabe Mechi: Wamalabe Mechi.

Com. Wambua: Endelea.

John Wamalabe Mechi: Nitataja yale yanahusiana na maisha yangu vile ninavyoishi hapa kwa nchi hii.

Com. Wambua: Endelea, unapoteza muda sasa.

John Wamalabe Mechi: Hapo nimeona wazee..... (inaudible).

Com. Wambua: Na ulete hiyo mic karibu.

John Walabamechi: Wazee walikuwa wananiambia hadithi ya kwamba mashamba walikuwa wenyewe wanajikatia tu halafu baadaye serikali ikaona ilete map ifanye survey kwa sababu watu wangechokozana na kusongesha. Waliendelea kuishi hii maisha rahisi tu. Tangu tuzaliwe, saa hii shamba ni tatizo ngumu sana, hata afadhali uwache shamba ukae tu uitwe chokora vile walisema. Ni ngumu sana na hiyo sheria irekebishwe.

Com. Wambua: Unataka nini?

John Walabamechi: Kwa sababu ukienda... (inaudible).

Com. Wambua: Unataka tufanye nini?

John Walabamechi: Nataka ikiwa mimi hiyo shamba ya baba nipewe na niwe na uhuru wa kukaa pale. Nisiwe na mambo mengine ama ndugu wanisumbue wakisema huyu hakuwa ama nini. Kwa sababu ukienda kwa serikalii wanasema toa pesa na mimi sina pesa.

Com. Wambua: Okay, endelea. Jambo la pili?

John Walabamechi: Jambo la pili, nilivyo hapa Kenya, nina ID card ya kujitambulisha mimi ni mwananchi asili lakini ningomba hii katiba ya kwamba watawala wetu watufunze sheria zingine, wasituangukie tukifanya makosa tu na hujui ama wafanye matangazo ati kupita mahali hapa ni hatari ili tuhepe. Tunatembea kwa giza tu.

Com. Wambua: Okay, next?

John Walabamechi: Ni hiyo tu.

Com. Wambua: Asante sana Bwana John, jilandikishe hapo, tumesikia na kupokea maoni yako. Taja jina Mzee, wewe ndiwe nimesikia umengojea sana.

Moses Kimakuti: Yes, mimi... (inaudible).

Com. Wambua: Kwa kuwa umengojea, usikae sana kwa kuzungumza mengi.

Moses Kimakuti: Nitafupisha.

Com. Wambua: Fupisha.

Moses Kimakuti: Kwa majina naitwa Moses Kimakuti.

Com. Wambua: Kimakuti?

Moses Kimakuti: Yes. Mengi yametajwa ijapokuwa nilikuwa napendekeza hivi, mbunge yeyote akichaguliwa na havezi kutekeleza jukumu la wale walimchagua

Com. Wambua: Anarudishwa.

Moses Kimakuti: Arudishwe.

Com. Wambua: Hilo limetajwa Mzee.

Moses Kimakuti: La pili, suspect should not be tortured by police.

Com. Wambua: Hilo limetajwa.

Moses Kimakuti: La tatu, counting of votes should be done at the polling station.

Com. Wambua: Limetajwa hilo.

Moses Kimakuti: Ni hayo tu. Asante.

Com. Wambua: Thank you very much Moses. Mambo yote hayo yako yaliingia. Jiandikishe hapo please. Taja jina Mzee na utuambie mapya tafadhali.

Henry Nyongesa Wanasamba: Kwa majina naitwa Henry Nyongesa Wanasamba.

Com. Wambua: Henry Nyongesa?

Henry Nyongesa Wanasamba: Henry Nyongesa Wanasamba.

Com. Wambua: Endelea.

