TABLE OF CONTENTS

	Prefa	ace	i
1.	Dist	rict Context	1
	1.1. 1.2.	Demographic characteristics	1
2.	Cons	stituency Profile	1
	2.1.2.2.2.3.2.4.2.5.2.6.	Demographic characteristics Socio-economic Profile Electioneering and Political Information 1992 Election Results 1997 Election Results Main problems	1 1 2 2 2 2
3.	Cons	stitution Making/Review Process	3
	3.1. 3.2.	Constituency Constitutional Forums (CCFs)	3 5
4.	Civi	Education	6
	4.1. 4.2.	Phases covered in Civic Education Issues and Areas Covered	6 6
5.	Cons	stituency Public Hearings	6
	5.1.5.2.5.3.	Logistical Details	6 7 7
Αŗ	pend	ices	31

1. DISTRICT CONTEXT

Nyeri Town constituency is situated in Nyeri district.

1.1. Demographic Characteristics

District Demulation	Male	Female	Total
District Population	322,521	338,635	661,156
Total District Population of 18 years of Age & Below	160,053	156,533	316,586
Total District Population of 19 years of Age & Above	162,468	182,102	344,570
Population Density (persons/Km²)		197	

1.2. Socio-Economic Profile

- The district has the fourth lowest absolute poverty level in the country (31.05%).
- The district is the third richest district in central province.
- The district is the second most populous district in central province and the seventh most populous district in the country.
- The district has the lowest unemployment rate in central province (5%) ranking ninth countrywide.
- The district has the second highest secondary school enrolment in the country at 46.5%.
- Nyeri district has the second largest average constituency size in central province.
- The district has six members of parliament who represent about 110,193 people each.
- The district gave the Democratic Party of Kenya (DP) all the parliamentary seats at the last general elections.

2. CONSTITUENCY PROFILE

Nyeri Town constituency comprises of Mukaro and Kiganjo Divisions of Nyeri District.

2.1. Demographic Characteristics

Constituency	Male	Female	Total	Area Km²	Density (persons per Km²)
Population	50,022	51,216	101,238	167.9	603

2.2. Socio-Economic Profile

The main economic activity in the constituency is agriculture. Tea and Coffee are the main cash crops. The constituency enjoys low absolute and food poverty levels; low levels of malnutrition and infant mortality rate; low unemployment rate; and a high primary and secondary school enrolment rate. Within the town, there are small and medium scale economic activity in manufacturing, distribution and sale of merchandize.

2.3. Electioneering and Political Activity

Like other constituencies in Nyeri district, the DP has been the most dominant party since the reintroduction of a multi-party system in Kenya in 1991. In both the 1992 and the 1997 general elections, the DP parliamentary candidate won the constituency seat with a majority of votes. In 2002, the National Rainbow Coalition took the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERE	44,523		
CANDIDATE	PARTY	VOTES	% OF VALID VOTES
Isaiah Mathenge	DP	29,844	83.49
Waihenya Ndirangu KNC		2,991	8.37
Wagura Marine	FORD-A	1,639	4.59
Mugo Mutothori	KANU	1,270	3.55
Total Valid Votes		35,744	100.00
Rejected Votes		77	
Total Votes Cast		35,821	
% Voter Turnout		80.46	
% Rejected/ Cast Votes		0.21	

2.5. 1997 General Election Results

1997 TOTAL REGISTERED	44,644		
CANDIDATE	PARTY	VOTES	% OF VALID VOTES
Wanyiri Kihoro	DP	30,629	86.99
Peter Gichohi Muriithi	KANU	3,428	9.74
James Kariuki Githinji	KENDA	509	1.45
Kenneth Kimara Nguru	NDP	421	1.20
Peter Gitari Weru	LPK	233	0.63
Total Valid Votes	•	35,210	100.00
Rejected Votes		77	
Total Votes Cast		35,354	
% Voter Turnout		79.19	
% Rejected/ Cast Votes		0.41	

2.6. Main Problems

- Poor road network
- Inadequate Water supply
- Poor telephone facility supply
- Inadequate supply of health facilities

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constitution Constitutional Forum (CCF) plays a very significant role in the review of the constitution. It is designated as one of the organs 'through which the review process shall be conducted' - (sec. 4(1) of the Constitution of Kenya Review Act, Cap.3A). The importance attached to the CCF arises from the recognition of the need to involve the people fully in the review of the constitution. Only through such participation of the public will the new constitution reflect the preferences, hopes and aspirations of the people. It would also increase people's knowledge of constitutional issues, and facilitate their familiarity with the provisions of the new constitution. Additionally, the process, enhances the legitimacy of the constitution among Kenyans and their sense of ownership over it. In these ways the proper implementation and safeguarding of the constitution will be facilitated.

3.1.2. Composition and Establishment

The 1997 Review Act had provided for district forums 'to mobilize communities at the local level for the purpose of civic education in preparation for the Commission's work and to perform such other duties as the Commission may assign' - (sec. 12A (6). The District Forums were to consist of members elected to represent locations, religious organizations, and the disabled, in addition to MPs and members of every local authority in the district. The Act contained several provisions prescribing minimum qualifications for membership and regulating the operations of the District Forums.

The Select Committee of the National Assembly, which reviewed the Act in early 2000, decided to replace the District Forums with Constituency Forums to get views 'directly from the people in the constituency without necessarily going through the rigours of an election to determine the members of the forum'. It thought that this would provide for a more popular form of participation. It recommended on the simplification of the forum to avoid elections. The Select Committee envisaged the constituency forum as and 'open forum with no specific structures', which should be 'flexible and easy to manage'. Its opinion was that the 'existing leadership comprising Members of Parliament, councilors, community based organizations, religious groups and individuals should be able to present views and opinions directly from the grassroots' (The Report of the Parliamentary Select Committee Reviewing the Constitution of Kenya Review Act, 1997, April 2000). It removed the regulatory powers of the Commission over the forum, its role being confined to the 'facilitation' of the forum. It also changed the function of the views of

the public on proposals to alter the constitution.

In view of the limited role of the CKRC in the establishment of the CCF's, the CKRC prepared and gazetted Guidelines for the operationalization of the constituency constitutional forums. The Guidelines stipulated that all the residents of a constituency would constitute the CCF. The CCF is described as one of the organs 'through which the review process shall be conducted' - (sec.4(1)). The CCF was thus one of the principal ways in which the views of the public were to be obtained.

In order to coordinate and facilitate the activities of the CCF, a Constituency Constitutional Committee (CCC) was to be established. The Guidelines proposed its membership to consist of 10 persons, of which three would be ex-officio: the local MP, the chair of the County Council in which the constituency is located, and the District Coordinator. The Guidelines stated that the membership would be as broad and representative of the people of the constituency as possible and recommended that at least a third of the committee should be women.

3.1.3. Functions of CCF

- Facilitation of collection of the views of the public at the constituency level on proposals to alter the constitution; and
- Debate and discussion of the views of the members of the public on proposals to alter the constitution.

In performance of these functions, the CKRC was required to visit all constituencies (Sec. 18 (1)(a)).

3.1.4. Functions of CCC

- The functions of the CCC were mainly facilitative and advisory, the primary aim being to enhance the effective participation in the ownership of the constitution review process by the people at the constituency level;
- The CCC was also mandated to promote, facilitate and monitor civic education at the constituency level in collaboration with the District Coordinator and civic education providers;
- Additionally, the CCC had to ensure that the constituency had access to all information relevant to the review process in coordination with District Documentation centers; and
- Finally, the CCC was also mandated with the task of dissemination of the report of the CKRC. It was to be assisted in this by the District Coordinator, who was also its accounting officer, in relation to funds that were made available to it by CKRC.

It is important to emphasize that the Guidelines were advisory, and the local community was free to modify them to suit local circumstances. For example, the size of the CCC could be increased when and if adequate representation and diversity required it.

3.1.5. Date of Commencement of Work

The Constituency Constitutional Forum (CCF) was to run for an initial period commencing November 2001 up to September 2002. Accordingly, each Constituency Constitutional Committee (CCC) should have been constituted at the very latest by the end of November 2001.

The Constituency Constitutional Forum was to be operational by that time.

3.2. **District Coordinators**

3.2.1. Mandate/Terms of Reference

- Be the local grass root representative;
- Perform the generalization activities in the district;
- Be in charge of the documentation center/s in the district, facilitate its/their respective management, ensuring they are stocked and are easily accessible to the public and also organize their safety and security;
- Gathering any relevant local information and materials for the purpose of constitution making;
- Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- Supply such information needed by local constituency forums and committees;
- Liaise with other documentation centers nearby and others for information;
- In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- Identify and arrange for simultaneous local translations, sign language users, procurement and hiring of public address systems, transport and communication facilities for CKRC's meetings in the district;
- Monitor the implementation of civic education by civic education providers in the district;
- Facilitate the formation of constituency committees with guidance and assistance of CKRC;
 and
- Perform any other tasks as directed by CKRC.

3.2.2. Criteria for Appointment

- Diversity in the composition, taking into account ethnicity, age, religion and professional or occupational background; and
- Appointees had at least attained Kenya Certificate of Secondary Education or its equivalent.

