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1. DISTRICT PROFILE

Ugenya is a constituency in Siaya district. Siaya District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	220,997	259,187	480,184
Total District Population Aged 18 years & Below	134,746	130,802	265,548
Total District Population Aged Above 18 years	86,251	128,385	214,636
Population Density (persons/Km ²)	316		

1.2. Socio-Economic Profile

Siaya District:

- Is the 6th most densely populated district in the province;
- Has a primary school enrolment rate of 80.9%, being ranked 2nd in the province and 17th nationally;
- Has a secondary school enrolment rate of 21.7%, being ranked 4th in the province and 25th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, and HIV/AIDS;
- Has a 24.7% malnourishment rate of children under 5 years of age, being ranked 26th of 42 of the nationally ranked districts;
- Has 135 of 1000 of its live babies dying before the 1st birthday, being ranked 40th of 44 of the nationally ranked districts;
- Has a life expectancy of 45 years, being ranked 43rd of 45 of the nationally ranked districts;
- Has the lowest monthly mean household income, Ksh. 3,041 of all the 44 districts for which there are such statistics;
- Has a high absolute poverty level, 58%;
- Is on the edge of Lake Victoria. Much of its land is suitable for peasant subsistence agriculture;
- Economic mainstay is fishing and peasant farming as well as mining of construction materials like stones. However, the water hyacinth in the Lake Victoria has affected fishing; and
- Has three quarters of its people having access to safe sanitation and over a third have safe drinking water.

Siaya district has 3 constituencies: Ugenya, Alego, and Gem. The district's 3 MPs each cover on average an area of 507 Km² to reach 160,055 constituents. This is an opposition stronghold. In the 1997 general elections, one of the three parliamentary seats was won by NDP while the other two by FORD-Kenya.

2. CONSTITUENCY PROFILE

Ugenya Constituency is comprised of Ukwala, North Ugenya, West Ugenya, Siany and East Ugenya locations of Ukwala Division. Central Ugenya, Uholo East, Uholo West and Uholo North locations of Ugenya Division of Siaya District.

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km ²	Density (persons/Km ²)
	175,918	518.30	339.4

2.2. Socio-Economic Profile

The main economic activity in the constituency is subsistence farming, especially of millet and sorghum.

2.3. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K won with 91.11% and 67.48% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.4. 1992 General Election Results

1992 total registered voters			52,477
Candidate	PARTY	VOTES	% VALID VOTES
James Orengo	FORD-K	36,651	91.11
Stephen Ondiek	KANU	2,727	6.78
Joseph Omondi	DP	685	1.70
Frederick Nyangwale	FORD-A	164	0.41
Total Valid Votes		40,227	100.00
Total Votes Cast		40,227	
% Turnout		76.66	

2.5. 1997 General Election Results

1997 total registered voters			54,524
CANDIDATE	PARTY	VOTES	% VALID VOTES
James A. Orengo	FORD-K	24,504	67.48

Paul O. Nyamodi	NDP	7,433	20.47
William O. Nyahor	KANU	4,375	12.05
Total Valid Votes		36,312	100.00
Rejected Votes		801	
Total Votes Cast		37,113	
% Turnout		68.07	
% Rejected/Cast		2.16	

2.6. Main Problems

Underdevelopment attributed to bad governance by KANU.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 22nd February 2002 and 27th May 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and constitution making process
- Constitution of Kenya
- Structures and systems of government
- Emerging constitutional issues
- Practice of governance
- Constitutional review process
- Governance

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details:**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 12th and 13th June 2002
- a) Total Number of Days: 2

1. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 1. Ukwala Catholic Church Hall
 2. Ugunja Kamukunji Gardens

1. **Panels**

- a) Commissioners
 1. Com. Nancy Baraza
 2. Com. Ahmed Hassan
 3. Com. Masonik Arap Korir
- a) Secretariat
 4. Solomon Anampiu - Programme Officer
 5. Lucille Ouma - Assistant Programme Officer
 6. Marion Nekesa - Verbatim Reporters

5.2. **Attendance Details**

A total of 141 presenters made substantive submissions. These were either written submissions or oral presentations. Majority of the presenters were men making individual submissions. There were substantive submissions from groups and organizations as well.

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Ugenya 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**

- The constitution should have a preamble. (14)
- The constitution should provide that the national vision to be set in the preamble is justice for all dignity of human life, human development and unity for prosperity and definition and identification Of our international boundaries.
- The constitution should provide that the preamble should reflect Kenya's experiences and natural wealth.
- The preamble should be simple and clear.
- The preamble should state that Kenya is a God fearing country.
- The preamble should express the Sovereignty of all Kenyans.
- The preamble should spell out the broad socio-economic values of the Kenyan state.
- The preamble should stipulate women as important agents of change.
- The preamble should express and define the principles and visions of Kenya as a nation.
- The preamble should express articulate values and aspirations of Kenyans like justice for all.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide statements capturing national philosophy and guiding principles. (3)
- The constitution should provide for a national philosophy of peace love and unity as guiding principles.
- The constitution should provide for the strict observation of the doctrine of separation of powers in the three arms of government.
- The constitution should provide that Kenya be a democratic state and not a republic.
- The constitution should provide that the government should be based on the principle of participatory democracy and accountability.
- The constitution should provide that the rule of law to be the pillar and value in the constitution.
- The constitution should reflect commitment to the core ideas of honesty, morality and

ethics

- The constitution should reflect socio-economic and political ideology, which should be enforced in law.
- The constitution should proclaim our fundamental and inalienable rights of every Kenyan. Existence of Kenya as a public and its people.
- The constitution should provide that the principles set out should be enforceable by law.
- The constitution should provide that peace, national unity should be enforceable by law.
- The constitution should provide that Kenya should be regarded as a God fearing country.

5.3.3 **CONSTITUTIONAL SUPREMACY**

- The constitution should provide for its supremacy over all other laws in the country. (2)
- The constitution should provide that the amendment of the constitution should be done after every 20 years.
- The constitution should provide that the 65% majority vote for amendment to be replaced by 75%.
- The constitution should provide for the removal of the 65% majority vote for amendment.
- The constitution should limit the powers of the parliament to amend the constitution. (3)
- The constitution should provide that the following parts should not be amended by the parliament:-structures and systems of government, qualifications, tenure of office, functions and powers of the president, bill of rights, land and property rights, the electoral system and process.
- The constitution should provide that some parts should be beyond the amending powers of the parliament. (3)
- The constitution should provide that the amendment of the basic structure and principles of the constitution should be beyond the amending powers of the parliament.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (10)
- The constitution should provide that an independent body made of professionals, civil societies, and trade union; youth and women organization should conduct referendums.
- The constitution should provide that respectable institutions and personalities who are non-partisans should conduct referendums e.g. religious leaders, constitutional lawyers, and commonwealth countries.
- The constitution should provide for the parliament to conduct referendum.
- The constitution should prescribe the penalties for breaching the constitution e.g. treason.
- The constitution should provide for impeachment as a penalty for breaching the constitution.

5.3.4 **CITIZENSHIP**

- The constitution should confer to all persons born of Kenyan parents automatic citizenship. (3)
- The constitution should provide that whoever is born of any one Kenyan parent should be conferred automatic citizenship. (2)
- The constitution should provide that citizenship should also be acquired by application.
- The constitution should provide that all unaccompanied children below the age of 8 found within Kenyan borders should be presumed a Kenyan citizen.
- The constitution should provide that Kenyan citizenship could be acquired through

naturalization if the person has lived in Kenya for 7 years.

- The constitution should provide that non-Kenyans should not apply for citizenship.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender should be entitled to automatic citizenship and lose it on divorces.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender should not be entitled to automatic citizenship.
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender.
- The constitution should provide that a non-Kenyan child adopted by a Kenyan citizen should automatically qualify for Kenyan citizenship.
- The constitution should provide that a child born of Kenyan irrespective of parents' gender in or outside the country should be automatic citizen. (2)
- The constitution should provide that anyone born of Kenyan parents' irrespective of gender should automatic citizen of Kenya.
- The constitution should provide that citizens have no obligation in protecting the constitution and upholding the rule of law. What is listed in the Bill of rights should be the rights of citizens.
- The constitution should provide that the rights and obligations of Kenyans should be upholding nationhood and being patriotic to the nation.
- The constitution should provide that rights and obligation should apply equally to all citizens.
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship. (2)
- The constitution should provide that proof of citizenship shall be by way of National identification cards, birth certificates and passports and shall be easily acquired.
- The constitution should provide that ID acquisition should be free to all without any discrimination. (3)
- The constitution should provide that the government should promote and protect in full equality the rights under this constitution of all persons recognized as refugees within its territory.

5.3.5 **DEFENSE AND NATIONAL SECURITY**

- The constitution should provide that no decisions affecting national policy on defense should be made without the approval of parliament.
- The constitution should provide for the police commissioner to have security of tenure.
- The constitution should establish disciplined forces. (4)
- The constitution should provide for the police to wear badges or something to identify them. (3)
- The constitution should provide that martial courts by judges aided by military officers should discipline the armed forces.
- The constitution should provide for the president to be the commander in chief of the armed forces. (3)
- The constitution should provide that the president should not be the Commander in Chief of the armed forces. (4)
- The constitution should provide that the president should exercise the prerogative of declaring a state of emergency.
- The constitution should not provide for the president to have the exclusive powers to

declare war. (3)

- The constitution should provide that One third of National Assembly members shall have the power to veto a declaration of war or a state of emergency by the chief executive.
- The constitution should permit the use of extraordinary power in emergency situations.
- The constitution should provide for the president to invoke emergency powers after approval by the parliament.
- The constitution should provide that the armed forces should be used to build roads, construct dams, boreholes and any other work done by ministry of works and roads.
- The constitution should provide that security issues should be left to police officers who are well trained.
- The constitution should provide a Code of Conduct for the police.

5.3.6 **POLITICAL PARTIES**

- The constitution should provide broad guidelines for the formation, management and conduct of political parties. (7)
- The constitution should limit the number of political parties in the country to between 3 and 5.
- The constitution should limit the number of political parties to three. (4)
- The constitution should limit the number of political parties to two. (2)
- The constitution should limit the number of political parties to be between 3 and 7.
- The constitution should limit the number of political parties to five. (5)
- The constitution should limit the number of political parties to four. (2)
- The constitution should provide broad guidelines requiring that political parties have a national outlook.
- The constitution should provide broad guidelines requiring that political parties have a development focus.
- The constitution should provide that the political parties should fund themselves.
- The constitution should provide that the government to allocate money to parties to every year.
- The constitution should provide for political parties to be financed from public coffers. (5)
- The constitution should provide for the political parties to be funded by the state.
- The constitution should provide that every political party with 50,000 should be funded.
- The constitution should provide for parties to be funded when their objectives promote principles set by the Kenyan constitution.
- The constitution should provide that the political parties be financed if they are ideologically oriented, have at least 5 MPs; allocate funds according to previous vote, if it enjoys national support.
- The constitution should provide for public funding of political parties as long as such parties have representation in parliament and have a demonstrable substantial following.
- The constitution should provide that political parties should only be funded if they would not dash it as handouts during elections.
- The constitution should provide that the president should be above party politics.
- The constitution should provide that the government should not interfere or disrupt rallies organized by opposition leaders/parties.

5.3.7 **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide that where a government of National Unity is formed, the nominee of the party with the majority of seats in parliament should become the Prime Minister.
- The constitution should retain a unitary system of government. (8)
- The constitution should adopt a parliamentary system of government. (8)
- The constitution should adopt a parliamentary system of government with a prime minister as the head government. (8)
- The constitution should empower the prime minister to appoint ministers and their deputies and he should be impeachable.
- The constitution should adopt a parliamentary system of government with the president as the ceremonial head of state. (3)
- The constitution should adopt a hybrid system of government.
- The constitution should adopt a hybrid system of government with prime minister as the head of government.
- The constitution should adopt a hybrid system of government with the president as the head of state.
- The constitution should provide for a Majimbo system of government. (7)
- The constitution should not provide for a Majimbo system of government, as it would hinder national integration. (2)
- The constitution should provide that power be devolved to the local government. (3)
- The constitution should provide that the presidential candidate should have a running mate who would be the vice president. (6)
- The constitution should provide that the appointment of Vice President should be approved by 2/3 of MPs.
- The constitution should provide that the Vice President be directly elected by popular vote.
- The constitution should provide for a bicameral government.
- The constitution should provide that the Attorney General should remain a government employee and legal advisor to the government. (7)
- The constitution should provide that the AG should not be a member of parliament. (3)
- The constitution should provide that Public Administrators should be elected and nominated.
- The constitution should provide provincial administration should not exist.

5.3.8 **THE LEGISLATURE**

Parliament:

- The constitution should provide that all presidential appointments be vetted by parliament. (8)
- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should empower the parliament to vet all the appointments of senior public servants. (9)
- The constitution should empower the parliament to vet all the appointments of ministers and their deputies. (3)
- The constitution should empower the parliament to vet all-important appointments. (4)
- The constitution should empower the parliament to approve the appointment of key government officials. (3)
- The constitution should provide that the parliament committee be the one to determine

the presidents' salary.

- The constitution should empower the parliament to prosecute people mentioned in its reports e.g. public accounts committee.
- The constitution should provide for the parliament to establish ministries by a 2/3rds vote. Any borrowing from any state corporation or other state should be approved by parliament.
- The constitution should provide for the parliament to approve declaration of war, during war parliament through its defense and national security committee should monitor and report to parliament on discipline of forces.
- The constitution should provide that parliament organ be formed to monitor implementation of policies by the executive.
- The constitution should empower the parliament to summon the president.
- The constitution should empower the parliament to determine the number of ministries in the government and should regulate the number of assistant ministers per ministry.
- The constitution should provide for the parliament to scrutinize operations of the premier.
- The constitution should provide that the parliament should be the supreme organ in the country and custodian of property.
- The constitution should give Parliament power to control its own calendar. (6)
- The constitution should give Parliament power to control its own operations through the standing orders. (5)
- The constitution should provide that being an MP should be a full time occupation. (6)
- The constitution should provide that being an MP should not be a full time occupation. (3)
- The constitution should permit coalition government. (10)
- The constitution should provide that Kenya should remain a multiparty democratic state. (4)
- The constitution should provide for the parliament to remain unicameral.
- The constitution should provide for a bicameral parliamentary system with an upper house of elected MPs and a lower house composed of representatives of special interest groups and regions.
- The constitution should provide for a bicameral house. (4)
- The constitution should provide for a bicameral house. Upper and lower house, upper house; one representative per district and other 50 from recognized stakeholders. Lower house; 270 MPs from constituencies carved per population density. (2)
- The constitution should provide for a government of National Unity composed of all parliamentary political parties.
- The constitution should give Parliament power to impeach the president through a vote of no confidence. (11)
- The constitution should provide that upon a vote of no confidence and subsequent removal of the president, the vice president should assume the functions and duties of the presidency.
- The constitution should empower the president to veto legislation passed by parliament.
- The constitution should not provide for the president to veto legislation passed by parliament.
- The constitution should provide for the parliament to override presidents' veto. Except when it is of war. (3)
- The constitution should provide that the president should not have the power to dissolve parliament. (3)
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.

- The constitution should give parliamentary committees the power to prosecute.
- The constitution should provide that ministers should not be members of parliament.
- The constitution should provide that ministers should be appointed by the parliament by way of professional qualification.
- The constitution should provide that MP's should seek views of the electorate before introducing a Bill in parliament.
- The constitution should provide a forum where elected leaders give feedback to the electorates.
- The constitution should provide that MPs have public offices in their constituencies. (5)

Qualifications for contesting elections:

- The constitution should provide that the presidential aspirants should be aged 35 to 70 years
- The constitution should provide that the presidential aspirants to be aged 45 to 70 years. (2)
- The constitution should provide that the presidential aspirant should be over 40 years.
- The constitution should provide that the presidential aspirants to be aged 45 to 75 years. (2)
- The constitution should provide that the presidential aspirants should be 45 years. (2)
- The constitution should provide for the presidential aspirant to be 35 years. (2)
- The constitution should provide that MPs should be 30 years. (3)
- The constitution should provide that an MP should be at least 25 years but not over 74 years.
- The constitution should retain the voting age not to be above 18 years.
- The constitution should provide that the presidential aspirants to be aged between 40 and 60 years.
- The constitution should provide that the president should be between 30 and 55 years.
- The constitution should provide that aspiring MPs should be proficient in English and Kiswahili and his/her mother tongue.
- The constitution should provide that MPs should be at least university graduates. (2)
- The constitution should provide that MPs should be at least holders of O-levels certificate of education. (6)
- The constitution should provide the introduction of moral and ethical qualifications for parliamentarians. (3)

Power of voters over their MPs:

- The constitution should empower the electorates to recall non-performing MPs. (18)
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should empower voters to recall non-performing MPs at 65% vote of no confidence.
- The constitution should provide for MPs to act according to their conscience and instructions from their constituents/voters. (4)
- The constitution should provide that the role of MPs should be well structured to define how they are supposed to act.

MPs and their Salaries:

- The constitution should provide for an independent commission to decide on the salaries of MPs. (10)
- The constitution should provide for the reduction of MPs salaries.
- The constitution should provide that the MPs salaries to be determined by parliamentary commission. (2)
- The constitution should provide that MPs salaries and benefits be determined according to attendance and contribution in the house.
- The constitution should provide that the MPs salaries be determined by a multy sectoral commission.
- The constitution should provide that the nomination of MPs be retained but reserve it to special groups like the disabled.
- The constitution should provide for the nomination of MPs to be retained to cater for the disadvantaged groups.
- The constitution should provide for the abolition of nominated MPs.
- The constitution should provide that nominated MPs be retained and 50% should be women.
- The constitution should provide that the concept of nominated MPs be retained which should be 10% of elected MPs, 70% should be women and people with disabilities.
- The constitution should retain the concept of nominated MPs but must be appointed by an independent body.
- The constitution should provide that the nomination of MPs be reviewed, nominated from teaching profession, medical, financial and accounting, farming, youth, women and the aged.
- The constitution should provide that the nominated MPs should not be appointed president or made to be ministers because they represent nobody.
- The constitution should provide that the unsuccessful candidates should not be nominated.
- The constitution should provide that seats should reserve for women in parliament. (3)

- The constitution should provide a minimum qualification of a university degree for a presidential candidate. (7)
- The constitution should provide that the president should be a Kenyan, a person of high integrity and credibility. (2)
- The constitution should provide that the president should be a degree holder with economics knowledge and good morals.
- The constitution should provide that the president should have a minimum education of O-levels. (5)
- The constitution should provide that the president should not be bankrupt, of sound mind, Kenyan citizen by birth, with proven records in public/ political life and married.
- The constitution should provide for the presidential candidate to declare his/her assets.
- The constitution should provide that the president should serve a maximum two five-year terms. (18)
- The constitution should provide that the president should serve for five years only.
- The constitution should provide for the president to serve for a term of 2 six years only.
- The constitution should provide that president's duties and functions should be defined. (4)
- The constitution should provide for a ceremonial president who should not belong to any political party and should be elected by popular vote.
- The constitution should provide that the president should be the custodian of country's constitution and seal. He should be chief executive.
- The constitution should provide that the presidential duties to include providing leadership to the nation, welcome guests of state, presides over national holidays.
- The constitution should provide for the president to protect our country's' wealth and beauty.
- The constitution should limit the powers of the president. (5)
- The constitution should provide that the president should be subject to the law. (11)
- The constitution should provide that the president have limited powers stipulated by the parliament.
- The constitution should provide that the president should not be the vice chancellor of public universities.
- The constitution should not allow the president to appoint members of the commission e.g. commission of inquiry.
- The constitution should not permit the president to appoint commanders of the armed forces without consultation with parliament and Security Council.
- The constitution should not provide for the president to appoint VP, powers to spend without legislative approval, powers top ban trade unions/association.
- The constitution should provide that the president should be removed on breach of constitution. Removal should be by parliamentary simple majority vote.
- The constitution should provide for the impeachment of the president. (4)
- The constitution should provide for the president to be answerable to the parliament.
- The constitution should provide that presidential decrees and directives shall be stated when they become legally effective.
- The constitution should provide that the president should attend parliament at least once a week.
- The constitution should provide that the president and the parliament should work

together to implement affairs of the country and they should be the overall authority in the country.

- The constitution should provide that the president should also be an elected M.P.
- The constitution should provide that the president should not be an elected MP. (13)
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should abolish the provincial administration structure of government. (2)
- The constitution should provide for the election by popular vote of provincial administration officials.
- The constitution should provide that the provincial administration be abolished and its role should be taken over by the local government.
- The constitution should provide that the Chief and the Assistant Chief be elected by popular vote by members of the respective administrative location. (4)
- The constitution should provide that the provincial administration should not play any significant role in management of education. The composition and role of district education boards of governors, school committees and other management organs.
- The constitution should provide for the abolition of offices of PCs and DCs. (3)
- The constitution should provide for the D Os and chiefs to co-ordinate administrative functions to ministry of home affairs.
- The constitution should provide for the provincial administration to deal only with development issues
- The constitution should retain provincial administration but it should employ competent and learned Kenyans. (2)
- The constitution should provide that there should be utmost 15 ministries each with only one deputy. (4)
- The constitution should provide that the provincial administration be merged with local council.
- The constitution should provide for the reduction of the number of ministries as possible. (2)

5.3.10 **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary.
- The constitution should provide for the judiciary to be headed by the chief justice.
- The constitution should provide that presidential appointee should not head the judiciary.
- The constitution should provide that the judiciary should be structured to have: - chairman, AG, supreme court justice, court of appeal judges, judge of high court, 3 persons from LSK, PSC, parliamentary service commission, chief magistrate and one kadhi.
- The constitution should provide for the establishment of the following courts; corruption courts, rent tribunal courts, traffic offence courts, industrial court juvenile courts and children court.
- The constitution should establish elders' courts to deal with land issues and family/community complicated legal procedures should be removed.
- The constitution should provide for the establishment of a supreme court. (7)
- The constitution should provide for the establishment of a constitutional court. (6)

- The constitution should provide for the independence of private prosecutors.
- The constitution should provide that an independent body should appoint judges and high-ranking judicial officers. (3)
- The constitution should provide that the president should not appoint judicial officers, commissioners of police and chief justice. (2)
- The constitution should provide that the judicial officers should be appointed through the judicial service commission subject to parliament approval. (2)
- The constitution should provide for the parliamentary body to appoint judicial officers. (3)
- The constitution should provide that the judicial officers should be appointed by president on strict advice of the judicial service commission and subject to 2/3 approval of parliament.
- The constitution should provide that appointment of judges should be approved by two thirds of the Members of Parliament.
- The constitution should provide for the judicial officers to have a law degree as a minimum educational qualification.
- The constitution should provide that the judicial officers should be God fearing and churchgoers.
- The constitution should provide for the judicial officers to retire at 65 years of age.
- The constitution should provide for the judicial officers to enjoy security of tenure of ten years.
- The constitution should provide that the judicial officers to be disciplined by a parliamentary commission.
- The constitution should provide that a Supreme Court should hear appeal from a Court of Appeal.
- The constitution should provide for the constitution al courts to investigate and discipline judges.
- The constitution should provide that judges should be disciplined by investigation formed by the president upon advice from judicial service commission.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary.
- The constitution should stipulate that Kadhi should have equal rights and powers as the Judge.
- The constitution should provide that kadhis court should only handle matrimonial and succession issues.
- The constitution should provide that a parliamentary body should appoint kadhis.
- The constitution should provide that the jurisdiction of kadhis court should extend to determination of questions of Muslim law relating to personal status, marriage, divorce or inheritance in proceedings in which all parties are Muslims.
- The constitution should provide for kadhis to have appellate jurisdiction.
- The constitution should provide for the judicial powers to be vested in other bodies e.g. tribunal village elders etc.
- The constitution should provide for the supremacy of the judiciary.
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide that courts be established at the divisional level.
- The constitution should provide that cases should be promptly decided in courts.
- The constitution should provide legal aid to the needy/poor (3)
- The constitution should provide that there should be legal aid to the children.
- The constitution should ensure that there is free legal aid available at all times. (3)

- The constitution should provide for the council of elders to be given authority to decide cases concerning their area including cultural affairs.
- The constitution should provide that robbery convicts should not be subjects to bail.
- The constitution should provide that arrest without a warrant should be maintained in appropriate circumstances.

5.3.11 LOCAL GOVERNMENT

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the County Council, be filled by direct popular elections. (16)
- The constitution should provide that Mayors and Chair of County Council serve a maximum two five-year terms.
- The constitution should give mayors and councilors shall serve for five years time. (8)
- The constitution should provide for the councilors to serve for four years.
- The constitution should provide that local government should be autonomous and should not be linked to the central government. (6)
- The constitution should provide for the local government to be entrenched in the constitution not as act of parliament. (3)
- The constitution should provide for the local government to operate under the central government, which will offer advice and financial assistance.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should stipulate that mayors and councilors should be graduates.
- The constitution should stipulate that minimum education qualification for councilors should be O-levels. (13)
- The constitution should provide that the language tests should be upgraded to at least a pass in O-level. (3)
- The constitution should institute moral and ethical qualifications for councilors.
- The constitution should empower voters to recall non-performing councilors. (5)
- The constitution should provide that the parliamentary committee to determine councilors remuneration.
- The constitution should provide that an independent body to determine the remuneration of councilors and paid from the consolidated fund. (2)
- The constitution should provide that multy-sectoral commission to determine salaries of councilors.
- The constitution should provide for the increment of councilors salaries to attract people with high leadership skills and managerial competence.
- The constitution should retain nomination of councilors unsuccessful aspirants should not be nominated and criteria be streamlined. (3)
- The constitution should abolish nomination of councilors. (2)
- The constitution should provide for councilors to serve the people regardless of their party affiliation.
- The constitution should provide that all local authority by-laws be adopted by way of a referendum.
- The constitution should limit the power of the Ministry of local government to dissolve local councils.
- The constitution should provide for the president/local government minister to have the

power to dissolve the councils. (2)

- The constitution should define the duties and functions of councils.
- The constitution should provide for councils head to take over power and duties of DC.
- The constitution should empower local council to provide basic services e.g. health, education, water, roads etc.
- The constitution should empower the local authority to hire and fire chief officers and civic leaders. (2)
- The constitution should provide that local government should be structured such that it links the people to the government.
- The constitution should provide that small-scale businesses should not remit levies to the local authorities.
- The constitution should provide that local authorities should stipulate its duties properly and well defined.
- The constitution should govern the conduct of council staff.
- The constitution should provide that councilors should be the boss to the council clerk.

5.3.12 **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that Kenya should practice representative electoral system. (3)
- The constitution should provide that voting be done by secret ballot. (2)
- The constitution should retain simple majority rule as basis of winning an election. (3)
- The constitution should abolish the simple majority rule.
- The constitution should provide that the simple majority rule as the basis of winning an election to be replaced with 50% vote requirement.
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast.
- The constitution should that in a presidential elections, the winning candidate must get at least 51% of the votes cast. (2)
- The constitution should provide that those who fail to be nominated by one party should not be allowed to seek nomination from another party.
- The constitution should outlaw changing parties at the last minute.
- The constitution should provide that defectors should loose their seats and seek fresh mandate. (5)
- The constitution should provide that defectors should not contest in ensuing by-election. Parties crossing the floor should be subjected to an election.
- The constitution should provide that defection be done in a specified process e.g. seek mandate from electorates first.
- The constitution should provide that a party can cross the floor if there is written approval of 80% of registered party members.
- The constitution should retain 25% representation in 5 provinces for presidential elections. (3)
- The constitution should provide that in a presidential election, the winning candidate must get 50% of the total votes cast. In the event that this is not achieved in the first contest, a run-off of the first two candidates with highest number of votes shall be immediately held.
- The constitution should provide that eight parliamentary seats should be reserved for the disabled.

- The constitution should provide that seats be reserved for the interest groups in parliament e.g. the youth, women, disabled and other vulnerable groups. (8)
- The constitution should provide that seats should be reserved in parliament for at least 10 the disabled. ½ MPs should be women.
- The constitution should discard geographical constituency system and adopt demographic. (3)
- The constitution should provide that electoral boundaries be redrawn to reflect equal population density. (3)
- The constitution should contain nearly equal number of votes but the commission but the commission may depart from this principle only if necessary.
- The constitution should provide for the reduction of constituencies.
- The constitution should provide that the constituency review to be done after every five years
- The constitution should provide for clear rules for the creation of parliamentary constituencies.
- The constitution should provide that civic, parliamentary and presidential elections should be held separately.
- The constitution should provide for Independent elections for local government, parliamentary and presidential elections. (3)
- The constitution should provide that Presidential, civic and Parliamentary elections be held on separate dates. In all cases, presidential elections should be held first. (4)
- The constitution should provide for the elections to be staggered starting with the presidential then parliamentary and finally civic. (2)
- The constitution should provide that ballot boxes be transparent.
- The constitution should allow for independent candidates.
- The constitution should simplify the election process by making voters registration a continuous process. (4)
- The constitution should not provide for an independent candidate. Aspirants should only take leave and not resign from public offices.
- The constitution should simplify election process by automatic issuance of ID's, which is also a voter's card.
- The constitution should limit election expenditures of each candidate. (4)
- The constitution should specify election dates. (4)
- The constitution should give political parties power to decide the date of a general election. The date of a subsequent general election should be arrived at by consensus by all political parties upon the immediate finalization of a general election.
- The constitution should provide that the election date for the next general election be announced when parliament reconvenes for its last sitting before the term is over.
- The constitution should provide that the president should be elected through an electoral college.
- The constitution should provide that the president should be elected directly by the people. (7)
- The constitution should provide for the autonomy of the Electoral Commission and clear criteria for appointment of Electoral Commissioners.
- The constitution should provide that the public service commission should appoint the electoral commissioners.
- The constitution should provide that the electoral commissioners should be people with integrity, and university graduates proven achievers.

- The constitution should provide that electoral commission chairman should be appointed by the parliament upon chief justice forwarding three names.
- The constitution should provide that an independent body should appoint the electoral commissioners.
- The constitution should provide that the ECK commissioners should be nominated by the president and approved by 2/3 of MPs. The names should be from: political parties, professionals association, women organizations, co-operative societies, religious denominations, institutes of higher learning etc.
- The constitution should provide that the independence of each electoral commission should be security of tenure.
- The constitution should provide for the electoral commissioners to have security of tenure four years.
- The constitution should provide that the number of ECK should serve a maximum of 10 years, as no member should be qualified for re-appointment.
- The constitution should provide that the commissioners should retire a year before elections.
- The constitution should provide that six of the commissioners should retire within five years.
- The constitution should provide that election of commissioners to the Electoral Commission be subject to vetting and approval by parliament.
- The constitution should provide that the electoral commissioner s should be removed from office by a tribunal after thorough investigations.
- The constitution should provide that subject to approval by 2/3 majorities of MPs, the president might remove a member of ECK for misconduct.
- The constitution should provide that the electoral commissioners should be funded from consolidated fund. (2)
- The constitution should provide for an independent body fund electoral commissioners top.
- The constitution should provide that the ECK to consist of 15 members.
- The constitution should provide for the ECK to consist of 12 members
- The constitution should provide for the ECK to consist of 10 members.
- The constitution should provide that votes be counted at the polling station to limit rigging. (3)
- The constitution should provide that the electoral commissioners should be charged with the responsibility of registering political parties
- The constitution should expand the role of ECK to include: registration of voters and maintenance of voters register, direct and supervise elections, conduct and disseminate census data, demarcate constituencies, conduct civic education and conduct plebiscites.
- The constitution should provide that perpetrators of elections should be persecuted. (3)
- The constitution should provide for an electoral court to hear and determine issues relating to electoral malpractices.
- The constitution should enforce electoral code of ethics to curb violence and other offences.
- The constitution should make provision for equal access to the state media for campaign purposes, by all registered political parties.
- The constitution should provide the electorate with a right to petition any election at all levels.

- The constitution should provide that our constitutional provisions for fundamental rights are inadequate. (4)
- The constitution should provide that the other rights to be included in the constitution are; right to equality before the law, right to be considered innocent until proved guilty, right from degrading treatment, right to family and marriage.
- The new constitution should abolish all forms of discrimination netted against the mentally handicapped children and all the omissions or commissions.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the freedom of movement all over Kenya without police harassment. (3)
- The constitution should entrench freedom and right of worship and religion.
- The constitution should entrench the following rights to the constitution social rights, political asylum and legal protection and privacy. Liberty should be a basic right.
- The constitution should protect Kenyans from false prophets and conmen preachers.
- The constitution should adopt the UN basic rights charter.
- The constitution should address the rights of non-citizens visiting the country to ensure that they enjoy their basic rights.
- The constitution should provide for the abolition of death penalty. (10)
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should protect security, health care, water, education, shelter, food and employment as basic rights to all Kenyans. (9)
- The constitution should provide that it should be the responsibility of the government to ensure enjoyment of basic rights.
- The constitution should provide for the president to have the responsibility of ensuring that all Kenyans enjoy basic rights.
- The constitution should secure protection of life and property.
- The constitution should guarantee the security of all Kenyans. (4)
- The constitution should provide that during emergency, health care should be regarded as a basic right.
- The constitution should provide that people with disabilities to be accorded free medical care.
- The constitution should provide for free basic health care for all in both rural and urban areas (22)
- The constitution should provide that the retiring persons should receive medical and health care from government to enable them enjoy good health.
- The constitution should address health care as the first priority in budgetary allocations.
- The constitution should provide for the government to provide potable water as a basic right in every household. (2)
- The constitution should secure access to clean drinking water and for agriculture.
- The constitution should provide free education for all. (7)
- The constitution should provide civic education as a basic right. (3)
- The constitution should provide for free primary education. (28)
- The constitution should provide for free education up to secondary level. (7)
- The constitution should provide for free and compulsory formal education up to university level. (6)
- The constitution should provide that there should be access to shelter as a basic right.

- The constitution should establish a special office to protect and promote basic rights.
- The constitution should provide food as basic right to every Kenyan. (2)
- The constitution should provide for the government to put in place a machinery to ensure that each person gets food.
- The constitution should provide that employment should be a right to all. (5)
- The constitution should provide for a one person-one job policy. (14)
- The constitution should criminalize nepotism especially in employment.
- The constitution should provide that the government should protect and provide employment for citizens who have attained basic education.
- The constitution should stipulate that unemployment in the country should be the failure of the government to deliver.
- The constitution should provide employment to all those who have graduated from universities. (4)
- The constitution should provide for the government to endeavour to create employment opportunity to all. (3)
- The constitution should provide for the government to ensure that anybody who is at least 18 years has a job.
- The constitution should provide that anybody who is above 18 years and not working to be given weekly allowances.
- The constitution should provide that section 112 of the constitution should be amended by parliament to be favorable for retirees.
- The constitution should provide that retirees should not be re-employed.
- The constitution should provide for the retirement age to be 45 years.
- The constitution should provide that pension rates should be reviewed after every five years.
- The constitution should provide that retirement, pension and death benefits should be processed within a stipulated time.
- The constitution should provide for the retirement benefits to be processed immediately without delays. (4)
- The constitution should provide that unemployment benefits should be given to those qualified to be on jobs but can't get it. (3)
- The constitution should provide that pension be extended from 5 to 10 years after death of spouses and children of the deceased taken care of until the youngest is 18 years.
- The constitution should provide that pension should be reviewed whenever there is salary review and adjusted accordingly. (4)
- The constitution should provide that people over 60 years should receive state stipends.
- The constitution should provide that there should be annual increment of pension for the retired civil servants and it should come in time.
- The constitution should simplify the process of collecting pension/benefits.
- The constitution should provide that MPs should get retirement benefits after serving for at least two terms and must have retired voluntarily not voted out.
- The constitution should provide that social funds be set up for the age and unemployed. (2)
- The constitution shall provide for the Employment Act.
- Civic education should be entrenched in the constitution and should be a continuous process
- The constitution should be written in different local languages to enhance the understanding of the people of their rights and obligations under the constitution.

- The constitution should provide that all public documents be readily accessible. (2)
- The constitution should provide that the parliament debate be aired live.
- The constitution should provide that the government should honor its promises to its citizens.
- The constitution should protect all Kenyans against domestic violence.
- The constitution should that the government should provide water, food and education to citizens.
- The constitution should provide that Islamic practices and Islamic Sharia Laws should be practiced in Kenya.
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should guarantee every Kenyan, basic food, clothing and shelter.
- The constitution should built schools and integrates secular education with Islamic religious teachings.
- The constitution should guarantee the protection of Workers from intimidation from employers.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide that emergency relief food be distributed by a parliamentary committee.
- The constitution should provide workers with the right to industrial action. (5)
- The constitution should provide that provisions for civil servants pensions should be guaranteed.
- The constitution should provide that details about retirement benefits should be indicated in pay slips.
- The constitution should provide that illegal sects posing national threat should be deregistered and dismantled.
- The constitution should provide that the rights and interest of children should always prevail in case of interests.

5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide for government rehabilitation of street children.
- The constitution should provide for the government to provide mobility for women to enable them attend important national events e.g. elections.
- The mentally handicapped are four times likely to suffer sexual abuse; there is no legal framework for those unable to communicate their wishes hence their interests are not well catered for.
- The constitution should fully address the interest of the disabled.
- The constitution should legislate to provide an effective framework for decision making on behalf of adults who are unable to communicate their wishes. Strengthen penalty against those who sexually offend the disabled.
- The constitution should provide that people with disabilities should have their medical prescriptions explained in all state hospitals, free education, and access to employment and freedom from discrimination.
- The constitution should provide for the reduction of prices on the disabled equipments.
- The constitution should provide that every disabled persons and minorities has the right to the full enjoyment and protection of their dignity, higher standards of living and

development, full employment and to conditions of economic, educational and social progress.

- There should be a sign language interpreter in TV media for the sake of the deaf, there should be special schools for the disabled all over the country
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should provide affirmative action in favor of the disabled in all public facilities.
- The constitution should provide that the government should employ five per cent of disabled people.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should provide that the deaf and disabled are allowed services free of charge.
- The constitution should provide for special identification cards for the deaf.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for affirmative action in favor of the needy, aged, HIV positive and mentally sick persons.
- The constitution should provide for an affirmative action in favor of women to enhance their participation in decision-making in society- they are part and parcel of the society. (5)
- The constitution should have provision for affirmative action in favor of vulnerable groups. (4)
- The constitution should provide that a third of MPs to be women.
- The constitution should guarantee the rights and interests of divorced women.
- The constitution should make provisions for affirmative action for women in leadership and employment. This affirmative action should apply to all other vulnerable groups
- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should protect all children against defilement and abuse.
- The constitution should abolish discrimination, neglect, abuse and marginalization of the boy and girl child and the children with disabilities from effective participation in quality basic education.
- The constitution should guarantee children's rights via free health care and education. (2)
- The constitution should provide that every child should have a right to a family, foster or state care.
- The constitution should take care of orphans.
- The constitution should protect and guarantee children's rights by making laws to safeguard children.
- The constitution should provide for the sensitization of parents on the importance of educating their children.
- The constitution should provide the formation of a commission to monitor child labor and child abuse and those involved should be punished.
- The constitution should uphold the rights of the vulnerable.
- The constitution should protect and provide for women and children.
- The constitution should consider the aged as vulnerable.

- The constitution should provide for the widows to be considered as vulnerable.
- The constitution should protect the right of prisoners.
- The constitution should prohibit child labor.
- The constitution should provide and protect the rights of the Children's cabinet, which should be composed of representatives of children from all parts of the country.
- The constitution should provide that special schemes and financial aids should be put in place to cater for all orphans.
- The constitution should provide for a Braille copy of the constitution for the visually impaired.
- The constitution should provide that disabled persons, patients and prisoners should have a right to vote under conducive and secure atmosphere.
- The constitution should provide that government and local authority land should have clear demarcations.
- The constitution should provide that women and children rights should be protected.
- The constitution should provide that affirmative action on university entry points for girls shall be lowered.
- The constitution should provide that sign language should be taught in schools as a mandatory subject.
- The constitution should provide for prisoners to have a right to vote.
- The constitution should provide for prisoners to have conjugal visitations.

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide for the state to ultimate ownership of land.
- The constitution should provide that ultimate ownership of land should rest in the community not individual or government.
- The constitution should provide that there should be separate land ownership; individual and state ownership.
- The constitution should give the government the right to acquire public land for national or regional use
- The constitution should give the government the right to acquire all fallow land for development purposes
- The constitution should not give the government power to compulsorily acquire private land except with compensation
- The constitution should provide for the state to have power to control land use. (2)
- The constitution should provide that no one should possess unutilized land, otherwise tax it heavily.
- The constitution should empower the local authority to control land use.
- The constitution should provide for the land transfer to be free. (4)
- The constitution should provide that dependants and parents of a deceased person should be entitled to a 10% of the deceased property.
- The constitution should provide that any dependant of a deceased should have a share of his/her estate, not just the spouse and children alone. (3)
- The constitution should provide for village elders to handle disputes/issues unresolved should be taken to court of law.
- The constitution should address issues of land inheritance to ensure equity. (2)
- The constitution should provide that land should remain the property of the family under the care of the man.

- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should provide that no citizen should own more than 100 acres of land. (2)
- The constitution should provide ceiling in land ownership. (3)
- The constitution should provide that there should be no ceiling on land ownership.
- The constitution should provide that the land ceiling should be limited to 10 hectares per individual. (2)
- The constitution should provide that there should be a ceiling of 250 acres on land owned by an individual.
- The constitution should provide there should be a ceiling of 20 acres on land ownership.
- The constitution should restrict land ownership by non-citizens.
- The constitution should simplify land acquisition and transfer procedures. (7)
- The constitution should provide that land disputes to be settled by an elder's court. (2)
- The constitution should provide for free government surveyors.
- The constitution should provide that a panel of local elders and not law courts should handle all land disputes. (2)
- The constitution should give unmarried girls the right to inherit parental land. (3)
- The constitution should provide equal access to land for both men and women. (6)
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership.
- The constitution should stipulate that women should be allowed to own land and property.
- The constitution should retain pre-independent land treaties and agreements.
- The constitution should provide that the former white lands be repossessed and redistributed to those who are landless.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country. (5)
- The constitution should guarantee access to land for all Kenyans. (4)
- The constitution should abolish trust land act and the land to belong to the community.
- The constitution should provide that trust be placed under a public land commission for management

5.3.15 **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should harmonize Kenya's diverse cultures to ensure national cultural practices.
- The constitution should protect and promote our cultural and ethnic diversity. (7)
- The constitution should provide that cultural and ethnic diversity should be encouraged and promoted if they are for the good of the people.
- The constitution should capture the cultural and ethnic values derived from all community to form one collective experience.
- The constitution should provide for the independence fighters should be supported by the government.
- The constitution should cater for the interest of Ugenya people for they consider

themselves to be distinct social group.

- The constitution or any law should not interfere with Luo culture/traditions.
- The constitution should provide that wife inheritance should be abolished completely. (2)
- The constitution should provide that all persons must respect others in all their diversity of belief, culture and language.
- The constitution should provide for protection from discriminatory aspect of culture. (6)
- The constitution should provide for two national languages. I.e. Kiswahili and English. (3)
- The constitution should stipulate that traditional brews should be allowed during traditional festivities.
- The constitution should stipulate that dowry price should be paid.
- The constitution should provide that cultural rights that are positive should be promoted.
- The constitution should stipulate that elders should handle marital disputes.
- The constitution should recognize and promote cultural languages.

5.3.16 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources.
- The constitution should provide that a qualified accountant should be the one controlling the accounts in the country.
- The constitution should provide that revenue could also be raised by sale of public property and lease; this should be done in a transparent manner highest bidder.
- The constitution should provide for industries to be distributed evenly in all districts and regions to ensure equitable distribution of our national resources.
- The constitution should evolve a more equitable way of distributing national resources. (3)
- The constitution should contain adequate provision for safeguarding and management and distribution of national resources and community resources.
- The constitution should provide mechanism to ensure equitable distribution of national resources. (6)
- The constitution should reduce the salary gap in civil service to ensure equitable distribution of national resources.
- The constitution should entrench mechanism for collection and contribution of taxes.
- The constitution should provide for the government to apportion benefits from resources between the central government and the communities where such resources are found. (3)
- The constitution should provide that the central and local government to share benefits from resources in a given area.
- The constitution should give the offices of the Auditor General and Controller General power to prosecute. (2)
- The constitution should provide that the controller and the auditor general should be independent of the executive. (2)
- The constitution should provide for the parliament to appoint the auditor and general and controller.
- The constitution should provide that the auditor general should be appointed by president and approved by 2/3 of parliamentarians.
- The constitution should provide that the ministers should not own vehicle worth 100,000.00 and above.
- The constitution should provide that to check on public finance parliament should create an office of public finances prosecutor who should work closely with parliamentary finance committee.

- The constitution should empower the parliament to approve all government expenditures.
- The constitution should empower the parliament to prosecute those named for stealing public funds.
- The constitution should provide that the government should remunerate its employees well.
- The constitution should strictly specify the qualifications to senior positions in the civil service.
- The constitution should formulate refresher course for government officers.
- The constitution should provide that there should be salary increase for all civil servants every month.
- The constitution should provide that all appointments to civil service must be based on merit. (5)
- The constitution should provide that ministers should not be MPs. (4)
- The constitution should provide for the government to put in place mechanisms for workers pay rise and promotion should be on academic qualifications.
- The constitution should provide that there should be housing facilities for the civil servants.
- The constitution should provide that all government services and facilities be accessible to all Kenyans without discrimination.
-
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
- The constitution should provide that all elective public positions have a retirement provision of a maximum 55 years.
- The constitution should provide that parastatal chiefs to have at least university degree.
- The constitution should provide that corrupt or individuals previously accused of corruption should not hold public offices. (4)
- The constitution should provide that public service commission should independent.
- The constitution should provide that parastatal chiefs and force commanders should be accountable for funds disbursed into their departments.
- The constitution should not allow the civil servants to engage in private businesses. (5)
- The constitution should provide that officers who have lost trust and support of people should be relieved of their duties. Public service should be strengthened via security of tenure and competitive rates.
- The constitution should provide that public servants must meet certain requirements and a behavior/conduct that might jeopardize his work prohibited.
- The constitution should provide strict application of a code of conduct would instill discipline in public service.
- The constitution should provide that government officials who misappropriate Public funds should be prosecuted and made to pay back.
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.
- The constitution should provide that the prime minister should appoint the public service commission. Elected persons should not be eligible to be the PSC members.
- The constitution should provide that an independent body should appoint members of public service commission.

- The constitution should provide for the parliament to appoint members of public service commission.
- The constitution should provide a code of ethics for holders of public offices. (7)
- The constitution should provide that civil servants should declare their assets before and during their tenure. (8)
- The constitution should provide for government protection of pastoralism as an economic activity.
- The constitution should provide that government offices should not endorse bureaucracy.

5.3.17 **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should include environmental protection issues. (2)
- The constitution should provide that every person has the right to benefit from an environment that is not detrimental to his/her health and well-being.
- The constitution should accord the president the power to enforce environmental protection laws.
- The constitution should provide for the government and the communities to enforce environmental protection laws.
- The constitution should provide that the state should have the duty to under take and pursue measures to protect and maintain the highest possible standards of the environment.
- The constitution should provide for the state to own natural resources.
- The constitution should provide for the local communities to own natural resources that are in their localities.
- The constitution should provide that communities in management and protection of environment must exercise prudence.
- The constitution should protect natural resources. (4)
- The constitution should provide for the government to manage and protect natural resources.
- The constitution should provide that the management and protection of natural resources should fall on communities.
- The constitution should provide for the parliament to control and manage natural resources.
- The constitution should provide for the protection of forests.
- The constitution should provide for a commission to oversee the management of natural resources.

5.3.18 **PARTICIPATORY GOVERNANCE**

- The constitution should provide for the participation of religious organizations in governance.
- The constitution should provide that NGOs and other organized group to have a role in government. Roles should be policy formulation implementative and monitoring.
- The constitution should provide for the government to allow all NGOs to operate freely in the community to supplement government activities.
- The constitution should empower the civil society to monitor all development programmes

and use of funds.

- The state should institutionalize the role of civil organizations as development partners.
- The constitution should provide for the government to include churches in their budgetary allocations.
- The constitution should ensure that women are fairly represented in parliament for maximum participation in governance.
- The constitution should provide for the establishment of a ministry in charge of youth affairs to promote youth's participation in governance and development. (2)
- The constitution should provide that maximum participation of women, persons with disabilities, youth and minority groups. The elderly should be ensured by all representation.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that all the conduct of foreign affairs be vetted by parliament.
- The constitution should provide that investigations in a foreign country by a Kenyan should be outlawed.
- The constitution should provide that the conduct of foreign affairs should not be the exclusive role of executive.
- The constitution should provide that the parliament should approve/vet all international treaties and conventions before adoption. (2)
- The constitution should provide that treaties and conventions signed by Kenya should have automatic effect in domestic law.
- The constitution should provide that the United Nations conventions on the right of the child should have automatic effect on domestic law.
- The constitution should provide that an international treaty by organizations Kenya is a member should have automatic effect in domestic affairs.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide that constitutional commissions be set up by parliament or with the approval parliament.
- The constitution should stipulate that members of parliament should have constituency offices at the grassroots.
- The constitution should provide for an Ombudsman office. (7)
- The constitution should provide for the establishment of human rights commission.
- The constitution should provide for the establishment of an anti-corruption commission. (3)
- The constitution should provide for the establishment of a land commission to be in charge of land.
- The constitution should provide for the establishment of a commission for the protection and promotion of rights with security of tenure and independent.
- The constitution should provide for the establishment of a judicial commission.
- The constitution should provide for the establishment of a poverty reduction commission.
- The constitution should provide for the establishment of complaints, law reform, and advocates complaints commission.

- The constitution should provide for the establishment of local governments, police, and parliamentary, environmental protection, education, national security service, and unified remuneration commissions.
- The constitution should define functions of all commissions under the constitution.
- The constitution should provide for the establishment of the ministry of justice and constitutional affairs. (2)
- The Ministry of Justice should be created distinct from the Attorney General's office. (2)
- The constitution should provide for the legal affairs minister to be responsible for all legal matters in parliament. The minister for legal affairs should recommend the appointments to legal offices for parliamentary approvals.

5.3.22 **SUCCESSION AND TRANSFER OF POWER.**

- The constitution should provide that retiring/outgoing presidents should hand over the instruments of power to the Chief Justice in the interim period before the next president is sworn in. (5)
- The constitution should that during the transition period the executive powers should rest with the speaker of national assembly. (5)
- The constitution should provide that during the transition period presidential powers rest with the Attorney General.
- The constitution should provide that the presidential results should be announced at each polling station and a total of the nation done by chairman of electoral commission.
- The constitution should provide for an independent body to declare results immediately after counting.
- The constitution should provide that the new president should assume office a week after declaration of results.
- The constitution should provide that the incoming president should be sworn in on 14th January after elections.
- The constitution should provide for a 30-day period between elections and the swearing in of the new president.
- The constitution should provide for the president to swear in the president. (2)
- The constitution should provide that power be transferred to the next president within two weeks of his elections.
- The constitution should make provisions for a president in terms of pension and benefits. (2)
- The constitution should provide for the state to provide security to the retired president. (3)
- The constitution should provide that the president should only be pension able after serving two terms of five years each.
- The constitution should provide that the retired president should be given retirement package if he made Kenya prosper.
- The constitution should provide that the retired president should get pension of 50% of his last salary, free medical care and education for his children.
- The constitution should provide for the retired president to be prosecuted for any crime committed even when he was in the office. (2)
- The constitution should provide that the president should vacate office once he/she attains the age of 70 years. (2)
- The constitution should specify how else the president could vacate office other than

through elections.

5.3.23 **WOMEN'S RIGHTS**

- The constitution should abolish the law stating that women should be equal to men.
- The constitution should uphold women's rights and promote gender balance. (2)
- The constitution should put in place measure to protect women e.g. against violence and rape.
- The constitution should allow women to inherit their husbands' properties.
- The constitution should provide for women to have a right to inheritance and succession. (3)
- The constitution should provide for the girl child to be allowed to inherit their parents' properties provided she is a true child. (2)
- The constitution should provide that all marriage laws should be reconciled.
- The constitution should provide for fathers to ensure women of child support and maintenance in education and health.

5.3.24 **INTERNATIONAL POLICY**

- The constitution should provide that Kenyans should be protected against exploitation by IMF and EU.
- The constitution should provide that the donor AID should benefit all citizens in the country.

5.3.25 **REGIONAL POLICY**

- The constitution should spell principles that ensure good relationships between Kenya and her neighbours.

5.3.26 **NATIONAL ECONOMIC POLICY**

- The constitution should provide that the government should provide for nationalization of industries.
- The constitution should provide for the liberalization of domestic trade without any tax.
- The constitution should provide for the reduction of taxes on domestic items sold locally. (2)
- The constitution should reinstate price controls. (2)
- The constitution should provide the role in economic development and that citizens are the center of economic developments and management.
- The constitution should reverse privatization of parastatals.
- The constitution should compel the government to control prices of commodities. (3)
- The constitution should provide that the produce from Kenya should be assured of market by policy protecting it from foreign goods.
- The constitution should prohibit open market and liberalization.
- The constitution should provide that rural electrification should be well funded and be made continuous.
- The constitution should provide for the decentralization of factories and industries all over the country.
- The constitution should provide that those who are poor to be financially supported by the

government.

- The constitution should provide that poverty eradication should be the responsibility of the Government.
- The constitution should provide for the government to design a clear policy of poverty eradication. (2)
- The constitution should give a priority to physical, economic and social infrastructure.

5.3.27 **OTHER NATIONAL POLICIES**

- The constitution should guarantee automatic insurance of all passengers in public service vehicles.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.
- The constitution should make corruption treasonable.
- The constitution should provide that those dying of AIDS should be publicized to promote awareness. (2)
- The constitution should provide that the government should apply Ten Commandments to fight HIV/AIDS.
- The constitution should provide discourage the use of condom in AIDS campaign since it has fuelled promiscuity.
- The constitution should guarantee public safety.
- The constitution should provide that the police should be retrained to avoid harassing the public unnecessarily.
- Administration police should wear uniform for easy identification by people.
- The constitution should ban the premature release of convicts.
- The constitution should provide for the promotion of vigilantes to aid assistant chiefs.
- The constitution should provide that the president might at any time by power conferred on act to preserve and protect public security.
- The constitution should provide that police getting adequate mobility to scenes of criminal patrols should ensure public safety and security.
- The constitution should provide for the government to control the police harassing the public. (4)
- The constitution should guard against corruption, economic sabotage fraud and other economic crimes.
- The constitution should provide that corrupt public officers should be given harsh sentences and their property be confiscated. (2)
- The constitution should criminalize corruption and bribery. (7)
- The constitution should provide that corruptive and economic sabotage should be treasonable offences.
- The constitution should provide for the enactment of a law to specifically deal with corruption.

5.3.28 **SECTORAL POLICIES**

Agriculture:

- The constitution should provide for a consolidated fund to finance farmers.
- The constitution should provide that agricultural inputs to be subsidized. (6)

- The constitution provide for the agricultural officers to train farmers. (2)
- The constitution should provide that farmers should be offered grants and loans by government or from co-operatives. (2)
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide that agriculture should receive 2nd priority during budgetary allocations.
- The constitution should provide that farmers should be encouraged to produce more and feed the nation.

Industry and manufacturing:

- The constitution should provide that the government shall establish and sustain nationalized industries in a bid to raise public finance
- The constitution should provide that potential employers e.g. Kisumu molasses plant should be revived by the government.
- The constitution should provide for the government to set up more factories and industries in Kenya.
- The constitution should protect our industries from undue foreign competition.

Education:

- The constitution should in clear terms espouse the philosophy and role of education in society.
- The constitution should abolish the 8-4-4 system of education.
- The constitution should abolish private schools and nationalize education sector.
- The constitution should provide that High Education Loans Board should provide loans for all university students, parallel and regular students.
- The constitution should provide for government financing of the teaching and development of sign language in all schools and institutions.
- The constitution should provide that admissions to government schools be strictly based on merit.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The constitution should provide for a teacher to student ratio of 1:30.
- The constitution should provide that caning should be the mode of punishment in school. (4)
- The constitution should provide that quarter system of education should not be adopted in Kenya. (5)
- The constitution should provide that CATs should be included in form four results.
- The constitution should provide that a student representative should be in BOG.
- The constitution should provide that one should learn at her/his pace at the university and secondary level.
- The constitution should state principles of education system.
- The constitution should provide that no student should be forced to attend a religious class.
- The constitution should provide that teachers who Impregnate school girls should be interdicted and prosecuted.
- The constitution should outlaw canning in schools.

- The constitution should provide that bursary funds should be based at district level and manned by elected persons.
- The constitution should provide that schools should be categorized so that we have schools for the poor.
- The constitution should provide that all students should undergo military training before joining university or leaving high school.
- The constitution should provide that bright students in secondary schools be given bursary
- The constitution should provide that students in higher education institution should undergo a period of practical attachment in any relevant field.
- The constitution should provide that all university students should automatically access to loans for study. (5)
- The constitution should provide that teachers should always be hired by TSC upon completion of studies. (3)
- The constitution should provide for the establishment of schools for the disabled in each district.
- The constitution should provide for the government to pay teachers good salaries.
- The constitution should provide that there should be rural vocational colleges for adults.
- The constitution should finance kindergarten schools.
- The constitution should provide that there should be standardized fees for all primary schools.
- The constitution should provide that schoolbooks should be issued free in schools.
- The constitution should provide that subjects that are not tested should be re-introduced.
- The constitution should provide that education should be given 3rd priority during budgetary allocations.
- The constitution should provide that KCPE and KCSE should not be used to upgrade students.
- The constitution should provide that children from families with an income of less than 10,000 be given free education in all levels.

Fiscal and Monetary Policy:

- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The constitution should provide that tax rates should be proportional to public services offered.
- The constitution should provide that those who invest in foreign countries should be taxed.
- The constitution should provide for the reduction of tax rates to reduce level of poverty. (5)
- The constitution should abolish tax on building materials.
- The constitution should provide that the presidential motorcade and entourage should be reduced drastically to save on public finance.
- The constitution should compel government to establish a body for micro financing.
- The constitution should provide for Harambees to be scrapped as a way of raising funds to develop the country.
- The constitution should provide that the working population to be taxed.
- The constitution should provide that open-air market should not be taxed.
- The constitution should provide for the banking sector to be protected from manipulation

by profiteers.

- The constitution should outlaw having bank accounts abroad. (2)
- The constitution should provide that interest rates should be regulated.
- The constitution should provide that the national currency/legal tender has a permanent face.
- The constitution should provide that the Kenyan currency should not have a president's portrait but something else that is national in outlook and permanent. (3)
- The constitution should provide that all monies raised, as revenue should be paid into an account of consolidated funds where it can be used by parliamentary authority.
- The constitution should provide that loan interest should not exceed 10% per year.

Health:

- The constitution should control and protect herbal medicine. (2)
- The constitution should provide that healthcare should be affordable to every Kenyan.
- The constitution should abolish private chemists and hospitals.
- The constitution should provide that health facilities should be provided in all health centers.
- The constitution should abolish cost sharing in hospitals. (2)
- The constitution should provide that the government should provide mobile doctors for remote areas.
- The constitution should provide that the government should provide enough hospitals in the country.
- The constitution should provide for the decentralization of health centers.
- The constitution should provide that government hospitals should be well equipped with medical facilities.
- The constitution should provide for the reduction of hospital charges.
- The constitution should provide that all tourist resorts and places should be open to all Kenyans.

Additionally:

- The constitution should force KBC to be free and fair in its coverage.
- The constitution should provide for the airwaves to be liberalized.
- The constitution should provide that the government should encourage and support the jua kali sector.
- The constitution should provide for the kiosk dwellers to run kiosks tax-free.
- The constitution should control and protect wildlife and also minerals.
- The constitution should provide that vehicles should be designed for people with disabilities.
- The constitution should outlaw touting.
- The constitution should provide that transport should be facilitated and made easy to all citizens in the country.

5.3.29 **NATIONAL PROGRAMME/PLANNING**

- The constitution should put in place measures that will guide our economic rejuvenation.
- The constitution should provide that the national production should ensure no

overproduction of skilled labor.

5.3.30 **CUSTOMARY LAW**

- The constitution should provide that the customary law should be upheld, respected and recognized. (3)

5.3.31 **STATURORY LAW**

- The constitution should legalize traditional brews.
- The constitution should provide for the revision of the auctioneers law to protect people's property from their greedy intentions.
- The constitution should provide that drug addicts as well as drug barons should be given life sentence.
- The constitution should provide for the legalization of local liquor/traditional brews. (18)
- The constitution should criminalize discrimination against persons with disabilities.
- The constitution should provide for the harmonization of the law of succession with customary laws.
- The constitution should provide for the factories to be put up to purify the local brews. (3)
- The constitution should provide that stolen items and recovered should be handed over to the owners and not to keep them for a long time as evidence.

5.3.32 **COMMON GOOD**

- The constitution should provide that children should be made to support their parents after employment.
- The constitution should provide a mechanism to reduce the gap between the poor and the rich.

5.3.33 **GENDER EQUITY**

- The constitution should recognize and uphold gender equity. (3)
- The constitution should not promote gender equity, as it is unbiblical. (2)

5.3.34 **ECONOMIC/SOCIAL JUSTICE**

- The constitution should provide that principles of economic and social justice should be adhered to when managing national issues.
- The constitution should guarantee social and economic justice so that all Kenyans are assured of good life.
- The constitution should provide for a mechanism to reduce the gap between the rich and the poor through government policies.
- The constitution should provide for the protection of Kenyans from police harassment and swindling by advocates.

5.3.35 **TRANSPARENCY/ACCONUTABILITY**

- The constitution should provide that for the purpose of transparency and accountability there should be efficient checks and balances in government structure.
- The constitution should provide mechanisms to ensure that NGOs are transparent and accountable on the money given to them by donors.
- The constitution should provide that transparency and accountability should be the policy in government.
- The constitution should provide that anybody suspected to be living beyond his or her means should be investigated.

5.3.36 **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide for all Kenyans to be equal before the law. (4)
- The constitution should abolish police torture and brutality. (3)
- The constitution should provide that natural justice and rule of law should be a key plank of governance.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. James Orengo MP
2. William Odhiambo DC
3. Peter Oloo Achieng Chairman
4. Cllr Hilda Otieno
5. Cecelia Mutula
6. Nereah Marenya Danda
7. J R Sawene
8. Zedekiah Ouma Nyatieng
9. Crispin Okoth Odemba

Appendix 2: Civic education providers (CEPs)

1. Ecumenical civic education program
2. Sky's teachers group
3. Health and development initiatives program
4. Education center for women in democracy
5. SDA church
6. Ndenga youth sports group
7. Community human rights center
8. Maendeleo ya wanawake
9. Catholic justice and peace commission
10. Inter diocesan Christian community services

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

1	0010OSUNY	A.M. Law	CBO	Memorandum	Ugenya Constituency
2	0096isuny	anonymous	CBO	Written	
3	0005OSUNY	Antoney O Radido	CBO	Written	Ukwala Disabled
4	0007OSUNY	Carilus Otieno	CBO	Written	Ugenya Youth
5	0011OSUNY	Clement Omondi	CBO	Memorandum	Sigomrey Community
6	0006OSUNY	David Ogada	CBO	Memorandum	KNUT
7	0022OSUNY	Dick Okelo	CBO	Memorandum	Elimu Yetu Coalition
8	0015OSUNY	Edward Wamaya	CBO	Memorandum	Childrens Rights Stakeholder
9	0003OSUNY	Josephine Okinyo Obonyo	CBO	Written	North Ugenya Parowa Mond
10	0013OSUNY	Kizito Oduor	CBO	Memorandum	Central Ugenya Location
11	0012OSUNY	M.J. Okumu	CBO	Memorandum	Ugenya Focus Centra
12	0019OSUNY	Michael Otieno Oyugi	CBO	Written	Community Human Rights Centre
13	0018OSUNY	Nerea Marenya Danda	CBO	Written	MYWO
14	0008OSUNY	Okwayo J Scholastica	CBO	Written	Women with Disabilities
15	0009OSUNY	Peter Otieno	CBO	Memorandum	Ugunja Sub Location
16	0051ISUNY	A.J. Okoth	Individual	Memorandum	
17	0082ISUNY	Agustine Ogwany	Individual	Written	
18	0107ISUNY	Alex Otieno Omolo	Individual	Oral - Public he	
19	0123isuny	Alfred Oduor Odongo	Individual	Oral - Public he	
20	0079ISUNY	Alfred Opondo Adala	Individual	Written	
21	0109Isuny	Aloyce S onyango	Individual	Oral - Public he	
22	0048ISUNY	Aloys Stephen Onyango	Individual	Written	
23	0116ISUNY	Alphonse Okumu	Individual	Oral - Public he	
24	0039ISUNY	Andrew Francis Omondi	Individual	Written	
25	0087ISUNY	Anonymous	Individual		
26	0088ISUNY	Anonymous	Individual		
27	0089ISUNY	Anonymous	Individual		
28	0021ISUNY	Antony Otieno Radido	Individual	Written	
29	0029ISUNY	Arthur Anindo Agaya	Individual	Written	
30	0104ISUNY	Arthur James Odour	Individual	Oral - Public he	
31	0126isuny	Asher onyango owino	Individual	Oral - Public he	
32	0031ISUNY	Ayub C. Odak	Individual	Written	
33	0095ISUNY	Bavon Otieno	Individual	Oral - Public he	
34	0081ISUNY	Boniface Omondi	Individual	Written	
35	0103isuny	Catherine Were	Individual	Oral - Public he	
36	0046ISUNY	Cecelia Mutula	Individual	Written	
37	0008ISUNY	Charles Abwao	Individual	Written	
38	0072ISUNY	Charles George Juma	Individual	Written	
39	0023ISUNY	Chrispin Okoth Odemba	Individual	Written	
40	0074ISUNY	Chrspine Otieno	Individual	Written	
41	0045ISUNY	Clement Oduor	Individual	Written	
42	0002ISUNY	Cllr. Marie Dan Owino	Individual	Written	
43	0001ISUNY	Cllr. Pascal Otieno	Individual	Written	
44	0049ISUNY	Conness Okoth Okello	Individual	Written	
45	0091ISUNY	Cosmas Okoth Lee	Individual	Oral - Public he	
46	0105ISUNY	Daniel Kamasia	Individual	Oral - Public he	
47	0075ISUNY	Daniel Otieno	Individual	Written	
48	0060ISUNY	David Odote Miyoyo	Individual	Written	

49	0114ISUNY	David Oloo Oluoch	Individual	Oral - Public he	
50	0020ISUNY	David Omondi	Individual	Written	
51	0067ISUNY	Dickens Okello	Individual	Written	
52	0003ISUNY	Edward Ogola	Individual	Written	
53	0009ISUNY	Elizabeth Saddimbau	Individual	Written	
54	0098isuny	Erian Assey	Individual	Oral - Public he	
55	0044ISUNY	Eunice A Odhiambo	Individual	Written	
56	0032ISUNY	Florence J Onguolo	Individual	Written	
57	0047ISUNY	Francis Ochieng	Individual	Written	
58	0017ISUNY	Francis Omondi	Individual	Written	
59	0041ISUNY	Francis Otwala	Individual	Written	
60	0090ISUNY	Fredrick Owour	Individual	Oral - Public he	
61	0007ISUNY	G Omolo Yueya	Individual	Written	
62	0062isuny	Gabriel omondi Sigil	Individual	Written	
63	0069ISUNY	Gabriel Onyango Ogoya	Individual	Written	
64	0121ISUNY	Gabriel Wasonga	Individual	Oral - Public he	
65	0108ISUNY	George Omondi	Individual	Oral - Public he	
66	0080ISUNY	George Onyango Odipo	Individual	Written	
67	0036ISUNY	George Onyango Onyango	Individual	Memorandum	
68	0057ISUNY	James Aggrey Oginjo	Individual	Written	
69	0073ISUNY	James Munda Osigio	Individual	Written	
70	0119ISUNY	James Oluoch	Individual	Written	
71	0110ISUNY	James Omondi Onyango	Individual	Oral - Public he	
72	0076ISUNY	Jane Otieno	Individual	Written	
73	0014ISUNY	Joakim Oriedo	Individual	Written	
74	0061isuny	John Odhiambo	Individual	Written	
75	0058ISUNY	John Oganga	Individual	Memorandum	
76	0064isuny	John Omondi Kolido	Individual	Written	
77	0005ISUNY	Joseph Oduor Ongor	Individual	Written	
78	0037ISUNY	Joseph Oliech	Individual	Written	
79	0034ISUNY	Joseph Owino Mudim	Individual	Written	
80	0106ISUNY	Joseph Wamaya	Individual	Oral - Public he	
81	0054ISUNY	Joyce Otieno Saka	Individual	Written	
82	0050ISUNY	Lucas Odhiambo Orega	Individual	Written	
83	0112ISUNY	Luke Oduor Odenya	Individual	Oral - Public he	
84	0035ISUNY	Lyston Paul Ngoya	Individual	Written	
85	0099isuny	Marcus Ogonda	Individual	Oral - Public he	
86	0010ISUNY	Mark Omollo Ageng'	Individual	Memorandum	
87	0016ISUNY	Mathews Odeny Ogola	Individual	Written	
88	0083ISUNY	Meshack Odongo	Individual	Written	
89	0117ISUNY	Michael Odera	Individual	Oral - Public he	
90	0120ISUNY	Milka Aluoch	Individual	Oral - Public he	
91	0026ISUNY	Monica Aluoch Nyariro	Individual	Written	
92	0068ISUNY	Morice Ogola Odour	Individual	Written	
93	0100isuny	Ochieng Oricho	Individual	Oral - Public he	
94	0012ISUNY	Oduol Stephen	Individual	Written	
95	0030ISUNY	Omondi Ochieng	Individual	Written	
96	0094ISUNY	Otieno Aseh Paul Otieno	Individual	Oral - Public he	
97	0011ISUNY	Otieno Paul Agilo	Individual	Written	
98	0013ISUNY	Owino Oduor	Individual	Written	
99	0022ISUNY	Pascal Ogola Odera	Individual	Written	
100	0028ISUNY	Paskalia J Shikuku	Individual	Written	
101	0006ISUNY	Patrick Otieno	Individual	Written	
102	0027ISUNY	Paul M Nyambala	Individual	Written	
103	0101isuny	Paul Oband	Individual	Oral - Public he	
104	0063isuny	Paul Ochungo Haga	Individual	Written	

105	0018ISUNY	Pauline Akoth	Individual	Written	
106	0053ISUNY	Peter J Onyango Oduol	Individual	Written	
107	0056ISUNY	Peter Okumu Odera	Individual	Written	
108	0055ISUNY	Peter Oloo Achieng	Individual	Written	
109	0078ISUNY	Praxedes Oduor	Individual	Written	
110	0111ISUNY	Raphael Ojow Okoth	Individual	Oral - Public he	
111	0070ISUNY	Raphael Owino	Individual	Written	
112	0042ISUNY	Rapudo Hawi	Individual	Written	
113	0052ISUNY	Rev. George Akula Arum	Individual	Written	
114	0019ISUNY	Richard Okoth Otieno	Individual	Written	
115	0038ISUNY	Samuel O Radak	Individual	Written	
116	0118isuny	Sebastian O Hanyago	Individual	Oral - Public he	
117	0113ISUNY	Stephen Mbogo Okumu	Individual	Oral - Public he	
118	0059ISUNY	Stephen Ochieng Mudho	Individual	Memorandum	
119	0071ISUNY	T.L Maganda	Individual	Written	
120	0092ISUNY	Teresia A Aloo	Individual	Oral - Public he	
121	0033ISUNY	Thomas David Omondi	Individual	Memorandum	
122	0040ISUNY	Tom Odhiambo	Individual	Written	
123	0066isuny	Tom Wanyande cornel	Individual	Written	
124	0024ISUNY	Veronica Awino	Individual	Written	
125	0084ISUNY	Victor Onyacho Meso	Individual	Written	
126	0093ISUNY	Vincent Onyango	Individual	Oral - Public he	
127	0015ISUNY	Vitus Aloo	Individual	Memorandum	
128	0004ISUNY	Wellington Oyundo Ogutu	Individual	Written	
129	0043ISUNY	Willys Ken Mulanya	Individual	Written	
130	0085ISUNY	Wilson Masawa	Individual	Written	
131	0065ISUNY	Wilson Ochieng	Individual	Written	
132	0102isuny	Zedekia Ouma	Individual	Oral - Public he	
133	0025ISUNY	Zephaniah Odhiambo	Individual	Written	
134	0016OSUNY	Adeyasewe Ambrose	Other Institutions	Memorandum	Staff & Children of Equator
135	0020OSUNY	Christopher Onyango	Other Institutions	Written	Sigomrey Primary School
136	0021OSUNY	James Okoth & Daniel Mu	Other Institutions	Written	Sidindi S. School
137	0014OSUNY	John Mark Otieno	Other Institutions	Written	Ambira High School
138	0004OSUNY	Madara Dennis & Nyadimo	Other Institutions	Written	Ukwala High School
139	0002OSUNY	James Oyugi	Religious Organisation	Written	SDA, Ukwala
140	0017OSUNY	Phillip Omwaru Apiyo	Religious Organisation	Written	SDA Central Nyanza
141	0001OSUNY	William Sanjro	Religious Organisation	Memorandum	SDA, Ugenya Constituency

Appendix 4: Persons Attending Constituency Hearings

UKWALA CATHOLIC CHURCH HALL

No.	Name	Address	No.	Name	Address
1	John Odhiambo	P.O.Box 66, Ukwala	24	Josphine A. Atieno	P.O. Ukwala
2	Gabriel Omondi	P.O. Box 160, Ukwala	25	C. George Juma	P.O. Box 682, Siaya
3	Jerald Onyango	P.O. Box 5, Sega	26	George Onyango	P.O. Box 682, Siaya
4	Paul Ochungo	P.O. Box 81, Ukwala	27	James Munda	P.O. Box 87, Ukwala
5	Charles Abwao	P.O. Box 2, Ukwala	28	Fr. Gradus Ochieng	P.O. Box 24, Ukwala
6	Monicah A. Nyariro	P.O. Box 330, Ugunja	29	Joseph O. Odongo	P.O. Box 184, Ukwala
7	Cllr. Otieno Omeso	P.O. Box 87, Ukwala	30	John /sawebe	P.O. Box 206, Ukwala
8	Cllr. Jamin Madara	P.O. Box 167, Sega	31	Mary A. Kwengu	P.O. Box 68, Ukwala
9	Peter Otieno Oroka	P.O. Box 66, Ugunja	32	Wellingtone O. Ogutu	P.O. Box 2, Ukwala
10	John O. Korido	P.O. Box 99, Ugunja	33	Josephine Okinyo	P.O. Box 150, Ukwala
11	Wilson Ochieng	P.O. Box 4, Ukwala	34	Martine Odembo	P.O. Box 161, Ukwala
12	Tom Wanyande	P.O. Box 393, Ukwala	35	George Onyango	P.O. Box 155, Ukwala
13	Pascal Ogola	P.O. Box 107, Sega	36	Antony Otieno	P.O. Box 202, Ukwala
14	Dickens Okelo	P.O. Box 88, Ugunja	37	Joseph O. Ongor	P.O. Box 372, Ugunja
15	Cllr. Helida Atieno	P.O. Box 150, Ukwala	38	Stephen Okoth	P.O. Box 120, Ugunja
16	Maurice Oduor	P.O. Box 217, Ugunja	39	George Opiyo	P.O. Bx 5, Ukwala
17	Gabriel Onyango	P.O. Box 288, Ukwala	40	George Oduor	P.O. Box 202, Ukwala
18	James Akech A.	P.O. Box 203, Ukwala	41	William Sajro	P.O. Box 224, Ukwala
19	Raphael Owino	P.O. Box 288, Ukwala	42	Bonface Tengo	P.O. Box 161, Ukwala
20	T.L. Muganda	P.O. Box 360, Ukwala	43	Michael O. Oyugi	P.O. Box 330, Ugunja
21	Edward Ogola	P.O. Box 45, Ukwala	44	John Ogutu Agunda	P.O. Box 129, Ukwala
22	Zedekia Ouma	N/A	45	Augustine Ogwang	P.O. Box 288, Ukwala
23	Scholastica Okwayo	P.O. Box 318, Ukwala	46	Meshark Odongo	P.O. Box 361, Ukwala
47	Silvester Awuor	P.O. Box 203 Ukwala	70	Omoro Benard	P.O. Box 183, Sega
48	Victor Meso	P.O. Box 40, Ukwla	71	Kwengu Joseph	N/A
49	Wilson Masawa	P.O. Box 316, Ukwala	72	Paul Odhiambo	N/A
50	Prof. Oroch Ojow	P.O. Box 16, Ukwala	73	Tom Adere	P.O. Box 76, Ukwala
51	Maurice O. Oduor	P.O. Box 24, Ukwala	74	David Ogada	P.O. Box 24, Ukwala
52	Adriano Oduor	P.O. Box 8, Ukwala	75	William Odhiambo	P.O. Box 288, Ukwala
53	Chrispine Odemba	P.O. Box 95, Sigoma	76	Johaness Ohenga	N/A
54	Nitus Aloo	P.O. Box 52, Ukwala	77	George Okoth	P.O. Box 128, Sega
55	Lucas Odhiambo	P.O. Box 307, Ukwala	78	Dorine Opiyo	P.O. Box 9, Ukwala
56	Goerge Okeyo	P.O. Box 6, Siaya	79	Beatrice Atieno	P.O. Box 9, Ukwala
57	Raphel Owino	P.O. Box 201, Ukwala	80	Jane Akoth Otieno	P.O. Box 9, Ukwala
58	Abross Okello	P.O. Box 24, Ukwala	81	Peter Okaro	P.O. Box 90, Ukwala
59	Bernad Ogutu	P.O. Box 9, Ukwala	82	Augustine Ochieng	P.O. Box 76, Ukwala
60	Elizabeth Sadibiba	P.O. Box 157, Ukwala	83	Francis Okoth	P.O. Box 24, Ukwala
61	Charles Oywer	P.O. Box 14, Ukwala	84	Saddinborh R.L.	P.O. Box 257, Ukwala
62	Gabriel Ogutu Odipo	P.O. Box 49, Ukwala	85	Omill Shadrack	P.O. Box 24, Ukwala
63	Lucas Odhiambo	P.O. Box 374, Ukwala	86	Jenipher Atieno	P.O. Box 161, Ukwala
64	John Juma Odera	P.O. Box 1, Ukwala	87	Christine Atieno	P.O. Box 161, Ukwala

65	Vitalis Osanya	P.O. Box 9, Ukwala	88	Mark Ageng	P.O. Box 167, Sega
66	Akelo Aringo	N/A	89	Nerea M. Danda	P.O. Box 92, Sidindi
67	Omolo M.E.	P.O. Ukwala	90	George Owino	P.O. Box 330, Ukwala
68	Rose Akinyi	P.O. Box 191, Ukwala	91	Joseph Oloo	P.O. Box 269, Ukwala
69	Joseph Otulo Ombayo	P.O. Box 183, Sega	92	Rose Achieng	P.O. Box 191, Ukwala
93	Otieno Paul Agko	P.O. Box 9, Ukwala	116	Frederick Owuor	P.O. Box 288, Ukwala
94	George Olwenya	E.A. Standard	117	Thomas David Omondi	P.O. Box 150, Ukwala
95	Dampii Nega	Nation	118	Markus Odenyo	P.O. Box 288, Ukwala
96	Maerik Dan	P.O. Box 24, Ukwala	119	Lazaro Otieno	P.O. Box 188, Ukwala
97	Lucy Walo	P.O. Box 24, Ukwala	120	Charles O. Oyimbo	P.O. Box 191, Ukwala
98	Morice Obara	P.O. Box 8, Ukwala	121	James Oyugi	P.O. Box 172, Ukwala
99	Carilius Otieno	P.O. Box 202, Ukwala	122	Cosmus Okoth Lee	P.O. Box 99, Ugunja
100	Zacharia Okoko	P.O. Box 202, Ukwala	123	Alfred O. Adala	P.O. Box 158, Ukwala
101	Joseph O. Okech	P.O. Box 49, Ukwala	124	Maurice Omondi	P.O. Box 158, Ukwala
102	Owuor Peter	P.O. Ukwala	125	Odeny G. Odhiambo	P.O. Box 30, Uccoa
103	Alocy Odongo	P.O. Box 288, Ukwala	126	Vincent Omondi	P.O. Box 021, Ukwala
104	Koyugi Otieno	P.O. Ukwala	127	Chrispine Otieno	P.O. Box 158, Ukwala
105	Madara	P.O. Ukwala	128	Daniel Otieno	P.O. Box 158, Ukwala
106	Charles Okingo	P.O. Ukwala	129	Alex Okelo	P.O. Box 158, Ukwala
107	Nyadimo Vicent	P.O. Ukwala	130	Vincent Onyango	P.O. Box 123, Akawa
108	Frederick Omondi	P.O. Box 288, Ukwala	131	Jane Otieno	P.O. Box 158, Ukwala
109	Christine Ochieng	P.O. Box 24, Ukwala	132	Praxedes Oduor	P.O. Box 158, Ukwala
110	Ishmasi Obonyo	P.O. Box 24, Ukwala	133	Raphael Omond	P.O. Box 81, Ukwala
111	Charlice Omondi	P.O. Box 24, Ukwala	134	P.J. Oloch	P.O. Box 9, Ukwala
112	Raphael Ouma	P.O. Box 1, Ukwala	135	Treasis A. Aloo	P.O. Box 270, Ukwala
113	Philiph Juma	P.O. Box 52, Ukwala	136	Martin Musanya	P.O. Box 45, Ukwala
114	Paulo Otieno Asee	P.O. Box 95, Ukwala	137	Ochieng Oricho	P.O. Box 161, Ukwala
115	Mathias Ouma	P.O. Box 61, Ukwala	138	Conceptor Akinyi	P.O. Box 9, Ukwala
139	Beatrice Koyugi	P.O. Box 24, Ukwala	162	Margdeline A. Omollo	P.O. Box 76, Ukwala
140	Dismas O. Onyango	P.O. Box 288, Ukwala	163	Vincent Onyango	P.O. Box 288, Ukwala
141	Felix Ademba	P.O. Box 172, Ukwala	164	Raphael Onyango	P.O. Box 288, Ukwala
142	Richard Okweya	P.O. Box 288, Ukwala	165	John Owoko	P.O. Box 9, Ukwala
143	Daniel Ochieng	P.O. Box 288, Ukwala	166	Bavon Otieno	P.O. Box 158, Ukwala
144	Omondi Alex	P.O. Box 31, Ukwala	167	Cecilia Hope Mtula	P.O. Box 72, Butula
145	Edwin Were	P.O. Lingingo	168	Stephen Ochieng	P.O. Box 136, Ukwala
146	John Omondi	P.O. Box 72, Ukwala	169	Samuel Ochanda	P.O. Box 260, Ukwala
147	Leocadia Oduor	P.O. Box 396, Ukwala	170	Lilian Achieng	P.O. Box 24, Ukwala
148	Dymphua Odhiambo	P.O. Box 158, Ukwala	171	Cicilia Awino	P.O. Box 24, Ukwala
149	Patrick O. Alunde	P.O. Box 103, Ukwala	172	Prisca lAkinyi	P.O. Box 24, Ukwala
150	Bernard Ochieng	P.O. Box 161, Ukwala	173	Macelne Majuma	P.O. Box 24, Ukwala
151	Mary Atieno	P.O. Box 99, Ukwala	174	RoseOchieng	P.O. Box 24, Ukwala
152	Atieno Otieno Esther	P.O. Box 172, Ukwala	175	Sharon Ochieng	
153	Magdaline Ndeda	P.O. Box 172, Ukwala	176	Diana Apiyo	
154	Florence J. Onguolo	P.O. Box 207, Ugunja	177	Cirila Akinyi	
155	Peter Oduol	P.O. Box 374, Ukwala	178	Emilly Atieno	
156	John Onuja	P.O. Box 254, Ukwala	179	Caren Akinyi	

157	Erick O. Obare	P.O. Box 2, Ukwala	180	Joyce Achieng	
158	Paulo Obanda Ngonga	P.O. Box 9, Luhano	181	Irine Akinyi	
159	Vicnent Oloo	P.O. Box 76, Ukwala	182	Judith Akinyi	
160	Philip Otieno	P.O. Box 123, Ukwala	183	Gloria Adhiambo	
161	Lucas Oketch	P.O. Box 161, Ukwala	184	Monicah Aluoch	
185	Lilian Akinyi		192	Paulo Otieno	P.O. Box 172, Ukwala
186	Caren Auma		193	Rose Okongo	P.O. Ukwala
187	Pauline Akoth	P.O. Box 24, Ukwala	194	Benedict Otieno	P.O. Box 288, Ukwala
188	Eriant Aseey	P.O. Box 24, Ukwala	195	Joakim Oriedo	P.O. Box 172, Ukwala
189	Edith Atieno	P.O. Box 24, Ukwala	196	Oduol Stephen	P.O. Box 285, Ukwala
190	Roseline Juma	P.O. Box 24, Ukwala	197	Felix Otieno	P.O. Box 140, Ukwala
191	Markus Ogonda	P.O. Box 57, Ukwala	198	George O. Odero	P.O. Box 76, Ukwala

UGUNJA KAMKUNJI GROUNDS

No.	Name	Address	No.	Name	Address
1	Richard O. Otieno	P.O. Box 347, Ugunja	24	Dalmas Ombedho	P.O. Box 372, Ugunja
2	Peter Otieno	P.O. Box 66, Ugunja	25	Joseph Achola	P.O. Box 66, Ugunja
3	A.M. Law	P.O. Box 89, Ugunja	26	Helida Otieno	P.O. Box 150, Ukwala
4	J.O. Ngaywa	P.O. Box 98, Ugunja	27	Camlus Otieno	P.O. Box 118, Ugunja
5	C.O. Moc. Okech	P.O. Box 25, Sigomre	28	Charlice Juma	P.O. Box 682, Siaya
6	M.J. Okumu	P.O. Box 19, Mudhiero	29	George Onyango	P.O. Box 682, Siaya
7	Scholastic Okwayo	P.O. Box 318, Ukwala	30	Samson Otieno	N/A
8	Victor Meso	P.O. Box 40, Ukwala	31	Francis Odero	P.O. Box 26, Ugunja
9	Paskalia Shikuku	P.O. Box 28, Sigomre	32	Christopher Masala	P.O. Box 27, Ramunde
10	Arther J. Oduor	P.O. Box 177, Sidindi	33	Charles Ouma	P.O. Box 304, Ugunja
11	Joseph O.Ong'or	P.O. Box 372, Ugunja	34	Simon Awandu	P.O. Box 1, Ugunja
12	Daniel Kamasia	P.O. Box 26, Ugunja	35	Simon Murema	P.O. Box 1, Ugunja
13	Joseph Wamaya	P.O. Box 8, Ugunja	36	Collins Ondiek	P.O. Box 1, Ugunja
14	Kizito Onwama	P.O. Box 391, Ugunja	37	Apodo J. Kennedy	P.O. Box 1, Ugunja
15	J. Odek	P.O. Box 391, Ugunja	38	Samwel Ayieko	P.O. Box 1, Ugunja
16	Antony Otieno	P.O. Box 202, Ukwala	39	Pascal Ogola	P.O. Box 107, Sega
17	Moses Opondo	P.O. Box 88, Ugunja	40	Dismas Ochieng	P.O. Box 1, Ugunja
18	Peter Othigo	Got Osimbo	41	Chrispine Odemba	P.O. Box 93, Ugunja
19	Timothy Ayieko	P.O. Box 20, Sidindi	42	Daniel Owino	P.O. Box 137, Ugunja
20	Alex Otieno Omollo	P.O. Box 28, Sigomre	43	Adeya Sewe A.	P.O. Box 74, Rang'ala
21	Stephen Okoth	P.O. Box 120, Ugunja	44	Maria M. Banda	P.O. Box 82, Sidindi
22	Gaudensia Agaya	P.O. Box 49, Ugunja	45	Aloyce S. Onyango	P.O. Box 38, Sigomre
23	Michael Aloo	P.O. Box 6, Ugunja	46	Joseph Obanda	P.O. Box 1, Ugunja
47	James Omondi O.	P.O. Box 89, Ugunja	70	Felix Omitha	P.O. Box 391, Ugunja
48	Elias Omollo	P.O. Box 238, Ugunja	71	F.J. Omondi	P.O. Box 3, Ugunja
49	Ayub Odar	P.O. Box 40, Sidindi	72	Muruka Were	P.O. Box 1, Ugunja
50	Kurian Musa	P.O. Box 1, Ugunja	73	Andrew Onyango	P.O. Box 133, Ugunja
51	John Mark Otieno	P.O. Box 1, Ugunja	74	Obiya O. Gabriel	P.O. Box 20, Sidindi
52	Moses OtienoOmaalo	P.O. Box 1, Ugunja	75	Hagoi G.O.	P.O. Box 84, Sidindi
53	Ahuba George	P.O. Box 1, Ugunja	76	Okello R. Aolo	P.O. Box 100, Ugunja

54	Jason Genga	P.O. Box 1, Ugunja	77	John Victor Opondo	P.O. Box 169, Sigomre
55	Frederick Owino	P.O. Box 1, Ugunja	78	Daniel Onyango	P.O. Box 49, Ugunja
56	George Omondi	P.O. Box 1, Ugunja	79	Fidelis Owino	P.O. Box 49, Ugunja
57	Mildred Adeya Ouma	P.O. Box 1, Ugunja	80	Risper Atieno	P.O. Box 49, Ugunja
58	Vincent Amuga	N/A	81	Raphael Ojow	P.O. Box 120, Ugunja
59	Charles Oduor	P.O. Box 330, Ugunja	82	Michael Otieno Oyugi	P.O. Box 221, Ugunja
60	Cllr. George O. Okumu	P.O. Box 394, Ugunja	83	Luke Oduor Odinya	P.O. Box 45, Ugunja
61	Erasto Akama	P.O. Box 47, Ugunja	84	Longinus Oluoch	P.O. Box 95, Ugunja
62	Frederick Owingo	P.O. Box 235, Ugunja	85	Onyango Christopher	P.O. Box 39, Sigomre
63	Philliph Omwaro	P.O. Box 157, Sigomre	86	Joash Odhiambo	P.O. Box 400, Ugunja
64	Remjius Omondi	P.O. Box 115, Ugunja	87	Jack Odhiambo	N/A
65	Alloyce O. Kotit	P.O. Box 129, Ugunja	88	Stephen O. Mbogo	P.O. Box 114, Sidindi
66	Raphael A. Ondiek	P.O. Box 49, Ugunja	89	Paul O. Omondi	P.O. Box 330, Ugunja
67	David Omondi	P.O. Box 49, Ugunja	90	David Oluoch	P.O. Box 10, Siaya
68	Z. Odhiambo	P.O. Box 16, Sidindi	91	Stephen Wuaw Agola	P.O. Box 75, Sega
69	Domnic Akech	P.O. Box 391, Ugunja	92	William Nengo	P.O. Box 3, Ugunja
93	Jenipher Atieno	P.O. Box 330, Ugunja	116	Domnic Oyugi	P.O. Box 161, Sigomre
94	Marab Atieno	P.O. Box 330, Ugunja	117	James Oluoch	P.O. Box 159, Sigomre
95	Mary Atieno	P.O. Box 297, Ugunja	118	Cllr. J.O. Mudimo	P.O. Box 394, Ugunja
96	Elija Ouma Ondiegi	P.O. Box 66, Ugunja	119	Vitalis Otieno	P.O. Box 34, Ugunja
97	Thomas David Omondi	P.O. Box 150, Ukwala	120	Richard Oluoch	P.O. Box 1013, Buruburu
98	Caleb O. Gundo	P.O. Box 5, Mudhiero	121	Edward Wamaya	N/A
99	Maurice Amollo	P.O. Box 760, Yala	122	Marcellus Odongo	P.O. Box 394, Ugunja
100	Irine Atieno	P.O. Box 10, Ugunja	123	Mary Wayodi	P.O. Box 83, Ugunja
101	John Ogada Oricho	P.O. Box 328, Ugunja	124	Samwel Radak	P.O. Box 49, Sega
102	James Kenyatta	P.O. Box 124, Ukwala	125	Arthus Anindo Agaya	P.O. Box 99, Ugunja
103	Ouma Nicholas	P.O. Box 322, Sidindi	126	Nicholas Ongero	P.O. Box 93, Sigomre
104	Owino Minister Mugamba	P.O. Box 8, Ugunja	127	Samson Majiwa	P.O. Box 48, Sigomre
105	Peter Somb Masomb	P.O. Box 252, Ugunja	128	Juma Owino	P.O. Box 93, Sigomre
106	Milka Aluoch Onyango	P.O. Box 172, Sidindi	129	Andrew Ochieng	P.O. Box 133, Ugunja
107	Aloyce A. Wanjir	P.O. Box 133, Ugunja	130	Wilberforce Mudey	P.O. Box 82, Rang'ala
108	Paul M. Nyambaka	P.O. Box 47948, Nairobi	131	Charles Oduor	P.O. Box 90, Sidindi
109	Alphonse Okumu	P.O. Box 177, Ugunja	132	Enock Otieno	P.O. Box 89, Ugunja
110	M. Adero Mudhune	P.O. Box 9, Ukwala	133	Lynete Adhiambo	P.O. Box 2, Ukwala
111	Martin Oloch	P.O. Box 133, Ugunja	134	Dick Okello	P.O. Box 88, Ugunja
112	Sebastiano Hanyago	P.O. Box 133, Ugunja	135	Tom Odhiambo	P.O. Box 88, Ugunja
113	Ernest Onyango	P.O. Box 119, Ugunja	136	Fredrick Omondi	P.O. Box 382, Ugunja
114	Stephen Opiyo	P.O. Box 11, Ugunja	137	Joseph Onyango	P.O. Box 46, Ugunja
115	Leonard O. Mugenya	P.O. Box 11, Ugunja	138	Michael Owino	P.O. Box 27, Sigomre
139	Rapudo Hawi	P.O. Box 188, Ugunja	162	Lucy Akello	P.O. Box 682, Siaya
140	Charles O. Otieno	P.O. Box 5, Ugunja	163	Grace Akinyi	P.O. Box 682, Siaya

141	Veronica Awino	P.O. Box 91, Ugunja	164	Bishop Joseph Oyugi	P.O. Box 99, Ugunja
142	Monica Aluoch	P.O. Box 330, Ugunja	165	Anton Nyagowa	P.O. Box 105, Ugunja
143	Joseph Onyango	P.O. Box 99, Ugunja	166	Domnic Oyaya	P.O. Box 51, Ukwala
144	John Owino	P.O. Box 99, Ugunja	167	Charles Owuor	P.O. Box 74, Ugunja
145	Charles Ochieng	P.O. Box 120, Ugunja	168	George Okello	P.O. Box 36, Ugunja
146	Rore Adede	P.O. Box 322, Sidindi	169	Irene Atieno	P.O. Box 97, Rang'ala
147	Gabriel Wasonga	P.O. Box 28, Sigomere	170	W.W. Wajewa Onyango	P.O. Box 280, Sidindi
148	Nicodemus Ongwen	N/A	171	Zedekia Ouma	P.O. Box 115, Siaya
149	Fred Otieno Ochieng	P.O. Box 275, Siaya	172	Willis Owere	P.O. Box 29, Bar Ober
150	Francisca Achieng	P.O. Box 345, Ugunja	173	C.O. Godiah	P.O. Box 39, Sigomere
151	Joseph Juma	P.O. Box 369, Ugunja	174	Mugunya Lucas Osore	P.O. Box 21, Ugunja
152	Peter Opii	P.O. Box 79, Sigomere	175	Asher Owino	P.O. Box 32, Ugunja
153	Moris Juma	P.O. Box 274, Ugunja	176	Joseph Odhiambo	P.O. Box 65, Ugunja
154	Wilfrida Wanga	P.O. Sigomere	177	Francis Olendo Ochanda	P.O. Box 65, Ugunja
155	Josephine Oduor	P.O. Sigomere	178	Conness Okoth Okello	P.O. Box 39, Rang'ala
156	James Okalo	P.O. Box 5, Ugunja	179	Oloo Monica	P.O. Box 95, Ugunja
157	Charles Oduor	P.O. Box 383, Ugunja	180	Joseph O. Oduol	P.O. Box 66, Ugunja
158	Alfred O. Odongo	P.O. Box 66, Ugunja	181	Charles O. Awuor	P.O. Box 313, Ugunja
159	Msewe Nyagwa	P.O. Box 27, Bar Ober	182	Alfred Agut Odero	P.O. Box 102, Ugunja
160	Antony Lwasonga	P.O. Box 77, Sigomere	183	Joseph Obiya	P.O. Box 199, Ugunja
161	Pascal Oduor	P.O. Box 15, Ugunja	184	Andrew Owino	P.O. Box 1, Ugunja
185	Ooko Thomas	P.O. Box 66, Ugunja	208	James Okoth Obuong	P.O. Box 89, Ugunja
186	Owang' Lazaro	P.O. Box 132, Ugunja	209	John Osine	P.O. Box 46, Sega
187	Peter Oloo Achieng'	P.O. Box 5, Ugunja	210	Peter Okinyo	P.O. Box 46, Sega
188	Fredrick Musewe	P.O. Box 400, Ugunja	211	Wellington Omolo	P.O. Box 169, Sigomere
189	Peter Onyango	P.O. Box 240, Ugunja	212	George Odhiambo	P.O. Box 120, Ugunja
190	Peter O. Odera	P.O. Box 230, Ugunja	213	Richard Onyango	P.O. Box 99, Ugunja
191	Gladus Owiso	P.O. Box 113, Ugunja	214	Charles Ochieng	P.O. Box 38, Sigomere
192	Florence Odongo	P.O. Ugunja	215	Jane Atieno	P.O. Box 250, Ugunja
193	Florence J. Onguolo	P.O. Box 207, Ugunja	216	James Ongayah	P.O. Box 600, Siaya
194	Vitalis O. Olalo	P.O. Box 132, Ugunja	217	George M Odhiambo	P.O. Box 19, Ugunja
195	Mark Adundo	P.O. Box 384, Ugunja	218	John Ochieng	P.O. Box 95, Ugunja
196	Clement Odipo	P.O. Box 5, Ugunja	219	Caleb Airo	P.O. Box 95, Ugunja
197	James Okoth	P.O. Box 173, Sidindi	220	Owino Francis	P.O. Box 95, Ugunja
198	Daniel Murende	P.O. Box 173, Sidindi	221	Akula Arum	P.O. Box 54, Sigomere
199	Margret Malowa	P.O. Box 202, Ukwala	222	John Oganga	P.O. Box 100, Ugunja
200	Chrisphine Owalla	P.O. Box 9034, Siaya	223	Benard Mark Otieno	P.O. Box 127, Ugunja
201	Sabastian Otieno	P.O. Box 15, Ugunja	224	Oduor Onyango	P.O. Box 61, Sigomere
202	Cecillia Hope Mtula	P.O. Box 72, Butula	225	Charles Ooko	N/A
203	Simion Omondi	P.O. Box 63, Ugunja	226	Christopher Opio	P.O. Box 322, Sidindi
204	Thomas O. Alego	P.O. Box 133, Ugunja	227	Lawrence Oloo	P.O. Box 98, Ugunja
205	James O. Opanga	P.O. Box 4, Ukwala	228	Martin Ogutu	P.O. Box 199, Ugunja

206	Charles Otieno	P.O. Box 99, Ugunja	229	Joma Patrick	P.O. Box 98, Ugunja
207	Peter Odundo	P.O. Box 207, Ugunja	230	Justus Wamalwa	P.O. Box 1956, Bungoma
231	Fredirick O. Ogaye	P.O. Box 65, Ugunja	254	Oduor Otieno	P.O. Box 2, Ukwala
232	Omondi Ochieng	P.O. Box 90, Sidindi	255	Samuel Okondo	P.O. Box 22, Ugunja
233	Prof. Oboch G.	P.O. Box 16, Ukwala	256	Gerald Adika	P.O. Box 230, Ugunja
234	Edwin O. Odongo	P.O. Box 204, Ugunja	257	Jackson J.O. Kodony	P.O. Box 57, Sigomora
235	Clement O. Oduor	P.O. Box 43, Ukwala	258	George A. Mugenya	P.O. Box 11, Ugenya
236	Wilson Ochieng	P.O. Box 5, Ugunja	259	Eunice A. Odhiambo	P.O. Box 330, Ugunja
237	Lyston Paul Ngoya	P.O. Box 371, Sidindi	260	Agilo T. Ochieng	P.O. Box 68, Ukwala
238	Philip Oyange	P.O. Box 50, Ugunja	261	Joseph Oliech	P.O. Box 10, Ugunja
239	Lucas Simala	P.O. Box 372, Ugunja	262	Yohana Ogola	P.O. Box 31, Ugunja
240	Michael Mitaga	P.O. Box 89, Ugunja	263	Alfred Odipo	P.O. Box 133, Ugunja
241	Oluoch Nyambare	P.O. Box 66, Ulwan	264	Omia Phabians	P.O. Box 134, Ugunja
242	Cornel Oiro	P.O. Box 66, Ulwan	265	Charles Otieno	P.O. Box 95, Ugunja
243	Amos Donge	P.O. Box 274, Ugunja	266	A.O. Pinya	P.O. Box 66, Ugunja
244	Thomas Ogutu	P.O. Box 85, Rang'ala	267	Christopher Oluoch	P.O. Box 157, Ugunja
245	Stephen Mudho	P.O. Box 172, Sidindi	268	Willis Opondo	P.O. Box 51, Sidindi
246	Charles Otieno	P.O. Box 99, Ugunja	269	Lucas Menya	P.O. Box 90, Sidindi
247	Francis Otwala	P.O. Box 28, Sigomora	270	George Ojanya	P.O. Box 60, Sigomora
248	Raphael Odhiambo	P.O. Box 31, Ugunja	271	Francis Omondi	P.O. Box 91, Ugunja
249	John Paul Anindo	P.O. Box 252, Ugunja	272	Bonface Agunda	P.O. Box 4, Ugunja
250	Thomas Odhiambo	P.O. Box 45, Ugunja	273	George Oduol	P.O. Box 85, Butula
251	John Sawene	P.O. Box 206, Ugunja	274	Willis O. Mulanya	P.O. Box 1, Ugunja
252	A.W. Okoth	P.O. Box 248, Ugunja	275	Edwin M. Otieno	P.O. Box 133, Ugunja
253	Antonina Were	P.O. Box 119, Ugunja	276	Peter Kidoi	P.O. Box 123, Ugunja
277	Cleopus Wanga	P.O. Box 230, Ugunja	278	Francis Ochieng	P.O. Box 230, Ugunja

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1. DISTRICT PROFILE

Siaya District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	220,977	259,187	480,164
Total District Population Aged 18 years & Below	134,746	130,802	265,548
Total District Population Aged Above 18 years	86,251	128,385	214,636
Population Density (persons/Km ²)	316		

1.2. Socio-Economic Profile

Siaya District:

- Is the 6th most densely populated district in the province;
- Has a primary school enrolment rate of 80.9%, being ranked 2nd in the province and 17th nationally;
- Has a secondary school enrolment rate of 21.7%, being ranked 4th in the province and 25th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, and HIV/AIDS;
- Has a 24.7% malnourishment rate of children under 5 years of age, being ranked 26th of 42 of the nationally ranked districts;
- Has 135 of 1000 of its live babies dying before the 1st birthday, being ranked 40th of 44 of the nationally ranked districts;
- Has a life expectancy of 45 years, being ranked 43rd of 45 of the nationally ranked districts;
- Has the lowest monthly mean household income, Ksh. 3,041 of all the 44 districts for which there are such statistics;
- Has a high absolute poverty level, 58%;
- Is on the edge of Lake Victoria. Much of its land is suitable for subsistence agriculture;
- Economic mainstay is fishing and peasant farming as well as mining of construction materials like stones. However, the water hyacinth in the Lake Victoria has affected fishing; and
- Has three quarters of its people having access to safe sanitation and over a third have safe drinking water.

Siaya district has 3 constituencies: Ugenya, Alego, and Gem. The district's 3 MPs each cover on average an area of 507 Km² to reach 160,055 constituents. This is an opposition stronghold. In the 1997 general elections, one of the three parliamentary seats was won by NDP while the other two by FORD-Kenya.

2. CONSTITUENCY PROFILE

Alego Constituency is comprised of Siaya town, Central Alego, South Central Alego, East Alego, South-East Alego and South Alego as well as West Alego, South West Alego and Usonga locations of Uranga Division.

2.1. Socio-Economic Profile

The main economic activities are subsistence farming, including growing of cotton and river fishing.

2.2. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won with 97.98% and 70.12% valid votes. In 2002, the National Rainbow Coalition won the seat.

2.3. 1992 General Election Results

1992 total registered voters			52,583
CANDIDATE	PARTY	VOTES	% VALID VOTES
Otieno Makanyango	FORD-K	31,515	97.98
John Muidha	KANU	615	1.91
Dickson Jowe	PICK	35	0.11
Total Valid Votes		32,165	100.00
Rejected Votes		-	
Total Votes Cast		32,165	
% Turnout		61.17	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 total registered voters			56,943
CANDIDATE	PARTY	VOTES	% VALID VOTES
Peter Oloo Aringo	NDP	29,346	70.12
Edwin Ochieng' Yinda	KANU	12,329	29.46
Hannington Wamera	FORD-K	119	0.28
Stephen W.O. Oludhe	EIP	59	0.14
Total Valid Votes		41,853	100.00
Rejected Votes		261	
Total Votes Cast		42,114	
% Turnout		73.96	
% Rejected/Cast		0.62	

2.5. Main Problems

- Development stagnation. Siaya town has not witnessed much growth despite being the district headquarters. It has dusty roads dominating the town;

- Poverty;
- Water shortage especially in Obambo area;
- Unemployment.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 21st February and 2nd June 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans to have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and constitution making process
- Constitution of Kenya
- Structures and systems of government
- Emerging constitutional issue

- Practice of governance
- Constitutional review process
- Democracy and democratization

5. CONSTITUENCY PUBLIC HEARINGS

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- Date(s): 14th and 17th June 2002
- Total Number of Days: 2

1. Venue

- Number of Venues: 2
- Venue(s):
 - Ifad Hall – Siaya Town
 - District Officer’s Office – Uranga

1. Panels

- Commissioners
 - Com. Nancy Baraza
 - Com. Mosonik Arap Korir
 - Com. Ahmed Hassan
- Secretariat
 - Solomon Anampio - Programme Officer
 - Lucille Ouma - Assistant Programme Officer
 - Marion Nekesa - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		142
Sex	Male	124
	Female	18
	Not Stated	0
Presenter Type	Individual	116
	Institutions	25
	Not Stated	1

Category	Details	Number
Educational Background	Primary Level	48
	Secondary/High School Level	69
	College	9
	University	9
	None	4
	Not Stated	3
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	1
	Oral	95
	Written	11
	Oral + Memoranda	1
	Oral + Written	34
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Alego 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

- The preamble should state why the constitution is being enacted.
- The preamble should state that Kenya should always be a democratic state.
- The national vision in the preamble should be industrialization
- The national anthem should be incorporated in the preamble
- The national vision should be directed towards the achievement of heaven on earth same as nyayo philosophy of peace love and unity
- Out preambles national vision should be improved security infrastructure economic human rights protection and education

- The preamble should reflect the emblems of unity like the flag, one leader, freedom fighter and experiences like poverty

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

- The constitution needs statement capturing national philosophy
- The constitution should provide that Kenya should d enjoy multiparty democracy
- The constitution should provide that democratic principle embodied in the constitution should be freedom of expression
- Our constitution should incorporate cultural and religious value
- There should be directive principle that govern policy making o interprets the constitutions
- The democratic principles should embodied in the constitution should be freedom of expression
- The constitution should incorporate cultural and religious value

5.3.3. **CONSTITUTIONAL SUPREMACY.**

- We should retain the 65% majority vote required for amendment
- The constitution should provide that a constitutional amendment should only be through a national referendum.
- The constitution should provide that a constitution amendment be done by 80% majority votes of parliament.
- The constitution should provide that that constitution should be reviewed after every 5 years.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- The constitution should provide that parliament should amend the constitution on a 70% majority
- The constitution should provide that parliament power to amend the constitution should be limited
- The constitution should provide that parliament should not be allowed to amend the constitution
- The constitution should be beyond the amending power of parliament
- The core constitutional provision such as liberties presidential tenure multiparty judiciary should be amended by parliament 2/3 majority without a peoples referendum Some parts of the constitution should be beyond the amending power of parliament

5.3.4. **CITIZENSHIP.**

The constitution should:

- Confer to all persons born of Kenyan parents automatic citizenship.
- Confer automatic citizenship to all persons who have stayed in Kenya for a continuous period of more than five years.
- Provide that spouses of Kenya citizens regardless of their gender should be entitled to citizenship (3)
- Provide that citizenship can be acquire by registration and marriage
- Provide that non citizens can acquire citizenship by application to parliament clerk
- Provide for dual citizenship.

- Not provide for dual citizenship.
- Provide that baptismal cards could also act as identification cards.
- Provide that identity cards shall be issued free of charge.
- Provide that only ladies married to Kenyan should be allowed automatic citizenship
- Provide that a child of one Kenyan parent, regardless of gender should be entitled to automatic citizenship (4)
- Provide that every citizen should be bound by this constitution and must have the duty to defend it
- Provide that citizens should be under the obligation to safeguard and develop one's country
- Provide that citizens should have the right to education, movement, expression to basic human needs
- Provide that the national identity card registration should be decentralized
- Provide that the national identity card should be issued free of charge
- Provide that rights and obligation should depend on the manner the citizenship is acquired
- Provide that Kenyans should carry an ID card, birth certificate and baptism card as evidence (6)
- Provide that the right to passport should be guaranteed to all Kenyans

5.3.5. **DEFENCE AND NATIONAL SECURITY.**

The constitution should:

- Establish the disciplined force (2)
- Abolish the administration police.
- Provide that all Kenyans must serve in the armed forces
- Provide that the president should be the commander in chief of the armed forces
- Provide that the president should not be the commander in chief of the armed forces
- Provide that the prime minister should be the commander in chief of the armed forces
- Provide that only parliament should be given the exclusive power to declare war
- Provide that the president should not be given exclusive powers
- Permit use of extraordinary powers during emergency situation
- Not permit the use of extra ordinary powers in emergency
- Provide that the parliament should have the authority to invoke emergency power and declare war
- Provide that the president should have power to invoke emergency powers
- Provide that the prime minister should invoke emergency powers
- Provide that parliament should be entrusted with power of invoking emergency power (2)
- Provide that citizens should pay policemen.
- Provide that retired armed forces personnel should be given some form of occupation to keep them busy.
- Provide that social security laws be reviewed to adapt to the current scenario.
- Provide that the ministry of defense should appoint the commander in chief of the armed forces.
- Provide that the president should not be the commander in chief of the armed forces.

5.3.6. **POLITICAL PARTIES.**

The constitution should:

- Provide that political parties should participate in development, economic, and social mobilization
- Regulate the formation of political parties (3)
- Limit the number of political parties in the country to 3.(5)
- Provide that there should be no limit in the number of political parties
- Provide that the registration of political parties should be automatic once documentation are presented
- Provide that political parties should be financed by the state and not the members
- Provide that political parties should be financed through public funds on the strength of their popularity, national outlook of parliament, their manifest an transparency level
- Provide that the political parties should not be financed from public funds
- Provide that funds should be allocated to political parties equally
- Provide that the political parties should be an arm of the state and they should work together in justifying the positive interest of the state
- Leave all the political parties to function on a level playing ground
- Provide that political parties be funded by a consolidated fund.
- Provide that political parties should seek their own sources of funding and not public funds.
- Limit the number of political parties in the country to between 3 and 5.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

The constitution should:

- Provide for a prime minister.
- Provide for a parliamentary system of government (2)
- Retain the presidential system of government (2)
- Provide that the president shall be the head of state
- Adopt a hybrid system of government
- Provide for a prime minister who shall be the head of government.
- Provide for a ceremonial president.
- Provide for a Majimbo system of government.
- Provide for a federal system of government in which regions are headed by vice presidents.(6)
- Provide that the registrar of societies office to decentralized
- Provide that power should be dissolved to the lower level of government
- Provide that the vice president should only be removed if he is unable to perform effectively
- Provide that the VP should be elected directly by the people (3)
- Provide that the president should not appoint the AG
- Provide that the AG function be chief officer , cabinet minister, public prosecutor and MP
- He constitution should provide for a vice president with executive powers.
- Provide that the vice president should be the running mate of the president.
- Provide that the maximum number of ministries should be 18.

5.3.8. **THE LEGISLATURE**

The constitution should :

- Give Parliament power to vet all presidential appointments.

- Debar MPs from legislating their own remuneration.
- Allow citizens to determine the salaries of MPs.
- Provide for an independent commission to decide on the salaries of MPs.
- Provide that parliament cannot pass laws in which the MPs have an interest.
- Provide that all ministerial appointees must be approved by parliament
- Provide that the appointment of all holder of public office should be by parliament
- Provide that the parliament should vet all government appointees
- Provide that the parliament should not appoint judges, and director of parastatal
- Provide that a parliamentary tender committee should be established to award government tender during their financial years
- Provide that parliament should create district based on population density and not tribal lines
- Provide that the appointment of ministers should be done by parliament
- Provide that parliament should have the responsibility over education system
- Provide that parliament should have its own calendar (4)
- Provide parliament should have unlimited powers to control its procedure through standing orders
- Provide that being a member of parliament should be a full time occupation (3)
- Provide that MPs can either work part-time or fulltime
- Provide that anybody who has attained the age of 18 should be free to hold any political office
- Provide that the minimum age to contest for parliamentary seat should be 25 years and upper age limit should be 26 years
- Provide that Mps should have proper academic qualification with at least form four education and above
- Provide that ability and language proficiency should be enough for contesting the parliamentary seats
- Provide that MPs should be people of high moral integrity
- Provide that the parliament should vet the appointment of constitutional offices
- Give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.(9)
- Provide that MPs should act on the basis of the conscience and conviction
- Provide that the MPs should act on the basis of instruction from the electorate
- Provide that the pensions should not be given to MPs after serving only one term
- Provide that the salaries and benefits of MPs should be decided by public service commission
- Provide that a committee should determine Mps salaries
- Provide that the Mps should be paid for the hours each participate in parliament
- Not retain the concept of nominated MPs
- Provide that nominated councilors should include the disabled
- Provide that the mechanism which should be put in place to increase the participation of women by having at least one vying in very constituency
- Provide that parliament should provide 25 seat fro women in parliament
- Permit a coalition government (2)

- Provide that we should have a multiparty system
- Provide that there should be two house in parliament (3)
- Provide that the vote of confidence should be used against corrupt public officers and they should be forced to leave public office
- Provide that the president should not have the veto power over legislation in parliament
- Provide that the president should have power to veto legislation passed in parliament
- Provide that the president should not have the power to dissolve parliament
- Provide that the president should have the power to dissolve parliament when there is an emergency or any other disaster (3)
- Provide that the parliament should not be staggered
- Provide that MPs should be pensionable only after serving two terms.
- Provide that MPs should serve for a maximum of 3 terms.
- Provide that MPs have public offices in their constituencies.(4)
- Provide that if an MP defects to another political party the MP with the second highest number of votes should take over till the end of term.
- Provide that the president should not have the power to dissolve parliament.
- Provide that all presidential appointments be vetted by parliament.
- Provide that 50% of nominated MPs should be women.
- Abolish the nomination of MPs.

5.3.9. **THE EXECUTIVE.**

The constitution should:

- Provide for a president who should not belong to any political party.
- Specify qualification for presidential candidate i.e. He /she should be a Kenyan citizen, psychologically balanced and a graduate (3)
- Specify presidential qualification i.e. he/she should be a nationalist, a degree holder with sound financial and legal background, be able to deposit 1.5 million as security in a bank, non-partisan and a person with the majority votes
- Provide for a ceremonial president.
- Provide that the president should not be the chancellor of public universities.
- Provide that citizens be allowed to determine the salary of the president.
- Provide for the impeachment of the president.
- Provide a minimum qualification of a university degree for a presidential candidate.
- Provide that the president should not be an elected MP. (5)
- Provide that the president be an MP (2)
- Provide that the president must be a Kenyan by birth.
- Abolish the provincial administration system of government and replaced by welfare officers elected on a 5-year basis.
- Provide that women should not be employed as provincial administrators.
- Provide that the presidents tenure should be fixed to two terms of five years each (10)
- Provide that the president should be elected for a maximum of three terms five years each
- Provide that the president should represent the country in international meeting, initiate development projects for the whole nation and lead the public
- Define the functions of the president
- Provide that the president should not be above the law (10)
- Provide that the president shall be impeached for misconduct
- Provide that the president should not nominate the MPs
- Provide that provincial administration officers be elected by popular vote.
- Provide that chiefs and assistant chiefs be appointed by the government.
- Provide that the people should elect the Chief every 5 years.
- provide that the minimum education requirement for chiefs be a form four certificate with a C+ grade.
- Provide for a minimum education requirement of a university degree for the posts of provincial commissioner and district commissioner
- Provide that there should be no post of assistant chief.
- Provide that the village elders should be salaried (3)
- Provide that the parliament should create ministers and approve the appointment of ministers and their assistants
- Provide that the number of ministers should be fixed
- Provide that there should be 18 ministries

- Provide that there should be ministry of defense
- Provide that the retirement age of chiefs and assistant chiefs be 65 years.
- Provide for chiefs and their assistants to be armed.
- Provide for financial remuneration of village headmen.

5.3.10. **THE JUDICIARY.**

The constitution should:

- Provide for the independence of the judiciary from the executive.
- Provide that minor cases should be limited for court proceedings
- Provide for a supreme court of justice.
- Provide for a permanent constitutional court.(2)
- Provide that the president should continue appointing the chief justice
- Provide that all judicial by a select panel under the chief justice
- Provide that judicial officers should not be appointed by the president
- Provide that all judicial officers should be appointed by a judicial service commission
- Provide that there should be an independent body to appoint judges
- Provide that the judges and magistrate should retire at 75 years
- Provide that the president together with the Muslim should appoint the chief Kadhi
- Provide that Kadhis should be appointed by the people
- Provide that other bodies should exercise judicial power apart from court
- Provide that the courts should reduce the cost of bring cases to ensure that all people have access to courts
- Provide that the judiciary should be accessible to even the poor and the weak without discrimination
- Provide that the advocates should use simple language so that they do not confuse their clients
- Provide right to legal aid especially to the poor and the handicapped (4)
- Council of elders to deal with land disputes (11)
- Provide that judges be appointed by the president out of a list of 3 names proposed by parliament.
- Abolish the bailing of offenders.
- Provide that rapists should not be bailed.
- Provide that judges retire at the age of 60 years.
- Abolish Kadhi courts and Islamic laws be introduced in the study of law.
- Provide that a panel of elders settles land disputes.

5.3.11. **LOCAL GOVERNMENT.**

The constitution should:

- Provide that all elective positions in the local government, including the position of the mayor and the chair of the Country Council, be filled by direct popular elections. (8)
- Provide that mayors and council chairmen should serve two year term
- Provide that mayors and council chairmen should serve two terms of five years each
- Provide that councilors should have three year term in the office
- Provide that the clerk and the treasure should not be the only signatories in the council
- Provide that the council should operate under the central government
- Provide for the independence of local government from central government.
- Provide for the autonomy of councilors.
- Provide that Mayors have a minimum education level of a university degree.
- Provide that there should not be a minimum educational qualification for councilor
- Provide that the mayor should have a degree in business administration and account
- Provide that language test should include Kiswahili and not mother tongue
- Provide that language test for councilor are sufficient
- Provide that there should be moral and ethical for local authority seats
- Provide that people should have the power to recall their non- performing councilors (2)
- Provide that nominated councilors should not be retained(3)
- Provide that councilors have a minimum education level of a form four certificate and be paid on a monthly basis.
- Abolish the concept of nominated councilors.
- Provide that councilor should be allowed to attend district development committees
- Provide that the minister for local government should have the power to dissolve council
- Provide that the people should dissolve the council
- Provide that the local government should reduce the market licenses charges
- Provide that the council should charge licensing on the basis of the business turn over
- Provide that the disabled hawkers should not be harassed by council askaris when they are trying to earn a decent livelihood
- Provide that the council should be sympathetic towards the hawkers whose kiosks they demolish and are not compensated

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

The constitution should:

- Provide that in a presidential election, the winning candidate must get at least 50% of the votes cast.
- Provide that the representative electoral system should be retained (3)
- Provide that secret ballot system should be adopted
- Retain the simple majority as a basis of winning an election (6)
- Design electoral process to increase the participation of women in parliament or in local government

- Provide that there will be a minimum percentage of votes that a candidate should attain
- Provide that candidates should not seek nomination in other parties after failing in his or her party
- Provide that the MPs should not be allowed to defect from one party to another
- Provide that defectors from parties should seek fresh mandate from the electorates
- Provide that we should retain the rule of 25% in at least five provinces
- Provide that the electoral process should ensure that a winning president has a national support from a cross section of Kenyan community
- Provide that there should be no seats reserved for interest groups like religious leaders and disabled
- Provide that special seats should be reserved for women to increase their participation
- Provide that the special seats should be reserved for special interest groups like street boys and disabled
- Retain the current geographical constituency system
- Provide creation of more parliamentary constituencies
- Provide that a constituency with less than 10,000 voters should not have an MP
- Provide that independent candidates should be allowed to contest
- Provide that civil servants should take leave and not resign if they want to contest in a general election
- Provide that the election expenditure should be limited
- Provide that the election date should be specified
- Provide that the president should be elected by an electoral college
- Provide that the president should be elected directly (3)
- Provide that the election should be conducted as previously done
- Provide that the chairman of electoral commission should be appointed by parliament
- Provide that the ECK commissioners should be appointed by the attorney general
- Provide that the electoral commission should enjoy security of tenure
- Provide that the electoral commission should be independent (2)
- Provide that the ECK should be funded by the state
- Provide that there should be 15 electoral commissioners
- Provide that counting of votes should be at the polling station
- Provide that bribery during elections should be made a serious offence (2)
- Provide that constituencies should be made on the basis of population and not geographical size.
- Provide for constituency boundary reviews after every 5 years.
- Provide that Presidential, Civic and Parliamentary elections be held on separate dates.
- Provide that the winner in a presidential election gets a mandatory 25% of votes cast in at least five provinces.
- Provide that Alego-Usonga be separated into two constituencies.
- Provide that no academic qualifications be pegged on electoral candidates.
- Provide that 1/3 of parliamentary seats be reserved for women.

5.3.13. **BASIC RIGHTS**

The constitution should:

- Guarantee the protection of the human rights of all Kenyans.
- Accord the freedom of worship to all religion
- Guarantee the freedom of assembly
- Guarantee the freedom of the press
- Restrict freedom of religion
- Not racial discrimination
- Provide for prohibition of domestic violence
- Outlaw abortion
- Provide for the freedom of expression and association.
- Provide that permits to meet should be given free of charge.
- Provide for the protection of all Kenyans from torture, intimidation and harassment.
- Guarantee the security of all Kenyans.
- Provide for free and compulsory formal education up to university level.
- Provide that social security should be given to the unemployed
- Provide that the one man one job policy should be upheld
- Guarantee maximum security to Kenyan to ensure a conducive environment is achieved for education
- Provide that education should be a right to every Kenyan
- Offer free education to the disabled with proper facilities
- Provide for free and compulsory primary education (12)
- Provide that Kenyans should have the right to access information in hands of the state (4)
- Be in pocket size forms
- Be simplified and taught to the people
- Provide that parliament proceedings should be broadcast in the television
- Guarantee Kenyans workers the right to form trade unions (4)
- Guarantee Kenyans the right to good clothing
- Provide that all Kenyans capable of buying guns should be allowed to have one
- Provide that citizens should have free medical care
- Encourage adult education.
- Provide for free basic health care for all in both rural and urban areas.
- Provide that the government should provide free drugs to patients especially the disabled
- Provide for free mortuary services.
- Provide for free transportation of corpses in the event of the cause of death being perpetuated by the state.
- Guarantee every Kenyan, basic food, clothing and shelter.
- Provide that the government should build homes for the poor

- Ensure that the government should provide its people with enough food
- Provide that recruitment should be based on merit
- Provide that each firm and institution should employ at least two disabled person
- Guarantee every Kenyan, equal and non-discriminative treatment irrespective of gender, ethnic or racial background.
- Abolish the death penalty. (5)
- Not abolish death penalty (2)
- Protect shelter, food, water, employment, healthcare and security as a basic right for all Kenyan (6)
- Provide all basic necessities for the disabled people
- Provide that the state should ensure that all Kenyan enjoy basic rights
- Provide that civic education should be entrenched in the constitution and should be a continuous process.
- Provide for the pension scheme to be reviewed to include more benefits.
- Provide that the spouse of the deceased should continue receiving pension benefits for another 10 years.
- Provide that the government offers financial aid to all persons over 18 years of age who are un-employed.
- Provide that the age of retirement be raised.
- Provide that the age of retirement be raised to 75 years.
- Provide that the age of retirement be 50years.
- Provide for the employment of all university graduates.
- Provide that employment should be guarantee to all form four leaves
- Guarantee good salaries to uplift living standards
- Provide that the schemes of service should be harmonized
- Provide that retirement age should be limited to 40 years The constitution should provide that the social security should be paid to the deaf and the blind
- Provide that pension should be paid on time
- Provide that social security laws should be reviewed
- Provide that the elderly people and pensioner should be taken care of by the government
- Provide that the minimum wage be 1/3 of the highest wage.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

The constitution should :

- Provide for government rehabilitation of street children.
- Provide for a system under which property is held in trust for orphans and not misused.

- Provide for financial aid to old people not earning pension.
- Provide for widows and widowers to be given financial aid.
- Make provision for sign language services for the deaf in all public places including parliament.
- Provide for sign language to be taught in all schools.
- Provide affirmative action in favour of the disabled in all public facilities.
- Provide for the central bank to introduce currencies that the blind can identify.
- Provide that the education act makes no direct reference on mentally handicapped
- Outlaw the exploitation of the disabled
- Provide that the disabled should have a good representation
- Provide that the government should provide wheel chair and education for disabled
- Provide that the disabled children should not be denied the right to assemble with other children in public schools
- Provide that children should be treated tenderly and be allowed to exercise their rights freely
- Provide that the government should build homes for the orphans
- Provide that children should be protected from being forced to commit crimes, the government should address the issue of street children and look for adopters properly
- Provide rehabilitation centers for children worldwide
- Provide that children should be cared by parents
- Provide that child labour should be abolished
- Provide that the youths shall be considered vulnerable
- Provide that prisoners shall not be tortured
- Provide that the prison shall be a disciplinary chamber and not a torturing chamber
- Provide that there should be a provision for prisoners to actually tap their talent
- Ensure that prisoners that die in prison should be buried in their homes
- Provide for compensation of persons disabled while participating in sports activities on behalf of the country.
- Provide for compensation of those incapacitated or disabled in the course of employment.
- Provide for public buildings and facilities are structurally sensitive to the needs of the disabled.
- Provide for transport to be subsidized for disabled persons.
- Provide that disabled persons be allowed to have identity cards without fingerprints.
- Provide that disabled persons should be elected by fellow disabled persons to parliament and local authorities.
- Provide for more schools for the disabled.
- Provide for the exemption of tax of disabled persons equipment.
- Provide for a special syllabus for disabled persons.
- Provide for non-discrimination of women in inheritance matters.
- Provide that the minimum age of marriage be 18 years.

- Provide that it is illegal not to take a child to school.

5.3.15. LAND AND PROPERTY RIGHTS

The constitution should:

- Guarantee the right of any Kenyan to own land in any part of the country.
- Provide that the state should have ultimate land ownership
- Provide that land should belong to individual (3)
- Provide that land should belong to the government
- Provide that the government can acquire private land for any purpose but the owner should be properly compensated (3)
- Provide that government should not have the power to compulsorily acquire private land for any purpose
- Provide that the state should have limited power to control the use of land and can only control its use if the locals endanger environment (5)
- Provide that taxation should be levied on idle land
- Provide that the government should not tax people on transfer of land
- Provide that a body should be set by parliament to deal with allocation of land
- Guarantee that no Kenyan should be landless.
- Provide that non-citizens should not be allowed to own land.
- Provide that parents should have a right to inherit the children's property in case of death
- Provide that the inheritance and succession issues should be handled such that the family of the deceased single son share the land and property with the wife
- Provide that the 5 acres be the maximum number of acres an individual can own.
- Provide that the 20 acres be the maximum number of acres an individual can own
- Provide that the ceiling to a land owned by an individual should be limited to 100 acres
- Provide that there should be restriction on ownership of land by non citizens (2)
- Provide that there should be no simplification in the procedure involved in transfer of land
- Provide that issuance of title deed should be done at the office of DO's and chiefs and the charges should not be over Kshs 2000.
- Provide for simplifying land transfer procedure (3)
- Provide that men and women should have access to land (2)
- Guarantee access to land for all Kenyans (4)
- Provide that land title deed processing fee should be reduced and affordable
- Provide that there should be no restriction on land ownership for non citizens
- Abolish fees charged for sub-division and registration of boundaries.
- Give the government the right to acquire public land for national or regional use subject to the approval of the proprietor.
- Provide that those who have ceded their land for the establishment of markets should not pay plot rent.
- Provide that ownership of land should encompass minerals and natural resources found on it.
- Give either partner in a marriage the right to inherit property belonging to their spouse.
- Give unmarried girls the right to inherit parental land.
- Provide that women do not inherit land from their maiden homes.
- Provide that parents of the deceased should be allowed to inherit a portion of the property of the deceased.
- Provide that property of a deceased be inherited in part as follows: 60% by the children, 30% by the spouse and 10% by the parents.
- Provide for the simplification of property acquisition.

- Provide that the current procedure of lands transfer should not be altered.
- Provide that pre-independence land treaties should be maintained.
- Provide that councils should not govern trust land.

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

The constitution should:

- Provide for wife inheritance to be legalized.
- Provide for wife inheritance to be made illegal.(5)
- Protect and promote the cultural and ethical diversity (3)
- Protect cultural and customary laws
- Provide that cultural centers should be made available at every location
- Provide that burial rite, fortune tellers and rainmakers should
- Provide that the government should stop tribalism
- Provide Kenya should have 3 national languages
- Provide that sign language should be a national language
- Be written in simple language and translated into ethnic languages
- Promote indigenous languages

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

The constitution should:

- Provide for equitable distribution of national resources.(5)
- Provide that management and distribution of finance should be done by an independent body
- Provide that human resources should be decentralized from the executive
- Provide that parliament should have the power to retain, raise manage and distribute finance management of human resources
- Provide that parliament should retain the power to authorize the raising and apportionment of public resources (2)
- Provide that no other method apart from taxation should be used to raise public finance
- Provide that regional heads should collect and manage resources within the region and submit revenue collected to the government fro equitable distribution of resources to areas that not favored
- Provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.
- Provide for a one person-one job policy.
- Provide for a standing salary review commission, represented at all levels of government, with

a mandate to review the salary of all public servants.

- Provide for the reduction of bureaucracy in the government.
- Provide for a minimum salary for government jobs.
- Provide that ministers should be educated in the field under which their ministries lie.
- Provide for the Public Service Commission to appoint the heads of Parastatals.

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

The constitution should:

- Provide that communities be given first preference in benefiting from local natural resources.
- Provide that laws should be passed against pollution
- Provide that the minister for environment should enforce laws on the protection of the environment
- Provide that trees, rivers dams and springs should be protected
- Provide that the forest should be protected
- Provide that natural resources should be owned by the state
- Provide that individuals should own natural resources
- Provide for the role of communities in the management and protection of the environment
- Provide that victims be compensated for property destroyed by wild animals.

5.3.19. **PARTICIPATORY GOVERNANCE**

The constitution should provide:

- For training of paralegals to curb police harassment.
- That NGOs should have a role in governance
- That the registration of NGO's should not take too long
- That the state should not regulate the conduct of civil society organization including the media
- That the people with disability should have a role in governance
- That the youth should have a role in governance
- For the inclusion of youth in the running of sports councils.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide that the conduct of foreign affairs should be the executive responsibility.
- The constitution should provide that the international treaties, political rights should be domesticated into our laws.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

The constitution should:

- Provide that an office of ombudsman be established. (2)
- Set up commission a commission to look into matters in question and issues of public concern.
- Entrench the constitution review commission. (2)
- Provide for a human rights commission.
- Provide for a gender commission.
- Provide for an anti corruption commission. (3)
- Provide for a land commission.
- Provide for a ministry of justice.
- Provide for a commission to oversee that the recommendations of the CKRC are put into place.

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that during the transition period presidential powers rest with the Speaker.
- The constitution should provide that the electoral commissioner should be in charge of executive power during presidential election
- The constitution should provide that the chief justice should be in charge of executive powers during the presidential election
- The constitution should provide that the attorney general should be in charge of executive powers during presidential election
- There should be an interim government in charge of presidential election during election
- The result of the presidential election should be declared over the radio
- The result of the electoral commission should be declared publicly after the election
- The result of the presidential election should be declared within 48 hours after the close of the election
- The incoming president should assume office two days after the electoral announcement
- The incoming president should assume office immediately after the election result are announced
- The chief justice should swear in the incoming president
- The constitution should not make provision for a former president
- The constitution should make provision for a former president in terms of security (2)
- The constitution should not make provision for a former president in terms of welfare
- The constitution should not make provision for a former president in terms of immunity from legal process (2)

5.3.23. **WOMEN'S RIGHT**

The constitution should:

- Provide for women to have a right to own a family
- Provide that land ownership should remain in the hands of the male to discourage double ownership of land to females
- Provide that women should have a right to own property (2)
- Provide that widows should have a right to succeed her husband (2)
- Provide that women should have a right to inherit land
- Provide that 30%, 60% and 10% of the deceased property should go to the wife, children and parents respectively
- Provide that girls should have an equal inheritance right as boys
- Provide that mechanisms should be put in place to reduce discrimination based on sex

- Provide that widow should continue earning their husbands pension till death
- Provide that wife inheritance should be outlawed
- Provide that the matrimonial clause Act Cap 152 should be reviewed to reflect the African tradition
- Provide that the issue of bride price should be outlawed
- Provide for monogamous marriage
- Provide for polygamous marriage
- Provide that marriage contracts should be outlawed
- Provide that fathers should guarantee support and maintenance to the mother and children
- The constitution should provide that women should be subordinate to men

5.3.24. **INTERNATIONAL POLICY**

- The constitution should that the government should not be allowed to mortgage the country

5.3.25. **NATIONAL ECONOMIC**

The constitution should:

- Control the prices of good through the budget
- Provide that the trade in mitumba should be discouraged
- Provide that liberation of trade should continue
- Provide that parastatal should be independent
- Provide that there should be legislation on electricity provision to at least the divisional headquarter
- Provide that lake Victoria water should be used to provide electricity
- Provide that the government should ensure success of rural electrification
- Provide that there be no destruction of kiosks
- Provide that poverty should be eradicated
- Provide that the government should make proposal for economic empowerment
- Protect the interest of Kenyan citizens involved in international sports

5.3.26. **NATIONAL OTHER**

The constitution should:

- Make provision for AIDS orphans
- Make provision that the government should establish a welfare scheme to help orphans with HIV/AIDS
- Provide that no Kenyan should be denied basic education on the basis of their HIV status
- Provide that HIV victims should be given money for susstainacy
- Provide that policemen should be remunerated adequately
- Enshrine the equipment for aids test for all married couples or even before marriage
- Provide that police officers welfare should be looked into

- Provide high discipline in public transport system
- Provide that the police officer should be citizen friendly
- Provide that all police officers wear uniform when they are on patrol
- Provide that illegal police harassment should be stopped
- Provide that police should have the search warrant to enter a person home
- Provide that public officers found guilty of corruption should be automatically vacate office
- Provide that all property obtained through corruption should be reinstated to the rightful owner
- Prohibit bribery
- Provide that corrupt advocates should be removed from the law society of Kenya
- Provide that corruption should be dealt with in the police department
- Provide that the government should make corruption illegal and discourage its prevalence
- Provide that chiefs and sub chiefs should not be corrupt
- Provide that the government should have a yearly statistical
- Provide that police should not harass person with disability

5.3.27. **SECTORAL**

The constitution should:

- That parents and teachers association and school committee should be entrenched in the constitution
- Provide that the government should put into place irrigation schemes to irrigate all maize farms.
- Provide for government control over bank interest rates.
- Provide that civil servants and doctors should not operate private business.
- Provide for local brews to be licensed and sold in licensed dens.
- Provide for bank interest rates to be regulated.
- Provide for sound agricultural policies.
- Provide for reasonable and affordable government taxation of consumer goods.
- Provide that schools should not be sponsored by religious organizations.
- Provide that schools be run by councils.
- Provide that the government should reclaim large chunks of land and plant cash crops
- Provide that farmers should be given seasonal loans (3)
- Provide that agricultural extension officers should be elected
- Provide that a disabled child should have appropriate public education in the least restrictive environment
- Provide that the 7-4-2-3 system of education should be retrieved
- Provide that canning children at primary school should be returned
- Provide that the central government together with the local authority should take full responsibility fro the provision of the basic teaching and learning resource to all public primary school

- Provide that bursaries should be given to secondary school
- Provide that the government should subsidize legal fees to ensure that services are within the reach of the minority of Kenyans
- Provide that 8-4-4 system of education should be abolished (2)
- Provide that sign language should be made a compulsory subject in primary school
- Provide that the school of law should be open to every scholar in every school institution
- Provide that there should be a system of grading examination and national examination
- Provide that university students should be given loans, which should be repayable
- Provide that the power of the president should be reduced
- Provide that all public schools should be under the DEB
- Provide that public finance should not be wasted by entering in unviable projects
- Provide that the disabled should not be taxed on those material, article and equipment including motor vehicle
- Outlaw taxation without representation to ensure democracy
- Provide that taxes on consumer goods to be reduced
- Provide that the government should set aside funds for giving allowance to the unemployed (3)
- Provide that there should be no capital flight in Kenya and those with foreign accounts should be forced to close them
- Provide for express control on domestic and external borrowing
- Provide that bank interest rates should be reduced
- Provide that the money should have the portrait of physical features instead of the picture of the president
- Provide that the central bank should make money that can be identified by the visual impaired
- Provide that the government should provide medicine in public hospital
- Provide that health workers should be sensitive towards the needs of disabled
- Provide that drugs should be made available in hospital
- Provide that hospitals should be more affordable to every Kenyan
- Provide that cost sharing should be abolished in all government hospital
- Provide that medical fee should be reduced
- Provide that government should provide special hospitals for the disabled
- Provide that radio license should not be issued partially and restriction of publication through unfair means
- Provide financial credit to be accorded to the jobless graduate to enable them start businesses
- Provide that driver's license should be collected at regular intervals

- Provide that the government shall develop the roads in siaya district (2)
- Provide that there should be soft loans for fishermen
- Provide that lake Victoria should be used to generate power for Kenya

5.3.28. **STATUTORY LAWS**

- There should be two-cheque system of paying for-insurance claims arising from accidents
- The constitution should provide that all rape and defilement cases should be heard in camera
- The constitution should legalize local brews (6)
- The constitution should protect poor people
- The constitution should provide that traffic police should be given power to prosecute and punish on the spot to reduce bulk in the court
- There should be a law to safe guard person with visual impairment
- The constitution should provide that teachers who impregnate student get maximum penalty
- The constitution should provide for adoption laws

5.3.29. **COMMON GOOD**

- The constitution should impose duties on children towards their parents

5.3.30. **ECONOMIC AND SOCIAL JUSTICE**

- The constitution should provide that justice should be done to the poor
- The constitution should provide that those who commit economic crimes should have legal procedures instituted against them
- The government should compensate individuals whose rights have been infringed
- The constitution should harmonize the gap between rich and the poor
- The constitution should provide that when financial aid is given, Kenyans should be made aware of how it will be spent

5.3.31. **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide that petty crimes should be punished lightly and the police should uphold human rights

APPENDICES

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon Peter Oloo Aringo MP
2. William Odhiambo DC
3. Father Michael Omondi Olila Chairman
4. Cllr. Aggrey Onyango
5. Mrs. Jane Ayalo
6. Mrs. Betty Owino
7. Mrs. Milca Ogot Rabuogi
8. Jeremiah Osunga
9. Charles George Juma
10. Patrick Ochieng

Appendix 2: Civic education providers (CEPs)

- Siaya youth organization
- Bidii vegetable women group
- Nyawanga widows and orphans
- Mama safi and mbaga konyiri rendi women groups
- Catholic secretariat
- Ndenga multipurpose self help group
- Inter diocesan Christian community services
- Ramogi environmentalists
- Kenya red cross siaya
- Siaya township women and youth network
- Maendeleo ya wanawake organization
- Siaya disabled peoples group

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

1	0012OSANY	Chrspine Owalla	CBO	Written	Elimu Coalition Nyanza
2	0002OSANY	Dismas Onyango Obado	CBO	Written	Siaya Township Location
3	0013OSANY	Felix Oduor Oduol	CBO	Written	Uranga Group of Persons with
4	0009OSANY	Francis A Awange	CBO	Memorandum	Ramogi Environmentalist
5	0008OSANY	Joseph Owino Pepe	CBO	Written	Seje Welfare Ass. Bar Olengo
6	0005OSANY	Margaret Auma Oduor	CBO	Written	Komolo Mama Safi Group
7	0007OSANY	Oketch Ouma Lore	CBO	Written	South Central Alego Location
8	0011OSANY	Rose Apiyo	CBO	Written	Nyalgunga Sub-location Women
9	0011ISANY	Adams Oketch	Individual	Written	
10	0095ISANY	Alex Aminga Malli	Individual	Oral - Public he	
11	0012ISANY	Alice Arum Otieno	Individual	Written	
12	0084ISANY	Amus Odhiambo	Individual	Oral - Public he	
13	0016ISANY	Anthony O Ndinya	Individual	Written	
14	0021ISANY	Beatrice A Owino	Individual	Written	
15	0005ISANY	Benedict Odundo	Individual	Written	
16	0118ISANY	Benter Odongo Ayimba	Individual	Oral - Public he	
17	0014ISANY	Calleb Okoth Okaka	Individual	Written	
18	0064ISANY	Camiluse Okello Libalo	Individual	Oral - Public he	
19	0103ISANY	Carilus Otiono	Individual	Oral - Public he	
20	0091ISANY	Celina Agulu Oloo	Individual	Oral - Public he	
21	0037ISANY	Charles George Juma	Individual	Oral - Public he	
22	0088ISANA	Charles O Muchuga	Individual	Oral - Public he	
23	0031ISANY	Charles Ochieng Ouma	Individual	Written	
24	0053ISANY	Charles Odaga Sirawa	Individual	Oral - Public he	
25	0068ISANY	Charles otero	Individual	Oral - Public he	
26	0076ISANY	Charles Oduor Onyango	Individual	Oral - Public he	
27	0098ISANY	Charles Okuoma	Individual	Oral - Public he	
28	0096ISANY	Charles Owira	Individual	Oral - Public he	
29	0117ISANY	Chrspine Odhiambo Adeg	Individual	Oral - Public he	
30	0050ISANY	Chrspine Tawo Onyango	Individual	Oral - Public he	
31	0029ISANY	Dalmas J. Otieno	Individual	Written	
32	0058ISANY	Dan Otieno	Individual	Oral - Public he	
33	0007ISANY	Daniel Omondi	Individual	Memorandum	
34	0044ISANY	Demas Awili Osuma	Individual	Oral - Public he	
35	0097ISANY	Desmas Onyango Pamba	Individual	Oral - Public he	
36	0105ISANY	Dola Omweya	Individual	Oral - Public he	
37	0048ISANY	Dr. Omondi Ahawo	Individual	Oral - Public he	
38	0004ISANY	Edwin Wameyo	Individual	Written	
39	0002ISANY	Eliud Ndungu	Individual	Written	
40	0040ISANA	Eric Oyaro Okoyo	Individual	Oral - Public he	
41	0072ISANY	Felix Oduor	Individual	Oral - Public he	
42	0115ISANY	Francis Ongega Sadieda	Individual	Oral - Public he	
43	0009ISANY	Francis Otieno Okuom	Individual	Written	
44	0121ISANY	Francis Tala Opondo	Individual	Oral - Public he	
45	0001ISANY	Francis Wanyoro Njuguna	Individual	Written	
46	0059ISANY	Fred Omondi	Individual	Oral - Public he	
47	0087ISANY	Gabriel Ogutu Kachero	Individual	Oral - Public he	

48	0083ISANY	George Kano Mugue	Individual	Oral - Public he	
49	0054ISANY	George Ochogo	Individual	Oral - Public he	
50	0106ISANY	George Ochola Ooko	Individual	Oral - Public he	
51	0123ISANY	George Omondi Ouman	Individual	Oral - Public he	
52	0003ISANY	George Otieno Ondiege	Individual	Written	
53	0039ISANY	George Owino Omondi	Individual	Oral - Public he	
54	0065ISANY	George Owuor Okeda	Individual	Oral - Public he	
55	0092ISANY	George Williams	Individual	Oral - Public he	
56	0010ISANY	Gilbert Owade Oluoch	Individual	Written	
57	0013ISANY	Grace Onyango	Individual	Written	
58	0108ISANY	Gregory Awiti	Individual	Oral - Public he	
59	0102ISANY	Jackson Okello s	Individual	Oral - Public he	
60	0126ISANY	Jacob Ayimba	Individual	Oral - Public he	
61	0081ISANY	James Ogola Akath	Individual	Oral - Public he	
62	0109ISANA	James Rashid Otieno	Individual	Oral - Public he	
63	0090ISANY	Jane Dickson	Individual	Oral - Public he	
64	0110ISANY	Joakim Mugwana	Individual	Oral - Public he	
65	0082ISANY	Joanes Ondayo Ofinya	Individual	Oral - Public he	
66	0066ISANY	John Abiero	Individual	Oral - Public he	
67	0070ISANY	John Ayugo	Individual	Oral - Public he	
68	0033ISANY	John Ochieng Odwaro	Individual	Written	
69	0024ISANY	John Ochieng Okendo	Individual	Written	
70	0008ISANY	John Ochola	Individual	Written	
71	0030ISANY	Joseph Omondi Ogwilo	Individual	Written	
72	0080ISANY	Julius Kuonge	Individual	Oral - Public he	
73	0047ISANY	Ladislaus Odhiambo	Individual	Oral - Public he	
74	0086ISANY	Lucas Ochieng	Individual	Oral - Public he	
75	0116ISANY	Lucas Otiaro	Individual	Oral - Public he	
76	0089ISANY	M P Akello	Individual	Oral - Public he	
77	0114ISANY	Marcelus Oriang Wanga	Individual	Oral - Public he	
78	0018ISANY	Margaret Anyango O	Individual	Written	
79	0023ISANY	Mary Willy Atieno	Individual	Written	
80	0049ISANY	Michael Ng'ong'a Amolo	Individual	Oral - Public he	
81	0122ISANY	Michael Ouma Orembe	Individual	Oral - Public he	
82	0100ISANY	Monica Atieno Were	Individual	Oral - Public he	
83	0051ISANY	Nashon Wangulu	Individual	Oral - Public he	
84	0041ISANY	Nelson Ogombe	Individual	Oral - Public he	
85	0032ISANY	Nicholas Ooko	Individual	Written	
86	0120ISANY	Noah Ogutu Ajwando	Individual	Oral - Public he	
87	0042ISANY	Ochieng C. Wandera	Individual	Oral - Public he	
88	0057ISANY	Odundra G. John	Individual	Oral - Public he	
89	0022ISANY	Onyango Ahenda	Individual	Memorandum	
90	0020ISANY	Otieno Philemon O	Individual	Written	
91	0063ISANY	Paddy Jacik Otieno	Individual	Oral - Public he	
92	0077ISANY	Pascal Otieno	Individual	Oral - Public he	
93	0036ISANY	Patrick O Achuoyo	Individual	Written	
94	0038ISANY	Patrick Omondi	Individual	Oral - Public he	
95	0099ISANY	Paul Odhiambo Ogalo	Individual	Oral - Public he	
96	0085ISANY	Paul Owino	Individual	Oral - Public he	
97	0067ISANY	Peter Haliwo Ogalo	Individual	Oral - Public he	
98	0094ISANY	Peter Maumbi Mboya	Individual	Oral - Public he	
99	0124ISANY	Peter Odenyo	Individual	Oral - Public he	
100	0026ISANY	Peter Oketch Samuel Olu	Individual	Written	
101	0035ISANY	Peter Osowo Olute	Individual	Written	
102	0025ISANY	Peter T. Osowo Olute	Individual	Written	
103	0079ISANY	Philip Odido	Individual	Oral - Public he	

104	0078ISANY	Philip Omondi	Individual	Oral - Public he	
105	0113ISANY	Pr. Joshua Obok	Individual	Oral - Public he	
106	0075ISANY	Ramjius Otieno	Individual	Oral - Public he	
107	0109isany	Rashid Otieno	Individual	Written	
108	0046ISANY	Regina Omondi	Individual	Oral - Public he	
109	0127ISANY	Rev. James Opiyo Anyang	Individual	Oral - Public he	
110	0019ISANY	Rev. Michael Omondi O	Individual	Written	
111	0056ISANY	Rev. Moses Juma	Individual	Oral - Public he	
112	0074ISANY	Richard Okumu	Individual	Oral - Public he	
113	0006ISANY	Richard Onyango Awuor	Individual	Written	
114	0071ISANY	Richard Were	Individual	Oral - Public he	
115	0052ISANY	Robert Isaack Otieno	Individual	Oral - Public he	
116	0112ISANY	Ronny Owino	Individual	Oral - Public he	
117	0015ISANY	Rowlands Ambalo	Individual	Written	
118	0045ISANY	Salim Oyindo Apondi	Individual	Oral - Public he	
119	0093ISANY	Samson Ogendo Apendi	Individual	Oral - Public he	
120	0027ISANY	Samuel Oluoch	Individual	Written	
121	0055ISANY	Shem Ukinyo Opondo	Individual	Oral - Public he	
122	0125ISANY	Silvanos Awuor	Individual	Oral - Public he	
123	0073ISANY	Sophia Auma	Individual	Oral - Public he	
124	0028ISANY	Sospeter O Okumu	Individual	Written	
125	0069ISANY	Stanslaus Obonyo	Individual	Oral - Public he	
126	0119ISANY	Thomas Okoth Rondo	Individual	Oral - Public he	
127	0062ISANY	Tom Mugwang'a	Individual	Oral - Public he	
128	0060ISANY	Vincent Ouma	Individual	Oral - Public he	
129	0101ISANY	Vitalis Agundo Okong'o	Individual	Oral - Public he	
130	0104ISANY	Wicliffe Ngong'a	Individual	Oral - Public he	
131	0043ISANY	William O Owino	Individual	Oral - Public he	
132	0034ISANY	Wilson Otieno Akar	Individual	Written	
133	0111ISANY	Wilson Otieno Opondo	Individual	Oral - Public he	
134	0017OSANY	George Omondi	Other Institutions	Written	Barding School
135	0003OSANY	Joyce Nyagudi	Other Institutions	Written	Students of Mbaga School
136	0010OSANY	Lucy Akel Wanga	Other Institutions	Written	SIDIPEG, Siaya
137	0014OSANY	Nicholas Odhiambo	Other Institutions	Written	Mwer High School
138	0006OSANY	Angeline Odero	Pressure Groups	Memorandum	MYWO Siaya Boro Division
139	0004OSANY	Elizabeth Okoth	Pressure Groups	Written	YWCA Siaya
140	0015OSANY	Bishop Moses Ochieng	Religious Organisation	Written	Gospel of Peace Ministries
141	0001OSANY	Jeniffer Oduor	Religious Organisation	Memorandum	Catholic Secretariat (Alego)

Appendix 4: Persons Attending Constituency Hearings

FREE PENTECOSTAL CHURCH

No.	Name:	Address:	No.	Name:	Address:
1	George Omwanda	P O Box 572, Siaya	25	Elizabeth Okoth	P O Box 810, Siaya
2	Jeniffer Oduor	P O Box 572, Siaya	26	Nelson Ogombe	P O Box 216, Siaya
3	Onyango Obado	P O Box 51, Siaya	27	Francis Otieno Akuom	P O Box 108, Siaya
4	Pastor George Otieno	P O Box 469, Siaya	28	Gilbert Owade	P O Box 969, Siaya
5	Daniel Owino	P O Box 469, Siaya	29	Adams Okech	P O Box 244, Siaya
6	Alfred Sumba	P O Box 469, Siaya	30	Francis Awange	P O Box 639, Siaya
7	Joseph Owino Pepe	P O Box 279, Siaya	31	Margaret L. Otieno	P O Box 49, Ndere
8	Francis Wanyoro Njuguna	P O Box 1087, Siaya	32	William Owino	P O Box 686, Siaya
9	Eliud Ndung'u	P O Box 1087, Siaya	33	Caleb Okaka	P O Box 791, Siaya
10	Anthony O. Ndinya	P O Box 400, Siaya	34	Jeremiah Osunga	P O Box 7, Siaya
11	George Otieno	P O Box 817, Siaya	35	Margaret Auma	P O Box 270, Siaya
12	Daniel Omondi	P O Box 10, Ngiya	36	Angeline Odero	P O Box 917, Siaya
13	Patrick Omondi	P O Box 143, Siaya	37	Dalmas Awili	P O Box 216, Siaya
14	Richard Awuor	P O Box 143, Siaya	38	Jenipher Amolo	P O Box 600, Siaya
15	Benedict Odundo	P O Box 143, Siaya	39	Margaret A. Owuor	P O Box 600, Siaya
16	George Omondi	P O Box 143, Siaya	40	Eunice Juma	P O Box 144, Siaya
17	Edwim Wameyo	P O Box 143, Siaya	41	Anna Awino Ochieng	P O Box 17, Ndere
18	George O. Omondi	P O Box 508, Siaya	42	Aggrey Ojuang Ondiek	P O Box 336, Siaya
19	Jim Achich	P O Box 1082, Siaya	43	Alfred Muga	P O Box 105 Siaya
20	Okech Dismus	P O Box 379, Siaya	44	Plister M. Otieno	N/A
21	Pastor Albert Otieno	P O Box 412, Siaya	45	Angeline A. Oreyo	N/A
22	Charles George Juma	P O Box 682, Siaya	46	Anastasia A. Ojuang	N/A
23	Bishop Okoth Mbagu Girls H. Sch	P O Box 221, Siaya	47	Morris Nyatawa	P O Box 1087, Siaya
24	Erick Oyaro Okoyo	P O Box 192, Siaya	48	Kennedy Muchoche	P O Box 1087, Siaya
49	Adrianos Nandi	P O Box 1087, Siaya	73	Solomon Kaviti	P O Box 1087, Siaya
50	Robert Karanja	P O Box 1087, Siaya	74	Bernard Mwihosi	P O Box 1087, Siaya
51	Washington O Odhiambo	P O Box 2, Ndere	75	Oindo Apondi	P O Box 1, Ngiya
52	Samson Onyach	N/A	76	Regina Omondi	P O Box 868, Siaya
53	Grace A. Onyango	P O Box 682, Siaya	77	Peninah Adhiambo	P O Box 355, Ngiya
54	Lucy A. Wanga	P O Box 682, Siaya	78	Helda Akinyi	N/A
55	Samuel Wafula	P O Box 1087, Siaya	79	Alex Otieno	N/A
56	Wamalwa Goguin	P O Box 1087, Siaya	80	Pauline Adhiambo	P O Box 143, Siaya
57	Ephantos Gachomba	P O Box 1087, Siaya	81	Stephen Onyango	P O Box 1087, Siaya
58	Isaac Waithaka	P O Box 1087, Siaya	82	Gedeon Mwenda	P O Box 1087, Siaya
59	Ochieng C. Wandera	P O Box 169, Siaya	83	Robert Onyango	P O Box 386, Siaya

60	Dedan Ogola	P O Box 825, Siaya	84	Dan Onyango	P O Box 1087, Siaya
61	Paul Owino Oliito	N/A	85	Magdelene Amisi	P O Box 415, Siaya
62	Peter T. Agutu	P O Box 39, Siaya	86	Richard Ochieng	P O Box 128, Siaya
63	Elizabeth Aduwo	P O Box 1087, Siaya	87	Owoko Okwiri	P O Box 954, Siaya
64	Mildred Atieno	P O Box 1087, Siaya	88	Dorene Akinyi	P O Box 787, Siaya
65	Lilian Achieng	P O Box 1087, Siaya	89	Aggrey Ochieng	P O Box 176, Siaya
66	Millicent Opiyo	P O Box 1087, Siaya	90	Adhiambo Hilary	P O Box 1087, Siaya
67	Shadrack Otieno	P O Box 1087, Siaya	91	George Wambiya	P O Box 1087, Siaya
68	Samson O. Agengo	P O Box 1087, Siaya	92	Chrisphine Owalla	P O Box 9034, Kisumu
69	Grace Achieng	P O Box 1087, Siaya	93	Sospeter Owuor	P O Box 363, Siaya
70	William Onyango	P O Box 76, Siaya	94	Indakwa Dixon	P O Box 243, Siaya
71	Felistas Temba	P O Box 1087, Siaya	95	Celestine Ogola	P O Box 470, Siaya
72	Liney Onchuari	P O Box 1087, Siaya	96	Angeline Okoth	N/A
97	Apeles Wango	N/A	121	Wiliam Ringa	P O Box 32, Siaya
98	Consolata Oloo	N/A	122	Alice Arum Otieno	P O Box 6 Sega
99	Michael Owino	N/A	123	Millicent Ojuang	P O Box 192, Siaya
100	Francis Rabuku	P O Box 227, Siaya	124	Shem Okinyo	P O Box 155, Siaya
101	Michael Ng'onga	P O Box 101, Siaya	125	Roland Ambala	P O Box 157, Siaya
102	Daniel O. Ndolo	P O box 479, Siaya	126	Alloys Opany Mbola	P O Box 1068, Siaya
103	Counc. Dolly Otieno	N/A	127	Jackqum Odipo	P O Box 800, Siaya
104	Cyclic Kemboi	P O Box 83, Siaya	128	Lucas Otieno	P O Box 323, Siaya
105	Richard Opino	P O Box 696, Siaya	129	Maurice A. Achimba	P O Box 75, Mbaga
106	Justus Yahuma	P O Box 932, Siaya	130	Bernard Agie	P O Box 1087, Siaya
107	Kennedy Owenga	P O Box 549, Siaya	131	John Ottieno	P O Box 336, Siaya
108	Okeyo R. Jakomanyo	P O Box 221, Siaya	132	Dr. Omondi Ahawo	P O Box 733, Siaya
109	Alfonse Otieno	P O Box 871, Siaya	133	Oduor G. Oduma	P O Box 1, Ngiya
110	Counc. S. Omollo Ahenda	Siaya	134	George Oliech	P O Box 3, Siaya
111	Nicholas Rabuogi	P O Box 51, Siaya	135	Maurice O. Sewe	P O Box 639, Siaya
112	Alice Oduor	N/A	136	Solomon Otieno	P O Box 1137, Siaya
113	Ladislaus Odhiambo	P O Box 859, Siaya	137	Edward Wigwa	P O Box 1300, Kisumu
114	Michal Ogot	P O Box 73, Ngiya	138	Daniel O. Otingo	P O Box 510, Siaya
115	Rose O. Otieno	P O Box 400, Siaya	139	Ouma William	P O Box 215, Siaya
116	George O. Ochogo	P O Box 72, Siaya	140	Christopher O. Odera	P O Box 592, Siaya
117	George O. Ongoro	P O Box 17, Ngiya	141	Vitalis Odhuoch	P O Box 200, Siaya
118	Counc. Vitalis Ondewe	P O Box 154, Siaya	142	Norman Okoth	P O Box 772, Siaya
119	Siaya Youths Organisation	P O Box 108, Siaya	143	Kenneth Ochola	P O Box 812, Siaya
120	Konyri Kendi	P O Box 252, Siaya	144	Everest O. Oluoch	P O Box 847, Siaya
145	Vitalis Okendo	P O Box 303, Siaya	163	Bernard Odhiambo	P O Box 100, Siaya
146	Antony O. Ragula	P O Box 1039, Siaya	164	Vincent Ngesa	P O Box 68, Siaya

147	Thomas Wang'a	P O Box 986, Siaya	165	John Omondi	P O Box 572, Siaya
148	Dr. Oria Abuonji	P O Box 44, Ngiya	166	Charles O. Rubia	P O Box 173, Siaya
149	Gilbert Okello	P O Box 206, Ngiya	167	Alex Ondiege	P O Box 326, Siaya
150	Margaret Okello	P O Box 206, Ngiya	168	Silvance O. Owiti	P O Box 124, Ndori
151	Paster Evans Sirasira	P O Box 899, Siaya	169	George Ogutu	P O Box 7 Ngiya
152	Joseph O. Anyona	P O Box 565, Agaje	170	Patrick Lumumba	P O Box 83, Siaya
153	George Otwera	P O Box 54, Siaya	171	George Odero	P O Box 895, Siaya
154	Antony Ndinya	P O Box 400, Siaya	172	Gilbert Owala	N/A
155	Chrisphine Tawo	P O Box 150, Siaya	173	Nicholas O. Manyolo	P O Box 356, Siaya
156	Nation Wangulu	P O Box 445, Siaya	174	Charles Sirao	P O Box 591, Siaya
157	Rev. Moses Juma	P O Box 541, Siaya	175	Charles Diето	P O Box 420, Siaya
158	Alan Otieno	P O Box 803, Siaya	176	Ezekiel Onyango	P O Box 647, Siaya
159	Bernard J. Wamango	P O Box 934, Siaya	177	Habil Otieno	P O Box 67, Siaya
160	Charles Odaga	P O Box 648, Siaya	178	Anyango Margaret	P O Box 189, Siaya
161	John Ouma	P O Box 39, Siaya	179	Robert Otieno	P O Box 1484, Siaya
162	Denis Oduor	P O Box 605, Siaya	180	Jarius Okoyo	P O Box 68, Siaya

URANGA DO'S OFFICE

No.	Name:	Address:	No.	Name :	Address:
1	Felix Oduor	P O Box 20, Boro	85	Benson Oketch	P O Box 21, Uranga
2	John Odundra	P O Box 21, Uranga	86	Paddy Jax Otieno	P O Box 21, Uranga
3	Dan Otieno	P O Box 21, Uranga	87	Antony Omondi	P O Box 21, Uranga
4	Fred Omondi	P O Box 21, Uranga	88	Benard Oloo	P O Box 21, Uranga
5	Vincent Ouma	P O Box 21, Uranga	89	Francis Odhiambo	P O Box 21, Uranga
6	David Otieno	P O Box 21, Uranga	90	Benard Omondi	P O Box 21, Uranga
7	Richard Omondi	P O Box 21, Uranga	91	Mourice Omondi	P O Box 21, Uranga
8	Apel Arnest	P O Box 21, Uranga	92	Mary Willy Atieno	P O Box 66, Uranga
9	Francis Masiga	P O Box 21, Uranga	93	Aloyce Halondah	P O Box 21, Uranga
10	Dedan Omondi	P O Box 21, Uranga	94	Camiluse Okello	
11	James Otieno	P O Box 21, Uranga	95	Lubalo	P O Box 180, Uranga
12	Collins Obuda	P O Box 21, Uranga	96	George Oduor	P O Box 21, Uranga
13	Bernad Onyango	P O Box 21, Uranga	97	Ayub Oduor	P O Box 21, Uranga
14	Ronnie Owino	P O Box 160, Uranga	98	Charles Onyango	P O Box 160, Uranga
15	Betty Owino	P O Box 230, Uranga	99	Ezekiel Onyango	P O Box 10, Uranga
16	Rev. Nicholas Okungu	P O Box 160, Uranga	100	George Owuor Okeda	P O Box 90, Uranga
17	James Opiyo	P O Box 160, Uranga	101	Ronnie Onyango	P O Box 21, Uranga
18	Mr. Odinga	P O Box 160, Uranga	102	Joseph Owino	P O Box 21, Uranga
19	Onyango Ahenda	P O Box 39, Uranga	103	Michael Otieno	P O Box 21, Uranga
20	CPL Tobias Ochome	D O's Camp Uranga	104	John Abiero	P O Box 39, Uranga
21	Frederick Onyango	P O Box 21, Uranga	105	William Otieno	P O Box 39, Uranga
22	Kevin Otieno	P O Box 21, Uranga	106	Charles Ochilo	P O Box 10, Uranga
23	Tom M. Mugwanga	P O Box 160, Uranga	107	Richard Obuka	P O Box 118, Uranga
					P O Box 74, Nyadorera

24	Pascal Otieno	P O Box 58, Nyadorera	108	Albert Onyango	P O Box 21, Uranga
25	Peter Haliwa Ogalo	P O Box 60, Uranga	109	Joanes Ondayo Ofinya	P O Box 55, Uranga
26	Felix Omuya	P O Box 17, Uranga	110	George K. Mugweng'	P O Box 24, Nyadorera
27	Charles Odero	P O Box 21, Uranga	111	Amos Odhiambo	P O Box 24, Nyadorera
28	Stanslaus O. Ouma	P O Box 160, Uranga	112	Paul Owino Nyang'ayo	P O Box 22, Nyadorera
29	John Oyugi	P O Box 10, Uranga	113	Lucas Ochieng	P O Box 49, Nyadorera
30	Richard Juma	P O Box 10, Uranga	114	Gabriel Ogutu Kachero	P O Box 25, Nyadorera
31	Charles Oloo Oduda	P O Box 1, Uranga	115	Charles O Mchude	P O Box 22, Nyadorera
32	Richard Were	P O Box 60, Uranga	116	Cleophas O. Benards	P O Box 11, Uranga
33	Felix O. Oduol	P O Box 20, Boro	117	M. D. Akelo	P O Box 76, Uranga
34	Charles O. Onyango	P O Box 25, Uranga	118	Sospeter Owuor	P O Box 363, Siaya
35	Sofia Auma	P O Box 11, Uranga	119	Charles Oloo	N/A
36	Dickson Oloo	P O Box 160, Uranga	120	Benatus W. Akello	P O Box 27, Nyadorera
37	Richard Okumu	P O Box 25, Uranga	121	Agustine Omuya	P O Box 10, Nyadorera
38	Remjius Otieno	P O Box 21, Uranga	122	CCR. Dalmas Otieno	P O Box 32, Uranga
39	Jack Oduor	P O Box 160, Uranga	123	William O. Orega	P O Box 160, Uranga
40	George Okoth	P O Box 19, Uranga	124	Charles Obonyo	P O Box 160, Uranga
41	Cyprian Omondi	P O Box 160, Uranga	125	Treza Opiyo	P O Box 160, Uranga
42	Philip Omondi	P O Box 160, Uranga	126	Monica Okungu	P O Box 160, Uranga
43	Philip Odipo	P O Box 160, Uranga	127	Jane Dixon	P O Box 160, Uranga
44	Julius Kuome	P O Box 25, Uranga	128	Gorrety Amolo	P O Box 160, Uranga
45	Wilson Otieno	P O Box 160, Uranga	129	Winnie Atieno	P O Box 160, Uranga
46	Raphael Otieno	P O Box 10, Uranga	130	Catherine Obiero	P O Box 160, Uranga
47	John Ochieng Okendo	P O Box 127, Uranga	131	Leonard Onyango	P O Box 10, Uranga
48	James Akal	P O Box 170, Uranga	132	Selinah Agutu Ondong	SIGOMA
49	Sagom George	P O Box 10, Nyadorera	133	Washington Odiyo	P O Box 127, Uranga
50	Samson Ogendo	P O Box 59, Uranga	134	Stephen Otieno	P O Box 100, Uranga
51	Beatrice Akinyi	P O Box 18, Nyadorera	135	Osalo Opondo	P O Box 60, Uranga
52	Julius Onyango	P O Box 21, Uranga	136	George Owino	P O Box 25, Uranga
53	Michael Oguto Makona	P O Box 99, Uranga	137	Moses Ochieng	P O Box 127, Uranga
54	Joseph Omondi Ogwilo	P O Box 99, Uranga	138	Monica Aluoch Odinga	P O Box 127, Uranga
55	Edwin Aloo N	P O Box 2 Nyodorera	139	James Odire	P O Box 174, Siaya
56	Peter Otieno	P O Box 9 Nyadorera	140	Monica Atieno Were	P O Box 160, Uranga
57	Mudiwo Ojow	P O Box 11, Uranga	141	Jane Otieno	P O Box 127, Uranga
58	Peter Maumbi	P O Box 99, Uranga	142	Wyclife Ng'ong'a	P O Box 66, Uranga
59	John Ochieng Odwako	P O Box 24, Nyadorera	143	Elias Oloo	Ndiwo
60	Charles Ochieng	P O Box 10, Nyadorera	144	Dolla Omuya	P O Box 77, Uranga
61	Alex Aminga Malo	P O Box 39, Ulanga	145	Patrick O. Okolla	P O Box 11, Uranga
62	Charles Okoth	P O Box 34, Boro	146	George Ochola Ooko	P O Box 11, Uranga
63	Charles Owira	P O Box 60, Uranga	147	Joseph Owiyo	P O Box 160, Uranga

64	Dismas Onyango Pamba	P O Box 81, Uranga	148	Owino Silvester	P O Box 21, Uranga
65	Vitalis Agunda Okong'o	P O Box 7, Uranga	149	Patrick Achuoyo	P O Box 11, Uranga
66	Pascal Nyangweso	P O Box 71, Uranga	150	Don Paul Awuor Ogago	P O Box 163, Uranga
67	Benard Odhiambo	P O Box 21, Uranga	151	Awiti Gregory	P O Box 32, Uranga
68	Dan Otieno	P O Box 127, Uranga	152	John Ochieng	P O Box 83, Uranga
69	Lucas Otieno Makinda	P O Box 113, Uranga	153	Charles Okuoma	P O Box 60, Uranga
70	Jactone Okello Sagom	P O Box 32, Nyadorera	154	Rashid Otieno J.	P O Box 10, Uranga
71	Carilus Otieno	P O Box 60, Uranga	155	Joackima Mugwanga	P O Box 71, Uranga
72	Rose Adhiambo Agwanda	P O Box 60, Uranga	156	Paul Odhiambo Ogalo	P O Box 60, Uranga
73	Joshua Obok	P O Box 77, Uranga	157	Rev. James Oipyo	P O Box 160, Uranga
74	Maselus Orian	P O Box 124, Uranga	158	Francis Tala	P O Box 42, Uranga
75	Francis Ongega Sadieda	P O Box 55, Uranga	159	Fredrick Otieno	P O Box 83, Uranga
76	Lucas Otiaro	P O Box 15, Uranga	160	Rev. Jacob Rama	P O Box 160, Uranga
77	Chrispine Odhiambo Andiego	P O Box 44, Uranga	161	Charles Owinga	P O Box 84, Nyadorera
78	Thomas Okoth Rondo	P O Box 49, Nyadorera	162	Michael Ouma	P O Box 10, Uranga
79	Lucas Owuor Odado	P O Box 22, Nyadorera	163	George Omondi Ouma	P O Box 220, Uranga
80	Noah Ogutu	P O Box 39, Uranga	164	Angelina Owuor	URANGA
81	Margaret Awuor	P O Box 60, Uranga	165	Peter Odenyo	P O Box 42, Uranga
82	Mary Obiero	N/A	166	Sylvanus Awuor	P O Box 22, Uranga
83	Bernedetta A. Odongo	P O Box 17 Uranga	167	Jacob Ayimba	P O Box 25, Uranga
84	Roselyne Mumbo	P O Box 73, Nyandorera	168	Nesphor Ooko Odinga	P O Box 46, Uranga

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1. DISTRICT PROFILE

Gem is a constituency in Siaya District. Siaya District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	220,997	259,187	480,184
Total District Population Aged 18 years & Below	134,746	130,802	265,548
Total District Population Aged Above 18 years	86,251	128,385	214,636
Population Density (persons/Km ²)	316		

1.2. Socio-Economic Profile

Siaya District:

- Is the 6th most densely populated district in the province;
- Has a primary school enrolment rate of 80.9%, being ranked 2nd in the province and 17th nationally;
- Has a secondary school enrolment rate of 21.7%, being ranked 4th in the province and 25th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, and HIV/AIDS;
- Has a 24.7% malnourishment rate of children under 5 years of age, being ranked 26th of 42 of the nationally ranked districts;
- Has 135 of 1000 of its live babies dying before the 1st birthday, being ranked 40th of 44 of the nationally ranked districts;
- Has a life expectancy of 45 years, being ranked 43rd of 45 of the nationally ranked districts;
- Has the lowest monthly mean household income, Ksh. 3,041 of all the 44 districts for which there are such statistics;
- Has a high absolute poverty level, 58%;
- Is on the edge of Lake Victoria. Much of its land is suitable for peasant subsistence agriculture;
- Economic mainstay is fishing and peasant farming as well as mining of construction materials like stones. However, the water hyacinth in the Lake Victoria has affected fishing; and
- Has three quarters of its people having access to safe sanitation and over a third have safe drinking water.

Siaya district has 3 constituencies: Ugenya, Alego, and Gem. The district's 3 MPs each cover on average an area of 507 Km² to reach 160,055 constituents. This is an opposition stronghold. In the 1997 general elections, one of the three parliamentary seats was won by NDP while the other two by FORD-Kenya.

2. CONSTITUENCY PROFILE

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km²	Density (persons/Km²)
	138,261	403.1	343.0

2.2. Socio-Economic Profile

The locals are subsistence farmers whose main cash crop is sugarcane.

2.3. Electioneering and Political Information

This is a stronghold for the opposition. In the 1992 and 1997 general elections, FORD-K won the elections with 94.92% and 59.61% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			41,616
CANDIDATE	PARTY	VOTES	VALID VOTES
Oki Ooko Ombaka	FORD-K	29,984	94.92
Grace Ogot	KANU	1,605	5.08
<i>Total Valid Votes</i>		<i>31,589</i>	<i>100.00</i>
Rejected Votes		323	
Total Votes Cast		31,912	
% Turnout		56.04	
% Rejected/Cast		1.01	

2.5. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			43,267
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joseph Akech Donde	FORD-K	9,953	59.61
Grace E.A. Ogot	KANU	6,743	40.49
<i>Total Valid Votes</i>		<i>16,696</i>	<i>100.00</i>
Rejected Votes		3,137	

Total Votes Cast	19,833
% Turnout	46.78
% Rejected/Cast	15.82

2.6. Main Problems

- Poor roads. The entire constituency has only stretches of tarmac roads traversing it from Kisumu to Busia, and Kisumu to Siaya. The rest of the road network is earth roads that are impassable during the rainy seasons;
- Inadequate water projects. The Malanga-Sindindi Water project started by the government over a decade ago has stalled;
- Poorly built and equipped schools. This has led to deteriorating performance in national examinations;
- Poor health facilities. The health facilities suffer from staff shortages, lack of drugs, and absence maternity and observation wards; and
- Lack of rural electrification yet the power lines pass through the constituency.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 21st February 2002 and 22nd May 2002

4.1. Phases and issues covered in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans to have an informed choice and present their views on constitutional review.

4.2. Issues and areas covered

- Constitution and constitution making process
- Constitution of Kenya
- Structures and systems of government
- Emerging constitutional issues
- Practice of governance
- Constitutional review process
- Democracy and democratization
- Issues and questions for public hearings

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

2. Venue

- a) Number of Venues: 2
- b) Venue(s):
 - 1) Yala Nyayo Gardens
 - 2) District Officer's Office Wagai

3. Panels

- a. Commissioners
 - 1. Com. Nancy Baraza
 - 2. Com. Mosonik Arap Korir
 - 3. Com. Ahmed Hassan
- b. Secretariat
 - 1. Solomon Anampio -Programme Officer
 - 2. Lucille Ouma -Ass. Programme Officer
 - 3. Marion Nekesa -Verbatim Recorder.

- 4. Lucy Atieno - Sign Language Interpreter

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		142
Sex	Male	106
	Female	32
	Not Stated	4
Presenter Type	Individual	103
	Institutions	35
	Not Stated	4

Category	Details	Number
Educational Background	Primary Level	33
	Secondary/High School Level	86
	College	5
	University	11
	None	3
	Not Stated	4
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	56
	Written	27
	Oral + Memoranda	0
	Oral + Written	58
	Not Stated	1

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Gem 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

- The constitution should have a preamble. (12)
- There should be a preamble in the constitution and it should indicate the objectives and meaning of the constitution.
- The preamble should be simple and clear.
- The preamble should set out the vision of peaceful integration of all people.
- The preamble shall capture the national philosophy of harambee spirit.
- The preamble should state that all Kenyans are equal before the law.
- A national vision entailing good governance and stability should be set out in the constitution.
- A national vision of a developed and economically stable nation with honest citizens, optimum population should be set out in the preamble.
- The preamble should clearly show objectives that Kenyans should remain committed to

including democracy, liberty, equality and economic prosperity.

- The national vision in the preamble should be togetherness and unity of all Kenyans.
- The vision in the preamble should be equality and justice for all and respect to human rights.
- The history of the constitution should be indicated in the constitution.
- The struggle for independence by Kenyans should be captured by the constitution. (2)

5.3.2. DIRECTIVE PRINCIPLES OF STATE POLICY.

- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide for the maintenance of the spirit of meritocracy.
- The constitution should provide for separation of power for the 3 arms of government.
- The national philosophy and guiding principles should be that Kenya remains a sovereign multi-party state.
- There is a need for statements capturing national philosophy and guiding principles. (5)
- Democratic principles that should be in the constitution are equal sharing of the national resources and elimination of discrimination.
- Democratic principles should be included in the constitution covering national unity.

5.3.3. CONSTITUTIONAL SUPREMACY.

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that parliament should only be allowed to amend constitution after 10 years.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (11)
- The constitution should provide that the consent of the people should be a prerequisite for amendment of any clause of the constitution.
- The constitution should retain the 65% majority vote to amend the constitution. (4)
- The constitution should replace the 65% majority vote to amend the constitution. (4)
- The constitution should provide that 80%- 90% of votes are needed to amend the constitution.
- The constitution should provide that 75% of votes are needed to amend the constitution.
- The constitution should limit parliaments powers to amend the constitution. (9)
- The constitution should not limit parliaments powers to amend the constitution.
- The constitution should provide that no part of the constitution should be beyond the amendments power of the constitution. (2)
- The constitution should provide that some parts of the constitution should be beyond the amendments power of the constitution. (3)
- The public referendums should be conducted by non-political organization like NGOs.

5.3.4. CITIZENSHIP.

- The constitution should confer to all whose both parents are Kenyan automatic citizenship. (9)
- The constitution should confer to any child whose one parent, regardless of the gender is automatic citizenship. (5)

- The constitution should confer to any child whose father is a Kenyan an automatic citizenship. (3)
- The constitution should provide that those who are born in Kenya should become citizens automatically. (9)
- The constitution should provide that national identification cards should be sufficient proof of citizenship. (3)
- The constitution should provide that citizens should carry national identification cards, birth certificates or passports as a proof of citizenship. (4)
- The constitution should simplify the issuance of national IDs. (5)
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship. (10)
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender. (10)
- The constitution should confer automatic citizenship to spouse of a Kenyan male.
- The constitution should provide that women should acquire identification cards without using their spouse's names.
- The constitution should provide that getting an identity card for anyone who attains 18 years is a right.
- Citizenship should be through application, registration and naturalization. (7)
- Anybody who brings skills, expertise, and capital to invest and has resided in Kenya for at least 5 years and without criminal records should be given citizenship.
- All Kenyans should enjoy rights irrespective of the method used to acquire citizenship.
- The government should not allow refugees into the country.
- Kenyan authorities should not accept refugees from countries like Pakistan, India, Afghanistan, Korea, Iraq and Saudi Arabia.

5.3.5. DEFENCE AND NATIONAL SECURITY.

- The constitution should establish a disciplined force. (11)
- The constitution should provide for de-linking of armed forces from the executive.
- The Armed forces should be punished in a court of law. (3)
- The Armed forces should be disciplined in court of martial.
- The constitution should establish rules and regulations and code conduct to discipline the forces.
- The constitution should provide that armed forces recruitment should be done on quota basis.
- The constitution should provide that no decisions affecting national policy on defense should be made without the approval of parliament.
- The constitution should provide that carrying of weapons by citizens should be legalized in certain areas such as Rift valley.
- The constitution should revise the police act and code of conduct.
- The constitution should provide that robbery offenders who are policemen should be hanged.
- The constitution should provide that a judge should chair the Court Martial.
- The constitution should provide that the president should not be the commander-in-chief of the armed forces. (6)
- The constitution should provide that the president remains the commander-in-chief of the armed forces. (13)

- The constitution should provide that parliament and executive should be given power to declare war.
- The constitution should provide that parliament should have power to declare war. (3)
- The constitution should provide that the executive should have power to declare war. (3)
- The constitution should provide that the executive should not have power to declare war. (2)
- The constitution should allow the use of extraordinary powers during emergencies. (7)
- The constitution should not allow the use of extraordinary powers during emergencies.
- The constitution should give parliament powers to invoke these emergency powers. (4)
- The constitution should give the president powers to invoke these emergency powers. (2)
- The constitution should give the Prime Minister powers to invoke these emergency powers.
- The constitution should give security personnel powers to invoke these emergency powers. (2)

5.3.6. POLITICAL PARTIES.

- The constitution should provide broad guidelines for the formation, management and conduct of political parties. (10)
- The constitution should not regulate the formation, management and conduct of political parties. (3)
- The constitution should provide for empowerment of political parties so as to mobilize and bring people of diverse views together.
- The constitution should provide that political parties should be between 2-4.
- The constitution should limit the number of political parties to two only. (5)
- The constitution should limit the number of political parties to three only. (3)
- The constitution should limit the number of political parties to four only. (2)
- The constitution should limit the number of political parties to five only. (2)
- The constitution should not limit the number of political parties to three only. (2)
- The constitution should provide broad guidelines requiring that political parties have a development focus such as building of schools, helping orphans and widows. (4)
- The constitution should provide that political parties educate the public on their rights. (4)
- The constitution should provide for public funding of political parties. (7)
- The constitution should not provide for public funding of political parties.
- The constitution should provide for the funding of political parties by the government. (4)
- The constitution should provide for the funding of political parties by the members. (4)
- The constitution should provide that political parties should give political mobilization and civic education to the public.
- The constitution should provide that the president should not be a chairman of political party.
- The constitution should provide that independent auditors should audit the books of accounts for political parties. (2)
- The constitution should provide that for any political party to be financed it should have existed for at least 10 years.
- The constitution should state that only political parties with members of parliament and specific number of members across the country should be financed.
- The constitution should provide that political parties with at least twenty MPs and a half million voters are financed.
- The constitution should provide the state and political parties should work together for the

common good a development of the country. (8)

- The constitution should provide that the president attend all the parliamentary proceedings.

5.3.7. STRUCTURES AND SYSTEMS OF GOVERNMENT.

- The constitution should provide for a parliamentary system of government. (14)
- The constitution should provide for a Prime Minister as the head of government. (10)
- The constitution should provide that the prime minister is elected from the majority party. (4)
- The constitution should retain the presidential system of government. (5)
- The constitution should provide for a ceremonial president who will be the head of state. (9)
- The constitution should adopt a hybrid system of government. (2)
- The constitution should adopt a federal system of government. (13)
- The constitution should not adopt a federal system of government. (2)
- The constitution should provide for a unitary system of government. (2)
- The constitution not should provide for a unitary system of government.
- The constitution should provide for election of Prime Minister by public.
- The constitution should devolve power to the local authorities. (3)
- The constitution should provide that the president appoints the Vice-President. (2)
- The constitution should provide that if the president is a man then the VP should be a woman. (3)
- The constitution should provide that the vice president should be elected by directly by the people.
- The constitution should provide that the AG should be appointed by parliament.

5.3.8. THE LEGISLATURE

- The constitution should provide that all presidential appointments should be vetted by parliament. (10)
- The constitution should provide that 3 nominated MPs should be youth of 18-25 years old.
- The constitution should provide for nomination of 120 MPs, of which 40 shall be women, 40 youth and 40 disabled.
- The constitution should provide that nominated MPs should not be those who vied for the seats but failed.
- The constitution should provide that MPs who physically fight in parliament shall be dismissed and their seats shall be declared vacant.
- The constitution should provide that the public should decide the amount of salaries to be awarded to MPs. (2)
- The constitution should give Parliament power to appoint the vice president, heads of parastatals, ambassadors and judges, ministers, assistant ministers, prime minister and the AG. (7)
- The constitution should give parliament powers to summon ministers who are not performing satisfactory.
- The constitution should provide that parliament is the supreme organ of the land. (3)
- The constitution should mandate parliament to vet members and managers of key institutions.

- The constitution should provide that all parliamentary aspirants should be at least 25 years of age.
- The constitution should provide that the speaker should get annual reports on performance of MPs.
- The constitution should provide that each district should elect one woman to parliament.
- The constitution should provide that parliament should be unicameral. (2)
- The constitution should provide for two chambers of the national assembly, the lower house and the upper house. (5)
- The president should have veto power over legislation passed by parliament. (2)
- The president should have no veto power over legislation passed by parliament. (2)
- The constitution should give legislature powers to override the president's veto. (4)
- The constitution should abolish the nomination of MPs. (3)
- The constitution should retain the concept of nominated MPs but must be from special interest groups. (4)
- The constitution should retain the concept of nominated MPs. (7)
- The constitution should provide that parliament should vet political appointments.
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should provide that Public Service Commission should determine the salaries of MPs.
- The constitution should provide for an independent commission to decide on the salaries of MPs. (9)
- The constitution should give Parliament power to control its own calendar. (5)
- Parliament should not have unlimited power to control its own calendar.
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency. (17)
- The constitution should provide that MPs should have public offices in their constituencies. (4)
- The constitution should provide that an MP must be a holder of university degree.
- The constitution should provide that the president should not have the power to dissolve parliament. (3)
- The constitution should provide that the president should have the powers to dissolve parliament. (3)
- The constitution should not provide for staggered elections.
- The constitution should provide for staggered elections.
- The constitution should provide that parliamentary candidates shall sit a written test which they must pass before they are allowed to contest parliamentary seats.
- The constitution should provide that MPs should act according to the wishes and conscience of their people. (9)
- The constitution should provide that minimum educational qualifications should be secondary certificate.
- The constitution should provide that minimum educational qualifications should be a diploma certificate.
- The constitution should provide that minimum educational qualifications should be degree certificate. (2)
- The constitution should provide that being an MP should be a full time job. (11)
- The constitution should introduce moral and ethical qualifications for parliamentary candidates. (9)

- The language test for MPs is not sufficient. (2)
- The language test for MPs is sufficient. (2)
- The constitution should provide that president should be 35-65 years.
- The constitution should provide that president should be at least 45 years old.
- The constitution should provide that president should be at least 40 years.
- The constitution should provide that president should be at least 35 years. (5)
- The constitution should provide that president should be above 50 years.
- The constitution should provide that president should be 40-65 years.
- The constitution should provide that parliamentary candidates should be at least 35 years old.
- The constitution should provide that parliamentary candidates should be at least 18 years old. (2)
- The constitution should provide that parliamentary candidates should be at least 30 years old.
- The constitution should provide that parliamentary candidates should be at least 21 years old.
- The constitution should retain the age of voting – 18 years. (3)
- The constitution should change the age of voting to be 15 years old. (2)
- The constitution should change the age of voting to be 21 years old.
- The constitution should put in place measures to increase women participation in parliament. (2)
- The constitution should not put in place measures to increase women participation in parliament. (2)
- The constitution should ensure that 10% of parliamentary nominations should be women to increase their participation.
- The constitution should ensure that 1/3 of parliamentary men should be women.
- The constitution should provide that both women and men fight for parliamentary seats on a level ground. (2)
- Parliament should establish rules and regulation to govern the conduct of MPs in the multiparty era.
- The constitution should enact rules to govern the conduct of MPs.
- The constitution should limit the number of parliamentary candidates in each constituency to reduce the confusion.
- The constitution should permit a coalition form of government. (9)

5.3.9. THE EXECUTIVE.

- The constitution should provide that presidential candidate should at least have a minimum of O level qualifications.
- The constitution should provide that a president must be a person of high integrity, fluent in both English and Kiswahili and with a degree from a recognized university. (4)
- The constitution should provide that a president should be a Kenyan citizen by birth and should have a sound mind. (6)
- The constitution should specify qualifications for a presidential candidate.
- The constitution should limit presidential powers. (12)
- The constitution should provide that the president should not be above the law. (16)
- The constitution should define the president's functions. (7)
- The constitution should provide for election of chiefs and their assistants to be done

through a queue system.

- The constitution should provide for the impeachment of the president. (13)
- The constitution should provide that the president and parliament should have a cordial relationship. (2)
- The constitution should provide that the president attends parliamentary proceeding.
- The constitution should provide that the president should serve a maximum two five-year terms. (15)
- The constitution should limit presidential tenure to be three terms of six years each.
- The constitution should provide that all presidential appointments be vetted by parliament.
- The constitution should provide that the president should also be an elected M.P.
- The constitution should provide that provincial administration officers should be elected by popular vote. (
- The constitution should provide that the president shall be elected and that his/her party shall have the majority seats in parliament.
- The constitution should provide that the president must be in a stable matrimonial status.
- The constitution should provide that provincial administration should be elected.
- The constitution should retain provincial administration. (7)
- The constitution should provide that the people should elect chiefs and assistant chiefs. (6)
- The constitution should provide that chiefs and assistant chiefs should be transferable. (3)
- The constitution should provide for village elders to be paid salaries. (2)
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.
- The constitution should provide that the president should be an MP. (7)
- The constitution should provide that the president should not be an MP. (8)

5.3.10. THE JUDICIARY.

- The constitution should provide for the independence of the judiciary. (2)
- The current judiciary structure is adequate. (2)
- The current judiciary structure is not adequate. (5)
- The constitution should provide that the Chief justice should have a deputy.
- The constitution should provide for taking of fingerprints of accused persons in court once their guilt is proven.
- The constitution should provide that a maximum number of adjournments per case should be established.
- The constitution should provide for a permanent constitutional court. (11)
- The constitution should provide that retirement age for judicial officers should be 65.
- The constitution should provide that retirement age for judicial officers should be 55.
- The constitution should provide that retirement age for judicial officers should be 70. (2)
- The constitution should provide that retirement age for judicial officers should be 75.
- The constitution should provide that functions of judicial service commission should include disciplining of judicial officers.
- The constitution should provide that judicial officers should be disciplined from the AG's office.
- The constitution should provide that courts should exclusively handle judicial matters. (7)
- The constitution should provide for security of tenure for judges.
- The constitution should provide that the African customary laws should be used.

- The constitution should discourage delays in dispensation of law by judges.
- The constitution should provide for the Kadhis court to have appellate jurisdiction. (3)
- The constitution should provide that Chief Kadhis should have same qualifications as magistrates and must be a Muslim. (4)
- The constitution should provide that the government and the Muslims should appoint the kadhis.
- The constitution should provide that the judicial commission should appoint the kadhis. (2)
- The constitution should provide that SUPKEM should appoint the kadhis.
- The constitution should provide for judicial officers to retire at the age of 70 years.
- The constitution should provide that the president should appoint judicial officers. (3)
- The constitution should provide that judicial officers should have at least a degree in law. (4)
- The constitution should provide that judicial officers should have at least a degree in law and 5 years experience in a reputable law firm. (2)
- The constitution should provide that judicial officers should have at least a degree in law and 2 years experience in a reputable law firm.
- The constitution should provide that the law society of Kenya should appoint judicial officers. (2)
- The constitution should provide that the judicial service commission should appoint judicial officers. (4)
- The constitution should provide for the establishment of a supreme court. (9)
- The constitution should ensure that there is a constitutional right to legal aid for all citizens. (4)
- The constitution should ensure that there is a constitutional right to legal aid for the poor people. (4)
- Constitution should make provision for a more simple judicial process.
- The constitution should ensure that courts are established at divisional level to ensure that all people have access to it. (6)
- The constitution should make provision for judicial review of laws made by the legislature. (4)
- The constitution should provide that councils of elders should handle all cases on land disputes. (3)

5.3.11. LOCAL GOVERNMENT.

- The constitution should provide that the people should directly elect mayors and the chair of the Council Chairmen. (21)
- The constitution should provide for councilors to be at least KCSE holders. (3)
- The constitution should provide that candidates vying for local authority seats have at least O level certificates. (9)
- The constitution should provide that mayors and council chairmen should serve for 5 years. (5)
- The constitution should provide that mayors' and council chairmen' two year is adequate. (4)
- The constitution should provide for payment of local authority workers from the consolidated fund.
- The constitution should provide for scrapping of language tests as a prerequisite for

becoming a councilor.

- The constitution should provide for retention of nomination of councilors but must from a special group e.g. women, the disabled. (3)
- The constitution should provide for the abolition of nominated councilors. (2)
- The constitution should provide that councilors who defect get a new mandate from the people through a by-election.
- The constitution should provide that councilors should be required to do a language test. (2)
- The language test required for councilors is adequate. (2)
- The language test required for councilors is not adequate.
- The constitution should provide that the councilors should have the authority to hire and fire local authority chief officers.
- The constitution should provide that councils should be allowed to operate independently. (4)
- The constitution should provide that the councils should continue working under the central government. (5)
- The constitution should introduce moral and ethical qualifications for local authority seats. (10)
- The constitution should provide that people have the right to recall their councilors. (10)
- The constitution should provide that the local council should determine remuneration for councilors. (2)
- The constitution should provide that the central government should determine remuneration for councilors. (2)
- The constitution should provide that an independent commission should determine remuneration for councilors. (2)
- The constitution should provide that the public service commission should determine remuneration for councilors.
- The constitution should provide that the president or the minister of local authority should have the power to dissolve councils. (2)
- The constitution should provide that the president or the minister of local authority should not have the power to dissolve councils.
- The constitution should harmonize licensing policies of local authorities.

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain the representative system of elections. (5)
- The constitution should retain the simple majority rule as the basis of winning an election. (10)
- The constitution should provide that a presidential candidate must get at least 50% of the total votes casts to be declared a winner. (3)
- The constitution should provide that a presidential candidate must get at least 51% of the total votes casts to be declared a winner.
- The constitution should provide that candidates who fail nomination in one party should be allowed to seek nomination from another party. (2)
- The constitution should provide that candidates who fail nomination in one party should not be allowed to seek nomination from another party. (3)
- The constitution should provide that presidential elections should be done separately from civic and parliamentary elections. (6)

- The constitution should provide that, there should be no fee payable to contest for a seat in the elections.
- The constitution should limit election expenditure all candidates. (2)
- The constitution should provide that elections should be held by queuing and not by secret ballot.
- The constitution should provide that in a presidential election, the winner must get at least 25% of the total votes cast in at least five provinces. (3)
- The constitution should reserve seats for vulnerable groups. (10)
- The constitution should retain the current geographical constituency. (4)
- The constitution should review the current geographical constituency.
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- The constitution should provide that votes should be counted at the polling station. (2)
- The constitution should provide that voting should be done by secret ballot.
- The constitution should specify the date of the general election. (5)
- The constitution should provide that presidential election should be held through an electoral college.
- The constitution should provide that presidential election should be elected directly by the people. (8)
- The constitution should provide that electoral commissioners should have a degree in law. (2)
- The constitution should provide that the president should appoint electoral commissioners. (2)
- The constitution should provide that parliament should appoint electoral commissioners. (2)
- The constitution should provide security of tenure of five years to electoral commissioners and should serve a maximum of 10 years. (4)
- The constitution should provide that electoral commissioners retire at 75 years.
- The government should fund the electoral commissioners. (3)
- The constitution should limit the number of electoral commissioners to eight only. (2)
- The constitution should limit the number of electoral commissioners to ten only. (2)
- The constitution should provide for 32 electoral commissioners.
- The constitution should provide that demarcation of constituencies should be based on population. (3)
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide that ballot boxes should be transparent.
- The constitution should provide for transparency in elections.
- The constitution should provide that the election results should be declared after all votes have been counted.
- The constitution should provide for freedom of choice in elections.
- The constitution should provide that those who defect from one party to another should not be allowed to contest for an elective post.
- The constitution should provide for simplification of election process to the disabled.
- The constitution should provide for discouragement of defection from one party to another

5.3.13. BASIC RIGHTS

- The constitution provisions for fundamental rights are not adequate. (6)
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should entrench the freedom of movement, speech and assembly. (4)
- The constitution should entrench economic, cultural and political rights. (2)
- The constitution should guarantee adherence to the spirit of law and accessibility to all public offices by the common man.
- The constitution should guarantee the freedom of worship to all Kenyans. (2)
- The constitution should guarantee the security of all Kenyans. (5)
- The constitution should guarantee food security to all Kenyans. (3)
- The constitution should provide for free education for all Kenyans. (16)
- The constitution should provide for free primary education for all Kenyans. (7)
- The constitution should provide for free education for all Kenyans till secondary level. (5)
- The constitution should provide for free basic health care for all Kenyans. (15)
- The constitution should guarantee all Kenyans clean and safe water. (2)
- The constitution should guarantee every Kenyan, basic food, clothing, health care, security, water, employment and shelter as a basic right. (7)
- The constitution should have the responsibility of ensuring that all Kenyans enjoy their basic rights. (3)
- The central and local government should have the responsibility of ensuring that all Kenyans enjoy their basic rights.
- The constitution should guarantee every Kenyan, equal and non-discriminative treatment by the law irrespective of gender, ethnic or racial background.
- The constitution should guarantee Kenyans the right to access to information in the possession of the state or agency of the state. (7)
- The constitution should guarantee all workers the right to trade union representation. (5)
- The constitution should provide men with paternity leave.
- The constitution should abolish death penalty. (9)
- The constitution should not abolish death penalty. (2)
- The constitution should provide for a one person-one job policy. (3)
- The constitution should reduce retirement age from 55 to 50.
- The constitution should provide that dependants of pensioners should continue to receive the pensions for ten years after the death of the pensioner.
- Pensioners should have their pensions increased automatically any time the workers salaries are increased to create an enabling atmosphere economically.
- The constitution should provide that widows should be allowed access to their husbands' benefits without any problems. (2)
- The constitution should provide that pension and other benefits should be paid as soon as the person retires. (2)
- Social security fund should be paid through the chief's office and should be increased.
- The constitution should provide that all unemployed qualified persons are paid an allowance.
- The constitution should provide that mortuary services should be free of charge.
- The constitution should provide that civic education shall be entrenched in the constitution and shall be a continuous process.
- The constitution should guarantee employment to all Kenyans. (9)

5.3.14. THE RIGHTS OF VULNERABLE GROUPS

- The constitution has not fully guarantee women their rights. (2)
- The constitution has fully guarantee women their rights. (4)
- The constitution should fully guarantee the interest of people with disabilities. (12)
- There should be the formation of national council for people with disabilities. (2)
- The constitution should provide for government rehabilitation of street children.
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should establish an orphan trustee fund.
- The constitution should abolish discrimination of minority groups.
- The constitution should provide financial assistance to widows and widowers.
- The constitution should guarantee women equal opportunities to acquire, retain or change their citizenship.
- The constitution should provide for affirmative action in favor of the disabled in all public facilities.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled. (3)
- The constitution should guarantee introduction of a suitable syllabus to cater for the visually impaired.
- The constitution should guarantee recognition of Braille as a medium of communication.
- The constitution should guarantee subsidization of transportation costs for the disabled.
- The constitution should guarantee integration of disabled with able-bodied persons.
- The constitution should guarantee building of homes for the street children.
- The constitution should guarantee nomination of 5 disabled persons to parliament.
- The constitution should guarantee that affirmative action should include quota system in employment of the disabled.
- The constitution should guarantee persons with disabilities relief from income tax.
- The constitution should guarantee that health institutions should be run with people who understand sign language.
- The constitution should provide for affirmative action in favor of the needy, aged, HIV positive and mentally sick persons.
- The constitution should protect the rights of all children. (9)
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should protect the education of the Girl child.
- The constitution should guarantee women equity but not equality.
- The constitution should guarantee bursary to the needy children.
- The constitution should guarantee old age allowance for the aged.
- The constitution should guarantee entrenchment of affirmative action in the constitution. (5)
- Te constitution should provide that prisoners should be guaranteed employment once they are free. (2)
- Prisoners should be taught skills while serving their sentence.

5.3.15. LAND AND PROPERTY RIGHTS

- The constitution should guarantee the right of any Kenyan to own land in any part of the

country. (7)

- The constitution should restrict land ownership by foreigners. (6)
- The government should have the powers to control the use of private land. (4)
- The government should not have the powers to control the use of private land. (5)
- The constitution should simplify land transfer and inheritance procedures and make it less costly. (18)
- The constitution should reduce the cost of acquiring title deeds. (3)
- There should be ceiling on land owned by an individual. (8)
- There should be no ceiling on land owned by an individual. (3)
- The constitution should state that no individual should own more than 5 hectares.
- The constitution should guarantee that in case a father dies the land shall be inherited by the son.
- The constitution should guarantee ultimate ownership of land to the government. (4)
- The constitution should guarantee ultimate ownership of land to the individual. (8))
- The constitution should guarantee ultimate ownership of land to the local community.
- The constitution should guarantee proper protection of land.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide equal access to land for both men and women. (10)
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership. (7)
- The constitution should provide that the government should have the powers to compulsorily acquire private land but must compensate the owner. (4)
- The constitution should retain pre-independent land treaties and agreements. (2)
- The constitution should review pre-independence land treaties signed between railways and elders of Londian-Butere, which give the company a large land.
- The constitution should provide that the government should not acquire land compulsorily. (2)
- The constitution should provide that a panel of elders should arbitrate land disputes.
- The constitution should provide that the government should jointly own land.
- The constitution should provide that every Kenyan citizen should own land. (2)
- The constitution should provide that the maximum acreage of land should be one hectare.

5.3.16. CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- Kenya's ethnic and cultural diversity contributes to national culture.
- Kenya's ethnic and cultural diversity does not contribute to national culture. (3)
- The constitution should protect and promote Kenya's cultural and ethnic diversity. (6)
- Cultural and ethnic values, which should be captured in the constitution, include, respect for elders and respect for private properties. (2)
- Pupils and students are social group whose interest should be catered for in the constitution.
- Students and pupils should be given opportunities in the making of policies that affect the nation.
- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should provide protection from discriminatory aspects of culture. (7)

- The constitution should promote and recognize indigenous languages. (5)
- The constitution should outlaw wife inheritance.
- The constitution should provide for one unifying language.
- The constitution should guarantee that wife inheritance should be voluntary. (2)
- The constitution should provide for two national languages i.e. English and Kiswahili. (5)

5.3.17. MANAGEMENT AND USE OF NATIONAL RESOURCES

- The executive should retain the power of controlling resources.
- Both the executive and parliament should have the powers to raise revenue, manage and distribute finance and manage human resources.
- Parliament should have the powers to raise revenue, manage and distribute finance and manage human resources.
- The constitution should retain parliament's powers to authorize the raising and appropriation of public finances. (4)
- The constitution should provide for equitable distribution of national resources. (5)
- The constitution should set up a commission as a mechanism to ensure equitable distribution of national resources.
- The constitution should discourage collection of public funds for holiday celebrations.
- The constitution should provide that all government services and facilities should be accessible to all Kenyans without discrimination.
- The constitution should provide that all appointments to civil service should be based on merit.
- The constitution should provide that national resources should be managed by parliament.
- The constitution should provide for approval of national budget by the parliament.
- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages
- The constitution should provide that parliament should control the use of public funds. (3)
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should provide that ministers and their assistants should be professionals in that field. (3)
- The constitution should provide that communities should be given first preference in benefiting from local natural resources. (5)
- The constitution should provide that 70% of benefits from natural resources goes to the local community.
- The controller and Auditor general should present regular reports to parliament and anti-corruption body.
- The controller and Auditor general should be given full authority to audit government systems anywhere without any restrictions. (2)
- The controller and Auditor general should be the one determining the salaries of all public employees.
- The president should appoint the controller and Auditor general. (2)
- Parliament should appoint the controller and Auditor general. (3)
- The public service commission should appoint the controller and Auditor general.
- Competent Kenyans should be attracted to public service by giving a good remuneration packages. (3)
- Parliament should appoint members of the Public Service Commission. (2)
- The prime minister should appoint members of the Public Service Commission.

- The constitution should require public officers to declare their assets. (3)

5.3.18. ENVIRONMENTAL AND NATURAL RESOURCES

- Environmental protection issues to include in the constitution should be pollution control and water conservation.
- Environmental protection issues to include in the constitution should be protection of wild life and water catchments areas.
- The power to enforce laws on environmental protection should be invested in the government. (3)
- The constitution should provide that communities should be given powers to enforce laws on the protection of environment. (2)
- The constitution should provide for the protection of forests, wildlife, water bodies and minerals. (3)
- The constitution should provide for the protection of all natural resources. (5)
- The constitution should provide that natural resources are owned by the state. (3)
- The constitution should provide that the local communities own natural resources. (3)
- The communities should work hand in hand with the government to protect natural resources.
- Local communities should form committees to manage and protect the environment. (2)
- The natural resources should be protected by the government and the local communities.

5.3.19. PARTICIPATORY GOVERNANCE

- The constitution should provide that NGO's and other organized groups should participate in decision making development and educating the pupils on their rights. (2)
- The constitution should provide that NGO's and other organized groups should not have a role in governance.
- The constitution should provide that Non-governmental organizations should be involved in participatory governance because they are involved in development activities.
- The constitution should provide that 1/3 of MPs shall be women.
- The constitution should provide the electorate with the power to pass a vote of no confidence in the president.
- The constitution should provide that there should be no official religion.
- The constitution should provide for scrutiny of religious activities and screen churches before registration.
- Civil society should participate in decision-making and should not be asked to register but their functions should be clearly stipulated and the government to control them fairly.
- The constitution should regulate the conduct of all civil society.
- The state should not regulate the conduct of the civil society.
- The government should monitor the activities of NGOs to ensure that no subversive businesses go on. (2)
- The constitution should ensure that women fully participate in governance. (7)
- The constitution should ensure that the disable fully participate in governance. (4)
- The constitution should ensure that the youth fully participate in governance. (4)
- The constitution should guarantee 30% of MPs and cabinet ministers shall be women.
- The constitution should provide 30-40% head of parastatals heads should be women.

5.3.20. INTERNATIONAL RELATIONS

- The constitution should provide that parliament should formulate Kenya's foreign policies, establish diplomatic posts and appoint ambassadors and state representatives. (3)
- Parliament should formulate policies to be followed by the executive on how to conduct foreign affairs
- The government should endorse and affirm its commitment to all UN resolutions on human rights bills.
- International treaties and conventions and regional and bilateral treaties should have not automatically become laws in Kenya but vetted by the government. (2)
- Parliament should vet laws and regulations made by regional organizations that Kenya belong to and reject those not beneficial to its citizens.

5.3.21. CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should establish the constitutional commission. (5)
- The constitution should provide for an independent committee to appoint key officials.
- The constitution should provide for a Judicial Commission to appoint judicial officers
- The constitution should provide for decentralization of advocates complaints commission to districts.
- The constitution should provide for creation of a commission for the protection of disabled rights.
- The constitution should provide for the establishment of the office of an Ombudsman. (7)
- There is no need for the establishing the office of Ombudsman. (2)
- The constitution should establish a Human Rights Commission. (5)
- The constitution should establish a Gender Commission. (3)
- The constitution should establish Anti- corruption commission. (5)
- The constitution should establish a land Commission. (4)
- The constitution should establish a disaster commission.
- The constitution should establish a ministry of justice and constitutional affairs.
- There is no need for a ministry of justice and constitutional affairs. (2)

5.3.22. SUCCESSION AND TRANSFER OF POWER.

- The constitution should provide that the head of the state should remain president during elections.
- The constitution should provide that the incoming president should assume office 14 days after elections.
- The constitution should provide that the incoming president should assume office immediately after the results are declared. (3)
- The constitution should provide that the incoming president should assume office after swearing in.
- The constitution should provide that the chief justice swear-in the incoming president. (6)
- The constitution should provide that the transfer of instruments of power should be transferred to an incoming president by the outgoing president during the swearing in ceremony. (3)
- The outgoing president should make a curation statement transferring power to the

incoming president.

- The constitution should provide that the incumbent president should be in charge of executive powers during presidential elections. (2)
- The constitution should provide that the speaker should be in charge of executive powers during presidential elections. (4)
- The constitution should provide that the chairman of electoral commission should be in charge of executive powers during presidential elections.
- The results of the presidential elections should be declared through the mass media. (4)
- The constitution should make a provision for security for an outgoing president. (5)
- The constitution should not make a provision for security for an outgoing president.
- The constitution should make a provision for welfare benefits for an outgoing president. (2)
- The constitution should not make a provision for welfare benefits for an outgoing president. (2)
- The constitution should give a provision for immunity from legal process to the outgoing.
- The constitution should not give a provision for immunity from legal process to the outgoing.
- The constitution should define incapacity for a president to vacant the office to exclude all disabilities as long as he is able to person duties despite his state.

5.3.23. WOMENS' RIGHTS

- The constitution should provide for non-discrimination of women in property inheritance matters.
- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The new constitution should address the issues of women because most of the time women are victimized in all places.
- There should be free anta-natal care for all women in public hospitals.
- The constitution should accord women legal capacity like all other Kenyans.
- The constitution should enshrine gender needs.
- The women should have the right to own property.
- Girls should be allowed to inherit their father's land. (5)
- The constitution should provide that unmarried women can inherit from their fathers. (2)
- The constitution should provide that women have the right to inherit. (9)
- The constitution should harmonize marriage laws.
- The constitution should ensure that marriage laws are not discriminative to women.
- The constitution should provide that fathers ensure women of child support and maintenance.
- The prohibition of domestic violence should be constitutionalised. (2)

5.3.24. INTERNATIONAL POLICY.

- Parliament should draw up the role of international monetary institutions.

5.3.25. NATIONAL ECONOMIC POLICY

- The constitution should provide for creation of ministry of poverty reduction.

- The constitution should provide for government role in price control in all essential commodities. (3)
- The government should not ban importation of second hand cloths.
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide for the privatization of the economy.
- The constitution should provide that the government should make available social amenities for the public.
- The government should introduce support mechanism for small business enterprises.
- Constitution should step up provision for rural electrification.
- The constitution should put in place measures to reduce poverty. (2)
- The government should guarantee physical, economic and social infrastructure.

5.3.26. NATIONAL OTHER POLICY

- The constitution should provide that public officers convicted of corruption should be made to repay the full amount of monies embezzled.
- The constitution should provide for increment of public officer's remuneration so as to curb corruption.
- The constitution should provide that whoever spreads HIV/AIDS should be given capital punishment.
- Constitution should make provision for development of a welfare fund for HIV/AIDS patients who are not able to cater for themselves and their siblings. (2)
- In order to reduce AIDS, the government should reduce wife inheritance and beer brewing.
- The police should stop harassing the public. (4)
- The constitution should provide that all watchmen be armed and paid well.
- The constitution should provide for mechanisms to reduce robberies, theft and man slaughter. (2)
- The constitution should put in place measures to help eradicate corruption. (7)
- The government should keep a record of all people with disabilities. (2)
- The government should encourage the use of native family planning methods.

5.3.27. SECTORAL POLICY

- The constitution should provide for regional establishment of factories to enhance employment.
- The constitution should provide that communication facilities such as booths should be put in every location.
- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The constitution should provide that educationists and not politicians should make education policies.
- The constitution should provide that the currency should only have the picture of founding president.
- The constitution should provide that when police takes a body to a morgue, the

government should bear the mortuary costs.

- The constitution should provide that factories should be built where the natural resources are located.
- The government should subsidize the cost of agricultural inputs and should provide free seeds. (2)
- The government should revive and maintain old cattle dips.
- The constitution should provide that private candidates should be allowed at all levels to enhance education.
- The constitution should provide that religious education is taught in schools.
- The government should ensure that bursaries go to the needy students.
- Appropriate equipment and educational aid should be put in all public schools for children with disabilities.
- The constitution should ensure that technical subjects are taught in schools. (2)
- The constitution should provide that corporal punishment is scrapped in schools.
- The constitution should abolish 8-4-4 system.
- The constitution should provide that certificate of students who have completed school should not be detained for non-payment of school fees.
- The constitution should provide tax waivers for all materials and goods imported to benefit the disabled.
- Conditions governing the acquisition of loans should be relaxed to avoid over burdening Kenyans. (2)
- The constitution should provide that parliaments controls bank interest rates.
- There should be a logo of the national flag on the Kenyan currency.
- The constitution should abolish mortuary fees.
- Government hospitals should have adequate drugs. (2)
- The constitution should ensure that telecommunication facilities should be friendly to the disabled.
- The constitution should ensure that rural areas as connected with telephones.
- The constitution should provide that religious organizations are allowed to import, sell and buy religious literature, printed materials and other used for religious purposes.
- The constitution should support small business enterprise owned by women and the disabled. (2)

5.3.28. NATIONAL PLANNING

- The government should establish a long-term plan for rural electrification.
- The constitution should outlaw Harambee and the government should undertake all development matters.

5.3.29. STATUTORY LAW

- The constitution should guarantee legalization of local brews. (6)
- The constitution should provide that corrupt people should be jailed for 30 years.
- The constitution should provide a law stating that no one should have a child out of wedlock.
- The constitution should provide that all rapists are castrated or imprisoned for life. (3)
- The laws on defilement of idiots and imbeciles referring to the mentally handicapped should be repealed and made more deferent.

- The constitution should provide those advocates who are found to perforce professional misconduct and unprofessional conduct such as misappropriation of a client's money should be prosecuted.

5.3.30. BILLS

- Bills on persons with disabilities should be passed and enshrined in the constitution.

5.3.31. COMMON GOOD

- The constitution should discourage use of condoms to minimize prostitution.

5.3.32. GENDER EQUITY

- The constitution should provide for gender equity in employment and education sector.
- Men and women should not be equal.

5.3.33. ECONOMIC / SOCIAL JUSTICE

- There should be a right to social, cultural and economic rights.

5.3.34. TRANSPARENCY /ACCOUNTABILITY

- Those who collect Harambees should be transparent and accountable.
- The constitution should ensure accountability of all public officers in local authorities.