Henry Nyongesa Wanasamba: Langu ni hili, mimi ni Mwanakenya na nimekaa hapa Kenya tangu mwaka wa 1951 mpaka saa hizi. Vile mimi naonelea, serikali yetu sio mbaya na langu nasema hivi, kama vile muko hapa, mukienda huko mjue ya kwamba kama zile sheria mnatunga mpya, tunataka President kwanza. Watu waende kukaa huko mbali na tupigie President kura kwanza halafu tuje kwa ministers. Hatutaki mtu achaguliwe huku na hatujui mahali anatoka, tunataka tumpigie kura kama tunajua huyu kama Ghai anatoka huko Coast province, tunajua mahali unatoka na kama barabara inaharibika, yeye ndiye anajua.

Com. Wambua: Tumesikia.

Henry Nyongesa Wanasamba: Ya tatu, MPs lazima tuwapigie kura. Hatutaki mtu anatoka bomani anasema huyu ni Permanent Secretary ama huyu ni MP, tunajua anatoka wapi?

Com. Wambua: Wanachaguliwa tu.

Henry Nyongesa Wanasamba: Hapana sisi tunawapigia kura.

Com. Wambua: Mzee, MPs huwa wanachaguliwa na wewe unatuambia lazima wapigiwe kura

Henry Nyongesa Wanasamba: Wapigiwe kura kwa maoni yangu.

Com. Wambua: Si wanapigiwa kura?

Henry Nyongesa Wanasamba: Tupigie President, tumalize tupigie MP.

Com. Wambua: Halafu?

Henry Nyongesa Wanasamba: MPs tuwapigie, hatutaki mtu achaguliwe bure.

Com. Wambua: Okay, umekataa nominations.

Henry Nyongesa Wanasamba: Ndio.

Com. Wambua: Asante. Kuna jambo lingine?

Henry Nyongesa Wanasamba: Ninalo.

Com. Wambua: Endelea

Henry Nyongesa Wanasamba: Tukimaliza hapo, Permanent Secretaries pia wapigiwe kura

Com. Wambua: Okay. Nani mwingine unataka apigiwe kura?

Henry Nyongesa Wanasamba: Tukimaliza hapo tunakuja kwa PCs.

Com. Wambua: Wapigiwe kura pia?

Henry Nyongesa Wanasamba: Pia wapigiwe kura.

Com. Wambua: Taja sasa wale wote unataka wapigiwe kura.

Henry Nyongesa Wanasamba: Mahali watasimamia kwa maana nimesema kila mtu apigiwe kura.

Com. Wambua: Kila mtu apigiwe kura.

Henry Nyongesa Wanasamba: Kuanzia kwa sub-chief hata mukasa.

Com. Wambua: Hata headmaster apigiwe kura?

Henry Nyongesa Wanasamba: Hata headmaster.

Com. Wambua: Hata mtu wa kanisa apigiwe kura?

Henry Nyongesa Wanasamba: Mtu wa kanisa, watu wa kanisa watampigia kura.

Com. Wambua: Haya, tumesikia hiyo.

Henry Nyongesa Wanasamba: Wacha nimalize hii.

Com. Wambua: Maliza.

Henry Nyongesa Wanasamba: Hata nilisikia kwa radio wakati mwingine, Ghai alisema vizuri. Hata kama chief anaweza kupigiwa kura na wakati huo mimi nilikuwa naona hata chief walikuwa wanahesabu hapa majani wanasema wewe umepita huyu kwa kura fulani.

Com. Wambua: Maliza ya mwisho.

Henry Nyongesa Wanasamba: Ufisadi umekosekana.

Com. Wambua: Wakati umekwisha, tafadhali jiandikishe hapo. Kuja hapa mbele Mzee na utaje jina. Fupisha maneno yale ambayo hayakutajwa. Tuambie mapya.

Richard Simiyu Mwalakha: Kwa majina ni Richard Simiyu Mwalakha.

Com. Wambua: Richard?

Richard Simiyu Mwalakha: Richard Simiyu Mwalakha.

Com. Wambua: Endelea.

Richard Simiyu Mwalakha: Nimeonelea ya kwamba ofisi ya President ama President achaguliwe kwa muda wa miaka mitano na tukimchagua tena, awe na mitano ya mwisho aende kupumzika.