4. CIVIC EDUCATION

Civic education in the constituency was carried out between 26th February 2002 and 14th March 2002

4.1. Phases covered in Civic Education

Phase 1 – is the stage preceding the collection of views. It dealt with information, knowledge, skills and virtues, which enabled Kenyans to make informed choice and present their views to CKRC.

4.2. Issues & Areas covered

- Democratization
- Governance
- Constitutionalism
- Structures and systems of governance

5. CONSTITUENCY PUBLIC HEARINGS

5.1. **Logistical Details**

1. Date and Number of Days for Public Hearings

- a) Date(s)
 - 1. 20th April 2002
 - 2. 19th April 2002
- b) Total Number of Days: 2

2. **Venue**

- c) Number of Venues: 2
- d) Venue(s):
 - 1. Kibura Secondary School Hall
 - 2. Kiamatugu Catholic Church

3. **Panels**

- a. Commissioners
 - 1 Com. Keriako Tobiko
 - 2. Com. Ibrahim Lethome
 - 3. Com. Bishop Benard Njoroge

b. Secretariat

- 1. Stephen Wanjohi Programme Officer
- 2. Josephine Ndung'u Verbatim Recorder
- 3. Leah Omondi Sign Language Interpreter
- 4 Dan Juma Asst. Programme Officer

5.2. Attendance Details

A total of 98 presenters made substantive presentations to the Constitution of Kenya Review Commission at Kibura Secondary School and Kiamatugu Catholic Church. Most of the presenters were men making individual presentations.

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Nyeri Town Constituency. The recommendations were collated around 43 areas of concern, from the Preamble to National integrity/identity. Only areas where recommendations were made in the constituency are covered. The numbers in parentheses represent the number of times the recommendation (bulleted) was made, either orally or through written memoranda. Each count on a specific recommendation was picked from an individual, a group or an organization. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately. Where no number appears in parentheses, the recommendation was made only once.

5.3.1. PREAMBLE TO THE CONSTITUTION

- There should be a preamble to the constitution. (5)
- The constitution should have begin with a preamble stating 'we the people.'
- National vision should include the objectives and goals being intended by the nation in governance and rights of citizens, freedom of speech, assembly and security of person and property and to have a god-fearing society.
- The vision to be set out in the constitution should include recognizing the Koran as the holy book for the Muslims.
- The country's constitutional order should be guaranteed by enshrining a clause stipulating the citizens and the leaders commitment to social economic and political order.
- The preamble should state that the name of the country should be the 'The People's Republic of Kenya'.
- The preamble should define the geographical territory of Kenya.
- The preamble should state that Kenya is a God fearing country.
- The preamble should state the inviolability of human dignity.
- The preamble should express the Sovereignty of all Kenyans.

- The preamble should state that Kenya is a Sovereign state.
- The preamble should state that Kenya is composed of peoples of diverse cultures but united in common history and purpose.
- The preamble should state that Kenya is a democratic state.
- The preamble should state that Kenya is a constitutionalist state.
- The preamble should also recognize Islam and Muslims as part of Kenyans.
- Common experience of Kenyans to be reflected in the constitution e.g. constitution is an expression of the sovereignty of the people of Kenya who established among other institutions the parliament.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- Statements that capture national philosophy should be according to the national anthem.
- The statements capturing national philosophy should include the recognition of the wishes of Kenyans through their elected representatives.
- Democratic principles to be included in the constitution are fundamental, legal and governance of the people.
- The constitution should provide that Kenya should be governed in a multi party system.
- Values of Kenyans to be reflected in the constitution include traditional values acceptable by individual communities e.g. marriage, circumcision and right of properties.
- The constitution should state that there should be equal opportunity to all Kenyans.
- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should enshrine the rule of law as a fundamental constitutional tenet.
- The constitution should provide that law should protect minority groups.
- Democratic principles in the constitution should be enforceable in law.

5.3.3. CONSTITUTIONAL SUPREMACY.

- The constitution should retain the 65% majority vote required for amendments.
- The constitution should replace the 65% majority vote required for amendments.
- The constitution should limit parliaments power to amend the constitution. (2)
- Sections 13 and 14 of the constitution should not be amended.
- The constitution should state clearly how it can be reviewed and the extent to which parliament can make amendments.
- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (7)
- Amendments to the constitution do not need a public referendum.

5.3.4. CITIZENSHIP.

- A child born in Kenya should automatically become a citizen. (2)
- The constitution should confer automatic citizenship to any person, as long as one of the parents is a Kenyan citizen.
- The constitution should provide that a non-Kenyan child adopted by a Kenyan citizen should automatically qualify for Kenyan citizenship.
- The constitution should confer automatic citizenship to any person born or residing outside Kenya as long as one of the parents is a Kenyan citizen (3)

- Kenyan citizenship can also be acquired through naturalization.
- The constitution should confer automatic citizenship to any person legally married to a Kenyan citizen is irrespective whether the Kenyan is male or female. (4)
- A child fathered by a Kenyan citizen anywhere in the world should be entitled to citizenship.
- The constitution should grant every citizen the right to own land and property anywhere. (3)
- The constitution should specify the rights and obligation of citizens.
- The constitution should grant citizens the right to live and work anywhere in the country. (2)
- The constitution should grant all citizens above 18 years the right to vote.
- Rights and obligations of citizens should depend on the manner in which citizenship is acquired.
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship. (3)
- The national identity card should be carried as proof of citizenship.

5.3.5. **DEFENCE AND NATIONAL SECURITY.**

- Disciplined forces should be established in the constitution. (2)
- The constitution should provide for military law through a court martial.
- The president should be the commander in chief of the armed forces. (2)
- The executive should not have exclusive power to declare war.
- The executive should permit use of extra ordinary force in times of emergencies.
- Power to invoke emergency powers should be on the president in accordance with the constitution.
- The president and his cabinet together with parliament should be able to invoke emergency.
- Parliament should be empowered to invoke emergency.
- Parliament must hold a motion initiating the need for declaring a state of emergency and be passed or approved by parliament.
- The constitution should streamline the duties of the police force.
- The constitution should clearly define the roles of the various institutions of the armed forces.

5.3.6. **POLITICAL PARTIES.**

- Political parties should represent their constituents, be involved in preparation of National budget and public finance.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties. (4)
- The constitution should limit the number of political parties to 5.
- The constitution should provide for a specific number of political parties.
- Political parties should be financed by parliament.
- The constitution should provide for state funding of all political parties. (2)
- Political parties should be financed from public coffers.
- Political parties should not be financed from public finance.
- Political parties should account for the money so financed to parliament.
- The state should work harmoniously with political parties and respect each other.
- The constitution should guarantee equal opportunity for all political parties.

5.3.7. STRUCTURES AND SYSTEMS OF GOVERNMENT.

• The constitutional should provide for a ceremonial president who should be elected by

popular vote.

- The constitution should provide for a parliamentary system of government with a Prime minister as the head of government. (3)
- The constitution should provide for a ceremonial president and a prime minister heading the government with four deputies two of which must be women.
- The party with majority seats in parliament should appoint the Prime Minister.
- The constitution should provide for the post of prime minister. (3)
- The prime minister should be the head of government.
- There should be a ceremonial president who invites and receives guests.
- The constitution should provide for a unitary system of government. (4)
- The constitution should provide for a federal system of government.
- The constitution should not provide for a federal system of government.
- The constitution should provide for devolution of power to lower levels of government.
- Development project should be formulated at grassroots level and local authorities should be fully involved in governance.
- The constitution should provide for two vice presidents.
- The president should have a running mate who should be the vice president. (3)
- The constitution should provide for direct election of the vice president. (9)
- The constitution should provide that a presidential candidate should appoint a running mate in a presidential poll.
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The Attorney General should be appointed by parliament. (3)
- The Attorney General should have the power to terminate criminal court proceedings initiated by another person.
- The constitution should empower the AG to prosecute anybody anywhere regardless of the time the offence took place.
- The Attorney General should serve by contract.
- The attorney general should be answerable to the people.

5.3.8. THE LEGISLATURE

Parliament:

- Parliament to vet the appointment of permanent secretaries, heads of parastatals, head of the armed forces, AG, Controller and Auditor General, Ombudsman, Commissioner of Kenya revenue authority.
- The constitution should give Parliament power to vet all constitutional appointments and the creation of administrative/political boundaries.
- The constitution should give Parliament power to appoint cabinet ministers. (3)
- The constitution should give Parliament power to vet all presidential appointments. (3)
- The constitution should give Parliament power to appoint members of the Electoral Commission.
- The constitution should give parliament power to vet the appointments of chancellors of public universities.
- The constitution should give parliament power to vet the appointment of judicial officers.
- The constitution should give parliament power to vet the appointment of chief justice. (2)
- Parliament should be in charge of allocating funds for the armed forces.
- Parliament should have the power to elect a president if the sitting one vacates office due to

crisis.