5.3.35. NATURAL JUSTICE /RULE OF LAW

- The new constitution should uphold the law and ensures that its done.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon Joe Donde
2. William Odhiambo
3. Dickson I. Sijenyi
4. Mrs. Grace Ogot
5. Cllr. Joseph Kawuor
6. Priscillah Nyanjom
7. Alice Ogada Achayo
8. Francis Odera Siero
9. Fredrick Owuor Manuda
10. Isaiah Wacai

Appendix 2: Civic education providers (CEPs)

1. Friends of rural women and children organization
2. Small scale farmers group
3. SDA youth organization
4. Catholic justice and peace commission
5. North gem farmers group
6. Maendeleo ya wanawake
7. Inter diocesan Christian community services
8. Gem university students association
9. Kayo youth group
10. Nairobi university arts association
11. KEMRI CDC group
12. Wagai disabled group
13. Nyagodo business community group
14. Forest 88 organization
15. Yawa Christian farmers group
16. Nyamayoga konyiri kendi women group
17. Yala community development group
18. Yawa Christian farmers group
19. Home interior and youth affairs organization

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

1	0017OSGN 1Y	Anonymous	CBO	Written	Members of Ndiya Market
2	0011OSGN 2Y	George Aggrey Osoda	CBO	Written	Committee of Waga People
3	0010OSGN 3Y	Owino Fredirick A.	CBO	Written	Wagai Division Disabled S H
4	0013OSGN 4Y	Owuor Meso Micheal	CBO	Written	RERA Sub Location
5	0008OSGN 5Y	Peter Minani	CBO	Memorandum	Mahanga Yaw Pach Self Help
6	0012OSGN 6Y	Raphael Muga Orenyo	CBO	Written	Gem University Students S H
7	0009OSGN 7Y	Robert Owegi	CBO	Written	Madawo Group
8	0003OSGN 8Y	Silas Mayienga	CBO	Written	Gem Constitutional Committee
9	0014OSGN 9Y	Susan Demba	CBO	Written	Wagai Womens Views
10	0058ISGNY	Albert W.Ombogo	Individual	Written	
11	0090ISGNY	Alfred Okello	Individual	Oral - Public he	
12	0065ISGNY	Alfred Owuor Ariedi	Individual	Written	
13	0068ISGNH	Alice O. Ochaya	Individual	Written	
14	0041ISGNY	Ambrose Odhiambo	Individual	Written	
15	0061ISGNY	Ameso Orinda	Individual	Written	
16	0093ISGNY	Andrew Pambo	Individual	Oral - Public he	
17	0043ISGNY	Annette Sabina	Individual	Written	
18	0013ISGNY	Anonymous	Individual	Written	
19	0044ISGNY	Anonymous	Individual	Written	
20	0108IGSNY	Anthony Ouma	Individual	Oral - Public he	
21	0042ISGNY	Aoko Betha	Individual	Written	
22	0023ISGNY	Apollo Mbogo Odamba	Individual	Written	
23	0101ISGNY	Carolyn Otieno	Individual	Oral - Public he	
24	0078ISGNY	Cllr. Joseph Kowuor	Individual	Oral - Public he	
25	0026ISGNY	Cllr.Aggrey Ogutu O	Individual	Written	
26	0022ISGNY	Cllr.Jared Nyawade Nded	Individual	Written	
27	0050ISGNY	Dolphine Miginjo	Individual	Memorandum	
28	0014ISGNY	Dominic Peter Waudi	Individual	Written	
29	0109ISGNY	Dorothy Achieng Ahano	Individual	Oral - Public he	

30	0079ISGNY	Dr.Eric Abwonji	Individual	Oral - Public he	
31	0111ISGNY	Edward Ogute Opondo	Individual	Oral - Public he	
32	0102ISHNY	Elizabeth Okoth	Individual	Oral - Public he	
33	0051ISGNY	Erick Odhimbo Bako	Individual	Memorandum	
34	0024ISGNY	Esther Mudwasi	Individual	Written	
35	0010ISGNY	Eunis Waithera	Individual	Written	
36	0025ISGNY	Francis O.Okota	Individual	Written	
37	0070ISGNY	Fred Moyi	Individual	Oral - Public he	
38	0035ISGNY	Fredrick Minuda Owuor	Individual	Written	
39	0036ISGNY	Gabriel Opembi Wambedha	Individual	Written	
40	0076ISGNY	Gad Obonyo	Individual	Oral - Public he	
41	0009ISGNY	Geoffrey Nseka	Individual	Written	
42	0001ISGNY	Geoffrey Ochieng	Individual	Written	
43	0031ISGNY	George A.Odhiambo	Individual	Written	
44	0034ISGNY	George Aggrey Osoda	Individual	Written	
45	0033ISGNY	George Okoth Adhola	Individual	Written	
46	0020ISGNY	George Okoth Miyombe	Individual	Written	
47	0059ISHNY	George Omondi Gwara	Individual	Written	
48	0115IGSNY	George Otin Awli	Individual	Oral - Public he	
49	0072ISGNY	Gideon Okinda	Individual	Oral - Public he	
50	0097ISHNY	Gilbert Ogal	Individual	Oral - Public he	
51	0071ISGNY	Gilbert Okelo	Individual	Oral - Public he	
52	0045ISGNY	Goerge Eric Ochieng	Individual	Written	
53	0004ISGNY	Hassan Odhiambo	Individual	Written	
54	0080ISGNY	Hon.Grace Ogot	Individual	Oral - Public he	
55	0098ISGNY	Horace Odhiambo	Individual	Oral - Public he	
56	0104ISGNY	Hwaga Obare	Individual	Oral - Public he	
57	0083ISGNY	Isaiah Wagai	Individual	Oral - Public he	
58	0081ISGNY	J.T Okinda	Individual	Oral - Public he	

59	0054	ISGNY	James Ayub Odhiambo.	Individual	Oral - Public he	
60	0091	ISGNY	James Madison Omondi	Individual	Oral - Public he	
61	0063	ISGNY	James O.Owiti	Individual	Written	
62	0088	ISHNY	James Odera Oriedi	Individual	Oral - Public he	
63	0006	ISGNY	Janet Oduor	Individual	Written	
64	0015	ISGNY	Jeniffer Akeyo Wale	Individual	Oral - Public he	
65	0100	ISHNY	Johnan Opiyo	Individual	Oral - Public he	
66	0060	ISGNY	Joseph Adhola Madara	Individual	Written	
67	0113	ISGNY	Joseph Ngesa Serwa	Individual	Oral - Public he	
68	0084	ISGNY	Joseph Ogonda Ooko	Individual	Oral - Public he	
69	0049	ISGNY	Joseph Omondi	Individual	Written	
70	0092	ISGNY	Joseph Owino.	Individual	Oral - Public he	
71	0096	ISGNY	Joshua Gongga	Individual	Oral - Public he	
72	0069	ISGNY	Julius Amaya	Individual	Oral - Public he	
73	0052	ISGNY	Kefa Onginjo Sewe	Individual	Written	
74	0008	ISGNY	Luka Otieno Wambaga	Individual	Written	
75	0016	ISGNY	Magaret Ogola	Individual	Written	
76	0011	ISGNY	Margaret Okello	Individual	Written	
77	0003	ISGNY	Margaret Onyango	Individual	Written	
78	0110	ISGNY	Mary Atito	Individual	Oral - Public he	
79	0039	ISGNY	Mary Okiya	Individual	Written	
80	0007	ISGNY	Micheal Kegode	Individual	Written	
81	0075	ISGNY	Moses Okwaro Shem	Individual	Oral - Public he	
82	0089	ISGNY	Naboth Ofinyo Kosanya	Individual	Oral - Public he	
83	0047	ISGNY	Naftali Ohudu Owuor	Individual	Written	
84	0105	SGNN	Naphtail Onyango	Individual	Oral - Public he	
85	0067	ISGNY	Ndugu Norbert Abeno	Individual	Written	
86	0046	ISGNY	Nelson Owiti Ouma	Individual	Written	
87	0053	ISGNY	Nelson Owuor Serwa	Individual	Written	
88	0038	ISGNY	Omondi Wambida	Individual	Written	
89	0085	ISGNY	Oyoo Opiyo	Individual	Oral - Public he	
90	0018	ISGNY	Patrick Wambeda	Individual	Written	

91	0028	ISGNY	Pauline Ambrose	Individual	Written	
92	0037	ISGNY	Pauline Omwanga	Individual	Written	
93	0032	ISGNY	Peter Oloo Opondo	Individual	Written	
94	0099	ISGNY	Peter Ombija	Individual	Oral - Public he	
95	0029	ISGNY	Peter Weya Ndiya	Individual	Written	
96	0103	ISGNY	Petronila Okoth	Individual	Oral - Public he	
97	0062	ISGNY	Philip Onyango Oduor	Individual	Written	
98	0094	ISHNY	Priscila Nyanjom	Individual	Oral - Public he	
99	0005	ISGNA	Rebecca Okia	Individual	Written	
100	0005	ISGNY	Rebecca Okia	Individual	Written	
101	0017	ISGNY	Rev.FR.Emanuel Amolo	Individual	Written	
102	0066	ISGNY	Richard Ombogo Aduol	Individual	Written	
103	0012	ISGNY	Robert M.Odero	Individual	Oral - Public he	
104	0019	ISGNY	Rose Auma Otieno	Individual	Written	
105	0086	ISGNY	Rose Otieno	Individual	Oral - Public he	
106	0114	ISGNY	Samson Olang A.	Individual	Oral - Public he	
107	0107	ISGNY	Samson Omondi Oloo	Individual	Oral - Public he	
108	0040	ISGNY	Samuel Odhiambo	Individual	Memorandum	
109	0027	ISGNY	Samuel Oluoch	Individual	Written	
110	0021	ISGNY	Samuel Wameyo	Individual	Written	
111	0077	ISGNY	Sen.Chief Ochieng Owino	Individual	Oral - Public he	
112	0055	ISGNY	Sila Mayienga.	Individual	Oral - Public he	
113	0082	ISGNY	Silanos Odeny	Individual	Oral - Public he	
114	0073	ISGNY	Silvester Gaitano	Individual	Oral - Public he	
115	0056	ISGNY	Solomon Daudi Abwachi	Individual	Written	
116	0057	ISGNY	Stephen Nyakombo	Individual	Written	
117	0064	ISGNY	Suji Adino	Individual	Written	
118	0002	ISGNY	Susan Biliah Maningi	Individual	Written	
119	0048	ISGNY	W.H.Mwaga Obare.	Individual	Written	
120	0030	ISGNY	Wellington Wandiga	Individual	Memorandum	
121	0106	ISGNY	William Olale	Individual	Oral - Public he	
122	0095	ISGNY	Willis Juka	Individual	Oral - Public he	

123	0017OSGN Y	Anonymous	Other Institutions	Written	
124	0002OSGN Y	Gilbert Okelo	Other Institutions	Memorandum	17 Schools of Gem Constituen
125	0015OSGN Y	Patricia Apoli	Other Institutions	Written	Kenya Chamber of Commerce
126	0005OSGN Y	Dr. Ori Abwonji	Pressure Groups	Memorandum	Secondary Schools
127	0007OSGN Y	Benard Njoo Agena	Religious Organisation	Written	Yala Catholic Mission
128	0007OSGH Y	Benard Njoo Agena	Religious Organisation		Yala Catholic Mission
129	0004OSGN Y	Charles Ngala	Religious Organisation	Written	Catholic Justice and Peace
130	0001OSGN Y	Jascinta Achieng	Religious Organisation	Written	Seventh Day Youth
131	0006OSGN Y	Pastor Hezron Sande	Religious Organisation	Written	Seventh Day Adventist
132	0016OSGN Y	Wilson Otieno Onyango	Religious Organisation	Written	Power of Jesus
133	0074ISGNY	James Orwa Aponda		Oral - Public he	
134	0087ISGNY	William Onyango Ochillo		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

YALA NYAYO GARDENS

No.	Name	Address	No.	Name	Address
1	Lawrence Odhiambo	P.O. Box 220, Ngiya	24	Geoffrey Ochieng	P.O. Yala
2	Jacinta Achieng	P.O. Box 5, Mutumbu	25	Oscar Omondi	P.O. Yala
3	Samson Anywolo	P.O. Box 31, Sawagongo	26	Martin Otieno	P.O. Yala
4	Wilson Otieno	P.O. Box 93, Ngiya	27	Gideon Okinda	P.O. Yala
5	Samson Osemba	P.O. Box 5, Mutumbu	28	Dickson Indakula	P.O. Box 5, Mutumbu
6	Samuel Orido	P.O. Box 250, Nyasidi	29	Silas Mayienga	P.O. Box 5, Mutumbu
7	Ezekiel Okiah	P.O. Box 1, Mutumbu	30	Margret Okelo	P.O. Box 5, Mutumbu
8	James Orwa	P.O. Box 210, Luanda	31	Gilbert Okelo	P.O. Box 5, Mutumbu
9	George Andiego	P.O. Box 84, Yala	32	Gad Obonyo	P.O. Box 5, Mutumbu
10	Sila Otieno	P.O. Box 484, Lunda	33	Elijah Owino	P.O. Box 5, Mutumbu
11	Timothy Ochieng	P.O. Box 110, Yala	34	Cllr. Kawuor	P.O. Box 5, Mutumbu
12	John Hasero	P.O. Box 325, Sidindi	35	Julius Omulo	P.O. Box 752, Yala
13	Abuonji Wanjawa	P.O. Box 200, Yala	36	Dr. Orié Abwonji	P.O. Box 44, Ngiya
14	Johana Owiti	P.O. Box 200, Yala	37	Grace Ogot	P.O. Box 809, Yala
15	Francis Osiero	P.O. Box 224, Sawagongo	38	Jotham Oganyo	P.O. Box 15, Sawagongo
16	Samwel Ochieng	P.O. Box 519, Yala	39	Philip Odwol	P.O. Box 216, Ngiya
17	Owino Orwa	P.O. Box 27, Yala	40	Paster Hezron Sande	P.O. Box 1, Yala
18	Charles Ngala	P.O. Box 32, Yala	41	J.T. Okinda	P.O. Box 53276, Nairobi
19	Moses Okwaro	P.O. Box 534, Yala	42	Erick Aloo	P.O. Box 53276, Nairobi
20	Washington Odhiambo	P.O. Box 240, Yala	43	Ooko Osawo	P.O. Box 160, Sawagongo
21	Samson Ogola	P.O. Box 240, Yala	44	Jenipher A. Wagongo	P.O. Box 143, Sawagongo
22	Priscila Nyanjom	P.O. Box 217, Yala	45	Oluoch Paul	P.O. Box 41, Yala
23	Julius Amara	P.O. Yala	46	Domnic P. Wawdi	P.O. Box 46, Mutumbu
47	Fr. Emmanuel A. Owuor	P.O. Box 32, Yala	70	Patrick Wampedha	P.O. Box 731, Yala
48	Yahuma Okoko	P.O. Box 123, Sidindi	71	Yakob Ogola	P.O. Yala
49	George Ochieng	P.O. Box 661, Yala	72	Alfred Omondi	P.O. Box 41, Yala
50	David Okwako	P.O. Box 606, Yala	73	Amos Wabade	P.O. Box 529, Yala
51	Fred Moyi	P.O. Box 855, Yala	74	Enos Omollo	P.O. Box 29, Mutumbu
52	Amos Were	P.O. Box 20, Mutumbu	75	Ouma Onganda	P.O. Box 69, Sawagongo
53	Bernard Opwar	P.O. Box 405, Yala	76	Margaret Ogola	P.O. Box 572, Yala
54	Hassan Odhiambo	P.O. Box 855, Yala	77	Bendard Mangala	P.O. Box 342, Yala
55	Margaret Onyango	P.O. Box 855, Yala	78	Jared Ndeda	P.O. Box 160, Yala
56	Susan Maningi	P.O. Box 855, Yala	79	Fredrick Otieno	P.O. Box 84, Yala

			Livingstone		
57	Benard Agina	P.O. Box 175, Yala	80	Onyango	P.O. Box 84, Yala
58	Peter Opondo	P.O. Box 429, Yala	81	Maurice Otieno	P.O. Box 84, Yala
59	James Owidhi	P.O. Box 30, Gongong	82	Maurice Ochieng	P.O. Box 30, Yala
60	Alice Ochieng	P.O. Box 120, Sawagongo	83	Charles Omondi	P.O. Box 480, Yala
61	George Okoth	P.O. Bx 33, Sawagongo	84	John Walogunga	P.O. Box 83, Mutumbu
62	Silvanus Odeny	P.O. Box 484, Luanda	85	Sele Ger	P.O. Box 652, Yala
63	Martin Ayado	P.O. Box 49010, Nairobi	86	Evans Oluoch	P.O. Box 33, Mutumbu
64	Samuel Ogango	P.O. Box 420, Yala	87	Cornialo Nyanjom	P.O. Box 217, Yala
65	Richard Omolo	P.O. Box 825, Yala	88	Esther Bulasi	P.O. Box 240, Yala
66	Arthur Ojwang	P.O. Box 765, Yala	89	Isaiah Wagai	P.O. Box 20, Akala
67	Richard Siangla	P.O. Box 784, Yala	90	Willice Juka	P.O. Box 45, Akala
68	Henry Oloo	P.O. Box 60, Sawagongo	91	John A. Awuor	P.O. Box 41, Nyamninia
69	Peter Okumu	P.O. Box 10, Sawagongo	92	Beatrice Dooso	P.O. Box 1, Mutumbu
93	Agnes Aluso	P.O. Box 8, Mutumbu	116	Reuben Okello	P.O. Yala
94	Albert Mpulo	P.O. Box 894, Yala	117	Ignatius Omolo	P.O. Box 240, Yala
95	Josephat Ndukwe	P.O. Box 161, Mutumbu	118	Jorim Ouma	P.O. Box 28, Yala
96	Maurice Ambaya	P.O. Box 80469, Mombasa	119	Pauline Ambrose	P.O. Box 32, Yala
97	Paulina Otieno	P.O. Box 78, Yala	120	Peter Minani	P.O. Box 110, Yala
98	Michael Ogoye	P.O. Box 32, Yala	121	Oluoch Buyu	P.O. Box 7, Yala
99	Jane Oduong	P.O. Box 46, Mutumbu	122	Peter Sande	P.O. Box 31, Sawagongo
100	Margret Othol	P.O. Box 46, Mutumbu	123	Michael Weto	P.O. Box 379, Yala
101	Gabriel Odhiambo	P.O. Box 136, Sawagongo	124	John Onyango	P.O. Box 32, Yala
102	Erick Wajewa	P.O. Box 15, Sawagongo	125	Luke Wamboga	P.O. Box 894, Yala
103	John Oluoch	P.O. Box 29, Mutumbu	126	Domtilla Were	P.O. Box 601, Luanda
104	Rev. George Osodo	P.O. Box 176, Sawagongo	127	Ochiel Arwa	P.O. Box 358, Yala
105	Silvester Chaitano	P.O. Box 342, Yala	128	Joshua Gongga	P.O. Box 20, Akala
106	Michael Kegode	P.O. Box 342, Yala	129	Ezekiel Oluoch	P.O. Box 84, Yala
107	Rebecca Okiah	P.O. Box 342, Yala	130	Oyoo Opiyo	P.O. Box 32, Yala
108	Janet Oduor	P.O. Box 342, Yala	131	Apollo M. Odemba	P.O. Box 175, Yala
109	Joseph Owoko	P.O. Box 7, Yala		Pastor Moses	
			132	Omulo	P.O. Box 124, Yala
110	Andrew Pambo	P.O. Box 11, Akala	133	Rose Otieno	P.O. Box 572, Yala
111	Arthur Jaoko	P.O. Box 28, Yala	134	Linus Omira	P.O. Box 210, Yala

112	Francis Okota	P.O. Box 352, Yala	135	Benson Ombonyo	P.O. Box 27, Yala
113	Cosmas Nyayika	P.O. Box 240, Yala	136	James Oloo	P.O. Box 348, Luanda
114	Samuel Aluoch	P.O. Box 348, Luanda	137	John Onginjo	P.O. Box 751, Yala
115	Collins Okelo	P.O. Box 348, Luanda	138	John Wahonya	P.O. Box 481, Yala
139	Willice Ogada	P.O. Box 51, Mutumbu	162	Vitalis Madawo	P.O. Box 158, Luanda
140	Jenipher Wale	P.O. Box 851, Yala	163	Michael Bwoga	P.O. Box 84, Yala
141	Washington Odera	P.O. Box 16, Yala	164	Silvanus Onura	P.O. Box 110, Yala
142	William Ochilo	P.O. Box 110, Yala	165	Haraun Raringo	P.O. Box 36, Anyiko
143	Rose Ambogo	P.O. Box 240, Yala	166	Goerge Aloo	P.O. Box 35, Yala
144	Anna Obongo	P.O. Box 505, Yala	167	Mary Otieno	P.O. Box 35, Yala
145	Aggrey Ogutu	P.O. Box 523, Yala	168	Anjeline Dianga	P.O. Box 35, Yala
146	Nicholas Mudhune	P.O. Box 282, Yala	169	Leonida Odhiambo	P.O. Box 73, Sawagongo
147	Peter Weah	P.O. Box 930, Yala	170	Cllr. Samuel T. Adero	P.O. Box 899, Yala
148	Martin Sika	P.O. Box 236, Yala	171	Jacob Omondi Agina	P.O. Box 429, Yala
149	Wellington Wandiga	P.O. Box 236, Yala	172	Stephen Wasonga	P.O. Box 416, Yala
150	Joseph Odialla	P.O. Box 661, Yala	173	Opiyo Opiyo	P.O. Box 28, Yala
151	Joseph Kado	P.O. Box 39, Yala	174	Sospheter Atito	P.O. Box 28, Yala
152	Francis Demba	P.O. Box 139, Yala	175	Opalo Manus	P.O. Box 158, Luanda
153	J.O. Ojing	P.O. Box 330, Yala	176	Boniface Ouda	P.O. Box 32, Yala
154	Zedekiah Opilu	P.O. Box 27, Yala	177	Margret Okota	P.O. Box 490, Yala
155	Elisha Aluoch	P.O. Box 348, Luanda	178	Leonard Mbola	P.O. Box 110, Yala
156	Ambogo Dulo	P.O. Box 110, Yala	179	Camlus Oudo	P.O. Box 294, Yala
157	Ougo Samuel	P.O. Box 438, Yala	180	Naboth Kasanya	P.O. Box 83, Mutumbu
158	Amborose Meso	P.O. Box 387, Yala	181	James Atieno	P.O. Yala
159	James Oriedi	P.O. Box 166, Yala	182	Robert Oketch	P.O. Box 82, Yala
160	K. Ambogo	P.O. Box 210, Yala	183	Johanes Onyango	P.O. Box 82, Yala
161	Paul W. Washindo	P.O. Box 339, Yala	184	Cllr. Bendard Oywa	P.O. Box 899, Yala
185	Alfred Okello	P.O. Box 7, Yala	204	Maurice Ofwenje	P.O. Box 753, Yala
186	Zachary Akothe	P.O. Box 319, Yala	205	Joseph Owilo	P.O. Box 41, Yala
187	Albert Juma	P.O. Box 747, Yala	206	Peter Okoth	P.O. Box 32, Yala
188	Otieno Apuga	P.O. Box 28, Yala	207	William Ondeso	P.O. Box 604, Yala
189	Joseph Oponyo	P.O. Box 598, Yala	208	Joseph Otieno	P.O. Box 141, Yala
190	Mathias Apudo	P.O. Box 276, Yala	209	Benard Abungu	P.O. Yala
191	Alfred Okello	P.O. Box 119, Yala	210	Washington Obel	P.O. Box 110, Yala
192	Barack Ochieng	P.O. Box 28, Yala	211	Aginal. Ramlus	P.O. Box 130, Yala
193	Rose Okumu	P.O. Box 753, Yala	212	Andrew Pambo	P.O. Box 130, Yala
194	Joseph Ondunga	P.O. Box 928, Yala	213	Naboth Odera	P.O. Box 83, Mutumbu
195	George Odhiambo	P.O. Box 185, Yala	214	William O. Onyango	P.O. Box 429, Yala

196	Mary Achola	P.O. Box 153, Yala	215	Jared Otieno	P.O. Box 72, Yala
197	James Omondi	P.O. Box 15, Mutumbu	216	Edward Oloo	P.O. Box 210, Yala
198	Robert Owego	P.O. Box 28, Yala	217	Maurice Otieno	P.O. Box 32, Yala
199	Christopher Ogwayo	P.O. Box 35, Yala	218	Jared Omondi	P.O. Box 522, Luanda
200	Vitalis Nyakaye	P.O. Box 449, Yala	219	E. Otieno	P.O. Box 348, Luanda
201	Timothy Odongo	P.O. Box 28, Yala	220	Aggrey Ogutu	P.O. Yala
202	Beatrice Amolo	P.O. Box 626, Yala	221	Agatha Opondo	P.O. Yala
203	Peter Oloo Opondo	P.O. Box 429, Yala	222	Rebecca Akelo	P.O. Box 867, Yala
			223	Jane Awuor	P.O. Box 867, Yala

WAGAI PRIMARY SCHOOL

No.	Name	Address	No.	Name	Address
1	Owino Ajuala Fredrick	P.O. Box 93, Sawagongo	24	Gordon Odera	P.O. Box 108, Sawagongo
2	Fredrick Okoth Adhola	P.O. Box 151, Ngiya	25	Julius Otieno	P.O. Box 222, Ngiya
3	Fredrick Osanya Ogalo	P.O. Box 37, Sawagongo	26	Jacob O. Oyombi	P.O. Box 216, Ngiya
4	George Okoth	P.O. Box 33, Sawagongo	27	James A. Odhiambo	P.O. Box 10, Ngiya
5	Pricillar Nyanjom	P.O. Box 271, Yala	28	Luke Otieno Namboge	P.O. Box 894, Yala
6	Vitalis Chando	P.O. Box 220, Ngiya	29	Boaz Migeru	P.O. Box 73, Sawagongo
7	Gilbert Ogol Adipo	P.O. Box 148, Sawagongo	30	Walter N. Olando	P.O. Box 3330, Ngiya
8	Horace Odhiambo	P.O. Box 20, Akala	31	Noah Otieno	P.O. Box 66, Sawagongo
9	Maurice Ogweno	P.O. Box 83, Siaya	32	Jackline Atieno	P.O. Box 66, Sawagongo
10	George Onyango	P.O. Box 312, Ngiya	33	Bethar Aoko	P.O. Box 66, Sawagongo
11	Elias Owala	P.O. Box 68, Sawagongo	34	Vitalis Ouma	P.O. Box 130, Sawagongo
12	Geoffrey Nseka	P.O. Box 26, Maseno	35	Owuor M. Michael	P.O. Box 20, Akala
13	Eunice Waithera	P.O. Box 26, Maseno	36	W.H. Haga Obare	P.O. Box 122, Ngiya
14	Kenneth Otieno	P.O. Box 26, Maseno	37	Naftali O. Ababoyo	P.O. Box 125, Ngiya
15	Collins Odhiambo	P.O. Box 26, Maseno	38	Antonu J. Oketch	P.O. Box 159, Sawagongo
16	Leice Achieng	P.O. Box 26, Maseno	39	George Otieno	P.O. Box 158, Luanda
17	Charles Odhiambo	P.O. Box 26, Maseno	40	Vitalis Osure	P.O. Box 220, Ngiya
18	Alex Otieno	P.O. Box 26, Maseno	41	Ogara Were	P.O. Box 220, Ngiya
19	Agatha Okwaro	P.O. Box 26, Maseno	42	Phamuel O. Osadho	P.O. Box 68, Sawagongo
20	Bernard Oyoka	P.O. Box 26, Maseno	43	Ombija Peter	P.O. Box 247, Sawagongo
21	Dorothy Onwango	P.O. Box 26, Maseno	44	Gabriel Opembi	P.O. Box 220, Ngiya

22	Dolphine Migingo	P.O. Box 355, Ngiya	45	Silas Mayienga	P.O. Box 5, Mutumbu
23	Keffa Onginjo Sewe	P.O. Box 93, Ngiya	46	Elizabeth Ondiwo	P.O. Box 18, Ojola
47	Wilis Joka	P.O. Box 45, Akala	70	Mary Okello	P.O. Box 15, Ngiya
48	James Akatch	P.O. Box 45, Akala	71	Charles Onyimbo	P.O.Box 151, Ngiya
49	William Olale	P.O. Box 121, Akala	72	Lydia Achieng	P.O. Box 68, Wagai
50	Gadi Obonyo	P.O. Box 5, Mutumbu	73	Aluoch margaret	P.O. Box 12, Sawagongo
51	Rev. George Osodo	P.O. Box 5, Mutumbu	74	Peter Omollo	P.O. Box 68, Wagai
52	Fred Minuda Owuor	P.O. Box 5, Mutumbu	75	AmesoOrinda	P.O. Box 216, Ngiya
53	Willis Jukya	P.O. Box 5, Mutumbu	76	Joseph Omondi	P.O.Box 115, Ngiya
54	Hon. Grace Ogot	P.O. Box 68, Yala	77	Shadrack Owiny	P.O. Box 68, Sawagongo
55	George Orie Abuonji	P.O. Box 5, Mutumbu	78	Silvester Opondo	P.O. Box 68, Sawagongo
56	Margaret Okello	P.O. Box 5, Mutumbu	79	Susan Demba	P.O. Box 7, Siaya
57	Joshua D. Andhoga	P.O. Box 5, Mutumbu	80	Philip Oduor	P.O. Box 216, Ngiya
58	Apollo M. Odamba	P.O. Box 175, Yala	81	Domtila Odinga	P.O. Box 216, Ngiya
59	Samson O. Oloo	P.O. Box 100, Ngiya	82	Jennipher Odiyo	P.O. Box 68, Wagai
60	Joseph Asuna	P.O. Box 220, Ngiya	83	Mary Aluoch	P.O. Box 68, Wagai
61	GraceOmino	P.O. Box 21, Akala	84	Aloice Owino	P.O. Box 68, Wagai
62	Qucer Obunga	P.O. Box 94, Akala	85	James Owiti	P.O. Box 155, Ngiya
63	Antony Ouma	P.O. Box 42, Akala	86	Jacob Alando	P.O. Box 93, Ngiya
64	Alphred O. Oriedi	P.O. Box 164, Ngiya	87	Maurice Ochieng	P.O. Box 68, Sawagongo
65	Albert W. Ombogo	P.O. Sirembe	88	Alice Achieng	P.O. Box 120, Sawagongo
66	Cosmas Ndiege	P.O. Box 39, Akala	89	Joshua Suji Adino	P.O. Box 124, Akala
67	Maurice Agumba	P.O. Box 52, Ngiya	90	Ajwang Nyawara	P.O. Box 150, Ngiya
68	Rasto Mbeda	P.O. Box 121, Akala	91	Dickson Odera	P.O. Box 312, Ngiya
69	Charles Odhiambo	P.O. Box 102, Ngiya	92	Jane Otieno	P.O. Box 100, Sawagongo
93	Dan O. Yugi	P.O. Box 73, Sawagongo	116	Edward O. Opondo	P.O. Box 126, Ngiya
94	Leunida Odhiambo	P.O. Box 73, Sawagongo	117	Richard O. Aduol	P.O. Box 73, Luanda
95	Thomas Ogawo	P.O. Box 73, Sawagongo	118	Victoria Opondo	P.O. Box 145, Ngiya
96	Millicent Awuor	P.O. Box 73, Sawagongo	119	Jackson O. Okumu	P.O. Box 145, Akala
97	Joseph Oreche	P.O. Box 100, Sawagongo	120	Musa Onyango	P.O. Box 220, Ngiya
98	George Gwara	P.O. Box 124, Akala	121	Everline Awiti Oloo	P.O. Box 1981, Kisumu
99	Dickson O. Obita	P.O. Box 222, Ngiya	122	Celestine Apiyo	P.O. Box 1981, Kisumu
100	Josiah Aduol	N/A	123	James Sijeni	P.O. Box 220, Ngiya
101	Francis Okoth	P.O. Box 352, Yala	124	Jemima R. Onger	P.O. Box 1981, Kisumu

102	Nelson Owiti	P.O. Sawagongo	125	Veronica O. Oluoch	P.O. Box 1981, Kisumu
103	Ochieng Sombe	P.O. Box 142, Akala	126	Getrude Abonyo	P.O. Box 1981, Kisumu
104	Maurice Obonyo	P.O. Box 355, Ngiya	127	Truphena Ogembo	P.O. Box 1981, Kisumu
105	Jacob O. Omondi	P.O. Box 355, Ngiya	128	Jackline Odhiambo	P.O. Box 1981, Kisumu
106	Meshack Wayodi	P.O. Box 68, Sawagongo	129	Maureen Nyagaya	P.O. Box 1981, Kisumu
107	Adricus Nyosro	P.O. Box 27, Ndini	130	Irene Okoth	P.O. Box 220, Ngiya
108	Alphred Ogolla	P.O. Box 86, Aluor	131	Ruth Aswew	P.O. Box 1981, Kisumu
109	Martin Ochieng	P.O. Box 68, Sawagongo	132	Brenda Jackiline	P.O. Box 1981, Kisumu
110	Johnam Opiyo	P.O. Box 120, Sawagongo	133	Jackline Odhuno	P.O. Box 1981, Kisumu
111	Samuel Odhiambo	P.O. Box 120, Sawagongo	134	Maureen Oyoo	P.O. Box 1981, Kisumu
112	Hillary Onyango	P.O. Box 120, Sawagongo	135	Iddah Were	P.O. Box 1981, Kisumu
113	Wilson Otieno	P.O. Box 93, Ngiya	136	Edna Otieno	P.O. Box 1981, Kisumu
114	Arthur Otieno	P.O. Box 100, Sawagongo	137	Macrene Akumu	P.O. Box 220, Ngiya
115	Erick Odhiambo	P.O. Box 45, Akala	138	Trezer Amolo	P.O. Box 1981, Kisumu
139	Mary Kokwaro	P.O. Box 1981, Kisumu	163	Stephen Nyakombo	P.O. Box 124, Akala
140	Annette Saping	P.O. Box 1981, Kisumu	164	Bako Okumba	P.O.Box 45, Akala
141	Susan Kahandria	P.O. Box 1981, Kisumu	165	Oting Joseph	P.O. Box 74, Ngiya
142	Roseline Juma	P.O. Box 1981, Kisumu	166	Gladys Ombonya	P.O. Box 304, Ngiya
143	Loise Apala	P.O. Box 1981, Kisumu	167	George Ochieng	P.O. Box 304, Ngiya
144	Caroline Otieno	P.O. Box 1981, Kisumu	168	Lilian Achieng	P.O. Box 304, Ngiya
145	Alice Ajode	P.O. Box 1981, Kisumu	169	Fredrick Samo	P.O. Box 337, Ngiya
146	Sara Oduor	P.O. Box 1981, Kisumu	170	Denis Odhiambo	P.O. Box 304, Ngiya
147	Hellen Osefu	P.O. Box 1981, Kisumu	171	Roselyne Odegi	P.O. Box 155, Ngiya
148	Brenda Oyamo	P.O. Box 1981, Kisumu	172	Henry Mola	P.O. Box 74, Ngiya
149	Elizabeth Okoth	P.O. Box 1981, Kisumu	173	Joseph Madara	P.O. Box 125, Ngiya
150	Emy Geteen	P.O. Box 1981, Kisumu	174	Pascal Oduor	P.O. Box 100, Sawagongo
151	Beldina Achola	P.O. Box 1981, Kisumu	175	Peter Sande	P.O. Box 31, Sawagongo
152	Everline Obara	P.O. Box 1981, Kisumu	176	Samuel Oketch	P.O. Box 49, Sawagongo
153	Dolorse Ojwando	P.O. Box 1981, Kisumu	177	Petronala Okaka	P.O. Box 151, Ngiya
154	Sarah Owaga	P.O. Box 1981, Kisumu	178	Tallo George	P.O. Box 1981, Kisumu
155	Millicent Owuor	P.O. Box 1981, Kisumu	179	Vitalis Were A.	P.O. Box 151, Ngiya

156	Beatrice Odhiambo	P.O. Box 1981, Kisumu	180	Joseph Nyamwanga	P.O. Box 68, Sawagongo
157	Zipporah Oweno	P.O. Box 1981, Kisumu	181	Naftali O. Owuor	P.O. Sawagongo
158	Dorsila Ongwela	P.O. Box 1981, Kisumu	182	Solomon D. Abwonji	P.O. Box 47, Akalla
159	Perez Odongo	P.O. Box 1981, Kisumu	183	Robert Mbigi Odero	P.O. Box 222, Ngiya
160	Everline Ondeng	P.O. Box 1981, Kisumu	184	Samson Omogo	P.O. Box 53, Ngiya
161	Mary Namboki	P.O. Box 1981, Kisumu	185	Susan Demba	P.O. Box 7, Siaya
162	Beatrice Owiti	P.O. Box 1981, Kisumu	186	Grison O. Obunde	P.O. Box 124, Akala
187	Nelson Owuor Sarwa	P.O. Box 304, Ngiya	192	Mary Atito	P.O. Box 151, Sawagongo
188	Joseph Ngera Serwa	P.O. Box 44, Sawagongo	193	Norbet Were	P.O. Akala
189	Dorothy Obenge	P.O. Box 1981, Kisumu	194	George Otin	P.O. Box 21, Akala
190	Patricia Apoli	P.O. Box 1024, Sawagongo	195	Wellington Omiti	P.O. Box 220 Ngiya
191	Dorothy Achieng	P.O. Box 17, Sawagongo	196	Margaret Rotaji	

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1. DISTRICT CONTEXT

Kaspul-Kabondo Constituency is a constituency in Rachuonyo District. Rachuonyo District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	145,793	161,333	307,126
Total District Population Aged 18 years & Below	89,966	87,244	177,210
Total District Population Aged Above 18 years	55,827	74,089	129,916
Population Density (persons/Km ²)	325		

1.2 Socio-Economic Profile

Rachuonyo District:

- Is the 5th most densely populated district in the province;
- Has a primary school enrolment rate of 72.8%, being ranked 8th in the province and 32 nationally;
- Has a secondary school enrolment rate of 17.4%, being ranked 7th in the province and 39th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, measles, intestinal worms, and HIV/AIDS; and
- Resident's economic mainstay is peasant farming, fishing and mine construction.

Rachuonyo district has 2 constituencies: Kasipul Kabondo, and Karachuonyo constituencies. The district's 2 MPs each cover on average an area of 473 Km² to reach 153,563 constituents. This is an opposition stronghold. In the 1997 general elections, both the parliamentary seats were won by NDP.

2. CONSTITUENCY PROFILE

2.1. Electioneering and Political Information

This is an opposition party stronghold. In the 1992 and 1997 general election, FORD-K and NDP won the parliamentary seat with 98.83% and 82.86% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.2. 1992 General Election Results

1992 TOTAL REGISTERED			44,055
CANDIDATE	PARTY	VOTES	% VALID VOTES
Otieno K`Opiyo	FORD-K	30618	98.83

Auma Kapere	KANU	362	1.17
Josiah O.Mbori	DP	-	0.00
Charles Ayako	FORD-K		0.00
Total Valid Votes		30980	100.00
Total Votes Cast		30,980	
% Turnout		70.32	

2.3. 1997 General Election Results

1997 TOTAL REGISTERED			52,552
CANDIDATE	PARTY	VOTES	% VALID VOTES
William Oloo Otula	NDP	31,746	82.86
Peter Otieno Owidi	KANU	4,984	13.01
Otieno K'Opiyo	SDP	1,582	4.13
Total Valid votes		38,312	100.00
Rejected Votes		348	
Total Votes Cast		38,660	
% Turnout		106.58%	
% Rejected/Cast		0.90%	

2.4. Main Problems

- Lacks adequate piped water;
- Poverty;
- Schools are ill-equipped; and
- The health facilities are wanting.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 4th January 2002 and 6th June 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and constitution making process
- Constitution of Kenya
- Structures and systems of government
- Emerging constitutional issues
- Practice of governance
- Constitutional review process
- Democracy and democratization
- Political parties
- Governance
- Basic rights
- Local government
- Citizenship
- Natural resources
- Legislature
- Judiciary
- Constitutional commissions and offices
- Land and property rights
- Succession and transfer of power
- Environment and natural resources
- Electoral system and processes
- Citizenship

5. CONSTITUENCY PUBLIC HEARINGS

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- b) Date(s): 14th and 17th June 2002
- c) Total Number of Days: 2

2. Venue

- d) Number of Venues: 2
- e) Venue(s):
 - 1. Agoro Sare High School
 - 2. Wanga Apala Secondary School

3. Panels

- a. Commissioners
 - 1. Com. Abubakar Zein Abubakar
 - 2. Com. Bishop Bernard Njoroge Kariuki
 - 3. Com. Phoebe Asiyo

- b. **Secretariat**

- 1. Evelyn Oballa - Programme Officer
- 2. Yvonne Masinde - Assistant Programme Officer
- 3. Vivian Muli - Verbatim Recorder
- 4. James Awino - District Co-ordinator

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		130
Sex	Male	116
	Female	14
Presenter Type	Individual	102
	Institutions	28

Category	Details	Number
Educational Background	Primary Level	24
	Secondary/High School Level	61
	College	14
	University	25
	None	6
	Oral	77
	Written	14
	Oral + Memoranda	10
	Oral + Written	29

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Kasipul Kabondo 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 in the constitution. (10)
- The national vision in the preamble should be to build and promote a democratic society with a healthy and informed citizenship regardless of colour or creed.
- The preamble should reflect Kenya's history clearly.
- The common experience that should be reflected in our constitution should be the fight for uhuru, national reconciliation and respect for human rights.
- The preamble should express the national philosophy of Kenyans
- The preamble should emphasize the need for national unity in Kenya
- The preamble should emphasize the need for upholding democracy in Kenya
- The preamble should emphasize the need for upholding Kenyan socialism and spirit of harambee
- The preamble should spell out the broad socio-economic values of the Kenyan state.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- We should have statements capturing national philosophy and guiding principles in our constitution. (3)
- The constitution should provide for the separation of the three arms of the government.
- The democratic principles to be included in the constitution should be liberty, equality and economic prosperity.
- The democratic principles to be included in the constitution should be equality in all aspects of life, provision for equal job opportunities and dignity for all people.
- The constitution should provide that Kenya shall always be a democratic state
- Values to be included in the constitution should be respect, integrity, transparency and accountability.
- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans
- The new constitution should ensure that the will of the people should be supreme.
- Law should not enforce directive principles.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The procedure of parliament to amend any part of the constitution by 65% majority should be retained. (2)
- Any constitutional amendments by parliament should be approved by 90% majority vote.

- Parliaments power to amend the constitution should be limited.
- The constitution should provide parliament with power to amend the constitutional
- Parts of the constitution that should be beyond amending powers of parliament should be; parts affecting good governance, parts that favor sitting MPs.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (7)
- The constitution should provide that a constitutional amendment shall only be through a public referendum with 65% votes
- The constitution should provide for a constitutional amendment every 30 years
- The electoral commission should conduct the public referendums. (2)
- Referendums should be conducted by a commission instituted by an act of parliament composing of church ministers, NGOs, specified groups, political parties or provincial administration,

5.3.4. **CITIZENSHIP**

- The constitution should confer to all persons born of at least one Kenyan parent automatic citizenship (3)
- The constitution should confer to all persons born of in Kenyan automatic citizenship (3)
- The constitution should confer automatic citizenship on naturalization (2)
- The constitution should provide that Kenyan citizenship should also be acquired through registration (3)
- The constitution should provide that Kenyan citizenship should be acquired through adoption.
- The constitution should provide that foreigners who own land and wish to become Kenyan citizens should be given citizenship.
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender. (6)
- The constitution should not confer citizenship to spouses of Kenyans.
- A child born of one Kenyan parent should be automatic citizen. (6)
- The constitution should provide that Kenyans should have a right to vote.
- The constitution should provide that rights and obligations of citizenship should not be dependant on the manner of acquiring citizenship.
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship. (4)
- Documentation that Kenyans should carry as proof of citizenship should be national ID. (7)
- Documentation that Kenyans should carry as proof of citizenship should be birth certificates. (3)
- Documentation that Kenyans should carry as proof of citizenship should be passports. (4)

5.3.5. **DEFENCE AND NATIONAL SECURITY**

- The constitution should establish should establish a disciplined force. (2)
- The constitution should provide that a court marshal should be established to discipline forces. (4)

- The constitution should provide that the president should be the Commander in Chief of the armed forces. (4)
- The constitution should provide that the president should not be the Commander in Chief of the Armed Forces. (4)
- The constitution should provide that the chief of the military should be the Commander in Chief of the armed forces.
- The constitution should provide that the executive should not have the power to declare war. (2)
- The constitution should provide that the executive should have power to declare war. (2)
- The power to invoke emergency powers should be vested in a supreme defence council.
- The president should have power to declare state of emergency.
- Parliament should debate upon the budget incurred during emergency.

5.3.6. **POLITICAL PARTIES**

- The constitution should provide that political parties should have other roles like conduct civic education.
- Political parties should participate in disaster and epidemics.
- Other roles that the political parties should play include economic empowerment and education for national unity.
- Political parties should play the role in monitoring and implementation of all development projects.
- The constitution should regulate formation, management and conduct of political parties. (9)
- The constitution should limit the number of political parties in the country to 2
- The constitution should limit the number of political parties in the country to 3 (8)
- The constitution should limit the number of political parties in the country to 5 (3)
- The constitution should limit the number of political parties in the country to 12
- The constitution should not limit the number of political parties (3)
- The constitution should provide that the government funds political parties (5)
- The constitution should provide that political parties shall not be funded from public funds
- The constitution should provide that political parties should be funded from public funds. (5)
- The constitution should provide that for political parties to be financed they must prove they are transparent and accountable and should have a national outlook.
- The constitution should provide that the state and political parties should work as partners for development of their nation.
- The constitution should provide that the state and political parties should have a cordial relationship aimed at national good.
- The state and political parties should regard each other as equal partners.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should retain the presidential system of government.

- A parliamentary system of government should be adopted. (13)
- The prime minister should be the head of government. (7)
- The constitution should provide that the prime minister should be an executive post. (3)
- The president should be the head of state. (6)
- The constitution should provide that the president should be a ceremonial president. (9)
- The constitution should provide that we should adopt a hybrid system of government where there is a prime minister and power is shared out.
- The prime minister should appoint cabinet ministers, sign bills before they become law and appoint senior parastatal heads.
- The constitution should provide that a unitary government should be retained. (7)
- The constitution should provide that a unitary system of government should not be retained. (3)
- The constitution should not provide for a federal system of government
- The constitution should provide for a parliamentary system of government
- The constitution should provide more powers should be devolved to local authorities. (5)
- The constitution should provide authority should be split between the central government and regions as districts and other lower units.
- The constitution should provide provinces should have their own powers in the form of regions but under the central government.
- The constitution should provide that vice president be elected by the people (4)
- The constitution should provide that the Vice-president be a running mate of the President.
- The constitution should provide that the Attorney General should be an ex- official member of the national assembly.
- The constitution should provide that the Attorney's powers to terminate cases should cease.

5.3.8. **THE LEGISLATURE**

- The constitution should provide that parliament should vet all appointments of ambassadors, head of parastatals and permanent secretaries. (3)
- The constitution should provide that parliament should vet appointments of all constitutional office bearers, diplomats, heads of corporation and government departments.
- The constitution should provide all presidential appointments should be vetted by parliament. (3)
- The constitution should provide that parliament should vet all ministerial appointments.
- The constitution should provide that the parliament should have powers to dissolve the council.
- The constitution should provide functions of the parliament be expanded. (4)
- The constitution should provide that parliament should have unlimited power to control its own procedure. (5)
- The constitution should provide that being an MP should be a full time occupation. (7)
- The constitution should provide that being an Mp should be a part time job.
- The constitution should provide the voting age should be 18 years. (3)
- The constitution should provide that the voting age should be lowered to 16 years.
- The constitution should provide that the presidential candidate should be between 30- 75 years.

- The constitution should provide the age requirement for the president should be 35 years. (3)
- The constitution should provide that the president must be between 35-70 years of age.
- The constitution should provide a parliamentary candidate should be over 18 years.
- The constitution should provide that the minimum age for a parliamentary candidate should be 40 years.
- The constitution should provide language tests for parliamentary candidates should be sufficient.
- The constitution should provide that the parliamentary candidates must be university graduates. (3)
- The constitution should provide that moral and ethical qualifications should be introduced for parliamentary candidates. (9)
- The constitution should give voters the mandate to recall non-performing members of parliament. (9)
- The constitution should provide that MPs should have the freedom to act on conscience and conviction or instruction from their constituents and parties.
- The constitution should provide that an independent body should determine the MPs salaries. (4)
- The constitution should provide that a parliamentary commission should determine salaries of Mps and their benefits.
- The constitution should provide the people should determine the MPs salaries.
- The constitution should provide that the parliamentary service commission should determine salaries and benefits of Mps. (3)
- The constitution should debar parliament from legislating their own remuneration
- The constitution should provide that salaries of Members of parliament be reduced (3)
- The constitution should retain the concept of nominated MPs. (13)
- The constitution should do away with the concept of nominated MPs.
- The constitution should increase women participation in parliament. (4)
- The constitution should provide that the parliamentarians should adhere to the powers, rules and regulations of the sponsoring party.
- The constitution should permit a coalition government. (5)
- The constitution should allow multiparty representation at all levels of the government.
- The constitution should provide for a bicameral parliamentary system, the upper house and lower house. (7)
- The constitution should provide that we should retain a one chamber in parliament. (3)
- The constitution should provide that parliament should have power to remove the president through a vote of no confidence. (5)
- The constitution should provide that the [president should have power to veto legislation passed by parliament. (2)
- The constitution should provide that the president should not have power to veto legislation passed by parliament.
- The constitution should provide that the legislature should have power to override the president's veto.
- The president should have power to dissolve parliament.
- The constitution should provide that the president should not have powers to dissolve parliament.
- The constitution should provide that parliamentary elections should be staggered.
- The constitution should provide that MPs should have constituency offices to deal with the

local peoples problems.

5.3.9. **THE EXECUTIVE**

- The constitution should specify that the President should be a degree holder. (6)
- The constitution should specify that the president should be married and of sound financial background.
- The presidential tenure should be fixed to two terms of 5 years each. (5)
- The functions of the president should be defined in the constitution. (8)
- The constitution should limit the powers of the president. (10)
- The constitution should provide that the president be subject to the law
- The constitution should provide for the removal of the president due to misconduct. (6)
- The constitution should provide a code of conduct for the President
- The constitution should provide that the parliament and the president should be independent.
- The constitution should provide that the relationship between the president and the parliament should be cordial.
- The constitution should provide that the president should not be a member of parliament. (6)
- The constitution should provide that the president be an MP
- The constitution should provide that the post of district officers should be abolished.
- The constitution should provide that the provincial administration be scrapped (6)
- The constitution should provide that the people should elect chiefs and Assistant chiefs. (7)
- The constitution should provide that the constitution should retain provincial administration.
- The constitution should provide that chiefs and assistant chiefs should be transferable.
- The constitution should provide for the re-enactment of the chiefs act
- The constitution should provide that village elders replace chiefs and be given
- The constitution should provide for the remuneration of clan elders
- The constitution should provide for a limit on the number of ministries to only 15
- The constitution should provide that the number of ministries should be 10 with 10 permanent secretaries.
- The constitution should provide that the ministry of agriculture should be abolished.
- The constitution should provide that the post of assistant ministers should be abolished.

5.3.10. **THE JUDICIARY.**

- The present judicial structure is adequate. (6)
- The constitution should provide for a supreme court (5)
- The constitution should establish constitutional court. (4)
- The constitution should provide that the chief justice should be appointed by the court of appeal judges
- The constitution should provide that an independent commission should appoint the judicial officers.
- The constitution should provide that the judicial service commission should do judicial appointments. (4)
- The constitution should provide that judicial officers be appointed by parliament

- The constitution should provide that judicial officers should have a minimum degree. 3)
- The constitution should provide that the chief justice be non-partisan
- The constitution should provide for a code of conduct for magistrates.
- The constitution should provide that judges should enjoy security of tenure.
- The constitution should provide that judges should retire at the age of 74 years. (3)
- The constitution should provide that disciplining of judicial officers should be done by the judicial commission.
- The constitution should provide that judges should be removed from office through a recommendation by the judicial service commission.
- The constitution should provide that the chief Kadhi should not be the Muslim spokesman.
- The constitution should provide that the Kadhis should have good knowledge of Quaran and must have high education level.
- The constitution should provide that the Kadhi should have similar instructions like all magistrates and judges.
- The constitution should provide that the chief Kadhis court should have appellate jurisdictions.
- The constitution should provide that not all-judicial power should be vested in the courts.
- The constitution should provide that judicial powers of the state should be vested exclusively in courts.
- The constitution should provide that there should be an easy access to the courts of law. (2)
- The constitution should provide that Kenyans should have a constitutional right to legal aid. (4)
- The constitution should provide for a reduction in legal fees
- The constitution should provide that the judiciary should not review the laws made by the legislature.
- The constitution should provide for council of elders.

5.3.11. **LOCAL GOVERNMENT**

- The constitution should provide that the mayors and council chairmen should be elected directly by people (12)
- The constitution should provide that the mayor and council chairmen should serve for 5 years. (5)
- The local government should continue to serve under the central government. (4)
- The local authority should be autonomous form the central government. 3)
- The constitution should provide that the minimum qualification for councilors should be O-level certificate. (10)
- The constitution should provide that the minimum education qualification for councilors should be standard eight.
- The constitution should provide that language tests for councilors should not be applied. (4)
- The constitution should provide that moral and ethical qualification for local authority should be introduced. (6)
- The constitution should provide that the electorate should have power to recall councilors. (4)
- The constitution should provide that parliament should have a right to determine the

remuneration of councilors. (5)

- The constitution should retain nominated councilors. (11)
- The constitution should abolish the concept of nominated MPs. (2)
- The councilors should adhere to the policies, rules and regulations of the sponsoring party.
- The minister for local government should dissolve council.
- The president and Minister for local government should not have the power to dissolve the councils. (3)
- The constitution should provide for local authorities to be dissolved by parliament

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that the representative electorate system should be practiced.
- A simple majority should elect the president. (5)
- The electoral process should not favor gender but the better candidate in the elections.
- Constitution provides that the minimum % of voters an MP should garner to be a winner should be 50%.
- The constitution should provide that candidates should be allowed to seek nomination from another party if he/she has failed to be nominated from the original party. (3)
- A candidate who has defected should seek fresh mandate from the electorate.
- The constitution should provide that 25% representation from 5 provinces should be retained. (4)
- The constitution should have reserved seats for specific interest groups.
- The constitution should not reserve any seats for the specific interest groups.
- The current geographical constituency should be replaced by one based on population.

- The current geographical constituencies system should be retained.
- The constitution should provide for the subdivision of constituencies which are too big
- Demarcation of constituencies and offices should be done with consideration of the population size.
- The new constitution should review constituency and ward boundaries with the aim of ensuring equal representation.
- The constitution should provide that the civic, parliamentary and presidential election should be held simultaneously. (3)
- The constitution should provide that civic, parliamentary and presidential elections should not be held simultaneously.
- The constitution should provide for a ceiling of election expenditures
- The constitution should disallow defectors from vying for a seat on the new party
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide that the date for general election be made known to the public
- The election date should be specified in the new constitution (5)
- The presidential elections should be done directly by the electorate.
- The president should be elected directly by the people. (5)
- The 2002 election should be conducted under the new constitution.

- The electoral commissioners should be learned persons of unquestionable character.
- Each political party should elect the electoral commissioners. (2)
- The executive should appoint the electoral commissioners.
- The chief justice should appoint the electoral commissioners.
- The electoral commission should be in office for 8 months.
- The treasury should fund the electoral commission.
- The constitution should provide for 12 electoral commissioners.
- The constitution should provide that we should have 9 electoral commissioners elected from each province,
- The constitution should provide that votes should be counted at the polling station. (5)

5.3.13. **BASIC RIGHTS**

- Our constitutional provision for fundamental rights is not adequate. (5)
- The constitution should limit freedom of worship
- Freedom of worship should be entrenched in the constitution.(5)
- The constitution should limit freedom of worship to worship for SDAs by declaring Saturday a holy day
- Economic, social and cultural rights should be entrenched in the constitution. (4)
- The constitution should guarantee that suspects are compensated for unlawful confinement
- The right to a fair hearing should be entrenched in the constitution.
- The constitution should abolish the death penalty (6)
- The constitution should retain death penalty
- The constitution should protect all the basic rights for all citizens. (3)
- The parliament should have the responsibility of ensuring all Kenyans enjoy the basic rights.
- The government should ensure that all Kenyans enjoy the basic rights. (2)
- The constitution should guarantee security as a basic right. (2)
- A health policy on free and fair health provision should be addressed in the constitution.
- The constitution should provide for free medical check up for AIDS
- Free medical services for all Kenyans (6)
- The constitution should provide for lower mortuary fees
- The constitution should provide for free water and electricity
- The constitution should provide for free and compulsory education (6)
- The constitution should guarantee shelter for all Kenyans.
- The constitution should provide for free low cost housing for all Kenyans
- The Government should have a clear food policy
- Salaries and wages of employees should be reviewed and the constitution should guarantee a minimum wage.
- The constitution should provide one man one job.
- Retirement age should be extended to 60 years.
- The constitution should guarantee a right of employment for all Kenyans.
- Retirement and pension schemes should be restructured so that when an employee dies machinery is in place to ensure expeditions of their funds.
- The constitution should provide a special scheme for retired employees.
- The constitution should provide free and compulsory primary education. (7)

- The constitution should provide free and compulsory education up to secondary school level. (6)
- The constitution should provide for university students to get government scholarships (6)
- Kenyans should have the right to access information in possession of the state. (6)
- The constitution should provide freedom for all workers to have trade union representations
- The constitution should provide that all workers in hardship areas be given hardship allowances

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The interests of women are not fully guaranteed in the constitution. (3)
- The constitution should provide for a four month maternity leave for women
- The interests of people with disabilities are not fully taken care of.
- The constitution should provide that there should be facilities at working places including all working aid be made appropriate for the use of persons with disability.
- The constitution should protect the rights of people with disabilities.
- The constitution should debar police from torturing prisoners
- The constitution should provide for a 1/3 presentation of the disabled in all constitutional offices
- The constitution should allow for brail voting cards to allow the blind to vote
- The disabled persons should not be discriminated against at work places.
- The constitution should provide for government rehabilitation and education of street children.
- The constitution should provide for affirmative action in favour of widows and orphans
- The constitution should allow for affirmative action in favour of women
- The constitution should not allow for affirmative action in favour of women
- The constitution should provide for affirmative action in favour of the disabled
- The constitution should provide for affirmative action in favour of the deaf
- The constitution should provide for the establishment of a national fund for the disabled
- The constitution should provide for the disabled persons to import gadgets duty free
- The constitution should provide for more schools for the disabled
- The constitution should make provision for sign language services for the deaf
- The constitution should provide for orphans to obtain school bursaries
- The constitution should guarantee and protect the interests of child orphans with respect to basic needs. (5)
- The constitution should provide for creation of more homes for orphaned children
- The constitution should protect children from child neglect.
- The constitution should protect children from forced labor. (5)
- The rights of children should be guaranteed in the constitution. (2)
- The constitution should provide for strict penalties for parents allowing marriage of underage girls
- The aged people of the society should be taken care of by the government
- The widows should be protected from harassment by in-laws.
- The new constitution should ensure at least a third of all constitutional appointments are women.
- The constitution should make affirmative action for minority groups. (5)

- The constitution should provide for the government to taken care of old citizens
- The constitution should provide for an improvement in the welfare of prisoners
- The constitution should provide for prisoners to be allowed to meet their spouses

5.3.15. **LAND AND PROPERTY RIGHTS**

- The individual should have ultimate owner of land. (5)
- Government should not have authority to compulsorily acquire private land for any purpose.
- Government should have power to acquire private land. (4)
- The government, state or local authority should have power to control the use of land by owner or occupiers. (3)
- Issues of land transfer should be brought back to the village elders to deal with them.
- The constitution should provide that there should be ceiling on land ownership by an individual. (3)
- The constitution should provide that there should be no ceiling on land ownership by an individual.
- The constitution should provide that non-citizens should not own land in Kenya. (4)
- The constitution should provide that clan elders should handle issues of transfer of land.
- The constitution should provide that the land control board should handle issues of transfer of land
- The constitution should provide that women should have equal rights to own land. (4)
- The constitution should provide that the pre-independence treaties should not be retained.
- The constitution should provide that Kenyans should own land anywhere in the country. (3)
- The constitution should guarantee access to land for every Kenyan. (4)

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- Kenya's ethnic and cultural diversity does not contribute to national culture. (3)
- The constitution should recognize, protect and promote cultural and ethnic diversity
- The constitution should protect and promote cultural and ethnic diversity. (4)
- The government should ensure that every community's boundary is strictly respected to ensure peace and unity in diversity and security of a person's property.
- The constitution should abolish wife inheritance. (4)
- Forced marriages should be abolished.
- The constitution should abolish witchcraft
- English should be the official language while Kiswahili should be the national language. (2)
- Braille and sign language be recognized as national language. (2)
- The constitution should promote and recognize indigenous languages

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should raise revenues according to national and regional budget proposals.

- The executive should not retain power on management of the national resources.
- Parliament should retain power to authorize the raising and appropriation of public finances. (3)
- There should be no other ways to raise public to raise public funds apart from taxation.
- External funding should be other methods of revising public finances.
- There should be a mechanism to ensure that infrastructure is establishes in the region where raw material are located.
- The government should be required to apportion benefits from resources between the central government and communities where such resources are found. (2)
- Having tenure of office should enhance the role of controller and Auditor general.
- The controller and Auditor General should be commissioned to work independently without interference of the executive, parliament or the judiciary.
- The executive should appoint the controller and Auditor General.
- Parliament should have power to remove whoever misappropriated public funds and should have them sued in a court of law.
- Parliament should redistribute income/ wealth internally through government investment through improving social amenities of the citizens.
- Improve working conditions reasonably salaries, good retirement packages, clean promotional guideline, should attract Kenyans to work in the public service.
- Competent Kenyans should be attracted to the public service by being provided with security in employment.
- Kenyans should be attracted to the public service through improving or reviewing salaries and inclusive salaries and inclusive benefits and medical allowances.
- All corrupt civil servants should be sacked from their offices. (2)
- There should be a code of ethics of public office holders. (5)
- Public servants should declare their wealth. (5)

5.3.18. **ENVIRONMENT AND NATURAL RESOURCES**

- The constitution should protect environmental protection come to pollution and destruction of the environment.
- The constitution should provide that the areas under forests should be clearly demarcated and gazetted.
- The constitution should provide that the people should own natural resources.
- The constitution should provide that the government should own natural resources.
- The local community should comply with existing laws on management and protection of the environment.
- A local authority commission should be responsible for the management of natural resources.
- All natural resources should be protected by the constitution.
- Local authorities should have the authority to manage and protect natural resources. (2)
- The government should have the responsibility for the management and protection of natural resources. (3)
- The local government should have authority to manage natural resources.
- The constitution should provide for environmental protection at all levels
- The constitution should provide for strong anti-flooding measures
- The constitution should provide that we should establish environmental management

units at the sublocational, divisional and district levels to manage environmental interest.

5.3.19. **PARTICIPATORY GOVERNANCE**

- NGOs and other organized groups should have a role to play in governance act as checks and balance to the government.
- NGOs and organized groups should have a role in the governance.(2)
- Civil society organizations should have a right to form association of their choice and express their feelings.
- The state should not regulate conduct of civil society organizations. (2)
- The state should scrutinize religious organizations before registration.
- The constitution should provide that women should be given a chance in decision-making. (4)
- The constitution should provide that the youth should form groups, which would represent them during governance proceedings. (3)
- Minority groups should be given opportunities in all aspects of life as per the market demands so as to give them a levy in governance.
- The elderly should be in the boards and should be arbitrator in cultural community matters so as to take part in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The conduct of foreign affairs should not be the exclusive responsibility of the executive (2)
- The constitution should provide that parliament should approve appointments to the foreign affairs.
- The constitution should provide that parliament should be supreme in matters concerning foreign relations and the president should adhere to land policies.
- The constitution should provide that International treaties and convention and regional and bilateral treaties should have automatic effect on domestic law. (3)
- The constitution should provide that laws and regulations made by regional organizations that Kenya belongs should not have automatic effect on domestic law.

5.3.21. **CONSTITUTIONAL COMMISSIONS INSTITUTIONS AND OFFICE**

- Constitutional commission, institutions and offices should be established. (4)
- The constitution should establish the office of Ombudsman. (4)
- A Human Rights Commission should be established.
- A gender commission should be established.
- An Anti corruption commission should be established.
- A public ethics commission should be established.
- A constitutional commission should be established.
- The constitution should provide that there should be a Minister of justice distinct from the Attorney General.

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that the prime minister should be in charge of Executive powers during presidential elections.

- The constitution should provide that the speaker should have executive powers during elections. (2)
- The constitution should provide that the electoral commission chairmen should declare the results of presidential elections.
- The constitution should provide that the incoming president should assume office 3 months after election results.
- The constitution should provide that the incoming president should assume office one month after election results.
- The constitution should provide that the chief justice should swear in the incoming president. (4)
- The instruments of power should be transferred to oncoming president by outgoing president a day before swearing in.
- The constitution should have security provisions for a former president. (2)
- The constitution should have welfare provisions for the outgoing president.

5.3.23. **WOMEN'S RIGHTS**

- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for widows to inherit property from their late husbands (3)
- The constitution should provide that old men should not be allowed to marry young wives.
- Polygamy should be outlawed and all married couples should be registered.
- The constitution should provide that the fathers should be compelled to take responsibility of their children's needs.
- The new constitution should protect women from domestic violence. (4)

5.3.24. **NATIONAL ECONOMIC POLICY**

- The constitution should provide that the prices of commodities should be adjusted to affordable standards.
- The government should curb poverty increase by exposing and taking legal actions to those found guilty of such misdeeds.
- The government should control prices of consumer products.
- The constitution should provide that towns should allocate plots for cemetery, meeting halls and stadiums.

5.3.25. **NATIONAL OTHER POLICY**

- Condoms should not be advertised as a precaution measure to preventing HIV/ AIDS scourge.
- Law should punish spouses who infect their partners with HIV/ AIDS.
- The government should take care of orphans who have lost their parents due to HIV / AIDS. (2)
- The constitution should put in place mechanisms to reduce aids spread.
- The government should enact laws to prevent the spread of HIV /AIDS.
- People with HIV / AIDS should declare their status.
- The constitution should provide that police harassment should stop.
- The constitution should provide for mechanisms to eradicate corruption in public offices. (4)

5.3.26. **SECTORAL POLICY**

5.3.26.1. **AGRICULTURE**

- The constitution should guarantee for efficiency of extension officers
- The constitution should guarantee that farmers receive fertilizer subsidies
- The constitution should guarantee prompt payment of farmers for cash crops
- The constitution should guarantee that land owners are compensated for land with minerals taken over by the state
- The constitution should guarantee lower charges for Veterinary services
- The constitution should provide that lake Victoria be used as a source of irrigation water for local residents
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should compel people with agricultural land to increase production and reduce poverty.

5.3.26.2. **MANUFACTURING**

- The constitution should provide that poor managers of industries should be sacked if they are no profits
- The constitution should provide abolish the role of middlemen in fishing
- The constitution should provide for fish processing plants near the lake
- The constitution should ban importation of second hand clothes and shoes

5.3.26.3. **EDUCATION**

- The constitution should provide for introduction of pre-university colleges
- The constitution should provide for a review of the education system in order to make training relevant for the requirements of the job market
- The constitution should provide for a review of the education system to revert to the old system
- The constitution should provide that the quota system should be maintained
- The constitution should provide that corporal punishment should be allowed.
- The constitution should provide that music should be taught in all schools.
- The constitution should provide that ministry of education should provide bursary for all university students.
- The constitution should provide that all schools for the deaf should use Kenyan sign language.
- The constitution should provide that constitutional studies should be introduced. (3)
- The constitution should provide that all secondary schools should be declared national schools to fight tribalism.
- The constitution should provide that adult education should be strengthened.
- The constitution should provide that primary school teachers should be given automatic promotion after 5 years.
- The constitution should provide that in secondary schools, students who do not afford paying school fees should be entitled to government bursaries.
- The constitution should provide that schools should educate children from all aspects of life without discrimination.

5.3.26.4. **PUBLIC FINANCE (FISCAL POLICY)**

- The constitution should guarantee lower taxes on manufactured goods.
- The constitution should provide that taxes should be regulated according to the level of health so that it should be ploughed back to develop the region.
- Harambees should be abolished but used only when raising funds for orphans.
- The constitution should provide that business community is consulted before any tax changes can be effected
- The constitution should provide for tax proceeds to benefit the local area
- The constitution should guarantee that tax revenue is used to develop local areas
- The constitution should provide that taxes be utilized to develop and maintain infrastructure

5.3.26.5. **MONNETARY POLICY**

- The portrait of the president should not be in the currency but the court of arms should be on the face of the currency. (3)
- NHIF cards should cover all medical bills in total for government employees.
- The constitution should provide that the national currency/legal tender has a permanent face.

5.3.26.6. **HEALTH**

- The government should control private Doctors fee.
- A medical scheme should be established to cater for the old, retired and disabled.
- Private clinics and chemists should be scrutinized and their establishments regulated by government.
- The constitution should provide for better equipment of hospitals in terms of facilities and medical personnel
- The constitution should debar doctors and nurses in public hospitals from running private clinics

5.3.26.7. **INFORMATION COMMUNICATION TECHNOLOGY**

- The constitution should protect the freedom of the media to freely operate.
- Telecommunication companies should produce facilities when laying out their infrastructure.

5.3.26.8. **SMALL ENTERPRISE DEVELOPMENT**

- The government should give incentives to small businessmen to develop them economically.
- Small business enterprises should not be taxed.

5.3.27. **STATUTORY LAW**

- Local brew should be abolished.
- Local brew should be legalized. (4)

- Devil worshipping should be outlawed.
- The constitution should provide for stiffer penalties for parents who willingly or forcefully allow their children to drop out of school before completing the compulsory free course.
- Abortion should be abolished.

5.3.28. **BILLS**

- Bills should be made by the lower house and approved by the upper house.
- The disabled bill should be enacted and passed in parliament.

5.3.29. **GENDER EQUITY**

- The constitution should ensure equality in all sexes.

5.3.30. **TRANSPARENCY / ACCOUNTABILITY**

- The ministry of Finance should practice transparency and accountability.

5.3.31. **NATURAL JUSTICE / RULE OF LAW**

- The constitution should provide that persons should be innocent until proven guilty.

5.3.32. **NATIONAL INTERGRITY / IDENTITY**

- The government should set aside a common cemetery for all national heroes.

APPENDICES

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. William Oloo Otula MP
2. James Awino Sangori DC
3. James Mbori yogo Chairman
4. Cllr Simon Okelo Okoko
5. Lucy Onyango
6. Damaris Ayodo
7. Elly Okeyo Majienda
8. Cyprin Ongoro
9. Isaiah Oduor Mboga
10. Serifin A. Otieno

Appendix 2: Civic education providers (CEPs)

- 1 Kager women group
- 2 Obuya women group
- 3 Integrated development facility
- 4 Maendeleo ya wanawake
- 5 Maendeleo ya wanawake
- 6 Kasipul youth liberal group
- 7 Kosda consultants
- 8 NGO/CBO council
- 9 Rachuonyo
- 10 Constituency constitutional committee
- 11 5-k youth group

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

1	0013ORKNY	Amos Odhiambo Ongawa.	CBO	Written	ICEDA
2	0017ORKNY	Boaz Magero	CBO	Written	CBO'S- NGO'S Network
3	0012ORKNY	George A. Okuna.	CBO	Memorandum	5K Youth Group.
4	0001ORKNY	Jane Anyango Opiyo.	CBO	Written	Kager Women Group
5	0005ORKNY	John Otieno Otieno.	CBO	Written	Kabondo Youth Group
6	0003ORKNY	Kesia Olweny	CBO	Written	Maendeleo Ya Wanawake
7	0014ORKNY	Lawrence Aketch	CBO	Written	Traders at Kadongo
8	0019ORKNY	Martha Omburu.	CBO	Oral - Public he	Agoro Sare Women
9	0021ORKNY	Moses Ouma	CBO	Written	Kasipul Liberal Youth.
10	0016ORKNY	Odegi Otima	CBO	Written	Kokwanyo Youth Group
11	0026ORKNY	Onduto Midika.	CBO	Written	Rachuonyo Disabled Group.
12	0008ORKNY	Peter Okeyo Okul.	CBO	Written	Kabondo Elders Development G
13	0024ORKNY	Rose Ochoo.	CBO	Written	M.Y.W.O - Kasipul Kabondo.
14	0015ORKNY	Serafine A. Otieno.	CBO	Written	Disabled- Karachuonyo
15	0022ORKNY	Stephen A. Ounga.	CBO	Written	Saint Teresa Women
16	0023ORKNY	Tobias O. Bolo.	CBO	Written	Kisii Association of the Dea
17	0029IRKNY	Albert A. Ndiga.	Individual	Oral - Public he	
18	0075IRKNY	Albert Abuya	Individual	Oral - Public he	
19	0071IRKNY	Albert O. Ombata.	Individual	Oral - Public he	
20	0039IRKNY	Alfred Juma Kawala.	Individual		
21	0098IRKNY	Alfred Oyugi	Individual	Oral - Public he	
22	0038IRKNY	Amolo Alolo Majuit.	Individual	Oral - Public he	
23	0006IRKNY	Anonymous	Individual	Written	
24	0063IRKNY	Benjamin O. Okongo'.	Individual	Oral - Public he	
25	0081IRKNY	Charles Owaka.	Individual	Oral - Public he	
26	0067IRKNY	Choka Onyiando	Individual	Oral - Public he	
27	0059IRKNY	Christopher Nyabendo.	Individual	Oral - Public he	
28	0005IRKNY	Consolata Odwuor.	Individual	Written	
29	0051IRKNY	Cyprine Ongoro.	Individual	Oral - Public he	
30	0004IRKNY	Damaris E. Ayodo.	Individual	Written	
31	0007IRKNY	David Onoka Obenyo.	Individual	Written	
32	0088IRKNY	David Outa	Individual	Oral - Public he	
33	0032IRKNY	Dickson N. Oloo.	Individual	Oral - Public he	
34	0020IRKNY	Elder Meshack Ogalo.	Individual	Written	
35	0087IRKNY	Elekia A. Osodo.	Individual	Oral - Public he	
36	0061IRKNY	Eliakim O. Nyambwa.	Individual	Oral - Public he	
37	0073IRKNY	Elias O. Obika.	Individual	Oral - Public he	
38	0034IRKNY	Elisha Opondo Kapere.	Individual	Oral - Public he	
39	0052IRKNY	Eliud A Nyamwaya.	Individual	Oral - Public he	
40	0022IRKNY	Elly Okeyo Mayianda.	Individual	Written	
41	0014IRKNY	Elmud Otieno	Individual	Written	
42	0054IRKNY	Eunice A. Opondo.	Individual	Oral - Public he	
43	0070IRKNY	Ex. Chief Lawi O. Ochak	Individual	Oral - Public he	
44	0035IRKNY	Ezra Otieno Ayodo.	Individual	Oral - Public he	
45	0015IRKNY	Fanuel J. O. Mbiwa.	Individual	Oral - Public he	
46	0025IRKNY	Francis George Okeyo.	Individual	Written	
47	0003IRKNY	Fridah B. Orogó.	Individual	Written	
48	0065IRKNY	George Odhiambo.	Individual	Oral - Public he	

49	0050IRKNY	George Ong'udi.	Individual	Oral - Public he	
50	0104IRKNY	George Opiyo	Individual	Oral - Public he	
51	0042IRKNY	Gideon M. Mason.	Individual	Oral - Public he	
52	0026IRKNY	Gilbert Odhiambo Ouko	Individual	Written	
53	0024IRKNY	Griffin Ochieng' Okeyo.	Individual	Written	
54	0082IRKNY	Harrison O. Owino.	Individual	Oral - Public he	
55	0060IRKNY	Hesbon Odera	Individual	Oral - Public he	
56	0037IRKNY	Hezekiah Konyony.	Individual	Oral - Public he	
57	0076IRKNY	Hon. William O. Otula.	Individual	Oral - Public he	
58	0043IRKNY	Isaac O. Nyabola.	Individual	Oral - Public he	
59	0066IRKNY	Jackson Nyaore	Individual	Oral - Public he	
60	0013IRKNY	Jackson Ouma Nyaore.	Individual	Written	
61	0085IRKNY	Jacob Okal	Individual	Oral - Public he	
62	0046IRKNY	James A. Adero.	Individual	Oral - Public he	
63	0018IRKNY	James E. Mbori.	Individual	Written	
64	0031IRKNY	James Mbori	Individual	Oral - Public he	
65	0017IRKNY	James Obeno	Individual	Written	
66	0055IRKNY	Joel O. Gero.	Individual	Oral - Public he	
67	0008IRKNY	Johannes Ondiek Nyagik.	Individual	Written	
68	0102IRKNY	John Marianja	Individual	Oral - Public he	
69	0012IRKNY	John Odawo	Individual	Written	
70	0072IRKNY	Joseph O. Okello.	Individual	Oral - Public he	
71	0074IRKNY	Joseph O. Outoma.	Individual	Oral - Public he	
72	0033IRKNY	Joseph Odongo	Individual	Oral - Public he	
73	0002IRKNY	Joshuah Omolo Agweny	Individual	Written	
74	0021IRKNY	Lawrence Oliech Mbara.	Individual	Written	
75	0053IRKNY	Leo Misira Orero	Individual	Oral - Public he	
76	0078IRKNY	Lillian Muhumuza.	Individual	Oral - Public he	
77	0019IRKNY	Lucas N. Mireri.	Individual	Written	
78	0023IRKNY	Lucy Onyango	Individual	Written	
79	0100IRKNY	Manasseh Ojwang'.	Individual	Oral - Public he	
80	0044IRKNY	Marikus N. Nyanjom	Individual	Oral - Public he	
81	0080IRKNY	Martin O. Okello.	Individual	Oral - Public he	
82	0058IRKNY	Martin Oyaye	Individual	Oral - Public he	
83	0057IRKNY	Michael O. Orero	Individual	Oral - Public he	
84	0056IRKNY	Moses Ayieko	Individual	Oral - Public he	
85	0094IRKNY	Moses Ouma	Individual	Oral - Public he	
86	0091IRKNY	Moses Raballa	Individual	Oral - Public he	
87	0068IRKNY	Nelson Nyandiko	Individual	Oral - Public he	
88	0079IRKNY	Ojwang' Onduto.	Individual	Oral - Public he	
89	0010IRKNY	Onyinge Stephen	Individual	Written	
90	0036IRKNY	Opiyo Simon Ofuata.	Individual	Oral - Public he	
91	0089IRKNY	Opowa Nyamula	Individual	Oral - Public he	
92	0092IRKNY	Owiti Odumbe	Individual	Oral - Public he	
93	0090IRKNY	Pastor Kasera Odalo.	Individual	Oral - Public he	
94	0030IRKNY	Paul Agan Bala	Individual	Oral - Public he	
95	0097IRKNY	Peter Mumbo	Individual	Oral - Public he	
96	0095IRKNY	Phanuel Riaga	Individual	Oral - Public he	
97	0101IRKNY	Phillip Owino	Individual	Oral - Public he	
98	0009IRKNY	Retired Chief Nyakomitt	Individual	Written	
99	0096IRKNY	Reuben Midigo	Individual	Oral - Public he	
100	0027IRKNY	Rev Elias Ondigo.	Individual	Written	
101	0028IRKNY	Rev Erick P. Omondi.	Individual	Oral - Public he	
102	0049IRKNY	Rose Obudho.	Individual	Oral - Public he	
103	0084IRKNY	Rtd. Chief Peter Oranga	Individual	Oral - Public he	

104	0011IRKNY	Samuel O. Ochieng'.	Individual	Written	
105	0083IRKNY	Samuel O. Oyoo.	Individual	Oral - Public he	
106	0099IRKNY	Samuel Ongoro	Individual	Oral - Public he	
107	0040IRKNY	Selema Ochieng'.	Individual	Oral - Public he	
108	0001IRKNY	Seth E. Ouma.	Individual	Written	
109	0086IRKNY	Seth O. Ogal.	Individual	Oral - Public he	
110	0105IRKNY	Shadrack Wende	Individual	Oral - Public he	
111	0016IRKNY	Silah Nyaoke	Individual	Written	
112	0045IRKNY	Simeon M. Aroko.	Individual	Oral - Public he	
113	0047IRKNY	Sipporah A. Ajwang'.	Individual	Oral - Public he	
114	0103IRKNY	Solomon Oliech	Individual	Oral - Public he	
115	0048IRKNY	Titus M. Kwadha.	Individual	Oral - Public he	
116	0062IRKNY	Tobias N. Nyambuga.	Individual	Oral - Public he	
117	0077IRKNY	Victor Yogo	Individual	Oral - Public he	
118	0069IRKNY	Vincent Opiyo	Individual	Oral - Public he	
119	0041IRKNY	Wafula Zakayo	Individual	Oral - Public he	
120	0093IRKNY	Walter Otieno	Individual	Oral - Public he	
121	0064IRKNY	Wellington Ogonyo.	Individual	Oral - Public he	
122	0009ORKNY	Stephen Abebe	NGO	Memorandum	Intergrated Development Faci
123	0002ORKNY	Aduke Kasera Moses.	Other Institutions	Memorandum	KNUT- Rachuonyo
124	0028ORKNY	Jane Owaka.	Other Institutions	Written	Oyugis Town Council.
125	0004ORKNY	Joash Oloo	Other Institutions	Memorandum	Wang'apala School
126	0011ORKNY	Lucas Ouma Okumu.	Other Institutions	Memorandum	Kenya National Union of Teac
127	0010ORKNY	Stephen Ouma	Other Institutions	Written	Wang'apala Secondary schoo
128	0020ORKNY	Victor Yogo	Other Institutions	Written	Students Agoro Sare
129	0018ORKNY	Wycliffe Omondi Kiche.	Other Institutions	Written	Kako Junior Academy
130	0007ORKNY	George Okeyo	Private Sector Organisa	Memorandum	Kowidi Teachers Welfare Unio
131	0027ORKNY	Lawi Obaje.	Religious Organisation	Memorandum	National Council of Churches
132	0025ORKNY	Mohammed Haji.	Religious Organisation	Written	Oyugis Muslim Community.
133	0006ORKNY	Pastor Kilion Airo.	Religious Organisation	Written	Wangapala SDA Church

Appendix 4: Persons Attending Constituency Hearings

WANG'APALA SECONDARY SCHOOL

No	Name	Address:	No	Name:	Address:
1	Rev. Erick Peter Omondi	P.O. Box 63, Othuro	25	David Onoka Obonyo	P.O. Box
2	Seth E. Ouma Bula	P.O. Box 31, Kadongo	26	Pastor Kilion Airo	P.O. Box 66, Kadongo
3	Amondi Albert Ndiga	P.O.Box 17, Kadongo	27	Nelson Oindo	P.O. Box 88, Kadongo
4	Elder Isaya Odhiambo Omolo	P.O. Box 157, Kadongo	28	Obunde D. Okumu	P.O. Box 88, Kadongo
5	John Otieno Otieno	P.O.Box 68, Kadongo	29	Joseph H. Omolo Agola	P.O. Box 65, Kadongo
6	Dickson Mikaye	P.O. Box 163, Kadongo	30	P.E. Okeyo Okul	P.O. Box 92, Kadongo
7	Paul Agan Bala	P.O. Box 137, Kadongo	31	Fred Ochola	P.O. Box 88, Kadongo
8	Joshua Omolo Agweny	P.O. Box 29, Kadongo	32	Gideon Mumbo Masoro	P.O. Box 42, Kadongo
9	Dixon N. Oloo	P.O.Box 172 Kadongo	33	Steven Onyinge	P.O. Box 151, Kadongo
10	Lucy Onyango	P.O. Box 26, Mawego	34	Nelson O. Okulo	P.O. Box 66, Kadongo
11	Damaris E. Ayodo	P.O.Box 33, Kadongo	35	Fridah B. Orogo	P.O. Box 77, Kadongo
12	B. Elly O. Mayicunda	P.O. Box 108, Kadongo	36	Consolata Odiwuor	P.O. Box 77, Kadongo
13	Charles Mcomer	P.O. Box 138, Kosele	37	H.E. Konyony	P.O. Box 66, Kadongo
14	Isaiah Odiwuor Mboga	P.O. Box 37, Oyugis	38	Joanes Ondiek	P.O. Box 229, Kadongo
15	James B. Mbori	None	39	Aloo Joash	P.O. Box 66, Kadongo
16	James Sangori	None	40	Jestus ogega Sila	P.O. Box 114, Kadongo
17	Seth Oluoch	None	41	Aduke Kasera	P.O. Box 119, Kosele
18	Cyprine Ongino	P.O. Box 26, Oyugis	42	Aduol N. Paul	P.O. Box 66, Kadongo
19	Gordon Ochieng'	None	43	Ochung Zablon	P.O. Box 66, Kadongo
20	Joseph Odongo Onyinge	P.O. Box 68, Kadongo	44	Alfred J. Kawala	P.O. Box 68, Kadongo
21	Elisha Opondo S. Kapere	P.O. Box 236, Kadango	45	Rtd. Parmaount Chief Nyakomitta	P.O. Box 186, Kadongo
22	Ezra o. Ayodo	P.O. Box 166, Kadongo	46	Janet Ochieng	P.O. Box 213, Kadongo
23	Peter mbogo	P.O.Box 20, Othoro	47	Shelemia Ochieng'	P.O. Box 66, Kadongo
24	Joab Ndonga	P.O. Box 14, Othoro	48	Maurice Onyango	P.O. Box 4, Othoro
49	K. A. Olweny	P.O. Box 54, Kadongo	73	Hesborn Odera	P.O. Box 64, Kadongo
50	Samuel O. Ochieng'	P.O. Box 54, Kadongo	74	Odero Nyabola	P.O.Box Kadongo
51	Lukas Okumu	P.O. Box 22, Ramba	75	Thomas Opilu	P.O.Box 99, Kadongo
52	Osemba Onyango Bernadette	P.O. Box 88, Kadongo	76	Joseph Olang Asero	P.O. Box 68, Kadongo
53	Duncan O. Deya	P.O. Box 12, Kadongo	77	Jared Aroko	P.O. Box 145, Kadongo
54	Erick Awino Okum	P.O. Box 17, Kadongo	78	Gero J. Owino	P.O. Box 119, Kadongo
55	Okeyo G. Baresford	P.O. Box 39, Othoro	79	Lawrence Akech	P.O. Box 57, Kadongo
56	C. Agok Nyamwaya	P.O. Box 119, Kadongo	80	Philip Oyoo Opudo	P.O.Box 66, Kadongo
57	George Oloo	P.O. Box Kadongo	81	P.O. Ademba	P.O. Box 17, Kadongo
58	Michael O. Osee	P.O. Box 27, Kadongo	82	Eliud Ayodo	P.O. Box 88, Kadongo
59	Ephraim Magero	P.O. Box 174, Kadongo	83	Nicholas Kasera	None
60	George O. Amollo	P.O. Box 96, Kadongo	84	Okuna Charles	P.O. Box 27, Kadongo

61	William O. Osano	P.O. Box 96, Kadongo	85	Thomas M. Oluk	P.O.Box 49, Kadongo
62	James O. Ondiegei	P.O. Box 66, Kadongo	86	Jackton O Ocharo	P.O. Box 117, Sondu
63	Sowagaluka	P.O. Box 66, Kadongo	87	Thoams Onyango Owuor	P.O. Box 92, Kadongo
64	Olweny Justus	P.O.Box 35, Kadongo	88	Adede Rebecca	P.O. Box 18, Kadongo
65	Orinda John	P.O. Box 7, Amba	89	Osedo Tobias	P.O. Box 64, Kadongo
66	John Nyawegi	P.O. Box 59, Kadongo	90	David Ajore Ayieko	P.O. Box 188, Kadongo
67	John Odhiambo	P.O. Box 149, Oyugis	91	Daniel Obu	P.O.Box 151, Kadongo
68	Wafula Zakayo Nasiuma	P.O.Box 66, kadongo	92	Moses Otieno	P.O. Box 188, Kadongo
69	Daniel Odero	P.O. Box 76, Kolweny	93	John Nyamoke	P.O. Box 54, Kadongo
70	Amos Odhiambo	P.O.Box 92, Kadongo	94	Eliackim Otieno Nyambwa	P.O. Box 80, Kadongo
71	Stephen Ouma	P.O. Box 66, Kadongo	95	Maurice Otieno Odago	P.O. Box 66, Kadongo
72	Julius Otieno Awendo	P.O. Box 77, Kadongo	96	Stephen Abebe	P.O. Box 1, Kadongo
97	J. A. Adero	P.O. Box 68, Kadongo	121	George Ongudi	P.O. Box 151, Kadongo
98	Aloice Otieno	P.O. Box 66, Kadongo	122	Motenes A. Okech	P.O. Box 27, Kadongo
99	Joseph Omollo Awendo	P.O. Box 113, Kadongo	123	Jackson Orina N.	P.O. Box 20, Othoro
100	Simon Mwage	P.O. Box 63, Kadongo	124	Samuel O. Awach	P.O. Box 133, Sondu
101	Simon Mwage	P.O. BOX 63, Othoro	125	Joel Sangoro	P.O. Box 237, Kadongo
102	John Onyang	P.O. Box 119, Kadongo	126	James Otieno	P.O. Box 62, Kadongo
103	Nashon Asewe	P.O. Box 119, Kadongo	127	Nelson Ochieng'	P.O. Box 20, Othoro
104	Charles okoth	P.O.Box 79, Kadongo	128	Maurice Odhiambo Omeme	P.O. Box 17, Kadongo
105	Titus Mosi Kwadha	P.O. Box 99, Kadongo	129	Richard Chawya	P.O. Box 119, kadongo
106	Walter O. Ondeng	P.O.Box 10, Rakwaro	130	Julia Odhiambo	P.O. Box 2, Ramba
107	Amolo Alolo Magwara	P.O. Box 68, Kadongo	131	John B. O. Awuor	P.O. Box 2, Ramba
108	Andronico Okeyo	P.O.Box 68, Kadango	132	Gidion Awich	P.O. Box 35, Ramba
109	Dickson Agawo	P.O.Box 64, Omuga	133	Leo Migira	P.O. Box 686, Ramba
110	Yusto Okinda	P.O. Box 99, Kadongo	134	David o. nyanjong'	P.O. Box 29, Kadongo
111	Jacob A. Nyanjong	P.O. Box 29, Kadongo	135	Chris Nyabinda	P.O. Box 4, Otho
112	Ouma Jared Okuma	P.O. Box 99, Kadongo	136	J. Mercy Otieno	P.O. Box 113, Kadongo
113	Matinus Atieno	P.O. Box 62, Kadongo	137	Tobias otieno	P.O. Box 88, Kadongo
114	Michael Onyango	P.O. Box 68, Kadongo	138	Benjamin Odhiambo	P.O. Box 46, Kadongo
115	M. N. Nyagol	P.O. Box Kadongo	139	Judith Obudho	P.O. Box 46, Kadongo
116	Okech Walter	P.O. Box 113, Kadongo	140	Eunice Opondo	P.O. Box 46, Kadongo
117	Samwel Maliera	P.O. Box 35, Kadongo	141	Perez ouma	P.O. Box 46, Kadongo
118	Peter Kariuki	P.O. Box 17, Kadongo	142	Pamela kapere	P.O. Box 236, Kadongo
119	Rev. Julius Chwero	P.O. Kadongo	143	Mark Ogonda	P.O. Box 62, Kadongo
120	John O. Odawo	P.O. BOX 242, Kadogo	144	George Omondi	P.O.Box 88, Kadongo
145	Alex Oduol	P.O.Box 58, Kadongo	169	Zipora Atieno	P.O. Box 58, Kadongo
146	John Ochieno	P.O. Box 25, Kadongo	170	Martin Oyaya	P.O. Box 5, Kadongo
147	Owago Rosemary A.	P.O. Box 1, Kadongo	171	Beldine Ajwang'	P.O.Box 88, Kendu Bay
148	Regina Omenda	P.O. Box 169, Kadongo	172	Elmad o. Abonyo	P.O. Box 48, Kendu Bay
149	Odembo Dete	P.O. Box 143, Kadongo	173	Joseph O. Odero	P.O.Box 85, Oyugis
150	James O. okoko	P.O.Box 47, Kadongo	174	Ernest O. Ojijo	P.O. Box 37, Kojwang'

151	Elly Otieno	P.O.Box 198, Karongo	175	Harrison Nyagol	P.O.Box 46, Kadongo
152	Thomas Odeny	P.O. Box 58, Pongo	176	Julius Nyawora	P.O.Box 5, Kadongo
153	pamela Ogoye	P.O. Box 68, Kadongo	177	Elijah Otieno	P.O. Box 5, Kadongo
154	Benard Opiyo	P.O. Box Kadongo	178	Joseph Onyango	P.O.Box 64, Kadongo
155	Robert O. Muga	P.O. Box 68, Kadongo	179	Petr Omondi	P.O. Box 46, Kadongo
156	Asher O. Oluk	P.O. Box 174, Kadongo	180	Henry Otieno Magawa	P.O. Box 29, Kadongo
157	Joseph O. Ogolla	P.O.Box 189, Kadongo	181	J. Ochieng' ndege	P.O. Box 95, kadongo
158	Charles owenga	P.O. Box 72, Kadongo	182	Omolo christopher	P.O. Box 251, Sondu
159	Philster A. Mainga	P.O. Box 167, Kadongo	183	Tobias Ong'idi	P.O. Box 61, Kadongo
160	Eunice Juma	P.O. Box 68, Kadongo	184	Aoko Ogotch L.	P.O. Box 98, Kadongo
161	Okeyo Josephine	P.O. Box 68, Kadongo	185	Michael Odino	P.O.Box 262, Kadongo
162	Danis Obiero Mwako	P.O.Box 5, kadongo	186	Ben Odiango	P.O. Box 191, Kadongo
163	jacqueline Okoth	P.O. Box 48, Kendu Bay	187	O. Otieno Ayieko	P.O. Box 191, Kadongo
164	Dorcus Auma	P.O. Box 62, Kadongo	188	Andrew ochieng'	P.O. Box 191, Kadongo
165	Eliazar Ajwang'	P.O. Box 55, Kenu Bay	189	Choka Onyando	P.O.Box 63, Othoro
166	Josephat Owino	P.O. Box 16, Kadongo	190	Wellington Ogonyo	P.O. Box 16, Kadongo
167	Samson Amimo	P.O.Box 73, Kadongo	191	Magret Ondieki	P.O. Box 191, Kadongo
168	Rose Obudho	P.O.Box 46, Kadongo	192	Eunice Kamire	P.O.Box 191, Kadongo
193	Moses O. Odhengo	P.O. Box 88, Kadongo	201	Henry Okuna	
194	Chairman J. E. Mbori		202	George Okeyo	
	Wangapala Sec. Schol				
195	Rep		203	Pastor Airo	
196	Aduke Ksera		204	Serephine Otieno	
197	Elly Okeyo Okul		205	Abebe Okeyo	
198	Olweny Kesia		206	Ayodi	
199	Ebel Ouma		207	Mingocho O. James	P.O. Box 113, Kadongo
200	Austine Kapere				

AGORO SARE HIGH SCHOOL

No	Name:	Address:	No	Name:	Address:
1	J.E. Mbori	P.O.Box 243, Oyugis	91	Ezra Owuor Achola	P.O. Box 170, Oyugis
2	Lawi Oloo Ochako	P.O. Box 41, Oyugis	92	Tobias Odhiambo	P.O. Box 208, Kisumu
3	Albert Ombata	P.O. Box 41, Oyugis	93	Lucy Onyango	P.O. Box 26, Mawego
4	Laban Obonyo	P.O. Box 31, Oyugis	94	Martin Onyango Okello	P.O.Box 8, Oyugis
5	Joseph O. Okello	P.O.Box 26, Oyugis	95	Aduke Kasera	P.O. Box 119, Kosele
6	Elias O. Obika	P.O.Box 471, Oyugis	96	Anyango Tom	N/A
7	Benard Otieno	P.O. Box 19, Oyugis	97	Sheth O. Ogal	P.O. Box 360, Oyugis
8	Boaz magero	D'C Office, Oyugis	98	Onduto Midika	P.O. Box 105, Oyugis
9	Fanuel J. O. Mbiwa	P.O. Box 276, Oyugis	99	Yustine A. Odull	P.O. Box 128, Oyugis
10	Otuoma Joseph Ogot	Box 9668, Kisumu	100	Achineg' Noel	P.O. Box 81, Oyugis
11	Wycliff Omondi	P.O. Box 227, Oyugis	101	Yogo Vctor	P.O. Box 81, Oyugis
12	Martha Ombura	P.O. Box 139, Oyugis	102	Awiti Kenneth	P.O. Box 81, Oyugis
13	Herbert J. O. Abuya	P.O. Box 292, Oyugis	103	Richard Okombo	P.O. Box 27, Oyugis
14	Samuel Yogo	P.O.Box 321, Oyugis	104	Abdulla Onyiro	None
15	Tom Midigo	P.O.Box 15, Oyugis	105	Abdulal Ram	P.O. Box 87, Oyugis

16	Charles Owaka	P.O.Box 68, Oyugis	106	Juma Hamisi	P.O. Box 59, Oyugis
17	I. Ojwang' Onduto	P.O.Box 34, Oyugis	107	Assi Onyango	P.O. Box 87, Oyugis
18	Harrison Odero	P.O.Box 275, Oyugis	108	Chair Jacob Origa	P.O. Box 498, Oyugis
19	Elly Mayianda	P.O. Box 295, Oyugis	109	Okindo David	P.O. Box 128, Oyugis
20	Nicanor O. Onunda	P.O.Box 37, Oyugis	110	Orinda Maurice	P.O. Box 382, Oyugis
21	L. Muhumuza	P.O. Box 8, Oyugis	111	Eliazar Okumu	P.O. Box 141, Oyugis
22	Ben Ouma Opere	P.O. Box 113, Oyugis	112	Isaiah Otieno	P.O. Box 317, Oyugis
23	James Ogutu Otieno	P.O. Box 571, Oyugis	113	Nyakinda Ogeta	P.O. Box 60, Oyugis
24	Edward Peter Orufa	P.O. Box 52, Oyugis	114	Vincent Ouma	P.O. Box 68, Oyugis
25	Owaka Kitut	P.O. Box 397, Oyugis	115	Joseph Odul	P.O. Box 15, Sino
26	Lukio Oyugi Acholla	P.O. Box 218, Oyugis	116	Moses Ouma	P.O. Box 259, Oyugis
27	Odull Richard Amollo	P.O. Box 128, Oyugis	117	Joseph Onyango	P.O. Box 62, Mawego
28	Sylvester Odhiambo Owino	P.O. Box 8, Oyugis	118	Silah Nyaoke	P.O. Box 377, Oyugis
29	Fredrick Odwe Okelo	P.O. Box 292, Oyugis	119	Ogiti Janet	P.O. Box 39, Oyugis
30	John Owiti Odumbe	P.O. Box 191, Oyugis	120	Lameck Omolo	P.O. Box 80, Oyugis
31	Shem N. Matibe	P.O. Box 49, Oyugis	121	Walter odero	P.O. Box 3970, Oyugis
32	Rose Oyoo M.Y.W.O	P.O. Box 1, Kosele	122	Amuom John	P.O. Box 291, Oyugis
33	Joseph Imbo	P.O. Box 194, Oyugis	123	Joshua Otieno	P.O. Box 83, Kosele
34	Odhiambo Ouko	P.O. Box 4, Oyugis	124	Hellen A. Obel	P.O. Box 354, Oyugis
35	Owaga Bertha	P.O. Box 194, Oyugis	125	ISAYA KOPAP	p.o. Box 275, Oyugis
36	George Wycliffe Okello	P.O. Box 370, Mbita	126	James Oyugi	P.O. Box 313, Oyugis
37	James Okeno	P.O. Box 8, Oyugis	127	Cllr. Lucas Nyakado	P.O. Box 487, Oyugis
38	Halphord Okelo	P.O. Box 292, Oyugis	128	Ben Olonde Gor	P.O.Box 205, Oyugis
39	Paul Ahando Ndede	P.O. Box 175, Kosele	129	Lawrence Oliech	P.O. Box 487, Oyugis
40	Mose George Mogere	P.O.Box 194, Oyugis	130	Cllr. D. Owawa	P.O. Box 253, Oyugis
41	Jakob Okal	Kosele	131	Rev. Elias Odigo	P.O. Box 327, Oyugis
42	Joshua Ochieng' Bwana	P.O. Box 320, Oyugis	132	Joshua Adoyo	P.O. Box 266, Oyugis
43	Damaris Ayodo	P.O. Kadongo	133	Jacob o. Bwana	P.O. Box 145, Oyugis
44	Enock O. Onyango	P.O. Oyugis	134	Stephen Dunga	P.O. Box 88, Oyugis
45	Leo Odhiambo Odawo	P.O. Box 259, Oyugis	135	Alice Achieng'	P.O. Box 175, Oyugis
46	Eunice Nyomenda	P.O. Box 194, Oyugis	136	Elizabeth Akingyi	P.O. Box 175, Oyugis
47	Dickson Owiti	P.O. Box 141, Oyugis	121	Valentine O. Olajo	P.O. Box 3, Oyugis
48	Joseph Alwanda	P.O. Box 373, Oyugis	122	Mikwa Agnes	P.O. Box 559, Oyugis
49	Magak Peter	P.O.Box 37, Oyugis	123	Mwaga Dorcas	P.O. Box 559, Oyugis
50	Ope Nelly	P.O. Box 8, Oyugis	124	Helekia Andiwo Osodo	P.O. Box 319, Oyugis
51	Ogutu Raymond	P.O. Box 8, Oyugis	125	Alfeus A. Rapemo	P.O. Box 99, Oyugis
52	Rev. Peter Achero	P.O. Box 327, Oyugis	126	Robert O. Otieno	P.O. Box 24, Oyugis
53	Maurice O. Okello	P.O. Box 146, Oyugis	127	Obago John	P.O. Box 51, Oyugis
54	Edward Akoth	P.O. Box 215, Oyugis	128	Samwel N. Ojera	P.O. Box 68, Mikagi
55	Ojwang Samwel	P.O. Box 159, Oyugis	129	Pamela Otieno	P.O. Box 1450, Oyugis
56	Mungala Charles	P.O. Box 65, Oyugis	130	Philip Obure	P.O. Box 40, Mawego
57	Richard Omanyanya Adongo	P.O. Box 2027, Kisumu	131	Mohammed Hajimers	P.O. Box 87, Oyugis
58	Harrison Ogwenyo	P.O. Box 430, Oyugis	132	James Oketch	P.O. Box 319, Oyugis
59	Odhiambo Omondi	P.O. Box 73, Kosele	133	Harison ogilo	P.O. Box 26, Oyugis
60	Odhiambo Griffin G.	P.O. Box 431, Oyugis	134	Eric Nasha	P.O. Box 580, Oyugis

61	Tom H. A. Onyach	P.O. Box 356, Oyugis	135	Caro Okoth	P.O. Box 58, Oyugis
62	Ker G.m. Riaga Ogalo	P.O. Box 70, Oyugis	136	Dalmas Wanga	P.O. Box 2, Oyugis
63	David O. Outa	P.O. Box 105, Oyugis	137	Johson Mireri	P.O.Box 275, Oyugis
64	Samuel Ongor Owel Arogo	P.O. Oyugis	138	Otieno Obel	P.O. Box 354, Oyugis
65	J.B. Ouma	P.O. Box 275, Oyugis	139	Martha Ogol	P.O. Box 559, Oyugis
66	PHILEMON Ondiek	P.O. Box 38, Oyugis	140	Okowa Nyamula	P.O. Box 49, Oyugis
67	Reuben Juma Midigo	P.O. Box 159, Oyugis	141	Moses Rabala	P.O. Box 340, Oyugis
68	Okeyo G. Francis	P.O. Box 335, Oyugis	142	Alfred Obure	P.O. Box 59, Oyugis
69	Afmadi Ganga	P.O. Box 99, Oyugis	143	Gideon Nyabuka	P.O. Box 311, Oyugis
70	Radickson Awino	P.O. Box 99, Oyugis	144	Walter Otieno	P.O. Box 49, Oyugis
71	Pacifica Moturi	P.O. Box 559, Oyugis	145	Jane Owaka	P.O. Box 352, Oyugis
72	Charles odongo	P.O.Box 397, Oyugis	146	H. james	P.O.Box 287, Oyugis
73	B. Ouma	P.O.Box 397, Oyugis	147	Patrick o. Ogowe	P.O. Box 381, Oyugis
74	Mbok Phaniel	P.O. Box 36, Oyugis	148	Manasseh Awino	P.O. Box 36, Oyugis
75	Pastor Walter kasera	P.O. Box 35, Oyugis	149	Cyprine Ongoro	P.O. Box 26, Oyugis
76	Philip Owino Omboche	P.O. Box 51, Oyugis	150	Peter Ouma	P.O. Box 294, Oyugis
77	Justus M. Owuor	P.O.Box 397, Oyugis	151	Samuel Owino	P.O. Box 294, Oyugis
78	walter Oluoch	P.O. Box 328, Oyugis	152	Tom Ochako	P.O. Box 32, Oyugi
79	Jairo Okombo	P.O. Box 328, Oyugis	153	Cllr. John O. Marianga	P.O. Box 34, Oyugis
80	George Osimbo	P.O.Box 170, Oyugis	154	Kepha O. Otieno	P.O. Box 373, Oyugis
81	Joseph O. Nyakoyo	P.O. Box 66, Oyugis	155	Solomon Owuor	P.O.Box 44, Oyugis
82	Shadrack Wende	P.O. Box 24, Oyugis	156	Jeremiah O. H. Odhiambo	P.O. Box 431, Oyugis
83	James Okeno	P.O. Box 8, Oyugis	157	Charles O. Ochieng	P.O. Box 31 Kadongo
84	Lilian Muhumza	P.O. Box 8, Oyugis	158	Peter Millow	P.O. Box 17 Oyugis
85	Martin Onyango	P.O. Box 8, Oyugis	159	Rose Ochoo	
86	Victor yogo	P.O.Box 8	160	Joseph o. Agutu	P.O. Box 153, Oyugis
87	MP Hon. William Oloo Otula	P.O. Box 145, Oyugis	161	Bernard odiyo	P.O. Box Oyugis
88	Tobias Bolo	P.O. Box 208, Kisii	162	Nowa ongondo	P.O. Box 137, Kosele
89	Moris Owigo	None	163	Peter O. Mumbo	P.O. Box 137, Kosele
90	Lawi Obaje	P.O. Box 65, Oyugis	164	Jeconia ouko	P.O. Box 158, Oyugis

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1. DISTRICT CONTEXT

Karachuonyo Constituency is a constituency in Rachuonyo District. Rachuonyo District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	145,793	161,333	307,126
Total District Population Aged 18 years & Below	89,966	87,244	177,210
Total District Population Aged Above 18 years	55,827	74,089	129,916
Population Density (persons/Km ²)	325		

1.2. Socio-Economic Profile

Rachuonyo District:

- Is the 5th most densely populated district in the province;
- Has a primary school enrolment rate of 72.8%, being ranked 8th in the province and 32 nationally;
- Has a secondary school enrolment rate of 17.4%, being ranked 7th in the province and 39th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, measles, intestinal worms, and HIV/AIDS; and
- Resident's economic mainstay is peasant farming, fishing and mine construction.

Rachuonyo district has 2 constituencies: Kasipul Kabondo, and Karachuonyo constituencies. The district's 2 MPs each cover on average an area of 473 Km² to reach 153,563 constituents. This is an opposition stronghold. In the 1997 general elections, both the parliamentary seats were won by NDP.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

One of the main economic activities of the residents of the constituency is fishing.

2.2. Electioneering and Political Information

This is a predominantly opposition zone. In the 1992 and 1997 general elections, FORD-K and NDP won with 84.30% and 64.32% valid votes. In 2002, National Rainbow Coalition took the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			41,363
CANDIDATE	PARTY	VOTES	% VALID VOTES
Phoebe Asiyo	FORD-K	26,063	84.30
Lazarus Amayo	KANU	4,854	15.70
Total Valid Votes		30,917	100.00
Rejected Votes		-	
Total Votes Cast		30,917	
% Turnout		85.24	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			41,281
CANDIDATE	PARTY	VOTES	% VALID VOTES
Dr. Adhu Awiti	NDP	19,867	64.32
Lazarus Ombai Amayo	KANU	10,885	35.24
Peter Lieta Odhiambo	FORD-K	136	0.44
Total Valid Votes		30,888	
Rejected Votes		-	
Total Votes Cast		30,888	
% Turnout		71.49	
% Rejected/Cast		0.00	

2.5. Main Problems

- Lack of infrastructure;
- Stalled water and electrification projects; and
- The water hyacinth invasion in Lake Victoria. This is threatening the fishing industry in the community and transportation on the lake.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. **Philosophy**

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 12th February 2002 and 11th June 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and constitution making process
- Constitution of Kenya
- Structures and systems of government
- Emerging constitutional issues
- Practice of governance
- Constitutional review process
- Democracy and democratization
- Political parties
- Governance and Basic rights
- Local government
- Citizenship
- Natural resources
- Legislature and Judiciary
- Constitutional commissions and offices
- Land and property rights
- Succession and transfer of power
- Environment and natural resources
- Electoral system and processes
- Defence and national security

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logistical details

1. **Date and Number of Days for Public Hearings**

- f) Date(s): 20th and 21st June 2002
- g) Total Number of Days: 2

2. **Venue**

- h) Number of Venues: 2
- i) Venue(s):
 - 1. Alaw Rachuonyo/Gendia High School
 - 2. Kanyamfwa Secondary School

3. **Panels**

- a. Commissioners
 - 1.Com. Phoebe Asiyoo Chair person
 - 2.Com. Bishop Bernard Njoroge Kariuki
 - 3.Com. Abubakar Zein Abubakar

- b. Secretariat
 - 1.Everlyne Oballa - Program Officer
 - 2.Yvonne Masinde - Asst. Program Officer
 - 3.Vivian Muli - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		166
Sex	Male	147
	Female	17
	Not Stated	2
Presenter Type	Individual	138
	Institutions	26
	Not Stated	2
Educational Background	Primary Level	47
	Secondary/High School Level	80
	College	8
	University	22
	None	3
	Not Stated	6
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	3
	Oral	111
	Written	12
	Oral + Memoranda	7
	Oral + Written	30
	Not Stated	3

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Karachuonyo 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. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately.

5.3.1 PREAMBLE

- The preamble should state that all Kenyans are united regardless of sex
- The preamble should state that our desire is to live in peace and unity, under God and that every citizen shall be treated equally regardless of religion or ethnic differences
- The preamble should state the vision and significance of every Kenyan citizen
- The preamble should emphasize the sovereignty of Kenyans.
- The preamble should state the national principles and visions that will guide Kenya towards good governance and respect for human rights.

5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- The constitution should provide that there shall be separation of powers among the arms of government to check and balance each other

5.3.3 CONSTITUTIONAL SUPREMACY

- The constitution should make provisions for its amendment.
- The constitution should provide that no one shall be above the law
- The constitution should encompass the values of the society and any other law that is consistent with it
- The constitution should provide that amendments shall be done by public referendums conducted by the Speaker

5.3.4 CITIZENSHIP

- The constitution should abolish dual citizenship
- The constitution should provide that citizenship shall be conferred by birth, registration or naturalization.
- The constitution should confer citizenship to foreign spouses married to Kenyans
- The constitution should provide that for a child to be a citizen, the father has to be a Kenyan.
- The constitution should provide that the national ID and passports shall be evidence of citizenship
- The constitution should grant automatic citizenship to children of single mothers regardless of nationality of the father
- The constitution should grant citizenship to any child so long as one of the parents is a Kenyan

5.3.5 DEFENSE AND NATIONAL SECURITY

- The constitution should abolish the payment of fines to the police before going to court
- The constitution should provide that police stations are built closer to the people
- The constitution should outlaw police torture, and that suspects are held for a maximum of 6 hours in police cells

- The constitution should provide that the police, the chief and the vigilante groups liaise in night patrols
- The constitution should provide that the armed forces be disciplined
- The constitution should provide that the executive will liaise with the disciplined forces before declaring a state of emergency
- The constitution should provide that a declaration of war shall be done by parliament, or if by the president, it will have been approved by 65% of the MPs

5.3.6 POLITICAL PARTIES

- The constitution should provide a limit of 5 political parties
- The constitution should provide a limit of 4 political parties
- The constitution should provide a limit of 3 political parties
- The constitution should limit the number of political parties to 2
- The constitution should provide a framework that shall be used to regulate the formation of political parties.
- The constitution should censure political parties when they fail to implement their manifestos
- The constitution should provide that political parties shall be funded from the annual budget
- The constitution should provide that parties shall not be funded by public funds
- The constitution should provide that the ruling party's property be separated from that of the government

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- The constitution should provide for the establishment of a federal system of governance
- The constitution should provide that there shall be a governor and a federal assembly that has socio-economic and political powers
- The constitution should provide that the president shall be the head of state
- The constitution should provide that the prime minister shall be the head of state
- The constitution should provide that some ministries shall be at the provincial level like the ministry of agriculture
- The constitution should abolish the local government and replace it with regional assemblies
- The constitution should provide for a unitary government.
- The constitution should provide for the office of the prime minister whose functions are checked by parliament
- The constitution should provide for the creation of a government of national unity
- The constitution should provide that there shall be a unitary government but the development services shall be decentralized
- The constitution should provide for a ceremonial president
- The constitution should provide that the presidency shall not be ceremonial but shall complement the work of the premier

5.3.8 THE LEGISLATURE

- The constitution should provide for a bi-cameral legislature
- The constitution should provide that there shall be 300 members in the national assembly and 2-3 members in the regional assembly from each district
- The constitution should limit the Mps terms to two 5-year terms
- The constitution should provide a calendar for parliament
- The constitution should provide that the senate shall appoint civil servants
- The constitution should provide that a member of parliament shall be a graduate
- The constitution should provide that an MP shall be recalled if petitioned by the people
- The constitution should provide that a candidate vying for the house of representatives be over 18 years
- The constitution should provide that senators shall be 45 years of age and above and shall be two per constituency
- The constitution should provide that the senate shall have three 5 years term at a minimum
- The constitution should provide that the MPs work shall be part-time but if full time then he /she should coordinate development in the area he/she represents
- The constitution should provide that parliament shall vet all the appointments made by the president or prime minister.
- The constitution should provide that any aspiring MP shall be a morally and ethically upright person and be married
- The constitution should provide that there shall be no nominated MPs
- The constitution should provide that there shall be a bi-cameral legislature having a house of representatives and a senate
- The constitution should provide for the formation of a coalition government
- The constitution should provide that the legislature shall approve additional ministries or ministers by a 65% majority vote
- The constitution should provide that the president's powers shall be vetoed by parliament
- The constitution should provide that the candidate for the presidency shall be 45 years and above.
- The constitution should provide that the candidate vying for the presidency shall be between 35-70 years of age
- to The electoral commission should set the ages of candidates; councilors be 27 years and over, MP 30 years and over, president should be 35 years and over,
- The constitution should provide that there shall be 8 women nominated MPs from the 8 provinces

5.3.9 THE EXECUTIVE

- The constitution should give extensive powers to the presidency.
- The constitution should specify the powers of the president
- The constitution should provide for the impeachment of the president
- The constitution should provide that the president shall serve for two 5-year terms
- The constitution should provide for the appointment of a ceremonial president by parliament
- The constitution should provide that the powers of the president shall be reduced
- The constitution should provide that the people elect the chiefs for a term of 5 years through acclamation or queuing
- The constitution should provide that the chief's authority act is reintroduced to enable them carry out their work like solving land quarrels
- The constitution should provide that the chief is appointed for a three to five-year term
- The constitution should provide that chiefs are elected for a 2 terms of 4 years each.
- The constitution should provide that civil servants shall be politically neutral
- The constitution should provide that chiefs salaries shall be increased
- The constitution should provide that chiefs shall be trained for 6 months at the Kenya Institute of Management
- The constitution should provide that chiefs and their assistants shall not be transferable
- The constitution should provide that chiefs and their assistants are transferable
- The constitution should abolish the provincial administration and the powers given to the council chairpersons
- The constitution should provide that the provincial administration shall be elected
- The constitution should provide that the provincial administration shall be recruited on merit
- The constitution should provide that the president shall appoint the premier from the winning / majority party
- The constitution should provide for the election of a prime minister by the people
- The constitution should provide that the president shall be a graduate, Kenyan-born and be petitioned by ½ a million Kenyans
- The constitution should provide that the president shall have a running mate
- The constitution should provide that the president shall not be an MP
- The constitution should stipulate the number of ministers that should work in the central government.
- The constitution should provide that the number of ministries shall be limited to 15 with a minister and his/her assistant

5.3.10 THE JUDICIARY

- The constitution should provide that rape suspects shall prove that he / she did not rape the victim rather than the victim proving the case
- The constitution should provide that a rape culprit gets a sentence of life imprisonment or death
- The constitution should provide for speedy trials unless it is a murder case
- The constitution should provide that murder convicts shall be dealt with strictly

- The constitution should guarantee the independence of the judiciary
- The constitution should provide judges with security of tenure
- The constitution should provide that there shall be legal aid
- The constitution should provide that all remand homes and prisons shall be kept clean and descent
- The constitution should provide that jails are turned into rehabilitation centers
- The constitution should provide that judges shall be vetted by parliament when appointed by the president
- The constitution should provide that the judicial service commission shall appoint judges
- The constitution should provide that judges shall be impartial in their judgments
- The constitution should provide that the Kadhis court jurisdiction shall be increased in every district
- The constitution should provide that officials of the Kadhis court are Muslim lawyers who have undergone religious teaching
- The constitution should provide that criminals shall be fined according to their income levels
- The constitution should provide that traffic fines shall be paid on the spot.
- The constitution should provide that petty offenders shall be put on probation to serve the community
- The constitution should subject criminals to HIV/AIDS testing and if found positive, be put on probation rather than in jail

5.3.11 LOCAL GOVERNMENT

- The constitution should provide that local authorities shall be given more powers
- The constitution should provide that chairpersons of local councils shall have more power than clerks
- The constitution should provide that mayors and council chairpersons shall be graduates
- The constitution should provide that councilors shall be recalled if they fail to deliver
- The constitution should provide for the direct election of mayors and council chairpersons
- The constitution should provide that councilors shall have a minimum of form four education.
- The constitution should provide that councilors salaries shall be reviewed and drawn from a consolidated fund of the government

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide that electoral representatives shall be accountable to the electorate
- The constitution should provide for the review of electoral boundaries on the basis of population and geographical expanse
- The constitution should provide for the direct election of the president
- The constitution should provide that MPs and councilors shall be sponsored by parties for elections
- The constitution should provide that there shall be a preliminary election and only the top three candidates shall proceed to the next stage

- The constitution should provide for the election of a vice president directly by the masses
- The constitution should provide for the right of independent candidates to vie for seats
- The constitution should provide that parliamentary and presidential elections shall be de-linked

5.3.13 BASIC RIGHTS

- The constitution should provide that there is no discrimination and that there is a right to be employed
- The constitution should provide that there is free education and health care
- The constitution should provide that there is free education up to university especially for the orphans
- The constitution should provide the freedom to worship God, profess those beliefs, refuse to take oath if it is contrary to those beliefs and change the religion if one so wishes
- The constitution should outlaw devil worship
- The constitution should provide that the SDA denomination does not work on Saturday
- The constitution should guarantee the freedom to assemble
- The constitution should provide that retrenchment is a violation of human rights and should be reviewed
- The constitution should provide that the government shall be responsible to the citizen whether employed or not, and that it shall provide welfare upkeep for those that are unemployed
- The constitution should provide that the writing of wills shall be encouraged
- The constitution should be available in bookshops and libraries
- The constitution should provide that school chairpersons be of moral integrity
- The constitution should provide that retirees shall get pensions and gratuity immediately upon retirement
- The constitution should provide that inquiry reports by commissions are made public

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- The constitution should provide for the creation of homes for the elderly of 85 years and above and the disabled
- The constitution should provide that there is a welfare system and a consolidated fund for the aged
- The constitution should provide that those over 65 five years old should not be imprisoned or hanged
- The constitution should provide that the disabled shall be nominated to parliament
- The constitution should provide for the enhancement of Affirmative Action
- The constitution should provide that child defilers get a life sentence if child is 1-5 years, 20-30 years if the child is 6-10 years and 10-11 years if the child is 19 years
- The constitution should outlaw child labor for children under 18 years
- The constitution should guarantee that women shall have equal employment opportunities
- The constitution should provide that orphans and the disabled shall get free education

and every district shall have schools for them

- The constitution should provide that nominations to parliament or councils are made on the basis of minority rights and their interests

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide that the parents of a deceased person shall have a right to inherit his/her property
- The constitution should provide that only old women shall be allowed to own land
- The constitution should provide that children of whichever sex inherit land but girls surrender theirs upon marriage
- The constitution should provide that only the unmarried girls have the right to inherit property
- The constitution should provide that married women shall have a right to inherit property
- The constitution should provide that clan elders shall handle land disputes
- The constitution should provide that clan elders shall have more power to settle land disputes
- The constitution should provide that Kenyans can own land anywhere but with limitations
- The constitution should provide for the review of title deeds issuance
- The constitution should limit the powers of the commissioner of lands
- The constitution should provide that aliens/foreigners shall lease but not buy land
- The constitution should provide that the land tenure process shall be processed and the district tribunals set up
- The constitution should provide that land ownership shall be on individual basis and the government must guarantee that
- The constitution should provide that there shall be no joint ownership of land between the spouses
- The constitution should provide that land transfer shall be a family affair
- The constitution should provide for the right of an illegitimate grandchild to inherit land from the grandparents
- The constitution should provide that land disputes shall be handled by three judges
- The constitution should provide that all land that was grabbed shall be repossessed
- The constitution should provide that title deeds shall be in the names of both spouses
- The constitution should provide that land has to be sold with the consent of both the wife and children
- The constitution should provide that women shall be protected against grabbing of their land
- The constitution should provide for the review of land ownership every 10 years to give the youth an opportunity to own land
- The constitution should provide that land ownership shall be limited to 50 acres

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- The constitution should provide that no one is forced to wear attire / uniform that undermines cultural or religious identity
- The constitution should outlaw wife inheritance

- The constitution should provide that the one who inherits the deceased brother's wife also takes care of the children

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

- The constitution should provide that the telegraphic money system is reintroduced
- The constitution should provide that there shall be equitable distribution of national resources
- The constitution should provide for the review of pensions in line with inflation
- The constitution should provide that a person will hold only one job
- The constitution should provide that only trained or professional people get jobs and are adequately paid commensurate to their level of education
- The constitution should provide that pensions shall be increased as the workers pay is increased
- The constitution should provide that pension shall be endless
- The constitution should provide that a husband and the children shall benefit from the pension of a dead wife

5.3.18 ENVIRONMENT AND NATURAL RESOURCES

- The constitution should provide that hydroelectric power is first beneficial to the area where it has been tapped before it benefits other areas

5.3.19 PARTICIPATORY GOVERNANCE

- The constitution should provide that citizens participate fully in the political process by empowering them on how to make or unmake the government
- The constitution should provide that 1/3 of Mps and councilors shall be women

5.3.20 INTERNATIONAL RELATIONS

- The constitution should be in conformity with international conventions
- The constitution should provide that as a country we reject the 1929 Nile Treaty
- The constitution should provide for the review of the Nile Treaty

5.3.21 CONSTITUTIONAL COMMISSIONS INSTITUTIONS AND OFFICES

- The constitution should provide that there be a commission that vets government spending
- The constitution should provide that the office of the ombudsman is formed
- The constitution should abolish the Public Service Commission
- The constitution should provide for the formation of a remuneration committee or a

parliamentary service commission to address MPs salaries

- The constitution should provide that there are institutions that promote democracy
- The constitution should provide for the creation of a commission to regulate NGOs
- The constitution should provide that the judicial service commission appoint judges
- The constitution should provide for the formation of a commission to investigate corrupt people
- The constitution should provide for the entrenchment of the District Development Commissions

5.3.22 WOMEN’S RIGHTS

- The constitution should provide that those who want to get married should be compulsorily tested for HIV/AIDS
- The constitution should provide that women shall be protected against “wife inheritance”

5.3.23 SECTORAL AND OTHER POLICIES

- The constitution should provide for the review of telephone bills as they are too high
- The constitution should provide that education shall be geared towards promoting national unity
- The constitution should provide that there shall be loans available to students for funding secondary and university education
- The constitution should provide that students shall choose their own leaders
- The constitution should abolish all kinds of harambees
- The constitution should provide that government funds shall be well accounted for
- The constitution should provide for a sitting allowance for Parents’ Teachers’ Association
- The constitution should provide that the government shall rely on local revenue and reduce reliance on foreign resources
- The constitution should provide how the District Development Plans will be implemented
- The constitution should spell out government revenue and expenditure
- The constitution should provide for the laws that protect farmers like subsidies
- The constitution should provide that the government shall deploy agricultural experts to help farmers
- The constitution should provide that the government shall provide physical facilities and equipment to all nursery schools
- The constitution should provide that school bursaries are sent directly to the provinces
- The constitution should provide that all workers are under the NSSF including house-helpers
- The constitution should provide that the government is prompt in paying retirement benefits
- The constitution should provide for the wage increment of laborers
- The constitution should abolish the Ndegwa commission recommendation that civil servants cannot vie for other offices
- The constitution should provide that the teachers are well remunerated even after retirement
- The constitution should provide that the government shall employ people and promote them on merit

- The constitution should provide that universities are independent and scholarships are given on merit
- The constitution should provide that school dropouts and leavers concentrate on income generating activities rather than on drinking
- The constitution should provide that clan elders are duly paid
- The constitution should provide that corrupt people shall be prosecuted
- The constitution should ensure that the civil bureaucracy is efficient and free from corruption
- The constitution should provide that the government shall guarantee balanced regional development
- The constitution should provide that the education system is reviewed and agricultural education is made mandatory
- The constitution should limit the number of children one can have
- The constitution should provide that ministers shall not be MPs
- The constitution should provide that the cabinet shall be made of professionals
- The constitution should provide for a clause that can be used to pass a no-confidence vote in an elected member
- The constitution should provide that the president shall not be the chancellor of public varsities

APPENDICES:

Appendix 1: Constituency Constitution Committees

1. Paul Adhu Awiti MP
2. James Awino Sangori DC
3. Seth Oluoch Chairman
4. Cllr. Shem Kisero
5. Olivia Agwa
6. Prof. Omollo Ongati
7. Charles Gumbo Mcomer
8. Rose Ochoo
9. Florence Bila
10. Ruth Okoth

Appendix 2: Civic education providers (CEPs)

1. Umoja self help group
2. Constituency constitutional committee
3. Safe development project
4. Maendeleo ya wanawake
5. Rakwaro fishermen self help group

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

1	0001ORHN 1Y	Amos Onyango Midamba.	CBO	Written	CBOs/NGO Co-ordinating Commi
2	0004ORHN 2Y	Argwengs Odongo.	CBO	Memorandum	SAFE Development Project.
3	0016ORHN 3Y	Margaret Mitoko	CBO	Written	Maendeleo ya Wanawake Organi
4	0009ORHN 4Y	Martha Orinda	CBO	Written	Orphans Delegation Committee
5	0010ORHN 5Y	Owiti Koyo	CBO	Written	East Kanyaluo Location - Eas
6	0002ORHN 6Y	Pastor Harrison Ogot.	CBO	Memorandum	Kenya Lake Field.
7	0005ORHN 7Y	Peter K'ochiel.	CBO	Written	Kenya Hawkers Union (KENAHU)
8	0008ORHN 8Y	Saad Miraj Khairallah.	CBO	Written	Kendu Young Muslim Welfare A
9	0006ORHN 9Y	Yunia Adinda	CBO	Memorandum	Maendeleo ya Wanawake Organi
10	0045IRHNY	Alfred Odhiambo.	Individual	Written	
11	0056IRHNY	Andrea A. Mosi	Individual	Oral - Public he	
12	0117IRHNY	Armashud O. Obidi.	Individual	Oral - Public he	
13	0152IRHNY	Ben Osawa	Individual	Oral - Public he	
14	0018IRHNY	Bernard Oduong	Individual	Written	
15	0048IRHNY	Brigids Omollo	Individual	Written	
16	0031IRHNY	Canon O. Agwa	Individual	Written	
17	0037IRHNY	Catherine Gatama.	Individual	Written	
18	0041IRHNY	Charles J. A. Oniala.	Individual	Written	
19	0113IRHNY	Christoper O. Otieno.	Individual	Oral - Public he	
20	0148IRHNY	Christopher Ojijo	Individual	Oral - Public he	
21	0137IRHNY	Christopher Olang'o.	Individual	Oral - Public he	
22	0085IRHNY	Cllr. Ben Osiko	Individual	Oral - Public he	
23	0005IRHNY	Cllr. Gillies Adera Oti	Individual	Written	
24	0103IRHNY	Cllr. Peter Nyakiti.	Individual	Oral - Public he	
25	0079IRHNY	Cllr. Yusto O. Choni.	Individual	Oral - Public he	
26	0156IRHNY	Dalmas Ogutu Ochieng'.	Individual	Oral - Public he	

27	0052IRHNY	Dan Midamba	Individual	Oral - Public he	
28	0012IRHNY	Danor O. Modi	Individual	Written	
29	0149IRHNY	Daudi Adundo	Individual	Oral - Public he	
30	0105IRHNY	David Andolo	Individual	Oral - Public he	
31	0087IRHNY	David Osano	Individual	Oral - Public he	
32	0071IRHNY	Dishon Orunda	Individual	Oral - Public he	
33	0047IRHNY	E. Ager Kirowo.	Individual	Oral - Public he	
34	0142URHN Y	Edina Odeka	Individual	Oral - Public he	
35	0006IRHNY	Elder Benson Nyang'iyie	Individual	Oral - Public he	
36	0057IRHNY	Elder Nyang'iyie.	Individual	Oral - Public he	
37	0104IRHNY	Elisha Arunga	Individual	Oral - Public he	
38	0019IRHNY	Elisha Ocholla.	Individual	Written	
39	0025IRHNY	Elisha Okoth O.	Individual	Written	
40	0121IRHNY	Elisha Opapa	Individual	Oral - Public he	
41	0065IRHNY	Enoch O. Ominda	Individual	Oral - Public he	
42	0066IRHNY	Enos O. Ochieng'.	Individual	Oral - Public he	
43	0046IRHNY	Ephraim Jalang'o.	Individual	Written	
44	0058IRHNY	Eric Magak	Individual	Oral - Public he	
45	0119IRHNY	Eric Obudho.	Individual	Oral - Public he	
46	0064IRHNY	Esther A. Odeny	Individual	Oral - Public he	
47	0009IRHNY	Ezekiel Owano	Individual	Written	
48	0147IRHNY	Feletinos Opiyo	Individual	Oral - Public he	
49	0109IRHNY	Francis Ogolla	Individual	Oral - Public he	
50	0157IRHNY	Fredrick Oyare	Individual	Oral - Public he	
51	0091IRHNY	Gaudentia Achola	Individual	Oral - Public he	
52	0131IRHNY	Gedion M. Adel.	Individual	Oral - Public he	
53	0144IRHNY	George K. Mbori.	Individual	Oral - Public he	
54	0054IRHNY	George O. Rege	Individual	Oral - Public he	

55	0136IRHNY	George Oganga	Individual	Oral - Public he	
56	0024IRHNY	George Osumbar.	Individual	Written	
57	0110IRHNY	George Otoy	Individual	Oral - Public he	
58	0128IRHNY	Goerge Okumu	Individual	Oral - Public he	
59	0134IRHNY	Gordon Amadi.	Individual	Oral - Public he	
60	0100IRHNY	Grace Obunga	Individual	Oral - Public he	
61	0060IRHNY	Helida Odero	Individual	Oral - Public he	
62	0094IRHNY	Hellen Akinyi	Individual	Oral - Public he	
63	0073IRHNY	Henry Nyakinda Ondoro.	Individual	Oral - Public he	
64	0020IRHNY	Henry Nyakinda Ondoro.	Individual	Written	
65	0036IRHNY	Henry Philip Okoto O.	Individual	Written	
66	0004IRHNY	Hon. Dr. Adhu Awiti (Mi	Individual	Written	
67	0086IRHNY	Jacob Obiero	Individual	Oral - Public he	
68	0067IRHNY	Jairus Oyala	Individual	Oral - Public he	
69	0075IRHNY	James A. Sangori	Individual	Oral - Public he	
70	0108IRHNY	James Aluoch	Individual	Oral - Public he	
71	0053IRHNY	James M. Owuor	Individual	Oral - Public he	
72	0118IRHNY	Japheth K'oyier.	Individual	Oral - Public he	
73	0095IRHNY	Jerem Odido	Individual	Oral - Public he	
74	0143IRHNY	Jeremiah K.	Individual	Oral - Public he	
75	0088IRHNY	Joash M. Okumu	Individual	Oral - Public he	
76	0072IRHNY	Joash Ogweno	Individual	Oral - Public he	
77	0080IRHNY	Joech Obondo	Individual	Oral - Public he	
78	0115IRHNY	Joel Nyakwaka	Individual	Oral - Public he	
79	0008IRHNY	Joel O. Ochola	Individual	Oral - Public he	
80	0107IRHNY	Joel O. Sagaa.	Individual	Oral - Public he	

81	0044IRHNY	Joel Oyieke	Individual	Written	
82	0033IRHNY	John Agola	Individual	Written	
83	0092IRHNY	John Awino	Individual	Oral - Public he	
84	0114IRHNY	John Maigo	Individual	Oral - Public he	
85	0040IRHNY	John O. Nyang'.	Individual	Memorandum	
86	0068IRHNY	Jonathan Odero	Individual	Oral - Public he	
87	0034IRHNY	Joseph Asino Ong'onge	Individual	Written	
88	0001IRHNY	Joseph Awino Geda.	Individual	Written	
89	0016IRHNY	Joshua O. Owino	Individual	Written	
90	0070IRHNY	Joshua Omollo	Individual	Oral - Public he	
91	0146IRHNY	Joshua Onditi	Individual	Oral - Public he	
92	0139IRHNY	Julius Nyaoke Nyerere.	Individual	Oral - Public he	
93	0002IRHNY	Ken Oluoch	Individual	Written	
94	0120IRHNY	Kenndy O. Sindala.	Individual	Oral - Public he	
95	0101IRHNY	Kenneth Opapa	Individual	Oral - Public he	
96	0145IRHNY	Kepher Olare	Individual	Oral - Public he	
97	0127IRHNY	Kilion O. Gor.	Individual	Oral - Public he	
98	0106IRHNY	Lawrence Ojjo	Individual	Oral - Public he	
99	0023IRHNY	Leo Obong'o Obenyo.	Individual	Written	
100	0102IRHNY	Marion M. Akoth.	Individual	Oral - Public he	
101	0061IRHNY	Martha Orinda	Individual	Oral - Public he	
102	0042IRHNY	Mary A. Nyakado.	Individual	Written	
103	0062IRHNY	Mathayo Wandiga.	Individual	Oral - Public he	
104	0112IRHNY	Maurice Ngola.	Individual	Oral - Public he	
105	0074IRHNY	Micah Mitoko	Individual	Oral - Public he	
106	0017IRHNY	Mikida S. Okelo	Individual	Memorandum	
107	0130IRHNY	Moses A. Oriko.	Individual	Oral - Public he	
108	0122IRHNY	Nabas Obat.	Individual	Oral - Public he	
109	0043IRHNY	Nick Ogira	Individual	Written	
110	0028IRHNY	Nyandiko Ongai.	Individual	Written	

111	0125IRHNY	Octave Odiembo	Individual	Oral - Public he	
112	0082IRHNY	Odiwo Nyandega	Individual	Oral - Public he	
113	0021IRHNY	Ogombo Walter Juma.	Individual	Written	
114	0026IRHNY	Omolo D. Maurice	Individual	Written	
115	0032IRHNY	Owidi George	Individual	Written	
116	0010IRHNY	Owino O. Omach	Individual	Written	
117	0035IRHNY	P. C. Ogada Owiti A.	Individual	Written	
118	0138IRHNY	Paul Nyagowa.	Individual	Oral - Public he	
119	0141IRHNY	Paul Oyang	Individual	Oral - Public he	
120	0039IRHNY	Peter Ogwang' Ouma.	Individual	Written	
121	0077IRHNY	Peter Okoth Amos.	Individual	Oral - Public he	
122	0022IRHNY	Peter Okoth Amos.	Individual	Written	
123	0027IRHNY	Peter Okuta Ogot.	Individual	Written	
124	0140IRHNY	Philip Gor	Individual	Oral - Public he	
125	0132IRHNY	Philip Oyier	Individual	Oral - Public he	
126	0003IRHNY	Phillip A. Olela	Individual	Written	
127	0055IRHNY	Prof. Siwo Okundi	Individual	Oral - Public he	
128	0155IRHNY	Reginald O. B. Anam.	Individual	Oral - Public he	
129	0154IRHNY	Richard Odhiambo Apoko.	Individual	Oral - Public he	
130	0007IRHNY	Robert O. Odongo.	Individual	Oral - Public he	
131	0059IRHNY	Robert O. Odongo.	Individual	Oral - Public he	
132	0135IRHNY	Ruth Apuko	Individual	Oral - Public he	
133	0030IRHNY	S. Oluoch	Individual	Written	
134	0063IRHNY	Saleh Ogoro	Individual	Oral - Public he	
135	0098IRHNY	Salmon Obudo	Individual	Oral - Public he	
136	0014IRHNY	Samson O. Okwanyo.	Individual	Written	
137	0011IRHNY	Samuel O. Oluoch	Individual	Written	
138	0069IRHNY	Samuel Odeny	Individual	Oral - Public he	
139	0084IRHNY	Samuel Othuri	Individual	Oral - Public he	

140	0111IRHNY	Samuel Otunga	Individual	Oral - Public he	
141	0123IRHNY	Selemia Kunda	Individual	Oral - Public he	
142	0133IRHNY	Seline Ayoo.	Individual	Oral - Public he	
143	0078IRHNY	Seth Oluoch	Individual	Oral - Public he	
144	0097IRHNY	Shaban Ouma	Individual	Oral - Public he	
145	0090IRHNY	Shem Kobe	Individual	Oral - Public he	
146	0081IRHNY	Shem O. Abong'o.	Individual	Oral - Public he	
147	0116IRHNY	Sheth Ong'ara.	Individual	Oral - Public he	
148	0051IRHNY	Steve Koteko	Individual	Oral - Public he	
149	0050IRHNY	Steven Biko Otiende.	Individual	Oral - Public he	
150	0038IRHNY	Thadayo Agar	Individual	Memorandum	
151	0076IRHNY	Tom Aldomoro	Individual	Oral - Public he	
152	0126IRHNY	Tukiko Aketch.	Individual	Oral - Public he	
153	0013IRHNY	W. O. Otera	Individual	Written	
154	0153IRHNY	Wilkister Odiembo	Individual	Oral - Public he	
155	0150IRHNY	William Ager	Individual	Oral - Public he	
156	0089IRHNY	William O. Mumba	Individual	Oral - Public he	
157	0083IRHNY	Wilson Amayo	Individual	Oral - Public he	
158	0093IRHNY	Wilson Onditi	Individual	Oral - Public he	
159	0151IRHNY	Wilson Oromo	Individual	Oral - Public he	
160	0015IRHNY	Wilson W. Liech	Individual	Written	
161	0029IRHNY	Zachary Opiyo Amuom	Individual	Written	
162	0124IRHNY	Zadok Okoto.	Individual	Oral - Public he	
163	0129IRHNY	Zedekiah Ogeda	Individual	Oral - Public he	
164	0049IRHNY	Zephania Odidi	Individual	Oral - Public he	
165	0014ORHN Y	Eliude O. Otieno	Other Institutions	Memorandum	Mawego Tchnical Institute
166	0003ORHN Y	Pastor Gilbert Angienda	Other Institutions	Written	Africa Herald Publishing Hou

167	0013ORHN Y	Tobias Sigudi	Other Institutions	Written	KNUT Kendu bay
168	0012ORHR H	Caroline Odondi	Political Party	Memorandum	Kenya Women Political Caucus
169	0007ORHN Y	John Ouko Ogada.	Political Party	Written	NDP-Rachuonyo
170	0011ORHN Y	Pastor S. M. Okeyo	Religious Organisation	Written	SDA Church - Rachuonyo.
171	0015ORHN Y	Shaban Ouma.	Religious Organisation	Oral - Public he	Alusunar Wal Jamaa.
172	0096IRHNY	Daniel Otieno		Oral - Public he	
173	0099IRHNY	Fredrick Awino		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

GENDIA HIGH SCHOOL

No	Name:	Address:	No	Name:	Address:
1	Joseph Awino Geda	P.O.Box 54, Kindu Bay	25	Zaid Ali Mbamub	P.O. Box Kindu Bay
2	George Okeyo	P.O. Box 87, Kindu Bay	26	Hawkins J. Odongo	P.O. Box 167, Kindu Bay
3	Keny Oluoch	P.O. Box 101, Kindu Bay	27	Owino Opar Omach	P.O. Box 3, Kindu Bay
4	Sephania Odidi	P.O. Box Got Oyaro	28	Esther Ajuang' Odony	P.O. Box 230, Kindi Bay
5	Amod Onyano Midambi	P.O. Box 135, Kosele	29	Samson Oketch	P.O. Box 16, Omboga
6	Samuel A. Nyaoke	P.O.Box 247, Kindu Bay	30	Philemon Oum	P.O. Box 14, Kindu Bay
7	Sam Midamba	P.O. Box 238, Kindu Bay	31	Wilson W. Liech	P.O. Box 100, Kindu Bay
8	George Rege	P.O. Box 30007, Nairobi	32	Enock Wamwara Orinda	P.O. Box 87, Kindu Bay
9	Cllr. Gillys Otieno	P.O. Box 106, Kindu Bay	33	Enos O. Ochieng	P.O. Box 2, Kindu Bay
10	Andrew Awuor Moso	P.O. Box 77, Kindu Bay	34	Joshua O. Owino	P.O. Box 25, Rakwaro
11	Philip A. Olera	P.O. Box 14, Kindu Bay	35	Simon Maena	P.O. Box 22, Kindu Bay
12	Erick Magak	P.O. Box 14, Kindu Bay	36	Swaleh Maira	P.O. Box 246, Kindu Bay
13	Benson Nyangie Nderio	P.O. Box 230, Kindu Bay	37	Abisalom Owiti	P.O. Box 36, Omboga
14	Robert O. Odongo	P.O.Box 49, Omboga	38	Samson Mikida Okelo	P.O.Box 14, Kindu Bay
15	Eunice Adinda	P.O. Box, Kindu Bay	39	Jairus O. Ojala	P.O. Box 39, Kindu Bay
16	Moses Nyandega	P.O. Box 84, Kindu Bay	40	Jonathan Odero	P.O. Box 96, Kindu Bay
17	Ezekiel Owano	P.O. Box 49, Omboga	41	Peter Ko'chiel	P.O. Box 102, Kindu Bay
18	Judah Onduto	P.O. Box 4, Kindu Bay	42	Charles Ogada	P.O. Box 56, Kindu Bay
19	W. O. Ogira	P.O. Box 100, Kindu Bay	43	Poycap Kola	P.O. Box 152, Kosele
20	Helida Odero	P.O. Box 167, Kotieno G	44	Samuel Odeny	P.O. Box 53, Kindu Bay
21	Martha Orinda	P.O. Box 14, Kosele	45	Harrison Osano	P.O. Box 167, Kindu Bay
22	Saleh Ogoro	P.O. Box 31, Kindu Bay	46	Rael Nyandiko	Kindu Bay
23	Agnes Orinda	P.O. Box 14, Kosele	47	Obiero C. Agai	P.O. Box 89, Kindu Bay
24	Tom Ochieng	P.O. Box 14, Kosele	48	Mary Achieng'	Kindu Bay
49	Philip Odero	P.O. Box 49, Omboga	73	Henry Anyakinda	P.O. Box 60, Kindu Bay
50	Joshua Omollo	P.O. Box 13, Mawego	74	Oteko Omwaro	P.O. Box 14, Kindu Bay
51	Elisha Ochola	P.O. Box 13, Mawego	75	Steve Biko Otioko	None
52	Muga Osano	P.O. Box 49, Omboga	76	Charles Owuor	P.O. Box 102, Kindu Bay
53	Ashan Onsarigo	P.O. Box 13, Mawego	77	Ezron Opar	P.O. Box 187, Kindu Bay
54	Abdi Madeka	P.O. Box 116, Kindu Bay	78	James A. Siwo	P.O. Box 187, Kindu Bay
55	Danor oloo Modi	P.O. Box 5, Kindu Bay	79	Afred Abot Opiyo	P.O. Box 56, Kindu Bay
56	Naomi Awino	P.O. Box 53, Kindu Bay	80	Robert Oeta	P.O. Box 124, Kindu Bay
57	Harrison ogot	P.O. Box 43, Kindi Bay	81	Said Khairallah	P.O. Box 31, Kindu Bay
58	Dishon Orinda	P.O. Box 90, Kindu Bay	82	Rtr. Juma Said Aoko	P.O. Box 159, Kindu Bay
59	Charles Okombo	P.O.Box 100, Kindu Bay	83	Samuel Jairus Othim	P.O. Box 28, Ombog
60	Joash Ogwno	P.O. Box 213, Kindi Bay	84	joel H. Ochola	P.O.Box 119, Rakwaro
61	Micah Mitoko	P.O. Box 15, Konwang	85	Mohamed Abdulai	P.O. Box 31, Kindu Bay
62	James M. Owuoth	P.O. Box 14, Kindu Bay	86	Kharallh Maoro	P.O. Box 31, Kindu Bay
63	Ogombo Walter	P.O. Box 14, Kindu Bay	87	Caren Rabal	P.O.Box 123, Kindu Bay

64	Caroline Odondi	P.O. Box 14, Kindu Bay	88	Sophia Bakari	P.O. Box 31, Kindu Bay
65	James A. Sangori	P.O. Box 49, Omboga	89	James Ochieng'	P.O. Box 218, Kindu Bay
66	Joseph Obondo	P.O. Box 95, Kindu Bay	90	Naftal Malit	P.O. Box 39, Kindu Bay
67	Pastor Mathayo Wandiga	P.O. Box 16, Kindu Bay	91	Priscar Akumu Oyoko	P.O.Box 24, Kindu Bay
68	Jacob Achianoo	P.O. Box 40, Kindu Bay	92	Abdala Siruru Onyango	P.O. Box 314, Kindu Bay
69	Joshua Masla Obala	P.O. Box 67, Kindu Bay	93	Valentine Warua	P.O. Box 74, Omboga
70	James Odero Mumbo	P.O.Box 188, Kindu Bay	94	Jacob Awiti	P.O. Box 74, Omboga
71	Kelion O. Ariko	P.O. Box 100, Kindu Bay	95	Abdul Ayoma	P.O. Box 314, Kindu Bay
72	Samuel Odieny	P.O. Box 169, Kindu Bay	96	John Otieno	P.O. Box 47, Kojwang
97	Jack Kawere	P.O. Box 273, Kendu Bay	121	Yucbet Keke	P.O. Box 96, Kendu Bay
98	Barnaba Ochieng M.	P.O. Box 320, Kendu Bay	122	Pastor Gilbert Angienda	P.O. Box 95, Kendu Bay
99	Peter O. Agunga	P.O. Box 1, Rakwaro	123	Otieno Eliud Ochieng	P.O. Box 35, Kendu Bay
100	Yastin Obuya	P.O. Box 23, Kendu Bay	124	Penina Owino Cllr.	Kendu Bay
101	Evans Ogelo	P.O. Box 56, Kendu Bay	125	Joshua Agiwa Akoko	P.O. Box 89, Kendu Bay
102	Kenedy Obuya	P.O. Box 39, Kendu Bay	126	Argwengs Odongo	P.O. Box 20, Kendu Bay
103	Alfayo Otiang'	P.O. Box 300, Kendu Bay	127	Asha Sulman	P.O. Box 31, Kendu Bay
104	Joseph A. Mboy	P.O. Box 152, Kosele	128	Serphina Owiti	P.O. Box 31, Kendu Bay
105	Mamud Omar S.	P.O. Box 31, Kendu Bay	129	Yucabet Opiyo	P.O. Box 31, Kendu Bay
106	Banjamin A. Odienyo	P.O. Box 387, Kendu Bay	130	Nerea Atieno	P.O. Box 31, Kendu Bay
107	Harrison Okeyo	P.O.Box 294, Kendu Bay	131	Agneta Aomo	P.O. Box 115, Kendu Bay
108	Michael Nyorech	P.O. Box 20, Omboga	132	Ben Osika	P.O. Box 56, Kendu Bay
109	Caleb Aliet	P.O. Box 119, Oyugi	133	Joash Muga	P.O. Box 84, Kenya Bay
110	Samuel wuor Okoth	P.O. Box 203, Kendu Bay	134	Peter Ochuma	P.O. Box 84, Kenya Bay
111	Bernad Odiwuor	P.O. Box 14, Kendu Bay	135	Walter Owiyo Mwala	P.O. Box 102, Kendu Bay
112	Shem Kobe Were	P.O. Box 48, Kendu Bay	136	George Onyango	P.O. Box 19, Rakwaro
113	Wilson Amayo	P.O. Box 16, Omboga	137	Silvester odongo	P.O. Box 3, Rakwaro
114	Michael Ndege	P.O. Box 35, Kendu Bay	138	Peres Otiende Aduwo	P.O. Box 182, Kendu Bay
115	Olivia Agwa	P.O. Box 250, Kendu Bay	139	Joseph Oyare	P.O. Box 37, Kendu Bay
116	Agnes Atieno	Private Bag, Kendu Bay	140	David Magero	P.O. Box 37, Kendu Bay
117	Sarifa mafta	P.O. Box 273, Kendu Bay	141	Silpa Anyango	P.O. Box 96, Kendu Bay
118	Jack Omita Abok	P.O. Box 273, Kendu Bay	142	Cllr. Yusto O.Choni	P.O. Box 78, Kendu Bay
119	Monicah Onyango	P.O. Box 273, Kendu Bay	143	Musa Ondega Ondiek	P.O. Box 3, Kosele
120	Elsa Ondiek Ang'io	P.O.Box 294, Kendu Bay	144	Margaret Abok	Kendu Bay
145	Paul Ameny	P.O. Box 88, Kendu Bay	169	Grace Aoko	P.O. Box 87, Kendu Bay
146	Midamba Ogada Yamu	GENDIA	170	Majuma Ali	P.O. Box 87, Kendu Bay
147	Yucabet Yugi	YALA	171	Zachariah Opiyo	Konyach School, K/Bay
148	Magret Okoth	None	172	Francis Njeje	P.O. Box 102, Kendu Bay
149	Millicent A. Omune	P.O. Box 14, Kendu Bay	173	Shaban Ouma	P.O. Box 70, Kojwang

150	Samson ge	P.O. Box 230, Kendu Bay	174	Joseph K. Maira	P.O. Box 157, Kendu Bay
151	Nathaniel Owuor Aroka	P.O. Box 26, Kendu Bay	175	Peter Olim	P.O. Box 25, Kendu Bay
152	Shem Midamb	P.O. Box 238, Kenya Bay	176	Hellen Odumbe	None
153	Richard Otieno Oketch	P.O. Box 14, Kendu Bay	177	Syprose Agure	None
154	Tom Ongalo	P.O. Box 64, Kosele	178	Wilfrida Odungo	None
155	Dinah Okoth	P.O. Box 157, Kendu Bay	179	Rispa Wanga	None
156	Benter Auma Tindi	P.O. Box 167, Kendu Bay	180	Mary Obuya	None
157	Turphena Opar	P.O.Box 218, Kendu Bay	181	Rukaya Auyka	Kendu Bay
158	James Ndago	P.O. Box Rakwaro	182	Persila Onunga	Kendu Bay
159	Okuta Ogot	P.O. Box 339, Kendu Bay	183	Persila Ndere	Kendu Bay
160	Tobias Sigudi	P.O. Box 119, Kosele	184	Judith sawo	Kendu Bay
161	Moses Nyakinda	P.O. BOX 60, Omboga	185	John ouko Ogaba	P.O. Box 49, Kendu Bay
162	Hellen Atieno Magoma	P.O. Box 31, Kendu Bay	186	Benard Onyango	P.O. Box 91, Kendu Bay
163	Rehema Ada Hasan	P.O. Box 31, Kendu Bay	187	Joab Onyango	P.O. Box 204, Kendu Bay
164	Addah Anyango Ogoh	P.O. Box 31, Kendu Bay	188	Owiti wuod Koyo	P.O. Box 573, Oyugi
165	Eshier Agango Mboya	P.O. Box 96, Kendu Bay	189	Caren Musita	Kendu Bay
166	Didakus Okoth Owuor	P.O. Box 210, Kendu Bay	190	Pilista Achula	Kenya
167	Mary Atieno Awuor	P.O. Box 23, Omboga	191	Yudah Aoko Odago	P.O. Box 167, Kendu Bay
168	Joyce Agumb	P.O. Box 60, Omboga	192	Jacob Odera Obiero	P.O. Box 84, Kendu Bay
193	James A. Awiti	P.O. Box 37, Kendu Bay	217	Alima Abdulai	P.O. Box 31, Kendu Bay
194	Isac Ojango	P.O. Box 47, Ombango	218	Danis Ogada	P.O. Box 65, Kosele
195	Peter O. Amoss	P.O. Box 83, Kendu Bay	219	Mary Nduri	P.O. Box 36, Kendy Bay
196	James Achia	P.O. Box 11, Omboga	220	Benadeta Opiyo	P.O.Box 49, Omboga
197	Yunis Omuga	P.O. Box 84, Kendu Bay	221	Enock Njoga	P.O. Box 153, Kendu Bay
198	Benta Sirawa	P.O. Box 84, Kendu Bay	222	Moses Kimathi	P.O. Box 20, Kadel
199	Teresa Owollo	P.O.Box 84, Kendu Bay	223	Joseph Ndolo	P.O. Box 188, Kendu Bay
200	Sophia Faraji	Kendu Bay	224	Elisha Okoth	P.O. Box 41, Rakwaro
201	Nereah Akoth Ogayi	Kendu Bay	225	Nyadiko Ongadi	P.O. Box 72, Kendu Bay
202	Joseph Aluoch	P.O. Box 292, Kendu Bay	226	Dickson M. Omolo	P.O. Box 117, Kendu Bay
203	Ojiero Ondiegi	P.O. Bx 72, Kendu Bay	210	Simion kasera	P.O. Box 363, Kendu Bay
204	Samson Wasega	P.O. Box 49, Kendu Bay	211	Ann Adoyo Anton	None
205	Joel Owuor Obuya	P.O. Box 380, Kendu Bay	212	Cristabel Jersey	None
206	Margaret Onduto	P.O.Box 380, Kendu Bay	213	Pastor Samuel Okeyo	P.O. Box 14, Kendu Bay
207	Aldo Moro Ndege	P.O. Box 67, Kendu Bay	214	Shem Okelo Abonyo	Kendu Bay
208	Dorina Lucy	P.O. Box 14, Kendu Bay	215	George Omolo	P.O. Box 2, Kendu Bay
209	Joseph Rota	P.O. Box 380, Kendu Bay	216	Janet Mbogo	P.O. Box 3, Rongo

No	Name	Address:	No	Name:	Address:
1	John Awino	P.O. Box 74, Kojwang	25	Christopher Onyango	P.O. Box 20, Kandiege
2	JOEL Oyieke	P.O. Box 27, Kadel	26	Maurice N. Akumo	P.O. Box 41, Kojwang
3	Wilson Onditiq	P.O. Box 1, Kandiege	27	Phares O. Ogada Awiti	P.O. Box 5, Kandiege
4	Hellen Akinyi	P.O. Box 241, Homa Bay	28	Christopher O. Otieno	P.O. Box 1, Kodula
5	Jorim Odero Guga	P.O. Box 60, Kojwang	29	John Maigo	P.O. Box 55, Kandiege
6	Daniel O. Olweya	P.O. Box 60, Kojwang	30	Joel Imbo Nyakwaka	P.O. Box 39, Kojwang
7	George Owidi	P.O. Box 24, Kojwang	31	Sheth Ongara	P.O. Box 38, Kojwang
8	Shaban Ouma	P.O. Box 70, Kojwang	32	Armasuod O. Okidi	P.O. Box 241, Homa Bay
9	Simon Obudo	P.O. Box 24, Kandiege	33	Koyier Japheth	P.O. Box 74, Kandiege
10	Fredrick O. Awino	P.O. Box 42, Kojwang	34	Erick Obudho	P.O. Box 74, Kandiege
11	Grace Obunga	P.O. Kojwang via K/Bay	34	Elisha Opapa	P.O. Box 13, Kandiege
12	Keneth Opapa	P.O. Box 79, Kandiege	35	Kennedy O. Sindala	P.O. Box 13, Kandiege
13	Marion Munga Okoth	P.O. Box 42, Kojwang	36	Elisha Opapa	P.O. Box 13, Kandiege
14	Cllr. Peter Nyakiti	P.O. Box 241, Homa Bay	37	Nabas Obat	P.O. Box 27, Kadel
15	Pastor Arunga	P.O. Box 405, Oyaw	38	Joash Obondo	P.O. Box 35, Kojwang
16	David Andolo	P.O. Box 30007, Nairobi	39	Josephine Oliech	P.O. Box 74, Kandiege
17	Lawrence Ojijo	P.O.Box 45, Kojwang	40	D.C. Rachuonyo	P.O. Box 74, Kandiege
18	Joel Ochieng'	P.O. Box 20, Kojwang	41	Margaret Mitoko	P.O. Box Got Oyaro
19	James Aluoch	P.O. Box 6, Kojwang	42	Selemas Juma Kunda	P.O. Box 47, Kojwang
20	Francis Ogola	P.O.Box 20, Kandiege	43	Zadock Okoto	P.O.Box 867, Homa Bay
21	George M. Otoy	P.O. Box 55, Kandiege	44	Martin Nyakiti	P.O. Box 537, Homa Bay
22	Samuel O. Ojunga	P.O. Box 60, Kojwang	45	Octave Odhiambo	P.O. Box 13, Kandiege
23	Joseph Asino	P.O. Box 55, Kandiege	46	Tukiko Ongoro	P.O. Box 44, Kojwang
24	Charles Ongaro	P.O. Box 30, Kandiege	47	Charles Ouma	P.O. Box 44, Kojwang
48	Kilion O. Gor	P.O. Box 44, Kojwang	72	John Nyang	P.O. Box 24, Kandiege
49	Thadayo Owanre	P.O. Box 1, Kandiege	73	Paul Nyagowa	P.O. Box 35, Konjwang
50	George Okumu	P.O. Box 47, Kandiege	74	Julius Nyerere	P.O. Box 24, Kandiege
51	Girson Opiyo Obel	P.O.Box 93, Kojwang	75	Kenedy Ogayi	P.O. Box 68, Kojwang
52	Zedekia Ogeda	P.O. Box Kandiege	76	John Mwalo	P.O. Box 55, Kandiege
53	Peter Ogwang	P.O. Box 97, Kojwang	77	Maurice Mbui	P.O. Box 27, Kandiege
54	Elly Apollo Akama	P.O. Box 307, Homa Bay	78	Joice Auko	P.O. Box 3, Kojwang
55	Janet Oromo	P.O. Box 296, Homa Bay	79	Cllr. Philip Gor	P.O. Box 35, Kojwang
56	Pheobe Oyone	P.O. Box 296, Homa Bay	80	Paul Oyang	P.O. Box Kojwang
57	Daniel Oteng	P.O. Box 68, Kojwang	81	Hedina Odek	P.O.Box 41, Kadel
58	Moses Akoko Oriko	P.O.Box 62, Kojwang	82	jeremia Rachuonyo	P.O. Box 49, Kandiege
59	Magak Adel Gedion	P.O. Box 68, Kojwang	83	George Okeyo olum	P.O. Box 74, Kojwang
60	Nelson Alata	P.O. Box 33, Kondiege	84	George Kabasa Mbori	P.O. Box 47, Kojwang
61	Philip Oyier	P.O. Box 15, Kandiege	85	D.O. Ken Sese	P.O. Box 355, Kaselo
62	Joseph Odoyo Amolo	P.O. Box Got Oyaro	86	Tom Oware	P.O. Box 94, Kandiege
63	Samuel Auko	P.O. Box 74, Kandiege	87	James Amadi	P.O. Box 55, Kandiege
64	Seline Aol M. Y.W. O.	P.O. Box 24, Kandiege	88	Ibrahim Magwanga	P.O. Box 55, Kandiege
65	Ouko Joshena	P.O. Box 64, Kojwang	89	Gworo Samson	P.O.Box 10, Kandiege
66	Samuel Nyambuga	P.O. Box 9, Kandiege	90	Silas Nyaoke	Private Box Homalime
67	Gordon Amima	P.O. Box 30, Kandiege	91	Joseph Nyangoje	Migunde School

68	Ben Okoth	P.O. Box 9, Kandiege	92	Joseph Ondenge	P.O. Box 20, Kandiege
69	Ruth Apuko	P.O. Box 30, Kandiege	93	Nick Ogira	P.O.Box 24, Kandiege
70	George Oganga	P.O. Box 20, Kandiege	94	Elisha Onyango	P.O.Box 12, Kandiege
71	Christopher Olango	P.O. Box 27, Kandiege	95	Samuel Ondiegi	P.O. Box 22, Kandiege
96	John N. Ouko	P.O. Box 11, Kandiege	120	Fredrick Oyare	P.O.Box 241, Homa Bay
97	Ernest o. Ataro	P.O. Box 13, Kandiege	121	Reuben O. Opiyo	P.O. Box 30, Kandiege
98	Owino Peter	P.O. Box 241, Hom Bay	122	Elishaphan Ager Kirono	P.O. Box 30, Kandiege
99	Dickens Kwino	P.O.Box 74, Kandiege	123	Kepha Olare	P.O. Box 55, Kandiege
100	Reuben O. Opiyo	P.O. Box Kandiee	124	Joshua Onditi	P.O.Box 20, Kandiege
101	Charles J. A. Oniala	P.O. Box 55, Kandiege	125	Valentinus Opiyo	P.O. Box 1, Kowuor
102	George Okoth	P.O. Box 20, Kandiege	126	Christopher Ojijo	P.O.Box 1, Kowuor
103	Daniel Kungu	P.O. Box 560, Kojwang	127	Daudi Adundu	P.O. Box 1, Kowuor
104	Omuto Nicholas	P.O. Box 74, Kandiege	128	Ongoro Were Odhong	P.O.Box 49, Kandiege
105	Brigids Omollo	P.O.Box 27, Kandiege	129	William Ager	P.O. Box 1, Kodula
106	Aoro Walter	P.O. Box 71, Kandiege	130	Tabitha Akinya	P.O. Box 35, Kojwang
107	Jane Odero M.Y.W.O	P.O. Box 1, Kodula	131	Garison Ochida	P.O. Box 35, Kojwang
108	Josephine Obiero M.Y.W.O.	P.O. Box 1, Kodula	132	Wilson Oromo	P.O. Box 1, Homalime
109	Ana Ochola	P.O. Box 27, Kandiege	115	Margaret Akongo	P.O.Box 12, Kandiege
110	Elizahan Ager Korowu	P.O. Box 243, Homa Bay	116	Richard Apoko	P.O. Box 26, Kojwang
111	Argwings Odhek	P.O. Box 74, Kojwang	117	Ephraim J. Kenyatta	P.O. Box 1, Kodula
112	Antony Ongaro	P.O.Box 20, Kandiege	118	Regenald Obanam	P.O. Box 241, Hom Bay
113	Ben Osawa	P.O. Box 75, Kojwang	119	Dalmas Oguta	P.O. Box 241, Hom Bay
114	Wilkista Odiembo	P.O.Box 27, Kandiege			

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1. DISTRICT CONTEXT

Kisumu Town East Constituency is a constituency in Kisumu District. Kisumu District is one of 12 districts of the Nyanza Province of Kenya. This district is host to Kenya's second City, and a harbour on Lake Victoria. In addition, it is an important regional center linking Uganda, Tanzania, and Kenya, who all share Lake Victoria.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	248,735	255,624	504,359
Total District Population Aged 18 years & Below	132,078	134,572	266,650
Total District Population Aged Above 18 years	116,657	121,052	237,709
Population Density (persons/Km ²)	549		

1.2 Socio-Economic Profile

Kisumu District::

- Is the 4th most densely populated district in the province;
- Has one of the least primary school enrolment rates in the province, at 69.7%, being ranked 10th in the province and 39 nationally;
- Has a secondary school enrolment rate of 19%, being ranked 6th in the province and 36th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhoea diseases, skin diseases, and urinary tract infections, and HIV/AIDS;
- Has a 20.6% malnourishment rate of children under 5 years of age, being ranked 15th out of 42 of the nationally ranked districts;
- Has 129 of 1000 of its live babies dying before the 1st birthday, being ranked 39th of 44 of the nationally ranked districts;
- Has a life expectancy of 38.1 years;
- Has an absolute poverty level of 65.44% being ranked 38th out of 46 nationally ranked districts;
- Has a 54.99% food poverty level being ranked 26th out of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 6,493, a figure lower than Kenya's urban average;
- Has 62.8% of its residents accessing clean drinking water; and
- 81.20% of its residents having safe sanitation.

Kisumu district has 3 constituencies: Kisumu Town East, Kisumu Town West, and Kisumu Rural Constituencies. The district's 3 MPs, each cover on average an area of 216 Km² to reach 168,12 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Kisumu Town East, Kisumu Town West, and Kisumu Town Rural with 84.80%, 72.99%, and 53.95% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

The main economic activities in the constituency are:

- The locals are small-scale businessmen involved in fish processing (smoking, drying, etc.);
- Industries in the town employ many of the local residents; and
- Peasant farming of food crops.

2.2. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won with 89.62% and 84.80% valid votes. The major campaign issues are Kisumu molasses factory, and the near-collapse of the fishing industry. In 2002, the National Rainbow Coalition won the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			99,915
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joab Omino	FORD-K	58,613	89.62
Jim Ageng'o	KANU	4,395	6.72
Jacob Aduogo	FORD-A	1,893	2.89
Daniel Kayanda	DP	502	0.77
Total Valid Votes		65,403	100.00
Rejected Votes		-	
Total Votes Cast		65,403	
% Turnout		100	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			37,292*
CANDIDATE	PARTY	VOTES	% VALID VOTES
Eric Gor Sungu	NDP	21,210	84.80
Zebby Palme Odhiambo	KANU	2,699	10.79

Michael Odongo Jobita	FORD-K	793	3.17
Maurice Odawo Onduru	SDP	309	1.24
Total Valid Votes		25,011	100.00
Rejected Votes		275	
Total Votes Cast		25,286	
% Turnout		68.69	
% Rejected/Cast		1.09	

*The large decrease in registered voters is mainly due to the fact that Kisumu Town West was created out of this constituency.

2.5. **Main Problems**

- Poor infrastructure. The roads have been run down and most estates are in a state of decay;
- This constituency suffers from acute water shortage despite being at the shores of Lake Victoria, the largest fresh water lake in the whole of Africa;
- The near-collapse of the fishing industry;
- Poor industrial development.

3. **CONSTITUTION MAKING/REVIEW PROCESS**

3.1. **Constituency Constitutional Forums (CCFs)**

3.1.1. **Philosophy**

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 14th February 2002 and 17th April 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution
- Constitution making process
- Civil society
- Freedom of assembly
- Organs and levels of government
- Child rights and rights of vulnerable groups
- Governance

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **LOGISTICAL DETAILS**

1. **Date and Number of Days for Public Hearings**

- j) Date(s): 12th and 13th June 2002
- k) Total Number of Days: 2

2. **Venue**

- l) Number of Venues: 2
- m) Venue(s):
 1. Kibos Railway Station
 2. Pandpieri Catholic Centre

3. Panels

a. Commissioners

1. Com. Prof. A. I. Salim
2. Com. Githu Muigai
3. Com. Salome Muigai

b. Secretariat

1. Mr. Irungu Ndirangu - Programme Officer
2. Ms. Jane Maina - Assistant Programme officer
3. Gladys Osimbo - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		98
Sex	Male	80
	Female	18
	Not Stated	0
Presenter Type	Individual	72
	Institutions	6
	Not Stated	0
Educational Background	Primary Level	36
	Secondary/High School Level	45
	College	3
	University	7
	None	5
	Not Stated	2
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	74
	Written	15
	Oral + Memoranda	0
	Oral + Written	8
	Not Stated	1

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Kisumu Town East 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**

- The constitution should have a preamble
- The constitution should have a preamble highlighting peace, love, unity as our national policy and historical experiences in the struggle for independence.
- The constitution should have a preamble recognizing the rights of the child
- The constitution should have a national vision that encompasses sense of common unity, tolerance of diversity.
- The constitution should have a preamble showing sovereignty and state legitimacy
- The constitution should have a preamble reflecting our identity as Kenyans
- The constitution should have a preamble reflecting the value of statehood
- The constitution should have preamble stating the aim of the constitution
- The new constitution should highlight the past injustice suffered at the hands of colonial masters and acknowledge the constitution of both men and women in the fight for independence.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- The constitution should capture the national harambees
- The constitution should provide a national philosophy regarding principles, as justice is our shield and defender.
- The constitution should enhance human rights and political advancement of women.
- The constitution should provide that all holders of political positions be answerable to the people.
- The constitution should protect all Kenyans equally.
- The constitution should reflect values on the constitution and also include promotion of a gender sensitive and not violent society.
- The constitution should reflect the policy of patriotism, unity and brotherhood
- The constitution should capture the policy of harambees, peace love and unity
- The constitution should provide for equality for all irrespective of race, gender, or party.
- The constitution should provide that the principles written in the constitution should be binding in courts and all persons concerned.
- The constitution should provide for equality for all irrespective of race, gender, party

5.3.3 **CONSTITUTIONAL SUPREMACY.**

- The constitution should be comprehensive and not easy to change
- The constitution should allow parliament to amend any part of the constitution by a 65%majority vote.
- The constitution should provide that any amendment to the constitution requires a 90% vote in parliament.
- The constitution should provide that some parts should be beyond the amending power of parliament i.e. sections of multiparty system or systems of government.
- The constitution should provide that major constitutional amendments be done through referendums.
- The constitution should provide that a constitutional amendment should only be through a public referendum.
- The constitution should provide that a public referendum should be held to amend the constitution. Any amendments in the constitution should be after the conscience of the people of kenya through a national referendum.
- The constitution should provide that referendums be conducted by the Chief Justice.

5.3.4 CITIZENSHIP.

- The constitution should provide that persons born in Kenya should acquire automatic citizenship.
- The constitution should provide that anyone born by both Kenyan parents should be regarded as automatic citizens.
- The constitution should provide that all persons in Kenya under 18 years should be considered Kenyans
- The constitution should provide that Kenyan citizenship should be acquired through registration i.e. any person who has lived in kenya for over 2 decades.
- Spouses of Kenyan citizens regardless of gender are entitled to confer citizenship.
- Children born of Kenyan parents regardless of the parent's residence should be entitled to automatic citizenship.
- The constitution should provide that any child born of one Kenyan parent regardless of gender should be entitled to automatic citizenship.
- The constitution should provide that the rights of a citizen should be that the state should provide land and employment. Obligations of a Kenyan citizen should be to pay the statutory taxes. The rights and obligations of a citizen should be universal.
- The constitution should allow for dual citizenship
- The constitution should not allow dual citizenship.
- The constitution should provide that Kenyans should be entitled to national IDs without vetting.
- The constitution should provide that a birth certificate be evidence of citizenship
- The constitution should abolish ID cards
- The constitution should provide that passports be easily availed.
- The constitution should provide that documentation that Kenyans should carry as evidence of citizenship should include national ID, passport and a letter from the provincial administration.

5.3.5 DEFENCE AND NATIONAL SECURITY.

- The constitution should establish disciplined forces
- The constitution should provide that there should be fairness in recruiting police and armed forces.
- The constitution should revise laws regarding the issuance of P3 forms
- The constitution should provide that there should be proper law enforcement
- The constitution should provide for the establishment of a body to discipline the police
- The constitution should reduce the powers of the police
- The constitution should provide that police should not be involved in domestic disputes
- The constitution should provide that the commander in chief of the armed forces should not be the president
- The constitution should provide that the commander in chief of the armed forces should be the president
- The constitution should provide that the executive should not have exclusive power to declare war.
- The constitution should permit use of extraordinary powers in emergency situations i.e. wars, national disasters etc.
- The constitution should provide that the power to invoke emergency powers should be held by parliament.
- Parliament should play the role of effecting emergency powers.

5.3.6 POLITICAL PARTIES.

- The constitution should provide that political parties should play the role of liaising with the government in state management.
- The constitution should regulate the formation, management and conduct of political parties.
- The constitution should provide that registration of political parties should be open to all who wish to do so.
- The constitution should provide that political parties should have a life span
- The constitution should provide that only active parties be registered
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.
- The constitution should prohibit civil servants from joining political parties
- The constitution should provide that all political aspirants should declare their wealth
- The constitution should limit the number of political parties in the country to 10
- The constitution should limit political parties to two
- The constitution should limit the number of political parties to 4
- The constitution should limit the number of political parties to 3
- The constitution should limit the number of political parties to 5
- The constitution should limit the number of political parties to 4 with a membership of 1 million
- The constitution should provide that political parties should be financed by the state as they represent the taxpayers.
- The constitution should provide that political parties finance themselves
- The constitution should provide that political parties should be financed from party funds.
- The constitution should provide that terms and conditions for financing political parties should be based on the number of seats and parliament vote that each party acquired in the last general election.

- The constitution should provide that the state and political parties should complement each other and be partners in managing affairs of the government.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT.

- The presidential system of government should not be retained.
- The constitution should provide for a presidential system of government
- A parliamentary system of government headed by a prime minister who is the secretary general of the winning party should be established.
- The constitution should provide that a parliamentary system of government be adopted with the prime minister appointed from the majority party in parliament (2)
- The constitution should provide that the prime minister should be the head of government.
- The constitution should provide that the prime minister should be elected by a simple majority of the national assembly
- The constitution should provide that the prime minister should form the government and should appoint ministers, permanent secretaries and should be responsible for the running of the government. The president should be the head of state.
- The constitution should provide for a government with, an elected prime minister
- The constitution should provide for a ceremonial president and a prime minister who heads the government.
- The constitution should provide that the prime minister should head the upper house in parliament.
- The constitution should provide that the president be a ceremonial head.
- The constitution should provide that a hybrid system of government should be adopted whereby executive powers are shared between the president and the prime minister.
- The constitution should provide for a central government with 8 autonomous provinces
- The constitution should adopt a unitary system of government.
- There should not be a unitary system of government.
- The constitution should provide that a federal system of government be adopted whereby the heads of each province should be called provincial governors sponsored by a political party who become automatic members of the federal assembly.
- There should be a federal system of government (8)
- There should be a federal system of government. This should ensure equal development in regions without depending on the central government (2)
- The constitution should not provide for a majimbo government.
- The constitution should provide that a federal system of government should be adopted so as to decentralize government offers to make it easier for Kenyans to access.
- The constitution should provide for a regional government.
- The constitution should provide that government offices should be decentralized to provincial level.
- The constitution should provide that the vice president be chosen by the president and be his running mate and heir apparent
- The constitution should provide that the vice president should be a running mate to the president.
- The constitution should provide that the attorney general should be appointed by the

executive.

- The constitution should provide that the AG be appointed by the executive subject to parliamentary approval

5.3.8 THE LEGISLATURE

- The constitution should empower the legislature to vet the appointment of senior civil servants (3)
- The constitution should empower parliament to vet all presidential candidates
- The constitution should provide for a parliamentary board to appoint ministers and parastatal heads.
- The constitution should provide that the upper house should be concerned with the legislative and financial powers while the lower house should be concerned with commercial, cultural industrial and local authority issues.
- Parliament should appoint heads of parastatals and ambassadors.
- The constitution should provide for the legislature's independence.
- The constitution should provide parliament to have its own calendar.
- The constitution should make parliament supreme
- The constitution should provide that being an MP should be a full time occupation.
- The constitution should provide that a presidential candidate should be between 50-70 years.
- MPs should be between 26 years and have o-level education
- The constitution should provide that the age limit for parliamentary candidates should be 25 years and above. A presidential candidate should be 40 years old and should not exceed 75 years.
- The constitution should allow people aged between 18 and 35 to contest for presidency
- The constitution should provide that the president be between 35 and 65 years
- The constitution should provide that the presidential candidate should be 35 years and above but not beyond 70 years. The age of voting should be 18 years and above.
- The constitution should provide that language tests for parliamentary candidates should be sufficient.
- Mps should have basic education
- The constitution should provide that MPs have at least a degree
- The constitution should introduce moral and ethical qualifications for local authority seats should be introduced (2)
- MPs should be people of high intellectual, discipline and of high integrity.
- The constitution should provide that people have a right to recall their MPs by acquiring 2/3 of the registered voters in the particular constituency (2)
- The constitution should provide that MPs should act upon conviction of their constituents.
- The constitution should restrict MPs to hold office for two terms only
- The constitution should provide that an MP should serve for 5 years.
- The constitution should provide that an MP should not exceed 10 years in parliament
- The constitution should provide that parliament should not regulates MPs salaries
- The constitution should provide that MPs salaries be reduced
- The constitution should provide for an independent body to regulate MPs salaries.
- The constitution should provide that a commission appointed by the president should determine salaries of MPs.
- The constitution should provide that the people should approve the salaries of MPs.

- The constitution should abolish the nomination of MPs.
- The constitution should provide that the concept of nominated MPs should be retained. They should be appointed according to their credentials.
- The constitution should provide that the concept of nominated MPs should be retained. Nomination should be based on special interests i.e. the disabled businesspersons.
- The constitution should provide that a party should not nominate any parliamentary or civic contestant who fails to be elected
- The constitution should provide that 35% of parliamentary seats should be reserved for women.
- The constitution should provide for a parliamentary commission to regulate the activities of parliament.
- The constitution should provide that MPs must attend parliamentary sessions and an MP who misses three sessions loses his seat
- The constitution should provide that MPs assist needy people
- The constitution should provide that defectors should pay a penalty to the party that sponsored them in parliament
- The constitution should bar defecting MPs from contesting
- The constitution should provide for a coalition government (2)
- The constitution should provide that there should be a multi-party representation of both levels of government.
- The constitution should provide for a two-chamber parliament with a national assembly that has legislative and financial powers and a lower, federal assembly to represent provinces, in commercial, cultural and industrial concerns. The two Houses should sit separately
- The constitution should provide for a two-chamber parliament with a house of lords or commons to provide checks and balances.
- The constitution should provide for a two-chamber parliament, which has the lower and upper houses.
- The constitution should provide that there should be 2 chambers of parliament in upper chamber consisting of regional representation.
- The constitution should provide that parliament should have the power to pass a vote of no confidence on the president.
- Parliament's power to remove the executive through vote of no confidence is inadequate. There should be a provision whereby the president is given an option to resign.
- The constitution should provide that the president should veto only legislation passed by parliament only if the interest of the state is infringed.
- The constitution should provide that the legislature should have power to override the president's veto by a 65%majority vote.
- The constitution should provide that MPs have offices in their constituencies

5.3.9 THE EXECUTIVE.

- The constitution should provide nominated MPs should not be cabinet ministers
- The constitution should change provincial commissioners to provincial governors who should have parties and be elected
- The constitution should provide for a provincial federal council which has a county council and a council of elders
- The constitution should empower the president to appoint ministers

- The constitution should provide that the president should be subject to the law.
- The constitution should provide that the president is above the law
- The constitution should limit the powers of the president
- The constitution should provide a minimum qualification of a university degree for a presidential candidate. Qualifications if any should be any person aspiring for the presidential post should be a degree holder with at least 10 years experience in public management.
- The constitution should provide that the president should be a degree holder in humanities.
- The constitution should provide that the president should be a graduate.
- The constitution should provide that a presidential candidate should be popular, free of corruption cases and should not be a tribalist.
- The constitution should provide the minimum age for a president to be 40 years and serve for a minimum of two five year terms
- The constitution should that the president should rule for one, 7 year term
- The constitution should provide that the president should serve a maximum two five-year terms (5)
- The constitution should define the duties of the president.
- The constitution should provide that the president should be the chairman of political parties.
- The constitution should provide that the functions of the president should be to address national days, receive foreign diplomats.
- The constitution should scrap the presidential powers of appointments.
- The president should appoint ministers.
- The constitution should provide that no one should be above the law (4)
- The constitution should provide that the president should not be above the law. He/she should answer to any charges brought to him/her. He should not appoint heads of parastatals.
- The constitution should provide for the removal of the president due to misconduct.
- The constitution should provide for the impeachment of the president
- The citizens should be empowered by the constitution to pass a vote of no confidence in the president.
- The constitution should provide that the president should be answerable to parliament.
- The constitution should provide that the president should also be an elected M.P.
- The constitution should provide that the president should not be an elected MP and a member of any party (2)
- The constitution should provide that the vice president be chosen by the president and be his running mate and heir apparent
- The constitution should provide that the president be elected, ministers be chosen by president
- The constitution should reduce the powers of chiefs.
- The constitution should reinstate the chief's act and chiefs should be transferable.
- The constitution should ensure that the chief's act is scrapped.
- The constitution should provide that chiefs should be retained. The government should pay village elders.
- The constitution should provide for the election of chiefs (2)
- The constitution should abolish the provincial administration.
- The constitution should recognize and remunerate council of elders

- The constitution should provide that a public officer should contribute a specified amount in harambees
- The constitution should provide for separation of powers between executive and other arms of government
- The constitution should provide that provincial administration be elected
- The constitution should provide for provincial administration officers to be from the local area
- The constitution should provide that the head of state must declare his wealth
- The constitution should not scrap the provincial administration.
- The constitution should provide that a strong local authority should replace provincial administration.
- The constitution should that a minister must be qualified in his area of expertise

5.3.10 THE JUDICIARY.

- The constitution should provide for the independence of the judiciary.
- The judicial structure is not adequate. Corruption in the courts should be curbed and stopped.
- The constitution should provide that the judiciary should be independent from the three arms of government. The judiciary structure should have that anyone who pleads not guilty, should not be taken to remand.
- The constitution should provide that judicial appointments be vetted by judiciary, LSK, and other stakeholders.
- The constitution should provide for the establishment of a supreme court and a constitutional court.
- The constitution should provide that the judicial service commission should appoint judicial officers.
- The constitution should guarantee security of tenure for judicial officials.
- The constitution should provide that the Kadhi's courts should be scrapped.
- The constitution should provide that the government should remunerate village elders.
- The constitution should provide that the chief justice be appointed by the Judicial service commission subject to parliamentary approval
- The constitution should reduce the costs of litigation
- The constitution should simplify the judicial process and litigation procedures

5.3.11 LOCAL GOVERNMENT.

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the County Council, be filled by direct popular elections (4)
- The constitution should provide that election of mayors should be done directly by the people (2)
- The constitution should provide that mayoral elections be held after 5 years.
- The constitution should provide that mayors and council chairmen should serve a five-year term.
- The constitution should provide that local authorities should be empowered to run and manage their respective areas of operation with the government assisting in technical and financial aspects only.

- The constitution should provide that local authorities act as a link between the central government and people
- The constitution should reduce the powers of local governments
- The constitution should fix the minimum qualification of councilors to secondary certificate (3)
- The constitution should provide moral and ethical qualifications for councilors.
- The constitution should provide that councilors be at least 21 years
- The constitution should provide that people have a right to recall councilors through a 2/3-majority vote from the electorate.
- The constitution should provide for equal seats for men and women in local authorities
- The constitution should provide that councilors salaries are catered for by the central government.
- The constitution should provide that remuneration for councilors should be determined by ALGAK.
- The constitution should provide that nominated councilors should be retained and the choice should depend on political parties.
- The constitution should scrap nomination of councilors.
- The constitution should provide for the independence of local authorities from the ministry and they should be accountable to the electorate.
- The constitution should provide that the president or minister in charge of local government should have power to dissolve councils in case of financial mismanagement and should be done after an independent auditor has recommended the same.
- The constitution should provide that the local authority should be allowed to employ their own security to protect trading centers.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide that when only two presidential candidates run for the elections simple majority rule should be used.
- The constitution should provide that the winner in a presidential election must attain majority of votes cast
- The constitution should provide that there should be only 2 candidates in a presidential election
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast.
- The constitution should provide that a winning candidate in a presidential election should have 30% of all votes cast failure to which a run-off and the one with the majority is declared the winner.
- The constitution should provide that a working presidential candidate should garner 50% of the total votes cast.
- The constitution should reserve 20% of seats in local authorities to women.
- The constitution should provide a clause to allow for a vote of no confidence by citizens against non-performing mps, councilors and president and order a recall
- The constitution should allow Kenyans abroad to vote
- The constitution should provide that elections be held after every five years
- The constitution should provide for the dissolution of the electoral commission after every election and they should only assemble when there are elections
- The constitution should provide that the electoral commission be involved in other

elections e.g. trade unions

- The constitution should provide for voting to be on a non-worship day
- The constitution should allow independent candidates
- The constitution should provide that the electoral commission comprises people from all parties
- The constitution should provide that sick people vote through proxies
- The constitution should provide for at least 5 seats for the youth in parliament
- The constitution should provide that vote counting be done at the polling station
- The constitution should provide that presidential, parliamentary and civic elections be held on separate days
- The constitution should provide for free and fair elections
- The constitution should fix election dates
- The constitution should ensure that constituency boundaries are drawn according to the population of the area.
- The constitution should provide that parliamentary elections should be held separately from presidential elections i.e. presidential the parliamentary elections.
- The constitution should provide that presidential elections should be held separately from the parliamentary and civic elections.
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide for the independence of the electoral commission
- The constitution should make election day a public holiday
- The constitution should provide for continuous voter registration.
- The constitution should provide that presidential elections be conducted directly.
- The constitution should provide that the presidential candidate should be rotating in every province.
- The constitution should provide that all political parties should appoint the ECK.
- The constitution should provide that ballot are counted at the polling station

5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should provide the freedom of movement
- The constitution should guarantee free primary and secondary education.
- The constitution should provide for free medical services (3)
- The constitution should provide that orphans should be given free secondary education.
- The constitution should provide that all people should have access to clean water.
- The constitution should provide that the government should dispense free drugs to every Kenyan.
- The constitution should provide for the right to food
- The constitution should provide that upon death or retirement the beneficiaries should be paid their benefits immediately.
- The constitution should provide that people should be allowed to access social security before they retire.
- The constitution should provide the right to employment
- The constitution should abolish the loitering act
- The constitution should safeguard and guarantee basic right for all citizens
- The constitution should provide for freedom of worship.
- The constitution should provide that freedom of worship should be entrenched but should

not include freedom to practice devil worship.

- The constitution should provide that a public servant who has passed away the family should easily acquire the benefits of the late when sufficient documentation is presented. Employment should be given to all without bias on discrimination basis i.e. nepotism and gender.
- The constitution should provide security for all.
- The constitution should outlaw all forms of discrimination
- The constitution should provide the right to join trade unions
- The constitution should guarantee the freedom of association
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should provide the right to legal representation
- The constitution should provide for the freedom of speech
- The constitution should provide for freedom of assembly
- The constitution should provide for freedom of expression
- The constitution should provide the right to justice and peace
- The constitution should provide for the provision of decent housing.
- The constitution should provide that house rents in towns and cities should be controlled to prevent landlord exploitation.
- The constitution should provide for the right to information
- The constitution should protect people from HIV infected persons
- The constitution should provide for quick response by the government in times of clashes
- The constitution should abolish the death sentence.
- The constitution should provide free and compulsory primary education (2)
- The constitution should protect children from child labour
- The constitution should not legalize prostitution
- The constitution should protect the right of life
- The constitution should provide for freedom of the press
- The constitution should protect employees rights
- The constitution should abolish death penalty
- The constitution should provide for a one person-one job policy
- The constitution should provide for employment opportunities to all Kenyans (2)
- The constitution should provide that there should be free medical services in government hospitals. Workingwomen should be given a maternity leave of 120 days.
- The constitution should protect youth from unemployment and exploitation
- The constitution should pay some money to the unemployed
- The constitution should remove age requirement in receiving NSSF benefit
- The constitution should provide for continuous civic education
- The constitution should provide that Kenya gazette and constitution be available in all public places.
- The constitution should provide that civic education should be thoroughly done so as to inform Kenyans of their rights.
- The constitution should be translated in all Kenyan languages and distributed to every Kenyan (2)
- The constitution should provide that everyone should have a right to information on how to access land.
- The constitution should provide that brochures highlighting on the law be circulated

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- The constitution should protect the rights of people with disability.
- The constitution should protect all minors against all forms of harassment
- The constitution should guarantee and protect women rights.
- The constitution should provide for free education for the disabled.
- The constitution should provide for representation of women and disabled in parliament.
- The constitution should provide for protection of the disabled against discrimination
- The constitution should guarantee representation of the needs of vulnerable groups
- The constitution should provide affirmative action for women
- The constitution should outlaw all forms of discrimination
- The constitution should provide free medical care to Aids victims
- The constitution should provide for sign language interpreters in all public places
- The constitution should allow prisoners to vote
- The constitution should set up a special fund for the disabled
- The constitution should provide for the passing of Family Protection bill into law
- The constitution should provide opportunities for women to become leaders
- The constitution should protect the rights of the child
- The constitution should have a preamble recognizing the rights of the child.
- The constitution should protect children from child labour and ensure education of street children.
- The government should have a policy on how to take care of street children in order to make them productive citizens.
- The constitution should provide that street children should be provided with special schools.
- The constitution should set up a special fund for the elderly aged over 65 years
- The constitution should protect the right of the poor
- The constitution should protect children from corporal punishment
- The constitution should set up children's courts
- The constitution should outlaw wife inheritance
- The constitution should provide for extension of maternity leave
- The constitution should provide that children below 18 are entitled to their parents inheritance
- The constitution should recognize the Nubians as Kenyans
- The constitution should outlaw early marriages
- The constitution should not allow women to inherit their fathers estates
- The constitution should provide that no child should be held in remand for over 24 hours and that children be kept separately from adults
- The constitution should provide that prison be rehabilitation centers and not torture camps
- The constitution should set up a national youth advisory committee to address youth issues

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide that an individual should own the land.

- The constitution should provide that all land in Kenya belongs to the people of Kenya while all public land should be vested in the national land commission.
- The constitution should provide that land might be acquired only for a public purpose (the nation's commitment to land reform) and subject to compensation. All irregularly acquired public land should be reverted to the government through the national lands commission.
- The constitution should provide for adequate compensation of land lost to urbanization.
- The constitution should impose a levy on idle land.
- The constitution should limit ownership of land to 50 acres
- The constitution should fix the maximum size of land ownership to be 1000 acres
- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should provide that the land control board should sensitize people on the land Act. The land Act should be reviewed.
- The constitution should provide for equal distribution of land to all citizens.
- The constitution should provide that all land acquired illegally be repossessed
- The constitution should make the process of land transfer easier and cheaper.
- The constitution should remove all charges on title deeds
- The constitution should provide a definitive allocation of land resources for farming, business, industry and inheritance
- The constitution should ensure that title deed ownership is a right.
- The constitution should provide for proper planning and use of urban land
- The constitution should provide for the prosecution of those who have grabbed land
- The constitution should provide for better enforcement of land laws
- The constitution should address the plight of those who lost land to colonialists.
- The constitution should provide that foreigners should not be allowed to own land in Kenya.
- The constitution should provide that the chiefs should handle land transfer issues.
- The constitution should provide that land transfers should be done at the chief's office and land fees paid during inheritance should be abolished.
- The constitution should provide that the process of land transfer be simplified i.e. rates should be affordable for the common man to own land.
- The constitution should provide that no one should be deprived land or property on the basis of gender or marital status.
- The constitution should give wives a say in land issues
- The constitution should outlaw exclusion of women on land issues
- The constitution should guarantee Kenyans the right to own property anywhere in the country (2)
- The government should guarantee access to land to the Nubian community.
- The constitution should guarantee access to land on an equitable basis. No one should be deprived of land.
- The constitution should provide that unregistered land should be held under customary tenure. Whether used or occupied should be vested in them. Set apart for indigenous communities if its not in use or reserved for future interest. Expired leases of trust land should revert.

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND

COMMUNAL RIGHTS

- The constitution should provide that Nubians should be recognized as Kenyans and should have equal rights like other Kenyans.
- The constitution should provide that Nubians should be regarded as Kenyans and they should not be subjected to discrimination.
- The constitution should provide that widows should form organizations that promote self-reliance. The old widows should be assisted in their own homes.
- The constitution should provide that the government should intervene in case of tribal clashes to ensure unity in diversity and security of a person's property.
- Customary law and practices should be recognized and protected by the constitution.
- The constitution should recognize, and protect the rights of indigenous cultural communities through respect of land boundaries.
- The constitution should protect against discriminatory cultural practices e.g. early and forced marriages.
- The constitution should protect against discriminatory aspects of culture i.e. corpse inheritance.
- The constitution should protect women from disinheritance.
- The constitution should abolish the practice of Female Genital Mutilation.
- The constitution should uphold wife inheritance
- The constitution should outlaw wife inheritance
- The constitution should discard cultural beliefs that are discriminatory
- The constitution should prevent the construction of churches in the same place
- The constitution should recognize and protect customary marriage
- The constitution should provide for a national dress and a code of conduct.
- The constitution should provide English, Kiswahili and Luo should be made national languages.
- The constitution should uphold Kiswahili as the national language.
- The constitution should provide that indigenous languages in Luo should be included in the educational curriculum so as to promote and recognize these languages.

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

- The constitution should provide for equitable distribution of national resources.
- The constitution should ensure that transport services are provided to all areas
- The constitution should provide for government to provide subsidies for cotton and rice farmers
- The constitution should provide for the reduction of taxes by the government
- The constitution should outlaw arbitrary dismissals
- The constitution should fix the retirement age at 60 years
- The constitution should provide for co-operation with foreign researchers to allow for transfer of technology
- The constitution should provide for the establishment of a social security fund from tax to sustain the unemployed
- The constitution should provide that local taxes be used locally
- The constitution should provide for the reassessment of the DDCs
- The constitution should control market flooding and guarantee markets for products.
- The constitution should provide for the establishment of a disaster fund

- The constitution should put in place proper planning laws
- The constitution should strike off unnecessary treaties such as the Nile treaty
- The constitution should entrench public opinion in the budget
- The constitution should establish a body to review salaries
- The constitution should abolish retrenchment of workers
- The constitution should provide that job applications are based on merit
- The constitution should provide that ministers should be appointed according to their professional qualifications/credentials (2)
- The constitution should provide that competent Kenyans should be attracted to work in the public service by increasing their salaries.
- The constitution should provide that retirees should not be re employed.
- The constitution should provide that corrupt officers in the government should be arrested and if found guilty they should be suspended from work (3)
- The constitution should provide that corrupt public servants should be prosecuted.
- The constitution should provide that all people holding public office should declare their wealth.
- The constitution should make licensing of industries easier
- The constitution should ensure that national projects are well managed
- The constitution should outlaw importation of products available in the local market
- The constitution should fix the tenure for company executives at 3 years
- The constitution should provide that Positions of directors should be advertised in the local dailies
- The constitution should provide for annual increments to all employees

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- The constitution should provide that communities be given first preference in managing local natural resources.
- The constitution should provide that everyone should have a right to an environment that is not harmful to their health. The constitution should have the environment protected for the benefit of the present and future generations through legislative measures i.e. prevent pollution.
- The government as determined by parliament should protect lakes, rivers, wetlands, forests, game reserves, and national parks and hold them in trust.
- The constitution should provide that any alienation and disposal of protected areas including forest reserves should be done in a manner that maintains biological diversity, productivity and capacity for regeneration.
- The constitution should provide that land use after mining should be reclaimed so as not to waste land.
- The constitution should provide that natural resources be used to benefit the local people.
- The constitution should provide that each district should have its own industry for processing of natural resources e.g. fish in Kisumu
- The constitution should protect natural resources
- The constitution should provide that people should be free to hunt wildlife for consumption

5.3.19 PARTICIPATORY GOVERNANCE

- The constitution should provide that any registration of religious denominations or sects should be scrutinized.
- The constitution should facilitate its understanding.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that international conventions such as the Nile treaty should take into account the welfare of the people
- The constitution should provide for government regulation of foreign borrowing
- The constitution should provide for proper utilization of donor funds
- The constitution should restrict government borrowing

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should create the office of an ombudsman
- The constitution should create the office of a children’s ombudsman.
- The constitution should provide for the creation of a gender commissions
- The constitution should establish the following commissions
 - Constitution commission
 - Human rights commission
 - Land commission
 - Anti corruption authority
 - Constituency board of council
- The constitution should provide that the anti corruption commission should prosecute corrupt public officers. Interested political parties should appoint the commission.
- The constitution should provide that a land commission be established and financed by the consolidated fund.
- The constitution should create a permanent land claim commission to investigate claims on historical injustices to individuals.
- The constitution should provide that the land commission should be in charge of investigating any land related cases.
- The constitution should provide that a select committee be established to scrutinize the authenticity of the credentials of people legible for a ministerial appointment.
- The constitution should create a body that determines the performance of MPs in terms of participating towards motions in parliament.
- The constitution should provide that results of commissions of inquiry be made public
- The constitution should create a ministry of Justice

5.3.22 SUCCESSION AND TRANSFER OF POWER.

- The constitution should provide that during elections the speaker of the national assembly should assume executive powers.
- The constitution should provide that should the president leave office either through death or otherwise the judiciary should assume executive powers
- The constitution should provide that upon retirement the president should not engage in politics
- The constitution should provide that upon leaving office the president should be in the national assembly
- The constitution should provide for retirement benefit for outgoing president.

5.3.23. **WOMEN'S RIGHTS**

- The constitution should provide that women should determine the use of land and participate in decision-making forums regarding land or membership and structure involved in administration and management of land.
- The constitution should provide that women should be educated and informed in matters of human rights and duties, freedom law and economics in order to defend themselves.
- The constitution should provide that widows be protected against brothers in law who forcefully acquire their late brother's wealth.
- The constitution should provide that the government should assist widows to transfer land without any cost.
- Constitution should provide that women should have the right to inherit land (3)
- The constitution should provide that divorce laws should be harmonized to prevent divorced women from coming back to claim their ex husbands property.
- The constitution should provide that separation or divorce should be abolished.
- The constitution should provide that marriage laws that pertain to divorce should be revised such that a divorced woman should not claim their husband's property.
- The constitution should provide that men and women should be entitled to equal rights in marriage. Upon marriage the husband and wife should enjoy common ownership of spouse land.
- The constitution should provide that marriage laws should be left to the customary laws of each community.

5.3.24. **NATIONAL ECONOMIC POLICY**

- The constitution should provide that hawkers should be allowed to trade freely without harassment.
- The constitution should provide that liberalization should be scrutinized so that the local economy is not affected.
- The constitution should provide that the country's major industries should be spread all over the country to ensure that raw materials are retired at their areas of productions.
- The constitution should be geared towards poverty eradication
- The constitution should provide for the decentralization of industries to rural towns
- The constitution should provide that the government should not build any industries that will eventually stall without any plans.
- The constitution should provide that licensing of factories should be done after scrutinizing that they practice environment friendly disposal procedures.
- The constitution should put strategies to eradicate poverty.
- The constitution should put strategies of reducing poverty among Kenyans.
- The constitution should provide that structures built at the side of the road should not be demolished.

5.3.25. **NATIONAL OTHER POLICY**

- The constitution should provide that the police should not arrest people arbitrarily.
- The constitution should provide that the police should not take fellow citizens like foreigners and harass them without reason. Loitering excuse by the police should be

abolished (2)

- The constitution should provide principles that will help fight corruption
- The constitution should provide that the police should provide the public with a safe environment to live in without harassing the public.
- The constitution should provide that bribery among the police force should be abolished.

5.3.26. **SECTORAL POLICY**

- The constitution should provide that bonus should be paid to the sugar and fish sector.
- The constitution should provide that the government should provide irrigation scheme to enhance self-employment and food sufficiency.
- The constitution should ensure that Kenyans do not invest abroad.
- The constitution should provide that the government set up a granary.
- The constitution should identify industries that are best suited for Kenya.
- The constitution should provide that canning should not be abolished in schools.
- The constitution should empower universities to elect their own chancellor.
- The constitution should provide for fees regulation in all government schools
- The constitution should scrap the 8-4-4 system of education and replace it with 7-4-2-3 system
- The constitution should ensure that doctors in government hospitals do not run private clinics
- The constitution should abolish the quota system
- The constitution should provide that holders of government officers should not run businesses.
- The constitution should provide that PTA or committee chairmen should be TSC agents.
- The constitution should provide that a school equipment scheme should be introduced.
- The constitution should be taught in schools and other learning institutions.
- The constitution should provide that the minister for education should have power to appoint head teachers. The community should finance schools.
- The constitution should provide that doctors should not fill false P3 forms.
- The constitution should provide that the government should refund funds borrowed from parastatals.
- The constitution should put in place measures to revive and protect the agricultural sector
- The constitution should protect the interests of the farmers.
- The constitution should provide that business taxation should be removed.
- The constitution should provide that anyone above 18 years should be taxed and the money distributed to education and the health sector.
- The constitution should provide that the NHIF body should pay back to the contributor what he/she has not used at the time of retirement.
- The constitution should provide that the NHIF should be extended to serve those of outpatient's sections, private a government body should monitor hospitals.
- The constitution should provide that the government should reduce taxes in small-scale businesses.
- The constitution should provide that there should be minimal number of roadblocks with government receipt books indicating crimes and fines. Passengers should be given full powers to arrest or charge corrupt traffic officers.
- The constitution should provide that fishing industries should be promoted.

5.3.27. **STATURORY LAW**

- The constitution should provide that local brews be legalized (2)
- The constitution should provide that smoking in public places should be abolished.
- The constitution should provide that the locus stand provision should be awarded to allow interested parties to bring action on behalf of vulnerable groups.
- The constitution should provide that no one may be evicted from his or her homes or have their homes demolished without a court order. No legislation should permit arbitrary evictions.

5.3.28. **GENDER EQUITY**

- The constitution should provide that there should be equity of both men and women in terms of opportunities.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. Gor Sungu MP
2. Austin Odicoh DC
3. Oselu Nyalik Chairman
4. H.W.Cllr. Simba Opepo
5. Michael Jobita
6. George N. Arodi
7. Gertrude Owiny
8. Antonina C. Otieno
9. Perpetua Otieno
10. Lalji Rabadia
11. Rev. Father Alfred Atemo Ogada

Appendix 2: Civic education providers (CEPs)

1. Constituency constitutional committee
2. CKRC commissioners
3. Regional fellowship
4. Futa magendo
5. Kisumu young leaders
6. Benchmark
7. Kenya women economic network
8. Gweng kagweng

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

0001OKEN				Kisumu Town East
1Y	Mary N. Abwao.	CBO	Written	Caucus
0002OKEN				
2Y	Maurice Omuya	CBO	Written	Kaugagi Association.
0004OKEN				
3Y	Peter O. Onalo	CBO	Memorandum	Nyaliks Family
0007OKEN				Kadhola Welfare
4Y	Walter Zombo Saoke.	CBO	Written	Association
			Oral - Public	
50044IKENY	Alex Achola Ogwel.	Individual	he	
			Oral - Public	
60068IKENY	Alex M. Simiyu	Individual	he	
			Oral - Public	
70032IKENY	Alex Wadegu	Individual	he	
			Oral - Public	
80078IKENY	Alloice Olum	Individual	he	
			Oral - Public	
90054IKENY	Aloice Rombo Ayieko.	Individual	he	
			Oral - Public	
100082IKENY	Alphons Odhiambo.	Individual	he	
			Oral - Public	
110055IKENY	Andrew Ocham	Individual	he	
120002IKENY	Antonina Otieno.	Individual	Written	
			Oral - Public	
130020IKENY	Apolo Midanga	Individual	he	
			Oral - Public	
140030IKENY	Asa Abaga	Individual	he	
			Oral - Public	
150076IKENY	Caren Ongonga	Individual	he	
			Oral - Public	
160060IKENY	Carilus Agiso.	Individual	he	
170010IKENY	Charles Obiero	Individual	Memorandum	
			Oral - Public	
180053IKENY	Charles Odhiambo	Individual	he	
			Oral - Public	
190087IKENY	Charles Ogola	Individual	he	
			Oral - Public	
200025IKENY	Charles Onoko	Individual	he	
			Oral - Public	
210067IKENY	Christopher Omollo.	Individual	he	
			Oral - Public	
220027IKENY	Clackson Odhong'.	Individual	he	
			Oral - Public	
230074IKENY	Climentina Lera	Individual	he	
240006IKENY	Dan Okech	Individual	Memorandum	
			Oral - Public	
250062IKENY	Daniel D. Jonns	Individual	he	
			Oral - Public	
260066IKENY	Daniel Ondu	Individual	he	
			Oral - Public	
270033IKENY	Denis Wango	Individual	he	

280084	IKENY Dorine Nyagol.	Individual	Oral - Public he
290086	IKENY Elekea Okoth	Individual	Oral - Public he
300081	IKENY Eliakim A. Adianga.	Individual	Oral - Public he
310052	IKENY Erick Oriento Ondige.	Individual	Oral - Public he
320029	IKENY Evans O. Obiero	Individual	Oral - Public he
330088	IKENY Fatuma Hamis	Individual	Oral - Public he
340012	IKENY George Oduor	Individual	Oral - Public he
350022	IKENY George Ondu	Individual	Oral - Public he
360041	IKENY George Onyango	Individual	Oral - Public he
370039	IKENY Godwins Digo.	Individual	Oral - Public he
380050	IKENY Gordon Ogongo	Individual	Oral - Public he
390083	IKENY Hassan Omari	Individual	Oral - Public he
400038	IKENY Jabonga Michael	Individual	Oral - Public he
410040	IKENY James Okullo.	Individual	Oral - Public he
420035	IKENY Jim Adede	Individual	Oral - Public he
	Joanes Owuonda		Oral - Public
430045	IKENY Gambo.	Individual	Oral - Public he
440077	IKENY Johnson Asewe	Individual	Oral - Public he
450043	IKENY Joram Duda Osumba.	Individual	Oral - Public he
460036	IKENY Joseph Olwero	Individual	Oral - Public he
470058	IKENY Joshua Katuga Ochar.	Individual	Oral - Public he
480014	IKENY Joshua O. Achieng'.	Individual	Oral - Public he
490008	IKENY Jotham Alando	Individual	Memorandum
500085	IKENY Judith A. Omondi	Individual	Oral - Public he
510069	IKENY Juma Osonga	Individual	Oral - Public he
520075	IKENY Ken Onyango	Individual	Oral - Public he
530019	IKENY Kennedy Amollo	Individual	Oral - Public he
540001	IKENY Kennedy Ogendo	Individual	Memorandum
550065	IKENY Kepher Ogowi	Individual	Oral - Public he

560048	IKENY Khalifa Khamis	Individual	Oral - Public he
570018	IKENY Kornel Odhiambo	Individual	Oral - Public he
580015	IKENY Loice Odera	Individual	Oral - Public he
590046	IKENY Manas Obuya	Individual	Oral - Public he
600017	IKENY Mary Ogendo	Individual	Oral - Public he
610021	IKENY Mary Wasonga	Individual	Oral - Public he
620072	IKENY Michael Obudo	Individual	Oral - Public he
630011	IKENY Miriam Opondo	Individual	Oral - Public he
640047	IKENY Ondiek Migoya	Individual	Oral - Public he
650034	IKENY Otieno Hildah.	Individual	Oral - Public he
660073	IKENY Patrick Ochieng'.	Individual	Oral - Public he
670016	IKENY Paul O. Olaka	Individual	Oral - Public he
680003	IKENY Perpetua Otieno	Individual	Written
690037	IKENY Peter O. Hongo	Individual	Oral - Public he
700042	IKENY Raphael Omuga	Individual	Oral - Public he
710009	IKENY Richard A. Oluoch	Individual	Written
720004	IKENY Richard Abuya	Individual	Written
730059	IKENY Richard J. Owiti	Individual	Oral - Public he
740028	IKENY Richard Otieno	Individual	Oral - Public he
750023	IKENY Robinson Kojala	Individual	Oral - Public he
760007	IKENY Samwel Onyango	Individual	Written
770031	IKENY Sara Adhiambo.	Individual	Oral - Public he
780071	IKENY Serfina J. Agina	Individual	Oral - Public he
790049	IKENY Sokir Rajab	Individual	Oral - Public he
800057	IKENY Sophia Hassan	Individual	Oral - Public he
810051	IKENY Steven Osore Ogara.	Individual	Oral - Public he
820063	IKENY Teresa A. Ogot	Individual	Oral - Public he
830064	IKENY Tobias Omondi	Individual	Oral - Public he
840079	IKENY Tom Mugabwa.	Individual	Oral - Public he

850005	IKENY Vincent Orwa	Individual	Written	
			Oral - Public	
860070	IKENY Vitalis K. Osumba	Individual	he	
			Oral - Public	
870026	IKENY Walter K. Odongo	Individual	he	
			Oral - Public	
880013	IKENY Washington Opiyo	Individual	he	
			Oral - Public	
890080	IKENY Wilkista Ombura	Individual	he	
0005	OKEN			NGO Network for
90Y	Jacob Atiang'.	NGO	Memorandum	Western Kenya
0003	OKEN			Kisumu Childrens
91Y	Vosta Emmanuel	Private Sector	Memorandum	Agency.
0006	OKEN	Religious		
92Y	Fr.Alfred C. Atemo.	Organisation	Written	Kisumu Archdiocese
0008	OKEN	Religious		Justice & Peace
93Y	Fredrick Otoro	Organisation	Memorandum	Committee.

Appendix 4: Persons Attending Constituency Hearings

PAND PIERI CATHOLIC CHURCH

No.	Name:	Address:	No	Name:	Address:
1	Mary Nyaoro Abwao	P.O. Box 591, Kisumu	39	Daniel Owuor	P.O. Box 61, Kibos
2	Maurice Onyango Omuya	P.O. Box 666, Kisumu	40	Kennedy Amolo	P.O. Box 1064, Kisumu
3	Fredrick Wafula	P.O. Box 315, Kisumu	41	Fr. Alfred C. Atemo Ogada	P.O. Box 50, Kisumu
4	Michael o. Jobita	P.O. Box 2648, Kisumu	42	Apollo Midanga	P.O. Box 679, Kisumu
5	Loice Odera	P.O. Box 2596, Kisumu	43	Peter Odhiambo Nyamoizi	P.O. Box 89 Rabuor
6	Miriam Opondo	P.O. Box 2547, Kisumu	44	Mary Wasonga	P.O. Box 795, Kisumu
7	George Oduor	P.O. Box 295, Kisumu	45	George Ondo	P.O. Box 4571, Kisumu
8	Jane Achieng'	None	46	Robinson Kojalla	P.O. Box 1690, Kisumu
9	Moses Omondi	P.O. Box 4004, Kisumu	47	Jackton Akumu	P.O. Box 1164, Kisumu
10	Mary Atieno Okello	P.O.Box 2648, Kisumu	48	Ismael O. Onialo	P.O. Box 836, Kisumu
11	Janet A. Odhiambo	P.O. Box 1048, Kisumu	49	Shem Suchia	P.O. Box 947, Kisumu
12	Joshua Ondiek Achieng'	P.O. Box 4670, Kisumu	50	Jacob Atiang'	P.O. Box 4572, Kisumu
13	Barack O. Agalo	P.O. Box 285, Kisumu	51	Francis Agie	P.O. Box 28, Kisumu
14	Jim Adede	P.O. Box 795, Kisumu	52	Fredrick Odhiambo	P.O. Box 795, Kisumu
15	Peter Osano	P.O. Box 2520, Kisumu	53	Perpetua Otieno	P.O. Box 4975, Kisumu
16	Washington Opiyo	P.O. Box 2520, Kisumu	54	Antonina Clare Otieno	P.O. Box 4007, Kisumu
17	Noah Nyaga	P.O. Box Kisumu	55	Charles Onoka	None
18	Francisca Olale	None	56	Beatrice A. Omwa	P.O. Box 225, Kisumu
19	Paul Ochieng' Olaka	None	57	Mary Awino	P.O. Box 1609, Kisumu
20	Mary Ogendo	P.O.Box 1542, Kisumu	58	Partick Adongo	P.O. Box 947, Kisumu
21	Kennedy Ogendo	P.O. Box 797, Kisumu	59	Walter Odongo	P.O. Box 151, Kisumu
22	Vorster Emanuel Emali	P.O. Box 2639, Kisumu	60	Rojas Otema	P.O. Box 987, Kisumu

23	Pius Amunga	P.O. Box 2639, Kisumu	61	Nelson Odongo	P.O. Box 1922, Kisumu
24	Alphonse Mbuya	P.O. Box 2648, Kisumu	62	Peter O. Onako	P.O. Box 1709, Kisumu
25	Clarkson O. Odhong'	P.O. Box 105, Kisumu	63	Agustine Omondi	P.O. Box 2712, Kisumu
26	Peter Otieno	P.O. Box 795, Kisumu	64	Pastor George Sule	P.O. Box 285, Kisumu
27	Evens O. Obiero	P.O. Box 1797, Kisumu	65	Millicent A. Omondi	None
28	Raphael Omuga	P.O. Box 4585, Kisumu	66	Jane Opiyo	P.O. Box 1680, Kisumu
29	Abaga Asa	P.O. Box 1516, Kisumu	67	James Okulo	P.O. Box 1364, Kisumu
30	Sara Adhiambo Opiyo	P.O.Box 1680, Kisumu	68	Denis Wango	P.O. Box 1136, Kisumu
31	Richard Otieno	P.O. Box 795, Kisumu	69	Phelesia A. Myumba	P.O. Box 1043, Kisumu
32	Fancisca Atieno	P.O. Box 351, Kisumu	70	Jalunga Michael	P.O. Box 4584, Kisumu
33	Elisha Onyango	P.O. Box 1480, Kisumu	71	Otieno Huldah	P.O.Box 1486, Kisumu
34	Charles O. Omili	P.O. Box 6300, Kisumu	72	Jane Atieno Ongere	P.O. Box 1004, Kisumu
35	Alex Wadegu	P.O. Box 6761, Kisumu	73	Lucas Temba	P.O. Box 596, Kisumu
36	Leonard Ong'udi	P.O. Box 1848, Kisumu	74	Leonard Omondi	P.O. Box 89, Kisumu
37	Noah Joseph Olwero	P.O. Box 795, Kisumu	75	Lilian A. Hongo	P.O. Box 1600, Kisumu
38	Walter Ogutu	P.O. Box 1136, Kisumu	76	Peter Ojwang' hongo	P.O. Box 679, Kisumu
			77	Godwins Agoch Digo	P.O. Box 1906, Kisumu

KIBOS RAILWAY STATION

No.	Name:	Address:	No	Name:	Address:
1	Antonine Otieno	P.O. Box 4007 Kisumu	32	Iddi Mambo	P.O. Box 25 Kisumu
2	Perpetua Otieno	P.O. Box 4975 Kisumu	33	Stephen Ogara	P.O. Box 4515 Kisumu
3	Fr. Alfred C. Atemo	P.O. Box 50 Kibos	34	Alphonse Mbuya	P.O. Box 2648 Kisumu
4	Turfosa Imbai	P.O. Box Kibos	35	Derrick Ondiegi	P.O. Box Kibos
5	Joram Duda Osumba	P.O. Box 115 Kisumu	36	Charles Odhiambo	P.O. Box 20 Kisumu
6	Alex Acholla Ogwel	P.O. Box Kibos	37	John Odhiambo	P.O. Box 105 Kisumu
7	Walter Limbo Saoke	P.O. Box 4101 Kisumu	38	Aloys Rombo Ayieko	P.O. Box 105 Kisumu

8	Richard Abuya	P.O. Box 6200 Kisumu	39	Andrew Ocham Semakula	P.O. Box Kibos
9	Michael Jobita	P.O. Box 2648 Kisumu	40	Dan Okech	P.O. Box 4042 Kisumu
10	Odera Loice	P.O. Box 2596 Kisumu	41	Shem Suchia	P.O. Box 947 Kisumu
11	Carl Mandieka	P.O. Box 947 Kisumu	42	Erick Onyango	P.O. Box 902 Kisumu
12	Joseph Ondigo	P.O. Box Kibos	43	Sophia Hassan	Kibos Privat B
13	John Kefa	P.O. Box 818 Kisumu	44	john Ochieng	P.O. Box 685 Kisumu
14	Z.A. Ongao	P.O. Box 1921 Kisumu	45	Washington Odero	P.O. Box 4292 Kisumu
15	Rhalifa Khamisi	P.O. Box 606 Kisumu	46	Samson Ngadi	Kibos
16	George O. Ocholla	P.O. Box 6513 Kisumu	47	Wilfred Ooko	P.O. Kibos
17	Sokir Rajab	P.O. Box 1395 Kisumu	48	Francis Olang'	P.O. Box 15 Kisumu
18	Samwel Apinyo	Private Bag, Kibos	49	Thomas Alal	P.O. Box 510 Kisumu
19	George Ojola	P.O. Box 818 Kisumu	50	George Sule	-
20	Caren Ongonga	Kibos Pr.	51	Juddy Abala	P.O. Box 1490 Kisumu
21	John Ojuok	P.O. Box 4255 Kisumu	52	Dorcas	P.O. Box 1490 Kisumu
22	Moses Omondi	-	53	Zakia Idris	Private Bag Kibos
23	Aurther Njoga	P.O. Box 1220 Kisumu	54	Jamila Ibrahim	Private Bag Kibos
24	Nelly Masawa	P.O. Box 1725 Kisumu	55	Joshua katug Ochar	P.O. Box 4555 Kisumu
25	Caroline Nyamasi	P.O. Box 4266 Kisumu	56	Caleb Oginga	Private Bag Kibos
26	Johannes Owuonda	P.O. Box 747 Kisumu	57	Richard J. Owiti	P.O. Box 4048 Kisumu
27	Raphael Okoth	P.O. Box 4115 Kisumu	58	Peter Ouma	P.O. Box 1725 Kisumu
28	Manase Obuya	P.O. Box 333 Kisumu	59	Carilus Agiso	P.O. Box 30 Miwani
29	Ondiek Migoya	P.O. Box 1490 Kisumu	60	Asher Hassan	-
30	Benjamin Karewa	P.O. Box 1490 Kisumu	61	Samwel Onyango	Kibos
31	Godorn Ogongo	P.O. Box 105 Kisumu	62	James Odima	Kibos
63	Bernard Odhiambo	P.O. Box 1725 Kisumu	96	Ken Onyanga	P.O. Box 1220 Kisumu
64	Wycliff Odera	P.O. Box 1490 Kisumu	97	Andrew Otieno	P.O. Box 1921 Kisumu
65	Kennedy Otieno	P.O. Box 1490 Kisumu	98	Carren Onganga	Kibos
66	William Okoth	P.O. Box 6872 Kisumu	99	Noah Nyoan	P.O. Box 679 Kisumu

67	Daniel Odima	P.O. Box 4294 Kisumu	100	Johnson Asewa	-
68	Godorn Ojuok	Kibos	101	Shem O. Orimba	P.O. Box 1490 Kisumu
69	Teresia Ogot	Kibos	102	Aloys Olum	P.O. Box 4676 Kisumu
70	Tobias Omondi	P.O. Box 307 Kisumu	103	Julius Owino	Kunya
71	Kepher Oguwi	P.O. Box 1738 Kisumu	104	William George Okoth	P.O. Box 6879 Kisumu
72	Joshua Ondiek Achieng	P.O. Box 4670 Kisumu	105	Julius Okoth Omolo	P.O. Box 105 Kisumu
73	Rose Akinyi	Kibos	106	James Okoth	P.O. Box 1516 Kisumu
74	Khadija Musa	P.O. Box 455 Kisumu	107	Jacob Abuto Ouya	Kibos
75	Thadius Opolo	P.O. Box 105 Kisumu	108	John Dol	Kibos
76	Maurice Owuor O.	P.O. Box 19 Daraja II	109	Charles Obiero	P.O. Box 1994 Kisumu
77	Daniel Ondu	P.O. Box 19299 Kisumu	110	Tom Mukabura	P.O. Box 1450 Kisumu
78	Christopher Omollo	P.O. Box 1995 Kisumu	111	Wilikista Ombura	Kibos
79	Alex Mtalii Simiyu	P.O. Box 477 Kisumu	112	Benard Oguta	P.O. Box 1516 Kisumu
80	John Otieno Odero	P.O. Box 1371 Chiga	113	Eliakim Dianga	P.O. Box 1210 Kisumu
81	Ayub Otieno	P.O. Box 4550 Kisumu	114	Ken Onyango	P.O. Box 1220 Kisumu
82	Vincent Alila	P.O. Box 1995 Kisumu	115	Alphonse Odhiambo	P.O. Box 73 Kisumu
83	Juma Osonga	-	116	Hassan Omar	P.O. Box 1395 Kisumu
84	Vitalis Kiriko Osumba	Kibos	117	Said Hamisi	P.O. Box 1395 Kisumu
85	Jack Omondi Odoyo	P.O. Box 1490 Kisumu	118	Fred Madote	P.O. Box 4576 Kisumu
86	Clarkson O. Odhong	P.O. Box 105 Kisumu	119	Richard Juma Ooyi	P.O. Box 285 Kisumu
87	Serfina Juma Agina	Kibos	120	Richard Abongo Oluoch	P.O. Box 53 Kisumu
88	Michael Obudo	P.O. Box 87 Kisumu	121	Maargaret Akinyi	Kibos
89	George Omuga	P.O. Box 1490 Kisumu	122	Doreen Nyagol	P.O. Box 1490 Kisumu
90	Peter Njoga	P.O. Box 919 Kisumu	123	Judith Akinyi Omondi	P.O. Box 2425 Kondole
91	Fredrick Otoro	P.O. Box 50 Kisumu	124	Elekiah Okoth	P.O. Box 105 Kisumu
92	Patrick Ochieng	P.O. Box 4410 Kisumu	125	Jennifer Olando	Kibos
93	Leonard Nyangoya	P.O. Box 285 Kisumu	126	Khadija Hamisi	P.O. Box 606 Kisumu
94	Clementina Lera	P.O. Box 50 Kisumu	127	J.N. Agoyi	P.O. Box 1490 Kisumu

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1. DISTRICT CONTEXT

Kisumu Town West Constituency is a constituency in Kisumu District. Kisumu District is one of 12 districts of the Nyanza Province of Kenya. This district is host to Kenya's second City, and a harbour on Lake Victoria. In addition, it is an important regional center linking Uganda, Tanzania, and Kenya, who all share Lake Victoria.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	248,735	255,624	504,359
Total District Population Aged 18 years & Below	132,078	134,572	266,650
Total District Population Aged Above 18 years	116,657	121,052	237,709
Population Density (persons/Km²)	549		

1.2. Socio-Economic Profile

Kisumu District:

- Is the 4th most densely populated district in the province;
- Has one of the least primary school enrolment rates in the province, at 69.7%, being ranked 10th in the province and 39 nationally;
- Has a secondary school enrolment rate of 19%, being ranked 6th in the province and 36th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhoea diseases, skin diseases, and urinary tract infections, and HIV/AIDS;
- Has a 20.6% malnourishment rate of children under 5 years of age, being ranked 15th of 42 of the nationally ranked districts;
- Has 129 of 1000 of its live babies dying before the 1st birthday, being ranked 39th of 44 of the nationally ranked districts;
- Has a life expectancy of 38.1 years;
- Has an absolute poverty level of 65.44% being ranked 38th of 46 nationally ranked districts;
- Has a 54.99% food poverty level being ranked 26th of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 6,493, a figure lower than Kenya's urban average;
- Has 62.8% of its residents accessing clean drinking water; and
- 81.20% of its residents having safe sanitation.

Kisumu district has 3 constituencies: Kisumu Town East, Kisumu Town West, and Kisumu Rural Constituencies. The district's 3 MPs, each cover on average an area of 216 Km² to reach 168,12 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Kisumu Town East, Kisumu Town West, and Kisumu Town Rural with 84.80%, 72.99%, and 53.95% valid votes respectively.

2. CONSTITUENCY PROFILE

Kisumu Town West Constituency is a new constituency that was created in 1996. It is comprised of Kisumu Town, East Kisumu, Central Kisumu and South West Kisumu locations.

2.1. Electioneering and Political Information

This is an opposition stronghold. In the 1997 general election, NDP won the parliamentary seat with 72.99% valid votes. In 2002, the National Rainbow Coalition won the seat.

2.2. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			62,825
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joab H. Onyango Omino	NDP	26,233	72.99
Aloys Obunga Aboge	KANU	6,118	17.02
Billy M. M. Kariaga	SDP	1,377	3.83
Gwela Jakandango	FORD-K	1,285	3.58
Jack Oraro Owiddo	PICK	930	2.59
Total Valid Votes		35,943	100.00
Rejected Votes		245	
Total Votes Cast		36,188	
% Turnout		58.96	
% Rejected/Cast		0.68	

2.3. Main Problems

- Poor infrastructure; and
- Poor industrial development (notably the molasses factory).

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an '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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 5th February 2002 and 11th March 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and constitution making process
- Civil society and freedom of assembly
- Organs and levels of government and governance
- Child rights and rights of vulnerable groups

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- Date(s): 14th and 17th June 2002
- Total Number of Days: 2

2. **Venue**

- Number of Venues: 2
- Venue(s):
 - Kisumu Social Hall
 - Otonglo Market

3. **Panels**

- Commissioners

1. Com. Githu Muigai
2. Com. Prof. A.I. Salim
3. Com. Salome Muigai

b) Secretariat

- | | |
|------------------------|------------------------------|
| 1. Mr. Irungu Ndirangu | -Programme Officer |
| 2. Janet Maina | -Assistant Programme Officer |
| 3. Gladys Osimbo | -Verbatim Recorder |

5.2. **Attendance Details**

Category	Details	Number
Number of People Presented		87
Sex	Male	75
	Female	12
Presenter Type	Individual	60
	Institutions	24
	Not Stated	3
Educational Background	Primary Level	15
	Secondary/High School Level	40
	College	7
	University	19
	None	3
	Not Stated	2
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	1
	Oral	54
	Written	29
	Oral + Written	4

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Kisumu Town West 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**

- The constitution should have a preamble. (4)
- There should be a national vision in the constitution.
- The common experiences of Kenyans should be reflected in the preamble such as the struggle for independence.
- The common experiences of Kenyans which should be reflected in the preamble should be public officials shall serve honestly and without prejudice.

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

- We should have statements capturing national philosophy in the constitution. (2)
- Harambee motto should be abolished. (2)
- The constitution should provide for democratic and social justice.
- Democratic principles to be included in the constitution should be multiparty, majimbo and parliamentary democracy.
- Democratic principles to be included in the constitution should be national unity and patriotism in our nation.
- The constitution should reflect Kenya's important values. (2)
- The constitution should have a preamble embedding goal and values of citizens
- The constitution should have a preamble respecting our national values and beliefs
- The constitution should have a preamble recognizing Kenya as a multi-tribal country and a democracy.

5.3.3. **CONSTITUTIONAL SUPREMACY.**

- We should not replace the 65% majority vote for amendment of constitution. (2)
- Parliaments power to amend the constitution should be limited. (3)
- Parliament to amend parts of the constitution.
- No part of the constitution should be amended by parliament. (2)
- The constitution should provide that a constitutional amendment should only be through a public referendum. (4)
- Public referendums should be conducted by regional premiere together with the electoral commission.
- The constitution review commission should conduct the referendums.

5.3.4. **CITIZENSHIP.**

- The constitution should provide that persons born in Kenya should acquire automatic citizenship. (2)
- The constitution should provide that persons born by Kenyan should acquire automatic citizenship. (2)
- Kenyan citizenship should be acquired through naturalization and registration. (3)
- Spouses of Kenyan citizens regardless of gender are entitled to confer citizenship. (3)
- Spouses of Kenyan citizens regardless of gender are not entitled to confer citizenship.
- Only foreign women married to Kenyans should become automatic citizens.
- Spouses of Kenyan citizens regardless of gender are entitled to citizenship 10 years after marriage.
- Children born of Kenyan parents regardless of the parent's residence should be entitled to automatic citizenship. (3)
- All Kenyan citizens should be equal before the law. (2)
- Kenyan citizens should have a right to education basic needs and life.
- The rights and obligations should not depend on the manner in which citizenship was acquired.
- The constitution should allow for dual citizenship. (3)
- The constitution should not allow for dual citizenship.
- Acquisition of important documents should be the same to all Kenyans.
- Married women should acquire national cards and passports without discrimination.
- The constitution should provide that a birth certificate be evidence of citizenship.
- The constitution should abolish ID cards.
- The constitution should provide that ID cards, passports and birth certificates are easily availed.
- The constitution should recognize birth certificates and baptism cards as sufficient documents to enable one travel out of the country.
- The constitution should provide that ID cards as form of identification.

5.3.5. **DEFENCE AND NATIONAL SECURITY.**

- The constitution should provide for the establishment of disciplined forces. (2)
- The constitution should re-organize the police force and introduce the sheriff system.
- The constitution should provide that the commander in chief of the armed forces should not be the president.
- The constitution should provide that the president should be the commander in chief of the armed forces. (2)
- The executive should have power to declare war with permission from parliament. (20)
- National intelligence should have the power to declare war.
- The constitution should permit use of extraordinary power in emergencies. (2)
- The president with permission from the parliament should invoke emergency powers.
- Authority to invoke emergency policies should be the head of state, provincial administration, police, paramilitary, the NGO body and parliament.
- The parliament should approve the effecting of emergency powers by 65%.
- Parliament should source before effecting the emergency powers.

5.3.6. **POLITICAL PARTIES.**

- Political parties should play a role of development and educating the people on their rights.
- Political parties should play a role in defending the constitution, participation in national issues, assist the ruling party, represent Kenya internationally, improve the economy and maintain law and order.
- The constitution should regulate the formation, management and conduct of political parties. (3)
- The constitution should limit the number of political parties in the country to 3. (3)
- The constitution should not limit the number of political parties.
- The constitution should provide that political parties be financed by membership fees.
- Political parties should finance themselves and during elections the govt should finance them.
- The political parties should be funded from the public funds. (2)
- Those Political parties with presidential or parliamentary candidate should be funded.
- Political parties should be accountable and transparent.
- The president should not misuse public funds during elections. (2)
- The media should cover all political parties including women during elections.
- The state should not interfere with political parties.
- Political parties should be partners with the state to ensure development.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should provide for a presidential system of government. (2)
- We should not have a parliamentary system of govt.
- We should adopt a parliamentary system of govt. (2)
- The constitution should provide for a government with a prime minister elected by parliament. (5)
- The constitution should provide for a prime minister who heads the government. (2)
- The constitution should provide for a president who as the head of state.
- The constitution should provide for a ceremonial president. (3)
- We should adopt hybrid system of govt. (2)
- The constitution should provide for a unitary system of government. (3)
- The constitution should not adopt for a unitary system of government.
- There should be a federal system of government. (12)
- The constitution should provide for a regional government with elected governors. (2)
- The constitution should provide devolving of power to local govt.
- The constitution should provide that vice president should be appointed by the parliament. (3)
- The constitution should provide that the AG be appointed by the executive subject to parliamentary approval.
- The constitution should provide that the AG should not be a member of the judicial service commission.
- The constitution should provide that the AG be in office for 2 terms of 5 years each.

5.3.8. **THE LEGISLATURE**

- The constitution should empower parliament to vet all presidential appointments. (7)
- Parliament should have limited power of its own procedures through standing order. (1)

- The constitution should transfer the power to appoint senior civil servant to parliament. (2)
- The constitution should ensure that parliament should not have power to appoint senior civil servant.
- MPs should not be given money to support certain motions.
- MPs should attend parliamentary proceedings regularly.
- Sign languages be used in parliament in parliament for the sake of deaf mps.
- Parliament should have powers over its own procedures. (2)
- Being an MP should be a full time occupation. (4)
- The president should be 45 years and above.
- The president should be below 65 years of age.
- The president should be aged between 21 and 75 years.
- Presidential candidate should be 35 years and above.
- Members of parliament should not be more than 65 years of age.
- Members of parliament should be 21 years and above.
- The voting age should be 18 years.
- MPs should have a minimum education of a university degree. (3)
- MPs should have a minimum education of O level. (3)
- There should be moral and ethical qualifications for parliamentary candidates. (4)
- People should have the right to recall their members of parliament. (8)
- MPs should act on the instructions of the people who elected them.
- MPs should act on the basis of conscience, conviction and instructions from their constituents. (2)
- Half of an MP's salary should be channeled to his constituency for development projects.
- MPs term should be 2 terms of 5 years each.
- A special commission should determine the remuneration of MPs. (2)
- The govt should determine the remuneration of MPs.
- A public referendum should determine the remuneration of MPs.
- The constitution should provide that parliament should not regulate MPs salaries. (2)
- MPs should be taxed on what they are paid totally.
- The constitution should provide that at least 5 parliamentary seats should be reserved for women.
- Nominated MPs should not be members who have failed in the elections.
- There should be no nominated MPs. (2)
- The concept of nominated MPs should be retained. (2)
- The constitution should provide for increasing women participation in parliament.
- Special seats in parliament should be reserved for women. (3)
- 30% of seats in parliament should be reserved for women.
- MPs who are not productive or mismanage their offices should be prosecuted.
- There should be rules to govern the conduct of parliamentarians in a multiparty state. (2)
- The constitution should provide that a party should not nominate any parliamentary or civic contestant who fails to be elected
- The constitution should provide for a coalition government. (3)
- The winning party should form the govt.
- There should be a govt of national unity.
- There should be multiparty representation at the executive and legislature levels.
- We should have the current multiparty system at the legislature and one party in the executive.
- We should not have two chambers in parliament.

- The parliament should have power to impeach the president. (3)
- The parliament should not have power to impeach the president.
- The president should have the power to veto legislation passed by parliament. (2)
- The legislature should have power to override president's veto. (2)
- The constitution should provide that parliament alone has the power to dissolve or prorogue parliament.
- The constitution should provide that the president has no power to dissolve the parliament. (3)
- Parliament election should not be staggered.
- Parliament should be staggered.
- The constitution should provide that MPs have constituency offices. (3)

5.3.9. **THE EXECUTIVE.**

- The constitution should provide a minimum qualification of a university degree for a presidential candidate. (2)
- President should not be a tribalist.
- The constitution should provide that the president should serve a maximum two five-year terms. (6)
- The functions of the president should be defined in the constitution. (2)
- The constitution should provide that the president is not above the law. (5)
- The constitution should limit the powers of the president. (14)
- The president should not have the power to pardon criminals convicted and sentenced to death.
- President should not have the powers to sack either ministers or the vice president.
- President should not have power to dish out land at pleasure.
- The constitution should provide for the impeachment of the president. (3)
- The parliament should be independent of the executive. (2)
- The constitution should provide that the president should also be an elected MP. (3)
- The constitution should provide that the president should not be an elected MP. (2)
- The constitution should provide that provincial administration be retained.
- The constitution should provide that provincial administration should not be retained. (2)
- The constitution should provide for the election of chiefs and sub chiefs. (3)
- District development committee should be abolished.
- PC and DC positions should be scrapped.
- Chiefs should be transferable like other civil servants. (2)
- The constitution should provide that provincial administration be elected. (2)
- The constitution should limit the number of ministries. (2)
- The constitution should limit the number of ministries to 25.
- The constitution should limit the number of ministries to 15.

5.3.10. **THE JUDICIARY.**

- The present judiciary is not adequate. (3)
- The constitution should provide for the independence of the judiciary. (5)
- Regional and community courts should be formed.
- There should be independent family courts in rural areas.
- There should be a supreme court. (5)

- There should be constitutional court. (2)
- The judicial service commissioners should be appointed by the parliament. (3)
- The president should appoint the judicial service commissioners. (2)
- The judicial officers should be appointed by the JSC. (2)
- The judicial service commissioners should be appointed on merit.
- The minimum qualification for judicial officers should be a diploma or degree in law. (2)
- Judicial officers should have practiced as advocates for at least 10 years.
- Judicial officers should not enjoy security of tenure.
- Judicial officers should retire at the age of 65 years.
- The term of office for judges and chief justice should be 2 terms of 5 years each.
- Judicial officers should have 15 years tenure.
- Corrupt judges should be dismissed or transferred from office. (2)
- Judges who misbehave should be prosecuted. (2)
- Kadhis court should be done away with.
- Chief kadhi should have 5 judicial advisors.
- Chief kadhi should deal with cases of Islamic laws.
- Chief kadhi's should be restricted to judicial work only. (2)
- Chief kadhi should have similar qualifications to those of the magistrates.
- Muslims should appoint the kadhi.
- The kadhi should be appointed by president and confirmed by parliament. (2)
- The kadhi's court should handle other matters related to Islamic law. (2)
- Kadhi's court should have appellate jurisdiction. (2)
- Kadhi's court should not have appellate jurisdiction.
- Judicial powers should be vested exclusively in the courts. (2)
- Court judgments should be enforced immediately.
- Court cases should not take more than 6 months.
- Court cases should not take long. (2)
- Sign language should be used in the law courts.
- The state should create awareness to the people's rights to judgment in court.
- Legal aid should be given to those who can't afford lawyers. (4)
- There should be provision of judicial review of laws by parliament. (2)
- Village elders should be paid allowances.

5.3.11. **LOCAL GOVERNMENT.**

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the Country Council, be filled by direct popular elections. (15)
- The constitution should provide that mayoral elections be held after 5 years. (2)
- Councilors should have tenure of 3 years.
- The term of office of mayors should be 2 years.
- The term of office of mayors and local council chairmen should be 2 terms of 4 years each.
- The constitution should provide for the independence of local authorities from the ministry and they should be accountable to the electorate. (2)
- The councils should not operate under the central govt.
- The constitution should fix the minimum qualification of councilors to secondary certificate. (6)
- The constitution should fix the minimum qualification of councilors to university graduate.