Com. Wambua: Imetajwa hiyo.

Richard Simiyu Mwalakha: Imetajwa?

Com. Wambua: Ndio, 2 terms of 5 years each.

Richard Simiyu Mwalakha: Okay. Local Member of Parliament na kama hatimizi matakwa yetu, awe nullified na kisha arudi nyumbani na tuchague mwingine.

Com. Wambua: Right to recall?

Richard Simiyu Mwalakha: Yes.

Com. Wambua: Hiyo imetajwa.

Richard Simiyu Mwalakha: Already?

Com. Wambua: Ndiyo.

Richard Simiyu Mwalakha: Nitataja moja ambayo hawajataja, iko hapa.

Com. Wambua: Endelea.

Richard Simiyu Mwalakha: Mkasa apewe mshahara.

Com. Wambua: Hiyo imetajwa.

Richard Simiyu Mwalakha: Ai!

Com. Wambua: Mkasa ni village elder?

Richard Simiyu Mwalakha: Yes.

Com. Wambua: Alipwe mshahara. Imetajwa hiyo.

Richard Simiyu Mwalakha: Okay. Lack of employment in the country. Proposal ni kwamba tuwe na one-man one-job.

Com. Wambua: Imetajwa hiyo.

Richard Simiyu Mwalakha: Limetajwa?

Com. Wambua: Not even one man, one woman.

Richard Simiyu Mwalakha: Very good.

Com. Wambua: Endelea.

Richard Simiyu Mwalakha: Pombe ya chang'aa, wamegusia hii mambo ama bado? Wameguza hii mambo ya busaa.

Com. Wambua: Wametaja chang'aa.

Richard Simiyu Mwalakha: Chang'aa ihalalishwe maana inakaa kwa vijiji na watu wanaumizana huko. Afadhali waitengeneze kwa njia nzuri na iuzwe kama Uganda katika ma-bar

Com. Wambua: Hiyo ni mpya.

Richard Simiyu Mwalakha: Hiyo ni mpya kabisa, najua hakuna mtu aliguza hiyo.

Com. Wambua: Okay.

Richard Simiyu Mwalakha: Watu wanunue kwa bar lakini isiwe kwa vijiji.

Com. Wambua: Na ipimwe vile inakuwa.

Richard Simiyu Mwalakha: Ipimwe vile inakuwa. Asante. Nafikiri hayo yanatosha.

Com. Wambua: Thank you very much Bwana Richard Simiyu. Jiandikishe huko tafadhali. Songea hapa Mzee. Richard jiandikishe huko.

Richard Simiyu Mwalakha: Nimefikiri nimemaliza.

Com. Wambua: Tufuatane hapa. Sasa Mzee, taja jina na ufanye kama vile Simiyu amefanya. Kama jambo limetajwa usiharibu wakati, tupatie mapya.

Binea Murunga: My names are Binea Murunga.

Com. Wambua: What is the name?

Binea Murunga: Binea Murunga.

Com. Wambua: Binea Murunga, okay endelea.

Binea Murunga: With respect to nominate Members of Parliament, the new constitution should provide the following: nominees to come from special interest groups, a person who has contested in a general election and subsequently lost should not be nominated. Nominated MPs should not be nominated into cabinet and should not be elected to occupy the post of Speaker or Deputy Speaker. Their nominations should be vetted and confirmed by 65% vote of parliament. The new constitution should establish a truly independent Electoral Commission with adequate powers to recognize, organize and control (?) elections.

Com. Wambua: That one has been said.

Binea Murunga: The parliament to have a mechanism or a house of intelligence committee to have control over Government roles but not the President to declare war without permission of the parliament. We need estimate committee, which is meant to scrutinize Government tax and expenditure proposals before they are incorporated in the budget. This means that the parliament should (?) notice and therefore control over the Government budget process. The constitution reform education should be introduced into school civic education curriculum. That the current provision administration in Kenya is a democratic, oppressive, colonial and... (inaudible).