- Ministries should be created by parliament.
- All commissions of inquiry should be answerable to parliament.
- Parliament should have its own calendar. (3)
- The constitution should enshrine the sovereignty of parliament.
- Parliament should have unlimited control of its own procedures. (2)
- The speaker of the national assembly should harmonize parliament and judiciary.
- Legislation should be a part time occupation. (2)
- The constitution should provide for the creation of a government of national unity involving all parliamentary political parties. (2)
- The constitution should provide for a coalition government. (2)
- The constitution should not provide for a coalition government.
- The constitution should uphold multipartysism in Kenya. (2)
- The constitution should provide for a bi-cameral parliament consisting of the lower and upper houses. (2)
- The constitution should retain parliament's power to remove the executive through a vote of no confidence. (2)
- The president should not have the power to veto legislation passed by legislature. (2)
- The legislature should have the power to override president's veto. (2)
- The president should not have the power to dissolve parliament. (3)
- Only an act of parliament should dissolve parliament.
- Parliamentary elections should be staggered so that there is no time when we have sitting MPs.
- The constitution should create the office of a parliamentary Draftsman.

Presidential and MPs qualifications:

- Parliamentary candidates should be at least 35 years.
- Parliamentary candidates should be at least 30 years.
- Presidential candidates should be at least 40 years.
- Presidential candidates should be between 35 and 75 years.
- Parliamentary and presidential candidates should not be more than 70 years. (3)
- The president should not exceed 80 years.
- The constitution should not abolish language tests for parliamentary candidates.
- The constitution should abolish language tests for parliamentary candidates.
- MPs should have at least form four level of education.
- MPs should be literate and of good integrity.
- The constitution should introduce moral and ethical qualification for parliamentary candidates.
- Parliamentary candidates should have at least a university degree. (2)
- MPs should pass a medical test.
- The electorate has a right to recall MPs who are not performing. (2)
- The constitution should give voters power to recall non-performing MPs through a collection of signatures of two thirds of the registered voters in the MPs constituency. (2)
- The constitution should give voters power to recall non-performing MPs through a collection of signatures of 50% of the registered voters in the MPs constituency.
- People have a right to recall a non-performing MP through a referendum.
- MPs should be answerable to the electorate and not their parties. (2)

- MPs should serve for a maximum two terms of five years each.
- The constitution should provide that MPs a maximum single five-year term.
- The constitution should provide a minimum education qualification for MPs.

Salaries for Members of Parliament:

- Salaries and benefits of MPs should be determined by the PSC.
- Religious leaders should determine mPs salaries.
- MPs should not receive monthly salaries but should only get sitting allowances.

Nomination of MPs:

- The constitution should abolish nomination of MPs. (2)
- ½ the number of nominated MPs should be from the disabled group and ½ should be disabled women.
- There should be 25 nominated MPs and should have at least 8 women, 2 disabled persons, 2 blind persons and two deaf persons.
- We should retain the concept of nominated MPs. (2)
- The constitution should reserve a specific number of seats in parliament for representatives of religious organizations.
- The constitution should reserve special nominated MPs seats for women representatives.
- The constitution should not put special measures for women in parliament but instead it should encourage women to vie for elective position alongside men.
- Parliamentarians in a multi party state should manage the collective national resources, men, materials, and money to their most productive capacities hence they should discharge that responsibility with commitment and have good conduct.

5.3.9. THE EXECUTIVE.

President:

- A presidential candidate should be a literate person and be of good integrity.
- A presidential candidate should be a university graduate and of sound mind. (6)
- A presidential candidate should be a citizen of Kenya, a registered voter, have a minimum of KCSE (c) and has no criminal record.
- A presidential candidate should be married with a stable family. (2)
- The president should serve a maximum of two five-year terms. (4)
- The president should serve a maximum of one six-year term.
- The president should serve a maximum of two four-year terms.
- The president should serve a maximum of one seven-year term. (2)
- The constitution should define the functions of the president. (2)
- The president should be the head of state.
- The president's functions should be limited to welcoming guests and representing the country at international meetings.
- The president should appoint ministers and their assistants.
- The president should not be above the law. (12)
- The constitution should limit presidential powers. (6)
- The president should not be the chancellor of public universities.

- The president should not dissolve or prorogue parliament.
- The constitution should provide for rotational presidency to ensure that members from minority groups also get a chance to occupy the office.
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The powers over the executive, judiciary and legislature should not be with the president. (2)
- The constitution should abolish the powers of the president to make appointments to constitutional offices.
- The constitution should provide for the removal of the president from office for misconduct. (3)
- Parliament should be sovereign and should not be manipulated by the executive.
- The president should be an MP. (2)
- The constitution should provide that the president should not be an elected MP. (4)

Provincial Administration:

- The constitution should abolish the provincial administration structure of government. (5)
- We should retain the provincial administration. (3)
- The constitution should provide that the provincial administration should be elected by parliament.
- The constitution should provide that the provincial administration should be elected by popular vote. (3)
- The constitution should provide that District officers, Chiefs and Headmen be elected by popular vote by members of the respective administrative location.

Size of Government:

- We should have 16 ministries with one minister and one assistant minister. (2)
- The constitution should limit the number of ministries.
- The constitution should limit the number of ministries to five.
- Parliament should fix the number of ministries.
- The constitution should restructure ministries.
- The constitution should set a minimum academic qualification for a government minister.
- The constitution should create and clearly define the functions of government ministries.

5.3.10. THE JUDICIARY.

- The constitution should provide for the independence of the judiciary. (7)
- The constitution should provide for the creation of a special and impartial higher court to hear cases where justice had been neglected.
- The constitution should not provide for the creation of a supreme court.
- The constitution should provide for the creation of a supreme court.
- The constitution should not provide for the creation of a constitutional court. (3)
- The constitution should provide that judges be appointed by a parliamentary select committee. (3)
- The constitution should provide that the appointment of judicial official officers should be vetted by parliament. (2)
- The constitution should provide for the appointment of judges by the judicial service commission. (4)

- Civil servants should appoint judicial officers.
- All judicial officers should have a degree in law.
- Parliament should fix the tenure of judicial officers.
- Judicial officers should have a security of tenure.
- Judges and magistrates should retire at 70 years.
- Judges should retire at 60 years.
- The chief justice should serve on contract.
- The judicial service commission should be responsible for disciplining judges and judicial officers.
- Law society of Kenya should be responsible for the discipline of judicial officers.
- The chief Kadhi should have an equal portfolio as the chief justice.
- The constitution should replace the Kadhis Act.
- The constitution should require that Kadhis be qualified lawyers specialized in Islamic law. (2)
- Kadhis should have qualifications same as judges.
- Kadhis should have the same qualifications as magistrates. (2)
- The constitution should provide that the Judicial Service Commission upon the recommendation of Muslims should appoint Kadhis. (2)
- The Muslim scholars, the Law society of Kenya and the chief justice should appoint the chief Kadhi.
- Kadhis courts should be expanded not only to deal with matters of marriage, divorce and inheritance. (3)
- Kadhis who are qualified should handle other cases. (3)
- Kadhis court should have appellate jurisdiction. (6)
- The constitution should give Kadhis security of tenure.
- The constitution should create the office of a Prosecutor General who should enjoy security of tenure and should be independent from the Attorney General and the Police.
- The constitution should create the office of a Special Prosecutor.
- The constitution should provide for a Kadhi court structure.
- The constitution should enhance the jurisdiction of the Kadhis courts at par with ordinary law courts.
- Judicial powers should not be vested exclusively in courts.
- State judicial powers should only be with the courts.
- The government should establish many courts closer to the people to the people.
- All cases should be given a limit according to their magnitude.
- The constitution should provide that Kadhi courts should be at all levels of administrative boundaries.
- The constitution should provide that each district should have a Kadhi.
- The constitution should guarantee all Kenyans a right to legal aid. (2)
- There should be a provision for judicial review of laws made by the legislature.

5.3.11. LOCAL GOVERNMENT.

- The constitution should provide that mayors and council chairmen should be directly elected by popular vote. (15)
- Mayors and council chairmen should serve for 3-year terms.
- Mayors and council chairmen should serve for 6-year terms.
- Mayors and council chairmen should serve for 2-year terms.
- Mayors and council chairmen should serve for 5-year terms.

- The constitution should provide for an autonomous local government structure. (6)
- The constitution should provide mechanisms for the strengthening of the financial autonomy of local government. (2)
- Local authorities should cooperate with the central government.
- The constitution should prescribe a minimum academic qualification for mayors and councilors. (2)
- The constitution should not require a councilor to meet any minimum academic qualification.
- The constitution should provide that councilors should have at least O level education. (5)
- The constitution should provide that councilors should have at least primary education.
- A language test for those contesting civic seats is sufficient and should be compulsory. (2)
- A language test for those contesting civic seats is insufficient and should be replaced by minimum education qualifications such as O level.
- Moral and ethical qualifications for civic seats should be introduced. (5)
- The electorate should be empowered to recall non-performing councilors through a referendum (3).
- The local government commission should determine remuneration of councilors.
- The constitution should provide mechanisms for recall of non-performing councilors by the electorate.
- The constitution should provide that remuneration of civic leaders be provided by the central government.
- Councilors should be remunerated from the consolidated fund.
- The constitution should provide that there shall not be nominated councilors.
- Nomination of councilors should be reserved for disabled and other marginalized groups. (2)
- Code of regulations should be established for councilors in a multi party state.
- The president and minister for local government should have the power to dissolve local authorities after consultation with parliament. (4)
- The president and minister for local government should have the power to dissolve local authorities.
- The constitution should give mayors and councillors limited executive power.