- Councilors should take language tests in English and Kiswahili. (3)
- Requirement of language test when vying for local authority seats is not sufficient.
- There should be moral and ethical qualifications for local authority seats. (4)
- The electorate should have the right to recall their non-performing councilors. (3)
- The constitution should scrap nomination of councilors. (2)
- The constitution should retain the nominated councilors. (2)
- Nomination of councilors should be for the youth, disabled people, religious groups and the minority. (2)
- Councilors should be out to serve people and not to serve themselves. (2)
- President or the minister for local govt should have power to dissolve the local councils. (2)
- President or the minister for local govt should not have power to dissolve the local councils. (2)
- By laws of local communities should be local authority Act, bill of rights special contract and party officials.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- Kenya should retain and practice representative election system.
- The constitution should provide that the winner in any election must have attained majority of all votes cast. (3)
- Women should be supported financially and protected from harassment during elections.
- Women should be allowed to run as independent candidates in election. (2)
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast.
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast.
- The candidates who fail to be nominated in one party should not seek nomination from another party.
- The candidates who fail to be nominated in one party should be allowed to seek nomination from another party.
- The constitution should provide that an MP should not defect before the expiry of his term. (4)
- The constitution should allow parties to cross the floor freely to join other parties.
- The constitution should provide that a winning candidate in a presidential election should have 25% representation in at least 5 provinces. (2)
- Some seats should be reserved for the disabled and the youth. (2)
- We should not reserve any seats for special groups of people.
- Seats should be reserved for women.
- There should be seats reserved for special groups of people.
- The constitution should review the current geographical constituency boundaries. (2)
- We should retain the current constituency boundaries.
- The demarcation of the constituencies should be according to the population of the area. (5)
- Demarcation of constituencies should be reviewed every 5 years.
- The constitution should provide that presidential, parliamentary and civic elections be held on separate days. (2)
- The constitution should provide that presidential, parliamentary and civic elections be held simultaneously.

- The constitution should provide for continuous voter registration
- The constitution should provide that ballot boxes be transparent.
- Fee payable for registering as parliamentary candidate or councilor should be reduced.
- There should be a limit to the expenditure on election by each candidate. (2)
- The constitution should fix election dates. (3)
- People should elect the president directly. (3)
- In the 2002 elections the provincial administration should not play a role.
- Electoral commissioners should have a university degree.
- Electoral commission should be appointed by the president and conjoined by parliament.
- ECK should be appointed according to the Act of parliament.
- The electoral commissioners should enjoy security of tenure of 2 terms of 6 years.
- The electoral commissioners should enjoy security of tenure for 3 election events.
- Electoral commissioners should retire one year after the elections. (2)
- The electoral commissioners should be removed from office if they are not performing. (2)
- Electoral commissioners should be funded from the consolidated.
- There should be 21 electoral commissioners 2 per region and 3 women and one youth and one disabled person.

5.3.13. **BASIC RIGHTS**

- The provisions for fundamental rights should be more adequate. (2)
- The constitution should ensure provisions protection of private property.
- There should be freedom of worship. (3)
- The constitution should guarantee the protection of the human rights of all Kenyans.
- Muslim dressing code of women should be allowed everywhere.
- The constitution should provide the freedom of movement. (2)
- The constitution should provide for the freedom of speech.
- The constitution should provide for freedom of assembly.
- The constitution should abolish the death sentence. (3)
- The constitution should protect the right of life. (3)
- Life imprisonment should replace death penalty.
- The constitution should protect food, security, health care, water, education and clothing as basic rights to all Kenyans. (2)
- The govt should ensure that every Kenyan enjoys his basic rights. (3)
- The constitution should provide for free medical services. (18)
- The constitution should ensure that water is supplied to Kenyans. (2)
- Piped water should be in every community.
- The constitution should provide security for all.
- All Kenyans should have a right to education. (7)
- Orphans should be given free education.
- School fee should be charged per day, students should not pay for the days they have not attended class.
- Employment should be on merit.
- The constitution should provide the right to employment. (12)
- The constitution should provide for employment of local residents.
- Employed people should not do business.
- Constitution should guarantee all Kenyans job security.
- The rule of one-man one job should be exercised. (3)

- Constitution should provide for employment of women.
- The constitution should provide for special welfare for the poor. (2)
- Retirement benefits should be handled at provincial level.
- The constitution should provide for social welfare of all elderly Kenyans.
- Pensions should be increased annually. (2)
- The unemployed should be given welfare benefits.
- The govt pension scheme should be reviewed. (1)
- Constitution should specify when the widows should get their husbands benefits.
- The constitution should guarantee free primary education. (6)
- The constitution should provide free and compulsory primary education. (3)
- The constitution should provide free and compulsory primary and secondary education. (4)
- There should be free education for all up to secondary level. (2)
- The constitution should provide for the right to information in the hands of the govt. (5)
- Civic education should be provided to all and a continuous process. (3)
- The budget should be open to public for debate.
- The constitution should be written in all languages for all to understand.
- The deaf should have access to the civic education.
- The constitution should guarantee all workers the right to trade union representation.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should guarantee women rights.
- The constitution should ensure buildings, roads and other amenities are constructed in favor of the disabled. (2)
- Rehabilitation of centers for street children should be established.
- The constitution should provide for protection of the disabled against discrimination. (2)
- The disabled should have some tax relief and special seats reserved for them in PSVs.
- The constitution should provide for free education for the disabled.
- 10% of jobs be reserved for the disable.
- There should be free education up to university for the disabled.
- Orphans should be taken care of by the govt. (3)
- Disadvantaged children should be educated by the govt.
- Children should have a right to inherit their parents' property. (2)
- Street children should be entitled to basic needs. (2)
- The govt should work with parents to bring up disciplined children. (2)
- HIV positive children should not be sent out of school.
- The constitution should set up a special fund for the elderly aged over 65 years. (3)
- Widows and widowers should be protected by the constitution. (3)
- The mau mau fighters should be recognized and rewarded.
- The constitution should provide affirmative action for women. (3)
- The constitution should provide for the right of the prisoners. (5)

5.3.15. **LAND AND PROPERTY RIGHTS**

- The state should have the ultimate ownership of land. (2)
- The land ownership in Kenya should be leasehold.
- The govt should not compulsory acquire land.
- The state should repossess unused land or that which is illegally acquired.

- The constitution should charge high fees on idle land. (2)
- The constitution should make the process of land transfer easier and cheaper. (3)
- Land title deeds should be guaranteed in the constitution.
- There should be a limit on the amount of land one can own. (3)
- The constitution should limit ownership of land to 50 acres.
- Land transfer process should be simplified. (2)
- Both men and women should have equal access to land.
- Pre-independence treaties should be abolished. (3)

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The traditional African customs should be recognized, respected and protected in the constitution.
- Kenyan society should retain its values.
- The constitution should do away with discriminatory aspects of the culture. (2)
- The constitution should outlaw wife inheritance. (2)
- The constitution should abolish the practice of Female Genital Mutilation. (2)
- Braille and sign language should be recognized national wide.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources.
- Resources collected from an area should be used to benefit that area. (2)
- Controller and auditor general should have tenure of 2 terms of 5 years each.
- The controller and auditor general should provide quarterly govt audits.
- Controller and audit general be appointed by parliament.
- Controller and audit general be appointed by president and approved by parliament. (2)
- Parliament should approve and control domestic and external borrowing. (2)
- The reports of public accounts committee and public investment committee should be adopted by parliament with seriousness.
- Qualified MPs should be appointed to head various ministries and work without interference. (3)
- People should be employed according to their experience and merit. (2)
- The constitution should provide for proper remuneration of health officers.
- Competent judges should be promoted.
- Undisciplined civil servants should be dismissed. (3)
- Civil service should be completely decreed from politics.
- Parliament should appoint public officers. (2)
- There should be a code of ethics for public office holders. (3)
- The constitution should provide that all people holding public office should declare their wealth. (2)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should deal with the environment.
- Pollution of air and water and dumping of garbage should be addressed by the constitution. (2)
- The local councils should enforce the environmental laws.
- The local govt should have control of the natural resources in their areas.

- The constitution should protect the natural resources.

5.3.19. **PARTICIPATORY GOVERNANCE**

- NGOs should have a role to play in governance on education issues.
- The activities of the religious groups should be monitored by the govt.
- NGOs should be regulated by the govt. (2)
- The constitution should provide maximum participation of women in governance.
- The disabled should be involved in governance. (2)
- The youth should be given a chance to participate in governance. (2)
- Parents, community leaders and entrepreneurs in education should be involved in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The govt should report to parliament on all treaties negotiated with other states.
- Good relations should prevail between the neighbouring countries.
- International treaties should be implemented after being vetted by parliament.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should create the office of an ombudsman. (5)
- The constitution should establish a human rights commission.
- The constitution should establish an Anti corruption authority. (2)
- The constitution should establish a police commission.
- The constitution should establish a truth and reconciliation commission.
- Ministry of justice should be established.

5.3.22. **SUCCESSION AND TRANSFER OF POWER.**

- The constitution should provide for interim govt once the parliament is dissolved.
- The ombudsman should be in charge of the executive powers during elections.
- The speaker of the national assembly should be in charge of the executive powers during election.

5.3.23. **WOMEN'S' RIGHTS**

- The constitution should guarantee and protect women rights.
- The constitution should guarantee women the right to own property. (2)
- The constitution should guarantee women the right to inheritance. (3)
- The constitution should not allow women to inherit property. (2)
- The constitution should legalize the African traditional marriage.
- Children should have right to inherit property regardless of gender. (2)
- Fathers of children born out of wedlock should take care of the children.

5.3.24. **INTERNATIONAL POLICY**

- Foreign aid should be used economically.
- The govt should avoid borrowing loans from the IMF and the World Bank, as these loans are very expensive to repay.
- Our economy should be independent of interference by other people outside Kenya.

5.3.25. **NATIONAL ECONOMIC POLICY**

- The state parastatals should be revived.
- The local councils should be improved to attract investor.
- Only goods required in the country should be imported.
- The constitution should provide for a price fixing mechanism. (2)
- Industries should be delocalized to rural areas.
- Rural areas should have electricity.
- The constitution should be geared towards poverty eradication. (3)
- The roads in rural areas should be constructed to improve the transport system. (1)
- Rural areas should be developed and the infrastructure improved. (2)

5.3.26. **NATIONAL OTHER POLICY**

- The constitution should regulate the operation of insurance firms in Kenya.
- Sexual behaviour of Kenyans should be regulated in order to control AIDS.
- The constitution should address the spread of HIV/AIDS. (4)
- Law should punish the policemen who receive bribes. (2)
- The police should not be allowed to harass Kenyans. (4)
- The commissioner of police should be appointed by the president and approved by the parliament.
- People should not be arrested for idling.
- The constitution should provide principles that will help fight corruption. (5)
- Corruption in the police force should be addressed in the constitution. (2)

5.3.27. **SECTORAL POLICY**

- The constitution should protect the interests of the farmers.
- Govt should regulate prices of goods.
- The constitution should provide for the welfare of farmers. (3)
- The constitution should provide marketing channels for farmer products. (2)
- The government should provide measures to promote the agricultural sector.
- Goods of high quality should be manufactured.
- The govt should put up more industries in Kenya.
- The constitution should revive the collapsed industries. (2)
- The upgrading of teachers should be done properly.
- Public university chancellors should be well qualified. (2)
- The constitution should provide for changes in the education system. (3)
- Schools should have facilities for the disabled. (2)
- The sessional papers should be put in place.
- Sign language should be taught in schools. (2)
- The constitution should scrap the 8-4-4 system of education and replace it with 7-4-2-3 system. (2)

- The government to provide bursaries for orphaned children.
- Educationists should draw education policies.
- B.O.G, P.T.A, school committee and district education boards should be given legal framework under which to operate.
- The govt should be responsible for establishing institutions of higher learning.
- The constitution should abolish the quota system.
- Taxes should be reduced including VAT. (2)
- Revenue collection should be made simpler. (2)
- Kenyan currencies should not have the presidential portrait. (2)
- The constitution should ensure that doctors in government hospitals do not run private clinics.
- Hospitals should be equipped with drugs and machines.
- The govt should control the affairs of NHIF.
- Sign language should be used hospitals.
- The govt should control diseases such as malaria.
- Sign languages should be used in broadcasting.
- Small-scale businesses should not be taxed.
- Women organizations should be given loans to start small businesses. (4)
- People should be helped start up small business.
- Kenyans should be employed in the informal sector.

5.3.28. **STATUTORY LAW**

- Rapist and murderers should be imprisoned for life. (2)
- School children who abuse drugs, alcohol and are involved in prostitution should be prosecuted in law courts.
- The traditional brews should be legalized. (2)
- The traditional brews should not be legalized. (2)
- Prostitution should be made illegal.
- Irresponsible parents should be prosecuted.
- Traffic rules should be adhered to.

5.3.29. **GENDER EQUITY**

- The constitution should provide for gender equity.
- Women should be given equal leadership opportunities as men in organization.

5.3.30. **TRANSPARENCY/ACCOUNTABILITY**

- In Kenya there should be transparency and accountability among the leaders.

5.3.31. **NATURAL JUSTICE/RULE OF LAW**

- All are equal before the law.
- Muslims should not be discriminated against.

5.3.32. **NATIONAL INTEGRITY/IDENTITY**

- The national flag should be of good design and colours.
- The constitution should provide for a national dress.
- The constitution should provide for unity of all Kenyans irrespective of their tribe.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. J. Omino MP
2. Austin Odicoh DC
3. Ambassador Noah Okulo Chairman
4. H.W. Cllr Shakeel Shabbir Ahmed
5. Abdul Dahya
6. Asenath B. Odaga
7. Bishop Francis Mwai Abiero
8. Okech Hongo
9. *Patricia Ochieng*
10. *Emilly Olago*

Appendix 2: Civic education providers (CEPs)

1. Constituency constitutional committee
2. Jotimus youth group
3. Family aid Africa
4. KUPPET
5. Kisumu youth leaders
6. Kenya women economic network
7. Gweng kagweng

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

1	0016OKWN	Andrew Musiga	CBO	Written	Scientific Ideological Group
2	0013OKWN	Florence Olang'o	CBO	Written	Kenya Women Political Caucus
3	0005OKWN	Hongo Andrew	CBO	Written	Green Development Group
4	0002OKWN	Joshua O. Nkomo.	CBO	Written	Kisumu District Disabled Dev
5	0011OKWN	Oscar Obonyo	CBO	Written	Nyanza People Assembly
6	0009IKWNY	Aaron Mutua	Individual	Written	
7	0029IKWNY	Abdul Dahyo	Individual	Oral - Public he	
8	0018IKWNY	Abdulrahman Salim.	Individual	Oral - Public he	
9	0044IKWNY	Albert Ayieko	Individual	Oral - Public he	
10	0041IKWNY	Alfred Odiwour	Individual	Oral - Public he	
11	0035IKWNY	Amos Otieno	Individual	Oral - Public he	
12	0071IKWNY	Andrew O. Awino.	Individual	Oral - Public he	
13	0010IKWNY	Anonymous	Individual	Written	
14	0011IKWNY	Anonymous	Individual	Written	
15	0023IKWNY	Asenath Bole Odaga.	Individual	Oral - Public he	
16	0040IKWNY	Bernard O. Auma.	Individual	Oral - Public he	
17	0062IKWNY	Bernard Okello	Individual	Oral - Public he	
18	0026IKWNY	Bonifas O. Nyimbi	Individual	Oral - Public he	
19	0031IKWNY	Bs.Raphael Onjula	Individual	Oral - Public he	
20	0052IKWNY	Caleb O. Koi.	Individual	Oral - Public he	
21	0013IKWNY	Caleb Osir Arondo	Individual	Written	
22	0032IKWNY	Caren Achieng' Genga.	Individual	Oral - Public he	
23	0049IKWNY	Carl Max.	Individual	Oral - Public he	
24	0057IKWNY	Carrington Oyoo	Individual	Oral - Public he	
25	0008IKWNY	Domnic Keng'ong'o.	Individual	Written	
26	0038IKWNY	Dorothy Ayoo Omulo.	Individual	Oral - Public he	

27	00421KWN	Edith Ochieng'.	Individual	Oral - Public he	
28	00121KWN	Elly Owiny Kotieno.	Individual	Written	
29	00461KWN	Erastus Juma	Individual	Oral - Public he	
30	00061KWN	geofrey Jotham Ageng'o.	Individual	Written	
31	00031KWN	George Onyango Obuya.	Individual	Written	
32	00501KWN	Godfrey Ngaywa	Individual	Oral - Public he	
33	00361KWN	Grace Otieno	Individual	Oral - Public he	
34	00021KWN	Henry Oketch.	Individual	Written	
35	00641KWN	Ismael Okore	Individual	Oral - Public he	
36	00201KWN	J. C. E. Sood Yolola.	Individual	Oral - Public he	
37	00371KWN	James Ombima.	Individual	Oral - Public he	
38	00661KWN	janes Adhola.	Individual	Oral - Public he	
39	00651KWN	Jared Ochola	Individual	Oral - Public he	
40	00541KWN	Joane A. Ogada.	Individual	Oral - Public he	
41	00591KWN	Joash O. Osula.	Individual	Oral - Public he	
42	00561KWN	Joel Ominde Ondiek.	Individual	Oral - Public he	
43	00251KWN	John H Omino	Individual	Oral - Public he	
44	00341KWN	John Oloo Bruno	Individual	Oral - Public he	
45	00331KWN	John Omanyua	Individual	Oral - Public he	
46	00551KWN	John Ouko reru	Individual	Oral - Public he	
47	00271KWN	John Oyugi	Individual	Oral - Public he	
48	00011KWN	Joseph Magu Mukiri.	Individual	Written	
49	00391KWN	Joseph N. Olose.	Individual	Oral - Public he	
50	00481KWN	Joseph Ondu	Individual	Oral - Public he	
51	00041KWN	Joshua Oswera Odhiambo.	Individual	Written	
52	00221KWN	Kisia Jacktone	Individual	Oral - Public he	
53	00471KWN	Lawi Orech	Individual	Oral - Public he	

54	0019IKWNY	Maalim Hassan	Individual	Oral - Public he	
55	0028IKWNY	Martin Ongayo	Individual	Oral - Public he	
56	0015IKWNY	Meshack Odhiambo Kokwar	Individual	Written	
57	0016IKWNY	Meshak Odhiambo Kokwaro	Individual	Written	
58	0051IKWNY	Michael O. Nyaguti.	Individual	Oral - Public he	
59	0017IKWNY	Mohamed Aslam Khan	Individual	Written	
60	0068IKWNY	Nicholas Okamo	Individual	Oral - Public he	
61	0043IKWNY	Noa Okulo	Individual	Oral - Public he	
62	0021IKWNY	Nyamori .J. O.	Individual	Written	
63	0030IKWNY	Ochieng' Apot.	Individual	Oral - Public he	
64	0007IKWNY	Opiyo Oduwo.	Individual	Written	
65	0069IKWNY	Paul O. Ogony.	Individual	Oral - Public he	
66	0058IKWNY	Paul Otieno.	Individual	Oral - Public he	
67	0045IKWNY	Peter Menji	Individual	Oral - Public he	
68	0024IKWNY	Peter Onyango	Individual	Oral - Public he	
69	0005IKWNY	Peter Onyango Obado.	Individual	Written	
70	0053IKWNY	Rapuda Nyakwaka.	Individual	Oral - Public he	
71	0014IKWNY	Risper Omwega	Individual	Written	
72	0061IKWNY	Steven O. Ondoyi.	Individual	Oral - Public he	
73	0070IKWNY	Tobias Ndalo.	Individual	Oral - Public he	
74	0063IKWNY	Washington Ndalo	Individual	Oral - Public he	
75	0067IKWNY	Wilkista Ogada.	Individual	Oral - Public he	
76	0060IKWNY	William O. Olewe.	Individual	Oral - Public he	
77	0003OKWNY	Magdaline Achieng' Ojwa	NGO	Written	Kenya Women Political Caucus
78	0017OKWNY	Nyamori J. O.	NGO	Written	Elimu Yetu Coalition.
79	0004OKWNY	Osano Peter	NGO	Written	Kenya National Association o
80	0008OKWNY	Billy Onwong'a.	Pressure Groups	Written	Citizen Literacy & Justice G
81	0006OKWNY	John H. Omino.	Pressure Groups	Written	Nyanza Peoples Assembly (Pin

82	0007OKWN Y	Kepher Oguwi	Pressure Groups	Written	Kenya Union of Post Primary
83	0015OKWN Y	Emily Olago.	Religious Organisation	Written	Hindu Council
84	0014OKWN Y	Fredrick Otoro	Religious Organisation	Written	Ecumanical Civic education P
85	0009OKWN Y	M. Ogada Nancy.	Religious Organisation	Written	Kisumu Deanery Paralegals. (
86	0001OKWN Y	Mohamed Juma	Religious Organisation	Written	SUPKEM Kisumu.
87	0010OKWN Y	Ndekelesi Waswasudi Sin	Religious Organisation	Written	The Sect Msabwa Religion.
88	0012OKWN Y	Robert Kodinga	Religious Organisation	Written	Kisumu Deanery Paralegals

Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	Mohammed JumaKhamsoor	P.O. Box 1631, Kisumu	107	Jacktone Kasia	P.O. Box 2348, Kisumu
2	Mohamed Aslam Khan	P.O. Box 218, Kisumu	108	Meshack Odhiambo K.	P.O. Box 1973, Kisumu
3	Abdul Rahman Salim	P.O. Box 72, Kisumu	109	Noah Okulo	N/A
4	Hosain Sakwa	P.O. Box 72, Kisumu	110	Frank Turo	P.O. Box 103, Kisumu
5	M. Hassan M. Sakwa	P.O. Box 398, Kisumu	111	Joshua Oswera O.	P.O. Box 849, Kisumu
6	Joshua Nkomo Olopi	P.O. Box 2803, Kisumu	112	Peter Onyango Obado	P.O. Box 238, Kisumu
7	Joseph Malu Mukiri	P.O. Box 6329, Kisumu	113	Rev. Patrick Ogingo	P.O. Box 6265, Kisumu
8	Emilly Olago	P.O. Box 2455, Kisumu	114	Pius Ojwang	P.O. Box 494, Kisumu
9	Magdaline Achieng O.	P.O. Box 1171, Kisumu	115	Miriam Opondo	P.O. Box 2547, Kisumu
10	James Onyango	P.O. Box 772, Kisumu	116	Erick Frediricus Luta B.	P.O. Box 2595, Kisumu
11	Peter Osano	P.O. Box 2520, Kisumu	117	Geoffrey Jotham Agengo	P.O. Box 1240, Kisumu
12	Washington Opiyo	P.O. Box 2520, Kisumu	118	Richard Mbewa	P.O. Box 6194, Kisumu
13	Soody Olola (J.C.E.)	P.O. Box 3015, Kisumu	119	Daniel Owuor	P.O. Box 2520, Kisumu
14	Evans Onyango	N/A	120	Maurice Otieno	P.O. Box 1696, Kisumu
15	Francis Atiang	P.O. Box 315, Kisumu	121	Amos Omondi	P.O. Box 4354, Kisumu
16	Mohamed Salat	P.O. Box 315, Kisumu	122	George Owuor	P.O. Box 88, Kisumu
17	Oketch Hongo	P.O. Box 190, Kisumu	123	J.H. Omiko	P.O. Box 188, Maseno
18	Maurice Onyango	P.O. Box 1818, Kisumu	124	Anne Atieno Odinga	P.O. Box 107, Kisumu
19	Henry Okech	P.O. Box 2302, Kisumu	125	Lillian Anyango Odundo	P.O. Box 107, Kisumu
20	Otieno Wilfred	P.O. Box 1676, Kisumu	126	Godorn Ojwang	P.O. Box 105, Kisumu
21	Tonny Omino	P.O. Box 1646, Kisumu	127	Shadrack Abongo	P.O. Box 105, Kisumu
22	Nyamori Joshua O.	P.O. Box 1733, Kisumu	128	Ishmail Said Mboya	P.O. Box 609, Kisumu
23	Jackson Ochieng	P.O. Box 1922, Kisumu	129	Dr. R.N. Odero	P.O. Box 1382, Kisumu
24	Linani Dixon	P.O. Box 174, Kisumu	130	Milton Ajode	P.O. Box 6650, Kisumu
25	Andrew Hongo	P.O. Box 6582, Kisumu	131	Jackson Iteyo	P.O. Box 6739, Kisumu

26	Otieno Steven	P.O. Box 980, Kisumu	132	Dan Otieno	P.O. Box 57511, Nairobi
27	Ochieng Francis	P.O. Box 115, Kisumu	133	Michael Jobita	P.O. Box 2648, Kisumu
28	Asenatha Bole Odaga	P.O. Box 1743, Kisumu	134	Benson Odhiambo	P.O. Box 2332, Kisumu
29	John Oyugi	P.O. Box 215, Oyugis	135	John Omanyang Nyotumra	P.O. Box 4737, Kisumu
30	Martin Ongayo	P.O. Box 2324, Kisumu	136	Patrick Opande Dola	P.O. Box 612, Kisumu
31	William Ochieng	P.O. Box 152, Kisumu	137	Willis Awaga	P.O. Box 1129, Kisumu
32	Bishop Raphael Ojula	P.O. Box 2571, Kisumu	138	Augustine Okach	P.O. Box 1973, Kisumu
33	Judy Randiga	P.O. Box 847, Kisumu	139	Tobias Otieno	P.O. Box 450, Kisumu
34	Evans Ochieng	P.O. Box 1280, Kisumu	140	Dorothy Ayoo	P.O. Box 1883, Kisumu
35	Grace Nyamita	P.O. Box 105, Kisumu	141	Washington Ndeda	P.O. Kibos
36	Omondi Atela	P.O. Box 1218, Kisumu	142	Fredrick Otoro	P.O. Box 50, Kisumu
37	Abdul Dahya	P.O. Box 669, Kisumu	143	James Randiki	P.O. Box 2588, Kisumu
38	Kalechi Egonu	Kibuye	144	Kefa Oguwi	P.O. Box 1733, Kisumu
39	George Obuya	P.O. Box 980, Kisumu	145	Alfred Orwa	P.O. Box 9164, Kisumu
40	B. Onwonga	P.O. Box 6209, Kisumu	146	Doninic Kengongo	P.O. Box 1046, Kisumu
41	C. Gundo	P.O. Box 568, Kisumu	147	Oloo John Bruno	P.O. Box 1726, Kisumu
42	Dr. Kowiti J.O.	P.O. Box 42, Oyugis	148	Okoth Ojwang Samwel	P.O. Box 4182, Kisumu
43	Cllr. A. Genga	P.O. Box 105, Kisumu	149	Obonyo Oscar	P.O. Box 4297, Kisumu
44	Robert Lwande	P.O. Box 573, Kisumu	150	William Arina	P.O. Box 1655, Kisumu
45	Bernad Oguta	P.O. Box 1516, Kisumu	151	Ogada Nancy Monica	P.O. Box 1218, Kisumu
46	Peter Odhiambo	P.O. Box 1516, Kisumu	152	George Orude	P.O. Box 21, Paw Akuche
47	Joy Odipo	N/A	153	Michael Ondiek	P.O. Box 19574, Kisumu
48	Agnes Ayuma	P.O. Box 370, Maragoli	154	Andrew Otieno	P.O. Box 1921, Kisumu
49	Richard Odhiambo	P.O. Box 105, Kisumu	155	Peter Oloo	P.O. Box 31, Sega
50	Nicholus Juma	P.O. Box 876, Kisumu	156	Opiyo Oduwo	P.O. Box 2809, Kisumu
51	Seling Aduogo	P.O. Box 6205, Kisumu	157	Isaac Opiyo	P.O. Box 105, Kisumu

52	Eddy Ouma	P.O. Box 2356, Kisumu	158	Stephen Ongongo	P.O. Box 2629, Kisumu
53	Henry Were	P.O. Box 4659, Kisumu	159	Bob Mbole	P.O. Box 26, Maragoli
54	Fredinand Oloo	P.O. Box 5159, Otonglo	160	Audi Jackson	P.O. Box 800, Kisumu
55	Amos Otieno	P.O. Box 4305, Kisumu	161	Maurice Kamolo	P.O. Box 50, Kisumu
56	Ezekiel Onyango	P.O. Box 795, Kisumu	162	Amos Aringo	P.O. Box 742, Kisumu
57	James Otieno Ombima	P.O. Box 4335, Kisumu	163	George Omollo	P.O. Box 95, Kendu Bay
58	Jackson Otieno	P.O. Box 62000, Nairobi	164	Waswa Sudi	N/A
59	Benard Otieno	P. O. Box 105, Kisumu	165	Christopher Omondi	P.O. Box 2600, Kisumu
60	Maurice Agengo	P.O. Box 278, Kisumu	166	Aaron Mutua	P.O. Box 22, Kisumu
61	Peres Akinyi Abayo	P.O. Box 818, Kisumu	167	Domnic Mwalo	P.O. Box 105, Kisumu
62	Nelson Obando	P.O. Box 620, Kisumu	168	Grace Otieno	P.O. Box 19200, Kisumu
63	Michael Omaro	P.O. Box 19393, Kisumu	169	Walter Nyambok	P.O. Box 1538, Kisumu
64	Daniel Onyango	P.O. Box 552, Kisumu	170	Lucas Seda	P.O. Box 4658, Kisumu
65	George Otieno Juma	P.O. Box 18, Withur	171	Francis Olang	N/A
66	Kennedy Odinga	P.O. Box 582, Kisumu	172	Ascar Obonyo	P.O. Box 4277, Kisumu
67	George Ouma	P.O. Box 582, Kisumu	173	Bob Mbone	P.O. Box 86, Tiriki
68	William Ochuka	P.O. Box 4943, Kisumu	174	James Oile Ochola	P.O. Box 100, Kisumu
69	Robert Hamisi	P.O. Box 19116, Kisumu	175	Jacktone Kisia	P.O. Box 2348, Kisumu
70	William Ogendo	P.O. Box 5018, Otonglo	176	Walter Ogolla	P.O. Box 908, Kisumu
71	Joseph Ndece Olose	P.O. Box 5355, Kisumu	177	Japheth Oronga	P.O. Box 100, Kisumu
72	Benard Odhiambo	P.O. Box 5388, Kisumu	178	Amos Oliech	P.O. Box 908, Kisumu
73	Allfred Oduor	P.O. Box 788, Kisumu	179	Otieno Nyaguti	P.O. Box 1923, Kisumu
74	Johnson Adipo	P.O. Box 5113, Otonglo	180	Calleb Ogendo	P.O. Box 1923, Kisumu
75	Edith Ochieng	P.O. Box 2184, Kisumu	181	Jacob Nyambok	P.O. Box 1923, Kisumu
76	Emilly Olago	P.O. Box 2455, Kisumu	182	Rapuoda Nyakwaka	P.O. Box 13, Kisumu
77	Noah Okulo	P.O. Box 748, Kisumu	183	Edwain Sweta	P.O. Box 2664, Kisumu
78	Albert Ayieko	P.O. Box 25050, Kisumu	184	Robert K'odinga D.	P.O. Box 574, Kisumu

79	Peter Meji	P.O. Box 1043, Kisumu	185	Fanuel Olang	P.O. Box 5099, Otonglo
80	Aggrey Ouko	P.O. Box 1870, Kisumu	186	Joseph Ogollo	P.O.Box 809, Tieng're
81	Joshua Ogolla	P.O. Box 1923, Kisumu	187	Florence Olango	P.O. Box 1130, Kisumu
82	Erstus Juma	P.O. Box 3078, Dago	188	Charles Okinyo	P.O. Box 5079, Otonglo
83	Fredrick Seda	P.O. Box 1501, Otonglo	189	Fredrick Otoro	P.O. Box 50, Kisumu
84	Lawi Orech	P.O. Box 25226, Otonglo	190	William Ouya Oute	P.O. Box 47, Kisumu
85	Joseph Ondu Awuor	P.O. Box 4069, Kisumu	191	John Keen	P.O. Box 5018, Otonglo
86	Karl Max	P.O. Box 5500, Nairobi	192	Johanes A. Ogada	P.O.Box 25000, Otonglo
87	James Omedo Omedo	P.O. Box 908, Kisumu	193	Tobias Okech	P.O. Box 504, Kisumu
88	Lawi Ondila	P.O. Tieng're	194	John Ouko Reru	P.O. Box 1870, Kisumu
89	George Odongo	P.O. Box 4906, Kisumu	195	Joel Ominde	P.O. Box 2256, Kisumu
90	Ayub Nyamonga	P.O. Akingli	196	Dixon Obuyi Weda	P.O. Box 908, Kisumu
91	John Elijah Ogodo	P.O. Box 1075, Otonglo	197	Bill Ndede	P.O. Box 25141, Otonglo
92	Godfrey Ngaywa	P.O. Box 1697	198	Paul Ouma	P.O. Box 25069, Otonglo
93	Clinton Oyoo	P.O. Box 88, Pau Akuche	199	William Ako	P.O. Box 1142, Kisumu
94	Mary Abuom	P.O. Box 19532, Kisumu	200	Fredrick Njaga	P.O. Box 1130, Kotetni
95	Paul Otieno	P.O. Box 5064, Otonglo	201	Johanes Adhola	P.O. Tieng're
96	William Olang	P.O. Box 1923, Kisumu	202	Dorothy Ayoo	P.O. Box 3154, Kisumu
97	Stephen Otieno	P.O. Box 5506, Kisumu	203	Jane Akinyi	P.O.Box 9605, Kisumu
98	Joash Osula	P.O. Box 5107, Kisumu	204	Oketch Hongo	P.O. Box 190, Kisumu
99	Stephen Ondoyi	P.O. Box 2526, Kisumu	205	Washington Ndalo	P.O. Box 25186, Otonglo
100	Benard Akello	P.O. Box 100, Otonglo	206	Dan Omondi	P.O. Box 230, Kisumu
101	Jack Opiyo	P.O. Box 126, Kisumu	207	James Ogallo	P.O. Box 5076, Otonglo
102	Maurice Onyango	P.O. Box 100, Kisumu	208	Caleb Osir	P.O. Otonglo
103	Japheth Okello	P.O. Box 1263, Kisumu	209	Nicholas Ochieng	P.O. Box 5072, Otonglo
104	Hellen Osimbo	P.O. Box 1263, Kisumu	210	Benard Oluoch	P.O. Box 50, Kisumu

105	Andrew Musiga	P.O. Box 43, Kisumu	211	Ismael Okore	P.O. Box 5000, Otunglo
106	James Oyieng	P.O. Otonglo	212	Benard Ayieko	P.O. Box 1130, Kisumu
			213	Jared Ocholla	P.O. Box 5164, Kisumu

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1. DISTRICT CONTEXT.

Kisumu Rural is a constituency in Kisumu District. Kisumu District is one of 12 districts of the Nyanza Province of Kenya. This district is host to Kenya's second City, and a harbour on Lake Victoria. In addition, it is an important regional center linking Uganda, Tanzania, and Kenya, who all share Lake Victoria.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	248,735	255,624	504,359
Total District Population Aged 18 years & Below	132,078	134,572	266,650
Total District Population Aged Above 18 years	116,657	121,052	237,709
Population Density (persons/Km²)	549		

1.2. Socio-Economic Profile

Kisumu District:

- Is the 4th most densely populated district in the province;
- Has one of the least primary school enrolment rates in the province, at 69.7%, being ranked 10th in the province and 39 nationally;
- Has a secondary school enrolment rate of 19%, being ranked 6th in the province and 36th nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhoea diseases, skin diseases, and urinary tract infections, and HIV/AIDS;
- Has a 20.6% malnourishment rate of children under 5 years of age, being ranked 15th of 42 of the nationally ranked districts;
- Has 129 of 1000 of its live babies dying before the 1st birthday, being ranked 39th of 44 of the nationally ranked districts;
- Has a life expectancy of 38.1 years;
- Has an absolute poverty level of 65.44% being ranked 38th of 46 nationally ranked districts;
- Has a 54.99% food poverty level being ranked 26th of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 6,493, a figure lower than Kenya's urban average;
- Has 62.8% of its residents accessing clean drinking water; and
- 81.20% of its residents having safe sanitation.

Kisumu district has 3 constituencies: Kisumu Town East, Kisumu Town West, and Kisumu Rural Constituencies. The district's 3 MPs, each cover on average an area of 216 Km² to reach 168,12 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Kisumu Town East, Kisumu Town West, and Kisumu Town Rural with 84.80%, 72.99%, and 53.95% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

The main economic activities are subsistence farming, and fishing on Lake Victoria.

2.2. Electioneering and Political Information

This is an opposition party stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won the parliamentary seat with 91.05% and 53.95% valid votes respectively.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			35,428
CANDIDATE	PARTY	VOTES	% VALID VOTES
Peter Anyang Nyong'o	FORD-K	23,538	91.05
Wilson N. Ayah	KANU	2,314	8.95
Total Valid Votes		25,852	100.00
Rejected Votes		-	
Total Votes Cast		25,852	
% Turnout		72.97	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			35,516
CANDIDATE	PARTY	VOTES	% VALID VOTES
Winston Ochoro Ayoki	NDP	13,508	53.95
Wilson Ndolo Ayah	KANU	6,596	26.34
Peter Anyang Nyong'o	SDP	4,935	19.71
Total Valid Votes		25,039	100.00
Rejected Votes		245	
Total Votes Cast		25,284	
% Turnout		71.34	
% Rejected/Cast		0.97	

2.5. Main Problems

The main problem of the area is poverty.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 16th May 2002 and 31st May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans to have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered_**

- Constitution: models, types and meaning
- Independence constitution
- Constitution making process
- Organs and levels of government

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1 **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

2. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 - 1. Maseno University Millenium Hall
 - 2. Kombewa District Officer's Office

3. **Panels**

- a. Commissioners
 - 1. Com. Prof. Okoth-Ogendo
 - 2. Com. Kavetsa Adagala
- b. Secretariat
 - 1. Tresa Apondi – Programme Officer
 - 2. Walter Owuor – Programme Officer
 - 2. Charles Makhoka – Assistant Programme Officer

5.2 Attendance Details

Category	Details	Number
Number of People Who Presented		117
Sex	Male	102
	Female	14
	Not Stated	1
Presenter Type	Individual	100
	Institutions	17
	Not Stated	0
Educational Background	Primary Level	19
	Secondary/High School Level	36
	College	2
	University	58
	None	0
	Not Stated	2
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	65
	Written	21
	Oral + Memoranda	0
	Oral + Written	31
	Not Stated	0

5.3 Summary of Emerging Issues.

The following are the recommendations made by the presenters in Kisumu Rural 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. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately.

5.3.1 PREAMBLE

- The preamble should be simple and clear.
- The preamble should express the Sovereignty of all Kenyans.

- The preamble should state that Kenya shall always be a democratic state
- The preamble should define the constitution, its objective and the vision of Kenyans
- The preamble should be in the constitution.
- The preamble should express the will of the people of Kenya.
- The preamble should spell out the values of the various communities within Kenya.
- The preamble should state that Kenya shall always be a democratic country.
- The preamble should address issues of national importance.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide for independence and separation of the three arms of government.
- The constitution should provide for the strict observation of the doctrine of separation of power by the government of the day.

5.3.3 **CONSTITUTIONAL SUPREMACY.**

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that a constitutional amendment shall only be through a public referendum.
- The constitution should provide that a constitutional amendment shall only be after a 65% of public opinion.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- The constitution should emphasize that parliament shall not have the power to amend the constitution on issues affecting parliament.
- The constitution should that the parliament shall be the supreme body in the country.
- The constitution should provide that a 75% majority vote in parliament and a referendum shall be before any constitutional amendment is carried out.
- The constitution should provide that there shall be 70% approval by parliamentarians before any constitution amendment.

5.3.4 **CITIZENSHIP.**

- The constitution should confer to all persons born of Kenyan parent's automatic citizenship.
- The constitution should provide for dual citizenship.
- The constitution should not provide for dual citizenship.
- The constitution should provide that foreigners married to Kenyans shall acquire temporary citizenship for a 10 year probation period.
- The constitution should provide that passports shall be issued upon birth instead of ID for identification purposes.
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender.
- The constitution should provide that proof of citizenship shall be by way of passports.

5.3.5 DEFENCE AND NATIONAL SECURITY.

- The constitution should provide for a joint staff commission to advise the president on military issues.
- The constitution should provide that the Prime Minister shall be the commander in chief of the armed forces.
- The constitution should provide that the prerogative of declaring a state of emergency shall be exercised by the president.
- The constitution should provide that the president shall not be the commander in chief of the armed forces.
- The constitution should provide that the president shall be the commander in chief of the armed forces.
- The constitution should provide that the prosecuting powers of the AG shall be left to the police.
- The constitution should limit the duties of the president to that of Commander in Chief of the armed forces.
- The constitution should provide that the police shall work within an established code of ethics and conduct.
- The constitution should provide for reduction in powers of the police.
- The constitution should provide that the minister of defense shall be the commander in chief of the armed forces.
- The constitution should provide that the security of the Kenyan people shall be the responsibility of the government.
- The constitution should provide for an independent body to deal with police relationship with the public.
- The constitution should provide that the issue of importation of illegal arms shall be addressed.
- The constitution should provide that the police force shall be delivered from party politics.
- The constitution should provide that the armed forces recruits shall possess at least O' level education.
- The constitution should provide that the armed forces recruits shall possess at least class eight qualification.
- The constitution should provide that all police recruits shall be graduates.
- The constitution should provide that only the police and the army shall have the mandate of providing security.
- The constitution should provide that all citizens shall be disarmed.
- The constitution should provide that all police shall undergo training in psychology as a minimum qualification requirement.
- The constitution should provide that the president shall be the Commander in Chief of the armed forces.
- The constitution should provide that the president shall not be the Commander in Chief of the armed forces.

5.3.6 POLITICAL PARTIES.

- The constitution should provide that a political party shall be deregistered if it has no representation in parliament for 10 years.
- The constitution should limit the number of political parties in the country to 3.

- The constitution should provide that political parties in the country shall be restricted to a minimum of 2 and a maximum of 4.
- The constitution should provide that the number of political parties shall not be regulated.
- The constitution should limit the number of political parties in the country to between 3 and 7.
- The constitution should limit the number of political parties in the country to between 2 and 4.
- The constitution should limit the number of political parties in the country to between 5 and 7.
- The constitution should provide that the number of political parties shall not be restricted or regulated.
- The constitution should provide that political parties' activities shall not be limited to political mobilization only.
- The constitution should provide that the government shall fund the political parties but this shall be pegged on the fact that they have representation in parliament, are not ethnic and present their expenditure estimates to the auditor general.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.
- The constitution should provide that all political parties shall be granted freedom of association; they be allowed to freely hold public meetings.
- The constitution should provide that the political parties shall be funded by the government from public funds.
- The constitution should provide for security of political leaders.
- The constitution should provide that the number of political parties shall be regulated by an independent commission.
- The constitution should provide broad guidelines requiring that political parties have a national outlook.
- The constitution should provide broad guidelines requiring that composition, management and policies of political parties are gender sensitive.
- The constitution should provide for public funding of political parties as long as such parties have representation in parliament and have a demonstrable substantial following.

5.3.7 **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should provide for a parliamentary system of government with a Prime Minister as the head of government.
- The constitution should provide for an office of a Prime Minister with equal powers to the president.
- The constitution should provide that the running mate of president shall be the vice president.
- The constitution should provide for a unitary system of government with powers subjected to parliamentary check.
- The constitution should provide for a federal system of government.
- The constitution should provide for a federal system of government where local authorities shall run the determined regions.
- The constitution should provide for a federal system of government with Kenya being divided into regions headed by a governor.
- The constitution should provide for a federal system of government and boundaries shall

not be based on tribal lines.

- The constitution should provide for federal system of government headed by a prime minister and two deputies (the first deputy be leader of government business in parliament and the second deputy be the head of civil service), all to be elected by the people.
- The constitution should not provide for a federal system of government.
- The constitution should provide for a regional government of 8 provinces headed by governors elected by the people.
- The constitution should provide for a unitary system of government that shall perpetuate national unity.
- The constitution should provide for a government of National Unity composed of all parliamentary political parties.

5.3.8 **THE LEGISLATURE**

- The constitution should not provide for a coalition system of government.
- The constitution should provide that the nominated MPs shall be endorsed by the elected MPs.
- The constitution should give Parliament power to impeach the president.
- The constitution should provide that constitutional commissions be set up by parliament or with the approval of parliament.
- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.
- The constitution should give parliament power to vet presidential appointment of permanent secretaries and public officers.
- The constitution should provide that all-presidential appointments be vetted by parliament.
- The constitution should give parliament power to appoint controller and auditor general.
- The constitution should give parliament power to endorse ministerial appointments.
- The constitution should provide for an independent commission to decide on the salaries of MPs.
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should give Parliament power to control its own calendar.
- The constitution should give voters the right to recall non-performing MPs
- The constitution should give voters the right to recall non-performing MPs by collecting 30% signatures and forwarding them to the speaker of the national assembly who then shall declare the set vacant.
- The constitution should provide that the president shall be answerable to the parliament
- The constitution should provide that the parliament shall be the only institution that addresses national crisis.
- The constitution should provide that the life of parliament shall not be pegged on constitutional review.
- The constitution should provide that MPs have public offices in their constituencies.
- The constitution should provide that MPs shall visit constituents at least 4 times a year.
- The constitution should provide that MPs shall visit constituencies as least two times a week.
- The constitution should provide that 50% of the MPs salaries shall be for the constituency

development.

- The constitution should provide a minimum qualification of a university degree for an MP candidate.
- The constitution should provide that the MPs shall be between 25 and 65 years
- The constitution should provide that the MPs shall be 24 years
- The constitution should provide for review of parliament's rule of attendance.
- The constitution should provide that Parliament shall be a full-time job.
- The constitution should provide that MPs shall retire at age 55 years.
- The constitution should provide that MPs shall not be pensionable.
- The constitution should provide that 30% of the parliament seats shall be reserved for women.
- The constitution should provide that 20% of the parliament seats shall be reserved for women.
- The constitution should provide that 33% of the parliament seats shall be reserved for women.
- The constitution should provide for parliament to pose the affirmative action bill into law.
- The constitution should provide that MPs shall earn salaries and allowances and serve on contract.
- The constitution should provide that MPs who fail to attend parliamentary sessions regularly and punctually shall automatically lose their seats.
- The constitution should provide for a two-chamber parliament. The upper house should have a veto power over the Lower House.
- The constitution should provide that MPs' power to review law shall be reviewed/limited.
- The constitution should provide that parliament shall be accessible to the public.
- The constitution should give Parliament power to control its own operations through the standing orders.
- The constitution should provide that the president shall have the power to dissolve parliament.
- The constitution should provide for a code of conduct for MPs.
- The constitution should abolish nomination of MPs.
- The constitution should provide that parliament is supreme.
- The constitution should provide that MPs have minimum educational qualifications of O' level certificate.

5.3.9 **THE EXECUTIVE.**

- The constitution should provide for a ceremonial president who shall be appointed by the parliament through a 2/3 majority vote
- The constitution should provide that the president shall be subject to the law.
- The constitution should provide that the president shall be above the law.
- The constitution should limit the powers of the president.
- The constitution should provide for the impeachment of the president.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.
- The constitution should provide that the Chief and the Assistant Chief be elected by popular vote by members of the respective administrative location.
- The constitution should provide that chief shall have minimum O level education.
- The constitution should provide that chief shall be transferable within the district.

- The constitution should provide that the post of assistant chiefs shall be scrapped and their duties be performed by village elders.
- The constitution should provide that the president shall have minimum of 30 years of age.
- The constitution should provide that the president shall be between 35 and 65 years.
- The constitution should provide that the president shall be between 35 and 70 years.
- The constitution should provide that the president shall be between 35 and 60 years.
- The constitution should provide that the president shall be between 18 and 60 ears.
- The constitution should provide that the president shall be between 21 and 55 years.
- The constitution should provide that the president shall be between 25 and 65 years.
- The constitution should provide that presidency shall be for a fixed period of maximum 20 years.
- The constitution should provide that the president shall not be the chancellor of the public universities.
- The constitution should provide that the president shall also be an elected M.P.
- The constitution should provide that the president shall not be an elected MP.
- The constitution should provide that the president shall serve a maximum two five year terms.
- The constitution should provide that the president shall remain the head of both state and government and the vice president as his assistant.
- The constitution should provide that the president and the vice president shall be elected by popular vote.
- The constitution should provide that the moral and social history of the president shall be vetted.
- The constitution should provide that the president shall be free from financially related offences.
- The constitution should provide a minimum qualification of a university degree for a Prime Minister.
- The constitution should provide that the Prime Minister shall be between 40 and 60 years.
- The constitution should provide that the Prime Minister shall serve a maximum two five year terms.
- The constitution should provide for reduction of ministries to be between 8 and 10.
- The constitution should provide for economic independence of ministries.
- The constitution should provide that ministries shall be headed by one minister and not more than 3 assistant ministers.
- The constitution should provide for only 18 ministries headed by one minister.
- The constitution should provide that power shall be devolved from the central government to provincial administration.
- The constitution should abolish the provincial administration structure of government.
- The constitution should provide for the election by popular vote of provincial administration officials.
- The constitution should abolish the positions of D.C and his role be performed by the mayors or chairmen.
- The constitution should provide that the powers of chiefs, DOs and DCs shall be reduced
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The constitution should provide that the president must attend all parliamentary sittings.
- The constitution should provide that provincial administration officers be elected by popular vote.

5.3.10 THE JUDICIARY.

- The constitution should provide for the independence of the judiciary.
- The constitution should provide for a permanent constitutional court.
- The constitution should provide for reduction of judicial officers.
- The constitution should provide for courts at divisional level.
- The constitution should provide that appointment of judges should be approved by two thirds of the Members of Parliament
- The constitution should provide for a Judicial Service Commission to appoint both the CJ and AG
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide that the traditional local liquor shall be legalized.
- The constitution should provide for registration of all marriages irrespective of the nature of the ceremony.
- The constitution should provide for special children’s courts.
- The constitution should provide that the children shall have free legal aid.
- The constitution should provide that a limit shall be fixed on the number of women a man may marry.
- The constitution should provide that the composition of the advisory committee on the prerogative of mercy shall be reviewed.
- The constitution should provide that the chief justice shall be compelled to make rules when he is required to.
- The constitution should provide that the issue of corruption shall be addressed.
- The constitution should provide for special courts to deal with the discipline of the armed forces.
- The constitution should provide that life imprisonment shall be reduced to maximum of 20 years.
- The constitution should provide for tribunal courts at local level to deal with land matters.
- The constitution should provide that rape and defilement shall have equal penalties.
- The constitution should provide that judges shall be elected by popular vote.
- The constitution should provide that sponsors of public clashes and looters of public funds shall be prosecuted.
- The constitution should provide that the affirmative action shall be scrapped.
- The constitution should provide for scrapping of criminal court system, as criminals never win.
- The constitution should provide for use of Kiswahili in courts.
- The constitution should provide that local and child artists shall be protected by the law.
- The constitution should provide that copyright laws shall be repealed and new bills enacted.
- The constitution should provide for community tribunals or courts to ease the backlog in the court system.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary.
- The constitution should provide for review of evidence act.
- The constitution should stipulate that application and filing fees should as much as possible be pegged at a rate affordable to the common person.

5.3.11 LOCAL GOVERNMENT.

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council, be filled by direct popular elections.
- The constitution should provide that all-local authority by-laws be adopted by way of a referendum.
- The constitution should provide that Mayors and Chair of County Council serve a maximum two five year term.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should provide for a minimum education requirement for mayors and councilors to be O level.
- The constitution should provide that the medical, transport, education, environment conservation and road services shall be under the local council.
- The constitution should provide that mayor and councilors shall possess a university degree.
- The constitution should provide that mayors and councilors shall be elected by the local people.
- The constitution should abolish councilor positions and instead local authorities be headed by MPs.
- The constitution should provide for impeachment of mayors and councilors.
- The constitution should provide that Mayors and Chair of County Council serve a maximum of five-year term.
- The constitution should give mayors and councilors limited executive power.
- The constitution should abolish nomination of councilors.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide that in a presidential election, the winning candidate must get 50% of the total votes cast. In the event that this is not achieved in the first contest, a run-off of the first two candidates with highest number of votes shall be immediately
- The constitution should provide that in presidential election, the winning candidate must get 25% of the total votes cast in all provinces.
- The constitution should provide for renaming of all districts but not based on the tribal name of the residents.
- The constitution should provide for creation of more provinces.
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- The constitution should provide that votes be counted at the polling station.
- The constitution should provide that presidential and parliamentary elections shall be held on separate dates. In all cases, presidential elections should be held first.
- The constitution should provide that presidential, parliamentary and civic elections shall be held on different occasions with 3 weeks time gap in between.
- The constitution should provide that voting be done by secret ballot.
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide a clear criterion for the appointment of commissioners to

the Electoral Commission.

- The constitution should provide that election of commissioners to the Electoral Commission be subject to vetting and approval by parliament with the commissioners electing the chairman.
- The constitution should provide that the chairperson of electoral commission shall be elected by the parliament.
- The constitution should provide for the commissioners of electoral commission to have security of tenure.
- The constitution should provide that nomination provisions shall be maintained in the constitution.
- The constitution should provide that the electoral commission shall be mandated to ban politicians who commit electoral offences.
- Civic education should be entrenched in constitution and should be a continuous process
- The constitution should provide that the newly created districts shall be abolished.
- The constitution should provide for clear rules for the creation of parliamentary constituencies.
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide that American constitution shall be adopted in the Kenyan constitution.
- The constitution should provide that a constitutional review process be finalized before the subsequent general elections.
- The constitution should provide that the current constitution making shall be declined from election process.
- The constitution should clearly stipulate the election date of general elections.
- The constitution should provide for proxy voting
- The constitution should provide that voter registration shall not be pegged on ID cards; other identification documents be admissible.
- The constitution should outlaw use of public funds for campaigns.
- The constitution should provide that Commissioners appointed to the Electoral Commission be nominated by, and be representative of all-political parties.
- The constitution should provide that voter registration shall be a continuous process and voter registration centers be brought at locational level.
- The constitution should provide that a registered party shall sponsor a presidential candidate.
- The constitution should provide that the issue of “spoilt votes” shall be reviewed and the intention of the voter be inferred.
- The constitution should provide for a post of Prime Minister who shall garner 50% of the total votes cast.
- The constitution should provide for elections after every five years.
- The constitution should provide that a percentage of the members of the Electoral Commission be drawn from specific professions and gender.
- The constitution should make provision for equal access to the state media for campaign purposes, by all registered political parties.
- The constitution should provide that nomination of MPs and Councilors be done in proportion to the number of seats the political parties hold in parliament
- The constitution should provide for its review every 10 years.
- The constitution should provide the electorate with a right to petition any election at all levels.

5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee the freedom of worship to all Kenyans.
- The constitution should provide freedom and protection of all religious groups.
- The constitution should provide that there shall be no special day of worship.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the freedom of movement.
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should guarantee the security of all Kenyans.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide that the right to life shall be respected by scrapping of the death penalty.
- The constitution should provide for a one person-one job policy.
- The constitution should provide that the death penalty shall be retained.
- The constitution should provide that abortion shall be legalized.
- The constitution should provide for free basic health care for all in both rural and urban areas
- 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, ethnic or racial background.
- The constitution should guarantee all Kenyans the right to information.
- The constitution should provide that out patients services shall be provided free and cost sharing be on in patients
- The constitution should provide for health care services at locational levels.
- The constitution should provide that birth certificates shall be issued automatically upon birth free of charge.
- The constitution should provide that the government shall provide text books to school children.
- The constitution should provide that employment shall not be tribal or nepotic based.
- The constitution should provide for couples to have only two children.
- The constitution should provide that women shall be involved in decision making.
- The constitution should provide that marriage shall be left absolutely free from government intervention.
- The constitution should provide that informal education shall be sponsored by the government.
- The constitution should provide for pit latrines in towns.
- The constitution should provide that assessment of candidates shall be done at class 5, 8, form 2 and form 4.
- The constitution should provide that N.S.S.F shall be paid immediately on retirement.
- The constitution should provide that the retrenchments shall be abolished and outlawed.
- The constitution should provide for the employment of all university graduates.
- The constitution should provide for revival of Kenya school equipment scheme.
- The constitution should provide that employed pregnant women shall be entitled to two months paid rest in addition to the paid maternity leave.

- The constitution should provide that all students who qualify for public universities shall automatically obtain government loans.
- The constitution should provide that universities shall offer courses relevant and focused to public needs.
- The constitution should provide for scrapping of the parallel degree programs in public universities.
- The constitution should provide that university students shall be protected from expulsion.
- The constitution should provide that funny religious practices shall be banned and severely punished.
- The constitution should provide that the government shall guarantee employment opportunities.
- The constitution should provide that university admission shall be liberalized.
- The constitution should provide for all Kenyans to be paid salaries.
- The constitution should provide that citizens above 60 years shall be paid allowances by the government.

5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide for government rehabilitation of street children.
- The constitution should provide that the definition of a child shall be any person below the age of 18 years.
- The constitution should provide that children shall be accorded the same rights as adults.
- The constitution should provide that the needy children shall be taken care of at district level.
- The constitution should provide that the rights of the vulnerable groups shall be respected.
- The constitution should provide for a welfare scheme to help the aged.
- The constitution should provide that children shall be protected from all forms of exploitation.
- The constitution should provide that orphans shall have access to free education.
- The constitution should provide for a body to address the welfare of the poor.
- The constitution should provide that the less privileged shall get free health services.
- The constitution should provide that there shall be provisions of budgetary support for vulnerable groups e.g. Nomads and herdsman
- The constitution should provide that any Kenyan who have attained 65 years shall be paid old age benefit monthly similar to pension.
- The constitution should provide that disabled orphans and disadvantaged ones shall have access to free education and health care until they attain 18 years.
- The constitution should provide for an enactment for the protection of widows.
- The constitution should provide for assessment centers for children with special needs.
- The constitution should provide that child labor shall be done away with and victims be rehabilitated.
- The constitution should provide that the disabled shall be granted education as incentives to attend school.
- The constitution should provide for tax waiver on mobility, hearing e.t.c equipment's be zero rated.
- The constitution should provide for soft loans to the disabled.
- The constitution should provide for reduction in education fees for the disabled at

universities, colleges and polytechnics.

- The constitution should provide for better forms of telephone facilities to be used by deaf persons.
- The constitution should provide that a number of seats should be reserved in the parliament for the disabled.
- The constitution should provide for creation of more rehabilitation centers and homes.
- The constitution should provide for an integrated system of education following the disable.
- The constitution should provide that all the unemployed shall be paid unemployment benefits.
- The constitution should provide affirmative action in favor of the disabled in all public facilities.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for affirmative action in favor of the needy, aged, HIV positive and mentally sick persons.
- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should protect the education of the Girl child.
- The constitution should protect the right of prisoners.

5.3.15 **LAND AND PROPERTY RIGHTS**

- The constitution should provide that no citizen should own more than 5 acres of land.
- The constitution should provide that no citizen should own more than 10 acres of land.
- The constitution should provide that no citizen should own more than 200 acres of land.
- The constitution should provide that no citizen should own more than 15 hectares of land.
- The constitution should provide for gender balance in composition of land control boards.
- The constitution should provide that land control board should be at locational level.
- The constitution should provide that ultimate land ownership shall vest in the government
- The constitution should provide that the local authorities should not have power to control use of land.
- The constitution should provide that the owner of land should have sole right to transfer land.
- The constitution should provide that land transfer fees should be reduced.
- The constitution should provide that the land transfer procedure should be simplified.
- The constitution should provide that land disputes should be at community level.
- The constitution should provide that all land rates and other charges shall be scrapped.
- The constitution should provide for communal ownership of land.
- The constitution should provide that families not individuals shall own land and be registered in the great grand father's name.
- The constitution should provide that agricultural land and land in urban areas shall be owned by individuals.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country.

- The constitution should provide that land should be redistributed amongst all Kenyans fairly.
- The constitution should provide that all title deeds to land should be held through leasehold.
- The constitution should provide that the government should not own land.
- The constitution should provide that title deeds should contain the names of both husbands and wife's.
- The constitution should provide that unmarried women and divorced women should be entitled to inherit land and those without brothers shall also inherit.
- The constitution should provide that both sexes should be entitled to inherit land.
- The constitution should provide that wives should inherit their husband's property.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide that parents should be allowed to inherit their deceased children's property.
- The constitution should protect the cultural right that only sons should inherit property.
- The constitution should provide that unmarried women should be disallowed to inherit their father's land.
- The constitution should provide that non-citizens should be permitted to own land and property.
- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should guarantee that no Kenyan shall be landless.
- The constitution should provide equal access to land for both men and women.
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership

5.3.16 **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should provide that the society shall be rid of biased cultural practices e.g. dowry.
- The constitution should abolish the practice of Female Genital Mutilation.
- The constitution should provide that Kiswahili should be recognized as a national language.
- The constitution should provide that Kenyans should be allowed to practice their cultural practices freely.
- The constitution should promote indigenous languages.
- The constitution should make provision for the availability of interpreter services for all local languages in public places.
- The constitution should provide for two national languages i.e. English and Kiswahili.

5.3.17 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide that Members of Parliament candidate shall declare their source of wealth.
- The constitution should provide for equitable distribution of national resources.
- The constitution should provide that all government services and facilities be accessible to all Kenyans without discrimination.
- The constitution should give the offices of the Auditor General and Controller General power to prosecute.
- The constitution should provide that ministers shall declare their source of wealth.
- The constitution should provide that media bill shall be amended.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.
- The constitution should provide that the government compensates farmers in cases of crop failure.
- The constitution should provide that all appointment of public officers shall be done by an independent commission with the president only vetting.
- The constitution should provide that ministers need not be MPs.
- The constitution should provide that ministers should have professional qualifications on the field of portfolio to be held.
- The constitution should provide that all appointments to civil service must be based on merit.
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The constitution should provide that the number of the president's foreign convoy shall be restricted.

5.3.18 **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should provide that 80% of local resources shall be owned by the people.
- The constitution should provide for a commission to oversee the management of natural resources.

5.3.19 **PARTICIPATORY GOVERNANCE**

- The constitution should provide for every constituency to have two representatives who shall forward their issues to the parliament.
- The constitution should provide for NGO's participation in government
- The constitution should provide that student leaders from public universities shall have a representative in parliament.
- The constitution should provide that all government decisions shall involve the common man. They shall be consulted to give their views.

5.3.20 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for a standing salary review commission, represented at all

levels of government, with a mandate to review the salary of all public servants.

- The constitution should provide for creation of an independent anti-corruption body.
- The constitution should provide that all commissions reports shall be published.
- The constitution should provide for autonomy of commissions.
- The constitution should provide for education commissions headed by experts.
- The constitution should provide for a commission of higher education to appoint the chancellor.

5.3.21 SUCCESSION AND TRANSFER OF POWER.

- The constitution should provide that during the transition period presidential powers rest with the Attorney General.

5.3.22 WOMEN'S RIGHTS

- The constitution should provide that marriage age should be at least 25 for both genders.
- The constitution should provide that registration of marriage procedures shall be simplified
- The constitution should provide that laws prohibiting wife beating shall be repealed.

5.3.23 SECTOTAL AND OTHER POLICIES

- The constitution should provide for government role in price control to protect local produce
- The constitution should provide for government protection of the local market against the infiltration of fake and contraband products.
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide that admissions to government schools be strictly based on merit.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The constitution should provide that the TSC shall elect school's board of management and appoint all teachers.
- The constitution should provide that no corrupt persons shall be allowed to hold any key government, public or elective post.
- The constitution should provide that the costs of infrastructure, communication e.g. mobile phones shall be reduced and regulated by the government and also check into inflation charges by foreign investors.
- The constitution should provide that the salary structures shall be reviewed to reduce the gap between the highly and lowly paid.; this harmonization be done by parliament.
- The constitution should provide that the retirement benefits or terminated employees be paid their dues on or before the actual retirement of termination.

- The constitution should provide that the quota system should be scrapped.
- The constitution should provide that national schools should be established in every district.
- The constitution should provide that civil servants and teachers salaries be reviewed after every 2 years.
- The constitution should provide for reintroduction of the tripartite agreement used in 1974.
- The constitution should provide for evaluation of consumer products in the market.
- The constitution should provide for greater enforcement of consumer protection laws.
- The constitution should provide that members of the VAT tribunal should be appointed by professional bodies e.g. law society of Kenya, ICPAK and not by the minister.
- The constitution should provide that CBO's shall be funded by the government
- The constitution should provide that the government should reward local investors annually.
- The constitution should provide that small businesses should be exempted from paying tax.
- The constitution should provide for banning of all parastatals
- The constitution should provide that university chancellors must not be the president but rather a ceremonial one to raise funds and preside over graduations.
- The constitution should provide that appointment procedure for senior university administration shall be pegged on elections.
- The constitution should provide that no retired public servant shall be re-engaged.
- The constitution should provide that pressure groups, trade unions shall elect representatives to parliament.
- The constitution should provide that the national resources shall be decentralized.
- The constitution should provide for establishment of a film policy control board.
- The constitution should provide that the media shall play an active role in formal and informal sectors.
- The constitution should provide that government services shall be brought down to the grass root level.
- The constitution should abolish HELB and reinstate the previous system.
- The constitution should provide that the government shall form self employment organizations.
- The constitution should provide that the bets shall not depend on foreign aid.
- The constitution should provide that the trade unions shall be scrapped.
- The constitution should provide for strengthening of the office of the controller and auditor general to ensure strict management.
- The constitution should provide for establishment of a Kenya national credit office by amending S.107 (4) (S. 105, it shall be managed by national audit commission
- The constitution should provide that the farmers shall be provided with soft loans by the government.
- The constitution should provide that 40% of the income from districts be retained there.
- The constitution should provide that school levies shall be reduced.
- The constitution should provide that the registration of organization procedure shall be reduced.
- The constitution should provide that industrial and technological developments shall have environmental protection measures.

APPENDICES:

Appendix 1: Constituency Constitutional Committees (CCC)

1. Hon. O. Ayoki MP
2. Austin Odicoh DC
3. Mrs. Jenifer Opiyo Chairman
4. Cllr. Odhiambo Owiti
5. Tobias Odhiambo Okech
6. Manasses Odongo
7. Diana Auma Odoro
8. Buth Omollo Kaila
9. George R. Orude
10. Mrs. Rosa Orondo

Appendix 2: Civic education providers (CEPs)

1. Constituency constitutional committee
2. League of Kenyan women
3. Ogenga women group
4. Kenya youth foundation
5. Nyanza peoples association
6. KUPPET
7. Paw Akuche ice group

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

1	0004OKRNY	Betha Nyawara	CBO	Written	Flower of Hope Teenage Girls
2	0008oKRNY	Elijah Wauna	CBO	Oral - Public he	Kombewa Division Members
3	0006oKRNY	Joseph Mbiji Lalo	CBO	Written	East Seme Location Members
4	0058IKRNY	A. D. Nyawara kayila.	Individual	Oral - Public he	
5	0034IKRNY	Adamson A. Akendo.	Individual	Written	
6	0008IKRNY	Adeya R. Keneth.	Individual	Written	
7	0092IKRNY	Afred O. Nyakwaka.	Individual	Oral - Public he	
8	0010IKRNY	Akong'o Dan.	Individual	Written	
9	0027IKRNY	Albert Wasike	Individual	Written	
10	0108IKRNY	Alex Gumba	Individual	Oral - Public he	
11	0093IKRNY	Alfonse Shaundu	Individual	Oral - Public he	
12	0036IKRNY	Alfred Ochieng'.	Individual	Written	Kapuonja Law Students organi
13	0055IKRNY	Alfred Ogony Olilo.	Individual	Oral - Public he	
14	0089IKRNY	Ali Bhutto Otieno	Individual	Oral - Public he	
15	0068IKRNY	Amos Ogada	Individual	Oral - Public he	
16	0003IKRNY	Anyanswa Allan Linnox.	Individual	Written	
17	0030IKRNY	Ben Peter Ouko	Individual	Oral - Public he	
18	0075IKRNY	Ben Peter Ouko	Individual	Oral - Public he	
19	0086IKRNY	Benjamin Nyangasi.	Individual	Oral - Public he	
20	0096IKRNY	Carenton Ayoo	Individual	Oral - Public he	
21	0004IKRNY	Chanzu Josephat.	Individual	Oral - Public he	
22	0049IKRNY	Charles Kyalo Mbithi.	Individual	Oral - Public he	
23	0064IKRNY	Charles Okome	Individual	Oral - Public he	
24	0061IKRNY	Chrisogonas Odero.	Individual	Oral - Public he	
25	0041IKRNY	Christine Obiayo	Individual	Written	SKL Women Group
26	0052IKRNY	Chuma Joseph	Individual	Oral - Public he	
27	0083IKRNY	Clement O. wasonga.	Individual	Oral - Public he	
28	0069IKRNY	Constatine Kuwirua.	Individual	Oral - Public he	
29	0097IKRNY	Dan Ochwal	Individual	Oral - Public he	Olwenda
30	0046IKRNY	Dan Okore Alwar	Individual	Written	
31	0070IKRNY	Daniel Makanda	Individual	Oral - Public he	
32	0005IKRNY	David A. Owade.	Individual	Written	
33	0021IKRNY	Dickson Okumu	Individual	Written	
34	0062IKRNY	Dr. Benjamin Ondigi.	Individual	Oral - Public he	
35	0057IKRNY	Dr. Joseph Akeyo Omolo.	Individual	Oral - Public he	
36	0098IKRNY	Elija Wauna	Individual	Oral - Public he	Kombewa Division Members
37	0071IKRNY	Elisha O. Umoso.	Individual	Oral - Public he	
38	0045IKRNY	Ernest Sewe	Individual	Written	
39	0084IKRNY	Esao Gwala Nyaluo.	Individual	Oral - Public he	
40	0107IKRNY	Francis Oluoch Anton.	Individual	Oral - Public he	
41	0067IKRNY	Fred Okemwa	Individual	Oral - Public he	
42	0054IKRNY	Fredrick Olum	Individual	Oral - Public he	
43	0106IKRNY	George L. Ochando.	Individual	Oral - Public he	
44	0056IKRNY	Gerorge Ogilo Otieno	Individual	Oral - Public he	
45	0031IKRNY	Hannington A Ndinya.	Individual	Written	
46	0059IKRNY	Herron Ogeya	Individual	Oral - Public he	
47	0044IKRNY	Hesbon Kennedy O. Ochuk	Individual	Written	
48	0024IKRNY	Jacob Wasike	Individual	Written	

49	0085IKRNY	James O. Kayila.	Individual	Oral - Public he	
50	0019IKRNY	James R. Otieno.	Individual	Written	
51	0065IKRNY	James Ratemo	Individual	Oral - Public he	
52	0038IKRNY	John O. Ong'ele.	Individual	Written	
53	0047IKRNY	John Ochieng' Ombima.	Individual	Written	
54	0016IKRNY	Joseph Ochieng' Ogutu.	Individual	Written	
55	0039IKRNY	Joseph Oriwa Adar.	Individual	Oral - Public he	
56	0088IKRNY	Joseph Oriwa Adar.	Individual	Oral - Public he	
57	0079IKRNY	Joseph P. Obonyo.	Individual	Oral - Public he	
58	0104IKRNY	Joslin Oyugi	Individual	Oral - Public he	
59	0006IKRNY	Joyce Wasonga Metho.	Individual	Written	
60	0082IKRNY	Julius Ndolo	Individual	Oral - Public he	
61	0040IKRNY	Julius Otieno Adeg.	Individual	Written	
62	0102IKRNY	Kefa O. Onyango.	Individual	Oral - Public he	
63	0002IKRNY	Kipkirui Koros	Individual	Written	
64	0060IKRNY	Korir K. Julius.	Individual	Oral - Public he	
65	0048IKRNY	Lawrence Rabach.	Individual	Written	
66	0080IKRNY	Leonard O. Ogoro.	Individual	Oral - Public he	
67	0026IKRNY	Linda Chepkorir Ruto.	Individual	Written	
68	0091IKRNY	Luke O. Ndinya.	Individual	Oral - Public he	
69	0053IKRNY	M. Otieno Hillary.	Individual	Oral - Public he	
70	0063IKRNY	Makoyo M. Stephen.	Individual	Oral - Public he	
71	0007IKRNY	margaret A. Odhiambo.	Individual	Written	Kapuonja South/North Locatio
72	0100IKRNY	Martin K. Ojwang'.	Individual	Oral - Public he	
73	0078IKRNY	Martin Matolo	Individual	Oral - Public he	
74	0018IKRNY	Martin Pande Ameny.	Individual	Written	
75	0090IKRNY	Mary Nyaji	Individual	Oral - Public he	
76	0101IKRNY	Maurice O. Nyalwanda.	Individual	Oral - Public he	
77	0087IKRNY	Maurice Okeyo Okeyo.	Individual	Oral - Public he	
78	0017IKRNY	Maxwel Awinda	Individual	Written	
79	0012iKRNY	Mbaja Bin Mbaja	Individual	Written	
80	0095IKRNY	Michael Onundo.	Individual	Oral - Public he	
81	0029IKRNY	Muiruri N. Charles.	Individual	Written	
82	0072IKRNY	Mutembula O. George.	Individual	Oral - Public he	
83	0020IKRNY	Nathan B. O. Asiago.	Individual	Written	
84	0015IKRNY	Nelima Rose Natwart.	Individual	Written	
85	0050IKRNY	Ngawasa Ebogon	Individual	Oral - Public he	
86	0043IKRNY	Obago Dan Maxwell.	Individual	Written	
87	0073IKRNY	Obare O. Jacob.	Individual	Oral - Public he	
88	0023IKRNY	Ochom Benson	Individual	Written	
89	0033IKRNY	Okaka Opande Joseph.	Individual	Written	
90	0001IKRNY	Oketch DC Gideon	Individual	Written	
91	0013IKRNY	Onchere Vincent	Individual	Written	
92	0028IKRNY	Orudo O. Evans.	Individual	Written	
93	0037IKRNY	Osuro Jarateng' Newton.	Individual	Written	
94	0099IKRNY	Patrick Nyangaga Oyuko.	Individual	Oral - Public he	Kanu Party
95	0022IKRNY	Peter Mwangi Ngatia.	Individual	Written	
96	0077IKRNY	Philip Onyango Oyiro.	Individual	Oral - Public he	
97	0025IKRNY	Rachel B. Gechiko.	Individual	Written	
98	0042IKRNY	Rael Omollo	Individual	Written	
99	0066iKRNY	Resper Omollo	Individual	Oral - Public he	
100	0094IKRNY	Samuel Matete	Individual	Oral - Public he	
101	0032IKRNY	Shadrack Arowo	Individual	Written	
102	0074IKRNY	Thomas G. Ondara.	Individual	Oral - Public he	
103	0011IKRNY	Tito Breshnev Sind.	Individual	Written	

104	0035IKRNY	Tobias Oketch	Individual	Written	
105	0081IKRNY	Tom Ayata	Individual	Oral - Public he	
106	0009IKRNY	Tsuma Finn Upendo.	Individual	Written	
107	0051IKRNY	Walter Ojuka	Individual	Oral - Public he	
108	0076IKRNY	Waweru P. Njenga.	Individual	Oral - Public he	
109	0014IKRNY	William wanjala Toili.	Individual	Written	
110	0103IKRNY	Zedekia Onyango.	Individual	Oral - Public he	
111	0009OKRNY	Eunice Oyucho	NGO	Written	Kenya Young Women's Christia
112	0007OKRNY	George Ondu	NGO	Written	Kisumu Children Agency
113	0005oKRNY	George Otieno Osawa	NGO	Written	Kenya National Association O
114	0105IKRNY	Jennifer Opiyo	NGO	Oral - Public he	Economic and Development Cen
115	0001OKRNY	Prof. Bethwell A. Ogot	Other Institutions	Written	Maseno University
116	0003oKRNY	Dickson K. Njagi.	Religious Organisation	Written	Maseno Fellowship of Chrisia
117	0002oKRNY	Ronald Okoye.	Religious Organisation	Written	SDA students

Appendix 4: Persons Attending Constituency Hearings

MASENO UNIVERSITY MILLENIUM HALL

No.	Name:	Address:	No	Name:	Address:
1	Prof. Bethwell A. Ogot	P.O. Box 333, Maseno	25	Ngawasa J. Ebongon	P.O. Box 78, Maseno
2	Lindar Ruto	P.O. Box 77, Kericho	26	Erick Wafula	P.O. Box 78, Maseno
3	Albert Wasike	P.O. Box 495, Webuye	27	David A. Owade	P.O. Box 306, Maseno
4	Obare Okoth Jacob	P.O. Box 795, Suna Migori	28	Joyce W. Metho	P.O. Box 178, Maseno
5	Orudo O. Evans	Private Bag Maseno	29	Margaret A. Odhiambo	P.O. Box 34, Maseno
6	Muiruri Njugwa	P.O. Box 1868, Kitale	30	Adeya Sidayi Kenneth	P.O. Box 78, Maseno
7	Joseph O. Okong'o	P.O. Box 226, Kombewa	31	Walter Ojuka Audo	P.O. Box 367, Maseno
8	James R. Otieno	P.O. Box 5, Maseno	32	Ronny Okoye	Maseno University
9	Ben P. Ouko	P.O. Box 54, Maseno	33	Juma Joseph	Maseno University
10	Waweru P. Njenga	P.O. Box 333, Maseno	34	Albert Wasike	Maseno University
11	Oketch D. K. Gideon	P.O. Box 78, Maseno	35	Josephine Otieno	Maseno University
12	Wangusi Selina	P.O. Box 78, Maseno	36	Charles Okome	Maseno University
13	Tom Simba	Private Bag Maseno	37	Adikiny Claris	Maseno University
14	Miyanga Cleophas	Private Bag Maseno	38	Nyoike C. Willy	Maseno University
15	Anyanzwa Allan Linnox	Private Bag Maseno	39	Wasike M. Jacob	Maseno University
16	Kori Kipkirui Mike	Private Bag Maseno	40	Ananda Omutokoh	Maseno University
17	Chanzu Josephat	Private Bag Maseno	41	Makamigoya O. Hillary	Maseno University
18	Charles Mbithi	Private Bag Maseno	42	Michael O. Abura	Maseno University
19	Tanui Jonah	Private Bag Maseno	43	Dickson K. Njagi	P.O. Box 143, Kisumu
20	Judith Ochieng'	Private Bag Maseno	44	A.D. Nyawara Kayla	P.O. Box 37, Maseno
21	Ang'ansa	Private Bag Maseno	45	Akong'o Dan	P.O. Box 78, Maseno
22	Maxwel Awinde	P.O. Box 36, Maseno	46	Tito Breshnev Sind	P.O. Box 78, Maseno
23	John Cheruiyot Korir	Private Bag Maseno	47	Bertha Nyawara	P.O. Box 288, Maseno
24	Martin Kipkirui	Private Bag Maseno	48	Washington Odongo	P.O. Box 288, Maseno
49	Christine Ochieng'	Maseno University	73	Joseph O. Agutu	P.O. Box 63, Maseno
50	Munga Muraa Vennih	Maseno University	74	Nielima Rose Natwart	Private Bag Maseno
51	Erima W. Moses	P.O. Box 344, Maseno	75	Martin Pande Emenya	P.O. Box 113, Maseno
52	Wafula Christopher Ouma	P.O. Box 183, Busia	76	Hesron Ogeya Rananga	P.O. Box 71, Maseno
53	Ibrahim Tondoi	P.O. Box 37, Maseno	77	Vitalis Abuga Mogwambo	P.O. box 658, Nyamira
54	Mukopi K. Michael	P.O. Box 221, Kitale	78	Korir K. Julius	P.O. Box 997, Kapsabet
55	Wanyika F. Were	P.O. Box 221, Kitale	79	Henry Ochieng'	P.O. Box 96, Maseno
56	Linnet Arandi	P.O. Box 78, Maseno	80	Stephen Wambesha	P.O. Box 78, Maseno
57	Petronilla Omundo	P.O. Box 78, Maseno	81	Chris Ogana Odera	P.O. Box 1130, Kisumu
58	Hsborn Mbeya	P.O. Box 363, Maseno	82	Kemoli M. Tabuley	P.O. Box 2504, Kisumu
59	Edward Abwao	P.O. Box 363, Maseno	83	Carlos Kibiru Maina	P.O. Box 1709, Karatina
60	Agripina Lusimba	P.O. Box 78, Maseno	84	Mamati W. Benard	P.O. Box 148, Naitiri

61	Ogeto N. Erastus	P.O. Box 344, Maseno	85	Ombuya A. Alfayo	Maseno University
62	Kimathi Isaiah Kithela	P.O. Box 330, Maua	86	Toloyi Ibrahim	P.O. Box 1276, Kisumu
63	Sammy Kupyegon Mosumik	P.O. Box 271, Londiani	87	Nyongesa W. Cleophas	P.O. Box 28, Bulimbo
64	Mbelase Phidelia	P.O. Box 137, Khayega	88	Makoyo M. Stephen	P.O. Box 78, Maseno
65	Kamau R. Waweru	P.O. Box 62, Karura	89	Charles Okome	Maseno University
66	Kamu Edward Righa	P.O. Box 87, Mgange-Taita	90	Ndwiga Kiriungi Denis	97-Ishiara
67	Akuno Beatrice	P.O. Box 82, Kosele	91	Obare Okoth	P.O. Box 795, Suna
68	Oyamo Lencer	P.O. Box 57, Ndiwa	92	Ratemo James Onjoti	P.O. Box 356, Molo
69	Mbajah S. Mbayah	P.O. Box 333, Maseno	93	Omari Amuka	P.O. Box 333, Maseno
70	Arasa Esbon	P.O. Box 78, Maseno	94	Dr. B. A. Ondigi	Private Bag Maseno
71	Samson O. Omino	P.O. Box 70, Maseno	95	Maxwel O. Awinda	P.O. Box 36, Paw-Akuche
72	Orudo O. Evans	Private Bag Maseno	96	Okemwa Jared	P.O. Box 1157, Kisii
97	Mutokaa Francis	P.O. Box 78, Maseno	120	Benson Ojwang	P.O. Box 333, Maseno
98	Oguna Christopher	P.O. Box 198, Maseno	121	Ngatia Peter Mwangi	P.O. Box 333, Maseno
99	Risper A. Omolo	P.O. Box 37, Maseno	122	Kimari Kimotho	P.O. Box 333, Maseno
100	Nyang'wara Emilly	P.O. Box 78, Moshi	123	Maina Njama	P.O. Box 333, Maseno
101	Matara Line	P.O. Box 78, Maseno	124	Ochola Benson Odhiambo	P.O. Box 333, Maseno
102	Kostet Beatrice C.	P.O. Box 78, Maseno	125	Wasike M. Jacob	P.O. Box 333, Maseno
103	Lynda Aluoch Oriago	P.O. Box 78, Maseno	126	Daniel Mkanda Ohanga	P.O. Box 333, Maseno
104	Sarah Nakhone	P.O. Box 78, Maseno	127	Omoso Elisha Osio	P.O. Box 333, Maseno
105	Fellah Waboelela	P.O. Box 78, Maseno	128	Dr. W. Wesonga	P.O. Box 187, Maseno
106	Ocholi Joy	P.O. Box 78, Maseno	129	Mutembula George	P.O. Box 833, Kakamega
107	Lornah Achieng'	P.O. Box 22, Lela	130	Jennifer M. A. Opiyo	P.O. Box 2384
108	Lawrence Odongo Nambia	P.O. Box 36, Maseno	131	George O. Osawa	P.O. Box 11, Maseno
109	Oduor thomas Oludhe	P.O. Box 71, Boro	132	Odera Loice	P.O. Box 2596, Kisumu
110	Paul O. Odera	P.O.Box 40, Daraja Mbili	133	Onchere Vincent	P.O. Box 344, Maseno
111	Nac Ogada	P.O. Box 96, Daraja Mbili	134	Fredrick Olum	P.O. Box 113, Maseno
112	D.S.Okumu Muga	P.O. Box 23, Maseno	135	Prof. E.N. Wandu	P.O. Box 333, Maseno
113	Peres Wenje	Private Bag Maseno	136	George O. Ogillo	P.O. Box 96, Maseno
114	Nathan B. O. Asiago	Private Bag Maseno	137	Alfred Ogony	P.O. Box 36, Paw Akuche
115	Constanine	Private Bag Maseno	138	Dr. Joseph Akeyo Omolo	Private Bag Maseno
116	Juliet Njeri	Private Bag Maseno	139	Chelimo Felix	P.O. Box 78, Maseno
117	Marian Kerimi	Private Bag Maseno	119	C. Ombaka	Private Bag Maseno
118	Nicholas Kiai	Private Bag Maseno			

KOMBEWA DISTRICT OFFICER'S OFFICE

No	Name:	Address:	No	Name:	Address:
1	Haningtone A. Ndinya	P.O. Box 5, Paw-Akuche	25	James O. Kayila	P.O. Box 2806, Kisumu
2	Shadrack Arowo	P.O. Box 13, Reru	26	Osure Jarateng Newton	P.O. Box 20, Paw-Akuche
3	Okaka Opande	P.O. Box 92, Paw-Akuche	27	Maxwel Awinda	P.O. Box 36, Paw-Akuche
4	Joseph O. Okongo	P.O. Box 226, Kombewa	28	Eunice Migala	P.O. Box 10, Kombewa
5	Adamson Akendo	P.O. Box 5, Paw-Akuche	29	Esau Gwala	P.O. Box 1, Kombewa
6	Philip Onyango	P.O. Box 166, Kombewa	30	Mornica Awuor	P.O. Box 9, Akal
7	Joseph L. Mbiji	P.O. Box 53, Kombewa	31	Charles Ochieng'	P.O. Box 66, Kombewa
8	Martin Matolo	P.O. Box 53, Kombewa	32	Cllr. Elida	P.O. Box 4, Kombewa
9	J. P. Obonyo	P.O. Box 33, Kombewa	33	Aloice A. Migot	P.O. Box 95, Kombewa
10	Oguk Rawang'	P.O. Box 53, Kombewa	34	Josline Oyugi	P.O. Box 19, kombewa
11	Leonard O. Ongoro	P.O. Box 165, Kombewa	35	John O. Ongele	P.O. Box 9486, Kisumu
12	Tom Ayata	P.O. Box 53, Kombewa	36	Benjamin Nyangasi	P.O. Box Paw-Akuche
13	Paul Abwajo O.	P.O. Box 53, Kombewa	37	Maurice Okeyo Okeyo	P.O. Box 17, Paw-Akuche
14	Shadrack Mocho	P.O. Box 9, Akala	38	John Agik Okumu	P.O. Box 101, Kombewa
15	Elida Muga	P.O. Box 143, Kombewa	39	Joseph Odongo	P.O. Box 138, Kombewa
16	Onyango Amollo	P.O. Box 28, Reru	40	Joseph Oriwa Adar	P.O. Box 7, Paw-Akuche
17	George Ondu	P.O. Box 4571, Kisumu	41	Zulfikar Ali Bhuttoh	P.O. Box 144, Kombewa
18	Barack Ochoro	P.O. Box 210, Kombewa	42	Mary Nyagi Abor	P.O. Box 35, Kombewa
19	Julius N. Ndolo	P.O. Box 83, Kombewa	43	Hezbon Odipo Oluoch	P.O. Box 230, Kombewa
20	Tobias Okech	P.O. Box 166, Kombewa	44	Godfrey Omanga	P.O. Box 921, Kisumu
21	Alfred Ochieng'	P.O. Box 2384, Kisumu	45	Luke O. Ndinya	P.O. Box 92 Paw-Akuche
22	Jenifer M.A. Opiyo	P.O. Box 2384, Kisumu	46	Maurice Odhiambo	P.O. Box 52, Kombewa
23	Diana A. Odoro	P.O. Box 215, Kisumu	47	Alfred Ogondha	P.O. Box 63, Kombewa
24	Clement O. Wasorogo	P.O. Box 114, Kombewa	48	Alphonse Shaundu	P.O. Box 298, Kombewa
49	Jullius Otieno	P.O. Box 256, Kombewa	73	Maurice Nyaluanda	P.O. Box 224, Kombewa
50	Christine Obiayo	P.O. Box 94, Kombewa	74	Kepha Odwar O.	P.O. Box 28, Kombewa
51	Boniface Awori	P.O. Box 169, Mumias	75	Elijah Akelo	P.O. Box 83, Kombewa
52	Dalmas Ochieng'	P.O. Box 165, Kombewa	76	Dan Alwar	P.O. Box 166. Kombewa
53	Samuel Matete	P.O. Box 166, Kombewa	77	Sedekia Onyango	P.O. Box 98, Kombewa
54	Michael Onundo	P.O. Box 70, Kombewa	78	Eunice Akumu Ojil	P.O. Box 95, Kombewa
55	Carington Oyoo	P.O. Box 88, Paw-Akuche	79	Joby Omondi	P.O. Box 144, Kombewa
56	Wilis Adhola	P.O. Box 140, Kombewa	80	John Ochienge Ombima	P.O. Box 11, Paw-Akuche
57	Joseph Rambeo	P.O. Box 161, Kombewa	82	Charles Okelo	P.O. Box 30, Kombewa
58	Rael Omollo	P.O. Box 59, Paw-Akuche	83	Elizabeth Owuor	P.O. Box 262, Kombewa
59	Ochwal Daniel	P.O. Box 53, Kombewa	84	Josline Oyugi	P.O. Box 166. Kombewa
60	Otieno Siaga	P.O. Box 198, Kombewa	85	Boaz Olongo	P.O. Box 161. Kombewa

61	Peter Aoro	P.O. Box 30, Kombewa	86	Francis Juma	P.O. Box 38, Kombewa
	Obago Sam				
62	Maxwelle	P.O. Box 49, Kombewa	87	Edwina Okelo	P.O. Box 221, Kombewa
63	Elijah Wauna	P.O. Box 17, Kombewa	88	George Lee Achiando	P.O. Box 97, Kombewa
				Francis Oluoch	
64	Nyangaga Oyoko	P.O. Box 75, Paw-Akuche	89	Anton	P.O. Box 71, Rata
				Gordon Sunga	
65	Caleb Oyugi Ogola	P.O. Box 166, Kombewa	69	Owako	P.O. Box 33, Kombewa
66	Erenest Sewe	P.O. Box 4, Paw-Akuche	70	Samuel Otieno	P.O. Box 165, Kombewa
67	Elisha Omoke Apat	P.O. Box 12, Kombewa	71	Eunice Mboya	P.O. Box 1618, Kisumu
	Martin Koloa				
68	Ajwang'	P.O. Box 256, Kombewa	72	Hilda Odumbe	P.O. Box 1618, Kisumu

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1. DISTRICT PROFILE

Rangwe is a constituency in Homa Bay District. Homa Bay District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	136,728	151,812	288,540
Total District Population Aged 18 years & Below	82,824	81,575	164,399
Total District Population Aged Above 18 years	53,904	70,237	124,141
Population Density (persons/Km ²)	249		

1.2. Socio-Economic Profile

Homa Bay District:

- Is one of the least densely populated districts in the province, being ranked 9th of the 12 districts;
- Has a primary school enrolment rate of 75.5%, being ranked 5th in the province and 25 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.7%, being ranked 10th in the province and 42nd nationally;
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Skin Diseases and Infections, Diarrhoea diseases, and intestinal worms;
- Has a 27.5% malnourishment rate of children under 5 years of age, being ranked 31st of 42 of the nationally ranked districts;
- Has a life expectancy of 46.5 years being ranked 39 of the 45 nationally ranked districts;
- Has an absolute poverty level of 77.49% being ranked 46th of 46 nationally ranked districts;
- Has a 62.78% food poverty level being ranked 36th of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,852;
- Has a 20.28% unemployment rate;
- Has 34.90% of its residents accessing clean drinking water; and
- 40.00% of its residents having safe sanitation.

Homa Bay district has 2 constituencies: Rangwe, and Ndhiwa Constituencies. The district's 2 MPs, each cover on average an area of 580 Km² to reach 144,270 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rangwe and Ndhiwa constituencies with 71.68% and 93.26% valid votes respectively.

2. CONSTITUENCY PROFILE

Rangwe Constituency is comprised of Rangwe and Asego divisions of Homa Bay District.

2.1. Electioneering and Political Information

This is a stronghold for the opposition. In 1992 and 1997 general elections FORD-K and NDP won the parliamentary seat with 95.41% and 71.68% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.2. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			45,640
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joseph M. Ouma	FORD-K	31,852	95.41
Dan K. Okundi	KANU	1,531	4.59
Joseph P. Nyimbai	DP	-	0.00
<i>Total Valid Votes</i>		33,383	100.00
Rejected Votes		-	
Total Votes Cast		33,383	
% Turnout		73.14	
% Rejected/Cast		0.00	

2.3. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			52,656
CANDIDATE	PARTY	VOTES	% VALID VOTES
Shem O. Ochuodho	NDP	26,030	71.68
Phelgona O. Okundi	KANU	7,561	20.82
Joseph Ouma Muga	FORD-K	1,542	4.25
Francis O. Kagoro	SDP	1,061	2.92
Tom Mboya Oloo	LPK	118	0.32
<i>Total Valid Votes</i>		36,312	100.00
Rejected Votes		766	
Total Votes Cast		37,078	
% Turnout		70.42	
% Rejected/Cast		2.07	

2.4. **Main Problems**

This is a dry constituency lacking infrastructure, basic facilities such as clean water and health centers.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 27th January 2002 and 13th May 2002

4.1. Phases in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. Issues and areas covered

- Constitution
- Constitution making process
- The constitution of Kenya
- Emerging issues

5. CONSTITUENCY PUBLIC HEARINGS

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- a) Date(s): 12th and 13th June 2002
- a) Total Number of Days: 2

1. Venue

- a) Number of Venues: 2
- a) Venue(s):
 1. Ndiru Chief's Office
 2. Imbo Market

1. Panels

- a) Commissioners
 - 1.Com. Mutakha Kangu
 - 2.Com. Issac Lenaola

 - 3.Com. Prof. Wanjiku Kabira
 - 4.Com. Ibrahim Lethome

- a) Secretariat
 - 1.Collins Mukewa - Programme Officer
 - 3.Rosalinda Nduati - Assistant Programme Officer
 - 4.Floria Wafula - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		89
Sex	Male	73
	Female	15
	Not Stated	1
Presenter Type	Individual	59
	Institutions	28
	Not Stated	2
Educational Background	Primary Level	17
	Secondary/High School Level	54
	College	9
	University	6
	None	0
	Not Stated	3
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	4
	Oral	53
	Written	17
	Oral + Memoranda	0
	Oral + Written	12
	Not Stated	3

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Rangwe 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**

- The preamble should be simple and clear.
- The preamble should state that Kenya is a God fearing nation without stating a state religion.
- The preamble should provide that all citizens should consider Kenya like a family community.
- The preamble shall ascertain wish of the majority.
- The preamble should state that all Kenyans are equal before the laws of the land.
- The preamble should express Kenyans visions.
- The preamble should embrace constitutional revolution since 1963.
- There is need for a preamble in the constitution. (5)
- A national vision should be set out in the preamble.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should provide that national values should include sovereignty of the state and rights of citizens.
- The constitution should capture national principles like liberty, social justice and respect of law.
- The constitution should include statements capturing the national philosophy and guiding principles in the preamble.
- The constitution should provide that Kenya is God fearing state without a state religion.
- Democratic principles should be included in the constitution.
- The principles should be enforceable by law.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that there should be mechanisms to ensure that the government of the day provides for all basic rights.
- The constitution should provide that the constitution should be amended by 65% majority vote.
- The constitution should provide that the constitution should be amended by 75% majority vote.
- The constitution should provide that the constitution should be amended by 65% majority of the lower house and 85% of the higher house.
- The constitution should provide that parliaments power to amend constitution should be limited.
- The constitution should provide that parliaments power to amend constitution should not be limited.
- No part of the constitution should be beyond the amending power of parliament.
- Fundamental rights and individual freedom should be above the amending power of the parliament.
- The constitution should provide for separation of power for 3 arms of government.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (3)
- The constitution should provide that independent bodies should conduct the public

referendums.

- The constitution should provide that the constitution review commission of Kenya should conduct the public referendums.
- The constitution should emphasize that parliament shall have the power to amend only a small portion of the constitution.

5.3.4. **CITIZENSHIP**

- The constitution should confer to all persons born of Kenyan parent's automatic citizenship.
- The constitution should confer to all persons born of Kenyan parent's in Kenya automatic citizenship. (2)
- The constitution should confer to all persons born in Kenya automatic citizenship.
- The constitution should provide that anyone registered in Kenya should be an automatic citizen.
- The constitution should provide that girls should be given IDs only after marriage.
- The constitution should provide that spouses of Kenyan female citizens should not acquire automatic citizenship.
- The constitution should provide that spouses of Kenyan citizens should not acquire automatic citizenship.
- The constitution should provide for dual citizenship.
- The constitution should not provide for dual citizenship.
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender.
- The constitution should confer automatic citizenship to all children born to one Kenyan citizen irrespective of gender. (2)
- The constitution should provide that the right of the citizen should be to own an ancestral land and have a free registration without scrutiny.
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship.
- The constitution should provide that Kenyans should carry national ID's as proof of citizenship. (2)
- The constitution should provide that Kenyans should carry passports as proof of citizenship.

5.3.5. **DEFENCE AND NATIONAL SECURITY**

- The constitution should provide that the president should be the commander in chief of the armed forces. (3)
- The disciplined forces should be established in the constitution. (2)
- The constitution should provide that the commissioner of police should enjoy the security of tenure.
- The constitution should provide that traffic policemen should be removed from the roads to curb corruption.
- The constitution should disband administration police and incorporate them to regular police.
- The constitution should provide that the prime minister should be fully in charge of defense.

- The constitution should constitutionalize discipline of armed forces.
- The constitution should provide that no decisions affecting national policy on defense including declaration of war should be made without the approval of parliament.
- The constitution should provide that the executive should have exclusive powers to declare war.
- The constitution should provide that parliament should have exclusive powers to declare war. (2)
- The constitution should provide that parliament should have a role in invoking emergency powers.

5.3.6. **POLITICAL PARTIES**

- The constitution should provide broad guidelines for the formation, management and conduct of political parties. (4)
- The constitution should provide for unlimited number of political parties to advance democracy but they shall fund themselves.
- The constitution should provide that politicians should be allowed to change-to-change parties freely.
- The constitution should provide that MPs should be fined Kshs 500,000 for defecting from one party.
- The constitution should provide that there should be only two political parties. (2)
- The constitution should provide that there should be only three political parties.
- The constitution should provide that there should be less than five political parties.
- The constitution should provide that there should be only two political parties, one forming the government and the other acting as a watchdog.
- The constitution should provide that political parties should be registered under a separate Act different from Societies Act.
- The constitution should provide that outside funding for political parties should be approved by parliament.
- The constitution should provide that the state should fund political parties. (3)
- The constitution should provide that political parties should not be funded from the public coffers.
- The constitution should provide that the government should fund political party's campaign.
- The constitution should provide that political parties should play roles such as advisor to the ruling party.
- The constitution should provide that Kenya should remain a multiparty state.
- The constitution should provide that political parties should initiate sustainable projects.
- The constitution should provide that political parties should initiate development projects as well as play the role of mobilization.
- The constitution should provide that political parties should be regulated.
- The constitution should provide for public funding of political parties after they have reached a defined limit numerically.
- The constitution should provide that all political parties should form the cabinet.
- The constitution should provide for a maximum of 3-4 political parties.
- The constitution should provide for unlimited number of political parties.
- The constitution should provide that political parties should give political mobilization and civic education to the public.

- The constitution should provide that the president should be non-partisan.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide that the head of government should be different from the head of state.
- The constitution should not provide for federal government, for it is expensive. (2)
- The constitution should provide for a presidential system of government. (2)
- The constitution should abolish the presidential system of government.
- The constitution should provide for a parliamentary system of government. (6)
- The constitution should provide for a parliamentary system of government in which the National Assembly chooses the Prime Minister.
- The constitution should provide that the prime minister should be the head of government. (3)
- The constitution should provide that the prime minister should be the executive.
- The constitution should provide that the president should be the head of state. (4)
- The constitution should not allow for a hybrid system of government.
- The constitution should provide for a Majimbo system of government. (8)
- The constitution should provide for a Majimbo system of government, with eight regions each headed by a prime minister/governor and one central parliament.
- The constitution should provide for a unitary system of government. (2)
- The constitution should provide that prime minister should be given some of the president's power.
- The constitution should provide for a federal government as drawn during Lancaster house meeting.
- The constitution should provide that powers should be devolved to the lower levels of government.
- The constitution should provide that the Vice-president should be elected directly by the people. (3)
- The constitution should provide that the Vice-president should be empowered.
- The constitution should provide that the Attorney General should enjoy the security of tenure.

5.3.8. **THE LEGISLATURE**

- The constitution should provide that MPs should be given compulsory times when he/she is required to visit his/her constituency.
- The constitution should retain the concept of nominated MPs and four positions should be retained for disabled women.
- The constitution should retain the concept of nominated MPs for the special interests groups.
- The constitution should provide that nominated MPs should be experts with responsibilities to perform.
- The constitution should abolish the concept of nominated MPs. (3)
- The constitution should provide for measures to increase women's participation in parliament. (2)
- The constitution should provide for rules that govern the conduct of parliamentarians.
- The constitution should provide that the speaker of the general assembly should have powers to declare a seat vacant if an MP misses two consecutive sessions.

- The constitution should provide for a coalition government.
- The constitution should provide that parliament shall be autonomous and that it shall have power to distribute resources.
- The constitution should provide that once MP is in parliament, they should shed their political affiliation.
- The constitution should give Parliament power to vet all constitutional appointments of senior civil servants. (2)
- The constitution should provide that parliament should have power to vet the appointments of the cabinet.
- The constitution should provide that parliament should have power to approve executive decisions.
- The constitution should provide that the minimum age requirement for voting should be 18 years. The minimum age for contesting parliamentary seats should be 21 years. The minimum age for contesting presidential elections should be 35 years.
- The constitution should provide that the minimum age requirement for presidential elections should be 35-70 years. The current age requirement for parliamentary candidates should be retained.
- The constitution should provide that MP's should be university graduates.
- The constitution should provide that MP's should be former leavers.
- The constitution should introduce moral and ethical qualifications for parliamentary candidates. (2)
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should provide for an independent commission to decide on the salaries of MPs. (3)
- The constitution should provide for an independent salary commission to decide on the salaries of MPs.
- The constitution should provide for a public service commission to decide on the salaries of MPs.
- The constitution should give voters the right to recall non-performing MPs. (8)
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should provide that MPs have public offices in their constituencies.
- The constitution should provide that all MPs should ensure proper use of public funds.
- The constitution should provide that parliament should appoint ministers.
- The constitution should provide for a government of National Unity composed of all parliamentary political parties.
- The constitution should provide that parliament should have unlimited powers to control its own procedures through standing orders.
- The constitution should provide that being an MP should be a full time occupation. (3)
- The constitution should provide that MP's should act on the basis of instructions from their constituencies. (3)
- The constitution should provide for a legislature assembly and a regional assembly.
- The constitution should give powers to parliament to remove the president through a vote of no confidence.
- The constitution should provide the president should have veto powers over legislation in parliament.
- The constitution should provide that the legislature should have powers to override the

president's veto when the president introduces unpopular policies. (2)

- The constitution should provide that the president should have the powers to dissolve parliament. (2)
- The constitution should provide that MPs should be pensionable if they serve for two terms.

5.3.9. **THE EXECUTIVE**

The constitution should provide that a presidential candidate should be a university graduate.

The constitution should provide that a presidential candidate should be a form four leaver.

- The constitution should provide for a president who shall not belong to any political party.
- The constitution should provide for election of Prime Minister by public.
- The constitution should provide that president age should 50-70 years.
- The constitution should provide for a maximum of 2 terms of 5 years for president. (2)
- The constitution should provide that village elders should be uniformed and salaried.
- The constitution should provide that an elected Prime Minister should control cabinet.
- The constitution should provide provincial administration to be elected for 5 years.
- The constitution should provide that minimum education of 'O' level for chiefs and their assistants.
- The constitution should provide for appointment of cabinet to be based on professionalism.
- The constitution should provide for popular election of both president and the vice president.
- The constitution should provide that the president should not be above the law. (3)
- The constitution should limit the powers of the president. (2)
- The constitution should give the president powers to appoint the ambassadors, university vice-chancellors and permanent secretaries.
- The constitution should provide that the president should not have the power to dissolve parliament.
- The constitution should provide for the impeachment of the president. (3)
- The constitution should provide that all presidential appointments be vetted by parliament.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.
- The constitution should provide that the president should also be an elected M.P.
- The constitution should provide that the president should not be an elected MP. (4)
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should provide that provincial administration officers be elected by popular vote.
- The constitution should provide that provincial administration officers be elected by popular vote for three years.
- The constitution should provide that chiefs shall stop the brewing and taking of elicited brew.
- The constitution should provide that chiefs act should be retained.
- The constitution should provide that chiefs act should be abolished. (2)
- The constitution should provide that age limit for presidential candidate shall be 35-70 years.
- The constitution should provide that chiefs should be housed in chief's camp.
- The constitution should provide that chiefs should be transferable so as to gain

experience.

- The constitution should abolish the post of D.O's.
- The constitution should provide that chiefs should go for paramilitary and paralegal training.
- The constitution should provide that presidential candidates should garner 25% in 5 provinces.
- The constitution should provide that the president should hold office for one term only.
- The constitution should provide that police should not arrest without chief's permission.
- The constitution should provide that the prime minister or president should have power to assent to legislation passed by parliament.
- The constitution should provide that parliament and the executive should be independent of each other.
- The constitution should provide for a ministry for the youths.

5.3.10. **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary.
- The Kenyan judiciary needs an overhaul, and each administrative division should have a magistrate's court.
- The constitution should provide that CJ and AG should not sit in the judicial service commission as they are linked to the president.
- The constitution should provide for an independent constitutional court.
- The constitution should provide for an independent supreme court. (3)
- The constitution should provide that judges should be appointed by an executive council whose members shall be drawn from all political parties.
- The constitution should provide that the judicial officers should be appointed by the judicial service commission.
- The constitution should provide that the judicial officers should be appointed by the president.
- The constitution should provide that the chief justice should be elected directly by the judges from the different courts.
- The constitution should provide that parliament should appoint the chief justice and high court judges.
- The constitution should provide that the ombudsman should discipline judges.
- The constitution should provide for security of tenure for judges.
- The constitution should discourage delays in dispensation of law by judges.

5.3.11. **LOCAL GOVERNMENT**

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council, be filled by direct popular elections. (7)
- The constitution should provide for mayors to be elected for a term of 5 years. (2)
- The constitution should provide for mayors to be elected for a term of 2 years.
- The constitution should provide for mayors to be elected for a term of 2 and ½ years.
- The constitution should provide that councillors should have a minimum of O-level certificate of education. (6)
- The constitution should provide payment of local authority workers from the consolidated

fund.

- The constitution should provide for retention of language tests before councilor's interviews.
- The constitution should provide that language tests required for councillors are not sufficient.
- The constitution should introduce moral and ethical qualifications for local authority seats aspirants. (3)
- The constitution should provide that people should have a right to re-call their councillors. (4)
- The constitution should abolish the concept of nominated councilors. (2)
- The constitution should provide for retention of nomination of councilors.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should provide that the central government should determine the remuneration of councillors.
- The constitution should provide that parliament should decide councilors salaries.
- The constitution should provide that an independent commission should determine the remuneration of councillors. (2)
- The constitution should limit the power of the Ministry of local government to dissolve local councils.
- The constitution should provide that councils should continue to operate under local government. (2)
- The constitution should abolish nomination of councilors, as they do not serve people's interest.
- The constitution should provide that 30% of resources generated by the councils shall be ploughed back to keep them autonomous.
- The constitution should provide that removal of mayors and chairpersons should require 2/3-majority vote of the councilors.
- The constitution should provide for dissolution of local authorities by the local government with approval of the parliament.
- The constitution should provide that councilors should be given compulsory times when they have to visit their wards.
- The constitution should provide that local government should build teachers house and schools.
- The constitution should stop collection of market tax.
- The constitution should provide for retention of nomination of councilors.
- The constitution should abolish county councils, as they do not grow.
- The constitution should provide that local authorities should begin at urban councils.
- The constitution should provide that councilors should be pensionable if they serve for two terms.
- The constitution should provide that the council should tax the rich more and the poor less.
- The constitution should provide that the minister for local government or the president should have powers to dissolve councils. (2)
- The constitution should abolish the local authorities and its functions integrated into the public service commission.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that election campaigns shall be free and fair and that they shall be regulated.
- The constitution should retain the simple majority rule as the basis for winning an election.
- The constitution should provide that some seats should be retained for widows.
- The constitution should provide that some seats should be retained for the clergy and lawyers.
- The constitution should provide that some seats should be retained for the disabled.
- The constitution should provide that some seats should be retained for women.
- The constitution should allow candidates who fail to be nominated by one party should be allowed to seek nomination from another party.
- The constitution should provide that voters should be allowed to cast their votes from anywhere.
- The constitution should provide that ECK should be appointed by political parties.
- The constitution should provide that the chairman of ECK should be appointed by parliament.
- The constitution should provide that the electoral commission should enjoy the security of tenure.
- The constitution should provide that any candidate who bribes the electorate should be disqualified.
- The constitution should provide that defectors should not seek elections until after 2 years to organize the parties.
- The constitution should provide that defectors should seek fresh mandate from the people.
- The constitution should provide that the 25% representation in 5 provinces for presidential elections should be retained.
- The constitution should provide that professionals who loose elections should be allowed to go back to their previous jobs.
- The constitution should provide allowance of 3 months for professionals wishing to vie for civic seats.
- The constitution should provide that constitutional review should be de-linked from elections.
- The constitution should provide that the 2002 elections should be conducted under the new constitution.
- The constitution should abolish queue voting by political parties as it perpetuates violence.
- The constitution should provide that the process of voter registration should be continuous. (2)
- The constitution should provide that the election process should be simplified.
- The constitution should provide that ECK shall work with the registrar of persons and that the process of voter registration shall be continuous.
- The constitution should reduce voting age to 15 years.
- The constitution should provide that vote counting should be done in polling station.
- The constitution should provide that ID, title deeds and birth certificate should be enough to acquire voters' cards.
- The constitution should provide that presidential elections should be done separately with parliamentary and civic elections. (2)
- The constitution should provide that presidential elections should be held after the parliamentary and civic elections.

- The constitution should provide that the president should be elected directly by the people. (2)
- The constitution should provide that Rangwe should be divided into two constituencies.
- The constitution should provide that division of constituencies should cater for population. (2)
- The constitution should provide that the election date should consider the Sabbath day of various religions.
- The constitution should provide that votes be counted at the polling station.
- The constitution should provide that voting be done by secret ballot.
- The constitution should clearly stipulate the election date of general elections. (2)
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide that Commissioners appointed to the Electoral Commission be nominated by, and be representative of all-political parties.
- The constitution should provide that ECK should control the election expenditure. (2)

5.3.13. BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee right to life for all Kenyans. (2)
- The constitution should provide that the death penalty should be abolished.
- The constitution should guarantee freedom to work anywhere.
- The constitution should guarantee freedom of movement.
- The constitution should guarantee free clean water for all.
- The constitution should guarantee issuance of ID at birth.
- Civic education should be entrenched in the constitution and should be a continuous process.
- The constitution should protect all Kenyans against domestic violence.
- The constitution should guarantee the freedom of worship to all Kenyans. (4)
- The constitution should guarantee the freedom of worship to all Kenyans and exclude upcoming religions and denominations. People should have the freedom to worship and no voting on Saturdays. (3)
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for fundamental rights such as social, economic and cultural rights.
- The constitution should provide for subsidized building materials and cheap means of transport.
- The government should ensure high food storage facilities.
- The constitution should promote the policy of one-man one job. (3)
- The constitution should guarantee every Kenyan a right to equal employment opportunities.
- The constitution should provide that retrenchment should not be constitutionalized.
- The constitution should extended retirement age to 60 years.
- The constitution should provide that retrenchment age should be raised so that people can continue working until their children finish school but retirement age should be 60 years. Teachers should be employed as soon as they complete training.
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should provide for free and compulsory formal education up to

university level.

- The constitution should provide for free and compulsory primary education. (3)
- The constitution should provide for free and compulsory education. (2)
- The constitution should provide for free education for all Kenyans. (3)
- The constitution should provide for free basic health care for all in both rural and urban areas.
- The constitution should guarantee every Kenyan, basic food, clothing and shelter.
- The constitution should protect security, healthcare, education, shelter, food and employment as basic rights for all Kenyans.
- The constitution should guarantee security for all Kenyans.
- The constitution should guarantee free healthcare services for all Kenyans. (2)
- The constitution should guarantee all Kenyans the right to information.
- The constitution should guarantee all Kenyan workers a right to trade union representation. (2)
- The constitution should guarantee that NHIF cards should cover other relatives other than family members only.
- The constitution should protect the right of prisoners.
- The constitution should guarantee mixing of students in schools from all parts of the country to enhance integration.
- The constitution should guarantee that employment should be a right of every Kenyan.
- The constitution should guarantee Adventist freedom to observe their Sabbath.
- The constitution should provide for the employment of all university graduates.
- The constitution should provide that spouses of pensioners should get pension even after the death of the pensioner.
- The constitution should provide for regional establishment of factories to create employment.
- The constitution should provide that currency should be engraved in Braille.
- The constitution should provide social security fund to support families that are unable to cater for themselves.
- The constitution should provide that professors should earn Kshs. 500, 000 and their deputies Kshs. 300, 000.
- The constitution should provide measures to curb brain drain.
- The constitution should provide protection for trade unions.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide for government rehabilitation of street children.
- The constitution should guarantee that women should not be employed, as they shall take maternity leave disrupting work.
- The constitution should guarantee that parents should not conceal children with disabilities.
- The constitution should guarantee that there should be 2 nominated MPs with disabilities.
- The constitution should guarantee that women should head financial sectors to ensure efficiency.
- The constitution should abolish taking of young girls to replace their dead sisters.
- The constitution should ban girl circumcision. (2)
- The constitution should guarantee that aged people without children should be given

welfare.

- The constitution should guarantee medical care for old people.
- The constitution should guarantee that blind persons should be represented in the examination board.
- The constitution should guarantee integration of persons with disabilities in all decision-making organs.
- The constitution should guarantee that disabled should be allowed to join ordinary schools.
- The constitution should guarantee that district development boards should have a disabled person as a member.
- The constitution should guarantee that women should be educated up to form 4 and not up to university.
- The constitution should abolish affirmative action for vulnerable groups.
- The constitution should guarantee criminalization of impregnating schoolgirl.
- The constitution should guarantee jobs for those trained and given loans by government when in public universities.
- The constitution should guarantee that women should be protected from violent husbands.
- The constitution should guarantee special assistance by the government to widows and widowers.
- The constitution should guarantee that disabled persons should be given special amenities such as separate jails and their own hospitals.
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should guarantee that girls should not be discontinued from school because they are pregnant.
- The constitution should guarantee that girls should not be allowed to marry until dowry is paid.
- The constitution should guarantee adequate budget for youth by the government.
- The constitution should guarantee that women should compete for elective posts just like men.
- The constitution should provide affirmative action in favor of the disabled in all public facilities.
- The constitution should provide affirmative action in favor of women. (2)
- The constitution should provide for free health care services and guarantee training for the disabled in addition to special latrines and clothing.
- The constitution should provide for protection to people with disabilities, they should be given special treatment, and public means of transport should cater for the disabled.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should guarantee employment for the disabled.
- The constitution should guarantee that women shall not be issued with IDs but her name shall be in her husband's ID.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.

- The constitution should guarantee and protect children's rights.
- The constitution should provide that the disabled children should have a right to education. (2)
- The constitution should provide that child labour should be discouraged. (2)
- The constitution should protect the education of the Girl child.
- The constitution should guarantee bursary to the needy children.
- The constitution should guarantee old age allowance for the aged.
- The constitution should guarantee entrenchment of affirmative action in the constitution.
- The constitution should guarantee rehabilitation of street children.
- The constitution should guarantee that the widows should go for HIV test first before inheritance.
- The constitution should guarantee representation of the poor in the parliament.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should guarantee the right of any Kenyan to own land in any part of the country.
- The constitution should guarantee simplification of land inheritance.
- The constitution should provide that the land transfer fee should be reduced.
- The constitution should provide that the land transfer matters should be settled by the local chief, assistant chief, clan elders and the local community. (2)
- The constitution should provide that the land transfer matters should be handled by the family members or local community.
- The constitution should provide that the land title deeds should be issued effectively and land officers should be effective in their work.
- The constitution should guarantee leaving land issues to men only.
- The constitution should guarantee ultimate ownership of land to the government.
- The constitution should guarantee ultimate ownership of land to the individuals
- The constitution should provide that the government should have powers to compulsory acquire private land for any purposes but they should be compensated.
- The constitution should provide that the state, government or local community should have powers to control use of land by the owners.
- The constitution should provide that the state, government or local community should not have powers to control use of land by the owners.
- The constitution should provide that the state should have the powers to control use of land by the owners. (2)
- The constitution should guarantee proper protection of land.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should provide that the title deeds should bear the names of both spouses. (4)
- The constitution should provide that boys alone should have the right to inheritance.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide that unmarried girl should be given land to till but not a title deed.
- The constitution should provide that girls should inherit property from their parents just like their brothers.
- The constitution should provide that chiefs and elders should handle succession matter.

- The constitution should control utilization of land so that land is not left to a waste.
- The constitution should provide that family members should settle land issues.
- The constitution should provide that ladies should be prohibited to inherit land because this will create prostitution hence AIDS.
- The constitution should provide for equitable distribution of land.
- The constitution should provide that women shall inherit land from their husbands and that they shall only inherit from their father if there's a clear proof that they are not married.
- The constitution should provide that the land tribunal should have the highest appellate jurisdiction.
- The constitution should provide that all land should belong to the state to ensure equitable distribution.
- The constitution should provide that there should be a ceiling on land owned by an individual. (2)
- The constitution should provide that an individual should own a maximum of 10 acres of land.
- The constitution should provide that non-citizens should only own land on lease contract, which should not exceed 20 years.
- The constitution should provide that men and women should have equal access to land ownership and inheritance. (2)
- The constitution should allow Kenyans to own land anywhere in the country.
- The constitution should retain the Trust Land Act.

5.3.16. CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should provide that a woman shall be forced to agree to be inherited but she shall be allowed to choose the man who has to go for a medical check up.
- The constitution should provide that constitution should provide protection from discriminating aspects of culture.
- The constitution should provide that all workingwomen should work close to their husbands.
- The constitution should provide for harmonization of traditional medicine with conventional medicine.
- The constitution should guarantee intact cultural values.
- The constitution should guarantee that wife inheritance should be voluntary.
- Cultural and ethnic diversity should be protected and promoted in the constitution.
- The constitution should consider the orphans, widows and widowers as a distinct social group whose interests should be protected in the constitution.
- The constitution should provide for protection against the discriminatory aspects of culture. (3)
- The constitution should provide for one national language and one official language.
- The constitution should provide for English as an official language.
- The constitution should recognize and promote indigenous languages.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources.
- The constitution should provide that executive should retain the powers of managing and controlling national resources.
- The constitution should provide that executive should not retain the powers of managing and controlling national resources.
- The constitution should provide that parliament should retain the powers to raise and appropriate public funds.
- The constitution should provide that parliament should not retain the powers to raise and appropriate public funds.
- The constitution should provide that the government should initiate other income generating activities.
- The constitution should provide that development projects and funds should be equally distributed.
- The constitution should provide for a ceiling on the amount of wealth an individual can own.
- The government should be required to apportion benefits between the central government and local communities where such resources are found. (2)
- The Controller and Auditor General should have the security of tenure.
- The constitution should provide that all government services and facilities are accessible to all Kenyans without discrimination.
- The constitution should discourage external investors.
- The constitution should provide that public officers convicted of corruption should be sacked.
- The constitution should provide that all appointments to civil service must be based on merit.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide for allocation of resources to rural areas for their development.
- The constitution should provide that civil servants should be given good salaries so that they do not leave the country to work abroad. Brain drain should be discouraged.
- The constitution should provide that civil servants should be promoted to the next grades after a period of time to avoid the crisis of salary disputes between the government and the employees so that everyone gets improved salaries.
- The constitution should provide that the appointments should be based on merit.
- The constitution should provide that the appointments of public service commissioners should have a security of tenure.
- The constitution should provide that the appointments of public service commissioners should be non-political.
- The constitution should provide that civil servants should reveal their wealth to prevent corruption.
- The constitution should provide that raw materials should be processed in the areas where they are found to develop that particular area.
- The constitution should set minimum and maximum salaries to bridge the gap between the rich and poor.
- The constitution should provide that telecommunication systems and other infrastructures should be developed in all regions of the country.

- The constitution should provide that parastatal jobs should be divided equally amongst the districts.

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should provide that game reserves shall be distributed to the landless if they are fertile and that only dry areas should be made national parks.
- The constitution should protect the natural resources. (2)
- Forestation should be included in the environmental protection issues.

5.3.19. **PARTICIPATORY GOVERNANCE**

The constitution should provide that the opposition and pressure groups shall be part of the government and the government shall be made to seek their views.

The constitution should empower the church and give it full authority over its members, its institutions and those it co-sponsors.

The constitution should study the existing churches and establish their origin, doctrines and statistics of followers. Those found not serving moral and spiritual needs should be abolished. Mainstream churches should be maintained.

The constitution should provide that women should be allowed to participate fully in governance. (2)

The constitution should provide that the youth should be allowed to participate fully in governance.

5.3.21 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for formation of executive council with members drawn from all political parties.
- The constitution should provide for a commission to deal with those violating human rights.
- The constitution should provide that a judicial service commission be established.
- The constitution should provide that an anti-corruption commission be established to deal with corruption and prosecute offenders.
- The constitution should provide for creation of commission of disabled rights.
- The constitution should establish Ombudsman office.
- The constitution should provide for a commission to divide government land among landless.
- The constitution should provide for a commission in charge of controlling of finances.

5.3.22 **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that the vice president should hold post for 3 months then elections shall be held.
- The constitution should provide that the chief justice should be in charge of executive powers during the presidential elections.

- The constitution should provide that the attorney general should be in charge of executive powers during the presidential elections.
- The constitution should provide that the attorney general should declare the election results after all votes have been counted.
- The constitution should provide that the incoming president should assume office seven days after the elections results.
- The constitution should provide that the incoming president should assume office three days after the elections results.
- The constitution should provide that the chief justice should swear in the president.
- The constitution should make provision for security for a former president. (2)
- The constitution should make provision for welfare for a former president. (2)
- The constitution should provide that the outgoing president should be eligible for prosecution for criminal offences he committed while in office.

5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide that unmarried women should be settled in game reserves.
- Women's rights should be constitutionalized.
- The constitution should provide that women should have a right to inherit their parents' property.
- The constitution should provide that women should have a right to inherit property. (2)
- The constitution should provide that women should have a right to inherit all the property owned by their husbands in case of death and had stayed together for a period of 10 years.
- The constitution should guarantee punishing of women who get children outside marriage.
- The constitution should provide that polygamy should be illegal.
- The constitution should harmonize marriage laws.
- The constitution should prohibit domestic violence against women. (2)
- The constitution should prohibit domestic violence against disabled women.

5.3.24 **INTERNATIONAL POLICY**

- The constitution should provide that IMF and World Bank activities should be regulated.

5.3.26 **NATIONAL ECONOMIC POLICY**

The constitution should provide for government role in price control to protect local produce. (2)

- The constitution should provide that goods that can be made locally should not be imported.
- The government should construct, maintain and repair roads.

5.3.27 **NATIONAL OTHER POLICY**

- The constitution should provide that corruption should be a capital offence punishable by death.
- The constitution should provide for strong measures to curb corruption through an act of

law.

- Every individual should be obliged and responsible for stopping and discouraging corruption.
- Any form of family planning, which terminates life after conception should be prohibited.
- The government should support herbalists.
The doctors should announce the cause of death to curb widespread of diseases.
- The constitution should provide that there should be no searches by police without search warrant.
There should be no harassment or manhandling of suspects before prosecution.
- The government should co-operate with church groups to inform the people about the dangers of HIV/AIDS. People should be sensitized on changing their behaviour in order to reduce the spread of HIV/AIDS.
- Research on HIV medicine should be intensified and decentralized. Herbal medicine should be given priority as far as research is concerned.
- The police should not be brutal to Kenyans and should not harass people during time of arrest.

5.3.28

SECTORAL POLICY

The constitution should provide for affordable healthcare services.

The constitution should provide for affordable education.

- The constitution should provide that all industries should be fixed within areas of their raw materials.
- The constitution should provide for the full liberalization of the agricultural sector.
- The government should train farmers on good farming methods.
- Direct markets should be opened to farmers on good farming methods.
- The constitution should provide that government should expand industrialization and agricultural sectors to create jobs for youth.
- The constitution should provide that students who drop out of school should get certificate showing the class they reached.
- The constitution should provide that school equipments should be equitably distributed to all schools.
- The constitution should provide for establishment of libraries in all divisions, stocked with textbooks.
- The constitution should provide that the government should waive duties on newsprint to encourage poor people to read.
- Girls should not be discontinued from school after giving birth.
- There should not be political influence on educational policies, for political gain of individuals. In addition the categorization of schools into national, provincial and district should be scrapped.
- Bursaries should be awarded to women and the disabled who want to pursue further studies after class 8.
- The 8-4-4 system of education should be scrapped
- Civil education should be incorporated into the curriculum.
- The 8-4-4 system of education should be scrapped and replaced with the old 7-4-2-3system.
- Corporal punishment should be allowed in schools. Teachers should have the right to discipline students.

- There should be enough teachers in schools and the ratio of students to teachers should be looked into. University education should be decentralized to local institutions for easy accessibility.
- The disabled should be exempted from paying taxes.
- The government should ensure that tax rates especially for women and the poor should be lowered.
- There should be a mark in all forms of money to enable blind women identify them.
- The constitution should prohibit the use of drugs and taking too much alcohol.
- The constitution should protect small-scale entrepreneurs.

5.3.29

STATUTORY LAW

The constitution should provide that thieves should be imprisoned and not fined.

All Kenyans should be compelled to have a will. Rape cases should be dealt with severely.

The constitution should protect rape victims by providing sense of secrecy and harsh laws on rapists.

Abortion should be made illegal.

Persons who mistreat children and practice child labour should be charged in the court of law.

Parents found not taking their children to school should be prosecuted.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon Dr Shem Ochuodho MP
2. Maurice Odawo Onduru DC
3. Mrs. Hilda Otieno Chairlady
4. Cllr. Martin Otieno Nyan'nginja
5. Cllr. Ogola Kagoro
6. Samuel Adero Nyamburi
7. Gordon Omulo
8. Raphael Odhiambo Owaka
9. Mrs. Phelgona Okundi
10. Rose Okoth

Appendix 2: Civic education providers (CEPs)

1. National council of Churches of Kenya
2. Anglican Church of Kenya
3. Rangwe Development Forum
4. Anglican Church of Kenya
5. Religion and Development Institute of Research
6. Hotusa
7. Nakato Theater Group
8. Butterfly self help group
9. Kadayo Women Group
10. Sonbo Organization
11. CES- Development
12. Maendeleo ya Wanawake
13. Kabunde Women Group
14. Nyayal Self help group
15. Osiepe 'B' SHG
16. Wandia Imbo Self Help Group
17. Abianga Widows and Orphans Women Group
18. Awour Women Group
19. Wang Chien Self Help Group
20. C-PRWO
21. Rioo Transporters Youth Group
22. Wandia Imbo Self Help Group
23. Catholic Justice and Peace Commission
24. Christian Fellowship Churches
25. DERRO
26. Scientific Ideological Group
27. Jeadoflo Women Group
28. Uhai Pier
29. Zion
30. TACASS
31. Social Mobilization progress

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

1	10003OHRNY	Anonymous	CBO	Memorandum	Centre for Poverty Reduction
2	0015OHRNY	Daniel Adhiambo Ogango.	CBO	Memorandum	C-PRWO
3	0012OHRNY	Isaiah Otieno Omogo.	CBO	Written	Persons with Disabilities-Ra
4	0008OHRNY	Joseph P. Ouma Oyugi.	CBO	Memorandum	Radir Self Help Project.
5	0069IHRNY	.Isaac Otieno.	Individual	Oral - Public he	
6	0031IHRNY	Aloys Nyabola.	Individual	Oral - Public he	
7	0046IHRNY	Anna Agunga	Individual	Oral - Public he	
8	0002IHRNY	Arthur Okello Agan.	Individual	Memorandum	
9	0030IHRNY	Benedict N. Agutu.	Individual	Oral - Public he	
10	0035IHRNY	Benedict Ogola N.	Individual	Oral - Public he	
11	0051IHRNY	Clement Otieno.	Individual	Oral - Public he	
12	0040IHRNY	Cllr. Andrew O. Anuro.	Individual	Oral - Public he	
13	0045IHRNY	Cllr. Daniel Adajo	Individual	Oral - Public he	
14	0014IHRNY	Dalmas Oyomo.	Individual	Written	
15	0029IHRNY	Daniel Bunde Owich.	Individual	Oral - Public he	
16	0004IHRNY	Daniel L. Ouko Bando.	Individual	Memorandum	
17	0033IHRNY	Dominic Chwanya Amolo.	Individual	Oral - Public he	
18	0032IHRNY	Donald Awonga Ongaro.	Individual	Oral - Public he	
19	0067IHRNY	Elisapham Wanga.	Individual	Oral - Public he	
20	0055IHRNY	George Deya	Individual	Oral - Public he	
21	0025IHRNY	George O. Mjumbe.	Individual	Oral - Public he	
22	0059IHRNY	Henry Otolo.	Individual	Oral - Public he	
23	0021IHRNY	Hilda A. Otieno	Individual	Oral - Public he	
24	0024IHRNY	Hulda Othoo.	Individual	Oral - Public he	
25	0039IHRNY	Isaiah Okech Bonyo.	Individual	Oral - Public he	
26	0052IHRNY	Jacob Obene.	Individual	Oral - Public he	
27	0063IHRNY	Jacob Odera Nyatama.	Individual	Oral - Public he	
28	0036IHRNY	Jimbo J. Ochieng'.	Individual	Oral - Public he	
29	0007IHRNY	John W. Otieno.	Individual	Written	
30	0020IHRNY	Joseph R. Akello.	Individual	Oral - Public he	
31	0056IHRNY	Joshua O. Owaka.	Individual	Oral - Public he	
32	0026IHRNY	Judith A. Akello.	Individual	Oral - Public he	
33	0027IHRNY	Julia Aoko Orwa.	Individual	Oral - Public he	
34	0023IHRNY	Kepher Otieno	Individual	Oral - Public he	
35	0001IHRNY	Lameck Onyango.	Individual	Written	
36	0050IHRNY	Mark M. Aroti	Individual	Oral - Public he	
37	0009IHRNY	Maurice Adek Ogwang'.	Individual	Written	
38	0003IHRNY	Maurice Awino Ochola.	Individual	Written	
39	0058IHRNY	Maurice Phillip Obunga.	Individual	Oral - Public he	
40	0028IHRNY	Mical Atieno Adwar.	Individual	Oral - Public he	
41	0019IHRNY	Michael Nyandia O.	Individual	Oral - Public he	
42	0054IHRNY	Monica A. Akira.	Individual	Oral - Public he	
43	0011IHRNY	Mrs.Phelgona Okundi.	Individual	Memorandum	
44	0012IHRNY	Nick Wanga.	Individual	Written	
45	0068IHRNY	Obonyo A Walter.	Individual	Oral - Public he	
46	0022IHRNY	Odiwuor Godfrey	Individual	Oral - Public he	
47	0018IHRNY	Odongo Odula C.	Individual	Oral - Public he	
48	0048IHRNY	Omolo Opiyo	Individual	Oral - Public he	
49	0005IHRNY	Opalla Otieno	Individual	Written	
50	0042IHRNY	Paul O. Obonyo	Individual	Oral - Public he	

51	0047IHRNY	Peterson Oloo	Individual	Oral - Public he	
52	0053IHRNY	Pr. Jeremiah Obonyo.	Individual	Oral - Public he	
53	0066IHRNY	Rev. A.O. Awino.	Individual	Oral - Public he	
54	0010IHRNY	Richard O. Nyigilo.	Individual	Written	
55	0034IHRNY	Richard Okumu	Individual	Oral - Public he	
56	0057IHRNY	Robert Auka.	Individual	Oral - Public he	
57	0049IHRNY	Robert O. Agutu	Individual	Oral - Public he	
58	0044IHRNY	Samson Onyango	Individual	Oral - Public he	
59	0060IHRNY	Samuel Abiero	Individual	Oral - Public he	
60	0064IHRNY	Samuel Adoyo	Individual	Oral - Public he	
61	0037IHRNY	Stanley Ayuo.	Individual	Oral - Public he	
62	0008IHRNY	Stephen Othoo Deya.	Individual	Written	
63	0038IHRNY	Suslia O. Obunga.	Individual	Oral - Public he	
64	0013IHRNY	Sylvanus Odotte	Individual	Written	
65	0016IHRNY	Tom Okuku O.	Individual	Written	
66	0061IHRNY	Tom Okuku O.	Individual	Oral - Public he	
67	0015IHRNY	Valentine Okeyo .	Individual	Written	
68	0065IHRNY	Vincent Otieno Abok.	Individual	Oral - Public he	
69	0041IHRNY	Vitalis Mchelle Omulo.	Individual	Oral - Public he	
70	0043IHRNY	Wahindi O. Nathaniel.	Individual	Oral - Public he	
71	0005OHRNY	Michael O. Odotte.	International Agencies	Written	Sungu African Herbal Researc
72	0013OHRNY	Joyce Ong'eng'a	NGO	Written	MYWO Homa-Bay District.
73	0001OHRNY	Martha Auma Onyango.	NGO	Memorandum	MYWO
74	0007OHRNY	Mary Teressa O. Ogutu.	NGO	Written	Disabled Women
75	0010OHRNY	Ariya David.	Other Institutions	Memorandum	Teachers of Ombogo Girls Aca
76	0014OHRNY	Fredrick Ober.	Other Institutions	Memorandum	KNUT-H/Bay District.
77	0002OHRNY	George Omulo	Politcal Party	Written	SPARK
78	0011OHRNY	Monica Afuodi.	Pressure Groups	Memorandum	Kenya Women's Political Cauc
79	0004OHRNY	Anonymous	Religious Organisation	Written	SDA Church
80	0009OHRNY	Bernard O. Orari.	Religious Organisation	Written	S.D.A Church Odienea.
81	0006OHRNY	Canon Eliakim Otieno	Religious Organisation	Written	ACK Church.
82	0016OHRNY	Dalmas Nyange	Religious Organisation	Written	Catholic Diocese of H/Bay As

Appendix 4: Persons Attending Constituency Hearings

IMBO MARKET

No	Name:	Address:	No	Name:	Address:
1	Jacob Odeny	P.O. Box 264, Homa Bay	25	Monica Akira	P.O.Box Rangwe
2	Peterson Oloo	P.O. Box 41, Rodi	26	Moses Odote	P.O. Box 264, Homa Bay
3	Canon E. Otieno	P.O. Box 268, Homba Bay	27	Isaya Omogo	P.O. Bor 16, Rangwe
4	Mary Teresa Ogutu	P.O. Box 6, Homa Bay	28	Valentine Okeyo	P.O. Box 7, Rodi
5	Omollo Opiyo	P.O. Box 7, Homa Bay	29	George Deya	P.O. Box 4, Homa Bay
6	Robert Agutu	P.O. Box 20, Rangwe	30	Philip Odero	P.O. Box 119, Rangwe
7	Richard Apiyo	P.O. Box 41, Rodi	31	Joseph O. Agonga	P.O. Box 7, Rodi
8	Mark Arot	P.O. Box 80, Homa Bay	32	Isaya O. Odipo	P.O. Box 123, Rangwe
9	Michael O. Odote	P.O. Box 20, Rangwe	33	Chief Joshua Odero	P.O. Box 449, Homa Bay
10	Clement Ayoo Otieno	P.O. Box 20, Rangwe	34	Joseph O. Omeny	P.O. Box 20 Rangwe
11	Joseph Ouma	P.O. Box 45, Homa Bay	35	Michael Otieno	P.O. Box 20 Rangwe
12	Phelgona O. Kudi	P.O. Box 661, Homa Bay	36	Solomon Ogembo	P.O. Box 41, Rodi
13	Benard O. Rari	P.O. Box 431, Homa Bay	37	Maurice Oliech	P.O. Box 264, Homa Bay
14	David Ariya	P.O. Box 661, Homa Bay	38	John Odero	P.O. Box 70, Rodi-Kopany
15	Philemon Angila	P.O. Box 661, Homa Bay	39	Emmanuel Obech	P.O. Box 264, Homa Bay
16	Philip N. Ochando	P.O. Box 62, Rangwe	40	David Owiti	P.O. Box 23, Rodi
17	Monica A. Afuodi	P.O. Box 78, Homa Bay	41	Richard Ochogo	P.O. Box 41, Rodi
18	Filida A. Odeny	P.O. Box 426, Homa Bay	42	Daniel Chwanya	P.O. Box 47, Rangwe
19	Charles Omongo	P.O. Box 264, Homa Bay	43	Afred Ogira	P.O. Box 264, Homa Bay
20	Nick Wanga	P.O. Box 119, Rangwe	44	John Lala	P.O. Box 264, Homa Bay
21	Dalmas Oyomo	P.O. Box 264, Homa Bay	45	Lawrence Owuor	P.O. Box 65, Rangwe
22	Chief John Omamo	P.O. Box 57, Rodi	46	Oyier Omeny	P.O. Box Rangwe
23	Lucas Odera	P.O. Box 41, Rodi	47	John Nyambok	P.O. Box 264, Homa Bay
24	Rose Owiti	P.O. Box 23, Rodi	48	Michael Issa	P.O. Box 16, Rangwe
49	Johnson Omuga	P.O. Box 264, Homa Bay	73	Alex Otieno	P.O. Box 66, Rangwe
50	Henry Otolo	P.O. Box 551, Homa Bay	74	Jackton Oloo	P.O. Box 18, Rodi
51	Joyce Ong'eng'a	P.O.Box 245, Homa Bay	75	Karilus Gogo	P.O. Box 28, Rangwe
52	Joseph Juma	P.O. Box 264, Homa Bay	76	Raphael Oyugi	P.O. Box 34, Rodi
53	Samwel Illa	P.O. Box 264, Homa Bay	77	Robert Auka	P.O. Box 34, Rodi
54	Peter Majiwa	P.O. Box 264, Homa Bay	78	Samwel Adoyo	P.O. Box 90, Rodi
55	Benedict Aoko	P.O. Box 264, Homa Bay	79	Grison Abonyo	P.O. Box 41, Rodi
56	Julias Juma	P.O. Box 264, Homa Bay	80	Jeremia Obonyo	P.O. Box 18, Rodi
57	Tom Okuku	P.O. Box 120, Homa Bay	81	Stephen Omuga	P.O. Box 7, Rodi
58	Erick Ogaga	P.O. Box 268, Homa Bay	82	Rose Omuga	P.O. Box 41, Rodi
59	Eunice Anyango	P.O. Box 41, Rodi	83	Sylvanus Gondi	P.O. Box 20, Rangwe
60	Sadrack Okeyo	P.O. Box 41, Rodi	84	Odeny F. O.	P.O. Box 264, Homa Bay
61	Gersoro Terri	P.O. Box 41, Rodi	85	Evans Ouma Kowuo	P.O. Box 45, Rodi-Kopany
62	Cllr. Philister Akeyo Okech	P.O. Box 34, Roda Kopany	86	Michael Onjwang'	P.O. Box 41, Rodi
63	David Odhiambo	P.O.Box 720, Homa Bay	87	Siprianus Ndhiwa	P.O. Box 41, Rodi
64	Philip Awiti	None	88	Ben O. Nyambok	P.O. Box 264, Homa Bay

65	Daniel Adhiambo Ogango	P.O. Box 72, Rodi	89	Roseline J. okoth	P.O. Box 264, Homa Bay
66	Patric Limumba	P.O. Box 72, Rodi	90	Jacob Odero Nyatama	P.O. Box 109, Rangwe
67	Bishop Christopher Kayando	P.O. Box 510, Homa Bay	91	Rev. Asalia O. Awino	P.O. Box 217, Homa Bay
68	Ochola Omollo	P.O. Box 268, Homa Bay	92	Rose Adhiambo	P.O. Box 23, Rodi
69	Maurice Otunga	P.O. Box 119, Rangwe	93	Eunice Anyango	None
70	Philip Ochieng'	P.O. Box 20, Rangwe	94	Dalmas Nyage	P.O. Box Kisii
71	Peter Towe	P.O. Box 135, Rangwe	95	Nyanamba Joseph	P.O. Box 20, Rangwe
72	Elsa A. Okuku	P.O. Box 527, Homa Bay	96	Rose Odote	P.O. Box 20, Rangwe
97	Philimon Odote	P.O. Box 23, Rodi	151	Benard Ogur	P.O. Box 41, Rodi
98	Fredrick Ober	P.O. Box 97, Homa Bay	152	Johson Ochieng'	P.O. Box 41, Rodi
99	Mary Omongo	P.O. Box 264, Homa Bay	153	Maculate Okullo	P.O. Box 23, Rodi
100	Maurice P.Ombunga	P.O. Box 149, Rangwe	154	Mika Odipo	P.O. Box 41, Rodi
101	Vitalis Mchelle	P.O. Box 82, Nyangweso	155	Edward Okello	P.O. Box 16, Rangwe
102	Hon shem Ochuodho	None	156	Elisaphan Wanga	P.O. Box 16, Rangwe
103	Maurice Ogwang'	P.O. Box 58, Nyangweso	157	Tobias O. Ndege	P.O. Box 23, Rodi
104	Paul Obonyo	P.O. Box 64, Nyagweso	158	Walter A. Obonyo	P.O. Box 7, Rodi-Kopany
105	Wahindi O. Nathaniel	P.O. Box 362, Homa Bay	159	Phily Yambo	GEM EAST
106	Cllr. Daniel Adoyo	P.O. Box 53, Homa Bay	160	John M. Nyaila	P.O. Box 41, Rodi-Kopany
107	Afred O. Aloyce	P.O. Box 53, Homa Bay	161	Mather O. Ogutu	P.O. Box 41, Rodi-Kopany
108	Samson Onyango	Ndiru	162	Eunice Atieno	P.O. Box 41, Rodi-Kopany
109	Joseph Konunda	P.O. Box 48709, Nairobi	163	Teresa A. Asete	P.O. Box 7, Rodi-Kopany
110	Francis Angwen Ogwan'g	P.O. Box 52, Nyagweso	164	Joseph Oyugi	P.O. Box 57, Rodi
111	Richard Nyigilo	P.O. Box 64, Nyagweso	164	George Omena	P.O. Box 41, Rodi
112	Polycarp O. Okoyo	P.O. Box 141, Rangwe	165	Mary Achieng' Odhiambo	P.O. Box 41, Rodi
113	Peter A. Nyagara	P.O. Box 21, Nyangweso	166	Jacob Lul	P.O. Box 475, Homa Bay
114	Philemon A. Okul	P.O. Box 43, Kibay	167	Richard A. Omuga	P.O. Box 41, Rodi
145	Isaiah Okech Obonyo	P.O. Box 526, Oyugis	168	Moses O Ogindo	P.O. Box 475, Homa Bay
146	Turphena Opiti	P.O. Box 661, Homa Bay	169	John Okoko Ouma	P.O. Box 14, Rodi
147	Suslia Obunga	P.O. Box 58, Nyangweso	170	Domnic Awuor	P.O. Box 264, Homa Bay
148	Milicent Achiando	P.O. Box 21, Nyangweso	171	KENNEDY Orwa	P.O. B+F69ox 51, Rangwe
149	Aloice A. Bunde	P.O. Box Ndiru	172	Issac Otieno Onyango	None
150	Vincent Abok	P.O. Box 41, Rodi			

NDIRU CHIEF'S CAMP – KAGAN

No	Name:	Address:	No	Name:	Address:
1	Matha Auma Onyango	P.O. Box 91, Rangwe	65	Hilda A. Otieno	P.O. Box 5, Rangwe
2	Lamek Onyango	P.O. Box 61, Rangwe	66	Ogolla Kagoro	P.O. Box 20, Homa Bay
3	Arther Okelo Anan	P.O. Box 53, Nyangweso	67	Opalla Otieno	P.O. Box 211, Homa Bay
4	Esdor O. Kijana	P.O. Box 104, Rangwe	68	George O. Mjumbe	P.O. Box 351, Homa Bay
5	Sospeter o. Oyugi	P.O. Box 179, Rangwe	69	Judith A. Akello	P.O. Box 351, Homa Bay
6	Elekia Onyach	P.O. Box 765, Homa Bay	70	Benedict Ogola	P.O. Box 5, Nyangweso
7	Charles O. Adur	P.O. Box 5, Nyangweso	71	Alfred Amach	P.O. Box 53, Nyangweso
8	Joseph O. Obonyo	P.O. Box 64, Nyangweso	72	Samwel Wayumba	P.O. Box 5, Nyangweso
9	Peter Odhiambo Ouma	P.O. Box 360, Nyangweso	73	Daniel Bunde Owich	P.O. Box 5, Nyangweso
10	Tobias Onyango	P.O. Box 65, Nyangweso	74	Tom Mboya Onyango	P.O. Box 52, Nyangweso
11	Odongo Odula Clement	P.O. Box 394, Homa Bay	75	George Omulo	P.O. Box Nyangweso
12	Michael Nyandia Okik	P.O. Box 187, Homa Bay	76	Victor Ochieng' Onyango	P.O. Box 5, Nyangweso
13	Joseph Owino	P.O. Box 431, Homa Bay	77	Benedict N. Agutu	P.O. Box 53, Nyangweso
14	Maurice Awino Achola	P.O. Box 324, Homa Bay	78	Peter Olang'	P.O. Box 5, Nyangweso
15	Nichola Aduka Omoro	P.O. Box 64, Nyangweso	79	Jared Anyango	P.O. Box 423, Nyangweso
16	Joseph Richard Akelo	P.O. Box 351, Homa Bay	80	Okech Dalmas	Private Bag Ndiru
17	Daniel L. Ouko Bondo	P.O. Box 43, Homa Bay	81	Donald Awuor	P.O. Box 64, Nyangweso
18	Wilred Arogo Ochieng'	P.O. Box 394, Homa Bay	82	John Ondwat	P.O. Box 55, Nyangweso
19	Alex Onyango	P.O. Box 13, Homa Bay	83	Janes Wayumba	Private Bag Ndiru
20	Zakayo Orwa	P.O. Box 13, Homa Bay	84	Aloice Nyabola	P.O. Box 21, Nyangweso
21	John Oyudo	P.O. Box 281, Homa Bay	85	Julia Aoko Orwa	P.O. Box 21, Nyangweso
22	Michael Bando	P.O. Box 43, Homa Bay	86	Dominic Chwanya Amolo	P.O. Box 5, Nyangweso
23	John Otieno Odhiambo	P.O. Box 5, Nyangweso	87	Walter Achieng' Opere	P.O. Box 21, Nyangweso
24	Raphael Owaka	P.O.Box 264, Homa Bay	88	Richard Okumu Opap	P.O. Box 5, Nyangweso
25	Peter Abuya	None	89	Nancy Najuma	
26	Benard Juma	Achego Secondary School	90	Samwel Ouma	Achengo Secondary School
27	Steve Paul	Achego Secondary School	91	Okello Enock	Achengo Secondary School
28	Chrisphine Otieno	Achego Secondary School	92	Otieno Erick	Achengo Secondary School
29	Opiyo Stephen	Achego Secondary School	93	Otieno Paul	Achengo Secondary School
30	Amach Evance	Achego Secondary School	94	Otieno Danish	Achengo Secondary School
31	Ajuoga Benard	Achego Secondary School	95	Adika Nathaniel	Achengo Secondary School
32	Abuka Simeon	Achego Secondary School	96	Abeti George	Achengo Secondary School
33	Anne Ogilo	Achego Secondary School	97	Omondi Job	Achengo Secondary School
34	Naomi Aluoch	Achego Secondary School	98	Otieno A. Peter	Achengo Secondary School
35	Auma Linet	Achego Secondary School	99	Auma Everline	Achengo Secondary School
36	Adongo Naomi	Achego Secondary School	100	Victor O. Adek	Achengo Secondary School

37	Okuku Beatrice	Achego Secondary School	101	Yongo O. Daniel	Achengo Secondary School
38	Achieng' Lencer	Achego Secondary School	102	Benard Konunda	Achengo Secondary School
39	Achieng' Subiri	Achego Secondary School	103	Stephen Otieno	Achengo Secondary School
40	Beatrice Achieng	Achego Secondary School	104	John Paul	Achengo Secondary School
41	Akatch Elsa	Achego Secondary School	105	Adajo Helen A.	Achengo Secondary School
42	Nancu Wangare	Achego Secondary School	106	Achieng' Serphine	Achengo Secondary School
43	Kepher Sunga	Achego Secondary School	107	Ombori O. Geophrey	Achengo Secondary School
44	Fredrick Odhiambo	Achego Secondary School	108	Odero A. Pheobe	Achengo Secondary School
45	Anyngo Lucy	Achego Secondary School	109	Naomi Okuta	Achengo Secondary School
46	Ongaro Chrisphine	Achego Secondary School	110	akoth Larry	Achengo Secondary School
47	Othoo Huldand	Achego Secondary School	111	Joy Dorcas	Achengo Secondary School
48	Maurine Adek	Achego Secondary School	112	Omondi Aron	Achengo Secondary School
49	Adoyo Shenna	Achego Secondary School	113	Ogolla Kagoro	P.O. Box 20, Homa Bay
50	E Vance Angwen	Achego Secondary School	114	Stephen O. Deya	P.O. Box 53, Nyangweso
51	Adhiambo Susan	Achego Secondary School	115	Otieno Anuro	P.O. Box 91, Rangwe
52	Owuor James	Achego Secondary School	116	John Uyoma	Nyandu School, Homa Bay
53	Otieno Calvince	Achego Secondary School	117	Dominic Ondwat	Ndiru, Homa Bay
54	Oluoch Kagalo	Achego Secondary School	118	Anaa Agunga	P.O. Box 453, Homa Bay
55	Ongaro Geofrey	Achego Secondary School	119	Evans Ongaro	P.O. Ndiru
56	Ben Bella Odhiambo	Achego Secondary School	120	Kenneth Odhiambo	Achego Sec. School
57	Ojwang' Linus	Achego Secondary School	121	Nicholas Mboya	Achego Sec. School
58	Karume Dan	Achego Secondary School	122	Awich Phelix	Achego Secondary School
59	Wahindi Lilian	Achego Secondary School	123	Hilda Otieno	P.O. Box 5, Rangwe
60	Philine Adhiambo	Achego Secondary School	124	Jimbo J. Ochieng'	P.O. Box 53, Rangwe
61	Prisca Ogola	Achego Secondary School	125	Stanley Ayuo Ogembo	P.O.Box 374, Homa Bay
62	John Kogo	Achego Secondary School	126	John W. Otieno	P.O. Box 281, Hom Bay
63	Akinyi Angeline	Achego Secondary School	127	Hesbon J. Ongidu	P.O. Box 53, Nyangweso
64	Olal Kennedy	Achego Secondary School	128	Aloise O. Oyuo	P.O. Box 244, Homa Bay
			129	Mical Adwar	P.O. Box 207, Homba Bay

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1. DISTRICT CONTEXT

Ndhiwa Constituency is constituency in Homa Bay. Homa Bay District is one of the 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	136,728	151,812	288,540
Total District Population Aged 18 years & Below	82,824	81,575	164,399
Total District Population Aged Above 18 years	53,904	70,237	124,141
Population Density (persons/Km ²)	249		

1.2 Socio-Economic Profile

Homa Bay District:

- Is one of the least densely populated districts in the province, being ranked 9th of the 12 districts;
- Has a primary school enrolment rate of 75.5%, being ranked 5th in the province and 25 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.7%, being ranked 10th in the province and 42nd nationally;
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Skin Diseases and Infections, Diarrhoea diseases, and intestinal worms;
- Has a 27.5% malnourishment rate for children under 5 years of age, being ranked 31st of 42 of the nationally ranked districts;
- Has a life expectancy of 46.5 years being ranked 39 out of the 45 nationally ranked districts;
- Has an absolute poverty level of 77.49% being ranked 46th of 46 nationally ranked districts;
- Has a 62.78% food poverty level being ranked 36th out of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,852;
- Has a 20.28% unemployment rate;
- Has 34.90% of its residents accessing clean drinking water; and
- 40.00% of its residents having safe sanitation.

Homa Bay district has 2 constituencies: Rangwe, and Ndhiwa Constituencies. The district's 2 MPs, each cover on average an area of 580 Km² to reach 144,270 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rangwe and Ndhiwa constituencies with 71.68% and 93.26% valid votes respectively.

2. CONSTITUENCY PROFILE

Ndhiwa Constituency is comprised of West Kwabwai, East Kwabwai and Kanyidoto location. Other locations are Central Kanyidoto, East Kanyidoto , South Kanyamwa, Kabwoch, Central Kanyama and West Kanyama of Ndhiwa division of Homabay district.

2.1. Electioneering and Political Information

This is an opposition stronghold. In 1992 and 1997 general elections, FORD-K and NDP won the parliamentary seats with 97.37% and 93.26% valid votes respectively. A by-election was called in 1994 due to the 1992 elected candidate defecting to the ruling party KANU. This defector contested for the seat on the KANU ticket and lost to a FORD-K representative; FORD-K won the seat with 84.73%. In 2002, the National Rainbow Coalition won the seat.

2.2. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			32,798
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Obondo	FORD-K	24,308	97.37
Otieno Ogingo	KANU	635	2.54
D.O. Deya	DP	21	0.08
<i>Total Valid Votes</i>		24,964	100.00
Rejected Votes		47	
Total Votes Cast		25,011	
% Turnout		76.26	
% Rejected/Cast		0.19	

2.3. 1994 By-Election Results

1992 TOTAL REGISTERED VOTERS			32,798
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joshua Orwa Ojode	FORD-K	9,976	84.73
Tom Obondo	KANU	1,798	15.27
<i>Total Valid Votes</i>		11,774	100.00
Rejected Votes		-	
<i>Total Votes Cast</i>		11,774	
% Turnout		22.36	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			43,266
CANDIDATES	PARTY	VOTES	% VALID VOTES
Joshua Orwa Ojode	NDP	29,644	93.26
Tom E.O. Obondo	KANU	1,355	4.26
Elisha Akech Chieng	SDP	682	2.15
Nobert Omolo Odero	FORD-K	105	0.33
<i>Total Valid Votes</i>		31,786	100.00
Rejected Votes		102	
Total Votes Cast		31,888	
% Turnout		74.31	
% Rejected/Cast		0.32	

2.5. Main Problems

- Limited health facilities;
- Lack of infrastructure such as roads and other facilities; and
- Has one of the highest infant mortality rates in Kenya.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 28th February 2002 and 22nd May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Structures and systems of government
- Constitution
- Constitution making process
- Emerging constitutional issues
- Governance
- Issues and questions for public hearings

5. CONSTITUENCY PUBLIC HEARINGS

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- b) Date(s): 20th and 21st June 2002
- c) Total Number of Days: 2

2. Venue

- d) Number of Venues: 2
- e) Venue(s):
 - 1. Magina Primary School
 - 2. Ndhiwa Multipurpose Hall

3. Panels

a. Commissioners

- 1.Com. Mutakha Kangu
- 2.Com. Issac Lenaola

- 3.Com. Prof. Wanjiku Kabira
- 4.Com. Ibrahim Lethome

b. Secretariat

- 1.Collins Mukewa - Programme Officer
- 3.Rosalinda Nduati - Assistant Programme Officer
- 4.Floria Wafula - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		169
Sex	Male	135
	Female	26
	Not Stated	8
Presenter Type	Individual	146
	Institutions	23

Category	Details	Number
Educational Background	Primary Level	48
	Secondary/High School Level	93
	College	8
	University	7
	None	2
	Not Stated	11
	Oral	114
	Written	41
	Oral + Memoranda	1
	Oral + Written	11
	Not Stated	2

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Ndhiwa 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 is need for the preamble. (11)
- A vision to be set out in the preamble is that people to live peacefully in harmony and be patriotic.
- The national vision to be set out is peace love and unity.
- The constitution should express the desire to continue in the same spirit of struggle to give development opportunities to all Kenyans.
- The preamble must set out visions and aspirations of Kenyans.
- The preamble should express the need for justice, peace and unity in the country.
- The preamble should reflect the struggle for independence and development aspirations of Kenyans.
- The preamble should recognize Kenyans as generous, resilient and a hardworking people.
- The preamble should reflect the fact that the constitution has been made by Kenyans for all Kenyans
- The preamble should highlight the common identity, heritage and aspirations of Kenyans.
- The preamble should echo the words in the national anthem such as ‘justice and peace’.
- The common experience to be captured should be our resistance to colonialism and all the good brought about by the harambee spirit of pulling together.

5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- There should be statements in our constitution capturing the national philosophy and guiding principles. (5)
- Constitution should be supreme organ of the country.
- There should be democratic principles in our constitution.
- Such democratic principles such as balance of power should be entrenched in our constitution.
- The constitution should have principles and values that govern how state power should be exercised.
- There should be free and fair elections and there should be freedom of expression and assembly.
- Kenyans are relevant and hardworking people, peaceful and generous who are always willing to pool their resources together.
- Cover of the constitution document should bear the map of Kenya, national flag and the court of arm; the immediate inner cover should bear the national anthem.

- All citizens who are 18 years and above should take oath of allegiance to respect and live by the constitution.
- The constitution should express that Kenya is a God fearing society and upholds the rule of law.
- The constitution should appreciate the right of HIV /Aids cases in the country.
- Law should enforce all these principles.

5.3.3 CONSTITUTIONAL SUPREMACY

- The 65% majority vote required for amendments should be retained. (5)
- The constitution should provide that 75% vote in parliament should amend the constitution. (3)
- There should be 70% majority vote to amend the constitution.
- There should be 90% majority vote to amend the constitution.
- Parliaments power amend the constitution should be limited. (6)
- Some parts of the constitution should beyond parliaments power to amend.
- Parliament should not have power to amend the allowance, benefits and salaries of MPs.
- No parts of the constitution should be above the amending power of parliament.
- There should be public referendums to amend the constitution. (11)
- There should be only one referendum after 20 years.
- The ECK should conduct public referendums. (3)
- The attorney general should conduct referendums.
- Referendums should be conducted by the provincial administration.
- A commission appointed by parliament should conduct the referendums.
- Impartial judges outside the country should conduct the referendums.
- The constitution should provide for its supremacy over all other laws
- The constitution should provide for its supremacy over other laws in the land.

5.3.4 CITIZENSHIP

- A person borne of Kenyan parents should receive automatic citizenship.(3)
- Any one born in Kenya should be an automatic citizen. (3)
- A child born in Kenya by Kenyan parents should be an automatic citizen. (4)
- The constitution should debar foreigners from acquiring Kenyan citizenship
- Citizenship should also be acquired through registration. (6)
- The constitution should provide that citizenship by registration should be renewable after 30 years.
- Citizenship should also be acquired through adoption.
- Citizenship should also be acquired through naturalization (4)
- Citizenship should also be acquired through marriage.
- Persons could also acquire citizenship through application and approval there of. (3)
- Only female spouses of Kenyan citizens should acquire automatic citizenship.
- Spouses of Kenyan citizens regardless of gender should be automatic citizens. (11)
- The constitution should not provide that spouses of Kenyans to be given automatic citizenship.
- A child born of one Kenyan parent irrespective of gender should Kenyan citizen. (8)
- All citizens should be equal before the law. (4)
- A citizen has the obligation of being patriotic and loyal to his country. (2)

- Citizens should pay taxes
- Citizens should defend their country's sovereignty.
- A citizen should obey the rules.
- Voting should be constitutionally empowered and made compulsory as a right of all Kenyans.
- The citizen has the obligation of developing the country.
- Rights and obligation should not depend on the manner in which the citizenship was acquired. (3)
- Rights and obligation should depend on the manner in which the citizenship was acquired.
- There should be no discrimination in the issuance of ID cards.
- The constitution should not allow dual citizenship. (9)
- The constitution should provide for dual citizenship. (3)
- National identity card should be the primary evidence of citizenship. (5)
- Passports and identity cards should be evidence of citizenship. (2)
- The birth certificate, national ID and the certificate of registration for non-Kenyans should be the documents of proof of citizenship.
- The constitution should provide that children, to Kenyan women with foreign spouses should not be granted automatic citizenship.

5.3.5 DEFENCE AND NATIONAL SECURITY

- The disciplined forces should be established in the constitution. (9)
- Members of the armed forces should be provided with good houses.
- There should be a special body or force to discipline the armed forces.
- Police officers should be trained of people's rights and morality and how to handle citizens.
- There should be open court systems to discipline the forces.
- The armed forces should be taken through thorough training to enhance discipline.
- There should be a national security council, which should be the body to discipline the armed forces. (2)
- Mechanism to discipline the armed forces should be through the armed forces act.
- The court martial as in the past should discipline the armed forces. (2)
- APs and police officers should only conduct searches with search warrants.
- The constitution should provide that the police force should be non-partisan
- Police should be transferred from their stations often.
- The constitution should provide that community elders should be involved in police recruitment.
- The constitution should provide for unbiased recruitment to the armed forces in terms gender.
- The constitution should provide for better living standards among the police force to reduce corruption.
- The constitution should provide the president should not be the commander in chief of the armed forces. (6)
- The constitution should provide the president should be the commander in chief of the armed forces. (7)
- The executive should not have exclusive powers to declare war. (7)
- Executive can declare war but sermons the parliament within a month to debate the same.
- The constitution should permit use of extra ordinary powers during emergencies like war,

national disaster, insurrections and breakdown of public order. (5)

- Prime minister should have the authority to invoke these emergency powers often consulting parliament.
- President should have the authority to invoke the emergency powers. (3)
- The minister in charge of defense should have the power to invoke emergency powers.
- Parliament should have the authority to invoke emergency powers. (4)
- Parliament should have a role in effecting emergency powers. (2)
- Parliament should not have a role in effecting emergency powers.
- Parliament should discuss the use of emergency powers. (2)
- Members of the armed forces should take part in construction of infrastructure.
- Police should not be prosecutors in criminal cases.
- The constitution should provide that there should be an administration police post in every location.

5.3.6 POLITICAL PARTIES

- Political parties should mobilize the public, defend the constitution, enhance democratic principals participate in economic, social and political development.
- Political parties should play roles other than political mobilization.
- Political parties should not play roles other than political mobilization.
- Political parties should also involve themselves in initiating and implementing development projects.
- Political parties should see to it that Kenyans strictly follow the constitution.
- The constitution should regulate the formation, management and conduct of political parties. (3)
- Constitution should ensure parties are not formed on tribal lines but rather issues and interest of the people.
- Kenya should remain a multi party state.
- Political parties, which fail to garner parliamentary seats, should be deregistered.
- The constitution should provide for state media houses to offer equal coverage to all political parties.
- The constitution should provide broad guidelines requiring that political parties have a developmental focus.
- The constitution should provide for political parties leaders to be remunerated
- The constitution should provide for regulation of the conduct of political parties.
- The constitution should provide that political parties be limited. (5)
- Number of political parties should not be limited.
- The constitution should provide that political parties be limited to four. (2)
- The constitution should provide that political parties be limited to two
- The constitution should provide that political parties be limited to three.
- The constitution should provide for a maximum of 10 political parties funded by the state.
- The constitution should provide that political parties be limited to five.. (2)
- World Bank should fund political parties.
- Political parties should be financed from the consolidated bank.
- The members of political parties should fund them.
- Political parties should raise their own funds.
- The government should finance from political parties (2).
- ECK should fund political parties.

- Political parties should be funded from public coffers.
- Political parties should be funded from by the state.
- All political parties should be funded from consolidated bank.
- For the state to finance political parties, they should be national, transparent and accountable, legally registered and should have a given membership.
- Political parties should have a cordial relationship with the state and have dialogue in national and international issues. (4)
- The constitution should provide that political parties should be given security.
- All political parties should have equal media coverage. (2)
- The state should be above political parties.
- Rights of political parties should be included in multiparty.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- The constitution should do away with the presidential system of government. (2)
- We should adopt the parliamentary system of government. (7)
- The constitution should provide for a parliamentary system of government with Prime Minister and a ceremonial president.
- The prime minister should be the head of government. (10)
- Prime minister should be the chief executive of the government.
- Kenya should have a ceremonial president. (8)
- The president should be the head of state.
- We should not adopt a hybrid system of government.
- We should adopt a hybrid type of govt where by the executive authority is shared between the prime minister and the president.
- Prime minister to share powers with the president.
- We should retain a unitary form of government. (3)
- There should be a federal system of government. (12)
- The constitution should provide for a federal system of government alongside the current provincial boundaries under a governor.
- The constitution should provide for a federal system of government with a president, 2 vice-president, a prime minister and 2 deputy ministers.
- Power should be devolved to lower levels of government. (2)
- Central government should devolve powers to collect tax and maintain physical infrastructure to the local government.
- The vice president should be the running mate of the president. (2)
- The vice president should have full powers to act as president while the president is away.
- There should be a law stating that if the president is a man the vice president should be a woman and vice versa.
- The president should appoint the vice president.
- The people should elect the vice president directly.
- Attorney general should not have powers to interfere or discontinue cases involving financial malpractices by individuals.
- The appointment of the attorney general should be done through the PSC and names of three qualifiers taken to parliament for approval and eventual choosing of one by the president.
- The powers of the attorney general should be reduced to the minister of constitutional

affairs.

- The president should appoint the attorney general.
- The attorney general should be appointed by the parliament.
- The attorney general shall be the government chief legal council.

5.3.8 THE LEGISLATURE

- Parliament should vet the aspirations of members of the public service commission, judicial service commission and members of the constitutional court.
- Parliament should have power to vet all presidential appointees e.g. senior government officials, cabinet ministers, parastatal heads, and ambassadors.
- Parliaments power should be expanded to include vetting various appointments to constitutional offices.
- If a leader of government will not sign a bill in to law or will not implement without any reason, parliament should have the power to enforce by specifically resolving what to be done.
- Parliament should be the organ to make treaties with other countries.
- Parliament should have the power to inspect security forces.
- Parliament should appoint forces commander and PCs.
- Parliament should have unlimited powers to control its procedures through standing orders. (6)
- The constitution should provide that parliament should set its own five-year calendar.
- The parliament should be supreme.
- Membership of parliament should be full time occupation. (7)
- The constitution should provide that MPs should work full time from Monday to Friday.
- Being a member of parliament should remain part time.
- Presidential aspirants should not be aged above 70 years.
- Presidential candidates should be 40 years and above.
- Presidential and parliamentary candidates should be aged below 80 years.
- The president should be thirty-five years of age and over.
- Contestants for parliamentary seats should not be less than 25 years old.
- Parliamentary candidates should be aged 30 years and above. (2)
- The constitution should provide for MPs to be between 20 and 60 years.
- Parliamentary aspirants should be aged below the age of 55 years.
- There should be no change regarding the age requirement for voting and contesting. (2)
- The constitution should provide reduce the voting age to 15 years.
- The constitution should provide for reduction in voting age to 17 years to allow more young people to participate.
- Language tests for parliamentary seats are sufficient. (2)
- Language tests for parliamentary seats are not sufficient.
- The constitution should provide that a member of parliament should have at least a university degree.
- MPs should be holders of at least an O level certificate. (3)
- Language tests needed for parliamentary elections should be replaced with aptitude tests.
- The constitution should provide for MPs to be fluent in all national languages.
- People should have a right to recall their MPs. (13)
- People should recall their speaker through petitioning the speaker.
- Mps should always act on the basis of instructions from their constituents during legislation.(2)
- Mps should always act on the basis of conscience and conviction.
- Mps should always act on the basis of conscience and conviction or instructions from their constituents.
- MPs must always act on the basis of their parties.

- An independent body should determine the salary for MPs. (7)
- A special commission should be set up to determine the salaries for the MPs. (4)
- The constitution should provide that MPs should not receive pension.
- The constitution should not have a provision for a nominated MP. (3)
- The constitution should have a provision for a nominated MP. (5)
- Nomination of MPs should be based on party strength.
- There should be measures put in place deliberately to increase women participation in parliament. (2)
- 50% of nominees in each party must be women.
- 30% of the total parliamentary seats should be set-aside for women to increase their participation in parliament.
- Each district to have a women constituency.
- The constitution should not provide for an affirmative action for women parliamentarians.
- An MP should serve four periods of 5 years.
- The constitution should provide that parliament should appoint executive officers and constitutional office holders.
- The constitution should provide that MPs should serve for a period of not more than five years.
- The constitution should provide that MPs should only serve for two terms.
- MPs term should be 3 terms.
- The constitution should provide for a three-year term for MPs.
- The constitution should provide that MPs should only serve for 6 years.
- Members of parliament should serve for a term of five years. (2)
- The time frame of MPs work should be specified in the constitution.
- There should be rules to govern the conduct of parliamentarians who will want to perpetuate personal interests in the parliament.
- A code of conduct should be introduced to govern the conduct of MP.
- The constitution should provide for a two-year probation period for MPs to monitor their performance.
- The rules to govern parliamentarians should be the parliamentary standing orders.
- The new constitution should provide for a coalition government. (6)
- The dominant party should form the govt.
- We should continue with multi party system in legislature and one party in the executive. (2)
- There should be change to a system that demands multi party representation at both levels.
- There should be two chambers of parliament upper and lower house. (3)
- The constitution should provide establishment of a regional assembly, an upper house and a lower house.
- There should be one chamber of parliament.
- There should be more than one chamber of parliament. (3)
- Parliamentary powers to remove the president through a vote of no confidence are adequate. (3)
- A parliamentary power to remove the president through a vote of no confidence is not adequate.
- President should have power to veto parliamentary legislation. (2)
- President should not have power to veto parliamentary legislation. (2)
- Legislature should not have power to veto the president.

- President should have power to dissolve parliament. (3)
- President should not have power to dissolve parliament. (4)
- The president in consultation with the senate should have power to dissolve parliament.
- We should not stagger parliamentary elections. (4)
- MPs should have constituency office. (4)
- The constitution should provide that parliamentary service commission offices should be set up at the constituency level.

5.3.9 THE EXECUTIVE

- The constitution should specify the qualifications of the president.(2)
- The presidential candidate should be graduate. (2)
- The president should not be a member of any political party.
- The president should be a citizen.
- The president should have no criminal records, good health.
- The president should be registered voter. (2)
- The constitution should provide that a president shall be non-partisan.
- The constitution should provide that a president must be fluent in national languages.
- The presidential candidate must be free of corruption tribalism and nepotism tendencies.
- The president should serve for only two terms.
- The president should serve for a maximum of three terms of 15 years in total.
- Presidential tenure in the office should be 2 terms of 5 years. (6)
- The president tenure should be fixed terms of three years.
- The constitution should provide that the president should serve for 15 years.
- The constitution should provide that the president should serve for only 10 years.
- The constitution should provide that a president shall take office at 45 years and retire at 55 years
- The constitution should provide that a president shall not exceed 70 years while in office.
- The constitution should provide that the provincial administration be abolished.
- The president functions should be specified in the constitution. (2)
- The president should appoint the prime minister.
- The president should appoint cabinet ministers.
- The presidential functions should be defined in the constitution to be mainly executive.
- The constitution should provide that the president should be ceremonial.
- The presidents' power should be limited. (9)
- The president should not be above the law. (3)
- The president should be above the law.
- Presidential powers to appoint constitutional office bearers should be limited.
- The power to grant the prerogative of mercy should not be vested with the president.
- The constitution should provide that a president should have immunity.
- Powers of the president to dismiss ministers and their assistants and other public servants should be streamlined.
- The constitution should provide that a president shall not enjoy judicial immunity while holding office.
- The constitution should debar the president from controlling parliaments calendar.
- There should be a provision for the removal of a sitting president for misconduct while in office. (10)
- The constitution should provide that where a president breaches the constitution he could

be impeached.

- The constitution should provide for a code of conduct for the president
- President should give consent to all legislation.
- Parliament should vet presidential appointees.
- There should be no relationship between the president and parliament.
- The relationship between president and parliament should be cordial. (2)
- The constitution should provide that a president should not be an MP. (6)
- The president should be an MP. (4)
- There is no need for provincial administration. (2)
- The constitution should clearly define the role of the provincial administration.
- The provincial administration should be restructured or eliminated.
- Provincial administration should be abolished and replaced with party leaders. (2)
- There should be smaller efficient provincial administration.
- There should be a mechanism to assess the development progress of each officer of the provincial administration.
- The constitution should provide for chiefs and their assistants to be replaced by clan elders
- Chiefs should be transferred after every five years to enhance efficiency.
- Chiefs should be transferred within their region. (10)
- Chiefs should not be transferred.
- Whenever there is a vacant post of chief it should be advertised so that eligible persons can apply.
- The people should elect chiefs and their assistant directly. (8)
- The constitution should provide for chiefs and their assistants to be elected directly by the people to ensure fairness and good governance.
- Chiefs should be treated like other civil servants.
- The mode of appointment of chief and assistant chiefs should be maintained.
- The position of assistant chief should remove from the provincial administration.
- Chiefs and assistant chiefs should be trained on environmental matters.
- The constitution should provide for chiefs and their assistants to be guaranteed security at all times
- The number of districts in the country should be reduced.
- Chiefs should be 55 years old.
- Chiefs and their assistants should serve for only ten years.
- The constitution should provide for chiefs and their assistants to serve for only 5 year. (2)
- Women should not be appointed as chiefs because they should not wear the crown.
- The constitution should provide that clan elders shall be paid by the government. (6)
- The constitution should provide for clan elders to be allocated homes to serve and any cases not arbitrated over be handled by the assistant chief.
- An independent ministry should be set to deal with environmental issues.
- The constitution should specify the number of ministries and assistant ministers.
- Each ministry should have one minister and one assistant minister.
- The constitution should provide that administrative boundaries shall not be changed without consulting the local people.

5.3.10 **THE JUDICIARY**

- The current judicial structure is not adequate. (2)

- The judiciary should be independent.
- There should be courts in every location.
- Land tribunal should be set a location level.
- A suspect should not be held more than 24 hrs without being charged on the pretext that investigations are being carried out. (2)
- Any person being arrested should be told the reason for the arrest before being hand cuffed.
- The judiciary should be overhauled to return to credibility.
- There should be time limit to be put for both civil and criminal cases handled by magistrates and high court judges after a case has been registered.
- There should be no detention with out trial.
- Court cases should not take more than 2 weeks.
- The constitution should provide for increased efficiency in the Judiciary to reduce the length of time taken by most court cases.
- The constitution should provide for promotion of judges to be on merit
- The constitution should provide for impartiality and independence of judiciary.
- The constitution should provide that judicial officers should be transferred after every 6 months.
- The constitution should provide for establishment of special courts to deal with various religious issues.
- The constitution should provide for reduction in legal fee to bring justice closer to the people.
- The constitution should provide for paralegal services for all accused persons who are unable to secure legal assistance to bring justice closer to the people.
- The constitution should provide for establishment of a supreme court. (9)
- There should be constitutional court. (8)
- Independent body should do appointment of judges and magistrates. (2)
- Judicial service commission should appoint the judicial officers and the appointments vetted by parliament. (2)
- Judicial service commission should appoint the judicial officers.
- Public service commission should do appointment of judges and magistrates.
- The president in conjunction with the judicial service commission should appoint judicial officers.
- Retired judges should not be re appointed to judiciary.
- President should appoint the judicial officers.
- High court judges should have a masters degree in law and 10 years experience.
- Judges should be high court advocates or served as magistrates for over 8 years.
- Judicial officers should be relieved at attaining age 75 years.
- Judicial officers should have security of tenure. (4)
- The judicial service commission should discipline judicial officers.
- Any judge who is found to be corrupt through civil society complaints or otherwise should be removed through an independent tribunal where civil society must be represented.
- Judicial officials should be disciplined through investigation by a special commission.
- Kadhis should be restricted to judicial work only.
- Kadhis should have qualifications just like for other magistrates. (3)
- The judicial service commission should appoint Kadhis.
- The Muslim should appoint Kadhi.

- The jurisdiction of kadhi should be enhanced.
- Kadhis courts should only handle issues of marriage, divorce and succession.
- The constitution should provide for establishment of a Kadhi court of appeal.
- Kadhis courts should have appellate jurisdictions.
- The judicial powers of the state should be vested exclusively on the courts.
- Constitution should ensure that all people have access to courts. (2)
- Once one is arrested there should be mechanisms to ensure they are produced in court immediately.
- The hearing of cases should be expedited. (2)
- All Kenyans should have access to legal aid. (5)
- There should be provision for review of laws made by the legislature.
- There should be a council of elders to handle customary and cultural affairs.
- Chief kadhi should have the same powers as the chief justice.
- The constitution should provide for establishment of Supreme Court and court of appeal to look into constitutional issues.

5.3.11 LOCAL GOVERNMENT

- Mayors and council chairmen should be elected directly by the people. (12)
- Mayors and council chairmen should be elected by councilors.
- Councilors should serve for a term of five years only. (8)
- The current term two-year term for mayors and council chairmen is adequate.
- The constitution should provide that councilors should only serve for two terms.
- The constitution should provide that councilors shall serve for a maximum of 15 years.
- Local authorities should continue being under the central government. (5)
- Councils should be de linked from the central government.
- Councilors should have form 4 education. (11)
- The constitution should provide that councilors should hold an O level certificate with at least a mean grade of D plain.
- Councilors should be KCPE holders. (2)
- Language proficiency test for civic candidates is sufficient. (3)
- Language proficiency test for civic candidates is NOT sufficient. (2)
- Aptitude tests should be included for civic candidates.
- The constitution should provide for all candidates for civic seats to be between 18-55 years.
- The constitution should provide for a code of conduct for civic leaders
- There should be moral and ethical qualifications for civic candidates. (4)
- There should be no moral and ethical qualifications for civic candidates.
- People should have a right to recall their councilor. (5)
- People should have power to recall to recall their non-performing councilors through a petition by 50% of the ward members.
- The constitution should provide that councilors should be paid from the consolidated fund.
- There should be all professionals select body to determine the remuneration of councilors.
- There should be an independent commission to determine the councilors salaries. (2)
- The constitution should provide for Kshs. 20,000 minimum pay for a councilor.
- Remuneration for councilors should be determined by the economic development of wages and the prices commission.
- An independent commission should be formed to look into the wages of councilors. (3)
- The regional assembly should have authority over councilors remuneration.

- The councilors salaries should be at least 1/8 of MPs salaries.
- The concept of nominated councilors should be retained. (4)
- The concept of nominated councilors should be abolished. (2)
- Civic nomination should include a person with disability.
- The local MP should do nomination of councilors.
- Councilors should act on the laid down instructions by the ruling government.
- Councilors in a multiparty state should adopt positive attitudes, support and cooperation.
- The president or the minister for local government should not have powers to dissolve councils.
- The president or the minister for local government should have powers to dissolve councils. (6)
- Public building should be designed in a way that can accommodate the disabled.
- The constitution should provide that local authorities should offer commensurate services for the rates paid by the public.
- The constitution should provide for the poor county councils to be funded by the central government.
- The constitution should provide for better pay among local authority employees.
- The constitution should provide that councilors should be members of the district development committee.

5.3.12 **THE ELECTORAL SYSTEM AND PROCESS**

- There should be mixed electoral system.
- We should practice representative system of election. (4)
- We should retain the simple majority rule as a basis for winning an election. (6)
- The electoral process should be designed in such a way that will ensure women participation.
- The presidential candidate should garner 50% of the total votes to be declared a winner.
- Candidates who fail to seek nomination by one party should not be allowed to cross over to another party and seek nomination. (3)
- Candidates who fail to seek nomination by one party should be allowed to cross over to another party and seek nomination.(2)
- Mps who defect from due parties should go back and seek fresh mandate from the electorate.
- Parties that cross over should be deregistered and all its MPs should seek a new mandate from the new party.
- Defectors should consult with their electorate before defection.
- Parties crossing the floor should first conduct a national executive committee for approval.
- Kenya is a democratic state hence people should be allowed to defect freely.
- The president should garner 65% votes in 5 provinces.
- The president should garner 10% votes in 8 provinces.
- The rule on 25% representation from 5 provinces for presidential elections should be abolished.
- The rule on 25% representation from 5 provinces for presidential elections should be abolished. (3)
- There should be special seats reserved for the people with disability. (2)
- There should be seats reserved for specific special interest groups in parliament. (3)
- Some seats should be reserved for women.

- Seats should be reserved for women in parliament at least thirty seats.
- Two seats should be reserved in parliament one for COTU and another one for church groups.
- The new constitution should do away with current geographical constituency system and adopt a population based one.
- The current geographical constituency system should not be retained.(2)
- Constituencies should be demarcated according to population. (5)
- The number of constituencies should be reduced.
- Constituency and wards should be reviewed to reflect fair population representation.
- Presidential elections should separate from civic and parliamentary elections. (4)
- Presidential elections, civic and parliamentary elections should be held simultaneously. (2)
- Presidential elections should be conducted before civic and parliamentary elections.
- Presidential elections should be done separately.
- Ballot boxes should be transparent.(2)
- A tick should replace the marking of an X on the ballot to mean the person you are electing.
- There should be mobile polling station.
- Voter registration should be continuous.(2)
- Independent candidates should be allowed to contest any seat. (3)
- Both male and female candidates should be given equal access to the media during campaigns.
- The constitution should debar violence during campaigns.
- The constitution should provide for the electoral commission to come up with special symbols to assist the visually impaired to participate fully in elections.
- All Kenyans with IDs should be allowed to vote.
- The constitution should provide that the queue system of voting should be stopped.
- The constitution should provide for the electoral commission to disseminate material on women leadership.
- There should be guideline on expenditure by different categories of candidates.
- There should be no limitation of expenditure by candidates.
- There should be limitation of expenditure by candidates.
- Election date should be specified by the constitution. (5)
- Election date should not be specified by the constitution.
- An electoral college should undertake presidential election. (2)
- The people should elect the president. (5)
- The next general election should proceed without being tied to the constitution.
- The constitution should provide for the independence of the ECK to ensure free and fair elections.
- The electoral commission of Kenya should be fully empowered to discipline election offenders.
- The constitution should provide that the electoral commission should be independent.
- The electoral commissioners should be citizens of Kenya, above 30 years
- ECK commissioners should be university graduates in law. (2)
- ECK commissioners should be university graduates in law, political science or religion.
- The government should appoint the ECK commissioners.
- The public service commission should appoint the electoral commissioners.
- Parliament commission should appoint electoral commissioners.
- The president in consultation with the parliament should appoint electoral commissioners.

- Electoral commissioners should retire after elections.
- Electoral commission of Kenya should have security of tenure. (5)
- Electoral commissioners should be given 2 terms of 5 years each.
- Electoral commissioners should retire from office 6 months after the elections of their second term.
- Commissioners should be removed from office only after two terms.
- The government should fund the electoral commission of Kenya. (5)
- Electoral commission should be funded from the consolidated fund. (2)
- Electoral commissioners should be 42 in number.
- Electoral commissioners should be 10 in number.
- The electoral commissioners are too many they should be reduced.
- Ballots should be counted at the polling station. (3)
- The district electoral coordinators should be permanent employees of the electoral commission of Kenya

5.3.13 **BASIC RIGHTS**

- Constitutional provisions for fundamental rights are inadequate. (2)
- New constitution should provide for social, economic and cultural rights.
- Freedom of worship should be entrenched in the constitution.(2)
- Other rights should be entrenched into the constitution include social rights, cultural right, employment rights.
- Kenyans should be given a copy of the new constitution free of charge.
- The death penalty should be abolished. (5)
- The death penalty should NOT be abolished.
- The constitution should protect security, health care, water, education shelter, food and employment as basic rights for all Kenyans. (7)
- The parliament should be responsible for ensuring enjoyment of basic rights for all Kenyans.
- One man should have one job.
- The constitution should guarantee security for all Kenyans. (4)
- We should have free medical care for all. (12)
- The constitution should guarantee clean water for all Kenyans. (3)
- Education should be made free of charge for all Kenyans. (8)
- The constitution should guarantee good shelter for all Kenyans.
- The government should guarantee food security for all Kenyans.
- The government should give allowances to the unemployed every month.
- The constitution should provide for welfare benefits for poor and unemployed.
- The constitution should provide for the government to subsidize cost of food in hardship areas.
- Employment opportunities should be given equally to men and women.(2)
- The constitution should provide that the government should employ all college and university graduates.
- The government should guarantee job opportunities to the youth.
- The principle of one-man one job should be adopted.(3)
- The retirement age in the public service should be extended to lie between 60 and 70 years.
- Retirement age should be increased to 60 years.

- Retirees should not be re employed.
- The constitution should guarantee employment for all qualified Kenyans.
- There should be no retrenchment of employees.
- The government should ensure that all Kenyan within working age are employed.
- The payment of pension benefit should be expedited immediately after the retirement
- Retirees should be paid their dues on time. (4)
- As salaries are increased the pensions should be increased. (3)
- The unemployed people should be paid an allowance for their welfare. (2)
- The constitution should make sure that the welfare of the retirees is fully taken care of.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide that ID cards and passports to be issued simultaneously at birth
- The constitution should provide for freedom of worship.
- The constitution should provide for free health care
- The constitution should provide for free education from nursery to university level. (9)
- Primary education should be made free of charge and compulsory. (5)
- The constitution should provide for free and compulsory education up to secondary school. (9)
- Kenyans should have access to information in the hands of the state and other agencies. (4)
- Civic education should be a continuous process.
- Kenyans should have access to information in the hands of state except those that may expose the security of the country to danger.
- All Kenyans should have the right to constitution, copies to census reports, distribution of population and market statistics.
- The constitution should provide for all findings to commissions of inquiry to be made known to the public.
- The constitution should provide for civic education to be offered in schools.
- Constitution should be written in a simple language that is easy to understand.
- The national broadcaster should broadcast all parliamentary debates live.
- The constitution should guarantee all workers a right to trade union representation. (4)
- The constitution should guarantee all workers a right to trade union representation except civil servants who are managers.
- Constitution should guarantee the right to rehabilitation of the elderly.

5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- Rights of women are not fully guaranteed in the constitution. (4)
- The constitution should provide for girls to inherit land from their fathers
- The constitution should not provide for girls to inherit land from their fathers.
- Women should be encouraged to join the armed forces.
- The disabled should not be discriminated against in the society. (5)
- The government should provide monthly allowance to the disabled.
- People with disabilities should be given a chance when it comes to employment.(2)
- The disabled should be given assistance from the government in terms of education.(2)
- There should be a ministry for people with disabilities.
- A person with disability should head all organization that represents people with disabilities.
- The constitution should provide for the physically impaired be give priority in employment.
- The constitution should address issues of employment quotas for the disabled in all areas.
- People with disabilities have been discriminated and their interests not taken care of.
- The constitution should provide for special currency identification for the blind.
- The constitution should provide for the government provide welfare for the disabled persons.
- The constitution should provide for special P.S.V vehicles for the disabled.
- The constitution should provide for medical care for the disabled.
- The constitution should protect the rights of children with respect to child abuse, child labor, and health.
- The current children's bill should be entrenched in the constitution.(2)
- Constitution should ensure that girl child rights are well guaranteed.
- The constitution should provide that early marriages should be outlawed.
- Street children should be put in institutions where they can be taken care of.
- The constitution should provide that the government should educate street children.
- The constitution should provide for setting up a fund for street children by the government.
- The constitution should provide for the government to establish schools for the orphans.
- The constitution should provide for affirmative action in favour of orphans, widows and widowers
- Minority tribes, youth groups and the old aged should be considered vulnerable because they are discriminated against and marginalized.
- Constitution should adopt affirmative action in favor of women and other vulnerable groups and ensure 30% of them are represented everywhere.
- The constitution should provide for the government to set up welfare homes for the elderly.
- The constitution should provide that the government should provide old age benefits in terms of food, shelter and medication.
- There should be affirmative action for women and other vulnerable groups.(2)
- If the president is a man the vice president should be a woman and vice versa. (2)
- All police cells should be modernized. (2)
- The constitution should guarantee prisoners basic

5.3.15 **LAND AND PROPERTY RIGHTS**

- The government should have ultimate land ownership. (5)
- Individuals should have ultimate land ownership rights. (3)
- Government should have power to acquire private land and all such compensated. (4)
- The government, state or local authority should not control use of land by owners or occupiers.
- The government, state or local authority should control use of land by owners or occupiers.
- All idle land should be leased to companies by paying 20% lease money to the owner and 80% to go to a consolidated fund.
- The constitution should provide that idle should be highly taxed.
- Succession cases should be expedited.
- The current process and procedure of land transfer is very cumbersome.
- Power vested on the president and commissioner of lands should transfer to a constitutionally set up office. This office should be called the Land Control Authority whose head must have security of tenure.
- Title deeds should be issued to all lands.
- Land transfer charges should be reduced.
- Land disputes should be left to be solved by elders at the community level. (2)
- The land board members should be elected from the location level and should be inclusive of local elders who know the boundaries well and whose chairman should be the D.O.
- The constitution should provide for the local people to appoint members of the land board.
- The constitution should clearly state the ceiling for land ownership. (2)
- The constitution should provide for a ceiling of land ownership to be 100 acres.
- Maximum land to be owned by an individual should be 50 acres.
- Maximum land to be owned by an individual should be 40 acres.
- Non-citizens should not own land in Kenya. (3)
- Non-citizens should not only lease it.
- Local land boards and provincial administrators only make procedures for land acquisition difficult. it should be simplified.
- Both men and women should have equal access to land ownership. (5)
- Daughters should inherit the land of their deceased fathers.
- The land title deeds should bear the names of the husband and wife.
- Pre independent land treaties and agreements should be abolished because they undermined unity among communities. (2)
- Kenyans should own land anywhere without restrictions. (4)
- The constitution should guarantee access to land for every Kenyan. (6)
- The trust land act should be specific on which land belongs o the government.
- The constitution should provide for clan elders to handle all land cases.
- The constitution should provide that chiefs shall not be allowed to handle land cases
- The constitution should provide for all land owners to be issued with title deeds
- The constitution should provide for all land transfers to be done at chiefs offices with the consultation of clan elders
- The constitution should provide for squatters to be settled on foreigners land
- The constitution should provide that land title deeds should be issued free of charge.
- The constitution should provide for the government to resettle the landless Kenyans.
- The constitution should provide that all family members must be involved in any binding land transaction.
- The constitution should provide for women to inherit land from relatives.

- **Kenya's cultural and ethical diversity contributes to a national culture. (3)**
- **Kenya's cultural and ethical diversity does not contribute to a national culture.**
- **Cultural practices as obtains the issue of equality should be observed.**
- **Constitution should promote our cultural and ethical diversity.**
- **Some cultural and ethnic diversity like payment of dowry and intermarriages should be protected and promoted in the constitution.**
- **Cultural diversity need not be protected by the constitution.**
- **The constitution should provide for the preservation of cultural beliefs and customs.**
- **Wife inheritance should be legalized so as to control freelance casual sex by widows.**
- **Cultural values like traditional dances, circumcision and marriages should be captured in the constitution.**
- **Cultural values that need to be captured in the constitution are intertribal cooperation and unity in times of adversity.**
- The constitution should provide for recognition and respect for all ethnic tribes and cultures in Kenya
- **The diversity in unity of the people of Kenya should be promoted in the constitution.**
- **All retrogressive cultures should be discarded to create room for national cohesion. (2)**
- **Wife inheritance should be outlawed. (4)**
- The constitution should provide for the discontinuation of female circumcision.
- The constitution should provide that wife beating should be outlawed.
- The constitution should debar the polygamy in marriage in the country.
- **English and Kiswahili should be the national language. (2)**
- **There should be only one national language to promote unity i.e. English.**
- **The constitution should recognize and promote indigenous languages. (3)**
- The constitution should provide for promotion of a national dress, and language to promote national unity.

MANAGEMENT AND USE OF NATIONAL RESOURCES

- Executive should not retain powers to raise and distribute financial resources but rather entrust all natural resources with the people.(2)
- The executive should retain powers to raise and distribute financial resources and management of human resources.
- Parliament should retain the power to authorize the raising and appropriation of public finances.(3)
- Tax collection methods should be improved.
- Loopholes for tax evasion should be sealed.
- Apart from taxation, public finance should be raised through profits from the investors.
- National resources should be distributed equally within the republic. (5)

- Government should apportion benefits from resources between the central government and the communities where such resources are found.
- Local resources should benefit the local communities first and only a portion should go to the central government.
- 75% of the proceeds from the national resources should remain with the local authorities and only 25% should go to the central government.
- Controller and auditor general position should be independent.
- The controller and auditor general should have security of tenure. (2)
- The controller and auditor general should have powers to prosecute those who misuse public funds. (2)
- Controller and auditor general should be appointed by the public service commission and approved by parliament.
- The government in consultation with parliament should appoint the auditor and controller general.
- The head of state should be empowered to appoint the Auditor and controller general.
- Parliament should ensure public the public get quarterly financial a reports against expected expenditure.
- Misappropriation cases should be dealt with immediately.
- DDC approved projects should go to parliament for approval and money allocated.
- Ministers should be appointed to their relevant professions.(3)
- Cabinet ministers should not necessarily be MPs.
- Employment in the public service should depend entirely depend on the qualification of candidates.
- Working conditions to be improved so as to attract competent Kenyans in to civil service. (2)
- A parliamentary select body should appoint public service commission members.
- The president should appoint members of the public service commission.
- Parliament should appoint members of the PSC.
- There should be a code of ethics for public office holders. (7)
- Public officers should be required to declare their assets. (6)
- President should declare his wealth before being sworn in.

5.3.18

ENVIRONMENTAL AND NATURAL RESOURCES

- The government should discourage deforestation.
- Green house effect should also be included in the constitution.
- Parliament should have the powers to enforce laws on the protection of the environment.
- The community should own natural resources. (3)
- Local community should conserve the environment.
- Forests should be protected under the constitution. (2)
- Water bodies, forests, rangelands, minerals and wildlife should be protected by the constitution.
- All natural resources should be protected by the constitution. (2)
- The constitution should provide that the government should hold the wetlands in trust to ensure their protection.
- The constitution should provide that provincial administration shall be trained on environmental issues.
- The constitution should provide the state should own about 200 meters around the

riverbank for environmental conservation.

- The constitution should provide for enactment of a law against deforestation.
- The constitution should provide that areas around riverbanks should be gazetted.
- The constitution should provide for establishment of a forest security department to oversee forest management and avoid destruction
- There should be a natural resources commission to deal with the management and protection of natural resources.
- Existence of all land in which national resources exist shall be done away with only with approval of the parliament and the local authority concerned.

5.3.19 **PARTICIPATORY GOVERNANCE**

- The constitution should provide for the participation of NGO's, religious groups, trade unions, in governance. (3)
- State should regulate the conduct of the civil society.
- Constitution should ensure freedom of press.
- Women should be nominated to councils and parliament so as to ensure their maximum participation in governance.
- The youth should also be given the chance to participate fully in the government.
- The constitution should provide for civic education to be adequately provided to all citizens to promote their participation in governance.

5.3.20 **INTERNATIONAL RELATIONS**

- Parliamentary should be involved in the conduct of foreign affairs.
- Parliament should play a supervisory role in the conduct of foreign affairs.
- International treaties and conventions should have effect on domestic law on approval by parliament.
- Signing of international treaties should be followed by an action set on such an agreement.

5.3.21 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- We need constitutional commissions, institutions and offices. (2)
- There should be an office of the ombudsman. (5)
- The constitution should provide for an office of the ombudsman to check abuse of power and corruption.
- The constitution should provide for an office of the ombudsman to listen to the grievances of the people
- There should be human rights commission. (3)
- There should be a gender commission.
- There should be salaries, pensions and commissions.
- There should be an anti corruption commission.(3)
- There should be a land commission.
- There should be a resources monitoring authority as a constitutional office.
- Commissions such as salaries and allowance commission, retirees and pension commission should be formed.
- There should be a local authority commission to deal with appointment of chief officers and regulate council workers salaries.

- A commission should be formed to investigate the traffic policemen.
- All commissions should make their findings public once they finish their work.
- There is need for a minister of justice as distinct from the AG.
- The constitution should provide for establishment of civil service commission, police service, and army service as well as land commissions.
- The constitution should provide for establishment of a gender balanced land commission.
- The constitution should provide for a permanent Constitutional Review Committee to make laws, repeal laws and amend them
- The Constitution of Kenya Review Committee should be entrenched in the constitution
- The constitution should provide for all non-performing commissions of inquiry to be banned
- The constitution should provide for establishment of a commission to determine salary of MPs
- The constitution should provide for a creation of a ministry of justice independent of the office of the Attorney General.
- The constitution should provide for the entrenchment of the CKRC in the new constitution to facilitate a review after every 20 years

5.3.22

SUCCESSION AND TRANSFER OF POWER

- Religious leaders should be in charge of executive powers during presidential elections.
- The electoral commission of Kenya chairman should declare presidential elections results.
- The chief justice should swear in the incoming president.
- Instruments of power should be transferred to the incoming president after he is sworn in.
- The winner in a presidential election should assume office as soon as he is declared winner.
- Constitution should make provision for a former president in terms of security.
- A retired president should be given a warm send off with security.
- The constitution should make provision for a former president in terms of welfare.(4)
- The retired president should be given a family insurance of 15 million shillings.
- Constitution should make provision for the former president in terms of immunity from legal process
- The constitution should provide for the president's office to be left vacant during any transitional period
- The constitution should provide for the outgoing president to be given retirement benefits and allowances

5.3.23

WOMEN'S RIGHTS

- Women's rights should be constitutionalised.
- Women should have a right to own property. (3)
- Widows should have automatic beneficiaries to the estates of the deceased.
- Only men should have the right to inherit ancestral land.
- Payment of dowry should be abolished. (3)
- In cases of separation and divorce cases the custody of children should be given to both parent.(2)
- Under age marriages should be abolished.

- There should be marriage laws who should state that men marry at the age of 28-30 years after completing form four and females should not marry below the age of 25.
- We should harmonize marriage laws such that there are no come we stay marriages.
- Fathers should be compelled to ensure women of child support and maintenance.
- The 8-4-4 system of education change to 8-4-2-3 and equip public schools.
- Domestic violence should be outlawed under the constitution.
- Prohibition of domestic violence should be consitutionalised.
- Women should get ID cards after marriage.
- The constitution should provide for matrimonial property to be divided equally upon divorce.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for a compulsory medical test for a deceased spouse before one can remarry.
- Women who want to insert their husbands names in the IDs should be left to do so without many conditions

5.3.24 **REGIONAL POLICY.**

- The economic reforms should be given priority.

5.3.25 **NATIONAL ECONOMIC POLICY**

- The government should revive price controls methods. (4)
- A special department be set up to deal with poverty.
- We should have available accessible road network countrywide.
- The government should provide transport facilities in rural areas.
- Government should provide adequate physical and social infrastucture.

5.3.26 **NATIONAL OTHER POLICY.**

- There should be special measures to take care of people living with HIV/AIDS and AIDS orphans.
- To curb HIV /AIDS spread wife inheritance should be stopped.
- There should be a law punishing people who deliberately infect others with HIV/AIDS.
- AIDS related deaths should be made public.
- Policemen should not harass citizens unnecessarily.
- Police should be deterred from harassing the public.
- Corrupt officers should be prosecuted.
- Anti corruption determent should be established under the constitution.
- Corruption in the police service should be given priority in eradication.
- Salaries of public officers should be revised upwards to curb corruption.
- Corruption and related crimes should carry stiff penalties.
- Corruption offenders should be jailed for ten years.
- Family planning should be discouraged.

5.3.27 **SECTORAL POLICY**

- There should be a policy to compel people to grow specific agricultural crops pertaining to

specific regions.

- Agricultural sector should be promoted by provision of storage facilities.
- The government should incorporate principles aimed at promoting agriculture.
- Large water bodies like lake Victoria should be utilized by irrigation to boost the agricultural sector.
- Agricultural sector should be revived.
- The constitution should provide for the sugar industry to be strengthened to benefit sugarcane farmers
- The constitution should provide for the sugarcane farmers to be paid yearly
- The constitution should provide for agricultural implements and machinery to be exempted from taxation
- The constitution should provide that the government shall provide credit facilities to peasant farmers.
- The constitution should provide for improvement in the communication network throughout the country.
- The constitution should provide for decentralization of industries to ensure that local people benefit from local resources.
- The government should put in place measures aimed at the decentralization.
- A family that has more than 4 children in secondary schools should receive free education for the remaining children.
- The government should replace 8-4-4 system with 7-4-2-3 system. (4)
- Teacher should be amenable to transfer to any part of the country.
- Continuous learning through distance learning and keeping of failed subjects without repeating all should be introduced.
- Bright students should be given bursaries to enable them complete their studies.
- There should be no categorization of schools as national, provincial and district schools as low and high cost schools.
- Pupils and students should be disciplined by slight canning.
- Corporal punishment should continue in schools.
- Civic education should be entrenched in the school curriculum. (2)
- Teacher training colleges should be free of charge.
- Students with disabilities should be granted bursaries and scholarships to help them further their education.
- The new constitution should be taught in schools.
- There should be adequate supply of school equipment in all schools.
- Primary schools should ensure adequate staffing in schools.
- Teachers should be posted to schools within their locations.
- University education should only take 2 years.
- The constitution should provide that the government shall avail loans to all university students
- The constitution should ban parallel degree programs in the country as they are weakening the system of education in the country
- The constitution should provide for private universities to be closely monitored by the ministry of education to ensure that they provide good quality standards of education.
- The constitution should provide for decentralization of Universities to make university education accessible to all.
- The constitution should provide for equal distribution of national schools in the country.
- The constitution should provide for each school to have a manageable teacher-pupil ratio

- Taxation in Kenya should be revised down wards.
- The budgetary allocation for each year should surpass other secondary needs e.g. there is no need of insisting that agriculture is the backbone of the economy while that is not reflected in the budget.
- Persons with disabilities should be exempted from taxation.
- Our currency should portray the former president not the current president.
- Our currency should not portray the portrait of the president.
- The cost sharing system in government should be retained in government hospitals.
- Medical training should be free of charge.
- The constitution should debar doctors in public hospitals from running their own clinics
- Government should provide the necessary logistics to traditional birth attendant to curb infant mortality.
- Hospitals should be well staffed and equipped.
- People with disabilities should be given free medical care.
- Orthopedic appliances should be free of charge.
- Private chemists and pharmacies should be closed down.
- Government mortuaries should be free of charge.
- Women should be supported in starting small-scale business.
- Lawyers should not involve themselves in accident cases it should be left to the police and the doctors.
- Public transport should be designed to well accommodate people with disabilities without much assistance.
- Public service drivers should be punished for overloading.
- The head of Kenya wildlife services should be a professional with tenure of office to avoid intrigues and contradictions in its management. (2)
- Wildlife policies should be sensitive to the people around the parks and appropriate compensation made.(2)

5.3.28

STATUTORY LAW

- Traditional brew should be legalized. (4)
- The constitution should provide that traditional liquor should be licensed.
- The constitution should provide for *Changaa* to be banned but for *Busaa* to be legalized
- The constitution should provide for the establishment of big breweries to brew and export *Changaa*
- Traditional liquor act should be instructed with stringent limitations.
- Rape is mental murder thus rapists should be treated as murderers.
- Rapists should be jailed for life.
- There should be no detention without trial.
- Succession fees should be waived to enable inheritants continue with any meaningful development.
- The sentence for robbery with violence should be death.
- Those who are wealthy should assist the les fortunate in our society.
- The constitution should ban all nightclubs and lodgings to curb the spread of AIDS
- The constitution should include cohesive matrimonial rights to protect the family institution
- The constitution should provide that no person shall have more than one job.
- The constitution should provide that the retirement age should be 60 years for men and

45 for women.

- The constitution should not provide for retirees to be re-employed elsewhere in order to create jobs for the youth

5.3.29

GENDER EQUITY.

- Constitution should guarantee equity between men and women in all aspects.
- There should be gender equity in all spheres of life.
- The constitution should address gender issue especially discrimination against women.

5.3.30

NATURAL JUSTICE /RULE OF LAW.