Com. Wambua: What do you want about it? To be scrapped?

Binea Murunga: Yeah, to be scrapped.

Com. Wambua: That has been said.

Binea Murunga: And be replaced by an elected system.

Com. Wambua: That has been said, too.

Binea Murunga: The new constitution should establishe the office of the ombudsman.

Com. Wambua: Ombudsman's office.

Binea Murunga: In every district to listen to complaints from the wananchi.

Com. Wambua: It can be one body with branches so that it (?)

Binea Murunga: Yes. Natural resources and wealth generated within the district be managed by the local Government authorities within the district to be used in development of the local authorities including among others, financing high education of children within our councils, municipalities and towns and that only 25% of the wealth to be generated to the central Government. That is enough. Thank you very much.

Com. Wambua: Asante sana Bwana Binea. Mzee fuata hapo, taja jina.

Laban Makari: Asante.

Com. Wambua: Tuambie mapya.

Laban Makari: Lakini hapana kuwa kama (?)

Com. Wambua: Nitakuambia. Taja jina na uweke hiyo mic karibu.

Laban Makari: Laban Makari

Com. Wambua: Laban?

Laban Makari: Laban Makari Maratanya.

Com. Wambua: Endelea Mzee.

Laban Makari: Mimi naomba serikali, tuna taabu ya watoto wa chokora. Sisi tuna uchungu.

Com. Wambua: Unataka wapewe elimu ya bure?

Laban Makari: Wawasaidie, hatusemi ya bure, serikali isaidie pesa ikuwe chini. Point ya pili, hata kwa hospitali pesa ni juu, wacha mtu akufe, sisi Wazee tutaenda wapi?

Com. Wambua: Unataka tufanye nini?

Laban Makari: Watusaidie tena bei ikuwe chini.

Com. Wambua: Okay, endelea

Laban Makari: Kama ng'ombe wa watoto wasichana iwe ng'ombe sita. Kama mtoto amesoma, pengine watasema na baba yake mwenyewe (?) lakini ng'ombe ikuwe sita.

Com. Wambua: Hiyo tumeelewa.

Laban Makari: Naomba hiyo, sina mengi.

Com. Wambua: Asante sana. Jiandikishe huko Mzee Laban. Mzee taja majina na utuambie kwa kifupi tu.

Moses Baraza Kimalewa: Mimi naitwa Moses Baraza Kimalewa.

Com. Wambua: Moses Baraza?

Moses Baraza Kimalewa: Moses Baraza Kimalewa. Upande wa mashamba nitasema hivi, shamba ambalo liko surveyed linatakikana baada ya miaka kumi, serikali yenyewe irudishe kwa nafasi yake ile shamba ilikuwa surveyed kwa sababu watu wengi wanaumia wakienda kwa lands wanakuliwa pesa mingi sana.

Com. Wambua: Mimi sielewi hapo Mzee, nataka nikuelewe. Naongea naye tafadhali. Unasema land ikiwa surveyed, baada ya miaka 10 serikali ifanye nini?

Moses Baraza Kimalewa: Irudie kwa hiyo shamba na irudishwe kwa nafasi yake vile ilikuwa. Yaani i-survey again.

Com. Wambua: You are saying after 10 years to re-survey?

Moses Baraza Kimalewa: To re-survey again.

Com. Bishop Njoroge: Why?

Moses Baraza Kimalewa: Kwa sababu ukienda lands wanakula watu wengi pesa na hawafanyi kazi yao na watu wanaumia sana.

Com. Bishop Njoroge: Why would you want it to be surveyed twice?

Moses Baraza Kimalewa: Kama kuna kesi ya shamba ya kwamba fulani aliharibu shamba na ilikuwa surveyed na serikali ndio iko na map ya hilo shamba. Mimi tukigombana na wewe na tuenda kwa lands, yule ana pesa ndio atarudisha nafasi yake lakini wanaweza kata shamba lingine na lirudi kwa yule yuko na pesa na yule hana pesa ataumia. Kwa hivyo iwe jukumu la serikali kwamba after 10 years na wa-resurvey na irudishwe kwa nafasi ya acre 10.