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain the representative electoral system of government. (2)
- The constitution should retain the simple majority rule as a basis of winning an election. (4)
- Women should compete with men in elections irrespective of gender.
- All winning candidates should garner 50% of the votes cast. (3)
- A winning presidential candidate should garner at least 51% of votes cast. (3)
- All winning candidates should garner 25% of the votes cast.
- The constitution should provide that in a presidential election, the winning candidate must get at least 40% of the total votes cast.
- Candidates who fail to seek nomination in one party should seek nomination from another party.
- Candidates should first seek the approval of the electorate before defection.
- The constitution should scrap the 25% representation from 5 provinces rule. (6)
- The constitution should retain the 25% representation from 5 provinces rule.
- 12 seats in parliament should be reserved for the disabled.
- The constitution should not have seats reserved for specific interest groups. (2)

- The constitution should reserve seats for specific interest groups.
- The constitution should provide for a staggered Presidential, Parliamentary and civic elections.
- The constitution should provide for separate Presidential, Parliamentary and civic elections. (9)
- The constitution should provide for continuous civic education.
- The constitution should provide that registration of voters be done on an annual basis.
- The constitution should provide for a continuous registration of voters. (3)
- The constitution should provide that the Electoral Commission should do voter education.
- The constitution should provide that ballot boxes should be transparent.
- The election process should be simplified in the constitution.
- Electoral commission should limit the expenditure on elections.
- There should be no limit on election expenditure.
- The constitution should specify an election date. (10)
- The constitution should provide that parliament should fix the date for Presidential, Parliamentary and Civic elections.
- The constitution should provide that the president be elected directly by popular vote. (5)
- The constitution should provide that all political leaders should be elected by popular vote.
- There should be a rotational type of presidency to avoid dominance of one community. (2)
- The next general election should not be tied to the new constitution.
- The next general election should be held under a new constitution.
- The constitution should provide that counting of votes should be done at the polling station (5).
- The constitution should provide for independent candidates.

Constituencies:

- The current geographical system for constituency demarcation should be retained.
- The current geographical system for constituency demarcation should not be retained.
- Constituency boundaries should be created according to the population distribution. (4)
- A constituency should have a minimum of 45,000 and not more than 70,000 inhabitants.
- There should be equal representation in parliament.
- Constituency boundaries should be redrawn.
- The constitution should reduce the number of parliamentary constituencies to 100.
- MPs should represent an equal number of voters.
- Some constituencies should be merged.
- The constitution should provide that there should be no arbitrary creation of parliamentary constituencies and civic wards.
- The constitution should prescribe that parliamentary constituencies and civic wards shall be created strictly on geographical and demographic consideration.
- The constitution should ensure that the principle of equal representation underpins the creation of parliamentary constituencies and civic wards.
- The constitution should prescribe the date of Presidential, Parliamentary and Civic elections.

Electoral Commission of Kenya:

 Electoral commissioners should be qualified in law and constitutional law from a recognized university.

- Electoral commissioners should be appointed by parliament. (4)
- Electoral commissioners should be appointed by LSK.
- Members of the electoral commission should enjoy security of tenure.
- The electoral commission should comprise of not less than 13 and not more than 25 members.
- The electoral commission should comprise of not less than 17 members i.e. two from each province except Nairobi, which should have three.
- The electoral commission should comprise of 30 members.

5.3.13. BASIC RIGHTS

- The bill of rights should define the values upheld by women and men and promote equal access to resources and equality for all Kenyans.
- Fundamental rights are not adequately provided for in the constitution.
- The constitution should guarantee fundamental rights to all Kenyans.
- Constitutional provisions of human rights not adequate.
- The constitution should guarantee the freedom of worship to all Kenyans. (15)
- The constitution should provide for the freedom of expression and association.
- The constitution should guarantee freedom of movement.
- The constitution should guarantee freedom of owning property.
- The constitution should guarantee freedom of working anywhere in the country.
- The constitution should guarantee freedom of gathering.
- The constitution should guarantee the physical security of all Kenyans. (5)
- The constitution should protect all Kenyans against domestic violence.
- The constitution should guarantee free basic health care for all Kenyans. (5)
- The constitution should guarantee free basic education up to primary school level to all Kenyans. (5)
- The constitution should provide for free education. (4)
- The constitution should guarantee free basic education up to secondary school level to all Kenyans. (4)
- The constitution should guarantee every Kenyan, basic food, clothing and shelter.
- The constitution should guarantee every Kenyan, equal and non-discriminative treatment by the law irrespective of gender, religion, ethnic or racial background.
- The constitution should abolish the death penalty. (3)
- The constitution should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans. (3)
- The government should ensure that all people enjoy basic rights.
- All people should be treated equally when there are employment vacancies.
- There should be free health care.
- Water should be available to all Kenyans.
- Kenyans should not have a right to access information in the possession of the state or any other agency for security reasons.
- The constitution should ensure that the public is educated on constitutional matters.
- The constitution should be written in Kiswahili so that all Kenyans can understand.
- The constitution should be available to all Kenyans.
- Civic education should be a continuous process.
- The constitution should guarantee freedom of worship and define what is to be worshipped.
- The constitution should guarantee all workers the right to trade union representation.

• The constitution should provide broad guidelines on the formation of trade unions for workers.

5.3.14. THE RIGHTS OF VULNERABLE GROUPS

- The interests of women should be guaranteed in the constitution.
- The constitution should abolish all forms of discrimination against the disabled.
- The constitution should guarantee free medical care to persons with disabilities.
- The constitution should provide for the teaching of sign language in schools.
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should provide that deaf people be allowed to drive.
- The constitution should create a National Fund for persons with disabilities. A board comprising persons with disabilities should manage the Fund.
- The constitution should provide for special facilities for persons with disabilities in custodial institutions.
- The constitution should prescribe that the state shall set aside special funds to assist the disabled in business.
- The constitution should abolish affirmative action in form of quotas for marginal groups
- The constitution should reserve seats for marginalized groups in parliament and local authorities.
- The constitution should reserve 10% of parliamentary seats to persons with disabilities.
- The constitution should establish special schools in every district to cater for children with disabilities.
- The constitution should prescribe that the state shall provide free family planning and counseling services to the disabled.
- The constitution should guarantee the rights of children without parents.
- The constitution should provide for state rehabilitation of street children.
- The constitution should provide for free education for the disabled.
- The constitution should protect Child rights.
- The constitution should provide for Penal and Juvenile homes for children in need of protection. (2)
- The constitution should provide for a social welfare system to cater for the unemployed and the aged.
- The constitution should ensure street children are well protected and taken care of. (6)
- The constitution should strengthen the children's Act. (2)
- Vulnerable group should include orphans and women.
- The constitution should protect the rights of minority communities.
- Muslims should be treated as a vulnerable group.
- Affirmative action to be taken on women to be given equal chances in councils and parliament. (2)
- There should be no affirmative action in the participation of women in parliament and local authorities
- Prisoners should be provided with proper conditions for rehabilitation and friendly personnel to take care of them.
- Counseling should be introduced in prisons and good prisons should be provided for better

rehabilitation.

• The public trustees body should look into the interests of the prisoners.

5.3.15. LAND AND PROPERTY RIGHTS

- The constitution should provide that the individual is the ultimate landowner. (2)
- The constitution should provide that land belongs to the state. (2)
- The constitution should entrust land ownership to the community.
- The government should acquire land through the compulsory land acquisition act pursuant to the national interest.
- Government should be empowered to compulsorily acquire land for public utility and is subject to compensation.
- Extra land over 100 acres should be taken by the government.
- The state, government or local authority should not have the power to control the use of land by owners or occupiers.
- The government should tax idle land. (2)
- The state should require landowners to develop land or the state repossesses it. (2)
- All title deeds issued after 1990 should be abolished.
- All land transfers must be consented by the land transfer board.
- All land acquired irregularly should be repossessed.
- All landholders should be duly registered.
- The constitution should provide for a ceiling on land ownership. (6)
- The constitution should not provide a ceiling on land ownership.
- The constitution should provide that no citizen should own more than 50 acres of land.
- The constitution should provide that no citizen should own more than 100 acres of land. (2)
- The constitution should provide that no citizen should own more than 10,000 acres of land.
- There should be restrictions on ownership of land by non-citizens. (3)
- Procedure for transfer should not simplified.
- Land registers should be well maintained without any influence of corruption.
- Family property should be registered in the names of both spouses. (3)
- There should be equal opportunities for boys and girls in inheritance matters. (2)
- The constitution should abolish all pre independence land treaties. (3)
- Kenyans should be allowed to own land anywhere in the country. (4)
- The government should settle all squatters.
- The constitution should create a Settlement Fund Facility for resettlement of the landless.
- The constitution should provide that the state should buy all undeveloped land for redistribution to the landless. (3)
- All Kenyans should be guaranteed access to land by the constitution. (5)
- Poor people should be given land by the government. (2)
- The constitution should provide for equal distribution of land to all Kenyans.
- The constitution should provide that land disputes should be settled in traditional resolution structures.