- **Constitution should provide for equality of all citizens before the law.**

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|---------------------------|----------|
| 1. Hon Joshua Orwa Ojodeh | MP |
| 2. Maurice Odawo Onduru | DC |
| 3. Philemon Mangla | Chairman |
| 4. Joram Lwambe Okola | |
| 5. Christopher Ouma Airo | |
| 6. Johnson Ndege | |
| 7. Mrs. Margaret Adhiambo | |
| 8. Mrs. Francisca Otete | |
| 9. Mrs. Grace Orowe | |
| 10. Samuel Onyango Okello | |

Appendix 2: Civic education providers (CEPs)

1. Mabati Mbili Women
2. Konyango P H.C B Development Project
3. Porkon Youth Development Project
4. CES-development
5. Anglican Church of Kenya
6. Association of Local Government Associations in Kenya
7. Catholic Justice and Peace Commission
8. Lake Victoria Human Resource Institute
9. Inter Diocesan Christian Community Services
10. Maendeleo Ya Wanawake
11. Nyoniaka Youth Group
12. Extra Communications
13. Hotusa
14. Pro-wed
15. Kobaina Apostolic Women Group
16. Mades Marsh development support group
17. Gambi Women group

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

1	0015OHNNY	David Otieno Onyango.	CBO	Written	Fweny Women Group
2	0011OHNNY	Jeremiah Omogi	CBO	Written	Group for the Blind
3	0010OHNNY	Johnson Ndege	CBO	Written	Ndhiwa Persons with Disabilities
4	0017OHNNY	Joseph N. Onjiko.	CBO	Memorandum	C-PACED Kenya.
5	0009OHNNY	Joseph Otieno	CBO	Written	Kirindo Women Group
6	0006OHNNY	Maurice Ojala	CBO	Written	Kojala Women Group
7	0013OHNNY	Mr. Opande.	CBO	Written	SONBO Organization.
8	0019OHNNY	Nyaniala Youth	CBO	Written	Nyaniala Youth Group
9	0016OHNNY	Opendah Eric.	CBO	Written	Mabati Mbili Women Group.
10	0005OHNNY	Peter Elkana Agola.	CBO	Written	Kanyikela Group
11	0008OHNNY	Samwel Adero.	CBO	Written	Achego Water Project
12	0018IHNNY	Achieng' Jeska.	Individual	Oral - Public he	
13	0070IHNNY	Adan Noor Hassan.	Individual	Oral - Public he	
14	0040IHNNY	Alfred Omollo	Individual	Oral - Public he	
15	0034IHNNY	Alfred Onyango.	Individual	Written	
16	00107IHNNY	Aloyce Otieno	Individual	Oral - Public he	
17	0017IHNNY	Amollo William Mbuni.	Individual	Written	
18	00109IHNNY	Anditi George	Individual	Oral - Public he	
19	0005IHNNY	Andrew Juma Asiago.	Individual	Written	
20	0092IHNNY	Andrew Odongo Opiyo.	Individual	Oral - Public he	
21	0010IHNNY	Bartholomew Atang'a Bon	Individual	Written	
22	00113IHNNY	Ben Ochieng'.	Individual	Oral - Public he	
23	0098IHNNY	Benjamin Okwaro	Individual	Oral - Public he	
24	0068IHNNY	Bishop Samwel Owuor.	Individual	Oral - Public he	
25	00102IHNNY	Bora Alexis Ojwang'.	Individual	Oral - Public he	
26	0037ihnnny	Borah Borah	Individual	Written	
27	0004IHNNY	Brian Odongo	Individual	Written	
28	00103IHNNY	C. Nundu Ojunge	Individual	Oral - Public he	
29	0028IHNNY	Caleb O. Agolla	Individual	Written	
30	0041IHNNY	Casenus Ogada	Individual	Oral - Public he	
31	00111IHNNY	Charles Ngongo	Individual	Oral - Public he	
32	0024IHNNY	Charles Obunga	Individual	Written	
33	0019IHNNY	Christopher Ouma Airo.	Individual	Written	
34	0073IHNNY	Cllr. Akach Wagunda.	Individual	Oral - Public he	
35	0069IHNNY	Cllr. Joshua Ogola Okum	Individual	Oral - Public he	
36	0031IHNNY	Cllr. Meshack Okeyo Ame	Individual	Written	
37	0091IHNNY	Collins Omondi Jaimbo.	Individual	Oral - Public he	
38	0045IHNNY	Cosmas Nyayal	Individual	Oral - Public he	
39	0055IHNNY	Dancun Atitto Opoko.	Individual	Oral - Public he	
40	0057IHNNY	David Orwai Rabala.	Individual	Oral - Public he	

41	0148IHNNY	David Ramogi Oyayo.	Individual	Oral - Public he	
42	0049IHNNY	Dickson Ongondo Muya.	Individual	Oral - Public he	
43	0085IHNNY	Dominic A. Gogo	Individual	Oral - Public he	
44	0142IHNNY	Domnic O. Apiyo K. T.	Individual	Oral - Public he	
45	0087IHNNY	Domnicus Roche Oswago.	Individual	Oral - Public he	
46	0119IHNNY	Edna Akoth	Individual	Oral - Public he	
47	0051IHNNY	Elisha Akech Chieng'.	Individual	Oral - Public he	
48	0130IHNNY	Emanuel Mark Anyango.	Individual	Oral - Public he	
49	0095IHNNY	Emily Atieno Otieno.	Individual	Oral - Public he	
50	0145IHNNY	Enos Ndago	Individual	Oral - Public he	
51	0071IHNNY	Ernest Bee Bwana.	Individual	Oral - Public he	
52	0076IHNNY	Esther Auma Aete	Individual	Oral - Public he	
53	0096IHNNY	Florence A. Okuthe.	Individual	Oral - Public he	
54	0097IHNNY	Florence Ngeso Oyoo.	Individual	Oral - Public he	
55	0060IHNNY	Francis Jakojwan.	Individual	Oral - Public he	
56	0039IHNNy	Francis Karanga Ochola.	Individual	Oral - Public he	
57	0083IHNNY	Fred Aringa	Individual	Oral - Public he	
58	0080IHNNY	Gabriel Osomo Ogutu.	Individual	Oral - Public he	
59	0065IHNNY	George King'ong'o	Individual	Oral - Public he	
60	0052IHNNY	Gideon Oyugi Otieno.	Individual	Oral - Public he	
61	0106IHNNY	Grace A. Onjwayo.	Individual	Oral - Public he	
62	0014IHNNY	Grace Hanna Orata.	Individual	Written	
63	0072IHNNY	Grace Oduogi	Individual	Oral - Public he	
64	0081IHNNY	Grace Orowe	Individual	Oral - Public he	
65	0029IHNNY	Isaiah W. Ope.	Individual	Written	
66	0021IHNNY	Isaya Ogina Abong'o.	Individual	Written	
67	0084IHNNY	Jack Owuor Aluodo.	Individual	Oral - Public he	
68	0110IHNNY	Jackline Mwonya	Individual	Oral - Public he	
69	0147IHNNY	James Asudi	Individual	Oral - Public he	
70	0077IHNNY	James Omollo	Individual	Oral - Public he	
71	0116IHNNY	Japheth Onono	Individual	Oral - Public he	
72	0128IHNNY	Jared Odero	Individual	Oral - Public he	
73	0044IHNNY	Johanna Apiyo	Individual	Oral - Public he	
74	0104IHNNY	John Adero Kuri	Individual	Oral - Public he	
75	0120IHNNY	John Ayieko	Individual	Oral - Public he	
76	0079IHNNY	John Nyawara Okumu.	Individual	Oral - Public he	
77	0011IHNNY	John Obunga Ndiege.	Individual	Memorandum	
78	0050IHNNY	John Obunga Ndiege.	Individual	Oral - Public he	
79	0146IHNNY	John Ochuka	Individual	Oral - Public he	
80	0112IHNNY	John Ojwang'.	Individual	Oral - Public he	
81	0064IHNNY	John Otuoro Kitagre.	Individual	Oral - Public he	
82	0063IHNNY	Johnson F. Agunga.	Individual	Oral - Public he	
83	0013IHNNY	Johnson Ogeda Ochoo.	Individual	Written	

84	0115IHNNY	Johnson Ojero Owiti.	Individual	Oral - Public he	
85	0002IHNNY	Joram Okola Orwe	Individual	Written	
86	0141IHNNY	Joseph Apiyo Ongoro.	Individual	Oral - Public he	
87	0131IHNNY	Joseph N. Onjiko	Individual	Oral - Public he	
88	0124IHNNY	Joseph Othina	Individual	Oral - Public he	
89	0061IHNNY	Josepher Akinyi Amek.	Individual	Oral - Public he	
90	0149IHNNY	Joshua Okeyo	Individual	Oral - Public he	
91	0125IHNNY	Joshuah Nguka	Individual	Oral - Public he	
92	0101IHNNY	Judith A. Seje	Individual	Oral - Public he	
93	0143IHNNY	Kenneddy Ouma	Individual	Oral - Public he	
94	0134IHNNY	Kennedy Ochogo	Individual	Oral - Public he	
95	0126IHNNY	Kennedy Osiko	Individual	Oral - Public he	
96	0059IHNNY	Ladislaus O. Otwande.	Individual	Oral - Public he	
97	0056IHNNY	Ladislaus Otieno	Individual	Oral - Public he	
98	0108IHNNY	Lauren Achieng'.	Individual	Oral - Public he	
99	0054IHNNY	Lucas Ojuang' Ododa.	Individual	Oral - Public he	
100	0150IHNNY	Lukioh Thompson	Individual	Oral - Public he	
101	0047IHNNY	Manoah Otieno Dibogo.	Individual	Oral - Public he	
102	0138IHNNY	Mark Ochola Were.	Individual	Oral - Public he	
103	0151IHNNY	Mark Onyango	Individual	Oral - Public he	
104	0007IHNNY	Martin Awende Omboroh.	Individual	Written	
105	0093IHNNY	Mary Auma Ooko	Individual	Oral - Public he	
106	0001IHNNY	Maurice D. Nyamgatta.	Individual	Written	
107	0089IHNNY	Maurice Odoro	Individual	Oral - Public he	
108	0094IHNNY	Millicent Akinyi	Individual	Oral - Public he	
109	0018IHNNY	Miltone Orwe	Individual	Written	
110	0046IHNNY	Miss Marciana Achieng'.	Individual	Oral - Public he	
111	0058IHNNY	Moses Oloo Onyango.	Individual	Oral - Public he	
112	0032IHNNY	Noah Oguta Matoro.	Individual	Written	
113	0100IHNNY	Norbert A. Okeyo Adoyo.	Individual	Oral - Public he	
114	0139IHNNY	Odera Opiyo	Individual	Oral - Public he	
115	0140IHNNY	Odundo Francis	Individual	Oral - Public he	
116	0088IHNNY	Okombo N. Nelson.	Individual	Oral - Public he	
117	0067IHNNY	Omomdi A. Lwal.	Individual	Oral - Public he	
118	0053IHNNY	Ongwenya Ochok	Individual	Oral - Public he	
119	0012IHNNY	Origa Opiya	Individual	Written	
120	0121IHNNY	Oteko O. Philip	Individual	Oral - Public he	
121	0086IHNNY	Otieno Nyandegge	Individual	Oral - Public he	
122	0135IHNNY	Owuor Onyango	Individual	Oral - Public he	
123	0144IHNNY	Pascalina Ochieng'.	Individual	Oral - Public he	
124	0026IHNNY	Pastor Moses Oloo Onyan	Individual	Written	
125	0099IHNNY	Patrick Lumumba Ouma.	Individual	Oral - Public he	
126	0022IHNNY	Patrick Ogweni Ochok.	Individual	Written	
127	0027IHNNY	Paul Ogango Gillo.	Individual	Written	
128	0133IHNNY	Perepetua Owedi	Individual	Oral - Public he	

129	0038IHNNY	Peter Mogo Odoro.	Individual	Written	
130	0153IHNNY	Peter Mogo Odoro.	Individual	Written	
131	0129IHNNY	Peter Odenyo	Individual	Oral - Public he	
132	0035IHNNY	Peter Odhiambo.	Individual	Written	
133	0132IHNNY	Peter Opondo	Individual	Oral - Public he	
134	0030IHNNY	Philip Okello Ombay.	Individual	Written	
135	0036IHNNY	Philip Okuthe.	Individual	Written	
136	0136IHNNY	R. M. Adhiambo Ogada.	Individual	Oral - Public he	
137	0123IHNNY	Raphael Reja	Individual	Oral - Public he	
138	0122IHNNY	Reuben Obonyo	Individual	Oral - Public he	
139	0066IHNNY	Reuben Otieno Muga.	Individual	Oral - Public he	
140	0023IHNNY	Rev. John Odanga.	Individual	Written	
141	0105IHNNY	Richard Okello Masogo.	Individual	Oral - Public he	
142	0075IHNNY	Rose Achieng' Arina.	Individual	Oral - Public he	
143	0117IHNNY	Salmon Auko	Individual	Oral - Public he	
144	0043IHNNY	Shadrack Awour	Individual	Oral - Public he	
145	0137IHNNY	Shelena N. Ogolla.	Individual	Oral - Public he	
146	0152IHNNY	Sila Mirego Achieng'.	Individual	Oral - Public he	
147	0048IHNNY	Sylvester Apacho Akoo.	Individual	Oral - Public he	
148	0006IHNNY	Stephen Gumbo Alex.	Individual	Written	
149	0078IHNNY	Susan A. Owino	Individual	Oral - Public he	
150	0016IHNNY	Thomas Otieno Mbewa.	Individual	E-mail	
151	0033IHNNY	Tukiko Kihiri Matoro.	Individual	Written	
152	0127IHNNY	Vincent Ogumbo	Individual	Oral - Public he	
153	0062IHNNY	Vitalis Ogutu Aroka.	Individual	Oral - Public he	
154	0082IHNNY	Vitalis Oloo Okelo	Individual	Oral - Public he	
155	0003IHNNY	Walter Obadha Odeny.	Individual	Written	
156	0114IHNNY	Walter Obondo	Individual	Oral - Public he	
157	0042IHNNY	Wilfrida Odira	Individual	Oral - Public he	
158	0074IHNNY	William Akal	Individual	Oral - Public he	
159	0090IHNNY	Z. O. Makolwal	Individual	Oral - Public he	
160	0015IHNNY	Zadock Obuya Oringo.	Individual	Written	
161	0003OHNNY	Jane Were Anyango.	NGO	Written	Kenya Women Political Caucus
162	0018OHNNY	Carolly Okeyo.	Other Institutions	Written	Freelance Journalists.
163	0004OHNNY	James Ouma Mboga	Other Institutions	Written	Residents of Kabura South.
164	0002OHNNY	William Ogola Odoyo.	Other Institutions	Written	Teachers Group
165	0012OHNNY	Caleb Obanda O.	Religious Organisation	Written	Nomiya Luo Sabath Kenya.
166	0014OHNNY	Fellowship of Christian	Religious Organisation	Written	Fellowship of Christian Chur
167	0001OHNNY	Lucas O. Oswago	Religious Organisation	Written	Kobama Apostolic W. Group.
168	0007OHNNY	Rev. Raphael O. Obego.	Religious Organisation	Written	Abundant Life Worship Centre
169	0020ihnnny	anonymous		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

MULTIPURPOSE HALL

No	Name:	Address:	No.	Name	Address:
1	Maurice D. Nyangatta	P.O. Box 67, Ndiwa	111	Gedion Oyugi Otieno	
2	Oswago Lukas	P.O. Box 44, Ndiwa	112	Maurice Owino	P.O. Box Ndhiwa
3	Francis karanga	P.O.Box 10, Ndiwa	113	Miss Marcela Achieng'	P.O.Box 85, Ndhiwa
4	Alfred Omollo	P.O. Box 88, Ndhiwa	114	Ongwenya Ochok	P.O. Box 301, Ndhiwa
5	Joram Okola lwambe	P.O. Box 60, Ndhiwa	115	Jorim Otieno Odira	P.O. Box 303, Ndhiwa
6	Casianes Ogada Akoro	P.O. Box 68, Ndhiwa	116	Lukas Ojwang' Ododa	P.O. Box 79, Ndhiwa
7	William Ogola Odoyo	P.O. Box 41, Ndhiwa	117	Bathlomew Odanga	P.O. Box 125, Ndhiwa
8	Wilfrida O. Ajemo	P.O. Box 302, Ndhiwa	118	Duncan Atito Opoko	P.O. Box 73, Ndhiwa
9	F. A. Maurice Ojala	P.O. Box 34, Ndhiwa	119	Fanwel Otiu	P.O. Box 301, Ndhiwa
10	Walter Obadha Odeny	P.O. Box 332, Ndhiwa	120	Ladislaus O. Dero	P.O. Box 150, ndhiwa
11	Shadrack Awuor	P.O. Box 60, Ndhiwa	121	David Orwa Rabach	P.O. Box 20, Ndhiwa
12	Johana Apiyo	P.O. Box Ndhiwa	122	William Ajengo	P.O. Box 44, Ndhiwa
13	Cosmas Nyayal	P.O. Box 50, Ndhiwa	123	Francis Onyango	NDHIWA
14	Brian Odongo	P.O. Box 60, Ndhiwa	124	Ouma mboga	P.O. Box 116, Ndiwa
15	Manoah Dibogo	P.O. Box 15, Ndhiwa	125	Peter Elkana Agola	P.O. Box 30, Ndhiwa
16	Peter Lwambe Okeno	P.O. Box 15, Ndhiwa	126	Ladislaus O. Otwande	P.O. Box 24, Ndhiwa
17	Silvester Pacho	P.O. Box 282, Ndhiwa	127	F. Otete	P.O. Box 174, Ndhiwa
18	Andrew Juma Asiago	P.O.Box 50, Ndhiwa	128	Okelo Samwel	P.O. Box 341, Homa Bay
19	Dickson Ongondo	P.O. Box 88, Ndhiwa	129	Zakaria Origa Opiyo	P.O. Box 50, Ndhiwa
20	Tobias Otieno Osodo	P.O. Box 332, Ndhiwa	130	John A. Ageke	P.O. Box 50, Ndhiwa
21	Josia Obor Ododa	P.O. Box 120, Ndhiwa	131	James A. Orwa	P.O. Box 20, Ndhiwa
22	Stephen Gumbo	P.O.Box 266, Ndhiwa	132	Maurice Z. Konyiero	P.O. Box 96, Ndhiwa
23	Martin Awende Omboro	P.O. Box 186, Ndhiwa	133	John Akech Omolo	P.O. Box 120, Ndhiwa
24	John Obunga Ndiege	P.O. Box 31, Ndhiwa	134	Francis Jack Ojwang'	P.O. Box 10, Ndhiwa
25	Johnson F. Agunga	P.O.Box 108, Ndhiwa	135	Samson Okelo Omindi	P.O. Box 69, Ndhiwa
26	Samson Orieny	P.O. Box Ndhiwa	136	Walter Kabuche	P.O. Box 69, Ndhiwa
27	Joseph Amek	P.O. Box 821, Homa Bay	137	Joshia Kota	P.O. Box 20, Ndhiwa
28	Vitalis Ogutu Aroka	P.O. Box 224, Ndhiwa	138	Nathaniel Lwambe	P.O. Box 11, Ndhiwa
29	John Otuoro Kitagre	P.O. Box 6, Ndhiwa	139	W. lung'a Akal	P.O. Box 34, Pala
30	Johson Ogeda	P.O.Box 248, Ndhiwa	140	Alloys Kunga Ng'ong'o	P.O. Box 122, Ndhiwa
31	Thomas Odewa	P.O. Box 62, Homa	141	Amollo W. Mbuwi	P.O.Box 403, Homa Bay
32	George Kingongo	P.O.Box 303, Homa Bay	142	Patrick Ogweno Ochok	P.O. Box 301, Ndhiwa
33	Reuben Otieno	P.O.Box 60, Ndhiwa	143	Musa Okongo	P.O.Box 116, Ndhiwa
34	Omondi Lwar A.	P.O. Box 153, Ndiwa	144	Cllr. Joshua Ogola Okumu	P.O. Box 20, Homa Bay
35	Tom Odongo Ooko	P.O.Box 18, Pala	145	Samwel O. Awuori	P.O.Box 153, Ndhiwa
36	Sheth o. Ojowi	P.O. Box 50, Ndhiwa	146	Samuel O. Ojowi	P.O.Box 242, Ndhiwa
37	Bishop Samuel Owuor	P.O. Box 68, Ndhiwa	147	Peter Obondo Odindo	P.O.Box 378, Ndhiwa
38	Miltone Orwe	P.O.Box 60, Ndhiwa	148	Michael Owange odoyo	P.O.Box 1, Ndiwa
39	Joseph Ogola Awuonda	P.O. Box 343, Ndhiwa	149	Zadock Obuya	P.O.Box 44, Ndhiwa

40	Pitalis Ndege	P.O. Box 266, Ndhiwa	150	Malaki Tuda	P.O. Box 135, Ndhiwa
41	Paul Otogo Onyango	P.O. Box 6, Pala	151	Caleb Oband Onyango	P.O. Box 213, Ndhiwa
42	Adan Noor Hassan	P.O.Box 535, Homa Bay	152	William Ogalo	P.O. Box 17, Ndhiwa
43	Ernest Bee Bwana	P.O. Box 15, Ndhiwa	153	Joseph A. Wawa	P.O. Box 169, Ndhiwa
44	Jeremia Ogola Abongo	P.O. Box 20, Ndhiwa	154	Rev. John odanga	P.O. Box 87, Ndhiwa
45	Rose Otieno	P.O. Box 18, Ndhiwa	155	John O. Omotto	P.O. Box 71, Ndhiwa
46	Joseph Gor	P.O. Box 58, Ndhiwa	156	Samuel Pundo	P.O. Box 23, Ndhiwa
47	Derick Owiti	P.O. Box 57, ndhiwa	157	Isaiah W. Ope	P.O. Box 222, Ndhiwa
48	John Odongo pondo	P.O.Box 108, Ndhiwa	158	Elisha Raguka	P.O. Box 10, Ndhiwa
49	Charles Otuoma	P.O. Box 282, Ndhiwa	159	Maureen Kasuku	P.O. Box 38, Ndhiwa
50	Elijah Achola	P.O. Box 160, Ndhiwa	160	Elija Orwe	P.O. Box 60, Ndhiwa
51	Maurice Ogalo	P.O. Box 108, Ddhiwa	161	Elisha Akech Chieng	P.O. Box 340, Homa Bay
52	John Wasonga	P.O. Box 115, Ndhiwa	162	Nahason Okwaro	P.O.Box 10, Ndhiwa
53	Joanes O. Tenga	P.O. Box 13, Pala	163	Philomena A. Aduol	P.O. Box 28, Ndhiwa
54	Meshack O. Owiti	P.O.Box 60, Ndhiwa	164	Patrick Ojenge	P.O. Box 60, Pala
55	Suleman Okumu	P.O. Box 60, Ndhiwa	165	Raphael O. Orego	P.O. Box 25, Ndhiwa
56	Thomas Oyugi	P.O.Box 24, Ndhiwa	166	Francis Obunga Okongo	P.O. Box 85, Ndhiwa
57	Christopher Odhiambo	P.O. Box 62, Ndhiwa	167	Casmiel Ologi	P.O. Box 34, Ndhiwa
58	Jane Were	P.O.Box 328, Homa Bay	168	Charles Ochieng'	P.O. Box 113, Ndhiwa
59	Salmon Airo	P.O. Box 127, Ndhiwa	169	Johnson Ndege Kenyatta	P.O. Box 1, Ndhiwa
60	tom Uda Opija	P.O. Box 1, Ndhiwa	170	Mary Ayalo	P.O. Box 526, Homa Bay
61	George Jared Orata	P.O.Box 53, Ndhiwa	171	Paulus Osore Oyoo	P.O. Box 202, Ndhiwa
62	Tukiko K. Matoro	P.O. Box 299, Homa Bay	172	R. O. Osano	P.O. Box 17, Ndhiwa
63	Isaac Omondi Ochieng'	P.O.Box 196, Ndhiwa	173	Maxwel Aseto	P.O. Box 90, Ndhiw
64	Japheth Nyiero	P.O. Box 96, Ndhiwa	174	Shadrack Odero	P.O. Box 58, Ndhiwa
65	Noah Oguta Matoro	P.O. Box 299, Homa Bay	175	Maren Oyare	P.O. Box 21, Ndhiwa
66	Cornel Gumba	P.O. Box 137, Ndhiwa	176	Grace oduogi	P.O. Box 34, Ndhiwa
67	Cllr. Lawrence Agaga	P.O. Box 192, Ndhiwa	177	Patrick Odira	P.O. Box 120, Ndhiwa
68	David Otieno Onyango	P.O.Box 213, Ndhiwa	178	Elisha okech	P.O.Box PALA
69	James Mboya	P.O. Box 282, Ndhiwa	179	Vitalis Oloo Okelo	P.O. Box 103, Ndhiwa
70	Peter Gor	P.O. Box 50, Ndhiwa	180	Joseph Onyando Ochodho	P.O. Box 137, Ndhiwa
71	Jared Osewe	P.O. Box 50, Ndhiwa	181	Kenaan Omondi	P.O. Box 104, Ndhiwa
72	Cllr. Akach Wagunda	P.O. Box 251, Homa Bay	182	Kasianes Minodi	P.O. Box 98, Ndhiwa
73	Joshua Ajwang Ogeda	P.O. Box 196, Ndhiwa	183	James Omollo	P.O. Box 675, Homa-Bay
74	Julius Ochieng	P.O. Box 137, Ndhiwa	184	Peter Odhiambo Oruko	P.O. Box 71, Ndhiwa
75	Ester Aete	P.O. Box 159, Ndhiwa	185	Okombo Nelson	P.O. Box 229, Ndhiwa
76	Nelson Asiz	P.O. Box 208, Ndhiwa	186	Salim Oguda	P.O. Box 53, Ndhiwa
77	John Osedo Alaka	P.O. Box 49, Ndhiwa	187	Joseph Otieno Omuga	P.O. Box 115, Ndhiwa
78	Ruphas Agola	P.O. Box 39, Ndhiwa	188	Julius Agutu Ochiel	P.O. Box 127, Ndhiwa
79	Joseph Ayieta Obonyo	P.O. Box 309, Ndhiwa	189	Dickson Okoth Obura	P.O. Box 10, Ndhiwa
80	Pastor Moses Oloo Onyango	P.O. Box 309, Ndhiwa	190	Domnic Ooko Odongo	P.O. Box 361, Ndhiwa
81	Joseph T. Bullah	P.O. Box 327, Ndhiwa	191	John Ogola Nyangoi	P.O. Box 29, Ndhiwa

82	Meshack O. Amenya	P.O. Box 20 Homa-Bay	192	Peter Okoth	P.O. Box 53, Ndhiwa
83	Fredrick Osoro Ouko	P.O. Box 334 Homa-Bay	193	John Opundo	P.O. Box 155, Ndhiwa
84	Peter Owino Opiyo	P.O. Box 26, Ndhiwa	194	Romanus Okecha Rabach	P.O. Box 50, Ndhiwa
85	John Ogalo Obel	P.O. Box 385, Rongo	195	Joseph Otieno	P.O. Box 303, Ndhiwa
86	Daniel Oyugi Wandij	P.O. Box 29, Ndhiwa	196	Perpetua Okelo	P.O. Box 1, Ndhiwa
87	Kennedy B. Ouma	P.O. Box 52, Pala-Sare	197	Cllr. Ongweths	P.O. Box 91, Ndhiwa
88	Pauline Akech	P.O. Box 10, Ndhiwa	198	Simon Ogenda	P.O. Box 10, Ndhiwa
89	Zakary Were Odhul	P.O. Box 77, Ndhiwa	199	Rose Achieng Arina	P.O. Box 31, Ndhiwa
90	Alloys Malowa	P.O. Box 174, Ndhiwa	200	Samuel Odida	P.O. Box 170, Ndhiwa
91	Maurice Onyango	P.O. Box 88, Ndhiwa	201	John Nyawarea Okumu	P.O. Box 243, Ndhiwa
92	Paul Ogango Gilo	P.O. Box 50, Ndhiwa	202	Joshua Otieno Agao	P.O. Box 60 Pala-Sare
93	Joseph Osewe Gilo	P.O. Box 50, Ndhiwa	203	Nora Atieno Ombija	P.O. Box 1, Ndhiwa
94	Manuel O. Yalo	P.O. Box 71, Asego	204	Charles Obunga	P.O. Box 77, Ndhiwa
95	Dickson Ogindo Oer	P.O. Box 153, Ndhiwa	205	Deus Milan Chewa	P.O. Box 1, Ndhiwa
96	Stephen Ngare Owuor	P.O. Box 391, Ndhiwa	206	Charles Gondi	P.O. Box 200, Ndhiwa
97	Alice Adhiambo	P.O. Box 303, Ndhiwa	207	Jeremia Omogi Kawaka	P.O. Box 248, Ndhiwa
98	Jayalo Teresia Okoth	P.O. Box 69, Ndhiwa	208	Benard Otieno	P.O. Box 55, Ndhiwa
99	GraceAnna Orata	P.O. Box 343, Homa-Bay	209	John Onuga	P.O. Box 24, Ndhiwa
100	Philip Ologi Owuor	P.O. Box 14, Ndhiwa	210	Onyango Lawrence	P.O. Box 135, Ndhiwa
101	Paul O. Ochungo	P.O. Box 50, Ndhiwa	211	Samson Odongo	P.O. Box 255, Ndhiwa
102	Hermanus Otieno	P.O. Box 1, Ndhiwa	212	Isaiah K. Abongo	P.O. Box 243, Ndhiwa
103	Petro Oguda	P.O. Box 135, Ndhiwa	213	Paul Otieno Oswetto	P.O. Box 16, Ndhiwa
104	John Otieno	P.O. Box 135, Ndhiwa	214	Cllr. John Ngare Owaga	P.O. Box 153, Ndhiwa
105	Joseph Ogere	P.O. Box 53, Ndhiwa	215	Anton Obunga	P.O. Box 157, Ndhiwa
106	William Otieno	P.O. Box 29, Ndhiwa	216	Samwel Odero	P.O. Box 303, Ndhiwa
107	Polycap Jakoyo Owambo	P.O. Box 8, Ndhiwa	217	Jack O. Aluodo	P.O. Box 125, Ndhiwa
108	Joseph Ologi Achieng	P.O. Box 125, Ndhiwa	218	Gabriel O. Ogutu	P.O. Box 24, Ndhiwa
109	Johanes Owino Onguko	P.O. Box 10, Ndhiwa	219	George Owuor	P.O. Box 101, Ndhiwa
110	Otieno Nyandegge	P.O. Box 255, Ndhiwa	220	Robinson Odiwa	P.O. Box 34, Ndhiwa

MAGINA PRIMARY SCHOOL

No	Name	Address:	No	Name:	Address:
1	Maurice Odero	P.O. Box 454, Homa Bay	25	Lorine Achieng'	P.O. Box 454, Homa Bay
2	Otieno James	P.O. Box 755, Homa Bay	26	Anditi George	P.O. Box 454, Homa Bay
3	Z. D. Makolwa	Homa Bay	27	Jackline Muonya	P.O. Box 454, Homa Bay
4	Colins Omondi	P.O.Box 590, Sare	28	Charles Hongo Oruko	P.O. Box 454, Homa Bay
5	Odongo Andrews	P.O. Marinde	29	John Ojwang'	P.O. Box 454, Homa Bay
6	Mary Ooko	P.O. Box 24, Rodi	30	Ben Ochieng'	P.O. Box 11, Homa Bay
7	Millicent Akingyi	P.O. Marindi	31	Kilimes Owuor	P.O. Box 454, Homa Bay
8	Emily Otieno	P.O. Box 19, Rodi	32	Walter Obondo	P.O. MARINDI
9	Okuthe Florence	P.O. Box 19, Rodi	33	Okello Ombay	P.O. Box 454, Homa Bay
10	Florence Ngeso	P.O. Box 40, Ndhiwa	34	Johnson Ojero Owiti	P.O. Box 109, Homa Bay
11	Erick Opend	P.O. Box 340, Rongo	35	Japheth Onono	P.O. Box 109, Homa Bay

12	Benjamin Okwaro	P.O. Box 454, Homa Bay	36	Otieno Omware	P.O. Box 454, Homa Bay
	Patrick Limumba				
13	Ouya	P.O. Box 197, Rongo	37	Raphael Orero	P.O. Box 454, Homa Bay
14	Odanga Edward	P.O. Box 454, Homa Bay	38	Salmon Auko	P.O. Box 385, Rongu
15	Norbert A. Adoyo	P.O. Box 184, Ndhiwa	39	Oteko Philip	P.O. Box 454, Homa Bay
16	Judith Seje	P.O. Box 454, Homa Bay	40	Reuben Obonyo	P.O. Box 47, Rodi Kopany
17	Bola AlExius	P.O. Box 454, Homa Bay	41	Shadrack Wawa Opala	P.O. Box 454, Homa Bay
18	C. Nundu Ojunge	P.O. Box 109, Homa Bay	42	Raphael Resa Nyengo	P.O. Box 273, Ndhiwa
19	John Adero Kuri	P.O. Box 385, Rongo	43	Jared Otieno	P.O. Box 387, Rongo
20	James Atito	P.O. Box 109, Homa Bay	44	Christopher Odongo	P.O. Box 54, Homa Bay
21	Richard Okelo	P.O. Box 115, Ndhiwa	45	Joseph Dende Othina	P.O. Box 109, Homa Bay
22	Grace Onjwayo	P.O. Box 454, Homa Bay	46	Benard Odhiambo	P.O. Box 454, Homa Bay
23	alloys Otieno	P.O. Box 454, Homa Bay	47	Fredrick Onyango	P.O. Box 109, Homa Bay
24	Calvin Otieno	P.O. Box 454, Homa Bay	48	Benter Anyango	P.O. Box109, Homa Bay
49	Rose Anyango	P.O Box 120, Homa Bay	73	Nicolas Odula	P.O. Box 19, Rodi Kopany
50	Joshua Onyango	P.O. Box 109, Homa Bay	74	Odera Opiyo	P.O. Box 358, Rongo
51	Kenedy Osiko	P.O. Box 109, Homa Bay	75	Odundo Francis	P.O. Box Marindi
52	Ogumbo Vincent	P.O. Box 334, Ndhiwa	76	Stephen Okumu	P.O. Box 454, Homa Bay
53	Jared Odero	P.O.Box 109, Ndhiwa	77	Joseph Apiyo Ongoro	P.O. Box 4, Pala Sare
54	Peter Abila	P.O. Box 334, Ndhiwa	78	Dominic O. Apiyo	P.O. Box 6, Pala-Sare
55	Mark Oduor	P.O. Box 109, Ndhiwa	79	Kenedy Otieno	P.O.Box 454, Homa Bay
56	John Ochanda	P.O. Box 109, Homa Bay	80	John Ogolla Bwana	P.O. Box Marinda
	Emanueal M.				
57	Anyango	P.O. Box 362, Homa Bay	81	Irene Akoth	P.O. Box 454, Homa Bay
58	Opondo Peter	P.O. Box 197, Rongo	82	Jescar Ahcieng'	P.O. Box 454, Homa Bay
59	Kenedy Ochuodho	P.O. Box 58, Diani	83	Josephine Lawy	P.O. Box 454, Homa Bay
	John Ochieng'				
60	Aran	P.O. Box 109, Homa Bay	84	Edna Akoth	P.O.Box 454, Homa Bay
61	Winston Obago	P.O. Box 17, Homa Bay	85	Rose Nyandua	P.O. Box 454, Homa Bay
62	Owuor Onyango	P.O. Box 454, Homa Bay	86	Everlyne Okeyo	P.O. Box 454, Homa Bay
63	Wycliff Omondi	P.O. Box 47, Rodi Kopany	87	Samwel Owino	P.O. Box 385, Rongo
64	Wellington Okelo	P.O. Box 454, Homa Bay	88	Dancun Onyango	P.O. Box 109, Homa Bay
65	Joseph Otieno	P.O. Box 454, Homa Bay	89	Clement Oyaa	P.O. Box 334, Ndhiwa
66	Charles Otieno	P.O. Box 454, Homa Bay	90	Opiyo Minani	P.O. Box 454, Homa Bay
67	Benard Ogayo	P.O. Box 494, Homa Bay	91	Kendey Odhiambo	P.O. Box 62, Homa Bay
	Albino Clement				
68	Otieno	P.O. Box 454, Homa Bay	92	Ouma Kenedy	P.O. Box 454, Homa Bay
69	Aloys Okoth	P.O. Box 454, Homa Bay	93	Andericus Agumba	P.O. Box 454, Homa Bay
70	Margret Adhiambo	P.O. Box NDHIWA	94	Meshack O. Amenia	P.O. Box 20, Homa Bay
71	Shlemia N. Ogola	P.O. Box 755, Homa Bay	95	Paskalia Ochieg'	P.O. Box 454, Homa Bay
72	Mark Ochola Were	P.O. Box 6, Pala	96	Enos Ondago	P.O. Box 722, Homa Bay
97	John Ochuka	P.O.Box 459, Rongo	121	Edwin Omori Owuor	P.O. Box 109, Homa Bay
98	Daudi Ndege	P.O.Box 109, Homa Bay	122	Rev. Nelson Ochieng	P.O. Box 202, Pala Sare
99	John Ayieko	P.O. Box 454, Homa Bay	123	Timotheo Onyango	P.O. Box 109, Homa Bay
100	Odeny S. A.	P.O. Box 454, Homa Bay	124	Kenedy Ochogo	P.O. Box 19, Rodi Kopany
101	James Polo	P.O. Box 109, Homa Bay	125	Domnicus Asiago	P.O. Box Rodi Kopany
102	alfred Onyango	P.O. Box 454, Homa Bay	126	Rose Atieno Waringa	P.O.Box 454, Homa Bay

103	Richard Okech	P.O. Box 454, Homa Bay	127	Ombala William	P.O. Box 260, Rongo
104	Owuor Orero	P.O. Box 454, Homa Bay	128	John Onyango	P.O. Box 4, Ruiru
105	John Nyarach	P.O. Box 17, Homa Bay	129	John Okech	P.O. Box 454, Homa Bay
106	Onyango Chore	P.O. Box 385, Rongo	130	Jacob Omolo	P.O. Box 109, Homa Bay
107	Lucas Adika	P.O. Box 522, Rongo	131	Adsa Wilson	P.O. Box Marindi
108	John Ochieng'	P.O. Box 49, Homa Bay	132	Pamela Awuor Onyango	P.O. Box 454, Homa Bay
109	Peter Odhiambo	P.O. Box 454, Homa Bay	133	Joseph Nyangare Onjiko	P.O. Box 501, Sare Awendo
110	Augustino Owaka	P.O. Box 454, Homa Bay	134	Samson Odhiambo	P.O. Box 28, Rodi Kopany
111	Caroli Okeyo	P.O. Box 267, Rongo	135	Moses Oyoo	P.O. Box 755, Homa Bay
112	Vitalis Anuro	P.O. Box 8, Rodi Kopany	136	Benard Oguta	P.O. Box 755, Homa Bay
113	John Siwa	P.O. Box 454, Homa Bay	137	Lilian Mboya	P.O. Box 755, Homa Bay
114	James Asodi Ombura	P.O. Box 454, Homa Bay	138	Joseph Omindi Agumba	P.O. Box 554, Homa Bay
115	David Ramogi	P.O. Box 454, Homa Bay	139	Richard Ngala	P.O. Box 554, Homa Bay
116	John Odhiambo	P.O. Box 197, Rongo	140	Ben Owuo	P.O. Box 755, Homa Bay
117	Joshua Okeyo Aron	P.O. Box 755, Homa Bay	141	Damianus Opondo	P.O. Box 454, Homa Bay
118	Thomson Lukiyo	P.O. Box 109, Homa Bay	142	Noah Oguta Matoro	P.O.Box 299, Homa Bay
119	Keneth Alan Ogwang	P.O. Box 104, Ndhiwa	143	Eliakim Kasera Agia	P.O. Box 19, Rodi Kopany
120	Sila Mirego Achieng	P.O. MARINDI	144	Tukiko K. Matoro	P.O. Box 299, Homa Bay
145	Peter Odero	P.O.Box 17, Rodi Kopany	170	Harrison Dede Oguta	P.O. Box 755, Homa Bay
146	Samson Oyanda	P.O. Box 454, Homa Bay	171	Walton Bondo	P.O. Box 755, Homa Bay
148	Abonyo Clement	P.O.Box 454, Homa Bay	172	Mary Ongoye	P.O. Box 454, Homa Bay
149	Joseph Ouko	P.O.Box 31, Rodi Kopany	173	Benard Odhiambo	P.O. Box 68, Rongo
150	Crisantus Odek	P.O. Box 454, Homa Bay	174	Rechar odundo	P.O. Box 109, Homa Bay
151	Maurice Dache	P.O. Box 454, Homa Bay	175	Selentinus oon	P.O. Box 385, Rongo
152	Maurice Obet	P.O Box 17, Rodi Kopany	176	Mary Okwaro	P.O. Box 454, Homa Bay
153	Walter Auko	P.O.Box 67, Homa Bay	177	Joseph Odhiambo	P.O. Box 454, Homa Bay
154	Pter Nyamanga	P.O. Box 454, Homa Bay	178	John Orero Ogola	P.O. Box 454, Homa Bay
155	Sofia Auma	P.O. Box 454, Homa Bay	179	Rechar Orero	P.O. Box 341, Homa Bay
156	Perpetua Ongoye	P.O. Box 454, Homa Bay	180	Obote Omollo	P.O. Box 454, Homa Bay
157	Borro Owino	P.O. Box 454, Homa Bay	181	Paul Juma	P.O. Box 452, Marindi
158	Samson Odira Ogayo	P.O.Box 441, Rongo	182	Ezekiel Ogola	P.O. Box 109, Obera
159	Andrew A. Nyengo	P.O. Box 49, Ndhiwa	183	Paul Oyugi Ongoro	P.O. Box 109, Obera
160	Daniel Omolo Mitoka	P.O. Box 49, Ndhiwa	184	Juluis Odero	P.O. Box 755, Okota
161	James Oloo	P.O. Box 755, Homa Bay	185	Gerald Ogonda	P.O. Box 454, Homa Bay
162	Philip Odhiambo Arum	P.O. Box 109, Homa Bay	186	Kongere Silas	P.O. Box 454, Homa Bay
163	Joseph Osoo Okongo	P.O. Box 109, Homa Bay	187	Chacha Onyango	P.O. Box 755, Homa Bay
164	Richard Ogola oduru	P.O. Box 454, Homa Bay	188	Paul Ochola	P.O. Box 317, Homa Bay
165	Nelson Owuo	P.O. Box 755, Homa Bay	189	Persila Kabingwa	P.O. Box 454, Magina
166	Walter Oneya	P.O. Box 454, Homa Bay	190	Dickson Nyafwango	P.O. RODI

167	Paul O. Onyango	P.O. Box 454, Homa Bay	191	Mark Onyang Obiero	P.O. Box 14, Pala
168	Moses Onyango Oguda	P.O. Box 454, Homa Bay	192	Borah	P.O. Box 454, Homa Bay
169	Francis Otieno Arum	P.O.Box 8, Rodi Kopaya	193	Phillip Ogocha	P.O. Box 109, Obera
194	Veronica Wanga	P.O. Box 454, Homa Bay	206	Morris Ochola	P.O. Box 454, Homa Bay
195	Gaudensia Atieno	P.O. Box 454, Homa Bay	207	Philip Okuthe	P.O. Box 4540, Homa Bay
196	Joram O. Onyango	P.O. Box 109, Obera	208	Peter Muga	P.O. Box 91, Rongo
197	Babu Awinda	P.O. Box 755, Homa Bay	209	Phillip Abiero	P.O. Box Marindi
198	Michael Obware	P.O. Box 755, Homa Bay	210	Paul Tombo	P.O. Box 454, Homa Bay
199	Andrew Otieno	P.O. Box 755, Homa Bay	211	Johnson Ndege	P.O. Box 1, Ndiwa
200	John ochieng	P.O. Box 49, Homa Bay	212	Christopher Airo	P.O. Box 1, Ndiwa
201	Danbens Ongeri	P.O.box 46, Rongo	213	Samwel Okelo	P.O. Box 1, Ndiwa
202	Oduogo Atieno	P.O.Box Magina	214	Margret Adhiambo	P.O. Box 1, Ndiwa
203	Patrick Omollo	P.O. Box 109, Homa Bay	215	Philemon Mangla	P.O. Box 1, Ndiwa
204	Tom o. Ongonga	P.O. Box 454, Homa Bay	216	Grace Orowe	P.O. Box 1, Ndiwa
205	Moses Omollo	P.O. Box 109, Homa Bay			

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1. DISTRICT CONTEXT

Rongo Constituency is a constituency in Migori District. Migori District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	247,131	267,766	514,897
Total District Population Aged 18 years & Below	145,282	146,893	292,155
Total District Population Aged Above 18 years	101,849	120,893	222,742
Population Density (persons/Km ²)	257		

1.2 Socio-Economic Profile

Migori District:

- Is one of the least densely populated districts in the province, being ranked 8th of the 12 districts;
- Has one of the highest primary school enrolment rates in the province, at 76.1%, being ranked 4th in the province and 24 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.4%, being ranked 9th in the province and 43rd nationally;
- Experiences the following main diseases: diarrhoea diseases, Malaria, sexually transmitted infections, intestinal worms, and typhoid;
- Has a 14.5% malnourishment rate of children under 5 years of age, being ranked 4th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years being ranked 41 of the 45 nationally ranked districts;
- Has an absolute poverty level of 57.63% being ranked 29th of 46 nationally ranked districts;
- Has a 41.12% food poverty level being ranked 15th of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,909;
- Has a 11.36% unemployment rate;
- Has 18.60% of its residents accessing clean drinking water; and
- 41.40% of its residents having safe sanitation.

Migori district has 4 constituencies: Rongo, Mogori, Uriri, and Nyatike Constituencies. The district's 4 MPs, each cover on average an area of 501 Km² to reach 128,724 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rongo, Migori, Uriri, and Nyatike constituencies with 66.67%, 64.10%, 77.86%, and 71.88% valid votes respectively.

2. CONSTITUENCY PROFILE

Rongo Constituency is comprised of West Sakwa, Central Sakwa, North Sakwa, West Kamagambo, South Kamagambo, North Kamagambo and Central Kamagambo locations of Rongo divisions of Migori District.

2.1 Demographic Characteristics

Constituency Population	Total	Area Km ²	Density (persons/Km ²)
	169,970	468.30	363.0

2.2 Socio-Economic Profile

The main economic activity is sugar cane growing.

2.3 Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won with 98.86% and 66.67% valid votes respectively.

2.4 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			45,054
CANDIDATE	PARTY	VOTES	% VALID VOTES
Linus Aluoch Polo	FORD-K	27,038	98.86
Dalmas Otieno	KANU	313	1.14
Total Valid Votes		27,351	100.00
Rejected Votes		137	
Total Votes Cast		27,488	
% Turnout		61.01	
% Rejected/Cast		0.50	

2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			53,262
CANDIDATE	PARTY	VOTES	% VALID VOTES
George M. A. Ochilo	NDP	23,881	66.67
Dalmas A. Otieno	KANU	11,397	31.82
John Linus Aluoch	FORD-K	542	1.51

Total Valid Votes	35,820	100.00
Rejected Votes	217	
Total Votes Cast	36,037	
% Turnout	68.88	
% Rejected/Cast	0.60	

2.6 Main Problems

Problems with the sugar-cane industry; Poverty; Lack of schools; and Lack of health facilities.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 24th January 2002 and 16th June 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution
- Constitution making process
- The constitution of Kenya
- Emerging issues
- Structures and systems of government
- Issues and questions for public hearings
- Democracy and Governance

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- f) Date(s): 14th and 17th June 2002
- g) Total Number of Days: 2

2. **Venue**

- h) Number of Venues: 2
- i) Venue(s):
 - 1. Sony Primary School
 - 2. Rongo Primary School

3. **Panels**

- a. Commissioners
 - 1.Com. Riungu Raiji
 - 2.Com. Dr. Abdirizak Arale Nunow
 - 3.Com. Dr. M.A. Swazuri

- b. Secretariat

- 1. Roselyn Nyamato - Programme Officer
- 2.Moses Ado - Ass. Programme Officer
- 3.Zipporah Wambua - Verbatim Recorder
- 4.Joseph Ogutu - Translator

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		124
Sex	Male	106
	Female	15
	Not Stated	3
Presenter Type	Individual	88
	Institutions	32
	Not Stated	4
Educational Background	Primary Level	23
	Secondary/High School Level	62
	College	14
	University	13
	None	0
	Not Stated	12
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	8
	Oral	57
	Written	49
	Oral + Memoranda	3
	Oral + Written	7
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Rongo 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

- The constitution should have a preamble (9)
- The constitution should have a preamble mentioning political events in brief
- The constitution should have a preamble capturing the vision ‘ united we stand.’
- The national vision in our preamble should be “We the people of kenya believe that kenya is a sovereign state united in God we trust
- The preamble should be able to reflect our national vision
- Preamble in our constitution should reflect the recognition of them inherent dignity and the equal rights of all members of human family as the foundation of freedom justice and peace as well as our achievement as a nation

5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY.

- The constitution should capture a statement of national philosophy and guiding principle (2)
- There should be a principle of state policy for example a motto like “Entrust the governance of our country to God of all creation to enable justice to be our shield and defender
- The constitution should capture statements of national philosophy and guiding principles of peace, love and unity
- The constitution should include civil and voter education as a base of democracy in all sectors of the society
- The constitution should enforce the rule of law to all
- The constitution should provide for the separation of powers among the three arms of government.
- The constitution should provide for a democratic system of governance.
- the constitution should acknowledge Voters supremacy.

5.3.3 CONSTITUTIONAL SUPREMACY.

- The constitution should replace the 65% majority vote required for amendment of the constitution. (2)
- The constitution should retain 65% majority vote required to amend the constitution. (2)
- The constitution should provide that the 65% majority vote to amend the constitution should be replaced with 75% majority vote (2)
- The constitution should provide that Constitutional amendment should require 60% of parliamentary approval.
- The constitution should Limit the parliamentary power to amend the constitution (4)
- Parliament power to amend the constitution should be limited to some parts of the constitution.
- The constitution should provide that certain part of the constitution should be beyond the amending powers of the parliament issues affecting the entire Kenyan family should be done through referendum appointed by the parliament
- The constitution should provide that areas like judiciary and electoral cultural affairs and review of the whole constitution should be beyond the amending power of the parliament
- The constitution should declare that some parts of the constitution e.g. the bill of rights, citizenship should be beyond the amending powers of the parliament.
- The constitution should provide that a constitutional amendment should only be through

a public referendum (8)

- The constitution should only be changed by a commission and referendum and be passed to parliament
- The constitution should only be reviewed and amended by the judiciary
- The constitutional supremacy should be upheld.
- The constitution should provide that an independent commission be selected to conduct the referendum (3)
- The constitution review committee members should conduct the referendums

5.3.4 CITIZENSHIP.

- The constitution should provide that those born in Kenya should acquire automatic citizenship (5)
- The constitution should provide that persons born in Kenya by Kenyan citizens should be regarded as automatic citizens (6)
- The constitution should provide that a person should be regarded as automatic citizens through marriage, birth and adoption.
- The constitution should provide that children born of Kenyan parents regardless of the parents' residence should be entitled to automatic citizenship.
- The constitution should provide that Kenyan citizen should be acquired by birth, registration and naturalization (2)
- The constitution should provide that Kenyan citizenship can be acquired by a person who applies for it as far as he has good character and has lived in Kenya for the last five years
- The constitution should provide that Kenyan citizenship can be acquired through registration (2)
- The constitution should provide for citizenship through marriage, birth, adoption or registration
- The constitution should provide that Kenyan citizenship should be acquired through marriage and registration.
- The constitution should provide that spouses of Kenyan citizens regardless of gender are entitled to confer citizenship (3)
- The constitution should provide that spouse of Kenyan citizens should seek citizenship through registration.
- The constitution should provide that only spouses of Kenyan male citizens should be entitled to automatic citizenship.
- The constitution should provide that a child born of one Kenyan parent should be automatic citizens (2)
- The constitution should provide that a child of one Kenyan parent should acquire citizenship by registration at the age of 21 years
- The constitution should provide that rights of citizens should include free movement to do business, obeying the law of the country and acquiring employment without restriction
- The constitution should provide that rights and obligations of citizens include respecting the constitution and participating fully in the development of Kenya
- The constitution should provide that rights and obligations of a citizen should include freedom of movement, speech and protection
- The constitution should allow ID registration at 15 years.
- The constitution should provide that Kenyan citizens should have equal rights.
- The constitution should grant automatic ID to all citizens above 18 years.

- The constitution should allow for dual citizenship (2)
- The constitution should not allow for dual citizenship (5)
- The constitution should provide that national identity card and passport or birth certificate should be the document of evidence of citizenship.
- The constitution should allow for the passport to be used as the basis of identification.
- The constitution should provide that Kenyans should carry identity cards as proof of citizenship (5)
- The constitution should provide that Kenyans should carry a well designed and portable birth certificate or identity card as proof of citizenship

5.3.5 DEFENSE AND NATIONAL SECURITY.

- The constitution should establish disciplined forces (3)
- The constitution should abolish the Police forces instead only have the administration policemen.
- The military, paramilitary police should be established by the constitution. (2)
- The constitution should have laws controlling the use of firearms by police.
- The constitution should provide that the police should follow up the enactment of the constitution.
- The constitution should reassess traffic police.
- The constitution should provide that the armed forces should stay in the barracks at all times
- The mode of disciplining the police should be changed since the current one has proved ineffective
- The constitution should provide that the Military and paramilitary should also face the law.
- The constitution should provide that the armed forces should be disciplined by the court martial (2)
- The constitution should provide that parliament should enforce act of discipline to all forces.
- Constitution should define the functions of the police.
- The constitution should amalgamate the police force and provide for better salaries
- The constitution should provide measures to check corruption in the police force.
- The constitution should provide that police patrols should be after 7 pm.
- The constitution should provide that military recruitment be done through quota system.
- The constitution should provide for a body to oversee the police
- The constitution should provide for the president to be commander in chief of the armed forces (4)
- The constitution should provide that the president should not be the commander in chief of the armed forces.
- The constitution should provide that only parliament could declare a state of emergency.
- The constitution should provide the executive should have the authority to invoke emergency powers.
- The constitution should permit extraordinary powers in emergency
- The constitution should provide that Parliament should have the authority of invoking emergency powers (2)
- The constitution should provide that the president should have the authority to invoke emergency powers.
- The constitution should provide that before the president invokes emergency powers

parliament must have a say before the final decision is reached.

- The constitution should provide that the Armed forces should do development activities for example drilling boreholes and constructing roads.

5.3.6 POLITICAL PARTIES.

- The constitution should provide that Political parties should act as watchdogs to the government for the republic of Kenya.
- The constitution should provide that Political parties should ensure good governance, advocate for democracy and justice.
- The constitution should provide that Political parties should enlighten citizens of their rights apart from political mobilization.
- Political parties should also be involved in development activities and checking insecurity in the country (3)
- The constitution should provide broad guidelines for the formation, management and conduct of political parties (7)
- The constitution should provide that the formation of political parties should be free and open and not controlled by the constitution.
- The constitution should provide that Political parties should be registered and deregistered by the electoral commission.
- The constitution should limit the number of political parties in the country to 2 (2)
- The constitution should limit the number of political parties to 3 (8)
- The constitution should limit the number of political parties to five (2)
- The constitution should limit the number Political parties to four (2)
- The constitution should limit the number of political parties (3)
- The constitution should not limit the number of political parties.
- The constitution should allow for as many political parties as possible to be formed and registered
- The constitution should provide for deregistration of tribal parties
- The constitution should provide for the funding of political parties by the state (2)
- The constitution should provide that the government should fund political parties (2)
- The constitution should provide that Political parties should be financed from public funds (2)
- The constitution should provide that public coffers should finance Political parties.
- The constitution should provide that Political parties should not be financed from public coffers (2)
- The constitution should fund a political party with the majority of members.
- The constitution should provide that political parties are responsible for registering their aspirants.
- The constitution should provide that political parties have a national outlook
- Plurality of parties should be upheld in the constitution
- The constitution should provide that Political parties should be accountable for their finances and audit their accounts regularly
- The constitution should provide that each party should draw a budget and it should be included in the national budget
- The constitution should provide that only political parties represented in parliament should be financed by the government. (2)
- The constitution should provide that Political parties should be financed according to their

records.

- The constitution should provide that the state and political parties should have a harmonious relationship.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT.

- Constitution should retain the presidential system of government
- The constitution should adopt a parliamentary system of government (11)
- The constitution should adopt a parliamentary system of government headed by a prime minister should be established.
- The constitution should provide that the prime minister should be head of the government (6)
- The constitution should provide that the Prime minister should be appointed by the majority party in parliament (3)
- The constitution should provide for the position of a prime minister.
- The constitution should provide for a ceremonial president. (9)
- The constitution should provide that the president should be the head of the state (2)
- The constitution should adopt a hybrid system of government (2)
- The constitution should provide for an executive president and vice president, prime minister and two deputies.
- The constitution should reject the federal system of government.
- The constitution should adopt a federal system of government (16)
- The constitution should provide that power should be devolved to the local government (2)
- The constitution should provide that the Vice president should be elected directly by the people.
- The constitution should provide that the president should have a running mate who shall automatically become his vice president upon winning of the general elections
- The constitution should provide that the attorney general should be appointed by parliament.
- Appointment of the attorney general should be done by parliament The constitution should empower the director of public prosecutions to prosecute and not the AG
- The constitution should provide that the AG be appointed by the ombudsman
- The constitution should adopt a unitary system of government

5.3.8 THE LEGISLATURE

- The constitution should provide that all government appointments should be vetted by parliament (7)
- The constitution should provide that Parliament should set up any commission of inquiry needed.
- The constitution should provide that the appointment of the head of the civil service chief of general staff and commissioner of police should be done by the parliament.
- The constitution should provide that parliament should have unlimited control of its own procedure (5)
- The constitution should provide that being an MP should be a full time occupation (6)
- The constitution should provide that being an MP should be a part time occupation (2)
- The constitution should provide that no changes should be made to age requirement for voting and contesting.

- The constitution should provide that age requirement for parliamentary seats should be 25 years and above.
- The constitution should provide that age limit for MPs should be 80 years.
- The constitution should provide that age requirement for parliamentary seats should be 27 years and above.
- The constitution should limit voting age to be 18 years and above.
- The constitution should provide that Parliamentary candidates should be 21 years and above.
- The constitution should provide that a presidential candidate should be at least 35 years old. (2)
- The constitution should provide that a presidential candidate should be between 35-60 years old.
- The constitution should provide that age requirement for a presidential candidate should be 40 years and above.
- The constitution should provide that no changes should be made in age requirement for voting and contesting for presidential seat.
- The constitution should provide that age requirement for presidential seat should be 25 years and above.
- The constitution should provide that language tests required for parliamentary elections are not sufficient (2)
- The constitution should provide that language tests required for parliamentary elections is sufficient (2)
- The constitution should provide that language tests required for parliamentary elections should be eliminated
- The constitution should provide that MPs should have a minimum of a degree (2)
- The constitution should introduce moral and ethical qualifications for MPs (3)
- The constitution should empower electorate to recall non-performing MPs
- The constitution should provide for reduction of MPs salaries by 5%.
- The constitution should provide that Salaries and benefits of MPs should be determined by a parliamentary service commission (2)
- The constitution should provide that A commission should be set up to determine salaries and benefits of MPs (3)
- The constitution should provide that MPs salaries should be reduced by one third.
- The constitution should retain the concept of nominated MPs (4)
- The constitution should provide that nominated MPs should come from special interest groups who are unrepresented or underrepresented (4)
- The constitution should abolish the concept of nominated MPs.
- The constitution should provide that Concept of nominated MPs should be retained depending on party's strength in parliament.
- The constitution should provide that women should be given more seats in parliament.
- The constitution should provide that there should be equal treatment for both men and women representation in parliament.
- The constitution should not provide for a coalition government (3)
- Constitution should permit coalition form of government (8)
- The constitution should maintain the current number of legislators.
- The constitution should provide that MPs serve for only two terms of 5 years each.
- Constitution should include multi party representation in the legislative and in the executive (4)

- The constitution should continue with multi party system in legislative and one party in executive.
- The constitution should provide for two chambers of parliament, the upper and the lower house (5)
- The constitution should provide that a vote of no confidence be passed by at least 2/3 of MPs (4)
- The parliaments powers to remove the executive through a vote of no confidence is adequate (3)
- The constitution should provide that the President should not have veto power on legislation passed by parliament (4)
- The constitution should provide that the President should have veto power on legislation passed by parliament (2)
- The constitution should provide that legislature should not override the president's veto.
- The constitution should provide that Power to dissolve parliament should be done by the parliament.
- The constitution should provide that the President's power to dissolve parliament should be removed and a fixed term of parliament put in place
- The constitution should provide that the President should have power to dissolve parliament (2)
- The constitution should not provide for staggered elections.
- The constitution should provide that MPs should have constituency offices.

5.3.9 THE EXECUTIVE.

- The constitution should provide that Presidential candidates should be holders of diploma.
- The constitution should provide that a Presidential candidate should have a degree (5)
- The constitution should provide that qualification for presidential candidates should be specified in the constitution minimum secondary education.
- The constitution should provide that Presidential tenure should be two terms of five years each (10)
- The duties of the president should be defined in the constitution (2)
- The constitution should provide that the president should not be above the law (4)
- The constitution should provide that the power of the president should be reduced (7)
- The constitution should provide that the president should not appoint senior government officials.
- The constitution should provide for the removal of the president due to misconduct (4)
- The constitution should provide that Parliament and the president should have mutual understanding.
- The constitution should provide that the president should be an MP (4)
- The constitution should provide that the president should not be an MP (4)
- The constitution should retain provincial administration. (8)
- The constitution should provide that women should not be allowed to be in the provincial administration.
- The constitution should provide that Provincial administration representatives should be elected in an open-air democracy.
- The constitution should provide that Provincial administration should be abolished (3)
- The constitution should provide that Chiefs and assistant chiefs should be elected directly

to the people (10)

- The constitution should provide that Clan elders should be made part of the provincial administration (2)
- The constitution should provide that Clan elders should be remunerated by the government (3)
- The constitution should provide that Chiefs and assistant chiefs should be transferred like ordinary civil servants (9)
- The constitution should provide that the post of assistant chiefs should be removed.
- The constitution should provide that Chiefs should have the power to handle suspects.
- The constitution should provide that the provincial administrators should be men only.
- The constitution should provide that Chiefs and assistant chiefs should serve for a term of ten years.
- The constitution should provide that Chiefs should have at least form four education.
- The constitution should provide that Creation of government ministries should be approved by parliament.
- The constitution should provide that for a Ministry of Defense.

5.3.10 THE JUDICIARY.

- The present structure of the judiciary is adequate there should be a structure from grassroots.
- The constitution should provide that Council of elders should be under the judiciary.
- The constitution should speed up inquiries into deaths.
- The constitution should not fix days for appeal.
- The constitution should provide that there should be guidance to the courts on how they perform their functions.
- The present structure is inadequate (2)
- The present structure is adequate (2)
- The constitution should provide that the judiciary should be independent; legal decisions should not be influenced.
- The constitution should provide that the Judiciary should be completely independent of the executive.
- The constitution should provide that land disputes should not be confined to courts; judges and magistrates should visit the fields.
- The constitution should provide that Judiciary should have someone to interpret in simple language the proceedings of the court.
- The constitution should provide that the court system should have multiple judge system and trial by jury.
- The constitution should provide that Court cases should be determined in a speedy fashion if possible within three days.
- The constitution should prevent corruption in the judiciary.
- The constitution should provide for representation in a court martial
- The constitution should provide that white-collar crimes should attract stiff punishment.
- The constitution should fix days for appeal.
- The constitution should remove contempt of court cases
- The constitution should provide that cases be heard within the litigants area of residence.
- The constitution should provide for establishment of a supreme court (7)

- The constitution should provide for the establishment of a constitutional court (4)
- The constitution should not provide for the establishment of a constitutional court.
- The constitution should provide that Judges should be appointed by the judicial service commission (5)
- The constitution should provide that judicial officers should be appointed by comprising members of society, attorney general and the chief justice.
- The constitution should provide that the high court and other judges should be appointed by the president and approved by the parliament.
- The constitution should provide that Judicial officers should be appointed on merit by independent, non partisan judicial service commission
- The constitution should provide that the chief justice should be appointed by parliament.
- The constitution should provide that the minimum qualification for judicial officers should be a degree in law. (2)
- The constitution should provide that a Supreme Court judges should serve for life.
- The constitution should provide that judicial officers' tenure of office should be 65 years.
- The constitution should provide that judicial officers' tenure of office should be 70 years.
- The constitution should provide for a judicial service commission to discipline errant judges.
- The constitution should provide that judicial power of state should not exclusively be vested in courts but other avenues should be open like Njuri Ncheke of mercy tribe and chira oriented.
- The constitution should provide that Courts should ensure fairness and justice.
- The constitution should ensure that all people have access to courts.
- The constitution should provide that there should be a constitutional right to legal aid. (3)
- The constitution should reduce the cost of filling suit.
- The constitution should make provisions for judicial review of laws made by legislature.
- The constitution should provide that clan elders should have some basic education
- The constitution should provide that Council of elders should handle customary disputes.
- The constitution should provide that a council of elders should be responsible for adjudication.

5.3.11 LOCAL GOVERNMENT.

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chairmen of the Country Council, be filled by direct popular elections (22)
- The constitution should provide that mayors and council chairmen should serve for five years. (9)
- The constitution should provide that mayors and council chairmen should serve for three years.
- The constitution should provide that mayors and council chairmen should serve for four years.
- The constitution should provide that mayors and council chairmen should serve for two years.

- The constitution should provide that mayors and council chairmen should serve for two terms of five years each.
- The constitution should provide that Councils should continue working under the central government (3)
- The constitution should provide that local council should operate under the regional government (2)
- The constitution should provide Councils should continue to operate under the central government, there should be power sharing between the Councillors and the chief officers.
- The constitution should provide that councillors be directors and chief officers technical advisors.
- The constitution should specify the powers and duties of councilors.
- The constitution should provide that the chief officers should assist the Councillors in their executive functions and they should be answerable to them.
- The constitution should provide that councils should have the power to employ their chief officers.
- The constitution should provide that councillors have primary education.
- The constitution should provide that mayors and council chairmen should be university graduates (3)
- The constitution should provide that minimum education for councillors should be form four. (15)
- The constitution should not provide minimum educational qualification for one to become a councilor.
- The constitution should provide that Language tests required to vie for local authority seat is sufficient (7)
- The constitution should not introduce moral and ethical qualifications for local authority seats (3)
- The constitution should provide electorates with the power to recall councillors. (3)
- The constitution should provide People with the right to recall their councillor; the electorate should represent their electoral commission then the commission to investigate.
- The constitution should provide that Councilors should determine their own remuneration.
- The constitution should provide that regional HQ, if we have regional government and the minister for local government should determine councilors remuneration.
- The constitution should provide that councilors should be paid from the consolidated fund.
- The constitution should provide that the government should remunerate councillors for their services.
- The constitution should provide that local authorities should be empowered to determine the remuneration of councilors.
- The constitution should provide that a commission of local authority should be formed to determine the remuneration and some other benefits of councilors.
- The constitution should retain nominated councilors. (7)
- The constitution should abolish the concept of nominated councilors.
- The constitution should retain nomination of councilors but non-represented groups should be nominated.
- The constitution should retain the concept of nominated councilors should be elected from among interest groups.
- The constitution should provide that councilors should be loyal to the party and the ruling party.

- The constitution should provide that the sponsoring party should control Conduct of elected councillors in a multiparty until he/she completes term.
- The constitution should provide that the minister for local government should have power to dissolve councils.
- The constitution should provide that the president should have power to dissolve councils
- The constitution should provide that the president or the local government minister should have powers to dissolve council only when general election is due.
- The constitution should provide that the President and local government minister should have power to dissolve councils (2)
- The constitution should provide that the minister or president should have power to dissolve councils in consultation with the commission of local authority.
- The constitution should provide that funds allocated to local authorities should be audited regularly.
- The constitution should provide that local councils should be granted genuine powers to perform their functions effectively.
- The constitution should provide that local authorities should have the responsibility and powers to provide social services within their areas of jurisdiction.
- The constitution should provide for the independence of local authorities.
- The constitution should provide that revenue generated by local authorities should not be spent without parliamentary approval.
- The constitution should provide for the independence of local authorities from the ministry and they should be accountable to the electorate.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain the representative electoral system. (6)
- The constitution should retain simple majority rule as basis for winning an election (6)
- The constitution should provide that popular candidates should be elected regardless of gender. (3)
- The constitution should provide that women should participate and seek electoral office like men.
- The constitution should provide that since women are the majority with 52% in population they should not be favoured candidates should be elected on merit.
- The constitution should provide that a presidential candidate should garner at least 51% of total votes cast to be declared a winner.
- The constitution should provide that a president should win over 51% and if none of the contestants gain this percentage when the two tops should go back to the drawing board after 21 days.
- The constitution should provide that candidates could switch over to another party if he fails nomination from his party. (3)
- The constitution should provide that candidates who fail to be nominated by one party should not be allowed to seek nomination from another party. (4)
- The constitution should provide that MPs and councilors who defect from their parties should not be allowed to contest for that seat for at least five years.
- The constitution should provide that defectors should be barred from contesting again in elections.
- The constitution should provide that a member defecting should seek fresh mandate from the electorate. (2)

- The constitution should replace the 25% representation in 5 provinces with 25% in 4 provinces.
- The constitution should abolish the 25% representation in 5 provinces.
- The constitution should provide that the 25% representation in 5 provinces should be replaced with 50% of the total votes cast.
- The constitution should retain the 25% rule of provinces in presidential elections. (7)
- The constitution should reserve seats for special groups. (2)
- The constitution should reserved seats during parliamentary or civic elections for the disabled.
- The constitution should retain the current geographical constituency system. (5)
- The constitution should provide that demarcation of constituencies and wards should be revised taking into account the population and distance. (2)
- The constitution should provide for the creation of more constituencies and wards. (2)
- The constitution should provide that a rule should be set to allow MPs to represent at least 20000 electorates.
- Not satisfied with the demarcation of constituencies and wards because of regular electoral system of the constituency.
- The constitution should provide that constituencies should be demarcated according to population.
- The constitution should provide that civic, parliamentary and presidential elections should be held simultaneously. (6)
- The constitution should provide that civic, parliamentary and presidential elections should not be held simultaneously. (8)
- The constitution should provide for continuous voters registration and permanent clerks.
- The constitution should provide for Independent candidates to contest for civic, parliamentary and presidential elections. (2)
- The constitution should provide for the electoral commission should declare the voting days as public holidays.
- The constitution should limit election expenditure by each candidate. (2)
- The constitution should not limit election expenditure.
- Constitution should specify the election date. (2)
- The constitution should provide that elections should be held after every five years.
- Election date should not be specified in the constitution (2)
- The constitution should provide that the President should be elected directly by the people (9)
- The 2002 elections should be fair and free from any rigging and any undue influence. (2)
- The 2002 elections should be held under a new constitution.
- The constitution should provide that the election process should remain secret ballot.
- The constitution should increase polling stations.
- In 2002 elections we should use the current procedures.
- The constitution should provide that electoral commission should be made up of a few men and women of high respect, dignity, dedication and knowledge.
- The constitution should provide that electoral commissioners should have at least a university degree preferably in law, public administration or political science
- The constitution should provide that electoral commissioners should have O level education.
- The constitution should provide that all political parties should appoint electoral commissioners.

- The constitution should provide that electoral commissioners should be appointed on merit and experience by the president through parliament.
- The constitution should provide that electoral commissioners should have security of tenure. (2)
- The constitution should provide that electoral commissioners should serve for five years. (2)
- The constitution should provide that electoral commissioners should have security of tenure of 2 terms of 6 years each.
- The constitution should provide that electoral commissioners should serve for five years renewable only once.
- The constitution should provide that retirement of commissioners should not be mandatory at the age of 70 years and should not be done on an election year.
- The constitution should provide that before commissioners are removed from office due to misconduct, a judicial committee should investigate first.
- The constitution should provide that electoral commission should be funded from the consolidated fund. (3)
- The constitution should provide that the chairman of the electoral commission should be accountable to the PS of the finance ministry.
- The constitution should provide that electoral commissioners should not exceed eleven.
- The constitution should provide that 22 commissioners should be appointed.
- The constitution should provide that for seven electoral commissioners.
- The constitution should provide that ballots be counted at the polling station. (4)
- The constitution should make electoral commission of Kenya independent, non partisan and inter party.

5.3.13 BASIC RIGHTS

- Our constitutional provision for fundamental rights are not adequate (3)
- Constitutional provision for fundamental rights are adequate
- The constitution should provide for freedom of worship. (6)
- All basic human needs should be entrenched in the constitution.
- The Bill of Rights should be properly guaranteed in the constitution.
- The constitution should grant citizens right to attend courts.
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should provide the freedom of movement.
- Other rights to be entrenched in the constitution should be economical, social and cultural rights (2)
- The constitution should abolish the death penalty. (6)
- The constitution should not abolish Capital punishment.
- The constitution should protect security, healthcare, education, shelter, food and employment as basic rights (3)
- The constitution should provide that the state should have the responsibility of ensuring enjoyment of basic rights by all Kenyans.
- The constitution should provide that Parliament should have the responsibility of ensuring that all Kenyans enjoy the basic human rights.
- The constitution should guarantee security for all (3)
- The constitution should empower vigilantes and chiefs to provide security at locational area.

- The constitution should empower chiefs to deal with security in their areas.
- The constitution should provide for free health care. (7)
- The constitution should ensure that water is supplied to Kenyans.
- The constitution should provide for free education for all. (5)
- The constitution should provide that every person should have access to NSSF funds to put their shelter/ houses after serving for five years.
- The constitution should provide that some effort should be made to enforce food production and agriculture in every family.
- The constitution should provide that retirement age should be raised to 60 years. (2)
- The constitution should guarantee employment for all. (6)
- The constitution should provide that the government should create job opportunities for the unemployed.
- The constitution should provide that the scale of earning should be increased.
- The constitution should provide for a five day working for eight hours a day.
- The constitution should provide that civil servants retirement age should be reduced to 50 years to reduce unemployment of the youth (2)
- Constitution should provide for a quota system of government.
- The constitution should make employment available to the youth once they reach 18 years.
- The constitution should guarantee those who attained at least primary education certificate jobs.
- The constitution should provide that the disabled should be given employment opportunities. (3)
- The constitution should guarantee all University graduates employment.
- The constitution should provide that the problem of unemployment could be solved by a stoppage in redeployment of retirees
- The constitution should reduce the retirement age to 40 years.
- The constitution should provide that the government increases salaries for government employees.
- The constitution should provide that those who have attained at least 18 years but unemployed should be paid “unemployment benefits welfare” (4)
- The constitution should provide that retirees pension should be increased whenever there is increase in salary (4)
- The constitution should provide that the old people should be taken care of by the government.
- The constitution should provide that retirees should get their benefits the same day and month they retire.
- The constitution should provide that the government should fund self-help groups.
- The constitution should provide that retrenchees should not be harassed over their meagre 40000 shillings.
- The constitution should provide that the pension scheme should be streamlined such that it benefits retirees and their dependants.
- The constitution should provide for free and compulsory education up to university level. (4)
- The constitution should provide that for free and compulsory education up to secondary level (5)
- The constitution should provide for free and compulsory primary education. (3)
- The constitution should provide that Kenyans should not have right to access information

of state possession for security purpose.

- The constitution should be freely available to all kenyans (2)
- The constitution should provide that Kenyans should have access to information in possession of the state or organ of the state. (2)
- Constitution should be written in a simple language (3)
- The constitution should be written in both English and Kiswahili
- The constitution should guarantee all workers right to trade union representation (5)
- The constitution should provide that workers in matters of state security, intelligence, military administration should not be unionized
- There should be a constitutional right for a worker to go on strike if their problems are not solved.
- The constitution should provide that 5 days should be set for work and 2 days for worship.

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- Women's right are fully guaranteed in the constitution (3)
- Women's rights are not fully guaranteed in the constitution (2)
- The constitution should provide that divorcees or separated wives should have no reference.
- The interests of the disabled are not fully taken care of in the constitution. (3)
- The constitution should provide that the disabled should be given a specific amount of money by the state.
- The mentally disabled should be protected by the constitution.
- The constitution should provide that the disabled people and their organizations should be consulted and included in the decision making process in areas of policy and future legislation.
- The interest of people with disability should be fully taken care of by the constitution.
- The constitution should ensure that the use of braille for the blind is available in family planning items such as condoms.
- The constitution should provide for the right of the disabled to education at post school learning institutions.
- The constitution should provide that the government should cater of Street children.
- The constitution should guarantee that all children get their basic rights.
- Constitution should provide for education of the girl child
- The constitution should protect the rights of children particularly the rising number of orphans.
- The constitution should ensure mechanism to curb child labor. (2)
- The constitution should provide that the government should provide orphans with housing and clothing.
- The constitution should recognize the rights of the girl child.
- The constitution should allow girls to inherit their parents' properties.
- The constitution should recognize the rights of women and the aged.
- The constitution should make provision for affirmative action for women, vulnerable and minority groups.
- The constitution should provide that prisoners should be allowed to vote and register as voters while serving their jail terms.

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide that the state should have ultimate land ownership.
- The constitution should provide that individual should have ultimate land ownership. (3)
- The constitution should provide that the government, local community and the individual should have ultimate land ownership.
- The constitution should make sure that all land is government land.
- The constitution should provide that the government has the power to acquire private lands. (5)
- The constitution should provide that the state or the local government has the power to control the use of land by the owner or occupier. (3)
- The constitution should provide that chiefs and clan elders should settle land disputes.
- The constitution should force parents to write will before they die.
- The constitution should provide that title deeds and certificates should be issued freely.
- The constitution should provide that land transfer should be made less costly. (2)
- The constitution should provide that girls should not inherit ancestral lands. (4)
- The constitution should provide that there should be land ceiling owned by an individual. (4)
- The constitution should provide that an individual should not own land more than 10 acres.
- The constitution should provide that non-citizen should not own land.
- The constitution should provide that the land inheritance and transfer should be done freely.
- The constitution should provide that village elders should witness land transfer process.
- The constitution should simplify land transfer process (4)
- The constitution should not simplify Land transfer process.
- The constitution should provide that land levies should be reduced.
- The constitution should provide that Provincial authorities should be used to simplify land transfer process.
- The constitution should provide that Women should not have access to land whatsoever. (2)
- The constitution should provide that men and women should have equal access to land. (3)
- The constitution should provide that title deeds should have both names of the husband and the wife.
- The constitution should retain the pre-independence land treaties.
- The constitution should provide that Kenyans should own land any where in the country. (4)
- The constitution should guarantee access to land for every Kenyan (7)

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- Ethnic cultural diversity contributes to national culture.
- Cultural and ethnic diversity should be promoted and protected by the constitution.
- Circumcision should be captured in the constitution.
- The constitution should protect the fabrics of Kenyan cultural heritage from being eroded

by infiltration of foreign practice.

- The constitution should protect customary marriage.
- The constitution should provide for a dressing code for Kenyans.
- The constitution should provide that married women should respect the customs of the communities in which they are married
- Constitution should strengthen family values and other cultural practices.
- The constitution should recognize cultural ethnic and regional diversities.
- The next constitution should deal with ethnicity from a positive perspective and rehabilitate the national consciousness as a process of restructuring the county's political / economy.
- The constitution should provide for protection from the discriminatory aspect of culture e.g. wife inheritance that spread AIDS. (3)
- The constitution should provide that tribal beliefs and traditions should be controlled to avoid extremist.
- Constitution should provide for protection from the discriminatory aspect of culture such as female genital mutilation.
- The constitution should provide for one national language i.e. Kiswahili. (2)
- The constitution should provide for two national languages. (2)
- Constitution should promote indigenous languages. (3)

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

- The constitution should provide that the executive should retain powers to raise and distribute financial resources and management of human resources.
- The constitution should provide that parliament should monitor through PAC, the executive on how resources are used.
- The constitution should provide that Parliament should retain power to authorize raising and appropriation of funds. (3)
- The constitution should provide that those in top posts should not all be from one tribe.
- The constitution should provide for equitable distribution of national resources. (4)
- Equitable distribution of national resources could be achieved through decentralization of power.
- The constitution should provide that the government should apportion benefits from resources between the central government and the communities where such resources are found.
- The constitution should provide that reports of controller and auditor general role in checking the handling of finances by the government should be strengthened by prosecuting all those named in the messing of public funds.
- The constitution should provide that Parliament appoints the controller and the auditor general. (2)
- The constitution should provide that the legislature should be involved in appointing members of the cabinet so as to get competent people.
- The constitution should provide that members of the cabinet should be professionals in their respective areas.
- The constitution should provide that competent Kenyans should be attracted to work in the public service by giving them attractive salaries and a conducive working atmosphere.
- The constitution should provide that employment should be done based on merit.
- The constitution should provide that public service commission should be lagged from

political manipulation.

- The constitution should provide that a select committee of parliament should appoint members of the public service commission. (2)
- The constitution should provide that the president through the parliament should appoint public service commission.
- The constitution should provide that there should be a code of ethics for holders of public office. (2)
- The constitution should provide that public officers should declare their wealth. (5)

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- Protection issues should be addressed in the constitution Environmental (2)
- The constitution should provide that forestland should be protected from grabbers.
- The constitution should provide that Hills and mountain slopes should be all planted with tress.
- The constitution should provide that the government should have power to enforce laws on protection of the environment. (3)
- The constitution should provide that there should be a strong ministry responsible to enforce environmental protection laws.
- The constitution should provide that the government should own natural resources.
- The constitution should provide that all natural resources should be owned by the state and exploited for the benefit of the local authority and the country in general.
- The constitution should provide that natural resources be used to benefit the local people.
- The constitution should provide that communities be given first preference in managing local natural resources.
- The constitution should provide that the county council manages natural resources.
- Constitution should protect natural resources.
- Constitution should enforce afforestation and soil conservation plant trees to protect soil.
- The constitution should make Tsavo National Park a game reserve.

5.3.19 PARTICIPATORY GOVERNANCE

- The constitution should provide that NGO's should play a role in development activities. (2)
- The constitution should provide that NGO's and other organized groups should not have a role to play in governance besides their voluntary jobs.
- The constitution should institutionalize the role of NGO's and civil society. They should be set free to conduct their activities without too much restriction by the government.
- The constitution should provide that the state should regulate the conduct of civil society organizations including the media.
- The constitution should provide that religious denomination should be able to receive foreign aid abroad without government interference.
- The constitution should recognize and educate the elderly, women, youth and persons with disabilities to enable them participate in governance.
- Constitution should make provisions to increase participation of women in governance.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that the conduct of foreign affairs should not be exclusive responsibility of the executive alone but different organizations for example political parties and religious organizations should also have a role.
- The constitution should provide that Parliament should refuse bad policies to be implemented.
- The constitution should recommend that government endorses and affirms its commitment to all instructions on human rights and that special attention be given to those related to human rights of disabled people 1975 UN declaration be recognized
- The constitution should provide that International treaties and conventions and regional and bilateral treaties should not have automatic effect on domestic law.
- The constitution should provide that Law and regulation made by regional organizations that Kenya belongs to should not have automatic effect in domestic law.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide for a commission that determines the welfare of the parliamentarians and the prime minister with the power to sue the latter;
- The constitution should provide for the office of the director of prosecution to perform the duties of Attorney general.
- We need constitutional commission office like Anti corruption authority. (2)
- The constitution should create office of the ombudsman to improve the services rendered to Kenyans (10)
- The constitution should establish Human right commission. (3)
- The constitution should establish Gender commission.
- Anti-corruption authority should be established by the constitution (3)
- Land commission should be established by the constitution (4)
- The constitution should establish Police complain authority.
- The constitution should establish Religious and ethnic commission.
- The constitution should provide that Anti-corruption authority should have the power to prosecute corrupt officers.
- The constitution should establish decision by the constitutional commissioners should be respected.
- The constitution should establish the ministry of justice. (3)

5.3.22 SUCCESSION AND TRANSFER OF POWER.

- The constitution should provide that during elections the speaker of the national assembly should assume executive powers (2)
- The constitution should provide that the chief justice should be in charge of executive powers during presidential elections.
- The constitution should provide that the election results of the president should be declared through the media.
- The constitution should provide that the incoming president should assume office immediately after the results. (2)
- The constitution should provide that the incoming president should be sworn in after 90 days of the election.
- The constitution should provide that the incoming president should assume office after 21

days.

- The constitution should provide that the presiding judges of the Supreme Court should swear in the incoming president.
- The constitution should provide that Chief justice should swear in the incoming president at a function held in public gathering.
- The constitution should provide that the instruments of power should be transferred during the swearing in ceremony.
- The constitution should provide security to a former president.
- The constitution should provide welfare for a former president.
- The constitution should provide immunity for legal process for former president.
- The constitution should not make a provision for a former president in terms of immunity from legal process.
- The constitution should provide retirement benefits, travel benefits recognition and invitation to all public functions to be allowed to represent the government in major international affairs and be recognized as a GRAND old man of kenya to former president.

5.3.23 WOMEN'S RIGHTS

- Present constitution does not provide special rights for women and the elimination of discrimination grounds of law culture and customs that contradict the interests and dignity of women.
- The constitution should protect women's rights.
- The constitution should provide for prohibition of husband battery.
- The constitution should provide that Women should have a right to inherit property (4)
- The constitution should provide that women married in polygamous families should have the right to inherit their husband's property (2)
- The constitution should provide that women should have a right to inherit from their parents and husbands.
- The constitution should provide that women should not be allowed to inherit property.
- The constitution should provide that women /girls should have a right to inheritance and succession. (2)
- The constitution should provide that widows should have a right to choose who to inherit them.
- The constitution should provide that only unmarried ladies should inherit property from their fathers.
- The constitution should protect the rights of women to inherit their husband's estate without having to be kicked left and right by corrupt officers.
- The constitution should abolish polygamy.
- The constitution should provide for the legalization of Marriage laws.
- Constitution should provide that once a spouse have separated they should live independently
- Constitution should bar people from remarrying when they divorce.
- Constitution should specify the minimum age for marriage.
- The constitution should provide that all marriages are made official and there should be no cohabitations.
- The constitution should adopt mechanism through the use of clan elders to ensure that women do not just cohabit with their boyfriends, they should be married.
- The constitution should provide that fathers should ensure support of their children.

- The constitution should provide for the Prohibition of domestic violence. (2)

5.3.24 NATIONAL ECONOMIC POLICY

- The constitution should provide that rules and regulations should be put in place to protect local products.
- The constitution should provide for a price control mechanism. (2)
- The constitution should provide that the gap between the rich and the poor should be narrowed.
- The constitution should provide that the government should be serious on the fight against poverty, it should be a priority.
- The constitution should provide that Economic development should be equal in all regions.
- The constitution should provide for rural electrification.

5.3.25 NATIONAL OTHER POLICY

- The constitution should provide that before marriage the spouses should have a HIV/AIDS negative certificate (2)
- The constitution should provide that the government should take care of HIV/AIDS victims and orphans.
- Constitution should address the spread of HIV/AIDS.
- The constitution should provide that the Kenya government in conjunction with NGO's and charitable organizations should build orphanage and schools for children orphaned by AIDS.
- The constitution should provide that police patrols should be intensified in the rural areas to curb insecurity.
- The constitution should provide for the privatization of the police force.
- Constitution should allow the vigilante groups to operate for public safety.
- The constitution should provide that police officers should be impartial and diligent in the discharge of their duties.
- The constitution should provide that every location should have a police post to handle local security situations.
- The constitution should provide that administration police should not fire arms since they misuse them.
- The constitution should address corruption in cooperatives.
- The constitution should provide that corrupt police officers should all be dismissed. (3)
- The constitution should address corruption in Kenya. (2)
- The constitution should address corrupt practices of public civil servants.
- There is a lot of corruption in the judiciary and citizens should be protected from this vice by the constitution.
- The constitution should abolish Harambees since they promote corruption in the country.
- The constitution should provide for the disarming of administration police.
- The constitution should provide for proper remuneration of police officers.

5.3.26 SECTORAL POLICY

- The constitution should provide that farmers should be allowed to borrow loans, security being a letter from the chief. Establish a farmer's bank.

- The constitution should provide that sugarcane farmers should be paid one month after delivery of the products.
- The constitution should provide that farmers especially in the sugar belt areas should be paid promptly. (3)
- Agriculture being a mainstay of Kenya farmers should be given priority in our constitution to enable them boost their economy (2)
- The constitution should provide for the use of irrigation encourage more productivity.
- The constitution should provide that government investments should be directed at relevant places i.e. in case of factory the raw material should be within the environment.
- The constitution should be taught in schools/
- The constitution should re-instate corporal punishment in schools. (4)
- The constitution should provide for cost sharing in primary and secondary schools to reduce the costs of education.
- The constitution should provide that teachers should be transferred far away from their home areas.
- The constitution should provide that all schools should be day schools.
- The constitution should provide that teachers should be well paid.
- The constitution should provide that the government should set aside loans for university and other higher learning levels to allow students from poor families to acquire education. (2)
- Policies to encourage child girl education should be put in the constitution.
- The constitution should provide that education policy should ensure equitable distribution of learning resources between rural and urban schools.
- The constitution should provide that budget preparation should involve the input of all Kenyans.
- The constitution should provide for tax exemption for Christians.
- The constitution should provide that Income duty should be up to date thus reducing taxation imposed on some goods.
- The constitution should provide that Kenyans should be given soft loans by the state to start business.
- The constitution should provide that the government should implement a policy whereby no one is allowed to keep more than 1/8 of his salary overseas.
- The constitution should provide that the face of Kenya's currency should not have a president's portrait.
- The constitution should provide that air, noise and water pollution should be checked by the government as it brings health problems
- The constitution should provide for freedom of information. (2)
- The constitution should provide that disciplined drivers and touts should operate public transport vehicles.
- The constitution should recommend that public service vehicles railways and aircrafts should have adaptations for persons with mobility problems and that mechanisms be put in place to assist persons with disabilities embark /disembark from public service transport.
- The constitution should provide that the government should construct railway line to help in the transport system.
- The constitution should provide that Matatu fare should be paid after the service.
- The constitution should provide that the disabled should be given special transport vehicles to cater for their disability.

- The constitution should provide that traffic police departments should help arrest road carnage by ensuring that motorists follow the traffic rules.

5.3.27 NATIONAL PLANNING

- The constitution should regulate public holidays and reduce them.
- The constitution should provide that public policies should not be made by individuals they should be exhaustively discussed.
- The constitution should provide for measures to detect foreign nationals/ visitors with ill motives.
- The constitution should address the problem of political inheritance that is getting deeply in Kenyan political landscape.

5.3.28 CUSTOMARY LAW

- The constitution should repeal sec 82 (4) under customary law, which allows the disabled people to be disinherited.
- The constitution should provide that the clan judicial bodies should be legalized to deal with domestic cases.
- The customary laws that are negative towards women for example polygamy wife inheritance should be made illegal in the constitution.

5.3.29 STATUTORY LAW

- The constitution should provide that adults aged 70 years should not be jailed. (2)
- The constitution should legalize traditional brews.
- The constitution should abolish divorce.
- There should be a practice in the constitution to compel the court to treat rape cases.
- The constitution should provide that the government should compensate the plaintiff for theft cases, only when the suspects have been proved guilty by courts of law.
- The constitution should provide that suspects should not be remanded but released pending the outcome of the hearing.
- The constitution should provide that for stiff Punishments for offenders of children rights e.g. molesters and rapists.
- The constitution should provide that students in secondary schools or otherwise who sell or promote the use of illegal drugs should be prosecuted.
- The constitution should provide that rapist should be punishable in court of law for at most 18 years.
- The constitution should provide that the government should lay regulation on prostitution by taking prostitutes to court.

5.3.30 ISLAMIC LAW

- Under Islamic law the discrimination against women where they are entitled to a smaller proportion of inheritance than the sons should be removed.

5.3.31 BILLS

- The constitution should recognize the disability bill.

5.3.32 COMMON GOOD

- The constitution should provide that women should dress decently.
- The constitution should provide that a body taken to the morgue by the corps should not be abandoned there for the family to go and return it home for funeral services .The government should take responsibility here.

5.3.33 GENDER EQUITY

- Women should have the right to be employed.
- KANU and other political parties should be practical in gender equity issues particularly in regard to appointive positions.
- The constitution should guarantee gender equity.

5.3.34 ECONOMIC /SOCIAL JUSTICE.

- The constitution should provide that the parents of a deceased should NOT have the right to estate succession, the deceased spouse and children should have that right.
- The constitution should provide that women should not wear provocatively and men should not put on like women.

5.3.35 TRANSPARENCY AND ACCOUNTABILITY.

- The constitution should provide that all funds collected for harambees should be accounted for.
- The constitution should provide for the control and use of public land should be transparent.
- The constitution should provide that those who hold public offices should be accountable to the public.
- The constitution should provide for transparency in allocation of funds by government.
- The constitution should protect land set aside for public utility from being sold to private developers.
- The constitution should provide that funds netted through harambee should be audited.

5.3.36 NATURAL JUSTICE /RULE OF LAW

- The constitution should provide the cases in court should be disposed off expediently.

5.3.37 NATIONAL INTEGRITY / IDENTITY

- The constitution should provide for a national dress code

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. George O. Ayacko MP
2. Joseph O. Oguttu DC
3. Elzaphan A Abuya Chairperson
4. Cllr. Maj (Rtd) Samuel O. Makedi
5. Cllr. Joseph Oliengo Nyakumba
6. Mrs. Phoebe Aluoch Polo
7. Mrs. Margaret A. Nyamwanda Secretary
8. Mrs. Mary Asuda Brown
9. Shem Jonyo Odera
10. Mrs. Margaret A. Ogol

Appendix 2: Civic education providers (CEPs)

- 1 Constituency Constitutional Committee
- 2 Constitution of Kenya Review Commission
- 3 Catholic Justice and Peace Commission
- 4 St. Joseph Catholic Women Group
- 5 Community based Organization –Migori Municipal
- 6 Kolwal Catholic Women Group
- 7 Community Poverty Alleviation Network
- 8 Young Koyugi Self Help Group
- 9 Nyabisawa Secondary School
- 10 Migori TTC
- 11 Lake Region Christians for Physically Handicapped
- 12 Faliascop
- 13 Udi Uriri division Investment Youth Group
- 14 Ramogi Friends of Environment
- 15 Education Center for Women in Democracy
- 16 Migori District Retirees Welfare Group
- 17 Forum for Writers in Education and Development
- 18 Seventh Day Adventist Church
- 19 Migori Press Club
- 20 Agricom
- 21 Maendeleo Multi-purpose Women Group
- 22 Vadd Elimination Campaign Team
- 23 Ecumenical Civic Education Programme
- 24 Uriri Agri-based Progressive network
- 25 Echo Agriculture and Environment Programme
- 26 Kenya Hotels and Allied Workers Union
- 27 Nyatike CBO Corps Self Help Group
- 28 Lake Region Community Development Programme
- 29 National Organization for Rehabilitation and Development of Youth
- 30 Migori Civic Local Affairs Network

- 31 Christian Family Development C.
- 32 Church of the Power of Jesus Christ
- 33 Migori Disabled Group
- 34 Migori Tree Planting Promotion Project
- 35 Migori Maroon Football Club
- 36 Waka Community Self Help Group
- 37 Kenya National Association for the Deaf
- 38 Suba Community Development Programme
- 39 Olasi Catholic Christian Center
- 40 The Wheel Power International
- 41 Rehema Women Group
- 42 United Churches for development (Southern Kenya)
- 43 The League of Kenya Women Voters
- 44 Rapogi Welfare Association
- 45 Rural Lake Region Development
- 46 Kenya Tobacco Growers Association
- 47 Children and Widows Protection and Fellowship Group
- 48 Community Development Initiative Group
- 49 Dek Christian Community Development Group
- 50 Awendo Information Technology Center

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

1	0015OMRN Y	A.A. Nyamwanda	CBO	Memorandum	Wagoma Self Help Group
2	0002OMRN Y	Abuya Amolo	CBO	Memorandum	CCC-Rongo
3	0011OMRN Y	Alice Awuor O.	CBO	Written	DEK Community
4	0003OMRN Y	Bernard Ochuodho	CBO	Written	Awendo Division
5	0017OMRN Y	David K. Ayoma	CBO	Written	Awendo Temo Self Help Group
6	0024OMRN Y	Dismas Okelo Adenyo	CBO	Written	Kobad N. Group
7	0016OMRN Y	Gilbert Olick	CBO	Memorandum	East Sakwa
8	0019OMRN Y	Jared Otieno Amonde	CBO	Written	Kokuro Market Group
9	0013OMRN Y	Joel Anyura	CBO	Written	DEK Community
10	0001OMRN Y	Margaret Nyamwanda	CBO	Written	Wangneno
11	0023OMRN Y	Peter Otieno Seesaw	CBO	Written	Kwar Market Group
12	0009OMRN Y	Samuel Ooko	CBO	Written	Nyodiembo Self Help Group
13	0005OMRN Y	Zadock N. Opalla	CBO	Written	Rongo Division Retirees
14	0007IMRNY	Adachi Wicklife	Individual	Written	
15	0014IMRNY	Alfred Okendo	Individual	Written	
16	0031IMRNY	Alice Ochieng	Individual	Written	
17	0034IMRNY	Anonymous	Individual	Written	
18	0072IMRNY	Antony Awili	Individual	Oral - Public he	
19	0092IMRNY	Augustine Owiti	Individual	Oral - Public he	
20	0045IMRNY	Ayanga Ong'ondo	Individual	Oral - Public he	
21	0068IMRNY	Beatrice A. Onyango	Individual	Oral - Public he	
22	0011IMRNY	Benter A. Otieno	Individual	Written	
23	0062IMRNY	Bernard Okindo	Individual	Oral - Public he	
24	0037IMRNY	Casmiel Oduor M.	Individual	Written	
25	0073IMRNY	Charity Leah Omolo	Individual	Oral - Public he	
26	0047IMRNY	Charles Ngoko	Individual	Oral - Public he	
27	0080IMRNY	Charles Odhiambo	Individual	Oral - Public he	

28	0059IMRNY	Cllr.Charles Abayo	Individual	Oral - Public he	
29	0084IMRNY	Cornel Johnny Sijenyo	Individual	Oral - Public he	
30	0044IMRNY	Cyprian Awiti Obiero	Individual	Oral - Public he	
31	0074IMRNY	Dickson Sigana Ngoje	Individual	Oral - Public he	
32	0023IMRNY	Elias O. Orongo	Individual	Written	
33	0065IMRNY	Elisheba A. Arwa	Individual	Oral - Public he	
34	0053IMRNY	Eliud O. Kondeyo	Individual	Oral - Public he	
35	0032IMRNY	Elizaphan A. Abuyah	Individual	Written	
36	0043IMRNY	Elly Mikwa	Individual	Oral - Public he	
37	0024IMRNY	Enosh Liganda	Individual	Written	
38	0008IMRNY	Esther Atieno Onana	Individual	Written	
39	0048IMRNY	Filemon Otieno Bwana	Individual	Oral - Public he	
40	0052IMRNY	Gary Francis Oyier	Individual	Oral - Public he	
41	0019IMRNY	George E.O. Opiyo	Individual	Memorandum	
42	0086IMRNY	George Oluoch	Individual	Oral - Public he	
43	0057IMRNY	Goerge Omondi Ocholla	Individual	Oral - Public he	
44	0030IMRNY	Gordon Nyambok Mikwa	Individual	Written	
45	0083IMRNY	H. Erick Ogeya Wanyang	Individual	Oral - Public he	
46	0093IMRNY	Hana Osewe	Individual	Oral - Public he	
47	0090IMRNY	Henry Oguta	Individual	Oral - Public he	
48	0016IMRNY	Henry Onyinkwa	Individual	Written	
49	0026IMRNY	Hezron Onyango	Individual	Written	
50	0004IMRNY	Hon.Ochilo Ayacko.	Individual	Memorandum	
51	0050IMRNY	Isabella A. Omedi	Individual	Oral - Public he	
52	0006IMRNY	Isaya Owala Orwa	Individual	Written	
53	0035IMRNY	J. Hezron Olango	Individual	Written	
54	0001IMRNY	J. Okiki Ogola	Individual	Written	
55	0089IMRNY	Jackson O. Jalango	Individual	Oral - Public he	
56	0029IMRNY	Jacob Odhiambo	Individual	Written	
57	0036IMRNY	Jacob Odhiambo	Individual	Written	
58	0051IMRNY	Joash Mboo	Individual	Oral - Public he	

59	0060IMRNY	Joash Otieno Kongere	Individual	Oral - Public he	
60	0015IMRNY	John Odhiambo Otieno	Individual	Written	
61	0061IMRNY	John Orwa Omwono	Individual	Oral - Public he	
62	0054IMRNY	John Sospheter Alanya	Individual	Oral - Public he	
63	0069IMRNY	Joseph L.M. Oroche Omol	Individual	Oral - Public he	
64	0064IMRNY	Joseph Osega Matoro	Individual	Oral - Public he	
65	0091IMRNY	Joshua Okinyi Orwa	Individual	Oral - Public he	
66	0041IMRNY	Josiah O. Okungu	Individual	Written	
67	0003IMRNY	Jotham Ouma	Individual	Written	
68	0042IMRNY	Kepha Otieno	Individual	Oral - Public he	
69	0058IMRNY	Kepher Ondiek	Individual	Oral - Public he	
70	0022IMRNY	Lucas Odongo	Individual	Written	
71	0033IMRNY	Martin Aneya Kawaka	Individual	Written	
72	0018IMRNY	Martin Oyugi	Individual	Written	
73	0005IMRNY	Maurice Okendo	Individual	Written	
74	0017IMRNY	Maurice Ouma	Individual	Written	
75	0085IMRNY	Mishack Ochido	Individual	Oral - Public he	
76	0009IMRNY	Mishael Onyango	Individual	Written	
77	0082IMRNY	Narkiso Nyamidi Akelo	Individual	Oral - Public he	
78	0078IMRNY	Nashon Agutu Oketch	Individual	Oral - Public he	
79	0025IMRNY	Nelson Odhiambo M.	Individual	Written	
80	0081IMRNY	Ngore B.L.O	Individual	Oral - Public he	
81	0002IMRNY	Noah Mohamed	Individual	Written	
82	0088IMRNY	Nyangera Mochama	Individual	Oral - Public he	
83	0066IMRNY	Obimbo James Wilfred	Individual	Oral - Public he	
84	0095IMRNY	Odero Kariro	Individual	Written	
85	0070IMRNY	Ojwang George Aloys	Individual	Oral - Public he	
86	0067IMRNY	Omwaga Samwel	Individual	Oral - Public he	
87	0010IMRNY	Owala Aluoch	Individual	Written	
88	0087IMRNY	Owino Joel Nyangino	Individual	Oral - Public he	

89	0076IMRNY	Patricia M. Ogwari	Individual	Oral - Public he	
90	0038IMRNY	Peter Odero Okungu	Individual	Written	
91	0094IMRNY	Peter Omolo	Individual	Oral - Public he	
92	0071IMRNY	Philip Were Juma	Individual	Oral - Public he	
93	0063IMRNY	Pius Adede	Individual	Oral - Public he	
94	0040IMRNY	Pr.Duncan Okoth W.	Individual	Written	
95	0021IMRNY	Racheal Asiyo Opiyo	Individual	Written	
96	0013IMRNY	Robert Ooko	Individual	Written	
97	0012IMRNY	Rose Onyango	Individual	Written	
98	0046IMRNY	Rueben O. Mala	Individual	Oral - Public he	
99	0028IMRNY	Ruth Muga	Individual	Written	
100	0077IMRNY	Samson Achienga	Individual	Oral - Public he	
101	0079IMRNY	Samuel C. Makedi	Individual	Oral - Public he	
102	0039IMRNY	Shem J. Odera	Individual	Written	
103	0027IMRNY	Simon Odongo Ouma	Individual	Written	
104	0056IMRNY	Tom Nyerere	Individual	Oral - Public he	
105	0020IMRNY	Tom O. Lucy	Individual	Written	
106	0075IMRNY	Veronica A. Otieno	Individual	Oral - Public he	
107	0055IMRNY	Washington Oteyo	Individual	Oral - Public he	
108	0049IMRNY	William O. Mikwa	Individual	Oral - Public he	
109	0010OMRN Y	Cllr. Joseph Oliengo	NGO	Memorandum	Rongo Town Council
110	0021OMRN Y	Joel Odiewuor Angila	NGO	Memorandum	Bonsa Youth Development & Po
111	0022OMRN Y	Shadrack Okoth	NGO	Written	KNSOO Project
112	0020OMRN Y	Thomas G. Ondiegi	NGO	Written	Migori Tea Project
113	0012OMRN Y	Mike W. Yaola	Other Institutions	Written	Kamagambo Advetist College
114	0014OMRN Y	Obiero Argwings	Other Institutions	Memorandum	Kamagambo Adventist College
115	0008OMRN Y	Caleb Ochieng Arodi	Religious Organisation	Written	DEK Christian Development
116	0018OMRN Y	Dalmas Ochieng Aoko	Religious Organisation	Written	CJPC
117	0004OMRN Y	Duncan Mumbo	Religious Organisation	Memorandum	Ranen Field SDA

118	Y	0007OMRN	Moses Onyango	Religious Organisation	Written	DEK Christian Development
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Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	Kepher Otieno	P.O. Box 199, Sare	134	Rongo Division Retirees	N/A
2	Caren Achila	P.O. Box 438, Rongo	135	Nyambere Harison	P.O. Box 27, Rongo
3	Elly Mikwa	P.O. Box 191, Rongo	136	Jared Otieno Osome	P.O. Box 287, Rongo
4	Henry Onyinkwa	P.O. Box 3272, Kisii	137	Maurice Ogutu	N/A
5	CCC RongoCont.	N/A	138	Pankaladius Tiku	N/A
6	Margaret Nyamwanda	P.O. Box 696, Sare	139	Elisha Ochola	P.O. Box 16, Rongo
7	Nehru Onyango Ogola	P.O. Box 87, Rongo	140	Ouma Maurice	P.O. Box 301, Rongo
8	Joseph Okik Ogolla	P.O. Box 87, Rongo	141	Zadock N. Opalla	N/A
9	Peter Odera Okunga	P.O. Box 64, Sare	142	Rueben O. Omala	P.O. Box 78, Rongo
10	Noah Mohamed	P.O. Box 94, Rongo	143	Moses Onyango	P.O. Box 64, Sare
11	Nelly Opiyo	P.O. Box 29, Rongo	144	Morris Okendo	P.O. Box 64, Sare
12	Dorothy Ogola	P.O. Box 866, Suna	145	Hezron Onyango	P.O. Box 61, Rongo
13	Enosh Ooko	P.O. Box 33, Rongo	146	Simon Okoth Keya	P.O. Box 94, Rongo
14	Isabela A. Omedi	P.O. Box 354, Sare	147	Hezhiac Onyango	P.O. Box 255, Rongo
15	Bernard Ochuodho	P.O. Box 76, Rongo	148	Joshua Kokeyo	P.O. Sare
16	Cllr. Joshua Olimbo	P.O. Box 104, Rongo	149	Caleb O. Arodi	P.O. Box 148, Sare
17	Margaret Ogol	P.O. Box 83, Sare	150	Josephat Okuku	P.O. Box 02, Rongo
18	Pr. Duncan O. Mumbo	P.O. Box 83, Sare	151	George Omondi	P.O. Box 372, Sare
19	Cyrian Awiti Obiero	P.O. Box 75, Rongo	152	Samson Otieno	P.O. Box 556, Rongo
20	Gilbert Obuya Kisuge	P.O. Box 379, Sare	153	Charles Ong'ong'a	P.O. Box 39, Rongo
21	Ayanga Ongondo	P.O. Box 78, Rongo	154	Josiah O. Okongo	P.O. Box 203, Rongo
22	Jotham Ouma	P.O. Box 259, Rongo	155	Peter Okelo	P.O. Box 94, Rongo
23	Joseph Ochieng' Rayudhi	P.O. Box 87, Rongo	156	Damianus Kawuondi	P.O. Box 61, Rongo
24	Hon. Ochilo Ayacko	P.O. Box 545, Sare	157	Maurice Ong'ong'a	P.O. Box 201, Rongo
25	Eliud O. Kondeyo	P.O. Box 442, Rongo	158	Carilus Odera	P.O. Box 156, Rongo
26	Samuel Ooko	P.O. Box 171, Rongo	159	John Odhiambo Otieno	P.O. Box 39, Rongo
27	Cllr. Erasto Owich	P.O. Box 141, Sare	160	John Odhiambo Okelo	P.O. Box 68, Rongo
28	Mzee Isiah Owala Orwa	P.O. Box 100, Rongo	161	Eunice Achieng	P.O. Box 179, Rongo
29	Wilson Kichana	P.O. Box 2, Rongo	162	Cary Francis O.	P.O. Box 202, Rongo
30	Tom Adek	P.O. Box 156, Rongo	163	Robert S. Ooko	P.O. Box 331, Rongo
31	Adachi Wicklife Manyonge	P.O. Box 379, Sare	164	Joel O. Omboke	P.O. Box 61, Rongo
32	Joel Odpewuor Anyila	P.O. Box 148, Sare	165	Margaret A. Ogutu	P.O. Box 320, Rongo
33	Tom O. Abuoro	P.O. Box 204, Rongo	166	George E.O. Opiyo	P.O. Box 16, Rongo
34	Chuchu Ngoko	P.O. Box 354, Rongo	167	Bernard Bondo	P.O. Box 87, Rongo
35	Philomena Orwa	P.O. Box 78, Rongo	168	Cllr. Omolo Charlis	P.O. Box 104, Rongo
36	Joseph Oyengo	P.O. Box 104, Rongo	169	Joseph Ondoro Odongo	P.O. Box 80, Rongo
37	Cll. Nyagaya Olondo	P.O. Box 104, Rongo	170	Paul Wao Angila	P.O. Box 302, Rongo
38	John Mbago Anyango	P.O. Box 87, Rongo	171	John Pospeter Alanya	P.O. Box 148, Sare
39	Peter Otieno N.	P.O. Box 202, Rongo	172	Enos Ligandagwar	P.O. Box 80, Rongo
40	Esther A. Onana	P.O. Box 80, Rongo	173	Benter A. Otieno	P.O. Box 16, Rongo
41	Michael Onyango	P.O. Box 46, Rongo	174	Joel Anyura	P.O. Box 64, Sare

42	Filemon Otieno Bwama	P.O. Box 170, Rongo	175	Peris Kunga	P.O. Box 148, Sare
43	Joash Oreny Ong'ong'a	P.O. Box 223, Rongo	176	David O. Nyandya	P.O. Box 337, Rongo
44	Owala Aluoch	P.O. Box 257, Rongo	177	J.O. Kuinga	P.O. Box 305, Rongo
45	William O. Mikwa	P.O. Box 375, Rongo	178	Joash Mbwo	P.O. Box 48, Rongo
46	Joseph Odero Ng'ong'a	P.O. Box 201, Rongo	179	Domnic Akongo	P.O. Box 48, Rongo
47	Walter Okelo	P.O.O. Box 231, Rongo	180	Tom Lusi	P.O. Box 80, Rongo
48	Washington Oteyo	P.O. Box 556, Rongo	181	Stephen W. Adimo	P.O. Box 225, Rongo
49	Tom Nyerere	P.O. Box 287, Rongo	182	Mike W. Yaola	P.O. Box 591, Kisii
50	Joshua Otieno	P.O. Box 16, Rongo	183	Aloys Anyanga	P.O. Box 318, Rongo
51	George Omondi Ochola	P.O. Box 319, Rongo	184	Jeremiah Angila Nyadiburi	P.O. Box 44, Rongo
52	Anderecus N. Ogolla	P.O. Box 58, Rongo	185	Peter J. Onyango	P.O. Box 112, Rongo
53	Elisha Ocholla	P.O. Box 377, Rongo	186	Kefa Ondiek	P.O. Box 87, Rongo
54	Odero Kariro	P.O. Box 53, Rongo	187	H.P. Migunde	P.O. Box 77, Rongo
55	David O. Alleut	P.O. Box 330, Rongo	188	Racheal A. Opiyo	P.O. Box 16, Rongo
56	Ayieko O. Samson	P.O. Box 452, Rongo	189	Cllr. Charles Abayo	P.O. Box 104, Rongo
57	Alice Awuor O.	P.O. Box 148, Sare	190	Eddie Odhiambo	P.O. Box 319, Rongo
58	Dismas O. Adenyo	P.O. Box 362, Rongo	191	Dickson Ouma	P.O. Box 172, Rongo
59	Dicks A. Owino	P.O. Box 53, Rongo	192	Phares Adam	P.O. Box 171, Rongo
60	Elias O. Orongo	P.O. Box 80, Rongo	193	Orondo A. Salim	P.O. Box 78, Rongo
61	Keta Peterson	P.O. Box 184, Rongo	194	Hezron Onyango	P.O. Box 8, K/Bara
62	Simeon Odongo Ouma	P.O. Box 98, Rongo	195	Elly H. Bura	P.O. Box 78, Rongo
63	Alfred Apanja	P.O. Box 12719, Rongo	196	Benjamin T. Oende	P.O. Box 317, Sare
64	Rose Onyango	P.O. Box 148, Rongo	197	Otieno Kongere	P.O. Box 13, Rongo
65	Alfred Okelo	P.O. Box 30, Rongo	198	John Orwa	K/Bara
66	Johnson Aluoch	P.O. Box 202, Rongo	199	John Nyotong	P.O. Box 254, Rongo
67	Joash Ngiela	P.O. Box 147, Rongo	200	Moses Angong'a	P.O. Box 78, Rongo
68	Paul Obora	P.O. Box 40, Rongo	201	Jacob Odhiambo	P.O. Box 403, Rongo
69	Thomas Odhiambo	P.O. Box 279, Rongo	202	Sylvester Ofweno Owich	P.O. Box 75, Rongo
70	John Kai	P.O. Box 75, Rongo	203	S.F. Mbeo Onyango	P.O. Box 98, Sare
71	Joseph A. Bwana	P.O. Box 213, Rongo	204	Joseph O. Oguttu	P.O. Box 98, Sare
72	Peter L. Juma	P.O. Box 360, Rongo	205	Bernard Ochudho	P.O. Box 865, Suna
73	Samuel Ooko	P.O. Box 56, Rongo	206	Pollycarp O. Manyisa	P.O. Box 87, Rongo
74	Michael Ojawng	P.O. Box 41, Rongo	207	Alice A. Ochieng	P.O. Box 149, Sare
75	Gordon Nyambok	P.O. Box 40, Rongo	208	Margaret A. Ogol	N/A
76	Obiero Argwings	P.O. Box 591, Kisii	209	Gilbert Olick	P.O. Box 83, Sare
77	Richard O. Anyumba	P.O. Box 591, Kisii	210	Beatrice A. Onyango	P.O. Box 229, Sare
78	Titus Kioko	P.O. Box 591, Kisii	211	Joseph L.M. Oroche Omolo	P.O. Box 498, Sare
79	Rose Odhiambo	P.O. Box 243, Rongo	212	Peter Oloo	P.O. Box 801, Sare
80	Getrude Denga	P.O. Box 172, Rongo	213	Ojwang George Aloo	P.O. Box 229, Sare
81	Joseph O. Oguttu	P.O. Box 87, Rongo	214	Maurice Warega	P.O. Box 28, Sare
82	Ruth L. Muga	P.O. Box 33, Rongo	215	Philip Were J.	P.O. Box 229, Sare
83	Pollycarp L. Muga	P.O. Box 87, Rongo	216	Charity L. Omolo	P.O. Box 229, Sare
84	Bernard Okendo	P.O. Box 78, Rongo	217	Matilda Onyango	P.O. Box 229, Sare
85	Pius Adede	P.O. Box 137, Rongo	218	Dickson Ngote	P.O. Box 229, Sare

86	Paul Odhiambo Obura	P.O. Box 40, Rongo	219	Veronica A. Otieno	P.O. Box 229, Sare
87	Joseph Osiga Matori	P.O. Box 61, Rongo	220	Lucy Orwe	P.O. Box 229, Sare
88	Jane A. Ochola	P.O. Box 231, Rongo	221	Patricia Ogwari	P.O. Box 229, Sare
89	A.A. Nyamwanda	P.O. Box 696, Sare	222	Samson O. Achienga	P.O. Box 229, Sare
90	Elizabeth A. Arwa	P.O. Box 419, Sare	223	Peter Ocheng Martin	P.O. Box 229, Sare
91	Obimbo James W.	P.O. Box 333, Sare	224	Elizabeth A. Abuyah	P.O. Box 57, Rongo
92	Omwaga Samuel	P.O. Box 229, Sare	225	Isack Olata	N/A
93	Mbeya Dosio	P.O. Box 257, Sare	226	Martin Aneya Kawaka	P.O. Box 593, Sare
94	David Okoto	P.O. Box 107, Sare	227	Potash J.A. Owuor	P.O. Box 915, Sare
95	Hosea Omondi	P.O. Box 107, Sare	228	Antony Awilli	P.O. Box 229, Sare
96	Charles Ondeto Nyagilo	N/A	229	Sigana D. Ngoje	P.O. Box 229, Sare
97	Joseph Odhiambo	P.O. Ranen	230	Daniel Obodha	P.O. Box 229, Sare
98	Rosemary A. Opiyo	P.O. Box 229, Sare	231	Charles Oboo	P.O. Box 511, Sare
99	Millicent A. Were	P.O. Box 229, Sare	232	J.H. Olango	P.O. Ranen
100	Truphena Adero	P.O. Box 229, Sare	233	Dalmas Ocheng Aoko	P.O. Box 237, Awendo
101	Eunice Mboya	P.O. Box 229, Sare	234	John Masinde	P.O. Box 107, Sare
102	Sarah Fikirini Baya	P.O. Box 229, Sare	235	Peter Otieno	P.O. Box 372, Sare
103	Dora Kalama	P.O. Box 229, Sare	236	Samwel Ooko	P.O. Box 372, Sare
104	Samuel Owango	P.O. Box 413, Sare	237	Ruth Akelo	P.O. Box 229, Sare
105	Isaya Owala A. Orwa	P.O. Box 100, Rongo	238	Narkiso Akello	P.O. Box 41, Sare
106	Cllr. Nashon Agutu Okech	P.O. Box 700, Sare	239	Erick Ogeya W.	P.O. Box 173, Sare
107	Cllr. S. Makedi	P.O. Box 318, Sare	240	John Sospeter Alanya	P.O. Box 148, Sare
108	Philip Okelo	P.O. Box 64, Sare	241	Henry Oyoo	P.O. 107, Sare
109	John Ochieng	P.O. Box 59, Sare	242	Joel Anyona	P.O. Box 148, Sare
110	James O. Owino	P.O. Box 150, Sare	243	James O. Oguosi	P.O. Box 267, Sare
111	David K. Asoma	P.O. Box 641, Sare	244	Tom Odero	P.O. Box 198, Sare
112	Joseph Odero	P.O. Box 141, Sare	245	Fredrick Nyala	P.O. Box 88, Sare
113	Charles Odhiambo	P.O. Box 328, Sare	246	John Opedhi Owino	P.O. Box 137, Sare
114	Ngore B.L.O.	P.O. Box 190, Sare	247	Jacob Odhiambo (Jakobonyo)	P.O. Dede
115	Margaret Nyamwanda	P.O. Box 696, Sare	248	Casmiel Oduol Marembo	P.O. Box 83, Sare
116	Monicah Owino	P.O. Box 12, Sare	249	Nyangena Mochama	P.O. Box 107, Sare
117	Sospeter Owuor	P.O. Ranen	250	Jackson O. Jalang'o	P.O. Box 749, Sare
118	Gordon Okinyi Lukas	P.O. Box 463, Sare	251	Duncan O. Wawo	P.O. Box 78, Sare
119	Obote Alulali	P.O. Box 75, Rongo	252	Henry Oguta	P.O. Box 83, Sare
120	Jared Otieno Amonde	P.O. Box 281, Sare	253	Joshua Okinyi Orwa	P.O. Box 90, Sare
121	Joshwa Okinyi	P.O. Box 413, Sare	254	George Roga	P.O. Box 413, Sare
122	Mishael O. Akelo	P.O. Box 46, Sare	255	Augustinus Owiti	P.O. Box 107, Sare
123	Cornel Johny Sijemji	P.O. Box 229, Sare	256	J. Omondi Okungu	N/A
124	Harrison Onditi	P.O. Box 47, Sare	257	Anne Osewe	P.O. Box 454, Sare
125	Sylvester Oboyo	P.O. Box 58, Sare	258	Harrison O. Ochuodho	P.O. Box 83, Sare
126	Midida Oswe	P.O. Box 230, Sare	259	Moris Arodi	P.O. Box 148, Sare
127	Mesheck Ochido	P.O. Box 166, Ndhiwa	260	Peter Omolo	P.O. Box 405, Sare
128	Tobias Okeyo	P.O. Box 680, Sare	261	Thomas Odhiambo	P.O. Box 87, Sare
129	Nelson Osuda	P.O. Box 92, Sare	262	Ngore B.L.O	P.O. Box 190, Sare

130	Leonard Jimbo	P.O. Box 6, Sare	263	Joel Odewuor Ang'ila	P.O. Box 141, Sare
131	George Olero	P.O. Box 70, Sare	264	George Oluoch	P.O. Box 64, Sare
132	Thomas G. Ondiegi	P.O. Box 603, Sare	265	Okoth Shadrack	P.O. Box 38, Sare
133	Peter Odera Okungu	P.O. Box 64, Sare	266	Owino Joel Nyagilo	P.O. Box 100, Sare
			267	Kepher Otieno	P.O. Box 199, Sare

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1. DISTRICT PROFILE

Uriri is a constituency in Migori District. Migori District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	247,131	267,766	514,897
Total District Population Aged 18 years & Below	145,282	146,893	292,155
Total District Population Aged Above 18 years	101,849	120,893	222,742
Population Density (persons/Km²)	257		

1.2. Socio-Economic Profile

Migori District:

- Is one of the least densely populated districts in the province, being ranked 8th of the 12 districts;
- Has one of the highest primary school enrolment rates in the province, at 76.1%, being ranked 4th in the province and 24 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.4%, being ranked 9th in the province and 43rd nationally;
- Experiences the following main diseases: diarrhea diseases, Malaria, sexually transmitted infections, intestinal worms, and typhoid;
- Has a 14.5% malnourishment rate of children under 5 years of age, being ranked 4th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years being ranked 41 of the 45 nationally ranked districts;
- Has an absolute poverty level of 57.63% being ranked 29th of 46 nationally ranked districts;
- Has a 41.12% food poverty level being ranked 15th of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,909;
- Has a 11.36% unemployment rate;
- Has 18.60% of its residents accessing clean drinking water; and
- 41.40% of its residents having safe sanitation.

Migori district has 4 constituencies: Rongo, Mogori, Uriri, and Nyatike Constituencies. The district's 4 MPs, each cover on average an area of 501 Km² to reach 128,724 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rongo, Migori, Uriri, and Nyatike constituencies with 66.67%, 64.10%, 77.86%, and 71.88% valid votes respectively.

2. CONSTITUENCY PROFILE

Uriri Constituency is a new constituency that was created from Migori Constituency in 1996. It is a settlement area inhabited by both Luo, and non-Luo communities.

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km ²	per Density (persons/Km ²)
	90,218.	380.40	237.2

2.2. Socio-Economic Profile

Tobacco production is the major cash crop, and the economic mainstay of the locals.

2.3. Electioneering and Political Information

The creation of the constituency has given rise to the potential for a power struggle between the dominant Luo community and the non-Luo communities settled in the area. In the 1997 general elections, NDP and KANU hotly contested for the parliamentary seat of the constituency. Both parties claimed to represent the settlers' best interests. NDP, however, won with 77.86% valid votes. In 2002, the National Rainbow Coalition won the seat.

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			28,683
CANDIDATE	PARTY	VOTES	% VALID VOTES
Herman O. Omamba	NDP	16,104	77.86
Peter Arunga Indalo	KANU	4,579	22.14
Total Valid Votes		20,683	100.00
Rejected Votes		242	
Total Votes Cast		20,925	
% Turnout		72.95	
% Rejected/Cast		1.16	

2.5. Main Problems

- Poverty and falling standards of education;
- Lack of water and health services; and
- Middlemen exploiting the farmers growing tobacco. This has forced the farmers to sell their produce to Tanzania, which offers better prices.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 rigors 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 forum from the facilitation of civic education to also include facilitation and the collection 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. **CONSTITUENCY PUBLIC HEARINGS.**

4.1. **Logistical details**

4.1.1. **Date and Number of Days for Public Hearings**

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

4.1.2. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 - 1) St. Joseph's Rapogi Secondary School
 - 2) Arambe Secondary School

4.1.3. **Panels**

c. **Commissioners**

- 1.Com. Riungu Raiji
- 2.Com. Dr. Abdirizak Arale Nunow
- 3.Com. Dr. M.A. Swazuri

d. Secretariat

- 1. Roselyn Nyamato - Programme Officer
- 2.Moses Ado - Ass. Programme Officer

4.2. Attendance Details

Category	Details	Number
Number of People Who Presented		149
Sex	Male	135
	Female	14
	Not Stated	0
Presenter Type	Individual	138
	Institutions	10
	Not Stated	1
Educational Background	Primary Level	46
	Secondary/High School Level	75
	College	4
	University	17
	None	0
	Not Stated	7
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	3
	Oral	118
	Written	22
	Oral + Memoranda	1
	Oral + Written	4
	Not Stated	1

4.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Uriri. 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.

4.3.1. **PREAMBLE**

- There should be a preamble in the constitution (6).
- The preamble should define reasons for enacting the constitution.
- The preamble should be simple and clear.
- The preamble should state Kenyan history and that the country shall always be a democracy.
- The preamble should spell out the broad socio-economic values of the Kenyan state.
- The preamble should declare the public supremacy.
- The preamble should invoke Kenya's history and clearly stipulate the fundamental principles to which all Kenyans

4.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should visualize existence of a democratic state, a government of the people, for the people, by the people.
- The constitution should bring out with it a new moral characteristic such as individuality, vigor, perseverance, generosity, and enthusiasm for liberty,
- The constitution should for proper representation and fair distribution of society resources.
- The opening statement should address the background, goals and visions of the people. Statement like "we the people" should be captured.
- The constitution should concern itself with Kenyan scene and cultural nationalism it should give attention to the unique natural scenery of Kenya.
- The preamble should state that all Kenyans are equal before the law.
- The constitution should provide for separation of three 3 arms of government.

4.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide for its supremacy over all other laws in the country
- The constitution should provide that a constitutional amendment shall only be through a public referendum.
- The constitution should emphasize that parliament shall have the power to amend only a small section of the constitution.
- Parliament powers to amend the constitution should limited (3).
- The constitution should be supreme.
- Parliament should not amend the constitution by a simple 65% majority vote.
- The constitution should allow the parliament to amend the any part of the constitution by 75% majority vote.
- Any issue on judiciary, trust land, executive, and protection of fundamental rights and freedoms of individuals should be amended through referendums.
- There should be referendum to amend the constitution (4).
- Special committee should be formed to conduct referendums.
- An independent commission should conduct referendums in consultation with parliament.

4.3.4. **CITIZENSHIP**

- National identity card should be issued to even those who have not attained the age of 18 years.
- A child born to a Kenya parent should be granted automatic citizenship (.).
- A child born to two Kenya parents should be granted automatic citizenship (2).
- Any one born in Kenya should be given citizenship (2).
- Citizenship should be obtained through registration and naturalization.
- Citizenship should be obtained through naturalization.
- Any foreigner married to a Kenyan woman should not get automatic citizenship.
- Wives of Kenyan citizens who are foreigners should be given automatic citizenship (3).
- A non-Kenyan married to a Kenyan woman should only be given citizenship through registration.
- A child born to Kenyan parent irrespective of gender should be granted automatic citizenship (2).
- Citizens should have right to passport and visas.
- The rights of citizens should be allowed to prevail and be respected.
- The rights and obligation of citizens should depend on the manner on which the citizenship is acquired.
- The rights and obligation of citizens should be the same irrespective of how the citizenship was acquired
- The constitution should confer to all persons born of Kenyan parent's automatic citizenship.
- The constitution should provide for dual citizenship.
- The constitution should not provide for dual citizenship (3).
- National identity cards should be carried as na evidence of citizenship (2).
- The government should reduce bureaucracies involved in obtaining national identity card (3).
- Every child should get ID card at birth together with birth certificate (2).
- National identity cards and passports should be carried as a proof of citizenship.
- Children born at hospitals should get birth certificate immediately and passport be issued at the age of 15 years to every Kenyan
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender.
- The constitution should provide that a woman shall not be issued with national identification cards but her name shall be in her husband's national identification card.

4.3.5. **DEFENCE AND NATIONAL SECURITY**

- The displied forces, military, police, paramilitary and prisons should be established by the constitution.
- The police force should be disbanded.
- The constitution should create a body to displied forces for abuse of power and use of excessive force.
- The constitution should provide for scrapping of police force, and that it shall be replaced by the armed forces.
- The constitution should provide that armed forces recruitment shall be done on quota basis.
- Recruitment of police should be done with fairness and equality.

- The president should be the commander in chief of armed forces (3).
- The power to declare war should rest with president through the parliamentary approval.
- The executive should not have exclusive powers to declare war.
- The constitution should permit the use of extra-ordinary powering emergency situations.
- The president should have powers to emergency war.
- Parliament should approve the use of emergency powers.
- The constitution should provide for community policing by replacing police with youth wingers.
- The constitution should provide that police force shall respect civil liberty unless under special circumstances.
- The constitution should provide that no decisions affecting national policy on defense shall not be made without the approval of parliament.
- The constitution should provide that parliament shall have power to declare war.

4.3.6. **POLITICAL PARTIES**

- Political parties should initiate and implement development projects all over the country.
- Political parties should play the role of mobilization ,promotion of human rights , civic education, advocacy and participate in community development.
- The constitution should guide the formation, management and conduct of political parties.
- The constitution should allow many political parties to operate in the country.
- There should be three political parties only in the country (3).
- The constitution should limit political parties to four (2)
- There should be no limit on political parties.
- The constitution should limit political parties to
- The constitution should limit political parties to two (2).
- Political parties should be partly financed by the central government.
- Political parties should sponsor candidates for elections.
- The government should finance political parties (3).
- Political parties should be funded from the proceeds from KICC.
- A political party with at least one member in parliament should benefit from public funds.
- Political parties funded from public coffers should strive for national economic development.
- Political parties should support the state in all its normal functions.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.
- The constitution should provide broad guidelines requiring that political parties have a development focus.
- The constitution should provide for public funding of political parties if such parties reach a requisite number of memberships.
- The constitution should provide that there shall only be one party.
- The constitution should provide that cabinet ministers shall be drawn from all political parties.
- The constitution should provide for a maximum of two political parties.
- The constitution should provide for unlimited number of political parties.
- The constitution should provide that political parties shall be involved in political mobilization and civic education of the public.

4.3.7. STRUCTURES AND SYSTEMS OF GOVERNMENT

- Retain parliamentary system of government (15).
- The constitution should put in place a parliamentary system of government with one president and one VP.
- The country should adopt parliamentary system of government in which executive powers is shared between the prime minister and the president.
- Prime minister should be head of government.
- The PM should have executive powers.
- Prime minister should have two deputies.
- The people should directly appoint prime minister.
- The PM should be in charge of government functions.
- The president should be ceremonial (3).
- The president should be the head of state.
- The constitution should allow a hybrid system of government in which powers are shared between PM, VP and the president.
- The president should be head of state and preside for opening of parliament and other ceremonial functions.
- Kenya should have federal system of government where provinces should be autonomous and independent in running their affairs.
- The new constitution should put in place a federal system of government in which the prime minister is appointed from majority party in parliament and the president should remain ceremonial
- The constitution should adopt federal system of government (13).
- The constitution should provide for a parliamentary system of government with a Prime Minister as the head of government.
- The constitution should provide for a parliamentary system of government in which the National Assembly chooses the Prime Minister.
- The constitution should not provide for a Majimbo system of government, as it would hinder national integration.
- The new constitution should provide for federal system of government in which legislature and executive powers are shared between central government and district or regional units.
- The constitution should provide for a unitary system of government.
- The constitution should provide that an elected Prime Minister shall control the cabinet.
- The constitution should provide for election of vice president by the legislature.
- Powers should be devolved to lower levels of government.
- Power should be devolved to districts in enhance local participation and promote democratic principles.
- The vice president should be the deputy commander in chief of armed forces.
- The VP should be the running mate of the presidential candidates.
- The vice president should be elected by the people (5).
- There should be two deputies under the president and prime minister.
- The parliament should create the post of 2 vice presidents.
- The vice president should be elected by MPs.
- The president should not appoint the AG.
- There should be office of public prosecutor with security of tenure to take charge of prosecution.

4.3.8. THE LEGISLATURE

- All presidential appointments should be approved by parliament (2).
- Appointment of commissions, public bodies, constitutional officers, should be vetted by parliament.
- Parliament should vet the appointment of all ministers (3).
- Parliament should have powers to dissolve or form a commission.
- Being a member of parliament should be part time job.
- Being a member of parliament should be full time job (3).
- Presidential aspirants should be 40-70 years of age.
- Voting age should be 18 and above.
- Parliamentary candidates should be at least 18 years while presidential candidates should be 18 –75 of age.
- Presidential candidates should be at least 30 years of age.
- Presidential candidates should be 60-91
- Any parliamentary candidate should be given a written test in Kiswahili and English. Which he /she should pass.
- MPs should have a minimum of O level education and above.
- The constitution should specify the minimum education level for MPs.
- Language test for MPs should be intensified so as to increase effective participation by the MPs.
- MPs should be university graduates (4).
- Apart from language test, aptitude test should be included for parliamentary candidates.
- Parliamentary aspirants should be morally upright.
- Moral and ethical qualifications should be set for parliamentary candidates (3).
- Electorates should have right to recall their MPs through a complain letter to the speaker of national assembly.
- People should have right to recall their non- performing MPs.
- The people should not recall an MP once elected.
- MPs should serve for 5 years (4).
- Parliament should have a fixed term of operation.
- MPs should be guided by instructions from their electorates and their conscience (2).
- MPs should be aggressive in serving the interest of their people.
- MPs should serve for 2-five years term.
- Mps tenure should be 7 years.
- MPs salaries should determined by public service commission.
- A specific portion of MPs salaries should go to constituency as development fund.
- All nominated MPs should be women.
- Nominated MPs should represent special interest groups.
- Nominated Mp who resigns from his sponsoring party should lose his seat.
- Nominated MPs should be reduced.
- Nominated mps should for disables only.
- The concept of nominated mps should be abolished.
- Women participation in parliament should be increased.
- Special measures should be put in place to increase women participation in parliament.
- Any MP guilty of incitement or law breaking should be relief of his duties.
- An changing loyalty from the party that sponsored him to parliament should remain in

parliament as an independent candidate.

- The constitution should provide for coalition government (3).
- There should be two-chamber house (3).
- There should be only one chamber parliament.
- Parliament power to remove executive from office through a vote of no confidence should be retained (3).
- The executive should have veto power over laws passed by parliament (4)
- The constitution should give Parliament power to impeach the president.
- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should give Parliament sole power of approval of public expenditure as well as the salaries of MPs.
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should provide for an independent commission to decide on the salaries of MPs.
- The constitution should give Parliament power to control its own calendar.
- The constitution should give Parliament power to control its own operations through the standing orders.
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MP's constituency.
- The constitution should provide for a code of conduct for MPs.
- The constitution should provide that MPs shall not be pensionable.
- The constitution should provide that MPs shall have public offices in their constituencies.
- The constitution should provide that an MP must be a holder of university degree.
- The constitution should provide that parliament shall have the power to dissolve itself.
- The constitution should provide for extension life of parliament to 7 years.
- The constitution should provide that all MPs shall ensure proper use of public funds.
- The constitution should provide that Kenya shall remain a multiparty state.
- The constitution should provide for a government of National Unity composed of all parliamentary political parties.
- The constitution should provide that the president shall not have the power to dissolve parliament.
- Parliament should not have powers to override the president's veto.
- Parliament should have powers to override the presidential veto by taking a second vote, which should be final.
- . Stagger elections should be introduced for parliament.
- The president should have powers to dissolve parliament
- The president should not have powers to dissolve parliament (2)
- The president should not stop the functioning of parliament prematurely.
- MPs should have offices in their constituency (3).

4.3.9. **THE EXECUTIVE**

- Presidential aspirants should be university graduate (7).
- The constitution should specify education qualification for presidential candidates.
- Presidential aspirants should have first degree in education.
- Presidential aspirants should be university graduate with no criminal record.
- Presidential tenure should be fixed to 2 terms of 5 years each (11).

- The constitution should define the functions of the president (2).
- The president should appoint cabinet ministers (2).
- The presidents' power to create ministries, district, and public offices should be subject to parliamentary approval.
- The president should not be above the law (4).
- The constitution should set limit on presidential powers (7).
- The constitution should provide for removal of president from office for misconduct (4).
- The president should be an elected MP (3).
- The president should not be a member of parliament.
- Provincial administration should be retained.
- Provincial administration should be restructured and its roles redefined in the constitution.
- Chiefs and sub-chiefs should be transferred to other regions.
- Chiefs should be elected on merit.
- Chiefs and assistant chiefs should be retained (8).
- Chiefs and their assistants should have a minimum of O level education.
- Chiefs and assistant chiefs should be elected by the people (4).
- Positions of assistant chiefs should be abolished.
- Provincial administrators should be transferable to any part of the country.
- Clan elders should be remunerated by the government.
- The number of ministries should be limited to ten. The number of ministries should be reduced.
- Public works ministry should be abolished.
- A specific minister should be appointed to represent the right of religious societies.
- Provincial administration should be abolished.
- The constitution should provide for a ceremonial president who should not belong to any political party and should be elected by popular vote.
- The constitution should provide for the election of a Prime Minister by popular vote.
- The constitution should provide that the president should be between 18-70 years.
- The president should retire at the age of 75.
- The president should be elected directly by the people
- The constitution should provide for a maximum of 2 terms for both the president and the vice president.
- The constitution should provide that village elders should be uniformed and salaried.
- The constitution should provide that the provincial administration shall be elected for 5 years.
- The constitution should provide for appointment of chiefs and assistant chiefs.
- The constitution should block chiefs and assistant chiefs from involving in harambee meetings.
- The constitution should provide that chiefs and assistant chiefs shall have a minimum education qualification secondary school certificate.
- The constitution should provide that president shall not be universities chancellor.
- The constitution should provide that provincial administration shall be answerable to the regional and central government.
- The constitution should provide for an election of chiefs and their assistants to be done through a queue system.
- The constitution should provide for replacement of assistant chiefs with village elders.
- The constitution should provide that the public shall elect members of the cabinet.

- The constitution should provide for the abolishment of unnecessary ministries.
- The constitution should provide that chiefs and their assistants shall be appointed on merit.
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The constitution should provide that the president shall be subject to the law.
- The constitution should limit the powers of the president.
- The constitution should provide for the impeachment of the president.
- The constitution should provide that the president shall serve a maximum two five-year terms.
- The constitution should provide that the president shall also be an elected M.P.
- The constitution should provide that the president shall not be an elected MP.
- . The constitution should provide for a minimum qualification of a university degree for a presidential candidate
- The constitution should make provisions for the overhaul of the provincial administration to ensure its efficiency.
- The constitution should provide that provincial administration officers shall be elected by popular vote.
- The constitution should provide that chiefs and clan elders shall vet citizens.
- Clan elders should be remunerated by the government (7).

4.3.10. **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary (3)
- The judiciary should consist of independent arbitrators, subordinate courts, kadhi court, high court, and court of appeal.
- Court cases should be heard and verdict reached within a short time (2).
- The present structure of the judiciary is not adequate.
- Court cases should be heard immediately.
- There should be Supreme Court (4).
- Constitutional court should be established to deal with constitutional matters (3).
- Judicial officers should be appointed by judicial service commission (2).
- Appointment of judges should be vetted by parliament (2).
- Judicial officers should serve up to the age of 70 years.
- Judicial officers should serve for 2 terms of 5 years each.
- Judges and other judicial officers found guilty of misconduct should be stopped from duties for 1-3 years depending on the magnitude of the problem.
- Kadhis' court should be restricted to judicial work (2)
- Kadhis and chief kadhi should be appointed by judicial service commission.
- Kadhis should have qualifications similar to magistrates.
- Kadhis should be appointed by parliament.
- Judges should declare their wealth.
- Kadhis courts should handle issues of marriage, divorce and successions.
- Judicial powers of the state should be shared between the court arbitrators and clan councils.
- Clan elders should be allowed to solve disputes.
- The constitution should provide for Mobile courts.
- The constitution should provide for a levy- free access to judicial service.

- The constitution should provide for security of tenure for judges.
- The constitution should stipulate that application and filing fees should as much as possible be pegged at a rate affordable to the common person.
- The constitution should provide that judges should visit scenes of land cases.
- The constitution should abolish bond to criminals.
- The constitution should provide for life imprisonment for rapists.
- The constitution should discourage delays in dispensation of law by judges.

4.3.11. LOCAL GOVERNMENT

- Mayors and council chairmen should be elected by the people (10).
- The constitution should provide for mayors to be elected for a maximum term of 5 years (6).
- The constitution should provide for mayors to be elected for a maximum term of 3 years.
- Local councils should operate under ministry of local government.
- Local councils should be autonomous in terms of financial expenditure from the central government.
- Local authorities should be independent.
- Councils should get funds from central government.
- Development projects should be implemented by local authorities and not DDC.
- Councillors should have a minimum qualification of form four (5).
- Mayors should have a diploma.
- Language test for local authority seat is not sufficient.
- Councillors should pass well in English and Swahili
- There should be moral and ethical qualification for councillors (3).
- People should have powers to recall their councillor (2)
- People should have powers to recall their councillor through a vote of no confidence.
- Remuneration of councillors should be determined by public service commission.
- Salaries of councillors should be determined by ministry of local government (3)
- Nominations of councillors should be done by dominant political parties to represent special interest groups.
- Nomination of councillors should be conducted by members of wards.
- Nomination of councillors should be retained
- Nominated councillors should be reserved for disables (3).
- Ministry of local government should not have powers to dissolve local authorities (4).
- Minister for local authority should have power to dissolve councils if they do not fulfill their duties.
- Licensing fee for businesses should be reduced.
- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council, shall be filled by direct popular elections.
- The constitution should provide for reviewing of councilor allowance alongside parliament.
- The constitution should provide that councilors shall have a minimum education qualification of standard eight (4).
- The constitution should provide for the payment of local authority workers from the consolidated fund.
- The constitution should provide that 70% of tax collected by the council should be used to develop the local regions.

- The constitution should provide for the scrapping of language proficiency requirement for councilors.
- The constitution should provide for retention of nomination of councilors.
- The constitution should provide that local authority by-laws shall be adopted by way of a referendum.
- The constitution should give mayors and councilors limited executive power.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should limit the power of the Ministry of local government to dissolve local councils.

4.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should maintain representative electoral system (3).
- Queuing system of election should put in place.
- Proportional system of election should be introduced.
- The simple majority rule as a basis of winning elections should be abolished (4).
- No special mechanism should be adopted to increase women participation in parliament.
- Parliamentary candidates should garner 60% of total votes cast.
- Presidential candidates should garner 51% of total votes cast (2)
- The constitution should abolish defection from one party to another, and that those who shall defect shall not be allowed to contest for an elective post (3).
- Those who fail to get nominated by one party should not be allowed to contest in another party ticket.
- 25% representation rule should be retained (3).
- Special parliamentary seats should be preserved for disables. (2)
- The current geographical constituencies should be changed.
- Violence during campaigns should be made an offence.
- Voters should not be forced to vote for a particular person (2).
- Electoral commission should oversee elections of party leaders and societal elections.
- The constitution should provide that a parliamentary constituency shall have a minimum of 20,000 people.
- The constitution should provide for Independent candidates for presidential, parliamentary and civic elections.
- The constitution should provide that votes shall be counted at the polling station (2).
- The constitution should provide that Presidential and Parliamentary elections shall be held on separate dates. In all cases, presidential elections should be held first.
- The constitution should provide that voting be done by secret ballot.
- The constitution should clearly stipulate the election date of general elections (3).
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide a clear criterion for the appointment of commissioners to the Electoral Commission.
- The constitution should provide that Commissioners appointed to the Electoral Commission shall be nominated by, and be representative of all-political parties.
- The constitution should provide that ballot boxes shall be transparent.
- The constitution should make provision for equal access to the state media for campaign purposes, by all registered political parties.
- The constitution should abolish nomination of MPs and councilors.

- The constitution should provide that constituencies must be created by parliamentary approval. Those constituencies that might have been created through other processes must be abolished.
- The constitution should provide the electorate with a right to petition any election at all levels.
- The constitution should provide for transparency in elections.
- The constitution should provide for freedom of choice in elections.
- The constitution should provide that there shall be 350 constituencies.
- The constitution should provide for continuous voter registration
- The constitution should provide that constituencies should be created on the basis of population.
- The constitution should provide for elections to be held after 5 years.
- The constitution should provide that a civic authority ward should have a minimum of 20,000 people.
- Electoral commission should be funded by the government (2)
- The number of election commissioners should be fifteen.
- Electoral commissioners should retire from 12 months before the general elections.
- Electoral commissioners should serve for 2 terms of 5 years each.
- Electoral commissioners should be appointed by parliament.
- Electoral commissioners should be drawn from civil society, church organizations, and the private sector.
- The president should be elected directly by the people (5).
- Voters' registration should be a continuous process.
- Electoral commissioners should be graduates and non-partisan.

4.3.13. **BASIC RIGHTS**

- The constitution should guarantee social political and civil right of all Kenyans (2).
- Constitutional provisions of fundamental rights are not adequate.
- The constitution should guarantee social, economic and communal right
- Socio-economic rights should be entrenched in the constitution.
- There should be freedom of speech and religious practices.
- Disables should have right to freedom of expression and communication.
- Death penalty should be abolished (3).
- Death penalty should not be abolished.
- The constitution should protect security, health, shelter, water, food and employment as basic rights for all Kenyans (4).
- The central government should ensure that all Kenyans enjoy their basic rights.
- Kenya human right commission should ensure that all enjoys basic rights.
- The president should ensure that all enjoys basic rights.
- Kenyans should get free education (3)
- $\frac{1}{4}$ of all employment opportunities should be given to disables or freight companies operating in Kenya should be charged to 10% of their profit which go to disables funds.
- The constitution should provide for government rehabilitation of street children.
- Health services should be free for all Kenyans.
- The government should ensure that health services are available to all Kenyans.
- Food supply should constant and cheap.
- There should be free and compulsory education at all levels.

- University students with disability should be should be financially assisted.
- the government should provide free clean water .
- Disables should have access to shelter.
- The government should guarantee all citizens employment opportunities (3).
- Youth should be granted jobs after completing education.
- Graduates should be granted employment opportunities (3).
- Child labor should be abolished.
- Employment should be on merit (3).
- Capacity building among the youth should be facilitated to make them more self-reliant.
- There should be pension scheme to cater for the aged.
- Pensions scheme should be a continuous investment.
- Unemployed graduates should be given benefits.
- The constitution should provide for free and compulsory education up to secondary level.
- The constitution should provide for free and compulsory education up to primary level (9).
- The constitution should provide for free and compulsory primary and secondary education (3).
- Education should be free for all Kenyans.
- Workers should have right to trade union representation.
- Certain government departments like police force, army, medical staff, should not be allowed trade representation.
- Unnecessary churches should be abolished.
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee freedom to work anywhere.
- The constitution should guarantee freedom of movement.
- The constitution should abolish political detention.
- The constitution should protect all Kenyans against domestic violence.
- The constitution should guarantee the freedom of worship to all Kenyans.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should guarantee the security of all Kenyans.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide for free basic health care for all in both rural and urban areas
- 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, ethnic or racial background.
- The constitution should guarantee all Kenyans the right to information in hands of the state (3).
- The constitution should guarantee the protection of Workers from intimidation by employers.
- The constitution should provide for advancement of self-employment.
- The constitution should provide for a quota system of employment to enhance equal opportunities.
- The constitution should encourage education by employing all university graduates.
- The constitution should provide that pension schemes should be privatized.
- The constitution should provide for a one person-one job policy (4).

4.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- Persons with disability should be taken care off (3).
- Buildings, roads, resting places, and toilets should design to the interest of disables.
- The government should educate persons with disability.
- Blind people should be given necessary facilities and should go to school like other children.
- Disables should be allowed to vote and should get special assistance.
- Disables should be taken care of by the government (2).
- Children right should be protected by the constitution (3).
- Disable children should have right to education and association.
- Children should be protected and should not be abused.
- Girl –child should have right to inheritance.
- The government should take care of elderly persons (3).
- All orphans and children from poor families should be protected and given free education.
- The constitution should guarantee affirmative action for to enhance women participation in parliament.
- Prisoners who are serving short terms should be sent to neighboring schools and villages to work.
- Social workers should counsel mentally handicapped persons in prisons and courts.
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should provide affirmative action in favor of the disabled in all public facilities.
- The constitution should provide that the disabled should be eligible for recruitment to the armed forces.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should provide for affirmative action in favor of the needy, aged, HIV positive and mentally sick persons.
- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should provide for a Children’s cabinet, which should be composed of representatives of children from all parts of the country.
- The constitution should protect the education of the Girl child.
- The constitution should guarantee gender equity but not equality.
- The constitution should guarantee bursary to the needy children.
- The constitution should guarantee old age allowance for the aged.
- The constitution should guarantee entrenchment of affirmative action in the constitution.
- The constitution should guarantee treatment of early marriage as a criminal offence.
- .
- The constitution should guarantee representation of the poor in the parliament.

4.3.15. **LAND AND PROPERTY RIGHTS**

- the local communities and individuals should be the ultimate land owners (3).
- Individuals should be the ultimate land owners (3).
- The constitution vest ultimate ownership of land in the government (3).
- The government should acquire land from the public but should compensate the owners (2).
- The government should not have powers to compulsorily acquire land
- The government should not have powers to compulsorily acquire land especially for development and conservation purposes.
- Government powers to compulsorily acquire private land should be administered through the approval of parliament and compensation scheme be put in place.
- Local authority should have powers to control land use.
- The state should control land use through agricultural extension workers who should advise farmers on better methods of farming.
- Clan elders appointed by the people should address land issues (2)
- Fragmentations of land into smaller units should be prohibited.
- Constitution should address communal rights concerning transfer and inheritance of land.
- Land transfers and inheritance should be clearly addressed in the constitution
- Land disputes should be handled by the people at the locations.
- Elders should strictly address Land transfers and inheritance.
- An individual should not own more than 100 acres of land
- No person should own more than 50 acres of land.
- There should be a limit on acres of land owned by an individual (2).
- Non-citizens should not be allowed to own land (3).
- There should be adequate restrictions on non citizens to own land
- Land transfer fees should be abolished (3)
- Land transfer procedures should be simplified (3).
- Land transfer should be administered by chiefs (3).
- Pre-independence land treaties should not be retained (3).
- Pre-independent land treaties and agreement involving certain communities should be recognized.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country (5).
- The constitution should guarantee that undeveloped land shall be given to the needy developers.
- The constitution should guarantee simplification of land inheritance.
- The constitution should provide that in the death of a father, the son shall inherit the family land.
- The constitution should guarantee distribution of colonial lands to all tribes.
- The constitution should guarantee eradication of landlessness.
- The constitution should guarantee proper protection of land.
- The constitution should provide that all government/trust land lying idle shall be distributed to the landless.
- The constitution should guarantee that no Kenyan should be landless.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide equal access to land for both men and women (4).
- The constitution should provide for a proper drafting of title deeds to reflect

matrimonial/spousal joint ownership

- The constitution should guarantee access to land for all kenyans (4)

4.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- Kenya's ethnic and cultural diversity does not contribute to national culture.
- Cultural and ethnic diversity should be protected and promoted in the constitution (5).
- Cultural and ethnic values of 42 tribes in Kenya should be captured in the constitution.
- To deal with ethnicity each region/province should be made autonomous headed by governors.
- Young men should not be allowed to marry widows.
- the constitution should not provide for the protection of discriminatory aspects of culture.
- There should be 2 national languages in Kenya.
- There should be one national languages in Kenya, Kiswahili.
- Indigenous
- Languages should be encouraged for clear cultural practices.
- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should provide for one unifying language.
- The constitution should provide for freedom to speak any language.
- The constitution should provide for scrutiny of religious activities.
- The constitution should provide for retention of customary marriage laws.
- The constitution should guarantee that wife inheritance shall be voluntary.
- The constitution should guarantee retention of wife inheritance since the bible (Timothy 5-14) allows.

4.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- Member of parliament should declare their source of wealth.
- The parliament should take the responsibility of distributing finances and management of human resources.
- Parliament should authorize raising and appropriation of public revenues.
- There should be a fair distribution of all natural resources.
- Benefits from natural resources should be distributed to the communities where such resources are found (4).
- People residing in regions where industries are established should get 70% of tax paid by the industry.
- 85% of benefits from natural resources should be retained in the region where such resources are found.
- $\frac{3}{4}$ of taxes collected at provincial level should remain in the regions while $\frac{1}{4}$ is remitted to the central government.
- The controller and auditor general should enjoy security of tenure.
- The controller and auditor general should be appointed by parliament.
- All development projects should be designed and approved by parliament.
- The government should pay well teachers.
- Professionalism and career advancement should be restored in public service.
- The civil servants should be delinked from political parties.
- There should be a code of conduct for public office holders (3).
- Office holders should be honest and trustworthy.

- Public officers should declare their assets.
- Members of public service commission should be appointed by parliament.
- The constitution should provide for equitable distribution of national resources.
- The constitution should discourage collection of public funds for holiday celebrations.
- The constitution should provide for the issuance of work permit to anybody above 18 years.
- The constitution should scrap the requirement for a national identification card.
- The constitution should provide that all government services and facilities shall be accessible to all Kenyans without discrimination.
- The constitution should guarantee the provision of library services in rural areas.
- The constitution should provide that all industries should be located in areas in close proximity to the raw materials it uses.
- The constitution should provide that school equipment should be equitably distributed to all schools.
- The constitution should provide that farmers should be represented in agricultural organizations.
- The constitution should provide that a school head should not stay for more than 10 years in the same school.
- The constitution should provide that the provincial administration and MPs shall be involved in distribution of donor funding.
- The constitution should prohibit doctors and nurses from owning private hospitals.
- The constitution should provide for regional establishment of factories to enhance employment.
- The constitution should provide that communication facilities such as the telephone shall be available in every location.
- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
- The constitution should provide that public officers convicted of corruption shall be made to repay the full amount of monies embezzled.
- The constitution should provide for government role in price control to protect local produce
- The constitution should provide for government protection of the local market against the infiltration of fake and contraband products.
- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide for good remuneration of tobacco farmers.
- The constitution should abolish roadblocks and introduce patrol of roads by police.
- The constitution should provide that appointment to the cabinet should be based on merit.
- The constitution should provide that all elective public positions should have a retirement provision of a maximum 55 years.
- The constitution should provide that all presidential candidates shall declare the source of their wealth

4.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- A law should be enacted that requires that national holidays be preceded by tree planting days.

- Trees and flowers should be planted in towns, urban centers and learning institutions.
- People should not carelessly cut down trees.
- The government should have powers to enforce environmental protection laws.
- Parliament should establish an environmental commission to enforce environmental laws.
- Natural resources should be owned by the state (3)
- Hills and water should be protected by the constitution.
- Water, forest, rangeland and minerals should be protected by the constitution (2).
- Local communities should participate in the management and protection of environment through NGOs, individuals, institutions, private companies and state corporations.
- The constitution should protect rivers, mountains and forest.
- The government should be responsible of protecting and managing natural resources.
- Parliament should take over the function of Permanent Presidential commission on soil and water conservation.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should provide that citizens be protected from wild animals.
- The constitution should provide for the protection of forests.
- The constitution should provide that all public holidays shall be preceded by a national tree-planting day.

The constitution should provide for planting of trees on the graves of the dead.

4.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should provide that civic education shall be entrenched in the constitution and shall be a continuous process
- NGO's and other organized groups should have a role to play in governance.
- Religious leaders and preachers should go for training.
- Civil society should have freedom of assembly, expression, and association
- Women should be encouraged to take up leadership positions (3) .
- Women should be discouraged to take up leadership positions.
- Persons with disability should be allowed to participate in governance.
- Disable persons and their organizations should be consulted and included in decision making process in areas of policy and future legislation at both national and local government.
- Youth should be represented in parliament (2).

4.3.20. **INTERNATIONAL RELATIONS**

- The conduct of foreign affairs should be the responsibility of the executive and parliament.
- Parliament should approve foreign policies and appointment of ambassadors.
- The executive should only initiate and implement foreign policy.
- International treaties, conventions, bilateral and regional treaties should have an automatic effect on our domestic laws.
- Laws and regulations formulated by regional organizations that Kenya belongs to should have automatic effect on the domestic laws.
- Government negotiations with other foreign countries on issues of socio-economic implications the disabled should be considered.
- Implementation of UN standard rules for qualification of opportunities for the disabled and

the verification of international labor organization conventions 159 on rehabilitation and employment of disables should have a direct effect on Kenyan laws.

4.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- There should be commissions and institutions that will supervise the exercise of constitutional functions.
- The office of the ombudsman should be established.
- The constitution should introduce office of ombudsman who should be appointed from the second opposition party.
- Office of ombudsman should address complains arising from bureaucratic abuses and make recommendations to parliament for appropriate action.
- The constitution should establish Kenya human rights commission and enforce human right laws.
- There should be gender commission to handle gender issues.
- The constitution should establish anti corruption commission to take over the functions of the anti corruption authority.
- A land commission which should facilitate the land ownership, transfers, succession and use of land by owners should be introduced and should take over the functions of commissioner of lands.
- A special commission for constitutional amendment should be formed.
- There should be special amnesty commission to hear from communities that feel they have been discriminated.
- The constitution should introduce environmental commission to enforce environmental laws.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary
- The constitution should provide for the creation of the office of an ombudsman.
- The constitution should provide for a commission to oversee the management of natural resources
- The constitution should provide for creation of a national commission to fight for the rights of the disabled.
- The constitution should provide for a commission to divide government land among the landless.

4.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that there should be a transitional government under the Electoral Commission of Kenya.
- The vice president should act in the event of office of the president falling vacant.
- The constitution should make provision for outgoing president in terms of security (3)
- The constitution should make provision for outgoing president in terms of welfare (2).
- The constitution should make provision for outgoing president in terms of immunity from legal process.

4.3.23. **WOMENS' RIGHTS**

- Women right should be constitutional zed (3).
- Female patients seeking medical examination should be attended to female medics.

- Expectant mothers should accorded free medical services.
- Women should have right to inheritance and succession (6).
- Women should not inherit land from their parents (12)
- Women should have the right inheritance of their husband's property and succession to their parents' property.
- Women should inherit from their husbands and not from their parents.
- Early marriages should be prohibited.
- Marriage laws should be a harmonized.
- Marriage contract should be 5 years renewable (2).
- Monogamy should be encouraged in Kenya.
- Domestic violence should be prohibited.
- Fathers should ensure women of child support and maintainance (3).
- The constitution should guarantee age limit for marriage.
- The constitution should guarantee issuance of national identity cards at birth.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide for polygamy to avoid prostitution.

4.3.24. **NATIONAL ECONOMIC POLICY**

- the state should check on unrestricted profit making.
- The constitution should provisions for poverty eradication programmes.
- There should be sufficient parking spaces

4.3.25. **NATIONAL OTHER POLICY**

- money contributed to NHIF by civil servants should be translated to to insurance benefits.
- The government should concentrate on HIV /AIDS campaign.
- HIV test should be conducted before one is allowed to inherit the wife of the deceased.
- HIV test should be conducted before marriage.
- HIV negative women should be allowed to be inherited upon the death of their husband
- Vigilant groups should be formed to help police in their duties.
- Vigilant groups, which ensure the safety of the people, should not be abolished.
- Police officers should not harass people over identity cards (4).
- The constitution should put in place measures to curb corruption.
- The bribery syndrome in government offices should be addressed in the constitution.

4.3.26. **SECTORAL POLICY**

- the government should grant loans to small scale farmers.
- The government should give tractors to farmers.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- Agricultural extension officers should visit farms and educate farmers freely
- Government should put in place policies to ensure self-sufficiency in food production.
- Industries should be established next to the source of raw material (3).
- public universities should elect one chancellor ,while deputy vice chancellor should be elected by respective universities.

- Education levy should be charged on any employed person to help build the basic education.
- Teachers should not work near their homes since this makes them involve in other business at the expense of teaching.
- Civic education should be taught in schools.
- Civic education should be conducted through out the year in all the regions.
- All schools should be equipped with teaching facilities.
- Corporal punishment should be reinstated in schools (4).
- University students should be granted loans and scholarships.
- Every location should have a school that provides free education to the needy.
- School fees should be reduced to make education affordable.
- Nursery schools should fall under the ministry of education.
- 8-4-4 system of education should be replaced.
- Corporal punishment should be abolished in schools
- Head teachers should not serve for more than ten years in one institutions.
- Bursaries should be given to deserving students.
- The government and mining companies should take 85% of benefits while the community around the mining area should get 15%.
- Jua kali and other small-scale business operators should have designated places for their business.
- The media should give equal coverage for all religious groups.
- Doctors should not run private clinics.
- Health services should be completely be privatized.
- Local communities should be taught the importance of balanced diet.
- public service vehicles ,railway, and aircrafts should have provisions for people with disability

4.3.27. **STATUTORY LAW.**

- Any person found practicing witchcraft should be jailed.
- The constitution should guarantee severe punishment for incest/ defilement.
- The constitution should provide for legalization of *chang'aa*.
- Traditional brews should be legalized (3).
- Criminals should not be released on bond.
- Chief act should be reinstated.
- Rapist should be imprisoned for life.
- Fathers who defile their children should be jailed for 14 years and subjected to hard labor and stroke of the cane.

4.3.28. **GENDER EQUITY**

- Men and women should be given equal opportunities on issues such as obtaining passports.
- Gender equity should be fostered to prevent discrimination.

4.3.29. **ECONOMIC /SOCIAL JUSTICE**

- All Kenyans should be equal rights in discussing the social and economic affairs of the state.

4.3.30. **TRANSPARENCY AND ACCOUNTABILITY**

- The government should set a system of transparency and accountability (2).
- Public authorities should be accountable to all Kenyans.
- Leaders should be accountable to the people.
- A culture of transparency should be inculcated.

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon H. O. Omamba MP
2. Joseph O. Oguttu DC
3. Chris Okello Chairman
4. Cllr. Geoffrey O. Odera
5. David O. Omogo
6. Patrick Abade Milewa
7. Mrs. Audia Agin
8. Mrs. Eunice Akoth Bolo
9. Mrs. Symprose Odongo
10. Ebrahim Amwai

Appendix 2: Persons presenting memoranda and/or making oral submissions.

1	00050MUNY	Charles Otieno Olwalo	CBO	Written	Rapogi Ngware Youth Group
2	00060MUNY	Jamin R. Otiende	CBO	Written	Wazee Wa Kamsak "A"
3	00030MUNY	Joseph Ochieng	CBO	Memorandum	Kolwal Women Group & Catholi
4	00010MUNY	Tobias Owaga	CBO	Written	Urir Division Disabled Comm
5	00011MUNY	Aggrey Nguyagwe Azere	Individual	Written	
6	00491MUNY	Agnes B. Igoke	Individual	Oral - Public he	
7	01181MUNY	Aloys Okello	Individual	Oral - Public he	
8	00861MUNY	Amos Otieno Shikuku	Individual	Oral - Public he	
9	00521MUNY	Apollo Odhiambo	Individual	Oral - Public he	
10	01071MUNY	Atieno Stella	Individual	Oral - Public he	
11	00711MUNY	Ben Owino	Individual	Oral - Public he	
12	00621MUNY	Benjamin Kasera	Individual	Oral - Public he	
13	00101MUNY	Benson Ochieng Ocholla	Individual	Written	
14	00171MUNY	Bernard O. Oketch	Individual	Memorandum	
15	00231MUNY	Bernard Ojowi Kisia	Individual	Written	
16	01041MUNY	Bernard Oniala	Individual	Oral - Public he	
17	00021MUNY	Bishop Justus Oguta	Individual	Written	
18	00301MUNY	Catherine A. Oketch	Individual	Written	
19	00151MUNY	Cecilia O. Okoth	Individual	Written	
20	01361MUNY	Charles Ndiuwe	Individual	Oral - Public he	
21	00951MUNY	Charles Nyabola	Individual	Oral - Public he	
22	00191MUNY	Charles O. Nyabola	Individual	Written	
23	00601MUNY	Charles Ochieng	Individual	Oral - Public he	
24	00371MUNY	Charles Oriare Onyango	Individual	Oral - Public he	
25	01051MUNY	Charles Otieno	Individual	Oral - Public he	
26	01431MUNY	Charles Ouma Odenyo	Individual	Oral - Public he	
27	00381MUNY	Chris D. Okello	Individual	Oral - Public he	
28	00931MUNY	Christine O. Kombe	Individual	Oral - Public he	
29	00511MUNY	Christopher Owiro	Individual	Oral - Public he	
30	01261MUNY	Cllr. Fredrick Okello	Individual	Oral - Public he	
31	00811MUNY	Cllr. Geoffrey Odera	Individual	Oral - Public he	
32	01031MUNY	Cllr. George Okoth Owou	Individual	Oral - Public he	
33	00531MUNY	Cllr. Omedo Joel	Individual	Oral - Public he	
34	00031MUNY	Cllr. Ouma Oremo	Individual	Written	
35	01101MUNY	Cyprian N. Otieno	Individual	Oral - Public he	
36	01391MUNY	Cyprian Oyiero Ongalo	Individual	Oral - Public he	
37	00121MUNY	Dadiel O. Akeyo	Individual	Memorandum	
38	01141MUNY	Dalmas Owiti Owiti	Individual	Oral - Public he	
39	00071MUNY	David Akoto	Individual	Written	
40	00441MUNY	David Kochwa	Individual	Oral - Public he	
41	00211MUNY	David Ombewa Bwana	Individual	Written	
42	00661MUNY	David Omege Ayore	Individual	Oral - Public he	
43	01091MUNY	Dennis Kanyowade	Individual	Oral - Public he	
44	01021MUNY	Dr. Bernard Ouma O.	Individual	Oral - Public he	
45	00111MUNY	Dr. Wycliffe H. Odiwour	Individual	Written	
46	00431MUNY	Edwin O. Ajuang	Individual	Oral - Public he	
47	01081MUNY	Edwin Ojjo	Individual	Oral - Public he	
48	01191MUNY	Edwin Oswago	Individual	Oral - Public he	
49	01281MUNY	Eliab Ojoo Odhiambo	Individual	Oral - Public he	
50	01411MUNY	Elijah Ochieng Oguwi	Individual	Oral - Public he	

51	0065IMUNY	Elijah Ojuka	Individual	Oral - Public he	
52	0036IMUNY	Ephraim Amwayi Onde	Individual	Oral - Public he	
53	0067IMUNY	Erick Ndiege Kasina	Individual	Oral - Public he	
54	0130IMUNY	Eudia Agin Achieng	Individual	Oral - Public he	
55	0050IMUNY	Feshody Nyakasera	Individual	Oral - Public he	
56	0075IMUNY	Francis Nyakwaka	Individual	Oral - Public he	
57	0074IMUNY	Francis Odoyo	Individual	Oral - Public he	
58	0061IMUNY	Francis Okano	Individual	Oral - Public he	
59	0125IMUNY	Frank Adonyo	Individual	Oral - Public he	
60	0013IMUNY	Fredrick Migono	Individual	Written	
61	0092IMUNY	Gabriel Oganyo	Individual	Oral - Public he	
62	0100IMUNY	George C. Odhiambo O.	Individual	Oral - Public he	
63	0026IMUNY	George C. Odhiambo O.	Individual	Written	
64	0058IMUNY	George Onyango Oogo	Individual	Oral - Public he	
65	0076IMUNY	George Orimba	Individual	Oral - Public he	
66	0089IMUNY	Hon. H. Omamba	Individual	Oral - Public he	
67	0009IMUNY	Isaac Ogutu Mugah	Individual	Written	
68	0008IMUNY	Isaac Oluoko Buoga	Individual	Written	
69	0018IMUNY	Isaiah Odongo Gary	Individual	Written	
70	0131IMUNY	Jaoko Alex Akugu	Individual	Oral - Public he	
71	0035IMUNY	Jito Kidenda	Individual	Oral - Public he	
72	0048IMUNY	Joel Oronse	Individual	Oral - Public he	
73	0006IMUNY	John A. Osewe	Individual	Written	
74	0087IMUNY	John Mijungu Kisia	Individual	Oral - Public he	
75	0127IMUNY	John Norman Okal	Individual	Oral - Public he	
76	0140IMUNY	John Odho Odero	Individual	Oral - Public he	
77	0045IMUNY	John Ogina Otwala	Individual	Oral - Public he	
78	0096IMUNY	John Onyango Omollo	Individual	Oral - Public he	
79	0064IMUNY	Johnson Okeyo	Individual	Oral - Public he	
80	0059IMUNY	Johnson Okira Ongoya	Individual	Oral - Public he	
81	0138IMUNY	Johnstone Jomo Dachi	Individual	Oral - Public he	
82	0022IMUNY	Joseph A. Mbaggar	Individual	Written	
83	0042IMUNY	Joseph Lango Muga (Past	Individual	Oral - Public he	
84	0085IMUNY	Joseph Orinda	Individual	Oral - Public he	
85	0111IMUNY	Joshua Auma Okongo	Individual	Oral - Public he	
86	0073IMUNY	Joshua Ogundo	Individual	Oral - Public he	
87	0116IMUNY	Joshua Okoo Atunga	Individual	Oral - Public he	
88	0034IMUNY	Joshua Pande Okendo	Individual	Oral - Public he	
89	0069IMUNY	Jotham Henry Kabasa	Individual	Oral - Public he	
90	0033IMUNY	Judith Avedi	Individual	Oral - Public he	
91	0055IMUNY	Julius Odukado Owiti	Individual	Oral - Public he	
92	0094IMUNY	Kennedy Joba	Individual	Oral - Public he	
93	0106IMUNY	Kevins Ochieng	Individual	Oral - Public he	
94	0097IMUNY	Lawrence Ojwang	Individual	Oral - Public he	
95	0134IMUNY	Lucas O. Orira	Individual	Oral - Public he	
96	0117IMUNY	Lukas Okumu	Individual	Oral - Public he	
97	0120IMUNY	Mamba Victor	Individual	Oral - Public he	
98	0084IMUNY	Margeret Akinyi Akello	Individual	Oral - Public he	
99	0040IMUNY	Mark Ochuodho	Individual	Oral - Public he	
100	0004IMUNY	Mark Ochuodho	Individual	Written	
101	0020IMUNY	Marselas Nyathol Odongo	Individual	Written	
102	0099IMUNY	Martin Squirel Oloo	Individual	Oral - Public he	
103	0090IMUNY	Mayor Charles O. Ochien	Individual	Oral - Public he	
104	0132IMUNY	Milton Otieno Otieno	Individual	Oral - Public he	

105	0068IMUNY	Moses Ochieng	Individual	Oral - Public he	
106	0078IMUNY	Mr. Fred O. Okello	Individual	Oral - Public he	
107	0077IMUNY	Mr. Ojjo Kennedy	Individual	Oral - Public he	
108	0070IMUNY	Musa Otieno Obado	Individual	Oral - Public he	
109	0079IMUNY	Nathan Owuor	Individual	Oral - Public he	
110	0032IMUNY	Nelson O. Kasina	Individual	Oral - Public he	
111	0142IMUNY	Nicholas Abongo	Individual	Oral - Public he	
112	0091IMUNY	Nyakila Fuata	Individual	Oral - Public he	
113	0027IMUNY	Obado Z. Okoth	Individual	Written	
114	0123IMUNY	Odero Tom	Individual	Oral - Public he	
115	0112IMUNY	Ojiema Opiyo	Individual	Oral - Public he	
116	0113IMUNY	Oki James	Individual	Oral - Public he	
117	0083IMUNY	Okoth Dan Obado	Individual	Oral - Public he	
118	0121IMUNY	Okoth Stephen	Individual	Oral - Public he	
119	0137IMUNY	Owalo O. Muga	Individual	Oral - Public he	
120	0014IMUNY	Patricia Nyamori	Individual	Written	
121	0024IMUNY	Patrick Abade Milewa	Individual	Written	
122	0072IMUNY	Peter Lema Siyeya	Individual	Oral - Public he	
123	0124IMUNY	Philip Olale	Individual	Oral - Public he	
124	0016IMUNY	Pius Ouma Onyango	Individual	Written	
125	0047IMUNY	Rashid Makaye	Individual	Oral - Public he	
126	0039IMUNY	Reuben Odongo	Individual	Oral - Public he	
127	0122IMUNY	Richard Odek	Individual	Oral - Public he	
128	0101IMUNY	Richard Owour	Individual	Oral - Public he	
129	0005IMUNY	Rose Kochwa	Individual	Written	
130	0129IMUNY	Rose Okongo	Individual	Oral - Public he	
131	0041IMUNY	Samson Kidoyi Odicho	Individual	Oral - Public he	
132	0046IMUNY	Samson Mbira	Individual	Oral - Public he	
133	0115IMUNY	Samuel O. Pata	Individual	Oral - Public he	
134	0080IMUNY	Samuel Omondi Oromo	Individual	Oral - Public he	
135	0056IMUNY	Samuel Oyugi Obambo	Individual	Oral - Public he	
136	0031IMUNY	Samwel Were Kochwa	Individual	Oral - Public he	
137	0088IMUNY	Serfina Aketch Ogwaro	Individual	Oral - Public he	
138	0133IMUNY	Shadrack Opiyo	Individual	Oral - Public he	
139	0063IMUNY	Sophia Chogo	Individual	Oral - Public he	
140	0028IMUNY	Stanely Otieno Awich	Individual	Written	
141	0054IMUNY	Symphrose Odongo	Individual	Oral - Public he	
142	0135IMUNY	Thomas Alila	Individual	Oral - Public he	
143	0098IMUNY	Thomas Gumbo Ondiegi	Individual	Oral - Public he	
144	0025IMUNY	Thomas Gumbo Ondiegi	Individual	Written	
145	0082IMUNY	Tobias Owaga	Individual	Oral - Public he	
146	0029IMUNY	Wilberforce O. Otewa	Individual	Written	
147	0057IMUNY	Zablon Oketch Dwasi	Individual	Oral - Public he	
148	0002OMUNY	Bernard Ochuodho	NGO	Written	St. Jude Counselling Centre
149	0004OMUNY	Jared Ogutu Owiti	Religious Organisation	Memorandum	Catholic Justice & Peace Com

Appendix 3: Persons Attending Constituency Hearings

ARAMBE

No	Name:	Address:	No	Name:	Address:
1	Samwel W. Kochwa	P.O. Box 35, Sare	25	Joseph Lango Muga	P.O. Box 401, Sare
2	Nelson O. Kasina	P.O. Box 35, Sare	26	John A. Osewe	P.O. Box 401, Sare
3	Judith Avedi	P.O. Box 186, Suna	27	Ishmael O. Okong'o	P.O. Box 34, Sare
4	Joshua P. Okendo	P.O. Box 86, Sare	28	Samson Ochola	P.O. Box 35, Sare
5	John O. Kidenda	P.O. Box 118, Sare	29	John Agwa	P.O. Box 35, Sare
6	E. Amwanyi	P.O. Box 186, Suna	30	Christine Masuli	P.O. Box 35, Sare
7	Charles Oriare Onyango	P.O. Box 35, Sare	31	Bowine Odhiambo	P.O. Box 830, Suna
8	Agrey Nguayagwe, Azere	P.O. Box 279, Suna	32	Rebecca Mulimo	P.O. Box 35, Sare
9	Bishop Justus Oguta	P.O. Box 26, Sare	33	Elijah Boagwa Mumoi	P.O. Box 35, Sare
10	Chris D. Okello	P.O. Box 830, Suna	34	Elijah Ojuka	P.O. Box 35, Sare
11	Reuben Odongo	P.O. Box 401, Sare	35	David Kochwa	P. O. Box 401 Sare
12	Selemia O. Oremo	P.O. Box 26, Sare	36	David A. Akoto	P.O. Box 401, Sare
13	charles Agar	P.O. Box 401, Sare	37	Gideon Goga	P.O. Box 204, Wikopango
14	Haron Otini	P.O. Box 401, Sare	38	Isaac Ogutu Muga	P.O. Box 401, Sare
15	Con Wasonha	P.O. Box 401, Sare	39	Jeremia Kilo	P.O. Box 35, Sare
16	Ngere P.O.	P.O. Box 401, Sare	40	John Ogina Otwal	P.O. Box 683, Sare
17	Make Ochuodho	P.O. Box 949, Suna	41	Samson A. Otwala	P.O. Box 683, Sare
18	Sakaria Mkora	P.O. Box 949, Suna	42	Enos E. Mbaja	P.O. Box 35, Sare
19	Francis Andira	P.O. Box 444, Suna	43	john O. Odak	P.O. Box 35, Sare
20	Nashon Okello Amunga	P.O. Box 35, Sare	44	Ezrah o. Awiache	P.O. Box 35, Sare
21	Omolo Abimbo	P.O. Box 401, Sare	45	Isaac Owoko	P.O. Box 279, Sare
22	Sakayo Oliech	P.O. Box 35, Sare	46	Jacob Odongo	P.O. Box 26, Sare
23	Rose Kochwa	P.O. Box 35, Sare	47	Daniel Owuor	P.O. Box 35, Sare
24	Samson Kidoyi Odiko	P.O. Box 35, Sare	48	Cosmas Ondata	P.O. Box 26, Sare
49	Nathan Omwak	P.O. Box 683, Sare	73	Benson Ochieng' Ochola	P.O. Box 735, Suna
50	Eric Kasina	P.O. Box 118, Suna	74	Obeid Omare	P.O. Box 444, Suna
51	James Odoyo	P.O. Box 35, Sare	75	Wiliam Odipo	P.O. Box 444, Suna
52	R.A.A.E. Makate	P.O. Box 206, Sare	76	Kwanya Nashon Ochieng'	P.O. Box 166, Sare
53	Daniel okech Ojijo	P.O. Box 401, Sare	77	Alex Mito	P.O. Box 35, Sare
54	Odhiambo Anyango	P.O. Box 401, Sare	78	Omondie Oromo	P.O. Box 38, Uritu
55	Joel Oronze	P.O. Box 24, Sare	79	David Omugo	P.O. Box 420, Sare
56	Omondi Aineah	P.O. Box 401, Sare	80	Eunice A. Bolo	P.O. Box 683, Sare
57	Collins Ochieng'	P.O. Box 401, Sare	81	Geofrey odera	P.O. Box 35, Uritu
58	Peter O. Amimo	P.O. Box 35, Sare	82	Apollo Odhiambo	P.O. Box 275, Sare
59	William Nyambuk	P.O. Box 35, Sare	83	Isack Okoth	P.O. Box 35, Sare
60	Tom Mtambo	P.O. Box 35, Sare	84	Cllr. Joel Omedo	P.O. Box 35, Sare
61	Festo Dienya	P.O. Box 26, Sare	85	Symphrose Odongo	P.O. Box 516, Sare
62	Bonphase Okinyi Kasina	P.O. Box 35, Sare	86	Julius Odukado	P.O. Box 210, Sare
63	Christopher Owiro	P.O. Box 88, Sare	87	Vitalis Oyugi Okello	P.O. Box 75, Sare
64	Agnes Igoke	P.O. Box 793, Suna	88	Lukas Odongo	P.O.Box 35, Sare

65	Samwel Oguta	P.O. Box 26, Sare	89	Victoria Wagongo	P.O. Box 72, Sare
66	Benson Omudo Ateno	P.O. Box 35, Sare	90	Johana Adera	P.O. Box 75, Sare
67	Reuben Ongoya	P.O. Box 35, Sare	91	Samwel Oyugi Obambo	P.O. Box 75, Sare
68	Barack Ochola	P.O. Box 35, Sare	92	Ann Akinyi	P.O. Box 35, Sare
69	Moses Ochieng' M.	P.O. Box 1192, Suna	93	Rebeca Awuor	P.O. Box 35, Sare
70	Paul Ogola	P.O. Box 35, Sare	94	Reuben Ojowi Otieno	P.O. Box 35, Sare
71	Joseph Odipo Mboya	P.O. Box 18, Sare	95	Sablon Okech Dwasi	P.O. Box 35, Sare
72	Jirus Ochieng' Milowa	P.O. Box 24, Sare	96	Jairus O. Were	P.O. Box 35, Sare
97	George Onyango Ooga	P.O. Box 44, Suna	107	Benjamin Kasera	P.O. Box 35, Sare
98	Samwel O. Ombago	P.O. Box 35, Sare	108	Benard Okech Guto	P.O. Box 551, Sare
99	Nesimo Lubutsi Apiudi	P.O. Box 35, Sare	109	Sophia Chogo	P.O. Box 401, Sare
100	Richard Ogelo	P.O. Box 35, Sare	110	Grace Anyango	P.O. Box 35, Sare
101	Isaac Ogutu Muga	P.O. 401, Sare	111	Grace Odiek	P.O. Box 35, Sare
102	Fanwel Tana	P.O. Box 35, Sare	112	Okeyo Johnson	P.O. Box 191, Sare
103	Joseph Otieno	P.O. Box 126, Sare	113	Elija Ojuka	P.O. Box 35, Sare
104	Johnson Okita	P.O. Box 35, Sare	114	David Omege Ayore	P.O. Box 35, Sare
105	Charles Ochieng'	P.O. Box 26, Sare	115	Erick Kasina	P.O. Box 118, Sare
106	Francis Okano	P.O. Box 35, Sare	116	Moses Ochieng' M.	P.O. box 1192, Suna
			117	Jotham H. Kabasa	P.O. Box 24, Sare

RAPOGI SECONDARY SCHOOL

No	Name	Address:	No	Name:	Address:
1	Musa O. Obado	P.O. Box 1, Rapogi	25	Patricia Nyamory	P.O. Box 511, Rapogi
2	Ben Owino	P.O. Box 254, Salre	26	Mr. Ojijo K. O.	P.O. Box 511, Rapogi
3	Peter Lema	P.O. Box 1, Rapogi	27	Fred Ochieng' Akello	P.O. Box 11, Sare
4	Joshua Ogundo	P.O. Box 1, Rapogi	28	Pius Ouma Onyango	P.O. Box 803, Suna
5	Francis Odoyo	P.O. Box 450, Suna	29	Michael Opiyo	P.O. Box 105, Sare
6	Dr. Wycliffe Odiwuor	P.O. Box 2929, Nairobi	30	Mary Odongo ochola	RAPOGI
7	Franics Nyakuaka	P.O. Box 139, Rapogi	31	John Ologi Diboro	P.O. Box 1, Rapogi
8	George Orimba	P.O. Box 53, Uriri	32	Joseph Orinda	P.O. Box 79, Sare
9	Daniel Obadha	P.O. Box 511, Sare	33	John Abiri	P.O. Box 286, Sare
10	Maurice Odera Ochieng'	P.O. Box 40, Rapogi	34	Benard O. Okech	P.O. Box 37, Uriri
11	Nathan Owuor	P.O. Box 286, Sare	35	Cecilia O. Okoth	P.O. Box 598, Suna
12	Samuel Omondie Oromo	P.O. Box 38, Uriri	36	John Ndenda Ogola	P.O. Box 3, Rapogi
13	Cllr. George S. O. Odera	P.O. Box 35, Uriri	37	Margret Akingyi Akello	P.O. Box 41, Rapogi
14	Chief Palmas Mosuko	P.O. Box 109, Rapogi	38	Amos Chikuku	P.O. Box 35, Uriri
15	Asst. Chief Margaret A. Otieno	P.O. Box 1, Rapogi	39	John Mijungu Kisia	P.O. Box 305, Suna
16	Joseph Ochola	P.O. Box 10, Rapogi	40	Sackaria Onyango	P.O. Box 40, Rapogi
17	Fred Migono	P.O. Box 1, Rapogi	41	George O. Omollo	P.O. Box 1058, Suna
18	Illoth Dan Obado	P.O. Box 152, Rapogi	42	Ochieng' Joseph Felix	P.O. Box 640, Suna
19	Isaya Owuor	P.O. Box 41, Rapogi	43	Domnick O. Oganga	P.O. Box 1, Rapogi
20	Juliet A. Odera	P.O. Box 45, Rapogi	44	Paul Juma Odendo	P.O. Box 3, Rapogi
21	George Odhiambo	P.O. Box 1, Rapogi	45	Sefina Akech Ogwalo	P.O. Box 3
22	Bernad Ochuodho	P.O. Box 865, Suna	46	Nyakila Afuata	P.O. Box 81, Rapogi

23	Rapheal Otieno	P.O. Box 5, Rapogi	47	Oure Michael	P.O. Box 209, Sare
24	James Madinri	P.O. Box 54, Rapogi	48	John Okeyo Nyakech	P.O. Box 2, Uriri
49	Gabriel Oganyo	P.O. Box 3, Sare	73	Ojowi B.S. Kisia	P.O. Box 65, Rapogi
50	Tobias Owaga	P.O. Box 1, Rapogi	74	John Omollo	P.O. Box 44, Uriri
51	Christine O. Kombe	P.O. Box 1, Rapogi	75	Johana Adera Ogeya	P.O. Box 755, Sare
52	Rv. Fr. Peter A. Incheto	P.O. Box 771, Suna	76	Lawrence Ojwang' Ojwang'	P.O. Box 87, Uriri
53	Isaiah Odongo Gary	P.O. Box 286, Suna	77	Peter Wanga	P.O. Box 36, Rapogi
54	Chief J. A. Edomi	P.O. Box 59, Suna	78	Patric A. Milewa	P.O. Box 146, Rapogi
55	Ass. Chief Nehemiah Ochola	P.O. Box 59, Suna	79	Fredrick Okengo	P.O. Box 59, Rapogi
56	Jared Ogutu Owiti	P.O. Box 1, Rapogi	80	Michael O. Okomo	P.O. Box 371, Suna-Migori
57	Aich O. Stanley	P.O. Box 41, Rapogi	81	Odeng J. O.	P.O. Box 11, Sare
58	Jobando Kenedy	Rapogi	82	Thomas Gumbo Ondiegei	P.O. Box 516, Sare
59	George Ochieng'	P.O. Box 1, Uriri	83	Martin Oloo	P.O. Box 121, Rapogi
60	Charles O. Nyabola	P.O. Box 2, Rapogi	84	Catherine Okech	P.O. Box 61, Rapogi
61	Philip Odero	P.O. Box 103, Sare	85	George C. Opiata	P.O. Box 144, Rapogi
62	Mike Ochodho	P.O. Box 949, Suna	86	Mildred Otieno	P.O. Box 11, Sare
63	George Omondi	P.O. Box 1, Rapogi	87	Michael Juma	P.O. Box 144, Rapogi
64	Dominic Aluoch	P.O. Box 209, Sare	88	Michael Odhiambo	P.O. Box 030, Rapogi
65	Caleb O. Aketch	P.O. Box 11, Sare	89	Cllr. Joshua O. Atong'a	P.O. Box 59, Rapogi
66	Koinange Samwel M.	P.O. Box 1, Sare	90	Obado Z. Okoth	P.O. Box 25, Rapogi
67	Cosmas Adede	P.O. Box 1, Rapogi	91	Charles O. Lwalo	P.O. Box 185, Rapogi
68	John Ochuodho	P.O. Box 708, Sare	92	Richard Owuor	P.O. Box 483, Suna
69	Nyatol Odongo	P.O. Box 8, Rapogi	93	Benard Ouma Oguna	P.O. Box 4, Ururi
70	David O. Bwana	P.O. Box 59, Sare	94	Cllr. George Okoth	P.O.Box 107, Rapogi
71	Milton C. Ouma	P.O. Box 286, Suna	95	Syprian Onguka	P.O. Box 103, Sare
72	Peter Oguda Wanga	P.O. Box 1, Rapogi	96	Denis Kanyowade	P.O. Box 13, Piny Owacho
97	John Ouma	P.O.Box 13, Piny Owacho	122	Lucas Otieno	P.O. Box 103, Sare
98	Joshua Auma Okongo	P.O. Box 79, Sare	123	Christopher Okeyo	RAPOGI
99	John Opiyo Omulo	P.O. Box 134, Sare	124	David O. Omogo	P.O. Box 420, Sare
100	Hon. H. O. Omamba	P.O. Box 41842, Nairobi	125	Dickson O. Ogallo	P.O. Box 103, Andingo
101	Michael Gonda	P.O. Box 31, Sare	126	James Ayugi	ANDINGO
103	Ojema Opiyo	P.O. Box 13, Piny Owacho	127	Andronico Adum	P.O. Box 14, Rapogi
104	Dalmust Owiti	P.O. Box 254, Sare	128	Cllr. Okongo	P.O. Box 103, Sare
105	John Odhiambo Nyadira	P.O. Box 13, Piny Owacho	129	Moris Otieno	P.O. Box 483, Suna
106	Okki James	P.O. Box 1, Rapogi	130	Joseph Osuri	P.O. Box 55
107	Christopher Ojuang'	P.O. Box 11, Rapogi	131	S. E. Kanyankogo	P.O. Box 46, Rapogi
108	Cllr. Charles Ochieng'	P.O. Box 129, Suna	132	Ehab Ojow	P.O. 84, Sare
109	Cllr. Damaris Ouma	P.O. Box 356, Sare	133	John N. Okal	P.O. Box 68, Rapogi
110	Zacharia Ogola	P.O. Box 13, Rapogi	134	Paul Ook Ongal	P.O. Box 12, Amoso
111	Joseph Obado	P.O. Box 42, Rapogi	135	Jaoko Alex Akugo	P.O. Box 195, Suna
112	William Otieno	P.O. Box 40, Rapogi	136	Jomnicus Chiango	P.O. Box 1, Rapogi
113	Samuel Oginga Opata	P.O. Box 104, Chungu	137	Daniel O. Asino	P.O. Box 1, Rapogi
114	Lucas Okumu Oloo	P.O. Box 209, Sare	138	Michael Otieno	Rapogi
115	John O. Ouko	P.O. Box 1, Rapogi	139	Milton Otieno Otieno	P.O. Box 21, Rapogi

116	Joseph O. Obuya	P.O. Box 22, Rapogi	140	Joseph Owuor	P.O. box 2, Rapogi
117	Joseph Otom	P.O. Box 13, Piny Owacho	141	Eudia Agin	P.O. Box 271, Rapogi
118	Aloyce Okello Abong'	P.O. Box 75, Uriri	142	John Omolo	P.O. Box 14 Sare
119	Joel O. Atula	P.O. Box 22, Kilii	143	Lawrence Akugo	P.O. Box 51, Rapogi
120	Tom Owino	P.O. Box 84, Rapogi	144	Patrobas Ojuang	P.O. Box 12, Rapogi
121	Julius Odhiambo	P.O. Box 40, Rapogi	145	Samwel A. Ojwang'	Rapogi
146	Philip Ogidi		170	Walter Omuto	P.O. Box 107, Sare
147	Benard Oloo	P.O. Box 40, Rapogi	171	Marico Otieno Dede	P.O. Box 286, Sare
148	Samuel Agwango	P.O. Box 15, Rapogi	172	John Jaako	P.O.Box 104, Rapogi
149	Peterson Okech	P.O. Box 3, Rapogi	173	Edwin Ojijo	P.O. Box 68, Rapogi
150	John Oswe	p.o. Box 89, Rapogi	174	benard Oniala	P.O. Box 68, Rapogi
151	Alex K. Owino	P.O. Box 1, Rapogi	175	Charles Otieno	P.O. Box 68, Rapogi
152	Jared Onyango	P.O. Box 1, Rapogi	176	Kevin Ochieng'	P.O. Box 68, Rapogi
153	Fred Kwei	P.O. Box 1, Rapogi	177	Atieno Stela	P.O. Box 68, Rapogi
154	Joseph Ochieng'	P.O. Box 86, Rapogi	178	George Ochieng'	P.O. Box 13, Rapogi
155	Mbori A.	P.O. Box 11, Rapogi	179	Olwalo O. Musa	P.O. Box 13, Rapogi
156	Cyprian W. Odipo	P.O. Box 1, Rapogi	180	Johnstone Jomo Dache	P.O. Box 12, Rapogi
157	Tobias Ochieng'	P.O. Box 286., Sare	181	Walter Otiende	P.O. Box 134, Sare
158	Isaac O. Okal	P.O. Box 11, Rapogi	182	Sprian Oyier	P.O.Box 12, Sare
159	Jamicarius O. Akal	P.O. Box 103, Sare	183	Sprian Oyier	P.O. Box 12, Amos
160	Shadrack Opiyo	P.O. Box 103, Rapogi	184	Edwin Oswango	P.O. Box 11, Sare
161	Fleria Oganga	P.O. Box 13, Piny Owacho	185	Mamba Victor	P.O. Box 11, Sare
162	Elly Abade Asino	P.O. Box 1, Rapogi	186	Okoth Stephen	P.O. Box 11, Sare
163	Austine Aloma Opiyo	P.O. Box 40, Rapogi	187	Richard Odak	P.O. Box 11, Sare
164	Jamin R. Otiende	P.O. Box 59, Suna	188	Joseph Odhiambo	P.O. Box 46, Rapogi
165	Vitalis Anudo	P.O. Box 103, Rapogi	189	Tom Odero	P.O. Box 11, Sare
166	Japheth Omulo Asino	P.O. Box 1, Rapogi	190	Nicholas Abongo	P.O. Box 57, Rapogi
167	Aloice Odonyo	P.O. Box 47, Rapogi	191	Charles Ouma	P.O. Box 57, Rapogi
168	Thomas Anjao	P.O. Box 104, Rapogi	192	Noel Onyango	P.O. Box 11, Sare
169	Charles Ndenjwe	P.O. Box 103, Andingo	193	Franc Adongo	P.O. Box 11, Sare
194	Omenda Godfrey	P.O. Box 11, Sare	204	Antony Kwach	P.O. Box 11, Sare
195	Antony Kwach	P.O. Box 11, Sare	205	George Ogola	P.O. Box 19, Rapogi
196	George Ogola	P.O. Box 19, Rapogi	206	James Oyare	P.O. Box 1, Rapogi
197	James Oyare	P.O. Box 1, Rapogi	207	Wema David	P.O. Box 11, Sare
198	Wema David	P.O. Box 11, Sare	208	Oluoch Peter	P.O. Box 11, Sare
199	Oluoch Peter	P.O. Box 11, Sare	209	Olale Philip	P.O. Box 11, Sare
200	Olale Philip	P.O. Box 11, Sare	210	Joshua Okech Orinda	P.O. Box 31, Ondowe
201	Noel Onyango	P.O. Box 11, Sare	211	Phillip Otieno Awiti	P.O. Box 46, Rapogi
202	Franc Adonyo	P.O. Box 11, Sare	212	John Othoo Odero	P.O. Box 1, Rapogi
203	Omenda Godfrey	P.O. Box 11, Sare			

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1. DISTRICT CONTEXT

Nyatike Constituency is a constituency in Migori District. Migori District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	247,131	267,766	514,897
Total District Population Aged 18 years & Below	145,282	146,893	292,155
Total District Population Aged Above 18 years	101,849	120,893	222,742
Population Density (persons/Km²)	257		

1.2. Socio-Economic Profile

Migori District:

- Is one of the least densely populated districts in the province, being ranked 8th of the 12 districts;
- Has one of the highest primary school enrolment rates in the province, at 76.1%, being ranked 4th in the province and 24 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.4%, being ranked 9th in the province and 43rd nationally;
- Experiences the following main diseases: diarrhoea diseases, Malaria, sexually transmitted infections, intestinal worms, and typhoid;
- Has a 14.5% malnourishment rate of children under 5 years of age, being ranked 4th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years being ranked 41 of the 45 nationally ranked districts;
- Has an absolute poverty level of 57.63% being ranked 29th of 46 nationally ranked districts;
- Has a 41.12% food poverty level being ranked 15th of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,909;
- Has a 11.36% unemployment rate;
- Has 18.60% of its residents accessing clean drinking water; and
- 41.40% of its residents having safe sanitation.

Migori district has 4 constituencies: Rongo, Mogori, Uriri, and Nyatike Constituencies. The district's 4 MPs, each cover on average an area of 501 Km² to reach 128,724 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rongo, Migori, Uriri, and Nyatike constituencies with 66.67%, 64.10%, 77.86%, and 71.88% valid votes respectively.

2. CONSTITUENCY PROFILE

Nyatike Constituency is comprised is of 12 locations of Migori District.

2.1. Demographic Characteristics

Constituency Population	Total	Area per Km ²	Density (persons/Km ²)
	110,285	675.00	163.4

2.2. Socio-Economic Profile

The main economic activity is small-scale fishing.

2.3. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, NDP won with 71.88% and 71.88% valid votes. In 1992, there was a by-election due to the 1992 elected candidate defecting to KANU; the seat was won by FORD-K with 66.24% valid votes. In 2002, the National Rainbow Coalition won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			36,788
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Otieno Onyango	FORD-K	19,351	71.88
Zablon Owigo Olang'	KANU	6,327	23.50
David Adundo Oyao	PICK	1,163	4.32
Jacob Ouma Orem	SDP	79	0.29
Total Valid Votes		26,920	100.00
Rejected Votes		140	
Total Votes Cast		27,060	
% Turnout		73.96	
% Rejected/Cast		0.52	

2.5. 1995 By-Election

1992 TOTAL REGISTERED VOTERS			36,788
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Onyango	FORD-K	6,113	66.24
Ochola Ogur	KANU	3,116	33.76
Total Valid Votes		9,229	100.00
Total Votes Cast		9,229	

% Turnout	32.18
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2.6. 1997 General Election Results

TOTAL REGISTERED VOTERS			36,589
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Otieno Onyango	NDP	19,351	71.88
Zablon Owingo Olang'	KANU	6,327	23.50
David Adundo Oyao	PICK	1,163	4.32
Jacob Ouma Orem	SDP	79	0.29
Total Valid Votes		26,920	100.00
Rejected Votes		140	
Total Votes Cast		27,060	
% Turnout		73.96	
% Rejected/Cast		0.52	

2.7. Main Problems

- Acute water shortage;
- A deteriorating fishing industry; and
- Poor roads.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an '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 forum from the facilitation of civic education to also include facilitation and the collection 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. **CONSTITUENCY PUBLIC HEARINGS**

4.1. **Logistical Details**

4.1.1. **Date and Number of Days for Public Hearings**

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days:

4.1.2. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 - 1) Wath Onger Dispensary
 - 2) Sori Secondary School

4.1.3. **Panels**

- a) Commissioners
 - 1.Com. Abubakar Zein Abubakar - Chairing
 - 2.Com. Hon. Mrs. Phoebe Asiyo
 - 3.Com. Bishop. Bernard Njoroge
- a) Secretariat
 - 1.Evelyn Oballa - Programme Officer
 - 2.Yvonne Masinde - Asst. Programme Officer
 - 3.Vivian Muli - Verbatim Recorder

4.2. **Attendance Details**

Category	Details	Number
Number of People Who Presented		135
Sex	Male	131
	Female	4
	Not Stated	0
Presenter Type	Individual	124
	Institutions	10
	Not Stated	1

Category	Details	Number
Educational Background	Primary Level	33
	Secondary/High School Level	68
	College	9
	University	14
	None	10
	Not Stated	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	1
	Oral	107
	Written	4
	Oral + Memoranda	1
	Oral + Written	22
	Not Stated	0

4.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Nyatike. 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.

4.3.1. PREAMBLE

- There should be a preamble in the constitution (4)
- The preamble should express the national philosophy of Kenyans
- The preamble should emphasize the need for national unity in Kenya

4.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should provide for statements capturing national philosophy.
- The constitution should provide for the separation of the three arms of the government
- The constitution should provide that Kenya be a welfare state
- The constitution should provide that Kenya shall always be a multiparty state
- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans

4.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that a constitutional amendment shall only be through a public referendum with 80% votes.
- The constitution should retain the 65% majority vote requirement to amend the constitution (2).
- The constitution should provide parliament with power to amend the constitution.
- The constitution should provide parliament with unlimited power to amend the constitution.
- The constitution should provide that a constitutional amendment shall only be through a public referendum (4).

4.3.4. **CITIZENSHIP.**

- The constitution should confer to all persons born of Kenyan parents automatic citizenship.
- The constitution should confer to all persons born in Kenya (2).
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender (2).
- The constitution should confer to all persons born of at least one Kenyan parent automatic citizenship.
- The constitution should provide that all citizens are free to join any political party.
- The constitution should provide for dual citizenship.
- The constitution should NOT provide for dual citizenship (3).
- Registration of ID's should be decentralized (2).
- People should be able to access the national ID regardless of age.
- All youths should be given ID's on attaining 18 years (2).
- The national ID should be used as proof of citizenship (3).
- Age limit for attaining an ID should be 15 years.
- The constitution should provide that all children born in Kenya are given valid Ids, passports and birth certificates at birth

4.3.5. **DEFENCE AND NATIONAL SECURITY**

- The court martial shall be used to discipline the armed forces.
- The constitution should provide that defense recruits be between 18 and 40 years
- The constitution should provide that GSU shall not participate in times of civil disobedience
- The constitution should provide for a naval base at lake Victoria and property laws for lake guards
- The constitution should provide for a code of conduct for defense recruits.
- The constitution should provide that the president shall be the Commander in Chief of the armed forces (3).
- The constitution should provide that the president shall NOT be the Commander in Chief of the armed forces (2).
- The constitution should provide that the prime minister shall be the Commander in Chief of the armed forces.
- The executive should have the power to declare war.
- The constitution should not permit the use of extraordinary powers during emergencies (2).
- The president should have the power to invoke emergency powers.
- The parliament should have the power to invoke emergency powers.

4.3.6. **POLITICAL PARTIES.**

- Political parties should mobilize people towards development projects in their constitution (2).
- The government should stop deregistration of political parties.
- The constitution should regulate the formation, management and conduct off political parties (3).
- The constitution should provide that all political parties with less than 10 MPs be de-registered
- The constitution should limit the number of political parties in the country to 3 (3).
- The constitution should limit the number of political parties in the country to 4 (2).
- The constitution should limit the number of political parties in the country to 5 (2).
- The constitution should limit the number of political parties in the country to 2.
- The constitution should NOT limit the number of political parties in the country.
- The constitution should provide that political parties are funded by the government from public coffers (4).
- The constitution should provide that political parties are NOT funded from public coffers (3).
- The constitution should make provision for formulating the criteria and modalities of financing parliamentary political parties.
- There should be no condition on the financing of the political parties.
- The party should not have party affliction.
- The constitution should provide that the ruling party does not harass opposition parties.
- The constitution should provide that the president shall not belong to any political party

4.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should retain the presidential system of government (6).
- The constitution should provide for a parliamentary system of government (7).
- The prime minister should be from the majority party, and should be the head of the government.
- The prime minister should appoint the ministers.
- The prime minister should be the head of government.
- The constitution should provide for creation of a prime ministers post (2).
- The prime ministers should hold executive powers.
- There should be a ceremonial president (3).
- The constitution should allow the formation of a hybrid system of government.
- The constitution should provide that the president shares his power with the prime minister
- The constitution should provide for unitary system of government
- The constitution should not provide for a federal system of government (22).
- The constitution should provide for a devolution of power from the central government to the local government
- The constitution should provide for devolution of power to the lower levels of government (2).
- The constitution should provide that vice president be elected by the people (4).
- The constitution should provide that the constitution should provide that the Vice-president be elected by voters.
- The constitution should provide that the Vice-president be a running mate of the President.
- The constitution should provide that vice president be elected by the parliament.
- The VP should be elected with a term of office.
- The AG should be appointed by parliament.

4.3.8. **THE LEGISLATURE**

- The constitution should provide that Members of parliament vet all presidential appointments including cabinet ministers.
- The constitution should provide that Members of parliament vet all appointments of senior public servants, head of public service, AG, CJ, ministers, permanent secretaries, PC, ambassadors, parastatal heads, electoral commissioners etc.
- The constitution should provide that Members of parliament decide on the number of ministries
- The constitution should limit the powers of Parliament
- The constitution should provide for parliamentary supremacy
- The constitution should expand the functions of Parliament
- The constitution should give more functions of Parliament to act as a watchdog of parliament.
- Parliament should appoint the AG, CJ, senior government officers and electoral commissioners.
- Parliament should have unlimited control of its procedures through having its own timetable (4).
- The constitution should give Parliament power to control its own calendar.
- The constitution should provide that parliamentary sessions be held every day.
- Being an MP should be a full time occupation (2).

- Being an MP should be a part time occupation.
- The constitution should provide that all aspiring MPs be between 35-75 years
- The constitution should provide that all aspiring MPs be below 55 years of age
- The constitution should provide that all aspiring MP's should have a minimum age of 21 years.
- The constitution should provide that all aspiring MP's should have a minimum age of 30 years.
- The constitution should provide that all aspiring presidential candidates be below 70 years of age.
- The constitution should provide that all aspiring presidential candidates be between 40-70 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 40 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 35 years.
- The constitution should provide that all aspiring presidential candidates be between 35-70 years.
- The constitution should provide that all aspiring presidential candidates be between 45-75 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 50 years.
- The constitution should provide that the president be below 60 years.
- The constitution should provide that the president retires at 70 years
- The constitution should provide that MPs be at least graduates (3)
- The constitution should provide that MPs be at least O level graduates
- The language tests for MP's are sufficient.
- The language tests for MP's should be more elaborate.
- MP's should be fluent in English and Kiswahili.
- The constitution should provide for a code of conduct for MPs.
- There should be moral and ethical qualifications for the MP's.
- The constitution should give voters the mandate to recall non-performing members of parliament (10).
- MP's should act according to the wishes of the people (2).
- The constitution should debar parliament from legislating their own remuneration.
- The constitution should provide that salaries of Members of parliament be reduced (4).
- The constitution should provide that salaries of Members of parliament should be determined by the public and a few MP's.
- The constitution should provide that salaries of Members of parliament should be determined by the economic experts and lawyers.
- The constitution should provide that salaries of Members of parliament should be determined by the public through PSC.
- The constitution should provide that salaries of Members of parliament should be determined by a commission.
- The constitution should provide that salaries of Members of parliament should be determined by the public service commission.
- The constitution should provide that salaries of Members of parliament should be determined by the public.
- MP's and ministers should be pensionable.

- The constitution should debar the nomination of members of parliament
- The constitution should provide for nomination of the disabled in parliament
- The constitution should bar the nomination of members of parliament (3)
- Nominated MP's should NOT be unsuccessful contestants in elections (2).
- ½ of the nominated MP's should be women.
- Each party should nominate a woman to parliament
- The constitution should provide for more participation of women in parliament
- Every district should have at least one woman in parliament.
- Measures should be put in place to increase participation of women in parliament.
- The constitution should provide that Members of parliament hold regular barazas in their constituencies
- The constitution should provide for a coalition government (5).
- The constitution should provide for government of national unity
- The constitution should NOT provide for a coalition government.
- Retain the multi party system.
- The constitution should provide for a bicameral parliamentary system (2).
- There should be more than one chamber of parliament.
- There should be a chamber of parliament in every region (2).
- Parliament should have the power to remove the president from office through a vote of no confidence (6).
- The constitution should give parliament the power to impeach the president.
- The president should have the power to veto legislation passed by parliament (2).
- The president should NOT have the power to veto legislation passed by parliament.
- Parliament should have the power to override presidential veto.
- President should not have the power to dissolve parliament.
- President should have the power to dissolve parliament (3).
- MP's should have constituency offices (2).

4.3.9. **THE EXECUTIVE**

- The constitution should provide that the president be of sound mind and be medically fit
- The constitution should provide that the president be a Kenyan citizen and a registered voter.
- The constitution should provide that the president be at least a graduate (2).
- The constitution should specify the qualifications of a president.
- The constitution should provide that the president have a degree, married and high moral standards.
- The constitution should provide that the president serve for only 2 terms, each 5 years (7).
- The constitution should provide that the president serves for 2 terms of 6 years each.
- The constitution should provide that the president serves for 3 terms of 5 years each.
- The constitution should provide that the president serves for 2 terms of 4 years each.
- The president should appoint the cabinet ministers and the army general.
- The constitution should provide that the president shall not be above the law (6).
- The constitution should limit the powers of the president (2).
- The constitution should debar the president from being chancellor of public universities.
- The constitution should not provide for the immunity of the President.
- The constitution should provide that the president be subject to the law.
- The constitution should debar the president from appointing ministers and senior

government officials.

- The constitution should provide that the president be an MP.
- The constitution should provide that the president shall NOT be an MP (8).
- The constitution should provide for the re-enactment of the chiefs act
- The constitution should provide for the training of the chiefs and assistants chiefs in psychology, sociology and public relations
- The constitution should provide that chiefs and DCs be answerable to the president
- The constitution should provide that chiefs be transferable
- The constitution should provide that the provincial administration be scrapped
- The constitution should abolish the provincial administration structure of government.
- The constitution should not allow for women to be elected as chiefs or assistant chiefs
- The constitution should provide that chiefs and assistant chiefs be elected
- The constitution should provide that chiefs shall be transferable
- The constitution should provide for a state governor to replace provincial commissioner.
- Provincial administration should be scrapped.
- Chiefs should have their secretaries employed by the government.
- Provincial administration should be retained.
- Provincial administration should be elective.
- The village and clan elders should be paid by the government.
- Chiefs and their assistants should be empowered to arrest and impose fines.
- The size of government should only accommodate 15 ministers.

4.3.10. **THE JUDICIARY.**

- The constitution should provide that the chief justice should be appointed by the court of appeal judges
-
- The judiciary should be overhauled to return credibility and public confidence to this otherwise disgraced institution.
- The constitution should provide for an increase in the efficiency of the judiciary
- The current judicial structure is adequate.
- Judiciary should be restructured such that there is efficiency in delivery of justice especially in murder cases, which should not exceed 1 year (4).
- The constitution should provide for the independence of the judiciary.
- The constitution should provide for improvement in performance of courts
- The constitution should abolish the position of advocates in the judicial system
- The constitution should provide that chief's barazas try suspects before they can be taken to court
- The constitution should provide that courts operate seven days in a week.
- The constitution should provide that courts operate through out the week.
- The constitution should provide for a supreme court.
- The constitution should provide for a permanent constitutional court (2).
- The constitution should provide that high court judges be approved by parliament
- The constitution should provide that the judicial commission should be appointed by parliament
- The constitution should approve the appointment of the attorney general and chief justice
- The CJ should be elected by all the registered lawyers of Kenya.
- The CJ should be appointed by the president and he should not appoint the rest of the

judicial officers.

- The constitution should provide that the judicial commission should appoint the judicial officers.
- The constitution should provide that the parliament should appoint the judicial officers.
- The CJ should hold a masters degree in law and should have a clean record.
- There should be security of tenure for judicial officers.
- All Kenyans should have access to courts.
- The constitution should provide that those arrested for petty offences should not be put in police cells for more than one week.
- The constitution should provide for a decentralization of courts
- There should be a provision for judicial review of laws made by legislature.
- Land disputes should be handled by the clan elders (2).
- The constitution should make a provision for council of elders to be paid by the government or local authority council (2).

4.3.11. **LOCAL GOVERNMENT**

- The constitution should provide that councilors and mayors of local authorities are elected by the people.
- The constitution should provide that chairmen of county councils be elected by councilors.
- The constitution should provide that Mayors and councilors be elected
- The constitution should provide that Mayors and council chairmen be elected by the people (8).
- The current two-year term for the mayors and councilors is adequate (2).
- The constitution should provide for a devolution of power from the central government to the local government
- The constitution should provide that local authority shall be under the federal government and not the central government.
- The constitution should provide that local authority shall NOT be under the central government (2).
- Councils should be empowered to manage the affairs of the local authority over the chiefs.
- The constitution should provide that all local authority officials have at least secondary school education (12).
- Language tests for MP's should be more elaborate.
- Councilors should be fluent in English.
- Councilors should be free of any criminal record.
- There should be moral and ethical qualifications for councilors.
- People should have a right to recall their councilors.
- The constitution should provide that councilors be paid by the central government (4).
- The constitution should provide that councilors be paid from the consolidated fund
- Parliament should determine the remuneration of councilors.
- Nominated councilors should be members of DDC.
- The nominated councilors should NOT be unsuccessful contestants in elections.
- Do away with the concept of nominated councilors.
- The minister for local government should have the power to dissolve the local councilors.

4.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- Kenya should retain the representative form of government.
- The simple majority rule should be maintained.
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast
- Any person who loses in an election should not be allowed to contest in another party.
- The constitution should provide that anybody who defects from one political party does not join another until after five months
- The constitution should debar defections across political parties
- The constitution should provide that anybody who defects from a political party is prohibited during elections.
- There should be a by election if a councilor or an MP defects to another party.
- The 25% representation should be retained.
- There should be seats reserved for the disabled persons, women, minority groups etc.
- Kenyan boundaries of every province should be re-defined.
- Constituencies and civic wards should be demarcated according to the population.
- There should be more constituencies in Kenya.
- Constitution should provide for further demarcation of constituencies to ensure adequate representations.
- The constituencies should be subdivided but retain the wards.
- The constitution should provide for the subdivision of constituencies which are too big
- The constitution should provide for a separation of parliamentary, civic and presidential elections (4).
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide that the voting process be computerized
- The constitution should provide that registered voters be free to vote at any polling station
- The constitution should allow for passports, IDS and birth certificates to be used in voting
- The constitution should ensure for free and fair elections
- Voter registration should be a continuous process.
- Ballot boxes should be put in places where its convenient for the disabled and the elderly, disabled should have a right to be represented by the guardian during the elections.
- All Kenyans who attains the age 18 years and above should be able to vote.
- The constitution should provide for a ceiling of election expenditures
- The constitution should provide that the date for general election made known to the public (4).
- President should be done by the delegates.
- President should be elected directly by the people (5).
- The 2002 elections should be held under the current constitution.
- The 2002 elections should not be pegged on the constitutional review.
- The electoral commissioners should be well educated.
- The president should appoint the members of the electoral commission (2).
- Parliament should appoint the members of the electoral commission
- The constitution should provide that electoral commissioners be elected by parliament
- The constitution should provide for the autonomy of the electoral commission of Kenya
- The constitution should provide for the autonomy of the electoral commissioners should have security of tenure.

- The constitution should provide that the ECK be funded by the exchequer.
- The constitution should provide that counting of votes be done at polling stations (2).

4.3.13. **BASIC RIGHTS**

- The Kenya Bill of Rights should incorporate all fundamental human rights.
- The basic rights have not adequately been provided for in the constitution.
- The constitution should protect all rights and liberties of individuals.
- There should be freedom of assembly, worship, association, expression and movement.
- The constitution should limit freedom of worship to worship for SDAs by declaring Saturday a holy day
- The constitution should limit freedom of worship to worship of God alone
- The constitution should abolish the death penalty (2).
- The constitution should retain the death penalty.
- The constitution should protect the basic rights of food, healthcare, water, employment, security and education (3).
- The constitution should provide for free medical care, housing, water, employment, medical care and pensions payable to the retired people.
- There should be free medical care (4).
- There should be free education (2).
- The constitution should provide for children to be taught religion to improve morals.
- The constitution should provide for free low cost housing for all Kenyans.
- The government should provide food for the citizens.
- The constitution should guarantee provision of relief food for drought stricken areas
- The constitution should provide for free government training institutions
- The constitution should give judges the sole mandate to review salaries
- The constitution should provide for employment to be based on people's interest and not age.
- Teachers of the lakeshore should be paid hardship strains.
- The constitution should make provision for one-man one job.
- The constitution should peg the retirement age at 65 years (2).
- The constitution should peg the retirement age at 60 years.
- The constitution should increase the retirement age.
- The government should provide employment for graduates.
- The constitution should provide that all workers in hardship areas be given hardship allowances
- The constitution should provide that retirees be paid their duties immediately
- The constitution should ensure that pensioners receive their money in lump sum.
- The government should begin a social welfare scheme.
- The government should give the poor some allowance.
- Those that are 55 and above should be pensionable.
- The government should give sustenance allowance for all people.
- The constitution should provide for free and compulsory education (2).
- The constitution should provide for free and compulsory primary education (14).
- The constitution should provide for free and compulsory university education (2).
- The constitution should provide for free and compulsory secondary education (2).
- The constitution should provide for free and compulsory education up to standard seven.
- The constitution should provide that civic education and the constitution are included in

the school syllabus

- The constitution should provide for the constitution to be translated into all vernacular languages and Kiswahili for all Kenyans to understand
- The constitution should provide that reports of all commissions of inquiry be made public within 6 months
- The new constitution should provide that Kenyans should have access to information in the hands of the state (2).
- Debate in parliament should be live in all media stations.
- The constitution should provide freedom for all workers to have trade union representations
- The labor movement and trade unions should be divorced from government and protected against state entrenchment to endure sufficient independent in the protection of workers interests.

4.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should address the issues of women adequately.
- The constitution should protect the rights of women.
- The constitution should provide for more schools for the disabled
- The constitution should guarantee free education opportunities for the disabled
- The constitution should guarantee free health services for the disabled.
- Sign language should be made available in all public places including the banks, the disabled should elect the disabled leaders at both local and parliamentary elections
- The disabled should not be discriminated against.
- The vulnerable groups should be budgeted for.
- The constitution should provide for orphans to obtain school bursaries.
- The constitution should provide for government rehabilitation and education of street children.
- The constitution should debar girls from inheriting property
- The constitution should provide illegitimate children with full rights
- The government should protect and provide for all children in Kenya.
- The girl child should be given the right to education like the boy child.
- The young persons act and the African charter and the UN Convention should be incorporated.
- There should be no corporal punishment.
- The constitution should provide for old women to be taken care off
- The constitution should provide for free medical check up for AIDS patients.
- The constitution should provide for the rights of the orphans (2).
- The constitution should provide for affirmative action in favour of widows and orphans
- The constitution should provide for affirmative action for the disabled
- The constitution should allow for affirmative action in favour of women
- The constitution should provide for affirmative action in favour of the disabled
- The constitution should guarantee that suspects are compensated for unlawful confinement
- The constitution should provide for prisoners to be allowed to meet their spouses
- The rights of prisoners should be incorporated in the constitution
- The constitution should do away with remanding of criminals.

4.3.15. **LAND AND PROPERTY RIGHTS**

- Land should be owned by the individual.
- Land should belong to the family.
- All title deeds issued to illegally acquired land should be nullified.
- Children of both sexes should have a right to inherit property.
- Girls should not inherit their ancestral land.
- Girls should inherit land from their fathers.
- The constitution should provide that land issues be handled by clan elders
- The constitution should provide that title deeds be issued to enable land owners to access credit
- The constitution should prohibit grabbing of public land and prosecute any land grabber
- Land issues shall be handled by clans and family members (2)
- There should be a ceiling on land ownership
- The constitution should provide that subdivision of land be free
- Land boards shall be decentralized to the lowest levels to ensure citizens can obtain land title deeds easily.
- The issuance of land title deeds should be decentralized to the divisional level.
- Land transfer should be done free of charge (2).
- The land transfer procedure should be eased by being less expensive especially in accessing land title deeds.
- Men and women should have equal ownership of land (3).
- Title deeds should bear the names of both husband and wife.
- All Kenyans should be provided with land.

4.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should promote and protect cultural and ethnic diversity (2).
- The constitution should provide that village elders replace chiefs and be given uniforms
- The constitution should provide that wife inheritance be scrapped
- The constitution should provide that wife inheritance be made mandatory
- The constitution should provide that AIDS tests be done before wife inheritance
- The constitution should provide that women are not forced to marry to replace their dead sisters
- The constitution should provide for the remuneration of clan elders
- The constitution should abolish tribalism
- Forced early marriages should be stopped.
- Relatives of dead husbands should not be allowed to take all the property he left behind.

4.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The executive should account for finances given to respective ministries.
- Parliament should retain the power to authorize the raising and appropriation of public funds.
- Other forms of raising funds are industrialization around the Lake, irrigation projects and cotton plantation.
- The constitution should provide for equality in distribution of national resources (3).
- Taxes from a certain area should be used to develop the area.
- 75% of benefit of resources from a particular area should be remitted to the central

government the rest be used to develop the area.

- Government should apportion part of the revenue to develop the place of origin (4).
- 75% of benefit of resources from a particular area should be used to develop the area.
- The auditor should be independent.
- The auditor general should be reporting to parliament.
- The auditor general should give quarterly reports to parliament concerning the use of public finances.
- The auditor general should be appointed by parliament.
- Parliament should control the government expenditure.
- Civil servants should be well paid.
- The constitution should guarantee that all citizens above 50 years be pensionable
- The constitution should guarantee that teachers and nurses are remunerated well for their services to enhance the quality of their services
- The constitution should provide that all employment be based on merit
- The constitution should provide that pension is paid immediately one leaves office
- The constitution should provide that nominated members of parliament do not hold ministerial posts
- Cabinet ministers should be experts in different fields and should not be MP's (5).
- All government retirees should not be appointed as parastatal heads.
- The constitution should provide a code of conduct for the President
- The constitution should debar civil servants from running businesses when in office
- The constitution should provide every civil servant declares his wealth
- The constitution should provide that the president declares his wealth.

4.3.18. **ENVIRONMENT AND NATURAL RESOURCES**

- The constitution should provide for protection of water catchment areas
- The constitution should provide that perpetrators of soil erosion be jailed
- The constitution should provide for irrigation farming in marginal areas
- The constitution should provide for environmental education at all levels of education
- The constitution should provide for strong anti-pollution measures
- The constitution should provide that farmers be compensated for damage on crops by wildlife
- The constitution should provide for a review of miners act to allow miners to use minerals obtained
- Environmental issues should be made compulsory at all levels of education
- The government should enforce environmental protection terms by imposing heavy penalties heavy penalties on environmental polluters.
- A government body should fight corruption as a degradation of forests.
- The government should put in place measures to protect the environment (2).
- Natural resources should be owned by the local authority.
- Local people should protect the natural resources.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.

4.3.19. **PARTICIPATORY GOVERNANCE**

- The NGO's and the civil society should participate in governance.

- The government should create awareness on their objectives and project goals to the community that they are attending to and let them be signatories to the financial accounts of the project.
- The government should stop deregistration of NGO's.
- The constitution should provide for representation of the disabled in parliament
- The constitution should provide for women to be made president.
- Women should be given a chance in governance.
- The constitution should provide for equal presentation of men and women in land boards
- Persons with disabilities should be given a chance in governance.
- The youth should be given a chance in governance.
- The elderly should be given a chance in governance.

4.3.20. **INTERNATIONAL RELATIONS**

- Agreement on the use of Lake Victoria should be reviewed and the people around Lake Victoria should be allowed to use the water for irrigation purposes.
- Laws made by the international bodies should have immediate effect in Kenyan laws.

4.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for a special commission to look into the behavior and performance of the defense and security system.
- The constitution should provide for a special commission to look into the performance of the judicial system in the country
- The constitution should provide for a special commission to look into the problem of corruption in the country
- The constitution should provide for an office of Ombudsman with branches at the local level
- The constitution should provide for a special human rights commission
- The constitution should provide for a special gender commission.
- The constitution should provide for a special anti-corruption commission (3).
- The constitution should provide for a special lands commission.
- The constitution should provide for an independent truth and reconciliation commission to promote national reconciliation for healing harmonies existence political hatred brought about by a decondent political dictatorship.
- The constitution should provide for a special environmental commission
- The constitution should provide for a special commission to look into the welfare of orphans and the disabled
- The ministry of justice and peace should be established.

4.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that during the transition period, presidential powers rest with an interim government
- The constitution should provide that during the transition period, presidential powers rest with the chief justice
- The constitution should provide that during the transition period, presidential powers rest

with the Attorney General

- The constitution should provide that during the transition period, presidential powers rest with the speaker (4).
- The constitution should provide that during the transition period, presidential powers rest with the chief of general staff.
- The incoming president should assume office 3 months after the elections.
- The president should be sworn in by the AG.
- The president should be sworn in by the chief justice.
- The former president should be given security.
- The former president should be given welfare.
- The former president should be given immunity from legal process.

4.3.23. **WOMEN'S RIGHTS**

- The constitution should consider the needs of women.
- The constitution should debar women from inheriting ancestral land
- The constitution should provide for strict penalties harassment and marriage of underage girls
- The constitution should provide for non-discrimination of women in inheritance matters (11).
- The constitution should provide for women to get title deeds to obtain loans
- The constitution should provide for women to be allocated land before they are married
- Medical tests should be a requirement for the people who wish to marry.
- The constitution should provide that both first and second marriages should be vetted by the government.
- The constitution should introduce compulsory marriage age bracket.
- The constitution should provide for men to cater for their illegitimate children.
- Fathers should ensure child support and maintenance (3).
- The constitution should protect women from domestic violence (2).

4.3.24. **NATIONAL ECONOMIC**

Domestic Trade Issues

- The government should give incentives to attract domestic trade.
- The constitution should provide for price controls to protect retailers
- The constitution should provide that the Kenya bureau of standards regulates the standard of products available in the market
- The constitution should ban importation of locally produced goods
- The constitution should provide only allow foreign firms which have local partnership

Economic Liberalization

- All public co-operations should be privatized.
- The government should ensure price controls on all consumer products to protect against hoarding and hiking of prices (2).
- All government owned industries and companies should be privatized.

- The constitution should establish processing factories along Lake Victoria.

Poverty Reduction

- The government should put in place measures to reduce poverty in Kenya.
- Kenya should fight poverty with new strategies.

Physical, Economic and Social Infrastructure

- The constitution should ensure that the roads are in good conditions to ease movement so as to avert emergency crisis.
- The constitution should provide that taxes be utilized to develop and maintain infrastructure

NATIONAL OTHER

HIV Aids

- HIV Aids tests should be a requirement for every couple intending to get married.
- Government should ensure funds are allocated for Aids treatment and management rather than disbursing a lot of funds to AIDS awareness.
- Uphold the custom on wife inheritance.

Public Safety & Security

- The citizens should be authorized to bear arms for self-defense.
- Police should be well trained and should work for the public security.
- The national youth service should be engaged in active roles in protecting the public.
- The police should issue a warrant of arrest.
- The constitution should protect citizens from police harassment.
- When the police take accident victims to hospitals they should ensure people have been taken home and not forgotten in the hospitals.
- The constitution should debar the police from harassing and torturing innocent civilians
- The constitution should debar police from torturing prisoners

Corruption

- The constitution should put a mechanism to curb corruption (3).
- All people convicted of corruption involving public finances or property should be made to return what they stole.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.

4.3.25. **SECTORAL**

Agriculture

- The constitution should recognize centrality and vitality of the agricultural sector in our economy.
- The sugar Act 2001 should be implemented.

- The government should use water from Lake Victoria to irrigate the arid lands of the Lake region (7).
- The government should support the agricultural sector.
- The government should give free seeds to farmers.
- The constitution should provide that lake Victoria be used as a source of irrigation water for local residents
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should subsidize all farmers with free seeds
- The constitution should guarantee for efficiency of extension officers
- The constitution should provide that KCC be rehabilitated to benefit farmers
- The constitution should provide that farmers take full control of cooperative societies
- The constitution should provide that the government develops arid areas
- The constitution should provide that the government should provide loans to farmers.
- The constitution should provide for cotton ginneries to be established in cotton growing areas
- The constitution should provide that the Nile treaty be renegotiated to allow use of lake Victoria waters

Manufacturing

- The constitution should ensure that factories are constructed at the regions from where the raw materials are found.
- The government should expand the factories and industries in a policy and decentralization to create more employment.

Education

- The 8.4.4 system of education should be replaced.
- The local council should provide primary education and secondary education should be made cheaper.
- Civic education should be made compulsory in the education system and the constitution should be taught in schools.
- The teaching of brail and sign language should be included in the education curriculum.
- The government should support the private schools.
- A university for the disabled should be established.
- There should be cost sharing in secondary and university levels of education (2).
- The 7.4.2.3 system of education should be reintroduced (5).
- Nursery school teachers should be paid by the government.
- The schools equipments scheme should be reintroduced
- Women teachers should have relievers who should do their work while out on maternity leave.
- Nursery education should be directly under the ministry of education, primary education should be made compulsory for all; computer studies should be made compulsory at schools.
- Primary school budget should be made as for university, which should stand at 150 million.
- The government should ensure that students are provided with textbooks.
- The education system should be tailored to allow people to be self-reliant.
- The government should provide primary schools equipment and stationeries.

- Exam fees for primary schools should be abolished.
- University education should be made affordable and meals should be free.
- Education should be very adequate for upward morality in the social structure.
- The government should make training of teachers free.
- The government should provide school equipment for nurseries.
- The constitution should guarantee that more teachers are employed in primary schools
- The constitution should provide for the autonomy of public universities
- The constitution should provide for a revision of the teachers service commission Act
- The constitution should provide for a review of the education system in order to make training relevant for the requirements of the job market
- The constitution should provide for a review of the education system to revert to the old system
- The constitution should ensure that that education equipment are equally distributed to all public schools
- The constitution should provide that the board of governors control running of public schools
- The constitution should provide that parents teachers associations rather than board of governors control the running of public schools
- The constitution should provide that sporting activities in primary schools be promoted.
- The constitution should provide that more funds be allocated to basic than to higher education

Public Finance (fiscal policy)

- Harambee funds for public institutions should be stopped.
- The constitution should provide for a reduction of taxes by 40%
- The constitution should provide that the budget is approved by the public rather than by parliament
- The constitution should guarantee that tax revenue is used to develop local areas

Monetary Policy

- The new constitution should establish and protect the banking system by incorporating Dondes Bill into the constitution.
- The constitution should provide that the national currency/legal tender has a permanent face.

Health

- The cost sharing policy in health services should be abolished (2).
- Government doctors and nurses should not be allowed to run private clinics.
- The government should manage the health care system in the country.
- Traditional medicine should be integrated within the hospital system.
- Herbalists should be integrated into medical practice.
- The constitution should guarantee that traditional medicine be integrated with modern medicine

- The constitution should debar doctors and nurses in public hospitals from running private clinics
- The constitution should provide for the equipping of public hospitals
- The constitution should provide that community health is taught to all

Information Technology

- The media should not be abused, it should inform issues.

Small Enterprise Development

- The government should provide finance help for the people to start small businesses.
- The government should provide finance help the women to start small businesses.
- The constitution should promote and protect the Jua Kali sector.

Transport & Communication

- The government should improve the transport system in Nyatike.
- The constitution should abolish the position of traffic policemen

Fishing Issues

- The constitution should develop mechanism through which Lake region people benefit from its resources.
- The constitution should ban fishing by use of brooders (2).
- The constitution should protect and promote fishing by the Lake region (2).
- The returns from trade in fish should be used to develop Nyatike.
- Government should give increments to the fishery industry.
- Government should give incentives and credit facilities to the fish farmers.
- The constitution should provide abolish the role of middlemen in fishing
- The constitution should provide for fish processing plants near the lake
- The constitution should provide for rural electrification to preserve preservation of fish
- The constitution should provide that proceeds from fish exports be used to develop the local area
- The constitution should provide that the government establishes fish factories and also assists in fish exports
- The constitution should provide for fishing boards to address the problems of fishermen
- The constitution should provide for broad guidelines for the management of the fishing industry.
- The constitution should guarantee that the government provides fishing facilities to fishermen
- The constitution should guarantee that the government issues fishing licenses to fishermen without discrimination

Mineral Exploration & excavation

- The constitution should provide gold miners with loans to carry out small scale mining

Parks & Wildlife Services

- Government should pay the victims of wildlife (2).

4.3.26. **LEGAL SYSTEMS**

Customary Law

- The government should enshrine customary laws of various societies or communities.

Statutory Law

- Detention without trial should be outlawed.
- Those who impregnate girls should be punished.
- Rapists should be jailed for not less than 20 years.
- The constitution should put in strict penalties on rapists such as life imprisonment.
- The constitution should provide for strict penalties such as 20 year jail term for rape
- The constitution should provide for strict penalties such as life imprisonment for rape
- The constitution should legalize local brews
- The constitution should provide that traditional liquor be legalized

Bills

- The Bill of children's rights should be implemented.

4.3.27. **GENERAL & CROSSCUTTING THEMES**

Gender Equity

- The principle of gender equity should be entrenched in the constitution (2).

Economic/Social Justice

- The constitution should put in place mechanisms to curb economic sabotage, economic fraud and other economic crimes.

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. Tom Onyango MP
2. Joseph O. Oguttu DC
3. Maurice Junga Warega Chairman
4. John O. Mango
5. Maurice Agwanda Atieno
6. Lilian Adhiambo
7. Mary Goreti Apiyo
8. Mrs. Dorothy Oguda
9. Lucas Ogwenyo Yara
10. John Osala Khotuody

Appendix 2: Persons presenting memoranda and/or making oral submissions.

1	0001OMNNY	Johnson Okello	CBO	Written	Nyatike Divison Disabled Com
2	0004OMNNY	Mark Odoyo	CBO	Oral - Public he	Nyamache Youth Group
3	0005OMNNY	Nashon K'Odiwa	CBO	Written	Vision Youth Group
4	0008OMNNY	Otieno George	CBO	Written	Lake Region Development Prog
5	0002OMNNY	Ouma O. Oluoch.	CBO	Written	Village Elders Kiasa Sub Loc
6	0006OMNNY	Simons Orondo	CBO	Written	Isumba Women Group
7	0046IMNNY	Alfred O Owino	Individual	Oral - Public he	
8	0088IMNNY	Alilason Oloo	Individual	Oral - Public he	
9	0038IMNNY	Alois Kadwa	Individual	Oral - Public he	
10	0006IMNNY	Amara G. Odongo	Individual	Written	
11	0087IMNNY	Andrekus Odero	Individual	Oral - Public he	
12	0067IMNNY	Andrew Ojunga	Individual	Oral - Public he	
13	0007IMNNY	Benson A Ogur	Individual	Written	
14	0020IMNNY	Bishop Otieno	Individual	Written	
15	0090IMNNY	Boaz Mboya	Individual	Oral - Public he	
16	0031IMNNY	Charles Ogutu	Individual	Oral - Public he	
17	0009IMNNY	Cllr. David Okello	Individual	Written	
18	0055IMNNY	Cllr. David Okelo	Individual	Oral - Public he	
19	0027IMNNY	Cllr. John O Mango	Individual	Oral - Public he	
20	0037IMNNY	Cyprian Akatch	Individual	Oral - Public he	
21	0094IMNNY	Dan Alela	Individual	Oral - Public he	
22	0016IMNNY	David O Ogada	Individual	Written	
23	0060IMNNY	David Adendi	Individual	Oral - Public he	
24	0100IMNNY	David Orata	Individual	Oral - Public he	
25	0112IMNNY	Dickson Auma	Individual	Oral - Public he	
26	0127IMNNY	Dickson Ondhiwa	Individual	Oral - Public he	
27	0001IMNNY	Dorothy Oguda	Individual	Written	
28	0105IMNNY	Duncan Ndiro	Individual	Oral - Public he	
29	0048IMNNY	Edward O Elisha	Individual	Oral - Public he	
30	0120IMNNY	Elias Oguda	Individual	Oral - Public he	
31	0035IMNNY	Elijah Asiago	Individual	Oral - Public he	
32	0064IMNNY	Elphas Mbewa	Individual	Oral - Public he	
33	0026IMNNY	Elphas Ndege	Individual	Oral - Public he	
34	0072IMNNY	Elphas Okongo	Individual	Oral - Public he	
35	0097IMNNY	Equator Oure	Individual	Oral - Public he	
36	0125IMNNY	Erastus Odoyo	Individual	Oral - Public he	
37	0092IMNNY	Ernest Ohanya	Individual	Oral - Public he	
38	0126IMNNY	Ernest Oracho	Individual	Oral - Public he	
39	0084IMNNY	Ezra O Dickson	Individual	Oral - Public he	
40	0068IMNNY	Francis Magather	Individual	Oral - Public he	
41	0013IMNNY	Francis Yara	Individual	Written	
42	0008IMNNY	George Open	Individual	Written	
43	0086IMNNY	Gilbert Penena Aono	Individual	Oral - Public he	
44	0099IMNNY	Harrison Obuoyo	Individual	Oral - Public he	
45	0017IMNNY	Harrison Onyando	Individual	Written	
46	0091IMNNY	Herman Ochuodho	Individual	Oral - Public he	
47	0089IMNNY	Hesbon Ouko	Individual	Oral - Public he	
48	0058IMNNY	Hezron Odek	Individual	Oral - Public he	
49	0054IMNNY	Isaya Jakech	Individual	Oral - Public he	
50	0044IMNNY	Jackson O Okoth	Individual	Oral - Public he	
51	0116IMNNY	Jackton Owour	Individual	Oral - Public he	
52	0003IMNNY	Jacob Mola	Individual	Written	
53	0080IMNNY	Jad Johnson Ologi	Individual	Oral - Public he	

54	0078IMNNY	James Kotuody	Individual	Oral - Public he
55	0077IMNNY	James S Otumba	Individual	Oral - Public he
56	0128IMNNY	Jane A Osanga	Individual	Oral - Public he
57	0109IMNNY	Jasper Osogo	Individual	Oral - Public he
58	0075IMNNY	Joel Oloo Ndire	Individual	Oral - Public he
59	0117IMNNY	Johannes Nyauchi	Individual	Oral - Public he
60	0050IMNNY	Johannes Oyaro	Individual	Oral - Public he
61	0074IMNNY	John Aloo	Individual	Oral - Public he
62	0095IMNNY	John Awino	Individual	Oral - Public he
63	0123IMNNY	John O Nyabuor	Individual	Oral - Public he
64	0062IMNNY	John O Otenga	Individual	Oral - Public he
65	0069IMNNY	John Otieno	Individual	Oral - Public he
66	0106IMNNY	John Otieno	Individual	Oral - Public he
67	0039IMNNY	John S Asimba	Individual	Oral - Public he
68	0101IMNNY	Johnson Obuoyo	Individual	Oral - Public he
69	0047IMNNY	Joseph Kwaka	Individual	Oral - Public he
70	0051IMNNY	Joseph Mola	Individual	Oral - Public he
71	0093IMNNY	Joseph Ngao	Individual	Oral - Public he
72	0061IMNNY	Joseph O Lago	Individual	Oral - Public he
73	0070IMNNY	Joseph Ojowi	Individual	Oral - Public he
74	0019IMNNY	Joseph Owino Kaserah	Individual	Written
75	0124IMNNY	Joseph Tiany Nyaloo	Individual	Oral - Public he
76	0049IMNNY	Joshua Ouma	Individual	Oral - Public he
77	0036IMNNY	Josphat O Olum	Individual	Oral - Public he
78	0111IMNNY	Kennedy Nyang'wecha	Individual	Oral - Public he
79	0018IMNNY	Lawrence O Otieno	Individual	Written
80	0118IMNNY	Lawrence Ododa	Individual	Oral - Public he
81	0122IMNNY	Lawrence Otieno	Individual	Oral - Public he
82	0004IMNNY	Margaret Ogur	Individual	Written
83	0029IMNNY	Margret Ogur	Individual	Oral - Public he
84	0043IMNNY	Mark Odhiambo	Individual	Oral - Public he
85	0030IMNNY	Mark Odoyo	Individual	Oral - Public he
86	0081IMNNY	Maurice Atieno	Individual	Oral - Public he
87	0034IMNNY	Maurice Marera	Individual	Oral - Public he
88	0071IMNNY	Maurice O Olem	Individual	Oral - Public he
89	0108IMNNY	Maurice Ogola	Individual	Oral - Public he
90	0014IMNNY	Maurice Warega	Individual	Written
91	0103IMNNY	Meshack Konje	Individual	Oral - Public he
92	0057IMNNY	Mola	Individual	Oral - Public he
93	0121IMNNY	Moses Okoth	Individual	Oral - Public he
94	0076IMNNY	Nelson Achar	Individual	Oral - Public he
95	0066IMNNY	Nelson Ochieng	Individual	Oral - Public he
96	0015IMNNY	Ochieng Nasser	Individual	Memorandum
97	0056IMNNY	Onduso D Ouko	Individual	Oral - Public he
98	0024IMNNY	Ouma O Oluoch	Individual	Oral - Public he
99	0040IMNNY	Paul N Otieno	Individual	Oral - Public he
100	0107IMNNY	Paul Okaka	Individual	Oral - Public he
101	0065IMNNY	Paul Olemo	Individual	Oral - Public he
102	0041IMNNY	Paulo Marera	Individual	Oral - Public he
103	0129IMNNY	Peris Ogutu	Individual	Oral - Public he
104	0025IMNNY	Peter Muga	Individual	Oral - Public he
105	0053IMNNY	Peter O Nyong'o	Individual	Oral - Public he
106	0113IMNNY	Peter O Odero	Individual	Oral - Public he
107	0023IMNNY	Peter Obosi	Individual	Oral - Public he
108	0079IMNNY	Peter Obosi	Individual	Oral - Public he
109	0096IMNNY	Philemon Omondi	Individual	Oral - Public he

110	0085IMNNY	Phillip Gor Nyaimbo	Individual	Oral - Public he	
111	0073IMNNY	Phillip N Oyier	Individual	Oral - Public he	
112	0011IMNNY	Polycarp O Ologi	Individual	Memorandum	
113	0114IMNNY	Ramalus Ngao	Individual	Oral - Public he	
114	0115IMNNY	Raphael Odundo	Individual	Oral - Public he	
115	0110IMNNY	Raphael Ojiwa	Individual	Oral - Public he	
116	0005IMNNY	Richard M. Ogiro	Individual	Written	
117	0042IMNNY	Richard Otieno	Individual	Oral - Public he	
118	0032IMNNY	Rtd. Major Silas Opiyo	Individual	Oral - Public he	
119	0102IMNNY	Samson Arwa	Individual	Oral - Public he	
120	0083IMNNY	Samson O Majiwa	Individual	Oral - Public he	
121	0028IMNNY	Samuel K'Onungh	Individual	Oral - Public he	
122	0045IMNNY	Samuel O Amollo	Individual	Oral - Public he	
123	0022IMNNY	Samuel O Ogenga	Individual	Oral - Public he	
124	0082IMNNY	Samuel Odero	Individual	Oral - Public he	
125	0052IMNNY	Shadrack Odhiambo	Individual	Oral - Public he	
126	0059IMNNY	Silas Saronge	Individual	Oral - Public he	
127	0010IMNNY	Silas Saronge	Individual	Written	
128	0033IMNNY	Silferus Saveiga	Individual	Oral - Public he	
129	0021IMNNY	Simon Awidhi	Individual	Oral - Public he	
130	0119IMNNY	Simon Ochola	Individual	Oral - Public he	
131	0012IMNNY	Stephen H. Kichonge	Individual	Written	
132	0098IMNNY	Tom Ouko	Individual	Oral - Public he	
133	0063IMNNY	William Odhiambo	Individual	Oral - Public he	
134	0104IMNNY	Willison Oswago	Individual	Oral - Public he	
135	0002IMNNY	Zakayo O. Kerario	Individual	Written	
136	0007OMNNY	John Okeyo	NGO	Written	Rural Lake Region
137	0003OMNNY	Jackson Siso	Other Institutions	Written	Agenga Secondary School

Appendix 3: Persons Attending Constituency Hearings

No	Name	Address:	No	Name:	Address:
1	Joel Oloo Ndire	P.O. Box 174, Karungu	25	Boas Mboya	P.O. Box 22, Karungu
2	Nelson Okoth Acha	P.O. Box 50, Karungu	26	Zedekia Odiyo	P.O. Box 125, Karungu
3	James Samwel otumb	P.O. Box 51, Karungu	27	Samwel Ogutu	P.O. Box 51, Karungu
4	Vitalis O. Byulu	P.O. Box 20, Karungu	28	Jackton Owuor	P.O. Box 12, Karungu
5	John o. Kotuodi	P.O. Box 92, Ndhiwa	29	Sospeter Odiwa	P.O. Box 105, Karungu
6	Joseph O. Oguttu	P.O. Box 964, Migori	30	Ondiwa Nashason	P.O. Box 29, Karungu
7	Lucas O. Yara	P.O. Box 20, Gunga	31	John Amisi	P.O. Box 29, Karungu
8	Peter Obosi	P.O. Box 56, Otho	32	Ogada Omondi	P.O. Box 29, Karungu
9	Johnson Ologi	P.O. Box 47, Karungu	33	Okello Jack	P.O. Box 29, Karungu
10	Maurice A. Atieno	P.O. Box 77, Karungu	34	Harrison Ochieng'	P.O. Box 29, Karungu
11	Francis P. X. Yara	P.O. Box 40322, Nairobi	35	Joash Mwambo	P.O. Box 29, Karungu
12	Samwel O. Simwa	P.O. Box 50, Karungu	36	Roseline Midenga	P.O. Box 29, Karungu
13	Maurice J. Warega	P.O. Box 85, Macader	37	Susan Magani	P.O. Box 29, Karungu
14	Samson O. Majiwa	P.O.Box 47, Karungu	38	Hezman Ochuodho	P.O. Box 20, Karungu
15	Ezra O. Dickson	P.O. Box 51, Karungu	39	Heznest Oanya	P.O. Box 3, Karungu
16	Joshua O. Owaja	P.O. Box 77, Karungu	40	Joseph Otieno	P.O. Box 47, Karungu
17	Philip Gor Nyaimbo	P.O. Box 22, Karungu	41	Olang'o Julias	P.O. Box 160, Karungu
18	Gilbert Aoro	P.O. Box 3, Karungu	42	Esakiel Msungu	P.O. Box 112, Karungu
19	Andrecus Ogege	P.O. Box 51, Karungu	43	Onsino Wiva	P.O. Box 29, Karungu
20	Elphas Yongo	P.O. Box 65, Karungu	44	John Awino	P.O. Box 47, Karungu
21	Oganda David	P.O. Box 29, Karungu	45	Silvarus Owidhi	P.O. Box 69, Karungu
22	Ochieng Nassa	P.O. Box 29, Karungu	46	Filmon Omindi	P.O. Box 94, Karungu
23	Ali Lason Oloo	P.O. Box 20, Karungu	47	Quetar Oure	P.O. Box 103, Karungu
24	Hezbon Ouko	P.O. Box 22, Karungu	48	Tom Codo	P.O. Box 77, Karungu
49	Charles Masanga	P.O. Box 50, Karungu	73	Paul Okaka	P.O. Box 50, Karungu
50	Richard Obonyo	P.O. Box 60, Karungu	74	Oyando Harrison	P.O. Box 33, Karungu
51	Harrison Odiwa	P.O. Box 65, Karungu	75	Odero Johnson	P.O. Box 21, Karungu
52	David O. Orata	P.O. Box 46, Karungu	76	Maurice Ogalo	P.O. Box 60, Karungu
53	Janes Wao	P.O. Box 36, Karungu	77	Philip Okong'o	P.O. Box 106, Karungu
54	Johnson Obuyo	P.O. Box 36, Karungu	78	Jaspheir Osogo	P.O. Box 108, Karungu
55	Samson Arwa	P.O. Box 14, Karungu	79	Samwel Onyango	P.O. Box 130, Karungu
56	Meshack Konje	P.O. Box 33, Karungu	80	Peter Ochieng'	P.O. Box 120, Karungu
57	Dismas Ater	P.O. Box 13, Karungu	81	Ochieng Aluoch	P.O. Box 47, Karungu
58	Kennedy Odhiambo	P.O. Box 47, Karungu	82	Raphaeal Ojiwa	P.O. Box 178, Karungu
59	Mark Obia	P.O. Box 29, Karungu	83	Jackton A. Nyagilo	P.O. Box 139, Karungu
60	Jeremia Juma	P.O. Box 47, Karungu	84	Aloice Ndiege	P.O. Box 65, Karungu
61	Wilson Osuago	P.O. Box 50, Karungu	85	Francies Owuor	P.O. Box 51, Karungu
62	Paul Opiyo	P.O. Box 29, Karungu	86	Ken Nyangwecha	P.O. Box 46, Karungu
63	Dan Alila	P.O. Box 141, Karungu	87	James M. Omino	P.O. Box 36, Karungu
64	Samson Orondo	P.O. Box 2, Muhuru	88	Dickson Otieno	P.O. Box 69, Karungu
65	Symonds Orondo	P.O. Box 2, Muhuru, Bay	89	Peter O. Odero	P.O. Box 51, Karungu
66	Maricus Nyadimo	P.O. Box 27, Karungu	90	Romanus Ngau	P.O. Box 69, Karungu

67	Dancan Ndiro	P.O. Box 13, Karungu	91	Mark A. Wambogo	P.O. Box 51, Karungu
68	Vicktar Soti	P.O. Box 18, Karungu	92	Joseph Otieno	P.O. Box 51, Karungu
69	Elly Owuoti	P.O. Box 29, Karungu	93	Lawrence Ododa	P.O. Box 117, Karungu
70	Rael Odundo	P.O. Box 94, Karungu	94	Michael Kokeno	P.O. Box 60, Karungu
71	Isaack Bungu	P.O. Box 94, Karungu	95	John Okeyo	P.O. Box 77, Karungu
72	John Otieno	P.O. Box 153, Karungu	96	Symon Ochola	P.O. Box 77, Karungu
97	Elias Oguda	P.O. Box 77, Karungu	121	Peter Nyambori India	P.O.Box 80, Otoch Rakuom
98	Moses Okoth	P.O. Box 77, Karungu	122	Moses Nsioje	P.O. Box 23, Karungu
99	Samson O. Ngao	P.O.Box 161, Karungu	123	John O. Ogira	P.O. Box 8, Karungu
100	John O. Yara	P.O. Box 20, Karungu	124	Martin Ojwang O.	P.O. Macalder
101	Peter Magolo	P.O. Box 20, Karungu	125	Johnson Onjunju	P.O. Box 8, Nyatike
102	Dominick Kasera	P.O. Box 82, Karungu	126	Mary Otieno	P.O. Box 41, Macalder
103	Lawrence O. Otieno	P.O. Box 29, Karungu	127	Jacob Molla	P.O. Box 5, Suna Mirogi
104	John Ogola Nyabuon	P.O. Box 81, Karungu	128	Peter Muga	P.O. Box 8, Karungu
105	Joseph Tiany Nyalo	P.O. Box 50, Karungu	129	E.N. Makalwanga	P.O. Box 46, Karungu
106	Robinson Odari	P.O. Box 12, Karungu	130	Cllr. John O. Mango	P.O. Box 985, Karungu
107	Rasto Odoyo	P.O. Box 15, Karungu	131	Konunga Samwel	P.O. Box 10, Nyatike
108	Erest Oracho	P.O. Box 12, Karungu	132	Richard Ogur	P.O. Box 607, Nyatike
109	Dickson Ondiwa	P.O. Box 51, Karungu	133	Margaret Ogur	P.O. Box 607, Nyatike
110	Odhiambo Otieno George	P.O. Box 64, Nyatike	134	Jacob Onuga Adendi	P.O. Box 27, Nyatike
111	Joseph O. Oguttu	P.O. Box 964, Suna	135	Albert Onuko	PP.O. Box 29, Nyatike
112	Symon Awidhi	P.O. Box 8, Otoch Rakuom	136	Silvanus Ochungo	P.O. Box 55, Nyatike
113	Samwel Obonyo Ogengo	P.O. Box 27, Otoch Rakuom	137	Charles Ogutu	P.O. Box 612, Nyatike
114	John O. Khotuody	P.O. Box 92, Ndhiwa	138	Major Sila Aranga	P.O. Box 29, Nyatike
115	Lukas O. Yara	P.O. Box 20, Gunga School	139	Silferious Ongoro	EAST KADEM
116	Peter Obosi Okota	P.O. Box 56, Otho	140	Maurice Marera	P.O. Box 504, Suna Migori
117	Dorothy A. Oguda	P.O. Box 866, Suna	141	Elijah Asiago	P.O. Box 62, Nyatike
118	Ouma Olare Oluoch	P.O. Box 007, Suna	142	Johson Miluo	P.O.Box 91,Othoch Rakuom
119	Jackson Siso Kolweya	P.O. Box 62, Macalder	143	Cyprian Otuodi	P.O. Box 62, Nyatike
120	Zakayo Opiyo Kerario	P.O. Box 73, Mohuru	144	Aloys Kdiwa	Wangel Longo Primay Sch.
145	John Asimba	P.O. Box 54, Kinaye Sch.	169	Cllr. David Okelo	P.O.Box 384, Suna
146	Richard Ogiro	P.O.Box 1,Otoch Rakuom	170	Panocracius Okanga	P.O. Box 8, Wang'eLong'o
147	Paul Nyitambe Otieno	P.O.Box 1,Otoch Rakuom	171	Onduso Dickson	P.O.Box 23, Macalder
148	Amara George	P.O.Box 1,Otoch Rakuom	172	Snr. Asst Chief Odek	P.O.Box 86, Macalder

149	Alex Ochieng	P.O. Box 29, OTHO	173	Silas S. Ngoje	P.O. Box 62, Macalder
150	Stephen Herenga	P.O. Box 31, Muhuru	174	David Adendi	P.O. Box 23, Muhuru
151	Paulo Inda Marera	P.O. Box 8, OTHO	175	Joseph Lago	P.O.Box 62, macalder
152	John Otieno kagose	P.O. Box 26, OTHO	176	John O. Otenga	P.O. Box 29, Otho
153	Dio Nyarasi	P.O. Box 38, Ong'er	177	Ezra Omolo	P.O.Box 94, OTHO
154	Mark O. Ochungo	P.O. Box 55, OTHO	178	William O. Abiero	P.O. Box 44, OTHO
155	Jackson Oyugi Okoth	P.O. Box 84, OTHO	179	Elfas Mbewa	P.O. Box 46, OTHO
156	Samuel Owino Amolo	P.O. Box 8, OTHO	180	Martin Ogwari Oyier	P.O.Box 26, Ageng'a
157	Alfred Oteko Ownio	P.O. Box 86, OTHO	181	Paul Amara Olimo	P.O. Box 82, TULU
158	Joseph Kwaka	P.O. AGENG'A	182	Nelson Ochieng'	P.O. Box 8, OTHO
159	Edward Ochieng' Elisha	P.O. Box 38, Nyatike	183	Andrew Ojung'a	P.O. Box 23, Macalder
160	Benson Abich Ogur	P.O. Box 46, OTHO	184	Okeyo Magather	P.O. Box 50, Nyatike
161	George Opon	P.O.Box 8, Nyatike	185	George Kinyaga	P.O. Box 23, Karungu
162	Joshua Ouma	P.O. Box 41, Nyatike	186	Joseph Ojowi	P.O. Box 520, Nyandema
163	Cllr. Janes A. Oyaro	P.O. Box 31, Muhuru	187	Maurice O. Olem	P.O.Box 82, OTHO
164	Joseph Mola	P.O. Luanda Karungu	188	Elphas Ariri	P.O. Box 320, Nyandago
165	Odhiambo Ochieng'	P.O. Box 86, Nyatike	189	Philip N. Oyier	P.O. Box 44, OTHO
166	Joseph Anyuor	P.O. Box 64, Ageng'a	190	Polycrp o. Ologi	P.O. Box 10, Macalder
167	Peter Ouma Nyong'o	P.O. Box 27, OTHO	191	Dickson Ooko	None
168	Isaiah Jakech	P.O. LUALA RABUOR	192	John Aloo	None

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1. DISTRICT CONTEXT

Mbita Constituency is a constituency in Suba District. Suba District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	75,167	80,499	155,666
Total District Population Aged 18 years & Below	44,318	43,789	88,107
Total District Population Aged Above 18 years	30,849	36,710	67,559
Population Density (persons/Km²)	147		

1.2. Socio-Economic Profile

Suba District:

- Is the one of the least densely populated district in the province, being ranked 11th of the 12 Nyanza Province Districts;
- Has a primary school enrolment rate of 74.0%, being ranked 7th in the province and 29th nationally;
- Has a secondary school enrolment rate of 10.4%, being ranked the least (12th) in the province and 56th nationally;
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Urinary Tract Infections, Diarrhoea Diseases, Skin Diseases & Infections;
- Is on the edge of Lake Victoria. Much of its land is suitable for peasant subsistence agriculture;
- Economic mainstay is subsistence farming, fishing, and growing of cotton and sugar cane as the main cash crops. Cotton used to be a major crop and can still be one, especially with the opportunities presented by the African Growth and Opportunity Act (AGOA).