Com. Wambua: After 10 years land be re-surveyed by the Government.

Moses Baraza Kimalewa: Ya pili, education inatakikana iwe equal katika Kenya nzima. Kwa mfano sasa tuna computer na unaweza pata kwa province moja ndio iko na computer kwa sababu iko na stima lakini national examination itakuwa sawa katika Kenya. Kwa hivyo, itaonekana kwamba education si sawa katika Kenya.

Com. Wambua: Standardize education.

Moses Baraza Kimalewa: Sawa sawa. Upande wa watoto wa kike katika familia, mtu ambaye amebahatika amezaa wasichana pekee yake, ndio hao watoto waruhusiwe kupata mali ya wazazi wao kama shamba, sio wale wamezaliwa na vijana warudi waseme pia sisi tunataka mashamba na wanaweza kuoleka na watu wengine.

Com. Wambua: Hiyo imetajwa.

Moses Baraza Kimalewa: Imetajwa? Sawa. Lingine ni kuwa watu wa kawaida wanakimbizwa sana kwa chakula ambacho wanaona kinaweza kuwa halali kwao.

Com. Wambua: Hiyo imetajwa.

Moses Baraza Kimalewa: Imetajwa. Kawaida hiyo tu imetajwa, watu wawe free kwa sababu they are in their country.

Com. Wambua: Hiyo imetajwa na wakasema ni chakula.

Moses Baraza Kimalewa: Ni chakula sio chang'aa.

Com. Wambua: Moses, una lingine?

Moses Baraza Kimalewa: Linaweza kupatikana.

Com. Wambua: Toa lingine moja.

Moses Baraza Kimalewa: Lingine, watu ambao wanaweza kujua uhaki wa mtu katika ukoo kama iko kesi ya shamba ibaki familia ama ukoo ndio unaweza kujua huyu mtoto alizaliwa hapa na ana haki ya kupata kuliko kusema advocate ndiye atafanya hiyo keso na hajui vile huyu mtu alizaliwa. Nilikuja late na nitamalizia hapo

Com. Wambua: Hiyo imetoshia.

Moses Baraza Kimalewa: Kama ni bunge, mimi nilikuwa mwanasiasa na ninasema President anastahili kupewa heshima ya kutosha ili awe na mamlaka ya kutawala nchi. Akipungunza madaraka, atakuwa President asiye na sheria

Com. Wambua: Executive President.

Moses Baraza Kimalewa: Yes, na hiyo haitakuwa (inaudible).

Com. Wambua: Unasema ulikuwa mwana siasa.

Moses Baraza Kimalewa: Nilikuwa mwanasiasa.

Com. Wambua: MP ama councillor?

Moses Baraza Kimalewa: Chairman wa party.

Com. Wambua: Chairman wa party.

Moses Baraza Kimalewa: Nataka President awe na mamlaka ya kutosha ndio atawale nchi

Com. Wambua: Asante sana Moses Baraza, tafadhali jiandikishe hapa kwa maoni yako mazuri. Tuendeleo. Sijui huyu Mzee aliruka namna gani na alikuwa mwisho.

Speaker: Nimebahatika Mzee.

Com. Wambua: Sasa bahati yako uitumie vizuri, nimekupa dakika mbili umalize yale ambayo unataka kusema na yawe ni mapya.

Eliud Wafula: Kutoka Chwele. Jina langu ni Eliud Wafula.

Com. Wambua: Endelea Wafula.

Eliud Wafula: Mimi maoni yangu, ya kwanza naona, picha ya raisi iondolewe kwa pesa.

Com. Wambua: Hiyo ilitajwa asubuhi.

Eliud Wafula: Okay, pili (Interjection).

Com. Wambua: Lakini nataka kuuliza tuweke nini hapo badala yake?