5.3.16. CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

• Kenya's ethnic and cultural diversity does not contribute to a national culture.

- The constitution should guarantee the protection of cultural rights. (3)
- Muslims should be considered a distinct group whose interests should be protected. (2)
- Despite the ethnic group, national unity should be protected.
- Tribalism should be prohibited in the constitution. (2)
- The constitution should protect Kenyans from cultural practices that are discriminative.
- The constitution should recognize sign language as a third national language.
- Kenya should have two national languages.
- The constitution should not recognize and promote indigenous languages.
- Vernacular languages should be included in the school curriculum.
- The constitution should exempt Muslims from paying taxes since they already pay Zakat decreed by their faith.
- The constitution should provide that the constitution be translated into all local languages and widely made available to the public.
- The constitution should provide that local languages should be taught in primary schools.

5.3.17. MANAGEMENT AND USE OF NATIONAL RESOURCES

- The executive should not retain power of raising revenue, management and distribution of finance and management of national resources.
- Parliament should retain power to authorize the raising and appropriation of public finances.
- Besides taxation, the government can raise public finance through tourism, foreign exchange and donations.
- All Kenyans both individuals and groups should enjoy equal access to all public resources.
- The government should ensure there is equal distribution of national resources.
- 50% of district revenue must remain in the district while 50% is remitted to Kenya Revenue Authority.
- The government should apportion benefits from resources between the central government and the source communities.
- 75% of district revenue must remain in the local authorities while 25% is remitted to the central government.
- The Controller and Auditor General should be allowed to check, audit and control government, public and private finances in every sector.
- The office of Controller and Auditor General should be independent and impartial.
- The controller and Auditor General should be empowered to take those who misappropriate funds to court.
- The Controller and Auditor General should be appointed by parliament. (2)
- Other mechanisms that that parliament can use to control management and use of public finances includes having periodical expenditure returns before the budget is read.
- Parliament should approve all expenditures.
- All holders of public office including ministers should be appointed according to merit and qualifications. (4)
- Retirement age should be put to between 55 and 60 years.
- Doctors and engineers should have their salaries increased and be involved in trade or politics while in office.
- The constitution should guarantee the independence of the civil service.
- The constitution should provide security tenure to senior public service employees.
- The constitution should guarantee social welfare for pensioners.
- The constitution should guarantee equal pay for equal work.

- The constitution should provide for a regular salary review for public servants.
- There should be proper remuneration of public servants. (5)
- There should be low interest loans for public servants.
- Public service commissioners should serve for a minimum of five years.
- Te public service commission should strictly observe the code of regulations.
- All public institutions must be independent from the central government.
- The PSC should be in charge of appointing all civil servants.
- Members of the public service commission should be appointed by parliament. (2)
- There is need for a code of ethics for public servants (4)
- Public officers should be required to declare their wealth. (3)
- The constitution should provide that all leaders elected to public position should not be pensionable.

5.3.18. ENVIRONMENTAL AND NATURAL RESOURCES

- Parliament should have the power to enforce on the protection of the environment.
- The government should own natural resources.
- Local communities should not interfere with the environment.
- The constitution should protect forests. (2)
- The constitution should protect all natural resources.
- The constitution should protect water bodies. (2)
- The constitution should protect mineral deposits. (2)
- The constitution should protect wildlife. (2)
- The government should be responsible for management and protection of natural resources.
- A commission of natural resources should manage natural resources.
- Local authorities should manage natural resources.

5.3.19. PARTICIPATORY GOVERNANCE

• NGOs and other organizations should not have a role in governance.

- The state should institutionalize the role of civil society organizations in government.
- Women should be included in all decision-making organs of the state up to a national level. (2)
- Devolution of power in all government structures should be geared towards giving women easy access to leadership positions.
- The constitution should provide for the incorporation of the convention to eliminate discrimination of women (C.E.D.A.W) in order for women to participate in governance.

5.3.20. INTERNATIONAL RELATIONS

- The constitution should provide that the executive should not have exclusive responsibility in the conduct of foreign affairs.
- Parliament should control and vet foreign affairs matters. (2)
- Parliaments role in the conduct of foreign affairs should be advisory.
- People of Kenya should be involved directly in matters concerning treaties and international conventions.
- International treaties and conventions should have automatic effect in domestic law.
- Laws and regulations made by regional organizations that Kenya belongs to should have automatic effect on domestic law.

The constitution should provide that the country's foreign policy is well defined.

5.3.21. CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- Institutions should be created to monitor and measure the activities and performance of government in office and derive a mechanism to lessen the suffering of the people.
- The constitution should provide for the establishment of an office of Ombudsman to act on cases of corruption.
- The constitution should provide for the establishment of the office of an ombudsman. (6)
- A gender commission should be established by the constitution.
- There should be an anti corruption body. (2)
- There should be a Lands Commission. (2)
- The constitution should establish a Judicial Service Commission to appoint the Chief Justice and judges of the High Court.
- The constitution should provide for a Health Workers' Commission to oversee the recruitment and promotion of health workers.
- The constitution should provide for a Public Service Commission, which should appoint Permanent Secretaries and their subordinates.
- The constitution should provide for a Police Service Commission. (2)
- A Kadhi service commission should be established by the constitution.
- An independent commission should be established by the constitution to look into suppression cases inflicted on the citizen.
- An Advisory commission should be established by the constitution to handle prerogative of mercy cases.
- An employment service commission for civil servants should be established by the constitution.
- A natural resource commission should be established by the constitution to safe4 guard natural resources.
- Commissions should play a role in supervising and implementation of policies.
- The constitution should provide for the minister of Justice and Constitutional affairs.

5.3.22. SUCCESSION AND TRANSFER OF POWER.

- The chief Justice should have executive powers during presidential election. (2)
- The constitution should provide that during presidential elections, presidential powers should rest with the Attorney General until the next president is sworn in. (2)
- The speaker of the National Assembly should have executive powers during presidential elections.
- The chairman of the electoral commission should declare presidential election results
- Presidential election results should be announced through all print and electronic media.
- After elections an incoming president should assume office immediately.
- After elections an incoming president should assume office after 90 days.
- The Chief Justice should swear in the incoming president in a public ceremony.
- Instruments of power should be handed to the incoming president immediately after swearing in.
- Salary allowances for the president and privileges in and out of office be varied according to economic forces.

- Both the incoming and outgoing presidents' security must be provided for in the constitution.
- The welfare of the incoming president must be provided for in the constitution.
- The president should not be immune from prosecution.
- The president should be immune from prosecution. (2)
- The constitution should provide that retired a retired president shall not head any political party. (2)

5.3.23. WOMENS RIGHTS

- Women's rights must be protected by the constitution. (2)
- The constitution should provide women with the right to inheritance. (3)
- Women should be allowed to enjoy their deceased husbands' monthly pension.
- The constitution should harmonize marriage and family laws.
- Foreigner should not be allowed to marry local girls and then drop them when they go back.
- The constitution should provide for the reimbursement of Dowry once the marriage breaks down.
- Fathers should be forced to care for their kids born out of wedlock.
- Domestic violence should be criminalized and stiffer penalties imposed on perpetrators.
- The constitution should provide that the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) should be domesticated.

5.3.24. NATIONAL ECONOMIC POLICY

- The constitution should provide for government role in price control to protect local produce.
 (2)
- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The markets should be liberalized.
- Industries should be allocated according to the availability of land, raw materials, labor and market.
- All money deducted by the government on PAYE should be used to assist the poor.
- Government should provide recreational facilities in rural areas and be managed by the youth and should recognize gender equity in their services.

5.3.25. NATIONAL OTHER POLICY

- The constitution should ensure that those claiming money from NSSF are paid.
- The NHIF should recognize Islamic polygamous marriages.
- HIV mothers and children should be provided for in the constitution.
- The constitution should provide for free accessible treatment and social support safety net be put in place enough and appropriate prevention measures to be undertaken, institute legal framework to address the issue and protect those infected.
- The police force should have a rescue team department to attend to emergencies and accidents.
- There should be good training of the police force.
- Sects like mungiki and taliban should be outlawed.
- Illegally held firearms should be confiscated.
- The constitution should protect Kenyans against police harassment.
- Illicit brews should be outlawed.

- The constitution should provide that those implicated in corruption should be sacked.
- The police should increase the salaries of police officers to check on corruption. (2)
- There should be stiffer penalties on those charged with corruption. (3)
- The constitution should provide for stiff penalties for the crime of corruption.