Suba district has 2 constituencies: Mbita, and Gwasi. The district's 2 MPs each cover on average an area of 528 Km² to reach 77,833 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won both the parliamentary seats. In Mbita Constituency, NDP won with 78.86% valid votes, while in Gwasi Constituency, with 65.38% valid votes. The creation of the district was calculated to enhance the chances of KANU winning a seat in Luo Land.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

The main economic activity is fishing.

2.2. Electioneering and Political Information

The clan factor plays a pivotal role in deciding who eventually runs in general elections. In terms of population, Gembe has a slight edge followed by Lambwe, Rusinga, and Mfangano in that order. It was thought that this arithmetic favored Otieno Kajwang', the NDP candidate in the 1997 general elections. In 2002, the National Rainbow Coalition won the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			37,682
CANDIDATE	PARTY	VOTES	% VALID VOTES
Omolo Opere	FORD-K	24,771	91.75
Peter Nyakiambo	KANU	2,114	7.83
Thomas Nyambega	DP	63	0.23
James Nyakira	FORD-A	49	0.18
<i>Total Valid Votes</i>		26,997	100.00
Rejected Votes		42	
Total Votes Cast		27,039	
% Turnout		73.90	
% Rejected/Cast		0.16	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			25,640*
CANDIDATE	PARTY	VOTES	% VALID VOTES
Gerald Otieno Kajwang'	NDP	13,853	78.86
Eliazar Ochieng Ochola	KANU	3,502	19.94
John Olang Sana	SDP	212	1.21
<i>Total Valid Votes</i>		17,567	100.00
Rejected Votes		187	
Total Votes Cast		17,754	
% Turnout		69.65	
% Rejected/Cast		1.05	

*The reduction in registered voters is as a result of Gwasi, a new constituency, being carved out of Mbita.

2.5. **Main Problems**

- Poverty;
- Poor communication network;
- Lack of social services; and
- The main economic activity, fishing, being threatened by the water hyacinth and over-fishing.

3. **CONSTITUTION MAKING/REVIEW PROCESS**

3.1. **Constituency Constitutional Forums (CCFs)**

3.1.1. **Philosophy**

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 2ND February 2002 and 6th June 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Nationhood and nation building
- The law making process
- Supremacy of the constitution

- Parliament and legislature
- Constitution: models, types and meaning
- Structures and systems of government
- Organs and levels of government
- defense and national security

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

5.1.1. **Date and Number of Days for Public Hearings**

- a) Date(s): 14th and 17th June 2002
- a) Total Number of Days: 2

5.1.2. **Venue**

- a) Number of Venues: 2
- a) Venue(s): 1) ICIPE Complex
 - 1) Kakimba Secondary School – Mfangano Island

5.1.3. Panels

- a) Commissioners
- 1.Com. Mutakha Kangu
 - 2.Com. Issac Lenaola

 - 3.Com. Prof. Wanjiku Kabira
 - 4.Com. Ibrahim Lethome
- a) Secretariat
- 1.Collins Mukewa - Programme Officer
 - 3.Rosalinda Nduati - Assistant Programme Officer
 - 4.Floria Wafula - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		115
Sex	Male	89
	Female	18
	Not Stated	8
Presenter Type	Individual	51
	Institutions	57
	Not Stated	7
Educational Background	Primary Level	17
	Secondary/High School Level	60
	College	4
	University	13
	None	13
	Not Stated	8
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0

Category	Details	Number
Form Presentation of	Memoranda	0
	Oral	43
	Written	32
	Oral + Memoranda	25
	Oral + Written	15
	Not Stated	0

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Mbita. 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**

- The constitution should have a preamble.
- The preamble should recognize that Kenya is a God fearing country.
- The preamble should express the need for power sharing among Kenyans.
- The preamble should pronounce the diversity of the Kenyan tribes.
- The preamble should reflect the common experiences of Kenyans.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should have statements capturing national philosophy and guiding principles.
- The constitution should reflect that The constitution should be for the people by and by the people.
- The constitution should provide for independence of the three arms of government. (2)
- The constitution should provide for promotion of peace and development.
- The constitution should reflect peace stability and development.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that 65% vote in parliament shall have power to amend the constitution. (3)
- The constitution should abolish the 65% majority vote trequired to amend the constitution. (2)
- The constitution should provide that 70% majority vote be required by parliament for constitutional amendments.

- The constitution should limit the powers of parliament to amend the constitution.
- The constitution should provide that constitutional lawyers form a commission to amend the constitution.
- The constitution should limit parliaments powers to amend provisions on the dissolution and resolution of parties.
- The constitution should provide that constitutional amendment shall only be through a public referendum. (10)
- The constitution should provide that independent bodies conduct public referendums. (2)

5.3.4. **CITIZENSHIP**

- The constitution should confer to all persons born of Kenyan parents automatic citizenship.
- The constitution should confer automatic citizenship to anyone who is born in Kenya. (2)
- The constitution should provide that anyone whose grandparents are Kenyan be conferred automatic citizenship.
- The constitution should provide that citizenship be acquired through registration or naturalization. (2)
- The constitution should provide that the process of registration to become a citizen should be strict.
- The constitution should provide that a Kenyan woman spouse should not confer automatic citizenship to her foreign husband.
- The constitution should provide that any spouse to a Kenyan should be allowed to apply for citizenship.
- The constitution should provide that spouses of Kenyan citizens irrespective of gender should be automatic citizens.
- The constitution should confer to all persons born of at least one Kenyan parent automatic citizenship. (6)
- The constitution should provide that all citizens have a right to life, water, own property and travel freely.
- The constitution should provide that all Kenyans should have an obligation to pay taxes.
- The constitution should provide for dual citizenship. (2)
- The constitution should not allow dual citizenship.
- The constitution should provide that passports should be issued as a right but not privilege
- The constitution should provide for simplified process of acquiring ID cards.
- The constitution should provide that all citizens be issued national IDs and Passports.
- The constitution should provide that all citizens be issued national IDs at the age of 10 years.
- The constitution should provide that passports be issued at no fee.

5.3.5. **DEFENSE AND NATIONAL SECURITY**

- The constitution should establish the disciplined forces. (2)
- The constitution should establish an independent police force.
- The constitution should provide that the role of traffic police be abolished as they do not perform.
- The constitution should provide that the commissioner General of Police be the head of

the police force, and should be appointed by the president.

- The constitution should provide for the restructuring of the police training programs.
- The constitution should provide for an independent police commission to manage the police force.
- The constitution should provide that police force should be under local authorities.
- The constitution should provide for professionalism to be instilled in the police force.
- The constitution should provide for the police force to receive a 200 percent salary increment.
- The constitution should provide that the police should be highly trained professionals to be able to curb white-collar crimes. (2)
- The constitution should provide that indiscipline cases in the police should be punishable by life imprisonment.
- The constitution should provide that the armed forces be disciplined through martial courts.
- The constitution should provide that the police be tried in civilian courts. (2)
- The constitution should provide that the president should be the commander in chief of the armed forces. (7)
- The constitution should provide that the president should not be the commander in chief of the armed forces.
- The constitution should provide that the prime minister be the commander in chief of the armed forces.
- The constitution should provide that the cabinets have power to declare war.
- The constitution should provide that the president have exclusive power to declare war.
- The constitution should permit the use of extraordinary powers in emergencies.
- The constitution should empower parliament with powers to invoke emergency powers.

5.3.6. **POLITICAL PARTIES**

- The constitution should provide that political parties play the role of creating public awareness other than political mobilization.
- The constitution should provide that after elections, only the first five parties be registered and the rest be deregistered.
- The constitution should regulate the formation, conduct and management of political parties. (2)
- The constitution should provide that a political party should have at least 10% voter support from at least five provinces.
- The constitution should provide that political parties without representatives in parliament should be deregistered.
- The constitution should provide that political parties, which do not have support in at least 3 to 5 provinces, be deregistered.
- The constitution should provide that political parties should not be deregistered for lack of a sitting MP.
- The constitution should limit the number of political parties in the country to two. (2)
- The constitution should provide for only four political parties.
- The constitution should provide for 5 political parties. (2)
- The constitution should provide for political parties to be between 3 and 4.
- The constitution should provide for the number of political parties to be reduced to ten.
- The constitution should not provide a limit to number of political parties.

- The constitution should provide for 3 political parties. (2)
- The constitution should provide that political parties finance themselves.. (2)
- The constitution should provide that political parties shall be funded by the government. (7)
- The constitution should provide that parties that attain at least 20% of seats should be funded by the exchequer.
- The constitution should provide that funding from government coffers of political parties should be to only the three strongest parties.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should retain the presidential system of government. (3)
- The constitution should adopt the parliamentary system of government. (6)
- The constitution should provide for the office of a prime minister as head of government. (5)
- The constitution should provide that the prime minister shall be voted by the people. (2)
- The constitution should provide that the prime minister appoint chief government officers.
- The constitution should provide for a system of government with a ceremonial president and a prime minister from the majority party. (2)
- The constitution should provide that the prime minister be from the majority party in parliament. (4)
- The constitution should provide that there would be two deputy prime ministers with president giving them duties.
- The constitution should provide that the president be a ceremonial head. (4)
- The constitution should provide for a unitary form of government with a president as head of state.
- The constitution should provide for a federal system of government. (8)
- The constitution should provide for 8 provincial governors.
- The constitution should provide for devolution of power from the executive to other arms of government- the legislature and judiciary.
- The constitution should provide that power be devolved to lower levels of government. (4)
- The constitution should provide that the vice president should be elected as a running mate of the president. (2)
- The constitution should provide that the vice president be elected by the people.
- The constitution should provide that the vice president hold executive powers when the president is out of the country.
- The constitution should provide that the attorney general should have security of two years term and should not be a Member of Parliament and cabinet.
- The constitution should provide that the Attorney General be independent in decision-making.
- The constitution should divide the office of the Attorney General i.e. one part to be the chief legal advisor and the other being the chief prosecutor.
- The constitution should provide that the Attorney General appear in court on behalf of the president.
- The constitution should provide that the AG serves for a 10-year tenure.
- The constitution should provide that the AG be the chief legal advisor to the government, director of public prosecution, draft bills and treaties and should serve for a term of 5

years.

5.3.8. **THE LEGISLATURE**

- The constitution should provide that parliament vets appointments of all senior public servants. (5)
- The constitution should provide parliament should vet presidential appointment of chief army officers.
- The constitution should provide that parliament vets all presidential appointments. (2)
- The constitution should empower parliament to establish public offices.
- The constitution should provide that parliament establish mechanisms to act as checks and balances for the executive.
- The constitution should provide that parliament makes its own calendar/timetable. (2)
- The constitution should provide that parliament have unlimited control of its own procedures. (2)
- The constitution should provide that parliaments quorum required for parliamentary debates be 1/3 of the total MPs.
- The constitution should provide that being an MP be a full time occupation. (2)
- The constitution should provide that being an MP be a part time occupation.
- The constitution should provide that MPs should not have full time jobs elsewhere.
- The constitution should provide that minimum voting age should 16 years.
- The constitution should provide that the contesting age for parliamentary seats be 26 years and above.
- The constitution should provide that the contesting age for parliamentary seats be 25 years and above.
- The constitution should provide that the contesting age for presidential seats be 35 years and above. (2)
- The constitution should provide that the contesting age for presidential seats be between 45 to 60 years.
- The constitution should provide that the contesting age for presidential seats be between 30 to 60 years.
- The constitution should provide that the contesting age for presidential seats be between 55 to 65 years.
- The constitution should provide that the president should be between 40 and 65 years.
- The constitution should provide that a president should be between 55 and 65 years.
- The constitution should provide that a president should be at least 35 years.
- The constitution should provide that MPs have a minimum education of degree.
- The constitution should provide that MPs have a minimum education of a diploma certificate.
- The constitution should provide that MPs have a minimum education of an O'level certificate. (3)
- The constitution should provide for moral and ethical qualifications for MPs. (3)
- The constitution should provide that MPs should not hold any office in his/her constituency.
- The constitution should provide that the public shall have power to recall a non performing MP. (13)
- The constitution should provide that MPs act on the basis of instructions from their constituents. (4)

- The constitution should provide that MPs serve for terms of 2 terms of 5 years each.
- The constitution should provide that MPs serve for a period of a term of 5 years. (2)
- The constitution should provide that MPs shall not decide on their own salary.
- The constitution should provide that MPs shall not be paid pension. (2)
- The constitution should provide for establishment of a commission to determine salary of MPs. (6)
- The constitution should provide that the Public Service Commission determines salaries and benefits of MPs.
- The constitution should provide that there should be no nominations to parliament. (3)
- The constitution should retain the concepts of nominated MPs. (7)
- The constitution should provide that nominated MPs should be appointed to cabinet.
- The constitution should provide that 35% of the seats be reserved for women in parliament.
- The constitution should provide that MPs report back the development plans for their constituencies after 6 months.
- The constitution should provide that an MP who fails to attend 3 consecutive proceedings of parliament be relieved of their duties.
- The constitution should provide that MP should not have any private businesses.
- The constitution should provide that MPs who are undergoing court cases should resign immediately.
- The constitution should provide for a coalition government. (2)
- The constitution should not permit a coalition government.
- The constitution should provide for a multi-party representation at the executive and legislature levels.
- The constitution should provide for creation of two houses of parliament namely the upper house of governors and lower house for MPs. (2)
- The constitution should provide that parliament have power to remove the president through a vote of no confidence. (7)
- The constitution should provide that the president should not have power to veto legislation passed in parliament. (3)
- The constitution should provide that the president shall not have the power to dissolve parliament. (3)
- The constitution should provide that the president should dissolve parliament at will.
- The constitution should provide for a date of dissolving parliament.
- The constitution should provide that MPs have constituency offices. (4)

5.3.9. **THE EXECUTIVE**

- The constitution should provide that the presidential candidate be a degree holder, morally upright, Kenyan citizen and married. (2)
- The constitution should provide that a presidential candidate have a minimum education of degree.
- The constitution should provide that a presidential candidate be free from criminal record.
- The constitution should provide that a presidential candidate have a minimum education of O'level certificate.
- The constitution should provide that the president should serve two five-year terms. (8)
- The constitution should provide that the president should serve two four-year terms. (3)
- The constitution should fix presidential tenure to one term.

- The constitution should define presidential functions. (2)
- The constitution should provide that the president appoints the cabinet. (2)
- The constitution should provide that the president has the right to give orders, which should be obeyed.
- The constitution should provide that the president appoints prime minister.
- The constitution should provide that a president might remove the prime minister at any time for any reason with 50% approval of parliament.
- The constitution should provide for three-year presidential term.
- The constitution should provide a president should appoint a prime minister who should in turn appoint a council of ministers.
- The constitution should provide that a president shall assent all the bills.
- The constitution should provide that the president shall be ceremonial.
- The constitution should set limits to presidential powers. (20)
- The constitution should provide that the president shall not have the power to appoint judges.
- The constitution should debar the president from making appointments to constitutional offices.
- The constitution should provide that a president should not be a chancellor of any university. (3)
- The constitution should provide that the president should not have the power to dismiss the prime minister.
- The constitution should provide that where a president breaches the constitution he can be impeached and vice president would take over and continue until an aggregate 5 years for both is complete.
- The constitution should provide for the removal of the president due to misconduct. (4)
- The constitution should provide that the legislature and the executive be independent of the executive. (3)
- The constitution should provide that a president should attend all parliamentary proceedings and participate in debates on government policy. (2)
- The constitution should provide that president should not be an MP. (7)
- The constitution should provide that the president be an MP. (3)
- The constitution should provide that the president and vice president should not be members of parliament to remove their influence from parliament.
- The constitution should provide that provincial administration should be maintained. (3)
- The constitution should provide that the provincial administration be abolished. (3)
- The constitution should provide that women should not be appointed as chiefs or assistant chiefs. (2)
- The constitution should provide that clan elders shall be paid by the government. (4)
- The constitution should provide that the chief executive should be the head of all officers in the district.
- The constitution should provide that chiefs shall be amenable to transfers. (14)
- The constitution should provide that women should not be appointed chiefs.
- The constitution should provide that chiefs be elected by the people and have at least an O level certificate. (5)
- The constitution should provide that the District Development Committee fully monitor the expenditure of the district.
- The constitution should provide that chiefs be responsible for the issuing of national ids.
- The constitution should abolish the posts of chiefs and replace them with elected

councilors.

- The constitution should abolish provincial administration and replace it with federal units.
- The constitution should abolish the posts of DO and DC and replace them with strong local authorities.
- The constitution should provide that chiefs educate the citizens on their rights.
- The constitution should replace provincial administration with elected members.
- The constitution should provide that corrupt administration police be sacked.
- The constitution should provide that every ministry have one minister and assistant minister.
- The constitution should specify that size of government. (2)
- The constitution should provide that the cabinet be composed of the president, vice president and ministers.

5.3.10. **THE JUDICIARY**

- The constitution should provide for an independent judiciary. (8)
- The constitution should address corruption within the judiciary with a view to curb it.
- The constitution should provide for lawyers to be prosecutors as opposed to the police.
- The constitution should provide that judges shall apply through the chief justice then appointed by president with approval of national assembly.
- The constitution should provide for protection and security of Kadhis.
- The constitution should provide that the judicial system practice justice rather than injustice.
- The constitution should retain the current structure of the judiciary.
- The constitution should provide that there should be a supreme court with jurisdiction to hear constitutional matters.
- The constitution should establish a supreme court presided over by the chief Justice to bear and adjudicate appeals before it.
- The constitution should provide that the chief justice judges be appointed by the president. (4)
- The constitution should provide that the judicial service commission should not have appointments such as A.G, C.J.
- The constitution should provide that the judiciary appoints the chief Justice.
- The constitution should provide that the tenure of judicial officers be at the mercy of the president.
- The constitution should provide that judges hold office until the age of 70 years.
- The constitution should provide that judges enjoying security of tenure and abuse power in office be relieved of their duties.
- The constitution should provide that Kadhis and Chief Kadhis have the same judicial work as judges.
- The constitution should provide for free legal aid to the poor. (2)
- The constitution should provide that the court reduce their legal charges so as to ensure all have access to courts.
- The constitution should provide that the council of elders be the supreme law on land conflicts.

5.3.11. LOCAL GOVERNMENT

- The constitution should provide that mayors and council chairmen be elected directly by the people. (18)
- The constitution should provide for 2 and a 1/2-year term for mayors and council chairmen instead of the current 2.
- The constitution should provide that mayors and council chairmen serve for a term of 6 years.
- The constitution should provide that mayors and council chairmen serve for a term of 5 years.
- The constitution should provide that mayors and council chairmen serve for a term of 4 years.
- The constitution should provide that county councils should be allowed to operate independent of the central government. (5)
- The constitution should provide that local authorities be run and regulated by the local people.
- The constitution should provide that mayors should be graduates while councilors should be KCSE holders. (11)
- The constitution should provide language tests for those vying for local authority seats. (2)
- The constitution should abolish the language requirement for local authority seats.
- The constitution should provide that councilors be area residents of the particular area and should be a registered voter.
- The constitution should introduce moral and ethical qualifications for councilors. (2)
- The constitution should have a provision for the people to call back a non-performing councilor. (8)
- The constitution should have a provision for the people to call back a non-performing councilor through writing to the minister for local government accompanied with 50% votes from the registered voters.
- The constitution should provide for the councilors to be paid by the central government. (4)
- The constitution should provide for better pay for councilors.
- The constitution should provide that councilors be paid salaries and allowances drawn from the Ministry of Local government
- The constitution should provide that salaries and allowances of councilors be determined by the Public Service Commission.
- The constitution should provide that on retirement councilors receive a pension of about 800,000 shillings.
- The constitution should retain the concept of nominated councilors. (2)
- The constitution should abolish the concept of nominated councilors
- The constitution should provide that the president or the minister for local government should not have power to dissolve councils. (2)
- The constitution should provide that the town clerk should be under a mayor.
- The constitution should provide that council revenues should be submitted to the local council treasury.
- The constitution should provide that town and urban councils should be done away with and only municipal councils and cities should be retained.
- The constitution should provide that there should be local councils in all districts headed by a chief executive elected by universal suffrage.

- The constitution should provide that the national assembly should head municipalities with a mayor elected by the people and he will be the chief executive and answerable to a council with a chairman.
- The constitution should provide that the local authorities should be allowed to hire and fire their staff.
- The constitution should provide that councils have powers to collect taxes from citizens.
- The constitution should provide that councils give loans to small enterprises.
- The constitution should provide that the mayor control all staff in the ministries.

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide that elections should be by secret ballot.
- The constitution should retain the simple majority rule as a basis of winning the elections.
- The constitution should
- The constitution should provide protection to women against intimidation during elections.
- The constitution should design electoral process to increase women's participation.
- The constitution should provide that a president should get a 50% majority vote. (2)
- The constitution should provide that when there is no clear winner through attaining the minimum percentage a run-off should be carried out between the top two candidates.
- The constitution should not allow candidates who fail to be nominated by one party to seek nomination from another party.
- The constitution should provide for no defections between parties within the term. (2)
- The constitution should provide that if a person defects from his/her party, the speaker should declare his/her seat vacant and call for a by-election. (2)
- The constitution should not allow for defections between parties.
- The constitution should retain the 25% representation in 5 provinces for presidential elections. (2)
- The constitution should reserve seats for the disabled in parliament. (3)
- The constitution should reserve seats for the people residing in settlement schemes in parliament.
- The constitution should reserve seats for the marginalized groups in parliament.
- The constitution should reserve 10% seats in parliament for women.
- The constitution should reserve seats for the youth in parliament
- The constitution should provide that geographical features and means of communication be considered in demarcation of constituencies.
- The constitution should provide that the Ruma areas and Lambwe division should not be split into another constituency.
- The constitution should provide that there should be between 300 and 350 constituencies.
- The constitution should provide for a review of constituency boundaries.
- The constitution should provide that the demarcation of constituencies be based on population. (2)
- The constitution should provide presidential, parliamentary and civic elections should be held at different times. (3)
- The constitution should provide presidential, parliamentary and civic elections should be held simultaneously.
- The constitution should provide that civil servants wishing to contest should be granted leave and be allowed back.
- The constitution should provide for continuous voter registration.
- The constitution should provide that independent candidates should be allowed to run for presidency. (2)
- The constitution should provide for independent candidates.
- The constitution should provide for a constitutionally set election timetable.
- The constitution should allow citizens to acquire voters cards without having their national identity.
- The constitution should specify the election date. (2)
- The constitution should provide that presidential elections be done directly. (5)
- The constitution should provide that presidency should be rotational in terms of tribe. (2)

- The constitution should provide that the president be elected by MPs from among 3 candidates presented by the Prime Minister.
- The constitution should provide that the president be appointed by MPs or Ministers. (2)
- The constitution should provide that the 2002 elections be held under the new constitution.
- The constitution should provide that the electoral commissioners be appointed by parliament.
- The constitution should provide that the Electoral Commissioners serve for 5 years. (2)
- The constitution should provide for only 8 electoral commissioners.
- The constitution should provide for a reduction in electoral commissioners to 7 with an officer in charge of administration.
- The constitution should provide for independence of the electoral commission and should consist of 8 commissioners from the eight provinces.
- The constitution should provide that election violence to the common man be treated with seriousness.

5.3.13. **BASIC RIGHTS**

- The constitution should ensure that all citizens be treated equally without discrimination.
- The constitution should entrench economic, cultural and social rights to all citizens.
- The constitution should guarantee all citizens freedom from intimidation.
- The constitution should provide for freedom of worship. (9)
- The constitution should provide that freedom of worship should be limited.
- The constitution should guarantee freedom of assembly.
- The constitution should guarantee freedom of speech and movement.
- The constitution should provide freedom of association
- The constitution should guarantee all citizens the right to life.
- The constitution should replace the death sentence with life imprisonment.
- The constitution should provide for the abolition of death penalty.
- The constitution should protect all the basic rights for all citizens. (6)
- The constitution should provide that wealthy Kenyans are entitled to hold firearms for self-protection.
- The constitution should provide security to all citizens. (2)
- The constitution should provide for free health care to all Kenyans. (5)
- The constitution should provide for quality health services to and guarantee mandatory health insurance.
- The constitution should guarantee free health services to all pregnant women.
- The constitution should guarantee free health care to children below the age of 18 years. (2)
- The constitution should provide for free and clean water to all Kenyans. (3)
- The constitution should provide education for all citizens.
- The constitution should provide for free primary education.
- The constitution should ensure that all citizens have access to free education. (6)
- The constitution should offer free equal education opportunities for all the disabled. (2)
- The constitution should guarantee free and compulsory education from primary to secondary.
- The constitution should provide for free and compulsory formal education up to university level.

- The constitution should provide for establishment of feeding programs in schools.
- The constitution should provide for creation of job opportunities through sustainable development planning.
- The constitution should provide that the government enforces one-man one job policy. (5)
- The constitution should provide equal employment opportunities for the disabled.
- The constitution should provide that the government offer favorable pension terms and pay pension to individuals. (2)
- The constitution should provide for equal employment opportunities for women.
- The constitution should provide for an increment in the retirement age.
- The constitution should provide that pension be paid efficiently and timely. (5)
- The constitution should ensure that the government creates job opportunities for the unemployed youth. (3)
- The constitution should increase the retirement age to 65 years.
- The constitution should promote good working conditions and promotions on merit.
- The constitution should provide that all citizens above the age of 70 be entitled to social security.
- The constitution should provide for free and compulsory education upto standard 8. (12)
- The constitution should provide for free and compulsory education up to form 4. (5)
- The constitution should provide for free and compulsory education for children between 5 and 18 years.
- The constitution should provide for free and compulsory education up to university. (2)
- The constitution should be easily available to all citizens. (2)
- The constitution should ensure that the government provides civic education to all citizens.
- The constitution should provide that parliamentary proceedings be aired through the media.
- The constitution should provide that all Kenyans have access to information in the hands of the state. (2)
- The constitution should ensure that military expenditure is made public information to the citizens.
- The constitution should provide that all workers have a roght to trade union representation.
- The constitution should provide that Saturday be made a day of worship. (3)
- The constitution should provide that all citizens have a right to benefit from government programmes and policies.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should protect women from sexual exploitation and all other forms of intimidation.
- The constitution should guarantee and protect the rights of the disabled.
- The constitution should provide that the disabled be given chances to vie for any elective posts.
- The constitution should provide for the physically impaired be give priority in employment.
- The constitution should provide that public buildings should be designed to suit the needs of the disabled persons. (3)
- The constitution should provide that the sign language should be introduced in schools.
- The constitution should provide for a national council of people with disability composed of

7 members proposed by district groups of people with disability.

- The constitution should provide that 5% of senior positions in private and government sector should be preserved for the disabled.
- The constitution should provide for a census for the disabled persons.
- The constitution should provide for free education to the disabled children.
- The constitution should provide for friendlier words when addressing the disabled.
- The constitution should provide that facilities for the disabled be tax-free.
- The constitution should provide equal employment opportunities for the disabled. (3)
- The constitution should protect the disabled against violence.
- The constitution should provide that the government employ interpreters in courts, hospitals and other public offices including the media.
- The constitution should provide for establishment of schools for the orphans. (3)
- The constitution should provide for setting up a fund for street children.
- The constitution should provide that the government should educate street children. (3)
- The constitution should guarantee and protect the rights of children. (6)
- The constitution should abolish child labor.
- The constitution should protect and guarantee the right of widows. (2)
- The constitution should protect the rights of the marginalize groups. (2)
- The constitution should protect and provide for the elderly. (4)
- The constitution should provide for affirmative action to increase the number of women in parliament. (3)
- The constitution should provide that prisoners be detained only after appearing before a court of law.
- The constitution should ensure that prisoners have a right to see and talk to his/her family.
- The constitution should ensure that prisoners are guaranteed their rights to food, water and overcrowding. (2)

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should provide that the government has ultimate land ownership.
- The constitution should provide that the individual have ultimate land ownership. (2)
- The constitution should provide that the local communities have ultimate land ownership. (2)
- The constitution should empower the government with powers to compulsorily acquire private land, which is not put to use by the owners.
- The constitution should have the power to acquire land occupied by Orias at Remba Island.
- The constitution should provide that if the government wishes to acquire private land they should buy it from the owners at a required price.
- The constitution should provide that the state has powers to control the use of land by owners.
- The constitution should ensure that the less fortunate people of the society be prohibited from selling their land by the government.
- The constitution should provide that the government enforce individuals to put land to use and not just leave it idle.
- The constitution should provide that land be used for income generating activities.
- The constitution should provide that idle land be taxed.

- The constitution should protect the Lambwe valley settlement from grabbing.
- The constitution should provide that individuals in settlement schemes be issued with title deeds.
- The constitution should ensure that boundaries of Lambwe valley be left intact. (3)
- The constitution should provide that land owners be issued with title deeds. (3)
- The constitution should provide that land disputes be handled in courts.
- The constitution should provide that land disputes be handled by the Ministry of Lands.
- The constitution should provide that when one dies and there's no one to inherit the land, the land should go to the local authorities.
- The constitution should provide that in land disputes where one party has already developed the land the status quo should be maintained.
- The constitution should provide that clan elders should be allowed to arbitrate over land matters and be included in land control boards.
- The constitution should set a ceiling on land ownership by an individual. (3)
- The constitution should simplify procedures of land transfer. (2)
- The constitution should provide that the government clearly defines land boundaries.
- The constitution should provide that the government reduces fees required to obtain title deeds.
- The constitution should provide that women and men have equal access to land. (6)
- The constitution should provide that title deeds should bear names of spouses. (4)
- The constitution should ensure that Lake Victoria be utilized by people living around or near it, by abolishing the 1929 treaty between the British and Egyptians. (7)
- The constitution should provide that Kenyans own land anywhere in the country.
- The constitution should establish more settlement schemes to settle the landless.
- The constitution should guarantee access to land to every Kenyan.
- The constitution should provide that the local government should protect trust land.
- The constitution should ensure that the government set aside public land to set up public service facilities i.e. schools and hospitals.

5.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should protect and promote cultural and ethnic diversity. (5)
- The constitution should provide that all wives in a polygamous family should be recognized by law and issued with a marriage certificate.
- The constitution should uphold all cultural values.
- The constitution should ensure that positive traditional values be protected to enhance a desired society.
- The constitution should provide that cultural values and practices like slaughtering of cattle during funerals be stopped.
- The constitution should establish measures to curb negative ethnicity, which translates into cutthroat competition for the control of power.
- The constitution should protect against the discriminatory aspect of culture. (3)
- The constitution should provide for the abolition of dowry payment as cultural practice.
- The constitution should provide that polygamy should be outlawed.
- The constitution should outlaw customary law and other harmful practices.
- The constitution should outlaw wife inheritance
- The constitution should outlaw female genital mutilation.

- The constitution should protect women against the discriminatory aspect of culture i.e. wife inheritance and female genital mutilation. (7)
- The constitution should provide the Kiswahili language to be national language.
- The constitution should provide for English and Kiswahili be national languages.
- The constitution should provide for sign language be a national language.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide that the government should levy tax on business to supplement provision of expenditure on education.
- The constitution should provide for equal distribution of the infrastructure. (2)
- The constitution should establish mechanisms to ensure equal distribution of national resources to enhance equal development. (5)
- The constitution should provide that local resources should be shared between the local government and the central government. (3)
- The constitution should provide that the government be required to apportion benefits from resources between the central government i.e. 40% and the 60% be given to the communities where such resources are located.
- The constitution should provide that the office of the auditor and the controller general should be assigned prosecution powers for people who misuse public funds. (2)
- The constitution should provide that the Auditor General be at least 45 years and should serve for 5 years.
- The constitution should provide that the KRA be under the office of the Controller and Auditor General.
- The constitution should provide that parliament appoints the Auditor General.
- The constitution should provide that parliament should put in place checks and balances to control and manage public finances.
- The constitution should provide that parliament establishes a commission to control management and use of public finance.
- The constitution should ensure that parliament have access to audit councils accounts.
- The constitution should provide for an independent revenue collection body.
- The constitution should provide that tenders should be awarded on merit and work done should be assessed and given time frame longevity.
- The constitution should provide that pension for civil servants should be renewed after 3 years.
- The constitution should provide that civil servants should be appointed on 10-year renewable contracts to improve efficiency.
- The constitution should ensure that ministers be professionals in their respective ministries.
- The constitution should review salaries of workers in the public service.
- The constitution should provide that employment be on merit to the public service. (2)
- The constitution should provide that public servants be given adequate pension package which should be reviewed every five years.
- The constitution should provide for harmonization of salaries with the excesses being distributed to people earning very little money.
- The constitution should provide that anyone found guilty of corruption should not hold any public office.
- The constitution should provide that public servants wishing to contest for elections

should not be forced to resign 6 months before the elections.

- The constitution should provide that parliament should appoint a commission to appoint senior public servants.
- The constitution should restrict public servants from practicing personalized leadership.
- The constitution should provide that cabinet ministers should not follow the president at functions.
- The constitution should provide that a minister or any public officer under investigation for an offence in should relinquish their job positions.
- The constitution should provide that parliamentary aspirants should declare their wealth.
- The constitution should provide that civil servants should declare their wealth before taking public office. (2)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that all forests should be gazetted. (2)
- The constitution should provide for a law to govern recycling of harmful industrial products.
- The constitution should provide that the chiefs have power to enforce environmental protection laws.
- The constitution should provide that communities recycle non-biodegradable substances.
- The constitution should provide that the local residents play a role in management and protection of natural resources.
- The constitution should provide that communities be given first preference in managing and benefiting from local natural resources.
- The constitution should provide for the local people to manage the natural resources.
- The constitution should provide that the office of the President under the provincial administration have the responsibility of managing and protecting natural resources.
- The constitution should provide that the government has the responsibility of managing and protecting natural resources. (4)
- The constitution should provide that outsiders pay a levy fee for the use of waters of Lake Victoria.
- The constitution should provide for all the natural resources to be protected by the state.
- The constitution should provide for lake users to take insurance cover.

5.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should provide that NGO's and other organized groups play a role in governance.
- The constitution should provide that NGOs give funds directly to members of a particular project.
- The constitution should provide that the media should not be limited to broadcast by the government.
- The constitution should provide that religious leaders should be included in all the arms of the government.
- The constitution should provide for the community to elect a chairman to the District Development Board.
- The constitution should provide that women who should take leadership positions should be 60 years.

- The constitution should provide for women to be involved in policy making.
- The constitution should ensure that women have a role in governance.
- The constitution should provide that cultural values, which downplay women in governance, be abolished.
- The constitution should ensure that church leaders play a role in governance in terms of community development. (2)
- The constitution should provide that the language of the constitution should be simple for all people to understand and to promote participation in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide that ambassadors representing the executive in foreign affairs be limited only to where Kenyans have interests.
- The constitution should provide that the International Labor Organizations proposals of full time work of 8 hours a day have automatic effect in the domestic law.
- The constitution should provide that the Asian community should be restricted to industry-oriented businesses.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should establish a department for the disabled in the Ministry of Culture and Social Services.
- The constitution should provide for an office of the ombudsman at the district level and his recommendations to be taken up by the attorney general.
- The constitution should provide that Ombudsman have offices at the district level.
- The constitution should establish the office of Ombudsman. (5)
- The constitution should establish a Human Rights Commission.
- The constitution should establish a Gender Commission
- The constitution should provide for establishment of an anti-corruption authority under the A.Gs. Office
- The constitution should establish a salaries commission to determine salaries of various employees in an organization. (2)
- The constitution should provide that there should be a budget office to check the powers of treasury.
- The constitution should provide that any commission formed report their findings publicly.
- The constitution should provide that the gender commission deal with issues concerning women.
- The constitution should ensure that the salaries commission bridge the gap between the highly and low paid citizens.
- The constitution should provide that the land commission be given allowances to top corruption.
- The constitution should provide for a minister of justice and constitutional affairs.

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that a president should be sworn in immediately after elections.

- The constitution should provide for a new president to be sworn in 2 months after elections
- The constitution should guarantee presidential immunity after retirement.
- The constitution should provide that after retirement the president shall be provided with state security, state pension and a lump sum payment.
- The constitution should provide that retired presidents should not be allowed to hold any elective post.

5.3.23. **WOMEN'S RIGHTS**

- The constitution should entrench women's rights.
- The constitution should provide that women should have a right to own property. (4)
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide that women have a right to inheritance and succession. (13)
- The constitution should provide that in a polygamous marriage all the wives should enjoy equal right of inheritance. (2)
- The constitution should not allow divorce amongst married couples.
- The constitution should provide that dowry payments be done by the men. (2)
- The constitution should provide that men have legal custody to children incase of divorce provided he paid the dowry.
- The constitution should restrict men to only two wives.
- The constitution should recognize marriage as an institution that portrays a Godly attitude.
- The constitution should provide that fathers ensure women of child support and maintenance. (4)
- The constitution should provide that men who impregnate girls be forced to marry them and provide child support.
- The constitution should prohibit domestic violence. (3)
- The constitution should provide for protection of women against domestic violence. (2)

5.3.24. **INTERNATIONAL**

- The constitution should ensure that aids and grants from donor agencies be properly accounted for and put into correct use.

5.3.25. **ECONOMIC LIBERALIZATION**

- The constitution should ensure that the government controls prices of commodities. (5)

5.3.26. **POVERTY REDUCTION**

- The constitution should provide that the government establishes mechanisms to eradicate poverty. (2)

5.3.27. **PHYSICAL, ECONOMIC AND SOCIAL INFRASTRUCTURE**

- The constitution should ensure that the government ensures equal distribution of

infrastructure to all parts of the country.

- The constitution should ensure that the government supplies electricity to all parts of the country. (4)
- The constitution should provide for rural electrification in all the districts.
- The constitution should provide that the government should provide infrastructure between the islands to be maintained by the people.

5.3.28. **INSURANCE**

- The constitution should establish a mandatory National Social Health Insurance.
- The constitution should provide that insurance firms be vetted by government bodies to avoid defrauding of citizens.

5.3.29. **HIV AIDS**

- The constitution should ensure that the government creates AIDS awareness in the country.
- The constitution should establish mechanisms to curb the spread of AIDS.
- The constitution should provide that the government fund organizations that are dealing with AIDS epidemic.

5.3.30. **PUBLIC SAFETY**

- The constitution should provide that arrests should be done by uniformed police officers.
- The constitution should provide for the Navy to be stationed in Lake Victoria to provide security and protection against attacks from neighboring countries.
- The constitution should provide for a check on arbitrary arrest by police. (2)
- The constitution should protect all citizens against police harassment. (4)
- The constitution should ensure that the police force be decentralized to local authorities.
- The constitution should establish highway police patrols.
- The constitution should provide that all businessmen /women be issued with guns.

5.3.31. **CORRUPTION**

- The constitution should establish measures to eradicate corruption. (5)
- The constitution should provide that anyone found guilty of corruption be jailed forced to pay back all the money.
- The constitution should eradicate corruption in the fishing industry.
- The constitution should provide for stiffer penalties for lawyers found guilty of squandering client's money.

5.3.32. **AGRICULTURE AND LIVESTOCK**

- The constitution should allow people living near Lk. Victoria utilize the waters for irrigation. (5)
- The constitution should provide that the government exploit the wealth of Black Cotton soil to enhance agriculture.

- The constitution should establish marketing boards to regulate and manage the sale of cash crops.

5.3.33. **MANUFACTURING**

- The constitution should encourage the establishment of industries near the source of raw materials.

5.3.34. **EDUCATION**

- The constitution should provide that heads of schools, deputies and heads of department should be housed in schools. (2)
- The constitution should for the recruitment of more Muslim teachers to teach Islam.
- The constitution should provide that caning in schools should be maintained to promote discipline.
- The constitution should provide for interdiction of teachers with illicit relationships with students.
- The constitution should provide for abolition of child labor as well as corporal punishment in schools.
- The constitution should provide that teachers appoint their principles and their deputies.
- The constitution should ensure that government pays pre-primary teachers. (3)
- The constitution should reduce secondary school fees.
- The constitution should ensure that the single education system is retained.
- The constitution should provide for the re-introduction of the 7-6-3-education system.
- The constitution should ensure that the government have full control of all public schools.
- The constitution should provide that the government establishes enough schools in the country.
- The constitution should ensure that the government gives enough funds to schools.
- The constitution should provide for corporal punishment for the purposes of discipline purposes.
- The constitution should ensure that the government establishes more schools for the deaf.
- The constitution should provide that the curriculum taught in schools for the handicapped e relevant to them.
- The constitution should provide that teachers retire at the age of 50 years.
- The constitution should provide that promotion of teachers depend on the number of years served and should be on merit.
- The constitution should be included as part of the education curriculum.
- The constitution should provide that the minimum education qualification for teachers in the teachers training colleges be grade D+.
- The constitution should ensure that the government establishes universities in every province.
- The constitution should require the government to provide facilities to schools.
- The constitution should provide that the government limits the number of schools being established.
- The constitution should provide for the enhancement of the education curriculum to enhance teaching of more practical subjects.

- The constitution should ensure that secondary education be made more affordable.
- The constitution should provide that nursery school education be under the Ministry of Education.
- The constitution should ensure that education services are decentralized.
- The constitution should provide that schools be adequately staffed with qualified teachers.
- The constitution should provide that sign language be used in schools to accommodate the deaf.
- The constitution should provide that Islamic education be taught in schools as an option for all Islamic students.
- The constitution should put in place a fee structure that is applicable to all schools.
- The constitution should ensure that HELB services be accessible to all students.
- The constitution should provide that a panel as opposed to a BOG should appoint teachers.
- The constitution should provide teachers should be appointed on merit.
- The constitution should provide that public universities should be independent of the executive and should elect their own chancellors.

5.3.35. **PUBLIC FINANCE (FISCAL POLICY)**

- The constitution should enforce a supplementary levy on business to supplement government revenue.
- The constitution should provide that the government reduce the number of harambees held by administrative officers but instead deduct a certain amount from tax to enhance development projects at community level.
- The constitution should provide that donations and aids be used for the specified purpose.
- The constitution should ensure that there is equitable disbursement of constituency allowances by electing committee to avoid misappropriation of funds.

5.3.36. **MONETARY POLICY**

- The constitution should ensure that women obtain loans on their own ability without the consent of their husbands.
- The constitution should provide that the image of the president should not appear on the currency rather a symbol.

5.3.37. **HEALTH**

- The constitution should provide that the government establishes programs to teach the youth on matters relating to health and family life.
- The constitution should ensure that the government establishes hospitals in the local communities.
- The constitution should ensure that all citizens are provided with quality health care.
- The constitution should ensure that the government deals with tse tse flies in Labwe Valley. (2)
- The constitution should not allow doctors to have private clinics.
- The constitution should establish a medical scheme to cater for accident victims who are

no covered with insurance.

5.3.38. **TOURISM**

- The constitution should facilitate for the enhancement of tourism in the Lambwe Valley and Ruma national park.
- The constitution should provide that the suba district be included in the tourism circuit.

5.3.39. **INFORMATION COMMUNICATION AND TECHNOLOGY**

- The constitution should restrict newspapers that encourage tribalism in their publications.
- The constitution should entrench the media bill that has been recently passed.

5.3.40. **SMALL ENTERPRISE DEVELOPMENT**

- The constitution should provide that the jua kali sector should be strengthened to improve the economy.

5.3.41. **TRANSPORT AND COMMUNICATION**

- The constitution should ensure that the government improves the transport system.

5.3.42. **FISHING**

- The constitution should restrict fishing in certain grounds to preserve certain species for future supply by creating fishing and non-fishing zones.
- The constitution should protect the fishing industry. (2)
- The constitution should provide that loans should be advanced to fishermen.
- The constitution should provide that middlemen should not dictate fish markets.
- The constitution should provide for a provision on use of lake Victoria and that all fish industries should be done locally.
- The constitution should provide for insurance facility for engine boats in lake Victoria.
- The constitution should provide for engine boats to access harbors.

5.3.43. **NATIONAL**

- The constitution should provide that during the national census the number of the disabled be indicated.

5.3.44. **STATUTORY LAW**

- The constitution should legalize traditional alcoholic brews. (3)
- The constitution should legalize the ownership of firearms.

- The constitution should legalize abortion.
- The constitution should provide that thieves be jailed for 30 years and life imprisonment be the maximum sentence.

5.3.45. **GENDER EQUITY**

- The constitution should provide that both men and women be treated equally. (5)
- The constitution should provide that all public posts be gender balanced.

5.3.46. **ECONOMIC/SOCIAL JUSTICE**

- The constitution should provide that citizens be compensated due to wrong victimization and violation of their rights by security forces.
- The constitution should provide that those who die due to disasters in Lake Victoria. (2)
- The constitution should ensure that employees who are injured at their places of work be compensated.

5.3.47. **NATURAL JUSTICE/RULE OF LAW**

- The constitution should ensure that all citizens uphold the rule of law.

5.3.48. **NATIONAL IDENTITY/INTEGRITY**

- The constitution should provide for a national dress.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|---------------------------------|----|
| 1. Hon Gerald Otieno Kajwang | MP |
| 2. Lawrence Odira Anyango | DC |
| 3. Cllr. Narkisho Okanga Miregi | |
| 4. Robert Ochola Omogi | |
| 5. George Onyongo Odhiambo | |
| 6. Ezekiel Odera Kamayo | |
| 7. Tobias Otunga | |
| 8. Agnes awiti Augo(Mrs) | |
| 9. Sabina Oganga (Mrs) | |
| 10. Beatrice Achieng Mrende | |

Appendix 2: Civic education providers (CEPs)

1. Wakawa women group
2. Paga women group
3. Bung kwach self help group
4. Wanyalochwe self help group
5. Agoko self help group
6. God jope youth group
7. Suba development youth group
8. Kati elders group
9. Mbita ACK deanery
10. Ogongo juakali group
11. Ecumenical civic education programme

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

1	0016OSMNY	Anonymous	CBO	Written	Wakawa Women Group
2	0031OSMNY	Barack A Ongeny	CBO	Written	Bungkwach SH Group
3	0033OSMNY	Benjamin Onyango O	CBO	Written	NCKK
4	0032OSMNY	Bernard Apondo Arunga	CBO	Written	Lambwe Christian School for
5	0028OSMNY	Chamluchi W G	CBO	Written	Chamluchi Women Group
6	0039OSMNY	Charles K Olelo	CBO	Written	Wanyende Youth Dev. Group
7	0020OSMNY	Clement Ogutu O	CBO	Written	Youth Initiative
8	0027OSMNY	Daniel Otieno	CBO	Written	Ramba Beach M Unit
9	0022OSMNY	Dismas Otieno JKB	CBO	Written	Wanyande Youth Group
10	0038OSMNY	Elkana Sangoro O	CBO	Written	Oruma Farm Youth Group
11	0001OSMNY	Florence Khatete	CBO	Written	Wanyande Youth Dev. Group
12	0009OSMNY	Fredrick Opiyo Gwala	CBO	Memorandum	Agoko Self Help Group
13	0025OSMNY	George M Owanyuro	CBO	Written	Suba District Disabled Netwo
14	0015OSMNY	George O Ngoro	CBO	Written	Suba Dev. Center
15	0035OSMNY	Hellen Nyawasa	CBO	Written	Paga Women Group
16	0007OSMNY	John O Osondo	CBO	Written	Suba District Disabled Netwo
17	0013OSMNY	Josphat Kagungu	CBO	Written	Millenium Rescue SH Group
18	0002OSMNY	Joyce A Henga	CBO	Written	MYWO
19	0034OSMNY	Maurice O Bwana	CBO	Written	Suba Dev. Youth Group
20	0010OSMNY	N. Okanga Miregi.	CBO	Memorandum	Mbita Town Council
21	0005OSMNY	Naphtali Nyabaso	CBO	Written	Ogongo Jua Kali Group
22	0019OSMNY	Otieno Beatrice F	CBO	Written	Young Mothers Women Group
23	0012OSMNY	Paul O Omondi	CBO	Written	KNUT Suba Branch
24	0006OSMNY	Penina Alice Orwa	CBO	Written	MYWO Mbita Division
25	0017OSMNY	Peter Oyugi J	CBO	Written	Rugelo Fishing SH Group
26	0011OSMNY	Pr. Moses Oyengo	CBO	Written	Mulembe Self Help Group
27	0018OSMNY	R.P. Onyango	CBO	Written	Kamaiti Dev.
28	0040ismny	Richard Abong'o	CBO	Oral - Public he	
29	0021OSMNY	Richard O Abongo	CBO	Written	ICAD
30	0026OSMNY	Samuel Nyakiya	CBO	Memorandum	Suba Community Services
31	0084ISMNY	Abednego O. Odiembo	Individual	Oral - Public he	
32	0085ISMNY	Abuoga Maureen	Individual	Oral - Public he	
33	0057ISMNY	Aloice O Osunga	Individual	Oral - Public he	
34	0020ISMNY	Alphonce Amisi Kirui	Individual	Written	
35	0079ISMNY	Amos K. Otieno	Individual	Oral - Public he	
36	0034ISMNY	Anonymous	Individual	Oral - Public he	
37	0077ISUNY	Anonymous	Individual	Oral - Public he	
38	0002ISMNY	Beatrice Achieng	Individual	Written	
39	0081ISMNY	Bernard Oloo	Individual	Oral - Public he	
40	0017ISMNY	Bernard Owuor Otieno	Individual	Written	
41	0059ISMNY	Betty I Mbita	Individual	Oral - Public he	
42	0037ISMNY	Caphis Otieno Were	Individual	Oral - Public he	
43	0073ISMNY	Caren Anyango	Individual	Oral - Public he	
44	0056ISMNY	Catherine Obunga	Individual	Oral - Public he	
45	0006ISMNY	Charles O Were	Individual	Written	
46	0014ISMNY	Cllr. Suleiman Adagala	Individual	Written	
47	0018ISMNY	Collins D Okeyo	Individual	Written	

48	0033ISMNY	David O Nyaranda	Individual	Oral - Public he	
49	0041ISMNY	Dr. Ochieng R.S.	Individual	Oral - Public he	
50	0065ISMNY	Duncan Luke Ouma	Individual	Oral - Public he	
51	0086ISMNY	E.A Ongei	Individual	Oral - Public he	
52	0078ISMNY	Edwin Maungah	Individual	Oral - Public he	
53	0010ISMNY	Elijah Arot Sonye	Individual	Written	
54	0063ISMNY	Emily Odiwour	Individual	Oral - Public he	
55	0025ISMNY	Ephie Khatete	Individual	Written	
56	0080ISMNY	Eric Mbita O.	Individual	Oral - Public he	
57	0068ISMNY	Erick Odhiambo	Individual	Oral - Public he	
58	0042ISMNY	Erick Oduor Obwanda	Individual	Oral - Public he	
59	0003ISMNY	Ezekiel Odera Kamayo	Individual	Written	
60	0070ISMNY	Felix Marowe	Individual	Oral - Public he	
61	0083ISMNY	Florence Adhiambo	Individual	Oral - Public he	
62	0051ISMNY	Fred O Nyangweso	Individual	Oral - Public he	
63	0019ISMNY	Geoffrey Otieno Owour	Individual	Written	
64	0007ISMNY	George N Omweri	Individual	Written	
65	0064ISMNY	Harrison O.	Individual	Oral - Public he	
66	0008ISMNY	Henry S Onam	Individual	Written	
67	0058ISMNY	Hezron O Kawaka	Individual	Oral - Public he	
68	0004ISMNY	Hon. Otieno Kajwang	Individual	Memorandum	
69	0026ISMNY	J.M. Masira	Individual	Written	
70	0077ISMNY	Jeremiah Okumu	Individual	Oral - Public he	
71	0021ISMNY	Joel Omino	Individual	Written	
72	0005ISMNY	John Oliech	Individual	Written	
73	0036ISMNY	John Owuor	Individual	Oral - Public he	
74	0039ISMNY	Joseph Kasidhi	Individual	Oral - Public he	
75	0066ISMNY	Maureen Okelo	Individual	Oral - Public he	
76	0044ISMNY	Michael Otieno Ongongo	Individual	Oral - Public he	
77	0035ISMNY	Mohamed Kasim	Individual	Oral - Public he	
78	0062ISMNY	Monica Okoth	Individual	Oral - Public he	
79	0029ISMNY	Nelson Okumu	Individual	Oral - Public he	
80	0067ISMNY	Nereah Orina	Individual	Oral - Public he	
81	0074ISMNY	Obote O Oguta	Individual	Oral - Public he	
82	0030ISMNY	Odhiambo Ayot	Individual	Oral - Public he	
83	0050ISMNY	Ogeya J Otieno	Individual	Oral - Public he	
84	0031ISMNY	Okoth G F Bor	Individual	Oral - Public he	
85	0069ISMNY	Omondi Ogot	Individual	Oral - Public he	
86	0049ISMNY	Omore Chris P	Individual	Oral - Public he	
87	0032ISMNY	Osingo Ogure	Individual	Oral - Public he	
88	0055ISMNY	Osodo H Ouma	Individual	Oral - Public he	
89	0054ISMNY	Osodo W Oluoch	Individual	Oral - Public he	
90	0016ISMNY	Patrick Lumumba	Individual	Written	
91	0076ISMNY	Peter O Obwogo	Individual	Oral - Public he	
92	0023ISMNY	Peter Ogwang Akam	Individual	Written	
93	0045ISMNY	Peter Okoth	Individual	Oral - Public he	
94	0027ISMNY	Petronila Achieng Lumum	Individual	Written	
95	0038ISMNY	Philemon Agwaro	Individual	Oral - Public he	
96	0009ISMNY	Philister A Ogutu	Individual	Written	
97	0075ISMNY	Samson Onyanggo Agwara	Individual	Oral - Public he	
98	0072ISMNY	Samuel Abwoka	Individual	Oral - Public he	
99	0015ISMNY	Samuel Olero	Individual	Written	
100	0071ISMNY	Solomon N. Oluenda	Individual	Oral - Public he	

101	0082ISMNY	Stephen Odero	Individual	Oral - Public he	
102	0060ISMNY	Susan Kawaka	Individual	Oral - Public he	
103	0087ISMNY	Sylas Ogweno	Individual	Oral - Public he	
104	0043ISMNY	Tom Onyango Oketch	Individual	Oral - Public he	
105	0011ISMNY	Victor Odero Okoth	Individual	Written	
106	0022ISMNY	Zakaria A Asiyo	Individual	Written	
107	0028ISMNY	Zipporah Akong'o	Individual	Written	
108	0014OSMNY	Anonymous	Other Institutions	Written	Lambwe School for the Deaf
109	0023OSMNY	Anonymous	Other Institutions	Written	Wakula School
110	0003OSMNY	Daniel O. Okeyo.	Other Institutions	Written	Waondo Sec. School
111	0004OSMNY	Ezekiel Odera Kamayo	Other Institutions	Written	Lambwe
112	0008OSMNY	George A Bade	Other Institutions	Written	Kati Elders Group
113	0024OSMNY	Ruth Akinyi Atieno	Other Institutions	Written	Ramba School
114	0037OSMNY	Anonymous	Religious Organisation	Written	Obalwanda 'B' ACK
115	0029OSMNY	Eric Otieno Adede	Religious Organisation	Written	SDA Ruri District
116	0036OSMNY	Manasseh Wasonga O	Religious Organisation	Written	ACK Ogongo Parish
117	0030OSMNY	Naftali N Nyabasi	Religious Organisation	Written	ACK Ogongo Church

Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	Penina AliceOrwa	P.O. Box 296, Mbita	91	Ezekiel Odera	P.O. Box 37, Ogongo
2	Faith A. Ogweno	P.O. Box 296, Mbita	92	Ramawus Ojwang Abade	P.O. Box 67, Mbita
3	Florence Khatete	P.O. Box 130, Mbita	93	Tobias Otunga	P.O. Box 34, Mbiga
4	Beatrice M. Achieng	P.O. Box 127, Homa Bay	94	Dismas Otieno	P.O. Box 130, Mbita
5	Joyce A. Henga	P.O. Box 100, Ogongo	95	Andrew Ochka	P.O. Box 30, Mbita
6	Naphtali N. Nyabasi	P.O. Box 5, Ogongo	96	Andrew Orwa Ooko	P.O. Box 8, Mbita
7	Odhiambo P. Ayot	P.O. Box 132, Mbita	97	Jackline Onundo	P.O. Box 347, Mbita
8	Jacob Odhiambo	P.O. Box 363, Homa Bay	98	Jackson Agik	P.O. Box 347, Mbita
9	Kiche Oguma	P.O. Box 31, Mbita	99	Eunice Dave Nyariro	P.O. Box 347, Mbita
10	Nelson Okumu	P.O. Box 545, Homa Bay	100	Pastor Moses Oyengo	P.O. Box 6, Mbita
11	Patrick Ocheno	P.O. Box 325, Mbita	101	David Nyawanda	P.O. Box 30, Mbita
12	Daniel O. Okeyo	P.O. Box 33, Mbita	102	George Owen Ni	P.O. Box 30, Mbita
13	Samwel Ocholla	P.O. Box 127, Mbita	103	Tom Guda	P.O. Box 30, Mbita
14	John O. Ogenda	P.O. Box 52, Mbita	104	Kennedy Alera	P.O. Box 12, Ogongo
15	Jovan Magorombo	P.O. Box 124, Mbita	105	Meshark O. Okumu	P.O. Box 12, Ogongo
16	John O. Osodo	P.O. Box 60, Mbita	106	James OmondiKongere	P.O. Box 30, Mbita
17	George A. Bade	P.O. Box 20, Ogongo	107	Charles O. Were	P.O., Box 02, Mbita
18	Fred O. Gwala	P.O. Box 163, Homa Bay	108	Henry S. Onam	P.O. Box 203, Mbita
19	Okoth G.F. Boy	P.O. Box 25, Nairobi	109	Cornel Oliech Oduma	P.O. Box 52, Ogongo
20	George O. Kongoru	P.O. Box 52, Mbita	110	Peter Otieno	P.O. Box 62, Mbita
21	Bernard O. matinde	P.O. Box 309, Mbita	111	R.P. Onyango	P.O. Box 250, Mbita
22	James O. Ombui	P.O. Box 297, Mbita	112	Clement O. Ochieng	P.O. Box 339, Mbita
23	Naum O. Kila	P.O. Box 191, Mbita	113	Joab Oguta Oyoolo	P.O. Box 14, Mbita
24	George Okeyo	P.O. Box 150, Mbita	114	Victor Odero	P.O. Box 130, Mbita
25	Beatrice Okinyi	P.O. Box 81, Mbita	115	Mr. Genge O. Migure	P.O. Box 67, Mbita
26	Florence B. Otieno	P.O. Box 62, Mbita	116	Tom Ocholla	P.O. Box 347, Mbita
27	Hon. Otieno Kajwang'	P.O. Box 48358, Nairobi	117	Josephat Kagungu	P.O. Box 111, Mbita
28	Cllr. Ongonga Oyuko	P.O. Mfangano	118	Joseph Kasioki	P.O. Box 30, Mbita
29	Maurice Tabu	P.O. Box 12, Mbita	119	Philster Ogutu	P.O. Box 280, Mbita
30	Charles Adiang	P.O.Box 65, Mbita	120	John Jalango	P.O. Box 146, Mbita
31	Elijah A. Sonye	P.O. Box 130, Homa Bay	121	Peter Okoth	P.O. Mfangano
32	Cyriacus K. Otieno	P.O. Box 325, Mbita	122	Omoro Chris	P.O. Mfangano
33	Margaret A. Okomo	P.O. Box 52, Mbita	123	Ogeya J. Otieno	P.O. Mfangano
34	John Owino	P.O. Box 315, Mbita	124	Fred Nyangweso	P.O. Mfangano
35	Elkana S. Ogolla	P.O. Box 309, Mbita	125	Daniel Otieno Odero	P.O. Mfangano
36	John Owuor	P.O. Box 119, Mbita	126	Osodo Watama O.	P.O. Nyahera
37	Paul Onyonyi	P.O. Box 300, Mbita	127	Osodo Henry Ouma	P.O. Mfangano
38	Jackim O. Amayo	P.O. Box 300, Mbita	128	Munyao Owanyagoro O.	P.O. Box 60, Mbita
39	Cephas O. Were	P.O. Box 6, Mbita	129	Samuel Nyakiya	P.O. Mfangano
40	Philemon Agwaro	P.O. Box 300, Mbita	130	Harrison O. Ongonga	P.O. Nyakueri
41	Raphael Okoth Not	P.O. Box 54, Mbita	131	Duncan Luke Ouma	P.O. Mfangano
42	Daniel Owino	P.O. Box 54, Mbita	132	Michael O. Ongonga	P.O. Mfangano
43	Mohamed Kasim	P.O. Box 118, Mbita	133	Sulman Ogweno Nyakiyo	P.O. Mfangano

44	Cllr. Okanga Miregi	P.O. Box 347, Mbita	134	Cllr. Samwel Agagwa	P.O. Box 145, Mbita
45	Simon Kadipo	P.O. Box 21, Mbita	135	Cllr. Suleiman Adagala	P.O. Mfangano
46	Charles Olelo	P.O. Box 130, Mbita	136	Obote C. Oguta	P.O. Mfangano
47	Samson Onyango	P.O. Mfangano	137	Opiyo Charles	P.O. Mfangano
48	Smwel Olero	P.O. Box 139, Sindo	138	Maurice Oguta	P.O. Mfangano
49	Walter O. Bunde	P.O. Box 312, Mbita	139	Mariko Otieno	P.O. Mfangano
50	Odiwuor Willingstone	P.O. Mfangano	140	Domtilla Oyugi	P.O. Mfangano
51	Kennedy Orwa	P.O. Mfangano	141	Florence Akiny	P.O. Mfangano
52	Daniel Orengo	P.O. Ramba	142	Salmon Otieno	P.O. Mfangano
53	Canca Anyango Nduma	Northj Karumba	143	Philip Ochieng	P.O. Mfangano
54	Nick Ochieng	P.O. Mfangano	144	Walter Ayako	P.O. Mfangano
55	Peter Onyango	P.O. Mfangano	145	Masimo Mikala	P.O. Mfangano
56	John Wanzala	P.O. Mfangano	146	S.M. Ojwang	P.O. Mfangano
57	Millicent Okeyo	P.O. Mfangano	147	Betty I. Mbita	P.O. Mfangano
58	Grace Otieno	P.O. Mfangano	148	Carina Agunda	P.O. Mfangano
59	Maurice Okello	P.O. Mfangano	149	Agnes Ajwang'	P.O. Mfangano
60	Geoffrey O. Owuor	P.O. Mfangano	150	Joseph Okinyi	P.O. Mfangano
61	Isack Odhiambo	P.O. Mfangano	151	Jane Selco	P.O. Mfangano
62	Lucas O. Ogutu	P.O. Mfangano	152	Benard O.Otieno	P. O. Mfangano East
63	Elsa Ongei	P.O. Mfangano	153	Joyce Atieno	Soklo North
64	Joseph Abong'o	P.O. Mfangano	154	Charles Sikweya	Soklo North
65	Lazarus Omollo	P.O. Mfangano	155	Jim Obara	Kakimba
66	Patrick Limumba	P.O. Mfangano	156	Otem Odhiambo	Kakimba
67	Elly Okinyi	P.O. Mfangano	157	Daminus Ouma	Kakimba
68	Silas Ogweno	P.O. Mfangano	158	Florence Manyala	Kakimba
69	Johnson A. Ogolla	P.O. Mfangano	159	Daniel Okong'o	Kakimba
70	Benard Sungu	Wakinga	160	Julius Obara	P.O. Mfangano
71	Jeremiah Okumu	P.O. Box 332, Mbita	161	Kennedy Fungo	P.O. Mfangano
72	Felix Ochieng Marowe	P.O. Mfangano	162	Maranda Wyclife	P.O. Mfangano
73	Omondi Ogot	P.O. Mfangano	163	Daniel Okeyo	P.O. Mfangano
74	Erick Odhiambo	P.O. Mfangano	164	Donuel Ogweno Okech	P.O. Mfangano
75	Peter O.Obwogo	P.O. Mfangano	165	Maurice Owiny	P.O. Box 200, Ndhiwa
76	Maurice Okello	P.O. Mfangano	166	Okumu Daniel	P.O. Mfangano
77	Lilly O. Airo	P.O. Mfangano	167	Jared O. Okeyo	P.O. Mfangano
78	Dripha Nerea	P.O. Mfangano	168	Peter Ogweno	P.O. Mfangano
79	Ruth Otieno	P.O. Mfangano	169	Erick Mbita Ogola	P.O. Mfangano
80	Washington Ogutu	P.O. Mfangano	170	Odero Okelo	Ndhiwa
81	Owino Ongeyi	P.O. Mfangano	171	S.K. Ogola Otieno	N/A
82	Paul Mikoka	Kakimba	172	Bernad O. Oloo	P.O. Mfangano
83	Washington Ogutu	Kakimba	173	Denis W. Ayonga Ayub	P.O. Mfangano
84	Johnson Odhiambo	Masis	174	Aloice O. Osunga	P.O. Mfangano
85	Cathyrine Obunga	P.O. Mfangano	175	Hezron O. Kwaka	P.O. Mfangano
86	Caroline Gitau	P.O. Mfangano	176	Abednego O. Odiembo	P.O. Mfangano
87	Collins Okeyo	P.O. Box 41, Mfangano	177	Lumumba P.F. Ogutu	P.O. Mfangano
88	Shadrack Gaga	P.O. Box 41, Mbita	178	Johnson Odhiambo	N/A
89	Alphonse Amini	P.O. Sondu	179	Paul Mutoka	N/A

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I. DISTRICT CONTEXT.

Gwasi Constituency is a constituency in Suba District. Suba District is one of 12 districts of the Nyanza Province of Kenya.

A. Demographic Characteristics

District Population by Sex	Male	Female	Total
	75,167	80,499	155,666
Total District Population Aged 18 years & Below	44,318	43,789	88,107
Total District Population Aged Above 18 years	30,849	36,710	67,559
Population Density (persons/Km²)	147		

1.2 Socio-Economic Profile

Suba District:

- ? Is the one of the least densely populated district in the province, being ranked 11th of the 12 Nyanza Province Districts;
- ? Has a primary school enrolment rate of 74.0%, being ranked 7th in the province and 29th nationally;
- ? Has a secondary school enrolment rate of 10.4%, being ranked the least (12th) in the province and 56th nationally;
- ? Experiences the following main diseases: Malaria, Respiratory Tract Infections, Urinary Tract Infections, Diarrhoea Diseases, Skin Diseases & Infections;
- ? Is on the edge of Lake Victoria. Much of its land is suitable for peasant subsistence agriculture;
- ? Economic mainstay is subsistence farming, fishing, and growing of cotton and sugar cane as the main cash crops. Cotton used to be a major crop and can still be one, especially with the opportunities presented by the African Growth and Opportunity Act (AGOA).

Suba district has 2 constituencies: Mbita, and Gwasi. The district's 2 MPs each cover on average an area of 528 Km² to reach 77,833 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won both the parliamentary seats. In Mbita Constituency, NDP won with 78.86% valid votes, while in Gwasi Constituency, with 65.38% valid votes.

I. CONSTITUENCY PROFILE

A. Demographic Characteristics

Constituency Population	Total	Area Km ²	Density (persons/Km ²)
	74,795	639.70	116.9

A. Electioneering and Political Information

This is a stronghold for the opposition. In the 1997 general election results, NDP won with 65.38% valid votes.

B. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			23,211
CANDIDATE	PARTY	VOTES	% VALID VOTES
Felix U. Kanyauchi	NDP	10,683	65.38
Zaddock M. Syongoh	KANU	5,657	34.62
<i>Total Valid Votes</i>		<i>16,340</i>	<i>100.00</i>
Rejected Votes		391	
Total Votes Cast		16,731	
% Turnout		70.71	
% Rejected/Cast		2.34	

I. CONSTITUTION MAKING/REVIEW PROCESS

A. Constituency Constitutional Forums (CCFs)

1. Philosophy

The Constituency 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.

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 forum from the facilitation of civic education to also include facilitation and the collection 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.Functions of CCF

- II.Facilitation of collection of the views of the public at the constituency level on proposals to alter the constitution; and
- III.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)).

1.Functions of CCC

- IV.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;
- V.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;
- VI.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
- VII.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.

1.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.

A.District Coordinators

1.Mandate/Terms of Reference

- VIII.Be the local grass root representative;
- IX.Perform the generalization activities in the district;
- X.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;
- XI.Gathering any relevant local information and materials for the purpose of constitution making;
- XII.Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- XIII.Supply such information needed by local constituency forums and committees;
- XIV.Liaise with other documentation centers nearby and others for information;
- XV.In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- XVI.Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- XVII.Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- XVIII.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;

- XIX. Monitor the implementation of civic education by civic education providers in the district;
- XX. Facilitate the formation of constituency committees with guidance and assistance of CKRC;
and
- XXI. Perform any other tasks as directed by CKRC.

1. Criteria for Appointment

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

XXIV. CIVIC EDUCATION.

Civic education in the constitution was carried out between 20th February 2002 and 18th May 2002

A. Phases in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

B. Issues and areas covered

- ? Guiding principles of the review
- ? Constitution: models, types and meaning
- ? Memorandum for CKRC public hearing
- ? Constitutionalism
- ? Rights and freedom of the individual
- ? Management of public health
- ? Governance
- ? Ethics, moral values and social justice
- ? Constitution making process
- ? Constitution supremacy
- ? Democracy
- ? Child rights and gender issues
- ? Nationhood and nation building
- ? Functions of a national constitution
- ? Constitutional amendments since independence
- ? Structures and systems of government

XXV. CONSTITUENCY PUBLIC HEARINGS.

A. Logistical details

5.1.1 Date and Number of Days for Public Hearings

- a) Date(s): 18th and 19th June 2000
- b) Total Number of Days: 2

5.1.2 Venue

- c) Number of Venues: 2
- d) Venue(s): 1) Magunga Primary School Hall
- e) Sindo Trading Center

1. Panels

- 1. Com. Mutakha Kangu
- 2. Com. Issac Lenaola

- 3. Com. Prof. Wanjiku Kabira
- 4. Com. Ibrahim Lethome

a) Secretariat

- 1. Collins Mukewa - Programme Officer
- 3. Rosalinda Nduati - Assistant Programme Officer
- 4. Flora Wafula - Verbatim Recorder

B. Attendance Details

Category	Details	Number
Number of People Who Presented		156
Sex	Male	130
	Female	23
	Not Stated	3
Presenter Type	Individual	94
	Institutions	61
	Not Stated	1
Educational Background	Primary Level	42
	Secondary/High School Level	68
	College	24
	University	11
	Not Stated	10
Form of Presentation	Memoranda	10
	Oral	69
	Written	66
	Oral + Written	11

A. Concerns and Recommendations.

The following are the recommendations made by the presenters in Gwasi 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.

1.PREAMBLE

- ? The constitution should provide for a preamble. (7)
- ? The Preamble should state why the constitution should be there.
- ? The constitution should provide for a national vision on accountability and management of resources.
- ? The constitution should provide for a preamble based on national vision and philosophy of this nation.
- ? The constitution should have a preamble, which outlines the cultural and global norms.
- ? The preamble should reflect the wishes of the people of Kenya.
- ? The preamble should reflect the date of independence, ethical diversity, devotion of justice for all, concern and promotion of the general welfare of each citizen.
- ? The preamble should state the history of the constitution the reason for enacting it and values and aspirations of the people.
- ? The preamble should state that the constitution is by people for the people.
- ? The preamble should provide that every Kenyan has an obligation to be loyal to the nation.

2.DIRECTIVE PRINCIPLE OF STATE POLICY

- ? The constitution should have statements capturing national philosophy and guiding principles in the constitution. (2)
- ? The constitution should include democratic principles.
- ? The constitution should provide for a social democratic government.
- ? The constitution should include democratic statements ie sovereign state, free movement and free election.
- ? The constitution should include values such as fairness, equity, justice, and respect for diversity, integrity and honesty.
- ? The constitution should explain the ways in which citizens can take action if power is being misused.
- ? The constitution should provide that all democratic principles be enforceable by law. (2)
- ? The constitution should put in place measures to promote social standards, positive traditions & education.

3.CONSTITUTION SUPREMACY

- ? The constitution should retain the current 65% majority vote to amend the constitution. (2)
- ? The constitution should provide that 80% majority vote be required to amend the constitution.

- ? The constitution should be amended by 75% majority vote in parliament. (2)
- ? The constitution should provide that parliament should have limited powers to amend the constitution. (5)
- ? The constitution should retain parliaments sovereignty to amend the constitution.
- ? The constitution should provide that cultural aspects should be beyond amendment power of the constitution.
- ? The constitution should provide that the sovereignty of the people should not be compromised by parliament.
- ? The constitution should be amended through a referendum. (8)
- ? The constitution should provide that the constitution review commission should conduct the referendums.
- ? The constitution should provide that the local authority led by the council chairman and representatives from every sub-location committee should conduct referendums.
- ? The constitution should remain supreme when there exists conflict between it and customary law.

4. CITIZENSHIP

- ? The constitution should accord automatic citizenship to those born in Kenya. (4)
- ? The constitution should provide that anyone from the 42 tribes/communities be regarded as an automatic citizen.
- ? The constitution should provide that anyone who has lived in Kenya for the last 10 years be regarded as an automatic citizens.
- ? The constitution should provide that anyone who has both parents as Kenyan be regarded as automatic citizens of Kenya. (2)
- ? The constitution should provide that citizenship be acquired through legislation.
- ? The constitution should provide that a foreign spouse of a Kenyan citizen should be given 5 years period to prove that he/she is genuine before being accorded citizenship.
- ? The constitution should provide that foreign women married to Kenyan men should be regarded as automatic citizens of Kenya.
- ? The constitution should provide the spouses of Kenyan citizens regardless of gender should be entitled to automatic citizenship. (4)
- ? The constitution should not allow children of foreign mothers to acquire citizenship.
- ? The constitution should provide that a child born of one Kenyan parent irrespective of gender be regarded as automatic citizens of Kenya. (3)
- ? The constitution should provide that every person born to a Kenyan parent be entitled to Kenyan citizenship.
- ? The constitution should provide that a child born of one Kenyan parent has a right to choose citizenship.
- ? The constitution should ensure that Kenyans have right to some allowance to cater for their security.
- ? The constitution should ensure that anyone with an national ID should have a right to vote. (3)
- ? The constitution should ensure that Kenyans have the right to freedom of speech, association, worship, security, life, harassment-*, legal representation, movement and right to obtain information.

- ? The constitution should ensure that every Kenyan has a right to life. (2)
- ? The constitution should ensure that the rights and obligations of a citizen be applicable to all irrespective of the mode in which that citizenship was acquired. (2)
- ? The constitution should not allow dual citizenship. (3)
- ? The constitution should allow dual citizenship. (2)
- ? The constitution should allow dual citizenship as long as one has been in Kenya for the last 10 years.
- ? The constitution should ensure that before someone is issued with a national ID he/ she should go through the assistant chief or chief for certification.
- ? The constitution should ensure that national ID cards are issued free of charge. (2)
- ? The constitution should provide that the national identity card be used as proof of citizenship.
- ? The constitution should ensure that women should not be required to issue a letter of consent from their husbands when applying/obtaining passports.
- ? The constitution should ensure that national ID, passports, birth certificates and marriage certificates be used as proof of citizenship.
- ? The constitution should provide that married women should have no difficulty in changing their maiden names to married names in the national ID.
- ? The constitution should provide that passport should replace identity cards as proof of citizenship.
- ? The constitution should ensure that there are no delays when issuing out of passports.(2)
- ? The constitution should ensure that the process of issuance of national identity cards be simplified.(2)
- ? The constitution should provide that Kenyans carry national identity cards and birth certificates as proof of citizenship.

5.DEFENSE AND SECURITY

- ? The constitution should establish disciplined forces of the state. (3)
- ? The constitution should abolish the traffic police since they promote corruption.
- ? The local community should propose those who join the forces to instill discipline.
- ? The constitution should ensure that the police should not ask for bribery for any services they offer.
- ? The constitution should provide that the police should not patrol at night.
- ? The constitution should provide that the state defense and Security Council should be responsible for the discipline of the armed forces.
- ? The constitution should provide that the armed forces be disciplined forces by a court martial.
- ? The constitution should provide that police recruits produce certificate of good conduct from their local chiefs.
- ? The constitution should provide that the government informs the public about foreign forces coming to the country.
- ? The constitution should ensure that the police follow arrest procedures strictly so as not to compromise the rights of Kenyans.
- ? The constitution should limit police powers. (2)
- ? The constitution should provide that the president be the commander in chief of the armed forces. (3)

- ? The constitution should provide that the Prime Minister should be the commander in chief of the armed forces.
- ? The constitution should ensure that the president should not be the commander in chief of the armed forces.
- ? The constitution should provide that the executive should not have powers to declare war, unless discussed and approved by the defense national security council.
- ? The constitution should provide that parliament should be allowed to authorize the president to declare war if and only if 80% of members of parliament and the opinion after having considered the facts on the ground.
- ? The constitution should provide that the prime minister should have power to declare war and peace in the country.
- ? The constitution should give exclusive parliament powers to declare war. (3)
- ? The constitution should ensure that parliament be informed when offering the emergency powers and which powers be authorized by the Prime Minister or President as the case maybe.
- ? The constitution should show how to deal with internal and external enemies.
- ? The constitution should allow navy officer to patrol Lake Victoria.

6.POLITICAL PARTIES

- ? The constitution should provide that political parties should teach and educate citizens on their rights and freedoms.
- ? The constitution should ensure that political parties have the responsibility of checking the performance in development issues of the country.
- ? The constitution should play other roles of economic development other than political mobilization.
- ? The constitution should participate in the nation building and implementing the set policies.
- ? The constitution should ensure that political parties play other roles other than political mobilization. (2)
- ? The constitution should state the requirements of starting a political party. (2)
- ? The constitution should recognize only political parties with members in all provinces.
- ? The constitution should regulate the conduct, management and formation of political parties. (4)
- ? The constitution should provide that in order to register a political party it should get 25% representation in all provinces
- ? The constitution should provide that political parties adopt the mode of nominating their candidates.
- ? The constitution should ensure that political parties have a national outlook.
- ? The constitution should not regulate the formation, management and conduct of political parties.
- ? The constitution should limit the number of political parties to three. (5)
- ? The constitution should limit the number of political parties to five.
- ? The constitution should limit the number of political parties to four.(3)
- ? The constitution should limit the number of political parties to two.
- ? The constitution should provide for only one political party.

- ? The constitution should not limit the number of political parties.
- ? The constitution should provide for 9 single party systems.
- ? The constitution should not limit the number of political parties.
- ? The constitution should compel the government to fund the first 3 political parties. Well-wishers should finance the rest of the parties. (2)
- ? The constitution should provide that political parties should solicit their own funds.
- ? The constitution should provide that political parties be financed by their members.
- ? The constitution should provide that public coffers should not finance political parties.
- ? The constitution should provide that the public should fund political parties.
- ? The constitution should provide that political parties be financed by the government treasury. (3)
- ? The constitution should provide that political parties should be financed depending on the membership ie the more the membership the more the financial allocation.
- ? The constitution should provide that political the public finance parties as long as they comply with all the rules and regulations put down by the constitution.
- ? The constitution should ensure that the state and political parties should work together towards a common objective of improving the welfare of Kenyans.

7.STRUCTURES AND SYSTEMS OF GOVERNMENT

- ? The constitution should retain presidential system of government. (3)
- ? The constitution should provide that the prime minister should be appointed from the majority party in parliament. (3)
- ? The constitution should adopt the parliamentary system of government. (5)
- ? The constitution should ensure that the Prime Minister is appointed from the majority party in parliament, be the head of state, signs bills into law, and have to veto them.
- ? The constitution should provide that the president have power to preside over national holidays, graduation ceremonies and other national events.
- ? The constitution should adopt a hybrid system of government. (2)
- ? The constitution should provide for the sharing of power between a president and a prime minister.
- ? The constitution should provide that the Prime Minister be elected from MPs.
- ? The constitution should retain a unitary form of government. (4)
- ? The constitution should adopt the federal system of government. (12)
- ? The constitution should provide that regional/provincial administration should devolve power to lower levels of government such as districts and local authorities.
- ? The constitution should devolve powers to lower levels of government.
- ? The constitution should provide that the vice president should be from the opposition.
- ? The constitution should provide that the vice president be a woman.
- ? The constitution should provide that the vice president be elected directly by the people during the general elections.
- ? The constitution should provide that there be two vice presidents.
- ? The constitution should provide that the vice president be appointed by he president.
- ? The constitution should provide that the vice president be married, fluent in both English and

Kiswahili, morally upright and be a Kenyan by birth.

- ? The constitution should provide that the attorney general should be a presidential appointee.
- ? The constitution should provide that the Attorney General be appointed by parliament and not the president.

8.LEGISLATURE

- ? The constitution should provide that all appointments be vetted by parliament. (6)
- ? The constitution should expand functions of parliament by giving it more powers ie appointing judges.
- ? The constitution should make parliament have its own calendar controlled by PSC.
- ? The constitution should provide that being a member of parliament be a full time occupation. (5)
- ? The constitution should compel MPs to attend all sessions of the assembly.
- ? The constitution should provide that being a member of parliament should be a part time occupation.(2)
- ? The constitution should provide no age limit for those contesting for parliamentary or presidential seats.
- ? The constitution should provide that the age requirement for a parliamentarian should be at least 25 years.
- ? The constitution should provide that the age requirement for parliamentary seat be between 18-65 years.
- ? The constitution should provide that the age requirement of parliamentary seat be 28 years.
- ? The constitution should provide that the age requirement for a parliamentary seat be 21 years.
- ? The constitution should provide that the age requirement for presidency should be 40-80 years.(2)
- ? The constitution should provide that the age requirement for the presidency should be 40 years.
- ? The constitution should provide that the age requirement for the presidency be 35-75 years. (2)
- ? The constitution should provide that the age requirements for a presidential candidate be 42-70 years.
- ? The constitution should provide that the president be 25 years.
- ? The constitution should provide that parliamentary candidates should be able to communicate fluently in English and Kiswahili.
- ? The constitution should provide that parliamentarians should also have a form four level of education other than the language tests.
- ? The constitution should make Kiswahili the main language used in Parliament.
- ? The constitution should provide that MPs be University graduates. (3)
- ? The constitution should ensure that language tests are sufficient..
- ? The constitution should introduce moral and ethical qualifications for parliamentary candidates. (4)
- ? The constitution should provide that parliamentary candidates should have clean records free from scandals.
- ? The constitution should provide that people should have no power to recall their MPs.

- ? The constitution should provide that people should have the right to recall their MPs. (13)
- ? The constitution should provide that members of parliament should act on the basis of conscience or convictions from their constituents. (4)
- ? The constitution should provide that MPs be limited to a term of two years or five years each.
- ? The constitution should provide that MPs be elected for a period of 10 years and be ineligible for further contesting.
- ? The constitution should provide that the government should form a remuneration committee within the public service commission to determine salaries of parliamentarians.
- ? The constitution should establish a commission to determine salaries of members of parliament. (2)
- ? The constitution should provide that MPs salaries be corresponding to the work they do.
- ? The constitution should provide that MPs salaries be determined by the people.
- ? The constitution should ensure that the parliamentary service commission should determine salaries of MPs.
- ? The constitution should not retain the concept of nominated MPs. (3)
- ? The constitution should provide that all nominated MPs be women..
- ? The constitution should reserve 3 seats for women in parliament.
- ? The constitution should permit for a coalition government. (6)
- ? The constitution should not permit for a coalition government.
- ? The constitution should establish two houses in parliament.. (3)
- ? The constitution should retain a single chamber of parliament.
- ? The constitution should provide for national referendums to remove the executive through a vote of no confidence.
- ? The constitution should provide that the president should have power to veto legislation passed by parliament.
- ? The constitution should provide that the president should not have power to veto legislation in parliament. (2)
- ? The constitution should provide that legislature should have no power to override the president's veto.
- ? The constitution should provide that the Electoral Commission should have power to dissolve parliament.
- ? The constitution should provide that the prime minister should have power to dissolve parliament.
- ? The constitution should provide that the president should have power to dissolve parliament.
- ? The constitution should provide that the speaker should have power to run the country during stagger elections.
- ? The constitution should provide that there be constituency offices for MPs.

9.EXECUTIVE

- ? The constitution should provide that presidential candidates be Kenyan citizens for at least 20 years, married and proposed by at least 5000 people, fluent in English and Kiswahili and morally upright.
- ? The constitution should provide for presidential qualifications.
- ? The constitution should provide that the presidential candidate be a graduate. (5)

- ? The constitution should provide that the presidential candidates be university graduate, fluent in both English and Kiswahili and should not have been in any criminal records.
- ? The constitution should provide that the presidential candidate have a minimum of for four certificates.
- ? The constitution should provide that the president serves for two terms of five years each. (10)
- ? The constitution should provide that the presidential tenure be 10 years.
- ? The constitution should provide that the president be the head of state.
- ? The constitution should provide that the president's functions include frequently visiting the 8 provinces to check on developmental progress.
- ? The constitution should provide that the be ceremonial (2)
- ? The constitution should ensure that the president should not be above the law. (11)
- ? The constitution should ensure that the president retains his/her powers.
- ? The constitution should provide that the president should not appoint the ministers but the parliament.
- ? The constitution should provide that the president should not be the chancellor of public universities. (2)
- ? The constitution should provide for the removal of the president due to misconduct. (10)
- ? The constitution should provide for the president be tried in court..
- ? The constitution should provide that the president and parliament be independent.
- ? The constitution should provide that the president should not be an MP. (6)
- ? The constitution should provide that the president should b a member of parliament. (2)
- ? The constitution should not retain the district office.
- ? The constitution should provide that the chiefs and assistant chiefs be elected directly by the people. (16)
- ? The constitution should provide for an elective chief.
- ? The constitution should make chiefs transferable.(10)
- ? The constitution should recognize settlement schemes as distinctive administrative units.
- ? The constitution should provide that the chiefs and assistant chiefs be appointed by the government.
- ? The constitution should provide that the police and police administration work under the chief and assistant chief.
- ? The constitution should provide that chiefs and their assistant chiefs put applications for the jobs and be called for interview.
- ? The constitution should provide that the administration police be in uniform when they are on duty.
- ? The constitution should provide that the government should give uniforms to clan elders who should be part of the provincial administration and be remunerated by the government.(3)
- ? The constitution should provide that the government remunerates village elders. (5)
- ? The constitution should provide that provincial administration be retained. (6)
- ? The constitution should abolish the provincial administration.
- ? The constitution should provide that chiefs be directly elected by the people and should serve for 5 years.
- ? The constitution should provide if the DC is a man the DO should be a woman.
- ? The constitution should provide that village elders be trained by the government.
- ? The constitution should provide that there should be a minister of herbals.

- ? The constitution should provide that there should be a ministry of fishing.
- ? The constitution should provide for the establishment of Ministry of the disabled people so as to cater for the needs of the disabled.
- ? The constitution should provide for the establishment of the ministry of women and gender affairs.

10. THE JUDICIARY

- ? The constitution should provide for a special court with 5 judges.
- ? The constitution should provide ensure that courts have 5 magistrates where two should be based in the courts and the other two should conduct mobile courts among those who live far from the court's location.
- ? The present structure of the judiciary is inadequate.
- ? The constitution should ensure that all arrests made by the police is justified and should follow proper procedures to convict them.
- ? The constitution should provide that judges and magistrates should always preside over cases when they are totally healthy in body and mind.
- ? The constitution should ensure that the judiciary is independent. (3)
- ? The constitution should provide that a family court be established to handle domestic issues only.
- ? The constitution should ensure that there are speedy trials.
- ? The constitution should establish a court in Suba District.
- ? The constitution should compel the court conduct fair trials without delays.
- ? The constitution should ensure that magistrates who preside over court trials should not be the same to make the judgment.
- ? The constitution should not allow individual pledges of guilty and not chorus.
- ? The constitution should establish a supreme court. (3)
- ? The constitution should establish a constitutional court. (2)
- ? The constitution should provide that judicial officers be appointed by parliament. (3)
- ? The constitution should ensure that judicial officers be appointed by a special body.
- ? The constitution should provide that judicial officers be appointed by the law.
- ? The constitution should provide that judicial officers have high levels of integrity.
- ? The constitution should provide that judicial officers hold office for at least 7 years and the retirement age be 65 years.
- ? The constitution should provide that judicial officers serve in office for 6 years.
- ? The constitution should provide that a code of conduct determine conduct of judicial officers.
- ? The constitution should ensure that there is a mechanism in place to discipline judges and other judicial officers.
- ? The constitution should provide for checks and balances to monitor performance of judicial officers.
- ? The constitution should ensure that judicial service commission and the supreme council of Muslims appoint the Kadhis.
- ? The constitution should provide that courts be brought closer to the people to avoid traveling for long distances to access justice.
- ? The constitution should subsidize legal fees.

- ? The constitution should provide that there should be a constitutional right to legal aid. (3)
- ? The constitution should provide for judicial review of laws.
- ? The constitution should provide that clan elders be given salaries. (4)
- ? The constitution should ensure that council of elders handle customary/cultural affairs.
- ? The constitution should allow village elders to decide over land disputes.

11. LOCAL GOVERNMENT

- ? The constitution should provide that mayors and council chairmen be elected directly by the people. (12)
- ? The constitution should provide that mayors and council chairmen be elected by councilors.
- ? The constitution should provide that the term of mayors and council chairmen be 4 years.
- ? The constitution should provide that the term of mayors and council chairmen be 2 and a half years.
- ? The constitution should provide that the councils work for one year.
- ? The constitution should provide that the current two-year term for mayors and council chairmen is adequate. (2)
- ? The constitution should provide that mayors and council chairmen 's term be two terms of five years each.
- ? The constitution should provide that the central government should audit the local government.
- ? The constitution should provide that councils continue working under the central government. (7)
- ? The constitution should ensure that councils be independent.
- ? The constitution should provide that councils be given money by the government to develop their regions independently.
- ? The constitution should provide that councilors have educational qualification of form four. (7)
- ? The constitution should provide that councilors have educational qualification of form four with some accounting knowledge.
- ? The constitution should provide that councilors be degree holders. (2)
- ? The constitution should ensure that councilors understand English.
- ? The constitution should provide that requirements of language tests for local authority seats are necessary. (4)
- ? The constitution should provide that there should be no need to have language tests. (2)
- ? The constitution should provide that civic candidates should not be corrupt.
- ? The constitution should provide for moral and ethical qualifications for councilors.(5)
- ? The constitution should provide that people should have the right to recall their councilors. (5)
- ? The constitution should provide that there should no salary differences between councilors and MPs.
- ? The constitution should provide that a commission should determine remuneration of councilors. (2)
- ? The constitution should provide that councilors be paid by the government. (4)
- ? The constitution should abolish the concept of nominated councilors. (3)
- ? The constitution should provide that 50% of women should be among the nominated councilors.

- ? The constitution should provide that the Electoral Commission should have the power to dissolve councils.
- ? The constitution should provide that the local government minister should be the only one with the power to dissolve the local authority due to mismanagement.
- ? The constitution should provide that the minister for local government should have the power to dissolve councils.
- ? The constitution should provide that the minister for local authority or the president should have the power to dissolve councils.
- ? The constitution should provide that councils should reduce licensing fee for vegetable sellers in the market.
- ? The constitution should ensure that all businesses should be licensed.
- ? The constitution should ensure that service charge fee taxed by councils be limited ie taxed at a particular point.
- ? The constitution should provide that local councils should make their own by-laws.

12. THE ELECTORAL SYSTEM AND PROCESS

- ? The constitution should retain the representative system of election. (3)
- ? The constitution should allow proportional representation.
- ? The constitution should prohibit winning the election by simple majority.
- ? The constitution should provide that for a candidate to win the election, he/she should attain 51% of the total number of votes cast. Where no one obtains the required majority there should be a run-off.
- ? The constitution should reserve special seats for women in parliament.
- ? The constitution should reserve 50% of the seats in parliament for women.
- ? The constitution should preserve 25% of the seats in parliament for women.
- ? The constitution should set aside special seats for women.
- ? The constitution should provide that the presidential candidate should garner 75% of the total votes cast. (2)
- ? The constitution should provide that a candidate who fails to seek nomination in one party should not be allowed to seek nomination from another party. (2)
- ? The constitution should provide that a candidate who fails to seek nomination in one party should be allowed to seek nomination from another party.
- ? The constitution should allow defections between parties and parties crossing floors should be allowed.
- ? The constitution should not allow party defections (2)
- ? The constitution should allow party defections to be followed by by-elections. (2)
- ? The constitution should not retain the 25 % representation in 5 provinces for presidential elections.
- ? The constitution should be retain the 25 % representation in 5 provinces for presidential elections.
- ? The constitution should ensure that seats are reserved for the disabled people in parliament.
- ? The constitution should not allow districts and constituencies in Kenya to be given tribal names.
- ? The constitution should review boundaries of wards and constituencies periodically. (2)

- ? The constitution should retain the current geographical constituency system.
- ? The constitution should ensure that review of constituencies should be done with the rise and fall of the population. (2)
- ? The constitution should provide that civic, parliamentary and presidential elections should continue to be held simultaneously. (2)
- ? The constitution should provide that civic, parliamentary and presidential elections should be held separately. (2)
- ? The constitution should provide for independent candidates at all levels. (2)
- ? The constitution should allow Kenyans abroad to participate in parliamentary and presidential elections.
- ? The constitution should provide that Law society members should resign before asking for the post of MPs.
- ? The constitution should provide that presidential elections be done directly by the people. (3)
- ? The constitution should provide that presidential elections be rotated in respective of provinces in every every electoral team.
- ? The constitution should provide that the 2002 elections be held under that new constitution.
- ? The constitution should provide that the Electoral Commissioners be appointed by parliament.
- ? The constitution should provide that the Electoral Commissioners be appointed by parliament from a list presented to them by various interest groups.
- ? The constitution should provide that Electoral Commissioners should be appointed with fair distribution through out the country.
- ? The constitution should provide that the Electoral Commissioners serve for a period of 10 years.
- ? The constitution should provide that Electoral Commissioners be 65 years when they retire.
- ? The constitution should provide that the Electoral Commission be funded by the state.
- ? The constitution should provide that ballots should be counted at polling stations.
- ? The constitution should provide that the Electoral Commission should be independent. (2)

13.BASIC RIGHTS

- ? The constitution should provide for freedom of worship for the SDA. (4)
- ? The constitution should provide for the freedom of worship. (5)
- ? The constitution should provide for political, social and economic rights without compromising the important organs of the government.
- ? The constitution should restrict freedom of worship to exclude devil worship. (2)
- ? The constitution should provide for the freedom of movement be practical especially during the raising and lowering of national flags.
- ? The constitution should allow rights like socio-economic and cultural rights to all Kenyans.
- ? The constitution should provide for freedom of association and movement be practical.
- ? The constitution should abolish the death penalty and instead be replaced with life imprisonment.
- ? The constitution should abolish the death penalty. (6)
- ? The constitution should guarantee the right to life.
- ? The constitution should protect and guarantee fundamental rights to all Kenyans. (7)
- ? The constitution should have the responsibility of providing the fundamental rights.

- ? The constitution should provide for free medical services. (15)
- ? The constitution should ensure that the government provides medical treatment to street children.
- ? The constitution should ensure that Kenyans have access to free medical services to all Kenyans.
- ? The constitution should ensure that the government provides clean water and make it more accessible to people especially women.
- ? The constitution should ensure that all Kenyans should ensure free clean water.
- ? The constitution should provide for free and fair education.
- ? The constitution should provide for specialized education from standard four.
- ? The constitution should ensure that there is food security in the country.
- ? The constitution should provide jobs to the youth.
- ? The constitution should provide employment to only those who qualify. (3)
- ? The constitution should provide for one-man one job policy. (8)
- ? The constitution should provide that the retirement age for teachers and doctors be increased to 60-65 years.
- ? The constitution should ensure that graduates are employed.
- ? The constitution should provide that any person employed as a casual worker for more than three months, should be confirmed as a permanent employee.
- ? The constitution should ensure that the government adheres to the terms of contract and there should be no premature lay-offs.
- ? The constitution should ensure that employees of public offices be upgraded every two years if they have been productive.
- ? The constitution should provide that a certain percentage should be deducted from every employee's salary to cater for the security fund.
- ? The constitution should ensure that paternity leave is given to fathers.
- ? The constitution should review labor laws and employees should be obliged to work only five days a week and be free on the weekends.
- ? The constitution should ensure that the top government retirees should not occupy other government positions, while there are thousand of unemployed Kenyans. (2)
- ? The constitution should ensure that men and women have equal employment rights.
- ? The constitution should ensure that workers are employed on a 10-year contract.
- ? The constitution should ensure that retirement benefits are processed fast. (3)
- ? The constitution should allow pensioners to form legal associations and welfare groups to access loan facilities and have the liberty to fight for their rights.
- ? The constitution should provide for unemployment benefits to the unemployed.(3)
- ? The constitution should provide retrenched employees with unemployment benefits.
- ? The constitution should ensure that the wife to the deceased person should enjoy their late husbands/wives befits.(3)
- ? The constitution should initiate a social security fund for women.
- ? The constitution should enact high pension rate, house and medical allowance to pensioners.
- ? The constitution should give people with disabilities a salary.
- ? The constitution should ensure free and compulsory education. (10)
- ? The constitution should ensure free primary education. (4)
- ? The constitution should provide for free but not compulsory education.

- ? The constitution should ensure free and compulsory education up to secondary level. (6)
- ? The constitution should ensure free and compulsory education up to primary level. (7)
- ? The constitution should ensure that the constitution should be written in simple language.
- ? The constitution should have the right to access information in the hands of the state or state organs. (2)
- ? The constitution should be made accessible to all Kenyans.
- ? The constitution should guarantee all workers the right to trade union representation except the armed forces, senior categories of civil servants and senior teachers.
- ? The constitution should guarantee all workers the right to trade union representation.
- ? The constitution should ensure that it makes provision for social, economic and cultural rights.

14. RIGHTS OF VULNERABLE GROUPS

- ? The constitution does not fully guarantee women's rights; they should be assisted with loans.
- ? The constitution should provide for the protection of rights of widows.
- ? The constitution does not fully address the interest of the disabled. (2)
- ? The constitution should guarantee and provide for the fundamental rights of the disabled.
- ? The constitution should provide for facilities to the disabled.
- ? The constitution should ensure that people with disabilities are provided with locomotive appliances like wheel chairs and crutches.
- ? The constitution should provide for free education for the disabled from primary to the university.
- ? The constitution should ensure that the physically disabled children have access to educational facilities.
- ? The constitution should ensure that the government should establish special schools for the disabled.
- ? The constitution should provide social security to the disabled.
- ? The constitution should preserve 5% of public employment to the disabled.
- ? The constitution should ensure that children should be protected against child labor and harassment from any form of intimidation. (5)
- ? The constitution should ensure that the government should provide for shelter for street children.
- ? The constitution should support orphans.
- ? The constitution should provide that both boys and girls should have the right to inherit their parent's property. (4)
- ? The constitution should ensure the government provides for education to orphans. (2)
- ? The constitution should provide that the government should establish a mechanism where street children can be working on wage basis so as to make them responsible.
- ? The constitution should ensure that there is equal education is provided to both boys and girls. (3)
- ? The constitution should provide that the government should provide education to street children.
- ? The constitution should provide that orphans be given food.

- ? The constitution should ensure that minority groups are not marginalized.
- ? The constitution should ensure that the government should care for the elderly persons, ie above 60 years. (2)
- ? The constitution should provide vulnerable groups with representatives in parliament.
- ? The constitution should provide people over 60 years with monthly welfare for providence.
- ? The constitution should support the widows through the government. (3)
- ? The constitution should make provisions for affirmative action for women and vulnerable groups. (4)
- ? The constitution should allow prisoners to vote.

15.LAND AND PROPERTY RIGHTS

- ? The constitution should provide that the individual should have ultimate ownership of land. (4)
- ? The constitution should provide that the government should have ultimate ownership of land. (4)
- ? The constitution should provide that the community should have ultimate ownership of land.
- ? The constitution should ensure that the government should have the power to compulsory acquire private land. (4)
- ? The constitution should provide that the government should not have the power to compulsory acquire private land.
- ? The constitution should provide that the government should have the power to control the use of land by owners or occupiers. (3)
- ? The constitution should provide that the state shall have the power to control the use of land by owners or occupiers. (2)
- ? The constitution should provide that the government or the local authority should have powers to control use of land by owners or occupiers.
- ? The constitution should provide that the government should not interfere with the settlement schemes.
- ? The constitution should ensure that land title deeds be issued to everyone who has land.
- ? The constitution should ensure that land issues be handled by village elders and not land officials. (5)
- ? The constitution should ensure that the government and not the court should handle land issues.
- ? The constitution should provide that land adjudication should be independent in their operations.
- ? The constitution should provide that for disposal of land all family members should give the consent.
- ? The constitution should ensure that land purchase agreements should take effect 5 years after the purchase.
- ? The constitution should proffer rights over land ownership to squatters who have stayed for more than 1 yr.
- ? The constitution should provide that land acquisition act should be used in acquiring the unused land.
- ? The constitution should repeal section in Cap 286 and cap 100-sec 143 (1)
- ? The constitution should ensure that there should be no land boards in a locality.

- ? The constitution should provide for a ceiling on land owned by an individual. (6)
- ? The constitution should provide that no Kenyan should own more than 100 acres of land.
- ? The constitution should have restrictions on ownership of land by non-citizens.
- ? The constitution should allow foreigners to own land in this country.
- ? The constitution should ensure that land title deeds bear both names of both spouses. (2)
- ? The constitution should ensure that women and men should have equal access to land.(4)
- ? The constitution should provide that pre-independence treaties be abolished. (2)
- ? The constitution should allow Kenyans to own land anywhere in the country. (3)
- ? The constitution should ensure that every Kenyan should have the right to ownership of land.
- ? The constitution should guarantee access to land to every Kenyan. (4)

16.CULTURAL, ETHNIC & REGIONAL DIVERSITY & COMMUNAL RIGHTS.

- ? The constitution should ensure that Kenya's ethnic and cultural diversity should contribute to a national culture. (2)
- ? The constitution should recognize and promote Kenya's cultural and ethnic diversity. (4)
- ? The constitution should ban western culture and entertainment that are obscene.
- ? The constitution should encompass our ethnic values derived from our shared experience ie economic potentiality, environmental friendly and cultural integration.
- ? The constitution should save the Kisumu language from distinction.
- ? The constitution should outlaw wife inheritance as a cultural practice. (7)
- ? The constitution should protect girls from early marriage to replace their dead sister.(2)
- ? The constitution should protect against all forms of discriminatory aspects of culture.(3)
- ? The constitution should leave the relationship between men and women to social framework.
- ? The constitution should set a ceiling on bride price, so as to make it reasonable.
- ? The constitution should ensure that it should be compulsory for those who inherit widows be tested for HIV/AIDS before the rite is passed.
- ? The constitution should provide for two national languages ie English and Kiswahili. (2)
- ? The constitution should provide that Swahili be the national language while English will depend on the rate at which education becomes universal.
- ? The constitution should recognize and promote indigenous languages. (3)
- ? The constitution should be in all languages.
- ? The constitution should ensure that Kisumu language is encouraged through by teaching it in schools.

17.MANAGEMENT OF NATIONAL RESOURCES

- ? The constitution should ensure that parliament retains power to authorize the raising and appropriation of public finances. (3)
- ? The constitution should ensure that apart from taxation the government should invest in viable income to generate income.
- ? The constitution should ensure that there is equitable distribution of national resources. (8)
- ? The constitution should emphasize equal regional development.
- ? The constitution should provide that resources generated from a local authority should benefit

- the local authority directly and a small percentage should go to the central government..
- ? The constitution should ensure that the government apportions benefits accrued from national resources between the local authority and the central government.(5)
 - ? The constitution should ensure that the local community should directly benefit from generated from the national resources in the communities where such resources are found.
 - ? The constitution should ensure that people living around lake Victoria should directly benefit from it.
 - ? The constitution should provide that there are internal audit committees in all ministries to check the management of public funds.
 - ? The constitution should ensure that only viable projects are accepted and implemented.
 - ? The constitution should ensure that government initiated projects should be run strictly on commercial basis to make them viable.
 - ? The constitution should attract Kenyans to work in the public service by offering them good working conditions and terms and guarantee their future benefits on retirement. (2)
 - ? The constitution should provide that Ministers should be persons who are qualified in areas they are appointed.
 - ? The constitution should ensure that heads of Parastatal should be qualified professionals with at least 5 years experience in the relevant disciplines.
 - ? The constitution should ensure that public servants should be transferable with a period of two years. (2)
 - ? The constitution should provide that the public service commission should be independent.
 - ? The constitution should provide that parliament should appointing members of the public service commission on advice of several of various interest groups.
 - ? The constitution should provide for a code of ethics for public officers. (2)
 - ? The constitution should provide for removal of leaders who misuse government funds.(2)
 - ? The constitution should provide that the presidential candidate should declare their wealth.
 - ? The constitution should provide that rich people should declare their wealth.
 - ? The constitution should provide that public officers should not be required to declare their wealth.

18.ENVIRONMENT AND NATURAL RESOURCES

- ? The constitution should encourage and guarantee sustainable use of natural resources.
- ? The constitution should provide that the government should protect all natural resources so as to adopt sustainable development in the country.
- ? The constitution should provide for establishments that do not pollute the air.
- ? The constitution should address environmental protection issues such as providing Kenyans with free seedlings and other inputs.
- ? The constitution should provide that the government should control fishing in lake Victoria to avoid exploitation.
- ? The constitution should provide that the government should ensure environmental conservation.
- ? The constitution should provide that the government should have the power to enforce laws on protection of the environment.
- ? The constitution should provide that the community should have the power to enforce laws that protect the environment.

- ? The constitution should provide that Lake Victoria should belong to the Nyanza residents. (2)
- ? The constitution should provide that the state and regional governments should own natural resources.
- ? The constitution should provide that the local community should own natural resources.
- ? The constitution should provide that natural resources should be protected by the constitution. (2)
- ? The constitution should provide that the central government should be responsible for the management and protection of natural resources. (4)
- ? The constitution should provide that the community should be responsible for the management and protection of natural resources. (2)
- ? The constitution should allow the local council to manage forests and national parks.
- ? The constitution should make the government liable for damage done by wildlife to the people.
- ? The constitution should provide that the Kenyan natural resources should be managed and protected by laws enacted by parliament and regional governments.
- ? The constitution should allow for the use of lake Victoria waters for irrigation.
- ? The constitution should classify Gwasi Hills as forest.

19. PARTICIPATORY GOVERNANCE.

- ? The constitution should make NGO's and other groups have a role in governance. (3)
- ? The constitution should ensure that the community based organizations should be funded by the government to promote public interest
- ? The constitution should hinder the state from regulating the civil society participation.
- ? The constitution should limit the number of denominations.
- ? The constitution should provide that the State regulate the conduct of civil society organizations. (2)
- ? The constitution should not regulate the conduct of civil society organizations.
- ? The constitution should make 1/3 of constitutional office holders' women.
- ? The constitution should ensure that there is maximum participation in governance by women in the local councils.
- ? The constitution should provide that youth programmes should be established from grassroots level so as to increase the participation in governance.
- ? The constitution should provide that the government should take measures to create job opportunities to absorb the youth have professional qualifications.

20. INTERNATIONAL RELATIONS

- ? The constitution should ensure that parliaments role in the conduct of foreign affairs should be through formulation of international policies.
- ? The constitution should provide that the executive should have a role in the conduct of foreign affairs to participate if so required whilst parliament should rephrase or do away with policies.
- ? The constitution should ensure that international treaties and conventions and regional and bilateral treaties have automatic effect in domestic law.
- ? The constitution should compel the government to practice good neighborliness

21. CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES.

- ? The constitution should establish a parliamentary judicial committee with powers to scrutinize and confirm appointments.
- ? The constitution should establish the office Ombudsman. (6)
- ? The constitution should establish a human rights commission. (4)
- ? The constitution should establish a gender commission. (2)
- ? The constitution should establish a commission charged with reducing corruption.(8)
- ? The constitution should provide for a review commission of Kenya.
- ? The constitution should establish a commission of legal experts charged with appointing chief justice.
- ? The constitution should establish a special commission to look into MPs remuneration
- ? The constitution should establish a commission to appoint high court judges, A.G. and Central Bank of Kenya Governor.
- ? The constitution should establish a parliamentary service commission set up to regulate function, operations and powers of parliament.
- ? The constitution should provide that the gender commission should monitor the review progress.
- ? The constitution should provide that the Anti Corruption should control the conduct of chiefs, assistant chiefs and senior civil servants.
- ? The constitution should establish ministry of constitutional affairs. (3)
- ? The constitution should ensure that the Attorney General's office should be split in directorate, prosecution, and Ministry of Justice.
- ? The constitution should provide for a minister of justice or constitutional affairs as distinct from the office of Attorney General.

22.SUCCESSION AND TRANSFER OF POWER

- ? The constitution should provide that the chief Justice should be in charge of executive powers during presidential elections.
- ? The constitution should provide that the Speaker or the chief justice should be in charge of executive powers during presidential elections. (2)
- ? The constitution should provide that the generals should be in charge of executive powers during presidential powers.
- ? The constitution should provide that the incoming president should be constitutionally required to assume office two weeks after being declared a winner.
- ? The constitution should provide that the incoming president should assume office after election results are announced.
- ? The constitution should provide that the chief justice should swear in the in-coming president.
- ? The constitution should provide that instruments of power should be transferred to the in coming president by the out-going president immediately after swearing in the in-coming president.
- ? The constitution should ensure that there should be a dignified and orderly process for the transfer of power
- ? The constitution should ensure that the outgoing president should hand power to the in-coming president no later than one week after declaration of the outcome elections.

- ? The constitution should make security provisions for a former president. (3)
- ? The constitution should make welfare provisions for the former president. (3)
- ? The constitution should ensure that the former president does not have immunity from legal proceedings. (3)
- ? The constitution should ensure that the former president does have immunity from legal proceedings.

23. WOMEN'S RIGHTS

- ? The constitution should recognize women's rights.
- ? The constitution should provide that a daughter should be entitled to an eighth of their parent's property.
- ? The constitution should provide that daughters have the right to inherit their parent's property.
- ? The constitution should provide that women should have the right to own property. (
- ? The constitution should ensure that women should have the right to inherit their husband's property. (9)
- ? The constitution should not allow for divorce once a child is born into a family.
- ? The constitution should provide for registration of all marriages.
- ? The constitution should ensure that there is dowry payment for the bride. (2)
- ? The constitution should allow girls above 14 years be married.
- ? The constitution should provide that in polygamous marriages women should own property in their modern homes.
- ? The constitution should provide that marriage certificates be issued to all couples. A man who marries a woman with a child should accept the children and take care of them as his own.
- ? The constitution should allow only monogamous marriages.
- ? The constitution should ensure that the husband should distribute his wealth fairly to all women.
- ? The constitution should provide that there shall, be sharing of domestic duties by both spouses.
- ? The constitution should provide that men should discipline women. (2)
- ? The constitution should prohibit domestic violence. (4)

24.INTERNATIONAL POLICY

- ? The constitution should provide that the government should not restrict foreign investors into the coming, as this should promote employment.

25. DOMESTIC TRADE ISSUES

- ? The constitution should provide that import and export policies should be harmonized.
- ? The constitution should ensure that the government establish price control on essential commodities.

26.INDUSTRIALIZATION AND ENERGY

- ? The constitution should provide that the government should not privatize commercial and industrial activities in the name of efficiency.

27. PHYSICAL, ECONOMIC AND SOCIAL INFRASTRUCTURE

- ? The constitution should provide that engineers should maintain roads.
- ? The constitution should develop the infrastructure of Nyanza Province in general and Suba district in particular in terms of good roads electricity and telephone services.
- ? The constitution should provide electricity and good roads throughout the country.
- ? The constitution should make it mandatory that all parts of the country have electricity.

28. NATIONAL OTHER POLICY

- ? The constitution should ensure that HIV/AIDS patients be taken care of.
- ? The constitution should take steps to segregate people with HIV/AIDS.
- ? The constitution should ensure and guarantee public security in terms of life and property at all times.
- ? The constitution should ensure security of persons and properties from the government.
- ? The constitution should ensure that the government protects the Kenyan borders from attacks.
- ? The constitution should ensure that the police search houses with the help of an Assistant Chief.
- ? The constitution should give local elders and youth powers to punish criminals.
- ? The constitution should enforce laws against corruption. (3)
- ? The constitution should provide that Kenyans be free to report corruption case to the authority.
- ? The constitution should provide for stringent punishment against bribery.
- ? The constitution should abolish the district treasury since it is a source of corruption.
- ? The constitution should ensure that registration of births and deaths are compulsory for demographic monitoring.

29. AGRICULTURE

- ? The constitution should establish a cereals board in the district for storage of maize. (2)
- ? The constitution should establish a cereals board in every district to enable farmers sell their produce.
- ? The constitution should allow for the use of Lake Victoria for the purpose of irrigation. (2)
- ? The constitution should provide for promotion of cash crops found in Kenya and not import more.
- ? The constitution should provide that the government should not restrict people to fish in Lake Victoria since it's the sole source of livelihood for most people around lake Victoria.
- ? The constitution should ensure that there is proper use of both arid and semiarid areas.
- ? The constitution should enhance equal development in terms of agriculture, in all regions of the country.
- ? The constitution should provide that rich agricultural areas should not be used for national parks and game reserves.
- ? The constitution should compel the government to promote irrigation in arid areas to enhance crop production.
- ? The constitution should provide that the government improve cotton and fish industry.

30. INDUSTRY AND MANUFACTURING

- ? The constitution should facilitate the government to initiate industries along Lake Victoria, fish plant industries, seed industries sisal and timber industries.
- ? The constitution should state that industries be established next to the source of raw materials

31. EDUCATION

- ? The constitution should ensure that the government restrict frequent review in the education system
- ? The constitution should increase the number of teachers in rural schools and equip them with more facilities.
- ? The constitution should reinstate the old system of education.
- ? The constitution should ensure that the government meets the teachers' demands since they are the backbone of the country. (2)
- ? The constitution should ensure that outstanding students are awarded scholarships from every district.
- ? The constitution should ensure that the government subsidize school fee, especially for boarding schools.
- ? The constitution should ensure that the government does not change the school syllabus.
- ? The constitution should ensure that each public university has its own chancellor who is qualified professionally.
- ? The constitution should ensure that the government provides for a national school in every province.
- ? The constitution should provide that English be a compulsory subject in schools.
- ? The constitution should provide that teachers be posted away from their home areas.
- ? The constitution should provide that the government separates all boys' schools from girls' schools, from primary to secondary.
- ? The constitution should provide that there be adequate teachers who are well paid for technical schools.
- ? The constitution should not allow the Board of Governors to interview recruits in the teaching profession.

32. PUBLIC FINANCE (FISCAL POLICY)

- ? The constitution should provide that interest rates be low and constant so as to encourage women acquire loans.
- ? The constitution should ensure that the government should not tax second hand clothes.

33. MONETARY POLICY

- ? The constitution should ensure that the Kenyan currency notes should not have the president's portrait but rather natural features and landmarks. (5)
- ? The constitution should ensure that there is no money transfer to international countries. (2)

- ? The constitution should ensure that instead of the president's portrait in the currency there should be the map of Kenya.

34. HEALTH

- ? The constitution should ensure that the government increases the medical allowance paid to public officers so as to correspond to the cost of health care and medicine given.
- ? The constitution should ensure that the cost sharing concept be abolished in hospitals, since it's a source of corruption. (2)
- ? The constitution should provide that the government labels all public drugs "GK", to prevent misuse.
- ? The constitution should provide that doctors working in public hospitals should not have private clinics.
- ? The constitution should ensure that the government protect Gwassi constituency against tsetse fly. (5)
- ? The constitution should ensure that the government curbs corruption in hospitals.
- ? The constitution should provide that all hospitals be public and their staff be reduced.

35. INFORMATION COMMUNICATION TECHNOLOGY

- ? The constitution should ensure that the Kisumu Station of KBC broadcast the news in the mainland version (Dholuo) since the highland version is not common.

36. SMALL ENTERPRISE DEVELOPMENT

- ? The government should fix prices for the undertakings of the Jua Kali sector.
- ? The constitution should ensure that the government exempt taxes from small-scale enterprises and jua kali industry. (2)
- ? The constitution should ensure that the government should provide loans to facilities to small-scale businesses in order to encourage self-employment and eradicate poverty.

37. TRANSPORT AND COMMUNICATION

- ? The constitution should provide that the government tarmac roads to places where raw materials or resources are tapped. (2)

38. FISHING

- ? The constitution should ensure that there is no taxation in the fishing industry.
- ? The constitution should ensure that the government insures fishermen because of the dangers involved in fishing.
- ? The constitution should recognize fishing as a source of food for Kenyans.
- ? The constitution should ensure that the government extends credit facilities to fishermen.
- ? The constitution should provide that fishing in Lake Victoria should not be banned.
- ? The constitution should provide for education on fishing.

39.REGIONAL PROGRAMME/PLANNING

- ? The constitution should ensure that the Lake Victoria boundaries for the three East African countries be established.

40. NATIONAL PROGRAMME/PLANNING

- ? The constitution should provide that the constitution should recognize the Sabbath day for the sake of SDAs and thus should not hold any function on Saturday.
- ? The constitution should ensure that the government makes it compulsory for all form four leavers to attend the National Youth Service.

41.CUSTOMARY LAW

- ? The constitution should ensure that marriages be performed according to customary law.
- ? The constitution should consider customary laws in marriage.

42. STATUTORY LAW

- ? The constitution should ensure that any person who embezzles funds should be prosecuted.
- ? The constitution should introduce a law to reduce divorce.
- ? The constitution should have a law to prosecute those who marry schoolgirls.
- ? The constitution should provide that those who have children outside marriage be charged in court.
- ? The constitution should legalize illicit brews.
- ? The constitution should provide for a law to protect Lake Victoria and the resources.
- ? The constitution should have a law against traditional brews.
- ? The constitution should have a law against too much drinking.
- ? The constitution should provide that children under 10 years should not be allowed to go to the dances.
- ? The constitution should legalize traditional brews. (2)
- ? The constitution should have a law against treason.
- ? The constitution should ensure that rapists are sentenced to life imprisonment.
- ? The constitution should abolish corporal punishment..
- ? The constitution should provide that bhang and cigarettes be banned.

43.COMMON GOOD

- ? The constitution should provide that children support their families once they are employed.

44. GENDER EQUITY

- ? The constitution should guarantee gender equality.(2)
- ? The constitution should ensure that all employment positions in public places should be gender balanced.
- ? The constitution should ensure that there is a legal framework to address poverty from gender

perspective.

45. ECONOMIC/SOCIAL JUSTICE

- ? The constitution should provide that the government should compensate if somebody drowns in the Lake.
- ? The constitution should provide that the government should compensate Kenyans attacked physically and robbed.

46. NATIONAL INTEGRITY/IDENTITY

- ? The constitution should ensure that women should be compelled to wear long trousers during public meetings.
- ? The constitution should provide that men dressing like women should be prosecuted.
- ? The constitution should ensure provide that all human beings are equal before the law.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. Felix Nyauchi MP
2. Lawrence Odira Anyango DC
3. Cllr. John Wasonga
4. Lucas Ogongo
5. Maitabel Okumu
6. Mary Odiga
7. Gerishom Ogallo
8. Lox Sigoli
9. Joseph Amara
10. Caroline Apunda

Appendix 2: Civic education providers (CEPs)

- I.Uhuru2000 youth group
- II.ICAD
- III.St. Eliza's catholic church
- IV.Sindo youth development church
- V.Rukongo self help group
- VI.Kisatika highlands welfare group
- VII.Gendo widows and orphans self help group
- VIII.Makaya women group
- IX.Olongo youth self help group
- X.Kiwinya youth group
- XI.Sokoni women group
- XII.Risira fishermen development group
- XIII.Kiabuya youth group
- XIV.Magwiga awareness group
- XV.Magunga AIDS awareness
- XVI.Kigwa community health workers
- XVII.Abagusii self help group
- XVIII.Gingo youth welfare group

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

1	0053OSWN Y	Anonymous	CBO	Written	Kimoro Fishing Group, Gwasi
2	0054OSWN Y	Anonymous	CBO	Written	Gwasi Constituency, Suba Dis
3	0047OSWN Y	Bernard Ooko	CBO	Written	Gingo Youth Group
4	0027OSWN Y	Charles Burere	CBO	Written	Gwasi Division
5	0017OSWN Y	Charles Owino Bocho	CBO	Written	Gendo Women Group
6	0018OSWN Y	Clement A Margot	CBO	Written	Jokinda Self-Help Group
7	0024OSWN Y	Damian Ongonda	CBO	Written	KIBURA
8	0031OSWN Y	David O Opiyo	CBO	Written	Sokro Youth Group
9	0032OSWN Y	David O Opiyo	CBO	Written	Kinchororio Junior Farmers
10	0033OSWN Y	David O Opiyo	CBO	Written	Kiseme Young Farmers
11	0034OSWN Y	David O Opiyo	CBO	Written	Mirore Women Group
12	0038OSWN Y	E. Oketch Dede	CBO	Written	ECOVIC Kenya Chapter
13	0022OSWN Y	Elly Akida Asao	CBO	Written	Ramula Self-Help Group
14	0013OSWN Y	Elphas B Miraga	CBO	Written	Saga Youth Group
15	0012OSWN Y	Emmanuel Orwa	CBO	Written	Mikuyu Capital
16	0005OSWN Y	Gaudentia Atonga	CBO	Written	M.Y.W.O Gwasi Division.
17	0036OSWN Y	Gaudentia Atonga	CBO	Written	Kigoto Women Group
18	0037OSWN Y	Gaudentia Atonga	CBO	Written	Nyando Women Group
19	0041OSWN Y	Harrisson Ombinya	CBO	Written	Gingo Youth Group
20	0045OSWN Y	Hernest Abong'o	CBO	Written	Rukongo self-Help Project
21	0025OSWN Y	Hillary Ochola Otieno	CBO	Written	WASWETA
22	0035OSWN Y	Jacob Nyongoi	CBO	Written	Avame Self-Help Group
23	0028OSWN Y	James O Augo	CBO	Written	MARIFA
24	0001OSWN Y	John Amimo Mwai	CBO	Written	Kisakita Highlands Welfare O

25	0021OSWN Y	John Amimo Mwai	CBO	Written	Kisaku Women Group
26	0030OSWN Y	Joseph Gor Opere	CBO	Written	Clan Elders Group
27	0049OSWN Y	Joseph Mogaka	CBO	Written	Koyomba Water Project
28	0051OSWN Y	Joseph Mwira	CBO	Written	JOLUPO
29	0011OSWN Y	Joseph Odoyo Olego	CBO	Written	Kiabuya Youth Group
30	0003OSWN Y	Joseph Okatch	CBO	Written	Makaya Women Group
31	0007OSWN Y	Julius M Adienge	CBO	Written	Suba Dstrict disabled
32	0046OSWN Y	Kennedy Stanley Osuru	CBO	Written	Uhuru 2000 Youth Group
33	0019OSWN Y	Linnet A Olloo	CBO	Written	Gendo Teachers Association
34	0008OSWN Y	Lucas O Gongo	CBO	Memorandum	Gongo Family
35	0023OSWN Y	Morrice Ogutu Odero	CBO	Written	Nyakoria
36	0039OSWN Y	Moses Onam Nyakiya	CBO	Written	ICAD
37	0020OSWN Y	Mrs.Atho	CBO	Written	Gendo Teachers Association
38	0009OSWN Y	Olango Julius	CBO	Written	Nyisamre Women Group
39	0004OSWN Y	Ooko Oluoch	CBO	Written	Kiwinya Youth Group
40	0006OSWN Y	Ooko Oluoch	CBO	Written	Kamkube Women group
41	0044OSWN Y	Palice Orwa	CBO	Written	MYWO
42	0010OSWN Y	Patrick Ogweno	CBO	Written	Kimoro Women Group
43	0029OSWN Y	Paul O Arunga	CBO	Written	OLAUGO
44	0015OSWN Y	Peter Ngure	CBO	Written	Yeta
45	0002OSWN Y	Philip Odero Ngure	CBO	Written	Kimoro Primary School
46	0052OSWN Y	Roseline Ayoo	CBO	Written	Aswekra Women Group
47	0026OSWN Y	Samson Miko	CBO	Written	SCAN
48	0016OSWN Y	Thomas Ochieng Athoo	CBO	Written	GWACUSA
49	0014OSWN Y	Valentine Odhuno	CBO	Written	Sokoni Women group
50	0078ISWNY	Alango Johnson	Individual	Oral - Public he	

51	0050ISWNY	Alphonse Okoth	Individual	Oral - Public he	
52	0082ISWNY	Ambrose Ngome	Individual	Oral - Public he	
53	0052ISWNY	Apollo Otieno	Individual	Oral - Public he	
54	0032ISWNY	Bernard Jeremy Athoo	Individual	Written	
55	0022ISWNY	Bernard Okeyo	Individual	Written	
56	0029ISWNY	Boniface O Otiako	Individual	Written	
57	0090ISWNY	Charles J Oyugi	Individual	Oral - Public he	
58	0030ISWNY	Charles Mino	Individual	Written	
59	0075ISWNY	Charles Oduol Gemba	Individual	Oral - Public he	
60	0040ISWNY	Cllr.George M Rakara	Individual	Oral - Public he	
61	0069iswny	Dalmas Ogola N	Individual	Oral - Public he	
62	0055iswny	David Manyala	Individual	Oral - Public he	
63	0001ISWNY	David O Gega	Individual	Memorandum	
64	0017ISWNY	David O Opiyo	Individual	Written	
65	0091ISWNY	David Okeyo Yiega	Individual	Oral - Public he	
66	0065ISWNY	Deborah Seko	Individual	Oral - Public he	
67	0016ISWNY	Didacus Orwa Okoth	Individual	Written	
68	0085ISWNY	Dobenson O	Individual	Oral - Public he	
69	0059iswny	Dora Akinyi	Individual	Written	
70	0005ISWNY	Dr.Wilson Ouma Omola	Individual	Written	
71	0027ISWNY	Duncan Okutu	Individual	Written	
72	0033ISWNY	Duncan sure	Individual	Written	
73	0019ISWNY	E Okech Dede	Individual	Written	
74	0008ISWNY	Elijah Owino	Individual	Written	
75	0020ISWNY	Emmanuel Apollo Adongo	Individual	Written	
76	0058iswny	Florence Akolo	Individual	Written	
77	0049ISWNY	Franco Ndiru	Individual	Oral - Public he	
78	0007ISWNY	George Lumumba Miruga	Individual	Written	
79	0045ISWNY	Ghends Aloo Aira	Individual	Oral - Public he	
80	0003ISWNY	Gilbert Okanga	Individual	Written	
81	0002ISWNY	Henry Lisege	Individual	Memorandum	
82	0046ISWNY	Jack Apollo	Individual	Oral - Public he	
83	0015ISWNY	Jack W Ndiso	Individual	Written	

84	0068iswny	James Ombewa	Individual	Oral - Public he	
85	0051ISWNY	Janice Odhiambo	Individual	Oral - Public he	
86	0053ISWNY	John Odoyo Okoth	Individual	Oral - Public he	
87	0031ISWNY	John Okeyo	Individual	Memorandum	
88	0039ISWNY	John Otieno Lisege	Individual	Oral - Public he	
89	0043ISWNY	Joseph Gor Opere	Individual	Oral - Public he	
90	0080ISWNY	Joseph M Ogutu Otieno	Individual	Oral - Public he	
91	0093ISWNY	Joseph Ochieng Ogweno	Individual	Oral - Public he	
92	00541swny	Joseph Odhiambo	Individual	Oral - Public he	
93	0054ISWNY	Joseph Odhiambo	Individual	Oral - Public he	
94	0044ISWNY	Joseph Sebe Okombo	Individual	Oral - Public he	
95	0013ISWNY	Josephat Ayoma	Individual	Memorandum	
96	0063iswny	Judith Akinyi Okoth	Individual	Written	
97	0070ISWNY	Julius O Majura	Individual	Oral - Public he	
98	0092ISWNY	Kennedy Mokaya	Individual	Oral - Public he	
99	0034ISWNY	Kennedy R Jagwassi	Individual	Oral - Public he	
100	0041ISWNY	Kepher Adada	Individual	Oral - Public he	
101	0004ISWNY	Lawrence Ojala	Individual	Memorandum	
102	0010ISWNY	Linnet A Oloo	Individual	Written	
103	0079ISWNY	Lwanga Charles	Individual	Oral - Public he	
104	0061iswny	Magdalena Adoyo	Individual	Oral - Public he	
105	0014ISWNY	Mark B N Arunga	Individual	Memorandum	
106	0042ISWNY	Mark Makori	Individual	Oral - Public he	
107	0060iswny	Mary Akinyi	Individual	Written	
108	0077ISWNY	Mathes O Okeno	Individual	Oral - Public he	
109	0021ISWNY	Mathew Ogwen	Individual	Written	
110	0086ISWNY	Michael Ochieng	Individual	Oral - Public he	
111	0067iswny	Michael Ogalo	Individual	Oral - Public he	
112	0066ISWNY	Monica Ayoadi	Individual	Oral - Public he	

113	0071ISWNY	Mungusa Wilson	Individual	Oral - Public he	
114	0018ISWNY	Nashon Obiero Akomo	Individual	Written	
115	0088ISWNY	Nicholas Oyoo	Individual	Oral - Public he	
116	0023ISWNY	Odoyo Kennedy	Individual	Written	
117	0087ISWNY	Ogwen Odhiambo	Individual	Oral - Public he	
118	0072ISWNY	Ominde Angero	Individual	Oral - Public he	
119	0076ISWNY	Opala Juma	Individual	Oral - Public he	
120	0084ISWNY	Peter Agili	Individual	Oral - Public he	
121	0081ISWNY	Peter Apunda	Individual	Oral - Public he	
122	0073ISWNY	Peter Giriago Ogada	Individual	Oral - Public he	
123	0094ISWNY	Peter Juma	Individual	Oral - Public he	
124	0037ISWNY	Peter Kasuku	Individual	Oral - Public he	
125	0012ISWNY	Peter Ochieng Kichana	Individual	Memorandum	
126	0038ISWNY	Peter Odoyo Minono	Individual	Oral - Public he	
127	0024ISWNY	Peter Otieno Nyasirwa	Individual	Written	
128	0028ISWNY	Peter Usi Dede	Individual	Written	
129	0009ISWNY	Philip Oyier	Individual	Written	
130	0083ISWNY	Philister Opinya	Individual	Oral - Public he	
131	0089ISWNY	Raphael Otieno	Individual	Oral - Public he	
132	0062iswny	Roseline Ayoo	Individual	Written	
133	0035ISWNY	Samuel Akoko Ogamba	Individual	Oral - Public he	
134	0026ISWNY	Samuel Odada Owuor	Individual	Written	
135	0025ISWNY	Simon N Kungu	Individual	Written	
136	0011ISWNY	Sospeter O Gimono	Individual	Written	
137	0047ISWNY	Sylvanus Okal	Individual	Oral - Public he	
138	0006ISWNY	Thomas Ochieng Athoo	Individual	Written	
139	0036ISWNY	William O Misenya	Individual	Oral - Public he	
140	0056iswny	Zaddock Oguta	Individual	Oral - Public he	

141	0048ISWNY	Zakayo Oyek	Individual	Oral - Public he	
142	0050OSWNY	Rosemary Nyawira	Other Institutions	Memorandum	Moi Girls Secondary School
143	0043OSWNY	Andrew Abanga	Religious Organisation	Written	St.Elias Church
144	0048OSWNY	George Obuya	Religious Organisation	Memorandum	SDA Church Got Rabuor
145	0042OSWNY	Harrison Ombinya	Religious Organisation	Written	Gingo Youth Group SDA
146	0040OSWNY	Harrisson Ombinya	Religious Organisation	Written	Gingo Catholic

Appendix 4: Persons Attending Constituency Hearings

No	Name:	Address:	No	Name:	Address:
1	Okech Dede	P.O. Box 60, Sindo	25	Peter Giriago Ogada	P.O. Box 33, Sindo
2	Peter Otenga	P.O. Box 112, Sindo	26	Kasuku Asembo	P.O. Box 5, Sindo
3	Moses Onam Nyakiya	P.O. Box 9, Sindo	27	Charles Odwol	P.O. Box 31, Sindo
4	Andrew Abang'a	P.O. Box 46, Sindo	28	Julius Odongo	P.O. Box 17, Sindo
5	Harrizon Ombinya	P.O. Box 80, Sindo	29	Opala Juma	P.O. Box 82, Sindo
6	Joseph Odhiambo Waore	P.O. Box 3, Sindo	30	Odoyo Kennedy	P.O. Box 5, Sindo
7	Emmanuel Apollo	P.O. Box 39, Sindo	31	Mathew O. Okeno	P.O. Box 73, Sindo
8	David Manyala	P.O. Box 28, Sindo	32	Johnson Alango	P.O. Box 21, Sindo
9	Alice Orwanda	P.O. Box 100, Ogongo	33	Joseph M. Otieno	P.O. Box 49, Sindo
10	Zadock Oguta	Singo	34	William Odhiambo	P.O. Box 14, Sindo
11	Msaal Ogalo/John Kibusu	P.O. Box 17, Sindo	35	Cllr. Lwanga Charles	P.O. Box 200, Sindo
12	James Ombewa	P.O. Box 16, Sindo	36	Peter Apunda	P.O. Box 8, Sindo
13	Mahew Ogweni	P.O. Box 80, Sindo	37	Peter Otieno	P.O. Box 8, Sindo
14	Evans M. Msao	P.O. Box 111, Sindo	38	Jared Odera	P.O. Box 111, Sindo
15	Kennedy Stanly	P.O. Box 41, Ogongo	39	Ernest Abongo	P.O. Box 111, Sindo
16	Benard ooko	P.O. Box 80, Sindo	40	Ambrose Ngome	P.O. Box 27, Sindo
17	Nester Oyoko	P.O. Box 80, Sindo	41	Dancan Ogutu Onyango	P.O. Box 286, Sindo
18	Ogola Ndonga	P.O. Box 55, Sindo	42	Antony Odongo Ngorome	P.O. Box 35, Sindo
19	Juma Tonge	P.O. Box 20, Rangwe	43	Julius Igongo	P.O. Box 43, Sindo
20	Julius Odongo	P.O. Box 96, Sindo	44	Charles Mino	P.O. Box 23, Sindo
21	Wilson Mungusa	P.O. Box 17, Sindo	45	Joseph Juma	P.O. Box 8, Sindo
22	Ominde Ode Anyero	P.O. Box 30, Sindo	46	Peterson Agili	P.O. Box 32, Sindo
23	Nicholas Omondi	P.O. Box 51, Sindo	47	Duben Onyango	P.O. Box 17, Sindo
24	Joseph Mogaka	P.O. Box 31, Sindo	48	Simon N. Kung'u	P.O. Box 8, Sindo
49	Joseph Mwira	P.O. Box 112, Sindo	73	Jacob Odhiambo	P.O. Box 46, Sindo
50	Benard Ogolla	P.O. Box 82, Mbita	74	Raphael Omollo	P.O. Box 41, Sindo
51	Joseph Magara	P.O.Box 28, Sindo	75	Eliud Opiyo	P.O. Box 21, Sindo
52	Mical Ochuony	P.O. Box 80, Sindo	76	Nashon Obiero Akomo	P.O. Box 97, Magunga
53	Herson Ombijah	P.O. Box 80, Gingo	77	Juma Oyugi Omethe	P.O.Box 28, Manyala
54	Elesha Kitere	P.O. Box 51, Sindo	78	Joash Nyachio	P.O. Box 80, Sindo
55	Benard Okeyo	P.O. Box 80, Sindo	79	David Okeyo	P.O. Box 20, Sindo
56	Peter O. Ussi	P.O. Box 112, Sindo	80	Kennedy Mokaya	P.O. Box 73, Sindo
57	Christopher Odoyo	P.O. Box 61, Sindo	81	John Amimo Mwai	P.O. Box 27, Magunga
58	Ogweni Odhiambo	P.O. Box 17, Sindo	82	John Aminmo Mwai	P.O. Box 27, Magunga
59	Mbeo Odera	P.O. Box Sindo	83	Joseph Okatch	P.O. Box 24, Magunga
60	Samuel Odada Owuor	P.O. Box 17, Sindo	84	Ooko Oluoch	P.O. Box 49, Magunga
61	Rephel Odoyo Okula	P.O. Box 51, Sindo	85	Guadetia Atonga	P.O. Box 49, Magunga
62	Cllr. Bonfas Oyando	P.O. Box 44, Sindo	86	Ooko Oluoch	P.O. Box 49, Magunga
63	Rosemary Nyawira	P.O. Box 82, Sindo	87	Julius M. Adienge	P.O. Box 5, Magunga
64	Nicholas Oyoo	P.O. Box 82, Sindo	88	Duncan sure	P.O. Box 92, Magunga
65	Philister Odinya	P.O. Box 21, Sindo	89	Kennedy Rawinji	P.O. Box 70, Magunga
66	Raphael Otieno	P.O. Box 67, Sindo	90	Lukas O. Gongo	P.O.Box 3, Magunga
67	Ezekiel Okeyo	P.O. Box 46, Sindo	91	Sospeter Okumu	P.O. Box 59, Magunga

68	Edward Odongo	P.O. Box 44, Sindo	92	Daudi Ogega	P.O. Box 14, Magunga
69	Joseph Awino Abongo+B38	P.O. Box 23, Sindo	93	Julius M. Adienge	P.O. Box 16, Magunga
70	Daniel Achila Oringo	P.O. Box 23, Sindo	94	Ochieng' Ndege	P.O. Box 49, Magunga
71	Moses Onam Nyakiya	P.O. Box 9, Sindo	95	Patrick Ogweno	P.O. Box Magunga
72	John Odula Roje	P.O. Box 13, Lambwe	96	Gilbert Okanga	P.O. Box 92, Magunga
97	Henry Alf Lisege	P.O. Box 92, Magunga	121	Charles Burere	P.O. Box Magunga
98	Samwel Akoko Okambo	P.O. Box 16, Magunga	122	James Okinyi	P.O. Box 61, Magunga
99	Kabuya Youth Grou	P.O. Box 16, Magunga	123	Kepha Ouma Jung'a	P.O. Box 12, Magunga
100	Wilson Omola	P.O. Box Magunga	124	Paul Arunga	P.O. Box 14, Magunga
101	Zacharia Adiemu	P.O. Box 12, Magunga	125	Samuel Oulo	P.O. Box 106, Magunga
102	Mzee Oyier	P.O. Box 12, Magunga	126	Peter Ogembo	P.O. Box 104, Sindo
103	Charles Owino	P.O. Box 130, Magunga	127	Laban Okore	P.O. Box 12, Magunga
104	Thomas Ochieng' Athoo	P.O. Box 33, Magunga	128	John Ochieng' Denge	P.O. Box Magunga
105	Lynet Oloo Achieng'		129	Peter Odoyo	P.O. Box 2, Magunga
106	Ben Oucho	P.O. Box 40, Magunga	130	Janes Kadweya	P.O. Box 52, Magunga
107	John Amimo Mwai	P.O. Box 27, Magunga	131	Benson Ogallo	P.O. Box 79, Magunga
108	Clement Akondo	P.O. Box 36, Magunga	132	John Otieno Lisege	P.O. Box 40, Magunga
109	Peter Kichana	P.O. Box 513, Homa Bay	133	Peter Otuoma	P.O. Box 49, Magunga
110	Ayoma Ongoso	P.O. Box 16, Magunga	134	Major Kasuku Obuoyo	P.O. Box 2, Magunga
111	Mark B. Arunga	P.O. Box 33, Magunga	135	Kepha Adada	P.O. Box Magunga
112	Elly Akida	P.O. Box 107, Magunga	136	Martin Akoko Chera	P.O. Box 61, Magunga
113	William Oketch Misenya	P.O. Box 27, Magunga	137	Maurice Ogutu Odero	P.O. Box 47, Magunga
114	Tom o. Akondo	P.O.Box 36, Magunga	138	Didacus Orwa Okworo	P.O. Box Magunga
115	Chalama Askanas	P.O. Box 34, Magunga	139	Joseph Gor Opere	P.O. Box 89, Magunga
116	George Rakara	P.O. Box 89, Magunga	140	Joseph Sebe	P.O. Box 49, Magunga
117	Michael Odundo	P.O. Box 23, Magunga	141	Grace Nyongo	P.O. Box 12, Magunga
118	Samson Miko	P.O. Box 12, Magunga	142	Aloo Aira	P.O. Box 94, Magunga
119	Jackob Ndisio	P.O. Box 12, Magunga	143	Jack Apollo	P.O. Box 12, Magunga
120	Apollo Otieno	P.O. Box 12, Magunga	144	Vitalis Okago Ombuoro	P.O. Box 13, Magunga
145	David Opiyo	P.O. Box 92, Magunga	149	Jackob Nyangora	P.O. Box 109, Magunga
146	Silvanus Malala	P.O. Box 37, Magunga	150	Mark Makori	P.O. Box 38, Magunga
147	Julius Okello	P.O. Box 39, magunga	151	Franco Ndire Agenda	P.O. Box 25, Magunga
148	Zakayo Oyieko	P.O. Box 8, Magunga	152	Alphonce Okoth	P.O. Box 83, Magunga
153	KENNEDY OWITI	MAGUNGA	158	NGURE PETER	92 MAGUNGA
154	GAUDETIA ATONGA	22 MAGUNGA	159	CHARLES KIMUAMU	25 MAGUNGA
155	ELPHAS MIRANGA	85 MAGUNGA	160	JEREMIAH ATHOO	33 MAGUNGA
156	VALENTINE ADHUNO	22 MAGUNGA	161	ELIJAH OWINO	130 MAGUNGA
157	LAWRENCE OJALA	72 MAGUNGA	162	GEORGE LUMUMBA	130 MAGUNGA

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I. DISTRICT CONTEXT

Kuria Constituency is the only constituency in Kuria District. Kuria District is one of 12 districts of the Nyanza Province of Kenya.

A. Demographic Characteristics

District Population by Sex	Male	Female	Total
	73,989	77,898	151,887
Total District Population Aged 18 years & Below	46,096	45,411	91,507
Total District Population Aged Above 18 years	27,893	32,487	60,380
Population Density (persons/Km²)	261		

A. Socio-Economic Profile

Kuria District:

- ? Is the 7th most densely populated district in the province;
- ? Has one of the lowest primary school enrolment rates in the province, at 64.2%, being ranked 11th in the province and 45th nationally;
- ? Has one of the lowest secondary school enrolment rates in the province, at 14.3%, being ranked 11th in the province and 45th nationally; and
- ? Experiences the following main diseases: Malaria, respiratory tract infections, diarrhea diseases, skin diseases and infections, and HIV/AIDS

Kuria district has only one constituency: Kuria Constituency. The district's MP, covers an area of 581 Km² to reach 151,887 constituents. This is a ruling party, KANU, stronghold. In the 1997 general elections, the KANU representative won the parliamentary seat with 50.99% valid votes.

II. CONSTITUENCY PROFILE

This constituency lies along the border of Kenya and Tanzania to the southwest. It derives its name from the small ethnic group inhabiting the area. It comprises the divisions; Mabera Division with Kombe, Tagare, Bugumbe North, Bugumbe East, Bugumbe South and West locations. Kihancha Division comprises Bukira North, Bukira Central, Bukira East, Bukira West, Bukira South and Gokeharaka locations. Kegonga Division comprises Maeta, Nyabasi North, Nyabasi Central, Nyabasi West, Nyaguna and Kabareti. Ntimaru Division comprises Wangirabese, Siabai, Bwigire West and East. Kuria comprises 26 sub-locations and has a population of 130,000 people.

A. Demographic Characteristics

Constituency Population	Total	Area Km ²	Density (persons/Km ²)
	151,887	581.00	261.4

A. Socio-Economic Profile

The Kuria are mixed farmers' mainly practicing crop farming, seasonal commercial farming which includes tobacco and keeping fairly large herds of cattle. They also grow millet, maize, bananas, and coffee. This makes the district self sufficient in food production.

B. Electioneering and Political Information

This is a ruling party, KANU, stronghold. In the 1992 and 1997 general elections, KANU won the seat with 82.32% and 50.99% valid votes. In 2002, the National Rainbow Coalition won the seat.

C. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			26,682
CANDIDATE	PARTY	VOTES	% VALID VOTES
Shadrack Manga	KANU	13,234	82.32
John Mangere	FORD-K	1,238	7.70
Weira Gibagiri	FORD-A	852	5.30
Omar Marwa	DP	752	4.68
<i>Total Valid Votes</i>		<i>16,076</i>	<i>100.00</i>
Total Votes Cast		16,076	
% Turnout		67.94	
% Rejected/Cast		0.00	

A. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			35,142
CANDIDATE	PARTY	VOTES	% VALID VOTES
Shadrack R. M. Manga	KANU	12,493	50.99
Wilfred G. Machage	SDP	8,240	33.63
Nelson Mahanga Mwita	NDP	2,970	12.12
Martin Omahe O'Mwita	DP	563	2.30

Chrispinus W. Gibagiri	FORD-A	236	0.96
<i>Total Valid Votes</i>		<i>24,502</i>	<i>100.00</i>
Rejected Votes		381	
Total Votes Cast		24,883	
% Turnout		70.81	
% Rejected/Cast		1.53	

A.Main Problems

- ? Poor state of roads;
- ? The town council does not provide water, garbage collection or sewerage services;
- ? Poor telecommunication network;
- ? Lacks electricity;
- ? Lacks a modern market; and
- ? Insecurity: cattle rustling is common.

II.CONSTITUTION MAKING/REVIEW PROCESS

A.Constituency Constitutional Forums (CCFs)

1.Philosophy

The Constituency 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.

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 forum from the facilitation of civic education to also include facilitation and the collection 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.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)).

4.Functions of CCC

III.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;

IV.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;

V.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

VI.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.

1.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.

A.District Coordinators

1.Mandate/Terms of Reference

- VII.Be the local grass root representative;
- VIII.Perform the generalization activities in the district;
- IX.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;
- X.Gathering any relevant local information and materials for the purpose of constitution making;
- XI.Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- XII.Supply such information needed by local constituency forums and committees;
- XIII.Liaise with other documentation centers nearby and others for information;
- XIV.In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- XV.Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- XVI.Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- XVII.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;
- XVIII.Monitor the implementation of civic education by civic education providers in the district;
- XIX. Facilitate the formation of constituency committees with guidance and assistance of CKRC; and
- XX.Perform any other tasks as directed by CKRC.

1.Criteria for Appointment

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

XXIII.CIVIC EDUCATION

Civic education in the constitution was carried out between 10th June 2002 and 19th June 2002

A. Phases covered in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

B. Issues and areas covered:

- ? Constitutions
- ? Constitution making process
- ? The constitution of Kenya
- ? Emerging constitutional issues
- ? Structures and systems of government
- ? Governance

XXIV. CONSTITUENCY PUBLIC HEARING

A. Logistical Details

- 1. Date and Number of Days for Public Hearings**
- 2. Date(s):** 20th and 21st June 2002
- 3. Total Number of Days:** 2

4. Venue

5. Number of Venues: 2

6. Venue(s):

- 1) Taraganya High School
- 2) Moi Nyabonhanse High School

1. Panels**2. Commissioners**

3. Com. Keriako Tobiko

4. Com. Charles Maranga

5. Com. Alice Yano – Chairlady

a) Secretariat

b) Maimuna Mwidau – Programme Officer

c) Dominic Osoro – Assistant Programme Officer

d) Emma Kamunga – Verbatim Recorder

e) Joyce Oyaga – Registrar

5.2 Attendance Details

Category	Details	Number
Number of People Who Presented		151
Sex	Male	121
	Female	30
	Not Stated	0
Presenter Type	Individual	139
	Institutions	6
	Not Stated	6
Educational Background	Primary Level	56
	Secondary/High School Level	60
	College	9
	University	18
	None	6
	Not Stated	2
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	5
	Oral	112

Category	Details	Number
	Written	1
	Oral + Memoranda	21
	Oral + Written	3
	Not Stated	9

A. Concerns and Recommendations

The following are the recommendations made by the presenters in Kuria 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.

1. PREAMBLE

- ? The constitution should have a preamble. (11)
- ? The preamble should reflect the Unity of the 42 Kenyan tribes since independence. (2)
- ? The preamble should recognize the people of Kenya.
- ? The national visions should be set in the preamble.
- ? The preamble should reflect our struggle for independence. (3)
- ? The Preamble should be comprehensive by embracing the rich ethnic diversity of Kenyans.

5.3.2 DIRECT PRINCIPLES OF STATE POLICY

- ? The constitution should provide that we need statements of guiding principles in regard to our philosophy.
- ? The constitution should recognize the needs of the citizen.
- ? The constitution should recognize the supremacy of the people. (3)
- ? The constitution should provide that power emanates from the citizens and no organ of government can arrogate this power to itself.
- ? The constitution should provide that the principles should be enforced in law.

5.3.3 CONSTITUTIONAL SUPREMACY

- ? The constitution should state the supremacy of the Kenyans.
- ? The constitution should provide that 2/3 of the majority votes should be required for constitution amendments.
- ? The constitution should provide that we should retain the 65% majority votes required for amendment of the constitution. (2)

- ? The constitution should provide that we should abolish the 65% majority votes required for amendment of the constitution. (2)
- ? The constitution should provide that the parliament's power to amend the constitution should be limited. (3)
- ? The constitution should provide that parliament should have power to amend the constitution. (2)
- ? The constitution should provide that any part of the constitution that touches on the MPs welfare should not be amended by the parliament.
- ? The constitution should provide that a public referendum should be conducted to amend the constitution. (8)
- ? The constitution should provide that the electoral commission should conduct the public referendums. (2)
- ? The constitution should provide that the teachers should conduct the public referendums.
- ? The constitution should provide that an independent body should conduct the public referendums. (2)

5.3.4 CITIZENSHIP

- ? The constitution should provide that a person born in Kenya with a Kenyan birth certificate should be granted automatic citizenship.
- ? The constitution should provide that a person born of Kenyan citizens should be regarded an automatic citizen.
- ? The constitution should provide that a person born of Kenyan parents should be regarded an automatic citizen. (2)
- ? The constitution should provide that an indigenous person should be considered an automatic citizen.
- ? The constitution should not all those who have acquired citizenship through registration to hold any public office. (3)
- ? The constitution should not all those who have acquired citizenship through naturalization. (2)
- ? The constitution should grant all spouses of Kenyan citizens citizenship. (5)
- ? The constitution should accord automatic citizenship to children born to a Kenyan parent. (7)
- ? The constitution should accord automatic citizenship to children only if both the parents are Kenyan. (2)
- ? The constitution should accord automatic citizenship to children only if the father is a Kenyan.
- ? The constitution should provide that every Kenyan should have a right to vote. (3)
- ? The constitution should provide that every Kenyan should have a right to education.
- ? The constitution should provide that every Kenyan should have a right to live any where in the country.
- ? The constitution should provide that all citizens' rights should be equal and respected. (3)
- ? The constitution should provide that every Kenyan should have an obligation to defend the country.
- ? The constitution should provide that the rights and obligations of citizens should not depend on the manner citizenship was acquired. (4)

- ? The constitution should provide that the rights and obligations of citizens should depend on the manner citizenship was acquired.
- ? The constitution should provide that the constitution should allow dual citizenship. (3)
- ? The constitution should provide that the constitution should not allow dual citizenship. (4)
- ? The constitution should provide that every Kenyan should have a right to birth certificate. (2)
- ? The constitution should provide that passports should be issued to all Kenyans.
- ? The constitution should provide that a national ID should be carried as proof of citizenship. (7)
- ? The constitution should provide that a national ID and passport should be carried as proof of citizenship.
- ? The constitution should provide that foreigners should not be allowed entry into the country without a work permit, passport and a certificate of good conduct.

5.3.5 DEFENSE AND NATIONAL SECURITY

- ? The constitution should establish disciplined forces. (3)
- ? The constitution should provide that the police prison military should be established in the constitution.
- ? The constitution should merge the GSU with the regular police.
- ? The constitution should abolish administration police branch.
- ? The constitution should provide for formation of vigilant groups.
- ? The constitution should provide that the police should be trained for 3 years. (2)
- ? The constitution should provide that armed forces should be investigated every 2 weeks.
- ? The constitution should provide that the armed forces should follow the law set by the constitution. (2)
- ? The constitution should provide that mechanisms to punish the armed forces should be suspension, expulsion and heavy duty.
- ? The constitution should provide that the president should be the commander-in-chief of the armed forces. (6)
- ? The constitution should provide that the president should not be the commander-in-chief of the armed forces. (3)
- ? The constitution should provide that the executive cannot have exclusive powers to declare war.
- ? The constitution should provide that the government should have exclusive power to declare war.
- ? The constitution should provide that the executive should have exclusive powers to declare war. (2)
- ? The constitution should provide that the executive should not have exclusive powers to declare war.
- ? The constitution should provide that the executive and parliament should have exclusive powers to declare war.
- ? The constitution should allow the use of extra ordinary powers in emergencies. (2)
- ? The constitution should provide that the executive should have authority to invoke emergency powers.
- ? The constitution should provide that the parliament should have the power to invoke emergency powers. (2)

? The constitution should provide that the parliament should work with the president in invoking emergency powers.

5.3.6 POLITICAL PARTIES

- ? The constitution should provide that political parties should play a role of implementing and formulating all government policies in assisting the projection of all development planning in various aspects. (3)
- ? The constitution should provide that political parties should play roles such as educating the community on poverty eradication, family planning programs, HIV/AIDS and communal social services. (2)
- ? The constitution should provide that political parties should not have other role apart from political mobilization.
- ? The constitution should regulate formation, management and conduct of political parties. (6)
- ? The constitution should provide that political parties that have a national outlook should be registered. (2)
- ? The constitution should provide that political parties should be limited to 3 in number. (8)
- ? The constitution should provide that political parties should be limited to 5 in number.
- ? The constitution should provide that political parties should not be limited in number. (3)
- ? The constitution should provide that political parties should be limited to 2 in number.
- ? The constitution should provide that the government should fund the political parties during campaigns. (3)
- ? The constitution should provide that political parties should be funded by public funds. (2)
- ? The constitution should provide that all political parties should be funded through the electoral commission by a consolidated fund.
- ? The constitution should provide that the government should finance political parties. (5)
- ? The constitution should provide that political parties should be funded by the state.
- ? The constitution should command that political parties should have at least 1 million registered members to be funded by the government.
- ? The constitution should provide for the funding of the political parties with at least 10% of parliamentary seats.
- ? The constitution should provide that the presidential candidate should be above party politics. (3)
- ? The constitution should provide that all registered parties should have direct and free access to the pros.
- ? The constitution should provide that the state and political parties should relate. (2)
- ? The constitution should provide that the state should keep a great distance with the politics parties. (2)

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- ? The constitution should provide that we should retain a presidential system of government. (9)
- ? The constitution should provide that we should adopt a parliamentary system of government. (5)
- ? The constitution should provide that we should not adopt a parliamentary system of

government.

- ? The constitution should provide that the prime minister should be the head of government. (4)
- ? The constitution should provide that the prime minister should appoint the cabinet ministers and senior civil servants.
- ? The constitution should provide that the prime minister should be the leader of government business in the house.
- ? The constitution should provide that the president should be ceremonial head of state. (2)
- ? The constitution should provide that we should retain a unitary system of government. (10)
- ? The constitution should provide that we should not adopt a majimbo system of government. (9)
- ? The constitution should provide that we should adopt a majimbo system of government. (2)
- ? The constitution should provide that the power should be devolved to the lower of government such as districts and local authorities. (2)
- ? The constitution should provide that the vice president should be elected directly by the people. (6)
- ? The constitution should provide that the vice president should be elected by parliament.
- ? The constitution should provide that the president should appoint the vice president.
- ? The constitution should provide that the vice president should be the president's running mate.
- ? The constitution should provide that the vice president should be of opposite sex from the president.
- ? The constitution should provide that the AG should be appointed by the parliament.
- ? The constitution should provide that the judicial service commission should appoint the AG.
- ? The constitution should provide that the AG should not be a member of the executive.
- ? The constitution should provide that the AG should not be the director of public prosecution.

5.3.8 LEGISLATURE

- ? The constitution should provide that all presidential appointment should be vetted by the parliament. (8)
- ? The constitution should provide that the parliament should vet all senior government appointments. (4)
- ? The constitution should provide that the AG and chief justice should be appointed by the parliament.
- ? The constitution should provide that the functions of the parliament should not be expanded. The parliament should have the power to appoint senior government officers. (2)
- ? The constitution should provide that the parliament should be involved in the matters of national security.
- ? The constitution should provide that parliament should have unlimited powers to control its own procedures through standing orders. (2)
- ? The constitution should provide that the parliament should have its own calendar. (2)
- ? The constitution should provide that Kiswahili should be used in parliament.
- ? The constitution should provide that being an MP should be a full time occupation. (6)
- ? The constitution should provide that all Kenyans 18 years and above should be allowed to vote. (3)
- ? The constitution should provide that voting age should be 15 years and above.

- ? The constitution should provide that Parliamentary contesting age should be 21 years and above.
- ? The constitution should provide that Parliamentary contesting age should be 18 years and above.
- ? The constitution should provide that Parliamentary contesting age should be 18-25 years.
- ? The constitution should provide that Parliamentary contesting age should be 35 years and above. (2)
- ? The constitution should provide that President have a minimum age of 35. (2)
- ? The constitution should provide that President have between 40-70 years.
- ? The constitution should provide that President have maximum of 75 years. (2)
- ? The constitution should provide that President have between 30-50 years.
- ? The constitution should provide that President have between 18-55 years.
- ? The constitution should provide that MPs should be able to communicate in Swahili and English. (4)
- ? The constitution should provide that MPs should have a minimum of O level education. (2)
- ? The constitution should provide that the languages tests required for parliamentary election are sufficient.
- ? The constitution should provide that the languages tests required for parliamentary election should be changed.
- ? The constitution should provide that MPs should have university degree.
- ? The constitution should provide that there should be moral and ethical qualification for parliamentary seats. (9)
- ? The constitution should provide that MPs should serve for 2 terms of 5 years each. (3)
- ? The constitution should allow for recalling of non-performing MPs by 1/2 of the registered voters. (8)
- ? The constitution should allow for recalling of non-performing MPs. (2)
- ? The constitution should provide that the MPs should act on the basis of the electorate and not government. (3)
- ? The constitution should provide that the MPs should act on the basis of their conscience. (2)
- ? The constitution should provide that Mps should represent the people fully. (2)
- ? The constitution should provide that MPs salaries should be reduced.
- ? The constitution should provide that MPs should have a right to determine their salaries and benefits.
- ? The constitution should provide that the Public Service Commission should determine the remuneration of MPs. (2)
- ? The constitution should provide that the parliamentary service commission should determine the salaries of MPs. (2)
- ? The constitution should provide that an independent body should determine the salaries of MPs. (3)
- ? The constitution should provide that the government should determine the salaries of MPs.
- ? The constitution should provide that we should have nominated MPs. (6)
- ? The constitution should provide that we should abolish concept of nominated MPs. (3)
- ? The constitution should provide that nominated MPs should not be those who have lost their seats.
- ? The constitution should provide that nominated MPs should not be ministers.

- ? The constitution should make nominated MPs represent the minority groups, disabled and women. (3)
- ? The constitution should preserve 1/3 parliamentary seats for women. (2)
- ? The constitution should provide that measures should be put in place to increase women participation in parliament. (3)
- ? The constitution should provide that no measures should be put in place to increase women participation in parliament.
- ? The constitution should govern the conduct of parliamentarians in a multi-party state. (3)
- ? The constitution should allow for a coalition. (9)
- ? The constitution should not allow for a coalition. (2)
- ? The constitution should provide that we should have multiparty in both the legislature and the executive. (2)
- ? The constitution should allow for bicameral structure consisting of both upper and lower houses.
- ? The constitution should provide that there should be one chamber of parliament. (2)
- ? The constitution should provide that the parliament should have power to remove the president through a vote of no confidence. (4)
- ? The constitution should provide that the president should not have power to veto legislature passed by parliament. (3)
- ? The constitution should provide that the president should have power to veto legislature passed by parliament. (2)
- ? The constitution should provide that Parliament should have power to override the president's veto. (2)
- ? The constitution should provide that the president should not have to dissolve the parliament. (3)
- ? The constitution should provide that the president should have to dissolve the parliament. (6)
- ? The constitution should dissolve the parliament.
- ? The constitution should provide that Parliamentary elections should not be staggered.
- ? The constitution should provide MPs with offices in their constituencies. (2)

5.3.9 EXECUTIVE

- ? The constitution should allow for only degree holders to contest for Presidency. (3)
- ? The constitution should specify the qualifications for presidential candidates. (2)
- ? The constitution should provide that presidential candidate should be a Kenyan citizen. (2)
- ? The constitution should provide that presidential candidate should be of sound mind. (2)
- ? The constitution should provide that presidential candidate should be married.
- ? The constitution should provide that presidential candidate should be morally upright. (2)
- ? The constitution should provide that presidential candidate should be patriotic.
- ? The constitution should provide that presidential candidate should have O level of education.
- ? The constitution should provide that presidential tenure should be fixed to 2 terms of 5 years each. (12)
- ? The constitution should provide that presidential tenure should be fixed to 4 terms of 5 years each.
- ? The constitution should provide that presidential tenure should remain as it is now. (2)

- ? The constitution should provide that the president should have power to sack cabinet ministers.
- ? The constitution should provide that the president should have power to appoint ministers and their assistants
- ? The constitution should provide that the president should be in-charge of economy and education.
- ? The constitution should provide that the function of the president should be clearly defined in the constitution. (3)
- ? The constitution should provide that president should have power to grant a pardon to a person convicted of murder.
- ? The constitution should provide that the president should be the head of state.
- ? The constitution should provide that the president should protect the constitution.
- ? The constitution should provide that the president should be in charge of the country's security.
- ? The constitution should provide that the president should not be above the law. (7)
- ? The constitution should provide that the president's powers should be limited. (14)
- ? The constitution should allow for impeachable President. (8)
- ? The constitution should provide that the parliament should have power over president. (3)
- ? The constitution should provide that Parliament should be independent of the executive. (4)
- ? The constitution should provide that the president should not be an MP. (7)
- ? The constitution should provide that the president should be an MP. (7)
- ? The constitution should provide that Chiefs should be transferred like other civil servants. (18)
- ? The constitution should provide that Chiefs should not be transferred.
- ? The constitution should abolish provinces administration. (3)
- ? The constitution should retain provinces administration. (8)
- ? The constitution should do away with the office of the D.O.
- ? The constitution should do away with the office of the D.C.
- ? The constitution should provide for the office of an elective chief that should serve for 5 years. (3)
- ? The constitution should provide for the chief to be directly elected by the people. (14)
- ? The constitution should do away with the chiefs. (3)
- ? The constitution should do away with the sub-chiefs. (4)
- ? The constitution should provide that the people should directly elect the provincial administration.
- ? The constitution should provide that the chiefs should have a high level of education.
- ? The constitution should provide that we should have only one minister in each ministry. (2)
- ? The constitution should provide that Permanent secretaries and not ministers should head ministries.
- ? The constitution should provide that Ministry of justice should be created.

5.3.10 JUDICIARY

- ? The constitution should provide that the judiciary structure is not adequate.
- ? The constitution should provide that the judiciary structure is adequate.

- ? The constitution should provide that the council of elders should be recognizing in the constitution.
- ? The constitution should provide that a supreme court should be established in the constitution. (3)
- ? The constitution should provide that a constitutional court should be established in the constitution. (3)
- ? The constitution should provide that the judicial officers should be appointed through parliamentary. (3)
- ? The constitution should provide that judicial should be a university degree holder. (2)
- ? The constitution should provide that judges should enjoy security of tenure. (3)
- ? The constitution should provide that judges should serve for 5 years.
- ? The constitution should provide that there should be disciplinary measures for officers who enjoy security of tenure. (3)
- ? The constitution should provide that Chief kadhi/kadhi should be restricted to judicial work only.
- ? The constitution should provide that Chief kadhi/kadhi should not have similar qualifications as magistrates.
- ? The constitution should provide that the AG should appoint Chief kadhi/kadhi.
- ? The constitution should provide that Kadhis court should handle other matters related to Islamic law other than marriage, divorce and succession.
- ? The constitution should provide that Kadhis court should have appellate jurisdiction.
- ? The constitution should provide that the judiciary should be independent. (7)
- ? The constitution should provide that the state judicial powers should be vested exclusively in courts.
- ? The constitution should provide that courts should be established in every district to ensure all people have access to courts.
- ? The constitution should provide that court cases should not be delayed for long. (4)
- ? Constitution should ensure the right to legal aid for those who cannot afford. (6)
- ? The constitution should provide that free bonds should be given to widows and orphans if they are prosecuted.
- ? The constitution should provide that there should be a provision for judicial review of law made by the legislature.
- ? The constitution should provide that the council of elders should be recognized by the constitution. (4)
- ? The constitution should provide that the people should elect the council of elders.
- ? The constitution should provide that the council of elders should be paid a salary by the government. (2)
- ? The constitution should provide that the vigilante groups should be recognized by the constitution. (2)

5.3.11 LOCAL GOVERNMENT

- ? The constitution should provide for the election of Mayors and Chairmen of councils by the people. (21)
- ? The constitution should provide that local authority leaders should serve 2 terms of 5 years

- each.
- ? The constitution should provide that local authority leaders should serve for 2 years term. (2)
 - ? The constitution should provide that local authority leaders should serve for 5 years term. (8)
 - ? The constitution should provide that the local councils should continue to operate under the central government. (5)
 - ? The constitution should provide that the local councils should be autonomous and independent. (6)
 - ? The constitution should make the minimum qualification for councilors to be O level of education. (10)
 - ? The constitution should provide that Mayors should be college graduates.
 - ? The constitution should make the minimum qualification for councilors to be KCSE, D+ and above.
 - ? The constitution should provide that language tests required to vie for local authority seats is sufficient.
 - ? The constitution should provide that language tests in English and Kiswahili for civic election should be mandatory. (5)
 - ? The constitution should provide that there should be moral and ethical qualifications for local authority seats. (7)
 - ? The constitution should provide that the minimum contesting age for civic elections should be 35 years.
 - ? The constitution should enable the people to recall non-performing councilors through the Minister of Local Government. (7)
 - ? The constitution should provide that Councilors should be paid by the government.
 - ? The constitution should provide that the public service commission should determine councilors remuneration and allowances.
 - ? The constitution should provide that an independent standing committee should determine the remuneration of councilors. (2)
 - ? The constitution should provide that the local government should determine the remuneration of councilors.
 - ? The constitution should provide that we should retain nominated councilors. (5)
 - ? The constitution should provide that we should not have nominated councilors. (4)
 - ? The constitution should provide that rules should be formulated to govern the conduct of councilors. (2)
 - ? The constitution should provide that the president or minister for local government should have power to dissolve the council. (6)
 - ? The constitution should provide that the parliament should have power to dissolve the council.
 - ? The constitution should provide that the local councils should reduce charges on license for small business.
 - ? The constitution should provide that license payments should be simplified.

5.3.12 ELECTORAL SYSTEMS AND PROCESSES

- ? The constitution should provide that we should adopt a secret ballot electoral system. (2)
- ? The constitution should provide that we should practice the representative electoral system. (5)
- ? The constitution should provide that we should retain the simple majority rule as a basis of

- winning elections. (6)
- ? The constitution should provide that the electoral system should be designed to increase the participation of women. (3)
 - ? The constitution should make a successful president to garner 50% of the total votes. (3)
 - ? The constitution should make a successful president to garner 52% of the total votes.
 - ? The constitution should make a successful president to garner 45% of the total votes.
 - ? The constitution should make a successful president to garner 65% of the total votes.
 - ? The constitution should not allow for nominees who have lost in one party to switch to another. (6)
 - ? The constitution should allow for nominees who have lost in one party to switch to another.
 - ? The constitution should provide that defection from one party to another should not be allowed.
 - ? The constitution should provide that any party crossing to join another party should be dissolved.
 - ? The constitution should provide that any defections should not be allowed to contest for any seats. (2)
 - ? The constitution should provide that the 25% in 5 provinces rule for presidential election should be abolished. (2)
 - ? The constitution should provide that the 25% requirement in presidential election should be in 8 provinces.
 - ? The constitution should provide that 1/3 of seats should be reserved for women.
 - ? The constitution should provide that we should reserve seats for specific interest groups like NGOs.
 - ? The constitution should provide that seats should be reserved to persons with disabilities in our national assembly.
 - ? The constitution should provide that municipality councils should not exceed 12 square kilometers.
 - ? The constitution should provide that the Kuria constituency should be split into two. (3)
 - ? The constitution should provide that Kuria should be sub divided into more constituencies. (7)
 - ? The constitution should provide that constituency boundaries should be drawn according to the population. (6)
 - ? The constitution should provide that the demarcation of the constituencies is satisfying.
 - ? The constitution should provide that Parliamentary seats should be increased by 105 to 327 seats.
 - ? The constitution should provide that a district should have at least 3 MPs.
 - ? The constitution should provide that the municipal council should cover an area of 6km sq.
 - ? The constitution should provide that civic election should be separated from parliamentary elections.
 - ? The constitution should provide that the presidential, parliamentary and civic elections should be held separately. (3)
 - ? The constitution should provide that the presidential, parliamentary and civic elections should be held simultaneously. (3)
 - ? The constitution should allow for independent candidates. (2)
 - ? The constitution should provide for a mechanism in which all the all the civic, parliamentary and presidential aspirants are given tight security during election period. (2)

- ? The constitution should provide that the election process should be simplified.
- ? The constitution should provide that teachers should be given leave of absence in order to contest during election.
- ? The constitution should provide that there should be a limit on election expenditure. (4)
- ? The constitution should provide that the electoral commission should put in place mechanisms to limit expenditure during election. (2)
- ? The constitution should provide for an election calendar. (6)
- ? The constitution should provide that the president should be elected directly by the people. (11)
- ? The constitution should provide that the electoral process of 2002 should be conducted as the one of 1997.
- ? The constitution should make vote counting be done at polling stations.
- ? The constitution should provide that the elections should be conducted in 2002 irrespective of the constitution review.
- ? The constitution should provide that the electoral commissioners should have experience in public affairs.
- ? The constitution should provide that the electoral commissioners should be graduates in law and aged 45 years and above.
- ? The constitution should provide that the electoral commissioners should have an O level of education.
- ? The constitution should provide that the electoral commissioners should be elected by the parliament. (5)
- ? The constitution should provide that the president should appoint the electoral commissioners. (2)
- ? The constitution should provide that the community should recommend the electoral commissioners.
- ? The constitution should provide that the electoral commissioners should enjoy security of tenure. (5)
- ? The constitution should provide that the electoral commissioners should serve for 20 years.
- ? The constitution should provide that the electoral commissioners should serve up to the age of 70 years.
- ? The constitution should provide that the electoral commissioners should retire immediately after election.
- ? The constitution should provide that the electoral commissioners should retire a years after the election.
- ? The constitution should provide that the electoral commissioners retirement should be pensionable.
- ? The electoral commissioners should be removed from office by retirement, misconduct and sickness.
- ? The constitution should provide that the electoral commission should be funded through a consolidated fund in the exchequer.
- ? The constitution should provide that the electoral commission should be funded by the central government.
- ? The constitution should provide that the number of electoral commissioners should be increased depending on demand of the service.

- ? The constitution should provide that there should be 5 electoral commissioners per province.
- ? The constitution should provide that the electoral commission should be free and independent.
- ? The constitution should provide that counting of votes should be done using modern technology.
- ? The constitution should provide that votes should be counted at the polling station. (4)
- ? The constitution should provide that there should be no interference of elections by the contestants.

5.3.13 BASIC RIGHTS

- ? The constitution should provide that the fundamental rights are not adequately provided. (2)
- ? The constitution should guarantee all Kenyans freedom of expression. (5)
- ? The constitution should guarantee all Kenyans freedom of worship. (8)
- ? The constitution should censor religious worships such as cults and devil worship. (2)
- ? The constitution should provide that all Kenyans be free to visit any country without conditions.
- ? The constitution should guarantee all Kenyans freedom of movement. (3)
- ? The constitution should provide that death penalty should be abolished. (6)
- ? The constitution should provide that death penalty should not be abolished. (2)
- ? Constitution should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans. (8)
- ? The constitution should provide that the responsibility of ensuring that all Kenyans enjoy basic rights should be vested on the government.
- ? The constitution should provide that the government should guarantee all Kenyans protection of their property. (2)
- ? The constitution should provide free health facilities all over the country. (9)
- ? The constitution should provide that orphans should be given free education.
- ? The constitution should provide that there should be cost sharing in health services. (2)
- ? The constitution should provide that mothers and babies should be entitled to free health care in government hospital.
- ? The constitution should provide that all Kenyans should have guarantee to security. (2)
- ? The constitution should provide that all employment agencies should employ persons with disabilities according to the skills.
- ? The constitution should provide that all Kenyans should have free medical. (12)
- ? The constitution should provide that there should be free medical care for young children and the old people.
- ? The constitution should provide that the government should provide clean drinking water to the people of Kenya.
- ? The constitution should grant free education. (5)
- ? The constitution should provide that the government should pay school fees for the poor students.
- ? The constitution should provide that the government should revive Kenya school equipment scheme.
- ? The constitution should provide that canning in schools should be abolished.

- ? The constitution should provide that teachers should be reviewed for them to be more effective.
- ? The constitution should provide that all qualified Kenyans should be employed. (7)
- ? The constitution should provide that any unemployed person should be entitled to monthly allowance of ksh. 3000.
- ? The constitution should establish a policy of one-man one job.
- ? The constitution should provide that women should be considered in employment. (2)
- ? The constitution should provide that the retirement age should be 55 years.
- ? The constitution should provide that pensioners should be paid promptly.
- ? The constitution should provide that the government should give allowances to all above 50 years.
- ? The constitution should provide that education should be free and compulsory up to primary level. (10)
- ? The constitution should provide that education should be free and compulsory up to university. (5)
- ? The constitution should provide that education should be free and compulsory up to secondary level.
- ? The constitution should provide that education should be free and compulsory for nursery school children.
- ? The constitution should provide that education should be free and compulsory up to secondary level orphans. (6)
- ? The constitution should address the issue of police harassment. (1)
- ? The constitution should be made available to all Kenyans. (2)
- ? All Kenyan people should have access to information in the hands of the government. (5)
- ? The constitution should be written Swahili.
- ? The constitution should be written in simple language for all to understand. (2)
- ? The constitution should provide that commissions of inquiry should make their finding publicly. (2)
- ? The constitution should provide that civic education should be continuous.
- ? The constitution should guarantee all workers the right to trade union representation. (2)
- ? The constitution should not guarantee all workers the right to trade union representation.

5.3.14 RIGHTS OF VULNERABLE GROUPS

- ? The constitution should provide that the interests of women are not fully guaranteed in the constitution. (3)
- ? The constitution should provide that the rights of the disabled are not taken care of adequately. (4)
- ? The constitution should provide that disabled persons should be equally employed.
- ? The constitution should provide that there should be special stairs for the disabled in the building.
- ? The constitution should provide that sign language should be adopted in the constitution.
- ? The constitution should provide that special matatus should be devised for the disabled person.
- ? The constitution should provide that there should be free education for the disabled. (5)

- ? The constitution should compel the government to set up a special fund to assist the disabled. (2)
- ? The constitution should protect the rights of the children. (4)
- ? The constitution should provide that the girl child should be educated freely from form one. (3)
- ? The constitution should provide that child labor should be outlawed. (2)
- ? The constitution should provide that street children should be taken to approved schools.
- ? The constitution should provide that early marriages should be abolished. (3)
- ? The constitution should provide that the government should cater for the orphans. (3)
- ? The constitution should provide that children should have a right to free education. (6)
- ? The constitution should provide that people affected by land clashes should be compensated.
- ? The constitution should provide that widows and orphans should be protected by the constitution. (4)
- ? The constitution should protect the elderly, youth and the minority groups. (3)
- ? The constitution should provide that the government should help the poor people. (2)
- ? The constitution should provide that affirmative action for women should be provided for. (3)
- ? The constitution should provide that there should be affirmative action for the vulnerable.
- ? The constitution should provide that there should be affirmative action for the marginalized groups. (2)
- ? The constitution should provide that affirmative action should be adopted for the children's rights. (2)
- ? The constitution should provide that suspects should not be kept in police custody for more than 24 hours.
- ? The constitution should provide that the rights of the prisoners should be addressed in the constitution.
- ? The constitution should provide that the prisons should be improved.
- ? The constitution should provide that the prisons should be divided to cater for different age groups.

5.3.15 LAND AND PROPERTY RIGHTS

- ? The constitution should provide that the state should have the ultimate ownership of land.
- ? The constitution should provide that individuals should have the ultimate ownership of Land. (2)
- ? The constitution should provide that the local community should have the ultimate land ownership. (2)
- ? The constitution should provide that the government should have the power to compulsory acquire private land for any purpose with adequate compensation. (4)
- ? The constitution should provide that the government should not have power to compulsory acquire private land for any purpose with adequate compensation.
- ? The constitution should provide that the state, government or local authority should not have the power to control the use of land by the owner.
- ? The constitution should provide that the state, government or local authority should not have the power to control the use of land by the owner.
- ? The constitution should provide that family land should not be sold unless agreed upon by

family members.

- ? The constitution should provide that the office of the DC should handle Land disputes.
- ? The constitution should provide that unmarried women should inherit their parents' property.
- ? The constitution should provide that all children should have equal rights to inheritance. (4)
- ? The constitution should provide that title deeds should be issued to one landowner. (2)
- ? The constitution should provide that women should be consulted during buying and selling of land. (2)
- ? The constitution should provide that the transfer and inheritance of land rights should be addressed in the constitution. (4)
- ? The constitution should provide that buying and selling of public land should be gazetted.
- ? The constitution should give both men and women equal access to land.
- ? The constitution should fix land ceiling to 1000 acres.
- ? The constitution should fix land ceiling to 5000 acres.
- ? The constitution should not fix the land ceiling.
- ? The constitution should address the issue of land ceiling. (2)
- ? The constitution should prohibit non-Kenyans from owning land. (5)
- ? The constitution should provide that title deeds should be issued free of charge. (3)
- ? The constitution should provide that we should simplify the transfer procedures by minimizing the fee on land deals. 4)
- ? The constitution should allow land cases to be handled by the local elders. (2)
- ? The constitution should make property ownership to be in the names of both spouses. (3)
- ? The constitution should provide that all pre-independence land treaties and agreements should be retained.
- ? The constitution should provide that all pre-independence land treaties and agreements should be reviewed.
- ? The constitution should provide that Kenyans should be allowed to own land any where without restrictions. (9)
- ? The constitution should provide that every Kenyan should have access to land. (5)
- ? The constitution should provide that all land allocations for infrastructure, industry, forestry and mining should be under the government trust.

5.3.16 CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- ? The constitution should provide that Kenya's ethnic and cultural diversity does not contribute to a national culture. (3)
- ? The constitution should provide that cultural and ethnic diversity should be protected and promoted by the constitution. (5).
- ? The constitution should provide that cultural and ethnic diversity should be protected and promoted by the constitution while others should be done away with. (2)
- ? The constitution should provide that cultural and ethical values derived from our collective experience should be captured in the constitution. (3)
- ? The constitution should provide that the kuria community should be recognized as a distinct group. (4)
- ? The constitution should provide that the Kurias should be given ministerial/senior position. (3)

- ? The constitution should provide that Kurias councils of elders should be recognized by the constitution.
- ? The constitution should bar any mode of discrimination on ethnic basis. (6)
- ? The constitution should provide that discrimination of women under customary traditions should be removed. (2)
- ? The constitution should provide that the constitution should abolish the circumcision of girls. (8)
- ? The constitution should allow for circumcision of girls.
- ? The constitution should protect girls from early marriage. (2)
- ? The constitution should bar any mode of discrimination against people with disability.
- ? The constitution should ban traditional marriage between women.
- ? The constitution should provide that we should have one national language Kiswahili. (3)
- ? The constitution should provide that we should have one national language.
- ? The constitution should provide that English and Kiswahili should be the national language.
- ? The constitution should recognize and protect the indigenous languages. (4)
- ? The constitution should not recognize and protect the indigenous languages.

5.3.17 MANAGEMENT OF NATURAL RESOURCES

- ? The constitution should provide that the executive should not retain power to raise and distribute financial resources and management of national resources.
- ? The constitution should provide that the Kenya revenue authority should not retain power to raise and distribute financial resources and management of national resources.
- ? The constitution should provide that Parliament should retain power to authorize the raising and appropriation of public finances.
- ? The constitution should provide that Harambee contribution should continue. (2)
- ? The constitution should provide for a mechanism in which the national resources give equitably distributed. (12)
- ? The constitution should provide that government should retain 49% benefits from the resources and 50% goes to the communities where the resources came from.
- ? The constitution should provide that government should retain 25% benefits from the resources and 75% goes to the communities where the resources came from.
- ? The constitution should provide that the income generated within the local authorities be used within the locality.
- ? The constitution should provide that controller and the auditor general should check the government handling of public finances.
- ? The constitution should provide that Parliament should put in strict measures on employees and put heavy taxes on those who mismanage public funds.
- ? The constitution should only allow for ministers who have relevant requisite knowledge for relevant ministries. (3)
- ? The constitution should provide that the ministers should not be members of parliament. (3)
- ? The constitution should provide that better terms and conditions of work and good salary should attract competent Kenyans to work in the public service.
- ? The constitution should compel the government to put in place mechanisms geared towards curbing corruption. (2)

- ? The constitution should provide that Kuria MPs should be appointed ministers.
- ? The constitution should provide that public service commission should appoint all public officers. (2)
- ? The constitution should provide that public officers should be subject to transfers.
- ? The constitution should provide that any public officers involved in the theft of public resources should be prosecuted.
- ? The constitution should provide that members of the PSC should be appointed by the government.
- ? The constitution should provide that there should be a code of ethics for public officers. (3)
- ? The constitution should compel public officers to declare their wealth. (3)

1. ENVIRONMENT AND NATURAL RESOURCES

- ? Kenya revenue authority on behalf of the people should own natural resources.
- ? The local communities should oversee the resources because they earn 51% at source.
- ? The constitution should protect all natural resources.
- ? The Kenya revenue authority should be responsible for the management and protection of all natural resources.
- ? The local communities should have the responsibilities of managing the natural resources.
- ? Natural resources should be managed and protected by a full personnel employed by the authority.

2. PARTICIPATORY GOVERNANCE

- ? The constitution should provide that NGOs and CBOs should play a role of availing participation.
- ? The constitution should respect all civil society organizations.
- ? The constitution should provide that the clergy should be recognized in the society.
- ? The constitution should provide that sign language interpreter should be provided in the national TV.
- ? The constitution should provide that NGOs and CBOs should operate without government interference.
- ? The constitution should provide that the state should not regulate the conduct of the civil society organizations including media.
- ? The constitution should provide that any one starting a new church should seek approval from parliament.
- ? Constitution should not institutionalize the role of civic society organizations.
- ? The constitution should provide that women should have 1/3 of seats in the cabinet and all other senior positions.
- ? The constitution should provide that lands board should be composed of women.
- ? The constitution should provide that women should participate in governance. (2)
- ? The constitution should provide that persons with disability should be represented in decision and policy-making processes. (4)
- ? The constitution should provide that youths right in governance should be well defined. (2)
- ? The constitution should provide that the minority groups should be involved in governance.
- ? The constitution should provide that the elderly should be included in participatory

governance.

3.INTERNATIONAL RELATIONS

- ? The constitution should provide that the conduct of foreign affairs should be the responsibility of foreign affairs committee in parliament. (2)
- ? The constitution should provide that conduct of foreign affairs should be the responsibility of the executive.
- ? The constitution should provide that some international treaties, conventions, regional and bilateral treaties should have automatic effects domestic laws and they need to be reviewed.
- ? The constitution should provide that laws and regulations made by regional organizations that Kenya belong should have an automatic effect in domestic laws.

4.CONSTITUTIONAL COMMISSIONS INSTITUTIONS AND OFFICES

- ? The constitution should establish an economic commission in the constitution to expand economic development in Kenya.
- ? The constitution should provide that a special commission should be established to oversee how the election will be funded.
- ? The constitution should make provisions for constitutional commission and offices. (2)
- ? The constitution should establish the institution of Ombudsman. (7)
- ? The constitution should set up a human rights commission. (2)
- ? The constitution should set up a gender commission.
- ? The constitution should set up an anti corruption commission. (4)
- ? The constitution should set up a land commission. (2)
- ? The constitution should provide for public service parliamentary committee to supervise presidential appointments.
- ? The anti corruption commission should handle cases related to corruption in the country.

5.3.22 SUCCESSION AND TRANSFER OF POWER

- ? The constitution should provide that the chief justice should be in charge of executive power during presidential elections.
- ? The constitution should provide that the head of civil service should be in charge of executive power during presidential elections.
- ? The constitution should provide that the speaker of the national assembly should be in charge of executive power during presidential elections.
- ? The constitution should provide that the chairman of the electoral commission should declare the presidential election results.
- ? The constitution should provide that the incoming president should assume office 3 months after election results.
- ? The constitution should provide that the Arch Bishop of Nairobi should swear in the incoming president on the following year.

- ? The constitution should provide that between the election date and the swearing in all transfers should have been completed.
- ? The constitution should provide that the retired president should be protected well by the constitution. (2)
- ? The constitution should not make provisions for a former president in terms of immunity as regards public money being embezzled.

1.WOMEN’S RIGHTS

- ? The constitution should provide that unmarried women should have a right to inherit from their parents. (2)
- ? The constitution should provide that unmarried women should not have a right to inherit from their parents.
- ? The constitution should provide that women should have a right to inherit property. (6)
- ? The constitution should provide that the government should make sure that widows are paid all dues in time once the husband is dead. (2)
- ? The constitution should provide that polygamy should be allowed only on condition that the man has wealth to cater for all his wives.
- ? The constitution should provide that dowry should be paid in accordance to the customs of the particular community.
- ? The constitution should provide that young girls should not be forced into marriages.
- ? The constitution should provide that fathers should ensure women child support and maintenance. (2)
- ? The constitution should provide that domestic violence should be prohibited and culprits attract life imprisonment.

2.INTERNATIONAL POLICY

- ? The constitution should encourage foreign investors to establish industries in the country.
- ? The constitution should provide that informational aids or donations for various projects in the country should be given to the local communities.

3.NATIONAL ECONOMIC

- ? The constitution should protect local industries.
- ? The constitution should provide that the government should control importation of goods that are produced in the nation.
- ? The constitution should provide that there should be industries in the rural areas especially in Kuria land.
- ? The constitution should provide that the government should develop the local industries.
- ? The constitution should provide that the government should employ measures to reduce poverty.
- ? The constitution should provide that the government should support the jua kali sector to eradicate poverty.
- ? The constitution should provide that the government should budget funds through women and orphans welfare society of Kenya.

- ? The constitution should provide that the government should provide electricity.
- ? The constitution should provide that public roads should be well maintained. (2)

4.NATIONAL OTHER

- ? The constitution should put in place mechanisms to combat HIV/AIDS pandemics. (2)
- ? The constitution should provide that drugs for AIDS should be distributed by the government to health institutions.
- ? The constitution should provide that law abiding Kenyans should acquire small firearms for self-defense like in Tanzania.
- ? The constitution should provide that the police should not harass citizens. (3)
- ? The constitution should recognize vigilante groups. (4)
- ? The constitution should provide that police should not arrest people without any warrant.
- ? The constitution should provide that the police should be paid well to stop bribes.
- ? The constitution should provide that the government should increase public security.
- ? The constitution should provide that the police shall not kill innocent wananchi but protect them.
- ? The constitution should provide that the government shall ensure that Kenyans security personnel guarantee Kenyans enough personal property security.
- ? The constitution should provide that corruption should be eliminated. (10)

5.3.27 SECTORAL POLICY

- ? The constitution should provide that the agricultural sector shall be protected (2).
- ? The constitution should provide that the government shall buy all agricultural produce from the farmers and sell these produce at a lower price.
- ? The constitution should provide that the government shall offer subsidies to farmers when prices fall and when harsh weather conditions ruin the crops.
- ? The constitution should provide that farmers shall be protected from importation of goods that are locally available.
- ? The constitution should provide that extension workers shall advise farmers on how to improve agriculture (2).
- ? The constitution should provide that farmers shall be recognized and respected by the constitution.
- ? The constitution should provide that the government shall help farmers in production and marketing of produce (7).
- ? The constitution should provide that the government shall protect farmers by not importing locally produced foodstuffs.
- ? The constitution should provide that the government shall build factories at the proximity of the farmers.
- ? The constitution should provide that nursery school education shall be promoted and adult education emphasized.
- ? The constitution should provide that the state through the government shall make a provision through which funds are provided to pay for the education system.
- ? The constitution should provide that the 8.4.4 system of education shall be abolished and we revert to 7.4.2.3 system.

- ? The constitution should provide that we shall adopt an education system that is geared to prepare scholars for self reliance.
- ? The constitution should provide that primary school teachers shall be employed by the government.
- ? The constitution should provide that there shall be an introduction of sign language and Braille in schools and colleges.
- ? The constitution should provide that nursery school teachers shall be employed by the government (3).
- ? The constitution should provide that every primary school shall have at least one nursery school and understaffing in schools shall be eradicated.
- ? The constitution should provide that bursaries shall be extended to children from poor families.
- ? The constitution should provide that bursaries shall be given to orphans to enable them pursue their education.
- ? The constitution should provide that the government shall provide for educational materials in schools freely.
- ? The constitution should provide that the pre-primary education shall be either on teacher's service commission or under social service and if under TSC, the pre primary teacher should be a TSC employee.
- ? The constitution should provide that there shall be introduction of the constitution in the school curriculum (2).
- ? The constitution should provide that the government shall ensure that parents pay a little in schools and most of the payments and management of schools is done by the government.
- ? The constitution should provide that the government shall reduce the expenses of running schools by the people and it should contribute more finances to the schools.
- ? The constitution should provide that the government shall help parents in educating their children by reducing the fees and other payments in both primary and secondary school.
- ? The constitution should provide that persons with disabilities shall be exempted from taxation.
- ? The constitution should provide that Kenyans shall show how taxes are utilized through an annual government report.
- ? The constitution should provide that the presidents tours shall be reduced because of the large expenses involved.
- ? The constitution should provide that notes and coins shall be in a way that they can easily be identified by the blind.
- ? The constitution should provide that the government shall facilitate grants and loans to enable persons with disabilities to start income generating activities.
- ? The constitution should provide that money deposited in foreign accounts shall be brought back to the country.
- ? The constitution should provide that the conditions for granting loans shall be lowered in favor of the youth.
- ? The constitution should provide that persons with disabilities shall have access to good health facilities.
- ? The constitution should provide that charges in private hospitals shall be made affordable.
- ? The constitution should provide that hospital facilities shall be disable friendly.
- ? The constitution should provide that orthopedic appliances and optical lenses shall be affordable.

- ? The constitution should provide that doctors and clinic officers or nurses shall not operate their own hospitals or clinic while still working with the government.
- ? The constitution should provide that hospitals shall be established in every district.
- ? The constitution should provide that there shall be strict measures on the importation of drugs to the country.
- ? The constitution should provide that the industries in the city are a health hazard and therefore cause a lot of pollution.
- ? The constitution should provide for freedom of press.
- ? The constitution should provide that the media shall be liberalized so that it is not only KBC which has monopoly.
- ? The constitution should provide that in case of shortage of employment, the orphans shall be helped to start small scale businesses.
- ? The constitution should provide that the government shall improve on the roads so that transport and communication is easy.
- ? The constitution should provide that the government shall be assisted through the minister in charge of water and some donor agencies to tap water from Lake Victoria.

1.LEGAL SYSTEMS

- ? The constitution should provide that customary laws which do not oppose the current development shall be adopted in the constitution.
- ? Local brews should be legalized. (4)
- ? The constitution should allow for licensing of traditional brews
- ? The constitution should provide that harsh penalties shall be given to rapists.
- ? The constitution should provide that it shall be a mandate of the husbands to write the will for their families while they are alive.
- ? The constitution should provide that permits shall not be used when holding public meetings (2).
- ? The constitution should provide that local brews shall not be legalized. (2)
- ? The constitution should provide that the constitution shall stipulate proper disaster policy.

2.GENERAL & CROSSCUTTING THEMES

- ? The constitution should provide that there shall be gender equity (2).
- ? The constitution should provide that funds allocated to a particular project shall be used for that project.
- ? The constitution should guarantee the rule of law and that all shall be equal before the law irrespective of race, sex, gender or economic status.
- ? The constitution should provide that during national holidays people who attend public meeting should be given gifts by the government.
- ? The constitution should provide that we shall have a national dressing.
- ? The constitution should provide that the national flag, Coat of arms, the public seal, national anthem and seals of the court of judicature in use shall continue.
- ? The constitution should provide that the armed cockerel and spear holding shall be removed but the shield and spear plus the color shall remain.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon Shadrack Manga MP
2. David Chacha Mathew DC
3. John Maasai Maroa Chairman
4. Josephine Mohabe Mwita
5. Ann Gati Chacha
6. Veronicah Robi Matinde
7. David Mairo
8. John Mang'era
9. Joseph Rioba Kerario
10. Mayor Joseph Chacha

Appendix 2: Civic education providers (CEPs)

1. Catholic justice and peace commission
2. Ecumenical civic education programme

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

1	0006OKKN Y	Festus Marwa Mwita	CBO	Written	Widows and Orphans Welfare
2	0007OKKN Y	Jessica Gati	CBO	Written	Umoja Nyaitara Group
3	0005OKKN Y	John Chacha	CBO	Written	Mama na Baba Women Group
4	0004OKKN Y	John Gariga	CBO	Memorandum	Nyamunyaroy Youth Group
5	0002OKKN Y	Maroa W Abednego	CBO	Memorandum	St. Jude's Conselling Centre
6	0003OKKN Y	Maroa W Abednego	CBO	Memorandum	Kuria District Disability Fo
7	0157IKKNY	Abdulrahman Chacha	Individual	Oral - Public he	
8	0183IKKNY	Abedi Marwa	Individual	Oral - Public he	
9	0177IKKNY	Alex Chacha	Individual	Oral - Public he	
10	0049IKKNY	Amos Kiagwi	Individual	Written	
11	0057IKKNY	Andrew Jomo	Individual	Written	
12	0006IKKNY	Angeline Boke	Individual	Oral - Public he	
13	0047IKKNY	Ann Kiangio	Individual	Written	
14	0021IKKNY	Anna Gimero	Individual	Written	
15	0016IKKNY	Anonymous	Individual	Written	
16	0085IKKNY	Beatrice Robi	Individual	Memorandum	
17	0023IKKNY	Bhoke Muniko	Individual	Written	
18	0009IKKNY	Bishop Daniel W Kehengu	Individual	Memorandum	
19	0020IKKNY	Boke Rioba	Individual	Written	
20	0097IKKNY	Boniface Mwita	Individual	Oral - Public he	
21	0187IKKNY	Brotas Mogure	Individual	Oral - Public he	
22	0153IKKNY	Callen Kemunto	Individual	Oral - Public he	
23	0133IKKNY	Carilus Omwai	Individual	Oral - Public he	
24	0159IKKNY	Chacha Bongate	Individual	Oral - Public he	
25	0082IKKNY	Chacha Bongate	Individual	Written	
26	0144IKKNY	Chacha Masuba	Individual	Oral - Public he	
27	0105IKKNY	Chacha Mohere	Individual	Oral - Public he	
28	0067IKKNY	Chacha Simagwi	Individual	Written	
29	0004IKKNY	Charles Boke	Individual	Memorandum	
30	0138IKKNY	Charles M Wambura	Individual	Oral - Public he	
31	0167IKKNY	Charles Mogaya	Individual	Oral - Public he	
32	0169IKKNY	Charles Mwita Nyakehore	Individual	Oral - Public he	
33	0107IKKNY	Cleophas W Wangu	Individual	Oral - Public he	
34	0028IKKNY	Crati Molatino	Individual	Written	
35	0143IKKNY	Cristopher Marwa	Individual	Oral - Public he	
36	0161IKKNY	Dalmas Wambura	Individual	Oral - Public he	

37	0090IKKNY	Daniel Katenge	Individual	Oral - Public he	
38	0091IKKNY	Daniel Mosabi Mwita	Individual	Oral - Public he	
39	0132IKKNY	Daudi Ododa	Individual	Oral - Public he	
40	0014IKKNY	David A Wambura	Individual	Written	
41	0089IKKNY	David Kareng'e Chacha	Individual	Oral - Public he	
42	0160IKKNY	David M Maroa	Individual	Oral - Public he	
43	0077IKKNY	David Omburo Meja	Individual	Memorandum	
44	0148IKKNY	Diana Manga	Individual	Oral - Public he	
45	0142IKKNY	Dickson Mwita	Individual	Oral - Public he	
46	0150IKKNY	Dorothy Kwamboka	Individual	Oral - Public he	
47	0155IKKNY	Edith Ochuna	Individual	Oral - Public he	
48	0060IKKNY	Elizabeth Boke	Individual	Written	
49	0136IKKNY	Evans Nyamweya	Individual	Oral - Public he	
50	0154IKKNY	Faith Achieng	Individual	Oral - Public he	
51	0073IKKNY	Francis Maitaria Magach	Individual	Memorandum	
52	0122IKKNY	Fred Mwita	Individual	Oral - Public he	
53	0098IKKNY	Gabriel Mburuna	Individual	Oral - Public he	
54	0134IKKNY	George Atonya	Individual	Oral - Public he	
55	0093IKKNY	George M Chacha	Individual	Oral - Public he	
56	0094IKKNY	Gisamba Mwita	Individual	Oral - Public he	
57	0042IKKNY	Gitangita Marwa	Individual	Written	
58	0054IKKNY	Gitwekere Gimero	Individual	Written	
59	0046IKKNY	Gitwere	Individual	Written	
60	0152IKKNY	Grace Gichana	Individual	Oral - Public he	
61	0170IKKNY	Hellen Moraa	Individual	Oral - Public he	
62	0186IKKNY	Hezekiel Matiko	Individual	Oral - Public he	
63	0130IKKNY	Jacob Magebe Mosama	Individual	Oral - Public he	
64	0174IKKNY	James Masu	Individual	Oral - Public he	
65	0013IKKNY	James Mohochi	Individual	Memorandum	
66	0099IKKNY	James Mununga	Individual	Oral - Public he	
67	0117IKKNY	James waisiko	Individual	Oral - Public he	
68	0127IKKNY	Jane Chacha	Individual	Oral - Public he	
69	0137IKKNY	Jane Mwita	Individual	Oral - Public he	
70	0173IKKNY	Janet Onyango	Individual	Oral - Public he	
71	0118IKKNY	Jesca Gati	Individual	Oral - Public he	
72	0092IKKNY	John Bisare	Individual	Oral - Public he	
73	0106IKKNY	John Chacha	Individual	Oral - Public he	
74	0076IKKNY	John M Mangera	Individual	Memorandum	
75	0164IKKNY	John Magaigwa	Individual	Oral - Public he	
76	0180IKKNY	John Mangere	Individual	Oral - Public he	
77	0071IKKNY	John Manginyi	Individual	Written	
78	0114IKKNY	John marwa	Individual	Oral - Public he	
79	0083IKKNY	John Nyamohanga	Individual	Memorandum	
80	0141IKKNY	John Rioba Chacha	Individual	Oral - Public he	

81	0055IKKNY	John Simagwi	Individual	Written	
82	0061IKKNY	John Simagwi	Individual	Written	
83	0111IKKNY	Johnathan Mwita	Individual	Oral - Public he	
84	0102IKKNY	Johnson C Mangetene	Individual	Oral - Public he	
85	0074IKKNY	Johnson Chacha	Individual	Oral - Public he	
86	0129IKKNY	Jonathan N Chacha	Individual	Oral - Public he	
87	0158IKKNY	Jones Magabo	Individual	Oral - Public he	
88	0078IKKNY	Joseph Ikaari Nchama	Individual	Memorandum	
89	0120IKKNY	Joseph Kimune	Individual	Oral - Public he	
90	0104IKKNY	Joseph M Chacha	Individual	Oral - Public he	
91	0101IKKNY	Joseph M Iresa	Individual	Oral - Public he	
92	0189IKKNY	Joseph Marengo	Individual	Oral - Public he	
93	0182IKKNY	Joseph Muruga Murugu	Individual	Oral - Public he	
94	0088IKKNY	Joseph O Mutabo	Individual	Oral - Public he	
95	0124IKKNY	Joseph Range Makorere	Individual	Oral - Public he	
96	0045IKKNY	Joy Sam	Individual	Written	
97	0181IKKNY	Julius Mwita	Individual	Oral - Public he	
98	0026IKKNY	Jurusa Nyagi	Individual	Written	
99	0087IKKNY	Justus Nyairo	Individual	Oral - Public he	
100	0131IKKNY	Kashi Atonya Joel	Individual	Oral - Public he	
101	0027IKKNY	Kati Wankum	Individual	Written	
102	0025IKKNY	Kimunto Maitaria	Individual	Written	
103	0163IKKNY	Linus Kiriga Chacha	Individual	Oral - Public he	
104	0179IKKNY	Magebo Sabure	Individual	Oral - Public he	
105	0066IKKNY	Maina Simagwi	Individual	Written	
106	0070IKKNY	Margaret Robi	Individual	Written	
107	0050IKKNY	Margret Amos	Individual	Written	
108	0002IKKNY	Maroa W. Abedenego	Individual	Memorandum	
109	0018IKKNY	Maruga Mwita	Individual	Written	
110	0075IKKNY	Mary Bitongori Gikuri	Individual	Oral - Public he	
111	0081IKKNY	Mary Boke	Individual	Memorandum	
112	0084IKKNY	Maryanne Boke	Individual	Written	
113	0001iIKKNY	Masai Maroa	Individual	Memorandum	
114	0145IKKNY	Masambara Mangenyi	Individual	Oral - Public he	
115	0030IKKNY	Masigityo Simagui	Individual	Written	
116	0126IKKNY	Matha Magabe	Individual	Oral - Public he	
117	0005IKKNY	Mathias Mwita	Individual	Memorandum	
118	0113IKKNY	Michael Matiko	Individual	Oral - Public he	
119	0053IKKNY	Migozi Gitwere	Individual	Written	
120	0022IKKNY	Mogesi Magioga	Individual	Written	
121	0059IKKNY	Moherai Simagwi	Individual	Written	
122	0064IKKNY	Moi Moherani	Individual	Written	

123	0063IKKNY	Mokara Rioba	Individual	Written	
124	0151IKKNY	Mophine Ouko	Individual	Oral - Public he	
125	0036IKKNY	Mugesu Peter	Individual	Written	
126	0095IKKNY	Musa Robi Mwita	Individual	Oral - Public he	
127	0017IKKNY	Musa Robi Mwita	Individual	Written	
128	0007IKKNY	Mwera Joseph	Individual	Memorandum	
129	0110IKKNY	Mwita Magaiwa	Individual	Oral - Public he	
130	0040IKKNY	Mwita Muherai	Individual	Written	
131	0108IKKNY	Mwitusia Chacha	Individual	Oral - Public he	
132	0037IKKNY	Nico Marwa	Individual	Written	
133	0116IKKNY	Nicolus mwita	Individual	Oral - Public he	
134	0010IKKNY	Nyamohanga John	Individual	Oral - Public he	
135	0068IKKNY	Nyangi Chacha	Individual	Written	
136	0029IKKNY	Nyansiri Elijah	Individual	Written	
137	0065IKKNY	Nyesaka Moherai	Individual	Written	
138	0146IKKNY	Nyondo Masambara	Individual	Oral - Public he	
139	0135IKKNY	Ojala Joseph	Individual	Oral - Public he	
140	0019IKKNY	Otiago Gimeru	Individual	Written	
141	0086IKKNY	Otuoli Mark Otuol	Individual	Memorandum	
142	0011IKKNY	Peter Chacha	Individual	Oral - Public he	
143	0032IKKNY	Peter Gimero	Individual	Written	
144	0166IKKNY	Peter Marwa	Individual	Oral - Public he	
145	0103IKKNY	Peter Mwita	Individual	Oral - Public he	
146	0080IKKNY	Peter Mwita Nchama	Individual	Written	
147	0043IKKNY	Rael Gimero	Individual	Written	
148	0069IKKNY	Rael Magioga	Individual	Written	
149	0033IKKNY	Rhoda Gotwokero	Individual	Written	
150	0178IKKNY	Rioba Nyarieso	Individual	Oral - Public he	
151	0024IKKNY	Rose Choke	Individual	Written	
152	0079IKKNY	Sabasi Marwa	Individual	Oral - Public he	
153	0008IKKNY	Samson Mwita Maroa	Individual	Oral - Public he	
154	0038IKKNY	Samson Nyeibuya	Individual	Written	
155	0062IKKNY	Samuel Moherani	Individual	Written	
156	0031IKKNY	Samuel Munino	Individual	Written	
157	0072IKKNY	Samuel Sinda Moranyi	Individual	Memorandum	
158	0115IKKNY	Samuel Sorai	Individual	Oral - Public he	
159	0044IKKNY	Sarah Kigwo	Individual	Written	
160	0012IKKNY	Sarara Matongo	Individual	Memorandum	
161	0035IKKNY	Sasi Gimero	Individual	Written	
162	0041IKKNY	Sasi Maithira	Individual	Written	
163	0056IKKNY	Sebekia Cosmas	Individual	Written	
164	0175IKKNY	Sena Nyamwanga	Individual	Oral - Public he	
165	0171IKKNY	Serina Moruguta	Individual	Oral - Public he	
166	0149IKKNY	Serine Oranga	Individual	Oral - Public he	

167	0128IKKNY	Shadrack M R Manga	Individual	Oral - Public he	
168	0051IKKNY	Simagwi Kabak	Individual	Written	
169	0112IKKNY	Solomon Marua	Individual	Oral - Public he	
170	0176IKKNY	Sophia Nyangochera	Individual	Oral - Public he	
171	0162IKKNY	Sophy Chacha	Individual	Oral - Public he	
172	0048IKKNY	Steve Rioba	Individual	Written	
173	0109IKKNY	Susan Burure	Individual	Oral - Public he	
174	0039IKKNY	Susan Gati	Individual	Written	
175	0172IKKNY	Susan Getanyi	Individual	Oral - Public he	
176	0058IKKNY	Susan Samwel	Individual	Written	
177	0125IKKNY	Teresia John	Individual	Oral - Public he	
178	0188IKKNY	Tereza Mwita	Individual	Oral - Public he	
179	0139IKKNY	Thomas Boke Mairi	Individual	Oral - Public he	
180	0015IKKNY	Thomas Chacha Matiko	Individual	Memorandum	
181	0165IKKNY	Thomas Magere	Individual	Oral - Public he	
182	0003IKKNY	Thomas Marenge	Individual	Memorandum	
183	0168IKKNY	Thomas Mokwabe	Individual	Oral - Public he	
184	0140IKKNY	Thomas Mwita	Individual	Oral - Public he	
185	0190IKKNY	Thomas Nyambeya	Individual	Oral - Public he	
186	0191IKKNY	Thomas Nyamohange	Individual	Oral - Public he	
187	0123IKKNY	Tibaya Monanga	Individual	Oral - Public he	
188	0147IKKNY	Tobias Karani	Individual	Oral - Public he	
189	0184IKKNY	Vincent Manyare	Individual	Oral - Public he	
190	0119IKKNY	Waikena Marwa	Individual	Oral - Public he	
191	0052IKKNY	Wangoi Simangwi	Individual	Written	
192	0034IKKNY	Wegesa Magioga	Individual	Written	
193	0185IKKNY	William Chacha Magiri	Individual	Oral - Public he	
194	0100IKKNY	Wilson Kiraria	Individual	Oral - Public he	
195	0121IKKNY	Yunes mwita	Individual	Oral - Public he	
196	0096IKKNY	zachary Chacha	Individual	Oral - Public he	
197	0001OKKNY	Sammy Chacha	Religious Organisation	Memorandum	Kuria Theological Students
198	0156IKKNY	Charles Chacha		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

TARANGANYA HIGH SCHOOL

No	Name:	Address:	No	Name:	Address:
1	Maasai Marwa	P.O. Box 108, Kehawcha	75	Chacha Ng'era	P.O. Box 161, Kehawcha
2	Moraa William	P.O. BOX 309, Suna	76	Conc. Gesamba Mwita	P.O. Box 288, Kehawcha
3	Thomas Marengo	P.O. Box 121, Kehawcha	77	John Mangera	P.O. Box 104, Kehawcha
4	Charles Boke	P.O. Box 97, Kehawcha	78	Mary Gikuuri	P.O. Box 104, Kehawcha
5	Mathias B. Mwita	P.O. Box 30, Kehawcha	79	Cowc Joseph Rioba	P.O. Box 104, Kehawcha
6	Angeline Bhoke	P.O. Box 209, Kehawcha	80	Musa Robi	P.O. Box 97, Kehawcha
7	Mwera Joseph	P.O. Box Kehawcha	81	Sammy M. Chacha	P.O. Box 30, Kehawcha
8	Samwel Sinda	P.O. Box 132, Kehawcha	82	David M. Wambura	P.O. Box 68, Kehawcha
9	Justus Nyairo Kevesa	P.O. Box 132, Kehawcha	83	Joseph Sehe	P.O. Box 4, Kehawcha
10	Stephen Mwita Gisiri	P.O. Box 4, Kehawcha	84	James Nyamuhanga	P.O. Box 65, Kehawcha
11	Joseph Otaigo	P.O. Box 4, Kehawcha	85	Chacha Zachary	P.O. Box 170, Kehawcha
12	Samson Mwita Maroa	P.O. Box 288, Kehawcha	86	Bonface	P.O.Box 61, Kehawcha
13	David Kerenge	P.O. Box 74, Kehawcha	87	Thomas Chacha Matiko	P.O. Box 73, Kehawcha
14	Bishop Daniel Kehengu	P.O. Box 288, Kehawcha	88	Gabriel Buruna	P.O.Box 97, Kehawcha
15	Nyamohanga John	P.O. Box 420, Suna	89	Chacha Seriria	P.O. Box 140, Kehawcha
16	Nyamohanga Francis	P.O. Box 4, Kehawcha	90	Isaia maroa Gisiri	.O. Box 67, Kehawcha
17	Daniel Getende	P.O. Box 82, Kehawcha	91	Chacha Felix	P.O.Box 131, Isibania
18	Peter Chacha	P.O. Box 96, Isibania	92	Charles matinde	P.O. Box 4, Kehawcha
19	Sarara Matongo	P.O. Box 68, Kegonga	93	Thomas Matiko	P.O. Box 4, Kehawcha
20	Wilson Rogoro	P.O. Box 34, Kehawcha	94	John Chacha	P.O. Box 82, Kehawcha
21	Daniel Mosambi	P.O. Box 115, Kegonga	95	Daniel Chacha	P.O. Box 82, Kehawcha
22	John Bisare	P.O. Box 140, Kehawcha	96	Cllr. J.C. Mangiteni	P.O. Box 158, Kehawcha
23	James Mohochi	P.O. Box 132, Kehawcha	97	Joseph Mwita	P.O. Box 67, Gibarori
24	George Michael	P.O. Box 104, Kehawcha	98	Joseph Muninko	P.O. Box 1, Kegonga

25	Daniel Mwita	P.O.Box 164, Kehawcha	99	Wilson Kerario	P.O. Box 80, Kehancha
26	Thomas Mwikwabe	P.O. Box 127, Kehawcha	100	Jane Chacha	P.O. Box 4, Kehancha
27	John Gariga	P.O. Box 21, Kehawcha	101	Jackson Mwita	P.O. Box 4, Kehancha
28	Charles Nchagwa	P.O. Box 210, Kehawcha	102	Charles Mwita	P.O. Box 4, Kehancha
29	Ann Gati Chacha	P.O. Box 79, Hehancha	103	Marwa marigo	P.O. Ikerege
30	Paul Rotichi	P.O. Box 1, Kehancha	104	Nyaboha Marwa	P.O. Box 45, Kehancha
31	Paul Chacha	P.O. BOX 95, Kehancha	105	Nyamohanga	P.O. Box 65, Kehancha
32	Paul chacha	P.O. Box 83, Kehancha	106	Joseph Mohochi	P.O. Box 166, Kehancha
33	Paul Railo	P.O.Box 121, Kehanca	107	James Monanka	P.O. Box 103, Kehancha
34	Kerarco Wilson	P.O. Box Ikerege	108	Chacha Moheral	P.O. Box 78, Kehancha
35	Chacha Nerema	P.O. Box 4, Kehancha	109	Thomas Chacha	P.O. Box 31, Kehancha
36	Peter Kihita	P.O. Box 4, Kehancha	110	Isacah Mojumbe	P.O. Box 58, 58, Isibania
37	Oscar Okello	P.O. Box 1, Kehancha	111	John Chacha	P.O. Box 67, Kehancha
38	Musilia	P.O. Box 1, Kehancha	112	Mako Watwega	P.O. Box 40, Kehancha
39	Joseph Mwita	P.O. Box 1, Kehancha	113	Cleofhasi Mahiri	P.O. Box 78, Kehancha
40	Stephen Marwa	P.O. Box 13, Kehancha	114	Charles Mogeno	P.O. Box 4, Kehancha
41	Nashon Jumi	P.O. Box 4, Kehancha	115	Mwita magaiwa	P.O. Box 48, Kehancha
42	Joseph iresa	P.O. Box 4, Kehancha	116	Amos Lucas	P.O. Box 48, Kehancha
43	Peter Chacha	P.O. Box 150, Kebobono	117	Sigiria Mwita	P.O. Box 48, Kehancha
44	Mohamed	P.O. Box Kehancha	118	Mwitusia Chacha	P.O.Box 30, Kehancha
45	Jason Rioba	P.O.Box 29, Kegonga	119	Jackson Robi	P.O. Box 4, Kehancha
46	James Sagara	P.O. Box 4, Kehancha	120	Elizabeth Chacha	P.O. Box 4, Kehancha
47	Peter S. Mwita	P.O. Box 206, Kehancha	121	Susan Nchagwa	P.O. Box 155, Kehancha
48	Daniel Mosabi	P.O. Box 73, Kehancha	122	Nyamohanga	P.O. Box 4, Kehancha
49	Seline Nchagwa	P.O. Box 13, Kehancha	123	Jessacah Gati	P.O. Box 2, Kegonga
50	Boniface Mwita	P.O. Box 76, Kegonga	124	Michael Magige	P.O. Box 233, Kehancha
51	Elizabeth Chacha	P.O. Box 30, Kehancha	125	Mogosi Mohono	P.O. Box 128, Kehancha
52	Mwita Magaiwa	P.O. Box 48, Kehancha	126	Chacha Rioba	P.O. Box 92, Kehancha

53	Jonathan Mwita	P.O. Box 164, Kehancha	127	Joseph Chacha	P.O. Box 92, Kehancha
54	Mokami Mwita	P.O. Box 4, Kehancha	128	Welkena Marwa	P.O. Box 42, Kehancha
55	Solomon Marwa	P.O. Box 52, Kegonga	129	Ttibaya Monanka	P.O. Box 155, Kebobono
56	Michael Matiko	P.O. Box 40, Kehancha	130	Joseph Kimune	P.O. Box 292, Kehancha
57	John Marwa	P.O. Box 155, Isibania	131	Mokami Mwita	P.O. Box 4, Kehancha
58	Philip Gati	P.O. Box 69, Isibania	132	Franco Chacha	P.O. Box Kehancha
59	Charles Mwita	P.O. Box 28, Kegonga	133	Fred Mwita	P.O. Box 4, Kehancha
60	Simion S. Yarema	P.O. Box 125, Kehancha	134	Joseph Mwikabe	P.O. Box 4, Kehancha
61	Chacha Gati	P.O. Box 63, Kegonga	135	Tibaya Monanka	P.O. Box 155, Kebobono
62	Samwel Sorai	P.O.Box 140, Kehancha	136	Joseph Range	P.O. Box 57, Kehancha
63	John Mangenyi	P.O. Box 20, Kehancha	137	Getangita Thomas	P.O. Box 4, Kehancha
64	Nicholas Mwita	P.O. Box 92, Kegonga	138	Alfrick Wambura	P.O. Box 20, Kehancha
65	Sagire Nyangria	P.O. Kegonga	139	Daniel Kerati	P.O. Box 4, Kehancha
66	James Burure	P.O. Box 13, Kehancha	140	Werema Jackson	P.O. Box 4, Kehancha
67	Michael Mohono	P.O.Box 78, Nyamotambe	141	Mwikwabe Nyaisunga	P.O. Box 4, Kehancha
68	James Weisiko	P.O. Box 4, Kehancha	142	Teresia John	P.O. Box 59, Kehancha
69	Gati Nyangi	P.O. Box Nyabikongori	143	Monanka Mark	P.O. Box 82, Kehancha
70	Sylvester Robare	P.O. Box 109, Kehancha	144	Martha Magabe	P.O. Box 1, Masongora
71	Pius Ngera	P.O. Box 107, Kehancha	145	Thomas Chacha	P.O. Box 4, Kehancha
72	Samwel Marwa	P.O. Box 107, Kehancha	146	Jane Chacha	P.O. Box 4, Kehancha
73	George Gibore	P.O. Box 20, Kehancha	147	Zablon Nyabida	P.O. Box 1 Kehancha
74	Beattha Matiko	None			

MOI NYABOHANSE SEC. SCHOOL

No	Name	Address:	No	Name:	Address:
1	Otuol mark Otuol	P.O.Box 63, Isibania	71	Selvina Nchagwa	N/A
2	Jonathan Nchereri	P.O. Box 133, Suna	72	Wilfred Wankuru	P.O. Box 72, Isibania
3	Thomas Chacha Range	P.O. Box 382, Suna	73	John Rioba	P.O. Suba-Kuria
4	Francis Maitaria	P.O. Box 81, Isibania	74	Protas Bihita	P.O. Box 49, Kehancha
5	Jacob Magabe	P.O. Box 29, Isibania	75	David O. Mecha	P.O. Box 1223, Suna
6	Mary Motongori Gikwiri	P.O. Box 179, Kehancha	76	Thomas Marwa Chacha	P.O. Suba-Kuria

7	Ojala Joseph	P.O. Box 29, Isibania	77	Dickson Mwita	P.O. Suba-Kuria
8	Kashi A. Joel	P.O. Box 29, Isibania	78	Omwai Helen	P.O. Box 29, Isibania
9	John Maroa Muhingira	P.O. Box 66, Kehancha	79	Maria Boke	P.O. Isibania
10	Johnson Chacha	P.O. Box 29, Isibania	80	Juma Mwita Chacha	P.O. Isibania
11	Hon. Shadrack Manga	P.O. Box 28190, Nairobi	81	Joseph Ikaaria	P.O. Box 54, Isibania
12	Crrl. Charles Muhiri	P.O. Box 401, Suna	82	David Ododo	P.O. Box 29, Isibania
13	John Mngera	P.O. Box 196, Kehancha	83	Titus Chacha	P.O. Box 50, Isibania
14	Thomas Mahiri	P.O. Box 93, Suna	84	Christopher Maroa	P.O. Box 29, Isibania
15	Janifer Nchama	P.O. Box 111, Isibania	85	Omwyi Carillus O.	P.O. Box 29, Isibania
16	Robert Magige	P.O. Box 29, Gibania	86	Evans Nyamwaya	P.O. Box 86, Isibania
17	Juma Josia	P.O. Box 1, Kehancha	87	George Atoya	P.O. Box 29, Isibania
18	Tobias Nyamani	P.O. Box 29, Isibania	88	Chacha masubo	P.O. Box 420, Suna
19	Janet Onyango	P.O. Box 29, Isibania	89	Sabasi Marwa	P.O. Box 120, Isibania
20	Rev. Tobbias Karan	P.O. Box 1051, Suna	90	Masambare Mangenyi	P.O. Box 63, Isibania
21	Thomas Gichama	P.O. Box 8, Isibania	91	Thomas Mwita	P.O. Box 63, Isibania
22	Gati Nyamohanga	P.O. Box 8, Isibania	92	Nyondo masambara	P.O. Box 63, Isibania
23	Susan Gati	P.O. Box 8, Isibaia	93	Reuben Ombewa	P.O. Box 143, Isibania
24	Leah Meremo	N/A	94	Joseph Nyambae	P.O. Box 29, Isibania
25	Cllr. Joseph Rioba	P.O. Box 82, Kehancha	95	Joseph Machome	P.O. Box 751, Suna
26	Machera S. John	P.O. Box 196, Isibania	96	Consilata Masubo	P.O. Box 29, Isibania
27	Charles Chacha	P.O. Box 75, Isibania	97	Oduor Benerd	P.O. Box 63, Isibania
28	Abdur Rhman Chacha	P.O. Suba Kuria	98	Calvin Ochieng'	P.O. Box 69, Isibania
29	Maryan Boke	P.O. Ntimary	99	Johnes Nyahiri	P.O. Box 903, Suna
30	Johnes magaby	P.O. Box 29, Isibania	100	Linus Kiriga Chacha	P.O. Suba-Kuria
31	Trophosa Mwita	P.O. Box 1223, Suna	101	John Ogola	P.O. Box 63, Isibania
32	Beatrice R. Mwita	P.O. Box 1223, Suna	102	Thomas Masiaga	P.O. Box 29, Isibania
33	Christin Mogesi	P.O. Suba Kuria	103	Jane Marwa	P.O. Box 195, Isibania
34	Alika Bugi	P.O. Suba Kuria	104	Peter Nchama	P.O. Box 54, Isibania
35	Antony Nsoto	P.O. Box 50, Isibania	105	Mary Gati	P.O. Suba-Kuria
36	Peter Chacha	P.O. Box 84, Isibania	106	Ohero Chacha	P.O. Box 75, Isibania
37	Thomas Nyamohanga	P.O. Box 123, Kehancha	107	margeret Robi	P.O. Suba-Kuria
38	John Mwita	P.O. Box 123, Kehancha	108	mary Boke	P.O. Box 356, Suna
39	Samwel Maru Chacha	P.O. Box 495, Isibania	109	Stephen Kehera	P.O. Isibania
40	George Magige	P.O. Box 29, Isibania	110	Joseph Murimi	P.O. Box 29, Isibania
41	Kennedy matiko	P.O. Box 420, Suna	111	Rev. Tobias Karan	P.O. Box 1051, Suna
42	David Marwa	P.O. Box 102, Isibania	112	John Magaiwa	P.O. Box 75, Isibania
43	Boke Masubo	P.O. Box 420, Suna	113	Salim Maburuku	P.O. Box 84, Suba-Kuria
44	Chacha Bongate	p.o. Box 751, Suna	114	Nestory Masai Magige	P.O. Box 75, Isibania
45	Darmas Wambura	p.o. Box 751, Suna	115	Peter Marwa	P.O. Box 161, Isibania

46	Sofia Chacha	P.O. Suba Kuria	116	Charles Rioba	P.O. Box 97, Isibania
47	Francis Oguga	P.O. Box 29, Isibania	117	Thomas Mwikwabe	P.O. Box 75, Isibania
48	Alphonsina Boke	P.O. Box 29, Isibania	118	Charles Mwita	P.O. Box 184, Suna
49	Helena Moraa	P.O.Box 50, Isibania	121	Joseph Muruga	P.O. Box 111, Isibania
50	Selina Muruguta	P.O. Box 50, Isibania	122	Maroa Abednego	P.O. Box 309, Suna
51	Rosana Gentanyi	P.O Suba-Kuria	123	Mwita mathias	P.O. Box 206, Kehancha
52	Dinana Mahanga	P.O. Box 29, Isibania	124	Mangare Matiko	P.O. Box 28, Isibania
53	Celine Oranga	P.O. Box 29, Isibania	125	Christopher Range	P.O. Box 42, Isibania
54	Dorothy Kwamboka	P.O. Box 29, Isibania	126	Francis Kasera	P.O. Box 75, Isibania
55	Grace Gichana	P.O. Box 29, Isibania	127	Patrick Marwa	P.O. Box 29, Isibania
56	Morphine Ouko	P.O. Box 29, Isibania	128	William Sinda	P.O. Box 178, Isibania
57	Caren Kemunto	P.O. Box 29, Isibania	129	Vincent Mang'are	P.O. Box 29, Isibania
58	Faith Achieng	P.O. Box 29, Isibania	130	William C. Magige	P.O. Box 63, Isibania
59	Edith Ochuna	P.O. Box 29, Isibania	131	Ezerkiel Matiko	P.O. Box 63, Isibania
60	Janet Onyango	P.O. Box 29, Isibania	132	Daniel Chacha	P.O. Box 86, Suna
61	James Maswi	P.O. Box 369, Suna	133	Sheik Otaigo	P.O. Box 86, Suna
62	Sena Nyamohanga	P.O. Box 3712, Suna	134	Elius Chacha	P.O. Box 86, Suna
63	Sofia Nyagonjera	P.O. Box 3712, Suna	135	Protas Mogore	P.O. Box 29, Isibania
64	John Nyamohanga	P.O. Box 420, Suna	136	Antony Mendo	P.O. Box 29, Isibania
65	Alex Wambura	P.O. BOX 187, Isibania	137	Rioba Chacha	P.O. Box 19, Isibania
66	Rioba Nyariese	P.O. Box Suba-Kuria	138	Thomas Nyambeya	P.O. Box 42, Isibania
67	Wafula Weikesa	P.O. Box 70, Kehancha	139	Joseph Marengo	P.O. Suba-Kuria
68	Joel Masiaga	P.O. Box 50, Isibania	140	Mwita Mwara	P.O. Box 19 Isibania
69	Magebo Sabure	P.O. Box 50, Isibania	141	John Mangenyi	P.O. Box 65, Isibania
70	Thomas Ntera	P.O. Box 50, Isibania	142	Julius M. Mwita	P.O. BOX 111, Isibania

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1. DISTRICT PROFILE

Bonchari is a constituency in Kisii District. Kisii District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	234,448	257,338	491,786
Total District Population Aged 18 years & Below	139,830	140,640	280,470
Total District Population Aged Above 18 years	94,618	116,698	211,316
Population Density (persons/Km ²)	758		

1.2. Socio-Economic Profile

Kisii District:

- Is the most densely populated district in the province;
- Has a primary school enrolment rate of 74.5% being ranked 6th in the province and 28th nationally;
- Has one of the highest secondary school enrolment rates in the province at 31.7%, being ranked 2nd in the province and 12 nationally;
- Experiences the following main diseases: malaria, anaemia, gastro-enteritis, broncho pneumonia, and tuberculosis;
- Has a 22.9% malnourishment rate of children under 5 years of age, being ranked 22nd of 42 of the nationally ranked districts;
- Has 62 of 1000 of its live babies dying before the 1st birthday, being ranked 22nd of 44 of the nationally ranked districts;
- Has a life expectancy of 52.1years, being ranked 33 of 45 of the nationally ranked districts;
- Has an absolute poverty level of 57.22% being ranked 28th of 46 nationally ranked districts;
- Has a 46.82% food poverty level being ranked 19th of 42 nationally ranked districts;
- Has an unemployment rate of 5.07%;
- Has a monthly mean income of Ksh. 6,367;
- Has 57.10% of its residents accessing clean drinking water; and
- 87.40% of its residents having safe sanitation.