Eliud Wafula: Badala yake, waweke kitu kama crown, the Kenya kama simba, ama ishara yoyote ya kuonyesha kwamba ni pesa za Kenya, lakini picha ya rais iondolewe.

Com. Wambua: Okay, endelea.

Eliud Wafula: Ya pili ilisemwa, ya tatu, tuseme ni ya pili; mimi maoni yangu ninaona muda wa raisi President akishapigiwa kura, na aendele. Sio kuweka ati miaka tano, miaka kumi, hapana. Kama vile Councillor, kama vile Mbunge, huwa anaendelea. Kwa hivyo rais aendele miaka yote. Isipokuwa akishakufa, ama aangushwe kwa kura tu, hiyo aondolewe, lakini kwa kusema ati miaka kumi, hiyo hapana. Maoni yangu inasema hivyo.

Baadayo, mishahara ya polisi ichunguzwe na Bunge.

Tano, wanawake wasiwe sawasawa na wanaume, wanawake wawe chini ya waume zao.

Sita, malipo ya County Council kama ma license, local Government imeweka juu zaidi. Kwa hivyo, ni afadhali serikali iingilie. Na iwapunguzie hiyo mizigo wafanyi biashara. Pesa za license ya County Council ziko juu zaidi. Zinaendelea tena kupanda. Nafikiri ni hayo.

Com. Wambua: Kidogo Mzee nikuulize kabla haujaondoka. Umesema, mwanamke asiwe sawa na mwanaume, mwanamke

awe chini ya mwanaume, na ningelipenda kujua kitu kimoja, nataka kujua ni kama tutawapatia wanawake na wasichana nafasi sawa. Nafasi, sio, sijui kama unanielewa? Tuwapatie nafasi sawa ikiwa ni elimu, na wewe uko na wasichana na wavulana, uwapatie nafasi sawa ya elimu, wapewe. (**Interjection**)

Eliud Wafula: Tuseme (**Interjection**)

Com. Wambua: Ngoja nimalize, ngoja nimalize. Ikiwa ni kazi, employment, wapewe nafasi sawa. Ikiwa msichana amesoma akapata degree, na wale ambao wanatakikana wako na degree, apewe na nafasi hiyo itumike kwa nchi, maanake amesoma. Kwa hivyo ningelipenda kuja kama hii neno lako umesema, wanawake wawe chini ya wanaume. Unasema wapoteze hiyo haki ya kuwa wako na nafasi sawa na wanaume, ama ni kule kwa nyumbani unataka ukishakohoa, bibi anyamaze? Unataka nini, sema sawa sawa.

Eliud Wafula: Hapo, wanawake, sio kusema ati kwa elimu vile anafanya kazi, wapi. Lakini nyumbani kwao, hata kama yeye ni mwanamke D.O, na bwana wake ni Chief, aheshimu bwana wake. Sio kusema mimi D.O ndiye huyu. Hapana.

Com. Wambua: Haya tumeelewa. Jindikishe hapo.

Haya, sasa tumekoma, tumefika mwisho wa kikao hiki.

Com. Lethome: Sasa watu wa Chwele, tumefika mwisho wa kikao chetu. Kila kitu kizuri lazima kifike mwisho wake. Na leo, sasa hivi ndio tumefika mwisho wa kikao chetu kwa siku ya leo. Ningependa kuwashukuru sana kwa maoni yenu ya hali ya juu sana. Na maoni ambayo hatujapata kusikia mahali pengine, tumeanza kusikia hapa leo.

Kwa hivyo tunawashukuru sana, na mjue hiyo kazi ambayo mmefanya, tunawahakikishia, kila neno ambalo mmezungumza, limerekodiwa, na litafika huko, na wakati wa kuandika ripoti na kurudisha kwenu mtaweza kuona kuwa yale yote ambayo mmezungumza, haikuwa tu ni mambo ambayo sio muhimu, ni mambo muhimu sana ambayo mmefanya. Na nyote mjue, kila mmoja aliyeshiriki hapa, ameshiriki katika jambo la kihistoria. Tumengoja miaka thelathini na tisa kupata nafasi kama hii. Hatujui tutangoja miaka mia ngapi tena kupata nafasi kama hii. Kwa hivyo hii ni historia, na wewe umeshiriki katika historia. Kwa hivyo tunawashukuru sana.