5.3.26. **SECTORAL POLICY**

- The constitution should provide for adequate compensation to farmers who lose their crop in natural disasters.
- The government should assist farmers in the marketing of agricultural produce. (4)
- The government should not appoint agricultural boards.
- Taxes on agricultural products should be reduced. (3)
- The agricultural pricing policy should be entrenched in the constitution.
- Farmers should be allowed to sell their produce. (2)
- The government should subsidize farm inputs. (2)
- Importation of milk should be abolished.
- Local industries should be protected from low quality imports.
- The constitution should protect local industries.
- The government should control secondary school fees and provide guidelines.
- Disabled schools should not be integrated.
- Special education should be free.
- Islamic schools should be increased in the country.
- Public universities should be autonomous.
- The quota system should be abolished in schools.
- Professionals should plan the education curriculum.
- National exams should be held in July.
- The constitution should abolish the quota system in admission to educational institutions.
- The constitution should make mandatory the provision of counseling services in all educational institutions.
- The government should set aside funds for the disabled.
- Students should serve in the army for at least 2 years before joining university.
- Students should not apply for loans they should be automatic.
- Recommended books should not be changed until after 4 years.
- There should be general laws on taxes and charities.
- Reports for public finance should be made after three years.
- Taxes should be reduced.
- Revenue collection and its utility must be checked in the local authorities.
- Poor people should be exempt from tax.
- There should be interest free banking.
- The president's portrait should not appear in the currency.
- All the currencies should bear the inscriptions 'in God We trust'
- There should be adequate facilities in hospitals.
- Tenure of doctors and medical practitioners should be entrenched in the constitution.
- Cost sharing in hospitals should be abolished. (3)
- Medical services should be free. (5)
- The constitution should guarantee the Director of Medical Services security of tenure.
- Drugs should be issued free in public hospitals.
- Traditional medicine should be integrated in the modern hospitals. (2)

- The constitution should provide an institutional framework for the establishment of management Boards of health facilities.
- The constitution should remove all taxes on essential drugs.
- The constitution should provide that traditional medicine be integrated in the health care system.
- The constitution should recognize and protect traditional medicine.
- All electronic media and airwaves should be liberalized. (3)
- Disabled people should be provided for with place to conduct business.
- The constitution should provide for sustainable environmental resources management strategies.
- The constitution should provide for a framework for sustainable management of water resources.
- The constitution should provide that National parks and other conservation areas should be excised for the settlement of the landless.

5.3.27. NATIONAL PROGRAMME/PLANNING

- A 'Marshall' plan should be affected for those areas that have suffered government neglect.
- Nairobi should be made the capital city of Kenya.
- For a town to be ranked as a municipality it should have a population of more than 100,000, good hospitals, infrastructure, stadium and two social halls.

5.3.28. STATUTORY LAW

- Illegal brews should be banned.
- Pre-colonial laws should be changed e.g. trespass and caning
- Civil jails should be abolished and auctioneers banned
- A suspect on minor offences should be given free bond instead of cash bail.

5.3.29. ISLAMIC LAW

• The constitution should provide for a grand 'mufti' whose verdict should be final on matters of Islamic religion.

5.3.30. COMMON GOOD

- The constitution should prescribe that the state provides special protection and care to former freedom fighters.
- The constitution should provide for the rewarding of individual who have done the country good service. (2)

5.3.31. **GENDER EQUITY**

- The constitution should not include clauses for gender equity.
- The constitution should promote gender equity in public service appointments and political leadership. (2)
- Girl children should be given equal opportunities in all aspects of life within regularities.

5.3.32. TRANSPERENCY/ACCOUNTABILITY

- Regular statements and accounts of the receipts and expenditure of all public money should be published from time to time.
- Findings of commissions should be made public.

5.3.33. NATURAL JUSTICE/RULE OF LAW

• The constitution should prescribe rehabilitation as the underlying principle of the penal system.

5.3.34. NATIONAL INTEGRITY/IDENTITY

- Mau Mau name should be changed to war veterans.
- People should forget Mau Mau.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Wanyiri Kihoro MP

2. J.N. Mugo DC

- 3. Wachira Maina Kega
- 4. Mwihuri Andrew Githinji
- 5. Nyathogora Margaret
- 6. Suleiman Idd Marijan
- 7. Mwaniki Mrs.
- 8. Njomo Muthoni
- 9. Fr. Kariuki
- 10. Gikanga Hezron

Appendix 2: Civic Education Provider

1. Karo Nyeri

Appendix 3: Persons presenting memoranda and/or making oral submissions.

4000001505	la	long	har	h.,
10028ONECE	David W. Gitonga	CBO	Written	Wafugaji Group
20018ONECE	Janet Kerigu	CBO	Written	Mt.Kenya G.L.R.C
30020ONECE	John M. Watata	CBO	Written	Mukurue-ini Community
40040011505		000		Athiengeni Amba ya
40016ONECE	Lilian Kibera	CBO	Memorandum	Githenya
50040ONECE	S.W. Ndirangu	CBO	Written	Reminds (Kenya) Club
000050NIE05	O a Las a A La P	000		Nyeri Physically
60005ONECE	Salma Abdi	CBO	Memorandum	Handicapped
70021ONECE		CBO	Written	Nyeri Women
80015INECE	Allan Muchemi K.	Individual	Written	
90008INECE	Amos Muchiri	Individual	Written	
10 0019INECE	C.K. Kariuki	Individual	Written	
11 0024INECE	Captain J. Mureithi	Individual	Written	
12 0031 INECE	Caroline Nyambura	Individual	Written	
13 0006INECE	Charles G. Kogi	Individual	Memorandum	
14 0013INECE	Charles G. Nderi	Individual	Memorandum	
15 0016INECE	Charles G. Nderi	Individual	Written	
16 0052INECE	- · · · · · · · · · · · · · · · · · · ·	Individual	Oral - Public he	
17 0051INECE	Cllr. Samuel Githendu	Individual	Oral - Public he	
18 0053INECE	David Kabugo	Individual	Oral - Public he	
190004INECE	David Kuria	Individual	Memorandum	
20 0050INECE	David Mwangi	Individual	Oral - Public he	
21 0048INECE	David Ngare	Individual	Oral - Public he	
22 0045INECE	David Theuri	Individual	Oral - Public he	
23 0020INECE	Davidson M. Gatu	Individual	Written	
24 0058INECE	Dr. Charles Kamara	Individual	Oral - Public he	
25 0025INECE	F.M. Gichaga	Individual	Written	
26 0036INECE	Geoffrey Karani	Individual	Oral - Public he	
270032INECE	George Mwangi	Individual	Written	
28 0039INECE	Gerald Njoroge	Individual	Oral - Public he	
29 0011INECE	•	Individual	Memorandum	
30 0014INECE	Hon.Wanyiri Kihoro	Individual	Written	
31 0023INECE		Individual	Written	
32 0046INECE	Isiah Mburu	Individual	Oral - Public he	
33 0012INECE	James K. Kagiri	Individual	Memorandum	
340042INECE	James Mwangi	Individual	Oral - Public he	
350028INECE	James Nderitu	Individual	Written	
360005INECE	Jedida Wanjohi	Individual	Written	
370041INECE	John M Kagwa	Individual	Oral - Public he	
38 0007 INECE	John N. Gitata	Individual	Written	
39 0054INECE	John N. Kanja	Individual	Oral - Public he	
40 0018INECE	•	Individual	Written	
-	•			
41 0037INECE	Kariuki Kunyiha	Individual	Oral - Public he	
42 0017INECE	Kariuki W. Nderi	Individual	Written	
43 0044INECE	Kihoro Mwihungi	Individual	Oral - Public he	
44 0059INECE	Kingori Mbogo	Individual	Oral - Public he	
4E00001NEOE	Maclean Khatete	Individual	Orol Dublishs	
45 0033INECE	Mumia	Individual	Oral - Public he	
46 0034INECE	Mwangi Kaguma	Individual	Oral - Public he	
470040INECE	Peter Kamau	Individual	Orol Dublic be	
47 0040INECE	Waithaka	Individual	Oral - Public he	
48 0001 INECE	Peter Ndungu M.	Individual	Written	
49 0022INECE	Philip Gachoka	Individual	Written	