Kisii district has 5 constituencies: Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies. The district's 5 MPs, each cover on average an area of 130 Km² to reach 98,357 constituents. The ruling party, KANU, won all the parliamentary seats in the 1997 general election. It won Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies with 54.57%, 49.75%, 62.09%, 83.33%, and 75.25% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Demographic Characteristics

Constituency by Sex	Population	Total	Area per Km²	Density (persons/Km²)
		86,030	126.4	680.6

2.2. Socio-Economic Profile

The economic mainstay of the locals is the production of tea, coffee, bananas, and cereals.

2.3. Electioneering and Political Information

This is a KANU stronghold. In the 1992 general election, KANU and the opposition, hotly contested for the parliamentary seat; DP won with 52.52% valid votes. The elected MP, however, defected to KANU, and consequently in 1993 a by-election was held. On a KANU ticket, the defector won the seat with 66.77% valid votes. In the 1997 general election, KANU won the seat with 54.57% valid votes. In 2002, FORD People won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			20,496
CANDIDATE	PARTY	VOTES	% VALID VOTES
Protas Momanyi	DP	6,034	52.52
Mark Bosire	KANU	4,288	37.32
Obote Motonu	FORD-A	850	7.40
Zedekiah Magare	FORD-K	317	2.76
Total Valid Votes		11,489	100.00
Rejected Votes		-	
Total Votes Cast		11,489	
% Turnout		56.05	
% Rejected/Cast		0.00	

2.5. 1993 By-Election Results

1992 TOTAL REGISTERED VOTERS			20,496
CANDIDATE	PARTY	VOTES	% VALID VOTES
Protas Momanyi	KANU	5,504	66.77

Richard N. Mbeche	FORD-K	1,276	15.48
Philip Obote	FORD-A	824	10.00
David Ntabo	DP	586	7.11
Peter Nyakundi	KSC	53	0.64
Total Valid Votes		8,243	100.00
Rejected Votes		-	
Total Votes Cast		8,243	
% Turnout		40.22	
% Rejected/Cast		0.00	

2.6. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS		26,905	
CANDIDATE	PARTY	VOTES	% VALID VOTES
John Z. Opore	KANU	9,264	54.57
John M. Orwochi	SDP	4,533	26.70
Luke M. Maangu	DP	1,675	9.87
Philip O. Motonu	FORD-P	497	2.93
Richard N. Mbeche	NDP	408	2.40
Francis O. Morema	FORD-K	219	1.29
Alex B. Momanyi	KNC	212	1.25
J.P. Nyakundi Motende	KSC	167	0.98
<i>Total Valid Votes</i>		<i>16,975</i>	<i>100.00</i>
Rejected Votes		205	
Total Votes Cast		17,180	
% Turnout		63.85	

2.7. Main Problems

This constituency is the least developed in the district. The main issues are in:

- Poor state of infrastructure;
- Severe shortage of education and health facilities;
- Rural electrification; and
- Piped water.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 17th January 2002 and 30th May 2002

4.1. Phases and issues covered in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. Issues and areas covered

- Constitution And Need For Review
- Constitution Making Process
- Organs And Levels Of Government
- Issues And Questions
- Women Participation In Review
- Rights And Freedoms Of The Individual
- Structures And Systems Of Government

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- a) Date(s): 12th and 13th June 2002
- a) Total Number of Days: 2

2. Venue

- a): Number of Venues: 2
- b) Venue(s):
 - 1) Nyamiobo Primary School
 - 2) Suneka Secondary School Hall

3. Panels

- a. Commissioners
 - 1. **Com. Riunga Raiji**
 - 2. **Com. Dr. Mohamed Swazuri**
 - 3. **Com. Dr. Abdirizak Nunow**
- b. Secretariat
 - 1. **Roselyne Nyamato** - **Programme officer**
 - 2. **Moses Ado** - **Asst. Programme Officer**
 - 3. **Zipporah Wambua** - **Verbatim Recorder**

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		128
Sex	Male	105
	Female	22
	Not Stated	1
Presenter Type	Individual	99
	Institutions	25
	Not Stated	4

Category	Details	Number
Educational Background	Primary Level	47
	Secondary/High School Level	49
	College	10
	University	11
	None	0
	Not Stated	11
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	1
	Oral	77
	Written	31
	Oral + Memoranda	0
	Oral + Written	19
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Bonchari 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

- The constitution should have a preamble. (11)
- The constitution should provide for the preamble to entrench unity of Kenyans.
- The constitution should provide for the preamble to clearly state that Kenya should be a God fearing nation.
- The preamble should reflect the common experience that addresses the cases of tribalism.

5.3.2. DIRECTIVE PRINCIPLES OF STATE POLICY

- The constitution should emphasize that correction of state policy shall be done by referendum
- The constitution should provide that Harambee should be Kenyans national philosophy.
- The constitution should provide that Kenyans need statements capturing national

philosophy and guiding principles. (2)

- The constitution should provide for the fundamental legal reforms that will usher a people centered system of government.
- The constitution should provide that the constitution making process should be one that reflects and respects the will of the people of Kenya.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that there should be 70% majority vote for any constitutional amendments.
- The constitution should retain the procedure of 65% majority vote for any parliament to amend the constitution. (2)
- The constitution should not retain the procedure of 65% majority vote for any parliament to amend the constitution.
- The constitution should provide that the parliament should only guide Kenyans to which of the constitution needs to be amended but they should not have the power to amend.
- The constitution should provide for the parliament to have limited powers to amend the constitution. (4)
- The constitution should provide that the parliament should not have the power to amend any part of the constitution.
- The constitution should emphasize that parliament shall have the power to amend only a small portion of the constitution.
- The constitution should provide that no parts of the constitution should be beyond the amending powers of the parliament.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (14)
- The constitution should provide for the electoral commissioners to conduct the referendum. (2)
- The constitution should provide for the establishment of a commission to conduct the referendum.
- The constitution should provide for the Constitution of Kenya Review Commission to conduct the referendum.

5.3.4. **CITIZENSHIP**

- The constitution should confer to all persons born of Kenyan parent's automatic citizenship. (5)
- The constitution should provide that the foreigners who have lived in Kenya for over five years should be allowed to apply for citizenship.
- The constitution should provide that Kenyan citizenship could be acquired through registration.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender, should be entitled to automatic citizenship. (6)
- The constitution should provide that a child born of one Kenyan parent, regardless of the parents' gender should be entitled to automatic citizenship. (6)
- The constitution should provide for Kenyans to enjoy basic and democratic rights and be obliged to obey the constitution.
- The constitution should be obliged to work in national building, respect the law and have

the right to life, religion, basic needs, owning of property and freedom of speech.

- The constitution should guarantee Kenyans the right to political opinion and religion.
- The constitution should guarantee human rights, freedom of movement and expression, peace and justice for Kenyans.
- The constitution should provide that the rights and obligations of Kenyan citizens should not depend on the manner in which citizenship was acquired.
- The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship. (2)
- The constitution should provide that Kenyans should carry national identity cards as proof of citizenship. (7)
- The constitution should provide that Kenyans should passports as proof of citizenship. (3)
- The constitution should provide for the r4efugees to be issued with identification cards.

5.3.5. DEFENCE AND NATIONAL SECURITY

- The constitution should provide for the establishment of disciplined forces that will defend Kenya. (8)
- The constitution should make provisions for good remuneration for police officers.
- The constitution should provide for the recruitment in the armed forces to be done in quota basis.
- The constitution should provide for the armed forces to be sacked and prosecuted or imprisoned for not less than 5 years when they break the law.
- The constitution should provide for a fair system of armed forces recruitment.
- The constitution should provide for the president to be the commander in chief of the armed forces. (2)
- The constitution should provide that the president should not be the commander in chief of the armed forces. (3)
- The constitution should provide for the parliament to appoint the commander in chief of the armed forces.
- The constitution should empower the executive to declare war but with parliaments approval. (2)
- The constitution should not empower the executive to declare war. (4)
- The constitution should provide for the policemen not to ask for bribes from any offender but should take them to court. (3)
- The constitution should provide that there should be quality training for all the police forces in Kenya.
- The constitution should provide for the eradication of corruption in the armed forces.
- The constitution should not permit the use of extraordinary powers in emergency situations such as war, national disasters, institutions and breakdown of public order. (4)
- The constitution should provide for streamlining of the Police force.
- The constitution should provide that the Police should produce an arrest warrant before making an arrest.
- The constitution should provide for the existence of vigilantes for purposes of crime protection.
- The constitution should provide that parliament should have power to declare war.
- The constitution should empower the president to invoke emergency powers. (3)
- The constitution should empower the parliament to have the authority to invoke emergency powers. (2)
- The constitution should provide for 1/3 of parliamentary to have a role in effecting emergency powers. (2)
- The constitution should provide for the members of the armed forces to be involved in the national building of roads and digging water wells.

5.3.6. **POLITICAL PARTIES**

- The constitution should provide for the political parties to play a role in social and economical mobilization.
- The constitution should provide for the political parties to play a role in creating awareness on methods and solving problems related to social and economical issues.
- The constitution should provide for the political parties to play a role in national development projects.
- The constitution should provide for the political parties to play a role in monitoring how the government uses public funds, resources and ensure that the constitution is implemented.
- The constitution should regulate the formation, management and conduct of political parties. (6)
- The constitution should provide for three political parties. (9)
- The constitution should provide for a maximum of 3 self funded political parties.
- The constitution should provide for a maximum of two political parties. (4)
- The constitution should provide that there should be ten political parties.
- The constitution should provide for funding of political parties by the government. (4)
- The constitution should provide for funding of political parties by the NGOs.
- The constitution should provide for funding of political parties by the members. (2)
- The constitution should provide for funding of political parties by the state. (2)
- The constitution should provide for funding of political parties from public coffers. (7)
- The constitution should provide for the political parties to have a national outlook and leaders who have good morals and ethics.
- The constitution should provide for the political parties to display their manifesto to the public before they could be financed.
- The constitution should provide that the top three political parties with majority representation in parliament to forward their annual estimate budget for approval by the parliament.
- The constitution should provide that all political parties should be represented in the cabinet.
- The constitution should provide for a fair system for registration of political parties.
- The constitution should provide for the state to respect manifestos of political parties in Kenya.
- The constitution should provide for all political parties and the government to work in harmony.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should retain a presidential system of government. (5)
- The constitution should provide for election of Prime Minister by the public.
- The constitution should provide for a parliamentary system of government, which shall have a Prime Minister as the head of government.
- The constitution should provide for Kenya to adopt a parliamentary system of government. (5)
- The constitution should provide for a presidential system of government.
- The constitution should make provisions for the creation of a prime ministers office and he/she should be the head of government. (2)

- The constitution should provide that the prime minister should be appointed from the party with the majority votes in parliament by the president. (2)
- The constitution should provide that the prime minister should be the head of government (3)
- The constitution should provide for the people should elect the prime minister.
- The constitution should not provide for a Prime Minister.
- The constitution should make provisions for a ceremonial president in Kenya. (3)
- The constitution should provide that the president should be the head of state and his political party. (3)
- The constitution should define the responsibilities of the prime minister.
- The constitution should not provide for a Majimbo system of government.
- The constitution should provide for a unitary system of government to enhance national unity.
- The constitution should provide for a unitary system of government. (3)
- The constitution should provide for a unitary system of government whereby all affairs of the state are controlled by the central government. (3)
- The constitution should not provide for a federal system of government.
- The constitution should provide that there should be devolution of powers to the lower levels of government. (3)
- The constitution should provide for the vice president to be elected by the people. (22)
- The constitution should provide for the parliament to appoint the Attorney General. (2)
- The constitution should make provisions for security of tenure for the AG.
- The constitution should make provisions for security of tenure for the AG.
- The constitution should provide for the AG to be answerable to the parliament and his office should be independent.

5.3.8. THE LEGISLATURE

- The constitution should give parliament power to vet all appointments including that of the Electoral Commissioners.
- The constitution should provide for the parliament to vet the appointment of judicial officers including judges and chief justices. (3)
- The constitution should provide for the parliament to vet the appointment of parastatal heads.
- The constitution should provide for the parliament to vet all the presidential appointments. (6)
- The constitution should provide for the parliament to vet the appointment of cabinet ministers and assistant ministers.
- The constitution should provide for the parliament to vet the appointment of police commissioners.
- The constitution should provide for the parliament to vet the appointment of senior government officers. (3)
- The constitution should provide for the parliament to vet the appointment of Attorney General.
- The constitution should provide for the parliament to vet the appointment of ambassadors and permanent secretaries.
- The constitution should provide for parliaments procedures and powers to be checked and limited and parliament should run according to its own calendar.
- The constitution should provide for the parliament to have power to control its own procedures but it should end on the 30th of November.
- The constitution should provide for the parliament to have power to control its own procedures. (5)
- The constitution should not allow parliament to go on recess.
- The constitution should provide for being an MP to be a full time occupation. (7)
- The constitution should provide for being an MP to be a part time occupation.
- The constitution should provide for the presidential candidates to be aged between 25 and 80 years. (3)
- The constitution should provide for the presidential candidates to be at least 70 years.
- The constitution should provide that the age required for voting should be 16 to 17 years.
- The constitution should provide that the minimum age for one to run for presidency should be 20 years and a maximum of 70 years.
- The constitution should provide that the minimum age for one to run for presidency should be 35 years and a maximum of 40 years.
- The constitution should provide that the minimum age for one to run for presidency should be 35 years and a maximum of 70 years. (2)
- The constitution should provide that the minimum age for one to run for presidency should be 35 years and a maximum of 72 years.
- The constitution should provide that an MP shall be required to attend parliament full time and shall attend all sessions except on public holidays.
- The constitution should provide for nominated MPs to be 1/3 of all MPs and that they shall represent marginal groups such as the disabled and women.
- The constitution should provide that quorum of parliament should be 1/3 of all MPs.
- The constitution should provide that an MP should be a holder of university degree.
- The constitution should provide for the introduction of moral and ethical qualifications for

members of parliament. (6)

- The constitution should give voters the right to recall non-performing MPs and those involved in misconduct.
- The constitution should give voters the right to recall non-performing MPs and those involved in misconduct by casting a vote of no confidence in them. (13)
- The constitution should provide for MPs to act on the basis of instruction from their constituents. (3)
- The constitution should give parliament autonomy.
- The constitution should provide that a bill should require 80% parliamentary support to be passed.
- The constitutions should provide that qualified advocates should be put in the legislative councils.
- The constitution should provide that an independent commission should determine MPs salaries. (4)
- The constitution should provide that a special body should determine MPs salaries.
- The constitution should provide that the people should determine MPs salaries.
- The constitution should provide that an independent commission should determine MPs salaries.
- The constitution should retain the concept of nominated MPs but they should represent marginalized communities.
- The constitution should provide for women and the disabled to be nominated to the parliament.
- The constitution should not provide for nomination of MPs. (3)
- The constitution should retain the concept of nominated MPs. (5)
- The constitution should provide that MPs should be persons of good moral and ethical qualifications.
- The constitution should provide that 50% of the seats in parliament should be reserved for women.
- The constitution should provide that there should be no special measures to increase women participation in parliament. (2)
- The constitution should provide that there should be special measures to increase women participation in parliament.
- The constitution should provide for parliamentarians to be prosecuted for any crime that they commit.
- The constitution should retain the current system whereby the dominant political party forms the government.
- The constitution should make provision for a coalition government. (10)
- The constitution should provide that Kenya should continue with multiparty system in legislature and one in the executive.
- The constitution should make provisions for a system that demands multiparty representation of both levels of government. (3)
- The constitution should provide for a two-chamber parliament, which shall consist of 40% lawyers and 60% other professionals and a lower house, which shall be composed of elected constituents. (4)
- The constitution should provide for a bicameral parliament in Kenya.
- The constitution should
- The constitution should provide for a single chamber of parliament. (4)
- The constitution should provide for the legislature to have the power to override the

presidents' veto. (3)

- The constitution should provide for the president not to have powers to veto legislation passed by parliament. (2)
- The constitution should provide for parliament to impeach the president through a vote of no confidence. (3)
- The constitution should provide for parliament to impeach the president if he/she is found guilty of high crimes
- The constitution should provide that the president should not have the power to dissolve parliament. (7)
- The constitution should provide that the president should have the power to dissolve parliament. (3)
- The constitution should provide no provision to stagger parliamentary elections
- The constitution should provide for MPs to have constituency offices. (3)

5.3.9. **THE EXECUTIVE**

- The constitution should provide for a president who should be a professional and married.
- The constitution should provide for a presidential candidate to have a diploma/degree from a recognized college /university. (5)
- The constitution should provide for a presidential candidate to be sane, morally upright and he should not have previously been declared bankrupt.
- The constitution should provide for a presidential candidate to have experience in administration and should also have served in the armed forces.
- The constitution should provide for a maximum of 2 terms of 5 years each for the president. (16)
- The constitution should define the functions of the president. (2)
- The constitution should provide for the functions of the president to be hiring and firing executives, have prerogative of mercy, conduct public ceremonies, lead Kenyan delegates to all international summits and he should be the head of state and government.
- The constitution should provide that the president should not be above the law. (11)
- The constitution should provide that president should not be the chancellor of public universities. (5)
- The constitution should limit the powers of the president. (18)
- The constitution should nor empower the president to appoint judges. (2)
- The constitution should not empower the president to issue state land to individuals. (3)
- The constitution should provide that the president should be subject to the law.
- The constitution should provide for the impeachment of the president due to misconduct. (14)
- The constitution should provide for the executive and the legislature to work independently and in harmony.
- The constitution should make provisions for independence of the executive and the parliament as a measure of balancing powers between the two arms of government.
- The constitution should provide that the president should not be a Member of Parliament. (11)
- The constitution should provide for the election of provincial administrators. (7)
- The constitution should provide that the president's age shall be 35-75 years and shall be a registered voter.
- The constitution should provide for chiefs to be elected for a maximum of 5 years.

- The constitution should provide for scrapping of the Provincial administration. (3)
- The constitution should provide that chiefs and their assistants should be answerable to the public.
- The constitution should provide for scrapping of chiefs and their assistants.
- The constitution should provide that the chiefs and their assistants should be transferable. (4)
- The constitution should provide for gender sensitivity in the Provincial Administration.
- The constitution should provide that a panel of local leaders should do the Provincial administration.
- The constitution should provide that the government should appoint chiefs and their assistants.

5.3.10. **THE JUDICIARY**

- The constitution should provide for the judiciary to be independent. (6)
- The constitution should provide for the current judiciary to be overhauled for it to regain credibility and public confidence.
- The constitution should provide for the establishment of an electoral court.
- The constitution should provide for existence of family courts.
- The constitution should provide for the establishment of a court to cater for domestic violence.
- The constitution should provide for the establishment of a disciplined judiciary.
- The constitution should provide for Supreme Court. (4)
- The constitution should provide for a permanent constitutional court. (4)
- The constitution should provide for the judicial service commission in consultation with an established panel of retired judges of integrity to appoint high court judges.
- The constitution should provide for the parliament to appoint judicial officers. (4)
- The constitution should provide for an independent body to appoint judicial officers.
- The constitution should provide that the minimum education qualification for the judicial officers should be a masters degree in law and above from a recognized university.
- The constitution should provide for the judges of the high court to have a maximum retirement age of 65 years and not 70 years.
- The constitution should provide for the security of the judicial officers to be strengthened.
- The constitution should provide for the judicial officers to have security of tenure. (3)
- The constitution should provide for the judicial officers to serve for a period of ten years.
- The constitution should provide for the judicial officers enjoying security of tenure to be sacked for any offence they commit.
- The constitution should that the judicial powers of the state to be vested exclusively in courts.
- The constitution should ensure all people have access to courts by creating awareness.
- The constitution should provide for availability of courts at divisional headquarters.
- The constitution should provide that there should be a constitutional right to legal aid in cases whereby people have been tortured, forced to confess or intimidated.
- The constitution should provide for the council of elders to solve marriage disputes.
- The constitution should provide for the government to pay council of elders. (4)
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide that village elders should be uniformed and salaried.

5.3.11. LOCAL GOVERNMENT

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council should be filled by direct popular elections. (26)
- The constitution should provide that mayors and chairmen should be appointed by councilors.
- The constitution should provide that mayors should serve a maximum of four years.
- The constitution should provide that mayors should serve for a maximum term of 5 years. (2)
- The constitution should provide that mayors should serve for a maximum term of two years. (5)
- The constitution should provide that mayors should serve for a maximum term of two and a half years.
- The constitution should
- The constitution should provide for an autonomous Local Government. (2)
- The constitution should provide that the council should not continue working under the central government. (30)
- The constitution should provide that the council should continue working under the central government. (3)
- The constitution should provide that the council should operate semi autonomous with some support from the central government.
- The constitution should provide that the minimum education qualifications to contest a civic seat should be O levels. (25)
- The constitution should provide that the minimum education qualifications to contest a civic seat should be primary levels. (2)
- The constitution should provide for councilors to pass proficiency language tests in kiswahili and English and must be able to write speak well in both languages. (8)
- The constitution should provide for the civic candidates to be aged 18 to 60 years.
- The constitution should provide for the introduction of moral and ethical qualifications for local authority seats. (5)
- The constitution should provide for councilors to be recalled in case of misconduct. (11)
- The constitution should provide for councilors to be recalled in case of misconduct through a vote of no confidence.
- The constitution should provide for councilors to be well paid.
- The constitution should provide for Electoral Commission of Kenya to determine the salaries of councilors.
- The constitution should provide for an independent body to determine the salaries of councilors.
- The constitution should retain the concept of nominated councilors. (3)
- The constitution should abolish nomination of councilors. (4)
- The constitution should provide for the president or the minister in charge of the local government to have the power to dissolve councils. (5)
- The constitution should provide for the president or the minister in charge of the local government not to have the power to dissolve councils.
- The constitution should provide for the registration of business licenses to be issued free of charge.

- The constitution should provide for the councilors to manage revenues collected from their areas of jurisdiction. (3)

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide for representative electoral systems. (5)
- The constitution should provide for simple majority rule as the basis for winning an election. (5)
- The constitution should provide for the presidential candidates to garner at least 50% of total votes cast to be declared winner. (5)
- The constitution should provide for the presidential candidates to garner at least 51% of total votes cast to be declared winner. (3)
- The constitution should provide for the presidential candidates to garner at least 65% of total votes cast countrywide to be declared winner.
- The constitution should provide for the presidential candidates to garner at least 60% of total votes cast to be declared winner.
- The constitution should provide that those candidates who fail to get nomination in one party should not be allowed to seek nomination in another party. (7)
- The constitution should provide for those who defect to other parties to pay fines.
- The constitution should not permit defection from one party to another. (4)
- The constitution should discourage defection.
- The constitution should not permit defection from one party to another particularly before the end of the 5 years term of parliament.
- The constitution should
- The constitution should provide for the individuals who defect to another party to have their seats declared vacant.
- The constitution should provide for the presidential candidate to garner 25% of total votes cast in each province. (3)
- The constitution should abolish the rule that requires the presidential candidate to garner 25% of total votes cast in each province. (5)
- The constitution should provide that there should be special seats reserved in all elected institutions for special interest groups of women, youth, the disabled the army and other minority groups. (5)
- The constitution should provide for Kenya not to retain the current geographical constituencies.
- The constitution should provide for the increase of the number of constituencies.
- The constitution should provide for the demarcation of constituencies to be based on the population density.
- The constitution should make provisions for the establishment of more wards.
- The constitution should provide for the demarcation of all constituencies to be equal.
- The constitution should provide that all electoral candidates should declare the source of their wealth.
- The constitution should provide for participation of exiles and prisoners in the elections.
- The constitution should provide that minimum voting age should be 16 years.
- The constitution should provide that Presidential and Parliamentary elections should be held on separate dates. (4)
- The constitution should provide for the presidential elections to be held three months before civic and parliamentary elections.
- The constitution should provide for the presidential elections to be held after civic and parliamentary elections. (3)
- The constitution should provide for the presidential elections to be held one month before

civic and parliamentary elections.

- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections. (3)
- The constitution should provide that the voter registration should be a continuous process. (3)
- The constitution should make provisions for transparent boxes. (3)
- The constitution should provide for the simplification of election process.
- The constitution should provide for limitation on the election expenditures by each candidate.
- The constitution should specify the date of election. (12)
- The constitution should provide for the president to be elected directly by the people. (9)
- The constitution should provide for the legislative to vet an elected president.
- The constitution should provide that elective posts age limit should be 70 years.
- The constitution should provide that there should be transparent ballot boxes for 2002 elections.
- The constitution should provide for the electoral commissioners to be holders of a university degree in law. (2)
- The constitution should provide for the electoral commissioners to be non-partisan and God-fearing persons.
- The constitution should provide for the parliament to appoint the electoral commissioners. (5)
- The constitution should provide for people to appoint the electoral commissioners.
- The constitution should provide for the MPs to appoint the electoral commissioners.
- The constitution should provide for the establishment of an independent electoral commission. (3)
- The constitution should provide for the electoral commissioners to enjoy security of tenure. (5)
- The constitution should provide for the electoral commissioners to serve for two terms of five years.
- The constitution should provide for the electoral commissioner to retire upon attaining the age of 75 years.
- The constitution should provide for the electoral commissioners to be removed from office if the judicial commission impeaches them for misconduct. (2)
- The constitution should provide for the government to fund the electoral commission.
- The constitution should provide that there should be 20 electoral commissioners.
- The constitution should provide that there should be 22 electoral commissioners.
- The constitution should provide that votes should be counted at the polling station. (5)

5.3.13. **BASIC RIGHTS**

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should provide an adequate provision for fundamental rights. (3)
- The constitution should specify what deity we should worship.
- The constitution should guarantee the freedom of worship to all Kenyans. (2)
- The constitution should abolish death penalty. (6)
- The constitution should retain death penalty for the rapists.
- The constitution should substitute death penalty with life imprisonment.

- The constitution should protect the right to life.
- The constitution should protect security, health care, water, education, shelter, food and employment as basic rights for Kenyans.
- The constitution should provide for the government to have the responsibility of ensuring enjoyment of basic rights.
- The constitution should guarantee security for every Kenyan. (12)
- The constitution should provide for the government to bring free medical services and medicines. (19)
- The constitution should abolish cost sharing in hospitals.
- The constitution should provide for the government to provide free medical care and medicines for the poor. (3)
- The constitution should guarantee clean adequate supply of water for every Kenyan. (7)
- The constitution should provide for free education for all. (20)
- The constitution should guarantee shelter. (7)
- The constitution should provide for the government to provide shelter for the poor and old Kenyans. (4)
- The constitution should guarantee food as a basic right for all Kenyans. (4)
- The constitution should provide that there should be food policy to ensure food security to all Kenyans.
- The constitution should provide for a one person-one job policy. (8)
- The constitution should abolish retrenchment of civil servants.
- The constitution should provide for government funding for the unemployed.
- The constitution should provide for the government to provide jobs opportunities for those who are educated and trained. (13)
- The constitution should provide that retirees should not be re-employed.
- The constitution should provide that a person should have a maximum of two jobs.
- The constitution should provide for the official retirement age to be 40 years.
- The constitution should prohibit the government from employing expatriates at the expense of citizens.
- The constitution should provide for the retirees to be paid their dues on time and whenever there is a salary increase so should there pension increase.
- The constitution should provide for the government to allocate some allowances to retirees to help them in up keep.
- The constitution should provide for the government to provide social security for the aged.
- The constitution should make provisions for monthly allowances of Ksh. 1800 for the unemployed Kenyans.
- The constitution should make provisions for monthly allowances for university graduates until they get employment. (7)
- The constitution should provide for the retirees to be given their benefits after 2 years. (2)
- The constitution should provide for the old people of 60 years to given some allowances.
- The constitution should guarantee welfare for the less advantaged and marginalized e. g those in North Eastern provinces.
- The constitution should provide that national identification cards should be provided only to Kenyans.
- The constitution should guarantee freedom of movement.
- The constitution should
- The constitution should provide for free and compulsory formal education, which shall be up to university level. (2)

- The constitution should provide for free and compulsory primary education. (19)
- The constitution should provide for free and compulsory formal education up to secondary level. (3)
- The constitution should provide for all Kenyans to have full access to information in the hands of the state or its agencies or organs. (4)
- The constitution should be availed in institutions like schools and bookshops.
- The constitution should provide for the public to have access to annual reports on expenditures by political parties.
- The constitution should provide that the constitution should be translated into all indigenous languages in Kenya. (4)
- The constitution should provide for media to cover all the political parties without discrimination.
- The constitution should provide for civic education to be a continuous process. (3)
- The constitution should guarantee the right of workers to form and join trade unions. (2)
- The constitution should guarantee every Kenyan, equal and non-discriminative

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should fully take care of the women's rights.
- The constitution should provide for those with disabilities financial aid.
- The constitution should protect disabled women against all forms of discrimination. (3)
- The constitution should guarantee and protect the rights of the disabled. (2)
- The constitution should protect children from being punished heavily by their parents.
- The constitution should provide for the government to assist and protect children and provide basic needs like education to them.
- The constitution should guarantee the right of children by offering them free basic needs.
- The constitution should take care of orphans and street children.
- The constitution should provide for public funds to assist orphans.
- The constitution should provide for protection of women from all forms of violence.
- The constitution should guarantee widows and orphans property inheritance.
- The constitution should provide equal rights for children.
- The constitution should guarantee unmarried girls right to inherit parental property.
- The constitution should guarantee disabled rights and employment without discrimination.
- The constitution should guarantee married girls right to inherit parental property.
- The constitution should guarantee that all polygamous men should be made recognize responsibility of all children.
- The constitution should provide that it should be father's responsibility in separation and divorce cases.
- The constitution should guarantee right to inherit property for both sons and daughters.
- The constitution should provide that there should be no child labour.
- The constitution should protect the education of the Girl child.
- The constitution should provide for free participation of women in politics.
- The constitution should provide for the government to rehabilitate street children. (6)
- The constitution should provide for the government to establish an education fund for orphans.
- The constitution should provide for the government to provide protection for children born

out of wedlock against discrimination and their fathers' names should appear in their birth certificates.

- The constitution should guarantee care for old people who are 70 years and above by the government.
- The constitution should establish homes and protect the elderly.
- The constitution should guarantee and protect rights of vulnerable groups.
- The constitution should enact affirmative action in order to empower women and other vulnerable groups. (3)
- The constitution should protect the rights of prisoners.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should provide for the individual to have ultimate ownership of land. (4)
- The constitution should provide for the government to have the power to compulsorily acquire private land, which is not in use, and give it to others who can develop it.
- The constitution should provide for the government to have the power to compulsorily private acquire land. (3)
- The constitution should provide for the government to have the power to compulsorily acquire private land but should compensate the owners accordingly.
- The constitution should provide for the government to have the power to compulsorily acquire private idle land and redistribute it to the landless. (4)
- The constitution should provide that the Government should not have power to acquire private land.
- The constitution should empower the state, government or local authority to control use of land by owners or occupier. (4)
- The constitution should provide for the review of land laws relating to inheritance and the tenure system, reduce the cost of acquiring title deeds to ksh. 500.
- The constitution should provide that land title deeds should bear the names of both spouses. (7)
- The constitution should guarantee a proper drafting of title deeds, which shall reflect matrimonial/spousal joint ownership. (5)
- The constitution should provide that the council of elders should solve land disputes. (4)
- The constitution should provide for taxing of any idle land.
- The constitution should guarantee that there should be no landlessness.
- The constitution should provide for productive use of all land.
- The constitution should provide for the simplification of land transfers.
- The constitution should provide that the government should be a trustee to property.
- The constitution should provide for restriction on the ownership of land by non-citizens. (3)
- The constitution should provide for ceiling on land owned by an individual. (3)
- The constitution should provide for ceiling on land owned by an individual to be 100 acres. (2)
- The constitution should provide for ceiling on land owned by an individual to be 50 acres.
- The constitution should simplify the process of transfer and inheritance of land.
- The constitution should provide for land transfer to be made cheap and simpler.
- The constitution should provide for simplification of the procedure for issuing of title deeds. (3)
- The constitution should guarantee equal access to land for both men and women. (8)

- The constitution should retain the pre-independent land treaties.
- The constitution should provide for every citizen of Kenya to own land anywhere without limitations. (10)
- The constitution should guarantee both partners in a marriage the right to inherit property belonging to their spouse.
- The constitution should guarantee unmarried girls the right to inherit parental land.
- The constitution should guarantee equal distribution of property to all wives in polygamous marriage.
- The constitution should guarantee access to land for every Kenyan. (8)
- The new constitution should guarantee protection for Kenyans living in trust land.
- The constitution should retain the Trust land Act.

5.3.16. CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- The constitution should provide that busaa clubs should be retained.
- The constitution should provide that the Abagusii culture should not be tampered with and this should apply to other tribes.
- The constitution should protect and promote the cultural and ethnic diversity. (7)
- The constitution should capture cultural values and promote them i.e. girl and boy circumcision. (2)
- The constitution should establish measures to abolish tribalism. (4)
- The constitution should protect Kenyans from ethnicity. (3)
- The constitution should protect people from discriminatory aspect of culture. (4)
- The constitution should allow female circumcision for communities that are willing to continue with the practice.
- The constitution should provide for the abolishment of female genital circumcision. (6)
- The constitution should provide that women should not be thrown out of their homes because they cannot give birth to boys, as it isn't their fault.
- The constitution should provide for respect of customs.
- The constitution should provide that marriage should be respected and formalized.
- The constitution should provide that women should not wear trousers.
- The constitution should discourage tribalism.
- The constitution should provide that English and Kiswahili as the national languages.
- The constitution should recognize and promote indigenous languages.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for the executive not to retain the power to control management and use of national and human resources.
- The constitution should provide for the parliament to retain the power to authorize the raising and appropriation of public funds. (3)
- The constitution should provide for fair distribution of all resources.
- The constitution should provide for equitable distribution of national resources. (6)
- The constitution should provide that 75% of revenue collected by a council should be used within its jurisdiction while 25% should be allocated to the central government. (3)
- The constitution should provide for the government to apportion benefits from national resources between the central government and communities where such resources are. (2)

- The constitution should make provisions for security of tenure for the controller and auditor general. (2)
- The constitution should provide for the legislature to appoint the controller and auditor general.
- The constitution should provide for the civil servants to be paid good salaries as a way of attracting competent Kenyans to work for the public service.
- The constitution should provide for the public officers including ministers should be appointed on merit basis. (3)
- The constitution should guarantee increase of salary and good working conditions for Kenyans working in public service.
- The constitution should provide for the eradication of corruption in the public service commission.
- The constitution should provide for an independent body to appoint members of the public service commission.
- The constitution should provide for the minister for labor to appoint members of the public service commission.
- The constitution should provide for president to appoint members of the public service commission from the list of names presented to him by dominant political party. (2)
- The constitution should oblige government officials implicated in scandals to resign.
- The constitution should provide that there should be a code of ethics for public office holders. (4)
- The constitution should not allow public or civil servants to indulge in their private businesses.
- The constitution should provide that all government services and facilities should be accessible to all Kenyans without discrimination.
- The constitution should provide for government role in price control to protect local produce
- The constitution should provide for Government funding for social and religious groups.
- The constitution should provide for the presidential candidates to declare their wealth after every year.
- The constitution should provide for the public officers to declare their wealth after every year. (6)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should guarantee and provide protection of the environment. (2)
- The constitution should provide for the government not to allow planting of trees along the rivers because this necessitates drying of land.
- The constitution should have powers to enforce laws protecting the environment and natural resources.
- The constitution should provide for the office of the president to have the power to enforce laws on protection of the environment.
- The constitution should provide for the government to own natural resources.
- The constitution should provide for the government to be responsible for the protection of environment. (3)
- The constitution should provide for the natural resources to be managed by the civil society but the government should remain the custodian.
- The constitution should provide for exploitation of minerals by government.
- The constitution should provide that only mineral resources shall be left to the government

5.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should guarantee continuity of civic education.
- The constitution should provide for NGOs and civil society organizations to have a role in governance. (2)
- The constitution should restrict registration of churches to prevent devil worship.
- The constitution should provide for the government to fund churches and mosques and development projects in Kenya.
- The constitution should provide for the freedom of press and free media like KBC.
- The constitution should make provisions for decentralization of NGOs in all parts of the country.
- The constitution should provide for women groups to be involved in educating the public on the constitutional reforms.
- The constitution should provide for the youths to be involved in educating the public on the constitutional reforms.
- The constitution should provide for Kenyans to be involved in local authorities affairs.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide for regulation of foreign investors and businessmen.
- The constitution should provide for the parliament to approve all funds borrowed from foreign countries.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide that a salary commission should be established to determine public servants salaries.
- The constitution should establish an office of the legislative council who should be qualified advocates of the high court to advise legislator of legal matters and assist them in drafting bills.
- The constitution should establish a local conflict resolution committee.

- The constitution should provide for the establishment of the office of Ombudsman in every district. (2)
- The constitution should provide for the establishment of the office of Ombudsman. (6)
- The constitution should provide for the establishment of land commission. (5)
- The constitution should provide for the establishment of human rights commission. (5)
- The constitution should provide for the establishment of a gender commission.
- The constitution should provide for the establishment anti-corruption commission. (5)
- The constitution should provide for the establishment of poverty eradication commission. (2)
- The constitution should provide for the establishment of an employment commission.
- The constitution should provide for the establishment of education commission.
- The constitution should provide for the establishment of the minister for justice or constitutional affairs to offer legal advice to the government.
- The constitution should prohibit the Attorney Generals power to terminate private prosecution.

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide for the speaker of the national assembly to be in charge of the executive powers during presidential elections. (6)
- The constitution should provide for the Attorney General to be in charge of the executive powers during presidential elections.
- The constitution should provide for a panel of judges to declare the results of the presidential elections through the state electronic and print media.
- The constitution should provide for the election results to be declared immediately after the process of counting votes is complete.
- The constitution should provide for the in coming president to assume office after two months.
- The constitution should provide for the in coming president to assume office one month after being declare winner.
- The constitution should provide for the in coming president to assume office as soon as he /she is declared a winner.
- The constitution should provide for the chief justice to swear in the in coming president. (3)
- The constitution should provide for the out going president to handover the instrument of power immediately after the results are announced.
- The constitution should provide for the former president to have security.
- The constitution should make provisions for the former president in terms of welfare.
- The constitution should make provisions for the former president in terms of immunity to legal process.
- The constitution should not make provisions for the former president in terms of immunity to legal process.
- The constitution should provide for the president to resign if the country's economy does not improve two years after staying in office.

5.3.23. **WOMEN'S RIGHTS**

- The constitution should entrench women's rights. (3)

- The constitution should provide for women to have a right to own property. (5)
- The constitution should provide for women to have a right to succession, own and inherit property. (9)
- The constitution should provide for women to have a right to succession, own and inherit property in their fathers home whether married or not.
- The constitution should provide for widows to have a right to succeed, own and inherit all property that belonged to her husband.
- The constitution should provide that there should be no payment of dowries instead gifts should be given to the couples.
- The constitution should prohibit early forced marriages.
- The constitution should provide for marriage laws to be harmonized.
- The constitution should provide for polygamous marriages.
- The constitution should provide that dowry payment should be optional and it should apply to both men and women.
- The constitution should prohibit lesbianism. (2)
- The constitution should provide for the newly weds to write a will immediately to curb divorce of young women.
- The constitution should provide for men in polygamous families not to neglect their first families just because they have married other women.
- The constitution should provide for fathers to ensure women of child maintenance and support. (8)
- The constitution should guarantee that wife inheritance should be voluntary.
- The constitution should prohibit domestic violence completely. (4)

5.3.24. **NATIONAL ECONOMIC POLICY**

- The constitution should provide that small-scale traders should not be taxed.
- The constitution should provide for setting of the prices of all commodities in the annual budget.
- The constitution should provide for the government to control the prices of all goods in the market. (3)
- The constitution should provide for Kenyans to be able to export food to other countries.
- The constitution should provide for the protection of local industries.
- The constitution should provide that the process of economic liberalization should be allowed as a measure to strengthen parastatals on public companies in Kenya.
- The constitution should provide for the rural electrification to continue so as to enhance rural development.
- The constitution should provide for the government to provide electricity to all people. (2)
- The constitution should provide for the government to initiate policies that will eradicate poverty in Kenya. (4)
- The constitution should provide for supply of electricity and accessible roads to tea farms. (3)
- The constitution should oblige the government to provide physical and social infrastructure.

5.3.25. **OTHER NATIONAL ECONOMIC POLICY**

- The constitution should provide for compulsory medical check up for all Kenyans for the AIDS victims to be identified.
- The constitution should provide for the people who willfully and willingly infect other people with HIV/AIDS should sentenced death. (3)
- The constitution should prohibit police harassment. (3)
- The constitution should provide for police officers to produce search warrants in any house inspection and arrest warrant for intended arrest.
- The constitution should provide that there should be a constitutional requirement where by corruption is made a capital offence that will enable the nation to recover the damages it has suffered for many years.
- The constitution should provide that there should be no corruption in the government and bribery should be restricted and stopped for any offered services.
- The constitution should initiate measures to eradicate corruption. (6)

5.3.26. **SECTORAL POLICY**

- The constitution should provide for agricultural officers in every location.
- The constitution should provide for free farm implements to tea and coffee farmers.
- The constitution should provide for the price of fertilizers to be reduced to enhance tea industry.
- The constitution should empower farmers to decide the prices of their produce.
- The constitution should provide that there should be price controls on goods directly affecting farmers e.g. seeds
- The constitution should provide for sound policies to jump-start the agricultural sector.
- The constitution should provide for irrigation of marginal areas.
- The constitution should provide for the government to provide soft loans and it should scrap tax on agricultural equipments, seeds and fertilizers. (3)
- The constitution should guarantee and protect farmers.
- The constitution should provide for the establishment of cereal boards in all divisions.
- The constitution should make provisions for establishment of tax policy for the agricultural sector.
- The constitution should make provisions for liberalization and privatization of agricultural based industries.
- The constitution should make provisions for the revival of collapsed agricultural industries. (3)
- The constitution should provide for the coffee industry to be revamped.
- The constitution should provide that tea farmers should be provided for especially with regard to price regulation and irrigation.
- The constitution should provide for supply of water and electricity to tea farms.
- The constitution should provide that tea farmers should be provided for especially with regard to price regulation and irrigation.
- The constitution should provide for the government to increase the amount of loans it gives to the students.
- The constitution should provide for equal opportunities in education and for the government to assist students from poor families in paying school fees.
- The constitution should provide for mother tongue as a language to be incorporated in the

curriculum.

- The constitution should provide for corporal punishment in schools to be reinstated to bring discipline. (3)
- The constitution should provide for students who have attained a mean of C plain at secondary level of education to be admitted for diploma courses in public universities.
- The constitution should be taught in schools. (5)
- The constitution should provide for the reduction of secondary and university fees.
- The constitution should provide for the secondary school fees to be reduced by 50% and those students who attained high grades should be offered free university education.
- The constitution should provide for national examination board to allow students to repeat only those subjects they have failed.
- The constitution should provide for BOG and PTA to be charged with the responsibility of collecting school fees.
- The constitution should provide for the poor parents to be given tender in schools to support their children.
- The constitution should provide for civic education to be taught to all Kenyans. (6)
- The constitution should provide that there should be no national schools all schools should be equal.
- The constitution should provide for the re-introduction of 7-4-2-3 system of education. (3)
- The constitution should prohibit teachers from taking alcohol during working hours.
- The constitution should provide for retirees to be appointed in schools board of governors.
- The constitution should provide for the budget on education to be based on population growth and economical development of a particular constituency.
- The constitution should provide for teachers to be disciplined enough to attend classes and adhere to their code of ethics.
- The constitution should abolish the quota system of education.
- The constitution should provide that teachers should be nationally transferable.
- The constitution should provide for proper education to curb tribalism.
- The constitution should provide that cut off point entry to all educational institutions should be provided for in the constitution.
- The constitution should encourage education by employing all graduates.
- The constitution should provide that any reform in the education sector should be referred to professionals before implementation.
- The constitution should provide for money collected from taxation to be put into proper use.
- The constitution should provide for the abolition of taxes on locally manufactured goods.
- The constitution should provide for churches to be exempted from paying taxes.
- The constitution should provide that there should be no tax on foodstuffs.
- The constitution should provide for the national currency to bear a symbol of wildlife but not the portrait of the president. (3)
- The constitution should provide for the poor to be given interest free loans.
- The constitution should make provisions for security of tenure for the governor of central bank.
- The constitution should provide for the government to ascertain that dispensaries are established near people and that dispensaries have adequate medicines.
- The constitution should provide that medicines should be given to all citizens free of charge.
- The constitution should provide for drugs and other equipments in hospitals to be well

managed

- The constitution should provide for abolition of cost sharing in hospitals.
- The constitution should provide for all health centers to be allocated ambulances.
- The constitution should provide for the employment of more experienced doctors as a measure to ensure all Kenyans have access to medical services.
- The constitution should provide for the government to establish medical funds for the orphans.
- The constitution should provide that doctors who procure abortion to be sacked.
- The constitution should guarantee freedom of press.
- The constitution should provide for decentralization of broadcasting corporations in all parts of the country.
- The constitution should provide for the state to be involved in promoting people to open small businesses.
- The constitution should provide for the government to finance tertiary graduates so that they can start small enterprises development. (3)
- The constitution should provide for the small-scale businessmen to be given soft loans.
- The constitution should provide for roads to be repaired and made accessible.
- The constitution should provide for the government to improve the state of roads and rails.
- The constitution should provide for the government to have a policy to maintain and build roads, serving areas of economic importance. (3)
- The constitution should provide that there should be accessibility to telecommunication facilities in all parts of the country.
- The constitution should provide for enforcement of traffic rules that ban overloading of public vehicles to avert accidents.
- The constitution should provide for abolition of airstrips
- The constitution should provide for the government to compensate farmers for damages done by wild animals on their farms. (3)

5.3.27. **CUSTOMARY LAW**

- The constitution should provide for the abolition of polygamy.
- The constitution should prohibit divorce and neglecting of the families by men.
- The constitution should provide for the retention of customary law.

5.3.28. **STATUTORY LAW**

- The constitution should ban smoking and chewing of miraa in public places.
- The constitution should abolish abortion.
- The constitution should provide for life imprisonment for those who practice witchcraft.
- The constitution should provide for an enactment of law to force people who misuse funds to pay.
- The constitution should provide for a person who is guilty of rape to be sentenced to death.
- The constitution should abolish local illicit brews. (3)
- The constitution should prohibit youth from drinking alcohol and specify time for drinking.
- The constitution should prohibit girls from immoral sexual behaviors.

- The constitution should legalize local brews. (4)
- The constitution should provide that those who employ children to be jailed for 20 years.
- The constitution should make provisions for tax evaders to be heavily punished and forfeited of their property equivalent to twice the sum of the unpaid tax.
- The constitution should provide that those who practice homosexuality to be punished severely by the law.
- The constitution should provide for those ladies.
- The constitution should provide for the retention of customary law.
- The constitution should provide for strict punishments for murderers.
- The constitution should for criminals not to be burned but rather they should be arrested and prosecuted.
- The constitution should outlaw corporal punishment, inhuman treatment and torture.
- The constitution should provide for the review of penal code to enshrine progressive administration of justice.
- The constitution should guarantee that prostitutes should be licensed.

5.3.29. **COMMON GOOD**

- The constitution should compel children to help their parents.
- The constitution should provide for women not to wear cloths, which expose their body.

5.3.30. **GENDER EQUITY**

- The constitution should guarantee gender equality. (5)
- The constitution should protect Kenyans against discrimination on basis of sex.

5.3.31. **ECONOMIC/SOCIAL JUSTICE**

- The constitution should guarantee compensation for those who live in trust land and those whose land was compulsorily acquired to benefit the public.

5.3.32. **TRANSPARENCY/ACCOUNTABILITY**

- The constitution should make provisions for accountability of the government. (2)
- The constitution should provide for transparency in the government.

5.3.33. **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide for every Kenyan to be equal before the law. (3)
- The constitution should provide for every citizen to have equal access to law.
- The constitution should provide for justice to be maintained.

5.3.34. **NATIONAL INTEGRITY/IDENTITY**

- The constitution should initiate measures to eradicate nepotism and corruption.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional

Committee

1. *James N. Obare* *DC*
2. *Zebedeo Matoke Onkundi*
3. *Benedict M. Onger*
4. Eric Ntabo
5. Cllr. Henry Nyaosi
6. David Ntabo Nyanusi
7. Joseph Sirweri
8. Charles Ongang'a Okeyo
9. Evans Ondara Maobe
10. George Masagara
11. Pastor Johnson Omweri
12. Marianus Rosana
13. Prisca B.Somoni
14. Priscilla Mayora
15. Teresia Bitutu Oroo
16. Samwel Maisiba
17. Kefa Nyamweya Aminga
18. John Mburu
19. Philip Motonwa Obote
20. Francis Nyangaresi
21. Richard Omari

Appendix 2: Civic education providers (CEPs)

1. National Council Of Churches Of Kenya
2. CKRC Commissioners
3. Iyabe School Leavers Youth Group
4. Universal Art And Folklore Incorporated Group
5. Bomachoge Youth Group
6. Rita Self Help Group
7. Obe Women Group
8. Egebenevi Self Help Group
9. Mrs. Alice Nyamao
10. Federation Of Women Representatives In Kisii
11. Ebivema Association

Appendix 3 Persons presenting memoranda and/or making oral

submissions.

1	0021OKBN	Adle James Makori	CBO	Written	Boiyeki Self Help Group
2	0012OKBN	Andrew Okemwa	CBO	Memorandum	Ekiebeneni Self Help Group
3	0015OKBN	Anthony O Nyadara	CBO	Written	Mwangaza Self help Group
4	0019OKBN	Babu Ntabo	CBO	Written	Dotcom Youth Group
5	0014KBNNY	David Ntobo	CBO	Written	Bonchari (N) Orphans Selp He
6	0016OKBN	Hellen N. Momanyi	CBO	Written	Obwe Women Group
7	0007OKBN	Ibrahim Ogero	CBO	Written	NCEC Bonchari
8	0017OKBN	Jacob Gwaro	CBO	Written	Boroko SH Group
9	0006OKBN	John Ibrahim Ogero	CBO	Written	Nyangiti FC
10	0010OKBN	John Ibrahim Ogero	CBO	Written	Suneka Division Youth Agenda
11	0013OKBN	Joseph Sirweri Osore	CBO	Memorandum	Obwe Men Group
12	0001OKBN	Josephine Nyagwachi	CBO	Memorandum	Federation of Women Groups
13	0002OKBN	Josephine Nyagwachi	CBO	Memorandum	Waelekeze International Women
14	0011OKBN	Orouchi Manuora	CBO	Written	Kenya Government Retirees
15	0004OKBN	Samuel Maisiba	CBO	Written	Bonchari C C Prog. Group
16	0005OKBN	Samwel Nyangaresi	CBO	Written	Mwangaza Self Help Group
17	0003OKBN	Teresa Bitutu Oroo	CBO	Written	Bonchari Constituency Women
18	0009OKBN	Wilfred A Nyangwaa	CBO	Written	Nyangiti Bonchari Women
19	0081IKBNY	Abdullahi Orwaro	Individual	Oral - Public he	
20	0042IKBNY	Andrew O. Nyaanga	Individual	Oral - Public he	
21	0009IKBNY	Andrew Omare	Individual	Written	
22	0057IKBNY	Anna Moraa	Individual	Oral - Public he	
23	0058IKBNY	Anne Bosibori	Individual	Oral - Public he	
24	0032IKBNY	Anonymous	Individual	Written	

25	0043IKBNY	Aseta Maisiba	Individual	Oral - Public he	
26	0089IKBNY	Augustine Miranga	Individual	Oral - Public he	
27	0005IKBNY	Benjamin Muregwa	Individual	Written	
28	0015IKBNY	Benson Keboga	Individual	Written	
29	0010IKBNY	Benson O Machika	Individual	Written	
30	0065IKBNY	Benson Ongobi	Individual	Oral - Public he	
31	0033IKBNY	Biritinus Ongarei	Individual	Oral - Public he	
32	0018IKBNY	Casmir Ayoti	Individual	Written	
33	0053IKBNY	Celina Nyanchiea	Individual	Oral - Public he	
34	0078IKBNY	Charles Mekubo	Individual	Oral - Public he	
35	0023IKBNY	Charles Nyaroo	Individual	Written	
36	0082IKBNY	Charles Obworo	Individual	Oral - Public he	
37	0090IKBNY	Charles Onyiego	Individual	Oral - Public he	
38	0088IKBNY	Christanus Kizito	Individual	Oral - Public he	
39	0021IKBNY	Christopher Mariga	Individual	Written	
40	0100IKBNY	David Onyancha	Individual	Oral - Public he	
41	0028IKBNY	David Orina	Individual	Written	
42	0059IKBNY	Esther Kemunto	Individual	Oral - Public he	
43	0006IKBNY	Evans Marasa	Individual	Written	
44	0030IKBNY	Evans Onditi	Individual	Written	
45	0087IKBNY	Evelyn Onyiego	Individual	Oral - Public he	
46	0007IKBNY	Felix Osono	Individual	Memorandum	
47	0097IKBNY	Francis Bosire Kiyondi	Individual	Oral - Public he	
48	0027IKBNY	Francis Nyambane	Individual	Written	
49	0047IKBNY	Fred Nyayiemi	Individual	Oral - Public he	
50	0035IKBNY	Geofrey Mogaka	Individual	Oral - Public he	
51	0062IKBNY	Geofrey Mogire	Individual	Oral - Public he	
52	0068IKBNY	Geofrey Ngota	Individual	Oral - Public he	
53	0104IKBNY	George Nyandieka	Individual	Oral - Public he	
54	0105IKBNY	Haron Nyabaro	Individual	Oral - Public he	
55	0098IKBNY	Henry Ongeri	Individual	Oral - Public he	

56	0036IKBNY	Hilkia Nyaundi	Individual	Oral - Public he	
57	0026IKBNY	Issa Hussein	Individual	Written	
58	0066IKBNY	Jackson Martin	Individual	Oral - Public he	
59	0008IKBNY	James M Mauti	Individual	Written	
60	0106IKBNY	James Nyarunda	Individual	Oral - Public he	
61	0039IKBNY	James O Muse	Individual	Oral - Public he	
62	0031IKBNY	Jane Ombui	Individual	Written	
63	0093IKBNY	Jeremiah O. Ontiri	Individual	Oral - Public he	
64	0101IKBNY	John Kemuche	Individual	Oral - Public he	
65	0102IKBNY	John Nyambeki	Individual	Oral - Public he	
66	0099IKBNY	Jonathan Mariwacha	Individual	Oral - Public he	
67	0073IKBNY	Joseph Mariaria	Individual	Oral - Public he	
68	0051IKBNY	Joyce Mukuge	Individual	Oral - Public he	
69	0103IKBNY	Julius Nyabera	Individual	Oral - Public he	
70	0022IKBNY	Julius Ombija	Individual	Written	
71	0013IKBNY	Kayaga N Jackson	Individual	Written	
72	0064IKBNY	Kokeyo O. Falkland	Individual	Oral - Public he	
73	0034IKBNY	Lawrence Omwega	Individual	Oral - Public he	
74	0063IKBNY	Livingstone Mazonyo	Individual	Oral - Public he	
75	0014IKBNY	Marando Kince	Individual	Written	
76	0072IKBNY	Marco Matundura	Individual	Oral - Public he	
77	0055IKBNY	Marsela Omunyo	Individual	Oral - Public he	
78	0096IKBNY	Mathew Machuki	Individual	Oral - Public he	
79	0061IKBNY	Mkori	Individual	Oral - Public he	
80	0037IKBNY	Monica Nyakoni	Individual	Oral - Public he	
81	0016IKBNY	Moses Mosomi	Individual	Written	
82	0019IKBNY	Nemwel Bosire	Individual	Written	
83	0076IKBNY	Nemwel Omoke Bosire	Individual	Oral - Public he	
84	0046IKBNY	Nilison B. Nyang'au	Individual	Oral - Public he	
85	0003IKBNY	Nyamwange Betinel	Individual	Written	

86	0077IKBNY	Nyangau Nyakeboka Nyake	Individual	Oral - Public he	
87	0002IKBNY	Nyariki Zachary	Individual	Written	
88	0092IKBNY	Ombati Kibwage	Individual	Oral - Public he	
89	0067IKBNY	Ombogo K.	Individual	Oral - Public he	
90	0048IKBNY	Ombogo Onditi	Individual	Oral - Public he	
91	0107IKBNY	Ondara Evans	Individual	Oral - Public he	
92	0050IKBNY	OndusoTrusila Bochere	Individual	Oral - Public he	
93	0004IKBNY	Ongeri Dymphinah	Individual	Written	
94	0017IKBNY	Ongoro M Dick	Individual	Written	
95	0038IKBNY	Onsongo William	Individual	Oral - Public he	
96	0080IKBNY	Onyambu Linus	Individual	Oral - Public he	
97	0029IKBNY	Opanga Mesa	Individual	Written	
98	0060IKBNY	Patrick Nyabaro	Individual	Oral - Public he	
99	0020IKBNY	Pauline Nyamwita Ongwae	Individual	Written	
100	0079IKBNY	Peter K. Obaga	Individual	Oral - Public he	
101	0041IKBNY	Peter Makori	Individual	Oral - Public he	
102	0074IKBNY	Peter Mosoti	Individual	Oral - Public he	
103	0040IKBNY	Phillip Atandi	Individual	Oral - Public he	
104	0025IKBNY	Pius Aima	Individual	Written	
105	0083IKBNY	Protus Otuko	Individual	Oral - Public he	
106	0044IKBNY	Racheal Ondimu	Individual	Oral - Public he	
107	0011IKBNY	Richard Morema	Individual	Written	
108	0084IKBNY	Richard Ombori	Individual	Oral - Public he	
109	0049IKBNY	Robina Mora Makori	Individual	Oral - Public he	
110	0091IKBNY	Ronald Osore Osoro	Individual	Oral - Public he	
111	0069IKBNY	Sakawa O. Albert	Individual	Oral - Public he	
112	0085IKBNY	Samuel Nyamato	Individual	Oral - Public he	
113	0052IKBNY	Susan Kwamboka S.	Individual	Oral - Public he	

114	0054IKBNY	Teresa Mbera Oroni	Individual	Oral - Public he	
115	0095IKBNY	Thomas Morimbori	Individual	Oral - Public he	
116	0094IKBNY	Thomas Otucho Bogonko	Individual	Oral - Public he	
117	0070IKBNY	Victor Mogire	Individual	Oral - Public he	
118	0056IKBNY	Victoria Kemunto Okerwa	Individual	Oral - Public he	
119	0045IKBNY	Wilfred Nyaoso	Individual	Oral - Public he	
120	0086IKBNY	William Aroni	Individual	Oral - Public he	
121	0071IKBNY	William Mauru	Individual	Oral - Public he	
122	0012IKBNY	William Nyambene Gisore	Individual	Written	
123	0075IKBNY	Wilson Omare	Individual	Oral - Public he	
124	0024IKBNY	Zededeo M Onkundi	Individual	Written	
125	0014okbny		Individual	Written	
126	0008OKBN Y	Jackson Ongubo	Religious Organisation	Written	Suneka Church
127	0018OKBN Y	Peter Musungu	Religious Organisation	Written	Kanisa SDA
128	0020OKBN Y	Stephen Oyaro	Religious Organisation	Written	Nyamiobo Catholic Church
129	0001IKBNY	Ombogo Boniface		Written	

Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	Josephine Nyagwachi	P.O. Box 50, Kisii	109	Philip Atandi	P.O. Box 4, Nyambunwa
2	Pius Aima	P.O. Box 1777, Kisii	110	Felix Osoro	P.O. Box 1800, Kisii
3	Teresa Oloo	P.O. Box 1697, Kisii	111	Samwel Maisiba	P.O. Box 2725, Kisii
4	Biritinus Ong'angi	P.O. Box 1344, Kisii	112	Peter Makori	P.O. Box 709, Kisii
5	Lawrence Omwega	P.O. Box 874, Kisii	113	Peter Gwaro	P.O. Box 874, Kisii
6	Geofrey Mogaka	P.O. Box 866, Kisii	114	Andrew O. Nyaanga	P.O. Box 2649, Kisii
7	James Kata	P.O. Box 90, Kisii	115	Wilson Nyang'au B.	P.O. Box 22, Nyambunwa
8	Bonface Ombogo	P.O. Box 3, Nyambunwa	116	Aseta Maisiba	P.O. Box 50, Nyambunwa
9	Benson Machuka	P.O. box 39, Nyambunwa	117	Rachel Ondima	P.O. box 39, Nyambunwa
10	Hilkia N. Nyaundi	N/A	118	Wilfredah Naoso	P.O. Box 1028, Kisii
11	Monicah Nyakoni	N/A	119	Samwel Nyangaresi	P.O. Box 792, Kisii
12	William Onsongo	N/A	120	Zachariah Omweri	P.O. Box 13, Nyambunwa
13	Benjamin Miregwa	P.O. Box 2, Nyambunwa	121	Fred Nayemi	P.O. Box 184, Kisii
14	Richard Mase	P.O. Box 1794, Kisii	122	Ombogo B. Onditi	P.O. Box 95, Nyambunwa
15	Nyariki Zachary	P.O. Box 184, Kisii	123	Robina M. Makosi	N/A
16	Joachim Onchong'a	P.O. Box 184, Kisii	124	Elijah O. Ateya	P.O. Box 24, Nyambunwa
17	Nyamwange Bethuel	P.O. Box 184, Kisii	125	Mariko Mochego	P.O. Box 22, Nyambunwa
18	Ongeri Divinah	P.O. Box 184, Kisii	126	Patrick Nyabaro	P.O. Box 1584, Kisii
19	Geofrey Mogire	P.O. Box 127, Kisii	127	Atancha Moracha	P.O. Box 24, Nyambunwa
20	Benard Marige	N/A	128	Makori Ongangi	P.O. Box 1721, Kirwanda
21	James O. Musa	P.O. Box 173, Nyambunwa	129	Samwel Nyangoto	P.O. Box 123, Nyaikiogiro
22	George Oroo	P.O. Box 2507, Kisii	130	James M. Mauti	P.O. Box 784, Kisii
23	Evans Marasa	P.O. Box 874, Kisii	131	Serima B. Nyakikieya	N/A
24	Eunace MoraaJuma	N/A	132	Peter basweti Ochako	P.O. Box 70, Nyambunwa
25	Susan K. Sereti	N/A	133	Andrew Atandi	P.O. Box 22, Nyambunwa
26	Andrew Omare	P.O. Box 3746, Kisii	134	Jackson Matini	P.O.Box 874, Kisii
27	Benson Machuka	P.O. Box 39, Nyambunwa	135	Marando Kince	P.O. Box 184, Kisii
28	Livingstone Moronyo	P.O. Box 30197, Nairobi	136	Anns Bosibori	P.O. Box 1796, Kisii
29	Misati Jeremiah	P.O. Box 3715, Kisii	137	Simion Omwega	P.O. Box 590, Kisii
30	Richard Morema	P.O. Box 2725, Kisii	138	Tom Juma	P.O. Box 1004, Kisii

31	Richard Morara	P.O. Box 92, Kisii	139	Ombasa Kereu	P.O. Box 4, Nyambunwa
32	Samwel Koroma	P.O. Box 272, Kisii	140	Benson Keboga	P.O. Box 43, Nyambunwa
33	Evans Machuki	P.O. Box 726, Kisii	141	Geoffrey NgotaMaraga	P.O. Box 2003, Kisii
34	William Nyambane	P.O. Box 897, Kisii	142	Wilfred A. Nyagwara	P.O. Box 1584, Kisii
35	Gilbert Ombiti	P.O. Box 35, Kisii	143	Sakawa Albert	P.O. Box 184, Kisii
36	Edwin Manyanya	P.O. Box 38, Kisii	144	Anthony O. Nyapara	P.O. Box 874, Kisii
37	Kayaga N. Jackson	P.O. Box 1517, Kisii	145	Peter Ateya	P.O. Box 24, Nyambunwa
38	John Nyakina	P.O. Box 2076, Kisii	146	Omwando Vincent	P.O. Box 1654, Kisii
39	David Ntabiagoro	P.O. Box 684, Kisii	147	Moses Mosomi	P.O. Box 36, Kisii
40	Kokeyo Falklands	P.O. Box 12, Sare	148	Victor Mogire	P.O. Box 1176, Kisii
41	Wilson Omare	P.O. Box 184, Kisii	149	William Mauru	P.O. Box Nyambunwa
42	Malsellah Omonywa	P.O. Box 22, Nyambunwa	150	Marco Matundura	P.O. Box 1126, Kisii
43	Ibrahim Ogero	P.O. Box 127, Kisii	151	Ongoro Dicker	P.O. Box 184, Kisii
44	Patrick Ondigo	P.O. Box 107 Kisii	152	Joseph Mariaria	P.O. Box 1375, Kisii
45	Jackson Ongobo	P.O. Box 95, Kisii	153	Peter Moreka	P.O. Box 590, Kisii
46	Benson Ongabi	P.O. Box 22, Nyambunwa	154	Peter Mosoti	P.O. Box 874, Kisii
47	Kasmiri Arori	P.O. Box 19, Nyambunwa	155	David Ntabo	P.O. Box 2562, Kisii
48	Wilson Ondieki	P.O. Box 874, Kisii	156	Anthony O. Nyapara	P.O. Box 874, Kisii
49	Peter Atandi	P.O. Box 874, Kisii	157	Onyambau Linus	P.O. Box 427, Kisii
50	Francis Oruochi	P.O. Box 2741, Kisii	158	Wilfred Bosire	P.O. Box 58, Kisii
51	Nyabuti Ombenya	P.O. Box 590, Kisii	159	Hellen N. Momanyi	P.O. Box 2864, Kisii
52	Charles Mosiria	P.O. Box 590, Kisii	160	Jacob Gwaro	P.O. Box 272,. Kisii
53	James Omondi	P.O. Box 184, Kisii	161	Daniel Ongui	P.O. Box 272,. Kisii
54	Ayioko Geofrey	P.O. Box 184, Kisii	162	Rebedeo Momanyi	P.O. Box 427, Kisii
55	Enosh Ongeru	P.O. Box 874, Kisii	163	Kennedy Ombui	P.O. Box 1632, Kisii
56	Kevin Sobera	P.O. Box 184, Kisii	164	Paul Rioba	P.O. Box 3015, Kisii
57	Nemuel Bosire	P.O. Box 95, Nyambunwa	165	Benson Nyakweba	P.O. Box 3015, Kisii
58	Nyakeya Oeri	P.O. Box 3030, Kisii	166	Peter Musungu	P.O. Box 923, Kisii
59	Evans Jomo	P.O. Box 123, Kisii	167	Abdulai Nyariki	P.O. Box 153, Kisii
60	Wilson Omare	P.O. Box 184, Kisii	168	Christopher Mariga	P.O. Box 123, Kisii
61	Nyang'au Nyakebako	P.O. Box 184, Kisii	169	Julius Ombicha	P.O. Box 3015, Kisii
62	Charles Mekubo	P.O. Box 427, Kisii	170	Stephene Ombui	P.O. Box 3015, Kisii
63	Pauline M. Ongwaye	P.O. Box 36, Nyambunwa	171	Thomas Ntabo	P.O. Box 3015, Kisii
64	Peter Obaga	P.O. Box 828, Kisii	172	Sepastian Barongo	P.O. Box 3015, Kisii
65	Pastor Moses Mogita	P.O. Box 3363, Kisii	173	Timothy Morara	P.O. Box 3015, Kisii
66	Evans Moenda	P.O. Box 3363, Kisii	174	Patrick Barongo	P.O. Box 123, Kisii

67	Andrew Okemwa	P.O. Box 2864, Kisii	175	John O. Nyabwengi	P.O. Box 878, Kisii
68	James Nyarunda	P.O. Box 361, Kisii	176	Abdulai Nyariki	P.O. Box 152, Kisii
69	Evans Sirweri	P.O. Box 828, Kisii	177	Joseph Omoso	P.O. Box 3015, Kisii
70	Samson Ntabo	P.O. Box 3015, Kisii	178	Mark Ariga	P.O. Box 3015, Kisii
71	Charles Obworo	P.O. Box 427, Kisii	179	Kinaro Charles	P.O. Box 3015, Kisii
72	Kasimiri Ombui	P.O. Box 3015, Kisii	180	Ronald Osore	P.O. Box 828, Kisii
73	Protus Botuko	P.O. Box 3015, Kisii	181	Joash Nyabuto	P.O. Box 29, Kisii
74	Richard Omboye	P.O. Box 58, Kisii	182	Patrick Oganyo	P.O. Box 538, Kisii
75	Samuel Nyamao	N/A	183	Michael Obonyo	P.O. Box 538, Kisii
76	Pius Aima	P.O. Box 1777, Kisii	184	Ronald Nyakoe	P.O. Box 538, Kisii
77	Zebedeo Matoke	P.O. Box 123, Kisii	185	Obara Otieno	P.O. Box 55, Kisii
78	Isa Husein	P.O. Box 1777, Kisii	186	Ombati Kibwage	P.O. Box 2333, Kisii
79	William Aroni	N/A	187	Japhet Ososi	P.O. Box 1115, Kisii
80	Babu Ntabo	P.O. Box 2562, Kisii	188	Charles Keya	P.O. Box 1115, Kisii
81	Stanley Mose	P.O. Box 1115, Kisii	189	Stephine Okuochi	P.O. Box 3015, Kisii
82	James Ombui	P.O. Box 58, Kisii	190	Thomas Morimbori	P.O. Box 3015, Kisii
83	Stephen Oyaro	P.O. Box 3015, Kisii	191	David Orima	P.O. Box 3620, Kisii
84	Chrisantus Kizito	P.O. Box 1115, Kisii	192	Tom Sagana	P.O. Box 538, Kisii
85	James A. Makori	P.O. Box 2451, Kisii	193	Benjamin Nyandika	P.O. Box 1530, Kisii
86	Jackson Onkundi	P.O. Box 2451, Kisii	194	Opanga Mesa	N/A
87	John Mburu	P.O. Box 123, Kisii	195	Martin Machuki	P.O. Box 590, Kisii
88	M.T. Rosan	P.O. Box 1004, Kisii	196	Peter Nyabaro	P.O. Box 1115, Kisii
89	Augustine Mirang'a	P.O. Box 848, Kisii	197	Evans Onditi	P.O. Box 2562, Kisii
90	Charles Onyiego	P.O. Box 3015, Kisii	198	Wilfred Somoni	P.O. Box 1115, Kisii
91	Felix Guto	P.O. Box 3015, Kisii	199	Peter Nyangoto	P.O. Box 123, Kisii
92	Samwel Ongoncho	P.O. Box 923, Kisii	200	Adrian Matoke	P.O. Box 1115, Kisii
93	Zedekiah M. Mageto	P.O. Box 1777, Kisii	201	Peter Machuka	P.O. Box 1115, Kisii
94	Zebedeo Miruka	P.O. Box 1736, Kisii	202	Charles Manoti	P.O. Box 427, Kisii
95	Wilfred Omboga	P.O. Box 3015, Kisii	203	George Nyandieka	P.O. Box 427, Kisii
96	Onditi Manyoro	P.O. Box 74, Kisii	204	Jane Ombui	P.O. Box 538, Kisii
97	Francis Bosire Kitondi	P.O. Box 2436, Kisii	205	Haron Ombati	P.O. Box 1777, Kisii
98	Henry Ongeri	P.O. Box 878, Kisii	206	Joseph Onkundi Okenye	P.O. Box 538, Kisii
99	Jonathan Mamwacha	P.O. Box 58, Nyambunwa	207	Joseph Sirweri	P.O. Box 828, Kisii
100	David Onyancha	P.O. Box 1632, Kisii	208	Charles Nyamao	P.O. Box 878, Kisii
101	Ondimu Tricia	P.O. Box 2368, Kisii	209	Pius Aima	P.O. Box 1777, Kisii
102	Jeremiah O. Ontiri	P.O. Box 95, Nyambunwa	210	Joseph Nyambisa	P.O. Box 590, Kisii
103	Thomas O. Bogonko	P.O. Box 45, Nyambunwa	211	John Nyambeki	P.O. Box 93, Nyambunwa
104	Vincent Nyandara	P.O. Box 58, Kisii	212	Robert Ogucha	P.O. Box 590, Kisii
105	Charles Kiriago	P.O. Box 2436, Kisii	213	James Onderi	P.O. Box 36, Kisii
106	M. Aroni	P.O. Box 58, Kisii	214	Raphael Bosire	P.O. Box 123, Kisii
107	John Kemunche	N/A	215	Julius Nyabera	P.O. Box 1115, Kisii

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1. DISTRICT PROFILE

Nyaribari Masaba is a constituency in Kisii District. Kisii District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	234,448	257,338	491,786
Total District Population Aged 18 years & Below	139,830	140,640	280,470
Total District Population Aged Above 18 years	94,618	116,698	211,316
Population Density (persons/Km²)	758		

1.2 Socio-Economic Profile

Kisii District:

- Is the most densely populated district in the province;
- Has a primary school enrolment rate of 74.5% being ranked 6th in the province and 28th nationally;
- Has one of the highest secondary school enrolment rates in the province at 31.7%, being ranked 2nd in the province and 12 nationally;
- Experiences the following main diseases: malaria, anaemia, gastro-enteritis, broncho pneumonia, and tuberculosis;
- Has a 22.9% malnourishment rate of children under 5 years of age, being ranked 22nd of 42 of the nationally ranked districts;
- Has 62 of 1000 of its live babies dying before the 1st birthday, being ranked 22nd of 44 of the nationally ranked districts;
- Has a life expectancy of 52.1years, being ranked 33 of 45 of the nationally ranked districts;
- Has an absolute poverty level of 57.22% being ranked 28th of 46 nationally ranked districts;
- Has a 46.82% food poverty level being ranked 19th of 42 nationally ranked districts;
- Has an unemployment rate of 5.07%;
- Has a monthly mean income of Ksh. 6,367;
- Has 57.10% of its residents accessing clean drinking water; and
- 87.40% of its residents having safe sanitation.

Kisii district has 5 constituencies: Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies. The district's 5 MPs, each cover on average an area of 130 Km² to reach 98,357 constituents. The ruling party, KANU, won all the parliamentary seats in the 1997 general election. It won Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies with 54.57%, 49.75%, 62.09%, 83.33%, and 75.25% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1 Demographic Characteristics

Constituency Population by Sex	Total	Area Km ²	Density (persons/Km ²)
	105,926	161.50	655.9

2.2 Socio-Economic Profile

One of the economic activities the locals are engaged in is tea production.

2.3 Electioneering and Political Information

KANU and the opposition have hotly contested for the constituency's parliamentary seat. In the 1992 and 1997 general elections, KANU won the seat with 49.72% and 62.09% valid votes respectively. In 2002, FORD People won the seat.

2.4 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			38,997
CANDIDATE	PARTY	VOTES	% VALID VOTES
Hezron Manduku	KANU	9,606	49.72
James Nyamweya	DP	9,365	48.48
Isaac Nyamwange	FORD-K	348	1.80
<i>Total Valid Votes</i>		<i>19,319</i>	<i>100.00</i>
Rejected Votes		428	
Total Votes Cast		19,747	
% Turnout		50.64	
% Rejected/Cast		2.17	

2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			38,075
CANDIDATE	PARTY	VOTES	% VALID VOTES
Samson K. Ongeri	KANU	14,935	62.09
Davidson A. Mairura	DP	2,336	9.71
Charles M. Ayieni	FORD-K	272	1.13
Charles M. Bagwasi	NDP	692	2.88
Zablon R. Ouko	SDP	5,820	24.19

<i>Total Valid Votes</i>	24,055	100.00
Rejected Votes	732	
Total Votes Cast	24,787	
% Turnout	65.47	
% Rejected/Cast	2.95	

2.6 Main Problems

- Mismanagement of the tea factories found in the area; and
- Clashes along the Kisii-Maasai border.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 25th January 2002 and 28th May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution and need for review
- Constitution making process
- Issues and questions

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1. **Logical Details**

5.1.1. **Date and Number of Days for Public Hearings**

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

5.1.2. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 1. Ibacho Primary School
 2. Masimba Primary School

5.1.3. **Panels**

- a. Commissioners
 - 1.Com. Charles Maranga
 - 2.Com. Alice Yano
 - 3.Com. Keriako Tobiko
- b. Secretariat

1.Maimuna Mwidau	-	Programme Officer
2.Dominic Osoro	-	Assistant Programme Officer
3.Emma Kamunga	-	Verbatim Recorder

5.2. **Attendance Details**

Category	Details	Number
Number of People Who Presented		152
Sex	Male	139
	Female	13
	Not Stated	0
Presenter Type	Individual	149
	Institutions	3
	Not Stated	0
Educational Background	Primary Level	35
	Secondary/High School Level	90
	College	7
	University	17
	None	0
	Not Stated	3
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	119
	Written	1
	Oral + Memoranda	27
	Oral + Written	1
	Not Stated	4

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Nyaribari Masaba 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

- The constitution should have a preamble. (10)
- The constitution should have a preamble that shall contain principles of good governance to produce peace, love and unity, common experiences of Kenyans, respect of law and stability and prosperity as well as important values and democracy and summarize philosophies that govern our nation.
- The constitution should have a preamble containing Kenyan historical background, people's supreme authority, will of the people, and abhor corruption and misappropriation of funds.
- The constitution should have a preamble with a defined set of values.
- The preamble should set out a national vision.
- The constitution should provide that the Kenyan national vision should be able to enjoy good governance, production, peace, love and unity.
- The preamble should reflect unity of all Kenyans.
- The preamble should state that Kenya belongs to all Kenyans.
- The preamble should reflect the common experiences of Kenyans such as the struggle for independence.

5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- The constitution should provide for nationalism and Kenyaism as guiding principles of state policy.
- The constitution should provide for statements capturing national philosophy and guiding principles. (2)
- The constitution should provide for the rights and obligations of all citizens without prejudice and shall replace the motto Nyayo with Harambee.
- The preamble should identify Kenyans and diversity of culture of the different communities.
- The constitution should be based on the principles of love, peace, unity, equality, democracy, freedom progress and social justice. (2)
- The constitution should provide that the three arms of government should be independent from each other. (2)
- The constitution of Kenya should be for Kenyans by Kenyans.
- The constitution should provide that Kenya should be a democratic state. (2)
- The constitution should provide that Kenya should be a democratic state, based on the rule by the people through representatives, by popular vote founded on a people driven constitution.
- The constitution should promote values such as honesty, handwork, diligence, humanism, respect and sobriety.

5.3.3 CONSTITUTIONAL SUPREMACY

- The constitution should be amended by 80% majority vote.
- The constitution should emphasize that constitutional amendment shall be done by

referendum or by 2/3 of parliament. (6)

- The constitution should provide a constitutional amendment shall be done by parliament and that it shall be limited.
- The constitution should provide that Parliament should have powers to amend the constitution.
- The constitution should provide that Parliament should have limited powers to amend the constitution.
- The constitution should emphasize that parliament shall have the power to amend only a small portion of the constitution.
- The constitution should provide that it shall be as stable as possible to avoid numerous amendments and its provisions be respected and strictly observed.
- The constitution should be recognized as the supreme law in Kenya. (2)
- The constitution should provide that a constitutional amendment should only be through a public referendum. (7)
- The constitution should provide that the constitution review commission should conduct the public referendums. (3)
- The constitution should provide that the AG and the chief justice should conduct the public referendums.

5.3.4 CITIZENSHIP

- The constitution should confer to all persons born of Kenyan parent's automatic citizenship. (3)
- The constitution should confer to all persons born in Kenyan automatic citizenship. (7)
- The constitution should confer to all persons born in Kenyan after independence automatic citizenship.
- The constitution should provide that Kenyan citizenship could also be acquired by marriage, adoption or regulation.
- The constitution should provide that Kenyan citizenship could also be acquired by registration after staying in Kenya for 3 years.
- The constitution should provide that Kenyan citizenship could also be acquired through naturalization and registration.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender, should be entitled automatic citizenship. (5)
- The constitution should provide that a child born of one Kenyan parent regardless of gender should be an automatic citizen. (3)
- The constitution should provide that the rights and obligations of citizens should not depend on the manner in which citizenship is acquired. (2)
- The constitution should provide for dual citizenship. (2)
- The constitution should not provide for dual citizenship. (3)
- The constitution should provide for automatic citizenship to persons who have lived in Kenya for 5 years consecutively.
- The constitution should provide that issuing of passports should pass through assistant chiefs for security reasons.
- The constitution should provide that Kenyans should carry ID's, birth certificates and passports as proof of citizenship.
- The constitution should provide that Kenyans should carry ID's, or passports as proof of

citizenship. (2)

- The constitution should make provision for issuance of ID's to Kenyans who have attained 15 years of age. (2)
- The constitution should make provision for issuance of ID's to Kenyans who have attained 14 years of age.
- The constitution should make provision for issuance of ID's to Kenyans who have attained 18 years of age.
- The constitution should provide that all documents proofing citizenship should contain a photo, signature, thumbprint, employment card, voter's card, passport, NSSF card and birth certificate.
- The constitution should provide that the ID's and passports should be acquired cheaply.

5.3.5 DEFENCE AND NATIONAL SECURITY

- The disciplined forces should be established in the constitution. (6)
- The constitution should establish police posts in every sub-location and ensure there is adequate staff.
- The constitution should define the role of the armed forces.
- The constitution should provide for creation of an armed forces commission to deal with their welfare.
- The constitution should provide that the discipline forces should be under the police service commission and the armed service commission should control the army and navy.
- The constitution should provide that the discipline of the armed forces should be done by procedure and rules of each force.
- The constitution should provide that the armed forces should adhere to a strict code of conduct.
- The constitution should provide that the police force should be under tight rules and regulations that do not allow torture or any other cruel and inhuman behaviour against citizens.
- The constitution should provide for the President to be Commander in Chief of the Armed Forces. (7)
- The constitution should provide that the President should not be Commander in Chief of the Armed Forces. (2)
- The constitution should provide that the executive should have powers to declare war. (2)
- The constitution should provide that the executive should not have powers to declare war.
- The constitution should provide that parliament should have powers to declare war.
- The constitution should provide that parliament and the executive should have powers to declare war. (2)
- The constitution should provide that parliament should have powers to declare war.
- The constitution should provide that parliament should have powers to declare war with 65% majority votes.
- The constitution should permit the use of extra ordinary powers in terms of emergency such as war. (3)
- The constitution should provide that parliament should have the authority to invoke emergency powers.
- The constitution should provide that the president should not have the authority to invoke emergency powers.

- The constitution should provide that the president should have a role in effecting emergency powers.
- The constitution should provide that parliament should have the collective responsibility of allowing the president to effect emergency powers.

5.3.6 POLITICAL PARTIES

- The constitution should provide that Political parties should be formed on ideological concepts.
- The constitution should provide that Political parties should have a national outlook and not a tribal one.
- The constitution should provide that Political parties funds should be scrutinized during elections.
- The constitution should provide that Political parties should be involved in initiating development projects. (3)
- The constitution should provide that Political parties should be involved in economic, education and social growth.
- The constitution should regulate the formation, management and conduct of political parties. (2)
- The constitution should provide that Political parties should be governed by the own party constitution.
- The constitution should provide that Political parties should be allowed to operate freely in any part of the country.
- The constitution should provide that a member of a political party should not ask for a post under it unless he has been in the party for at least three years.
- The constitution should provide for a Multi-Party system of government.
- The constitution should provide that there should be a maximum of 10 political parties.
- The constitution should provide that there should be a maximum of 5 political parties.
- The constitution should provide that there should be a maximum of 3 political parties. (19)
- The constitution should provide that there should be a maximum of 4 political parties.
- The constitution should provide for 3 or 5 political parties.
- The constitution should provide for a maximum of 3 self funded political parties.
- The constitution should provide that political parties should not be limited.
- The constitution should provide for public funding of political parties from the public coffers. (14)
- The constitution should provide that political parties should finance themselves. (2)
- The constitution should provide that members and friends of the party should finance political parties.
- The constitution should provide that a political party should have over a million followers to be financed by the state.
- The constitution should provide that political parties should have access to equal airtime. (2)
- The constitution should provide that a political party should promote equality and have a national outlook to be financed by the state.
- The constitution should provide for a maximum of three political parties that shall be registered and financed by the government if they have a membership of 5 million members.

- The constitution should provide that the number of political parties shall not be checked and that they shall have equal airtime over the state radio.
- The constitution should provide that the executive should not use state resources during campaigns.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- The constitution should retain the presidential system of government. (8)
- The constitution should provide for a parliamentary system of government with a Prime Minister as the head of government and a ceremonial President.
- The constitution should provide for the post of the prime minister. (6)
- The constitution should provide that the president should be the head of state. (6)
- The constitution should provide for a parliamentary system of government. (4)
- The constitution should not provide for a parliamentary system of government.
- The constitution should provide for election of Prime Minister by public.
- The constitution should provide that an elected Prime Minister should control cabinet.
- The constitution should not provide for a hybrid system of government.
- The constitution should not provide for a Majimbo system of government with a jimbo retaining 70% of its revenue collected.
- The constitution should not provide for a Majimbo system of government. (6)
- The constitution should provide for a Majimbo system of government.
- The constitution should provide for a unitary system of government. (9)
- The constitution should provide that the vice- president should be the president's running mate during general elections. (3)
- The constitution should provide that the vice- president should succeed the president if the office of the president falls vacant.
- The constitution should provide that the vice- president should be a member of the opposition.
- The constitution should provide that the vice- president should be elected by parliament. (4)
- The constitution should provide that the vice- president should be elected by parliament and enjoy a security of tenure for 5 years.
- The constitution should provide that the vice- president should carry out presidential duties when the president is unwell, on holiday or dead.
- The constitution should provide for direct election of the Vice-President. (5)
- The constitution should provide that the AG should be the chief government advisor on legal matters.
- The constitution should provide that the AG should enjoy the security of tenure.
- The constitution should provide that the AG should be appointed by parliament.
- The constitution should provide that the president should appoint the AG, and he should not be an MP. The AG should serve for a maximum of 2 terms of 5 years.
- The constitution should provide that the office of the attorney general should be separated from that of the director of public prosecutions and independent from each other.
- The constitution should provide that the AG should be appointed directly by the people, who should be in turn appoint the Chief justice and judges.

5.3.8 THE LEGISLATURE

- The constitution should give Parliament power to vet all senior government officials' appointments. (13)
- The constitution should give Parliament power to appoint the chief justice.
- The constitution should give parliament powers to appoint the speaker of the national assembly and the sergeant at arms.
- The constitution should give parliament powers to summon questions and dissolve ministries, set up commissions of inquiry, enact laws and cabinet ministers should be answerable to parliament. (2)
- The constitution should provide for parliament to consult in matters of retrenchment.
- The constitution should give Parliament power to appoint the permanent secretaries and ambassadors.
- The constitution should provide that parliament should be the Supreme law making body.
- The constitution should provide for parliament to have unlimited control over its own procedures. (5)
- The constitution should provide for parliament to have its own calendar. (2)
- The constitution should provide for a Parliamentary Service commission that shall be responsible for parliaments' affairs and timetable.
- The constitution should provide that being an MP should be a full time occupation. (3)
- The constitution should provide that being an MP should be a part time occupation. (2)
- The constitution should provide that MP's should attend parliament once per week.
- The constitution should provide that MPs should be 35 years and above. (2)
- The constitution should provide that presidential candidates should be 35 years and above. (2)
- The constitution should provide that the presidential candidates should be between 35-70 years old.
- The constitution should provide that MPs should be between 21-30 years old.
- The constitution should provide that a presidential candidate should be between 40-70 years old.
- The constitution should provide that MPs should be between 35-50 years old.
- The constitution should provide that a presidential candidate should be between 55-65 years old.
- The constitution should provide that a presidential candidate should be between 50-80 years old.
- The constitution should provide that a presidential candidate should be over 45 years old. MP's should 35 years old while all voters should be 18 years old.
- The constitution should provide that MPs should have achieved at a form four certificate of education. (2)
- The constitution should provide that an MP must be a holder of university degree.
- The constitution should provide that the language tests are sufficient for parliamentary seats aspirants. (3)
- The constitution should introduce moral and ethical qualifications for MP's. (4)
- The constitution should give voters the right to recall non-performing MP's. (13)
- The constitution should provide that MP's should act on the basis of instructions from their constituents. (5)
- The constitution should provide that MP's should serve for a term of 5 years.
- The constitution should provide that MP's should serve for two terms of 5 years each. (2)

- The constitution should provide that MP's should not serve for more than two terms.
- The constitution should not provide for a limit on MP's term in office.
- The constitution should retain the concept of nominated MP's to represent women and the disabled.
- The constitution should retain the concept of nominated MP's to represent the marginalized groups.
- The constitution should retain the concept of nominated MP's with 213 of nominated MP's being women.
- The constitution should retain the concept of nominated MP's to represent representatives of religious organizations.
- The constitution should retain the concept of nominated MP's.
- The constitution should not provide for nomination of MPs. (7)
- The constitution should provide for special measures to increase women's participation in parliament. (4)
- The constitution should not provide for special measures to increase women's participation in parliament.
- The constitution should provide for rules and regulations to govern the conduct of MP's in a multi-party system.
- The constitution should provide for the MPs salaries to be determined by independent commission consisting of church leaders, judicial retirees, and other responsible citizens.
- The constitution should provide for the MPs salaries to be determined by independent commission. (4)
- The constitution should provide for the MPs salaries to be determined by the public service commission.
- The constitution should provide for the MPs salaries to be determined by the electoral service commission.
- The constitution should provide for the MPs salaries to be determined by the ministry of labour.
- The constitution should provide that salaries of MP's should be reduced by half.
- The constitution should provide that MPs salaries should be reduced to Ksh. 250,000.
- The constitution should provide that salaries of MP's should be reduced by 200 %.
- The constitution should provide that MP's should be pensionable.
- The constitution should provide for dissolution of parliament by majority vote.
- The constitution should provide for MPs to have offices in their constituencies for weekend meetings.
- The constitution should provide for reduction of MPs salaries by 200%.
- The constitution should provide for a two-chamber parliament. (4)
- The constitution should provide for a one-chamber parliament. (3)
- The constitution should provide for broadcasting of parliamentary proceedings.
- The constitution should provide that MP's should be people of integrity.
- The constitution should provide that a parliamentary seat aspirant should not have any previous conviction.
- The constitution should provide that nominated MPs should not be Ministers.
- The constitution should provide that a dominant party should form government. (3)
- The constitution should provide for a coalition Government. (8)
- The constitution should provide for multi-party representation in both the executive and legislature. (2)
- The constitution should guarantee that $\frac{1}{4}$ of all nominated MPs shall be women.

- The constitution should give power to parliament to remove the executive through a vote of no confidence. (6)
- The constitution should give power to parliament to remove the executive through a vote of no confidence by 75% majority vote.
- The constitution should provide that the president should have veto powers over legislation in parliament. (3)
- The constitution should provide that the president should not have veto powers over legislation in parliament.
- The constitution should provide that parliament should only be allowed to override the president's veto if it does not serve the wider interests of Kenyans. (2)
- The constitution should provide that the president should have powers to dissolve parliament. (2)
- The constitution should provide that the president should not have powers to dissolve parliament. (5)
- The constitution should not provide for staggering of parliamentary elections. (2)
- The constitution should provide that MP's should have constituency offices. (2)

5.3.9 THE EXECUTIVE

- The constitution should provide that president should be a registered voter.
- The constitution should provide that a presidential candidate should be a person of integrity and good character.
- The constitution should provide that a presidential candidate should be a professional with a record of good governance.
- The constitution should provide that a presidential candidate should be a Kenyan citizen with an ID, be nominated by a party with good qualities of governance.
- The constitution should provide that a presidential candidate should have a nationalistic characteristic, post experience in public office; good conduct and be a university graduate.
- The constitution should provide that a presidential candidate should be a university graduate with leadership qualities.
- The constitution should provide that a presidential candidate should be a degree holder in either development management, strategic planning or international economics and relations, must have good grasp of English and Kiswahili, financially stable and must have acquired at least a c+ in "O" levels.
- The constitution should provide a minimum education qualification of a university degree for a presidential candidate.
- The constitution should provide that a presidential candidate should be a Kenyan, university graduate, registered voter and without any criminal record.
- The constitution should provide that the president shall be elected from National Parties and be an experienced person.
- The constitution should provide for the president to have a running mate.
- The constitution should fix the presidential term.
- The constitution should provide for a maximum of 2 terms of 5 years each for the president. (12)
- The constitution should provide for a maximum of 2 terms of 4 years each for the president.
- The constitution should not fix the presidential term. (3)

- The functions of the president should be clearly defined in the constitution. (3)
- The constitution should provide that the president should be the guarantor of sovereignty.
- The constitution should provide that the president should not be above the law. (13)
- The constitution should provide that president should be the chancellor of the public universities.
- The constitution should provide that president should not be the chancellor of the public universities.
- The constitution should provide that the president should be subject to the law.
- The constitution should limit the powers of the president. (15)
- The constitution should provide that the presidential foreign trips should be limited.
- The constitution should provide for the removal of the president due to misconduct. (11)
- The constitution should provide that parliament should be independent from the executive. (3)
- The constitution should provide that the president should be an M.P. (3)
- The constitution should provide that the president should not be an M.P. (4)
- The constitution should provide that the chiefs and their assistants be transferable. (9)
- The constitution should provide that the village elders should be paid. (3)
- The constitution should provide for gender sensitivity in the Provincial Administration.
- The constitution should provide for reduction of reduction of the provincial administration powers.
- The constitution should provide that village elders should be uniformed and salaried.
- The constitution should provide for an election of Provincial Administrators, chiefs and their assistants. (13)
- The constitution should provide for scrapping of the Provincial administration. (10)
- The constitution should provide that the Provincial Administration should play a greater role in security. The government should pay the clan elders.
- The constitution should provide that chiefs and their assistant chiefs should have at least a form four certificate of education.
- The constitution should provide that the Provincial Administration be fair and corruption free.
- The constitution should provide for chiefs to be elected for 5 years.
- The constitution should provide for a commission to interview chiefs.
- The constitution should provide that there should not be misuse of state resources and Provincial Administration.
- The constitution should provide for amendment of hiring and firing Ministers.
- The constitution should reduce the number of ministries.

5.3.10 THE JUDICIARY.

- The constitution should provide for the independence of the judiciary. (10)
- The constitution should provide that the structure of the judiciary should be more efficient and transparent.
- The constitution should provide for availability of courts at divisional headquarters.
- The constitution should define the maximum number of days that a case in court should take before a verdict is passed.
- The constitution should provide that suspects should be produced in courts as soon as possible to avoid being in police cells for long.

- The constitution should provide that mobile small courts should be established. (2)
- The constitution should provide that title deeds given, as sureties for bonds should be released immediately the accused complies with court conditions.
- The constitution should initiate measures to curb corruption in courts.
- The constitution should provide that court proceedings should take 3 to 4 months.
- The constitution should provide that the structure of the judiciary should consist of the chief justice, judges and magistrates.
- The constitution should make provisions for magistrates to be placed in all divisions.
- The constitution should provide for Supreme Court. (5)
- The constitution should provide for Supreme Court to check the activities of the court of appeal.
- The constitution should provide for a permanent constitutional court. (4)
- The constitution should provide that the judicial service commission should appoint judicial officers. (5)
- The constitution should provide that the chief justice should be appointed by parliament.
- The constitution should provide that a tribunal should appoint judicial officers.
- The constitution should provide that the president should appoint the judicial officers after the recommendations from the judicial service commission.
- The constitution should provide that qualifications for judges should be Court of Appeal 15 years, High Court 10 years.
- The constitution should provide that if the AG is a male the chief justice should be a woman.
- The constitution should provide that the judicial officers should at least have a degree in law. (3)
- The constitution should provide that the tenure of judicial officers should be 64 years old.
- The constitution should provide that the judicial officers should enjoy security of tenure. (2)
- The constitution should provide that the judicial officers should enjoy security of tenure and one should be appointed to retirement.
- The constitution should provide that the judicial officers should enjoy security of tenure and retire at 70 years of age.
- The constitution should provide that the judicial service commission should be in charge of disciplinary measures of the judicial officers. (2)
- The constitution should provide that judicial officers found guilty of corruption should be imprisoned for 15 years.
- The constitution should provide that the Muslims themselves should design the qualifications of Kadhis.
- The constitution should provide that the court charges should be limited in order to make courts more accessible to all Kenyans. (2)
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide that the village elders should handle the cultural affairs.
- The constitution should provide that the state judicial powers should be vested exclusively in the courts.
- The constitution should give a right to legal aid for Kenyans with criminal cases such as assault, robbery, and rape.
- The constitution should provide for a constitutional right to legal aid for all Kenyans.
- The constitution should provide for a judicial review of the laws made by the legislature. (3)
- The constitution should provide that the village elders, chiefs, their assistants and district

officers should handle land disputes.

- The constitution should provide that the village elders should settle land disputes. (5)
- The constitution should provide that the village elders should be elected directly by the people.

5.3.11 LOCAL GOVERNMENT

- The constitution should provide mayors and council chairmen should be elected directly by the people. (16)
- The constitution should provide that mayors and council chairmen should serve for 5 years. (6)
- The constitution should provide that mayors and council chairmen should serve for 2 years. (2)
- The constitution should provide that mayors to serve a maximum of 4 years.
- The constitution should provide that the local authorities should continue operating under the central government. (2)
- The constitution should provide that the local authorities should be independent from the central government. (7)
- The constitution should provide that the local authorities should be independent from the central government and given more powers to hire and fire their staff.
- The constitution should provide that power should be devolved to local authorities to enable them deliver services.
- The constitution should provide for councilors to be at least form 4 leavers. (10)
- The constitution should provide that councillors should be at least standard eight graduates.
- The constitution should provide for councilors to be 45 years.
- The constitution should provide that councillors should be well versed in English and Kiswahili.
- Language tests required for local seats candidates are adequate. (2)
- The constitution should introduce moral and ethical qualifications for local authority seats. (2)
- The constitution should provide that councillors should be married and morally upright. (3)
- The constitution should provide that councillors should not have any criminal record.
- The constitution should provide for councilors to pass a vote of no confidence on mayors.
- The constitution should provide for councilors to be recalled in case of misconduct.
- The constitution should provide for a commission, which will determine misconduct and recommend disciplinary action against councilors.
- The constitution should provide that people should have a right to recall their non-performing councillors. (5)
- The constitution should provide that people should have a right to recall their non-performing councillors through a referendum. (2)
- The constitution should provide that the ministry of local government should determine the salaries and benefits of councillors.
- The constitution should provide that parliament should determine the remuneration of councillors.
- The constitution should provide that the central government should determine the

remuneration of councillors. (10)

- The constitution should provide that the local government commission should determine the remuneration of councillors.
- The constitution should provide that councillors' salaries should be increased.
- The constitution should retain the concept of nominated councilors and should comprise of the special interests groups.
- The constitution should retain the concept of nominated councilors to represent women and the disabled persons.
- The constitution should not provide for nomination of councilors. (4)
- The constitution should provide that the president or minister in charge of local government should have the powers to dissolve councils.
- The constitution should provide that the president or minister in charge of local government should not have the powers to dissolve councils. (3)
- The constitution should empower parliament to dissolve councils instead of the president or the minister of local government.
- The constitution should empower parliament to dissolve councils with proper advice from the minister of local government.
- The constitution should provide for women participation in the management of councils.
- The constitution should provide for reduction for levies by the councils.
- The constitution should provide for reduction in charges on licensing of small businesses.
- The constitution should provide that councilors should be provided with vehicles to assist them in their work.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain the representative electoral system. (3)
- The constitution should provide that elections should be conducted by mlolongo system. (3)
- The constitution should retain the simple majority rule as the basis of winning an election. (3)
- The constitution should design measures to increase the participation of women in parliament. (2)
- The constitution should not design measures to increase the participation of women in parliament. (3)
- The constitution should provide that women should compete equally with men for political seats on merit basis.
- The constitution should provide that a presidential candidate should garner at least 50% of the total votes cast to be declared a winner. (3)
- The constitution should provide that a presidential candidate should garner at least 51% of the total votes cast to be declared a winner.
- The constitution should provide that a presidential candidate should garner at least 52% of the total votes cast to be declared a winner.

- The constitution should provide that candidates who fail to seek nomination from one party should be allowed to seek nomination from another party. (2)
- The constitution should provide that nominees who have lost should stay for 3 months before defecting.
- The constitution should provide that seeking nominations from other parties should be abolished. (3)
- The constitution should allow for defections in a multiparty state.
- The constitution should not allow an MP to defect before the end of his/her term.
- The constitution should provide that if an MP defects from the party that sponsored him/her to parliament he/she should resign and seek fresh mandate from the electorate.
- The constitution should provide that defectors should not be allowed to contest until after a period of 10 years.
- The constitution should provide that defection between political parties should be reduced.
- The constitution should retain the 25 % representation in five provinces for presidential elections. (8)
- The constitution should provide that 1/3 of parliamentary seats should be reserved for women and the others for trade unionists and the disabled.
- The constitution should provide that some seats should be reserved for specific interests groups. (2)
- The constitution should retain the current geographical constituency system. (3)
- The constitution should provide that demarcation of wards should be on the basis of population density.
- The constitution should provide that a ward should have a maximum of 3,000 voters.
- The constitution should provide that a constituency should have 30,000 people.
- The constitution should provide that a constituency should have 100,000 people.
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. (2)
- The constitution should provide that Presidential elections should be conducted separately from civic and parliamentary elections. (3)
- The constitution should provide that the Presidential, parliamentary and civic elections should be held separately. (3)
- The constitution should provide that Presidential elections should be held 10 days before parliamentary and civic elections.
- The constitution should provide for free and fair elections.
- The constitution should provide for use of transparent ballot boxes. (4)
- The constitution should provide that ballot papers be equal the number of registered voters.
- The constitution should allow independent candidates to contest.
- The constitution should provide that voting should begin at 7 am and end at 5 pm.
- The constitution should provide that all vote booklets should be accounted for and counter signed by the presiding officers.
- The constitution should provide that the election results should be declared 2 days after voting.
- The constitution should provide for government funding to the MPs during campaign.
- The constitution should provide for a limit on election expenditure by each candidate. (3)
- The constitution should specify the election date. (8)
- The constitution should specify the date of election and they be held after every 5 years.

(2)

- The constitution should provide that the presidential elections should be conducted directly. (11)
- The constitution should provide that parliament should set the qualifications of the electoral commissioners.
- The constitution should provide that the electoral commissioners should be above 18 years old with at least a form four certificate and with good morals.
- The constitution should provide that the electoral commissioners should be university graduates.
- The constitution should provide that the electoral commissioners should be appointed by parliament. (4)
- The constitution should provide that the president should appoint the electoral commissioners. (2)
- The constitution should provide that political parties, civil societies and parliament should appoint the electoral commissioners.
- The constitution should provide that the AG in conjunction with religious experts should appoint electoral commissioners. But politicians should not be appointed to the electoral commission.
- The constitution should provide that the electoral commissioners should serve for five years. (2)
- The constitution should provide that the electoral commissioners should serve for ten years. (6)
- The constitution should provide that the electoral commissioners should enjoy the security of tenure. (4)
- The constitution should provide that the electoral commissioners should retire immediately after elections.
- The constitution should provide that the electoral commission should be funded by the central government. (4)
- The constitution should provide for the Electoral Commission to be funded by the Government, and that the tenure of the chairman shall be 3 terms of 5 years.
- The constitution should provide for nine electoral commissioners. (2)
- The constitution should provide for 15 electoral commissioners.
- The constitution should provide that the number of electoral commissioners should tally with the number of tribes in Kenya that is a member should be from every tribe.
- The constitution should provide that votes be counted at the polling station. (5)
- The constitution should enforce laws on election violence against women.
- The constitution should provide that polling stations should be manned by police in case of election violence.

5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee social, economic or cultural rights for all Kenyans. (5)
- The constitution should guarantee freedom of movement.
- The constitution should guarantee the freedom of expression, religion, assembly and right to privacy. (2)
- The constitution should guarantee the supply of electricity should be treated as a basic

right. (3)

- The constitution should provide that people should have the right not to be held without being charged for more than 24 hours. Kenyans should have a right to live and work anywhere without discrimination.
- The constitution should provide that all Kenyans should be protected from slavery, torture and inhuman treatment. Kenyans should have a right to privacy, freedom of expression, assembly and movement.
- The constitution should guarantee the freedom of expression, assembly and association. (3)
- The constitution should guarantee the freedom of expression.
- The constitution should guarantee the freedom of worship to all Kenyans. (6)
- The constitution should guarantee the freedom of worship to all Kenyans and should be checked to curb sects.
- The constitution should abolish death penalty. (2)
- The constitution should substitute death penalty with life imprisonment.
- The constitution should protect security, healthcare, water, education, shelter, food and employment as basic rights for all Kenyans. (8)
- The government should have the responsibility of ensuring that all Kenyans enjoy their basic rights. (2)
- The constitution should guarantee security for both persons and property. (8)
- The constitution should guarantee healthcare services for all Kenyans. (3)
- The constitution should guarantee free healthcare services for all Kenyans. (5)
- The constitution should guarantee clean and sufficient water as a basic right for all Kenyans. (8)
- The constitution should guarantee education as a basic right for all Kenyans. (3)
- The constitution should guarantee free education for all Kenyans. (10)
- The government should ensure food is available to every Kenyan.
- The constitution should make provision for a 4-month maternity leave for working mothers.
- The constitution should make provision for a 3-month paternity leave working fathers.
- The constitution should encourage education by employing all graduates.
- The constitution should provide for a one person-one job policy. (6)
- The constitution should guarantee equal job opportunities for every Kenyan. (5)
- The constitution should guarantee equal job opportunities for both men and women.
- The constitution should provide for the official time for starting work to be 8.00 am.
- The constitution should make provision for the increase of policemen and teachers salaries.
- The constitution should provide that retirement age should be 65 years. (2)
- The constitution should provide that retirement age should be 55 years.
- The constitution should provide that retirement age should be 45 years for civil servants.
- There should be no previous job experience as a condition for employment.
- The constitution should make provision for the extension of maternity leave from three months. (2)
- The constitution should ensure that employment and promotions should be done on the basis of merit and not on political grounds.
- The constitution should provide for the employment of all university graduates. (5)
- The constitution should provide for the proper distribution of employment opportunities amongst all the ethnic groups in Kenya. (2)

- There should be no quota system in the distribution of employment opportunities.
- The constitution should provide that retirees should not be re-appointed. (3)
- The constitution should provide that all Kenyans above 18 years old should have the right to work.
- The constitution should provide for salary standardization and minimum salary shall be Kshs. 10,000.
- The constitution should provide for teachers' salary to be Kshs. 20,000 or minimum Kshs. 10,000 while the maximum should be Kshs.50, 000.
- The constitution should provide that all professionals who are unemployed should receive at least Kshs. 20,000 per month.
- The constitution should provide that all those who are 75 years and above should be awarded Kshs. 2,000 per month.
- The constitution should provide that social security should be guaranteed to the elderly whether they are formerly employed or not.
- The constitution should provide that social security be guaranteed to Kenyans of 65 years old and above whether they are formerly employed or not.
- The constitution should provide that social security be guaranteed to Kenyans of 70 years and above whether they are formerly employed or not.
- The constitution should provide that the government should provide for the old from 65 years old and above.
- The constitution should provide for sustenance allowance to citizens by the government.
- The constitution should provide for free and compulsory education. (7)
- The constitution should provide for free and compulsory basic education. (6)
- The constitution should provide for free and compulsory formal education up to the secondary school level. (8)
- The constitution should provide for free education up to the university level. (3)
- The constitution should provide for free and compulsory formal education up to university level. (4)
- The constitution should be written in a simple language.
- The constitution should be made available to all Kenyans.
- The constitution should provide for civic education for all Kenyans. (4)
- The constitution should provide that Kenyans should have a right to information in the hands of the state. (2)
- The constitution should provide that findings of commissions should be made public. (5)
- The constitution should provide for a right to trade unions for all workers. (6)
- The constitution should recognize Saturday as a Sabbath day for the SDAs. (2)

5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- Women rights should be guaranteed in the constitution. (2)
- The constitution should provide for the disabled rights and employment without discrimination. (2)
- The constitution should provide that the disabled businesses should not be taxed.
- The constitution should make provisions in the budget for the disabled persons.
- The constitution should provide that the disabled should be assisted to vote according

their choice.

- The government should uplift the living standards of the disabled.
- The constitution should provide that persons with disabilities should be given free education, healthcare and employment.
- The constitution should provide that persons with disabilities should be provided with special training in well-equipped special schools.
- The constitution should guarantee and protect children's rights. (3)
- The constitution should abolish child labour and abuse.
- The constitution should provide that parents should have a right to determine their children's destiny.
- The constitution should provide for funds to assist the orphans. (3)
- The constitution should provide equal rights for children.
- The constitution should provide for unmarried girls to inherit parental property.
- The constitution should provide for a right to inherit property for both sons and daughters.
- The constitution should provide that secondary school students should have a union to champion their grievances to quell unrest in schools.
- The constitution should provide for street children to be involved in some productive work.
- The government should take care of the elderly. (4)
- The government should take care of the elderly for those who are 70 years and above.
- The constitution should provide for the home for the old.
- The constitution should make provisions for affirmative action in favour of women such that women hold 1/3 of all administrative positions. (2)
- The constitution should make provisions for affirmative action in favour of the disabled persons. (4)
- The constitution should make provisions for affirmative action in favour of women. (5)
- The constitution should make provisions for affirmative action in favour of the disadvantage groups.
- The constitution should guarantee that there should be no police torture.
- The constitution should provide that those arrested should be informed of their rights.
- The constitution should provide that prisons should be more habitable with extra windows, blankets and functioning toilets.

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide that the state should have the ultimate ownership of land.
- The constitution should provide that the individual should have the ultimate ownership of land.
- The constitution should provide that the government should have the power to compulsorily acquire private land that is underdeveloped.
- The constitution should provide that the government should have the power to compulsorily acquire private land but the owners should be adequately compensated. (3)
- The constitution should provide that the government should have the power to compulsorily acquire private land that was illegally acquired. (2)
- The constitution should provide that the state, government or local authority should not control the use of land by the owners. (2)
- The constitution should provide for taxing of any idle land.
- The constitution should provide for productive use of all land.
- The constitution should provide that land boards should consist of women, local

government, LSK etc.

- The constitution should make a provision for cemetery land to be set aside.
- The constitution should provide that sub-division of inherited land shall not be taxed.
- The constitution should provide that the council of elders should solve land disputes.
- The constitution should provide that the wife and children should be consulted before sale of family land. (2)
- The constitution should provide that there should be a ceiling on land ownership. (5)
- The constitution should provide that an individual should own a maximum of 5 acres of land.
- The constitution should provide that an individual should own a maximum of 10 acres of land.
- The constitution should provide that an individual should own a maximum of 20 acres of land.
- The constitution should provide that an individual should own a maximum of 25 acres of land.
- The constitution should provide that an individual should own a maximum of 50 acres of land.
- The constitution should provide that an individual should own a maximum of 100 acres of land. (6)
- The constitution should provide that an individual should own a maximum of 500 acres of land.
- The constitution should provide that an individual should own a maximum of 1000 acres of land. (2)
- The constitution should provide that an individual should own a maximum of 3000 acres of land.
- The constitution should provide that non- citizens should not have a right to own land. (2)
- The constitution should provide that non- citizens should not have a right to own land expect those who have lived in Kenya since the colonial rule.
- The constitution should provide that non- citizens should not have a right to own land; they should only be allowed to lease the land.
- The constitution should provide for the simplification of land transfers and levies be scrapped.
- The constitution should simplify the procedures of land transfer. (3)
- The constitution should simplify the procedures of issuing title deeds. (5)
- The constitution should provide that title deeds should be issued free of charge.
- The constitution should provide that land adjudication process should be free.
- The constitution should provide that land adjudication process should be simplified.
- The constitution should provide that unmarried female offspring's should be allowed to inherit land.
- The constitution should provide that land title deeds should bear the names of both spouses. (6)
- The constitution should provide that children of either sex should be able to inherit their parent's land.
- The constitution should provide for equal access to land for both men and women. (4)
- The constitution should not provide for equal access to land for both men and women. (3)
- The constitution should retain the pre-independence land treaties and agreements involving certain communities such as the Mazrui, Maasai and the coastal strip.
- The constitution should guarantee the right of any Kenyan to own land in any part of the

country. (17)

- The constitution should guarantee access to land for every Kenyan. (17)
- The constitution should provide that the Government should provide land for the landless.
- The constitution should provide that the local authorities should be in charge of managing and direction of trust land.

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- **Kenya's ethnic and cultural diversity does not contribute to a national culture.**
- Cultural and ethnic diversity should be protected and promoted in the constitution. (10)
- The constitution should provide for respect of customs.
- **The constitution should protect the Abagusii custom of circumcision. (2)**
- **The constitution should protect the custom of female circumcision.**
- The constitution should recognize our cultural and ethical values that form our collective experience such as respect for elders, women, payment of dowry, land boundaries and social life values.
- The constitution should provide that clothing should be worn according to cultural laws and not westernized ideas.
- The government should cater for freedom fighters.
- Tribalism should be outlawed with the promotion of intermarriages.
- The election of leaders should not be based on tribe and ethnicity.
- Female circumcision should be outlawed. (6)
- Forced wife inheritance should be outlawed.
- The constitution should provide for protection from discriminatory aspects of culture. (3)
- The constitution should provide that early marriages should be stopped.
- The constitution should provide for one national language, Kiswahili. (2)
- The constitution should adopt sign language and Braille as national languages.
- The constitution should provide for two national languages i.e. English and Kiswahili. (4)
- The constitution should recognize and promote indigenous languages. (4)
- The constitution should not recognize and promote indigenous languages.

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

The constitution should provide that parliament should assume the power to raise and distribute financial resources and management of human resources.

The constitution should provide that the executive should retain the power to raise and distribute financial resources and management of human resources.

The constitution should provide that parliament and the executive should share powers to raise and distribute financial resources and management of human resources.

The constitution should provide that parliament should retain the powers of raising and appropriation of public finances. (2)

- The constitution should provide for equitable distribution of national resources. (9)
 - The constitution should provide that national resources be shared equally and fairly amongst all tribes in Kenya according to their population density.
 - The constitution should provide that national resources be shared equally and fairly amongst all provinces and government offices.
 - The constitution should provide for a national development authority to balance the use of national resources for the benefit of all regions.
 - The constitution should provide that all government services and facilities are accessible to all Kenyans without discrimination.
 - The constitution should provide for fair distribution of all resources.
- The constitution should provide that the auditor general should present reports to parliament on the use of public finance.
- The constitution should provide that the president should appoint the auditor general after being approved by parliament. (2)
- The constitution should provide that parliament should appoint the auditor general.
- The constitution should provide that parliament should supervise all public investments. There should be checks and balances from the treasury to control the management of finances.
- The constitution should provide that members of the bodies concerned should elect heads of parastatals.
- The constitution should provide that more professionals should be attracted to the public sector by offering attractive salaries. (4)
- The constitution should provide that ministerial posts should be accorded to professionals. (5)
- The constitution should provide that appointments to the public service should be on merit. (3)
- The constitution should provide that civil servants be paid a minimum of Kshs. 10,000 and a maximum of Kshs. 100,000 per month plus medical allowances; Promotions should be done on merit.
- The Public service commission should not allow corrupt and incompetent people to take jobs.
- The constitution should provide for nine PSC members who should serve for a term of 5 years, and membership should be staggered so that in every 2 years three members retire. The constitution should provide that corrupt individuals should not be given the chance to man public offices.
- The constitution should provide that parliament should approve the appointment of members of the public service commission.
- The constitution should provide that the president should appoint the PSC members.
- The constitution should provide for a code of ethics for holders public office. (5)
- The constitution should provide that civil servants should be non- partisan.
- The constitution should provide that civil servants should swear the oath of office.
- The constitution should provide that any public officer including MPs found guilty of misconduct or corrupt practices should be dismissed indefinitely.
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The constitution should provide that all public officers should declare their wealth before assuming office. (4)
 - The constitution should provide that MPs and civil servants should declare their wealth.

- The constitution should provide that civil servants should not resign first before he/she vies for any elective post.
- The constitution should provide for civil to take their work seriously and work on time.
- The constitution should provide for disciplined officers to run the agricultural sectors.
- The constitution should provide that use of government cars for personal use by the officers should not be allowed.

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- The constitution should provide that there should not be water pollution.
- The constitution should provide for a natural resource commission, which should have the power to enforce laws on the protection of the environment.
- The constitution should provide for a law regulating the chipping of trees and timber so that the earth is not left bare.
- The constitution should provide that the state should own natural resources.
- The constitution should provide that the local communities should supplement the efforts of the government to manage and protect natural resources.
- The government should encourage the local communities to take care of forests by planting trees.
- The constitution should protect land, water catchments areas, forests and national parks as our main natural resources. (2)
- The constitution should protect minerals, forests and national zone reserves.
- The constitution should provide that the natural resources should be managed by the central government.
- There should be strict specifications on how to manage natural resources and breakers be punished severely.

5.3.19 PARTICIPATORY GOVERNANCE

The constitution should provide that non- governmental organizations and other organized groups should supplement the government role in governance.

The constitution should provide that non- governmental organizations and other organized groups should support income generating and development projects.

The constitution should provide that non- governmental organizations and other organized groups should help the government in providing civic education.

The constitution should provide that the state should regulate the conduct of civil society organizations including the media. (2)

- The constitution should provide for scrutiny of religious activities. (2)
- The constitution should institutionalize the role of civil society organizations.
- The constitution should provide for free participation of women in politics.
- The constitution should allow women to be recruited as police officers and DOs.
- The constitution should provide that the youth should be involved in decision making at all levels of government.

- The constitution should not provide for women participation in governance.
- Women should be allowed representation at all levels of decision-making and a women's desk should be established to monitor their progress.
- The constitution should provide that each tribe should be given a chance to lead the nation in turns.
- The constitution should put in place mechanisms to ensure maximum participation in governance by the vulnerable groups.
- The constitution should put in place mechanisms to ensure maximum participation in governance by women, persons with disabilities, the youth and orphans.
- The constitution should put in place mechanisms to ensure maximum participation in governance by the marginalized groups.

5.3.20 INTERNATIONAL RELATIONS

The constitution should provide that the conduct of foreign affairs should be the exclusive responsibility of the executive. (3)

The constitution should provide that the president should have the power to negotiate and sign international treaties.

The constitution should provide that parliament should approve all the treaties signed by the president.

The constitution should provide that parliament should assist the president in conducting foreign affairs.

The constitution should provide that international treaties and conventions and regional and bilateral treaties should not have automatic effect in domestic law. (3)

The constitution should provide that laws on human rights should have an automatic effect in domestic law.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

There is need for constitutional commissions, institutions and offices to interpret the constitution. (2)

- The constitution should provide that land board be situated in the divisional headquarters.

The constitution should provide for the creation of an ombudsman office. (2)

The constitution should provide for the creation of an ombudsman office that should ensure that all basic rights are protected.

The constitution should provide for the creation of an ombudsman office to listen to public grievances.

The constitution should provide for the existence of ombudsman's' office in every division.

The constitution should provide for the establishment of a human rights commission. (2)

- The constitution should provide for the establishment of a human rights commission to protect the rights of the minorities.
- The constitution should provide for the establishment of a human rights commission to investigate any breach of fundamental human rights and ethnic conflicts in Kenya.
- The constitution should provide for the establishment of a gender commission. (4)
- The constitution should provide for the establishment of a gender commission to deal with gender related issues. (2)

- The constitution should provide for the establishment of a gender commission to investigate social and cultural issues in order to promote equality.
- The constitution should provide for the establishment of an anti-corruption commission. (2)
- The constitution should provide for the establishment of an anti-corruption commission to deal with corruption. (2)
- The constitution should provide for the establishment of a land commission. (5)
- The constitution should provide for the establishment of an industrial commission to monitor industries in Kenya.
- The constitution should provide for the establishment of a judiciary commission comprising of justices from the Supreme Court, court of appeal, high court and other judicial officers. The AG and CJ should be ex-officio members.
- The constitution should provide for the establishment of a local authority service commission.
- The constitution should provide for the establishment of an employment commission.
- The constitution should provide that a salary commission should be established to determine public servants salaries.
- The constitution should provide for a minister of justice who should be in charge of Constitutional affairs and the AG should be in charge of prosecution.

5.3.22 SUCCESSION AND TRANSFER OF POWER

- *The constitution should provide for the AG should be in charge of executive powers during transition period. (2)*
- *The constitution should provide for the chief justice should be in charge of executive powers during the presidential elections.*
- *The constitution should provide for the chief justice, speaker of the national assembly and church leaders should be in charge of executive powers during the presidential elections.*
- *The constitution should provide that the presidential elections results should be declared a day after the election by the electoral commission.*
- *The constitution should provide that the electoral commission should declare the presidential elections results.*
- *The constitution should provide that the incoming president should assume office 2 months after the announcement of the results.*
- *The constitution should provide that the incoming president should assume office 30 days after the results have been declared.*
- *The constitution should provide that the incoming president should assume office 2 months after the elections.*
- *The constitution should provide for the chief justice should swear –in the incoming president.*
- *The constitution should provide that the outgoing president should hand over the instruments of power to the incoming president after the swearing in ceremony. (2)*
- *The constitution should provide that the outgoing president should hand over the instruments of power to the incoming president before the swearing in ceremony.*
- *The constitution should make provision for a former president in terms of security. (3)*
- *The constitution should make provision for a former president in terms of welfare. (3)*
- *The constitution should make provision for a former president in terms of immunity from legal process. (2)*
- *The constitution should provide that a retiring president should be accorded respect.*
- *The constitution should provide that a retiring president should be awarded a retirement*

5.3.23 WOMEN'S RIGHTS

The constitution should guarantee and protect the rights of women in all aspects of society.

- The constitution should provide for married women to own property. (\$)
The constitution should provide for divorced women to own property.
- The constitution should guarantee widows and women property inheritance.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse. (6)
- The constitution should give unmarried girls the right to inherit parental land. (5)
- The constitution should provide that women should have the right to inherit land.
- The constitution should provide that marriage should be respected and formalized.
The constitution should provide for registration of polygamous marriages. (2)
The constitution should provide that in case of a divorce the woman should be entitled to the children.
- The constitution should provide that the courts should handle all divorce cases.
- The constitution should provide for issuance of marriage certificates for customary marriages.
- The constitution should allow marriage only when boys and girls have cleared form four.
- The constitution should provide for renewable marriage contracts. (2)
- The constitution should do away with divorce laws.
- The constitution should provide for polygamous marriage for men who have large tracts of land.
- The constitution should provide that fathers should ensure women of child support and maintenance. (6)
- The constitution should provide for protection of women from all forms of violence. (3)
- Domestic violence should be abolished.

5.3.24 INTERNATIONAL POLICY

Opposition parties should not have the mandate to block external aid, this should be left to the government only.

Kenya should not be given foreign aid.

5.3.25 NATIONAL ECONOMIC POLICY

- The constitution should provide for government role in price control to protect local produce. (5)
- Kenya bureau of standards should be revitalized and expanded to guard against sub-standard goods.
- The constitution should not allow for liberalization.
- The constitution should provide for supply of water and electricity everywhere.
- The government should guarantee the provision of electricity for all Kenyans.
- The government should guarantee the provision of electricity for Nyaribari constituency.
- The government should maintain football stadiums.
- The government should maintain good roads and communication network in the country.

(3)

- The government should tarmac roads all over the country.
- The government should improve the state of roads in Kenya. (4)
- The constitution should provide for improvement of infrastructure especially those in farming areas. (3)

5.3.26 **NATIONAL OTHER POLICY**

In order to curb AIDS scourge, the government should promote awareness campaigns, and aids patients should be given drugs, food and counseling. Anyone known infecting others deliberately with AIDS should be imprisoned.

The Youth wings of political parties should be disbanded because they cause anxiety and frictions among members of the public. (2)

The government should carefully scrutinize the carrying of weapons for personal safety, as they could be a threat to the public.

The constitution should protect Kenyans from police harassment. (5)

- The constitution should provide that the assistant chiefs should monitor the retired army officers to curb infiltration of illegal arms and prevent their use in the villages.
- The constitution should provide that the Kisii-Transmara border be stabilized and Police posts be placed in every location around the area.
- The constitution should provide for traditional armory to guard against cattle rustlers.
- The constitution should provide that security officers should be equally distributed.
- The constitution should make provisions for the establishment of 4 police posts in each division and each division should be allocated 4 vehicles.
- The constitution should provide that people arrested by police should be taken to court.
- The constitution should initiate measures to curb corruption. (11)
- Bribery should be outlawed and punishable.
- Corruption within the police force should be dealt with under stringent measures. (4)
- Any public servant guilty of corruption should be prosecuted. (3)

5.3.27 **SECTORAL POLICY**

- The constitution should provide for irrigation of marginal areas. (3)
- The government should protect and promote the agriculture sector. (3)
- Farmers should elect chairmen of agricultural parastatals.
- Farmers should create unions to protect them.
- Agriculture sector should be revived so that urban rural policy becomes economically viable.
- Agriculture sector should be promoted.
- KTDA should not be privatized.
- AFC, ADC and KGGCU should be revived.
- Veterinary services should be free.
- Coffee, pyrethrum, tea and horticultural farming should be promoted, as they are the backbone of our economy.
- The constitution should provide that farmers should be provided for especially with regard to price regulation, irrigation.
- The constitution should provide for improvement of farmers welfare.
- The constitution should provide for free farm implements to farmers.
- The constitution should provide for recognition of Farmers trade unions.

- The government should guarantee the establishment industries in all districts in Kenya.
- The constitution should provide for civic education in schools.
- The constitution should provide for creation of a joint admission board for middle level colleges.
- The constitution should provide for teaching of technical subjects in schools.
- The constitution should provide for replacement of the 8-4-4 system of education with the 7-4-2-3system.
- The constitution should provide that admissions to college should be based on merit. KNUT should be done away with.
- The constitution should provide that parents should be empowered in the management of schools.
- Teachers who engage in sexual relationships with students should be severely punished.
- Public universities and national schools should be well distributed all over the country.
- The government should establish a university in Nyanza province.
- Corporal punishment in schools should be re-introduced. (30)
- Corporal punishment in schools should be abolished.
- The 8-4-4 system of education should be scrapped. Education policies should be made by experts and not by politicians.
- The 8-4-4 system of education should be scrapped and replaced with the 7-4-2-3system. (3)
- The old system of education should be re-introduced. (4)
- Native languages should be taught in schools.
- Experts should make education policies. Government should pay nursery school teachers. Specialization of subjects should begin at standard four.
- Specialization of subjects should begin at standard three.
- The government should subsidize secondary schools fees whilst college/university students should enroll in work-study programmes in order to get work experience.
- Higher education loans board should serve every Kenyan joining any university.
- The government should subsidize secondary schools fees.
- The BOG should recruit competent teachers.
- The constitution should provide that teachers shall be transferable and that they shall not teach in their areas.
- The constitution should be taught in schools.
- Value added tax should be abolished.
- The constitution should provide that small-scale traders should not be taxed.
- Kenyans who have banked their money in foreign countries should be forced to withdraw and bank it in Kenya.
- The constitution should provide for Kenyan currency to have a designed symbol.
- The constitution should provide for abolishing of VAT.
- Male and female circumcisers should be well trained.
- Emergency services should be affected in government hospitals.
- The government should make sure that well equipped health facilities are available through out the rural areas.
- Airwaves should be open and licensed unconditionally.
- The government should support the small enterprise sector.
- The government should provide funds for women so that they can start small businesses.
- Small enterprises businessmen and women should not pay taxes.
- Licensing taxes and taxes on spare parts should be abolished in order to make servicing of

cars cheaper.

- Licensing taxes of Matatus should be reduced so as to reduce overloading and over speeding.
- National parks and game reserves should be downsized in order to give Kenyans land. (2)

5.3.28 **CUSTOMARY LAW**

- The constitution should provide for the retention of customary law.

5.3.29 **STATUTORY LAW**

- The constitution should provide that petty criminals should serve their terms in home jail but those who have committed serious crimes should be imprisoned.
- A law should be enacted that protects the security of women.
- Cattle rustlers should be subjected to a life sentence if found guilty by a court of law.
- Traditional brews should be legalized. (4)
- Livestock thieves should be imprisoned for life.
- Drug traffickers should face serious sentences. Kaguthi findings should be implemented.
- It should be illegal to litter anywhere.
- Those who are found guilty of stealing should be forced to return the goods.
- Robbery with violence should be punishable by death penalty.

5.3.30 **COMMON GOOD**

- The constitution should provide that women should not wear trousers.
- The constitution should provide that women should not dress in provocative manner.
- The constitution should provide that if any animal that an individual is keeping becomes dangerous and harms another person the owner should be held responsible.

5.3.31 **GENDER EQUITY**

The constitution should promote gender equity. (3)

The law should provide for gender friendly campaigns.

5.3.32 **TRANSPARENCY/ACCOUNTABILITY**

The government should be transparent and accountable.

5.3.33 **NATURAL JUSTICE/ RULE OF LAW**

- The constitution should provide that all Kenyans should be equal before the law.
- The constitution should provide for rule of law for all including the President.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. James N. Obare DC
2. Joseph Ratemo Obiero
3. Moses H. Maranga
4. Pastor Shadrack Aivunda
5. Pastor Sospeter Mariera
6. Simion Ondimu Ogutu
7. Musa Nyandusi Nyanusi
8. Charles M. Aencha
9. Sereta Mochengo
10. Esther Monday Onchangu
11. Stephen Bosire
12. Jephther Momanyi
13. Godfrey Kinanga
14. Cllr. Stanley Ondoro
15. Nyabwanga Onsongo
16. Peter Magwaro
17. Mary Onyancha
18. Ben Nyamweya Matonda
19. Kaunda Osoro
20. Jason Momanyi
21. John Osano Morua

Appendix 2: Civic education providers (CEPs)

1. Catholic justice and peace commission
2. Ibacho muungano women group
3. Nyamasibi education and development fund
4. Riochogu self help group
5. Chiriko self help group
6. Prof. Ongeru
7. Gerare youth group
8. Muungano youth group
9. Constituency constitutional committee
10. Nuru self help group
11. chironge sublocation self help group

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

1	0001OKMNY	Abel Mokomba	CBO	Memorandum	Kiamokama Self Help Group
2	0002OKMNY	Jane K Mogire	CBO	Memorandum	Nyaribari Masaba Women Group
3	0004OKMNY	Jared Onyiego	CBO	Memorandum	Nyamesocho Agency
4	0003OKMNY	Naomi Bosire	CBO	Memorandum	Nyabiema SDA Women
5	0094IKMNY	Abel Mokomba	Individual	Oral - Public he	
6	0020IKMNY	Abel Suga	Individual	Written	
7	0008IKMNY	Abraham Orure	Individual	Written	
8	0047IKMNY	Akiro Ogaro	Individual	Oral - Public he	
9	0049IKMNY	Alex Kimaiga	Individual	Oral - Public he	
10	0146IKMNY	Andelea Omae	Individual	Oral - Public he	
11	0120IKMNY	Andrew Atandi	Individual	Oral - Public he	
12	0030IKMNY	Andrew Gisiora	Individual	Written	
13	0025IKMNY	Andrew O Maina	Individual	Written	
14	0038IKMNY	Anonymous	Individual	Written	
15	0039IKMNY	Anonymous	Individual	Written	
16	0043IKMNY	Benjamin Matonda	Individual	Oral - Public he	
17	0110IKMNY	Benjamin Nyakoiro	Individual	Oral - Public he	
18	0045IKMNY	Bernard Mabera	Individual	Oral - Public he	
19	0074IKMNY	Chared Ombongi	Individual	Oral - Public he	
20	0053IKMNY	Charles Aencha	Individual	Oral - Public he	
21	0116IKMNY	Charles Aencha	Individual	Oral - Public he	
22	0085IKMNY	Charles Mirwoba	Individual	Oral - Public he	
23	0114IKMNY	Charles Obisa Onsare	Individual	Oral - Public he	
24	0098IKMNY	Charles Onserio	Individual	Oral - Public he	
25	0029IKMNY	Councillor Omwoyo	Individual	Written	
26	0064IKMNY	Cris Okioma	Individual	Oral - Public he	
27	0128IKMNY	Daniel Mogaka	Individual	Oral - Public he	
28	0056IKMNY	David Makori	Individual	Oral - Public he	
29	0150IKMNY	David Mogusu	Individual	Oral - Public he	
30	0040IKMNY	David Mokamba	Individual	Oral - Public he	
31	0035IKMNY	David Nyaega	Individual	Written	
32	0002IKMNY	Elijah Nyanchoga	Individual	Written	
33	0021IKMNY	Elijah Otworu	Individual	Written	
34	0062IKMNY	Ester Onchangu	Individual	Oral - Public he	
35	0061IKMNY	Evans Bosire	Individual	Oral - Public he	
36	0026IKMNY	Evans Kalulu	Individual	Written	
37	0130IKMNY	Evans Machani	Individual	Oral - Public he	
38	0089IKMNY	Evans Mose	Individual	Oral - Public he	
39	0086IKMNY	Evans Nyamari	Individual	Oral - Public he	
40	0032IKMNY	Evans Nyansinga	Individual	Written	
41	0044IKMNY	Francis Machuki	Individual	Oral - Public he	
42	0118IKMNY	Francis Nyamweya	Individual	Oral - Public he	
43	0060IKMNY	Francis Ochiri	Individual	Oral - Public he	
44	0041IKMNY	Francis Ogutu	Individual	Oral - Public he	
45	0119IKMNY	Francis Omae	Individual	Oral - Public he	
46	0127IKMNY	Fred Omwoyo	Individual	Oral - Public he	
47	0083IKMNY	Fredrick Ondimu	Individual	Oral - Public he	
48	0093IKMNY	George Ongeru	Individual	Oral - Public he	
49	0078IKMNY	Gilbert Rakamba	Individual	Oral - Public he	
50	0134IKMNY	Grace Gesare	Individual	Oral - Public he	
51	0131IKMNY	Hezekiah Getanda	Individual	Oral - Public he	
52	0027IKMNY	Hezekiah Muma	Individual	Written	
53	0109IKMNY	Isack Omwangi	Individual	Oral - Public he	

54	0148IKMNY	Jackson Gichana	Individual	Oral - Public he	
55	0017IKMNY	Jacob Oanda	Individual	Written	
56	0117IKMNY	James Kinyoina	Individual	Oral - Public he	
57	0055IKMNY	James Mosomi	Individual	Oral - Public he	
58	0013IKMNY	James Mosomi	Individual	Written	
59	0050IKMNY	James Nyakioga	Individual	Oral - Public he	
60	0152IKMNY	James Ombagi	Individual	Oral - Public he	
61	0066IKMNY	James Ratemo	Individual	Oral - Public he	
62	0100IKMNY	Jane K Mogire	Individual	Oral - Public he	
63	0143IKMNY	Jared Onyiego	Individual	Oral - Public he	
64	0104IKMNY	Jason Momanyi	Individual	Oral - Public he	
65	0052IKMNY	Jeremiah Nyamosi	Individual	Oral - Public he	
66	0009IKMNY	Jeremiah Nyaora	Individual	Written	
67	0144IKMNY	Joash Ongeru	Individual	Oral - Public he	
68	0071IKMNY	Joel Mosiera	Individual	Oral - Public he	
69	0112IKMNY	John Mageto	Individual	Oral - Public he	
70	0016IKMNY	John V Simiyu	Individual	Written	
71	0137IKMNY	Johnson Makori	Individual	Oral - Public he	
72	0139IKMNY	Johnson Mwambi	Individual	Oral - Public he	
73	0141IKMNY	Johnson Omae	Individual	Oral - Public he	
74	0082IKMNY	Jones Monoa	Individual	Oral - Public he	
75	0079IKMNY	Joseph Kerongozi	Individual	Oral - Public he	
76	0003IKMNY	Joseph Ratemo	Individual	Written	
77	0006IKMNY	Josephine Okwani	Individual	Written	
78	0153IKMNY	Joshuah Manoti	Individual	Oral - Public he	
79	0133IKMNY	Justus Matundura	Individual	Oral - Public he	
80	0097IKMNY	Kara Amenya	Individual	Oral - Public he	
81	0075IKMNY	Kerima Mobaya	Individual	Oral - Public he	
82	0072IKMNY	Lamac Ombati	Individual	Oral - Public he	
83	0091IKMNY	Lawrence Ariri	Individual	Oral - Public he	
84	0012IKMNY	Lazarus Omwenga	Individual	Written	
85	0069IKMNY	Livingstone Areba	Individual	Oral - Public he	
86	0136IKMNY	Mageto Okioma	Individual	Oral - Public he	
87	0092IKMNY	Magoma Ndege	Individual	Oral - Public he	
88	0076IKMNY	Magutu Mirumbi	Individual	Oral - Public he	
89	0123IKMNY	Maobe Omari	Individual	Oral - Public he	
90	0125IKMNY	Maranga Isoe	Individual	Oral - Public he	
91	0081IKMNY	Maranga Matundura	Individual	Oral - Public he	
92	0028IKMNY	Mary Mukamo	Individual	Written	
93	0096IKMNY	Mary N Onyancha	Individual	Oral - Public he	
94	0101IKMNY	Mathew Tinga	Individual	Oral - Public he	
95	0095IKMNY	Mose Getanda	Individual	Oral - Public he	
96	0001IKMNY	Moses Maranga	Individual	Written	
97	0051IKMNY	Moses Ndege	Individual	Oral - Public he	
98	0059IKMNY	Moses Onyangi	Individual	Oral - Public he	
99	0145IKMNY	Mukano Getanda	Individual	Oral - Public he	
100	0068IKMNY	Musa Nyandusi	Individual	Oral - Public he	
101	0103IKMNY	Naomi Bosire	Individual	Oral - Public he	
102	0105IKMNY	Naomi Omenda	Individual	Oral - Public he	
103	0011IKMNY	Nelson Aminga	Individual	Written	
104	0108IKMNY	Nelson Gikenyi	Individual	Oral - Public he	
105	0048IKMNY	Nelson Maonga	Individual	Oral - Public he	
106	0087IKMNY	Nyabengo Borura	Individual	Oral - Public he	
107	0147IKMNY	Nyakwara Moibi	Individual	Oral - Public he	
108	0073IKMNY	Nyamweya Nyakundi	Individual	Oral - Public he	
109	0018IKMNY	Obed Onyancha	Individual	Written	

110	0033IKMNY	Obwogo Monayo	Individual	Written	
111	0140IKMNY	Ochamba Ondieki	Individual	Oral - Public he	
112	0063IKMNY	Oguku Nyagaka	Individual	Oral - Public he	
113	0031IKMNY	Ogumbo M Wako	Individual	Written	
114	0070IKMNY	Okemwa Maranga	Individual	Oral - Public he	
115	0042IKMNY	Pastor Anunda	Individual	Oral - Public he	
116	0037IKMNY	Pastor Mariera	Individual	Written	
117	0149IKMNY	Pastor O Ngote	Individual	Oral - Public he	
118	0077IKMNY	Patrick Okindo	Individual	Oral - Public he	
119	0151IKMNY	Paul Nyanganya	Individual	Oral - Public he	
120	0124IKMNY	Peter Maranga	Individual	Oral - Public he	
121	0099IKMNY	Peter Sure	Individual	Oral - Public he	
122	0046IKMNY	Peterson Momanyi	Individual	Oral - Public he	
123	0111IKMNY	Professor Sam Onger	Individual	Oral - Public he	
124	0135IKMNY	Rebecca Ombogi	Individual	Oral - Public he	
125	0090IKMNY	Reuben Osiemo	Individual	Oral - Public he	
126	0015IKMNY	Richard Ondieki	Individual	Written	
127	0084IKMNY	Robert Mokomba	Individual	Oral - Public he	
128	0057IKMNY	Rona Nyawaya	Individual	Oral - Public he	
129	0121IKMNY	Sadrack Gesora	Individual	Oral - Public he	
130	0102IKMNY	Samwel Mokandu	Individual	Oral - Public he	
131	0080IKMNY	Samwel Monda	Individual	Oral - Public he	
132	0129IKMNY	Samwel Monyerere	Individual	Oral - Public he	
133	0115IKMNY	Samwel Nyasani	Individual	Oral - Public he	
134	0107IKMNY	Samwel Otera	Individual	Oral - Public he	
135	0126IKMNY	Samwel Sure	Individual	Oral - Public he	
136	0058IKMNY	Sarange Nyakundi	Individual	Oral - Public he	
137	0106IKMNY	Sarimu Kefa	Individual	Oral - Public he	
138	0024IKMNY	Sereta Mochengo	Individual	Written	
139	0132IKMNY	Silas Ndisi	Individual	Oral - Public he	
140	0138IKMNY	Silas Obwoga	Individual	Oral - Public he	
141	0010IKMNY	Silas Oribo	Individual	Written	
142	0004IKMNY	Simeon Ondimu	Individual	Memorandum	
143	0005IKMNY	Sospeter Mariera	Individual	Written	
144	0022IKMNY	Stephen Bosire	Individual	Written	
145	0088IKMNY	Stephen Moruri	Individual	Oral - Public he	
146	0019IKMNY	Thomas Ndege	Individual	Written	
147	0067IKMNY	Thomas Nyamweya	Individual	Oral - Public he	
148	0034IKMNY	Tom Mokua	Individual	Written	
149	0122IKMNY	Wicklief Ogoti	Individual	Oral - Public he	
150	0065IKMNY	Wilfred Momanyi	Individual	Oral - Public he	
151	0014IKMNY	William Gwoma	Individual	Written	
152	0113IKMNY	Wilson Matongori	Individual	Oral - Public he	
153	0054IKMNY	Wilson Ontita	Individual	Oral - Public he	
154	0007IKMNY	Zablon Mogere	Individual	Written	
155	0142IKMNY	Zaphania Omambia	Individual	Oral - Public he	
156	0023IKMNY	Patrick Ogati		Written	

Appendix 4: Persons Attending Constituency Hearings

IBACHO PRIMARY SCHOOL

No.	Name	Address	No.	Name	Address
1	Moses H. Maranga	P.O. Box 705, Kisii	24	Mairura Otiambo	P.O. Box 626, Keroka
2	Elijah Nyanchoga	P.O. Box 478, Keroka	25	Charles Onchiri	P.O. Box 119, Keroka
3	Joseph Ratemo Obiero	P.O. Box 106, Keroka	26	William Aminga	P.O. Box 90, Keroka
4	Simon Makini	P.O. Box 478, Keroka	27	Nathan Ongeri	P.O. Box 95, Keroka
5	Joseck Nyamori	P.O. Box 680, Keroka	28	Getenga Mochache	P.O. Keroka
6	Francis Kiago Ogutu	P.O. Box 243, Keroka	29	Nelson Amunga	P.O. Box 622, Keroka
7	Samwel Arera Ongarigo	P.O. Box 17, Kiamokama	30	Akiro Ogaro	P.O. Box 9, Keroka
8	Simon Ondimu	P.O. Box 108, Keroka	31	Jeptha Momanyi	P.O. Box 14, Keroka
9	Pastor Sospeter Mariera	P.O. Box 104, Gesusu	32	Albert Onkoba Onsare	N/A
10	Paster S. Anunda	P.O. Box 488, Keroka	33	David Otema Mokamba	N/A
11	Bejanin Matonde	N/A	34	Alfred Gekong Mojagi	P.O. Box 148, Keroka
12	Josephine Onkwani	P.O. Box 626, Keroka	35	Alfred Nyambane	P.O. Box 590, Kisii
13	Zablon Mogere	P.O. Box 90, Keroka	36	Omore Magati	P.O. Box 1, Gesusu
14	Dr. Francis Machuki	P.O. Box 559, Keroka	37	Abel Moranga	P.O. Box 127, Keroka
15	David Mons	P.O. Box 3, Kiamokamo	38	James Matundura	P.O. Box 68, Gesusu
16	Bernard Mabera	P.O. Box 626, Keroka	39	Johnson Onguso	P.O. Box 57, Keroka
17	Peterson Momanyi	P.O. Box 127, Keroka	40	Charles Omullugo	P.O. Box 1, Gesusu
18	Abraham Maoza Okure	P.O. Box 590, Kisii	41	Nelson Masita	P.O. Box 60, Kisii
19	Jeremiah Nyaora	P.O. Box 675, Keroka	42	Alex Kimaigo	P.O. Keroka
20	Onsare Eric	P.O. Box 454, Keroka	43	Ombwori Akungo	P.O. Keroka
21	Joel Mosiere	P.O. Box 26, Kepkelion	44	Snr. Chief Onkoba	P.O. Box 429, Kisii
22	Lameck Ombati	P.O. Box 2223, Kisii	45	Jenifer Ongwesi	N/A
23	Rev. Silas Oribo	P.O. Box Kiamokamo	46	Nelson Onkoba Nyaiwe	P.O. Box 3823, Kisii
47	Justus Osoro	P.O. Box 415, Kisii	70	Nyogaka Ogwoka	P.O. Box 476, Keroka
48	Charlet Nyanyizawe	P.O. Box 2, Kiamokamo	71	John Sumati	P.O. Box 8, Masimba
49	James Nyakioga	P.O. Box 148, Keroka	72	Kemunto Nyagwaya	P.O. Box 680, Keroka
50	Moses Ndege	P.O. Box 148, Keroka	73	Sarange Nyakundi	P.O. Box 680, Keroka
51	Kakambo Chweyo	P.O. Box 476, Keroka	74	Alfred Nyamweya	P.O. Box 68, Gesusu
52	Lazarus Omwenga	N/A	75	Shem Masese	P.O. Box 680, Ibacho
53	Zablon Ombongi	P.O. Box 680, Keroka	76	Benjamin Matonde	P.O. Gesusu
54	Jeremiah Nyamosi	P.O. Box 648, Keroka	77	Moses Nyangaresi Onyangi	P.O. Box 95, Keroka
55	Ondimu Mosloma	P.O. Box 148, Keroka	78	Francis Onchiri	P.O. Box 7, Gesusu

56	Charles M. Aencha	P.O. Box 170, Keroka	79	Samwel Nyakeromba	P.O. Box 374, Keroka
57	Isaac Ochenge	P.O. Box 10, Nyangusu	80	Evans Bosire Oeri	P.O. Box 374, Keroka
58	Wilson Makaburi	P.O. Box 650, Ibacho	81	Felix Ondieki	P.O. Box 374, Keroka
59	Doughlas Ochenge	P.O. Box 10, Nyangusu	82	Ogero James	P.O. Box 190, Keroka
60	James Masomi	P.O. Box 1664, Kisii	83	Chris Okioma	P.O. Box 406, Keroka
61	Charles Ochenge	P.O. Box 10, Nyangusu	84	Cllr. Evans Ongori	P.O. Box 35, Keroka
62	Peter Osano Okari	P.O. Box 1114, Kisii	85	Otara Ombati	P.O. Box 6, Gesusu
63	Daudi Makori Chweya	P.O. Box 243, Keroka	86	Stephen Oigo	P.O. Box 8, Kiamokamo
64	Hezekiah Amoro	P.O. Box 243, Keroka	87	Paul Asiago	P.O. Box 406, Keroka
65	Benson Okingiti	P.O. Box 614, Keroka	88	Marendi Frankson	P.O. Box 406, Keroka
66	Enock M. Keana	P.O. Box 635, Keroka	89	Isaac Bangi	P.O. Box 406, Keroka
67	Simon M. Oendo	P.O. Box 127, Keroka	90	John Osano	P.O. Box 96, Keroka
68	Hezron N. Ochomba	P.O. Box 127, Keroka	91	Oguru Nyagaka	P.O. Box 18, Kiamokamo
69	Naftal Ombaye	P.O. Box 127, Keroka	92	Cllr. Gisioro	P.O. Box 22, Keroka
93	Ben Mogire	P.O. Box 763, Kisii	116	Charles Areba	P.O. Box 90, Keroka
94	Matara Ezekiel	P.O. Box 148, Keroka	117	Musa Nyandusi	P.O. Box 335, Sotik
95	Amos Maranga	P.O. Box 148, Keroka	118	Ebisiba Nyaboke	P.O. Box 32, Keroka
96	Nicolas Metobo	P.O. Box 680, Keroka	119	Ketah Mose	P.O. Box 860, Kisii
97	Kevah Nyokundi	P.O. Box 626, Keroka	120	Johnson Fereni	P.O. Box 476, Keroka
98	Timothy Oenga	P.O. Box 680, Keroka	121	Daudi Manyange	P.O. Box 18, Keroka
99	Alfred Mosota	P.O. Box 680, Keroka	122	Methusela Ondimu	P.O. Box 137, Keroka
100	Pastor John Omwenga	P.O. Box 118, Keroka	123	William Gwoma Obiri	P.O. Box 403, Keroka
101	Wilfred Momanyi	P.O. Box 79, Keroka	124	Livingstone Areba	P.O. Box 65, Keroka
102	James Atika	P.O. Box 493, Keroka	125	Msafiri	P.O. Box 95, Keroka
103	Evans Mogaka	P.O. Box 507, Keroka	126	Reuben O. Anyona	P.O. Box 8, Kaimokoma
104	Julius Okioma	P.O. Box 10, Keroka	127	Nelson Ogembo	P.O. Box 449, Keroka
105	Albert Omato	P.O. Box 66, Masimba	128	Ondieki Richard	P.O. Box 148, Keroka
106	Micar Maranga	P.O. Box 50, Keroka	129	Andrew Atika	P.O. Box 454, Keroka
107	Dari Proba	P.O. Box 10, Keroka	130	Kerima Mobarra	P.O. Box 454, Keroka
108	Esther Ochengu	P.O. Box 30, KMK	131	Magutu Mirumbi	P.O. Box 90, Keroka
109	Nelson Maroko	P.O. Box 101, Keroka	132	John Ongeri	P.O. Box 90, Keroka
110	Alson Nyakoe	P.O. Box 601, Keroka	133	Josephat Karimu	P.O. Box 52, Keroka
111	Okaku Oyugi	P.O. Box 101, Keroka	134	Patrick Okindo	P.O. Box 119, Keroka
112	Kennedy Nyabogach	P.O. Box 326, Keroka	135	Mary Nyamori	P.O. Box 590, Kisii
113	Lawrence Ochenge	P.O. Box 101, Keroka	136	Gilbert Rakamba	P.O. Box 476, Keroka
114	Jastus Karanga	P.O. Box 101, Keroka	137	Kefa Ondieki	P.O. Box 682, Keroka
115	William Nyakundi	P.O. Box 101, Keroka	138	Zablon Owoka	P.O. Box 476, Keroka
139	Mato	P.O. Box 148, Keroka	162	Victor Simiyu	P.O. Box 1189, Kitale
140	Walter Ombogo	P.O. Box 608, Keroka	163	Ronald Nyakundi	P.O. Box 626, Keroka
141	Joseph Kerongosi	N/A	164	Milka Meraba	N/A
142	Cllr. Samuel Monde	P.O. Box 462, Kisii	165	Kennedy Omwofo	P.O. Box 148, Keroka
143	Cllr. Charles Merange	P.O. Box 91, KMK	166	George Ombati	P.O. Box 255, Kisii
144	Olipha Otiembo	P.O. Box 148, Keroka	167	James Makori	P.O. Box 90, Keroka

145	Moses Mogaka	P.O. Box 374, Kisii	168	Sioche Paul	P.O. Box 478, Keroka
146	Momonyi Otere	P.O. Box 516, Keroka	169	James Osando	P.O. Box 454, Keroka
147	Kepha Kurendi	P.O. Box 281, Keroka	170	Henry Mosese	P.O. Box 454, Keroka
148	Josephat Keranga	P.O. Box 281, Keroka	171	Thomas Keana	P.O. Box 694, Kisii
149	Jones Menoa	P.O. Box 62, Kmk	172	Charles Mirwoba Ayieni	P.O. Box 683, Keroka
150	Rebecca Otiso	P.O. Box 622, Keroka	173	Magoma J. Magoma	P.O. Box 1870, Keroka
151	Loise Omeke	P.O. Box 622, Keroka	174	Johnson Maranga	P.O. Box 1768, Kisii
152	Carren Samwel	P.O. Box 622, Keroka	175	Justine Mirieri	P.O. Box 680, Keroka
153	Frederick Ondimu	P.O. Box 148, Keroka	176	Evans Nyamari	P.O. Box 680, Keroka
154	James Ariri	P.O. Box 675, Keroka	177	Nyambego Borura	P.O. Box 680, Keroka
155	Kennedy Ratemo	P.O. Box 90, Kisii	178	Stephen Maruri	P.O. Box 680, Keroka
156	Robert Mokomba	P.O. Box 6873, Nairobi	179	Mose Monayo	P.O. Box 680, Keroka
157	Godfrey Kinanga	P.O. Box 237, Keroka	180	Haron Samorta	P.O. Box 680, Keroka
158	Sibia Nyallenyanys	P.O. Box 680, Keroka	181	Isaac Rueben	P.O. Box 680, Keroka
159	Edward Onkwani	P.O. Box 680, Keroka	182	Nyamari Botange	P.O. Box 68, Keroka
160	Simion Makori	P.O. Box 78, Keroka	183	Thomas Mose	P.O. Box 148, Keroka
161	Edward Momanyi	P.O. Box 454, Keroka	184	Makori Evans	P.O. Box 68, Keroka
185	Reuben Mogere	P.O. Box 119, Keroka	189	Peter Nyanganya	P.O. Box 99, Keroka
186	Mose Steward	P.O. Box 95, Keroka	190	Lawrence Ariri	P.O. Box 90, Keroka
187	Jerita Arisa	P.O. Box 1057, Kisii	191	Isaac Oenga	P.O. Box 60, Keroka
188	George Morara	P.O. Box 102, Keroka	192	Magoma Ndege	P.O. Box 626, Keroka

MASIMBA DO'S OFFICE

No.	Name	Address	No.	Name	Address
1	George Onger	P.O. Box 65, Masimba	159	Cllr. Soe Makandu	P.O. Box 1, Masimba
2	Jacob Oanda	P.O. Box 524, Keroka	160	Stanley Kebwaro	P.O. Box 3, Masimba
3	Abel Mokomba	P.O. Box 1, Masimba	161	Pastor Anunda	P.O. Kiamokama
4	Nelson Gkenyi	P.O. Box 57, Masimba	162	Pastor Daniel Ongei	P.O. Box 170, Masimba
5	Obed Onyancha	P.O. Box 24, Masimba	163	Naom Bosire	P.O. Box 517, Keroka
6	Diecoke Nyaoko	P.O. Box 22, Masimba	164	Godfrey Kinanga	P.O. Box 237, Keroka
7	Getanda Mose	P.O. Box 422, Keroka	165	Jason Momanyi	P.O. Box 68, Ramasha
8	William Ombeche	P.O. Box 5021 Keroka	166	Naom Omenda	P.O. Masimba
9	Abel Suga	P.O. Box 566 Keroka	167	Mochengo Sereta	P.O. Box 203, Gesusu
10	Mary Onyancha	P.O.Box 524 Masimba	168	Salim Kefa	P.O. Box 163, Gesusu
11	Moses Maranga	P.O.Box 705 Kisii	169	Samwel Kotera	P.O. Box 566, Keroka
12	Joseph R. Obiero	P.O Box 106 Keroka	170	Zablon Nyangau	P.O. Box 82, Keroka
13	Kennedy Momanyi	P.O. Box 8 Masimba	171	Onwange Isaca	P.O. Box 36, Masimba
14	Elijah Otwor	P.O Box 20 Gesusu	172	Reuben Nelson Nyakeriga	P.O. Box 46, Masimba
15	Stephen Bosire	P. O. Box 79 Keroka	173	Kemunto Okongo	P.O. Masimba
16	Kaara Amenya	P. O. Box 3 Masimba	174	Benjamin Nyakoiro	P.O. Box 3, Masimba
17	Ogati Patrick	P.O Box 106 Keroka	175	Prof. Sam Onger	P.O. Nyaribari
18	Charles Omwoyo	P.O Box 170 Keroka	176	John Mageto	P.O. Box 289, Keroka
19	William Mainya	P.O . Box 108 Gesusu	177	John Nyayiewo	P.O. Box 5, Keroka
20	Andrew Maina	P.O. Box 426 Keroka	178	Wilson Matongori	P.O. Box 106, Keroka
21	Peter Sure	P.O.Box 1 Masimba	179	Joseph Kiboma	P.O. Box 69, Keroka
22	Jane Mogire	P.O. Box 32 Keroka	180	Charles Ogise	P.O. Box 82, Keroka
23	Cllr Mathew Tinga	P.O Box 1 Masimba	181	Edward Nyagaka	P.O. Box 82, Keroka
24	Samwel Mataya	P.O. Box 82, Masimba	182	Wycliffe Oguti	P.O. Box 87, Gesusu
25	Samwel Nyajani	P.O. Box 38, Masimba	183	Basiln Bwoma	P.O. Box 43, Keroka
26	Charles Aencha	P.O. Box 170, Keroka	184	Nyakundi Isaca	P.O. Box 1103, Masimba
27	Fred Obonyo	P.O. Box 8, Masimba	185	Kevin Omuya	P.O. Box 170, Keroka
28	Evans Kalulu Bonuke	P.O. Box 36, Gesusu	186	Charles Onyieki	P.O. Box 16, Masimba
29	David N. Onger	P.O. Box 1, Gesusu	187	John Bosire	N/A
30	Hesekiah Muma	P.O. Box 575, Keroka	188	Jackson Nyameya	P.O. Private Bag
31	Thomas Miroro	P.O. Box 49, Gesusu	189	Maobe Omari	P.O. Box 17, Masimba
32	James Kingoina	P.O. Box 1, Masimba	190	Martin Bosire	P.O. Box 08, Masimba
33	Paul Gesuho	P.O. Box 452, Keroka	191	Matara Meraba	P.O. Masimba
34	Francis Nyamweya	P.O. Box 32, Keroka	192	Sospeter Kebira	P.O. Box 34, Kisii
35	Samwel Monari	P.O. Box 11, Keroka	193	Christopher Bigutu	P.O. Box 64, Masimba
36	Jared Nyabogo	P.O. Box 11, Keroka	194	Reuben Oira	P.O. Box 171, Masimba
37	Michael Nyaseti	P.O. Box 68, Gesusu	195	David Osoro	P.O. Masimba
38	Francis Omae	P.O. Box 71, Masimba	196	Elijah Ongondi	P.O. Box 9, Masimba
39	Andrew Atandi	P.O. Box 25, Keroka	197	Charles Ogero	P.O. Box 20, Kisii
40	Geofrey Kebwaro	P.O. Keroka	198	Charles Onwonga	P.O. Box 46, Masimba
41	Zadrack Gesore	P.O. Box 48, Keroka	199	Mary Mukamo	P.O. Box 176, Masimba
42	Henry Maranga	P.O. Box 93, Gesusu	200	Thomas Ooga	P.O. Box 456, Keroka
43	Joel Makori	P.O. Box 51, Gesusu	201	Nelson Moinde	P.O. Box 64, Masimba

44	Andrew Onkoba	P.O. Box 142, Nyasike	202	Pastor Bosire Robinson	P.O. Box 128, Gesusu
45	Pius Ondigi	N/A	203	Joel Juma	P.O. Box 128, Gesusu
46	Omanga Njore	P.O. Box 440, Keroka	204	Samwel Matagaro	P.O. Box 75, Gesusu
47	Richard Omweyo	N/A	205	Maeba Ismath	P.O. Box 510, Kisii
48	Samwel Manyibe	Private Bag	206	Daniel Nyagaka	P.O. Box 82, Keroka
49	Zon Arasa	Private Bag	207	William Momanyi	P.O. Box 106, Kisii
50	Rebecah Ndege	N/A	208	Omondi	N/A
51	Tabesh Nyagwesi	P.O. Box 1, Gesusu	209	Robinah Moraa	P.O. Box 336, Keroka
52	Jane K. Mogire	P.O. Box 7, Gesusu	210	Nyaboke	P.O. Box 46, Masimba
53	Samwel Osoro	N/A	211	Hellen	P.O. Masimba
54	Charles Ochungo	N/A	212	Nyanchera	P.O. Keroka
55	Caleb Intabo	N/A	213	Kemunto	P.O. Box 1819, Keroka
56	Peter Maranga	P.O. Box 2, Masimba	214	John Maranga	P.O. Box 78, Gesusus
57	Moses Nyangonesi	P.O. Box 2, Masimba	215	Ouko Nyangwara	P.O. Box 899, Masimba
58	Joseph Mabira	Private Bag	216	Henry Moranga	P.O. Box 264, Keroka
59	Caleb Ntabo	P.O. Box 203, Keroka	217	Evans Mbaka	P.O. Box 105, Keroka
60	Anginesi	N/A	218	Samwel Monyerera	P.O. Box 79, Keroka
61	Nyangweso	N/A	219	Stephen Nyagaka	P.O. Box 82, Keroka
62	Maranga Isoe	P.O. Box 26, Keroka	220	Yabesa Maangi	P.O. Box 283, Keroka
63	Samwel Sure	P.O. Box 195, Kisii	221	Zablon Waro	N/A
64	Joseph Makori	P.O. Box 26, Keroka	222	Charles Ongeru	N/A
65	Omwoyo Ondieki	P.O. Box 75, Gesusu	223	Evans Machani	P.O. Box 3, Masimba
66	Cllr. Gisiara Andrew	P.O. Box 22, Keroka	224	David Kerage	N/A
67	Thomas Matoka	P.O. Box 87, Masimba	225	Nyakeyo Onwonga	N/A
68	Joseph Mose	P.O. Box 102, Gesusu	226	Annah Nyanduko	N/A
69	Joseph N. Obongo	P.O. Box 590, Kisii	227	Moraa Ototo	Private Bag
70	Mary Oboi	N/A	228	Thomas Nyabwango	P.O. Box 16, Masimba
71	Agnes Omar	N/A	229	Grace Gesare	P.O. Box 72, Soser
72	Moko Orioki	N/A	230	Ogumbo M. Gwako	P.O. Box 99, Masimba
73	Osumo Nyanchawa	N/A	231	Evans Nyasinga	P.O. Box 170, Keroka
74	Oboso Aputi	P.O. Box 225, Keroka	232	Julius Okioma	P.O. Box 101, Keroka
75	Omai Mogere	P.O. Box 106, Masimba	233	Rebecca Ombongi	N/A
76	Joseph Mogire	P.O. Box 106, Masimba	234	Samwel Ongeru	P.O. Box 20, Keroka
77	Charles Machoni	P.O. Box 20, Gesusu	235	Amos Mose	P.O. Box 39, Keroka
78	Nyarunda Okemwa	P.O. Box 3, Masimba	236	Zedekiah Gwaro	N/A
79	Jremiah Nyachoti	P.O. Box 3, Masimba	237	Charles Nyamweya	P.O. Box 11, Gesusu
80	Hezekiah Getanda	P.O. Box 3, Masimba	238	Joseph Onsanigo	P.O. Masimba
81	James Mogote	N/A	239	Stanely Kerage	N/A
82	Machoki Aruba	N/A	240	Omari Onsoti	P.O. Box 64, Masimba
83	Kennedy Makomba	N/A	241	Samason Nyotaya	N/A
84	Evans Mokomba	N/A	242	Richard Oira	N/A
85	Moses Mirioba	P.O. Box 87, Masimba	243	Fredrick Oira	P.O. Box 11, Masimba
86	Johnson Oguto	P.O. Box 87, Masimba	244	David Omurwa	N/A
87	David Ondieki	N/A	245	Joseph M. Nyangwa	P.O. Box 70, Gesusu
88	Sereveta Atembe	P.O. Box 192, Keroka	246	Kiophas Osebe	P.O. Box 19, Kisii
89	Henry Mosota	P.O. Masimba	247	Isaboke Onjiri	P.O. Box 18, Masimba

90	Ndizi Mayienda	N/A	248	Osando Mangero	P.O. Box 6, Kisii
91	Jastus Matuwaura	P.O. Box 93, Masimba	249	Robert Makori	P.O.Box 20, Masimba
92	Domnic Maeba	P.O. Box 14, Keroka	250	Ratemo Nyakonu	N/A
93	Charles Ondieki	P.O. Box 68, Masimba	251	Peter Nyamwanu	P.O. Box 75, Gesusu
94	Mageto Okioma	P.O. Box 95, Keroka	252	Jerusa Bosibori	P.O. Box 85, Keroka
95	Johnson Makori	P.O. Box 3084, Kisii	253	Sabina Moraa	N/A
96	Simion Maeto	P.O. Box 25, Gesusu	254	Joswa Omari	P.O. Box 5, Keroka
97	Hezekiah Ochwangi	P.O. Box 64, Masimba	255	Mary Isaboke	P.O. Box 79, Keroka
98	Masese Somon	P.O. Box 46, Masimba	256	Onchomba Ondieki	P.O. Box 75, Gesusu
99	Adson Omwoyo	P.O. Box 266, Keroka	257	Shem Onkoba Ogeda	P.O. Box 172, Gesusu
100	Vincent Nyogaka	P.O. Box 266, Keroka	258	Abel Michira	N/A
101	Cyprus Obwoye	P.O. Box 264, Keroka	259	Omare Magati	N/A
102	Adrosi Mise	P.O. Box 79, Keroka	260	Bokoro Godfrey	N/A
103	Zablon Boraya	N/A	261	Julius Makana	P.O. Box 20, Kisii
104	Johnson Mwangi	P.O. Box 14, Masimba	262	Nyakund Patrick	N/A
105	Jackson Bundi	P.O. Box 5, Matuu	263	John Mokua	P.O. Box 218, Kisii
106	Asusi Onger	N/A	264	Isac Ondieki	N/A
107	Mogire Ondiek	N/A	265	Bilia Bosibori	N/A
108	Zablon Mosuna	N/A	266	Nicodemus Bibika	N/A
109	James Mosese	P.O. Box 105, Keroka	267	Obwogo Monayo	P.O. Box 2798, Kisii
110	David Michira	P.O. Box 82, Keroka	268	Mogaka Sorenson	P.O. Box 58, Masimba
111	Mary	N/A	269	Peter Nyamwanu	P.O. Box 41, Masimba
112	Joseph Moturi	P.O. Box 39, Masimba	270	Bosobori Ondieki	N/A
113	Isack Mogire	P.O. Box 78, Masimba	271	Isicah Michira	N/A
114	Kenedy Ndege	P.O. Box 78, Masimba	272	Johnson Nyamweya	P.O. Box 75, Gesusu
115	Kifomuma Mose	P.O. Box 78, Masimba	273	Benson Miyogo	P.O. Box 46, Masimba
116	Joseph Matoka	P.O. Box 170, Keroka	274	David Nyaega	P.O. Box 50, Keroka
117	Fred Obaga	P.O. Box 153, Gesusu	275	Cyprus Marita	P.O. Box 454, Keroka
118	Evans Nyarango	P.O. Box 35, Masimba	276	Charles Ombongi	P.O. Box 148, Keroka
119	Onkoba Onsare	P.O. Box 4, Masimba	277	Charles Orot	P.O. Box 16, Masimba
120	Sibia Kwansole	N/A	278	Jared Onyiego	P.O. Box 35, Gesusus
121	Omambla Nyangonda	P.O. Box 68, Keroka	279	Jastus Boraya	P.O. Box 46, Masimba
122	Zablon Nyangwono	N/A	280	Stephen Motiri	P.O. Box 3, Masimba
123	Albert Atosi	P.O. Box 120, Keroka	281	George Nyabwanga	P.O. Box 289, Keroka
124	Cllr. Richard Onsarigo	P.O. Box 14, Gesusu	282	Joash Onger	P.O. Box 17, Masimba
125	Rateno Maomba	P.O. Box 321, Keroka	283	Jared Onger	P.O. Box 75, Gesusu
126	Zadrack Mogire	P.O. Box 68, Keroka	284	Julius Omari	P.O. Box 75, Gesusu
127	Abel Mwamba	P.O. Box 68, Keroka	285	Cllr. Getenga	P.O. Box 476, Keroka
128	Sharnely Obenda	P.O. Box 20, Keroka	286	Nyamunga	P.O. Box 476, Keroka
129	George Millon Nyaipo	P.O. Box 89, Masimba	287	Paul Okongo	P.O. Box 290, Kisii
130	Kennedy	P.O. Box 454, Keroka	288	Ombui Oyagi	P.O. Box 699, Kisii
131	David Omato	P.O. Box 20, Kisii	289	Samson Ogero	P.O. Box 20, Gesusu
132	Robin Gisemba	P.O. Box 216, Homa Bay	290	Yocabeth Kemonto	P.O. Box 63, Keroka
133	Ben Mirriaba	P.O. Box 2418, Migori	291	Miriam Nyangau	P.O. Box 28, Masimba
134	Johnson Onchando	P.O. Box 200, Keroka	292	Lawrence Aburi	P.O. Box 28, Masimba
135	Thomas Onchando	P.O. Box 98, Sotik	293	Bernard Nyandego	P.O. Box 554, Keroka

136	Mogote Koroso	P.O. Box 26, Kisii	294	Mokano Getanda	P.O. Box 221, Keroka
137	Tom Nyakonu	P.O. Box 30, Keroka	295	Anderea Omae	P.O. Box 19, Keroka
138	Francis Orosi	P.O. Box 4, Masimba	296	Zedekiah Ondieki	P.O. Box 75, Gesusu
139	Yvuenal Siocha	P.O. Box 454, Keroka	297	Samwel Omwenga	P.O. Box 82, Keroka
140	Baca Orora	P.O. Box 3, Masimba	298	Nyakwara Moibi	P.O. Box 68, Gesusu
141	King'oma Samwel	P.O. Box 4, Gesusu	299	Kennedy John Nyatangi	P.O. Box 476, Keroka
142	Peter Ongarore	P.O. Box 113, Keroka	300	Omoso Tumbo	P.O. Box 454, Keroka
143	Kennedy Mogime	P.O. Box 55, Masimba	301	James Mbeche	P.O. Box 454, Keroka
144	Josper Songoro	P.O. Box 82, Masimba	302	Esther Morumbasi	P.O. Box 82, Keroka
145	Jobs Matundara	P.O. Box 682, Keroka	303	Jattason Matundora	P.O. Box 39, Masimba
146	Benjamin Yaroko	P.O. Box 454, Keroka	304	Paul Nyangeya	P.O. Box 3, Masimba
147	Jared Bonuko	P.O. Box 2, Gesusu	305	Evans Arisa	P.O. Box 20, Gesusu
148	John Bosire	P.O. Box 404, Keroka	306	Stephen Omenda	P.O. Box 3, Masimba
149	Jefferson Onduso	P.O. Box 1, Gesusu	307	Nyagaka Nyosinya	P.O. Box 8, Gesusu
150	Jackson Gichana	P.O. Box 36, Keroka	308	James Mogaka	P.O. Box 163, Gesusu
151	Pastor Mariera	P.O. Box 104, Gesusu	309	Shem Onkabo	P.O. Box 3, Masimyo
152	Pastor Thomas Ongote	P.O. Box 2211, Kisii	310	James Nyakaramba	P.O. Box 3, Masimba
153	Everyline Kemonto	P.O. Box 111, Kilgoris	311	Joshua Manoti	N/A
154	Samwel P. Momanyi	P.O. Box 87, Masimba	312	Ben Nyagaka	P.O. Box 213, Kisumu
155	David K. Mogusu	P.O. Box 68, Keroka	313	Chief Momanyi	P.O. Box 454, Keroka
156	Fred Nyakwana	P.O. Box 75, Masimba	314	David Ongeru	N/A
157	Oira Songoro	P.O. Box 16, Masimba	315	George Makori	P.O. Box 170, Keroka
158	Sabisa Maeta	P.O. Box 3, Keroka			

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1. DISTRICT CONTEXT

Nyaribari Chache Constituency is a constituency in Kisii District. Kisii District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	234,448	257,338	491,786
Total District Population Aged 18 years & Below	139,830	140,640	280,470
Total District Population Aged Above 18 years	94,618	116,698	211,316
Population Density (persons/Km ²)	758		

1.2. Socio-Economic Profile

Kisii District:

- Is the most densely populated district in the province;
- Has a primary school enrolment rate of 74.5% being ranked 6th in the province and 28th nationally;
- Has one of the highest secondary school enrolment rates in the province at 31.7%, being ranked 2nd in the province and 12 nationally;
- Experiences the following main diseases: malaria, anaemia, gastro-enteritis, broncho pneumonia, and tuberculosis;
- Has a 22.9% malnourishment rate of children under 5 years of age, being ranked 22nd of 42 of the nationally ranked districts;
- Has 62 of 1000 of its live babies dying before the 1st birthday, being ranked 22nd of 44 of the nationally ranked districts;
- Has a life expectancy of 52.1years, being ranked 33 of 45 of the nationally ranked districts;
- Has an absolute poverty level of 57.22% being ranked 28th of 46 nationally ranked districts;
- Has a 46.82% food poverty level being ranked 19th of 42 nationally ranked districts;
- Has an unemployment rate of 5.07%;
- Has a monthly mean income of Ksh. 6,367;
- Has 57.10% of its residents accessing clean drinking water; and
- 87.40% of its residents having safe sanitation.

Kisii district has 5 constituencies: Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies. The district's 5 MPs, each cover on average an area of 130 Km² to reach 98,357 constituents. The ruling party, KANU, won all the parliamentary seats in the 1997 general election. It won Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies with 54.57%, 49.75%, 62.09%, 83.33%, and 75.25% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Electioneering and Political Information

In the 1992 and 1997 general elections, Simeon Nyachae won with 68.09% and 83.33% valid votes respectively. He won on a KANU ticket. In 2002, he won on FORD People ticket.

2.2. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			50,257
CANDIDATE	PARTY	VOTES	% VALID VOTES
Simeon Nyachae	KANU	15,871	68.09
Sam Ogembo	DP	6,331	27.16
Chris Bichage	FORD-K	1,108	4.75
<i>Total Valid Votes</i>		<i>23,310</i>	<i>100.00</i>
Rejected Votes		663	
Total Votes Cast		23,973	
% Turnout		63.32	
% Rejected/Cast		2.77	

2.3. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			43,236
CANDIDATE	PARTY	VOTES	% VALID VOTES
Simeon Nyachae	KANU	20,550	83.33
Isaac N. Rwenyo	FORD-K	1,683	6.82
Peter M. Nyamweya	DP	1,541	6.25
James Oira	NDP	887	3.60
<i>Total Valid Votes</i>		<i>24,661</i>	<i>100.00</i>
Rejected Votes		663	
Total Votes Cast		25,324	
% Turnout		58.57	
% Rejected/Cast		2.62	

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 16th January 2002 and 15th May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution review process
- Constitution making process
- Issues and questions for public hearings
- The government of Kenya
- Emerging issues
- Structures and systems of government
 - Governance

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 14th and 17th June 2002
- a) Total Number of Days: 2

1. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 - 1) Nyabuto Catholic Church Hall
 - 2) Keumbu Chief's Hall

1. Panels

a) Commissioners

- 1.Com Charles Maranga Bagwasi
- 2.Com. Alice Yano
- 3.Com. Keriako Tobiko

a) Secretariat

- 1.Maimuna Mwidau - Programme Officer
- 2.Dominic Osoro - Asst. Programme Officer
- 3.Emma Kaga - Verbatim Recorder
- 4.Stephen Arika - Technician

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		190
Sex	Male	163
	Female	27
	Not Stated	0
Presenter Type	Individual	178
	Institutions	10
	Not Stated	2
Educational Background	Primary Level	56
	Secondary/High School Level	109
	College	4
	University	14
	None	4
	Not Stated	3
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	4
	Oral	164
	Written	2
	Oral + Memoranda	19
	Oral + Written	1
	Not Stated	0

5.3. **Concerns ad Recommendations**

The following are the recommendations made by the presenters in Nyaribari Chache. 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**

- There should be preamble in the constitution (14);
- The preamble should reflect our history, colonial times and struggle for independence
- The preamble should recognize the diversity of the Kenyan tribes.
- The preamble should reflect the will of the Kenyan people.
- The preamble should express the need for justice, peace and unity in the country.
- The preamble should capture the national flag and the shield of Kenya.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should ensure that equality of all Kenyans regardless of gender, ethnic or religion prevails.
- Every one should protect the constitution and constitution should safe guard the lives of the citizen;
- The constitution should provide equal treatment of Kenyans, right to own property.
- The constitution should include equal opportunities to all, respect for the minority civil right guarantee, accountability and transparency as the democratic principles.
- The constitution should provide democratic principle of the people by the people for the people;
- The constitution should capture that Kenya is a representative democracy.
- The constitution should provide that the democratic right to rule according to the will of the people
- The constitution should reflect values of Consensus, dignity, honesty, equality, unity, respect, self-reliance, generosity and hospitality.
- Important values should be enforced in the constitution (2);

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that 70% majority should be attained by parliament to amend the constitution.
- The constitution should limit the power of the parliament to amend the constitution (2)
- The constitution should empower Parliament to have powers to amend the constitution;
- Aspects touching human right, security of tenure for judges and auditor general should be amended through public referendum;
- The constitution should provide for special procedures to amend bill of right;
- Constitution amendment should be done through public referendum (9)
- The constitution should provide that Independent bodies conduct the referendums.
- The constitution should provide that Legal experts conduct the referendums.
- The constitution should provide that a commission conducts public referendum.

5.3.4. **CITIZENSHIP**

- The constitution should provide that all people born in Kenya be automatic citizens. (2)
- The constitution should provide that citizenship can also be acquired through registration;
- The constitution should provide that citizen ship should be acquired through referendum;
- The constitution should provide that citizenship should be acquired through naturalization;
- The constitution should provide that spouses of Kenya citizen should be automatic citizen regardless of the gender (5)
- The constitution should provide for a ten-year temporary citizenship a spouse to a Kenyan citizen after which one can apply for full citizenship.
- The constitution should provide that a child born of one Kenyan parent should be regarded as automatic citizens (3)
- The constitution should allow Dual citizenship (2)
- The constitution should not allow Dual citizenship (2)
- The constitution should provide that National identity cards, birth certificate, passport, academic certificate and chief letter should be used as a documents to prove citizenship (6)
- The constitution should provide that Kenyans shall be issued with passports free of charge.

5.3.5. **DEFENSE AND NATIONAL SECURITY**

- The constitution should establish the Disciplined forces (5)
- The constitution should provide that a committee/commission be established to discipline armed forces. (3)
- The constitution should provide that the Office of the president should determine methods of disciplining armed forces.
- The Constitution should establish a separate legal entity within police force to discipline armed forces.
- The constitution should provide that the Police be subject to people not the government.
- The constitution should provide that President should not be the commander in chief of armed forces. (5)
- The constitution should provide that President should be the commander in chief and armed forces. (2)
- The constitution should provide that Executive should not have power to declare war. (2)
- The constitution should provide that the President should not have power to declare war. (2)
- The constitution should provide that the President should get approval from parliament to declare war. (2)
- The constitution should allow the use of extra ordinary powers during emergency.
- The constitution should provide that only parliament should have authority to declare emergency powers (4).
- The constitution should provide that during disaster, president should have power to declare emergency powers.
- The constitution should provide that extra ordinary powers be used during emergency.
- The constitution should provide that Parliament should play an advisory role in emergency powers;
- The constitution should provide that Armed forces engage in road construction and teaching.
- The constitution should provide that Military men should engage in rendering service to people of Kenya.

5.3.6. **POLITICAL PARTIES**

- The constitution should provide that Political parties should conduct civil education and monitor the party in power;
- The constitution should provide that Political parties should serve as vehicle for free competition of ideas;
- The constitution should provide that Political parties should not play any role;
- The constitution should provide that Political parties should be involved in national building and promote peace unity;
- The constitution should provide that Political parties should have the role of protecting the constitution;
- The constitution should regulate, formation and conduct of the political parties (3);
- The constitution should provide that Political parties should not be more than 5 and less than 3 (2);
- The constitution should provide that Political parties should not be limited. (3)
- The constitution should provide that Political parties should be limited to three (3);

- The constitution should provide that Political parties should be funded by the government (8)
- The constitution should provide that Political parties should be accountable for the funds allocated;
- The constitution should provide that Political party should have a national outlook;
- The constitution should provide that Political parties leaders should have state security.
- The constitution should provide that State and political parties should work together for development;
- The constitution should provide that all political parties should have access to media;
- The constitution should provide that Head of the state should not be head of the political party;
- The constitution should provide that State should treat political parties equally (2);
- The constitution should provide that State should not use the provincial administration to intimidate political parties;
- The constitution should provide that President should not belong to any political party;

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should retain the Presidential system of government. (4)
- The constitution should adopt parliamentary system of government. (8)
- The constitution should provide that Prime minister should be the head of government business and commander in chief of armed forces;
- The constitution should not create the post of Prime minister
- The constitution should provide that Prime minister should be the head of the government (3);
- The constitution should provide that Prime minister should be appointed by the parliament;
- The constitution should provide that Prime minister be elected by the people;
- The constitution should provide that the President be the head of the state;
- The constitution should provide that the president be ceremonial. (3)
- The constitution should provide that the President should have the executive powers;
- The constitution should not adopt the hybrid system of government;
- The constitution should not retain the Unitary system of government.
- The constitution should adopt unitary system of government (5);
- The constitution should adopt federal system of government (2);
- The constitution should not adopt federal government (5);
- The constitution should provide that the central government should devolve powers to the local government.
- The constitution should provide that the Vice president should have similar qualification as the president (2);
- The constitution should provide that the Vice president should be elected directly by the people.
- The constitution should provide that the Vice president should be appointed by the parliament;
- The constitution should provide that the Attorney general should be appointed by the parliament;

- The constitution should provide that the Attorney general should be non partisan;
- The constitution should provide that the Attorney general should be appointed by the president;
- The constitution should provide that the Attorney general should be appointed by the judicial commission (2);
- The constitution should provide that the political parties should appoint the AG.

5.3.8. **THE LEGISLATURE**

- The constitution should provide that Parliament should vet appointments of chief justice, judges, ministers and State Corporation. (3)
- The constitution should provide that Parliament vet appointment of electoral commissioners and heads of state;
- The constitution should provide that Parliament approve appointment of provincial commissioners and permanent secretaries;
- The constitution should provide that Parliament appoints auditor general;
- The constitution should provide that Parliament should appoint the judicial service commission;
- The constitution should provide that Parliament should vet all presidential appointment (3);
- The constitution should provide that Parliament should promote civic education;
- The constitution should provide that Parliament should approve government expenditure;
- The constitution should empower Parliament to appoint military commanders;
- The constitution should provide that Function of the parliament should not be expanded;
- The constitution should provide that Parliament approve presidential trips;
- The constitution should provide that Parliament have its own calendar (6);
- The constitution should limit Parliament to not have powers to control its own affairs;
- The constitution should provide that being an MP should be full time occupation (7);
- The constitution should reduce the voting age to 16 years (2)
- The constitution should retain the current voting age voting age
- The constitution should increase the parliamentary contesting age to 30 years.
- The constitution should provide that a parliamentary candidate should be between 25-70 yrs old.
- The constitution should provide that the maximum age for parliamentary candidates be 75 yrs.
- The constitution should provide that Parliamentary candidates should be above 20 yrs;
- The constitution should provide that Presidential candidates be between 35-75 yrs old. (2)
- The constitution should provide that Presidential candidates should be between 45-60 yrs.
- The constitution should ensure that language tests for parliamentary candidates are sufficient.
- The constitution should provide for moral and ethical qualifications for parliamentary candidates. (4);
- The constitution should provide that MPs should have 'o' level certificate (4)
- The constitution should provide that non performing MPs should be recalled (12)
- The constitution should provide that MPs should act on the basis of conscience and instructions (3);
- The constitution should provide that MPs salaries be determined by public service

commission. (2)

- The constitution should provide that Parliament determine their own salaries and benefits;
- The constitution should provide that MPs should not determine their own salaries;
- The constitution should establish a Commission to determine the MPs salaries (3)
- The constitution should provide that nominated MPs should serve for five years.
- The constitution should retain the concept of nominated MPs (2)
- The constitution should abolish the concept of nominated MPs (5)
- The constitution should provide that Nominated MPs should be given to the special interest groups (2)
- The constitution should provide that retired people should be nominated to parliament.
- The constitution should provide that every constituency should have at least one-woman contestant.
- The constitution should provide that seats be reserved for women.
- The constitution should provide that no special seats be reserved for women.
- The constitution should provide that Parliamentarians should attend all sitting and show mutual respect.
- The constitution should allow Coalition governments (5)
- The constitution should allow multi- party representation at both level of the legislature and executive (4)
- The constitution should adopt two chambers of parliament (4)
- The constitution should provide for Parliament to have one chamber (2);
- The constitution should empower Parliament to have power to remove president through the vote of no confidence;
- The constitution should provide that Parliament garner 50% votes to pass vote of no confidence on the president.
- The constitution should provide that President should have power to veto legislation passed by the parliament on the issues relating to declaring state of emergency, national resources distribution or government policies;
- President should not veto legislation passed by the parliament (3);
- Parliament should not have power to override the president's veto;
- Parliament should have power to override presidents veto;
- The president should not have power to dissolve the parliament (4);
- President should have power to dissolve the parliament;
- Parliamentary election should not be staggered (2);
- The constitution should provide that Parliamentary elections be staggered (3);
- There should be office for Mps in their constituency (6);
- The constitution should provide for establishment of a constitutional college to train parliamentarians.
- The constitution should provide that a member of parliament should have at least a university degree.
- The constitution should provide that MPs should not government vehicles.
- The constitution should provide that parliament should appoint executive officers.

5.3.9. **THE EXECUTIVE**

- The constitution should provide that President should have knowledge in administration management, economics and economic affairs;
- The constitution should provide that a Presidential candidate be God fearing person.

- The constitution should provide that President should be graduates with good moral record (3);
- The constitution should provide that President should be married (4);
- The constitution should provide that President should have 'o' level certificate;
- The constitution should provide that President should serve for two terms for 5 years (14);
- The constitution should provide that President should have 2 terms but for four years each;
- The constitution should provide that President's functions should include promotion of international relations, ensure transparency, encourage peoples participation in governance, ensure promotion and protection of human right and maintaining public order (2);
- The constitution should provide that President should monitor parliament functions and fair distribution of national resources;
- The constitution should provide that Presidential powers to appoint ministers, DC, PC, chancellors, judges should be abolished;
- The constitution should provide that President should not have powers to appoint public servants. (4)
- The constitution should provide that the president should not be above the law (4);
- The constitution should provide that the President should have power to appoint ministers but with approval of parliament.
- The constitution should trim Presidential powers. (15)
- The constitution should provide that the President be removed from the office due to misconduct through impeachment (9)
- The constitution should provide that Parliament should respect the president as a symbol of the nation;
- The constitution should provide that the president and parliament should work together for development;
- The constitution should provide that Parliament should be independent of the executive (2)
- The constitution should provide that the President should not belong to any political party;
- The constitution should provide that the President should be an MP. (4)
- The constitution should provide that the President should not be an MP (6)
- The constitution should abolish the posts of PC and DO, while chiefs and Dc should be retained to maintain order (3)
- The constitution should provide that Chiefs and assistant chiefs should be elected (8)
- The constitution should provide that Provincial administration be transferable (4)
- The constitution should provide that village elders be recognized and paid by the government (3);
- The constitution should provide that chiefs be replaced by village elders (3);
- The constitution should provide that chiefs be properly educated;
- The constitution should abolish Provincial administration (8);
- The constitution should abolish the posts of DOs and chiefs but retain assistant chiefs.
- The constitution should provide that chiefs guilty of offence be sacked.
- The constitution should provide that chiefs and assistant chiefs retire at the age of 60 years.
- The constitution should provide that the provincial administration including the village elders shall be fair when settling disputes between men and women.

5.3.10. **THE JUDICIARY**

- The constitution should provide for an independent Judicial system (10)
- The constitution should provide that there be many courts decentralized at divisional level.
- The constitution should abolish remanding of suspects.
- The constitution should provide that advocates and magistrates should not take bribes and should not delay cases.
- The constitution should provide that court cases should not exceed three years after which should be dismissed.
- The constitution should provide that courts shall be set up in every division.
- The constitution should provide that Judicial structure include church courts.
- The constitution should abolish Kangaroo courts.
- The constitution should shorten remand period. (2)
- The constitution should abolish swearing using bible or Koran
- There is need to establish a supreme court in our constitution (9)
- The constitution should provide that a Supreme Court and court of appeal should look into constitutional issues.
- The constitution should provide that constitutional court should declare whether acts of the executive are constitutional or not.
- The constitution should establish a constitutional court (7);
- The constitution should provide that President appoints judicial officers (2)
- The constitution should provide that judicial officers shall be appointed by the judicial service commission but be vetted by parliament.
- The constitution should provide that a special commission appoints judicial officers.
- The constitution should provide that the Chief justice be appointed by the parliamentary select committee;
- The constitution should provide that judicial officers be appointed by the parliament (2);
- The constitution should provide that the judicial service commission appoints judicial officers (8)
- The constitution should provide that Judicial officers be appointed through interviews;
- The constitution should provide that judicial officers should be appointed through interviews and through presidential appointments.
- The constitution should provide that Judicial officers have a law degree with many years of experience (3)
- The constitution should provide that Judicial officers be above 65 years old;
- The constitution should provide that Judicial officers should be well respected and gender sensitive;
- The constitution should provide that all judges have security of tenure (2)
- The constitution should provide that the chief justice should hold office for a period of five years.
- The constitution should provide that Judges retire at the age of 60.
- The constitution should provide that Judges retiree at the age of 65.
- The constitution should provide that Judges retire at the age of 70;
- The constitution should provide that Judicial commission discipline the judicial officers (2)
- The constitution should provide that the Chief kadhi only perform judicial work.
- The constitution should provide that the Chief kadhi have similar qualification as magistrate but should specialize in Islamic law;

- The constitution should provide that Kadhis be appointed by the judicial service commission;
- The constitution should provide that Parliament exercise judicial powers;
- The constitution should ensure free legal aid.
- The constitution should that there be no detention without trial.
- The constitution should that cases in court be heard without delay (2)
- The constitution should that courts be brought closer to the people (2);
- The constitution should that the vulnerable groups have free legal aid (3)
- The constitution should provide that Laws be reviewed after every ten years;
- The constitution should allow for judicial review of the laws passed by the parliament;
- The constitution should allow elders be allowed to settles dispute (3)
- The constitution should recognize the Council of elders (2)
- The constitution should provide that Council of elders should be elected by the people (2);

5.3.11. LOCAL GOVERNMENT

- The constitution should provide that Mayors and council chairperson be elected by the people (13);
- The constitution should provide that the current two year term for councilors is adequate (2);
- The constitution should provide that Mayors and council chairperson should serve 5 years (2);
- The constitution should provide that Councils continue working under central government;
- The constitution should provide that Local authorities be autonomous (5);
- The constitution should provide that Councilors have a minimum of form four certificates; (10);
- The constitution should provide that Councilors have high integrity;
- The constitution should provide that there should be no language test for councilors;
- The constitution should establish moral and ethical qualification for councilors (3).
- The constitution should provide that non- performing councilors should be recalled (8).
- The constitution should provide that a special committee determines salaries of the councilors.
- The constitution should provide that Local authority board determines salaries of the councilors.
- The constitution should provide that Councilors salaries be determined right commission.
- The constitution should provide that nominated councilors should be from different political parties.
- The constitution should abolish the concept of nominated councilors. (4)
- The constitution should provide that nominated councilors be given to the special interest groups. (3)
- The constitution should discourage defections of councilors in a multi party state.
- The constitution should provide that councilors be disciplined for misconduct.
- The constitution should provide that the Minister for local government should have authority to dissolve the council.
- The constitution should provide that neither the president nor the minister should have the power to dissolve the council. (2)

- The constitution should provide that Councils should License commercial plots.
- The constitution should provide that Local councils should improve on the roads and other amenities that affect people.

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should practice the representative system of election. (2)
- The constitution should retain the secret ballot system. (2)
- The constitution should retain simple majority rule as the basis of winning an election;
- The constitution should design the Electoral process to increase the participation of women.
- The constitution should provide that women should have more seats in parliament and local authority seats.
- The constitution should provide that the presidential candidate should garner more than 50% of the total votes cast. (8)
- The constitution should allow a candidate who fails to get nomination from one party should seek nomination from another party (2);
- The constitution should provide that candidates who fail to be nominated from one party should not seek nomination from another party.
- The constitution should not allow defections between parties. (6)
- The constitution should provide that defecting MPs should not be allowed to contest in the by-election;
- The constitution should provide that defected members of parliament should seek fresh mandate from the electorate (3);
- The constitution should retain 25% requirement in the five provinces;
- The constitution should give provision for 40% requirement in five provinces for presidential election;
- The constitution should provide that a Presidential candidate should garner 50% representation in five provinces.
- The constitution should have provisions for seats to be reserved for interest groups like the disabled and women.
- The constitution should have provisions for seats to be reserved for the minority groups and the youth.
- The constitution should retain the current geographical system. (2)
- The constitution should provide that constituency boundaries should be based upon population. (5)
- The constitution should provide that wards and constituency boundaries be reviewed after five years. (2)
- The constitution should provide that civic, parliamentary and presidential elections should be held on different dates. (5)
- The constitution should provide that civic and parliamentary election should be done on the same date.
- The constitution should provide for a continuous voter registration exercise. (6)
- The constitution should provide for free and fair elections.
- The constitution should allow Independent candidates.
- The constitution should provide for transparent ballot boxes.
- The constitution should have provisions for changing markings on the ballot papers.
- The constitution should provide that Councilors spend one hundred thousand, parliamentarian three hundred thousands and president spend two million.
- The constitution should control election expenditure by the candidates.
- The constitution should specify the election date.
- The constitution should ensure that the election date should not fall on a Saturday.

- The constitution should provide that the election date should be declared public holiday.
- The constitution should provide that the presidential election should be conducted directly (10).
- The constitution should provide that Electoral commissioners should have high moral integrity (2).
- The constitution should provide that Electoral commissioners should have 'o' level certificates.
- The constitution should provide that Parliament appoints electoral commissioners (3)
- The constitution should provide that Public service commission should elect electoral commissioners;
- The constitution should provide that the President elects the electoral commissioners.
- The constitution should provide that Electoral commissioners serve for ten years (2).
- The constitution should provide that Electoral commissioners work for five years.
- The constitution should provide that Electoral commissioners retire at the age 65.
- The constitution should provide that Electoral commissioners be removed for abuse of the office.
- The constitution should provide that Electoral Commission be funded by the government.
- The constitution should provide that each district appoint an electoral commissioner.
- The constitution should provide that votes be counted at the polling station (7).
- The constitution should provide that ECK have powers to nullify flawed election.
- The constitution should provide that ECK have power to oversee the election.
- The constitution should provide that bribing during election be criminalized (2).
- The constitution should provide that candidates who intimidate voters should be prosecuted.
- The constitution should provide civic and parliamentary registration fee should be reduced to between 5000 and 10000 Kenya shillings.
- The constitution should provide for the electoral commission to disseminate material on women leadership.
- The constitution should provide that the queue system of voting should be stopped.
- The constitution should provide that contestants for parliamentary seats to give up their jobs once they have won the elections but not before.

5.3.13. **BASIC RIGHTS**

- Provision of fundamental rights is not adequate.
- The constitution should provide that the International declaration on the bill of rights should be addressed in the fundamental right;
- The constitution should entrench protection from the slavery, inhumane treatment, right of movement assembly and expression. (2)
- The constitution should include equal pay for work.
- The constitution should enshrine freedom of worship. (4)
- The constitution should recognize seventh day Adventist;
- The constitution should abolish the Death penalty. (9)
- The constitution should provide that the government ensures that basic human right. (3)
- The constitution should guarantee healthcare, clean water education; housing, food, security and jobs opportunities should be to all Kenyans.
- The constitution should provide that all Kenyans be assure of personal security. (4)

- The constitution should provide for free healthcare. (26)
- The constitution should provide that retirees have access to medical care.
- The constitution should ensure that all Kenyans have access to clean drinking water. (12)
- The constitution should provide that the government assists Kenyans to tap rainwater for continuous supply of water.
- The constitution should provide for free education. (9)
- The constitution should provide for free primary and secondary education.(4)
- The constitution should provide free primary education. (3)
- The constitution should provide for free college education.
- The constitution should provide for free education up to the university level.
- The constitution should provide that Government provides shelter to all.
- The constitution should provide that should be provided with clean dwelling facilities.
- The constitution should provide that the government ensures food security for all Kenyans. (2)
- The constitution should ensure that the policy of one-man one job policy be maintained. (7)
- The constitution should ensure that employment be given to the disabled (2).
- The constitution should ensure that retirees be paid their dues promptly. (7)
- The constitution should ensure that the government ensures employment for all. (3)
- The constitution should guarantee that there should be no discrimination in employment. (2)
- The constitution should provide that retirement age be uniform.
- The constitution should provide that retiree's pension is reviewed.
- The constitution should guarantee that employment be based on merit.
- The constitution should provide that retirement age be 55 years.
- The constitution should provide that the retirement age should be 60 years.
- The constitution should provide that retirees be utilized as consultants on state matters.
- The constitution should provide that equal number of people in constituencies is provided with job opportunities.
- The constitution should provide that clan leaders should recommend those who should be employed from every family.
- The constitution should provide that retirees should not be re-employed.
- The constitution should provide that the government should employ all college and university graduates.
- The constitution should provide for adoption of a five-day work plan while setting aside weekends for worship.
- The constitution should establish a fund for the disabled which provides them with monthly allowances.(2)
- The constitution should provide that pensions of retirees should be reviewed annually.
- The constitution should establish a fund where the employer pays 1% of their monthly salary and the money is used to cater for the unemployed.
- The constitution should have a provision for poor families.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide for free and compulsory education up to form 4. (5)
- The constitution should provide for free and compulsory education primary education. (7)
- The constitution should provide for free and compulsory education up to the university level.

- The constitution should provide that Kenyans shall have a right to access state information. (2)
- The constitution should be translated into local languages.
- The constitution should provide that the budget be read in Kiswahili.
- The constitution should provide that parliamentary proceedings be televised.
- The constitution should provide that reports of commissions should be made public.
- The constitution should provide for civic education to be provided to the public on a continuous basis. (2)
- The constitution should ensure that the disabled should have a right to access information.
- The constitution should ensure that the distribution of the Kenya gazette should be widened.
- The constitution should be made accessible to all.
- The constitution should be written in both Kiswahili and English.
- The constitution should guarantee all workers the right to trade union representation.(5)
- The constitution should provide that every individual shall be guaranteed the right of protection by law.
- The constitution should provide that freedom of worship shall be limited in terms of time, place and language to avoid nuisance to other people.
- The constitution should provide for a right to good infrastructure, health and education.
- The constitution should provide that arrested suspects shall be in remand for a maximum of 48 hours.
- The constitution should provide that freedom of worship shall be respected including people's days of worship. (4)

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide that women be taught about their rights.
- The constitution should ensure that women get equal opportunities in employment and promotions.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should does not fully address the rights of women.
- The constitution should does not fully take care of the interests of people with disabilities. (2)
- The constitution should ensure that the rights of the disabled be fully taken care of by the government.
- The constitution should provide for a bill of the disabled so as to address the interests of the disabled. (2)
- The constitution should provide that the government establishes a suitable means for transportation of the disabled.
- The constitution should provide for the physically impaired to be give priority in employment.
- The constitution should provide for a census of the handicapped persons for easy distribution of aid.
- The constitution should provide that the handicapped shall be accorded equal opportunities in employment. (2)
- The constitution should provide that the government shall educate the children of disabled

parents free of charge up to university level. (2)

- The constitution should provide for free medical care for the handicapped.
- The constitution should provide that the national fund for the disabled should be given sufficient funds. (2)
- The constitution should provide that the government shall issue the handicapped with passbooks for travel.
- The constitution should provide that the government establishes more rehabilitation centers for disabled children.
- The constitution should provide that two children from a disabled person be given free education up to university level.
- The constitution should provide for establishment of schools for the orphans.
- The constitution should provide for setting up a fund for street children by the government.
- The constitution should provide that the government should educate street children.
- The constitution should provide that all children from the poor families should have free access to education.
- The constitution should ensure that the government takes care of orphans. (2)
- The constitution should provide that street children be put up in rehabilitation homes.
- The constitution should provide that orphans have access to free primary and university education.
- The constitution should provide that children below the age of 10 years have access to free healthcare.
- The constitution should provide that all children have access to free education.
- The constitution should guarantee the girl child has equal rights to education as the boy child.
- The constitution should provide that the government guarantees the rights of children.
- The constitution should provide that the family should cater for a child born out of wedlock till she is an adult.
- The constitution should provide for the government to set up and finance homes for the elderly.
- The constitution should provide that the government should provide old age benefits in terms of food, shelter and medication.
- The constitution should provide for establishment of the aged to care for the aged.
- The constitution should provide that the government shall provide basic needs to people aged above 70 years.
- The constitution should provide that senior citizens above 65 years should be given an allowance.
- The constitution should provide that the elderly have access to free medical care.
- The constitution should provide that the government should help widows.
- The constitution should ensure that the government assists families of people who lost their lives in the world wars.
- The constitution should provide for affirmative action for women and minority groups. (2)
- The constitution should provide for affirmative action for the disabled.
- The constitution should provide that the government shall protect the rights of the minority. (2)
- The constitution should provide for equal representation between men and women at the grass root level.
- The constitution should provide that the government shall adopt a policy to take care of

interests of prisoners.

- The constitution should provide that prisoners shall be guaranteed conjugal rights.
- The constitution should provide that murderers and robbery suspects be brought to court within 48 hours.
- The constitution should ensure that the government improves conditions in prisons.
- The constitution should provide that prisoners be allowed to visit their homes.
- The constitution should provide that prisoners have the right to access their basic rights.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should provide that the state and the individual should have ultimate land ownership.
- The constitution should provide that the individual should have ultimate land ownership.
- The constitution should provide that the government can acquire private land if the owner is compensated.
- The constitution should provide that the government tax idle land. (2)
- The constitution should provide that the government has power to control use of land.
- The constitution should provide that Kenyans who own large tracts of land should be compelled to sell to the government.
- The constitution should provide that large tracts of land should be sub-divided and allocated to the land less. (2)
- The constitution should provide that the president and the commissioner of lands should not have the power to allocate land.
- The constitution should ensure that title deeds be issued promptly.
- The constitution should provide that on transfer of ancestral land title deeds should be issued free.
- The constitution should provide that public trustees office should be decentralized to hasten public service.
- The constitution should provide for establishment of a gender balanced land commission.
- The constitution should provide that all family members must be involved in any binding land transaction. (2)
- The constitution should provide that idle land shall be given to Kenyans.
- The constitution should provide that children shall be entitled to inherit parental property in case one dies.
- The constitution should provide that land transfers be handled by clan elders.
- The constitution should provide for a ceiling of land ownership to 50 acres.
- The constitution should provide for a ceiling of land ownership to be 20 acres. (2)
- The constitution should provide that a ceiling of land ownership should be 50 acres and that every Kenya should have access to land. (2)
- The constitution should limit the number of acres owned by an individual to 500 acres.
- The constitution should limit the number of acres owned by an individual to 100 acres. (2)
- The constitution should provide for a ceiling on the amount of land that can be owned by an individual.
- The constitution should provide that land ceiling should be a minimum of 10 acres and maximum of 30 acres.
- The constitution should restrict land ownership by non-citizens. (3)
- The constitution should simplify land transfer procedures. (2)

- The constitution should provide that land title deeds should be issued free of charge. (2)
- The constitution should provide that title deeds should be issued at locational level.
- The constitution should reduce the cost of acquiring land title deeds.
- The constitution should provide that land transfers should undergo only one board meeting.
- The constitution should provide that names of husband and wife shall appear on a land title deed. (6)
- The constitution should provide that title deeds should bear names of spouses.
- The constitution should retain pre-independence treaties.
- The constitution should allow Kenyans to own land anywhere in the country. (13)
- The constitution should guarantee every Kenyan access to land. (6)
- The constitution should provide for the government to resettle the landless Kenyans.
- The constitution should provide that land held in trust should be sub-divided to the landless.

5.3.16. CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- The constitution should ensure that the ethnic and cultural diversity contributes to our national culture. (2)
- The constitution should protect and promote the cultural and ethnical diversity. (5)
- The constitution should provide that culture and community customs should be respected.
- The constitution should provide for the continuation of both male and female circumcision.
- The constitution should provide FGM should be continued. (4)
- The constitution should provide that the culture of every tribe shall be maintained.
- The constitution should provide that all clergymen should be involved in politics.
- The constitution should provide laymen especially priests shall be provided with tight security.
- The constitution should provide village elders should be given allowances.
- The constitution should capture good neighborliness, generosity, hospitality, and promotion of intermarriages and ethnic co-existence of the Africans.
- The constitution should recognize witchcraft.
- The constitution should ensure that land clashes are done away with so as to deal with unity in diversity and security of the person and property.
- The constitution should discourage FGM. (2)
- The constitution should outlaw customs and traditions, which discriminate against women.
- The constitution should discourage wife inheritance. (2)
- The constitution should provide that communities be free to decide on what is culturally discriminatory.
- The constitution should restrict religious discrimination.
- The constitution should provide that early marriages should be outlawed. (2)
- The constitution should provide for two national languages i.e. English and Kiswahili. (3)
- The constitution should recognize and promote indigenous languages. (2)

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide that the executive should not retain powers to raise and distribute financial resources.

- The constitution should provide that the executive should retain powers to raise and distribute financial resources.
- The constitution should provide that parliament should retain power to authorize raising and appropriation of public finances. (2)
- The constitution should provide that the government should lay down tax rates.
- The constitution should provide for equitable distribution of national resources. (7)
- The constitution should ensure that factories are equitably distributed throughout the country.
- The constitution should establish a committee to ensure fair distribution of resources.
- The constitution should provide that the government apportions benefits from resources between the central government and the communities where such resources are found. (4)
- The constitution should ensure that the Controller and Auditor General should be independent and have security of tenure.
- The constitution should provide that the president should appoint the Controller and Auditor General.
- The constitution should provide for harmonization of salaries between the private and the public sector.
- The constitution should provide chairmen and chief executives of corporations should have relevant knowledge.
- The constitution should provide that appointments to higher offices should be based on merit and professionalism.
- The constitution should ensure that ministers be appointed among professionals. (3)
- The constitution should provide for competitive salaries and incentives be in place to attract competent personnel.
- The constitution should provide that appointments to government offices should be based on competence and professionalism. (3)
- The constitution should provide that minister's work independently without interference from the president.
- The constitution should ensure that public servants should be paid their dues promptly.
- The constitution should ensure that promotion of public servants should be done on merit.
- The constitution should provide that public servants be managed by people with clean records and are corrupt free.
- The constitution should establish a commission to appoint public servants.
- The constitution should provide that members of the PSC be appointed by parliament. (2)
- The constitution should provide that members of the PSC be appointed by the president.
- The constitution should provide for parliament to appoint parastatal heads.
- The constitution should provide that public servants should be neutral and non-partisan.
- The constitution should provide for a code of conduct for public officers. (2)
- The constitution should provide that permanent secretaries/public servants should have one vehicle at their disposal.
- The constitution should provide that corrupt public servants should not be allowed to contest in either parliamentary or local councils.
- The constitution should ensure that corrupt public officers should be dismissed from office. (2)
- The constitution should provide that civil servants should not venture into business.
- The constitution should provide that teachers and civil servants shall be transferred after five years.
- The constitution should provide that corrupt leaders shall not be made managers of

parastatals.

- The constitution should provide that public servants should declare their wealth. (3)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that the government should irrigate the land to improve agriculture.
- The constitution should ensure that the government enforces environmental laws.
- The constitution should provide that the minister for environment should have powers to enforce environmental protection laws.
- The constitution should provide that the government should own natural resources.
- The constitution should provide for all the natural resources to be owned by the state.
- The constitution should protect water catchment areas.
- The constitution should provide that local communities should play a role in environmental protection.
- The constitution should protect natural resources i.e. forests, minerals, lakes and water bodies. (4)
- The government and the local communities should have the responsibility to manage and protect natural resources.

5.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should provide that NGOs and civil organizations should be involved in governance. (2)
- The constitution should provide that the state should not regulate the conduct of civil society organizations.
- The constitution should provide that church bodies should be involved in bursary distribution
- The constitution should provide for airwaves to be liberated
- The constitution should provide for broadcasting and media houses to be transparent and accountable.
- The constitution should provide that civil society organizations should be free to regulate their interests without intimidation.
- The constitution should restrict freedom of worship.
- The constitution should provide that school committees shall have women representatives.
- The constitution should provide that women shall be represented in bodies charged with management of agricultural affairs.
- The constitution should provide that the government shall assist and care for the interests of women.
- The constitution should provide that 7 of the 21 electoral commissioners should be women.
- The constitution should provide that women should have equal rights in governance at all levels.
- The constitution should ensure that women should equal representation in both local government and parliament.
- The constitution should provide that women be appointed to school board of governors.
- The constitution should provide that persons with disabilities should be appointed to

development committees and nominated to parliament. (2)

- The constitution should provide that people with disabilities should be facilitated to participate in governance. (3)
- The constitution should provide that seats be reserved for the disabled in parliament
- The constitution should provide that the youth have seats reserved for them in parliament.
- The constitution should provide for the participation of religious organizations in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide that the minister in-charge of foreign affairs should conduct foreign affairs.
- The constitution should provide that the conduct of foreign affairs should be responsibility of parliament.
- The constitution should provide that the role of parliament should be to ensure that the foreign affairs minister maintains a good relationship.
- The constitution should provide that laws by regional organizations that Kenya belongs should not have automatic effect on the domestic law.
- The constitution should provide that Kenya have and maintain international relations.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should establish an institution to cater for the old people.
- The constitution should provide for a constitutional office to enlighten the people at the constituency level.
- The constitution should provide that a special body should appoint constitution commissions and committees.
- The constitution should provide that the office of the central bank of Kenya governor and auditor general should be given the powers to prosecute and greater security of tenure.
- The constitution should provide for an office of an Ombudsman. (10)
- The constitution should establish Human rights commission to monitor human rights violators.
- The constitution should establish an anti-corruption commission. (2)
- The constitution should establish a salaries commission.
- The constitution should establish a Judicial Service Commission.
- The constitution should establish a Parliamentary Service Commission.
- The constitution should establish a commission for the pensioners.
- The constitution should provide for establishment of a commission to appoint officers to key government posts.
- The constitution should provide for setting a commission to take care of pensioners' interests.
- The constitution should provide for setting up an elections commission.
- The constitution should provide all the reports by commissions of inquiry should be made public.
- The constitution should provide that the anti-corruption commission should have the power to prosecute those who misappropriate public funds. (2)

- The constitution should provide that the disabled commission will have the power to be involved in budget preparations to cater for the needs of the disabled.
- The constitution should provide for a Minister of Justice, separate from the AG's office. (2)

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that the Chief Justice should have executive powers during elections. (2)
- The constitution should provide that the speaker of the national assembly should have executive powers during elections.
- The constitution should provide that the speaker of the national assembly or the electoral commission should have executive powers during elections.
- The constitution should provide that the president should not be in office during presidential elections.
- The constitution should provide that presidential election results should be announced at every constituency.
- The constitution should provide that the incoming president should assume office after 3 months.
- The constitution should provide that the incoming president should assume office immediately after winning the elections.
- The constitution should provide that the Chief Justice should swear in the incoming president. (2)
- The constitution should provide that instruments of power should be transferred after the elapse of three months.
- The constitution should provide that instruments of power should be transferred immediately after being sworn in.
- The constitution should guarantee security to the outgoing president.
- The constitution should have provisions of welfare for the outgoing president. (2)
- The constitution should provide that in case a president leaves office a speaker of the national assembly should take over for 90 days after which elections can be held.

5.3.23. **WOMEN'S RIGHTS**

- The constitution should ensure that provincial administration handle and treat cases involving women.
- The constitution should provide that women have a right to property. (3)
- The constitution should provide that girls have a right to inheritance and succession. (3)
- The constitution should ensure that all children irrespective of gender should have a right to inheritance.
- The constitution should ensure that girl children have a right to inherit family land.
- The constitution should provide for interfaith marriages as long as couples keep their faith.
- The constitution should provide that the marriage age be 18 years.
- The constitution should legalize co-habitation.
- The constitution should provide that in divorce situations, the father should have custody of the children.
- The constitution should provide that a father to an illegitimate child shall care of him or

her till adulthood. (2)

- The constitution should address domestic violence.
- The constitution should outlaw violence against women. (2)

5.3.24. **INTERNATIONAL POLICY**

- The constitution should provide that international debts should be limited and artisans be notified.

5.3.25. **ECONOMIC LIBERALIZATION**

- The constitution should provide that the government controls the prices of commodities.
- The constitution should provide that imports of locally produced products be limited.
- The constitution should protect local industries.

5.3.26. **INDUSTRIALIZATION AND ENERGY**

- The constitution should ensure that electricity is available for all at affordable rates.
- The constitution should provide that the government revives fallen industries, i.e. Kenya Meat Commission.

5.3.27. **POVERTY REDUCTION**

- The constitution should provide that poverty eradication programmes should include the elderly.

5.3.28. **PHYSICAL, ECONOMIC AND SOCIAL INFRASTRUCTURE**

- The constitution should provide that the physical infrastructure be user friendly to the disabled. (3)
- The constitution should provide that the government ensures proper road maintenance from levy collected from people.
- The constitution should ensure that the government tarmacs all roads that lead to factories.
- The constitution should provide that local authorities construct roads leading to training institutions.
- The constitution should provide for rural electrification to be equitably distributed throughout Kisii

5.3.29. **INSURANCE**

- The constitution should provide that insurance issues should not discriminate the disabled.

5.3.30. **HIV/AIDS**

- The constitution should establish mechanisms to curb the spread of AIDS.

5.3.31. **PUBLIC SAFETY**

- The constitution should provide that police should summon suspects at chiefs ‘and elders’ offices instead of night arrests.
- The constitution should provide that police reservists have more powers.
- The constitution should ensure that the police should not arrest without warrants.
- The constitution should provide that innocent Kenyans should not be arrested.
- The constitution should restrict policemen from harassing innocent wananchi. (5)
- The constitution should provide that the police should not go to residential areas.

5.3.32. **CORRUPTION**

- The constitution should provide that anyone found guilty of corruption should be penalized. (2)
- The constitution should ensure that Kenya becomes corruption free. (2)
- The constitution should provide that public officers convicted of corruption to be prosecuted and sacked.
- The constitution should provide that corruption laws shall be defined.
- The constitution should provide that a corrupt persons property shall be auctioned in compensation for the crime committed.

5.3.33. **AGRICULTURE AND LIVESTOCK**

- The constitution should provide that farm inputs are tax free and imported farm products should be taxed heavily.
- The constitution should provide that prices of farm products such as pyrethrum, coffee, bananas, and cashew nuts should be increased.
- The constitution should provide that the government controls the prices of agricultural products.
- The constitution should empower the agricultural sector to market their own produce grown locally.
- The constitution should ensure that farmers are given fertilizers.
- The constitution should provide that the cotton board members be appointed by parliament.
- The constitution should provide for an increase in the prices of coffee and tea farmers.
- The constitution should protect the cooperative movement in Kenya.
- The constitution should ensure that farmers have ready market for their produce.
- The constitution should provide that farmers have free inputs.
- The constitution should provide for a fruit-processing factory in Nyaribari Chache.
- The constitution should ensure that farmers get prompt payment.
- The constitution should ensure that farmers’ issues be included in the national budget.
- The constitution should provide that the government takes control of the coffee and tea sector.
- The constitution should provide that prices of cash crops be regulated.
- The constitution should provide that farmers’ allowances and benefits be increased.
- The constitution should ensure that the government assists farmers.
- The constitution should provide that the government assists farmers in both production

and marketing of their produce. (3)

- The constitution should provide for the amendment of the banking act to make farmers access loans at low interest rates.
- The constitution should provide for an increase in the number of tea factories to avoid waste.
- The constitution should provide for improvement farmers' returns.