Na ikiwa bado una maoni, utakwenda nyumbani ulale, ufikirie jambo lingine, usichelewe, unaweza kuandika hayo maoni, na kupitia kwa District co-ordinator wetu, tunaweza kupata hayo maoni yako. Kwa hivyo kwa kufunga kikao, kuna wenyeji wetu wawili hapa. Kwanza tunamshukuru Madam D.O kwa vile tangu jana alikuwa na sisi, leo alikuwa na sisi tunajua ana shughuli nyingi. Ni kwa sababu anajua umuhimu wa kazi hii. Na mlisikia pia yeye kama Mkenya alitoa maoni yake hapa. Na, tunamshukuru sana, na kama ana jambo lolote la kusema, anaweza kuwaambia. Na District Co-ordinator wetu, na wale wote

ambao wamehusika kuifanya kazi hii yetu iweze kufaulu.

Pastor ambaye anasimamia kanisa hili ijapokuwa sikumuona, sijui kama yuko hapa. Tunamshukuru sana, na wale wote ambao wamehusika katika kututayarishia kikao kama hiki. Tunawashukuru sana, Madam D.O pia uwashukuru wale askari ambao wametupatia ulinzi, kuanzia asubuhi, utawashukuru sana. Nafikiri mimi nitawachia sasa Madam D.O na District Coordinator, mtatufungia, na mwisho kabisa tutapata mtu mmoja atufungie kwa maombi. Na tunatangaza kuwa kesho tutakuwa mahali panaitwa Nabanga, nafikiri. Mabanga pole, mimi nitakuwa Mbukusu ngoja.

District Coordinator: Bw. Commissioner Mabanga maana yake ni damu, tulimwaga damu yetu hapo, tukipigania kuwa Wabukusu wakati watu walitaka kuchukua mashamba yetu.

Sasa, ningependa kusema hivi, kwa nyinyi macommissioners kutoka CKRC, kwa uvumilivu wenu kwa kukaa hapa, nimesema asante sana. Sisi watu wa Bungoma vile mnavyoona, pia tunataka nchi hii ielekee mahali fulani. Na, tunajikuta tukiwa kama wananchi wa Kenya, tumefurahi vile nyinyi mmetembea nchi yote nzima, na mkakuja huku Bungoma kusikiliza maoni yetu.

Najua nyinyi mmepata experience, mmeona watu wengi wakitoa maoni, labda yetu si mazuri vile. Lakini nafikiria, hao ambao wamekuja hapa leo, ni watu ambao wameacha kazi yao waone kwamba lazima wao pia washiriki katika kutengeneza hii Katiba. Nimekuwa nikiwaambia Bw. Macommissioner, kwamba constitution ya America iko miaka mia mbili na zaidi sasa. Na tangu itengenezwe, haitengenezwi kila siku. So, nimeambia hawa, watoto na watoto na watoto wa watoto wao, labda hawataona mambo kama haya. So, mmefanya vizuri na asante sana.

Kwa wale maafisa ambao mlitoka, mmekuja na macommissioner, nimesema asante sana. Kuna Committee members, Constitution Committee Members, CCC Members wa Sirisia, Wycliff uko hapa, Bw. Mwalakha uko hapa. ninasema asante sana, Committee member mwingine mwanamke ameenda, na chairman wa CCC ameenda, lakini kesho atakuwa Mabanga huko ndiko kwake sasa. Hata jana alikuwa na sisi huko Sirisia.