50	0047INECE	Pr. Rufus Wachira	Individual	Oral - Public he	
	0035INECE		Individual	Oral - Public he	
	0055INECE		Individual	Oral - Public he	
		Rev.Michael G.			
53	0009INECE	Kagume	Individual	Written	
54	0056INECE	Sammy Mugambi	Individual	Oral - Public he	
55	0043INECE	Samuel Mwonjoria	Individual	Oral - Public he	
56	0002INECE	Samuel T. Mwaniki	Individual	Memorandum	
-	0029INECE		Individual	Memorandum	
-	0030INECE		Individual	Written	
	0003INECE	Simon M. Mwangi	Individual	Written	
	0049INECE		Individual	Oral - Public he	
	0010INECE	Simon Wanjohi	Individual	Memorandum	
	0057INECE	Solomon Ngatia	Individual	Oral - Public he	
	0027INECE	Stephen Warui	Individual	Written	
-	0026INECE	- · , - · · ·	Individual	Written	
	0021INECE		Individual	Written	
66	0038INECE	Zipporah Gichuhi	Individual	Oral - Public he	Manus Ass of Dating I
67	0026ONECE	Geoffrey W. Karugoya	NGO	Memorandum	Kenya Ass. of Retired Office
	0020ONECE		NGO	Written	NEPHAK
	0027ONECE		NGO	Written	Nyeri Provincial Hospital
03	0027 ONLOL	Joint Walitalita	1100	VVIILLEIT	Kenya National Ass. of
70	0038ONECE	Josephine Aska	NGO	Memorandum	the D
71	0012ONECE	Josephine Aska	NGO	Written	KNAD Central Kenya
72	0006ONECE	Chris Nderi	Other Institutions	Written	CEPS Nyeri Town
					Fuata Magendo Action
73	0017ONECE	James Maina Mugo	Pressure Groups	Memorandum	Network
74	0001ONECE	Justus G. Gaita	Pressure Groups	Written	Mau Mau Original Trust
l					Central Province Women
	0039ONECE	, , , , , , , , , , , , , , , , , , ,	Pressure Groups	Memorandum	Consu
	0023ONECE	Mwangi Kaguma	Pressure Groups	Written	Kenya Ex-war Councillors
//	0015ONECE	Richard Kibatha M	Pressure Groups	Written	War Veterans Ass. Kenya Union of Small
78	0022ONECE	Arthur K. Gibson	Private Sector Organisa	Written	Scale T
	0034ONECE		Private Sector Organisa	Written	Women Coffee Farmers
	0001011202	Daniel Wamuyu	Tivate Cotton Cigamica	· · · · · · · · · · · · · · · · · · ·	Tremen concertainner
80	0031ONECE	,	Religious Organisation	Memorandum	PCEA Riamukurwe Parish
81	0004ONECE	Emily Wangari	Religious Organisation	Written	The ECJP
					Baladia Muslim Mosque
_	0029ONECE		Religious Organisation	Written	Ruring
	0025ONECE		Religious Organisation	Written	NUKEN
	0030ONECE	•	Religious Organisation	Memorandum	Kiganjo Catholic Parish
	0009ONECE	Joshua Nderitu	Religious Organisation	Memorandum	PCEA Wandumbi
86	0019ONECE	Maclean Shikuku	Religious Organisation	Memorandum	Nyeri Muslim Community
07	0037ONECE	Many Karingithi	Policious Organisation	Written	Catholic Women Association
	0037ONECE 0024ONECE	Mary Karingithi Peter Gatamu	Religious Organisation Religious Organisation	Written	PCEA Thegenya Parish
	00024ONECE		Religious Organisation	Written	PCEA Kiamutiga
	0000ONECE	-	Religious Organisation	Memorandum	PCEA Gura Parish
	0002ONECE	Rev.A.M. Kathuni	Religious Organisation	Memorandum	PCEA Nyeri
	0002ONECE		Religious Organisation	Memorandum	PCEA Kangumo Parish
	0007ONECE		Religious Organisation	Memorandum	PCEA Giakanja Parish
	333.3.1202		g.c.c.c.c.rga.noanorr		Catholic Arch-diocese of
94	0036ONECE	Simon Wanjohi	Religious Organisation	Memorandum	Nye
	0014ONECE	Uledi Majid	Religious Organisation	Memorandum	SUPKEM
96	0032ONECE	Uledi Majid	Religious Organisation	Memorandum	SUPKEM-Nyeri
97	0033ONECE	Uledi Majid	Religious Organisation	Memorandum	SUPKEM-Nyeri

98 0010ONECE | William Kamau | Religious Organisation | Memorandum | PCEA Gaaki Parish

Appendix 3: Persons Attending Constituency Hearings

FIRST MEETING

No Name:	Address:	No	Name:	Address:
1 Justus Gathura Gaita	P.O. Box 82, Nyeri	24	Peter K. Njagua	P.O.Box 204, Nyeri
2Rev. A. N. Kathuni	P.O. Box 2111, Nyeri	25	Simon Mwangi	P.O. Box 140, Mweiga
3Rev. A. B. Kathuni	P.O. Box 2953, Nyeri	26	Wahome Ndungu	P.O. Box 708, Nyeri
4Lilian Kibera	P.O. Box 1050, Nyeri	27	William K. Mathenge	P.O.Box 879, Nyeri
5 Yusuf Ndirangu	P.O. Box 1027, Nyeri	28	George Mwangi	P.O. Box 345, Nyeri
6Emily Wangari	P.O. Box 845, Nyeri	29	Margaret Nyathogora	P.O. Box 1028, Nyeri
7Salima Abdi	P.O. Box 12464, Nyeri	30	David Kuria Ngomi	P.O. Box 180, Nyeri
8Chris Nderi	P.O. Box 1202, Nyeri	31	James Maina Mugo	P.O. Box 2082, Nyeri
9Rev. Paul M. Wahome	P.O. Box 3, Giakanja	32	Janet Kirigo	P.O. Box 1523, Nyeri
10 Magdaline W. Gachuhi	P.O. Box 186, Kiganjo	33	Jedidah Wanjohi	P.O. Box 2487, Nyeri
11 Ibrahim M. Kanywara	P.O. Box 164, Nyeri	34	S. Mutiga	P.O. Box 16578, Nyeri
12 Peter N. Muteru	P.O. Box 72, Nyeri	35	Macleans Shikuku	P.O. Box 1080, Nyeri
13 Josephine AKA	P.O. Box 33445, Nairobi	36	Charles S. Kogi	P.O. Box 255, Nyeri
14Robert Kabugi	P.O. Box 1724, Nyeri	37	John Mutahi Watate	P.O. Box 339, Nyeri
15 David W. Gitonga	P.O. Box 2005, Nyeri	38	V. Kimondo	P.O. Box 177, Nyeri
16 Samuel T. Mwaniki	P.O. Box 1228y, Nyeri	39	Zaweria Njoki	P.O. Nyeri
17 James C. Gitahi	P.O. Box 2441, Nyeri	40	Athman Jumbe	P.O. Box 1073, Nyeri
18 Kamau Waithaka	P.O. Box 355, Nyeri	41	Raphael Kariuki	P.O. Box 519, Nyeri
19 John k. Ndirangu	P.O. Box 502, Nyeri	42	Chrispus Githae	P.O. Box 113, Karatina
20 Uledi Majid	P.O. Box 1875, Nyeri	43	John N. Gitata	P.O. Box 12097, Nyeri
21 Gen. Kirihinya Gathogo	P.O. Box 41, Nyeri	44	Boniface Chachenga	P.O. Box 312, Nyeri
22 Joshua Ndiritu	P.O. Box 2392, Nyeri	45	Ali Abdallah Morere	P.O. Box 578, Nyeri
23 Hamisi Salim	P.O. Box 256, Nyeri	46	Andrew Githinji	P.O. Box 137, Nyeri
47 Zakaria Kweyu	P.O. Box 192, Nyeri	70	Peter Gatamu	P.O. Box 1667, Nyeri
48 Arthur K. Gibson	P.O. Box 342, Nyeri	71	Pauline G. Mutero	P.O. Box 19, Narumoru
49 Grace Wanyeki	P.O. Box 12555, Nyeri	72	Joseph M. Matara	P.O. Box 63, Giakanja
50 samuel M. Kiragu	P.O. Box 1604, Nyeri		Cecilia Gacheche	P.O. Box 1454, Nyeri
51 Amos Muchiri	P.O. Box 1552, Nyeri	74	Mathenge Njoka	P.O. Box 2640, Nyeri
52 Isaac Koigi	P.O. Box 491, Myeri	75	Eliud Kanyi	P.O. Box 71, Othaya
53 Nduhiu Njama	P.O. Box 1528, Nyeri	76	Nyarangi Caleb	P.O. Box 2338, Kisumu
54Lawerence Kanyari	P.O. Box 3129, Nyeri	77	Francis Wanjohi	P.O. Box 5011, Nyeri
55 Julius Maina	P.O. Box 2996, Nyeri	78	Festus Nora	P.O. Box 299, Nyeri
56 James Mwai	P.O. Box 1794, Nyeri	79	James Gatama	P.O. Box 201, Nyeri
57 Rev. Kagume	P.O. Box 12489, Nyeri	80	Charles Nderi	P.O. Box 203, Nyeri
58 Joe Muriuki	P.O. Box 919, Nyeri	81	Idd M. Suleiman	P.O. Box 355, Nyeri
59 Joseph Gatai	P.O. Box 530, Nyeri	82	Kimondo Githaiga	P.O. Box 363, Narumoru
60 Joseph Karuri	P.O. Box 1246, Nyeri	83	Mary Wachuka	P.O. Box 363, Narumoru
61 Lawrence T. Murage	P.O. Box Narumoru	84	Simon Wanjohi	P.O. Box 288, Nyeri
62Mwangi Kaguma	P.O. Box 118, Nyeri		Helen Karima	P.O. Box 288, Nyeri
63 John Wainaina	P.O. Box 371, Nyeri	86	Linus Wachira	P.O. Box 1896, Nyeri
64 Michael Ndirangu	P.O. Box 585, Karatina	87	Geoffrey Weru	P.O. Box 388, Nyeri
65 Isack Gichohi	P.O. Box 698, Nyeri	88	Simon Wachira	P.O. Box 288, Nyeri