5.3.34. **EDUCATION**

- The constitution should provide that teachers be transferred after every five years;
- The constitution should provide that the school syllabus should not be changed to frequently;
- The constitution should provide that bursaries should be given to the needy children (2)
- The constitution should provide that secondary and university education should be made affordable;
- The constitution should provide that canning should be encouraged in schools.
- The constitution should provide that admission to private university should be on merit.
- The constitution should provide that government scrap activity fees.
- The constitution should provide that government subsidizes education costs in Kenya.
- The constitution should provide fair treatment privately trained teachers.
- The constitution should provide that the government pays teachers well.
- The constitution should replace the 8-4-4-education system with the previous 7-4-2-3-education system. (7)
- The constitution should ensure that sign language be taught in schools for the disabled. (2)
- The constitution should re-introduce the school equipment scheme.
- The constitution should encourage the growth of private schools.
- The constitution should ensure that the school curriculum is not changed to often so as to reduce the expenses incurred on books.
- The constitution should provide for the autonomy of universities.
- The constitution should ensure that the government streamlines the education syllabus.
- The constitution should provide that in school committee, both men and women should represent the parents.
- The constitution should provide that members of board of governors should be people from the local area.
- The constitution should provide that schools be built near market places or towns.
- The constitution should ensure that the government pays the bigger part of the expenses in schools and not the parents.
- The constitution should provide for teachers to earn between Kshs. 1.5000 and Kshs. 50,000.
- The constitution should provide that the Kenya school equipment scheme to be reviewed and revived.
- The constitution should provide that school head teachers shall be transferred after five years.
- The constitution should provide that the school syllabus should be stable.
- The constitution should provide schools' board of governors shall be composed of the local people.
- The constitution should provide that schools shall be located away from markets and

shopping centers to avoid destruction during riots.

- The constitution should provide that university chancellors shall be elected from university professors and not the president.
- The constitution should ensure that secondary and university education is made affordable.
- The constitution should provide that the government increase bursary for the sake of many Kenyans who are poor.
- The constitution should encourage canning in schools. (2)
- The constitution should ensure that admission to private universities is on merit.
- The constitution should provide for the scrapping of activity fee in primary schools.
- The constitution should ensure that students trained in private schools and those of public schools should be treated equally.
- The constitution should provide that the government shall avail loans to all university students.

5.3.35. **PUBLIC FINANCE (FISCAL POLICY)**

- The constitution should not provide for exemptions for taxation.
- The constitution should restrict over taxation of small scale business.
- The constitution should provide that the taxes collected by the local authority should be put in good use by the government.
- The constitution should facilitate for the reduction of taxes on Kenyans.

5.3.36. **MONETARY POLICY**

- The constitution should provide that the Central Bank be autonomous.
- The constitution should provide that the Kenyan currency should not bear the image of the president.
- The constitution should provide the Kenyan currency shall bear the image of a national scenery and not an image of an incumbent president.

5.3.37. **HEALTH**

- The constitution should restrict practicing doctors from owning private clinics. (4)
- The constitution should introduce mobile clinics.
- The constitution should provide that the Ministry of Health should be strict on cleanliness of people in towns, cities.
- The constitution should provide for abolition of cost sharing in health care.
- The constitution should provide for establishment of a committee to monitor drugs in public health institutions.

5.3.38. **INFORMATION COMMUNICATION TECHNOLOGY**

- The constitution should ensure that all Kenyans have access to media including KBC.

5.3.39. **SMALL ENTERPRISE DEVELOPMENT**

- The constitution should provide that the disabled be provided with free licenses. (2)
- The constitution should protect small-scale traders against demolition from the city council.
- The constitution should provide that the government shall demolish kiosks.

5.3.40. **TRANSPORT AND COMMUNICATIONS**

- The constitution should provide for bus books to be introduced for the disabled for transportation in public vehicles.
- The constitution should ensure that telephone services are made affordable.
- The constitution should provide that the issuing of TLB and licenses be the function of the Ministry of Transport.
- The constitution should provide that transport-licensing boards shall be responsible for licensing transporters.
- The constitution should have a provision for rural electrification in all parts of the country.

5.3.41. **CUSTOMARY LAW**

- The constitution should prohibit polygamy.

5.3.42. **STATUTORY LAW**

- The constitution should provide for severe punishment for rapists.
- The constitution should provide for severe punishment on teachers who impregnate schoolgirls.
- The constitution should enact a law to eradicate drug trafficking.
- The constitution should legalize traditional alcoholic brews. (12)
- The constitution should formulate a law to prohibit the youth from drinking and smoking in public places.
- The constitution should provide that any person instigating tribal clashes should be charged for treason.
- The constitution should provide that legislation of statutory laws should have the interest of the disabled.
- The constitution should legalize abortion.
- The constitution should provide that rapists should be sentenced to death.
- The constitution should provide that those who marry underage girls should be imprisoned.
- The constitution should provide that any person found guilty of corruption should be sentenced to death.
- The constitution should provide that thugs and gangsters should be sentenced to death.
- The constitution should provide that traditional brew should be licensed.
- The constitution should provide that chang'aa shall be licensed, tested, bottled, priced and also exported.

5.3.43. **BILLS**

- The constitution should provide for adoption of a special procedure to amend the bill of rights.

5.3.44. **COMMON GOOD**

- The constitution should consider cruelty to animals.

5.3.45. **GENDER EQUITY**

- The constitution should observe gender equity. (2)

5.3.46. ***SOCIAL/ECONOMIC JUSTICE***

- The constitution should provide that Kenyans who participated in the Second World War should be compensated.
- The constitution should provide that Kenya soldiers who participated in the Second World War should be compensated.
- The constitution should provide that people living around national parks should be compensated for the destruction of their crops by wild animals.(2)

5.3.47. ***TRANSPARENCY/ACCOUNTABILITY***

- The constitution should ensure that all sectors of the government should observe accountability and transparency. (3)
- The constitution should ensure that public funds should be managed with transparency and accountability.
- The constitution should provide that taxes collected at any level should be accounted for to curb misuse of public funds.
- The constitution should provide that road constructors should be made responsible for poor workmanship.

5.3.48. ***NATIONAL INTEGRITY/IDENTITY***

- The constitution should not allow women to wear trousers.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Ronald Ondabu Bigogo
2. Judson Atung'a Araka
3. Clare Kwambuka Omanga
4. James Gisembu Oriku
5. Patrick Tora Osano
6. Samuel Nyariki Ondieki
7. Stephen Arika
8. Christopher Onchari
9. Zablon Maburi Mogire
10. Hellen Moindi
11. Julius Omosa Ototo
12. Joseph Ataya Getugi
13. Zablon Oyaro Bichang'a
14. Reuben Neko
15. Peter Mosoki Mochache

Appendix 2: Civic education providers (CEPs)

1. Nyamagwa women group
2. Kabosi self help group
3. National council of churches
4. Kenya government retirees association
5. Jamii women group
6. Kisii college students
7. Councilor Omangi
8. Kerongori self help group
9. Omokorongorinwa self help group

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

1	0011OKNNY	Anonymous	CBO	Memorandum	Children Law Centre of Kenya
2	0012OKNNY	Anonymous	CBO	Memorandum	Federation of Women Groups
3	0004OKNNY	Chadwick Maranga	CBO	Memorandum	Umoja Disabled
4	0010OKNNY	Daniel Onger	CBO	Memorandum	Nyamawa Women
5	0001OKNNY	Florence Ondiki	CBO	Written	Women Federation Group
6	0007OKNNY	John Okioma	CBO	Memorandum	Kenya Government Retirees We
7	0006OKNNY	Sylvester Onyambu	CBO	Memorandum	Keumbe Disabled Self Help Gr
8	0149IKNNY	Abel M Nyamwega	Individual	Oral - Public he	
9	0010IKNNY	Alfos Ogega	Individual	Written	
10	0084IKNNY	Alfred M Nyatundo	Individual	Oral - Public he	
11	0159IKNNY	Alfred Nyamwaya	Individual	Oral - Public he	
12	0101IKNNY	Alison Nyamari	Individual	Oral - Public he	
13	0144IKNNY	Alos Mogute	Individual	Oral - Public he	
14	0062IKNNY	Aluya Getenga	Individual	Oral - Public he	
15	0047IKNNY	Alvin Aluya	Individual	Oral - Public he	
16	0053IKNNY	Andrew Ondieki	Individual	Oral - Public he	
17	0028IKNNY	Angela Mosei	Individual	Oral - Public he	
18	0020IKNNY	Anonymous	Individual	Memorandum	
19	0046IKNNY	Ayubu Moraba	Individual	Oral - Public he	
20	0130IKNNY	Benard Nyachae	Individual	Oral - Public he	
21	0025IKNNY	Benard Obaigwa	Individual	Oral - Public he	
22	0110IKNNY	Bernard Morara	Individual	Oral - Public he	
23	0121IKNNY	Betweri Birundi	Individual	Oral - Public he	
24	0105IKNNY	Boloji Oyunge	Individual	Oral - Public he	
25	0024IKNNY	Bonface Machuki	Individual	Oral - Public he	
26	0181IKNNY	Bonface Machuki	Individual	Oral - Public he	
27	0087IKNNY	Boniface Omboki	Individual	Oral - Public he	
28	0009IKNNY	Charles Mayani	Individual	Written	
29	0083IKNNY	Charles Onchiri	Individual	Oral - Public he	
30	0036IKMNY	Charles Orora	Individual	Written	
31	0138IKNNY	Charles Otwor	Individual	Oral - Public he	
32	0082IKNNY	Charles Oyunge	Individual	Oral - Public he	
33	0091IKNNY	Christopher Nyaega	Individual	Oral - Public he	
34	0018IKNNY	Clare Omanga	Individual	Written	
35	0115IKNNY	Clemencia Ziro	Individual	Oral - Public he	
36	0133IKNNY	Cosmas Omari	Individual	Oral - Public he	
37	0059IKNNY	Cris Nyaribari	Individual	Oral - Public he	
38	0045IKNNY	Crisantos Nyangau	Individual	Oral - Public he	
39	0158IKNNY	Daniel Onger	Individual	Oral - Public he	
40	0117IKNNY	David Ratemo	Individual	Oral - Public he	
41	0030IKNNY	Davine Okeyo	Individual	Oral - Public he	
42	0145IKNNY	Denis Gichaba	Individual	Oral - Public he	
43	0162IKNNY	Denis Maranga	Individual	Oral - Public he	
44	0065IKNNY	Diana Wangondu	Individual	Oral - Public he	
45	0143IKNNY	Dinah Orucho	Individual	Oral - Public he	
46	0177IKNNY	Elizabeth Moraa	Individual	Oral - Public he	
47	0036IKNNY	Elseba Ogega	Individual	Oral - Public he	
48	0071IKNNY	Emmanuel Matimo	Individual	Oral - Public he	
49	0068IKNNY	Erick Mogaka	Individual	Oral - Public he	

50	0012IKNNY	Evans Obino	Individual	Written	
51	0136IKNNY	Evans Oyugi	Individual	Oral - Public he	
52	0003IKNNY	Fidelis Nyamwaro	Individual	Written	
53	0178IKNNY	Francis Manyara	Individual	Oral - Public he	
54	0054IKNNY	Francis Mochama	Individual	Oral - Public he	
55	0112IKNNY	Francis Mogaka	Individual	Oral - Public he	
56	0152IKNNY	Francis Omae	Individual	Oral - Public he	
57	0075IKNNY	George Momanyi	Individual	Oral - Public he	
58	0166IKNNY	Gilbert Gekuno	Individual	Oral - Public he	
59	0135IKNNY	Gilbert Nyandwaro	Individual	Oral - Public he	
60	0016IKNNY	Grace Oyunge	Individual	Written	
61	0150IKNNY	Hellen Moindi	Individual	Oral - Public he	
62	0035IKNNY	Henry Nyabuto	Individual	Oral - Public he	
63	0021IKNNY	Isaiah Mochogu	Individual	Oral - Public he	
64	0063IKNNY	Jackline Omondi	Individual	Oral - Public he	
65	0007IKNNY	Jackson Atanga	Individual	Written	
66	0137IKNNY	Jackson Mokaya	Individual	Oral - Public he	
67	0093IKNNY	Jackson Mutungi	Individual	Oral - Public he	
68	0174IKNNY	Jacob Turungi	Individual	Oral - Public he	
69	0172IKNNY	James Aminga	Individual	Oral - Public he	
70	0039IKNNY	James Bikeri	Individual	Oral - Public he	
71	0147IKNNY	James Makori	Individual	Oral - Public he	
72	0114IKNNY	James Moseti	Individual	Oral - Public he	
73	0164IKNNY	James N Obare	Individual	Oral - Public he	
74	0077IKNNY	James Nyariki	Individual	Oral - Public he	
75	0163IKNNY	James Okinyi	Individual	Oral - Public he	
76	0008IKNNY	James Oyaro	Individual	Written	
77	0088IKNNY	Jared Mogire	Individual	Oral - Public he	
78	0161IKNNY	Jason Marube	Individual	Oral - Public he	
79	0044IKNNY	Joash Orina	Individual	Oral - Public he	
80	0015IKNNY	Job Nyangau	Individual	Written	
81	0095IKNNY	Joel Nyakwama	Individual	Oral - Public he	
82	0056IKNNY	Joel Nyasinga	Individual	Oral - Public he	
83	0002IKNNY	John Makinda	Individual	Written	
84	0157IKNNY	John Mogaka	Individual	Oral - Public he	
85	0060IKNNY	John Nyabengi	Individual	Oral - Public he	
86	0079IKNNY	John O Aruya	Individual	Oral - Public he	
87	0175IKNNY	Jonathan Sure	Individual	Oral - Public he	
88	0042IKNNY	Joseph A Mokua	Individual	Oral - Public he	
89	0022IKNNY	Joseph Ataya	Individual	Oral - Public he	
90	0123IKNNY	Joseph Bikeri	Individual	Oral - Public he	
91	0140IKNNY	Joseph Kemani	Individual	Oral - Public he	
92	0049IKNNY	Joseph Omari	Individual	Oral - Public he	
93	0074IKNNY	Joseph Omari	Individual	Oral - Public he	
94	0176IKNNY	Joseph Ongaki	Individual	Oral - Public he	
95	0033IKNNY	Joseph Onyancha	Individual	Oral - Public he	
96	0037IKNNY	Joshua Masaka	Individual	Oral - Public he	
97	0073IKNNY	Josphat Obino	Individual	Oral - Public he	
98	0019IKNNY	Julia Nyaundi	Individual	Memorandum	
99	0061IKNNY	Juma Omari	Individual	Oral - Public he	
100	0017IKNNY	Justus Nyagechi	Individual	Written	
101	0156IKNNY	Justus Nyangechi	Individual	Oral - Public he	
102	0100IKNNY	Kefa Ondieki	Individual	Oral - Public he	
103	0050IKNNY	Kennedy Kenara	Individual	Oral - Public he	
104	0023IKNNY	Kennedy Mainya	Individual	Oral - Public he	
105	0005IKNNY	Kennedy Mainya	Individual	Written	

106	0113IKNNY	Kennedy Masese	Individual	Oral - Public he	
107	0179IKNNY	Kennedy Nyakundi	Individual	Oral - Public he	
108	0034IKNNY	Kerosi Ondieki	Individual	Oral - Public he	
109	0031IKNNY	Kwamboka Waro	Individual	Oral - Public he	
110	0153IKNNY	Lawrence Gekonge	Individual	Oral - Public he	
111	0118IKNNY	Lawrence Mogaka	Individual	Oral - Public he	
112	0169IKNNY	Lawrence Momanyi	Individual	Oral - Public he	
113	0171IKNNY	Lawrence Nyarando	Individual	Oral - Public he	
114	0139IKNNY	Lawrence Okoba	Individual	Oral - Public he	
115	0099IKNNY	London Mairura	Individual	Oral - Public he	
116	0124IKNNY	Lucus Ongaki	Individual	Oral - Public he	
117	0102IKNNY	Margret Mageto	Individual	Oral - Public he	
118	0069IKNNY	Mary M Nyakundi	Individual	Oral - Public he	
119	0078IKNNY	Mathew Nyangau	Individual	Oral - Public he	
120	0128IKNNY	Moses Mochere	Individual	Oral - Public he	
121	0089IKNNY	Muturi Nyamari	Individual	Oral - Public he	
122	0165IKNNY	Nelson Kwaba	Individual	Oral - Public he	
123	0180IKNNY	Nicodemus Anunda	Individual	Oral - Public he	
124	0168IKNNY	Nyamweya Nicodemus	Individual	Oral - Public he	
125	0085IKNNY	Omanga Momanyi	Individual	Oral - Public he	
126	0067IKNNY	Ondieki Oruri	Individual	Oral - Public he	
127	0057IKNNY	Onsande Osare	Individual	Oral - Public he	
128	0027IKNNY	Onsano Omwenga	Individual	Oral - Public he	
129	0094IKNNY	Pantreos Waro	Individual	Oral - Public he	
130	0155IKNNY	Partric Onger	Individual	Oral - Public he	
131	0072IKNNY	Patroba Okeyo	Individual	Oral - Public he	
132	0080IKNNY	Paul M Siro	Individual	Oral - Public he	
133	0146IKNNY	Paul Misati	Individual	Oral - Public he	
134	0134IKNNY	Paul Ogoti	Individual	Oral - Public he	
135	0116IKNNY	Paulina Mbaka	Individual	Oral - Public he	
136	0119IKNNY	Penjamin Ondoro	Individual	Oral - Public he	
137	0108IKNNY	Peter Mageto	Individual	Oral - Public he	
138	0125IKNNY	Peter Nyakundi	Individual	Oral - Public he	
139	0081IKNNY	Peter O Matundura	Individual	Oral - Public he	
140	0040IKNNY	Peter Omari	Individual	Oral - Public he	
141	0086IKNNY	Phillip Nyamari	Individual	Oral - Public he	
142	0173IKNNY	Piliash Bosibori	Individual	Oral - Public he	
143	0151IKNNY	Piliash Nyamweya	Individual	Oral - Public he	
144	0106IKNNY	Pius Obare	Individual	Oral - Public he	
145	0098IKNNY	Policap Machuki	Individual	Oral - Public he	
146	0066IKNNY	Rafael Singombe	Individual	Oral - Public he	
147	0055IKNNY	Ratemo Getanga	Individual	Oral - Public he	
148	0058IKNNY	Reuben Nyagaka	Individual	Oral - Public he	
149	0004IKNNY	Reuben Omori	Individual	Written	
150	0097IKNNY	Richard Ayienda	Individual	Oral - Public he	
151	0013IKNNY	Richard Kenani	Individual	Written	
152	0029IKNNY	Risper Nyakundi	Individual	Oral - Public he	
153	0038IKNNY	Ronald Bigogo	Individual	Oral - Public he	
154	0104IKNNY	Ronald Nyakundi	Individual	Oral - Public he	
155	0122IKNNY	Ronald Ondabu	Individual	Oral - Public he	
156	0167IKNNY	Ruben Weko	Individual	Oral - Public he	
157	0142IKNNY	Sammy Ombuna	Individual	Oral - Public he	
158	0090IKNNY	Samson M Mageto	Individual	Oral - Public he	
159	0043IKNNY	Samuel Aboko	Individual	Oral - Public he	
160	0001IKNNY	Samuel Nyariki	Individual	Memorandum	

161	0107IKNNY	Samwel Nyamari	Individual	Oral - Public he	
162	0111IKNNY	Samwel Onsare	Individual	Oral - Public he	
163	0064IKNNY	Saul Wasimbi	Individual	Oral - Public he	
164	0070IKNNY	Stanlaus Orioro	Individual	Oral - Public he	
165	0182IKNNY	Stephen Arika	Individual	Oral - Public he	
166	0011IKNNY	Stephen Kerongo	Individual	Written	
167	0141IKNNY	Stephen Mangerere	Individual	Oral - Public he	
168	0160IKNNY	Stephen Sinta	Individual	Oral - Public he	
169	0154IKNNY	Stephen Sirimani	Individual	Oral - Public he	
170	0032IKNNY	Susan Okwaye	Individual	Oral - Public he	
171	0132IKNNY	Syilvernos Bichage	Individual	Oral - Public he	
172	0120IKNNY	Thomas Nyabena	Individual	Oral - Public he	
173	0096IKNNY	Thomas Okemwa	Individual	Oral - Public he	
174	0170IKNNY	Thomas Ongotho	Individual	Oral - Public he	
175	0129IKNNY	Uvinalis Kebana	Individual	Oral - Public he	
176	0026IKNNY	Vincent Nyangau	Individual	Oral - Public he	
177	0052IKNNY	Wilfred Nyamari	Individual	Oral - Public he	
178	0109IKNNY	William Maburi	Individual	Oral - Public he	
179	0048IKNNY	William Mokano	Individual	Oral - Public he	
180	0126IKNNY	William Nyaundi	Individual	Oral - Public he	
181	0092IKNNY	William Oisebe	Individual	Oral - Public he	
182	0006IKNNY	William Onsare	Individual	Written	
183	0127IKNNY	Yunes Matoke	Individual	Oral - Public he	
184	0131IKNNY	Yunes Nyaramba	Individual	Oral - Public he	
185	0041IKNNY	Zablon Oyaro	Individual	Oral - Public he	
186	0148IKNNY	Zacky Ochuru	Individual	Oral - Public he	
187	0051IKNNY	Zadrack Mogeni	Individual	Oral - Public he	
188	0076IKNNY	Zakaria Atambo	Individual	Oral - Public he	
189	0009OKNNY	Abel M Nyamwega	Other Institutions	Memorandum	Kenya National Union Teacher
190	0003OKNNY	Agnes Obare	Religious Organisation	Memorandum	Catholic Church Kisii
191	0005OKNNY	Enock Matoke	Religious Organisation	Memorandum	SDA Church
192	0008OKNNY	Mary Moraa	Religious Organisation	Memorandum	Catholic Nyamawa
193	0002OKNNY	Mary Ratemo	Religious Organisation	Memorandum	Catholic Justice and Peace C
194	0013OKNNY	Rashid K Nyakundi	Religious Organisation	Memorandum	Nyabomo Muslim Self Help Gro

Appendix 4: Persons Attending Constituency Hearings

KEUMBU CHIEF'S HALL

No.	Name	Address	No.	Name	Address
1	Enock Sagana	P.O. Box 672, Kisii	24	Birundu Nyaneko	P.O. Box 80, Keumbu
2	Sylvester Onyambu	P.O. Box 80, Keumbu	25	Charles Mayani	P.O. Box 1821, Kisii
3	William Onsare	P.O. Box 3151, Kisii	26	Leonard O. Bigogo	P.O. Box 29, Keroka
4	Keremennsia Siro	P.O. Box 720, Kisii	27	Mary M. Mogaka	P.O. Box 60, Keumbu
5	John Okioma	P.O. Box 3014, Kisii	28	James Ondeu	P.O. Box 80, Keumbu
6	Paulinah Bosibori	P.O. Box 71, Keumbu	29	Boniface Machuki	P.O. Box 355, Kisii
7	Jadson Atanga	P.O. Box 117, Kisii	30	Lucas Ongaki	P.O. Box 49, Keumbu
8	David Ratemo	P.O. Box 88, Keumbu	31	Cllr. Mabera Ogaro	P.O. Box 350, Keroka
9	James O. Boruma	P.O. Box 78, Keroka	32	Peter O. Nyakundi	P.O. Box 1, Keumbu
10	Lawrance Nyabando	P.O. Box 11, Keumbu	33	Jeremiah Osoro	P.O. Box 56, Keumbu
11	Patrick Tora	P.O. Box 2737, Kisii	34	William Nyaundi	P.O. Box 350, Keroka
12	Sylvester Orogo	P.O. Box 123, Keumbu	35	Kennedy O. Nyachienga	P.O. Box 193, Keumbu
13	Philip O. Nyamora	P.O. Box 80, Keumbu	36	Zachary Gitiegi	P.O. Box 53, Keumbu
14	Lawrence Mogaka	P.O. Box 87, Keumbu	37	Eunice Matoke	P.O. Box 2029, Kisii
15	Andrew Onyancha	P.O. Box 37, Keumbu	38	Alfonce Ogega	P.O. Box 1795, Kisii
16	Cosmas Nyansinga	P.O. Box 1950, Kisii	39	Richard Gekonde	P.O. Box 141, Kisii
17	Benjamin Ondoro	P.O. Box 50, Keumbu	40	Banabas Otworu	P.O. Box 87, Keumbu
18	David Obwocha	P.O. Box 87, Keumbu	41	Wilfred Kangana	P.O. Box 12, Keumbu
19	Thomas Nyabena	P.O. Box 11, Keumbu	42	Joseph A. Getugi	P.O. Box 405, Kisii
20	Richard Nyauma	P.O. Box 11, Keumbu	43	Moses Mochere	P.O. Box 1051, Kisii
21	Silvester Ongaro	P.O. Box 61, keumbu	44	Andrew Nyabando	P.O. Box 2029, Kisii
22	David Ruenyo	P.O. Box 32, Keumbu	45	Samwel Ondoro	P.O. Box 31, Keumbu
23	Leonard Makori	P.O. Box 80, Keumbu	46	Francis Siocha	P.O. Box 32, Keumbu
47	Rose Omboga	P.O. Box 23, Keumbu	70	Peter Mochache	P.O. Box 90, Kisii
48	Easther Mogaka	P.O. Box 87, Keumbu	71	Paul O. Anunda	P.O. Box 48, Kisii
49	Keremensia Nyamwaka	P.O. Box 87, Keumbu	72	Gilbert O. Nyandwaro	P.O. Box 134, Kisii
50	James Nyambane	P.O. Box 80, Keumbu	73	Charles Ondimu	P.O. Box 190, Keroka
51	Peter Mokaya	P.O. Box 350, Keroka	74	Baranaba Moseti	P.O. Box 2600, Kisii
52	Kebane Juvinaris	P.O. Box 43, Keumbu	75	Charles Mamboleo	P.O. Box 2600, Kisii
53	Bernard Nyachae	P.O. Box 12, Keumbu	76	Evans Oyugi	P.O. Box 20, Keumbu
54	Stephen O. Kerongo	P.O. Box 50, Keumbu	77	David Ochenge	P.O. Box 2029, Kisii
55	Evans M. Obino	P.O. Box 990, Kisii	78	Wilson Ratemo	P.O. Box 20, Keumbu
56	Simon Omosa	P.O. Box 1731, Kisii	79	Kennedy M. Osembe	P.O. Box 52, Keumbu
57	Michael Suke	P.O. Box 590, Kisii	80	Charles Otworu	P.O. Box 94, Keumbu
58	Reuben Neko Omoro	P.O. Box 1067, Kisii	81	Lawrence Onkoba Eremo	P.O. Box 67, Keumbu
59	Richard Kenani	P.O. Box 2079, Kisii	82	Palras Ondabu	P.O. Box 45, Keumbu
60	Eunice Nyaramba	P.O. Box 515, Kisii	83	Joseph Kimani	P.O. Box 234, Kisii
61	Sylvianos Siro	P.O. Box 515, Kisii	84	Wilfred Kegengo	P.O. Box 849, Kisii
62	Cosmas Omare	P.O. Box 140, Keumbu	85	Gekonde Mosiere	P.O. Keumbu
63	Francis Onyango	P.O. Box 12, Keumbu	86	Zackaria Mose	P.O. Box 12, Keumbu

64	James O. Monyenye	P.O. Box 134, Kisii	87	David M. Okwayo	P.O. Box 3309, Kisii
65	Francis Ochoi	P.O. Box 89, Keumbu	88	Stephen Mangere	P.O. Box 35, Kisii
66	James Okemwa	P.O. Box 134, Kisii	89	David Kebira	P.O. Box 14, Keumbu
67	Evans Nyambane	P.O. Box 80, Keumbu	90	Lawrance Gekonge	P.O. Box 70, Keumbu
68	William Okoth	P.O. Box 121, Keumbu	91	Batrice K. Ngare	P.O. Box 2021, Keumbu
69	Isaac Ogucha	P.O. Box 12, Keumbu	92	Easther Osano	P.O. Box 35, Kisii
93	Mary Gekora	P.O. Box 35, Kisii	116	Mark Magutu	P.O. Box 123, Keumbu
94	Sammy Ombuna	P.O. Box 21, Keumbu	117	Mathew Onkaba	P.O. Box 117, Kisii
95	Peter Kayago	P.O. Box 101, Keumbu	118	Dinah B. Orucho	P.O. Box 20, Keumbu
96	Nyabomo Muslim Group	P.O. Box 160, Keumbu	119	James O. Aminga	P.O. Box 70, Keumbu
97	Aloys Michiemo	P.O. Box 65, Keroka	120	Piliah B. Sure	P.O. Box 35, Kisii
98	Evans Ogero	P.O. Box 106, Keumbu	121	Abel Nyamwega	P.O. Box 558, Kisii
99	Andrew Ochoi	P.O. Box 35, Kisii	122	Wilson Inyega	P.O. Box 93, Keumbu
100	Dennis Gichaba	P.O. Box 12, Keumbu	123	Johnson Akunga	P.O. Box 117, Kisii
101	Joseph Mogaka	P.O. Box 250, Keumbu	124	Monayo Matagaro	P.O. Box 35, Kisii
102	Mark Otworu	P.O. Box 515, Keumbu	125	Kennedy Onduso	P.O. Box 284, Kisii
103	Thaddeus Kizito	P.O. Box 11, Keumbu	126	Samwel Nyangenyoy	P.O. Box 80, Keumbu
104	Ronald Ondieki	P.O. Box 60, Keumbu	127	Josephine M. Ogoti	P.O. Box 2029, Kisii
105	Paul Musati	P.O. Box 28, Kegati	128	Hellen Ombaba	P.O. Box 35, Kisii
106	Reuben Arasa	P.O. Box 35, Kisii	129	Baranaba Nyandoro	P.O. Box 35, Kisii
107	S.J. Omboga Makori	P.O. Box 23, Keumbu	130	Christopher Abima	P.O. Box 43, Keumbu
108	Joseph Oigoro	P.O. Box 751, Kisii	131	Isaboke Isaboke	P.O. Box 1414, Kisii
109	Samwel Marata	P.O. Box 91, Keumbu	132	Pastor Peter Mogaka	P.O. Box 1850, Kisii
110	Peter Osongo	P.O. Box 950, Kisii	133	Robert O. Kengara	P.O. Box 24, Keumbu
111	Zack N. Onchuru	P.O. Box 418, Keroka	134	Jonathan Sure	P.O. Box 35, Kisii
112	Benson O. Osoro	P.O. Box 40, Keumbu	135	Hillary Osebe	P.O. Box 35, Kisii
113	Edward Siocha	P.O. Box 77, Keumbu	136	Hellen Moindi	P.O. Box 701, Kisii
114	Emmah Moses	P.O. Box 720, Kisii	137	William Osano	P.O. Box 1950, Kisii
115	Thomas Nyamwaya	P.O. Box 24, Keumbu	138	Hennry Kawiri	P.O. Box 125, Kisii
139	Pastor Joseph Ondieki	P.O. Box 22, Kisii	161	Agnes Nyabeta	P.O. Box 61, Keumbu
140	Samwel Ayako	P.O.Box 1, Keumbu	162	Samwel Twara	P.O. Box 70, Keumbu
141	Edward Mose	P.O. Box 2500, Kisii	163	Stephen Arika	P.O. Box 127, Keumbu
142	Samwel Nyachae	P.O. Box 12, Keumbu	164	Paul Ogoti	P.O. Box 362, Keroka
143	Momanyi Giteya	P.O. Box 69, Kisii	165	Nyabuto Nyakundi	P.O. Box 720, Keumbu
144	David Onkware	P.O. Box 35, Kisii	166	Patrick Chamoro	P.O. Box 71, Keumbu
145	Kiboma Maroro	P.O. Box 35, Kisii	167	Lawrance Ochamoro	P.O. Box 71, Keumbu
146	Biria Nyamweya	P.O. Box 653, Kisii	168	Rasmus Ombui	P.O. Box 80, Keumbu
147	Charles Osebe	P.O. Box 2600, Kisii	169	Stephen Makini	P.O. Box 80, Keumbu
148	Jacob Turungi	P.O. Box 2600, Kisii	170	Evans Masaka	P.O. Box 27, Keumbu
149	Stephen Tirimba	P.O. Box 4, Keumbu	171	Livingstoten R. Isaboke	P.O. Box 817, Kisii
150	Dennis Ongeri	P.O. Box 71, Keumbu	172	Shadrack Orina	P.O. Box 1072, Kisii
151	Job Nyangiau	P.O. Box 117, Kisii	173	Paul O. Bichage	P.O. Box 720, Keumbu

152	Richard Magere	P.O. Box 117, Kisii	174	Lawrance Gokonge	P.O. Box 8, Keumbu
153	Daniel A. Mbaka	P.O. Box 85, Kenyena	175	Grace Oyunge	P.O. Box 3060, Kisii
154	John Mogaka	P.O. Box 35, Kisii	176	Gilbert M. Gekuno	P.O. Box 27, Keumbu
154	Francis Omae	P.O. Box 84, Keumbu	177	John Magoma	P.O. Box 65, Keumbu
155	Zablon Oyaro	P.O. Box 910, Kisii	178	Eric Matoke	P.O. Box 2029, Kisii
156	Vincent Ndere	P.O. Box 2500, Kisii	179	Peter Monyenye	P.O. Box 1223, Kisii
157	Tidius Sure Bichage	P.O. Box 70, Keumbu	180	Stephen Sirimani	P.O. Box 117, Kisii
158	Kemunto Oyugi	P.O. Box 65, Kisii	181	Julius Ototo	P.O. Box 406, Kisii
159	Eunice Kwamboka	P.O. Box 134, Kisii	182	James Bikeri	P.O. Box 279, Keroka
160	Juvinaris Nyabena	P.O. Box 35, Kisii	183	Justus Nyangu	P.O. Box 3055, Kisii
184	Yuvinaus Mokuia	P.O. Box 32, Keumbu	207	Thomas O. Kebati	P.O. Box 35, Kisii
185	Moses Nyakeramba	P.O. Box 1, Kisii	208	Julia Nyaundi	P.O. Box 350, Keroka
186	Erick Ongeru	P.O. Box 219, Kisii	209	Dennis Maranga	P.O. Box 71, Keumbu
187	Samson Sibota	P.O. Box 14, Keumbu	210	James Okinyi	P.O. Box 515, Kisii
188	Patrick Ongeru	P.O. Box 80, Keumbu	211	Amos James	P.O. Box 27, Keumbu
189	Chrisanto Onindo	P.O. Keumbu	212	Evans Omeru	P.O. Box 26, Keumbu
190	John Mogaka	P.O. Box 32, Keumbu	213	Okindo Gerard	P.O. Box 26, Keumbu
191	Zebedeo Mangera	P.O. Box 222, Keroka	214	Samwel Nyangoto	P.O. Box 2373, Kisii
192	Elizabeth Moraa	P.O. Box 406, Kisii	215	James Bw'obare	P.O. Box 95, Nyambunwa
193	Henry Onchangwa	P.O. Box 479, Keroka	216	Nelson Kwaba	P.O. Box 51, Keumbu
194	Nicodemus Nyamwaya	P.O. Box 493, Kisii	217	Gilbert Mosiori	P.O. Box 219, Kisii
195	Metobo Josephat	P.O. Box 3467, Kisii	218	Gilbert Musoma	P.O. Box 71, Keumbu
196	Paul Otuke Ogwankwa	P.O. Box 74, Keumbu	219	Joseph W. Bikeri	P.O. Box 686 Keroka
197	Daniel A. Ongeru	P.O. Box 71, Keumbu	220	Jackson Mokaya	P.O. Box 443 Keroka
198	Alfred N. Nyakwara	P.O. Box 322, Kisii	221	Charles Okinyi	P.O. Box 933 Kisii
199	Zachary M. Osombi	P.O. Box 2989, Kisii	222	Lawrence Momanyi	P.O. Box 80 Keumbu
200	Fred Osora	P.O. Box 14, Keumbu	223	Charles Ombuori	P.O. Box 12 Keumbu
201	Zachary Mogaka	P.O. Box 148, Keumbu	224	Thomas Ongoto	P.O. Box 11 Keumbu
202	Abraham Moracha	P.O. Box 35, Kisii	225	Francis Mokoro	P.O. Box 70 Keumbu
203	Stephen Isinta	P.O. Box 12, Keumbu	226	Fred Otunge	P.O. Box 13 Keumbu
204	Sabina Nyamweya	P.O. Box 556, Kisii			
205	Ester B. Isinta	P.O. Box 12, Keumbu			
206	Jashon Marube	P.O. Box 35, Kisii			

NYABUTO PRIMARY SCHOOL

No.	Name	Address	No.	Name	Address
1	Samuel Nyariki	P.O. Box 17, Kisii	90	David Miyogo	P.O. Box 35, Kisii
2	John Makinda	P.O. Box 2845, Kisii	91	Charles Misiani	P.O. Box 35, Kisii
3	Eunice B. Matoke	P.O. Box 2029, Kisii	92	Meshack Bosire	P.O. Box 1108, Kisii
4	Patrick Tora	P.O. Box 2737, Kisii	93	Ronald Ondabu	P.O. Box 279, Keroka
5	Henry Ondieki	P.O. Box 1569, Kisii	94	James Bikeri	P.O. Box 279, Keroka
6	Meshack O. Getanga	P.O. Box 92, Kisii	95	Peter O. Omari	P.O. Box 2547, Kisii
7	Fidelis N. Omete	P.O. Box 115, Kisii	96	Paul Omari	P.O. Box 2849, Kisii
8	Isaya Machogu	P.O. Box 517, Kisii	97	Stephen O. Ogao	P.O. Box 35, Kisii
9	Joseph Ataya Getugi	P.O. Box 405, Kisii	98	Zablon Oyaro Bichongi	P.O. Box 910, Kisii
10	Reuben Neko Omori	P.O. Box 1067, Kisii	99	Evans Obino	P.O. Box 990, Kisii
11	Kennedy Mainya	P.O. Box 2405, Kisii	100	Samwel Aboko	P.O. Box 890, Kisii
12	Zachary Ogaro	P.O. Box 846, Kisii	101	Joseph Aiko	P.O. Box 1108, Kisii
13	Joseph O. Nyakondo	P.O. Box 35, Kisii	102	Joash Orina	P.O. Box 846, Kisii
14	Samwel Ombongi	P.O. Box 35, Kisii	103	Raymond Araka	P.O. Box 406, Kisii
15	Cllr. Clemensia	N/A	104	Joel Tongil	P.O. Box 324, Kisii
16	Florence Ondieki	P.O. Box 1281, Kisii	105	Joseph Omari	P.O. Box 1569, Kisii
17	B. Machuki	P.O. Box 3155, Kisii	106	Chrysanthus H. Nyangau	P.O. Box 35, Kisii
18	Peter Mochache	P.O. Box 532, Kisii	107	Christopher Oncham Ogutu	P.O. Box 2202, Kisii
19	Henry Nyabuto Kerina	P.O. Box 1569, Kisii	108	Josephat Nyamach	P.O. Box 1696, Kisii
20	Andrew Momanyi	P.O. Box 1108, Kisii	109	Richard Kenani	P.O. Box 2079, Kisii
21	Eliseba Ogega	P.O. Box 114, Kegati	110	Ayubu Moraba	P.O. Box 2079, Kisii
22	Joshua Masaka	P.O. Box 904, Kisii	111	Alphine Apiya	P.O. Box 35, Kisii
23	Peter Nyamache	P.O. Box 356, Kisii	112	William Mokano	P.O. Box 2308, Kisii
24	Kennedy Kinara	P.O. Box 1569, Kisii	113	Joel O. Nyasinga	P.O. Box 1037, Kisii
25	Zadrack Mogeni	P.O. Box 1091, Kisii	114	Onsane Anunda	P.O. Box 1696
26	Wilfred Nyamari	P.O. Box 683, Kisii	115	Reuben Nyagaka	P.O. Box 3061, Kisii
27	Andrew M. Ondieki	P.O. Box 683, Kisii	116	Thomas Nyamora	P.O. Box 1548, Kisii
28	Julius O. Ototo	P.O. Box 2988, Kisii	117	Stephen Ogega	P.O. Box 1108, Kisii
29	Francis Mochama	P.O. Box 324, Kisii	118	Paul Nyamao	P.O. Box 230, Kisii
30	Charles Makori	P.O. Box 1569, Kisii	119	Chrisantus Onyangore	P.O. Box 331, Kisii
31	Antony Nyakundi	P.O. Box 1569, Kisii	120	Kennedy Nyabuto	P.O. Box 1469, Kisii
32	Ratemo Getanga	P.O. Box 1569, Kisii	121	Pascal Nyanyari	P.O. Box 324, Kisii
33	Peter Omlwani	P.O. Box 93, Kisii	122	Samwel Kerosi Ondieki	P.O. Box 823, Kisii
34	Chabwich Maranga	P.O. Box 523, Kisii	123	Carol N. Osoro	P.O. Box 35, Kisii
35	Francis Mosaka	P.O. Box 507, Kisii	124	John Nyabengi	P.O. Box 35, Kisii
36	Robert Ombui	P.O. Box 592, Kisii	125	Zablon Maburi	P.O. Box 891, Kisii
37	Bernard Obaigwa	P.O. Box 1569, Kisii	126	Meshack J. Omari	P.O. Box 1415, Kisii
38	Vincent Nyangau	P.O. Box 1569, Kisii	127	Richard Miyienda	P.O. Box 35, Kisii
39	Osano Omwenga	P.O. Box 1569, Kisii	128	Patrick Omayio	P.O. Box 324, Kisii
40	Angela Moseti	P.O. Box 1569, Kisii	129	Mary B. Ratemo	P.O. Box 1989, Kisii

41	Risper Nyakundi	P.O. Box 1569, Kisii	130	Agnes Obare	P.O. Box 155, Kisii
42	Davin Okeya	P.O. Box 1569, Kisii	131	Aruya Getenga	P.O. Box 35, Kisii
43	Kwamboka Garao	P.O. Box 1569, Kisii	132	William Onsare Mobaya	P.O. Box 35, Kisii
44	Susan Ongwae	P.O. Box 1569, Kisii	133	Paul Nyandega	P.O. Box 1569, Kisii
45	Joseph Onyancha	P.O. Box 1569, Kisii	134	Raphael M. Singombe	P.O. Box 1659, Kisii
46	Hellen Moindi	P.O. Box 1569, Kisii	135	Dancan Ateka	P.O. Box 1666, Kisii
47	Josephat Nyaberi	P.O. Box 2753, Kisii	136	Paul M. Siro	P.O. Box 2290, Kisii
48	Julius Osoro	P.O. Box 331, Kisii	137	Cllr. Peter Onsare	P.O. Box 1062, Kisii
49	Ondieki Oiruria	P.O. Box 35, Kisii	138	C. Ogoti	P.O. Box 35, Kisii
50	Erick Mogaka	P.O. Box 531, Kisii	139	Meshack Kangwana	P.O. Box 35, Kisii
51	Robert Omari	P.O. Box 1696, Kisii	140	Dancan Obonyo	P.O. Box 220, Kisii
52	Charles Maranga	P.O. Box 1696, Kisii	141	Charles Oyunge	P.O.Box 1413, Kisii
53	Magdaline Nyakundi	P.O. Box 2164, Kisii	142	Charles N. Onchiri	P.O. Box 2164, Kisii
54	Fred Makori	P.O. Box 530, Kisii	143	Yucabeth Otiso	P.O. Box 230, Kisii
55	Sabastiano Oikuria	P.O. Box 35, Kisii	144	Lucy M. Ratemo	P.O. Box 1512, Kisii
56	Stanslus Orioro	P.O. Box 1374, Kisii	145	Josephene Bosire	P.O. Box 230, Kisii
57	Manuary Matimo	P.O. Box 1092, Kisii	146	Nyaboke Peter	P.O. Box 230, Kisii
58	Geoffrey Bosire	P.O. Box 1569, Kisii	147	Sabina Ogechi	P.O. Box 230, Kisii
59	Patroba Okeyo	P.O. Box 35, Kisii	148	Tabitha Nyansikera	P.O. Box 230, Kisii
60	Josephat Obino	P.O. Box 990, Kisii	149	Ben Ogutu	P.O. Box 22, Kisii
61	Ibrahim Makori	P.O. Box 780, Kisii	150	Alfred M. Nyatundo	P.O. Box 1090, Kisii
62	Abraham Momanyi	P.O. Box 335, Kisii	151	Nelson Onchimbo	P.O. Box 3453, Kisii
63	Charles Ogaro	P.O. Box 531, Kisii	152	Omanga Momanyi	P.O. Box 1569, Kisii
64	Joseph Omari	P.O. Box 531, Kisii	153	Philip Nyamari	P.O. Box 1575, Kisii
65	George Nyamwaka	P.O. Box 1078, Kisii	154	Jackline Omundi	P.O. Box 1020, Kisii
66	Zacharia Atambo	P.O. Box 592, Kisii	155	Saul Wasimbi	P.O. Box 1020, Kisii
67	James Nyariki	P.O. Box 3264, Kisii	156	Dinah Wangondu	P.O. Box 1020, Kisii
68	Mathew Nyangau	P.O. Box 1499, Kisii	157	Bonface Ombongi	P.O. Box 1247, Kisii
69	John Okiambe Aruya	P.O. Box 3542, Kisii	158	Stephen Arika	P.O. Box 886, Kisii
70	Mogaka Matagano	P.O. Box 324, Kisii	159	David Orioro	P.O. Box 35, Kisii
71	William Maburi	P.O. Box 1499, Kisii	160	Margret Mageto	P.O. Box 90, Kisii
72	Jared Mogire	P.O. Box 1101, Kisii	161	Teresa Gesare	P.O. Box 35, Kisii
73	Francisca Mayaka	P.O. Box 1238, Kisii	162	Esther Nyamache	P.O. Box 35, Kisii
74	Jane N. Mecheo	P.O. Box 1712, Kisii	163	Pastor Nyangaresi	P.O. Box 35, Kisii
75	Moturi Nyamari	P.O. Box 1090, Kisii	164	Ronald Nyakundi	P.O. Box 35, Kisii
76	Clement Nyabuto	P.O. Box 2067, Kisii	165	Balosi Oyunge	P.O. Box 3061, Kisii
77	Samson Mainya	P.O. Box 626, Kisii	166	Kefa Nyangare	P.O. Box 1141, Kisii
78	William Oisebe	P.O. Box 531, Kisii	167	Pantleo Gwaro	P.O. Kisii
79	Jason Mochoge	P.O. Box 531, Kisii	168	Samuel Nyamari	P.O. Kisii
80	Samwel Nyamari	P.O. Box 1108, Kisii	169	Bernard Morara	P.O. Kisii
81	Joel Nyakwama	P.O. Box 1356, Kisii	170	Kennedy Mases	P.O. Kisii
82	Thomas N. Okemwa	P.O. Box 261, Kisii	171	James Moseti	P.O. Kisii
83	Simion Ondieki	P.O. Box 324, Kisii	172	Kennedy Olumbe	P.O. Box 1569 Kisii
84	Peter Nyaseti	P.O. Box 1569, Kisii	173	Peter Mageto	P.O. Kisii
85	Peter Obara	P.O. Box 2441, Kisii	174	Samuel M. Onsare	P.O. Kisii

86	Richard Ayienda	P.O. Box 1092, Kisii	175	Mairura Londani	P.O. Box 261, Kisii
87	Christopher Nyaega	P.O. Box 156, Kisii	176	Harrison Nyamari	P.O. Box 35, Kisii
88	Reuben Kibegwa	P.O. Box 339, Kisii	177	Kefa Ondieki	P.O. Box 1428, Kisii
89	Polycarp Machuki	P.O. Box 1569, Kisii			

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1. DISTRICT PROFILE

Kitutu Chache is a constituency in Kisii District. Kisii District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	234,448	257,338	491,786
Total District Population Aged 18 years & Below	139,830	140,640	280,470
Total District Population Aged Above 18 years	94,618	116,698	211,316
Population Density (persons/Km²)	758		

1.2 Socio-Economic Profile

Kisii District:

- Is the most densely populated district in the province;
- Has a primary school enrolment rate of 74.5% being ranked 6th in the province and 28th nationally;
- Has one of the highest secondary school enrolment rates in the province at 31.7%, being ranked 2nd in the province and 12 nationally;
- Experiences the following main diseases: malaria, anaemia, gastro-enteritis, broncho pneumonia, and tuberculosis;
- Has a 22.9% malnourishment rate of children under 5 years of age, being ranked 22nd of 42 of the nationally ranked districts;
- Has 62 of 1000 of its live babies dying before the 1st birthday, being ranked 22nd of 44 of the nationally ranked districts;
- Has a life expectancy of 52.1years, being ranked 33 of 45 of the nationally ranked districts;
- Has an absolute poverty level of 57.22% being ranked 28th of 46 nationally ranked districts;
- Has a 46.82% food poverty level being ranked 19th of 42 nationally ranked districts;
- Has an unemployment rate of 5.07%;
- Has a monthly mean income of Ksh. 6,367;
- Has 57.10% of its residents accessing clean drinking water; and
- 87.40% of its residents having safe sanitation.

Kisii district has 5 constituencies: Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies. The district's 5 MPs, each cover on average an area of 130 Km² to reach 98,357 constituents. The ruling party, KANU, won all the parliamentary seats in the 1997 general election. It won Bonchari, Bomachoge, Nyaribari Masaba, Nyaribari Chache, and Kitutu Chache Constituencies with 54.57%, 49.75%, 62.09%, 83.33%, and 75.25% valid votes respectively.

2. CONSTITUENCY PROFILE

Kitutu Chache is comprised of Kegogi, Ngenyu, Sensi, Mwangichana and Nwamonari location, Marani division, Etoke, Nyanguni, Nyakoe, Nyamache, Mange, Buejeka, Nwakibagendi and Nyatieka locations of Mosoch Division of Kisii District.

2.1. Socio-Economic Profile

The economic mainstay of the locals is the production of coffee, tea, pyrethrum and cow milk.

2.2. Electioneering and Political Information

In the 1992 general elections, KANU and the opposition hotly contested for the parliamentary seat. KANU, however, won with 38.08% valid votes. On the death of the 1992 elected MP in 1997, a by-election was called and KANU won with 73.76% valid votes. In the 1997 general election, KANU won with 75.25% valid votes. In 2002, FORD People won the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			43,697
CANDIDATE	PARTY	VOTES	% VALID VOTES
Zachary Onyonka	KANU	7,197	38.08
Nicholas Siro	PICK	6,545	34.63
James Nyakundi	DP	5,160	27.30
<i>Total Valid Votes</i>		<i>18,902</i>	<i>100.00</i>
Rejected Votes		-	
Total Votes Cast		18,902	
% Turnout		43.72	
% Rejected/Cast		0.00	

2.4. 1997 By- Election Results

1992 TOTAL REGISTERED VOTERS			43,697
CANDIDATE	PARTY	VOTES	% VALID VOTES
Jimmy Angweni	KANU	7,425	73.76
Leo Obwiri	FORD-K	1,949	19.36
Justus O. Mochoge	NDP	523	5.20
Thomas Nyakundi	DP	169	1.68
<i>Total Valid Votes</i>		<i>10,066</i>	<i>100.00</i>

Rejected Votes	190
Total Votes Cast	10,256
% Turnout	23.47
% Rejected/Cast	1.85

2.5. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			52,565
CANDIDATE	PARTY	VOTES	% VALID VOTES
Jimmy N.O. Angwenyi	KANU	25,168	75.25
<i>Leo B.O. Matundura</i>	FORD-K	4,992	14.93
Justus O. Mochoge	NDP	1,773	5.30
Daniel R. Mokaya	SDP	1,031	3.08
George O. Manyara	FORD-P	482	1.44
<i>Total Valid Votes</i>		<i>33,446</i>	<i>100.00</i>
Rejected Votes		664	
Total Votes Cast		34,110	
% Turnout		64.89	
% Rejected/Cast		1.95	

2.6. Main Problems

- Poor roads; and
- Intra-ethnic tension. This is between the northern and southern clans.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an '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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 29th January 2002 and 19th May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution; definition, types and models
- Roles and functions of national constitution
- Constitution making process in Kenya
- Issues and questions for public hearings

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logical Details

5.1.1. Date and Number of Days for Public Hearings

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

5.1.2. Venue

- a) Number of Venues: 2
- b) Venue(s):
 - 1) Mosoch High School
 - 2) Marani Secondary School

5.1.3. Panels

- a) Commissioners
 - 1. Com. Prof. A. Idha Salim
 - 2. Com. Dr. Githu Muigai
 - 3. Com. Salome Muigai
- b) Secretariat
 - 1. Irungu Ndirangu - Programme Officer
 - 2. Janet Maina - Asst. Programme Officer
 - 3. Gladys Osimbo - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		111
Sex	Male	99
	Female	12
	Not Stated	0
Presenter Type	Individual	81
	Institutions	30
	Not Stated	0

Category	Details	Number
Educational Background	Primary Level	34
	Secondary/High School Level	49
	College	12
	University	14
	None	0
	Not Stated	2
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	15
	Oral	60
	Written	11
	Oral + Memoranda	0
	Oral + Written	24
	Not Stated	1

5.3. Concerns and Recommendation

The following are the recommendations made by the presenters in Kitutu Chache 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

- There should preamble in the constitution. (8)
- Constitution should ensure that Kenyans work together to overcome the problems affecting the country and this should be stated in the vision in the preamble.
- It should be stated in the preamble as a national vision that constitution should recognize God.
- The following national vision should be set in the preamble. “To improve the welfare of the people through fighting corruption, controlling crime and insecurity “ through the principles of unity , peace and liberty.
- The preamble should have the statement: “We the people of the republic of Kenya...”
- The preamble should be simple and short.
- The preamble should state that citizens are supreme.

- The preamble should state that the national loyalty pledge be changed to read: “ I pledge my loyalty to Kenya...” and not that “ I pledge my loyalty to the president”.
- The preamble shall state that the government shall always be a democracy.
- The preamble should state that the constitution is made by Kenyans to protect all Kenyans.
- The preamble should express peoples’ ownership of the constitution, e.g. “We the people of Kenya after undergoing difficulties brought about by colonial masters, hereby draft and adopt this constitution to be upheld by all citizens”.
- The preamble should spell out the broad socio-economic and cultural values of the Kenyan state.

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

- As a guiding principle leadership should be based on patriotism and moral standards.
- Kenya should remain a sovereign state and all laws should be made in the light of God.
- As a guiding principle constitution should be the paramount law superior to all laws of any country. (4)
- There should be directive principles in the constitution.
- As a guiding principle, constitution should generate peace, unity, love, justice, and prosperity and contain all the rights of the people.
- The constitution of Kenya should belong to the people of Kenya.
- Loyalty should be a value to be reflected in the constitution and all elected leaders should uphold it
- Values to be protected and reflected in the constitution should be hospitality, generosity, and patriotism and brother hood.
- Principles of direction should be enforceable in law.
- The directive principles of state policy should be enforceable in law.
- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide that justice should be upheld.

5.3.3. **CONSTITUTIONAL SUPREMACY.**

- Parliament should amend the constitution with an 80% majority votes.
- Parliament power to amend the constitution should be limited.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- Parliament should not amend the constitution frequently.
- The constitution should provide that parliament should only change the constitution subject to an approval by a national referendum
- Certain clauses in the constitution like the multiparty clause should not be amended at all.
- All amendments to the constitution should be done through public referendums. (8)
- The church should do referendums.

5.3.4. **CITIZENSHIP.**

- The constitution should confer automatic citizenship to all persons born of Kenyan parents.(2)

- Children born in Kenya by Kenyan parents and those born of Kenyans residing outside the country should be automatic citizens of Kenya.(3)
- All children born in Kenya regardless of their parents citizenship should be automatic Kenyan citizens.(2)
- All children adopted by Kenyan parents should be automatic citizens.
- Automatic citizens should be through birth.
- The interested people should acquire Kenyan citizenship by following the ordinary application procedure for the same.
- A Kenyan child who is adopted by non-Kenyans should be registered as a Kenyan.
- Kenyan citizenship should else be acquired through a court process.
- Spouses of Kenyan citizens, regardless of gender, should be entitled to automatic citizenship.(6)
- A person married to a Kenyan woman or man should be an automatic citizen in Kenya.
- A child born by one Kenyan parent irrespective of gender should be considered as automatic citizen of Kenya.(5)
- The constitution should confer citizenship to foreigners married to Kenyan citizens.
- Every citizen of Kenya should have the right to vote. (2)
- Every Kenyan should be obliged to protect the constitution.
- A citizen should enjoy all his personal rights.
- He should be obliged to adhere to the constitution.
- A citizen should be given all the rights, as the country deems necessary as long as such rights will not be abused.
- A citizen should have a voting freedom.
- A Kenyan citizenship should be awarded all international human rights and abide by the laws of the state.
- Rights of citizenship should not depend on the manner of citizenship acquired.(2)
- Dual citizenship should be allowed in the constitution.(7)
- Dual citizenship should not be allowed in the constitution.(3)
- The constitution should provide that proof of citizenship should be by way of National identification cards, birth certificates and passports.
- Passport should be issued free to Kenya citizens just incase of national ID cards.
- Passports should be issued free of charge to all Kenyans without any sanctions.
- Every citizen should be issued with a birth certificate.
- Nubians should be issued with national ID cards, passports, birth certificates as proof of their citizenship in Kenya.
- Kenyan above 18 years should be issued with national cards as proof of the citizenship.
- Mature Kenyans should be given national ID cards, which should be prepared using the birth and death statistics in the country.

5.3.5. **DEFENCE AND NATIONAL SECURITY.**

- Disciplined forces should be established in the constitution.(4)
- Martial laws should be imposed to the disciplined armed forces and they should be imposed by the commander in chief of the armed forces through the chief justice.
- The constitution should provide that the police force should be disbanded.
- The constitution should provide that the powers of the police should be reduced.
- President should not be the commander in chief of the armed forces. (5)
- President should be the commander in chief of the armed forces. (4)

- Executive should not have power to declare war.(4)
- Executive should be advised by parliament on his power to declare war in the country.
- The constitution should permit the use of force during situations of emergencies.(2)
- Parliament should have full power to invoke emergency powers. (4)
- President should not have power to invoke emergency.
- President should consult with parliament before declaring emergencies.
- Parliament should be involved in effecting emergency powers.
- Authority to invoke powers should be handled by the three arms of the government and channeled through the president.
- Parliament should control the presidential powers during declaration of a state of emergency.

5.3.6. **POLITICAL PARTIES.**

- Political parties should not play any other role apart from mobilization.
- Political parties should play other roles apart from political mobilization. E.g. policy formation, law making.
- Political parties to check government activities. (2)
- Constitution should regulate the formation, management and conduct of political parties.(3)
- Constitution should not regulate the formation, management and conduct of political parties.
- The constitution should provide that tribal political parties should be abolished.
- The constitution should provide broad guidelines requiring that political parties have a development focus.
- The constitution should provide that a person defecting from a political party should be free to do so.
- Registration of the political parties should be free and should not be doctored by an individual.
- The constitution should provide for a minimum of 2 and a maximum of 4 political parties in Kenya.
- There should be only 3 to 4 political parties. (2)
- The constitution should limit the number of political parties in the country to 2.
- The constitution should limit the number of political parties in the country to 3. (6)
- The constitution should limit the number of political parties in the country to 4.
- The constitution should limit the number of political parties in the country to less than 10.
- There should be no limit on the number of political parties.(2)
- Political parties should finance themselves. (2)
- Political parties should raise funds from its members and other businesses a given party may engage in.
- The constitution should provide that the state should fund political parties. (3)
- The constitution should provide that the state should not fund political parties. (4)
- The president should not belong to any political party. (2)
- State should permit political parties to mobilize the people anywhere in the country.
- Each political party should be patriotic to the state and Kenyans.
- State owned media should all political parties and their members equally (3).
- The state and political parties should relate cordially with each other.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- Presidential system of government should be retained in the constitution.(5)
- Prime minister post should be created (3).
- Prime minister post should not be created.
- A parliamentary system of government should be adopted in the constitution.(4)
- A parliamentary system of government should not be adopted in the constitution. (3)
- Prime minister should have the power to run the government.
- Prime minister should be the leader of government.
- Prime minister should have powers to appoint and dismiss ministers.
- Prime minister should share powers with president.
- Prime minister should act as the head of the government.(2)
- The president should be the head of government.
- The president should have no power
- The constitution should provide for a ceremonial president. (2)
- President should be the head of government.
- A hybrid system of government should not be adopted. (2)
- A hybrid system of government should be adopted.
- The unitary system of government should be retained.(5)
- The unitary system of government should be abolished.
- The constitution should provide for a Majimbo system of government. (5)
- The constitution should not provide for a Majimbo system of government.(2)
- Budget preparation should include locals in respective areas.
- Power should be devolved to lower levels of government by way of delegation of duties.
- Constitution should allow for grass roots governance.
- President should name a running mate who should be his deputy on election as the vice president.
- Vice president should be elected directly by the people.(6)
- The president should elect vice president. (5)
- Post of the vice president should be abolished.
- The vice president should be of the opposite gender to the president.
- Attorney general should be appointed by the parliament.(4)
- The president should appoint attorney general.
- Attorney general should be independent and he should not interfere with private prosecutor.
- The powers of the AG should be shared with the CJ.

5.3.8. **THE LEGISLATURE**

- The appointment of Permanent secretary, provincial commissioner, chief parastatals, ambassadors, and vice chancellor should be vetted by parliament through parliamentary appointed committee.
- Parliament should vet all political appointment.
- Parliament should vet all presidential appointment.
- All senior appointments to the government should be vetted by parliament.
- The constitution should provide that the powers of the president to appoint constitutional officers be subject to vetting by parliament.

- The constitution should provide that parliament shall appoint ministers, Attorney General, Chief Justice, Parastatal Heads, Ambassadors, Permanent Secretaries and other key state officers.
- Parliament should approve any type of national inquiry.
- Parliament should approve the sacking of all senior government officials.
- Parliament should be empowered to be the supreme organ.
- Functions of the parliament should be monitored by an independent commission.
- There should be a calendar of parliamentary events.
- The other 2 arms of government should monitor parliament.
- Parliament should control its proceedings.
- MPs should work from 9.00 am to 5.00 pm for 4 days.
- Being an MP should be a fulltime occupation. (4)
- Parliamentarians should work from Tuesday to Friday noon.
- Being an MP should be a part time occupation.
- A presidential candidate should be between 45 to 75 years old.
- A presidential candidate should be between 35 to 70 years old.
- A presidential candidate should be between 45 to 50 years old.
- A presidential candidate should be above 50 years of age and not more than 70 years.
- A presidential candidate should be 40 years and above.
- A presidential candidate should be at least 30 years and above.
- Age for contesting for a presidential seat should be reduced.
- The constitution should provide that MPs should not be less than 20 years old.
- The age requirement for voting should be reduced to 15 years.
- Voting age be retained at 18 years.
- Aspirant MPs should be at least holders of university degrees.
- The constitution should provide that MPs should at least be former graduates.(2)
- Aspirant MPs should have a minimum education level of A level or its equivalent.
- All parliamentary candidates should have attained a Masters degree.
- Current language test for MPs is enough.
- An aspirant should be a native of the constituency he is vying for.
- Moral and ethical qualifications should be introduced. (3)
- People should have a right to recall their MPs. (9)
- People should have the right to recall an MP who performs badly after 2 years through a vote of no confidence.
- People should have the right to recall an MP through a vote of no confidence.
- The MPs who fail to keep their promises should be taken to court.
- Corrupt MPs should be sacked.
- MPs should act in accordance to the instructions from their constituents.(4)
- MPs should form constituency councils that would enable them interact with their constituents and discuss development issues and problems.
- MPs salaries should be established by central government.
- The constitution should provide that an independent commission/committee should determine the salaries of MPs.(3)
- MPs salaries should be established by public service commission.(2)
- The AG and the electoral commissioners should determine salaries and benefits of MPs jointly.
- Abolish the concept of nominate MPs.(7)
- Retain the concept of nominate MPs.(2)

- The nominated MPs should come from special interest groups and the churches.(6)
- Election rejects should not be nominated to parliament.
- The president should not conduct nomination to parliament.
- Special measure should be put in place to increase women's participation in parliament.(6)
- Seats should be reserved for women (2).
- No special measures should be put in place to increase women's participation in parliament.(5)
- MPs should attend all sessions
- An MP in a multi party state should adhere to the rules set by the speaker while in parliament .
- The constitution should provide that nominated MPs should come from the religious community and farmers groups.
- The constitution should provide that nominated MPs should be drawn from minority communities like Nubians, Dorobos etc.
- The constitution should provide that the tenure of MPs should be limited to 2 terms of five years each.
- The constitution should give Parliament powers to impeach the president.
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should provide that MPs should at least be university graduates.
- The constitution should provide that MPs should have public offices in their constituencies.

5.3.9. **THE EXECUTIVE.**

- The constitution should provide that the president should serve 2 terms of five years each.(23)
- The constitution should provide that the president should be a graduate from a recognized university
- The constitution should provide that the president should be a family man
- The president should be a university graduate with proven skill of management
- The constitution should provide that provincial administration should be replaced with the electoral person
- The constitution should provide that the president should serve for only one term
- The constitution should provide that the presidential function should be defined (5)
- The constitution should provide that the president should have the power to appoint ministers
- The constitution should provide that presidential power should be reduced (27)
- The constitution should provide for the impeachment of the president for misconduct while in office(7)
- The constitution should provide that the president should attend at least 1/3 of parliamentary sitting
- The constitution should provide that president should be chief advisor of parliament
- The constitution should provide that parliament should be totally independent out of the president influence
- The constitution should provide that president should be an MP(4)
- The constitution should provide that the president should not be an MP(5)

- The constitution should provide that the chief should serve 2 terms of five years each.
- The constitution should provide that when the chief is a man, the assistant chief should be a woman and vice versa.
- The constitution should provide that the president should be impeached if it is proven to be corrupt.
- The constitution should provide that the powers of the president should be limited.
- The constitution should provide that the president shall have a university degree
- The constitution should provide for the abolition of the institution of chief and assistant chief.
- The constitution should provide that the president should hold at least a diploma certificate and have experience in management.
- The constitution should provide that the president should not be above the law.
- The constitution should provide that the president should be aged at least 35 years.
- The constitution should provide that age should not be a qualification for presidency.
- The constitution should provide that the chiefs and their assistants should be elected directly by the people.
- The constitution should abolish the presidential prerogative of mercy.
- The constitution should provide that the chiefs and their assistants should have at least form four education.
- The constitution should provide that the provincial administration should be abolished.
- The constitution should provide that the numbers of district should be reduced or changed
- The constitution should provide that chiefs should be elected by village elders
- The constitution should provide that chiefs should be elected and transferable
- The constitution should provide that we should have at least 18 ministries
- The constitution should provide that there should be at least 12 ministries
- The constitution should provide that there should be only one minister and assistants in every ministry to avoid duplication of duties
- The constitution should provide that the number of ministries
- The constitution should provide that the ministers should not exceed 15.
- The constitution should provide that the chiefs and their assistants should be elected directly by a group of 200 elders.
- The constitution should provide that the president should not be an MP.
- The constitution should provide that the president should be between 50-70 years old.
- The constitution should provide that the president must be a Kenyan by birth.
- The constitution should provide that village elders should be recognized and treated as civil servants.
- The constitution should provide that candidates seeking presidency should name their running mates.

5.3.10. **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary.(6)
- The constitution should provide for establishment of a supreme court.(7)
- The constitution should provide for the establishment of a permanent constitutional court.(4)
- The constitution should provide for recognition of customary law.
- The constitution should provide that those who engage in witchcraft should be charged in a court of law.

- The constitution should provide that judges and magistrate should be appointed by a parliamentary legal commission in conjunction with the law society of Kenya
- The constitution should provide that chief justice should be appointed by parliament
- The constitution should provide that judges should be appointed by the judicial commission (4)
- The constitution should provide that judicial officers should be appointed by president and vetted by parliament
- The constitution should provide that judicial officer should have a degree in law and be aged between 35 and 70 years
- The constitution should provide that judges should be above 50 years old
- The constitution should provide that judicial officer should retire at 74 with security of tenure
- The constitution should provide that chief justice and judges should have security of tenure
- The constitution should provide that judicial commission should be empowered to discipline
- The constitution should provide that Kenyan court should use a very simple and understand
- The constitution should provide that judicial officers should be under a parliamentary judicial committee which should handle all disciplinary processes in the judiciary
- The constitution should provide that kadhis should undergo training as other lawyers
- The constitution should provide that chief kadhis should have a law degree
- The constitution should provide that kadhis should be appointed by a judicial service commission on recommendation from the supreme council of Muslim
- The constitution should provide that kadhis should be appointed by parliament
- The constitution should provide that kadhis court should be empowered to handle more responsibilities on Islamic issues apart from marriage divorce and succession
- The constitution should provide that kadhis court should handle all cases of Muslims
- The constitution should provide that kadhis court should have appellate jurisdiction
- The constitution should provide that Kenyan court should use a very simple and understandable language to all Kenyan
- The constitution should provide that arrested suspects should be taken to court immediately
- The constitution should make it easier and cheaper for one to obtain legal redress
- The constitution should provide that there should be at least one kadhi in every district
- The constitution should provide that court of appeal should be decentralized to district level
- The constitution should provide that administration police should take court suspect and not detain them
- The constitution should provide that judicial laws of review made by parliament should not be there
- The constitution should provide that the state should avail advocates to all criminal cases for those who cannot afford one
- The constitution should guarantee right to legal aid
- The constitution should provide that village elders should be involved in determination of land cases
- The constitution should provide for the establishment of family courts.
- The constitution should provide that a human right court should be established

- The constitution should provide that cases should not take long in court
- The constitution should provide that judges shall be 50 years and above.
- The constitution should provide for a Kadhi who shall be qualified in Islamic and secular law.
- The constitution should provide that the Kadhi should be of the same rank as other judicial officers.
- The constitution should provide for the establishment of a land court.
- The constitution should provide that all judicial officers should be law graduates.
- The constitution should provide for establishment of a human rights court.
- The constitution should provide for the creation of the Supreme Court.

5.3.11. **LOCAL GOVERNMENT.**

- The constitution should provide that the electorate should determine the remuneration of councilors.
- The constitution should provide that mayors and council chairmen should be elected directly by the people (13)
- The constitution should provide that the current 2 years term for mayor and council chairman should be adequate
- The constitution should provide that mayors and council chairmen should serve for a term of 5 years each
- The constitution should provide that chairmen and mayor tenure should be two terms of five years each
- The constitution should provide that councilors term should be four years
- The constitution should provide that the local authorities should be autonomous (7)
- The constitution should provide that the council should continue working under the central government
- The constitution should provide that local authorities should be scrapped.
- The constitution should provide that councilors should possess an O level certificate of education (5)
- The constitution should provide that councilors should be graduates
- The constitution should provide that an aspirant councilor should be able to communicate well in both English and Kiswahili(3)
- The constitution should provide that the aspirant of local authority seats should be morally upright (4)
- The constitution should provide that people should have a right to recall their councilors if they misbehave or are inefficient (4)
- The constitution should provide that councilors should not be entitled to retirement benefits
- The constitution should provide that salaries of councilors should be determined by citizens
- The constitution should provide that an established commission from the central government should determine councilors salaries
- The constitution should provide that councilors should be paid from the consolidated fund
- The constitution should provide that the electoral commissioner and the AG should determine the remuneration of councilors
- The constitution should provide that the people who have contested for local authority seats and failed should not be nominated as councilors
- The constitution should provide that the concept of nominated councilors should be

abolished

- The constitution should provide that the concept of nominated councilor should be retained
- The constitution should provide that nominated councilors should be appointed by a special district committee
- The constitution should provide that councilors in multiparty state should be loyal to the electorate
- The constitution should provide that local government minister should have power to dissolve council
- The constitution should provide that people should vote for the need dissolve a council
- The constitution should provide that the president or minister in charge of the local government should not have the power to dissolve council
- The constitution should provide that council budgets should be open to auditing by the public.
- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the County Council, should be filled by direct popular elections.
- The constitution should provide that mayors should serve a maximum of 5 years.
- The constitution should provide that councilors should be form four graduates.
- The constitution should provide for abolition of nomination of councilors.
- The constitution should provide that councilors should be university graduates.
- The constitution should not provide any educational requirement for councilors.
- The constitution should provide that mayors should serve a maximum five-year term.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that elections should be free and fair.
- The constitution should provide that elections should be held only on working day(s).
- The constitution should provide that secret ballot should be applied during election
- The constitution should provide that a mixed system of electoral should be adopted
- The constitution should provide that a proportional electorate system should be adopted
- The constitution should retain a representative system of election
- The constitution should provide that simple majority vote should be the basis for winning an election (4)
- The constitution should provide that no electoral design can be put in place to make women participate more than men
- The constitution should provide that electoral system should be designed in a way to give equal opportunities in both civic and parliamentary election
- The constitution should provide that there should be gender equity during party nomination in the party composition and structure
- The constitution should provide that both the president and his vice should garner at least 51% of the total votes cast failure to which there should be a re run off
- The constitution should provide that a presidential candidate should garner at least 50% of the total votes for him or her to be declared a winner (4)
- The constitution should provide that candidates who fail to seek nomination in one party should not be allowed to switch over to another party(2)
- The constitution should provide that defection within political parties should not be

allowed

- The constitution should provide that party defectors should resign and seek election in another party
- The constitution should provide that defection between parties should not be allowed
- The constitution should provide that 25 % representation in 5 provinces fro presidential election should be retained (2)
- The constitution should provide that 25% representation in 5 provinces should be abolished (2)
- The constitution should provide that seats should be reserved for specific interest group like disabled, children, youth, women and minority group
- The constitution should provide that the current geographical constituency should be retained
- The constitution should provide that geographical constituencies system should be abolished
- The constitution should provide that demarcation of constituencies should be based on population (9)
- The constitution should provide that there should be no limitation on how much money a politician spends in an election.
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the total votes cast.
- The constitution should provide that civic, parliamentary and presidential elections should be held separately. (8)
- The constitution should provide that civic, parliamentary and presidential election should be held simultaneously
- The constitution should provide that civil servants shall be given leave to contest in elections and if they win the leave shall be extended until their term ends.
- The constitution should provide that foreigners who have stayed and continue to stay in Kenya for long should be allowed to vote during elections.
- The constitution should provide that electoral commissioners should be appointed by the civil society in collaboration with parliament.
- The constitution should provide e that electoral commission should be appointed by people
- The constitution should provide that the electoral commission should be independent
- The constitution should provide that the ECK should be financed from the central government
- The constitution should provide that there should be 8 commissioners
- The constitution should provide that there should be 11 electoral commissioners
- The constitution should provide that there should be 15 electoral commissioners
- The constitution should not provide for independent candidates.
- The constitution should provide that counting of votes should be done at the polling station.(12)
- The constitution should provide that the Electoral Commission should use transparent ballot boxes.(5)
- The constitution should provide that voters registration should be continuous exercise (5)
- The constitution should provide that we should have a free and fair election
- The constitution should provide that election expenditure per candidate should not be limited
- The constitution should provide that there should be a limit on election expenditure per

candidate

- The constitution should provide that winners in presidential, parliamentary and civic elections should be made public in 24 hours.
- The constitution should provide that the voting cards should be issued continuously.
- The constitution should provide that elections should be held regularly.
- The constitution should provide that the every citizen of 15 years and above should be eligible to vote.
- The constitution should provide that there should be a limitation on the amount of money candidates spends in an election e.g. a maximum of Kshs. 50million for president, 1million for MPs and 100,000 for civic candidates.
- The constitution should provide that voting should be done by secret ballot.
- The constitution should abolish nomination of MPs and councilors.
- The constitution should provide that presidential, parliamentary and civic elections shall be held on 29th December after every five years and swearing in of the president shall be done on the 15th of January of the following year.
- The constitution should provide that nobody should be allowed to defect from one party to another.
- The constitution should provide that the election date should be specified in the constitution (12)
- The constitution should provide that the presidential election should be done directly (4)
- The constitution should provide that all registration fees should be removed
- The constitution should provide that people should be given the chance to choose and elect the leader of their choice
- The constitution should provide that the electoral commission should be a university graduate

5.3.13. **BASIC RIGHTS**

- The constitution should guarantee freedom of worship.(12)
- The constitution should abolish death penalty (5)
- The constitution should protect security healthcare water education shelter food and employment as basic rights of all (3)
- The constitution should provide that the government should be responsible to enforce laws to ensure that all Kenyans enjoy their basic rights (4)
- The constitution should provide that there s be a social security fund for al vulnerable groups
- The constitution should provide that the government should create employment opportunities for the youth
- The constitution should provide that women worker should be given maternity leave of one year
- The constitution should provide that retirement age should be reduced
- The constitution should provide that the education should be free for all Kenyans
- The constitution should provide that internal security should be guaranteed to all and water pollution avoided and be accessible
- The constitution should provide that the government should provide free medical care for all Kenyans
- The constitution should provide that there should be a policy of one man one job
- The constitution should provide that Kenyan should guaranteed of security

- The constitution should provide that medical service should be free (11)
- The constitution should provide that all Kenyans should have access to clean piped water
- The constitution should provide that university education should be funded through business
- The constitution should provide that employment should be based on merit not nepotism
- The constitution should provide that salaries should be decent enough to ensure reasonable social status
- The constitution should provide that those above 60 years should have pension
- The constitution should provide that the elderly should be entitled to pension
- The constitution should provide that retirees should be given an increments every time there is a salary increments
- The constitution should provide that free education up to university level
- The constitution should provide that the state should provide free education up to college level
- The constitution should provide for free and compulsory education up to form four
- The constitution should provide education should be free up to primary level (8)
- The constitution should guarantee access to all information except security one
- The constitution should guarantee access to information in the hands of the state
- The constitution should provide that parliamentary proceedings should be broadcasted live on TV and radio
- The government should offer continuous civic education country wide
- The constitution should guarantee representation in the trade union
- The constitution should guarantee every Kenyan the right to work in any part of Kenya.
- The constitution should provide for free and compulsory basic education.
- The constitution should provide for free healthcare for all Kenyans.
- The constitution should provide for freedom of association and movement.
- The constitution should provide for access to basic commodities like water, food electricity etc for all Kenyans.
- The constitution should provide that the security of person and property should be guaranteed.
- The constitution should guarantee basic rights and quality of life to all Kenyans including those in jail.
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should provide workers with the right to industrial action.
- The constitution should provide for a one-person-one-job policy.
- The constitution should provide for 20% increase in pensions every five years.
- The constitution should provide for a continuous civic education via the school curriculum and the mass media so that the people can know their rights.
- The constitution should provide that reports of commissions should be made public immediately upon conclusion of their work.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide that women should not be discriminated against especially in employment and elections to key positions.
- The constitution should provide for equal recognition of male and female children in the areas of education and property inheritance.

- The constitution should provide for affirmative action in favor of marginalized groups.
- The constitution should provide that the right of children should be protected
- The constitution should provide that the interest of the disabled should be taken care of
- The constitution should provide that all public utilities should be made to suit disabled people
- The constitution should provide that disabled persons should be treated and given employment
- The constitution should provide that orphans should be educated free up to form four by the government
- The constitution should provide that president should respect and protect the rights of children ((6)
- The constitution should provide that the elderly people should be given welfare
- The constitution should provide that the youths, disadvantaged and widows should be considered vulnerable
- The constitution should provide that freedom fighters should be recognized
- The constitution should provide that women should not be given preferential treatment
- The constitution should provide that [prisoner should serve a jail term in proportion to the offence they committed
- The constitution should provide that prisoner should have a right to decent cell and other amenities
- The constitution should provide that women should have a say in the utilization of family resources.
- The constitution should provide for the establishment of a special department/ministry to cater for the disabled, orphans and street children.
- The constitution should provide that child labor should be punished severely.
- The constitution should provide for buildings that are structurally sensitive to the needs of the disabled.
- The constitution should provide that the government shall ask the British government to compensate those who fought for the in the two world wars.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should guarantee access to land for every Kenyan.
- The constitution should provide that village elders and not land boards should issue land title deeds.
- The constitution should provide that the state should have ultimate land ownership
- The constitution should provide that the individual should have the ultimate land ownership
- The constitution should provide that the government should not compulsorily acquired land unless in a situation of project development
- The constitution should provide that government should have the power to acquire private land for the purpose of mineral extraction as long as it adequately compensates
- The constitution should provide that government should tax idle land
- The constitution should provide that the government should have land policy in controlling land use
- The constitution should provide that women or girls should not be entitled to land from their parents
- The constitution should provide that all land transfer issue within family should be

done by land control boards

- The constitution should provide that allocation of public land should be strictly controlled by a special created body of parliament
- The constitution should provide that public land should be protected from illegal allocation
- The constitution should provide that girl should be allow to inherit
- The constitution should provide that an individual should own a maximum of 50 acres of land
- The constitution should provide that a person should have a minimum of 10 acres of land
- The constitution should provide that every Kenyan should not own more than 20 acres of land
- The constitution should provide that individual should not own more than 100 acres of land
- The constitution should provide that an individual should own land to a maximum of 2000 acres
- The constitution should provide that foreigner should not be allowed to own land in Kenya
- The constitution should provide that land title deeds should be issued free of charge
- The constitution should provide that the process of issuance of land title should be done within a short time
- The constitution should provide that procedure of land transfer should be simplified
- The constitution should provide that farms should be surveyed every 10 years and division of inheritance made at this time
- The constitution should provide that there should be dual citizen registration of land between husband and wife
- The constitution should provide that t men and women should have equal access to land (9)
- The constitution should provide that pre- independence land treaties should be abolished (3)
- The constitution should provide that every Kenyan should own land and live anywhere within the republic (10)
- The constitution should ensure that no Kenyan is landless ((15)
- The constitution should provide that rangeland and part of public land should be owned by the state
- The constitution should provide that the government should protect trust land
- The constitution should provide that the Nubians should be issued with titles to the land they occupy so as to enable them develop such pieces.
- The constitution should provide that husband and wife should jointly own land/other property.
- The constitution should provide that every Kenyan should have at least 5 acres of land.
- The constitution should provide that trust land should only be allocated to local people.
- The constitution should provide that land set as national parks and game reserves shall be allocated to the landless.
- The constitution should provide that nobody should own more than 20 acres of land.
- The constitution should provide that all persons aged 18 years should be given 20 acres of land.
- The constitution should provide that every region should have a committee of elders to resolve land disputes.
- The constitution should provide that irregularly allocated land should be compulsorily acquired and given to the landless.

- The constitution should provide that land tribunals established by district officers shall be abolished and instead village committees shall be established to settle land disputes.

5.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should provide that ethnic and cultural diversity should be enhanced
- The constitution should provide that cultural and ethnic should not be protected and promoted in Kenya
- The constitution should provide that cultural and ethnic diversity should be protected and promoted (19)
- The constitution should provide that children should respect their elders
- The constitution should recognize religions leaders
- The constitution should provide that FGM should be abolished
- The constitution should provide that FGM should be allowed to continue
- The constitution should provide for two national languages (7)
- The constitution should provide that indigenous language should be promoted (5)
- The constitution should provide that wife inheritance should be banned.
- The constitution should provide that village midwives shall be paid by the government.
- The constitution should not abolish the practice of Female Genital Mutilation.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCE**

- The constitution should provide that civil servants should retire at 45 years.
- The constitution should provide that civil servants should retire at 55 years.
- The constitution should provide for involvement of experts in the preparation of the national budget.
- The constitution should provide that MPs should participate in all stages of the preparation of the national budget.
- The constitution should provide that the executive should continue retaining the power to raise and distribute financial resources
- The constitution should provide that parliament should retain the power to raise and appropriate public finances
- The constitution should provide for equitable distribution of the national resources (10)
- The constitution should provide that the government should apportion benefits from natural resources between the central government and the communities from where such resources are found
- The controller and auditor general should be independent
- The controller and auditor general should be appointed by parliament (3)
- The parliament should ensure that public funds are use properly
- The parliament should approve all public expenditure
- The constitution should provide that public servant should be guaranteed security of tenure
- The constitution should provide that appointment should be based on merit
- The constitution should provide that ministerial post should be given in accordance to the relevant profession
- The constitution should provide that public service commission should be empowered to

determine the salaries of all public servant

- The constitution should provide that PSC should appoint all constitution office
- The constitution should provide that PSC member should be nominated by parliament
- The constitution should provide that there should be a code of conduct for public office holders (6)
- The constitution should provide that the president should be required to declare his wealth
- The constitution should provide that the public office holder should declare their wealth (5)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide for the creation of laws to protect land from destruction and those found cutting trees should be prosecuted.
- The constitution should provide for laws that protect the environment
- Te constitution should provide that water bodies, forest and farms should be protected
- The constitution should provide that a waste management act should be passed to prevent pollution of the environment
- The constitution should provide that parliament should enforce environmental laws
- The constitution should provide that all natural resources should be protected
- The constitution should provide that parliamentary select committee should protect the natural resources
- The constitution should provide that government should be responsible for the protection and management of the country's natural resources
- The constitution should provide that miners of natural resources should take precautions not to damage the environment.

5.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should provide that the state shall regulate the air time availed on the Kenya Broadcasting Corporation (KBC), the national broadcaster, to different groups in society.
- The constitution should provide that NGOs and other group should be the government watch dog
- The constitution should provide that civil society organization should be addressed
- The constitution should provide that government should regulate the conduct of the civil society
- The constitution should provide that state should institutionalize the role of civil society organization
- The constitution should provide that women should be include in governance
- The constitution should provide that disabled should be appointed as per their competence
- The constitution should provide that minority groups should be exposed to educational institution, social economic activities of the nation
- The constitution should p
- The constitution should provide that the president should be responsible of ensuring good international relation with neighboring countries
- The constitution should provide that parliament should appoint ambassadors and approve

their sacking

- The constitution should provide that the executive should nominate ambassadors and high commissioner
- The constitution should provide that all basic rights should be implemented in accordance to international charter to which Kenya is a signatory
- The constitution should provide that laws made by international organizations should not interfere with domestic laws
- Provide that elderly should be appointed in advisory places
- The constitution should provide that the poor should have 10% representation in parliament
- The constitution should provide that affirmative action should be introduced to the vulnerable groups to increase their participation in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide that the president should be responsible of ensuring good international relation with neighboring countries
- The constitution should provide that parliament should appoint ambassadors and approve their sacking
- The constitution should provide that the executive should nominate ambassadors and high commissioner
- The constitution should provide that all basic rights should be implemented in accordance to international charter to which Kenya is a signatory
- The constitution should provide that laws made by international organizations should not interfere with domestic laws

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for the creation of the post of ombudsman to act as public watchdog.(10)
- The constitution should provide for the establishment of a human right commission (4)
- Te constitution should provide for establishment of a gender commission (3)
- The constitution should provide et the establishment of a land commission (2)
- The constitution should provide e for the establishment of a children right commission
- The constitution should establish a central tendering commission
- The local government commission should be established
- The national food commission should be established
- The constitution should provide that there should be a minister of justice o constitutional affairs as distinct from the office of Attorney general(3)
- The constitution should provide for the creation of an Anti-corruption Authority (4).
- The constitution should provide that constitutional commissions should be set up by parliament or with the approval parliament.

5.3.22. **SUCCESSION AND TRANSFER OF POWER.**

- The constitution should provide that retiring/outgoing president should hand over the instruments of power to the Speaker in the interim period before the next president is sworn in.

- The constitution should provide that a transitional government should be in charged of executive power during presidential election
- The constitution should provide that the speaker of the national assembly should be in charge of executive power during election
- The constitution should provide that the presidential results should be announced after vote counting
- The constitution should provide that the incoming president should assume office after two week
- The constitution should provide that a presidential elect should be sworn in on January 15 the next year after the general election
- The constitution should provide that the incoming president should assume office 14 day after election
- The constitution should provide that chief justice should swear in the incoming president at public stadium
- The constitution should provide that the incoming president should take power instrument immediately
- The constitution should provide that power should be transferred smoothly after election
- The constitution should not provide security to a former president
- The constitution should provided for security for a former president (3)
- The constitution should not provide for welfare for a former president
- The constitution should provide welfare for a former president
- The constitution should not provide for immunity from legal process to a former president
- The constitution should provide for immunity from legal process for a former president (4)
- The constitution should provide that the president shall be protected from prosecution upon retirement

5.3.23. **WOMEN'S RIGHTS**

- The constitution should provide that women should have equal rights to property inheritance.
- The constitution should provide that women's right should be upheld s as to ensure that there is no discrimination
- The constitution should provide that women should have a right to own and hold land
- The constitution should provide eth girls should have a right to inheritance
- The constitution should abolish bride price
- The constitution should provide that customary law should be recognized
- The constitution should provide that the affiliation act should be entrenched
- The constitution should provide that men who impregnate women should marry them
- The constitution should provide that a woman who deserts the husband shall leave the children with the husband

5.3.24. **LEGAL SYSTEMS**

- The constitution should provide that anybody convicted of corruption should be sentenced to death.
- The constitution should provide that those found smoking marijuana should be sentenced to 20 years in prison.
- The constitution should provide that convicted murderers should be stoned to death.
- The constitution should provide for stiff penalties for rapists.

- The constitution should provide that men who impregnate minors should be jailed.
- The constitution should provide that 'busaa' should be legalized.
- The constitution should provide that the local brews should be licensed.

5.3.25. **SECTORAL POLICY**

- The constitution should provide for laws to safeguard the coffee sector.
- The constitution should provide that the government should irrigate the arid and semi-arid lands to settle the landless.
- The constitution should provide for sacking and charging in court, of corrupt public servants.
- The constitution should provide that employment on merit.
- The constitution should provide that any government official convicted of corruption should be dismissed and charged in a court of law.
- The constitution should provide that each region should have a university.
- The constitution should provide that the state should provide free textbooks to all schools.
- The constitution should provide that the government should be responsible for the building and provision of equipment to schools.
- The constitution should provide for corporal punishment in schools.
- The constitution should provide that the Kenyan map be put on the currency instead of president's portrait.
- The constitution should ban importation of condoms.
- The constitution should provide for price controls of basic commodities.
- The constitution should provide that church officers and the disabled should not pay taxes for importation of cars.
- The constitution should provide that university vice chancellors shall be appointed by the public service commission.
- The constitution should ban liberalization of the economy.
- The constitution should provide that the minimum age for drinking alcohol should be 35 years.
- The constitution should provide that only those civil servants of 50 years and above should be retrenched.
- The constitution should provide that no Kenyan should bank money outside the country.
- The constitution should provide for establishment of national schools in all provinces.
- The constitution should provide that teachers should be equitably distributed all over the country.
- The constitution should provide that the local private hospitals should be compelled to admit and attend to patients before payment.
- The constitution should provide for repatriation of all monies banked abroad by corrupt government officials.
- The constitution should scrap agricultural extension service.
- The constitution should provide that in mixed schools, if a principal is male his deputy should be female and vice versa.
- The constitution should provide that factories should pay for farm delivery immediately/on delivery.
- The constitution should provide that the powers to appoint registrars, vice-chancellors and chair of university departments should be exercised by the university senate.
- The constitution should provide that all appointments to civil service should be based on

merit.

- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.
- The constitution should provide for government role in market search for local products and price control to protect local producers.
- The constitution should provide for the introduction of an 8-4-2-2 system of education
- The constitution should provide that all farmer should have access to loans
- The constitution should provide that coffee and tea farming should be promoted by the government
- The constitution should provide that farmers should be protected
- The constitution should provide that farmers should be skilled and agricultural cooperative be run by competent agricultural officers
- The constitution should provid that government should be in charge of coffee and tea farming in Kenya
- The constitution should provide that cost sharing in hospital should be abolished
- The constitution should provide that the government should subsidize farm inputs
- The constitution should provide that agricultural sector should be funded more adequately by the government
- The constitution should provide that directors of cooperative should be accountable to farmers
- The constitution should provide that the government should also facilitate to enhance the agricultural sector
- The constitution should provide that the government should act as a watch dog on agricultural societies
- The constitution should provide that the industrial sector should be enhanced
- The constitution should provide that the quota system of admission should be abolished
- The constitution should provide that bursaries should be availed freely to children from poor families
- The constitution should provide that national schools should be developed
- The constitution should be taught I schools
- The constitution should provide that loans and grants should be provided at university level
- The constitution should provide that the government should provide e learning equipment and build the school evenly in all regions
- The constitution should provide that government should provide e good library facilities and books to all schools
- The constitution should provide that the government should employ qualified teacher in all level of learning from nursery up to university
- The constitution should provide that public schools should be empowered by the government to handle all matters in their school and government should employ adequate teacher in such schools
- The constitution should provide that pre primary teacher should be employed by the government
- The constitution should provide for adult education should be free
- The constitution should provide that service charge in county council should be abolished
- The constitution should provide that asset acquired y charitable organization and churches should be tax free
- The constitution should provide that public funds should be strictly used for the intended

purpose

- The constitution should provide that taxes and levies imposed on local government should be reduced
- The constitution should provide that harambees should be abolished
- The constitution should provide that vehicle and other facilities for the disabled should be imported duty free
- The constitution should provide that there should be no presidential portrait on the currency only the Kenyan map should appear
- The constitution should provide that the cost sharing policy should be abolished in health centers
- The constitution should provide that hospital charges in government hospital should be reduced
- The constitution should provide that traditional herbalist should be recognized in Kenya
- The constitution should provide that Kenyan should enjoy better medical services
- The constitution should provide that government should build more health centers, provide enough drugs in hospital and adequate staff in all hospitals
- The constitution should provide that government doctors should not be allowed to operate private clinics
- The constitution should provide that there should be more dispensaries in the country
- The constitution should provide that the press and media channel that report false information should be banned or be outlawed
- The constitution should provide that jua kali artisan and other be supported fully
- The constitution should provide that the press should deliver the paper and broadcast countrywide
- The constitution should provide that private owner of the area of mineral excavation should be compensated
- The constitution should provide that there should be a national plan to relocate people into marginal land and all the fertile land should be used to produce food stuffs
- The constitution should provide that public holding should not revolve around the ruling party

5.3.26. NATIONAL ECONOMIC POLICY

- The constitution should provide that all manufacturers should have prices marked on their goods
- The government through Kenya bureau of standards should ensure that no sub standard goods are sold in the market
- The constitution should provide that all goods are inspected before leaving for the market
- The constitution should provide that the government should control the country's economy
- The constitution should introduce price controller commodities in the market
- The constitution should provide that price liberalization of commodities should not be allowed
- The constitution should abolish free market
- The government should delocalize industries country wide
- The constitution should establish some mechanism to eliminate poverty
- The government should spend very little on madaraka day celebration as a way of reducing poverty in the country

- There should be a national plan to provide electricity to all Kenyans

5.3.27. **NATIONAL OTHER POLICY**

- The constitution should provide that insurance should not discriminate against HIV/AIDS victims
- The constitution should provide that HIV test should be mandatory between a man who wants to inherit a wife
- The constitution should provide that HIV victims should be named publicly
- The constitutions should provide that police should be retrained so as they be friendly to the public and not torture suspects
- The constitution should provide that there should be a clan based security committee to guarantee public safety in the village
- The constitution should provide that security in the urban areas
- The constitution should provide that police force should be public friendly
- The constitution should curb corruption (7)
- The constitution should curb corruption in public offices and places
- The government should put mechanism to eliminate corruption
- The traffic police should stop harassing motorist and passenger if they are not bribed

5.3.28. **CUSTOMARY LAW**

- The constitution should recognize customary laws

5.3.29. **STATUTORY LAWS**

- The constitution should provide that local brews should be legalized (4)
- The constitution should provide that corporal punishment, inhuman treatment an torture should be outlawed
- The constitution should enact a law to ban the importation of condoms
- The constitution should provide that people who commit economic crimes should be punished under the law
- The constitution should provide that polygamy should be outlawed
- The constitution should provide that doctors who steal government dugs should be relived of their duties

5.3.30. **GENDER EQUITY**

- The constitution should ensure gender equity (4)

5.3.31. **TRANSPARENCY/ ACCOUNTABILITY**

- The constitution should provide that funds meant for constituency development should be fully accounted for and a balance sheet from time to time should be prepared by a strong accountable constituency committee
- The constitution should provide that political parties should be accountable
- The constitution should provide that public properties should be utilized properly and fully accounted for by every user

5.3.32. **NATURAL JUSTICE/ RULE OF LAW**

- The rule of law should be adhered to and all citizens should be equal

5.3.33. **NATIONAL INTEGRITY / IDENTITY**

- The constitution should recognize Jumhuri and Madaraka days
- The constitution should provide that the loyalty pledge should be changed
- The constitution should provide that females should dress respectably
- The constitution should abolish Western culture

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. James N. Obare DC
2. Pastor Abel Asuma
3. Samuel Omwando Kenani
4. Pastor Lazarus Sagini
5. David Kombo
6. Kamanda Onyiego
7. Joseph Gichana
8. Cllr. Peter Omwando
9. James Manyura Mabiria
10. Pastor William Getange
11. Naftal Monyoncho Nyakunfi
12. Florence Nyamweya
13. Jane Nyagaka
14. Elizabeth Akunga
15. Francis W. Gichana Oenga
16. Julius Siro Mogoba
17. Andrew Nyakundi
18. Gladys Nyamasege
19. Bernard Bosire
20. Aska Rori
21. Veronica Lwanga
22. Mary Mong'aa
23. Teresia Obaigwa
24. Ahmed Rajab Barak

Appendix 2: Civic education providers (CEPs)

1. Constituency constitutional committee
2. CKRC commissioners
3. Catholic justice and peace commission
4. Rural research project group
5. Kenyawide social development organization
6. Ungana youth group
7. Gusii community welfare association
8. Bokeka education development fund group

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

1	0011OKCN Y	David Nyasegera	CBO	Written	Nyarere welfare Association
2	0010OKCN Y	John A Getumba	CBO	Written	Nyonsia Welfare Association
3	0025OKCN Y	Joseph Gichana Monari	CBO	Written	Mama Marani Self Help Group
4	0013OKCN Y	Josphine Nyarera	CBO	Memorandum	The Federation of Women Grou
5	0012OKCN Y	Josphine Nyawachi	CBO	Memorandum	Waelekeze Welfare group
6	0026OKCN Y	Nyang'ondi Masamba	CBO	Memorandum	Gesieka community based orga
7	0008OKCN Y	Peter Getake	CBO	Memorandum	Kisii Town Neighbourhood Wel
8	0020OKCN Y	Philiph M Ogeto	CBO	Written	Kitut Chache youth millenium
9	0029IKCNY	Albert Ondieki	Individual	Oral - Public he	
10	0061IKCNY	Alfred Maiga	Individual	Oral - Public he	
11	0061IKLNY	Alfred Mainga	Individual	Oral - Public he	
12	0020IKCNY	Amdrew Onderi	Individual	Written	
13	0060IKLNY	Anonymous	Individual	Oral - Public he	
14	0066IKCNY	Ariemo Mokaya	Individual	Oral - Public he	
15	0042IKCNY	Aska Moraa Rori	Individual	Oral - Public he	
16	0033IKCNY	Asugah Evans	Individual	Oral - Public he	
17	0059IKCNY	Atika Ombachi	Individual	Oral - Public he	
18	0192INKNY	Benard Mongare	Individual	Oral - Public he	
19	0077IKCNY	Bernard Ochuangi	Individual	Oral - Public he	
20	0047IKCNY	Charles Abuga	Individual	Oral - Public he	
21	0063IKCNY	Charles Atambo	Individual	Oral - Public he	
22	0063IKLNY	Charles Atambo Ongieka	Individual	Oral - Public he	
23	0060IKCNY	Charles Mageto	Individual	Oral - Public he	
24	0040IKCNY	Christopher Masese	Individual	Oral - Public he	
25	0021IKCNY	Cornelius Ongera	Individual	Written	

26	0057IKCNY	Cyprian Okego	Individual	Oral - Public he	
27	0030IKCNY	Daniel N Ongoti	Individual	Oral - Public he	
28	0076IKCNY	Daniel Nyakundi	Individual	Oral - Public he	
29	0062IKCNY	Daniel Ongori	Individual	Oral - Public he	
30	0062IKLNY	Daniel Ongori	Individual	Oral - Public he	
31	0052IKCNY	David Kombo	Individual	Oral - Public he	
32	0022IKCNY	David Ndemo	Individual	Written	
33	0075IKCNY	Elijah Morara	Individual	Oral - Public he	
34	0018IKCNY	Enock Mokaya	Individual	Written	
35	0070IKCNY	Enock Nyasongo	Individual	Oral - Public he	
36	0004IKCNY	Ezekiel Aburi	Individual	Written	
37	0055IKCNY	Francis Ariemo	Individual	Oral - Public he	
38	0053IKCNY	Francis Gichana	Individual	Oral - Public he	
39	0038IKCNY	Francis Ochando	Individual	Oral - Public he	
40	0068IKCNY	Francis Omosa	Individual	Oral - Public he	
41	0028IKCNY	Francis Ongoto	Individual	Oral - Public he	
42	0002IKCNY	Francis Onsongo	Individual	Written	
43	0013IKCNY	Fred Ontita	Individual	Written	
44	0032IKCNY	Fredrick Mokua	Individual	Oral - Public he	
45	0007IKCNY	Henry W Onyando	Individual	Written	
46	0003IKCNY	Innocent Amiga	Individual	Written	
47	0010IKCNY	Israh Mokaya	Individual	Written	
48	0054IKCNY	James Mabiria	Individual	Oral - Public he	
49	0031IKCNY	Jeremiah Nyakundi	Individual	Oral - Public he	
50	0044IKCNY	John A Getuba	Individual	Oral - Public he	
51	0045IKCNY	John Ogado	Individual	Oral - Public he	
52	0035IKCNY	John Ogora	Individual	Oral - Public he	
53	0026IKCNY	John Omollo	Individual	Oral - Public he	
54	0041IKCNY	Joseph Obaga	Individual	Oral - Public he	

55	0071IKCNY	Joseph Ochwangi	Individual	Oral - Public he	
56	0015IKCNY	Joseph Ongoro	Individual	Written	
57	0049IKCNY	Julius Moboga	Individual	Oral - Public he	
58	0011IKCNY	Justus Moturi	Individual	Memorandum	
59	0017IKCNY	Lawrence Getonto	Individual	Written	
60	0036IKCNY	Maendo Densford	Individual	Oral - Public he	
61	0019IKCNY	Mary Mang'aa	Individual	Memorandum	
62	0064IKCNY	Mary N Omete	Individual	Oral - Public he	
63	0050IKCNY	Milka Sigara	Individual	Oral - Public he	
64	0078IKCNY	Nicholas Gichana	Individual	Oral - Public he	
65	0008IKCNY	Nicholas O Mbuye	Individual	Written	
66	0037IKCNY	Nyabuto M John	Individual	Oral - Public he	
67	0065IKCNY	Nyakundi Ochwangi	Individual	Oral - Public he	
68	0034IKCNY	Obed Oriku	Individual	Oral - Public he	
69	0046IKCNY	Ochonga Saisi	Individual	Oral - Public he	
70	0005IKCNY	Patrick Ondiek	Individual	Written	
71	0043IKCNY	Paul Agwenyi	Individual	Oral - Public he	
72	0025IKCNY	Perpetual Moturi	Individual	Oral - Public he	
73	0024IKCNY	Peter Bogonko	Individual	Oral - Public he	
74	0072IKCNY	Peter Ndege	Individual	Oral - Public he	
75	0014IKCNY	Peter Nyakwemba	Individual	Written	
76	0001IKCNY	Philip Mabeya	Individual	Written	
77	0009IKCNY	Pius Awimo	Individual	Written	
78	0080IKCNY	Rev Abel Asuga	Individual	Oral - Public he	
79	0056IKCNY	Rev. Benson Maosa	Individual	Oral - Public he	
80	0016IKCNY	Richard Ongera	Individual	Written	
81	0006IKCNY	Samuel K Omwando	Individual	Written	
82	0012IKCNY	Samuel Kibagendi	Individual	Written	
83	0067IKCNY	Samuel Magira	Individual	Oral - Public he	

84	0051IKCNY	Silvanas Nyasimi	Individual	Oral - Public he	
85	0039IKCNY	Silvanus Omariba	Individual	Oral - Public he	
86	0079IKCNY	Simon Omwega	Individual	Oral - Public he	
87	0069IKCNY	Simon Onyiega	Individual	Oral - Public he	
88	0058IKCNY	Stephen Maina	Individual	Oral - Public he	
89	0048IKCNY	Veronica Nyanchama	Individual	Oral - Public he	
90	0073IKCNY	Wilfred Obonyo	Individual	Oral - Public he	
91	0023IKCNY	Yussuf Ondicho	Individual	Oral - Public he	
92	0027IKCNY	Zebedeo Nyambegera	Individual	Fax	
93	0074IKCNY	Zeddy Ariga	Individual	Oral - Public he	
94	0004OKCN Y	Christopher Ondiek	Other Institutions	Memorandum	Bogeka location
95	0016OKCN Y	Evans Mageto	Other Institutions	Written	History Club - Marani second
96	0023OKCN Y	Fred Ontita	Other Institutions	Written	Marani Secondary School
97	0002OKCN Y	Hassan Musa Ali	Other Institutions	Written	Nubian Community
98	0017OKCN Y	Hesbon Nyamete	Other Institutions	Written	Chemistry Club Marani second
99	0024OKCN Y	Joash Mekenye	Other Institutions	Written	History Club Marani Secondar
100	0009OKCN Y	John Bosco M	Other Institutions	Memorandum	Mosocho division
101	0015OKCN Y	Joseph Agwenyi	Other Institutions	Written	Justice and Peace commisiom
102	0021OKCN Y	Naomi Mongare	Other Institutions	Written	Journalism Club Marani prima
103	0003OKCN Y	Ps. Ambel Asumba	Other Institutions	Memorandum	Constituency CC
104	0006OKCN Y	Peter O Omwando	Politcal Party	Memorandum	Democratic party
105	0007OKCN Y	Robert Ouko	Pressure Groups	Written	Law Club Cardinal Otuga High
106	0019OKCN Y	Ahamed Rajab	Religious Organisation	Written	Muslim Community
107	0001OKCN Y	Ibrahim Donde	Religious Organisation	Written	Kisii Muslim Community
108	0005OKCN Y	Jeremiah Nyakemwa	Religious Organisation	Memorandum	SDA Church
109	0014OKCN Y	Naftal Nyakundi	Religious Organisation	Written	Religious Groups

110	0018OKCN Y	Pastor Lazarus Sagini	Religious Organisation	Memorandum	Nyagasenda SDA Church
111	0022OKCN Y	Rev. Irias Ochuragi	Religious Organisation	Written	Rluthern church of Kenya

Appendix 4: Persons Attending Constituency Hearings

MOSOCHO HIGH SCHOOL, CARDINAL OTUNGA

No	Name	Address:	No	Name:	Address:
1	Ebrahim Donge	P.O. Box 2929, Kisii	25	Francis Gochanda	P.O. Box 520, Kisii
2	Hassan Musa	P.O. Box 677, Kisii	26	Michael Moseti	P.O. Box 520, Kisii
3	Andrew Nyakundi	P.O. Box 520, Kisii	27	Peter Nyakweba	P.O. Box 520, Kisii
4	Pastor Abel Asuma	P.O. Box 943, Kisii	28	Peter Getate	P.O. Box 769, Kisii
5	Yusuf Ondicho	P.O. Box 976, Kisii	29	Silvernos Omariba	P.O. Box 35, Kisii
6	Peter Bogonko	P.O. Box 1376, Kisii	30	Christopher Masese	P.O. Box 35, Kisii
7	Christopher Ondieki	P.O. Box 520, Kisii	31	Charles Okombe	P.O. Box 50, Mosocho
8	John Omollo	P.O. Box 90, Kisii	32	Joseph Obaga	P.O. Box 55, Mosocho
9	Zebedeo Nyambegera	P.O. Box 794, Kisii	33	John Bosco	P.O. Box 1, Mosocho
10	Philip Abeya	P.O. Box 2623, Kisii	34	Ezekiel Aburi	P.O. Box 520, Kisii
11	Lawrence Onsongo	P.O. Box 520, Kisii	35	Ascar Moraa Rori	P.O. Box 420, Kisii
12	Francis Onsongo	P.O. Box 3247, Kisii	36	S. K. Omwando	P.O. Box 900, Kisii
13	Francis Ongoto	P.O. Box 1061, Kisii	37	Paul Angwenyi	P.O. Box 403, Kisii
14	Jeremiar Nyakemwa	P.O. Box 1557, Kisii	38	Patrick Ondieki	P.O. Box 1357, Kisii
15	Mobecho Moturi	P.O. Box 763, Kisii	39	John A. Getuba	P.O. Box 901, Kisii
16	Conc. Peter Omwando	P.O. Box 2298, Kisii	40	Jeremiah Nyakundi	P.O. Box 520, Kisii
17	Albert Ondieki	P.O. Box 235, Kisii	41	Frederick Molara	P.O. Box 520, Kisii
18	Silvernos Nyakaba	P.O. Box 520, Kisii	42	Evans Asuga	P.O. Box 520, Kisii
19	Daniel N. Ongoto	P.O. Box 289, Kisii	43	Obed Oriku	P.O. Box 520, Kisii
20	John Ogora	P.O. Box 310, Kisii	44	Robert Ouko	P.O. Box 520, Kisii
21	Innocent Aming'a	P.O. Box 233, Kisii	45	John Ogado	P.O. Box 90, Oyugis

22	Maendo Densford	P.O. Box 520, Kisii	46	Saisi Onchong'a	P.O. Box 2485, Kisii
23	Peterson Mabutu	P.O. Box 69, Keroka	47	Charles Abuga	P.O. Box 575, Kisii
24	John Nyabuto	P.O. Box 816, Kisii	48	Henry Atota	P.O. Box 137, Kisii
49	John Swanya	P.O. Box 137, Kisii	53	Josephine Nyawachi	P.O. Box 50, Kisii
50	Priscilah Onyangi	P.O. Box 2506, Kisii	54	Josephine Nyarera	P.O. Box 533, Kisii
51	David Nyansikera	P.O. Box 2506, Kisii	55	Nicholas Ogado	P.O. Box 315, Oyugis
52	Henry N. Onyando	P.O. Box 520, Kisii	56	Veronica Nyanchama	P.O. Box 1758, Kisii

MARANI SECONDARY SCHOOL

No	Name	Address:	No	Name:	Address:
1	Julius Siro Mogoba	P.O. Marani	25	Pst. Lazarus Sgini	P.O. Box 1599, Kisii
2	Benard Bosire Makana	P.O. Box 612, Kisii	26	Isaiah Mokay	P.O. Box 35, Marani
3	Milka Sigara	P.O. Box Marani	27	Philip Mondi Ogeto	P.O. Box 3106, Kisii
4	P. Bogonko Onundu	P.O. Box 1376, Kisii	28	Naomi Mong'are	P.O. Box 968, Kisii
5	Silvanus Nyasimi	P.O. Box 968, Kisii	29	Mary Bosire	P.O. Box 968, Kisii
6	David Kmbo	P.O. Box 968, Kisii	30	Sophia Mokaya	P.O. Box 968, Kisii
7	Rev. Abel N. Asuma	P.O. Box 943, Kisii+C8	31	Justus Moturi Momanyi	P.O. Box 1558, Kisii
8	Francis W.Gichana Oinga	P.O. Box 1073, Kisii	32	Samwel Kibagendi	P.O. Box 1551, Kisii
9	James Manyura Mabiria	P.O. Box 1558, Kisii	33	Stephen Maina	P.O. Box 1596, Kisii
10	Francis Asiemo Mwebi	P.O. Marani	34	Fred antita	P.O.Box 968, Kisii
11	Naftali M. Nyakundi	P.O. Box 1722, Kisii	35	Gladys Angoyi	P.O. Box 968, Kisii
12	Joseph Angwenyi	P.O. Box 969, Kisii	36	Gladys Mangera	P.O.Box 968, Kisii
13	Moses Oyaro	P.O. Box 969, Kisii	37	Godfrey Kesongo	P.O.Box 968, Kisii
14	Rev. William Getange	P.O. Kegogi	38	Rolse Masini	P.O. Box 968, Kisii
15	Rev. Benson Maasa	P.O. Box 1793, Kisii	39	Rev. Elias Ojwang'	P.O.Box 644, Kisii

16	Carren Abuga	P.O. Box 968, Kisii	40	Melab Omwenga	P.O. Box 968, Kisii
17	Mageto Evans	P.O. Box 968, Kisii	41	Carolynne Zawadi	P.O. Box 968, Kisii
18	Risper Ong'uti	P.O. Box 968, Kisii	42	Joash Mekenye	P.O. Box 968, Kisii
19	Okeyo Cyprian	P.O.Box 968, Kisii	43	Peter Nyakeba	P.O. Box 520, Kisii
20	Hesbone Nyamete	P.O. Box 968, Kisii	44	Fredrick Bosire	P.O. Box 35, Kisii
21	Pius Awino	P.O. Box 315, Oyugis	45	Kamanda Onyiego	P.O. Box 1277, Kisii
22	John Nyataya	P.O.Box 35, Kisii	46	Joseph Gichana Monasi	P.O. Marani
23	Ahmed Rajab	P.O. Box 3500, Kisii	47	Atika Ombachi	P.O. Box 52, Kisii
24	Aska Moraa Rosi	P.O. Box 420, Kisii	48	Charles mageto	P.O. Box 936, Kisii
49	Alfred Mainga	P.O. Box 1722, Kisii	73	Simeon Nyang'au Onyiego	P.O. Box 403, Kisii
50	Joseph Ongoro	P.O. Box 35, Kisii	74	Francis Mayaka Angwenyi	P.O. Box 35, Kisii
51	Zirwel Ogechi	P.O. Box 35, Kisii	75	Samwel Mecha Akunga	P.O. Box 403, Kisii
52	Richard Ong'era	P.O. Box 57, Kisii	76	Pst. Nyansongo Enoch	P.O. Box 553, Kisii
53	Daniel Ong'osi	P.O. Box 35, Kisii	77	Joseph Ojwang	P.O. Box 816, Kisii
54	Charles Atambio Ong'era	P.O.Box 1669, Kisii	78	Joseph Kimosi	P.O. Box 90, Kisii
55	Lawrence Getonto	P.O. Box 35, Kisii	79	Elijah Morara	P.O. Box 3888, Kisii
56	Mashack Arandi Monari	P.O. Box 403, Kisii	80	Peter Ndege	P.O. Box 796, Kisii
57	Lucas Mwebi	P.O. Box 35, Kisii	81	Godfrey Nyakundi	P.O. Box 2270, Kisii
58	Moses Ong'era	P.O. Box 968, Kisii	82	Dickson Borura	P.O. Box 760, Kisii
59	Gladys Nyamasege	P.O. Box 567, Kisii	83	Mark Nyamongo	P.O. Box 816, Kisii
60	Benard Osito	P.O. Box 1558, Kisii	84	Benson Oribo	P.O. Box 2270, Kisii
61	Mary Nyakerario Omeo	P.O. Box 97, Kisii	85	Oroo Nyang'au	P.O. Box 35, Kisii
62	Nyakundi Ojwang'	P.O. Marani	86	Zachary Omuocha	P.O. Box 403, Kisii
63	Joshua Bosire	P.O.Box 35, Kisii	87	Zeddy Ariga Chogo	Marani
64	Samwel Mayaka	P.O. Box 35, Kisii	88	Dominic Mwangi	P.O. Box 816, Kisii
65	Richard Muko	P.O. Box 810, Kisii	89	Ibrahim Mogaka	P.O. Box 485, Kisii
66	Samwel Magiya Bosire	P.O. Box 590, Kisii	90	Simeon Mungei	P.O. Box 1643, Kisii

67	Francis Otuke	P.O. Box 35, Kisii	91	Julius Kimoni	P.O. Box 1643, Kisii
68	Nyang'ondi Masamba	P.O. Box 1722, Kisii	92	Gladys Obiero	P.O. Box 968, Kisii
69	Andrew Ariemo Mokaya	P.O. Box 35, Marani	93	Benson Siro	P.O. Box 1558, Kisii
70	Enock Mokaya	P.O. Box 79, Kisii	94	Benard Ombati	P.O. Box 968, Kisii
71	Mike Onyiego	P.O. Box 553, Kisii	95	Lawrence Otuke	P.O. Box 35, Kisii
72	Omosa Francis	P.O. Box 3449, Kisii	96	Wilfred Gichana Obonyo	P.O. Box 968, Kisii
97	Ogechi Onchiri	P.O. Box 968, Kisii	106	Andrew Ondari	P.O. Box 1847, Kisii
98	Joseph Okimwa	P.O. Box 968, Kisii	107	Cornelius Ong'era	P.O. Box 403, Kisii
99	Daniel Nyakundi Ongoto	P.O. Box 289, Kisii	108	Simeon Omwenga	P.O. Box 252, Kisii
100	Dickson Mogusu	Marani	109	Stephen Odeu	P.O. Box 1098, Kisii
101	Simeon Arasa	P.O. Box 2054, Kisii	110	Ken Gichana	P.O. Box 1098, Kisii
102	Mary Mang'aa	P.O. Box 289, Kisii	111	Nehemia Nyangena	P.O. Box 1809, Kisii
103	Wilson Akuma	P.O. Box 887, Kisii	112	David Ndemo Osero	P.O. Box 467, Kisii
104	Benard Ochwang'i	P.O. Box 35, Kisii	113	Margaret Oyugi	P.O. Box 403, Kisii
105	Nicholas Ototo	P.O. Box 2590, Kisii	114	Gilbert Magucha	P.O. Box 403, Kisii
			115	Pastor Abel Asuma	P.O. Box 943, Kisii

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1. DISTRICT PROFILE

Kitutu Masaba Constituency is in Nyamira District. Nyamira District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	239,851	258,251	498,102
Total District Population Aged 18 years & Below	143,973	143,372	287,345
Total District Population Aged Above 18 years	95,878	114,879	210,757
Population Density (persons/Km ²)	556		

1.2. Socio-Economic Profile

Nyamira District:

- Is one of the most densely populated districts in the province, being ranked 3rd most densely populated district in the province;
- Has one of the lowest primary school enrolment rates in the province, at 72.2%, being ranked 9th in the province and 34th nationally;
- Is the leading in secondary school enrolment in the province, having an enrolment rate of 40.6%, and being ranked 5th nationally;
- Experiences the following main diseases: Malaria, intestinal worms, and diarrhoea diseases.
- Has a 15.9% malnourishment rate of children under 5 years of age, being ranked 9th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years, being ranked 42 of 45 nationally ranked districts;
- Has an absolute poverty level of 66.74% being ranked 38th of 46 nationally ranked districts;
- Has a 58.81% food poverty level being ranked 31st of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 5,593, a figure lower than Kenya's urban average;
- Has 45.10% of its residents accessing clean drinking water; and
- 97.50% of its residents having safe sanitation.

Nyamira district has 3 constituencies: Kitutu Masaba, West Mugirango, and North Mugirango Borabu Constituencies. The district's 3 MPs, each cover on average an area of 299 Km² to reach 166,034 constituents. In the 1997 general elections, KANU won only one of the parliamentary seats. KANU won the North Mugirango-Borabu seat with 49.51% valid votes. KSC and FORD-K won the Kitutu Masaba and West Mugirango seats with 48.69% and 50.60% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km ²	Density (persons/Km ²)
	172,136	252.80	680.9

2.2. Socio-Economic Profile

The main economic activities are production of coffee, tea, and pyrethrum. In addition, dairy farming is undertaken.

2.3. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, KSC won with 64.82% and 48.69% valid votes respectively. The MP's personal stand on national issues, coupled with his eloquence on a variety of issues, has put him in good stead. The MP, heads the Kenya Social Congress, of which he is the only MP. In 2002, FORD People won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS		42,690	
CANDIDATE	PARTY	VOTES	% VALID VOTES
George Anyona	KSC	15,637	64.82
Walter Nyambati	KANU	4,805	19.92
Francis Manyibe	DP	1,803	7.47
Abuya Abuya	FORD-K	1,383	5.73
Erasto Moseti	FORD-A	496	2.06
<i>Total Valid Votes</i>		24,124	100.00
Rejected Votes		-	
Total Votes Cast		24,124	
% Turnout		56.51	
% Rejected/Cast		0.00	

2.5. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			50,037
CANDIDATE	PARTY	VOTES	% VALID VOTES
George Mosei Anyona	KSC	14,653	48.69
Samson M.N Okioma	FORD-K	6,487	21.56
Nelson G. Simba	KANU	6,095	20.25
Francis O. Manyibe	DP	1,162	3.86
Elijah N. Mamboleo	FORD-P	687	2.28
Hezron O. Kiage	NDP	537	1.78
Augustus H.O. Momanyi	SDP	471	1.57
Total Valid Votes		30,092	100.00
Rejected Votes		605	
Total Votes Cast		30,697	
% Turnout		61.35	
% Rejected/Cast		1.97	

2.6. Main Problems

Poor roads, most of which are earth roads that become impassable during heavy rains. The area MP, George Anyona campaigned for the tarmacking of the Chemosit-Nyamira-Kisii road, which has since stalled and remains currently incomplete. The MP, in addition, rarely conducts *Harambees*, claiming that the government is duty bound to provide infrastructure, and services to the taxpayers.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 rigors 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 gazette 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 constitution was carried out between 1st February 2002 and 14th May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Issues and questions for public hearings
- Constitution; definition, types and models
- Roles and functions of national constitution
- Constitution making process in Kenya
- Issues and questions for public hearings

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1. **Logistical details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 12th and 13th June 2002
- a) Total Number of Days: 2

2. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 - 1) Tombe Girls Secondary School
 - 2) Rigoma Divisional Hall

3. **Panels**

- a. Commissioners
 - 1.Com. Charles Maranga
 - 2.Com. Keriako Tobiko

b. Secretariat

- | | | |
|------------------|---|------------------------|
| 1.Maimuna Mwidau | - | Programme Officer |
| 2.Dominic Osoro | - | Ass. Programme Officer |
| 3.Emma Kamunga | - | Verbatim Recorder |

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		229
Sex	Male	41
	Female	3
Presenter Type	Individual	258
	Institutions	9
	Not Stated	6
Educational Background	Primary Level	74
	Secondary/High School Level	173
	College	4
	University	13
	None	2
	Not Stated	7
Form of Presentation	Memoranda	3
	Oral	150
	Written	95
	Oral + Memoranda	7
	Oral + Written	15
	Not Stated	3

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Kitutu Masaba. 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**

- The preamble should be simple and clear.
- The constitution should have a preamble. (10)
- The preamble should state that Kenya is a God fearing country.
- The preamble should express the Sovereignty of all Kenyans.
- The preamble should state that Kenya should always be a democratic state.
- The preamble should spell out the broad socio-economic values of the Kenyan state.
- The preamble should embody protection of individual rights and national goals.
- The preamble should start as “we the people of Kenya”.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- The constitution should retain Harambee spirit as our national motto. (3)
- The constitution should have statements capturing the national philosophy and guiding principle.
- The constitution should entrench the principle of unity, liberty, justice and peace. (3)
- The constitution should provide
- The constitution should have democratic principles like justice for all. (2)
- The constitution should promote democracy and rule of law.
- The constitution should reflect Kenyans important values. (2)
- The constitution should promote national unity.
- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide that individual rights are protected; our national goal is to fight poverty, disease and illiteracy.
- The constitution should provide for the strict observation of the doctrine of separation of power by the government of the day. (2)

5.3.3 CONSTITUTIONAL SUPREMACY.

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should retain the rule of 65% majority vote for the amendment of the constitution.
- The constitution should provide that the 65% majority vote for the amendment of the constitution should be changed to 85% majority vote.
- The constitution should limit the powers of the parliament to amend the constitution.
- The constitution should empower the parliament to amend the constitution.
- The constitution should be reviewed after every five years.
- The constitution should empower the parliament to amend any part of the constitution.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- The constitution should provide that a constitutional amendment should only be through a public referendum. (8)
- The constitution should provide for the civil servants to conduct referendum.
- The constitution should provide that the constitution review commission of Kenya to conduct public referendum when amending the constitution.
- The constitution should provide that a commission of members of parliament should conduct referendum.
- The constitution should provide that any one who tries to change the constitution for his benefit should be punished.

5.3.4 CITIZENSHIP.

- The constitution should confer to all persons born of Kenyan parents automatic citizenship. (3)
- The constitution should confer citizenship to all people born in Kenya.
- The constitution should provide that Kenyan citizenship should also be acquired by registration. (4)
- The constitution should provide that Kenyan citizenship should also be acquired by naturalization. (2)
- The constitution should confer automatic citizenship to all persons who have stayed in Kenya for a continuous period of more than five years.
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender. (4)
- The constitution should confer citizenship to children born in/outside Kenya by Kenyan citizen parents.
- The constitution should confer automatic citizenship to children born of one Kenyan parent regardless of gender. (3)
- The constitution should provide that Kenyans should have a right to live anywhere in the country. (4)
- The constitution should provide that Kenyans should have the right to vote.
- The constitution should provide for Kenyans to have the right to own land.
- The constitution should that all Kenyans should have the right to be equal before the law. (2)
- The constitution should provide that every Kenyan should have the right to personal liberty, own property and protection from inhuman treatment.
- The constitution should provide that the right and obligation of Kenyan should not depend

on the manner of acquiring citizenship. (2)

- The constitution should not allow dual citizenship.
- The constitution should allow dual citizenship. (2)
- The constitution should provide for passport, birth certificate, national identity cards and if married a marriage certificate to be carried as proof of citizenship. (4)
- The constitution should abolish the use of ethnic/tribal references in government records especially during registration of persons.

5.3.5 **DEFENSE AND NATIONAL SECURITY.**

- The constitution should provide for a joint staff commission to advise the president on military issues.
- The constitution should provide for the abolition of the paramilitary wing GSU.
- The constitution should provide that employment in the armed forces should be done on quarter basis.
- The constitution should establish disciplined forces. (2)
- The constitution should provide that the recruitment of police officers should be according to the ability of the candidate.
- The constitution should provide for the adequate training of the police force.
- The constitution should provide that recruitment into the disciplined forces be done on merit, and the number of required recruits per district should be published to stop corruption
- The constitution should ensure that employment in the armed forces be done on quota basis to ensure that national defense force is established.
- The constitution should provide for the court martial to continue disciplining the armed forces. (2)
- The constitution should provide that the president should be the Commander in Chief of the armed forces. (2)
- The constitution should not provide for the president to be the commander of Commander in Chief of the armed forces. (4)
- The constitution should provide for the prime minister to be the commander in chief of the armed forces.
- The constitution should provide for the chief of general staff to be the commander in chief of armed forces but not the president.
- The constitution should provide that the president should have the power to declare a state of emergency.
- The constitution should not provide for the executive to have exclusive powers to declare war. (4)
- The constitution should provide for the prime minister to declare the state of emergency.
- The constitution should provide that the prerogative of declaring a state of emergency shall be exercised by the president provide that the army should help the police in fighting crime and be involved in other activities.
- The constitution should permit use of extraordinary powers in emergency situations e.g. wars, national disaster etc.
- The constitution should permit the use of extraordinary powers in emergency situations.
- The constitution should empower the parliament to invoke emergency powers
- The constitution should permit the executive to invoke emergency powers.
- The constitution should not provide for the executive to invoke the emergency powers.
- The constitution should provide for the parliament to approve the presidents invoking of

emergency powers by a majority vote of 65%.

- The constitution should provide that military personnel should strictly be confined to military duties.
- The constitution should provide that no decisions affecting national policy on defense should be made without the approval of parliament.
- The constitution should provide that one third of National Assembly members shall have the power to veto a declaration of war or a state of emergency by the chief executive.
- The constitution should provide that the prime minister and the cabinet should be in charge of the army and declaring a state of emergency.
- The constitution should provide for the parliament to have a more active role in effecting the emergency powers.
- The constitution should provide that military personnel should be engaged in other activities such as repairing of bad roads since they are idle.
- The constitution should provide for the military forces to distribute relief supplies, medical aid and other state projects.

5.3.6 POLITICAL PARTIES.

- The constitution should provide broad guidelines requiring that political parties have a development focus. (2)
- The constitution should provide broad guidelines requiring that political parties have a national outlook.
- The constitution should provide for the political parties to serve as watchdogs to parliament and government
- The constitution should provide broad guidelines for the formation, management and conduct of political parties. (5)
- The constitution should limit the number of political parties in the country to three. (11)
- The constitution should limit the number of political parties to two. (2)
 - The constitution should limit the number of political parties to four, (4)
 - The constitution should limit the number of political parties.
 - The constitution should provide for the political parties to be financed by the government. (8)
 - The constitution should provide for the political parties to be financed by the state. (3)
 - The constitution should provide for the political parties to be funded from public coffers. (5)
 - The constitution should provide for public funding of political parties as long as such parties have representation in parliament and have a demonstrable substantial following.
 - The constitution should provide that political parties being financed by the government should be accountable and produce audited accounts.
 - The constitution should provide that the conditions for financing the political parties should depend on the parties' performance in parliament.
 - The constitution should provide that the political parties to be financed by the state/government should have national outlook and have audited accounts. (2)
 - The constitution should provide for the political parties to advice the government on governance. State should not favor any political party.
 - The constitution should provide that all candidates aspiring for presidency should be given full security during the elections period. (3)
 - The constitution should provide for the protection of all political parties especially during

elections.

- The constitution should provide that the president should be non-partisan. (2)
- The constitution should provide for all political party leaders to have freedom of movement.
- The constitution should provide that political parties should be given more air time and more so the opposition on K.B.C. (3)
- The constitution should make provision for equal access to the state media for campaign purposes, by all registered political parties.
- The constitution should provide that the state and political parties should work together as partners for development of the nation. (4)

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT.

- The constitution should retain the presidential system of government. (3)
- The constitution should provide for the adoption of parliamentary system of government. (5)
 - The constitution should provide for a parliamentary system of government with a prime minister as the head of government. (5)
- The constitution should create the post of a prime minister. (3)
 - The constitution should provide for a parliamentary system of government in which the National Assembly chooses the Prime Minister.
- The constitution should provide that the prime minister should be the leader of government and he should be from the winning party. (3)
- The constitution should provide for the prime minister to be the head of government. (3)
- The constitution should empower the prime minister to appoint ministers.
- The constitution should provide for president who should be the head of government.
- The constitution should provide for the president who should be the head of the state. (2)
- The constitution should provide that the president should have ceremonial powers, receiving dignitaries, presiding over state opening of parliament and awarding honors and medals.
- The constitution should provide for the adoption of a hybrid system of government.
- The constitution should provide for Kenya to have the post of prime minister with executive powers.
- The constitution should provide for a Unitary system of government. (5)
 - The constitution should provide for a Unitary system of government with a ceremonial President and an executive Prime Minister.
- The constitution should not provide for a Majimbo system of government. (5)
- The constitution should provide for a federal system of government. (2)
- The constitution should not provide for a Majimbo system of government, as it would hinder national integration.
 - When the constitution provides for a Majimbo system of government, the sub-national units should correspond to the boundaries of current provinces.
 - The constitution should provide for a government of National Unity composed of all parliamentary political parties.
 - The constitution should provide that where a government of National Unity is formed, the nominee of the party with the majority of seats in parliament should become the Prime Minister.
- The constitution should provide that power should be devolved to provinces, district and local authority from the central government. (2)

- The constitution should provide for the creation of regional assemblies.
- The constitution should provide that people should directly elect the vice president. (12)
- The constitution should provide that the vice president should be a running mate of the president. (3)
- The constitution should provide for the president to be appointed by the members of parliament. (6)
- The constitution should provide for the chief justice to elect the vice president.
 - The constitution should provide that if the president is a man, the Vice president should be a woman and vice versa. (3)
- The constitution should provide for the Attorney General to be appointed by the president. (4)
- The constitution should provide for the AG serve for 5 to 10 years (2)
- The constitution should provide for the AG to be appointed by the parliament. (6)
- The constitution should provide for the AG to serve for a period of six years.

5.3.8 THE LEGISLATURE

- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should provide for the parliament to vet all presidential appointees, including ministers, AG etc. (7)
- The constitution should provide for the parliament to vet all senior appointments. (4)
- The constitution should provide for the parliament to vet the appointments of cabinet ministers and vice chancellors.
- The constitution should provide for the parliament to vet the appointment of commander in chief of armed forces, commissioner of police, of prisons, PSs, heads of parastatals.
- The constitution should not provide for the parliament to vet the appointment of ambassadors.
- The constitution should give Parliament sole power of approval of public expenditure as well as the salaries of MPs.
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.
- The constitution should provide for the expansion of the functions of parliament like the appointment of ministers.
- The constitution should provide that the party that sponsored an MP to the parliament should be given powers to fire him for offence committed at constituency level.
- The constitution should give Parliament power to control its own calendar. (7)
 - The constitution should give Parliament power to control its own operations through the standing orders. (4)
- The constitution should provide that being an MP should be a full time occupation. (4)
- The constitution should provide that being an MP should not be a full time occupation. (2)
- The constitution should provide that the president should not be above 60 years.
- The constitution should provide that the president should be 35 to 70 years. (2)
- The constitution should provide that the president should be between 40 and 70 years old.
- The constitution should provide that the voting age should be 18 years. (3)
- The constitution should retain the contesting age for the president to be 35 years.
 - The constitution should provide that the president must be between 45-70 years of age.
 - The constitution should provide that the president should be between 30 and 60

years

- The constitution should provide that the president should be between 30 and 55 years.
- The constitution should provide for a code of conduct for MPs.
- The constitution should introduce ethical and moral qualifications for MPs. (2)
- The constitution should provide that MPs should be disciplined if they do not attend all sittings in parliament.
- The constitution should provide that MPs should be punished severely when they break the laws they have made.
- The constitution should provide that MPs should be morally upright and have high integrity.
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should provide that M.Ps who do not visit their constituencies should be voted out by a $\frac{1}{3}$ of constituency members.
- The constitution should provide for electorates to recall their MP who are not performing. (14)
- The constitution should provide for the MPs to act on the basis of conscience and conviction or instructions from their constituents. (4)
- The constitution should provide for the MPs to serve for two terms of five years each. (2)
- The constitution should debar MPs from legislating their own remuneration. (3)
 - The constitution should provide for an independent commission to decide on the salaries of MPs. (3)
- The constitution should provide for the reduction and taxation of MPs salaries. (4)
- The constitution should provide for the parliamentary committee to determine the salaries of MPs. (2)
- The constitution should provide that the number of people they represent should determine the salaries of MPs.
- The constitution should abolish nomination of MPs
- The constitution should retain the concept of nominated MPs for special groups.
- The constitution should provide for that nomination of MPs should be done by parliament.
- The constitution should retain the concept of nominated MPs. (2)
- The constitution should provide for the nominated MPs should not be appointed as ministers and the candidate who has failed in an election should not be nominated to parliament.
- The constitution should provide that nominated MPs should not be made the speaker, minister or their assistants in parliament.
- The constitution should provide that some seats be retained in parliament for women. (4)
- The constitution should allow women to contest as independent candidates to increase their participation.
- The constitution should provide that there should be rules that govern the conduct of parliamentarians.
- The constitution should allow coalition government. (10)
- The constitution should retain multi-part system. (4)
- The constitution should provide for two chambers of parliament. (2)
- The constitution should provide for one chamber of parliament.
 - The constitution should provide for a bi-cameral parliamentary system with an upper

house of elected MPs and a lower house composed of representatives of special interest groups and regions.

- The constitution should provide for a two-chamber parliament. The Upper House should comprise five members from each, of the country's eight provinces and should be charged with the duty of supervising the president.
- The constitution should give Parliament power to impeach the president by a vote of no confidence in parliament. (9)
- The constitution should give parliamentary committees the power to prosecute.
- The constitution should provide that MPs should not be pensionable.
- The constitution should provide that MPs have public offices in their constituencies.
- The constitution should not empower the president have power to veto over legislation in parliament. (2)
- The constitution should provide for the president to have the power to veto legislation passed by parliament. (3)
- The constitution should empower the parliament to override the president's veto. (2)
- The constitution should provide that the president should not have the power to dissolve parliament. (11)
- The constitution should not provide for the elections of MPs to be staggered.
- The constitution should provide for a youth representative in parliament.
- The constitution should provide that parliamentary proceedings be broadcasted live on radio.
- The constitution should empower parliament to elect the vice president.
- The constitution should empower parliament to be the supreme arm of the government.
- The constitution should empower parliament to borrow money for the country and not the president.
- The constitution should allow MPs to have constituency offices. (4)

5.3.9 THE EXECUTIVE.

- The constitution should provide a minimum qualification of a university degree for a presidential candidate. (4)
- The constitution should provide a minimum qualification of form four certificates for a presidential candidate.
- The constitution should provide that the presidential candidate should be morally upright person and should be fluent in English and Kiswahili. (2)
- The constitution should provide that the president should serve a maximum two five-year terms. (18)
- The constitution should provide for the president to serve for two terms of four years.
- The constitution should provide for the president to serve for six years.
- The constitution should provide that the president should serve for one 4-year term.
- The constitution should limit the duties of the president to appoint cabinet ministers
- The constitution should provide that the president should not appoint ministers, they should be chosen by the public.
- The constitution should empower the president to appoint ministers and their assistants. (4)
- The constitution should empower the president to appoint ambassadors and high commissioners and permanent secretaries. (2)
- The constitution should empower the president to appoint chancellor and vice chancellor. (2)
- The constitution should empower the president to approve the appointments made by the prime minister.
- The constitution should provide that the president should be subject to the law. (14)
 - The constitution should reduce the powers of the president. (40)
- The constitution should not provide for the president to appoint magistrates.
- The constitution should provide for the reduction of the president's salary and allowances.
- The constitution should provide that all presidential appointees must have a security of tenure.
- The constitution should provide for the president to appoint the vice president, ministers and their assistants.
 - The constitution should provide a code of conduct for the President and the Prime Minister.
 - The constitution should provide for the removal of the president due to misconduct through impeachment. (11)
- The constitution should provide for the parliament to be independent of the executive. (8)
- The constitution should provide for the executive to work in consultation with the legislature.
- The constitution should provide that the president should also be an elected M.P. (3)
 - The constitution should provide that the president should not be an elected MP. (6)
 - The constitution should provide that the president must attend all parliamentary sittings.
 - The constitution should provide that all presidential appointments be vetted by parliament.
 - The constitution should provide that the president must be a Kenyan by birth.
 - The constitution should make provisions for the overhaul of the provincial administration to ensure its efficiency.

- The constitution should abolish the provincial administration structure of government. (11)
- The constitution should provide that the provincial administration be abolished and its role should be taken over by the local government.
- The constitution should provide that provincial administration officers be elected by popular vote. (4)
- The constitution should provide that the Chief and the Assistant Chief be elected by popular vote by members of the respective administrative location. (23)
- The constitution should provide for the chiefs and assistant chiefs to be transferred from time to time. (10)
- The constitution should retain the provincial administration. (4)
- The constitution should provide that chiefs and assistant chiefs should have a degree from a recognized university.
- The constitution should provide that the post of the chief be abolished and his/her functions done by the area councilor
- The constitution should replace the provincial administration with district governors to be elected to the district assembly.
- The constitution should provide for 14 ministries only.
- The constitution should provide for the reduction of district officers.
- The constitution should the number of ministries to 16. (3)
- The constitution should provide that the number of ministries to be only 11 ministries
- The constitution should limit the number of ministries to fifteen.
- The constitution should limit the number of ministries to eight only.
- The constitution should provide that there should be 32 assistant ministries.
- The constitution should provide village elders with remunerations.

5.3.10 THE JUDICIARY.

- The constitution should provide for the independence of the judiciary. (3)
- The constitution should provide for a supreme court. (5)
- The constitution should provide for the establishment of a permanent constitutional court.
- The constitution should provide for the judicial officers to be appointed by the parliament. (9)
- The constitution should provide for the chief justice and other judicial officers to be appointed by the president and approved by the parliament. (2)
- The constitution should provide that the public service commission to appoint the chief justice.
- The constitution should provide that appointment of judges should be approved by two thirds of the Members of Parliament.
- The constitution should provide that judges be appointed by a commission composed of senior and more experienced judges.
- The constitution should provide that the judicial officers be a law graduates from recognized university. (2)
- The constitution should provide for security of tenure for judicial officers. (3)
- The constitution should provide for retirement of judges to be at 55 years and not 75 years.
- The constitution should provide for judicial officers to have security of tenure of five years.

- The constitution should provide for the judicial officers to be disciplined by a committee set up by parliament.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary.
- The constitution should provide for the kadhi court to handle other matters related to Islamic laws other than marriage.
- The constitution should provide for the kadhis court to have appellate jurisdiction.
- The constitution should provide for the judiciary to be independent of the executive. (8)
- The constitution should not provide for the judicial powers to be vested exclusively on courts.
- The constitution should provide for the judicial powers to be vested exclusively on courts.
 - The constitution should provide for the independence of private prosecutors.
 - The constitution should provide for Mobile courts.
- The constitution should provide that cases should not stay for long in courts, they should be finalized within 60 days.
- The constitution should provide that judicial proceedings be done within 3 months.
- The constitution should provide for the magistrates not to extend cases in courts.
- The constitution should ensure that there is free and fair judgments given in the courts without discrimination.
- The constitution should provide that courts ensure proper investigation has been done and concrete evidence adduced before convicting.
 - The constitution should provide for a levy- free access to judicial service.
 - The constitution should stipulate that application and filing fees should as much as possible be pegged at a rate affordable to the common person.
- The constitution should provide that the government should give legal aid to the poor in criminal proceedings.
- The constitution should provide a constitutional right to legal aid. (2)
- The constitution should provide a provision for judicial review.
- The constitution should provide for the village elders and local council of elders to paid salaries by the government. (11)
- The constitution should provide for the council elders to have form fours level of education.
- The constitution should provide for the council of elders in the village to deal with local cases.

5.3.11 LOCAL GOVERNMENT.

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the Country Council, be filled by direct popular elections. (8)
- The constitution should provide that all local authority by-laws be adopted by way of a referendum.
 - The constitution should provide that Mayors and Chair of County Council serve a maximum of five-year term. (3)
- The constitution should provide for mayor and council chairmen to serve for two terms of five years.
 - The constitution should provide that Mayors and Chair of County Council serve a maximum of a single one-year term.
- The constitution should provide that local authorities should be autonomous. (3)

- The constitution should provide for the local council to continue to operate under the central government. (2)
- The constitution should provide that councilors should have form four or secondary education certificate. (9)
- The constitution should provide language test for councilors. (2)
- The constitution should abolish language test for councilors.
 - The constitution should give mayors and councilors limited executive power.
 - The constitution should provide for the funding of Local authorities by the central government.
- The constitution should introduce moral and ethical qualifications for councilors. (3)
- The constitution should provide for people to have a right to recall their non-performing councilors. (2)
- The constitution should provide for the local council service commission to determine the remuneration of councilors. (2)
- The constitution should provide for nominated councilors. (2)
- The constitution should provide rules to govern conducts of councilors in a multiparty state. (2)
- The constitution should provide for the president or minister for local government to have the power to dissolve councils.
- The constitution should not provide for the president or the minister for local government to dissolve the councils.
 - The constitution should limit the power of the Ministry of local government to dissolve local councils.
- The constitution should provide for the local government to own land according to lands act.
- The constitution should provide that the local councils should not make people pay rents for plots that are not developed.
- The constitution should provide that trade licenses should only be issued for a period of one year.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should practice representative electoral system. (3)
- The constitution should not retain simple majority rule as the basis of winning an election.
- The constitution should provide for women to participate more effectively in the parliamentary elections.
- The constitution should provide that the electoral process should be designed in such away as to increase the participation of women in parliament and local authorities elections.
- The constitution should provide that in a presidential election, the winning candidate must get 50% of the total votes cast. In the event that this is not achieved in the first contest, a run-off of the first two candidates with highest number of votes shall be immediately held.
- The constitution should provide for the presidential candidate to garner at least 50% of the total votes in an election to be declared a winner. (3)
- The constitution should provide for the presidential candidate to garner at least 75% of the total votes in an election to be declared a winner.
- The constitution should provide for the presidential candidate to garner at least 51% of the

total votes in an election to be declared a winner.

- The constitution should provide that in a presidential election, the winning candidate should garner at least 50% of the total votes in addition to the 25% in at least 5 provinces.
- The constitution should provide that MPs who fail to be nominated in one political party should not be allowed to seek nomination from another party.
- The constitution should provide that MPs should not be allowed to defect from one party to another before the term ends
- The constitution should provide that MPs should not be allowed to defect from one party to another. (4)
- The constitution should retain the 25% representation in 5 provinces for presidential elections. (3)
- The constitution should not retain the 25% representation in 5 provinces for presidential elections.
- The constitution should provide that there should be special seats for the disabled in parliament. (3)
- The constitution should provide that there should be special seats for the minority groups like the Ogiek in parliament.
- The constitution should provide that there should be special seats for the specific interest groups in parliament.
- The constitution should provide that the demarcation of constituencies should be in accordance with the population data of the area. (7)
- The constitution should provide for Kitutu Masaba to be divided into two.
- Those constituencies, which might have been created through other processes, must be abolished.
- The constitution should provide for the parliamentary and civic elections to be held on different dates from that of the presidential. (9)
- The constitution should provide for the parliamentary and civic and presidential elections to be carried out on the same day. (3)
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. In all cases, presidential elections should be held first.
- The constitution should provide that the issuing of electoral cards should be a continuous process. (5)
- The constitution should provide that voting should be done using national identity cards and passports.
- The constitution should provide for independent candidates to vie for electoral offices. (2)
- The constitution should provide for the ballot boxes to be transparent. (3)
- The constitution should provide for the elections to be computerized.
- The constitution should limit election expenditure.
- The date of a subsequent general election should be arrived at by consensus by all political parties upon the immediate finalization of a general election.
- The constitution should give political parties power to decide the date of a general election.
- The constitution should provide that the election date for the next general election be announced when parliament reconvenes for its last sitting before the term is over.
- The constitution should specify the dates of general elections. (6)
- The constitution should provide for the president to be elected directly by the people. (5)
 - The constitution should provide that the political party with the second largest number of seats in parliament should nominate the national Vice President.

- The constitution should provide for clear rules for the creation of
- The constitution should provide that a parliamentary constituency must have a minimum of 20,000 people.
 - The constitution should provide for constituency boundary reviews after every 5 years.
 - The constitution should provide for a 30-day period between elections and the swearing in of the new president.
 - The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
 - The constitution should provide that votes be counted at the polling station.
 - The constitution should provide that voting be done by secret ballot.
- The constitution should provide that all party nominations be held on one day to avoid defections. (4)
- The constitution should provide that a parliamentary candidate be a Kenyan by birth.
 - The constitution should provide that a constitutional review process be finalized before the subsequent general elections.
 - The constitution should empower parliament to elect a president who should not belong to any party.
- The constitution should for the members of the electoral commission to be competent, morally upright and a holder of form four level of education certificate.
- The constitution should provide for the electoral commissioners to be elected by the parliament. (7)
- The constitution should provide clear criteria for the appointment of commissioners to the Electoral Commission.
 - The constitution should provide that a percentage of Electoral Commissioners be chosen from the religious community.
 - The constitution should provide that a percentage of the members of the Electoral Commission be drawn from specific professions and gender.
 - The constitution should provide that Commissioners appointed to the Electoral Commission be nominated by, and be representative of all political parties.
 - The constitution should provide that election of commissioners to the Electoral Commission be subject to vetting and approval by parliament.
- The constitution should provide for the autonomy of the Electoral Commission. (5)
- The constitution should provide for the electoral commissioners to enjoy security of tenure. (5)
- The constitution should provide for the electoral commissioners to retire after general elections.
- The constitution should provide for the electoral commissioners to be removed from office after they have been found incompetent.
- The constitution should provide for the electoral commissioners to be funded from the consolidated funds.
- The constitution should provide for the electoral commissioners not to exceed 20 in number.
 - The constitution should abolish nomination of MPs and councilors.
 - The constitution should provide that constituencies must be created by parliamentary approval.
 - The constitution should provide the electorate with a right to petition any election at all levels.

- The constitution should provide that the counting of votes should be done at the polling. (8)
- The constitution should empower the electoral commission to prosecute those people found causing violence or do not follow election laws.

5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the fundamental human rights of all Kenyans. (5)
- The constitution should protect all Kenyans against domestic violence.
- The constitution should guarantee the freedom of worship to all Kenyans. (23)
- The constitution should guarantee the freedom of assembly to all Kenyans. (5)
- The constitution should guarantee the freedom of expression to all Kenyans. (3)
- The constitution should guarantee the freedom of worship to SDA to worship on Saturdays. (3)
 - The constitution should provide freedom and protection of all religious groups.
 - The constitution should provide for the freedom of movement.
- The constitution should respect the freedom of worship of all denominations, including the Sabbath day, which worships on Saturday.
- The constitution should provide for the abolition of death penalty and it be replaced with life imprisonment. (2)
- The constitution should provide for the abolition of death penalty. (4)
- The constitution should protect security, healthcare, water, education, shelter, food and employment as basic rights for all Kenyans.
- 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, ethnic or racial background.
 - The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should guarantee adequate security for all Kenyans. (10)
- The constitution should provide for the government to provide security for all Kenyans. (3)
- The constitution should provide that firearms should not be licensed at all levels.
- The constitution should provide free health services to all its citizens.
- The constitution should provide for every Kenyan to have a right to free health services. (21)
- The constitution should provide for the orphans to be offered free medical services.
- The constitution should provide for free basic health care for all in both rural and urban areas
- The constitution should provide for every Kenyan to have a right to clean and adequate supply of water. (5)
- The constitution should provide for every Kenyan to have a right to free education. (14)
- The constitution should provide for every Kenyan to have a right to shelter. (4)
- The constitution should provide for every Kenyan to have a right to adequate supply of food. (4)
- The constitution should provide for a one person-one job policy. (9)
 - The constitution should provide for a salary ceiling of Kshs.90,000 for all civil servants.
- The constitution should provide for unemployment benefits for the trained unemployed people.

- The constitution should guarantee employment to qualified Kenyans. (13)
- The constitution should provide for the employment of all university graduates.
- The constitution should provide that the retired people should not seek to be re-employed. (5)
- The constitution should provide for every Kenya to have a right to employment. (3)
- The constitution should provide that no one should be denied employment on the basis of religion.
- The constitution should provide for every Kenya to have a right to employment anywhere in the country.
- The constitution should provide that NSSF benefits should benefit the sick even if they are not retired.
- The constitution should provide that the retirees should be paid pension immediately.
- The constitution should provide that pension of retired public officers should be given to the widows of the diseased husbands.
- The constitution should provide that pension of retirees should be reviewed whenever salaries are increased. (3)
- The constitution should provide for NSSF fund money should be paid to the people immediately they leave employment.
- The constitution should provide for free and compulsory formal education up to secondary level. (9)
- The constitution should provide for free and compulsory formal education up to primary level. (12)
- The constitution should provide for free and compulsory formal education up to university. (5)
- The constitution should provide that bursaries are for the needy children only.
- The constitution should provide that civic education should be a continuous process. (5)
- The constitution should guarantee all Kenyans the right to information. (4)
- The constitution should be written in different languages so that all Kenyans can understand.
- The constitution should be available to all Kenyans and some copies should be in the bookshops and libraries.
- The constitution should provide for all Kenyans to have a right to access all information in the hand of the state or any other agency or organ of the state. (3)
- The constitution should provide that the report of commissioners, which have been set by the government in the past, should be made available to the people.
- The constitution should ensure that all workers have a right to trade union representation. (3)
 - The constitution should guarantee the protection of Workers from intimidation from employers.

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- The constitution should fully guarantee and protect the interest of women. (4)
- The constitution should provide for the interest of people with disabilities to be fully taken care of. (8)
- The constitution should provide for the government to take care of the disabled. (3)
- The constitution should provide for the government to allocate some money for the

disabled. (3)

- The constitution should provide for the disabled to have a right to shelter, employment and free health care and security. (3)
- The constitution should provide for the government to build more schools and learning institutions for the disabled people and be well equipped. (3)
- The constitution should provide for the government to take care of the street children and rehabilitate them. (4)
- 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 provide for special identification cards for the deaf.
- The constitution should provide for the children of single parents to be given free education by the government.
- The constitution should provide for the children to have a right to inherit their parents' property. (6)
- The constitution should protect the rights of children from sexual abuse and child labor and any other form of exploitation. (4)
- The constitution should protect the rights of children. (7)
- The constitution should provide for children to be supplied with food, shelter and clothing.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
 - The constitution should provide for a Children's cabinet, which should be composed of representatives of children from all parts of the country.
 - The constitution should protect the education of the Girl child.
 - The constitution should abolish the practice of Female Genital Mutilation.
- The constitution should provide for the creation of homes for the aged by the government.
- The constitution should provide for the government to take care of the old people. (6)
- The constitution should provide for the government to give special monthly pay to those people who are 70 years.
- The constitution should provide for the government to help the poor families in educating their children, widows and orphans. (4)
 - The constitution should make provision for sign language services for the deaf in all public places including parliament.
 - The constitution should provide affirmative action in favour of the disabled in all public facilities.
 - The constitution should provide for affirmative action in favour of the needy, aged, HIV positive and mentally sick persons.
- The constitution should provide affirmative action in favour of women. (2)
- The constitution should provide affirmative action in favour of the vulnerable groups.
 - The constitution should provide for protection of unmarried women against all forms of gender abuse
- The constitution should protect the right of prisoners.
- The constitution should provide for prisoners to be treated like human beings.
- The constitution should ensure that policemen do not mistreat prisoners especially women.
- The constitution should provide for prisoners to be economically productive.
- The constitution should provide for prisoners to be out in cells according to the crime they committed.

- The constitution should provide for the government to introduce communal services for the offenders.

5.3.15 LAND AND PROPERTY RIGHTS

- The constitution should provide for the state to have ultimate ownership of land.
- The constitution should provide for the government to have ultimate ownership of land. (2)
- The constitution should provide for the government to have the power to compulsorily acquire private land from the individuals, which is not being utilized.
- The constitution should give the government the right to acquire all fallow land for development purposes
- The constitution should provide for the government to have the power to compulsorily acquire private land for any purpose. (5)
- The constitution should give the government the right to acquire public land for national or regional use
- The constitution should provide for the state, government or local authority to have the power to control the use of land by the owners or occupiers. (2)
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide that widows should inherit their husbands land and other property.
- The constitution should provide for children to have a right to inherit their parent's properties.
- The constitution should stipulate that title deeds should be issued free of charge. (4)
- The constitution should provide that in a polygamous family property should be shared equally.
- The constitution should provide that all written wills on property inheritance should be honored.
- The constitution should provide for the elders to handle land transfer and inheritance cases.
- The constitution should provide that there should be a ceiling on land ownership. (10)
- The constitution should provide that the ceiling on land ownership should be 100,000 acres.
 - 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.
- The constitution should provide that citizen should own more than 20 acres of land.
- The constitution should provide that citizen should own more than 1000 acres of land.
- The constitution should provide that there should be no restrictions on non-citizens on acquiring land in Kenya.
- The constitution should not allow non-citizens to own land in Kenya.
- The constitution should provide for the simplification of land transfer procedures. (4)
- The constitution should provide for the registration of family property to be done in the names of both spouses that is wife and husband. (4)
- The constitution should provide for men and women to have equal access to land and property. (5)

- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should guarantee that no Kenyan should be landless.
 - The constitution should put a ceiling on the fees charged for sub-division and registration of boundaries.
- The constitution should provide for free government surveyors.
 - The constitution should not retain the pre-independence land treaties and agreements involving certain communities e.g. Maasai, Mazrui and the Coastal strip.
- The constitution should allocate land next to Mt. Kenya to the current inhabitants
 - The constitution should provide that the freehold land tenure system be replaced with a 60-90 year leasehold scheme.
- The constitution should provide for the revival of the old land tribunals.
- The constitution should provide that Kenyans could live wherever they choose, but non-Kenyans should not buy land.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country. (6)
- The constitution should provide that large acres of unused land to be taxed on the basis of the number of acres.
-
- The constitution should provide that those with big chunks of land should surrender them to those who do not have.
- The constitution should provide for the government to provide land to the landless. (3)
- The constitution should guarantee access to land for every Kenyan. (9)

5.3.16 CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice. (8)
- The constitution should provide for Kenyan cultural and ethnic diversity to contribute to national culture and unity.
- The constitution should protect and promote cultural and ethnic diversity. (9)
- The constitution should allow circumcision of girls.
- The constitution should provide that female genital mutilation would be allowed according to Abagusii tradition and custom.
- The constitution should abolish female genital mutilation. (6)
- The constitution should abolish early and forced marriages. (3)
- The constitution should abolish discriminatory aspect of culture. (4)
- The constitution should provide that cultural and ethnic values derived from our shared experiences should be made to address some informal education segments.
- The constitution should
 - The constitution should make provision for the availability of interpreter services for all local languages in public places.
 - The constitution should legalize polygamy and provide for certificates for all the wives.
 - The constitution should provide for Kiswahili to be the national language.
 - The constitution should provide for English and Kiswahili to be the two national languages.
- The constitution should recognize and promote the Kenyan indigenous languages. (3)

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

- The constitution should provide for the executive not to retain the powers to raise and distribute financial resources and management of human resources.
- The constitution should empower the parliament to authorize raising and appropriation of public funds.
- The constitution should provide that the other methods apart from taxation for government to raise finances should be harambee and donor funding.
- The constitution should provide for the government to come up with policies, which would make it have ways of generating more money.
- - The constitution should provide that all government services and facilities be accessible to all Kenyans without discrimination.
- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
- The constitution should give the offices of the Auditor General and Controller General power to prosecute.
- The constitution should provide that all appointments to civil service must be based on merit.
- The constitution should provide for equitable distribution of national resources. (14)
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
 - The constitution should provide that emergency relief food be distributed by a parliamentary committee.
- The constitution should provide for a minimum salary for government jobs.
- The constitution should provide for controller and auditor general to serve for a period of seven years.
- The constitution should empower the controller and auditor general to prosecute public officers. (3)
- The constitution should provide for controller and auditor general to audit and check on government finances publicly.
- The constitution should provide for controller and auditor general to work under the supervision of the parliament
- The constitution should provide for the parliament to appoint controller and auditor general. (3)
- The constitution should provide for the president appoint controller and auditor general.
- The constitution should provide for the parliament to monitor the government's expenditure of public funds.
- The constitution should provide for ministers to have qualifications and knowledge of the ministries. (3)
- The constitution should empower public account committee to appoint the minister for finance
- The constitution should provide that the public be involved in the preparation of the national budget.
- The constitution should provide for appointment to the cabinet through merit. (9)
- The constitution should provide that all elective public positions have a retirement provision of a maximum 55 years.
- The constitution should that the public who misuse public finances should be dismissed

and punished and be made to return what they took. (11)

- The constitution should provide for parliament to appoint members of the public service commission. (12)
- The constitution should provide for the public officers to declare their wealth/assets. (4)
- The constitution should provide that all presidential candidates declare the source of their wealth.

5.3.18 ENVIRONMENT AND NATURAL RESOURCES

- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should include the environmental protection issues.
- The constitution should include protection of water catchments areas, protection of pollution and destruction forests.
- The constitution should empower the government to enforce laws on the protection of the environment.
- The constitution should empower the parliament to enforce laws on the protection of the environment.
- The constitution should provide for the government to own natural resources. (3)
- The constitution should provide for the local communities to participate in the protection of the environment.
- The constitution should provide for the local communities to support the government in the enforcement of the laws to protect the environment.
- The constitution should provide for the government to protect and preserve natural resources.
- The constitution should protect and preserve natural resources. (2)
- The constitution should provide for the government to be responsible for the management of natural resources. (2)
- The constitution should provide for the natural resources to be protected by enforcing strong laws.
 - The constitution should provide that citizens be protected from wild animals.
 - The constitution should provide for the protection of forests.
 - The constitution should provide for a commission to oversee the management of natural resources.

5.3.19 PARTICIPATORY GOVERNANCE

- The constitution should provide for the participation of religious organizations in governance.
- The constitution should provide for NGOs and other organized groups to have a role in governance.
- The constitution should provide for NGOs to take care of the disabled.
- The constitution should provide for the state to regulate the conduct of the civil society organizations including media and churches. (3)
- The constitution should institutionalize the role of civil society organizations.
- The constitution should provide for women to be included in governance by being given leadership posts and in decision-making. (6)
- The constitution should provide for women representation to be 40% at all levels of governance.

- The constitution should provide for maximum participation in governance by the persons with disabilities. (4)
- The constitution should provide for the youth to participate in governance. (2)
- The constitution should provide for maximum participation in governance by minority groups.
- The constitution should provide for maximum participation in governance by the elderly persons.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that all the conduct of foreign affairs be vetted by parliament.
- The constitution should provide that the conduct of foreign affairs should not be the exclusive responsibility of the executive.
- The constitution should provide for the parliament to ensure that the government is clear on all matters of policy on international relationship.
- The constitution should provide for the parliament to approve the president's tours outside the country.
- The constitution should provide for the parliament to provide final decision on foreign policy and not the executive.
- The constitution should provide that the international treaties, conventions, regional and bilateral treaties should have automatic effects in domestic laws.
- The constitution should provide that the international treaties, conventions, regional and bilateral treaties should have automatic effects in domestic laws.
- The constitution should provide that the international treaties, conventions, regional and bilateral treaties should not have automatic effects in domestic laws.
- The constitution should provide that laws and regulations made by organizations that Kenya belongs to should not have automatic effect in domestic laws.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide that constitutional commissions be set up by parliament or with the approval parliament.
- The constitution should provide for the establishment of the office of Ombudsman. (3)
- The constitution should provide for the establishment of the human rights commission. (3)
 - The constitution should provide for a commission to oversee the education sector, which should be de-linked from the executive and should be answerable to the National Assembly.
- The constitution should provide for an independent body to govern and monitor general elections.
- The constitution should provide for the establishment of the Anti corruption commission. (3)
- The constitution should provide for the establishment of the accounting commission.
- The constitution should provide for the establishment of an independent judicial commission.
- The constitution should provide for the establishment of an independent commission to

monitor the activities of the police.

- The constitution should provide that commissions of inquiries should complete their work and present it to the parliament.
- The constitution should provide for appointment of an economic commission to look into economic and employment issues in the country.
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.
- The constitution should provide 8 independent bodies to investigate the work of the police officers.
- The constitution should provide for the established commissions to collect views and act according to the directives of the constitution.
- The constitution should provide for the creation of the ministry of justice or constitutional affairs distinct from Attorney General.
- The constitution should provide for the creation of the ministry of justice or constitutional affairs, which should replace the office of the Attorney General.

5.3.22 SUCCESSION AND TRANSFER OF POWER.

- The constitution should provide for the speaker of the national assembly to be in charge of the executive powers during the presidential elections.
- The constitution should provide that retiring/outgoing presidents should hand over the instruments of power to the Chief Justice in the interim period before the next president is sworn in.
- The constitution should provide for the presidential results to be declared as soon as the counting of votes is done.
- The constitution should provide for the incoming president to assume office as soon as he/she has been sworn in. (2)
- The constitution should provide for the chief justice to swear in the incoming president.
- The constitution should provide for the speaker together with the Attorney General and a religious leader to swear in the incoming president.
- The constitution should provide that the instrument of power to be transferred to the incoming president by the out going president immediately after being sworn in.
 - The constitution should provide that during the transition period presidential powers rest with the Attorney General.
- The constitution should make provisions for the former president in terms of security.
- The constitution should make provisions for the former president in terms of welfare.
- The constitution should provide that former president not to have immunity from legal process.
- The constitution should provide for the former president to have pension benefits.
- The constitution should provide for the vice president to occupy the presidential office for 90 days in case the president vacates office due to death or health problems.

5.3.23 WOMEN RIGHTS

- The constitution should provide that women should be protected against violence.
- The constitution should entrench women's rights. (3)
- The constitution should ensure that women are not exploited to the extent that the wife becomes the breadwinner in the home.
- The constitution should protect women from sexual exploitation.

- The constitution should provide for women to have a right to own property. (4)
- The constitution should provide for women (whether married or not) to have a right to inherit their parents' property. (4)
- The constitution should provide for women to have a right to inherit their parents' property. (5)
- The constitution should harmonize marriage laws.
- The constitution should provide that dowry should be paid when people are married.
- The constitution should allow issuance of marriage certificates for polygamous families.
- The constitution should discourage polygamous marriages.
- The constitution should provide for laws to be put in place to safeguard women.
- The constitution should provide that all marriages should be registered within six months.
- The constitution should provide for men to take of children or a child they had out of wedlock until at such age that the child is able to fend for himself. (8)
- The constitution should prohibit domestic violence against women. (7)
- *The constitution should provide for non-discrimination of women in inheritance matters and widows given full right over their husbands.*

INTERNATIONAL POLICY

- The constitution should provide that donor funding should benefit all.
- The constitution should provide that the donor funding should help small-scale businessmen in rural areas.

NATIONAL ECONOMIC POLICY

- The constitution should provide for government role in price control to protect local produce
 - The constitution should provide for government protection of the local market against the infiltration of fake and contraband products.
- The constitution should ensure that goods, which are produced in the country, are not imported to the nation.
- The constitution should provide that every province has a factory.
- The constitution should provide for industries like sisal and rivertex are revived in order to improve our economy.
- The constitution should abolish the role of middlemen and brokers in marketing transactions.
- The constitution should provide for Kenyans to carry on economic development activities, which will help eradicate poverty.
- The constitution should provide for the government to set up policies and projects, which would eradicate poverty in the nation. (2)
- The constitution should provide for all the infrastructure costs to be reduced by the government to promote micro finance sector.
- The constitution should provide for all the roads to be tarmacked.

OTHER NATIONAL POLICIES

- The constitution should guarantee automatic insurance of all passengers in public service vehicles.

- The constitution should provide for the government to control the rapidly emerging sectors of insurance and Kenya Insurance Regulatory Authority to be set up.
- The constitution should provide for the government to control the spread of AIDS/HIV and even try to eradicate it.
- The constitution should prohibit the administration police from harassing the citizens. (14)
- The constitution should ensure that the police provide protection for the people and their properties.
- The constitution should provide that the warrant of arrest be issued before alignment in court.
- The constitution should provide for the police officers to leave their uniform at their stations when they go for leave.
- The constitution should abolish corruption and make it illegal.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled. (3)
- The constitution should provide mechanisms for dealing with corruption in public offices. (4)
- The constitution should provide for the government to curb corruption in the public offices. (3)
- The constitution should abolish corruption during the recruitment of forces.
- The constitution should provide for couples to plan on the number of children they want to have.

SECTORAL POLICIES

- The constitution should empower government to manage the agricultural sector, especially the tea sector.
- The constitution should provide for the subsidizing of farm inputs like fertilizers by lowering their prices. (3)
- The constitution should provide for laws to govern cooperatives to protect members of the public.
- The constitution should provide farmers with the freedom to market coffee through their own channels.
- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should provide that farmers be paid highly and directly for their agricultural produce.
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide for prompt payment of farmers for their agricultural produce.
- The constitution should provide for the government to assist farmers by providing them with loans and other requirements. (5)
- The constitution should provide for the marketing board of coffee to be strengthened.
- The constitution should provide for the government to ascertain that the agricultural zones have good roads for easy transportation of agricultural goods. (4)
- The constitution should provide that agricultural potential areas should be developed and served with roads to generate accessibility.
- The constitution should provide for the government to control the marketing of agricultural products.
- The constitution should provide for KTD to regulate the growing of tea.

- The constitution should provide for all co-operative societies of farmers to be revised to give farmers more powers in decision making
- The constitution should provide for the reduction of directors.
- The constitution should provide for pupils to be provided with exercise books, pens, uniforms, milk and enough teachers and food
- The constitution should provide for the ministry of education to make sure that the zonal inspectors of schools are done away with.
- The constitution should provide for opening of teacher training colleges to take in form four leavers.
- The constitution should provide for the scrapping of board of governors in schools and replace it with parent teachers association.
- The constitution should out law holiday coaching for students.
- The constitution should provide that 8-4-4- system be replaced with 7-4-2-3. (19)
- The constitution should provide for corporal punishments in schools to instill discipline in children.
- The constitution should provide that there should be no cost sharing in public institutions including hospitals.
- The constitution should provide for free education, with adequate teachers.
- The constitution should provide that the constitution be included in the education curriculum both in schools and higher institutions of learning. (5)
- The constitution should provide that public doctors be banned from private practice.
- The constitution should provide for government financing of the teaching and development of sign language in all schools and institutions.
- The constitution should provide that admissions to government schools be strictly based on merit.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The constitution should provide for a teacher to student ratio of 1:30.
- The constitution should give supervisory power to Parents Teachers Association over Board of Governors in the running of primary and secondary schools.
- The constitution should provide for roads to be improved by the government to make transportation and communication easy.
- The constitution should provide for the national budget to be read twice a year.
- The constitution should provide for the religious activities to be exempted from taxation.
- The constitution should prohibit continuous taxation of goods from the shops and other places.
- The constitution should provide that there should be adequate tax incentives to encourage the establishment of economic activities.
- The constitution should provide that the national currency/legal tender has a permanent face.
- The constitution should provide for government control over interest rates charged on bank loans.
- The constitution should provide that the Kenyan currency should not have the image of the incumbent president.
- The constitution should provide for the government hospitals to be improved and mortuary charges to be reduced.
- The constitution should provide for the government to discourage private hospitals and encourage the improving of government.

- The constitution should provide for the encouragement of traditional herbalists.
- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The constitution should provide that radio and television permits should be issued fairly to all Kenyans.
- The constitution should provide for the media not to be biased and should be fair to cover all political parties.
- The constitution should provide for media to have freedom to operate. (4)
- The constitution should provide for small-scale businessmen to be helped by the government in the rural areas.
- The constitution should provide that small-scale traders should not be taxed.
- The constitution should provide for the government to repair, improve and maintain roads to make transport and communication easy. (4)
- The constitution should provide for the surveyors to make provisions for passing.

NATIONAL PROGRAMME/PLANNING

- The constitution should abolish district focus development.
- The constitution should address economic recovery of the nation.

CUSTOMARY LAW

- The constitution should abolish dowry payment because men treat their wives like property.

STATUTORY LAW

- The constitution should provide that rapists be imprisoned for life.
- The constitution should prohibit women from wearing trousers.
- The constitution should abolish traditional beer. (3)
- The constitution should provide that a man who impregnates a girl before marriage should be prosecuted.
- The constitution should provide for traditional beer to be legalized. (8)
- The constitution should provide that no one should be imprisoned without trial.
- The constitution should provide for convicts of minor offences to given mutual community work.
- The constitution should provide that the parents who neglect their families should be prosecuted in a court of law.
- The constitution should provide fro drug dealer to face severe punishment.
- The constitution should provide for a law to be passed to make it compulsory for all citizens to vote.
- The constitution should provide that anybody who rapes a young girl should be prosecuted in a court of law.

COMMON GOOD

- The constitution should provide for the government to participate fully incase death occurs.
- The constitution should provide that all the money saved in foreign banks should be

brought back to Kenya.

GENDER EQUITY

- The constitution should provide for gender balance in contribution towards nation building.
- The constitution should provide for gender equity. (5)
- The constitution should provide for gender equity in provision of education, opportunities and health services.

ECONOMIC/SOCIAL JUSTICE

- The constitution should provide that people killed by security officers should be compensated.

TRANSPARENCY/ACCOUNTABILITY

- The constitution should provide that there should be transparency and accountability in the government offices. (3)

5.3.43 NATIONAL INTEGRITY/IDENTITY

- The constitution should provide for women to dress decently.
- The constitution should provide for the flag to have coats of arms.
- The constitution should provide that there should be a national dress for the people of Kenya.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|----------------------------|-----------|
| 1. James Masaki N. Mongare | DC |
| 2. John Keunguru | Chairman |
| 3. Samson Nyang'au Okioma | Secretary |
| 4. Cllr William Monari | |
| 5. Mrs. Teresa B. Monari | |
| 6. Mrs. Tabitha Anuri | |
| 7. Mrs. Esther Nyamumbo | |
| 8. Fred M. Nyanyuki | |
| 9. Atati Kengere | |
| 10. Pastor Jackson Mokaya | |

Appendix 2: Civic education providers (CEPs)

1. Afri DEP
2. Riegechure women group
3. Manga youth group
4. Catholic justice and peace commission
5. SDA youth group
6. Pastor J. Nyamwanda
7. N. miyogo

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

1	0005ONKNY	Hellen S.N.Mokaya	CBO	Written	Nyambaria Women Group
2	0003ONKNY	Japhet O.Kenyuri	CBO	Written	Dispute Land Trinual Panel
3	0008ONKNY	Lois Onyancha	CBO	Memorandum	Uzima Foundation
4	0009ONKNY	Naomi K. Nyanyuki	CBO	Written	Federation of Women Group
5	0045INKNY	Abel Matoke	Individual	Memorandum	
6	0025INKNY	Abel Ondieki	Individual	Written	
7	0158INKNY	Abraham Makana	Individual	Oral - Public he	
8	0134INKNY	Agnes Nyachama	Individual	Oral - Public he	
9	0060INKNY	Agnes Nyaoma	Individual	Written	
10	0147INKNY	Alezander J.Nyanami	Individual	Oral - Public he	
11	0253INKNY	Alfred Manyisa	Individual	Oral - Public he	
12	0221INKNY	Alfred Nyambati	Individual	Oral - Public he	
13	0092INKNY	Alice Nyambane	Individual	Oral - Public he	
14	0189INKNY	Alice Nyambane	Individual	Oral - Public he	
15	0112INKNY	Alilisina Kerubo	Individual	Written	
16	0230INKNY	Andrew Mosomi	Individual	Oral - Public he	
17	0032INKNY	Anne M.Oreno	Individual	Written	
18	0104INKNY	Anthony O.Omayi	Individual	Oral - Public he	
19	0225INKNY	Antony O.Omayi	Individual	Oral - Public he	
20	0030INKNY	Asha Kingoina	Individual	Written	
21	0050INKNY	Ateka M.J.Ngongo	Individual	Written	
22	0136INKNY	Beatrice Ombagi	Individual	Oral - Public he	
23	0081INKNY	Ben Gikoyo	Individual	Written	
24	0039INKNY	Ben Mobisa O	Individual	Written	
25	0178INKNY	Ben Ondieki	Individual	Oral - Public he	
26	0033INKNY	Benard Mokaya	Individual	Oral - Public he	
27	0229INKNY	Benard Nyanguko	Individual	Oral - Public he	
28	0006INKNY	Benjamin Ochama	Individual	Oral - Public he	
29	0116INKNY	Benson Nyabutu	Individual	Written	
30	0118INKNY	Benson Onger	Individual	Oral - Public he	
31	0131INKNY	Bernard O.Maroko	Individual	Oral - Public he	
32	0015INKNY	Betty Nyariki	Individual	Written	
33	0260INKNY	Boniface Nyabere	Individual	Oral - Public he	
34	0234INKNY	Charles Kibangendi	Individual	Oral - Public he	
35	0250INKNY	Charles Maranga	Individual	Oral - Public he	
36	0214INKNY	Charles Mokaya	Individual	Oral - Public he	
37	0028INKNY	Charles Nyagoe	Individual	Written	
38	0171INKNY	Charles Ogoro	Individual	Oral - Public he	
39	0195INKNY	Charles Ongera	Individual	Oral - Public he	
40	0103INKNY	Christopher Momanyi	Individual	Oral - Public he	
41	0156INKNY	Clement Mungei	Individual	Oral - Public he	
42	0249INKNY	Dadeus Omoni	Individual	Written	
43	0163INKNY	Daisy Moraa Arisi	Individual	Oral - Public he	
44	0247INKNY	Daniel A.Maina	Individual	Oral - Public he	
45	0046INKNY	Daniel M. Kabi	Individual	Written	
46	0160INKNY	Daniel Matara	Individual	Oral - Public he	
47	0176INKNY	Daniel Mbaka	Individual	Oral - Public he	
48	0238INKNY	Daniel Mokaya	Individual	Oral - Public he	
49	0111INKNY	Daniel Momanyi	Individual	Oral - Public he	
50	0207INKNY	Daniel Mwachoka	Individual	Oral - Public he	
51	0193INKNY	Daniel Omangi	Individual	Oral - Public he	
52	0172INKNY	Daniel Orina	Individual	Oral - Public he	

53	0251INKNY	David Tonya	Individual	Oral - Public he	
54	0076INKNY	David Masara	Individual	Written	
55	0182INKNY	David Mokaya	Individual	Oral - Public he	
56	0231INKNY	Dennis Nyaaga	Individual	Oral - Public he	
57	0109INKNY	Dismas Thomas	Individual	Written	
58	0001INKNY	Dorcas Basweti	Individual	Written	
59	0213INKNY	Ebisiba Moraa	Individual	Oral - Public he	
60	0210INKNY	Edward Kioga	Individual	Oral - Public he	
61	0098INKNY	Edward Mwamba	Individual	Written	
62	0257INKNY	Edward Ogato	Individual	Oral - Public he	
63	0099INKNY	Edwin Chabale	Individual	Written	
64	0003INKNY	Elakna Nyambati	Individual	Memorandum	
65	0027INKNY	Elias O.Marasi	Individual	Written	
66	0007INKNY	Elijah Achura	Individual	Written	
67	0186INKNY	Elijah Moturo	Individual	Oral - Public he	
68	0177INKNY	Elijah Nyamwenga	Individual	Oral - Public he	
69	0137INKNY	Elizabeth Onkoba	Individual	Oral - Public he	
70	0258INKNY	Erastus O.	Individual	Oral - Public he	
71	0063INKNY	Eunice Mobisa	Individual	Written	
72	0026INKNY	Evans M.Ariemo	Individual	Written	
73	0173INKNY	Evans Ariem	Individual	Oral - Public he	
74	0139INKNY	Evans M.Gichano	Individual	Oral - Public he	
75	0086INKNY	Evans M.Oyugi	Individual	Written	
76	0237INKNY	Evaresto Onyega	Individual	Oral - Public he	
77	0068INKNY	Florence Motanya	Individual	Written	
78	0259INKNY	Francis B.Musira	Individual	Oral - Public he	
79	0072INKNY	Francis Bundi	Individual	Written	
80	0235INKNY	Francis Nyakundi	Individual	Oral - Public he	
81	0144INKNY	Fredrick Omachura	Individual	Oral - Public he	
82	0129INKNY	Geoffrey Mochama	Individual	Oral - Public he	
83	0034INKNY	George Araka	Individual	Written	
84	0157INKNY	George Kinanda	Individual	Oral - Public he	
85	0067INKNY	George M.Onchwari	Individual	Written	
86	0175INKNY	George Mutaki	Individual	Oral - Public he	
87	0215INKNY	George Nyagari	Individual	Oral - Public he	
88	0201INKNY	George Ogumba	Individual	Oral - Public he	
89	0233INKNY	Gerlad Mogaka	Individual	Oral - Public he	
90	0036INKNY	Gideon Atandi	Individual	Written	
91	0133INKNY	Gideon Kibagendi	Individual	Oral - Public he	
92	0012INKNY	Gilbert Aboko	Individual	Written	
93	0197INKNY	Gilbert Moine	Individual	Oral - Public he	
94	0042INKNY	Gilbert Moine	Individual	Written	
95	0004INKNY	Gilbert Nyakundi	Individual	Memorandum	
96	0162INKNY	Gladys Obana	Individual	Oral - Public he	
97	0031INKNY	Grace Mongeresa	Individual	Written	
98	0016INKNY	Grace Muchira	Individual	Written	
99	0014INKNY	Grace Nyamoko	Individual	Written	
100	0124INKNY	Hadson Sitima	Individual	Oral - Public he	
101	0187INKNY	Harison Kirage	Individual	Oral - Public he	
102	0022INKNY	Hassan Ontita	Individual	Written	
103	0017INKNY	Henry Obaigwa	Individual	Written	
104	0154INKNY	Henry Bikoro	Individual	Oral - Public he	
105	0044INKNY	Humphrey Irandi	Individual	Written	
106	0161INKNY	Isaia Ondari	Individual	Oral - Public he	
107	0167INKNY	Issack Kamwamba	Individual	Oral - Public he	
108	0082INKNY	Jackson Kiuka	Individual	Oral - Public he	

109	0179	INKNY	Jackson N.Asanyo	Individual	Oral - Public he	
110	0181	INKNY	Jackson T.Omabati	Individual	Oral - Public he	
111	0183	INKNY	Jairus Ogeto	Individual	Oral - Public he	
112	0125	INKNY	James Mogaya	Individual	Oral - Public he	
113	0254	INKNY	James Mokaya	Individual	Oral - Public he	
114	0121	INKNY	James O.Onchiri	Individual	Written	
115	0059	INKNY	Jane M.Aboko	Individual	Written	
116	0120	INKNY	Janet Bosibori Misiani	Individual	Oral - Public he	
117	0052	INKNY	Jared Mokaya	Individual	Written	
118	0223	INKNY	Jared O. Nyakundi	Individual	Oral - Public he	
119	0070	INKNY	Jaspher Nyaberi	Individual	Written	
120	0148	INKNY	Jemima Ondari	Individual	Oral - Public he	
121	0087	INKNY	Jeremiah Ombega	Individual	Written	
122	0151	INKNY	Jeremiah Tai	Individual	Oral - Public he	
123	0002	INKNY	Jeremy Nyaanga	Individual	Written	
124	0196	INKNY	Jerusa Mosiori	Individual	Oral - Public he	
125	0222	INKNY	Joakim Omwenga	Individual	Oral - Public he	
126	0075	INKNY	Joash M.Juma	Individual	Written	
127	0199	INKNY	Joash Nyakwaro	Individual	Written	
128	0096	INKNY	Joel Kibaya	Individual	Written	
129	0205	INKNY	Joel Mosoti	Individual	Oral - Public he	
130	0256	INKNY	Joel N.Abuta	Individual	Oral - Public he	
131	0048	INKNY	Joel O.Nyanamba	Individual	E-mail	
132	0090	INKNY	Joel Omwoyo	Individual	Written	
133	0020	INKNY	Joel Onger	Individual	Written	
134	0024	INKNY	John Adira	Individual	Written	
135	0208	INKNY	John Kengura	Individual	Oral - Public he	
136	0174	INKNY	John Kibagendi	Individual	Oral - Public he	
137	0198	INKNY	John M. Ayecha	Individual	Oral - Public he	
138	0226	INKNY	John Mangera	Individual	Oral - Public he	
139	0243	INKNY	John Mogere	Individual	Oral - Public he	
140	0202	INKNY	John Mokaya	Individual	Oral - Public he	
141	0149	INKNY	John Momanyi	Individual	Oral - Public he	
142	0246	INKNY	John N.Muma	Individual	Oral - Public he	
143	0041	INKNY	Joseph M.Kumenda	Individual	Written	
144	0093	INKNY	Joseph M.Nyatwanga	Individual	Oral - Public he	
145	0209	INKNY	Joseph Muma Obegi	Individual	Oral - Public he	
146	0248	INKNY	Joseph O.Ogwora	Individual	Oral - Public he	
147	0023	INKNY	Joseph Ochanda	Individual	Written	
148	0150	INKNY	Joseph Ogamba	Individual	Oral - Public he	
149	0164	INKNY	Joseph Onkundi	Individual	Oral - Public he	
150	0185	INKNY	Josephine Kesanda	Individual	Oral - Public he	
151	0094	INKNY	Josphat Misati	Individual	Oral - Public he	
152	0106	INKNY	Josphat Nyatoke	Individual	Written	
153	0062	INKNY	Judith K Obure	Individual	Written	
154	0061	INKNY	Judith K.Obure	Individual	Written	
155	0236	INKNY	Justus Makone	Individual	Oral - Public he	
156	0105	INKNY	Kefa Mokaya	Individual	Written	
157	0145	INKNY	Kennedy Omwenga	Individual	Oral - Public he	
158	0037	INKNY	Kennedy Osoro	Individual	E-mail	
159	0245	INKNY	KennedyN.Nyagaka	Individual	Oral - Public he	
160	0091	INKNY	Lawrence T.Nyaanga	Individual	Written	
161	0227	INKNY	Lazaros Ongaki	Individual	Oral - Public he	
162	0047	INKNY	Linet S.K.Mochama	Individual	Written	
163	0058	INKNY	Livingstone Ogeto	Individual	Written	
164	0055	INKNY	Lucina Nyaboke	Individual	Written	

165	0188	INKNY	Luka Nyanga	Individual	Oral - Public he
166	0084	INKNY	Lydia Masara	Individual	Written
167	0073	INKNY	Lydia N.Mobisa	Individual	Written
168	0102	INKNY	Makone Mingate	Individual	Written
169	0141	INKNY	Marsina Gesare	Individual	Oral - Public he
170	0212	INKNY	Mayaka Peter	Individual	Oral - Public he
171	0252	INKNY	Micheal Aiok	Individual	Oral - Public he
172	0170	INKNY	Mika Moku	Individual	Oral - Public he
173	0165	INKNY	Milka Kerubo	Individual	Oral - Public he
174	0155	INKNY	Misati Nyamasege	Individual	Oral - Public he
175	0117	INKNY	Mogesa A.Nyangomba	Individual	Written
176	0009	INKNY	Muoko Mainye	Individual	Oral - Public he
177	0191	INKNY	Naftal Omoro	Individual	Oral - Public he
178	0119	INKNY	Nahashon Omwenga	Individual	Written
179	0166	INKNY	Nahason N.Nyamrimba	Individual	Written
180	0043	INKNY	Ndego Nyaagu	Individual	Written
181	0051	INKNY	Nelson O.Nyakundi	Individual	Written
182	0079	INKNY	Nelson Owiti	Individual	Written
183	0049	INKNY	Nemwel Makori	Individual	Memorandum
184	0064	INKNY	Nemwel Ratemo	Individual	Oral - Public he
185	0019	INKNY	Nicholas Nyangau	Individual	Written
186	0132	INKNY	Nicodemus Mochere	Individual	Oral - Public he
187	0200	INKNY	Nimrod Nyangau	Individual	Oral - Public he
188	0089	INKNY	Norah N. Onger	Individual	Written
189	0018	INKNY	Nyakeoga James	Individual	Written
190	0204	INKNY	Nyakeoga Ondiek	Individual	Oral - Public he
191	0138	INKNY	Nyakoma Milka	Individual	Oral - Public he
192	0107	INKNY	Nyandika Osebe	Individual	Written
193	0228	INKNY	Nyatangi Gekonge	Individual	Oral - Public he
194	0085	INKNY	Obera Motende	Individual	Written
195	0021	INKNY	Obosire Thomas	Individual	Written
196	0142	INKNY	Ochando Nyagoya	Individual	Oral - Public he
197	0054	INKNY	Ogeto S. Abinda	Individual	Memorandum
198	0239	INKNY	Ondieki Ooga	Individual	Oral - Public he
199	0066	INKNY	Patrice Mirondio	Individual	Written
200	0053	INKNY	Pauline Atina	Individual	Written
201	0077	INKNY	Penina Mogere	Individual	Written
202	0029	INKNY	Peter Atambo	Individual	Written
203	0097	INKNY	Peter Moku Biage	Individual	Written
204	0128	INKNY	Peter Moset	Individual	Oral - Public he
205	0218	INKNY	Peter Nyambane	Individual	Oral - Public he
206	0080	INKNY	Peter O. Asanyo	Individual	Written
207	0168	INKNY	Peter O.Okaya	Individual	Oral - Public he
208	0224	INKNY	Peter Ogwendo	Individual	Oral - Public he
209	0071	INKNY	Peter Turungi	Individual	Written
210	0244	INKNY	Peterson M.Odawo	Individual	Oral - Public he
211	0035	INKNY	Rael Keragia	Individual	Written
212	0057	INKNY	Rebecca Makori	Individual	Written
213	0005	INKNY	Richard Arori	Individual	Written
214	0146	INKNY	Richard Mageto	Individual	Oral - Public he
215	0140	INKNY	Richard Matara	Individual	Oral - Public he
216	0216	INKNY	Richard Mogesa	Individual	Oral - Public he
217	0040	INKNY	Richard N.Marasi	Individual	Written
218	0135	INKNY	Richard Oguya	Individual	Oral - Public he
219	0255	INKNY	Richard Owoka	Individual	Oral - Public he
220	0065	INKNY	Robert B. Nyangweso	Individual	Written

221	0143INKNY	Robert Nyanyoki	Individual	Oral - Public he	
222	0169INKNY	Rose Ogamba	Individual	Oral - Public he	
223	0078INKNY	Samson Mogaka	Individual	Written	
224	0184INKNY	Samson O.Nsika	Individual	Oral - Public he	
225	0126INKNY	Samson Obaye	Individual	Oral - Public he	
226	0180INKNY	Samuel N.Nyansimora	Individual	Oral - Public he	
227	0056INKNY	Samuel Ngoko	Individual	Written	
228	0010INKNY	Samuel Nyacheo	Individual	Written	
229	0159INKNY	Samuel Nyangau	Individual	Oral - Public he	
230	0008INKNY	Samuel Nyarango	Individual	Written	
231	0074INKNY	Samuel Nyarango	Individual	Written	
232	0153INKNY	Samuel Omwenga	Individual	Oral - Public he	
233	0114INKNY	Samuel Osire Angwenyi	Individual	Written	
234	0240INKNY	Samwel Isaboke	Individual	Oral - Public he	
235	0095INKNY	Sarah Nyariki	Individual	Written	
236	0115INKNY	Shadrack Otiso	Individual	Oral - Public he	
237	0038INKNY	Shem D.M.Mombinya	Individual	Written	
238	0152INKNY	Simeon Ombagi	Individual	Oral - Public he	
239	0130INKNY	Stanley Ombogo	Individual	Oral - Public he	
240	0190INKNY	Stephen Anyona Osoro	Individual	Oral - Public he	
241	0123INKNY	Stephen Moturi	Individual	Oral - Public he	
242	0100INKNY	Sylvanus Musioma	Individual	Written	
243	0242INKNY	Thomas Mose	Individual	Oral - Public he	
244	0203INKNY	Thomas Ondiek	Individual	Oral - Public he	
245	0069INKNY	Thompson Sawe	Individual	Written	
246	0211INKNY	Tolbert Mokaya	Individual	Oral - Public he	
247	0088INKNY	Victor Atuti	Individual	Written	
248	0113INKNY	Victor Manani	Individual	Written	
249	0241INKNY	Vincent Nyariage	Individual	Oral - Public he	
250	0110INKNY	Walter Momanyi	Individual	Written	
251	01011INKNY	William Nyamwaya	Individual	Written	
252	0108INKNY	William E.Gekonde	Individual	Written	
253	0219INKNY	William Nyamweya	Individual	Oral - Public he	
254	0206INKNY	William S.Nyangau	Individual	Oral - Public he	
255	0217INKNY	Wilson O.Oicho	Individual	Oral - Public he	
256	0194INKNY	Wilson Ongera	Individual	Oral - Public he	
257	0232INKNY	Yuvinaris Mosoti	Individual	Oral - Public he	
258	0220INKNY	Zablon Ondiek	Individual	Oral - Public he	
259	0013INKNY	Zacharia Moku	Individual	Written	
260	0011INKNY	Nemwel O.Mogaka	NGO	Written	
261	0006ONKNY	Beldina Mogaka	Other Institutions	Written	Nyaikuro Primary school
262	0001ONKNY	Puis Mose	Other Institutions	Written	Paralegal Community Trainers
263	0002ONKNY	Richard Kibagendi	Other Institutions	Written	Kenya National Union of Tea
264	0004ONKNY	Vincent Simba	Other Institutions	Written	Peace and Justice Commission
265	0007ONKNY	Paul W.Bosire	Religious Organisation	Written	SDA Church

Appendix 4: Persons Attending Constituency Hearings

No.	Name	Address	No.	Name	Address
1	John Kengura	P.O. Box 809, Kitale	24	George M. Nyagari	P.O. Box 62, Gesima
2	Fred Nyanyuki	P.O. Box 6, Nyamira	25	Richard Nyamamba	P.O. Box 368, Keroka
3	Charles Magancha	P.O. Box 335, Keroka	26	Makone Mengate	P.O. Box 59, Gesima
4	Mokaya Joseph	P.O. Box 209, Keroka	27	Mariko Moranga	P.O. Box 229, Riyabe
5	Silvanus Smoisioma	P.O. Box 93, Keroka	28	Wilson Onsoti	P.O. Rigoma
6	William Nyamwaya	P.O. Rigoma	29	Samson O. Onchari	P.O. Box 500, Nyamira
7	Jones Mokua	P.O. Rigoma	30	William Nyamweya	P.O. Box 335, Keroka
8	Samwel Onsongo	P.O. Rigoma	31	Momanyi Christopher	P.O. Box 16, Keroka
9	John Onduko	P.O. Rigoma	32	Monicah Obonyo	
10	Richard A. Makori	P.O. Rigoma	33	Ngaya	P.O. Box 1626, Kisii
11	Joseph Muma Obegi	P.O. Rigoma	34	Zablon Ondieki	P.O. Box 271, Nyamira
12	Christopher Nyatuka	P.O. Box 1626, Kisii	35	Alfred Nyambati	P.O. Box 292, Keroka
13	Joakim Omwenga	P.O. Rigoma	36	Peter Moindi	P.O. Box 335, Keroka
14	Samson N. Okioma	P.O. Rigoma	37	Jared Ondieki Nyakundi	P.O. Box 1589, Kisii
15	Julius Momanyi	P.O. Box 1056, Kisii	38	Peter Ogweno	P.O. Box 1589, Kisii
16	Edward Okioga	P.O. Box 186, Gesima	39	Daniel Guto	P.O. Box 93, Keroka
17	Tolbert Mokaya	P.O. Box 292, Keroka	40	Anthony Orina	
18	Mayaka Peter	P.O. Box 292, Keroka	41	Momanyi	P.O. Box 2020, Kisii
19	Hebisiba Mora Obiero	P.O. Box 292, Keroka	42	John B. Mangera	P.O. Rigoma
20	Kennedy Omwenga	P.O. Box 292, Keroka	43	Lazarus Ongaki	P.O. Rigoma
21	Charles Mokaya	P.O. Box 292, Keroka	44	Denis Obwoye	P.O. Rigoma
22	Jackson Nyangoya	P.O. Box 335, Keroka	45	Kepher Migiro	P.O. Box 91, Keroka
23	Peterson Nyagechi	P.O. Box 95, Gesima	46	Fedinard M. Mayieka	P.O. Box 111, Keroka
47	Andrew Mosomi	P.O. Box 292, Keroka	47	Nyatange Gekonge	P.O. Box 3458, Kisii
48	John N. Ogeto	P.O. Box 111, Keroka	48	Benard Onger	P.O. Box 60, Keroka
49	Denis Nyaanga	P.O. Box 75, Keroka	49	Walter Momanyi	P.O. Box 1801, Kisii
50	Josphat Nyachoti	P.O. Rigoma	50	Mose Nyabera	P.O. Keroka
51	Yuvenalis Atuma	P.O. Box 2, Rigoma	51	Daniel M. Mokaya	P.O. Box 454, Nyamira
52	Nyandika Osebe	P.O. Box 11, Keroka	52	Peter N. Okirigiti	P.O. Box 2022, Kisii
53	William Nyaega Gekonde	P.O. Box 211, Keroka	53	Morara Kereri	P.O. Box 626, Nyansiongo
54	Dismas Monubi	P.O. Box 1609, Kisii	54	Benson Nyakundi	P.O. Box 88, Gesima
55	Gerald Mogaka	P.O. Box 271, Keroka	55	Makori Ondieki	P.O. Box 686, Keroka
56	Charles Kibagendi	P.O. Box 111, Keroka	56	Samwel Onyari	P.O. Rigoma
57	Ondieki Nyamari	P.O. Rigoma	57	Alexina Kerubo	P.O. Box 2020, Kisii
58	Samson Manduku	P.O. Box 685, Keroka	58	Japhet M. Ondieki	P.O. Box 111, Keroka
59	Job M. Bosire	P.O. Box 60, Keroka	59	John Mose	P.O. Box 335, Keroka
60	John I. Matundura	P.O. Box 111, Keroka	60	Abaya Ondisi	P.O. Rigoma
61	Zachariah A. Omwoyo	P.O. Box 93, Keroka	61	Victor Momanyi	P.O. Box 33, Keroka
62	Francis O. Nyakundi	P.O. Box 22, Keroka	62	Erick Omwenga	P.O. Box 33, Keroka
63	Vinavica B. Atambo	P.O. Box 539, Keroka	63	Nyaberi Getange	P.O. Rigoma
64	Cyrus M. Nyambageka	P.O. Box 95, Gesima	64	Ondieki Ooga	P.O. Rigoma
			65	Barnabas Onderi	P.O. Box 133, Keroka
			66	Charles Nyakundi	P.O. Box 75, Bochari

65	Jackson N. Mabeya	P.O. Box 335, Keroka	88	Richard Ogwoka	P.O. Box 95, Gesima
66	Henry N. Mirioba	P.O. Box 372, Keroka	89	Samwel Manwa	P.O. Rigoma
67	Justus M. Ogaro	P.O. Box 93, Keroka	90	Omayio Ogero	P.O. Box 372, Keroka
68	Everesto O. Anyiega	P.O. Box 244, Keroka	91	Jared Nyakundi Omiso	P.O. Box 1245, Kisii
69	Peter Sosi	P.O. Box 60, Keroka	92	Alfred O. Matara	P.O. Box 93, Keroka
93	Henry Ogeto Otworri	P.O. Box 252, Keroka	116	Lawrence Juma	P.O. Rigoma
94	Samwel Angwenyi	P.O. Box 490, Keroka	117	Charles Nyangau	P.O. Box 292, Keroka
95	Peter Makori	P.O. Box 93, Keroka	118	Jared Kerandi	P.O. Box 1601, Kakamega
96	Samuel Isaboke	P.O. Rigoma	119	Josephat Nyachoti	P.O. Maseno
97	Joseph Momanyi Nyatuka	P.O. Box 93, Rigoma	120	Philip Ongera	P.O. Box 425, Keroka
98	John Nyamwanda	P.O. Box 285, Nyamira	121	Kennedy N. Nyagala	P.O. Box 75, Keroka
99	Thomas O. Nyoka	P.O. Rigoma	122	Erick Ondieki	P.O. Rigoma
100	Daniel M. Momanyi	P.O. Rigoma	123	Charles Nyabayo	P.O. Rigoma
101	Daniel M. Momanyi	P.O. Rigoma	124	Rebecca Kerubo Momanyi	P.O. Rigoma
102	Makori Nyaigoti	P.O. Rigoma	125	Samwel Nyakundi	P.O. Rigoma
103	James N. Mainga	P.O. Box 2340, Kisii	126	Julius Ondieki	P.O. Rigoma
104	Vincent Nyabiage	P.O. Box 244, Keroka	127	Ronald Ariemba	P.O. Rigoma
105	Thomas Mose	P.O. Box 111, Keroka	128	Daniel Nyakundi	P.O. Box 60, Keroka
106	Shadrack O. Kebiba	P.O. Box 484, Keroka	129	Benson Nyabuto	P.O. Box 22, Gesima
107	Cllr. John Omweri	P.O. Box 510, Keroka	130	John Nyarandi Muma	P.O. Box 165, Keroka
108	Peterson Mose	P.O. Box 334, Keroka	131	Ndubi Nyambane	P.O. Box 93, Keroka
109	Samwel Momanyi	P.O. Gesima	132	Thadeus Onyancha	P.O. Box 618, Keroka
110	Henry Mwamba	P.O. Box 519, Keroka	133	Daniel A. Maina	P.O. Box 423, Keroka
111	Leonard Nyaenya	P.O. Rigoma	134	Naom K. Nyanyuki	P.O. Box 15, Gesima
112	Paul Gwaro Bosire	P.O. Box 91, Keroka	135	Joseph Ogato	P.O. Box 93, Keroka
113	Vincent M. Mabira	P.O. Rigoma	136	Thomas Maturi	P.O. Rigoma
114	Benard Mosoti	P.O. Rigoma	137	Water Nyakundi	P.O. Box 26, Keroka
115	Lawrence Juma	P.O. Rigoma	138	Thadeus Omoni	P.O. Box 26, Keroka
139	Elkanah Bosire	P.O. Box 425, Keroka	162	William Ongwae	P.O. Box 26, Keroka
140	Francis Ongwacho	P.O. Rigoma	163	James Mokaya	P.O. Box 1348, Keroka
141	Mogesa Onyanumba	P.O. Box 2500, Eldoret	164	AlexOmbiocha	P.O. Box 1215, Nyamira
142	Gedion Omwenga	P.O. Box 248, Keroka	165	Charles Mose	P.O. Box 209, Keroka
143	Samwel Nyangau	P.O. Box 416, Kisii	166	Joel Ndege Abuita	P.O.Box 292, Keroka
144	Charles Magacha	P.O. Box 335, Kisii	167	Okari Nyaemo	P.O. Box 200, Keroka
145	David Onchiri	P.O. Box 26, Keroka	168	Edward Ogato	P.O. Box 611, Gekano
146	Benson Ongeri	P.O. Box 2022, Kisii	169	Nyaruri Omae	P.O. Box 209, Keroka
147	George Mochache	P.O. Box 93, Keroka	170	Dominic Nyabando	P.O. Box 209, Keroka
148	Daniel N. Ondieki	P.O. Rigoma	171	Erastus Otete Mosoti	P.O. Box 93, Keroka
149	John Mangera Otundo	P.O. Rigoma	172	Christopher Otwebe	P.O. Box 2340, Kisii
150	Mokaya N. Tonya	P.O. Box 93, Keroka	173	Thomas Ondimu	P.O. Rigoma
151	Michael Aiko	P.O. Box 209, Keroka	174	Samuel Mabira	P.O. Box 93, Keroka
152	Samwel Osoro	P.O. Rigoma	175	Gilbert Omari	P.O. Box 135, Rigoma
153	Samwel Oyugi	P.O. Rigoma	176	EvansNyakundi	P.O. Box 26, Keroka
154	Alfred Manyinsa	P.O. Rigoma	177	Mogire Mokaya	P.O. Rigoma

155	Jona Obae	P.O. Box 93, Keroka	178	Henry Nyakweba	P.O. Box 335, Kisii
156	Peter Mokuia Biage	P.O. Box 11, Keroka	179	Nahashon Omwenga	P.O. Box 335, Kisii
157	Kennedy Obiye	P.O. Box 200, Keroka	180	Patrick Muindi Ogeto	P.O. Box 1626 Kisii
158	Francis Bosire	P.O. Box 93, Keroka	181	Agnes Nyachama	P.O. Box 111, Keroka
159	Lazarus Ondieki	P.O. Rigoma	182	Charles k. Nyabayo	P.O. Box 93, Keroka
160	Julius Nyangeso	P.O. Rigoma	183	Richard Ogwoka	P.O. Box 95, Gesima
161	Sahini Makori	P.O. Rigoma			
184	John Kengura	P.O. Box 809, Kitale	207	Evans M. Gichana	P.O. Box 1156, Kisii
185	James M'Mongare	N/A	208	Richard Matara	P.O. Box 1186, Kisii
186	John Ombui	N/A	209	Maricirinah G. Ongera	N/A
187	Stephen Moturi	P.O. Box 1910, Kisii	210	Charles Ochando	P.O. Box 966, Nyamira
188	Samson Mogaka	N/A	211	Richard Arori	P.O. Box 1708, Kisii
189	Hadson Stima	P.O. Box 262, Kisii	212	Robert Nyanyuki	P.O. Box 1186, Kisii
190	James Mokaya	P.O. Box 2691, Kisii	213	Fred Omwenga Machora	P.O. Box 3444, Nyamira
191	Darica Basweti	P.O. Box 434, Kisii	214	David Omwenga	N/A
192	Jaremmy Nyaanga	P.O. Box 1246, Kisii	215	Kennedy Omwenga	P.O. Box 1294, Kisii
193	Samson Obae	P.O. Box 269, Kisii	216	Benjamin Mochama	P.O. Box 296, Kisii
194	Wilson O. Bwomesa	P.O. Box 202, Kisii	217	Richard M. Mageto	P.O. Box 446, Kisii
195	Daniel G. Ariga	P.O. Box 404, Kisii	218	Alexander J. Nyanami	P.O. Box 1246, Kisii
196	Peter Moseti	P.O. Box 1361, Kisii	219	Francis Bundi	P.O. Box 366, Kisii
197	Geoffrey Mochama	P.O. Box 966, Nyamira	220	Jemima Ondari	P.O. Box 1653, Kisii
198	Stanley Ombogo	P.O. Box 966, Nyamira	221	John M. Nyandiko	P.O.Box 2584, Kisii
199	Benard Mokaya Makoko	P.O.Manga	222	Mouko A.M.	P.O. Box 2584, Kisii
200	Nicodemus M. Nyakururu	P.O. Box 1186, Nyamira	223	Joseph Ogamba	P.O. Box 1053, Kisii
201	Elkanah Nyambati	P.O. Box 1035, Kisii	224	Alfred Aboga	P.O. Box 202, Kisii
202	Gideon Kibagendi	P.O. Magombo	225	Jeremiah Tai	N/A
203	Nemrod Kerosi	P.O. Box 1245, Kisii	226	Samweli Nyachio	P.O. Box 490, Kisii
204	Gilbert Nyakundi Bwokondo	P.O. Box 519, Kisii	227	Joel Atina	N/A
205	Agnes N. Gichana	P.O. Box 1764, Kisii	228	Simeon Ombagi	P.O. Box 1186, Kisii
206	Oando Richard	P.O. Box 598, Kisii	229	Charles Ombane	P.O. Box 434, Kisii
230	Nyangaina Nyakundi	N/A	253	Betty Nyariki	P.O. Box 1191, Nyamira
231	Gera Motende	P.O. Box 1246, Kisii	254	Cllr. Peter Atambo	P.O. Box 1427, Kisii
232	Lucy Onkoba	P.O. Box 1805, Kisii	255	Wilson Maboi	P.O. Box 519, Kisii
233	Pius Mose	P.O. Box 416, Kisii	256	Joseph Onkundi	P.O. Box 762, Kisii
234	Samwel Omwenga	P.O. Box 519, Nyamira	257	Benard Mokaya	P.O. Box 1361, Kisii
235	Muene Misati	P.O. Box 1855, Kisii	258	Isaac Oyugi	P.O. Box 818, Kisii
236	Henry Bikoro	P.O. Tombe	259	Zachary Ombati Gisiora	P.O. Box 3977, Kisii
237	Misati Nyamasege	P.O. Box 580, Kisii	260	Nahashon Nyapeni	P.O. Box 1189, Nyamira
238	Dr. Batwere Abubakar	P.O. Box 1460, Kisii	261	Isaach Mwamba	P.O. Box 579, Kisii
239	Clement Mungei	P.O. Box 2026, Kisii	262	Peter Obwoge Shem	P.O. Box 446, Kisii
240	Peterson Nyarieko	P.O. Box 695, Kisii	263	James Mangera	P.O. Box 1245, Kisii
241	George M. Kenanda	P.O. Box 966, Nyamira	264	Miikah Kerubo	P.O. Tombe

242	James Asiago Onkundi	P.O. Box 9762, Kisii	265	Peter Nyandieka	P.O. Box 1361, Kisii
243	John Ogeto Onyancha	P.O. Box 704, Tombe	266	Samson Obiero	P.O. Box 500, Nyamira
244	Abraham Makana	P.O. Box 296, Kisii	267	Rose Ogamba	P.O. Box 1653, Kisii
245	Elijah Makori	P.O. Box 1245, Kisii	268	Thomas Omoro	P.O. Box 368, Nyamira
246	Hasan Ontita	P.O. Box 2584, Kisii	269	George Araka	P.O. Box 519, Kisii
247	Samwel Ogana Nyangau	P.O. Box 140, Nyamira	270	Kennedy Osoro	P.O. Box 594, Kisii
248	Daniel Matara Marasi	P.O. Box 1570, Nyamira	271	James Nyakeoga	P.O. Box 3561, Kisii
249	Isaiah Omwenga Ondari	P.O. Box 47, Kisii	272	Micah Mokuu	P.O. Box 519, Kisii
250	Daniel Omosa Momanyi	P.O. Box 202, Kisii	273	Charles Ogero	P.O. Box 519, Kisii
251	Gladys Obano	P.O. Box 351, Kisii	274	John Achira	P.O. Box 1764, Kisii
252	Daisy Moraa Arisi	P.O. Box 519, Kisii	275	Josiah Ragira	P.O. Box 718, Kisii
276	Laurence Makori	P.O. Box 695, Kisii	299	Daniel Onguti	P.O. Box 3507, Kisii
277	E. Nyangau Machora	P.O. Box 88, Kisii	300	Thomas O. Omwando	P.O. Box 11, Keroka
278	Kibeni Nyakundi	P.O. Box 50019, Kisii	301	Jackson T. Ombati	P.O. Box 111, Keroka
279	Daniel Orina	P.O. Box 111, Keroka	302	Daniel Ombwori	P.O. Box 551, Kisii
280	Henry Obaigwa	P.O. Box 1186, Nyamira	303	Nemwael Ratemo	P.O. Box 580, Kisii
281	Moses Mongumbu	P.O. Box 351, Tombe	304	Ndege Nyaayo	P.O. Box 351, Kisii
282	George Mitaki	P.O. Box 166, Nyamira	305	Bikondo Gesanda	N/A
283	Evans Mochache	P.O. Box 351, Kisii	306	Florence Motanya	P.O. Box 966, Nyamira
284	John Kibagendi	P.O. Box 2943, Kisii	307	Nemuel Makori	P.O. Box 2537, Kisii
285	Daniel Mogaka	P.O. Box 579, Kisii	308	Grace Mobisa	P.O. Box 579, Kisii
286	Nackson Okemwa	P.O. Box 1757, Kisii	309	T. Samwel Nyarango	P.O. Box 2943, Kisii
287	Elijah Nyamweya	P.O. Box 594, Kisii	310	Nyangau Matara	P.O. Box 519, Kisii
288	Jones Omwenga	P.O. Box 704, Kisii	311	David Mokaya	P.O. Box 1348, Kisii
289	Daniel Mogaka	P.O. Box 797, Kisii	312	Beldina Mogaka	P.O. Box 519, Kisii
290	Jeremiah Nyambane	P.O. Box 368, Nyamira	313	Jairus M.B. Ogeto	P.O. Box 966, Nyamira
291	James Mokaya Obiria	P.O. Box 366, Kisii	314	Nalachi Nyarangi	P.O. Box 2026, Kisii
292	Partrice Mirondia Ombaye	P.O. Box 416, Kisii	315	John Ndiege	P.O. Box 296, Losoo
293	Ben Momanyi Ondieki	P.O. Box 1764, Kisii	316	Maingi Ongeru	P.O. Box 519, Kisii
294	Onsongo Wilfred	P.O. Box 534, Kisii	317	John Makori Ongeru	P.O. Box 519, Kisii
295	Jackson N. Asanyo	P.O. Box 762, Kisii	318	Joseph Ateka Ondieki	P.O. Box 229, Kisii
296	Daniel Makori	N/A	319	George Mageto	P.O. Box 440, Kisii
297	Daniel Matunda	P.O. Box 11, Keroka	320	Samwel Ngoko	P.O. Box 2956, Kisii
298	Fred Nyakundi	P.O. Box 111, Keroka	321	Nicholas Nyangau	P.O. Box 1228, Nyamira
322	Samwel N. Oroti	P.O. Box 881, Kisii	345	Joseph Moriasi	P.O. Box 366, Kisii
323	Joseph Atura	N/A	346	Elijah Moturi	P.O. Box 704, Kisii
324	Peter Mokuu	P.O. Box 351, Kisii	347	Shadrack Obwocha	P.O. Box 3392, Kisii
325	Thomas Kibiego B. Bosire	P.O. Box 519, Kisii	348	John Mokuu	P.O. Box 440, Kisii
326	Penina Mogere	P.O. Box 501, Kisii	349	Victor N.O. Atuti	P.O. Box 615, Nyamira
327	G. M. Atandi	P.O. Box 1855, Kisii		Kennedy Oginda	
			350	Omuya	P.O. Box 704, Kisii
328	Sarah Mochama	P.O. Box 296, Kisii	351	Peris Bosire	P.O. Box 314, Kisii
329	Nelson Omiti	P.O. Box 1656, Kisii	352	Robert Maete	P.O. Box 1172, Kisii

330	Samson Ongiri Onsika	P.O. Box 762, Kisii	353	Jane B. Ogweche	P.O. Box 2569, Kisii
331	Livingstone Ogeto	P.O. Box 2943, Kisii	354	Elias Osinde Marasi	P.O. Box 767, Nyamira
332	Jackson Kiyuka	P.O. Box 830, Kisii	355	Nelson Ongeri Ogaro	P.O. Box 1229, Kisii
333	Lidya Masara	P.O. Box 88, Kisii	356	Elijah Momanyi M. Ogora	P.O. Box 594, Kisii
334	James Omote	P.O. Box 2800, Kisii	357	Peter Mokaya	P.O. Box 1470, Kisii
335	Nyangau Kingoina	P.O. Box 888, Kisii	358	Nyakango Milcah	P.O. Box 351, Kisii
336	Zakaria Mokua	P.O. Box 2038, Kisii	359	Onkoba Elizabeth	P.O. Box 351, Kisii
337	Japheth Okenyuri	P.O. Box 323, Kisii	360	Ombagi Beatrice	P.O. Box 351, Kisii
338	Fred Nyakundi	P.O. Box 296, Kisii	361	Ombui Obiero	P.O. Box 966, Kisii
339	Josephine G. Mwencha	P.O. Box 519, Kisii	362	Perminus Maroro	P.O. Box 519, Kisii
340	Ochwangi Jonathan	P.O. Box 296, Kisii	363	Norah Moraa	P.O. Box 519, Kisii
341	Jeremia N. Ombega	P.O. Box 1186, Nyamira	364	Monicah Momanyi	P.O. Box 695, Kisii
342	Ben Mobisa	P.O. Box 2771, Kisii	365	Kennedy Nyamumbo	P.O. Box 2943, Kisii
343	Abel N. Ondieki	P.O. Box 366, Kisii	366	Harrison Kerage	P.O. Box 966, Nyamira
344	Joel Ongeri	P.O. Box 3561, Kisii	367	Wilson Abuya	P.O. Box 579, Kisii
368	Lawrence Tabichi	P.O. Box 446, Kisii	391	Samwel Auka	P.O. Box 579, Kisii
369	Luke Nyaanga	P.O. Box 2026, Kisii	392	Gilber Apoko Ontobo	P.O. Tombe
370	Rael Kerage	P.O. Box 966, Nyamira	393	Peter N. Angwenyi	P.O. Box 1460, Kisii
371	Grace Mongeresa	P.O. Box 145, Nyamira	394	Andrew Makori	P.O. Box 966, Nyamira
372	Grace Michira	P.O. Box 145, Nyamira	395	Justus Omiti	P.O. Box 351, Kisii
373	Zaphaniah Matura	P.O. Box 519, Kisii	396	Elijah Motuka	P.O. Box 1419, Kisii
374	Ben Abuga Omwega	P.O. Box 296, Kisii	397	Justin Kibagendi	P.O. Box 715, Kisii
375	Stephen Anyona	P.O. Box 579, Kisii	398	Stanley Omuya	P.O. Box 704, Kisii
376	Joel Omao	P.O. Box 704, Kisii	399	Nyamweya Omwere	N/A
377	Nafital M. Omoro	P.O. Box 966, Nyamira	400	Pauline Atinah	P.O. Box 490, Kisii
378	Benard N. Mongare	P.O. Box 715, Kisii	401	Samwel Mokaya	P.O. Box 1626, Kisii
379	Anne Nyanchera	P.O. Box 1155, Nyamira	402	Ateka M.J. Ngongo	P.O.Box 440, Kisii
380	Nemwel Omwenga Mogaka	P.O. Box 66, Nyamira	403	George Onchwari	P.O. Box 88, Kisii
381	Joash Mokaya Juma	P.O. Box 1156, Nyamira	404	Benard Ogeto	P.O. Box 1361, Kisii
382	Fredrick Onchanda	P.O. Box 1683, Kisii	405	Fred Mokaya	P.O. Box 1361, Kisii
383	Evans M. Oyugi	P.O. Box 519, Kisii	406	Andrew Omuya	P.O. Box 704, Nyamira
384	Peter Asanyo	P.O. Box 715, Kisii	407	Janet B. Misiani	P.O. Box 368, Nyamira
385	Jairus Osoro	P.O. Box 202, Kisii	408	Joel O. Atuti	P.O. Box 1191, Nyamira
386	Simeon Omuya Ariga	P.O. Box 704, Kisii	409	Daniel Omesa	P.O. Tombe
387	Josephath Marita	P.O. Box 881, Kisii	410	Daniel Omangi	P.O. Box 3029, Kisii
388	Erick Nyambane	P.O. Box 881, Kisii	411	Stakus Aroni	P.O. Box 57, Kisii
389	James Mogaka	P.O. Box 813, Kisii	412	Humphrey Irandi	P.O. Box 2026, Kisii
390	Samwel S. Nyakururu	P.O. Box 1186, Kisii	413	Zadock Nyambane	P.O. Box 966, Nyamira
414	Samson Ogechi	P.O. Box 797, Nyamira	437	Askah Kingoina	P.O. Box 1222, Kisii
415	Richard Nyakeri	P.O. Box 473, Kisii	438	Josphet Misati	P.O. Box 2071, Kisii
416	Joseph Nyandika	P.O. Box 1570, Kisii	439	Edward Ogeto	P.O. Box 966, Kisii
417	Joseph Ochanda	P.O. Box 1842, Nyamira	440	Samwel Nyamaeta	P.O. Box 966, Kisii
418	Elijah Achira	P.O. Box 1855, Nyamira	441	Kennedy Ombui	P.O. Box 966, Kisii
419	William Ochiengi	P.O. Box 1420, Nyamira	442	Samson Mayo	P.O. Box 10, Omogach

420	Richard Kibagendi	P.O. Box 353, Nyamira	443	Joel Mosoti	P.O. Box 1910, Kisii
421	Simeon Obwocha	P.O. Box 1361, Kisii	444	Makori Daniel	P.O. Box 704, Kisii
422	John Momanyi	P.O. Box 1910, Kisii	445	Jeremiah Momanyi	P.O. Box 35, Kisii
423	Wilson Ongera	P.O. Box 590, Kisii	446	John O. Ariemo	P.O. Box 351, Kisii
424	Charles Ongera	P.O. Box 490, Kisii	447	Samwel Mokua	P.O. Box 35, Kisii
425	Jeriah Nyaayo	P.O. Box 1232, Kisii	448	Samwel Ogeto	P.O. Box 704, Kisii
426	Richard Orwaru	P.O. Box 1161, Kisii	449	Vicnent Simba	P.O.Box 416, Kisii
427	Nelson Obwaya	P.O. Box 33, MGBO	450	Wilfred Ayera Omoro	P.O. Box 1294, Kisii
428	Mose Peterson	P.O. Box 580, Kisii	451	Lucianah N.Nyaigoti	P.O. Box 440, Kisii
429	Joel B. Kebaya	P.O. Box 296, Kisii	452	Rael Sagero	P.O. Box 1460, Kisii
430	Esther Moraa	P.O. Box 351, Kisii	453	IsaackOnkundi	P.O. Box 966, Kisii
431	Rebecah Moraa	P.O. Box 351, Kisii	454	George Ayega	P.O.Box 35, Kisii
432	Riro Nyarera	P.O. Box 966, Nyamira	455	Nyarangi Ombui	P.O. Box 966, Kisii
433	Agnes Nyaoma	P.O. Box 444, Kisii	456	Macharia Gichana	P.O. Box 519, Kisii
434	Alice Moige	P.O. Box 444, Kisii	457	Jafferson Osiemo	P.O. Box 752, Kisii
435	Grace Nyamoko	P.O. Box 17, Kisii	458	Peter Arumba	P.O. Box 966, Kisii
436	Joel Motanya	P.O. Box 366, Kisii	459	Nimrod Kerosi	P.O. Box 1245, Kisii
460	John Mokaya	P.O. Box 51, Magombo	483	Evans Onyari Mogare	P.O. Box 440, Kisii
461	Jared Mokaya	P.O. Box 1910, Kisii	484	John Ombati	P.O. Box 1757, Kisii
462	Obiria Mayani	P.O. Box 966, Nyamira	485	Joseph Makori	P.O. Box 519, Kisii
463	Joash Akunga	P.O. Tombe	486	Charles Anunda	P.O. Box 397, Kisii
464	Peterson Nyakeri	P.O. Box 519, Kisii	487	Chrisantus Apiri Moseti	P.O. Box 1562, Kisii
465	Samwel O. Maina	P.O. Box 1570, Kisii	488	Hellen Nyanchama	P.O. Box 956, Kisii
466	Judith K. Obure	P.O. Box 579, Kisii	489	Christopher Nyachienga	P.O. Box 576, Kisii
467	Eunice Mobisa	P.O. Box 2771, Kisii	490	Wilson Mosoti Omoro	P.O. Box 519, Kisii
468	Wilfred Omundi	P.O. Box 960, Kisii	491	Gervese O. Mochama	P.O. Box 1361, Kisii
469	Norah Nyabeta	P.O. Box 966, Nyamira	492	Samwel Nyaayo	P.O. Box 1460, Kisii
470	Makori Nyamweya	P.O. Box 2026, Kisii	493	Jasper Nyaberi	P.O. Box 519, Kisii
471	Maringa Sasati	P.O. Box 580, Kisii	494	Samson Momanyi	P.O.Box 966, Kisii
472	Rebecca Mongina	N/A	495	David Ondieki Nyakundi	P.O.Box 577, Kisii
473	Samson Nyangau Okiolla	P.O. Box 1056, Kisii	496	Grace R. Nyamoko	P.O.Box 519, Kisii
474	Sospeter Maera	P.O. Box 2026, Kisii	497	Joel Atuti Omwoyo	P.O. Box 88, Kisii
475	Julius Momanyi Nyakwama	P.O. Box 1056, Kisii	498	Zakayo Mokaya Orina	P.O. Box 704, Tombe
476	Eunice Nyambane	P.O. Box 351, Kisii	499	Peter Turungi	P.O.Box 366, Kisii
477	Sarah Nyariki	P.O. Box 351, Kisii	500	Samwel Ogamba	P.O. Box 1956, Kisii
478	Samwel M. Nyansimora	P.O. Box 2, Nyamira	501	Gilbert Moire	P.O. Box 202, Kisii
479	Yobesh Ogero Onduso	P.O. Box 2, Nyamira	502	Abel Matoke	P.O. Box 153, Kisii
480	Micah Momanyi Omwenga	P.O. Box 158, Kisii	503	Allson Ongera	P.O. Box 1460, Kisii
481	Sarah Momanyi	P.O. Box 158, Kisii	504	Dinah Ogeto	P.O. Box 966, Nyamira
482	Jane M.Aboko	P.O. Tombe	505	John Omoro	P.O. Box 672, Kisii
506	Peter Nyamwaro	P.O. Box 672, Kisii	525	John Omokaya	P.O. Box 579, Kisii
507	Nyakundi Kibegwa	P.O. Box 1956, Kisii	526	James Onchiri	P.O. Box 416, Kisii

508	Sadrack Okinyi	P.O.Box 351, Kisii	527	Elijah Makori	P.O. Box 1245, Kisii
509	Christopher Aboko	P.O. Box 351, Kisii	528	Martha Abel	P.O. Box 351, Kisii
510	Richard M.Momanyi	P.O. Box 519, Kisii	529	Enock Omwenga	P.O. Box 1191, Naymir
511	John Moruye	P.O. Box 966, Nyamira	530	Thomas S. Ondieki	P.O. Box 202, Riogoro
512	Shem Mombinya	P.O.Box 366, Kisii	531	Makori Vincent	P.O. Box 366, Kisii
513	Totari Komwaga	P.O. Box 966, Nyamira	532	Mokua Exekiel	P.O. Box 366, Kisii
514	Joel Ochengo	P.O. Box 490, Kisii	533	Ndungu John Wamuiru	P.O. Box 351, Kisii
515	Josiah Mayaka	P.O. Box 704, Kisii	534	Nyariki	P.O. Box 351, Kisii
516	Robert Bosire	P.O. Box 1082, Nyamira	535	Nelson Ogari	P.O. Box 579, Kisii
517	Samwel Nyandwaro	P.O.Box 35, Kisii		Nyandika Johnson	
518	Matundura Yohana	P.O. Tombe	536	Moriasi	P.O. Box 351, Kisii
519	George Motuka	P.O. Box 519, Kisii	537	Nyangoto George	P.O. Box 351, Kisii
520	Lidya Nyaboke	P.O. Box 1764, Kisii	538	Nyakerario Jacque	P.O. Box 351, Kisii
521	Ben Gikoyo	P.O. Box 519, Kisii	539	Makore Mingare	P.O. Box 59, Gesima
522	Anthony Mosoti	P.O. Box 519, Kisii	540	Dominic O. Mingate	P.O. Box 519, Kisii
523	Ezekiel O. Mireri	P.O. Box 1035, Kisii	541	David Masora	P.O. Box 920, Kisii
524	George M. Ogamba	P.O. Box 1653, Kisii	542	Isaya Obae	P.O. Box 296, Kisii
			543	Henry Ongeru	P.O. Box 296, Kisii

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1. DISTRICT PROFILE

West Mugirango is a constituency in Nyamira District. Nyamira District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	239,851	258,251	498,102
Total District Population Aged 18 years & Below	143,973	143,372	287,345
Total District Population Aged Above 18 years	95,878	114,879	210,757
Population Density (persons/Km ²)	556		

1.2. Socio-Economic Profile

Nyamira District:

- Is one of the most densely populated districts in the province, being ranked 3rd most densely populated district in the province;
- Has one of the lowest primary school enrolment rates in the province, at 72.2%, being ranked 9th in the province and 34th nationally;
- Is the leading in secondary school enrolment in the province, having an enrolment rate of 40.6%, and being ranked 5th nationally;
- Experiences the following main diseases: Malaria, intestinal worms, and diarrhea diseases.
- Has a 15.9% malnourishment rate of children under 5 years of age, being ranked 9th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years, being ranked 42 of 45 nationally ranked districts;
- Has an absolute poverty level of 66.74% being ranked 38th of 46 nationally ranked districts;
- Has a 58.81% food poverty level being ranked 31st of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 5,593, a figure lower than Kenya's urban average;
- Has 45.10% of its residents accessing clean drinking water; and
- 97.50% of its residents having safe sanitation.

Nyamira district has 3 constituencies: Kitutu Masaba, West Mugirango, and North Mugirango Borabu Constituencies. The district's 3 MPs, each cover on average an area of 299 Km² to reach 166,034 constituents. In the 1997 general elections, KANU won only one of the parliamentary seats. KANU won the North Mugirango-Borabu seat with 49.51% valid votes. KSC and FORD-K won the Kitutu Masaba and West Mugirango seats with 48.69% and 50.60% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km²	Density (persons/Km²)
	133,920	180.10	743.6

2.2. Socio-Economic Profile

The constituency is endowed with good soils that have encouraged the growing of tea, and maize.