Tuna Richard kutoka Kandunyi Constitutional Committee, lakini ametusaidia sana. Gaitano Opilo the translator wetu, retired educational officer, ametusaidia sana. Kuna mama kutoka Mumias School for the deaf, ambaye alifikiri labda sisi hapa tutakuwa na mtu ambaye hasikii, amwonyeshe vile tunazungumza. Lakini kwa bahati mzuri ama mbaya hatukuwa naye. Lakini hatakuwa na sisi kesho tena.

Na kwa watu wote ambao mmekuja, ningependa sasa nimrudishie Madama D.O, kwa sababu Madam D.O ametusaidia sana, sasa yeye ni special D.O mimi nafikiria. Kwa sababu ako na divisions tatu ambazo anachunga. Hata leo ametoka Nalondo ambako tutakuwa kesho. Ametuacha hapa akaenda kuhakikisha venue iko sawa. So, Madam D.O asante sana, nataka nikukaribishe ufunge huu mkutano, na tukimaliza hivyo, tutapata maombi, sijui nani atatupa maombi? Inaonekana watu wawili

wanajua kuomba, so, mmoja atatuomba. D.O karibu.

Madam D.O: Asante sana Bw. Coordinator wetu, Commissioners wetu, wakaaji wa sehemu hii, na viongozi ambao wamevumilia kutoka asubuhi saa tatu mpaka saa hii. Commissioners wetu, we want to thank you so much kwa huo uvumilivu yenu, najua you have sat on very hard chairs, this is unusual maybe in other areas. Lakini katika hapa Chwele mmevumilia, I know at the end of the day maybe the back will be aching seriously. Lakini because mmetupenda, you want us to be part of the constitution of Kenya. You want the people of Chwele to have an input on that document, which we will be proud of, and we thank you for your commitment, we really thank you for that commitment of sitting down for all those hours.

You know naturally a human being is given some hours, maybe eight hours of a day but this is more for you. We thank you so much for that kind of commitment, your staff, thank you too. We know maybe the treatment we have given you is unlike other areas, but you will forgive us, that is what we could manage to offer you. So, may God bless you greatly, watu wetu shukrani kwa ile kazi mmefanya, and that is why we will say the constitution is ours, because we have all participated. May God bless you all. Mtu wa kuomba tafadhali.

Joseph Kitui Mwalakha: Hebu tuombe;

Bwana Mungu, Jehova muumba wa vitu vyote, ukayae juu Mbinguni, Baba ni wakati mwingine tunataka kushukuru jina lako kupitia kwa mwanao Yesu Kristo. Wewe ndiwe uliumba nchi ya Kenya, na ukatupa utawala. Baba Mtakatifu, Mwana wa Mungu Yesu, kupitia kwa jina lako, tulianza na wewe, tunamaliza na wewe.

Haswa Baba, viongozi wetu ambao wametutembelea ambao ni wageni wetu wa heshima, hawa ni Macommissioners, pamoja na Coordinator wetu wa district, pamoja na D.O wetu, Baba pamoja na wazee hawa, ambao wamekaa kwa muda mrefu, wakingoja, wakiona maneno ya nchi yetu itaendelea aje, kwa wakati ujao. Tunasema ni asante.

Viongozi wetu hawa, wasijichukue ya kwamba, labda ndio kwa ajili ya kusoma, lakini najua ni wewe ndiwe uliwachagua, kutoka Mbinguni, au kutoka mikononi mwako. Baba naweka mikononi mwako, upate kuwabariki, vile wanaendelea kuwa na sisi, hata wakimalizia katika area yetu ya Sirisia kesho huko Mabanga, utazidi kuwabariki.

Popote waendapo kulala sisi hatujui lakini wewe unajua, upate kuwa na kila mmoja. Wazee wetu wanaporudi nyumbani, upate kuwabariki. Asante Mtakatifu, kazi hii, wewe ndiwe ulinibariki nikiwa kiongozi wa hapa, Baba chini ya coordinator yetu, Baba nasema ni asante. Utubariki na tunapoenda tutabariki jina lako. Ni katika jina la Yesu Kristo naomba nikiamini. Amen.

Meeting ended at 5.30 p.m.