66	Joseph K. Kahihu	P.O. Box 386, Nyeri	89	Stanley Maina	P.O. Box 24, Nyeri
67	David G. Gathuru	P.O. Box 2028, Nyeri	90	Robert Kiama	P.O. Box 804, Nyeri
68	Samuel Wahome	P.O. Box 217, Nyeri	91	Peter Njogu	P.O. Box 1520, Nyeri
69	John Githae	P.O. Box 217, Nyeri	92	Hon Wanyiri Kihoro	P.O. Box 3001, Nyeri
93	P. N. Kimaru	P.O. Box 1312, Nyeri			
94	Albert Robert Mwai	P.O. Box 906, Nyeri			

SECOND MEETING

No	Name:	Address:	No	Name:	Address:
1	John Wainaina	P.O. Box 27, Nyeri	24	Zippora Gichuhi	P.O. Box 1697, Nyeri
2	Ann Muchemi	P.O. Box 12508, Nyeri	25	Gerald Njoroge	P.O. Box 1234, Nyeri
3	Charles G. Nderi	P.O. Box 203, Nyeri	26	Abubakar Hamis	P.O. Box 1234, Nyeri
۷	Macleans Khatete	P.O. Box 1080, Nyeri	27	C. K. Kariuki	P.O. Box 152, Nyeri
5	David Gitonga	P.O. Box 2005, Nyeri	28	Captain Mureithi J. T.	P.O. Box 137, Nyeri
6	Mwangi Kaguma	P.O. Box 118, Nyeri	29	Robert A. Mwai	P.O. Box 906, Nyeri
7	Kariuki Nderi	P.O. Box 189, Nyeri	30	Uledi Majid	P.O. Box 1875, Nyeri
8	Caroline Nyambura	P.O. Box 1037, Nyeri	31	Francis Wanjohi	P.O. Box 5011, Nyeri
ç	Stanley Maina	P.O. Box 4, Nyeri	32	Karanja Njeru	P.O. Box 838, Nyeri
10	Geoffrey Karoni	P.O. Box 717, Nyeri	33	Mrs. Mary Karingithi	P.O. Box 1686, Nyeri
11	Priscila Nyakwea	P.O. Box 1037, Nyeri	34	George Mwangi	P.O. Box 226, Nyeri
12	Hamis Salim	P.O. Box 256, Nyeri	35	Davidson Muchira	P.O. Box 465, Nyeri
13	Daniel W. Ndirangu	P.O. Box 299, Nyeri	36	Samuel T. Mwaniki	P.O. Box 12287, Nyeri
14	Anderson Wanyanga	None	37	Wanjohi Nyambura	P.O. Box 146, Nyeri
15	Ezekiel Mugo	P.O. Box 179, Kiganjo	38	Kamau Waithaka	P.O. Box 465, Nyeri
16	Kariuki Kunyiha	P.O. Box 12225, Nyeri	39	Rahab Wairima	P.O. Box 1037, Nyeri
17	Jedida Wanjohi	P.O. Box 1179, Nyeri	40	Kingoli wa mbogo	None
18	Joseph Karue	P.O. Box 69, Nyeri	41	Richard Kabatha	None
19	Miriam Kahiga	P.O. Box 4037, Nairobi	42	General Kirihinya	None
20	Mohammed Hamis	P.O. Box 12343, Nyeri	43	John Muhihia	P.O. Box 344, Nyeri
21	Emroy J. Kiragu	P.O. Box 515, Nyeri	44	Kanyi Maina	P.O. Box 710, Nyeri
22	Dainah W. Munyi	P.O. Box 1901, Nyeri	45	Stanley Murage	P.O. Box 424, Nyeri
23	Margaret Gakinya	P.O. Box 1037, Nyeri	46	Philip Kingori	P.O. Box 12483, Nyeri
47	Wanjiru Waweru	None	70	Jeremiah Wang'ondu	P.O. Box 1632
48	Mrs. Muhongia	P.O. Box 399, Nyeri	71	John kamau	P.O. Box 422, Nyeri
49	Christine Wambugu	P.O. Box 399, Nyeri	72	Augustine Kimani	P.O. Box 205, Nyeri
50	Jackson Warui	P.O. Box 445, Nyeri	73	Gabriel Kiige	P.O. Box 1123, Nyeri
51	Peter Mutahi	P.O. Box 427, Nyeri	74	James Mwangi	P.O. Box 843, Nyeri
52	Laban Gaita	P.O. Box 123, Nyeri	75	Karuiki Kiama	P.O. Box 491, Nyeri
53	John Maina	P.O. Box 923, Nyeri	76	Samuel Maina	P.O. Box 8, Narumoro
54	Paul Wachira	P.O. Box 491, Nyeri	77	Charles Ndiritu	P.O. Box 180, Nyeri
55	Josephine Aska	P.O. Box 12580, Nyeri	78	George Mwangi	P.O. Box 2108, Nyeri
56	Josephat Gichuru	P.O. Box 82, Mwega	79	Wilson Mithamo	P.O. Box 2107, Nyeri
57	David Theuri	P.O. Box 1034, Nyeri	80	John Waithaika	P.O. Box 298, Nyeri
58	Simon Wanjohi	P.O. Box 288, Nyeri	81	James Gatama	P.O. Box 201, Nyeri
	John Nderitu	P.O. Box 111, Nyeri	82	Stephen Ndirangu	P.O. Box 804, Nyeri
	Philip M. Gachoka	P.O. Box 647, Nyeri		Janet Kirigo	P.O. Box 1523, Nyeri

61	Iddi Suleiman	P.O. Box 355, Nyeri	84	F. M. Gichaga	P.O. Box 12431, Nyeri
62	Helen Karimi	P.O. Box 288, Nyeri	85	Samuel Mwonjaria	P.O. Box 1604, Nyeri
63	Bernard kaburu	P.O. Box 87, MKR	86	Rev. Patrick Macharia	P.O. Box 12431, Nyeri
64	Jane Murugi	P.O. Box 145, KGS	87	Michael Kingori	P.O. Box 92, Kiganjo
65	Sylvia Wambui	P.O. Box 145, KGS	88	Timothy Gitahi	P.O. Box 293, Nyeri
66	Mary Wanjiku	P.O. Box 120, Nyeri	89	Agatha Waithaka	P.O. Box 320,Nyeri
67	Irene Nyaga	P.O. Box 10287, Nairobi	90	Stephen Warui	P.O. Box 1820, Nyeri
68	Mwangi Chege	P.O. Box 48647, nairobi	91	Charles Gitonga	P.O. Box 1764, Nyeri
69	Gerald Wambugu	P.O. Box 785, Nyeri	92	Charles M. Kihara	P.O. Box 764, Nyeri
93	Jesse Kihoro	P.O. Box 24, Nyeri	116	John Gakunju	P.O. Box 4, Nyeri
94	Cyrus Ndirangu	P.O. Box 1372, Nyeri	117	David Ngari	P.O. Box 62, Kiganjo
95	Nicholas Kariuki	P.O. Box 12032, Nyeri	118	Simon Murungi	P.O. Box 1027, Nyeri
96	Richard Ng'ang'a	P.O. Box 1484, Nyeri	119	David mwangi	P.O. Box 231, Nyeri
97	Beatrice Wamaitha	P.O. Box 502, Nyeri	120	Cllr. Githendu	P.O.Box 273, Nyeri
98	Kihoro Mwihungi	P.O. Box 5017, Nyeri	121	Rev. Elijah Mugo	P.O. Box 1770, Nyeri
99	Onesmus Mugambi	P.O. Box 393, Nyeri	122	Charles W. Gachanja	P.O. Box 422, Nyeri
100	Festus Muchiri	P.O. Box 491, Nyeri	123	Wachira Ndirangu	P.O. Box 256, Nyeri
101	Peter Kibango	P.O. Box 144, Nyeri	124	David Kabogo	P.O. Box 1140, Nyeri
102	Jamlick Maina	P.O. Box 1516, Nyeri	125	John N. Kanja	None
103	Joseph Wambugu	P.O. Box 251, Nyeri	126	Peter Kingori	P.O. Box 474, Nyeri
104	John Ndirangu	P.O. Box 650, Nyeri	127	Rashid Omar	P.O. Box 70, Nyeri
105	John Ngatia	P.O. Box 5014, Nyeri	128	Thairu Kingori	P.O. Box 395, Nyeri
106	Bernard Ndegwa	P.O. Box 250, Nyeri	129	Solomon Ngatia	P.O. Box 408, Nyeri
107	Charles Kamau	P.O. Box 764, Nyeri	130	Sammy Muciambi	P.O. Box 1073, Nyeri
108	James Nderitu	P.O. Box 472, Nyeri	131	Dr. Charles Kamara	None
109	David Gachihi	P.O. Box 689, Nyeri			
110	Jane Wachira	P.O. Box 180, Nyeri			
111	George Gichohi	P.O. Box 484, Nyeri			
112	Abdullahi Ibrahim	P.O. Box 4, Nyeri			
113	Isaiah Mburu	P.O. Box 182, Nyeri			
114	Geoffrey Maina	P.O. Box 182, Nyeri			
115	Pastor Rufus	P.O. Box 7, Nyeri			