2.3. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K won the parliamentary seat with 44.75% and 50.60% valid votes respectively. Since independence, candidates from this constituency have campaigned on the platform of development of infrastructure in the area. In 2002, FORD People won the seat.

2.4. 1992 GENERAL ELECTION RESULTS

1992 TOTAL REGISTERED VOTERS			36,501
CANDIDATE	PARTY	VOTES	% VALID VOTES
Henry Obwocha	FORD-K	9,704	44.75
Tom Sagwe	KANU	7,357	33.92
David Nyakang'o	DP	3,705	17.08
Joseph Marwanga	FORD-A	642	2.96
Ondeyo Nyaribari	KSC	279	1.29
Total Valid Votes		21,687	100.00
Total Votes Cast		21,687	
% Turnout		59.41	

2.5. 1997 GENERAL ELECTION RESULTS

1997 TOTAL REGISTERED VOTERS			42,921
CANDIDATE	PARTY	VOTES	% VALID VOTES
Henry O. Obwocha	FORD-K	14,731	50.60
Sagwe T.Morwabe	KANU	8,729	29.98
David A. Onyancha	DP	5,091	17.49

Mathew O. Nyaribari	KSC	179	0.61
Evans Ondieki	NDP	384	1.32
Total Valid Votes		29,114	100.00
Rejected Votes		470	
Total Votes Cast		29,584	
% Turnout		68.93	
% Rejected/Cast		1.59	

2.6. Main Problems

- Poor infrastructure. First, there is the stalled Chemosit-Nyamira-Kisii road. Secondly, most of the roads are not tarmacked; including those of the districts headquarters. and
- Political violence during the elections. In the 1992 general election, the residents, from the ethnic tribe Kisii, were pitted against their neighbours, the Kipsigis community.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1 Constituency Constitutional Forums (CcfS)

3.1.1 Philosophy

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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.
- 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 constitution was carried out between 25th January 2002 and 15th May 2002

4.1. Phases in Civic Education

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. Issues and areas covered

Issues and questions for public hearings

5. CONSTITUENCY PUBLIC HEARINGS.

5.1. Logistical Details

1. Date and Number of Public Hearing

- a) Date(s): 20/06/02 and 21/06/02
- b) Total Number of Days: 2

2. Venue

- c) Number of Venues: 2
- d) Venues
 - 1) Kibirigo Mixed Secondary School
 - 2) Nyamira Mixed Secondary School

3. Panels

- a. Commissioners
 1. Com. Abida Ali – Aroni
 2. Com. Pastor Zablon Ayonga
 3. Com. Domiziano Ntochokera Ratanya
- b. Secretariat
 1. Hellen Makone – Programme Officer
 2. Grace Kamau – Ass. Programme Officer
 3. Hellen Kangora – Verbatim Recorder
 4. James Mong'ore – District Co-ordinator

5.2. Attendance Details

A total of 133 presenters made substantive submissions to the Commission. Majority of the presenters were individuals making oral submissions.

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in West Mugirango 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

- The constitution should have a preamble (17)
- Vision of Kenya to eradicate poverty and diseases should be captured in the constitution
- The national vision to forget the past misdeeds and a cohesive future for the nation should be reflected in the constitution
- The preamble should state “we the people of Kenya, in order to form a more united Kenya, establish justice, insure internal peace and tranquility, provide for a common defence for the people of Kenya and prosperity of the nation
- The preamble should express a National Vision for Kenya (4)
- The preamble should include the words “God” and “People of Kenya”.
- The preamble should express that Kenyans for Kenyans make the constitution of Kenya.
- The common experiences of Kenyans should be captured in the constitution (3)
- The struggle for independence should be recognized in the constitution (2)

5.3.2 DIRECTIVE PRINCIPLES OF STATE POLICY

- National philosophy of peace love and unity should be captured in the constitution
- The constitution should state that the constitution is owned by the people
- The constitution should state the need for Kenyans to live in peace
- The guiding principle should be equality and economic progress
- We need statements capturing national philosophy and guiding principles
- We need statements capturing national philosophy and guiding principles to include national anthem, pledge allegations by all true Kenyans, respect for national flag
- The constitution should provide that there should be separation of powers among the 3 organs of government.
- The constitution should provide that supreme power lies in the people and not the leaders.
- The constitution should provide that the people in the exercise of equality, fairness and justice should make it.
- The constitution should provide that Kenya should have a national motto.
- The constitution should recognize and enhance democratic principles, economic

development and social security

- The constitution should be for the people and belong to the people
- The three arms of the government should be independent (2)
- The constitution should capture the values of transparency and accountability
- The values of dignity, patriotism, culture diversity should be reflected in the constitution
- Unity, peace and patriotism are the values that should be included in the constitution
- The preamble should state that the constitution should be made by the people to exercise the virtual of equality, fairness and justice
- Democratic principles should be enforceable by law

5.3.3 CONSTITUTIONAL SUPREMACY

- Parliament should seek 75% majority votes to amend the constitution (3)
- The 65% majority vote required for amendment should be retained (2)
- The constitution should provide that Parliament shall not make amendments to the constitution (4)
- Parliament should have power to amend any part of the constitution (2)
- Some parts of the constitution should not be amended by the constitution
- Parts of the constitution that deals with laws affecting parliament should not be amended
- The parts dealing with the executive, legislature and the judiciary should be beyond the amending powers of the parliament (2)
- The constitution should provide that a constitutional amendment should only be through a public referendum (13)
- There is no need of public referendum to amend the constitution
- A special parliamentary committee should conduct the referendum
- Referendum should be conducted by ECK (3)
- Public referendum should be conducted by a special constitutional commission (2)
- Public referendum should be conducted by the government

5.3.4 CITIZENSHIP

- The constitution should confer to all persons born of Kenyan parents automatic citizenship (5)
- Anybody born in Kenya should be automatic citizens (5)
- Citizenship should also be acquired through naturalization and registration
- Citizenship should be acquired through registration (4)
- Citizenship should be acquired through naturalization on the basis of free will
- Citizenship should be acquired through application through the ministry of home affairs
- The constitution should provide that foreign spouses of Kenyans should be granted automatic citizenship irrespective of gender (11)
- The constitution should provide that children born to one Kenyan parent should be automatic citizens irrespective of the gender of the parent (7)

- Child born of one Kenyan parent should not be an automatic citizen
- A child born of one Kenyan parent should acquire citizenship through application
- Citizens should be patriotic and loyal.
- A citizen has a right to life and he or she should be protected by the constitution
- Citizens should have a right to protect their own property
- All citizens should have equal rights
- The rights and obligations of citizens should be determined in the manner in which the citizenship was acquired (2)
- The rights and obligations of a citizen should not depend on the manner the citizenship was acquired
- The constitution should provide for dual citizenship (7)
- The constitution should not provide for dual citizenship (3)
- Ids, passports and birth certificates should be used as a proof of citizenship (4)
- Kenyans should carry identification cards as proof of citizenship (6)

5.3.5 DEFENSE AND NATIONAL SECURITY

- Disciplined forces should be established in the constitution (9)
- Police should be trained for a longer period
- Police department should be independent and not under the office of the president
- The constitution should provide for the retention of the police force.
- The constitution should provide for a reduction of police powers.
- Armed forces should not have strict requirements on weights and heights for recruitment.
- The police should ensure that they maintain trust with the people.
- The constitution should provide that the discipline forces should be non-partisan.
- All able bodied persons should be military trained to assist their nation if anything happens
- Members of the disciplined forces should obey the law and should be prosecuted in ordinary courts
- Armed forces should be subject to their own code of ethics
- The police force should be retrained
- The armed forces commission should have the responsibility of disciplining the armed forces
- The armed forces should be answerable to the military court martial (2)
- The police force should be disciplined and taught public relations and the law so that they do not breach the rights and freedoms of people (2)
- The constitution should provide that police officers should have copies of the constitution and that they should not treat someone as guilty until proven guilty.
- The president should be the commander in chief of the armed forces (7)
- The president should not be the commander in chief of the armed forces (2)
- We should abolish the post of the commander in chief of the armed forces
- The president should not have the executive powers to declare war, he should consult the parliament (2)
- Executive should not have power to declare war

- Executive should have power to declare war (2)
- The constitution should provide that the power to declare war should be vested in a defense council.
- The constitution should permit the use of extra ordinary powers in emergency (4)
- The executive should have authority to invoke emergency powers (3)
- The forces commission should have the authority to invoke emergency powers
- The prime minister should have the power to invoke emergency powers
- Parliament should have authority to invoke emergency powers (3)
- Parliament should have the final say in effecting emergency powers (2)
- The armed forces should be involved in the national development projects
- The armed forces should assist in construction of roads (2)
- The constitution should provide that discipline forces should be involved in community service.

5.3.6 POLITICAL PARTIES

- Political parties should be involved in economic mobilization, encouraging micro economic policies, and sensitizing the public on environmental issues
- Political parties should be involved in development (3)
- Political parties should provide civic education, Health services, et cetera.
- Political parties should sensitize the public on democratic matters
- Political parties should be involved in sensitizing education, sanitation and environmental protection
- Constitution should regulate the formation, management and conduct of political parties (8)
- There should be three political parties (8)
- The number of political parties should not be limited (4)
- There should be five political parties
- The number of political parties should be limited to four (4)
- The number of political parties should be limited to two (2)
- The number of political parties should be limited (2)
- All political parties should be financed by the state (9)
- Political parties should be financed by the government
- Political parties should be financed by their members
- Political parties should be financed from public coffers (3)
- Political parties should be registered with at least 500000 registered voters loyal to them
- Political parties finances should be subject to annual audits by the controller and the auditor general
- The constitution should provide that all political parties should be given equal opportunities.
- All parties should be audited by the public accounts committee
- Financing political parties should depend on the number of elected mps the party has sponsored (2)
- There should be terms for the financing of political parties
- Funding of political parties should depend on the number of elected mps they have

sponsored to parliament, the parties should have at least 5 mps in the house to be considered for funding

- The state and political parties should operate independent of each other
- All political parties should be loyal and cooperate with the state
- Political parties should serve as a vehicle to carry out government responsibilities

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- Retain the presidential system of government (8)
- Presidential system of government should not be retained
- The constitution should provide for a parliamentary system of government (12)
- The constitution should not adopt a parliamentary system of government (2)
- The prime minister should be the head of the government (9)
- The constitution should provide for a prime minister who should be the leader of government business.
- Prime minister should appoint the president
- The constitution should provide that the prime minister should be able to answer questions in Parliament.
- Prime minister should be part of the presidential campaign so that the two are elected at the same time
- The president should be the head of the state (3)
- The president should be ceremonial (6)
- The constitution should provide that the president should appoint the prime minister and the cabinet.
- The constitution should provide for a hybrid system of government where the president and prime minister share power.
- The prime minister should come from the majority party
- The constitution should provide for a unitary system of government (4)
- The constitution should provide for a federal system of government where every province is independent of itself (4)
- We should not adopt a federal government (3)
- The vice president should be elected directly by the people (5)
- The president should have a running mate who becomes the vice president (5)
- The vice president should be elected directly by the mps
- The vice president should be elected directly and should not be an mp
- The attorney general should be appointed by the president
- The attorney general should be independent and be between 35 and 65 years
- Attorney general should be elected by MPs

5.3.8 THE LEGISLATURE

- The constitution should give Parliament power to vet all presidential appointments (11)
- Parliament should regulate commerce and industry, promote science and technology and be involved in tax collection

- Functions of the president should not be expanded
- Parliament should have the role to ensure that the bills passed in parliament are implemented
- The constitution should provide that Parliament should appoint members of the electoral commission.
- The constitution should provide for Parliament to appoint chief justice and the attorney general.
- The constitution should give Parliament sole power of approval of public expenditure.
- Parliament should have unlimited control of its own procedure (5)
- Parliament should not have a fixed calendar (2)
- Being a mp should be a full time occupation (5)
- Age requirement for parliamentary and presidential candidates are adequate
- The minimum age requirement for parliamentary candidates should be 18 to 25 years
- Parliamentary candidates should be at least 35 years old
- Parliamentary candidates should be 25 years
- The president should be between 35-75 years
- The presidential candidate should be 30 years old
- Language tests required for parliamentary elections are sufficient (2)
- Language tests for mps should be abolished (2)
- Minimum educational qualifications for MPs should be o level
- Minimum qualifications for mps should be form four
- Mps should be university graduates
- There should be moral and ethical qualifications for MPs (7)
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- People should have a right to recall their MPs (5)
- MPs should be recalled through two thirds majority vote of no confidence by the electorate
- People should have a right to recall their MP through a vote of no confidence presented to parliament
- The electorate should have a right to recall their MP through 51% majority vote of no confidence
- MPs should act on the basis of conscience and instructions from their constituents (5)
- The constitution should provide that an independent commission should determine MPs salaries.
- We should have a special committee to determine remuneration of MPs (2)
- Salaries and benefits of MPs should be determined by the public service commission (2)
- A special body affiliated to the public service commission should determine the remuneration of MPs
- A special committee formed by the government should determine the salaries and benefits of mps (2)
- Retain the concept of nominated mps (2)
- Nominated mps should represent minority groups, election losers should not be nominated
- We should have nominated mps, 3 political parties should nominate these mps who should

come from minority groups

- Nominated mps should comprise 35% women, 30% youth, 20% disabled 10% union workers
- Only members of vulnerable group should be nominated to parliament (2)
- Some seats in parliament should be reserved for women
- At least 30% of the seats in parliament should be reserved for women (2)
- Women should contest seats in parliament like any other citizen (2)
- There should be special measures put in place to increase women's participation in parliament
- We should have a code of ethics for mps
- The constitution should provide for a coalition government to reduce misuse of power.
- There should be a coalition government (9)
- We should have multi party representation at both levels of government (4)
- We should have multiparty representation in the executive
- Parliament should have only one chamber (6)
- There should be two chambers in parliament
- The constitution should provide that Parliament should have an upper house and a lower house of which one of the houses should act as advisor to the president.
- The constitution should provide that Parliament should be supreme.
- Parliament should not have power to remove the executive through a vote of no confidence
- Parliament should have power to remove the executive through a vote of no confidence (5)
- Parliament should have powers to remove the executive through 65% majority vote of no confidence
- Parliament should have power to remove the executive through 50% majority vote of no confidence
- President should have power to veto legislation passed by parliament (2)
- President should not have power to veto legislation passed by parliament (2)
- Parliament should not have power to override the president's veto
- President should not have power to dissolve parliament (7)
- The president should have power to dissolve parliament
- Parliaments calendar should dictate when the parliament dissolves
- Parliament should run for a period of five years, parliament may be extended for six months in cases of emergency
- Parliament should be given power to dissolve itself
- Parliament should always be dissolved for a general election to take place
- We should not stagger parliamentary elections (4)
- We should have constituency offices for mps

5.3.9 THE EXECUTIVE

- The constitution should provide that the president should be a family man.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate (8)
- The constitution should provide that the president shall have no criminal record (5)

- The constitution should provide that the president should be of good physical and mental health.
- The constitution should provide that the president should be a citizen by birth.
- The constitution should specify the qualifications of the president
- The constitution should provide that the president should be economically stable
- The constitution should provide that the president should be God fearing
- President tenure should be two terms of five years each (20)
- The presidents tenure should be one term of five years (2)
- The constitution should provide that Parliament should appoint members of the electoral commission.
- The constitution should provide for Parliament to appoint chief justice and the attorney general.
- The constitution should give Parliament sole power of approval of public expenditure.
- The constitution should provide that all executive positions should be elective.
- The constitution should provide that the president should be a Member of Parliament. (6)
- The constitution should provide that the president should not be a Member of Parliament. (10)
- The constitution should provide that the Attorney General should handle prosecutions only while the Minister of Justice sits in Parliament.
- The constitution should provide that the president should have a running mate who should then be the Vice President.
- The constitution should provide that the president and Vice President should be from different tribes.
- The constitution should provide that if the president is a man, the Vice President should be a woman and vice versa.
- The constitution should provide that the cabinet should have a maximum of 15 - 18 ministers set by Parliament.
- The constitution should set limits to the number of cabinet ministers.
- The constitution should limit the number of ministries to 18 with equal number of ministers and assistance ministers.
- The constitution should reduce the size of government.
- The constitution should limit the cabinet to 16 ministers and 32 assistance ministers.
- The constitution should provide for 11 ministries each headed by one minister.
- The constitution should provide that ministers should be appointed by Parliament. (3)
- The constitution should provide that ministers should be trained in the fields of their ministries.
- The constitution should provide that there should be ministry offices at divisional level.
- The constitution should provide that the president should be subject to the law not above the law. (5)
- The constitution should provide that the president should pay tax.
- The constitution should limit the powers of the president. (14)
- The constitution should provide that the president couldn't detain people without trial.
- The constitution should provide that the president should not have the power to appoint judicial officers.

- The constitution should provide for the impeachment of the president while in office. (8)
- The constitution should provide that the government should pay village elders.
- The constitution should provide that the president must be between 35-75 years of age.
- The constitution should provide that the Vice President should be elected by the people and should have security of office.
- The constitution should provide that the provincial administration structure of government be maintained. (7)
- The constitution should abolish the provincial administration. (6)
- The constitution should provide that chiefs and assistant chiefs be transferable. (4)
- The constitution should provide that the office of Provincial Commissioner shall be eliminated and that District Commissioners should be called district administrators who should be vetted by Parliament.
- The constitution should provide that only sub-chiefs and District Commissioners should be maintained and the rest of the provincial administration abolished.
- The constitution should provide that only District Commissioners and district officers should be maintained and elected by the people while village elders should replace chiefs and sub-chiefs.
- The constitution should provide that sub-locations should be retained and locations abolished.
- The constitution should provide that security officers at chiefs' camps should be eliminated.
- The constitution should specify the functions of the president. (7)
- The constitution should provide that the president consults with parliament on national issues.
- The constitution should provide that the president is answerable to parliament.
- The constitution should provide that chiefs and assistance chiefs should be directly elect by the people. (13)

5.3.10 THE JUDICIARY

- The current structure of the judiciary is adequate. (3)
- The current structure of the judiciary is not adequate. (4)
- The constitution should provide for an independent judiciary system.
- The constitution should establish a supreme court. (4)
- The constitution should not establish a supreme court.
- The constitution should establish a constitutional court. (3)
- The constitution should provide that all Kenyans should have a constitutional right to legal aid. (6)
- The constitution should provide that the Judicial Service Commission should educate the public on how the judiciary works.
- The constitution should provide that the Law Society of Kenya should appoint judicial officers. (2)
- The constitution should provide that a judicial service commission should appoint judicial officers. (6)
- The constitution should provide that parliament should appoint judicial officers. (4)

- The constitution should provide that the Attorney General should appoint the chief justice.
- The constitution should provide that minimum educational qualifications for judicial officers should be a degree in law. (4)
- The constitution should provide that judicial officers should be advocates of the high court. (3)
- The constitution should provide that Supreme Court judges and constitutional court judges should be a qualified lawyer with 20 years experience as a prosecutor and high court judges should have at least 15 years experience.
- The constitution should provide that judicial officers should have security of tenure. (3)
- The constitution should provide that judicial officers should retire at the age of 70 years. (2)
- The constitution should provide that judicial officers should retire at 55 years of age.
- The constitution should provide that judicial officers should serve for 5 years tenure.
- The constitution should provide that judicial service commission should discipline judicial officers.
- The constitution should provide that parliament should discipline judicial officers. (2)
- The constitution should restrict kadhis to judicial work.
- The constitution should provide that kadhis should have similar qualifications as magistrates. (2)
- The constitution should provide that judicial service commission should appoint kadhis. (3)
- The constitution should provide that members of the Muslims community should appoint kadhis.
- The constitution should provide that kadhi courts should not handle other matters except marriage, divorce and succession.
- The constitution should provide that kadhi's court should have appellate jurisdiction. (3)
- The constitution should provide that judicial powers should be vested inclusively in courts. (4)
- The constitution should guarantee access to courts to all Kenyans.
- The constitution should provide for judicial review of law passed by legislature. (4)
- The constitution should provide for that local council of elders should handle land disputes. (6)

5.3.11 LOCAL GOVERNMENT

- The constitution should provide that Mayor and the chairmen Council should be elected directly by the people. (15)
- The constitution should provide that electorates should have the right to re-call their non-performing councilors. (8)
- The constitution should provide that councilors should have minimum education qualification of form 4. (13)
- The constitution should provide that mayors should be graduates.
- The constitution should provide that a nominated councilor should not have lost in the previous elections.
- The constitution should retain the concept of nominated councilors. (3)
- The constitution should abolish the concept of nominated councilors. (3)
- The constitution should provide that Mayors and Chair of County

Council serve a maximum two five-year terms.

- The constitution should provide that Mayors and Chair of County Council should serve for 5 years. (6)
- The constitution should provide that Mayors and Chair of County Council serve a maximum two four-year terms.
- The constitution should provide that Mayors and Chair of County Council serve for 3 years.
- The constitution should provide for the autonomy of councils and should be dependent from the central government. (6)
- The constitution should provide that local councils should not operate under the central government. (4)
- The constitution should provide that councils should employ their own chief officers.
- The constitution should provide that councils should not destroy kiosks or any property.
- The constitution should provide that county councils should lower taxes and provide services.
- The constitution provide for a language tests for councilors.
- The constitution should introduce moral and ethical qualification for local authority seats. (5)
- The constitution should set rules to govern councilors.
- The constitution should provide that councilors in multi-party system should be impartial and focused on development.
- The constitution should provide that the president or the minister of local authority should have powers to dissolve councils. (3)
- The constitution should provide that the president or the minister of local authority should not have powers to dissolve councils. (3)

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain representative electoral system. (5)
- The constitution should retain the simple majority rule as the basis for winning an election. (8)
- The constitution should provide that a parliamentary candidate should garner at least 50% of the total vote cast to be declared a winner. (2)
- The constitution should provide that a presidential candidate should garner at least 50% of the total vote cast to be declared a winner. (5)
- The constitution should provide that a presidential candidate should garner at least 51% of the total vote cast to be declared a winner. (3)
- The constitution should provide that all civic, parliamentary and presidential candidates should garner at least 65% of the total votes to be declared a winner.
- The constitution should provide that elections should be held only after completion of the constitutional review.
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast.
- The constitution should provide that all election candidates and leaders must be of good conduct and should not be corrupt.

- The constitution should provide that constituencies should be increased.
- The constitution should provide for the review and proportional representation of constituency boundaries based on population. (8)
- The constitution should provide that votes be counted at the polling station. (9)
- The constitution should provide that the electoral commission should be under a parliamentary commission.
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. (12)
- The constitution should provide that civic, parliamentary and presidential elections should be held simultaneously. (2)
- The constitution should provide that Parliamentary and presidential terms be a 10-year maximum tenure.
- The constitution should provide that ballot boxes be transparent. (5)
- The constitution should provide that corrupt individuals should be barred from holding public office.
- The constitution should provide that nominated MPs and Councilors should not have lost in the election.
- The constitution should provide that for one to defect they must write to the Speaker and then a by-election is held.
- The constitution should provide that opinion polls should be conducted.
- The constitution should provide that the president should not appoint the electoral commission.
- The constitution should provide that civil servants should not be involved in the running of elections.
- The constitution should provide for the independence of the electoral commission.
- The constitution should specify the date of election. (10)
- The constitution should provide that holders of public office such as the Attorney General, Head of Public Service Commission and the Chief Justice should be ousted when the government is voted out.
- Constitutions should provide that parliamentary candidates who fail nomination in one party should be allowed seek nomination from another party. (3)
- Constitutions should provide that parliamentary candidates who fail nomination in one party should not be allowed seek nomination from another party. (6)
- The constitution should provide that if an MP defect from one party, he should seek a new mandate through a by-election. (6)
- The constitution should provide that if an MP defect from one party, he should not participate in the by election.
- The constitution should retain the 25% representation in at least five provinces to be declared a winner. (6)
- The constitution should abolish the 25% representation in at least five provinces to be declared a winner.
- The constitution should provide that a presidential candidate must garner 75% representation in at least five provinces to be declared a winner.
- The constitution should provide that 10% the seats in parliament should be reserved for

special interest groups.

- The constitution should reserve seats for special interest groups in parliament. (5)
- The constitution should provide that 25% the seats in parliament should be reserved for special interest groups.
- The constitution should allow for independent candidates to participate in elections.
- The constitution should provide for a continuous registration of voters. (3)
- The constitution should limit election expenditure of candidates. (4)
- The constitution should not limit election expenditure of candidates.
- The constitution should provide that the president should be directly elected. (11)
- The constitution should provide that all political parties should nominate electoral commissioners.
- The constitution should provide that parliament should appoint electoral commissioners. (5)
- The constitution should provide that the president should appoint electoral commissioners.
- The constitution should provide that electoral commissioners should enjoy security of tenure. (6)
- The constitution should provide that electoral commissioners should serve for five years. (2)
- The constitution should provide that electoral commissioners should serve for eleven years.
- The constitution should provide that electoral commissioners should only be removed from office by an independent tribunal set by Chief Justice.
- The constitution should provide that electoral commissioners should only be removed from office by parliament.
- The constitution should provide that the electoral commission should be funded by the state. (4)
- The constitution should provide that the electoral commission should be funded form the consolidated fund.
- The constitution should provide for 18 electoral commissioners.
- The constitution should provide for 15 electoral commissioners.
- The constitution should provide for 35 electoral commissioners.
- The constitution should provide for 25 electoral commissioners.
- The constitution should provide for 8 electoral commissioners, one from each province.

5.3.13 BASIC RIGHTS

- Constitutional provisions for fundamental rights are not adequate. (3)
- The constitution should guarantee Kenyans social, economic and cultural rights. (4)
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should be written in an easy to understand manner.
- The government should give graduates who are unemployed soft loans to start businesses.
- The constitution should provide for a one person-one job policy. (5)
- The government should provide life insurance and medical insurance to all Kenyans.
- The constitution should be accessible to all Kenyans.
- The constitution should provide that retirees should get pension immediately. (5)
- The constitution should provide that it should be translated into vernacular and Kiswahili and easily. (5)
- The constitution should protect water, health care, security, shelter, education and employment as a basic right. (10)
- The constitution should provide that the government should ensure that all Kenyans enjoy their basic rights. (4)
- The constitution should provide that the government should ensure the availability of water to all Kenyans. (3)
- The constitution should provide for free health care. (6)
- The constitution should guarantee security for all Kenyans. (3)
- Civic education should be entrenched in the constitution and should be a continuous process.
- The constitution should provide that effective channels should be created by which one can lodge a complaint on torture in prisons and police cells.
- The constitution should provide that basic rights should include the right to own land, food, quality and free education, free health and freedom of association.
- The constitution should provide for freedom of press and civil society.
- The constitution should provide for freedom of assembly especially for public meetings. (2)
- The constitution should provide that there should be freedom of movement.
- The constitution should provide for freedom of expression. (2)

The constitution should provide that worship days should be respected for all religions and that no one should be sacked for because of observing their worship days.

- The constitution should provide for the recognition of special days of worship.
- The constitution should provide for freedom of worship. (14)
- The constitution should provide that from 12 years of age a child should be allowed to choose his/her religion.
- The constitution should provide that students should be allowed to worship freely in schools.
- The constitution should provide for minimum unemployment benefits. (3)
- The constitution should provide that there should be chaplains in schools, military camps and prisons.
- The constitution should provide that churches should be exempted from paying taxes

because they are non-profit making organizations.

- The constitution should retain the death penalty. (4)
- The constitution should abolish the death penalty. (4)
- The constitution should provide for free and compulsory formal education. (8)
- The constitution should provide for free and compulsory formal education for the poor.
- The constitution should provide for free and compulsory primary education. (8)
- The constitution should provide for free and compulsory education up to form 4. (5)
- The constitution should provide for free and compulsory education till university level. (3)
- The constitution should provide that textbooks should be given to schoolchildren for free. (2)
- The constitution should guarantee Kenyans the right to access information in the hand of the state. (6)
- The constitution should provide that people should work for only 10 years and then retire.
- The constitution should provide that retirement benefits should be paid within one or two months after retirement.
- The constitution should guarantee all qualified Kenyans employment opportunities. (8)
- The constitution should guarantee all workers access to trade union representation. (6)

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- The constitution should fully guarantee the rights of women. (2)
- The constitution should fully address the interests of people with disabilities. (4)
- The constitution should provide for the free health, education and welfare of the disabled and their children. (6)
- The constitution should provide that TLB should provide special facilities in public vehicles for the disabled.
- The constitution should provide that newspapers should be written in Braille.
- The constitution should provide that there should be compulsory reservation of jobs for the disabled both in private and public sector.
- The constitution should provide that the disabled should be exempt from trading licenses.
- The constitution should provide for public buildings to be designed to include the needs of the disabled. (2)
- The constitution should provide that there should be no discrimination against women in employment and property ownership.
- The constitution should provide that women should not leave their husbands.
- The constitution should provide for the protection of street children and mothers.
- The constitution should provide for the re-introduction of the Affiliation Act.
- The constitution should provide that laws should be enacted to protect parents who are beaten by their children.
- The constitution should provide that customs that discriminate or deny girls should be done away with.
- The constitution should provide for the protection of children and women against rape, defilement and any form of abuse.

- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should guarantee and protect the rights of children. (6)
- The constitution should implement the children's act. (2)
- The constitution should abolish child labour. (2)
- The constitution should compel parents to take their children to school.
- The constitution should have a provision for the welfare of the elderly people. (3)
- The constitution should make provision for affirmative action for women. (3)
- The constitution should make provision for affirmative action for vulnerable groups. (3)
- The constitution should provide that prisoners should be taught technical skills.
- The constitution should provide for the improvement of prison conditions. (3)
- The constitution should provide for the rights of prisoners including the right to family visits.

5.3.15 **LAND AND PROPERTY RIGHTS**

- The constitution should provide that land should not be split frequently to improve the viability of land.
- The constitution should provide that land grabbing should be curbed.
- The constitution should provide for the registration of land to curb land grabbing.
- The constitution should provide that title deeds shall be given free of charge.
- The constitution should provide that land grabbed should be given to the landless.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country. (10)
- The constitution should provide that there should be no tribal land to prevent tribal clashes.
- The constitution should provide for a ceiling to the acreage of land that an individual can own. (7)
- The constitution should provide for a ceiling of 1000 acres of land per person. (3)
- The constitution should provide for a ceiling of 200 acres of land per person. (2)
- The constitution should provide for a ceiling of 500 acres of land per person. (3)
- The constitution should provide for a ceiling of 25 acres of land per person. (3)
- The constitution should provide for a ceiling of 7 acres of land per person. (3)
- The constitution should restrict the ownership of land by non-citizens. (3)
- The constitution should provide that bribes should not be demanded for title deeds.
- The constitution should provide that land title deed should be free.
- The constitution should provide that land procedures and transfer of land should be simplified. (6)
- The constitution should provide that land procedures and transfer of land should not be simplified. (2)
- The constitution should provide that a council of elders should settle land disputes.
- The constitution should provide that the individual is the ultimate owner of land. (5)
- The constitution should provide that the government is the ultimate owner of land. (3)
- The constitution should provide that the local community is the ultimate owner of land.
- The constitution should provide that administration of the estate of a deceased person should

be a shorter process.

- The constitution should give girls the right to inherit parental land.
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership. (6)
- The constitution should provide that the government should have the power to acquire private land but owners should be compensated fully. (6)
- The constitution should provide that the government should have the power to acquire private land. (3)
- The constitution should provide that the government should control the use of land by an individual. (4)
- The constitution should provide that the government should not control the use of land by an individual.
- The constitution should provide for equal access to land by both men and women. (9)
- The constitution should retain the pre-independence land agreements and treaties.
- The constitution should abolish the pre-independence land agreements and treaties. (3)
- The constitution should guarantee access to land for all Kenyans. (9)

5.3.16 **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide that cultural practices that discriminate against women should be banned. (3)
 - Kenya's cultural and ethnic diversity contributes to national culture. (2)
 - Kenya's cultural and ethnic diversity does not contribute to national culture.
 - The constitution should protect and promote Kenyans cultural and ethnic diversity. (5)
 - The constitution should not protect and promote Kenyans cultural and ethnic diversity.
 - The constitution should capture languages, rites, beliefs and traditions of different cultures.
 - The constitution should provide that regional cultural diversity should be recognized and respected.
 - The constitution should provide that customary law should be included in statutory and written law.
 - The constitution should provide that female genital mutilation should be abolished. (4)
 - The constitution should provide that female genital mutilation should not be banned. (2)
 - The constitution should provide for one national language i.e. Kiswahili. (3)
-
- The constitution should provide for two national languages i.e. Kiswahili and English. (5)
 - The constitution should recognize and promote indigenous languages. (2)
 - The constitution should not recognize and promote indigenous languages.

5.3.17 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources through the establishment of committees at district level.
- The constitution should provide for specific allocation of natural resources to areas and auditors should be part of district level committees to ensure efficiency.
- The constitution should provide that all public officers should declare their wealth. (8)
- The constitution should provide that there should be National Council at the Ministry of Finance under which there should be District Council the chairman of this council should be elected in the district. Area representatives should sit in the district councils, which should include department representatives from various ministries.
- The constitution should provide that the Auditor General should have the power to investigate and to prosecute.
- The constitution should provide that public officers should have tenure of 5 years only.
- The constitution should provide that there should be no discrimination based on gender or nepotism and that promotion of employees shall be based on good record of work and experience.
- The constitution should provide that co-operative societies should be allowed to meet freely.
- The constitution should provide for equitable distribution of national resources. (5)
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.
- The constitution should provide that the president should declare his wealth.
- The constitution should provide that the Auditor General has the power to prosecute. (2)
- The constitution should provide that parliament should retain the power to authorize the appropriation and raising of public finances. (5)
- The constitution should provide that headquarters of ministries and arms of government should be spread around the country.
- Parliament should control government expenditure
- The constitution should provide that the people through co-operatives and community-based groups manage natural resources.
- The constitution should provide that the government apportions benefits from natural resources between the central government and the local government where the resources are found. (3)
- The constitution should provide that the Auditor and Controller General should be appointed by parliament. (4)
- The constitution should provide that the Auditor and Controller General should be appointed by the president.
- The constitution should provide that the government should improve their terms of service in order to attract competent Kenyans to work in the public service commission. (2)
- The constitution should provide that ministers should not be MPs and should be professionals in that particular field. (5)

- The constitution should provide for an independent public service commission.
- The constitution should provide that members of PSC should be appointed by parliament. (5)
- The constitution should provide that the president should appoint members of PSC.
- The constitution should provide for a code of ethics for all public office holders. (5)

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- The constitution should protect all natural resources. (4)
- The constitution should provide for the protection of the environment.
- The constitution should provide that every Kenyan should be responsible for protection of the environment.
- The constitution should provide that parliament should have the powers to enforce environmental protection laws. (2)
- The constitution should provide that local councils should have the powers to enforce environmental protection laws.
- The constitution should provide that all Kenyans citizens should have the powers to enforce environmental protection laws.
- The constitution should provide that the government should have the powers to enforce environmental protection laws.
- The constitution should provide that councils should be empowered to conserve forests and maintain a healthy environment.
- The constitution should provide that local communities should be directly involved in protecting the environment. (2)
- The constitution should provide that the government should be responsible for the management and protection of natural resources. (2)
- The constitution should provide that all Kenyans should be responsible for the management and protection of natural resources.

5.3.19 PARTICIPATORY GOVERNANCE

- The constitution should provide that 50% of Parliamentary seats be reserved for women.
- The constitution should provide for the representation of women at all levels of governance with at least 30% female representation in Parliament and local authorities.
- The constitution should provide that NGOs should have a role in governance by educating people on their rights, fighting diseases and poverty and helping in development activities. (5)
- The constitution should regulate the conduct of civil society and the media.
- The constitution should not regulate the conduct of civil society and the media. (3)
- The constitution should institutionalize civil society organizations by stating conditions for registration within which they will operate.
- The constitution should provide for mechanism to ensure maximum participation in

governance by the disabled people. (3)

- The constitution should provide for mechanism to ensure maximum participation in governance by the youth. (2)
- The constitution should provide for mechanism to ensure maximum participation in governance by the minority group.
- The constitution should provide that churches should be involved in forums where important governance decisions are made.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that the conduct of foreign affairs should be the responsibility of the executive. (4)
- The constitution should provide that parliament should regulate the conduct of foreign affairs.
- The constitution should provide that parliament should be in charge of making policies on foreign affairs.
- The constitution should provide that international treaties and conventions should not have automatic effect on domestic laws. (2)
- The constitution should provide that regional and international treaties should be domesticated.
- The constitution should provide that before leaders sign international treaties and agreements the people should be consulted.
- The constitution should provide international treaties concerning women should be domesticated.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide for the creation of office of Ombudsman who is appointed by members of Parliament or by the president with the approval of Parliament. (10)
- The constitution should provide for an independent Anti-Corruption authority that is free from the police force and has the power to investigate and prosecute. (4)
- The constitution should establish the Human Rights Commission. (4)
- The constitution should establish a Gender Commission. (3)
- The constitution should establish a Land Commission. (3)
- The constitution should provide that the findings of commissions of inquiries should be made public.
- The constitution should provide for a commission for orphans and widows.
- The constitution should provide for a commission to oversee the prompt payment of retired civil servants benefits.
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.

- The constitution should establish a permanent Constitutional Review Commission.
- The constitution should provide for a minister of justice or constitutional affairs distinct from the AG's office. (2)
- The constitution should not provide for a minister of justice or constitutional affairs distinct from the AG's office. (2)

5.3.22 SUCCESSION AND TRANSFER OF POWER

- The constitution should provide that the speaker of national assembly should be in charge of presidential powers during presidential elections.
- The constitution should provide that the AG should be in charge of presidential powers during presidential elections. (2)
- The constitution should provide that two retired judges and three bishops should be in charge of presidential powers during presidential elections.
- The constitution should provide that the electoral commission should be in charge of presidential powers during presidential elections.
- The constitution should provide that elections results of presidential elections should be announced immediately after elections. (2)
- The constitution should provide that an incoming president should assume office 21 days after elections. (2)
- The constitution should provide that an incoming president should assume office immediately after election results are declared.
- The constitution should provide that the chief justice should swear in the incoming president. (5)
- The constitution should provide that the speaker of national assembly should swear in the incoming president.
- The constitution should provide that the instrument of power should be transferred immediately after the swearing in ceremony.
- The constitution should provide that retiring/outgoing Presidents should hand over the instruments of power to the Attorney General in the interim period before the next President is sworn in.
- The constitution should make provision for an out going president in terms of security. (5)
- The constitution should make provision for an out going president in terms of welfare. (5)
- The constitution should provide for immunity from legal process for a former president.
- The constitution should not provide for immunity from legal process for a former president.

5.3.23 WOMEN'S' RIGHTS

- The constitution should provide for women's rights. (3)
- The constitution should enshrine the prohibition of domestic violence. (3)
- The constitution should provide that fathers' should ensure mothers' of child's support and maintenance. (5)

- The constitution should provide that domestic violence and marital rape should be stopped.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide that men should be responsible for the upkeep of their children
- The constitution should provide that there should be equal rights for men, women, and respect for women.
- The constitution should provide that women should have a right to own properties. (4)
- The constitution should provide for the right to inheritance by women. (3)
- The constitution should provide for the right to inheritance by unmarried women. (2)
- The constitution should harmonize marriage laws.
- The constitution should not permit polygamy marriages.

5.3.24 NATIONAL ECONOMIC POLICY

- The constitution should provide that poverty and disease should be eliminated.
- The constitution should provide that the government should put in place policies on poverty reduction.
- The constitution should provide that traders must reduce the prices of commodities when the National Budget does so.
- The constitution should provide that roads must be constructed. (2)
- The constitution should provide for reasonable and affordable government pricing of consumer goods.

5.3.25 NATIONAL OTHER POLICY

- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.
- The constitution should provide for the maximum number of children that a couple can have.
- The constitution should provide that any leader that has a corruption case should be suspended.
- The constitution should provide for mechanisms to fight corruption and misuse of public funds. (6)
- The constitution should provide that any persons implicated in corrupt deals should be prosecuted. (4)
- The constitution should provide that insurance companies must pay compensation.
- The constitution should provide that all Kenyans should have a medical insurance.
- The constitution should guarantee the welfare of HIV/AIDS orphans.
- The constitution should protect Kenyans from police harassment. (2)

5.3.26 SECTORAL POLICY

- The constitution should provide that the national currency/legal tender should have natural resources and not individual's portraits. (2)
- The constitution should provide that farmer's societies should have women in leadership.
- The constitution should provide that farmers should be allowed full control of their produce.
- The constitution should provide that middlemen should be removed as they exploit farmers.
- The constitution should provide that the government assists farmers in marketing their produce. (2)
- The constitution should provide that a national school should be established in Nyamira District.
- The constitution should provide that there should be fewer subjects in the school curriculum.
- The constitution should provide that there should be common exams on a divisional level from form 1 to 4.
- The constitution should provide that the 8-4-4 system should be made to fit global systems of education and that the government should fund bridging courses.
- The constitution should provide that the quota system should be scrapped.
- The constitution should provide that parallel students in universities should be given loans.
- The constitution should provide that all students who obtain the pass mark should be admitted to university.
- The constitution should provide that there should be guiding and counseling experts in schools.
- The constitution should provide that mixed schools should be abolished as they encourage immorality.
- The constitution should provide that day schools should be abolished because they do not allow for students to study as they end up spending their time on housework.
- The constitution should provide that computer training should be done in schools.
- The constitution should provide that teachers should not delegate duties to prefects so as to prevent strikes.
- The constitution should provide for that the government should give unemployed graduates soft loans to start business.
- The constitution should provide that farmers should be paid better when manufacturers increase the prices of goods.
- The constitution should provide for the prompt payment of coffee farmers. (2)
- The constitution should provide that the government should subsidize agricultural inputs.
- The constitution should provide that farmers be given loans with low interest rates.
- The constitution should provide for similar prices of farm produce in the whole country.
- The constitution should provide that girls should be allowed to complete school after pregnancy.
- The constitution should provide that we should not have foreign loans.
- The constitution should provide for civic education in schools and college curriculum.
- The Kenya institute of education should ensure that school curriculum should not be changed to often.

- The constitution should change the 8-4-4 system to the 7-4-2-3 system. (3)
- The constitution should provide that there should be no politics in schools.
- The constitution should provide that the government should implement one type of taxation.
- The constitution should re-introduce corporal punishment in schools.
- The constitution should abolish the quota system of admissions to school.
- The constitution should provide that the government should remunerate nursery school teachers.
- The constitution should provide that money banked abroad by Kenyans living in Kenya should be banked in Kenya.
- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The constitution should provide that VAT should be abolished and that taxes be maintained at the manufacturers level only.
- The constitution should provide that retired teachers should be given retirement benefits.
- The constitution should provide for a reduction in license fees.
- The constitution should provide that the government should regulate the fees charged in private hospitals.
- The constitution should provide that the press and the media should be independent and non-partisan.
- The constitution should provide that the government should give the disable people loans to start small businesses.
- The constitution should provide that the government should start small-scale business to create jobs.

5.3.27 CUSTOMARY LAW

- The constitution should provide that all traditional marriages should be legalized.
- The constitution should recognize customary laws.

5.3.28 STATUTORY LAW

- The constitution should provide for the legalization of traditional brews.
- The constitution should repeal colonial laws.
- The constitution should provide that police should have a search warrant whenever that carry out one.
- The constitution should provide that men who pregnant school girls should be penalised. (2)
- The constitution should not legalise abortion.

5.3.29 BILLS

- The constitution should provide that the speaker of the national assembly should assent bills passed by parliament.

5.3.30 GENDER EQUITY

- The constitution should guarantee gender equity in all sectors. (2)

5.3.31 NATURAL JUSTICE/RULE OF LAW

- The constitution should guarantee that all Kenyans are equal before the law.

5.3.32 NATIONAL INTEGRITY/IDENTITY

- The constitution should provide that there should be a national dress.
- The constitution should provide that the national anthem, the coat of arms and the national flag should remain unchanged.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|-----------------------------|-----------|
| 1. Hon. Henry Obwocha | MP |
| 2. James Masaki N. Mongare | DC |
| 3. Jasper Nyakoe | Chairman |
| 4. Alloys Openda | Secretary |
| 5. Cllr. Peterson Agwata | |
| 6. Jeremiah Abuga | |
| 7. John L. Ongaga Kinaro | |
| 8. Mrs. Sabina Maoga | |
| 9. Mrs. Elizabeth Agata | |
| 10. Thomas Gekara | |
| 11. Orutwa Abere Samwel | |
| 12. Mrs. Teresa Manyara | |
| 13. Mrs. Jane Moraa Okong'o | |

Appendix 2: Civic Education Providers

1. Catholic peace and justice commission
2. Afro DEP
3. S.D.A youth group

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

1	0004ONWNY	Daniel Abere	CBO	Written	Ujamaa Youth Group
2	0012ONWNY	David Omondi	CBO	Written	Unemployed Nyamira Youths
3	0064INWNY	Joseph Nyaosi	CBO	Oral - Public he	Nyanza Disabled People
4	0046INWNY	Peter Nyakona	CBO	Oral - Public he	Sironga Disabled Group
5	0008ONWNY	Samuel Okari	CBO	Written	Nyamira pare Legal Network
6	0066INWNY	Achoki Binyanya	Individual	Oral - Public he	
7	0009INWNY	Alice Kemunto Nyakoe	Individual	Written	
8	0010INWNY	Amb S. O Mageto	Individual	Written	
9	0013INWNY	Anam Moturi	Individual	Written	
10	0091INWNY	Augustin Ogwara	Individual	Oral - Public he	
11	0048INWNY	Basweti Rama	Individual	Oral - Public he	
12	0099INWNY	Benson Nyaosi	Individual	Oral - Public he	
13	0028INWNY	Bernad Kombo	Individual	Oral - Public he	
14	0022INWNY	Bonface Onundu	Individual	Written	
15	0027INWNY	Charles Maasi	Individual	Oral - Public he	
16	0015INWNY	Charles O Agwata	Individual	Written	
17	0062INWNY	Charles Ochari	Individual	Oral - Public he	
18	0117INWNY	Charles Ondago	Individual	Oral - Public he	
19	0045INWNY	Clemencia Moraa James	Individual	Oral - Public he	
20	0097INWNY	Clement Ndubi	Individual	Oral - Public he	
21	0002INWNY	Cllr. Peterson Angwata	Individual	Written	
22	0078INWNY	Cyrus Atoyo	Individual	Oral - Public he	
23	0033INWNY	Daniel A Kebaki	Individual	Oral - Public he	
24	0109INWNY	Daniel Mokua	Individual	Oral - Public he	
25	0089INWNY	David Kebaso	Individual	Oral - Public he	
26	0101INWNY	David Mairo	Individual	Oral - Public he	
27	0075INWNY	David Masongo	Individual	Oral - Public he	
28	0106INWNY	David Ondieki	Individual	Oral - Public he	
29	0023INWNY	Dr John Mandere Matunga	Individual	Written	
30	0011INWNY	Dr. D O Mogeni	Individual	Written	
31	0008INWNY	Elijah Mong'are	Individual	Written	
32	0111INWNY	Eric Omanwa	Individual	Oral - Public he	
33	0044INWNY	Ervest Kibeni	Individual	Oral - Public he	
34	0063INWNY	Evans Ondieki	Individual	Oral - Public he	
35	0049INWNY	Florence Maina	Individual	Oral - Public he	
36	0105INWNY	Francis Marita	Individual	Oral - Public he	
37	0038INWNY	Francis Ong'ondi	Individual	Oral - Public he	
38	0100INWNY	Franklin Orura	Individual	Oral - Public he	
39	0029INWNY	Geoffrey Nyabuti	Individual	Oral - Public he	
40	0065INWNY	Grace M Ocharo	Individual	Oral - Public he	
41	0007INWNY	Grace Obiero	Individual	Written	
42	0018INWNY	Guto Omburo	Individual	Written	
43	0090INWNY	Hadison Masira	Individual		
44	0113INWNY	Isaac Obisa	Individual	Oral - Public he	
45	0016INWNY	Isabellah Nyaigo	Individual	Written	
46	0037INWNY	Jabison Menge	Individual	Oral - Public he	
47	0119INWNY	Jackson Onteki	Individual	Oral - Public he	
48	0083INWNY	James Nyamwaro	Individual	Oral - Phone	
49	0082INWNY	James Ongari	Individual	Oral - Public he	
50	0118INWNY	Jason Masese	Individual	Oral - Public he	

51	0004INWNY	Jasper Nyakoe Mong'are	Individual	Written	
52	0103INWNY	Jeliah Nyamoita	Individual	Oral - Public he	
53	0072INWNY	Jemimah B Abincha	Individual	Oral - Public he	
54	0087INWNY	Jeremia Ntabo	Individual	Oral - Public he	
55	0024INWNY	Jerusa Bosibori	Individual	Written	
56	0086INWNY	John Bosco	Individual	Oral - Public he	
57	0080INWNY	John Ndemo	Individual	Oral - Public he	
58	0054INWNY	John Nyameyo	Individual	Oral - Public he	
59	0047INWNY	John Onsumu	Individual	Oral - Public he	
60	0095INWNY	John Samosi	Individual	Oral - Public he	
61	0057INWNY	Joram Asugia Asuga	Individual	Oral - Public he	
62	0074INWNY	Josiah Mwangi	Individual	Oral - Public he	
63	0040INWNY	Josiah O Onyancha	Individual	Oral - Public he	
64	0076INWNY	Joyce Kemunto	Individual	Oral - Public he	
65	0042INWNY	Juliet Moturi	Individual	Oral - Public he	
66	0039INWNY	Justino Geke	Individual	Oral - Public he	
67	0034INWNY	Justus Maoga	Individual	Oral - Public he	
68	0017INWNY	Justus Mogoba	Individual	Written	
69	0096INWNY	Justus Ogega	Individual	Oral - Public he	
70	0020INWNY	Kamau Tai	Individual	Written	
71	0031INWNY	Makaa G Morara	Individual	Oral - Public he	
72	0093INWNY	Mathew Momanyi	Individual	Oral - Public he	
73	0079INWNY	Mishael Omare	Individual	Oral - Public he	
74	0061INWNY	Moffat Ondieki	Individual	Oral - Public he	
75	0053INWNY	Monicah Masika	Individual	Oral - Public he	
76	0050INWNY	Moses M Kebanga	Individual	Oral - Public he	
77	0071INWNY	Moses Nyaenya	Individual	Oral - Public he	
78	0035INWNY	Mrs Justa Ogoti	Individual	Oral - Public he	
79	0060INWNY	Nancy Bochaberi	Individual	Oral - Public he	
80	0112INWNY	Norah Basweti	Individual	Oral - Public he	
81	0084INWNY	Nyairo Obino	Individual	Oral - Public he	
82	0092INWNY	Nyakundi Tai	Individual	Oral - Public he	
83	0120INWNY	Nyang'au Ong'era	Individual	Oral - Public he	
84	0108INWNY	Nyokayi Onchari	Individual	Oral - Public he	
85	0088INWNY	Omwoyo Maogo	Individual	Oral - Public he	
86	0102INWNY	Ondoro Rongi	Individual	Oral - Public he	
87	0068INWNY	Pacifica Bwari	Individual	Oral - Public he	
88	0114INWNY	Peter Motaroki	Individual	Oral - Public he	
89	0055INWNY	Peter Ombogo	Individual	Oral - Public he	
90	0121INWNY	Peter Onyancha	Individual	Oral - Public he	
91	0021INWNY	Philip Moturi Mugeke	Individual	Written	
92	0025INWNY	Reseline Orero	Individual	Written	
93	0006INWNY	Rhoda K Obiero	Individual	Written	
94	0098INWNY	Rhoda Moraa	Individual	Oral - Public he	
95	0051INWNY	Rhoda Obiero Onchari	Individual	Oral - Public he	
96	0043INWNY	Richard Isanda	Individual	Oral - Public he	
97	0012INWNY	Richard M Nyakego	Individual	Written	
98	0032INWNY	Sabina Moeni	Individual	Oral - Public he	
99	0052INWNY	Samson Muchiri	Individual	Oral - Public he	
100	0041INWNY	Samson Onguti	Individual	Oral - Public he	
101	0059INWNY	Samuel Obiero	Individual	Oral - Public he	
102	0070INWNY	Samuel Orutu Abera	Individual	Oral - Public he	
103	0094INWNY	Simeon Achoka	Individual	Oral - Public he	
104	0073INWNY	Stephen Nyamweya	Individual	Oral - Public he	
105	0056INWNY	Sylvester Oriero	Individual	Oral - Public he	

106	0107INWNY	Thomas Gisemba	Individual	Oral - Public he	
107	0067INWNY	Thomas M Gekara	Individual	Oral - Public he	
108	0077INWNY	Thomas Nyabayo	Individual	Oral - Public he	
109	0014INWNY	Thomas Nyabayo	Individual	Written	Nyamaiya Women Group
110	0085INWNY	Wilfred Nyakundi	Individual	Oral - Public he	
111	0030INWNY	Wilson Kombo	Individual	Oral - Public he	
112	0110INWNY	Wilson Nyamiaka	Individual	Oral - Public he	
113	0116INWNY	Wilson Oburu	Individual	Oral - Public he	
114	0019INWNY	Z. Onsongo	Individual	Written	
115	0081INWNY	Zablon Moegi	Individual	Oral - Public he	
116	0058INWNY	Zablon Orindo	Individual	Oral - Public he	
117	0104INWNY	Zacharia Marita	Individual	Oral - Public he	
118	001119INW	Zacharia N Onsongo	Individual	Written	
119	0115INWNY	Zachariah Onsongo Chesa	Individual	Oral - Public he	
120	0026INWNY	Zachary Koruria	Individual	Written	
121	0005INWNY	Zedekiah N Agata	Individual	Written	
122	0003ONWNY	Eric Onyoni	NGO	Written	Uzima Foundation
123	0011ONWNY	George Balozi	NGO	Written	Federation Of Women Groups
124	0001INWNY	Cllr. George Masereti	Other Institutions	Written	Nyamira Township Ward Maendeleo Ya Wanawake Nyanza
125	0007ONWNY	Joyce Ombachi	Other Institutions	Written	West Mugirango Kanu
126	0005ONWNY	Amb Sospeter Mageto	Politcal Party	Written	West Mugirango Kanu
127	0006ONWNY	Dr Eneo Nyakiba	Politcal Party	Written	West Mugirango Kanu
128	0001ONWNY	Albert Ongaga	Religious Organisation	Written	Kebirigo Parish catholic Chu
129	0009ONWNY	Chrisansos Ondieki	Religious Organisation	Written	Catholic Justice and Peace C
130	0010ONWNY	Nelson Miyogo	Religious Organisation	Written	Nyamira SDA Church
131	0002ONWNY	Pr John Nyamwanda	Religious Organisation	Written	SDA Nyamira Conference
132	0069INWNY	Rev. Innocent Baraza	Religious Organisation	Oral - Public he	Pentecostal Church Nyamira
133	0036INWNY	Nyantika Maberia		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

VENUE 1:

No	Name	Address:	No	Name:	Address:
1	Ambassador S. O. Mageto	P.O. Box 318, Nyamira	25	Chrisanthus Auta	P.O. Box 545, Nyamira
2	Joseph G. Nyaosi	P.O. Box 1080, Nyamira	26	Joseph Momanyi	P.O. Box 534, Nyamira
3	Evans A. Masira	P.O. Box 683, Nyamira	27	Benson Kabinga	P.O. Box 218, Nyamira
4	Grace M. Ocharo	P.O. Box 545, Nyamira	28	Samuel Nyakiba	P.O. Box 440, Nyamira
5	Jerusa B. Balози	P.O. Box 871, Nymira	29	Roselyne Orero	P.O. Box 1154, Nyamira
6	Achoki Binyanya	P.O. Box 700, Nyamira	30	Victoria Mayaka	P.O. Box 1019, Nyamira
7	Jackson Oroko	P.O. Box 658, Nyamira	31	Passificar Bwari	P.O. Box 619, Nyamira
8	Sabina Bundi	P.O. Box 658, Nyamira	32	Nelson Abinya	P.O. Box 202, Nyamira
9	Zachariah J. O. Nyambane	P.O. Box 86, Nyamira	33	Pauline Bundi	P.O. Box 658, Nyamira
10	Thomas Mong'are Gekara	P.O. Box 485, Nyamira	34	Momanyi Francis	P.O. Box 202, Nyamira
11	Yuvenans Kibwana Onduko	P.O. Box 257, Nyamira	35	Johakim Nyakiba	P.O. Box 440, Nyamira
12	John Mogeni	P.O. Box 205, Nyamira	36	David Mogoi	P.O. Box 440, Nyamira
13	Samwel Sato Okari	P.O. Box 651, Nyamira	37	Enock Obuba	P.O. Box 374, Nyamira
14	Bernard Masira	P.O. Box 411, Nyamira	38	Julius Onderi	P.O. Box 277, Nyamira
15	Sabina Maoga	P.O. Box 739, Nyamira	39	Rev. Innocent N. Barasa	P.O. Box 846, Nyamira
16	Richard Nyakego	P.O. Box 285, Nyamira	40	Jasper Nyakoe Mongare	P.O. Box 522, Nyamira
17	Nelson Miyogo	P.O. Box 285, Nyamira	41	Stephen Mosagwe Nyaronda	P.O. Box 3, Nyamira
18	Elizabeth R. Agata	P.O. Box 54, Nyamira	42	Achoki Mwaniki	P.O. Box 35, Nyamira
19	Jeremiah Abuga	P.O. Box 678, Nyamira	43	Thomas Nyairo	P.O. Box 337, Nyamira
20	Bernard Ndemo Onchonga	P.O. Box 507, Nyamira	44	Kaba Nyanwara	P.O. Box 337, Nyamira
21	Dr. Erneo Nyakiba	P.O. Box 34736, Nairobi	45	James B. Nyakangi	P.O. Box 581, Nyamira
22	Evans Ondieki	P.O. Box 47293, Nairobi	46	Onchonga O. David	P.O. Box 276, Nyamira
23	Dr. Ombachi Mogeni	P.O. Box 235, Nyamira	47	David Moturi	P.O. Box 374, Nyamira
24	Paul Namweya Kengere	P.O. Box 101, Nyamira	48	Samson O. Obiero	P.O. Box 374, Nyamira
49	Samwel O. Abere	P.O. Box 412, Nyamira	73	George M. Nyang'au	P.O. Box 105, Nyamira
50	William Okora	P.O. Box 337, Nyamira	74	Thomas Nyabayо	P.O. Box 1017, Nyamira
51	Isaack Ombisa	P.O. Box 337, Nyamira	75	Joyce Ombachi	P.O. Box 235, Nyamaiya
52	Obino Nyamieri	P.O. Box 277, Nyamira	76	Michael Omare	P.O. Riochanda
53	Motaroki Sasi	P.O. Box 277, Nyamira	77	Samwel M. Nyarangi	P.O. Riochanda
54	Moses Nyaenya	P.O. Nyamaiya	78	Samwel M. Nyarangi	P.O. Nyamaiya
55	Shem Nyairo	P.O. Nyamaiya	79	John Ndemo	P.O. Box 634, Nyamira
56	S.M. Makori	P.O. Box 55, Nyamira	80	Zablon Moegi	P.O. Box 35, Kisii
57	Jemimah B. Abincha	P.O. Box 1, Riochanda	81	John Bosco	P.O. Box 337, Nyamira

58	Stephen Nyamweya	P.O. Box 10, Kisii	82	Jeremiah Ntabo	P.O. Box 81, Nyamira
59	Andrew M. Osano	P.O. Box 4, Nyamira	83	Omwoyo Maoga	P.O. Box 1, Nyamira
60	Jones Ongwana Michira	P.O. Box 4, Nyamira	84	Sibia M. Nicholas	P.O. Box 1019, Nyamira
61	Balozi M. George	P.O. Box 271, Nyamira	85	Zachary Rori	P.O. Box 515, Nyamira
62	Edward monsaro	P.O. Box 871, Nyamira	86	Everestor George	P.O. Box 515, Nyamira
63	Josiah Mwangi	P.O. Box 512, Nyamira	87	Zedekiah Ondieki	P.O.Box 35, Nyamira
64	Kireki Bwabere	P.O. Box 7, Nyamira	88	David O. Nyamweya	P.O. Box 277, Nyamira
65	Nyatiak Moracho	P.O. Nyamaiya	89	Guto Omburo	P.O. Box 277, Nyamira
66	David Masogo	P.O. Box 35, Nyamira	90	Joseph Rioba	P.O. Box 46302, Nairobi
67	Joyce Kemunto	P.O. Nyamaiya	91	Musa Rioba	P.O. Box 46302, Nairobi
68	Anam Moturi	P.O.Box 350, Nyamira	92	James Bundi	P.O. Box 46302, Nairobi
69	Walter Orwaro	P.O. Box 350, Nyamira	93	George Omboga	P.O. Box 46302, Nairobi
70	Zachary O. Aranda	P.O. Box 232, Kisii	94	James Onyari	P.O. Box 46302, Nairobi
71	George M. marita	P.O. Box 513, Nyamira	95	James Nyamwaro	P.O. Box 545, Nyamira
72	Madson o. Makori	P.O.Box 513, Nyamira	96	Duke Mosoti	P.O. Box 277, Nyamira
97	James Masira	P.O. Box 33, Nyamira	121	David Maeri	P.O. Box 94, Nyamira
98	Nyaigo Obino	VIA Nyamaiya	122	Peter Nyang'au	P.O.Box 1080, Nyamira
99	Charles Tai	P.O. Box 188, Nyamira	123	Thomas Kinyosi	P.O.Nyamaiya
100	Wlfred Nyakundi	P.O.Box 268, Nyamira	124	Joash Magero	P.O. Box 61, Nyamira
101	Philiph Moturi	P.O. Box 878, Nyamira	125	Charles Agwata	P.O. Box 277, Nyamira
102	Boniface Onundu	P.O.Box 878, Nyamira	126	Japheth Kimaiga	P.O. Box 447, Nyamira
103	Joshua Mosoti	P.O. Box 188, Nyamira	127	Nyasani Ainya	P.O. Box 270, Nyamira
104	Benard Ongoro	P.O. Box 277, Nyamira	128	Hosea Nyambisa	P.O. Box 270, Nyamira
105	Christopher Makori	P.O. Box 513, Nyamira	129	Kireki Kennedy	P.O. Box 270, Nyamira
106	David Kebaso	P.O.Box 1080, Nyamira	130	Ondoro Rongi	P.O.Box 624, Nyamira
107	Hudson Masira	P.O. Box 1080, Nyamira	131	Ibrahim Nyaingo	P.O. Box 270, Nyamira
108	Augustine Ogwara	P.O. Box 545, Nyamira	132	Jeriah Nyamoita	P.O. Box 54, Nyamira
109	Nyakundi Tai	None	133	Joshua Mosagwe	P.O. Box 764, Nyamira
110	Mathew Momanyi	P.O. Box 337, Nyamira	134	Christopher Obano Momanyi	P.O. Box 151, Nyamira
111	Simeon Achoka	P.O. Box 49, Nyamira	135	Zachariah Marita	P.O. Box 35, Nyamira
112	Caleb Nyankabaria	P.O. Box 188, Nyamira	136	Oira Marita	P.O. Box 35, Nyamira
113	John Monanda Samunsi	P.O. Box 129, Nyamira	137	Mochere Obare	P.O. Box 35, Nyamira
114	James Nyakundi Ondara	P.O.Box 129, Nyamira	138	Thomas Okeng'o	P.O.Box 220, Nyamira
115	Justus Ogega	P.O.Box 129, Nyamira	139	Isabella Kemunto	P.O. Box 2, Nyamira
116	Clement Ndubi	P.O. Nyamaiya	140	Wilson Osoro	P.O. Box 4, Nyamira
117	Rhoda Moraa	P.O. Nyamaiya	141	Nyairo Mike	P.O. Box 24, Nyamira
118	Benson Nyaosi	P.O. Box 374, Nyamira	142	Ouya Rioki	P.O. Box 35, Nyamira
119	Franklin Borura	P.O.Box 1670, Kisii	143	David Ondieki	P.O. Box 88, Nyamira
120	Thomas Moindi	P.O. Box 374, Nyamira	144	Thomas Nyarumi	P.O. Box 56, Nyamira
145	Nyokaye Onchwari	P.O. Box 277, Nyamira	166	Thomas Ondieki	P.O. Nyamira
146	Thomas Maore	P.O. Box 545, Nyamira	167	Joseph Ombati	P.O. Box 35, Nyamira

	Belliah Bikone				
147	Ongoro	P.O.Box 545, Nyamira	168	Hudson Momanyi	P.O. Nyamaiya
148	Daniel Mokua	P.O. Box 268, Nyamira	169	Charles Ondago	P.O.Box 1017, Nyamira
149	Wilson Nyamiaka	P.O. Box 1, Kebirigo	170	Jason Maseese	P.O. Box Nyamaiyo
				Jackson Oteki	
150	Reuben Nyagwaya	P.O. Box 1, Kebirigo	171	Nyamleri	P.O. Box 270, Nyamaiya
151	Eric Omanwa	P.O. Box 514, Nyamira	172	Dinah Kwamboka	P.O Nyamaiya
	Evans Oigo			David Nyokaye	
152	Onyancha	P.O. Box 515, Nyamira	173	Ongwae	P.O. Nyamaiya
153	Norah Basweti	P.O. Box 189, Nyamira	174	Nyang'au Ong'era	P.O Nyamaiya
154	William Nyaroo	P.O. Box 719, Nyamira	175	David Basweti	P.O Nyamaiya
155	Peter Motaroki	P.O. Box 1024, Nyamira	176	James Onderi	P.O. Nyamaiya
156	David Momanyi	P.O. Box 337, Nyamira	177	Peter Onyancha	P.O. Box 129, Nyamira
	Christopher				
157	Nyanumba	P.O. Box 545, Nyamira	178	Isabella Moraa	P.O. Box 683, Nyamaiya
158	Joel Nyandieka	P.O. Box 54, Nyamira	179	Grace Obonyo	P.O. Box 683, Nyamaiya
159	Justus Mogoba	P.O. Box 720, Nyamira	180	Aloys Openda	P.O. Riochanda, Nyamira
160	David Rira	P.O. Box 720, Nyamira	181	Duke Mogoko	P.O. Nyamaiya
161	Samwel Mosagwe	P.O. Box 720, Nyamira	182	Pius N. Nyantika	P.O. Nyamira
162	Joshua Morara	P.O. Box 415, Nyamira	183	Cyrus Atoyo	P.O. Nyamaiya
163	Charles Nyakundi	P.O. Box 4, Nyamira	184	Kamau Tai	P.O.Box 162, Kisii
	Zacharia jesai				
164	Onsongo	P.O.Box 70, Nyamira	185	Evans Omoti	P.O. Box 328, Nyamira
165	Peter Moturi	P.O. Box 64, nyamira	186	Wilson Oburu	P.O. Nyamiya

VENUE 2

No	Name	Address:	No	Name:	Address:
1	Cllr. George Masereti	P.O. Box 319, Nyamira	25	Josiah Mogwasi	P.O. Box 473, Nyamira
				Jasper Nyakoe	
2	Samwel Omayo	P.O.Box 84, Kebirigo	26	Mong'are	P.O. Box 522, Nyamira
3	Dr. John m. Atunga	P.O. Box 408, Nyamira	27	Maoga JustusMaina	P.O. Box 146, Kebirigo
4	Sabina Maoga	P.O. Box 739, Nyamira	28	Mrs. Justa Ogoti	P.O. Box 525
5	Zakariah Omanua	P.O. Box 559, Nyamira	29	Ezekiel Nyariki	P.O.Box 1, Nyamira
					P.O. Nyangoso Nyamira
6	Jeremiah Abuga	P.O. Box 678, Nyamira	30	James Nyantika Mabiria	
7	Charles D. Masi	P.O. Box 2, Nyamira	31	Jeremiah amoro	P.O. Box 448, Nyamira
8	Zachary Nyambane	P.O.Box 86, Nyamira	32	Judson Nyamato	P.O. Box 218, Nyamira
9	Albert Ongaga	P.O. Box 8, Kisii	33	Francis Ong'ondi	P.O. Box 234, Nyamira
10	Benard Ondari Kombo	P.O. Box 196, Nyamira	34	Justin Geke Nyaigero	P.O. Box 741, Sotik
				Kremensia Moraa	
11	Geoffrey Nyabuti	P.O. Box 49, Magombo	35	Morwabe	P.O. Box 1, Nyamira
12	Wilson Sindani Kombo	P.O.Box 120, Kebirigo	36	Florence Nyambane	P.O. Box 35, Kebirigo
13	Kennedy Nyamweya	P.O. Box 218, Nyamira	37	Peter Gesora	P.O. Box 19, Kebirigo
14	David Gisore Nyachieo	P.O. Box 98, Nyamira	38	Josiah Onyancha	P.O. Box 64, Kebirigo
15	Peterson Agwata mariko	P.O. Box 95, Nyamira	39	Fredrick Ongaga	P.O. box 59, Kebirigo
16	Thomas Momanyi Gisore	P.O. Box 218, Nyamira	40	Samson Ong'uti	P.O. Box 489, Nyamira

17	Abere Orutwa Samuel	P.O. Box 412, Nyamira	41	David Omanga Birai	P.O. Box 1057, Nyamira
18	George Morara Orang'o	P.O. Box 334, Nyamira	42	Kennedy Mong'are Momanyi	P.O. Box 11, Nyamira
19	Florence Nyang'ate Morwabe	P.O.Box 1, Nyamira	43	Mary Bosibori Bosire	P.O.Box 98, Nyamira
20	Veronica Nyamusisi Mose	P.O. Box 1, Nyamira	44	Samson O. Onchari	P.O. Box 52589, Nairobi
21	Sabina Moeni	P.O. Box 1, Nyamira	45	John Silas Mokoro	P.O. Box 869, Nyamira
22	Daniel Apiemi Kebaki	P.O. Box 11, Nyamira	46	Evans Mogaka Getuma	P.O.Box 162, Nyansiongo
23	Joel Amoro	P.O. Nyamira	47	Cremensia Moraa James	P.O.Box 88, Kebirigo
24	John Nyamwanda	P.O. Box 285, Nyamira	48	Peter Ongubo Mosongo	P.O. Box 244, Nyamira
49	James Onyancha	P.O. Box 68, Kebirigo	73	Vincent Nyakoe	P.O.Box 713, Nyamira
50	Peter Nyakona	P.O. Box 461, Nyamira	74	Cllr. Charles Sagwe	P.O. Box 88, Nyamira
51	Onyancha Magonchi	P.O. Box 157, Nyamira	75	Victor Bosire	P.O.Box 2, Nyamira
52	Dismas Orare	P.O. Ibara, Kebirigo	76	Zedekiah N. Agata	P.O. Box 54, Nyamira
53	John Onsomu	P.O. Box 394, Nyamira	77	Samson Mochiri	P.O.Box 83, Nyamira
54	Basweti Rama	P.O.Box 84, Kebirigo	78	Florence Mwango Bosire	P.O.Box 218, Nyamira
55	Joseph Anyona Kenya	P.O. Box 55, Kebirigo	79	Hellen Moraa Kiage	P.O.Box 218, Nyamira
56	Moses Madison Kibanga	P.O. Box 21, Kebirigo	80	Peter Nyachiro	P.O. Kebirigo
57	Mary Obanyi	P.O.Box 191, Nyamira	81	Stanley Abuga	P.O.Box 23, Nyamira
58	Pamela Nyaboke Orora	P.O. Box 191, Nyamira	82	Julius Mongare	P.O.Box 5, Kebirigo
59	Cremensia K. Onchong'a	P.O. Box 1057, Nyamira	83	Godfrey Misiani	P.O. Box 5, Kebirigo
60	William O. Nyamosi	P.O. Box 19, Kebirigo	84	Grace Obiero	P.O.Box 11, Nyamira
61	Jackson Masi Sabuni	P.O. Box 218, Nyamira	85	Monicah Gechemba Masita	P.O.Box 95, Nyamira
62	George Makaa	P.O. Box 1246, Nyamira	86	John Nyameyio	P.O. Box 91, Kebirigo
63	Oching'I Maina	P.O. Box 84, Kebirigo	87	Okinyi Evans	P.O.Box 45, Mokomoni
64	Eric Onyoni	P.O. Box 162, Kebirigo	88	Kennedy Nyabuto	P.O.Box 91, Kebirigo
65	Raymonah Okari	P.O. Box 162, Kebirigo	89	Peterson Osero Asande	P.O. Box 21, Kebirigo
66	Andrew Agwati Nyaribari	P.O.Box 47, Nyamira	90	Ongwae ombogo	P.O. Box 18, Chesinendet
67	Samuel Nyandegge	P.O. Box 64, Kebirigo	91	wilfred Nyagwoka	P.O. Box 259, Nyamira
68	Florence Momnyangi Nyakundi	P.O. Box 1057, Nyamira	92	Naftali Nyakundi	P.O. Box 39, Kebirigo
69	Maina Elijah Kichuga	P.O.Box 95, Kebirigo	93	Josiah Amisi	P.O. Box 49, Kebirigo
70	John Kuria	P.O. Box 95, Kebirigo	94	Joram Asuga Asuga	P.O. Box 55, Kebirigo
71	Rohada Obiero	P.O. Box 500, Nyamira	95	Evans Mokaya	P.O. Box 2054, Kisii
72	Billiah Momanyi	P.O. Kebirigo	96	Richard Isanda	P.O. Box 35, Kebirigo
97	Joseph Ocharo Keoro	P.O. Box 35, Kebirigo	114	Ben Ondari	P.O. Box 84, Kebirigo
98	Omwega Nyakundi	P.O. Box 27, Kebirigo	115	Rose Omwenga	P.O.Kebirigo
99	Zablon Orindo	P.O. Box 59, Kebirigo	116	Hudson Nyakang'o Arionga	P.O. Box 43, Kebirigo
100	Simeon Mboga	P.O. Box 12, Nyamira	117	Florence Maina	P.O. Box 35, Kebirigo
101	George Ongubo	P.O. Box 47, Kebirigo	118	Nanacy Bochaberi	P.O. Box 319, Nyamira
102	Robert Okemwa	P.O. Box 162, Kebirigo	119	John Nyamongo	P.O. Box 1015, Nyamira

103	Peter Muma	P.O.Box 64, Kebirigo	120	Ochari Charles	P.O. Box 59, Kebirigo
104	Kireki Abere	None	121	George Ongaga	P.O. Box 59, Kebirigo
105	Aloys Openda	P.O Riochanda Nyamira	122	Alice Nyakoe	P.O. Kebirigo
106	silvester oriero	P.O. Box 2, Kebirigo	123	Nyakoe Omwyo	P.O. Box 234, Nyamira
107	Ernest Kibeni	P.O. Box 35, Kebirigo	124	Robrt Ondieki	P.O.Box 71, Kebirigo
108	Andrew Gesora	P.O. Box 35, Kebirigo	125	Juliet Moturi	P.O. Box 35, Kebirigo
109	Joshua Osoro	P.O. Box 35, Kebirigo	126	Veronicah Moraa	P.O.Box 89, kebirigo
110	Eric Omanwa	P.O. Box 1192, Nyamira	127	Samwel Obiero Nyanumba	P.O. BOX 30, Kebirigo
111	George Mosoni	P.O. Box 41, Kebirigo	128	James Nyachieng'a	P.O. Box 179, Kebirigo
112	James Nyarieko	P.O. Box 59, Kebirigo	129	Julius Ondieki	P.O.Box 23, Kebirigo
113	Peter Mose	P.O. Box 89, Kebirigo	130	Justus Mecha	P.O. Box 95, Kebirigo

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1. DISTRICT PROFILE

North Mugirango-Borabu is a constituency in Nyamira District. Nyamira District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	239,851	258,251	498,102
Total District Population Aged 18 years & Below	143,973	143,372	287,345
Total District Population Aged Above 18 years	95,878	114,879	210,757
Population Density (persons/Km²)	556		

1.2 Socio-Economic Profile

Nyamira District:

- Is one of the most densely populated districts in the province, being ranked 3rd most densely populated district in the province;
- Has one of the lowest primary school enrolment rates in the province, at 72.2%, being ranked 9th in the province and 34th nationally;
- Is the leading in secondary school enrolment in the province, having an enrolment rate of 40.6%, and being ranked 5th nationally;
- Experiences the following main diseases: Malaria, intestinal worms, and diarrhoea diseases.
- Has a 15.9% malnourishment rate of children under 5 years of age, being ranked 9th of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years, being ranked 42 of 45 nationally ranked districts;
- Has an absolute poverty level of 66.74% being ranked 38th of 46 nationally ranked districts;
- Has a 58.81% food poverty level being ranked 31st of 42 nationally ranked districts;
- Has the monthly mean income of Ksh. 5,593, a figure lower than Kenya's urban average;
- Has 45.10% of its residents accessing clean drinking water; and
- 97.50% of its residents having safe sanitation.

Nyamira district has 3 constituencies: Kitutu Masaba, West Mugirango, and North Mugirango Borabu Constituencies. The district's 3 MPs, each cover on average an area of 299 Km² to reach 166,034 constituents. In the 1997 general elections, KANU won only one of the parliamentary seats. KANU won the North Mugirango-Borabu seat with 49.51% valid votes. KSC and FORD-K won the Kitutu Masaba and West Mugirango seats with 48.69% and 50.60% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

The locals are involved in mixed farming with tea production being the main cash crop.

2.2. Electioneering and Political Information

KANU and the opposition have hotly contested for this seat. In the 1992 and 1997 general elections, KANU, however, won with 39.53% and 49.51% valid votes respectively.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			44,265
CANDIDATE	PARTY	VOTES	% VALID VOTES
Atebe Marita	KANU	10,085	39.53
Godfrey Masanya	DP	9,948	38.99
Alexander Mogambi	FORD-K	4,010	15.72
Nyarangi Moturi	FORD-K	4,010	15.72
Josiah Nyagwachi	KSC	90	0.35
<i>Total Valid Votes</i>		<i>25,511</i>	<i>100.00</i>
Rejected Votes		632	
Total Votes Cast		26,143	
% Turnout		59.06	
% Rejected/Cast		2.42	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			53,644
CANDIDATE	PARTY	VOTES	% VALID VOTES
Joseph K. Ombasa	KANU	17,323	49.51
Godfrey M. Okeri	DP	14,243	40.70
Frank P. Ndubi	SDP	2,327	6.65
Nemwel P. Mogaka	NDP	1,098	3.14
<i>Total Valid Votes</i>		<i>34,991</i>	<i>100.00</i>
Rejected Votes		1,908	
Total Votes Cast		36,899	
% Turnout		69.28	
% Rejected/Cast		5.17	

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1 Constituency Constitutional Forums (CCF's)

3.1.1 Philosophy

The Constituency 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 that 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 an '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 forum from the facilitation of civic education to the collection and collation 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

- Collection of the views of the public at the constituency level on proposals to alter the constitution
- Debate, discussion and collation 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.
- 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 should similarly 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/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 your 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.
- Perform any other tasks as directed by CKRC.

3.2.2 **Criteria of Appointments**

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

4. **CIVIC EDUCATION**

Civic education in the constitution was carried out between 6th January 2002 and 23rd May 2002

4.1. **Phases and issues covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Issues and questions for public hearings

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 18th and 19th June 2002
- a) Total Number of Days: 2

2. **Venue**

- a) Number of Venues: 2
- b) Venue(s):
 - 1. Nyamarambe Town Hall
 - 2. Menyanya SDA High School

3. **Panels**

a. Commissioners

- 1.Com. Abida Ali-Aroni
- 2.Com. Domiziano Ratanya
- 3.Com. Pastor Zablon Ayonga

b. Secretariat

- 1.Helen Makone – Programme Officer
- 2.Grace Kamau – Assistant Programme Officer
- 3.Helen Kanyora – Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		157
Sex	Male	133
	Female	24
	Not Stated	0
Presenter Type	Individual	126
	Institutions	29
	Not Stated	2
Educational Background	Primary Level	24
	Secondary/High School Level	90
	College	14
	University	25
	None	0
	Not Stated	4
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	12
	Oral	69
	Written	10
	Oral + Memoranda	29
	Oral + Written	37
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in North Mugirango-Borabu 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

- The preamble should include heroes of Kenya.
- The preamble should capture historical experiences of Kenyans.
- The preamble should recognize the role played by the freedom fighters.
- The preamble should state that Kenya shall recognize supremacy of God's power.
- The preamble should express our past, future, expectations and hopes.
- The preamble shall capture a national symbol, national anthem and loyalty pledge.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans.
- The constitution should provide for enlightenment of the people, create harmony, safeguard human rights and shall be a basis of democracy.
- The constitution should state that Democratic Republic of Kenya belongs to the people of Kenya.
- The constitution should state that national vision shall be a country free of diseases and other calamities.
- The constitution should provide that people shall oust the government if it does not follow the law.
- The constitution should provide that the rights of the people shall be supreme.
- The constitution should capture peace, love, unity and motto harambee Kenya.

5.3.3 **CONSTITUTIONAL SUPREMACY**

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that the armed forces act shall regulate their operations and discipline.
- The constitution should provide that a constitutional amendment shall only be through a public referendum.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- The constitution should provide that there is clear separation of powers.
- The constitution should provide that parliament shall only amend sections that do not concern them.

5.3.4 **CITIZENSHIP**

- The constitution should provide that citizens shall have ID cards, baptism cards, passports and birth certificates for identification.
- The constitution should provide that a child of less than 18 years adopted by a Kenyan shall become a citizen.
- The constitution should not provide for dual citizenship.
- The constitution should provide that citizenship shall be through naturalization.
- The constitution should provide that citizenship shall be through registration.
- The constitution should provide for dual citizenship.
- The constitution should provide that women shall pass citizenship to foreign husbands and children.
- The constitution should confer automatic citizenship to a child given birth to a Kenyan

lady citizen married to a foreigner.

- The constitution should provide citizenship for any child born of a Kenyan parent regardless of gender.
- The constitution should provide automatic citizenship shall be granted for all people born in Kenya.
- The constitution should guarantee that lost ID cards shall be replaced with K.Shs.50/.
- The constitution should guarantee issuance of ID cards and passports to all persons over 18 years of age.

5.3.5 **DEFENCE AND NATIONAL SECURITY**

- The constitution should provide that all police posts shall be accountable to a committee.
- The constitution should provide that people shall not be denied security because they have an opposition MP.
- The constitution should provide that the chief of general staff shall have 2-5 years tenure.
- The constitution should provide that all police stations shall have a woman officer to deal with women issues.
- The constitution should provide that the police shall only arrest during day time only.
- The constitution should provide that defense minister shall be commander in chief of armed forces.
- The constitution should provide that the police shall go to villages with the chiefs.
- The constitution should provide that the parliament shall have powers to invoke emergency powers.
- The constitution should provide that the president shall appoint Chief of the general staff.
- The constitution should provide for an independent police service commission in charge of national security.
- The constitution should provide that the president shall remain the commander in chief.
- The constitution should provide that the president shall declare the state of emergency.

5.3.6 **POLITICAL PARTIES**

- The constitution should limit the number of political parties in the country to 3-10.
- The constitution should provide that political parties shall not have zones such as KANU zones.
- The constitution should provide that political parties shall share power.
- The constitution should provide that political parties shall be allocated equal time on KBC.
- The constitution should provide that political parties shall mobilize the public.
- The constitution should provide civic education as a primary role.
- The constitution should provide broad guidelines requiring that political parties have a development focus.
- The constitution should provide for public funding of political during elections.
- The constitution should provide for political parties code of conduct.
- The constitution should provide regulation of number of political parties.
- The constitution should provide for democratic avenues for parties to operate.
- The constitution should provide that both the state and political parties shall perform government functions together.
- The constitution should provide that political parties shall be government's watchdogs and that they shall not be tribal.
- The constitution should provide that political parties shall be funded by the government.
- The constitution should provide freedom of movement from one party to another when a party becomes biased and corrupt.
- The constitution should provide that each party shall provide financial statements regularly.
- The constitution should provide for retention of political parties that shall a reasonable number of MPs.
- The constitution should provide that political parties shall help the poor and carry out harambees.
- The constitution should provide for separation of state and political parties.
- The constitution should provide that political parties shall educate people on human rights.
- The constitution should provide that the prime minister shall be from the winning party.

5.3.7 **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide for a parliamentary system of government with a Prime Minister as the head of government.
- The constitution should provide for a hybrid system where power is shared between the president and the prime minister.
- The constitution should provide for a ceremonial president.
- The constitution should provide for the formation of a coalition government.
- The constitution should provide for a government of a coalition government composed of all parliamentary political parties.
- The constitution should provide for a unitary system of government with prime minister and president, where prime minister shall be the head of government business.
- The constitution should provide for a presidential type of government with a single chamber.
- The constitution should provide that the vice president shall be elected.

- The constitution should provide that if the president is a man, the Vice president should be a woman and vice versa.
- The constitution should provide that the president shall head the state whereas the speaker shall head the parliament.

5.3.8 **THE LEGISLATURE**

- The constitution should give Parliament power to impeach the president.
- The constitution should provide that MPs shall be below 60 years on election.
- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should debar MPs from legislating their own remuneration.
- The constitution should provide for an independent commission to decide on the salaries of MPs.
- The constitution should give Parliament power to control its own calendar and its own budget.
- The constitution should give voters the right to recall non-performing MPs.
- The constitution should provide that MPs have public offices in their constituencies.
- The constitution should provide that nomination of MPs shall be abolished.
- The constitution should provide that a third of all nominated MPs shall be women.
- The constitution should provide that all MPs shall be university graduates.
- The constitution should provide that Attorney General, chief justice and judges shall be appointed by the parliament.
- The constitution should provide that an MP shall be holder of at least KCSE certificate.
- The constitution should provide that an MP must be morally and ethically upright.
- The constitution should provide for control of parastatal bodies by the parliament.
- The constitution should provide that MPs shall work for normal hours from Monday to Friday.
- The constitution should provide that decisions passed by parliament shall be implemented.
- The constitution should provide that parliament shall not be extended for purposes of constitutional review.
- The constitution should provide that nominated MPs shall be well trained professionals.
- The constitution should provide that parliament shall not be extended for more than 5 years.
- The constitution should provide that parliament shall control its own calendar.
- The constitution should provide that the MPs shall be re-called by a council of elders if inefficient.
- The constitution should provide for a clerk paid by government in the MP's constituency office.
- The constitution should provide that parliament shall not have unlimited powers to control its own procedures through standing orders.
- The constitution should provide security for all MPs regardless of their political affiliation.
- The constitution should guarantee that at least 30% of parliamentarians shall be women.

5.3.9 **THE EXECUTIVE.**

- The constitution should provide that a limited number of people shall accompany president in his trips.

- The constitution should provide that the president shall cut links with his party upon retirement.
- The constitution should provide that the people shall determine the president's tenure depending on his popularity.
- The constitution should provide that the president shall maintain peace, security and make opening speech for parliament.
- The constitution should provide that the president shall be an MP for 10 years with outstanding achievement.
- The constitution should provide that the president shall nominate an MP in his constituency.
- The constitution should provide that the president shall have been a resident in Kenya for at least 10 years prior to elections.
- The constitution should provide that president shall report after every 5 years on the development he has achieved.
- The constitution should provide that ministers shall not be MPs.
- The constitution should provide that the president shall be a male.
- The constitution should provide that provincial administration role shall be replaced by local government.
- The constitution should provide that the president shall be of sound mind, good health, have no criminal record and be a family man.
- The constitution should provide that president shall not be an MP.
- The constitution should provide that the president and the ministers shall not head any commission.
- The constitution should provide for drawing of cabinets from professional sphere and that they shall not necessarily be MPs.
- The constitution should provide that a president shall have a family and be a person of good moral history.
- The constitution should provide that chiefs shall be transferable.
- The constitution should recognize village elders as administrators and that they shall be put on salary.
- The constitution should provide that the president shall be subject to the law.
- The constitution should limit the powers of the president.
- The constitution should provide that the president shall not have the power to dissolve parliament.
- The constitution should provide that the president shall serve a maximum two five-year terms.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.
- The constitution should provide that chiefs and their assistants shall be elected.
- The constitution should provide that the president shall also be an elected M.P.
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should provide for the election by popular vote of provincial administration officials.
- The constitution should provide that the provincial administration is abolished and its role should be taken over by the local government.
- The constitution should provide that chiefs, just like other civil servants shall be transferable.
- The constitution should provide that the president shall defend sovereignty.

5.3.10 **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary.
- The constitution should provide that public prosecution shall be done by the AG based on the ombudsman's office decision.
- The constitution should provide that judicial officers shall have a degree in law.
- The constitution should provide for a supreme court.
- The constitution should provide for right to legal aid in matters of property and judicial review of laws.
- The constitution should provide for a permanent constitutional court.
- The constitution should provide for a Judicial Commission to oversee the appointment of the Judiciary officers.
- The constitution should provide that legal aid shall be affordable to the poor and the disadvantaged/vulnerable.
- The constitution should provide that the judiciary shall apply the law in the same way to all people, regardless of their social status.
- The constitution should abolish detention without trial.
- The constitution should provide that retirement age for judges shall be 65 years and 55 years for magistrates.
- The constitution should abolish application of customary laws in our courts.
- The constitution should provide that accused persons shall be arranged in court within 24 hours.
- The constitution should guarantee scrapping of nolle prosequi.
- The constitution should guarantee that rape cases shall be held in camera.

5.3.11 **LOCAL GOVERNMENT**

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the Country Council, be filled by direct popular elections.
- The constitution should provide that mayors and council chairperson's shall have managerial and administrative skills.
- The constitution should provide that the local authorities shall have power to hire and fire any of their employees.
- The constitution should provide that taxes collected shall be equivalent to services rendered.
- The constitution should provide councils with internal audit supervised by the central government.
- The constitution should provide that councilors shall be ethical and morally upright.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should provide for empowerment of local government, municipal and county councils to generate their own income so that they shall be able to carry out their responsibilities.
- The constitution should provide for recalling of councilors who do not perform.
- The constitution should provide funding of local authorities with the central government.
- The constitution should provide that all councilors shall have a minimum education of 'O'

level.

- The constitution should provide that nomination of councilors shall be abolished.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide that a parliamentary constituency must have a standard maximum number of people.
- The constitution should provide that votes be counted at the polling station.
- The constitution should provide that Presidential, Parliamentary and civic elections shall be held on separate dates.
- The constitution should provide that voting be done by secret ballot.
- The constitution should clearly stipulate the election date of general elections.
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide that ballot boxes be transparent.
- The constitution should make provision for equal access to the state media for campaign purposes, by all registered political parties.
- The constitution should retain the rule that requires that the winner in a presidential election get a mandatory 25% of votes cast in at least five provinces.
- The constitution should provide for elections to be done in not more than one day.
- The constitution should provide for counting of voters immediately after elections at the polling station and that announcement of the results shall be immediately.
- The constitution should provide for issuance of voter's cards continuously alongside ID cards.
- The constitution should provide for autonomy of electoral commission.
- The constitution should provide that any contestant that has lost in an election shall not be nominated into parliament.
- The constitution should provide that seat aspirant shall not be allowed to use money to coerce voters.
- The constitution should provide that constituency shall be on the basis of population.
- The constitution should provide that independent candidates shall be allowed to vie during election.
- The constitution should limit the amount of money used to campaign.
- The constitution provide that the birth certificate or ID card shall be used as an alternative to the voting card.
- The constitution should provide that civic, parliamentary and presidential elections shall be held simultaneously.
- The constitution should provide that security shall be provided to all candidates.
- The constitution should provide for election of president and vice president as running mates.
- The constitution should provide 18 years to be the minimum voting age.
- The constitution should provide that elections shall be held only from Monday to Friday.
- The constitution should guarantee that there shall be no rigging
- The constitution should provide that election date shall be gazetted.
- The constitution should provide that if no presidential candidate gathers 51% of the total votes in the country then a run off shall be held between 2 top candidates.
- The constitution should provide that the president shall garner the highest number of votes.
- The constitution should provide that presidential elections shall be done directly by the citizens.
- The constitution should provide that winning president shall have 25% votes from 2/3 of the provinces.

5.3.13 **BASIC RIGHTS**

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee men paternity leave to take care of their wives.
- The constitution should guarantee that the government shall provide for the basic needs for the first three children in each family.
- The constitution should provide that the societies act shall not limit the right of association.
- The constitution should guarantee that capital penalty shall be replaced by life imprisonment.
- The constitution should guarantee constitution accessibility.
- The constitution should guarantee workers that they shall be stakeholders in their places of work.
- The constitution should provide healthcare for all.
- The constitution should guarantee employment for all people.
- The constitution should provide that citizens shall have right to access to state information.
- The constitution should guarantee the freedom of worship to all Kenyans.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the freedom of movement.
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should guarantee the security of all Kenyans.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide for free basic health care for all in both rural and urban areas
- 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, ethnic or racial background.
- The constitution should guarantee all citizens right to hold leadership positions.
- The constitution should guarantee right and protection to private property.
- The constitution should guarantee all Kenyans freedom of settling anywhere in Kenya.
- The constitution should guarantee free education up to form 4 level.
- The constitution should guarantee affordable health services.
- The constitution should guarantee one's innocence until proven guilty.
- The constitution should provide that the prisoners and prisoners shall have freedom to vote.
- The constitution should guarantee workers right to trade union representation.

5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide for government rehabilitation of street children.
- The constitution should retain female genital mutilation.
- The constitution should make provision for sign language services for the deaf in all public

places including parliament.

- The constitution should provide affirmative action in favor of the disabled in all public facilities.
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should guarantee free education and healthcare for the disabled people.
- The constitution should guarantee training of disabled to be self-reliant.
- The constitution should guarantee the old social welfare support.
- The constitution should guarantee protection of the widows.
- The constitution should guarantee abolishment of child labour.
- The constitution should guarantee protection of children from sex abuse.
- The constitution should guarantee equal rights of inheritance to girls and boys.
- The constitution should guarantee joint registration of matrimonial property between the husband and the wife.
- The constitution should guarantee employment for all educated disabled.
- The constitution should guarantee special education for all disabled.
- The constitution should guarantee disable exemption from taxation.
- The constitution should guarantee disabled inheritance of parent's property.
- The constitution should guarantee that sign language interpreter shall be in schools and in other public places.
- The constitution should provide for affirmative action in favor of the needy, aged, HIV positive and mentally sick persons.
- The constitution should protect the education of the Girl child.
- The constitution should guarantee old age care and homes built for the aged.
- The constitution should guarantee nomination of disabled to elective posts.
- The constitution should guarantee land to orphans, widows and landless.
- The constitution should guarantee that street families shall be provided by the government.
- The constitution should provide that disabilities census shall be carried out every 10 years and that the government shall budget for them.
- The constitution should free legal representation for the poor.
- The constitution should guarantee that mass media shall cater for the disabled and that newspapers shall be in Braille.
- The constitution should guarantee that land boards shall have women.
- The constitution should provide for a campaign to recognize AIDS victims.
- The constitution should provide that women produce shall be marketed separately with men's.
- The constitution should protect the right of prisoners.
- The constitution should provide for establishment of a welfare society to benefit orphans and widows.

5.3.15 **LAND AND PROPERTY RIGHTS**

- The constitution should guarantee the right of any Kenyan to own land in any part of the country.
- The constitution should guarantee 4 acres of land for every Kenyan.
- The constitution should provide that people shall not own land without registering it.
- The constitution should provide that the government shall help people fence their lands so

as to reduce livestock theft.

- The constitution should provide that the government shall be the ultimate owner of the land.
- The constitution should provide that women and men shall not have equal rights in land ownership.
- The constitution should abolish divisional land boards.
- The constitution should provide that any Kenyan above 20 years shall be allowed to own land.
- The constitution should abolish pre-independence land treaties.
- The constitution should provide that tax shall be levied on idle land owned by an individual.
- The constitution should abolish land control board.
- The constitution should provide that village elders shall do deliberations on land issues.
- The constitution should provide protection to freedom to own property.
- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should provide that no citizen should own more than 100 acres of land.
- The constitution should guarantee that no Kenyan shall be landless.
- The constitution should guarantee transparent transfer and subdivision of land.
- The constitution should guarantee that land title deeds and transfers would be easily obtainable.
- The constitution should guarantee that the title deed shall bear the names of both spouses.
- The constitution should guarantee regulation of costs of land transfers.
- The constitution should guarantee taxing of those who own large tracts of unused land.
- The constitution should guarantee constitutional limit of land ownership.
- The constitution should guarantee proper use of both private and public land.
- The constitution should guarantee communal disputes resolution mechanisms.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide equal access to land for both men and women.
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership
- The constitution should guarantee ownership of land by women.
- The constitution should prohibit foreigners from owning land.

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND

COMMUNAL RIGHTS

- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should guarantee that cultural languages shall be cherished and respected.
- The constitution should guarantee the outlawing of harmful cultural practices.
- The constitution should guarantee recognition and protection of indigenous languages.
- The constitution should enshrine Sabbath observance.
- The constitution should enhance cultural practices that promotes that promote tourism.

- The constitution should provide that it shall be written in vernacular.
- The constitution should provide for checking of illicit brew by KEBS before being legalized.
- The constitution should abolish nepotism especially in relation to the ruling tribe.
- The constitution should abolish the practice of Female Genital Mutilation.
- The constitution should guarantee abolishment of child marriage.
- The constitution should guarantee protection of women from violence and discriminatory cultural practices.

5.3.17 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources.
- The constitution should abolish quota system in education.
- The constitution should protect Jua kali industries from imports competition.
- The constitution should provide for an ombudsman office at divisional level.
- The constitution should provide that marketing of farmers produce shall be controlled by farmer's societies.
- The constitution should provide that public services shall be provided because people pay taxes.
- The constitution should provide that poverty shall be eradicated.
- The constitution should provide that schools shall be run according to sponsor's wishes.
- The constitution should provide that the government shall give schools financial assistance.
- The constitution should protect women in the market by giving them commensurate money for their produce.
- The constitution should provide that retirees shall not be re-employed.
- The constitution should provide that schools BOG shall be chosen by the parents.

5.3.18 **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide for the protection of natural resources.
- The constitution should provide framework of environmental administration.
- The constitution should address environmental issues.
- The constitution should criminalize pollution of environment.
- The constitution should control gazettelement of forests.

5.2.19 **PARTICIPATORY GOVERNANCE**

- The constitution should provide that other organizations shall not be involved in the government.
- The constitution should guarantee citizens power to determine how they shall be governed.

5.3.19 **INTERNATIONAL RELATIONS**

- The constitution should provide that foreigners shall not be registered as citizens.
- The constitution should provide that parliament shall decide on international affairs.

5.3.20 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide that constitutional commissions are set up to control parliament and the judiciary.
- The constitution should establish commission for women's rights.
- The constitution should establish national salaries commission to determine salaries of all civil servants including MPs.
- The constitution should provide for a commission of constitutional affairs.
- The constitution should provide for establishment of disabled complainant office.
- The constitution should provide that human rights commission shall be established.
- The constitution should provide for establishment of anti corruption authority.
- The constitution should provide for an independent commission to determine MPs salaries.
- The constitution should provide for appointment of the Electoral Commission of Kenya by the Public service commission and that the ECK shall represent all the interested groups.
- The constitution should provide for a commission to look at conduct of president and misuse of public funds.
- The constitution should provide for a ministry of justice to advise the government.

5.3.21 **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that instrument of power shall be transferred at the time of swearing in the government.
- The constitution should provide that speaker and the chief justice shall hold executive powers during election.
- The constitution should provide that the vice president shall take over after 90 days, elections are held.
- The constitution should provide that president shall be sworn in 21 days after elections.
- The constitution should provide that the election commission shall have powers during election.

5.3.22 **WOMEN'S RIGHTS**

- The constitution should guarantee protection of women against exploitation and issues such as rape, divorce and other forms of violence shall be addressed.
- The constitution should guarantee participation of women in politics.

- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should guarantee unmarried daughters right to own parent's property.
- The constitution should guarantee barren women right to inherit husband's property.

5.3.23 **LEGAL SYSTEM**

- The constitution should provide that rapists shall be castrated.

5.3.24 **SECTORAL POLICIES**

- The constitution should provide for reinstatement of price control regulations on goods and services.
- The constitution should legalize corporal punishment in schools.
- The constitution should provide that all government services and facilities are accessible to all Kenyans without discrimination.
- The constitution shall provide that retirees shall be prohibited from taking other jobs.
- The constitution should provide that teachers shall be the highest paid civil servants.
- The constitution should provide that business license shall be cheaper.
- The constitution should guarantee that taxes are only paid for services delivered.
- The constitution should provide that all appointments to civil service must be based on merit.
- The constitution should provide for a one person-one job policy.
- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should provide that admissions to government schools be strictly based on merit.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided and that teachers shall be given priority.
- The constitution should provide that leaders shall declare their wealth.
- The constitution should consider sudden wealth unrightfully.
- The constitution should provide that missionary schools shall be given teachers by the government.
- The constitution should provide that cash crop factories shall have managers and 2 directors only.
- The constitution should provide for fair retrenchment process.
- The constitution should provide that artisans shall be allowed to form Jua kali groups in every trading centre.
- The constitution should provide that pension shall be given to farmers.
- The constitution should provide industries for agricultural produce.
- The constitution should provide that no family shall have more than 3 children.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide for reasonable and affordable government taxation of consumer goods.
- The constitution shall guarantee addressing of poverty eradication and poverty.
- The constitution should provide that nominated MPs shall not be ministers.
- The constitution should provide that the president shall declare his wealth.
- The constitution should guarantee that when an accident victim hires an advocate the

double check system shall be applied.

- The constitution should guarantee Kshs.2000/ for unemployed graduates and those living below poverty line.
- The constitution should provide that foreign debt shall be approved by the parliament.

APPENDICES:

Appendix 1: Constituency Constitutional Committees

1. James Masaki N. Mongare DC
2. Pastor Alfred M. Rosasi Chairman
3. Roy Akumu Secretary
4. Samson Omosa
5. John Bikondo
6. Charles M. Oange
7. Francis Kabinga
8. Harn G. Oturi
9. Mrs. Flida Omweri
10. Mrs. Perish Omuya
11. Daniel Abima
12. Benson Kiriago
13. Mrs. Margaret Getui
14. Mrs. Elizabeth M. Nyang'au

Appendix 2: Civic education providers (CEPs)

1. Obwari Catholic group
2. Nyamero youth group
3. Afro DEP
4. S DA youth group
5. Catholic peace and justice commission
6. J. onyancha
7. S. Omosa
8. J. Mongane

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

1	0023ONNNY	Charles O. Kinanga.	CBO	Memorandum	Youth of North Mugirango.
2	0013ONNNY	Consolata Rabera Nyairo	CBO	Memorandum	Maendeleo ya Wanawake-Ekeren
3	0004ONNNY	Denise Otundo.	CBO	Written	Nyansiong'o farmers.
4	0014ONNNY	Esther Moraa Aboki	CBO	Written	Widows & Orphans
5	0003ONNNY	Josiah Maragia	CBO	Written	Uzima Tindereti Youth Group.
6	0007ONNNY	Margret Getui	CBO	Written	Nyaiso Disabled Group
7	0008ONNNY	Newton Nyamongo	CBO	Memorandum	Bogirango Development Associ
8	0010ONNNY	Sam Omosa	CBO	Memorandum	North Mugirago People's Coun
9	0002ONNNY	Samuel Omweri Kibwage.	CBO	Memorandum	Borabu People
10	0025ONNNY	Thomas Sigira	CBO	Written	Youth Magwagwa
11	0017ONNNY	Vincent Onyango	CBO	Memorandum	Youths of Nyamusi.
12	0024ONNNY	Wilfred Osano	CBO	Written	Kiamogaki Organic Farming.
13	0016INNNY	Abel Makori Saisi	Individual	Written	
14	0019INNNY	Abina Aroni	Individual	Written	
15	0035INNNY	Agnes N. Nyagwachi.	Individual	Written	
16	0022INNNY	Alfayo C. Nyandege.	Individual	Memorandum	
17	0132INNNY	Alfayo Onduko	Individual	Oral - Public he	
18	0054INNNY	Alfred M. Marabu.	Individual	Memorandum	
19	0015INNNY	Amos Omar Nyakeyo.	Individual	Memorandum	
20	0065INNNY	Anonymous	Individual	Oral - Public he	
21	0094INNNY	Banabasi Nyagaresi.	Individual	Oral - Public he	
22	0104INNNY	Basifika Kemunto	Individual	Oral - Public he	
23	0001INNNY	Beavon Okiago.	Individual	Written	
24	0041INNNY	Bernard Kiriago	Individual	Written	
25	0119INNNY	Charles Gundo	Individual	Oral - Public he	
26	0115INNNY	Charles Momanyi	Individual	Oral - Public he	
27	0123INNNY	Charles Mose	Individual	Oral - Public he	
28	0062INNNY	Charlse S. K. Nyamera.	Individual	Written	
29	0018INNNY	Councillor Ezekiel Suku	Individual	Memorandum	
30	0021INNNY	Daniel Abima	Individual	Written	
31	0073INNNY	Daniel Aboki	Individual	Oral - Public he	
32	0077INNNY	Daniel Omwoyo	Individual	Oral - Public he	
33	0081INNNY	David Onkoba Rioba	Individual	Oral - Public he	
34	0126INNNY	Davidson Karata	Individual	Oral - Public he	
35	0006INNNY	Dennis Nyandoro	Individual	Written	
36	0034INNNY	Dickson N. Nyaberi.	Individual	Written	
37	0010INNNY	Doris Moenga	Individual	Written	
38	0063INNNY	Elder Elkana Omuya.	Individual	Written	
39	0112INNNY	Elizabeth Manyara	Individual	Oral - Public he	
40	0020INNNY	Elkana Omuya Moseti.	Individual	Written	
41	0096INNNY	Eunivinalis Mokanya.	Individual	Oral - Public he	
42	0116INNNY	Evans Abachi	Individual	Oral - Public he	
43	0103INNNY	Evans Machini	Individual	Oral - Public he	
44	0074INNNY	Evans Onchieko	Individual	Oral - Public he	
45	0044INNNY	Evans Tuti	Individual	Written	
46	0072INNNY	Ezekiel Motaroki.	Individual	Oral - Public he	
47	0109INNNY	Ezra Otieno	Individual	Oral - Public he	
48	0059INNNY	Francis O Mogoba.	Individual	Memorandum	
49	0017INNNY	Francis O. Agoti.	Individual	Written	

50	0042INNNY	Fredrick Onyancha.	Individual	Written	
51	0051INNNY	Gechiko Onchiri	Individual	Oral - Public he	
52	0064INNNY	Gekara	Individual	Written	
53	0025INNNY	Godfrey Masanya	Individual	Memorandum	
54	0080INNNY	Goefrey Mosongo.	Individual	Oral - Public he	
55	0056INNNY	Goefrey Omoyo	Individual	Written	
56	0014INNNY	Haron G. Oturi.	Individual	Memorandum	
57	0084INNNY	Harrison Otundo	Individual	Oral - Public he	
58	0066INNNY	Hellen Biyaki Nyaundi.	Individual	Oral - Public he	
59	0052INNNY	Henry Omayo.	Individual	Written	
60	0105INNNY	Hon. Joseph Kiangoi Omb	Individual	Oral - Public he	
61	0118INNNY	James Mengo	Individual	Oral - Public he	
62	0098INNNY	James O. Momanyi.	Individual	Oral - Public he	
63	0099INNNY	James Okeri	Individual	Oral - Public he	
64	0055INNNY	James Onyancha	Individual	Written	
65	0029INNNY	James raini	Individual	Memorandum	
66	0087INNNY	Jane makori	Individual	Oral - Public he	
67	0110INNNY	Jane Nyamoita Ondieki.	Individual	Oral - Public he	
68	0085INNNY	Jared Kambi	Individual	Oral - Public he	
69	0108INNNY	Jared Masinga	Individual	Oral - Public he	
70	0093INNNY	Jemson Gichana	Individual	Oral - Public he	
71	0067INNNY	Joel Nyabuti.	Individual	Oral - Public he	
72	0002INNNY	Joel Ouko.	Individual	Written	
73	0090INNNY	John Maronga	Individual	Oral - Public he	
74	0122INNNY	John N. Moturi.	Individual	Oral - Public he	
75	0127INNNY	John Okeria	Individual	Oral - Public he	
76	0049INYNN	Johnson kembene	Individual	Written	
77	0134INNNY	Johnthan Nyakangi	Individual	Oral - Public he	
78	0026INNNY	Joseph Mauti	Individual	Memorandum	
79	0091INNNY	Joseph O. Obuga	Individual	Oral - Public he	
80	0023INNNY	Joseph Sagwe	Individual	Written	
81	0033INNNY	Joyce K. Onyoni	Individual	Written	
82	0003INNNY	Justus Nyaribo.	Individual	Written	
83	0004INNNY	Karen Moikobu	Individual	Written	
84	0007INNNY	Lawrence Sese	Individual	Written	
85	0088INNNY	Lucy Bwana	Individual	Oral - Public he	
86	0125INNNY	Mary Kwamboka	Individual	Oral - Public he	
87	0070INNNY	Mary Onchari	Individual	Oral - Public he	
88	0013INNNY	Matara Bongoko.	Individual	Written	
89	0106INNNY	Michael Ondoro	Individual	Oral - Public he	
90	0111INNNY	Michira Onkundi	Individual	Oral - Public he	
91	0012INNNY	Michoma Solomon	Individual	Written	
92	0024INNNY	Miriam Ondieki	Individual	Oral - Public he	
93	0008INNNY	Nyakerario tai	Individual	Written	
94	0047INNNY	Nysimi Kimori	Individual	Memorandum	
95	0060INNNY	Ondigi Karani	Individual	Oral - Public he	
96	0095INNNY	Onsomu Nyaboki	Individual	Oral - Public he	
97	0048INNNY	Oyaro Oyieyo	Individual	Written	
98	0040INNNY	Pastor B. Mose	Individual	Written	
99	0027INNNY	Pastor james Omwansa	Individual	Memorandum	
100	0079INNNY	Pastor John Manani.	Individual	Oral - Public he	
101	0068INNNY	Pastor Methusellah Ramb	Individual	Oral - Public he	
102	0083INNNY	Patrick Mayaka	Individual	Oral - Public he	
103	0039INNNY	Patrick Nyamiero	Individual	Written	
104	0092INNNY	Patrick Otiso	Individual	Oral - Public he	

105	0102INNNY	Peter Getanda	Individual	Oral - Public he	
106	0089INNNY	Peter Nyamagosa	Individual	Oral - Public he	
107	0036INNNY	Phillip Ndubi	Individual	Memorandum	
108	0031INNNY	Rebecca Nyabokeye.	Individual	Written	
109	0086INNNY	Reuben Omae	Individual	Oral - Public he	
110	0114INNNY	Rev. P. Nyambane.	Individual	Oral - Public he	
111	0061INNNY	Richard Minyira	Individual	Memorandum	
112	0005INNNY	Richard Onyancha	Individual	Memorandum	
113	0038INNNY	Robert Moseki Masora.	Individual	Written	
114	0131INNNY	Ronald Mokoro	Individual	Oral - Public he	
115	0101INNNY	Rose Nyauma	Individual	Oral - Public he	
116	0128INNNY	Ruth Mounde	Individual	Oral - Public he	
117	0037INNNY	Salome Ariemba	Individual	Written	
118	0075INNNY	Sammy Boss Ondieki.	Individual	Oral - Public he	
119	0076INNNY	Samson Momanyi.	Individual	Oral - Public he	
120	0050INNNY	Samson Onchari	Individual	Memorandum	
121	0121INNNY	Samuel N. Obiero.	Individual	Oral - Public he	
122	0053INNNY	Samuel Nyachama	Individual	Memorandum	
123	0120INNNY	Samuel Nyauma	Individual	Oral - Public he	
124	0028INNNY	Samuel Ombati	Individual	Memorandum	
125	0129INNNY	Shadrack Nyandeye.	Individual	Oral - Public he	
126	0117INNNY	Sibia Makori	Individual	Oral - Public he	
127	0045INNNY	Simeon N. Ndubi.	Individual	Written	
128	0082INNNY	Simon Change	Individual	Oral - Public he	
129	0071INNNY	Stanley Nyabuti	Individual	Oral - Public he	
130	0069INNNY	Stanley Nyachiego.	Individual	Oral - Public he	
131	0032INNNY	Tabitha Ongere	Individual	Written	
132	0078INNNY	Telatio Nyang'au.	Individual	Oral - Public he	
133	0133INNNY	Thomas Z. Bigingi.	Individual	Oral - Public he	
134	0058INNNY	Thomas Areba	Individual	Written	
135	0057INNNY	Thomas maina	Individual	Oral - Public he	
136	0100INNNY	Thomas Morenga.	Individual	Oral - Public he	
137	0046INNNY	Thomas Nyang'au Obao.	Individual	Written	
138	0130INNNY	Victor Moga	Individual	Oral - Public he	
139	0124INNNY	Wilfred Nyang'au.	Individual	Oral - Public he	
140	0011INNNY	Wilfred Omwansa	Individual	Memorandum	
141	0113INNNY	William Omoti	Individual	Written	
142	0097INNNY	Yabesh Maunga	Individual	Oral - Public he	
143	0030INNNY	Zablon Ateya	Individual	Written	
144	0107INNNY	Zachariah Ondida.	Individual	Oral - Public he	
145	0009INNNY	Zedekiah Ondari	Individual	Written	
146	0001ONNNY		Individual	Written	
147	0005ONNNY	Daniel Nyang'au.	NGO	Memorandum	Uzima Foundation
148	0009ONNNY	Justus Nyaribo	NGO	Memorandum	Women and Political-Kenya.
149	0027ONNNY	Anonymous	Other Institutions	Written	
150	0026ONNNY	Davis M. Maritim.	Other Institutions	Written	Magwagwa Sublocation.
151	0019ONNNY	Jackson M. Buruchara	Other Institutions	Memorandum	Staff Ikonge PAG Secondary S
152	0012ONNNY	John Nyaega	Other Institutions	Memorandum	Kebabe Teachers
153	0016ONNNY	Kennedy Sereti	Other Institutions	Memorandum	Amatiero School
154	0022ONNNY	Pacifica B. Ongau.	Other Institutions	Written	Enkinda primary School Pare
155	0021ONNNY	Philiph Onyando	Other Institutions	Memorandum	Councillors Moger Ward.
156	0011ONNNY	Risper Ndubi	Other Institutions	Memorandum	Students of Kebabe Secondary

157	0018ONNNY	Ambrose Nyakoe	Religious Organisation	Memorandum	St. Peters Parish.
158	0006ONNNY	Andrew Simwamu.	Religious Organisation	Written	Justice & Peace Commission
159	0015ONNNY	Kennedy Obundi	Religious Organisation	Memorandum	SDA Church-Motorora district
160	0001ONNNY	Pastor Jameson Siika.	Religious Organisation	Written	S.D.A. Church Matutu
161	0020ONNNY	Titus Oyugi	Religious Organisation	Memorandum	Kebirigo catholic parish

Appendix 4: Persons Attending Constituency Hearings

No	Name	Address:	No	Name:	Address:
1	Elikanah Omuya	P.O. Box 147, Sondu	241	Denis Basweti	P.O. Box 346, Sondu
2	Daniel Abima	P.O. Box 391, Nyamira	242	Josiah Mauti	P.O. Box 141, Sondu
3	Alfayo Charana	P.O. Box 18, Magwagwa	243	Daniel Osuga	P.O. Box 346, Sondu
4	Newton B. Nyamongo	P.O. Box 14, Kebirigo	244	Patrick Mose	P.O. Box 40, Kadongo
5	Justus Nyaribo	P.O. Box 1183, Kisii	245	Vincent Onyando	P.O. Box 720, Nyamira
6	James Okeri	P.O. Box 50, Kebirigo	246	Masinga Jared	P.O. Box 46, Kebirigo
7	Steve Omosa	P.O. Box 14, Kebirigo	247	Ezra Otieno	P.O. Box 133, Sondu
8	Thomas Onyancha	P.O. Box 346, Sondu	248	Joseph Ogweno	Magwagwa
9	Thomas Omurenda	P.O. Box 328, Obwari	249	Miriam Ondieki	P.O. Box 17, Ikonge
10	Sam Mitema	P.O. Box 12, Kebirigo	250	Jane Ondieki	P.O. Box 17, Ikonge
11	John Ouru Nyaega	P.O. Box 9, Ikonge	251	Henry Segera	P.O. Box 72, Sotik
12	Joseph Gesura	P.O. Box 812, Nyamira	252	Rebeca Nyaboke	P.O. Box 56, Magwagwa
13	Peter Getanda	P.O. Box 85, Nyamira	253	Alfred Momanyi	P.O. Box 178, Kebirigo
14	Evans Machini	P.O. Box 106, Sondu	254	Samuel Nyawaro	P.O. Box 66, Ikonge
15	Consolata R. Nyairu	P.O. Box 178, Kebirigo	255	Tabitha Ongere	P.O. Box 10, Ikonge
16	Michael Ondoro	P.O. Box 61, Mokomoni	256	Robert Moseti	P.O. Box 9, Ikonge
17	Kennedy Sereti	P.O. Box 12, Kebirigo	257	Evans Mokoro	P.O. Box 12, Kebirigo
18	James Omwansa	P.O. Box 211, Nyamira	258	Titus Oyugi	P.O. Box 159, Kebirigo
19	Zachariah Otita	P.O. Box 10, Karota	259	Lukio Kimori	P.O. Box 10, Karota
20	Margaret B. Maruka	P.O. Box 346, Sondu	260	Benard Kiriago	P.O. Box 86, Ikonge
21	Esther Aboki	P.O. Box 346, Sondu	261	James Nyanchoka	P.O. Box 28, Ikonge
22	Henry Juma	P.O. Box 346, Sondu	262	Evans Tuti	P.O. Box 560, Nyamira
23	Samuel Ombati	P.O. Box 75, Magwagwa	263	Simeon Ndubi	P.O. Box 433, Sondu
24	James Raini	P.O. Box 258, Nyamira	264	Andrew Bioreri	P.O. Box 1190, Nyamira
25	William Omoti	P.O. Box 328, Kisii	265	Jonathan Nyakangi	P.O. Box 27, Ikonge
26	Robinson Ndege	P.O. Box 28, Magwagwa	266	Samwel Nyandema	P.O. Box 605, Nyamira
27	Kennedy Obondi	P.O. Box 949, Nyamira	267	Josiah Mokua	P.O. Box 94, Kebirigo
28	John O. Oyieyo	P.O. Box 121, Sondu	268	Francis Nyanumba	Ikonge
29	Zablon A. Mokua	P.O. Box 9, Ikonge	269	Francis K. Omayio	P.O. Box 9, Ikonge
30	Francis Nyakundi	P.O. Box 84, Magwagwa	270	Rose Bundi	P.O. Box 35, Eyaka
31	Thomas Mong'are	Nyaramba	271	Catherine Onyango	P.O. Box 35, Eyaka
32	Stellah Makori	P.O. Box 35, Sondu	272	Samuel Onyoni	P.O. Box 838, Nyamira
33	Samson O. Onchari	P.O. Box 500, Nyamira	273	Peter Nyamoti	P.O. Box 27, Ikonge
34	Rev. Peter Nyambane	P.O. Box 1065, Nyamira	274	Charles Nyangate	P.O. Box 169, Sondu
35	Charles Momanyi	P.O. Box 14, Kebirigo	275	Julius Maswari	P.O. Box 21, Magwagwa

36	James Nyambegera	P.O. Box 50, Mokomoni	276	David Mukunyo	P.O. Box 72, Magwagwa
37	Ascar Kerubo	P.O. Box 346, Sondu	277	Evans O. Abachi	Nyaramba
38	Joyce Onyoni	P.O. Box 1198, Nyamira	278	Thomas Nyandiba	P.O. Box 54, Magwagwa
39	Agnes Nyagwachi	P.O. Box 1198, Nyamira	279	Enock Arama	P.O. Box 29, Ikonge
40	Eunice Mogambi	P.O. Box 346, Sondu	280	Isaac N. Atebe	P.O. Box 2177, Kericho
41	Florence Nyamoita	P.O. Box 1188, Nyamira	281	Esther Sosi	P.O. Box 45, Sondu
42	Ambrose Nyakoe	P.O. Box 35, Sondu	282	Samwel Ongwae	Ikonge
43	Isaac Mogaka	P.O. Box 98, Sondu	283	Andrew Obino	P.O. Box 79, Ikonge
44	Alfred Guto	P.O. Box 28, Ikonge	284	Daniel Nyanaro	P.O. Box 9, Ikonge
45	Ezekiah O. Nyankabaria	P.O. Box 2, Ikonge	285	Sifia Kwamboka	P.O. Box 4, Nyamira
46	Philip Ndubi	P.O. Box 70, Ikonge	286	James Mengo	P.O. Box 25, Karota
47	Rev. Ben Mose	P.O. Box 9, Ikonge	287	John Nyauma	P.O. Box 66, Ikonge
48	James B. Nyakangi	P.O. Box 133, Nyamira	288	James Nyaribo	P.O. Box 6, Ikonge
49	Charles Gundo	P.O. Box 9, Ikonge	289	Ocharo Nyanumba	P.O. Box 720, Nyamira
50	Samson Ekai	P.O. Box 2, Ikonge	290	David Makori	P.O. Box 44, Ikonge
51	James Onyancha	Nyaramba	291	Charles Nyaosi	P.O. Box 35, Nyamira
52	Salome Ariamba	P.O. Box 9, Kebirigo	292	Risper Ndubi	P.O. Box 9, Ikonge
53	Francis A. Ndubi	P.O. Box 51, Ikonge	293	William Ongaro	P.O. Box 35, Nyamira
54	Samwel Nyauma	P.O. Box 19, Ikonge	294	James Nyabate	P.O. Box 91, Ikonge
55	John Abuga	P.O. Box 40, Karota	295	Beatrice Ongere	P.O. Box 91, Ikonge
56	Samwel Nyachuba	P.O. Box 18, Ikonge	296	Rose Nyauma	P.O. Box 91, Ikonge
57	Erastoi Mesa	P.O. Box 79, Kebirigo	297	Stephen Nyauma	P.O. Box 91, Ikonge
58	John Nyamweno	P.O. Box 328, Kisii	298	Peter Atenyo	P.O. Box 91, Ikonge
59	Yovensiah Kamanda	P.O. Box 40, Karato	299	Paul Nyakabaria	P.O. Box 9, Ikonge
60	Patrick Nyamiero	Marambii	300	Thomas Areba	P.O. Box 618, Nyamira
61	Andrew Mamboleo	P.O. Box 62, Ikonge	301	Peter Michira	Itibo
62	Davis Maera Maritimi	P.O. Box 71, Magwagwa	302	Joash Nyamboga	Nyaramba
63	James Oeri	P.O. Box 12, Ikonge	303	Charles Mose	P.O. Box 39, Kebirigo
64	Jasper O. Mesa	P.O. Box 2, Nyamira	304	Japheth Nyabinge	P.O. Box 2, Nyamira
65	Matunda John	P.O. Box 5, Ikonge	305	Shadrack Mokuia	P.O. Box 328, Nyamira
66	Geoffrey O. Omoyo	Itibo	306	Benson M. Mongiti	P.O. Box 26, Kengo
67	Francis Ongwenyi	P.O. Box 720, Nyamira	307	Richard Ndemo	P.O. Box 482, Nyamira
68	Joseph M. Osogo	P.O. Box 45, Mokoni	308	James Ondieki	P.O. Box 45, Kabonyoru
69	Zaphania Bintonto	N/A	309	Hon. Joseph K. Ombasa	N/A
70	Nicky C. Kinanga	P.O. Box 91, Kebirigo	310	Nashon Barongo	P.O. Box 2, Nyamira
71	Ondigi Karani	P.O. Box 346, Sondu	311	Baglas Mokuia	P.O. Box 94, Ikonge
72	Samson Mwaniki	P.O. Box 9, Ikonge	312	Naftal Abiashi	P.O. Box 2, Nyamira
73	Nyasimi Kimori	P.O. Box 1198, Nyamira	313	Samwel N. Moturi	P.O. Box 9, Ikonge
74	Kennedy Otara	P.O. Box 68, Ikonge	314	George Guto	P.O. Box 58, Ikonge

75	Jared Mogaka	P.O. Box 5, Ikonge	315	Pastor Henry Ayiera	P.O. Box 10, Ikonge
76	Charles Ondari	P.O. Box 98, Sondu	316	Andrew Ndubi Mong'are	P.O. Box 66, Ikonge
77	Benson Kamanda	Nyaramba	317	Wilfred Nyang'au	P.O. Box 18, Ikonge
78	Michael Abuga Ogita	P.O. Box 185, Sondu	318	Chriss Onuong'a	P.O.Box 90, Ikonge
79	Tabitha Masese	P.O. Box 46, Mokomoni	319	Benard Onguso	P.O. Box 9, Ikonge
80	Cllr. Joash Biticha	P.O. Box 91, Ikonge	320	Wilfrend Mong'are	P.O. Box 18, Ikonge
81	George Onchari	P.O. Box 500, Nyamira	321	Basibika Memunto	P.O. Box 9, Ikonge
82	Jackson Buruchara	P.O. Box 60, Ikonge	322	Zablon Mesa	P.O. Box 45, Mokomoni
83	Evans Maugo	P.O. Box 2028, Nyamira	323	Dickson Nyaberi	P.O. Box 178, Kebirigo
84	Henry Nyanaro	P.O. Box 9, Ikonge	324	Yunes Nyandege	P.O. Box 150, Kebirigo
85	Godfrey O. Madanya	P.O. Box 684, Nyamira	325	Nyaribo Motaroki	Itibo
86	Cllr. Robin Okery	P.O. Box 590, Nyamira	326	Dickson Nyauma	P.O. Box 72, Sotik
87	Johnson Ondieki	P.O. Box 91, Ikonge	327	Wilfred Auta	P.O. Box 72, Sotik
88	Elzaphann O. Nyamweya	P.O. Box 7, Magwagwa	328	Jasper Orina	P.O. Box 812, Nyamira
89	Fred Osano	Itibo	329	Andre Mokuia	P.O. Box 812, Nyamira
90	Peter Okerio	P.O. Box 45, Mokomoni	330	Zaphaniah Onyancha	P.O. Box 75, Magwagwa
91	Peterson Nyakweba	P.O. Box 9, Ikonge	331	Pacifica B. Ong'au	Nyaramba
92	Stephen Makori	P.O. Box 5, Magwagwa	332	Thomas N. Ongechi	P.O. Box 9, Ikonge
93	Johnes Keneni	P.O. Box 9, Ikonge	333	Selvanos O. Nyambuti	P.O. Box 9, Ikonge
94	Benjamin Mbere	P.O. Box 5, Magwagwa	334	Ondoro Marimwa	Magwagwa
95	Alfayo K. Musa	P.O. Box 9, Ikonge	335	Francis Ombori	P.O. Box 2, Nyamira
96	Philph Onyando	P.O. Box 422, Nyamira	336	James N. Ondiba	P.O. Box 2, Nyamira
97	Joshua Ondieki	P.O. Box 2, Nyamira	337	Thomas Ongeru Onduko	P.O. Box 141, Sondu
98	Master Onyoni	P.O. Box 2, Nyamira	338	Thomas Ezra Ongubo	P.O. Box 328, Kisii
99	Henry Omayo	P.O. Box 346, Sondu	339	Kennedy Mogire	P.O. Box 5, Ikonge
100	Duncan Ariemba	P.O. Box 9, Kebirigo	340	Nchoro Masiwa	P.O. Box 88, Nyamira
101	George Ongeta Ondieki	Itibo	341	Richard Minyira	P.O. Box 51, Sondu
102	Johnson Kembene	P.O. Box 56, Magwagwa	342	Benard M. Ondieki	P.O. Box 816, Nyamira
103	William Nyausi	P.O. Box 9, Ikonge	343	Jane Arisi	P.O. Box 92, Nyamira
104	Wilfred Osaro	P.O. Box 328, Kisii	344	Fredirick Onyancha	P.O. Box 118, Kebirigo
105	Clement Mitema	P.O. Box 67998, Nairobi	345	George Makori	P.O. Box 351, Nyamira
106	Zablon Nyachiro	P.O. Box 65, Ikonge	346	John Okerio	Itibo
107	Mogambi T. O.	P.O. Box 66, Ikonge	347	Alfonso O. Nyachieo	Nyaramba

108	Mary Kwamboka	N/A	348	Charles S. K. Nyamera	P.O. Box 1075, Nyamira
109	James Ombogo	P.O. Box 9, Ikonge	349	Zablon Kenani	Itibo
110	Mary Bosibori Moriasi	N/A	350	Oyaro Onyando	P.O. Box 377, Nyamira
111	Elizabeth Manyara	N/A	351	James O. Nyamosi	P.O. Box 1190, Etono
112	Johnson Obany	P.O. Box 25, Magwagwa	352	Godfrey Michira	P.O. Box 4, Nyamira
113	Fredrick Bundi	P.O. Box 377, Nyamira	353	Vincen Keani	P.O. Box 75, Ikonge
114	Patrick A. Mainda	P.O. Box 40, Karota	354	Maki Malaki	Kebirigo
115	Magret Nyanumba	P.O. Box 328, Kisii	355	Stanley Isanda	P.O. Box 91, Nyamira
116	Caialine N. Nyang'au	P.O. Box 328, Kisii	356	Jason Nyawaro	P.O. Box 91, Nyaramba
117	Magret B. Mauti	P.O. Box 9, Ikonge	357	Nickson Morisia	P.O. Box 1182, Nyamira
118	Lucy Moraa	P.O. Box 9, Ikonge	358	Stephen Gekara	P.O. Box 8, Nyamira
119	Charles N. Mogaka	P.O. Box 27, Ikonge	359	Timothy Ndubi	Nyamotaro
120	Divinson Karata	P.O. Box 869, Nyamira	360	Jared Moriasi	P.O. Box 181, Kebirigo
121	Daniel M. Nyangongo	P.O. Box 45, Mokomoni	361	Afayo Omoro	P.O. Box 99, Inkonge
122	Jones Arabu	P.O. Box 45, Mokomoni	362	Stephen Nyaribo	P.O. Box 66, Inkonge
123	Simon Onguti	P.O. Box 9, Ikonge	363	Dalton Ngasora	P.O. Box 1112, Nyamira
124	Joshelk Mose	P.O. Box 45, Kebirigo	364	Beatrice Ogao	P.O. Box 99, Monaro
125	Stamez Moruri	P.O. Box 20, Ikonge	365	Richard Nyangau	P.O. Box 166, Ikonge
126	Glibart Mongare	P.O. Box 76, Kebirigo	366	Charles Momanyi Oaxige	P.O. Box 176, Nyansiongo
127	Johnston Manyianda	P.O. Box 328, Kisii	367	David Agisa Marita	P.O. Box 310, Nyamira
128	Ndubi Christopher	P.O. Box 328, Kisii	368	Josphat Arosi Arosi	P.O. Box 310, Nyamira
129	David Ondieki	P.O. Box 5, Ikonge	369	Gechiko Onchiri	P.O. Box 2, Itibo
130	Thomas Sigira	P.O. Box 33, Magwagwa	370	Thomas Maina	P.O. Box 75, Magwagwa
131	Jeremiah O. Nyauma	P.O. Box 77, Ikonge	371	Leonard Orero	P.O. Box 5, Ikonge
132	Joseph Nyakweba	P.O. Box 79, Mokomoni	372	Charles Kabora	P.O. Box 5, Ikonge
133	Thomas Sengera	P.O. Box 50, Mokomoni	373	Rodah Kimonge	P.O. Box 5, Ikonge
134	Peterson Kireki	P.O. Box 75, Ikonge	374	David Ontiri	P.O. Box 5, Ikonge
135	Yubimazu Charana	P.O. Box 92, Kebirigo	375	Alfred Anasi	P.O. Box 9, Ikonge
136	Shadrack Nyandere	P.O. Box 5, Magwagwa	376	James Ondieki	P.O. Box 84, Ikonge
137	Jared Nyangau	Nyaramba	377	Henry Okibori	P.O. Box 5, Ikonge
138	Barnabas Masese	P.O. Box 263, Nyamira	378	Thomas Nyang'ana	P.O. Box 720, Nyamira
139	James Osero	P.O. Box 241, Nyamira	379	Sebastian O. Kimwomi	P.O. Box 377, Nyamira
140	Joseph Ogendi Onduko	Itibo	380	Thomas Augustine	P.O. Box 9, Ikonge
141	Baranabasi Onduko	P.O. Box 50, Mokomoni	381	Evans Mongare	P.O. Box 84, Kebirigo
142	David Okwakwa	P.O. Box 66, Inkonge	382	Makambu Academy	P.O. Box 94, Ikonge
143	Benard Nyambegera	Nyaramba	383	Kennedy Abisi	P.O. Box 94, Ikonge

144	Nyaboga Thomson	P.O. Box 17, Ikonge	384	George Mayaka	P.O. Box 94, Ikonge
145	Victor Muoga	P.O. Box 645, Nyamira	385	Alifayo Osano O.	P.O. Box 9, Ikonge
146	Ronald Mokoro	P.O. Box 869, Nyamira	386	Hellen Kwamboka	P.O. Box 1136, Nyamira
147	Ruth Mounde	P.O. Box 9, Ikonge	387	Jason Morara	P.O. Box 626, Nyansiongo
148	Winfred Momanyi	P.O. Box 9, Ikonge	388	John Silas Mokoro	P.O. Box 869, Nyamira
149	James Makori	Ikonge	389	Alice Moraa Mukoko	P.O. Box 869, Nyamira
150	Pastor Jameson Siika	P.O. Box 106, Kisii	390	Hezekiah Tombe	P.O. Box 19, Nyansiongo
151	Samwel Omweri Kibwage	P.O. Box 51, Nyansiongo	391	Beavon Okioga	P.O. Box 181, Nyansiongo
152	Hellen Biyaki Nyaundi	P.O. Box 4, Nyansiongo	392	Stanley Nyabut	P.O. Box 83, Keroka
153	Benson K. Ongoro	P.O. Box 75, Nyansiongo	393	Elijah Monyimbo	P.O. Box 79, Kisii
154	Francis K. Mogambi	P.O. Box 7, Nyansiongo	394	Christopher Maina	P.O. Box 249, Nyansiongo
155	Jacob Tinega	P.O. Box 4, Nyansiongo	395	Hezekiel Motaroki	P.O. Box 243, Nyansiongo
156	Josiah Maragia	P.O. Box 378, Keroka	396	James Momanyi	P.O. Box 202, Nyansiongo
157	Evans Ngasora	P.O. Box 106, Sotik	397	N. Mongare	P.O. Box 138, Nyansiongo
158	Samwel Onsarigo	P.O. Box 305, Nyansiongo	398	Solanus Bwonger	P.O. Box 4, Nyansiongo
159	Pastor Methusela Rambeka	P.O. Box 89, Nyansiongo	399	Alfred Maosa	P.O. Box 4, Nyansiongo
160	Joel Nyabuti	P.O. Box 4, Nyansiongo	400	Patel Aboki	P.O. Box 484, Sotik
161	Zipporah Okaru	P.O. Box 4, Nyansiongo	401	Evans Onchieku	P.O. Box 93, Nyansiongo
162	Alice Aori	P.O. Box 4, Nyansiongo	402	Daniel Nyangau	P.O. Box 162, Kebirigo
163	Tom Nyauma	P.O. Box 4, Nyansiongo	403	Richard Saka	P.O. Box 54, Nyansiongo
164	Zablon Evusa	P.O. Box 4, Nyansiongo	404	Sammy Ondieki	P.O. Box 144, Nyansiongo
165	Boniface Kinaro	P.O. Box 4, Nyansiongo	405	Gared Mainye	P.O. Box 4, Nyansiongo
166	James Okebiro	P.O. Box 684, Nyansiongo	406	Amos M. Nyamamba	P.O. Box 368, Keroka
167	Nicholas Busutu	P.O. Box 4, Nyansiongo	407	Samson Momanyi	P.O. Box 204, Nyansiongo
168	Robinson Kambi	P.O. Box 4, Nyansiongo	408	Joel Ouko	P.O. Box 204, Nyansiongo
169	Pastor Stanley Nyacheo	P.O. Box 226, Nyansiongo	409	Job Mongare	P.O. Box 4, Nyansiongo
170	Mary Onchari	P.O. Box 529, Nyansiongo	410	Ruth Maronda	P.O. Box 35, Keroka
171	Simeon Nyabwari	P.O. Box 1, Nyansiongo	411	Stephen Mochoge	P.O. Box 4, Nyansiongo
172	Dennis Otundo	P.O. Box 193, Nyansiongo	412	Daniel Omoyo	P.O. Box 27, Gesima
173	Andrea Okindo	P.O. Box 90, Nyansiongo	413	Isaac Nyandoro	P.O. Box 15, Keroka
174	Daniel Mosomi	P.O. Box 318, Keroka	414	Susan L. Ratemo	P.O. Box 4, Nyansiongo

175	Samwel Motanya	Nyansiongo	415	Josephine Nyaboke	P.O. Box 1, Nyansiongo
176	Ezekiel Sukuri	P.O. Box 622, Nyansiongo	416	Teresa N. Mongeri	P.O. Box 1, Nyansiongo
177	Ezekiel Sukuru	N/A	417	Joyce Onchiri	P.O. Box 1, Nyansiongo
178	Julius Otworu	P.O. Box 543, Nyansiongo	418	Stellah K. Orege	N/A
179	Amos Nyakeyo	P.O. Box 426, Nyansiongo	419	Patrice Ombati	P.O. Box 491, Nyansiongo
180	Migiro W. O.	P.O. Box 411, Nyansiongo	420	M. Moraa Mokua	P.O. Box 525, Nyansiongo
181	Onsomu Nyamboki	P.O. Box 456, Nyansiongo	421	G. Bonchere Mosoku	P.O. Box 292, Nyansiongo
182	Francis Osoro Agoti	P.O. Box 760, Sotik	422	Enock Obiria	P.O. Box 142, Nyansiongo
183	Abel Makori Saisi	P.O. Box 154, Nyansiongo	423	Isaiah Onwonga	P.O. Box 68, Nyansiongo
184	David Keiro	P.O. Box 193, Nyansiongo	424	Sospeter N. Misati	P.O. Box 252, Keroka
185	Job Matoke	P.O. Box 3, Nyansiongo	425	Meshack Nyakundi	P.O. Box 3, Nyansiongo
186	Yuvinalis Mokaya	P.O. Box 82, Nyansiongo	426	Lawrence Mongare	P.O. Box 607, Keroka
187	Isaboke Bunda	P.O. Box 156, Sotik	427	Doris Moenga	P.O. Box 4, Nyansiongo
188	Peter Onyacha	P.O. Box 723, Kisii	428	Margaret O. Getui	P.O. Box 76, Nyansiongo
189	Eskerres O. Nyangosi	P.O. Box 396, Nyansiongo	429	Dennis Nyandoro	P.O. Box 139, Keroka
190	Mohammed Ochoke	P.O. Box 25, Nyansiongo	430	Justice Nyaribo	P.O. Box 1183, Kisii
191	Ongata Protas	P.O. Box 7, Nyansiongo	431	Lucy Bwana	P.O. Box 83, Sotik
192	David Ogega Andrew	P.O. Box 776, Sotik	432	Nicky Chares Kinanga	P.O. Box 91, Kebirigo
193	Barnabas Nyangaresi	P.O. Box 106, Nyansiongo	433	Japheth O. Gichana	P.O. Box 691, Kisii
194	Nyakerario Tai	P.O. Box 10, Nyansiongo	434	Tabitha Mwebi	P.O. Box 4, Nyansiongo
195	Benson Kembero	P.O. Box 100, Nyansiongo	435	Jemima Meraba	P.O. Box 548, Nyansiongo
196	Jameson Gichana	P.O. Box 96, Nyansiongo	436	Neriah Nyakundi	P.O. Box 570, Nyansiongo
197	Jackson Oyaro	P.O. Box 543, Nyansiongo	437	Betha Atieno	P.O. Box 4, Nyansiongo
198	John M. Somoni	P.O. Box 4, Nyansiongo	438	Charles Orina	P.O. Box 12, Nyansiongo
199	Wyclive Mosoti	P.O. Box 247, Nyansiongo	439	Japheth Ondieki	P.O. Box 136, Nyansiongo
200	John Manani	P.O. Box 139, Nyansiongo	440	Agnes Moraa	P.O. Box 371, Nyansiongo
201	Lucy Momanyi	P.O. Box 4, Nyansiongo	441	Jane M. Onderi	P.O. Box 4, Nyansiongo
202	Haron Nyangweso	P.O. Box 7, Nyansiongo	442	Kennedy Kereri	P.O. Box 626, Nyansiongo

203	Everline Nyakundi	P.O. Box 4, Nyansiongo	443	Kefa Oyaro	P.O. Box 101, Nyansiongo
204	Joshua Abenga Nyangoro	P.O. Box 161, Keroka	444	James Mogoi	P.O. Box 4, Nyansiongo
205	Elkanah Momanyi	P.O. Box 42, Nyansiongo	445	Thomas Ongondo	P.O. Box 143, Keroka
206	John Ombuna	P.O. Box 332, Nyansiongo	446	Matara Bogonko	P.O. Box 15, Keroka
207	Joseph A. Onyancha	P.O. Box 483, Nyansiongo	447	Ongeri Peter	P.O. Box 4, Nyansiongo
208	David Nyakango	P.O. Box 425, Nyansiongo	448	Martin M. Nyabuga	P.O. Box 83, Sotik
209	Zablon Oira	P.O. Box 4, Nyansiongo	449	Hellen K. Nyakoni	P.O. Box 1136, Nyamira
210	Lawrence Sese	P.O. Box 634, Keroka	450	Peter Nyamagosa	P.O. Box 136, Sotik
211	Patrick Otiso	P.O. Box 262, Keroka	451	Sebastian Onyambu	P.O. Box 454, Nyansiongo
212	Agnes Momanyi	P.O. Box 364, Nyansiongo	452	Robinson Momanyi	P.O. Box 222, Nyansiongo
213	Isabella Kerubo	P.O. Box 364, Nyansiongo	453	Peter Nyamemba	P.O. Box 63, Keroka
214	Andrew Simwanu	P.O. Box 11, Nyansiongo	454	Solomon Michoma	P.O. Box 42, Keroka
215	Jane Makori	P.O. Box 4, Nyansiongo	455	Jared Kambi	P.O. Box 31, Nyansiongo
216	Robert Mose	P.O. Box 167, Nyansiongo	456	Stephen Gekonge	P.O. Box 101, Keroka
217	John Maronga	P.O. Box 35, Keroka	457	Christopher Siocha	P.O. Box 73, Keroka
218	Henry Mangera	P.O. Box 31, Keroka	458	Paul Kegora	P.O. Box 622, Nyansiongo
219	Gideon Gikenyi	P.O. Box 164, Nyansiongo	459	Yuniah Mainye	P.O. Box 4, Nyansiongo
220	Shadrak Mangari	P.O. Box 2, Nyamira	460	Nyarinda Moikoru	P.O. Box 475, Sotik
221	Haron G. Oturi	P.O. Box 202, Nyansiongo	461	Florence Getuba	P.O. Box 469, Nyansiongo
222	Martha Ariga	P.O. Box 469, Nyansiongo	462	Rimson Maonya	P.O. Box 50, Mokomoni
223	Richard Onyancha	P.O. Box 4, Nyansiongo	463	Patrick Mayaka	P.O. Box 4, Nyansiongo
224	Andrew Ongera	P.O. Box 106, Sotik	464	Joyce Morwabe	P.O. Box 1, Nyansiongo
225	Norah Kombo	P.O. Box 4, Nyansiongo	465	Richard Onganga	P.O. Box 10, Nyansiongo
226	Dominic Nyamweya	P.O. Box 144, Nyansiongo	466	Anthony Maranga	P.O. Box 284, Keroka
227	Kibet Arap Korir	P.O. Box 4, Nyansiongo	467	Teretio Nyangau	P.O. Box 441, Keroka
228	Reuben Omae	P.O. Box 3266, Kisii	468	Silas Ochanda	P.O. Box 310, Nyansiongo
229	Wilfred Omwansa	P.O. Box 895, Sotik	469	Geoffrey Mosoku	P.O. Box 292, Nyansiongo
230	Jared Mosoti	P.O. Box 70, Nyansiongo	470	Samson O. Onchari	P.O. Box 500, Nyamira
231	Musa Nyandoro	P.O. Box 15, Keroka	471	Daniel Abima	P.O. Box 391, Nyamira
232	Justus G. Nyaribo	P.O. Box 276, Keroka	472	David Orioba	P.O. Box 61835, Nairobi

233	Nyagaka Rogoncho	P.O. Box 10, Nyansiongo	473	Hezron Ombati	P.O. Box 10, Nyansiongo
234	Zedekiah Ondari	P.O. Box 161, Keroka	474	Samson Okemwa	P.O. Box 180, Nyansiongo
235	William Gichana	P.O. Box 90, Nyansiongo	475	Patroba Nyachiro	P.O. Box 404, Nyansiongo
236	James Wabwire	P.O. Box 115, Nyansiongo	476	Simon Change	P.O. Box 8, Nyansiongo
237	H.O. Otundo	P.O. Box 499, Kisii	477	Fidelis Nyamongo	P.O. Box 10, Nyansiongo
238	John B. Onchana	P.O. Box 12, Nyamira	478	George Omwando	P.O. Box 310, Nyansiongo
239	Mary Obegi	P.O. Box 368, Nyansiongo	479	Francis Kemari	P.O. Box 36, Nyansiongo
240	Zablon Nyamwange	P.O. Box 4, Nyansiongo	480	Thomas Nyamunyo	P.O. Box 60, Ikonge.

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1. **DISTRICT PROFILE**

Bondo Constituency is a constituency in Bondo District. Bondo District is one of 13 districts of Nyanza Province of Kenya.

1.1. **Demographic Characteristics**

District Population by Sex	Male	Female	Total
	113,583	125,197	238,780
Total District Population Aged 18 years & Below	67,886	65,781	133,667
Total District Population Aged Above 18 years	45,697	59,416	105,113
Population Density (persons/Km ²)	242		

1.2. **Socio-Economic Profile**

Bondo District:

- Is one of the least populated districts in the province, being ranked 10th most populated district in the province;
- Has one of the highest primary school enrolment rates in the province, at 79.7%, being ranked 3rd in the province and 19th nationally;
- Has one of the least secondary school enrolment rates in the province, at 17.0%, being ranked 8th in the province and 41 nationally; and
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhea diseases, skin diseases and infections, and urinary tract infections;
- Locals main economic activities are fishing, and peasant farming;
- Main problems are: locals not being able to market their produce, the water hyacinth that has affected the fishing industry, and poor roads.

Bondo district has 2 constituencies: Bondo and Rarieda Constituencies. The district's 2 MPs, each cover on average an area of 494 Km² to reach 119,390 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Bondo and Rarieda parliamentary seats with 88.41% and 82.20% valid votes respectively.

2. **CONSTITUENCY PROFILE**

2.1. **Demographic characteristics**

Constituency population by sex	Total	Area Km2	Density (Persons/Km)
	123,113	587.20	209.7

2.2. **Socio-Economic Profile**

The main economic activities the locals are engaged in are subsistence farming and fishing.

2.3. **Electioneering and Political Information**

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won

the seat with 94.94% and 88.41% valid votes respectively. On the demise of the 1992 elected candidate, Jaramogi Oginga Odinga, a by-election was called and FORD-K won the seat with 78.57% valid votes. The late Jaramogi will be remembered for being vocal for the introduction of opposition politics in the country. In 2002, the National Rainbow Coalition won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			31,063
CANDIDATE	PARTY	VOTES	% VALID VOTES
Oginga Odinga	FORD-K	22,309	94.94
Odongo Omamo	KANU	1,188	5.06
<i>Total Valid Votes</i>		23,497	100.00
Rejected Votes		-	
Total Votes Cast		23,497	
% Turnout		75.64	
% Rejected/Cast		0.00	

2.5. 1994 By-Election Results

1992 TOTAL REGISTERED VOTERS			31,063
CANDIDATE	PARTY	VOTES	% VALID VOTES
Oburu Odinga	FORD-K	12,746	78.57
Odongo Omamo	KANU	3,477	21.43
<i>Total Valid Votes</i>		16,223	100.00
Rejected Votes		-	
Total Votes Cast		16,223	
% Turnout		52.23	
% Rejected/Cast		0.86	

2.6. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			38,555
CANDIDATE	PARTY	VOTES	% VALID VOTES
Robert Odinga Oburu	NDP	23,830	88.41
Arthur Dedan Sewe	KANU	2,406	8.93
Washington J. Okumu	FORD-K	719	2.67

Total Valid Votes	26,955	100.00
Rejected Votes	233	
Total Votes Cast	27,188	
% Turnout	70.52	
% Rejected/Cast	0.86	

2.7. **Main Problems**

- Poverty;
- Poor infrastructure; and
- Water shortage.

3. **CONSTITUTION MAKING/REVIEW PROCESS**

3.1. **Constituency Constitutional Forums (CCFs)**

3.1.1. **Philosophy**

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 18th February 2002 and 30th April 2002

4.1. **Phases covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Constitution of Kenya
- Constitution making process
- Governance
- Democracy
- Ethics, moral values and social justice
- Constitution: models, types and meaning
- Structures and systems of government
- Emerging constitutional issues

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 12th and 13th June 2002
- a) Total Number of Days: 2

1. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 1. Usigu A.C.K Church
 2. Bondo Teachers Training College

1. **Panels**

- a) **Commissioners**

1. Com. W. H. O Okoth Ogendo
2. Com. Kavesta Adagala
3. Com. Paul Wambua

a)

Secretariat

1. Walter Owuor - Programme Officer
2. Joseph Makokha - Asst. Programme Officer
3. Patricia Mwangi - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		150
Sex	Male	120
	Female	30
	Not Stated	0
Presenter Type	Individual	123
	Institutions	27
	Not Stated	0
Educational Background	Primary Level	31
	Secondary/High School Level	98
	College	0
	University	17
	None	4
	Not Stated	0
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	1
	Oral	72
	Written	56
	Oral + Memoranda	0
	Oral + Written	21
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Bondo 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**

- The constitution should have a preamble. (9)
- The constitution of Kenya should have a preamble stating that we are the people of Kenya.
- The preamble should explain our languages and should be translated into several key languages.
- The preamble should embrace all fundamental values of the protection of human dignity and basic rights.
- The preamble should entrench the concepts of nationalism, unity and patriotism.
- The preamble should recognize gender equality and patriotism.
- The preamble should set up a national vision reflecting that the constitution is people driven.
- The preamble should set up a national vision giving reasons as to why the constitution is being enacted. (2)
- The constitution should provide for a national vision.
- The preamble should talk about where we come from, where we are and where we are going.
- The preamble should state the nations objectives and aspiration.
- The preamble should define Kenyan history and clearly stipulate the fundamental principles to which all Kenyans should remain committed to democracy and liberty, equality and economic prosperity.
- The preamble should reflect the common experiences of Kenyans.

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

- There should be statements in our constitution capturing the national philosophy and guiding principles.
- The constitution should have a statement like “ we the people of Kenya having solemnly resolved to reconstitute Kenya into a sovereign state –democratic republic give ourselves this constitution”.
- The constitution should reflect statements such as “peace, love, unity and harambee” which should be enacted so that they have a strong impact on the citizens’ goals in development.
- The constitution should state that the will of the people should be the basis of the government.
- The constitution should state that Kenya should be a socialistic state to enhance participatory management.
- The constitution should provide for Vatican democracy to be incorporated in Kenya.
- The constitution should provide that government be run on Christian principles.
- The constitution should provide for the strict observation of the doctrine of separation of power by the government of the day.
- The constitution should state that Kenya should uphold the principles of human dignity, political freedom and economic activities.
- The constitution should state that Kenya should be a democratic state. (3)
- The constitution should uphold the tenets of democracy, transparency and accountability.
- The principles stated in the constitution should be enforceable in law.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The current procedure of 65% majority rule should be retained for amending any part of the constitution.
- The current procedure of 65% majority rule should not be retained for amending any part of the constitution.
- The constitution should provide that parliament should retain the power to amend the constitution.
- The constitution should provide that parliament's power to amend the constitution should not be limited.
- The constitution should provide that parliament should not have powers to amend matters of defence and national security, electoral system, succession, structure and system of government.
- The constitution should provide that a constitutional amendment should be done by a referendum and a resolution of two-thirds of members of parliament.
- The constitution should provide that a constitutional amendment should be through a public referendum. (7)
- The constitution should provide that the electoral commission should conduct public referendums. (3)
- The constitution should provide that a legally credited review commission should conduct the public referendums.

5.3.4. **CITIZENSHIP.**

- The constitution should provide that persons born in Kenya should be regarded as automatic Kenyan citizens. (2)
- The constitution should provide that persons born of Kenyan parents should be regarded as automatic Kenyan citizens. (3)
- The constitution should provide that persons belonging to the 42 tribes in Kenya should be regarded as automatic Kenyan citizens.
- The constitution should provide that persons who were born in Kenya since the 12 th December 1963 and continued to stay in Kenya to date should qualify for Kenyan citizenship.
- The constitution should provide that there should be a provision for a temporary citizenship for a period of not less than 15 years. This should be renewable within this time; an individual should visit any country using his/her valid passport.
- The constitution should provide that Kenyan citizenship should be acquired through registration but the person should be above 21 years old, be accepted as a black or a member of the commonwealth and should have stayed in Africa for not less than 10 years.
- The constitution should provide that Kenyan citizenship should be acquired through registration and adoption. (2)
- The constitution should provide that Kenyan citizenship should be acquired through registration, marriage and adoption.
- The constitution should provide that Kenyan citizenship should be acquired through naturalization.
- The constitution should provide that a woman aged 18 years and above married to a Kenyan man should be given automatic citizenship.

- The constitution should provide that spouses of Kenyans residing in Kenya for a period of 10 years should be regarded as citizens.
- The constitution should provide that spouses of Kenyan citizens, regardless of gender should be entitled automatic citizenship. (4)
- The constitution should discourage automatic citizenship among alien spouses.
- The constitution should provide that a child born of one Kenyan parent, regardless of parent's gender should be entitled to automatic citizenship. (4)
- The constitution should provide that a child born of one Kenyan parent, regardless of parent's gender should attain citizenship at 18 years old.
- The constitution should provide that a child born of one Kenyan parent, regardless of parent's gender should attain citizenship at 21 years old.
- The constitution should provide that a child born of one Kenyan parent, regardless of parent's gender should attain citizenship upon registration.
- The constitution should provide that Kenyans should be required to make a citizenship pledge or oath to respect and uphold the rights of fellow citizens. All Kenyans on attainment of the age of majority should make this pledge or oath.
- The constitution should provide that Kenyans should be required as a matter of responsibility to freely participate in democratic processes. All citizens are entitled to enjoy all human rights and liberties as enshrined in the bills of rights.
- The constitution should provide for dual citizenship.
- The constitution should not provide for dual citizenship. (6)
- The constitution should provide that Kenyans should carry national identification cards as proof of citizenship. (5)
- The constitution should provide that Kenyans should carry national identification cards and birth certificates as proof of citizenship.
- The constitution should provide that Kenyans should carry national identification cards, birth certificates and baptism cards as proof of citizenship.
- The constitution should provide that Kenyans should carry birth certificates as proof of citizenship, which should have a number that will later be the national ID number.
- The constitution should provide all Kenyans with national identity cards and/or passports.
- The constitution should provide all Kenyans with national identity cards.
- The constitution should provide that issuance of IDs should be made easier.

5.3.5. **DEFENSE AND NATIONAL SECURITY.**

- Disciplined forces should be established in the constitution. (3)
- The constitution should provide that soldiers should appoint the commanders of military forces.
- The constitution should provide that appointment of soldiers should be on merit and qualifications. They should be professionals in their respective fields.
- The constitution should provide for an armed forces service commission whose membership should be determined by the prime minister through the advice of the defence and security chiefs.
- The government should pay the police force good packages and improve their working conditions and facilities.

- The constitution should provide that parliament should appoint members of a police complaints authority who should handle complaints against the police.
- The constitution should provide that police force should be properly selected, trained and provided with good accommodation, equipment and be well remunerated.
- The constitution should provide that a police committee should discipline errant police officers on minor complaints. Police complaints authority should have powers to establish its own ways of investigating complaints.
- The constitution should provide that the armed forces service commission should be in charge of recruitment, disciplining and determining the terms and conditions of armed forces.
- The constitution should provide for a code of conduct to discipline armed forces.
- The constitution should provide that a police officer should stay in one station for a maximum of three years after which they should be transferred.
- The constitution should provide that police officers should be non-partisan while discharging their duties.
- The constitution should provide that the president should be the commander-in chief of the armed forces. (6)
- The constitution should provide that the president should have the powers to declare war.
- The constitution should provide that parliament should have the powers to declare war. (2)
- The constitution should provide that the president and parliament should have the powers to declare war.
- The constitution should provide that the president should not have the powers to declare war. (2)
- The constitution should provide that the prime minister should have the powers to declare war.
- The constitution should permit the use of extra ordinary powers in emergencies.
- The constitution should provide that emergency powers should remain with the president for 6 months after which he will require 65% of parliamentarian's approval.
- The constitution should provide that a 2/3 majority of parliament should declare a state of emergency.
- The constitution should provide that declaration of emergency powers should be done by parliament.
- The constitution should provide that parliament should give the mandate for declaration of war and effect emergency powers.
- The constitution should provide that parliament should have no powers in effecting the emergency powers, except when the head of state is indisposed and there is a state of impending war.

5.3.6. **POLITICAL PARTIES.**

- The constitution should provide that political parties should participate in national development issues.
- The constitution should provide that political parties should participate in national development issues and also lend a hand in fundraising such as harambees.

- The constitution should provide that political parties should foster national unity.
- The constitution should provide that political parties should conduct civic education, expose government policies to Kenyan people, and collect views.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.
- The constitution should provide that political parties should have manifestos which should be quite different, and more so, they must have followers in each province.
- The constitution should provide that political parties should be registered and subject to the societies Act.
- The constitution should provide for a code of conduct for all political parties and the electoral commission should register them.
- The constitution should provide that political parties should have a national outlook. (2)
- The constitution should provide that political parties shall not be formed based on tribe. (3)
- The constitution should limit the number of political parties in the country to two. (2)
- The constitution should limit the number of political parties in the country to three. (4)
- The constitution should limit the number of political parties in the country to four. (2)
- The constitution should limit the number of political parties in the country to five. (4)
- The constitution should limit the number of political parties in the country to 4 to 7.
- The constitution should provide that political parties should be funded through individual membership and periodic subscriptions, donors within Kenya, a fraction of salaries from MP's and councillors.
- The constitution should provide that political parties should receive allocation from the exchequer and should be allowed to seek external assistance for their programmes.
- The constitution should provide that political parties and their party members should look for their own ways of financing their parties.
- The constitution should provide that the government should fund political parties. (9)
- The constitution should provide that the government should not fund political parties.
- The constitution should provide that political parties should have representation from all provinces to qualify for state funding.
- The constitution should provide that political parties should accomplish their political and development goals and objectives.
- The constitution should provide that volumes of funds be allocated for political parties but that should be determined by membership and accountability.
- The constitution should provide that the president and MP's should not use state funds and vehicles for campaigns.
- The constitution should provide that the incumbent president should not use state vehicles for campaign.
- The constitution should provide that the president should be delinked from party politics and be the head of state. (4)
- The constitution should provide that the ruling party be de-linked from the government.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should retain the presidential system of government. (3)
- The constitution should adopt the parliamentary system of government. (13)

- The constitution should provide that the prime minister should be appointed from the majority party in parliament to be the head of government.
- The constitution should provide that the prime minister should appoint ministers and chair cabinet meetings.
- The constitution should provide that the prime minister should be 35 to 60 years old and an MP. He/She should run the day-to-day activities of the government under close supervision from parliament.
- The constitution should provide that the prime minister should run the day-to-day activities of the government under close supervision from parliament. (2)
- The constitution should provide for parliament to be headed by a prime minister and who should exercise executive powers.
- The constitution should provide that the president should officiate all state functions.
- The constitution should provide that the president should sign Acts of parliament, perform state opening of parliament, and give letters of appointment to the chiefs.
- The constitution should provide that the president should be the head of state. (6)
- The constitution should provide for a hybrid system of government where the president and prime minister share executive powers.
- The constitution should provide that the prime minister should be 40-65 years old, be the chairman of the majority party in parliament, an elected MP and be the head of government.
- The constitution should provide that the president should appoint the prime minister with the approval of parliament.
- The constitution should retain the unitary system of government.
- The constitution should provide for a federal system of government. (7)
- The constitution should provide for a federal system of government based on the current provincial boundaries. (2)
- The constitution should provide that power should be devolved to the lower levels of government. (3)
- The constitution should provide for the decentralization of all ministries from central government.
- The constitution should provide that all the governmental ministries should be decentralized to local levels except ministries of foreign affairs, education and government organs such as the police.
- The constitution should provide that the vice-president should be a bishop who will be given spiritual nourishment.
- The constitution should provide that the vice-president should be elected directly by the people.
- The constitution should provide that the first runner-up of the presidential elections should be the vice-president. The vice-president should fill in the office of the president in case it falls vacant.
- The constitution should provide that the president should appoint the vice president in not less than a month after being sworn in. And in any cabinet reshuffle, the vice-president should be named within fourteen days.
- The constitution should provide that the president should appoint the vice-president, who should be less than 35 years old with at least a form four certificate of education and liable to impeachment.

- The constitution should provide that the Vice President be appointed by the President and approved by two-thirds of members of parliament.
- The constitution should provide that the president should appoint the AG.
- The constitution should provide that the AG should be appointed by parliament.
- The constitution should provide that the prime minister should appoint the AG after consultation with the law society of Kenya and the judicial service commission.
- The constitution should provide that the AG should be appointed by a special board comprising of professionals like the labour society of Kenya.
- The constitution should provide that the president should appoint the AG from a list of five candidates presented by judges of the high court and chief justice.
- The constitution should provide that the function of the public prosecution should be separate from the office of the AG.
- The constitution should provide that the function of the public prosecution should be separate from the office of the AG and the police. The AG should be an ex official member of the national assembly and his powers to discontinue cases should be removed.
- The constitution should provide that the appointment of the AG should be vetted by parliament.

5.3.8. **THE LEGISLATURE**

- The constitution should give Parliament power to vet all appointments.
- The constitution should provide that appointments of cabinet ministers and senior civil servants should be vetted by parliament.
- The constitution should provide that all the presidential appointments should be vetted by parliament.
- The constitution should provide that parliament should vet all the following appointments; permanent secretaries, diplomats and envoys, heads of state corporation, commission of police, governor of central bank, vice chancellor of public universities and top military commanders.
- The constitution should provide that parliament should vet all the following appointments; permanent secretaries, parastatals heads, district commissioners, ambassadors and High commissioners and cabinet.
- The constitution should provide that parliament should vet all appointments made by the prime ministers e.g. government parastatals heads and the armed forces.
- The constitution should provide that appointment of judges and the AG should be vetted by parliament.
- The constitution should provide that appointment of judicial officers should be vetted by parliament.
- The constitution should provide that parliament should approve all government appointments.
- The constitution should provide that appointment of members of the public service commission and the VP should be vetted by parliament.
- The constitution should provide that ministers be answerable to parliament.
- The constitution should provide that parliament should have the powers to appoint the speaker of the national assembly as well as the governor of the central bank.
- The constitution should provide for members of parliament to have foundation training in managing finances.

- The constitution should provide that all appointment to the civil service be done by parliament.
- The constitution should provide that parliament should have the powers to appoint the speaker of the national assembly as well as the deputy speaker.
- The constitution should provide that parliament should have the powers to appoint the PSs, secretary to the cabinet and high commissioners.
- The constitution should provide that parliament should have its own calendar. (4)
- The constitution should provide that being an MP should be a full time occupation. (4)
- The constitution should provide that being an MP should be a part time occupation.
- The constitution should provide that members of parliament who skip parliamentary sessions should be expelled.
- The constitution should provide that all Kenyans be allowed to vote irrespective of their age.
- The constitution should provide that parliamentary candidates should be at least 21 years old while the presidential candidates should be at least 35 years old.
- The constitution should provide that MPs should be between 21 to 75 years of age while the presidential candidates should be between 45 and 75 years old.
- The constitution should provide that MPs should be at least 22 years old while the presidential candidates should be 35 years old. All citizens of 18 years and above should have a right to vote.
- The constitution should provide that the presidential candidates should be at least 45 years old.
- The constitution should provide that the presidential candidates should be between 40-75 years old.
- The constitution should provide that the presidential candidates should be between 35 and 70 years old.
- The constitution should provide that the president must be between 50-80 years of age.
- The constitution should provide that the presidential candidates should be between 35 and 80 years old.
- The constitution should provide that an MP must have a minimum qualification of a university degree.
- The constitution should provide that MPs should be O level graduates. (2)
- The constitution should provide that MPs should be university graduates. (2)
- The constitution should provide that MPs should be professionals and experienced.
- The constitution should provide that MPs should pass Kiswahili and English proficiency tests and general knowledge, except those graduates from internationally approved universities, colleges and other higher institutions of learning.
- The constitution should provide that corrupt MPs should be barred from vying for parliamentary seats.
- The constitution should introduce moral and ethical qualifications for parliamentary candidates. (2)
- The constitution should provide that aspiring candidates should produce tax- payment certificate from a recognized auditing firm.
- The constitution should give voters the right to recall non-performing MPs. (8)
- The constitution should give voters the right to recall non-performing MPs through a suggestion box ballot system.
- The constitution should give voters the right to recall non-performing MPs to be done through 80% of voters affected approvals.
- The constitution should not give voters the right to recall non-performing MPs.

- The constitution should provide that MPs should serve for only one term of five years.
- The constitution should provide that members of parliament should serve for a maximum of two terms of five years each. (2)
- The constitution should provide that MPs should serve for seven years.
- The constitution should provide that MPs should act on the basis of instructions from their constituents or political parties.
- The constitution should provide that MPs should be required to address their constituents once per month.
- The constitution should provide for an independent commission to decide on the salaries of MPs. (10)
- The constitution should provide that constituents should decide the salaries of their MPs. (4)
- The constitution should provide that 25 % of MPs salaries should be deducted per month for 5 years and taken to hospitals and schools in the constituencies for the development of health services and school materials.
- The constitution should provide that any MP who has served continuously for 15 years should be eligible for parliamentary pension.
- The constitution should provide that increments to MPs salaries passed by a sitting parliament should be implemented in the following parliament.
- The constitution should provide that MPs should not be pensionable.
- The constitution should retain the concept of nominated MPs. (3)
- The constitution should retain the concept of nominated MPs specifically for the disabled. (3)
- The constitution should retain the concept of nominated MPs specifically for the minority and special interests groups. (2)
- The constitution should retain the concept of nominated MPs, which should be specifically reserved for professional unions, religious leaders, women representatives, the disabled and other registered professional bodies by the labour society of Kenya.
- The constitution should provide that ECK should do nomination of MPs, and election losers should be barred from nomination.
- The constitution should not retain the concept of nominated MPs. (4)
- The constitution should provide for a coalition government. (5)
- The constitution should provide that assistant ministers should be appointed from opposition parties.
- The constitution should provide that assistant ministers should be from the minority parties in parliament.
- The constitution should not provide for a coalition government.
- The constitution should provide for one chamber of parliament. (3)
- The constitution should provide for a bicameral parliamentary system, the upper and the lower house. (4)
- The constitution should provide for a bicameral parliament made up of a house of parliament and a house of elders consisting of the most experienced persons.
- The constitution should provide that parliament should have the powers to remove the executive through a vote of no confidence. (4)
- The constitution should provide for the removal of presidential assent for bills of parliament before they become law.
- The constitution should provide that the president should have the power to veto legislation in parliament. (3)
- The constitution should provide that the president should have the power to veto legislation in parliament if the house passes the bill with a two-thirds majority then the president should just sign it.

- The constitution should provide that the president should have the power to dissolve parliament. (3)
- The constitution should provide that the president should have the power to dissolve parliament on the 15 th October of the year of elections.
- The constitution should provide that the president should not have the power to summon, prorogue or dissolve parliament.
- The constitution should provide that parliamentary elections should be staggered.
- The constitution should provide that MPS have public offices in their constituencies. (3)

5.3.9. **THE EXECUTIVE.**

- The constitution should provide that a presidential candidate should be a university graduate. (4)
- The constitution should provide that a presidential candidate should be a Kenyan citizen with at least a form four certificate of education.
- The constitution should provide that a presidential candidate should be at least a form four leaver with good passes in English and Kiswahili.
- The constitution should provide that the president should serve for a maximum of two terms during which he or she should not engage in any commercial business.
- The constitution should provide that the president should serve for a maximum of one term of five years.
- The constitution should provide that the president should serve for a maximum of two terms of five years each. (13)
- The constitution should provide that the president should serve for a maximum of four terms of five years each.
- The constitution should provide that the president should serve for a maximum of two terms of seven years each.
- The constitution should provide that the president should open and close parliament proceedings.
- The constitution should provide that ministers and assistant ministers be appointed by the president.
- The constitution should provide for the prerogative of mercy provisions repeated.
- The constitution should provide that the president should appoint ministers.
- The constitution should provide that the president should not be the chancellor of the public universities.
- The constitution should provide that the president should not appoint the army generals. This should be done through secret balloting by senior government officers. He should also not have the powers to appoint and dismiss the ministers.
- The constitution should provide that the president should be subject to the law. (4)
- The constitution should provide that the president's foreign official visits should be regulated.
- The constitution should limit the powers of the president. (8)
- The constitution should provide for the impeachment of the president. (7)
- The constitution should provide for the executive arm of government be controlled be parliament.
- The constitution should provide that the president and parliament should be independent from each other. (4)
- The constitution should provide that the head of government should attend and answer

questions.

- The constitution should provide that the president should be expected to appear in parliament twice per year to answer questions pertaining to government policy.
- The constitution should provide that the president should be fully answerable to parliament.
- The constitution should provide that the president should be an MP.
- The constitution should provide that the president should not be an MP. (3)
- The constitution should provide that the provincial administration should be retained but the people should democratically elect them.
- The constitution should provide for the current provincial administration system to be maintained.
- The constitution should abolish the provincial administration structure of government and replace it with a council of village elders.
- The constitution should provide that the D.C's and D.O's should not be the chairmen of development committees.
- The constitution should abolish the offices of chiefs and assistant chiefs. (3)
- The constitution should provide that chiefs act authority should be reduced.
- The constitution should empower chiefs to initiate development programmes in their areas.
- The constitution should retain the provincial administration but its role should be redefined.
- The constitution should provide that chiefs should be at least 45 years old.
- The constitution should abolish the offices of provincial and district commissioners.
- The constitution should provide for chiefs and assistant chiefs to be elected by the people. (6)
- The constitution should provide for chiefs and assistant chiefs to be transferable. (3)
- The constitution should provide for chiefs to have a minimum age of 35 years.
- The constitution should provide that chiefs should retire at the age of 70 years.
- The constitution should provide that chiefs and assistants be appointed by provincial commissioners.
- The constitution should provide that clan elders should be paid Kshs. 1,000 per month.
- The constitution should provide that the government should pay village elders.
- The constitution should provide that the public service commission should appoint the provincial administration.
- The constitution should provide that parliament should appoint the provincial administration while chiefs and the PC should appoint assistant chiefs.
- The constitution should provide that chiefs should be between 25 and 70 years old.
- The constitution should provide that the provincial administration should be abolished.
- The constitution should provide that no province or district should be created without the approval of parliament.
- The constitution should provide that ministries should not have more than one minister or assistant minister.
- The constitution should provide for 15 to 25 ministries with clearly defined portfolios and responsibility during the entire parliament life.
- The constitution should reduce the number of ministries and each ministry should have one assistant minister.
- The constitution should provide for 18 government ministries.
- The constitution should provide for ministers to have less power.

5.3.10. **THE JUDICIARY.**

- The constitution should provide for the independence of the judiciary. (12)

- The constitution should provide that the chief justice should preside over cases pending in the court of appeal and not high court.
- The constitution should provide that court processes should be made expeditious by providing the maximum period within which a matter is to be adjudicated. (3)
- The constitution should provide for a kadhis court in every district and there should be a kadhi in every provincial headquarters.
- The constitution should empower the public to reject biased rulings.
- The constitution should provide that prisoners be used in development some areas.
- The constitution should provide for a supreme court. (4)
- The constitution should not provide for a supreme court.
- The constitution should provide for a constitutional court. (5)
- The constitution should provide that an independent commission appoint judges and be answerable to parliament. (2)
- The constitution should provide for the judiciary service commission to carry out all judicial appointments. (3)
- The constitution should provide that judicial officers should be appointed by a special board comprised of appointees from professional institutions like the labour society of Kenya.
- The constitution should provide that chief justice should be appointed and approved by parliament without any political considerations. (2)
- The constitution should provide that the public service commission with approval of 1/3 of MPs should appoint chief justice; deputy chief justice and the Supreme Court justices.
- The constitution should provide that judges be appointed through a system involving the public.
- The constitution should provide that a judicial officer should be a form four leaver with a mean grade of C.
- The constitution should provide that judges should have worked for a minimum of 15 years and they should be persons of high integrity and ability.
- The constitution should provide that a judicial officer should have a university degree in law from a recognized university preferably from the common wealth countries.
- The constitution should provide that all judicial officers should enjoy the security of tenure. (4)
- The constitution should provide that all judges should have their salaries reduced by 20%.
- The constitution should provide that the retirement age of Kadhis should be between 60-65 years.
- he constitution should provide that Kadhis should retire at 50 years of age.
- The constitution should provide that the chief kadhi should serve for less than 10 years. Salaries of judges should not be more than 50,000 times the unit of the lowest paid.
- The constitution should provide that judges and magistrates should retire at the age of 75 years.
- The constitution should provide that judicial officers should serve for 5 years.
- The constitution should provide that the judicial service commission should determine the terms of service and remuneration of judicial officers.
- The constitution should provide for a parliamentary committee to investigate allegations against a judge and remove a judge due to misconduct.
- The constitution should provide that judges and other officers should be subject to a public service disciplinary committee.
- The constitution should provide that chief kadhis/kadhis should perform judicial and religious duties in their respective jurisdiction.
- The constitution should provide that chief kadhis/kadhis should represent all Muslims.

- The constitution should provide that Kadhis should have the same legal qualifications as magistrates. (3)
- The constitution should provide that Kadhis should be legally trained, qualified in law and specialists in Islamic law. (2)
- The constitution should provide that the Muslims community should nominate Kadhis before they are appointed. (3)
- The constitution should provide that kadhis should be proposed by the SUPKEM from qualified candidates.
- The constitution should provide that kadhis should be appointed by the prime minister in consultation with the judiciary and the law society of Kenya.
- The constitution should provide that kadhis should be appointed by Muslims themselves and not the president.
- The constitution should provide that kadhis should ensure that all meat is slaughtered in recognized slaughterhouses.
- The constitution should provide that Kadhis be elected by the Muslim community and empowered to deal with matters affecting Muslims.
- The constitution should provide that the Muslim community should have the power to remove non-performing Kadhis.
- The constitution should provide that Kadhis court should have appellate jurisdiction. (4)
- The constitution should provide that the judicial powers of the state should not be vested exclusively in courts. Some selected committees should have some judicial powers.
- The constitution should spell out the average time in which cases should take in order to serve all persons effectively and efficiently.
- The constitution should ensure that all people have access to courts.
- The constitution should provide that the government should provide legal aid to all Kenyans. (3)
- The constitution should provide that the government should provide legal aid to the poor. (4)
- There should be provision for judicial review of laws made by the legislature.
- The constitution should establish local councils of elders to handle customary disputes.

5.3.11. LOCAL GOVERNMENT.

- The constitution should provide that mayors and council chairmen should be elected directly by the people. (8)
- The constitution should provide that mayors and council chairmen should serve for two years. (2)
- The constitution should provide that mayors and council chairmen should serve for two years and be eligible for re-election.
- The constitution should provide that mayors and council chairmen should serve for five years. (3)
- The constitution should provide that mayors and council chairmen should serve for three years. (2)
- The constitution should empower every county council or town council to manage her resources for betterment of the area of jurisdiction.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should provide for the autonomy of local authorities. (3)

- The constitution should provide that mayors and councillors should have a minimum education qualification of a form four certificate.
- The constitution should provide that councilors should have a minimum education qualification of a form four certificate. (4)
- The constitution should provide that councilors should have a minimum education qualification of a form four certificate with a mean grade of C and above. (2)
- The constitution should provide that councilors should have a minimum education qualification of a standard eight certificate of education. (2)
- The constitution should provide that councilors should be educated people but those with a lot of experience in public affairs but lack formal education should be considered for civic seats.
- The constitution should provide that councilors should speak fluent Kiswahili and English but those who have passed national examinations should be exempted.
- The constitution should provide that persons vying for local authority seats should pass the English and Kiswahili proficiency tests.
- The constitution should provide that councilors should be morally upright persons.
- The constitution should provide that age requirements for civic seats aspirants should be 18 years.
- The constitution should provide that councilors should be 35-75 years old.
- The constitution should provide that people should have a right to recall their councilor. (3)
- The constitution should provide that people should have a right to recall their councilor by 60% of the votes of the affected area.
- The constitution should provide that a commission set by the minister of local government should do the remuneration of councilors.
- The constitution should provide that the provincial local government finance officers should fix the remunerations of councilors and not the councilors themselves.
- The constitution should provide for the reduction of powers of the minister of local government.
- The constitution should provide for the reduction of salaries of councilors by 25% for the whole term of service and taken to develop the hospitals and schools in their wards.
- The constitution should provide that councilors be paid a minimum salary of Kshs. 50,000 by the central government.
- The constitution should provide that councilors should not be pensionable.
- The constitution should provide that all nominations to local authorities be done under established procedures.
- The constitution should not retain the concept of nominated councilors.
- The constitution should retain the concept of nominated councilors. (2)
- The constitution should retain the concept of nominated councilors but reserved specifically for special interest groups such as religious bodies, women representatives, the disabled and other registered professional bodies. (3)
- The constitution should provide that to be nominated a person should apply to the clerk of the particular council who should forward the application to the chairman of the electoral commission, which should interview and nominate them.
- The constitution should provide that the minister of local government should not have the powers to dissolve councils. After the 4th year of service the electoral commission should dissolve the council.
- The constitution should provide for a local government act, which empowers the minister

of local government to dissolve councils, if it acts contrary to the smooth running of its affairs.

- The constitution should provide that market fees in the market places should be abolished.
- The constitution should provide that county councils should stop over taxing people who sell goods in the market.
- The constitution should provide for the abolishment of local government and local authorities.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that the secret ballot system should be used in general elections. (2)
- The constitution should provide for the representative system for general elections. (3)
- The constitution should retain the simple majority rule as the basis of winning an election. (3)
- The constitution should provide that the president be elected by not less than 50% of the total votes cast and 25% of the votes from at least 5 provinces.
- The constitution should provide that a member of parliament should be declared a winner if he gets two thirds of all votes cast in the constituency.
- The constitution should provide that if an area MP is a man, the area councilor should be a woman and vice-versa as a measure of increasing women's participation in parliament and local councils.
- There should be no special measures put in place to increase women's participation in parliament.
- The constitution should provide that a presidential candidate should garner at least 10 % of the total votes to be declared a winner.
- The constitution should provide that a presidential candidate should garner at least 50 % of the total votes to be declared a winner.
- The constitution should provide that a presidential candidate should garner at least 51 % of the total votes to be declared a winner. (2)
- The constitution should provide that a presidential candidate should garner at least 75 % of the total votes to be declared a winner.
- The constitution should provide that candidates who fail to be nominated by one party should be allowed to seek nomination from another party. (4)
- The constitution should provide that candidates who defect to another party should not be allowed to contest in the by election.
- The constitution should provide that MPs be allowed to defect from one party to another only at the end of their term of parliament. (3)
- The constitution should provide that defections should be allowed.
- The constitution should retain the 25 % representation in at least five provinces rule for presidential elections. (3)
- The constitution should provide for a 25% representation in at least 3 provinces for presidential elections.
- The constitution should provide that a quarter of the parliamentarian's seats should be reserved for women.
- The constitution should provide that 12 seats in parliament should be reserved for women. (3)

- The constitution should provide that at least 25% of seats in parliament should be reserved for women.
- The constitution should provide that five seats in parliament should be reserved for specific interests groups.
- The constitution should provide that some seats in parliament should be reserved for religious bodies.
- The constitution should provide that some seats in parliament should be reserved for the disabled. (2)
- The constitution should provide that some seats in parliament should be reserved for women. (2)
- The constitution should provide that some seats in parliament should be reserved for widows.
- The constitution should provide that there should be a Bishop in parliament as an ex-officio member.
- The constitution should provide that at least 10% of seats in parliament should be reserved for women and the disabled.
- The constitution should retain the current geographical constituency system. (4)
- The constitution should provide that the ECK should create constituency boundaries according to the population density.
- The constitution should provide that 260-300 constituencies should be created based on population density of the region.
- The constitution should provide that a constituency should have at least at least 25,000 people.
- The constitution should provide that a constituency should have at least at least 30,000 people.
- The constitution should provide that a constituency should have at least at least 200,000 people.
- The constitution should provide that constituency boundaries should be reviewed from time to time because of the population increase, topology and change of divisions.
- The constitution should provide that administrative boundaries should automatically become constituencies.
- The constitution should provide that the wards and constituency boundaries should be changed. (3)
- The constitution should provide for parliamentary elections and presidential elections to be held on separate dates.
- The constitution should provide that the presidential, parliamentary and civic elections should be held separately. (3)
- The constitution should provide that the presidential elections should be held separately from civic and parliamentary elections.
- The constitution should provide that the civic elections should be held separately from parliamentary elections.
- The constitution should provide that the presidential, parliamentary and civic elections should be held simultaneously.
- The constitution should provide that all Kenyans should be allowed to vote, whether they are abroad, or in prison, through a system of proxy voting. (3)
- The constitution should provide that voters could vote from where they are in the country.
- The constitution should provide that election ballot boxes should be transparent. (3)
- The constitution should provide that independent candidates should be allowed to contest. (3)
- The constitution should provide that elections be held every five years. (3)

- The constitution should provide that there should be no limit on election expenditure by each candidate.
- The constitution should specify the election date. (5)
- The constitution should provide that the president should be elected directly by the people. (7)
- The constitution should provide that parliament and representatives from civic societies, labour movement, churches, farmers and organizations should appoint the president.
- The constitution should provide that electoral commissioners should be the same as other civil servants.
- The constitution should provide that all electoral commissioners should be below 55 years of age.
- The constitution should provide that the prime minister should appoint electoral commissioners.
- The constitution should provide that the president should appoint electoral commissioners.
- The constitution should provide that the public should appoint electoral commissioners.
- The constitution should provide that the electoral commissioners should be appointed after an all-party consultation.
- The constitution should provide that the electoral commissioners should serve for at least two terms of five years each.
- The constitution should provide that electoral commissioners should have security of tenure. (2)
- The constitution should provide that the electoral commissioners should retire immediately after the general elections.
- The constitution should provide that electoral commission should be funded from the consolidated fund. (3)
- The constitution should provide for 16 electoral commissioners, two from each province and one must be a woman.
- The constitution should provide for 22 electoral commissioners.
- The constitution should provide that vote counting should be done at the polling station. (3)
- The constitution should provide for the elimination of bribery in the election process.

5.3.13. **BASIC RIGHTS**

- The constitution should guarantee the protection of the human rights of all Kenyans. (3)
- The constitution should guarantee some inalienable rights and liberties.
- The constitution should regulate the freedom of worship.
- The constitution should guarantee for the freedom of worship. (5)
- The constitution should provide that Seventh Day Adventist should be protected and allowed to worship on Sundays.
- The constitution should provide that all citizens should have a right to participate in elections and a right to political liberty.
- The constitution should provide that all citizens should have a right to association, assembly and join any political party of their choice.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the freedom of movement.
- The constitution should provide for the death penalty to continue. (4)
- The constitution should provide for the enhancement of the right to life. (3)

- The constitution should protect security, healthcare, water, education, shelter, food and employment as the basic rights for all Kenyans. (4)
- The constitution should provide the government should have the responsibility of ensuring that all Kenyans enjoy their basic rights.
- The constitution should provide the president should have the responsibility of ensuring that all Kenyans enjoy their basic rights.
- The constitution should guarantee the security of all Kenyans.
- The constitution should guarantee free health care services for all Kenyans. (8)
- The constitution should provide for free basic health care for all in both rural and urban areas.
- The constitution should guarantee health care services for all Kenyans. (4)
- The constitution should guarantee free health care of epidemic diseases such as malaria and typhoid.
- The constitution should provide for free primary education. (5)
- The constitution should guarantee free education up to the secondary school level. (5)
- The constitution should guarantee free education up to the university level. (3)
- The constitution should provide that there should be no free education.
- The constitution should guarantee all school leavers job opportunities. (8)
- The constitution should provide that the government should start some projects in all parts of Kenya that will employ the disabled as well as the unemployed Kenyans.
- The constitution should provide that the employers should be cautioned against exploiting people by employing them as casuals for long periods and under paying them.
- The constitution should provide that once one has retired he/she should not be re-appointed because it's increasing the trend of unemployment among the youths.
- The constitution should provide for the elimination of tribalism and nepotism in employment.
- The constitution should provide for equal pay for persons with the same education qualifications.
- The constitution should provide for a one person-one job policy.
- The constitution should provide that the age of retirement should be 70 years.
- The constitution should provide that all retirees should be paid pension, whether they were in formal or informal employment.
- The constitution should provide for the simplification of pension procedures.
- The constitution should provide that pension wages be reviewed annually.
- The constitution should provide that those who are unemployed should receive upkeep allowances from the government.
- The constitution should provide that the retirement age should be 75 years for all employees both in the public and private sector.
- The constitution should provide that no person should be allowed to hold more than one public office at the same time.
- The constitution should provide that a special board should control the salaries of public officers and Parastatal employees.
- The constitution should provide that all civil servants and university lecturers should retire at 65 years. Retirement benefits should be worked out in advance so that upon retirement, one should get it in a month's time.
- The constitution should provide that the pensions payments should be given immediately

after retirement. (4)

- The constitution should provide that the pensions payments should be given immediately after retirement and in case of death the benefits should be given to the immediate dependants.
- The constitution should provide that the pensions payments should be given 30 days preceding retirement date.
- The constitution should provide that retirement benefits of the disabled should be added a certain percentage.
- The constitution should provide that as employee salary increase, pension allowances also increase. Pensioners should get medical allowances and when death occurs the dependants should get the pension benefits for ten more years after his death.
- The constitution should provide that retirement benefits should be reviewed. (3)
- The constitution should provide that whenever a civil servant dies, their spouses should receive their pensions until death.
- The constitution should provide that widows should receive their spouses' benefits or pensions for more than 5 years after their death.
- The constitution should provide for free and compulsory formal education.
- The constitution should provide for free and compulsory formal education up to primary level. (5)
- The constitution should provide for free and compulsory education up to the secondary school level. (8)
- The constitution should provide for free and compulsory education up to the university level. (3)
- The constitution should provide that Kenyans should have a right to access information in the hands of the state or any other agency or organ of the state. (3)
- The constitution should be written in a simple language.
- The constitution should be written in English and Kiswahili.
- The constitution should provide that parliament proceedings be televised live.
- The constitution should provide that Kenyans should have a right to get publications of all the information especially financial sources of the ministers, MPs and councilors.
- The constitution should provide that all reports of established commissions should be made public.
- The constitution should provide that civic education should be a continuous process. (7)
- The constitution should provide for translators for the disabled in public places e.g. courts.
- The constitution should guarantee all workers the right to trade union representation. (4)
- The constitution should provide that trade union acts should be revised to make these organizations profit making bodies.
- The constitution should not guarantee all workers the right to trade union representation.
- The constitution should provide that trade unions should not be affiliated to the government so that they may represent their members well.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should fully guarantee the rights of women (2)
- The constitution should fully guarantee the rights of the disabled. (3)
 - The constitution should provide that disabled people be addressed and described in polite and friendly language.
- The constitution should provide that the public should be educated on disability.

- The constitution should provide for elimination of all forms of discrimination against disabled persons. (2)
- The constitution should provide for free education for the disabled and their equipment should be tax-free.
- The constitution should provide for elimination of discrimination against disabled persons in employment.
- The constitution should guarantee that the government should provide free and compulsory education for disabled persons.
- The constitution should guarantee employment opportunities for the disabled. (3)
- The constitution should provide for free health care services, education and security for the disabled.
- The constitution should provide for free health care for disabled people.
- The constitution should provide for physical planning laws review to consider easy movement of people with disabilities.
- The constitution should provide that equipment for use by the disabled is tax-free.
- The constitution should provide that 10% of employment opportunities be reserved for disabled people.
- The constitution should provide that disabled persons should be given free trading licenses.
- The constitution should provide for a welfare scheme for the disabled.
- The constitution should provide that deaf people be taxed less as compared to other citizens.
- The constitution should make provision for sign language services for the deaf in all public offices.
- The constitution should make provision for use of sign language in media houses.
- The constitution should provide that deaf people be allowed to drive and issued with drivers licenses.
- The constitution should provide that children should have a right to inherit their parent's property. (3)
- The constitution should provide that all children of both sexes should have a right to inheritance and succession.
- The constitution should provide that the government should support street children.
- The constitution should provide that children should have a right to moral teachings and upbringing.
- The constitution should provide that girl child should be given land as the male child.
- The constitution should provide for free education for orphaned children.
- The constitution should provide for the abolishment of child labour. (2)
- The constitution should provide that children should be banned from fishing and hanging around the lake and be forced to go to school.
- The constitution should provide that children be given a right to express themselves freely.
- The constitution should provide for equal treatment of both male and female children without any form of discrimination.
- The constitution should provide that prisoners and suspects in cells should be treated as per the provisions of the Bill of Rights.
- The constitution should provide for government rehabilitation of street children. (3)
- The constitution should provide that children born outside wedlock to be given to their mothers permanently.

- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should provide a welfare scheme for orphaned children, widows and widowers.
- The constitution should provide a welfare scheme for orphaned children and widows. (2)
- The constitution should provide that orphaned children should be entitled to free education, healthcare and security. (2)
- The constitution should provide that the government should take care of the age, orphans and street children.
- The constitution should provide that the poor, the landless and the aged should have a safety net fund.
- The constitution should provide that the elderly should be provided with food, medical assistance and community shelter by the local authorities.
- The constitution should provide that the government should take care of people who are 70 years and above.
- The constitution should provide that the government should support all women initiated development projects.
- The constitution should provide for the opposition of affirmative action for women.
- The constitution should make provision for affirmative action for the girl child.
- The constitution should make provision for affirmative action for the disabled and women so that each gets 10% of the total parliamentary seats.
- The constitution should provide that sentences should be rehabilitative and at the end of the sentence a certificate be given to the convict showing the degree of rehabilitation achieved.
- The constitution should provide that prisoners should be allowed to vote. (2)
- The constitution should provide that prisoners should have a right to a well balanced diet and be allowed to visit their families once per year.
- The constitution should provide that prisoners should not be mistreated.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should guarantee that individuals are the ultimate owners of land. (3)
- The constitution should guarantee equal distribution of land ownership.
- The constitution should provide that the state should be the absolute owner of land and give people leaseholds rights.
- The constitution should guarantee land ownership for citizens as of right and the powers of the government and local authorities as regards land should be abolished.
- The constitution should provide that the government should have the ultimate ownership of land. (2)
- The constitution should provide that the individual and local community should have the ultimate ownership of land. (3)
- The constitution should provide that the government should have the powers to compulsorily acquire private land but with the appropriate compensation. (4)
- The constitution should provide that the government should not have the powers to compulsorily acquire private land. (2)
- The constitution should provide that the government should have the powers to control the use of land by the occupiers. (4)
- The constitution should provide that the government should not have the powers to control the use of land by the occupiers.

- The constitution should provide that the local government should not have the powers to control the use of land by the occupiers.
- The constitution should provide that the owner of land should have the right to exploit the natural resources thereof.
- The constitution should provide that clan elders or regional leaders should do land allocations.
- The constitution should provide that the village elders should deal with land cases. (3)
- The constitution should provide that land should be adjudicated and title deeds issued to the owners immediately.
- The constitution should provide that people who have been allocated land should be issued with title deeds.
- The constitution should provide the service charges for land transfers should be Kshs. 1000, sub-division fee should be reduced to Kshs.1200 while the physical planning fee should be Kshs. 3,000.
- Issues on land inheritance and transfer should be addressed in the constitution. (4)
- There should be a ceiling on land owned by an individual. (6)
- The constitution should provide that the maximum number of acres that an individual can own be limited to 5. (2)
- The constitution should provide that the maximum number of acres that an individual can own be limited to 50.
- The constitution should provide that the maximum number of acres that an individual can own be limited to 200.
- There should be no ceiling on land owned by an individual.
- The constitution should provide that land that is not under use should be leased to other persons.
- The constitution should allow non-citizens to own land.
- The constitution should not allow non-citizens to own land.
- The procedures for transfer of land should be simplified. (3)
- The constitution should provide that the land transfer fees should be reduced. (3)
- The constitution should provide that the land board should be taken to the locational level.
- The constitution should provide for land laws to be stream lined and land boards be established at the village level.
- The constitution should provide for land succession procedures to be simplified and should be free of charge.
- The constitution should provide that land rates and charges should be abolished and title deed be issued for free.
- The constitution should provide that parents of the deceased should be given first priority in inheritance of his property.
- The constitution should provide that land objection process should be a continuous exercise and its fee should not exceed Kshs. 500.
- The constitution should provide that men and women should have equal access to land. (5)
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should provide that women should inherit land where they are married.
- The constitution should provide that only unmarried women should inherit their parents land.
- The constitution should provide that daughters be allowed to inherit land whether they are married or not.
- The constitution should provide that the pre-independence land treaties should be

retained.

- The constitution should provide that Kenyans should own land anywhere in the country without restrictions. (4)
- The constitution should guarantee access to land for all Kenyans. (5)
- Trust lands should be used for economic value by the corporate organizations.

5.3.16 **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- Cultural and ethnic diversity should be protected and promoted in the constitution. (4)
- Kenya's languages, styles of languages and music- traditional should be among the ethnic values captured in the constitution.
- The constitution should discourage tribalism and nepotism.
- The constitution should discourage tribalism, nepotism, racism and religious sectarian ship that threaten national unity.
- The constitution should provide protection from the discriminatory aspects of culture. (3)
 - The constitution should provide that wife inheritance be outlawed. (3)
 - The constitution should discourage the culture and feasting during funerals.
 - The constitution should discourage forced and early marriages for both boys and girls.
 - The constitution should provide for the abolishment of traditional practices harmful to women.
- The constitution should provide that sign language be made a national language. (2)
- The constitution should provide that Kiswahili should be the national language. (2)
- The constitution should provide that Kiswahili should be the national language while English should be the official language.
- The constitution should provide for two national languages English and Kiswahili. (3)
- The constitution should provide for Kiswahili, Luo, and Kikuyu, as the national languages while English should be the official language.
- The constitution should recognize and promote indigenous languages. (2)
- The constitution should provide that indigenous languages should be used at the lower level of primary school.

5.3.17 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide that parliament should approve all the government expenditure.
- The government should be charged with the responsibility of raising funds through trade and investment.
- *The constitution should provide for equitable distribution of national resources. (3)*
- The constitution should provide that the state should mobilize and preserve the state resources to improve the status quo of all citizens.
- The constitution should provide that there should be at least 2 ministers from each province.
- The government should be required to apportion benefits between the central government and communities where such resources are found.
- The constitution should provide that a certain percentage of fish sells should remain to

develop the area of the fishing community

- The constitution should provide that minority communities should be afforded equal representation in all sectors of the society and government.
- The constitution should provide that 50% of benefits from resources should go to the communities where such resources are found.
- The constitution should provide that resources obtained at the regional level should be invested for the well being of the local inhabitants.
- The constitution should provide that cess rates and money collected from the county council should be used for the benefit of the councils.
- The constitution should provide for proper utilization of land and land resources.
- The constitution should provide for the establishment of industries in every district.
- The constitution should provide that 90% of taxes collected from an area should be used to develop that area.
- The constitution should provide that the controller and auditor general should be independent.
- The constitution should provide that the controller and auditor general should have the power to sue directly in case of misappropriation.
- The constitution should provide that the controller and auditor general should be appointed by parliament through a parliamentary committee.
- The constitution should provide that parliament should monitor the expenditure of public funds through parliamentary accounts committee and parliamentary investment committee.
- The constitution should provide that ministers and assistant ministers be professionally qualified to head that ministry.
- The constitution should provide that all the public officers should be remunerated appropriately. (4)
- The constitution should provide that recruitment of civil servants should not be through “god fathers”. All civil servants should be adequately paid to ensure proper integrity in the office.
- The constitution should provide that all the public officers should be promoted and appointed on merit.
- The constitution should provide that employees should be allowed to contest for elective positions without first retiring from their employment.
- The constitution should provide for a system that shall ensure the elimination of corruption in public offices.
- The constitution should provide that government employees who work in rural areas be remunerated highly.
- The constitution should provide that teachers be transferable to anywhere within the republic.
- The constitution should provide that holders of senior civil service positions be elected by the people.
- The constitution should provide that all government workers should have schemes of work.
- The constitution should provide for adjustment of salaries of civil servants in proportion to that of MPs.

- The constitution should provide for a centralized system of paying salaries for all government employees.
- The constitution should provide for salaries and modes of payments of all civil servants to be enforced by a constitutional enactment.
- The constitution should provide for adequate remuneration of civil servants and police officers.
- The constitution should provide for an improvement in working conditions of public officers.
- The constitution should provide for a code of conduct between employees and employers.
- The constitution should provide that no civil servant should be immune to law.
- The constitution should provide that corrupt civil servants should be compelled to resign.
- The constitution should provide that all heads of key government departments and institutions should have security of tenure.
- The constitution should provide that the prime minister should appoint members of the public service commission.
- The constitution should provide that the president should appoint members of the public service commission.
- The constitution should provide that the chairman of PSC should be appointed by parliament through a parliamentary committee.
- The constitution should provide for a code of ethics for holders of public office. (3)
- The constitution should provide that MPs and civic candidates declare the source of their wealth.
- The constitution should provide that all the public officers should declare the source of their wealth. (3)
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The constitution should provide for members of parliament to declare their wealth.

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- The government should put in place policies to ensure conservation and protection of the environment.
- The constitution should provide that every sub-location in Kenya should have a tree nursery managed by the community and funded by the forest department. Freeholders should be enticed to have tree planting as an economic activity.
- The constitution should provide that 1/8 acres of an individuals land should be kept aside for afforestation. Trees should be planted in the regions surrounding a river.
- The constitution should make provision to protect degradation of the environment and extraction of other natural resources.
- The constitution should provide that the local community should own the natural resources.
- The constitution should provide that every community should form a committee headed by

the chief to overlook the utilization of the natural resources.

- The constitution should provide for the protection of natural resources.
- The constitution should provide that natural resources and water in particular should be harnessed to benefit the local communities.
- The constitution should provide that natural resources such as Lake Victoria should be protected to facilitate sustainable utilization.
- The constitution should provide that the government should protect certain species of fish and fishing restricted to a certain size of fish only.
- The constitution should provide for elimination of insecurity in fishing grounds emanating from cross border harassment from Uganda.
- The constitution should provide for accountability in the management of the available natural resources such as Lake Victoria.
- The constitution should provide that the government should build dams and ponds around Lake Victoria.

5.3.19 **PARTICIPATORY GOVERNANCE**

- The constitution should provide that NGOs and other organized groups should have a role in governance. They should participate in annual elections and in funding national projects.
- The constitution should provide that NGOs should be represented in quasi government agencies.
- The constitution should provide that civic bodies should conduct civic education.
- The constitution should provide that the government should pay church leaders.
- The constitution should provide that church disputes should not be subject to judicial proceedings.
- The constitution should provide that since religious organizations and some NGOs play a vital role in complimenting government efforts in community development there should be a law on tax to exempt all vehicles, medicine facilities and clergy robes imported.
- The constitution should provide that the state should regulate the conduct of civil society organizations including the media.
- The constitution should provide that the state should not regulate the conduct of civil society organizations including the media.
- The constitution should provide that all media publications be vetted before publication.
- The constitution should provide freedom and protection of all religious groups.
- The constitution should provide for the restriction of denominations of churches.
- The constitution should provide that women should be involved in all decision-making processes. (2)
- The constitution should provide that women should have a role to play in governance. (2)
- The constitution should give the disabled a right to participate in economic building.
- The constitution should give the disabled a right to participate in matters of governance.
- The constitution should provide that at least the disabled should occupy 5% of the government positions.
- The constitution should provide for all government decisions to involve people from the grassroots level.
- The constitution should provide that citizens should be allowed to criticize the government in public.

5.3.20 INTERNATIONAL RELATIONS

- The constitution should provide that the government seeks the approval of citizens before seeking foreign aid and funding.
- The constitution should provide that the conduct of foreign affairs should be the responsibility of the minister for foreign affairs who should be appointed by the prime minister.
- The constitution should provide that the parliament should obtain a 65 % vote to incur foreign debt which should be approved by the electorate.
- The constitution should provide for harmonization of laws between the three East African States.
- The constitution should provide for the domestication of international human rights.
- The constitution should provide for the domestication of international treaties and conventions as well as regional and bilateral treaties.
- The constitution should provide that Kenya should adopt the United Nations and OAU charters on declaration of human rights, international rights of children and women.

5.3.20 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide that constitutional commissions be set up by parliament.
- The constitution should specify the number of commissions to be established, their structures, membership and their specific functions and powers.
- The constitution should provide for the creation of office of ombudsman to solve disputes between individuals and the government. (2)
- The constitution should provide for the creation of office of ombudsman. (3)
- The constitution should provide for the creation of a human rights commission to deal with gender and children's rights.
- The constitution should provide for the creation of an anti-corruption commission.
- The constitution should provide for the creation of land commission.
- The constitution should provide for the creation of national economy commission.
- The constitution should provide for the Constitution Review Commission to be a permanent body.
- The constitution should provide for a minister of justice as distinct from the office of AG.

5.3.22 SUCCESSION AND TRANSFER OF POWER

- The constitution should provide that the chief justice should be in charge of executive powers during the presidential elections. (3)
- The constitution should provide that the incumbent president should be in charge of executive powers during the presidential elections.
- The constitution should provide that the speaker of the national assembly should be in

charge of executive powers during the presidential elections. (2)

- The constitution should provide that the AG should be in charge of executive powers during the presidential elections. (2)
- The constitution should provide that the chief of the general should be in charge of executive powers during the presidential elections.
- The constitution should provide that the ECK should declare the elections results.
- The constitution should provide that the presidential election's results should be announced over the radio.
- The constitution should provide that the presidential election's results should be announced immediately after the counting of votes.
- The constitution should provide that the presidential election's results should be announced immediately after the elections results are announced.
- The constitution should provide that the incoming president should assume office one day after the announcement of election results, unless a protest is recorded within 24 hours after elections.
- The constitution should provide that the incoming president should assume office exactly ninety days after the announcement of election results. (2)
- The constitution should provide that the incoming president should assume office one month after the announcement of election results.
- The constitution should provide that the chief justice should preside over the swearing in ceremony of a president in the presence of the outgoing president and other top dignitaries.
- The constitution should provide that the chief justice should preside over the swearing in ceremony of a president.
- The constitution should provide that the instruments of power should be given to the incoming president at the swearing in ceremony.
- The constitution should provide that the transfer of instruments of power should be done in the presence of the AG.
- The constitution should make provision for a former president in terms of security. (2)
- The constitution should make provision for a former president in terms of welfare. (3)
- The constitution should not make provision for a former president in terms of immunity from legal process. (2)

5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide that women should have a right to own property. (2)
- The constitution should provide that women should have a right to inheritance and succession. (10)
- The constitution should provide that widows should have automatic right to inherit their husbands' property. (3)
- The constitution should provide that divorced women should not get any property from the ex-husband.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should allow divorce but with the condition that the divorced parents can take good care of the siblings. (2)
- Marriage laws should be harmonized. (3)
- The constitution should provide that polygamy should be outlawed.

- The constitution should provide that men over the age of 55 years should not be allowed to re-marry.
- The constitution should provide that traditional marriage rites should be protected by the constitution.
- Persons who have divorced more than twice should not be allowed to marry again.
- The constitution should provide that dowry payment be made compulsory in marriage.
- The constitution should provide that traditional Luo marriage should be recognized.
- Fathers should ensure women of child support and maintained.
- Domestic violence should be constitutionalised. (3)

5.3.24 **INTERNATIONAL**

- The constitution should provide for a reduction of reliance on foreign aid.

5.3.25 **NATIONAL ECONOMIC**

- The constitution should provide that commodity prizes should be lowered and be made affordable to the ordinary Kenyans.
- Kenya Bureau of Standards should be empowered to work efficiently to eradicate the problem of having sub standard goods in the Kenyan market.
- Free market economy should be maintained. (2)
- Price controls should be introduced on essential commodities. (3)
- Economic liberalization should be discouraged in Kenya. (2)
- Industries in Kenya should be decentralized.
- The government should provide electricity in all areas in Kenya. (2)
- The government should reward persons who have come with original inventions and innovations.
- The constitution should provide that factories should be set up where the relevant raw materials are produced. (3)
- The constitution should provide that a fish factory should be set up in the country.
- The government should put up measures to fight poverty eradication. (3)
- The constitution should provide that the government should improve all roads and infrastructure in rural areas. (2)
- The government should provide recreational facilities.

5.3.26 **NATIONAL OTHER POLICY**

- The constitution should provide that HIV testing be compulsory.
- HIV/AIDS should be declared a national disaster.
- Free seminars and teachings about AIDS should be given to children and the youth.
- The government should provide a home for the people living with AIDS.
- A certificate should be introduced indicating the HIV status of every individual.
- The constitution should provide that the arresting officer should leave a signed declaration stating where he has taken a suspect.
- The constitution should provide that all arrests should be done during the day.
- The constitution should make provision for the vigilant groups.

- The constitution should provide that police searches should be done only on provision of a legal search warrant. (2)
- The constitution should provide that police brutality should be reduced and people should be treated as innocent until proved guilty not the other way round.
- The constitution should provide that police brutality should be reduced. (4)
- Corruption should be eradicated completely in Kenya. (6)
- Every Kenyan should take the responsibility of fighting corruption.
- The constitution should provide that the maximum number of children per couple be controlled and fixed.
- The constitution should provide for concepts of family planning to be institutionalized.

5.3.27 **SECTORAL POLICY**

- The constitution should provide that the government should fund all agricultural activities.
- The government should put up irrigation schemes to boost the agriculture sector. (4)
- The various lending institutions should assist farmers.
- The government should provide for the extension agricultural services.
- Experts from the ministry of agriculture should be deployed to Yala swamp to help the locals exploit the agricultural potentials found in that particular area.
- The government should give incentive to the farmers.
- The constitution should provide that sugar cane farmers be given bonus payments at the end of every year.
- The constitution should provide for the mainstreaming and promotion of the agricultural sector by the government.
- A paper industry should be established.
- The cotton industry should be revived.
- The constitution should provide that all students should be provided with ID cards. (2)
- Kenya school equipment scheme should be re-introduced. (3)
- Children should not be sent away due to lack of school fees.
- The constitution should provide that the education system should show the amount of time pupils are to stay in school.
- The current 8-4-4 system should be replaced with the 7-4-2-3 system of education. (3)
- The constitution should provide for a 7-4-2-2 system of education.
- The constitution should provide for continuation of the current system of education.
- The constitution should provide that Christian Religion Education should be compulsory in all learning institutions. (2)
- The constitution should provide that educational facilities should be provided in all the learning institutions in the country.
- The constitution should provide for a review of the education system and curriculum.
- The constitution should provide for the inclusion of sign language in education curriculum.
- The constitution should provide that the cost of education should be reduced.
- Corporal punishment should be re-introduced in schools. (2)
- Corporal punishment should be abolished in schools.
- Members of staff or council of the various universities should appoint university chancellors.

- The constitution should provide that constitutional matters should be part of the education curriculum.
- The constitution should provide that human rights issues should be taught in all learning institutions.
- The constitution should provide for sponsors of all learning institutions to appoint the heads of such institutions.
- The constitution should provide for the specialization in subjects to start at form two.
- The constitution should provide for technical and physical education to be funded by the government.
- The constitution should provide for training of youth in technical fields.
- The constitution should provide for the abolishment of use of the quota system in the selection of students to join secondary schools.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The government should assist the poor children to advance academically without any constraints.
- Education loans should be given to the disabled and the syllabus should suit them.
- The government should provide bursary to the poor children.
- The tax-rates especially for small businesses should be reduced.
- Taxpayers' money should be used to provide the essential services such as education and health.
- The government should regulate VAT on behalf of the poor people in the society.
- The constitution should provide that the one thousand shilling note unit be scrapped.
- The constitution should provide for bank interest rates to be reduced. (3)
- Kenyans should be using credit cards instead of cash money.
- The constitution should provide that doctors should be allowed to disclose their patients' diseases.
- The constitution should provide that all medical laws, rules and regulations should be reviewed.
- A patient who needs special medical attention should be taken abroad for treatment by the government.
- Burial permits should be issued free of charge.
- The constitution should provide that NHIF money be used to fund health care services to all Kenyans.
- The constitution should provide that private hospital charges should be regulated.
- The constitution should provide for the banning of consumption of harmful drugs.
- The constitution should provide that the activities of herbalists be legalized.
- The constitution should provide that public doctors be banned from private practice. (4)
- Malaria should be declared a national disaster and the government should give free medical examination and treatment for the same.

- The constitution should provide for a tax waver for small businesspersons. (4)
- The mining review act should be reviewed for the benefit of the public.
- There's need for laws to harmonize the co-existence of fishermen from Kenya, Uganda and Tanzania who fish from lake Victoria so that they are not in conflict with one another. If fishing is prohibited in some areas, people should not fish from such areas.
- The constitution should provide for a reduction of bans of fishing for small-scale fishermen.
- The constitution should provide that the government should be obligated to negotiate for a fish market with other states.

5.3.28 **NATIONAL POLICY**

- Kenya should protect its legal national boundaries and also own 60% of lake Victoria.

5.3.29 **SUB-NATIONAL**

- All the development projects should be community based and the community should elect projects office bearers so that the District development committee only monitors the work done by the community under the elected office bearer.

5.3.30 **CUSTOMARY LAW**

- All customary laws should be codified and regarded as by-laws. All existing laws should be adjusted to be relevant to the new constitution.
- Customary laws should be recognized by the constitution.

5.3.31 **STATUTORY LAW**

- The constitution should provide for amendment of all criminal code procedures so that all arrests are carried out during the day.
- The constitution should provide for local brews to be legalized. (5)
- Persons who impregnate disabled ladies should be prosecuted.
- Persons who molest the disabled should be punished.
- Teachers found having intimate affairs with their students should be charged in a court of law.
- Persons who commit adultery should be charged and penalized in court.
- Murder accomplices should be treated as murderers.
- Illicit drinks and drugs/smoking should be restricted to the senior citizens only.
- The constitution should provide that prayers should be compulsory in all public functions.
- The constitution should provide that persons should be produced in court 24 hours.
- The constitution should provide that the government should restrict the number of social amenities in particular bars.
- The constitution should provide for prostitution to be legalized and taxable.

- The constitution should provide for prostitution to be criminalized.
- The constitution should provide that pornography and obscene materials should be outlawed.
- The constitution should provide that the criminal procedure code should be reviewed.
- The constitution should provide that those found in possession of stolen property to be sentenced summarily.

5.3.32 **COMMON GOOD**

- The constitution should provide that the gap between the rich and poor should be reduced.
- The constitution should provide that there should be a code of discipline enacted for young persons.
- Men should not put on female wear and vice versa.
- Kenyans should always put on respectable clothing. (2)

5.3.33 **GENDER EQUITY**

- Both men and women should be treated equally and fairly in all matters. (4)

5.3.34 **ECONOMIC/SOCIAL JUSTICE**

- The government should compensate victim hit by a stray police bullet.
- The government should compensate the ethnic clashes victims.

5.3.35 **TRANSPARENCY/ACCOUNTABILITY**

- The constitution should provide that there should be transparency and accountability in all state funded projects.

5.3.36 **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide that the rule of law should apply in a non-discriminatory manner to all Kenyans. (6)

5.3.37 **NATIONAL INTEGRITY/IDENTITY**

- The constitution should provide for a decent national dressing for Kenyans. (3)
- The constitution should provide for only two national holidays.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|--------------------------------|----------|
| 1. Hon. Oburu Odinga | MP |
| 2. Walter Korege | DC |
| 3. Rev. Bishop Johannes Angela | Chairman |
| 4. Cllr. John Owuor Onyango | |
| 5. Louisa Achieng' Owiti | |
| 6. Rose Angule Okite | |
| 7. Fr. Alphonse Ouma | |
| 8. Teresa Handa | |
| 9. Alogo Raila | |
| 10. Wilfred Ongoro | |

Appendix 2: Civic education providers (CEPs)

1. Women equal opportunity development
2. Sisi development group
3. Bega kwa bega disabled group
4. Bondo district Muslims association
5. Ochuodho youth group
6. YWCA
7. Bondo youth development group
8. Nyangoma clan civic group
9. Okella youth group
10. Ramba archdeaconry
11. Cham giwadu youth group
12. Maendeleo youth group
13. Nyaminwa safe fishing systems
14. Wichlum banda women group

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

1	0009OBBNY	Austine Otieno	CBO	Written	Bondo Deaf Community
2	0006OBBNY	Fredrick Okeyo	CBO	Memorandum	Sisi Development Group
3	0002OBBNY	Grace Andiki	CBO	Written	MYWO
4	0011OBBNY	Handa John	CBO	Memorandum	Jua Kali Association
5	0005OBBNY	Henry Oyugi	CBO	Written	Yimbo Union
6	0008OBBNY	Joan Aremo	CBO	Written	Nyangoma Women Groups
7	0020OBBNY	Joseph Obudho Ojoo	CBO	Written	Gili Women Group
8	0018OBBNY	Nicholas O. Aneme	CBO	Written	Maika Child & Family Develop
9	0015OBBNY	Raphael O. Ochieng	CBO	Written	Disabled Group
10	0001OBBNY	Rispa Onyango	CBO	Written	YWCA-Usenge
11	0007OBBNY	Shadrack Osewe	CBO	Written	Maranda Special School
12	0076IBBNY	Abigael Oloo	Individual	Oral - Public he	
13	0006IBBNY	Absalom Owi	Individual	Written	
14	0108IBBNY	Albert M. Onyango	Individual	Oral - Public he	
15	0032IBBNY	Alphonse Onditi Oburu	Individual	Memorandum	
16	0077IBBNY	Alphonse Ouma Mango	Individual	Oral - Public he	
17	0118IBBNY	Anyona Okumu Antony	Individual	Oral - Public he	
18	0034IBBNY	Apolo W. Juma	Individual	Memorandum	
19	0010IBBNY	Augustine Riwa Obiero	Individual	Written	
20	0106IBBNY	Augustinus Ongondo	Individual	Oral - Public he	
21	0120IBBNY	Ayany Jared Ben	Individual	Oral - Public he	
22	0100IBBNY	Barack Onyango	Individual	Oral - Public he	
23	0068IBBNY	Beatrice A Obado	Individual	Oral - Public he	
24	0117IBBNY	Bishop Francis Okoth	Individual	Oral - Public he	
25	0051IBBNY	Boniface Oluoch	Individual	Written	
26	0033IBBNY	C O Nyangudi	Individual	Written	
27	0011IBBNY	Charles Adero Ochieng	Individual	Written	
28	0008IBBNY	Charles Aketch	Individual	Written	
29	0061IBBNY	Clementina Otieno	Individual	Oral - Public he	
30	0039IBBNY	Cllr. Alogo Raila	Individual	Written	
31	0099IBBNY	Cllr. Mathew O Jagogo	Individual	Oral - Public he	
32	0097IBBNY	Cllr.Akello Agwela	Individual	Oral - Public he	
33	0111IBBNY	Dalmas Ogango	Individual	Oral - Public he	
34	0116IBBNY	Danita Ngonga Atieno	Individual	Oral - Public he	
35	0092IBBNY	David Otieno Okumu	Individual	Oral - Public he	
36	0007IBBNY	Dedan Omondi Sewe	Individual	Written	
37	0054IBBNY	De'Souza Owuor	Individual	Written	
38	0057IBBNY	Dorcas A Oyowo	Individual	Oral - Public he	
39	0005IBBNY	Dorcela Adhiambo Okoth	Individual	Written	
40	0012IBBNY	E.M. Omondi Okuku	Individual	Written	
41	0045IBBNY	Edward Okwe Ogola	Individual	Written	
42	0024IBBNY	Edward Ombosi Aremo	Individual	Written	
43	0003IBBNY	Eliakam Osweta Oluoch	Individual	Written	
44	0046IBBNY	Elijah Jura Ajwang	Individual	Written	
45	0042IBBNY	Emily Awimbo Choda	Individual	Written	
46	0001IBBNY	Emmah A. Odundo	Individual	Written	
47	0066IBBNY	Eunice Oyugi	Individual	Oral - Public he	
48	0103IBBNY	Florence Okumu	Individual	Oral - Public he	
49	0060IBBNY	Florence Owino Winja	Individual	Oral - Public he	
50	0094IBBNY	Fr. Alfonse Ouma	Individual	Oral - Public he	
51	0055IBBNY	Fredrick Nyamudhe	Individual	Written	

52	0047IBBNY	George Odero Akama	Individual	Memorandum	
53	0022IBBNY	George Otieno Nyando	Individual	Written	
54	0020IBBNY	George Owade	Individual	Written	
55	0087IBBNY	George Owino	Individual	Oral - Public he	
56	0098IBBNY	Henry Chacha	Individual	Oral - Public he	
57	0104IBBNY	Humphrey Opondo	Individual	Oral - Public he	
58	0023IBBNY	Isaia Ogutu	Individual	Written	
59	0050IBBNY	Isaiah Obondo	Individual	Written	
60	0035IBBNY	Isaiah Okeyo M	Individual	Written	
61	0096IBBNY	Ismail Ouma	Individual	Oral - Public he	
62	0013IBBNY	Jackson Ochieng	Individual	Written	
63	0107IBBNY	James Majiwa	Individual	Oral - Public he	
64	0018IBBNY	James Ngayo Opondo	Individual	Written	
65	0070IBBNY	James Obongo	Individual	Oral - Public he	
66	0086IBBNY	James Ochieng	Individual	Oral - Public he	
67	0015IBBNY	James Odipo Ombere	Individual	Written	
68	0083IBBNY	James Omunda Obunga	Individual	Oral - Public he	
69	0043IBBNY	Jane Atieno Okumu	Individual	Written	
70	0082IBBNY	Janet A Muganda	Individual	Oral - Public he	
71	0058IBBNY	Janet Mary Oluoch	Individual	Oral - Public he	
72	0112IBBNY	Jared Adede	Individual	Oral - Public he	
73	0044IBBNY	Jared Onyango	Individual	Written	
74	0062IBBNY	Jenipher Okech	Individual	Oral - Public he	
75	0090IBBNY	Jeremiah Nyamieya	Individual	Oral - Public he	
76	0078IBBNY	Jeremiah Ongech Ogola	Individual	Oral - Public he	
77	0088IBBNY	Johanes Othieno Rading	Individual	Oral - Public he	
78	0031IBBNY	Johannes Angela	Individual	Written	
79	0073IBBNY	John O Ajwala	Individual	Oral - Public he	
80	0025IBBNY	John Ogola weda	Individual	Written	
81	0084IBBNY	John Ojowi	Individual	Oral - Public he	
82	0053IBBNY	Joseph Abonyo Otieno	Individual	Written	
83	0056IBBNY	Joseph Hoyo	Individual	Oral - Public he	
84	0059IBBNY	Josephine Auma	Individual	Oral - Public he	
85	0052IBBNY	Joshua B Ogendi Odero	Individual	Memorandum	
86	0075IBBNY	Josiah Wandeo Okumu	Individual	Oral - Public he	
87	0121IBBNY	Kowenje Thomas	Individual	Oral - Public he	
88	0124IBBNY	Leonard Owiti Miseu	Individual	Oral - Public he	
89	0101IBBNY	Luka Odero Ojoo	Individual	Oral - Public he	
90	0048IBBNY	Marcel O Obunga	Individual	Written	
91	0004IBBNY	Marsela Okwach O.	Individual	Written	
92	0002IBBNY	Mary A. Wanzala	Individual	Written	
93	0041IBBNY	Maurice Akech Ogutu	Individual	Written	
94	0091IBBNY	Maurice Ambayu Choda	Individual	Oral - Public he	
95	0115IBBNY	Michael O Okinda	Individual	Oral - Public he	
96	0089IBBNY	Mifwaya Opuk	Individual	Oral - Public he	
97	0095IBBNY	Migada Odero	Individual	Oral - Public he	
98	0069IBBNY	Mildred Ololo	Individual	Oral - Public he	
99	0102IBBNY	Millicent Miyae	Individual	Oral - Public he	
100	0021IBBNY	Mohammed Abdalla Juma	Individual	Written	
101	0071IBBNY	Moses Atito	Individual	Oral - Public he	
102	0110IBBNY	Moses Otieno Odongo	Individual	Oral - Public he	
103	0079IBBNY	Nelson Sipem Sigar	Individual	Oral - Public he	
104	0119IBBNY	Ochieng Kaluka	Individual	Oral - Public he	
105	0040IBBNY	Oduor Ouma	Individual	Memorandum	
106	0080IBBNY	Okelo Ogooseya	Individual	Oral - Public he	

107	0037IBBNY	Osiemo E W	Individual	Memorandum	
108	0067IBBNY	Osumba William	Individual	Oral - Public he	
109	0063IBBNY	Pelesia Okumu	Individual	Oral - Public he	
110	0019IBBNY	Peter Ajigo Ogando	Individual	Written	
111	0049IBBNY	Peter Obiero Onyango	Individual	Written	
112	0064IBBNY	Phoebe Oremo Chila	Individual	Oral - Public he	
113	0125IBBNY	Pope James	Individual	Oral - Public he	
114	0081IBBNY	Pr. Opiyo Matewa	Individual	Oral - Public he	
115	0123IBBNY	Raila Oburu Ngire	Individual	Oral - Public he	
116	0014IBBNY	Raphael Onyando	Individual	Written	
117	0065IBBNY	Rev. Charles Otieno	Individual	Oral - Public he	
118	0026IBBNY	Rev.David Ochieng	Individual	Written	
119	0029IBBNY	Richard Agwanda N	Individual	Written	
120	0093IBBNY	Richard N. Odero	Individual	Oral - Public he	
121	0016IBBNY	Rose Betty Ongidi	Individual	Written	
122	0109IBBNY	Rueben Aketch Odote	Individual	Oral - Public he	
123	0074IBBNY	Salmon Ondiek	Individual	Oral - Public he	
124	0009IBBNY	Samson J. Ogweo	Individual	Written	
125	0028IBBNY	Samson Oyuda	Individual	Written	
126	0085IBBNY	Samuel Ogwang Oduor	Individual	Oral - Public he	
127	0038IBBNY	Selina A Odero	Individual	Written	
128	0122IBBNY	Shadrack O Opondo	Individual	Oral - Public he	
129	0126IBBNY	Silal Owala	Individual	Oral - Public he	
130	0030IBBNY	Silvanus Oghina	Individual	Written	
131	0072IBBNY	Thomas Ochando	Individual	Oral - Public he	
132	0027IBBNY	Tobias Odhiambo Ohira	Individual	Written	
133	0114IBBNY	Walter Obiero Obade	Individual	Oral - Public he	
134	0113IBBNY	Wilfred Otieno	Individual	Oral - Public he	
135	0036IBBNY	William Mwai Okelo	Individual	Written	
136	0105IBBNY	William Otieno Anyango	Individual	Oral - Public he	
137	0017IBBNY	Wilson Okan Obudho	Individual	Written	
138	0013OBBNY	Antony S. Raila	NGO	Written	Bondo Maternity & Nursing Ho
139	0022OBBNY	Gilbert Ndolo	NGO	Memorandum	Bondo KNUT
140	0003OBBNY	Abeck Langi	Other Institutions	Written	Wambasa Girls Secondary Scho
141	0004OBBNY	Adodi Achola	Other Institutions	Written	Got Agulu Secondary School
142	0021OBBNY	Joseph O. Ongech	Other Institutions	Memorandum	Bondo Teachers SACCO
143	0017OBBNY	Julian Otieno Opiyo	Other Institutions	Written	Bondo TTC
144	0014OBBNY	Meja Peter Lango	Other Institutions	Written	Maranda High School
145	0012OBBNY	Onywaro Charles	Other Institutions	Written	Magawa Primary School
146	0019OBBNY	Otieno Olango	Other Institutions	Written	St.Pauls Mitiro Secondary
147	0010OBBNY	Rasugu Otieno	Politcal Party	Written	Liberal Party
148	0024OBBNY	Amolo Okello	Private Sector Organisa	Written	Cotton Farmers Campaign
149	0023OBBNY	Luisa Achieng Owiti	Religious Organisation	Written	YWCA
150	0016OBBNY	Pamela Akinyi Okwengo	Religious Organisation	Memorandum	Ramba Archdeaconry

Appendix 4: Persons Attending Constituency Hearings

BONDO TEACHERS TRAINING COLLEGE

No	Name	Address:	No	Name:	Address:
1	Shadrack Osewe	P.O. Box 281, Bondo	25	Rev. Fr. Alphonie Ouma	P.O. Box 29, Bondo
2	Joan Aremo	P.O.Box 62917, Nairobi	26	Migada Odera	P.O.Box 104, Bondo
3	A. O. Oburu	P.O. BOX 337, Bondo	27	mary Randa	P.O. Box 54, Bondo
4	Mohammed A. O. Juma	P.O.Box 384, Bondo	28	Onwera Charles	P.O. Box 319, Bondo
5	Ismail ouma	P.O.Bondo	29	Clr. N. Akelo Gwela	P.O. Box 332, Bondo
6	C. O. Nyagudi	P.O.Box 35, Bondo	30	Samwel o. Aduol	P.O.Box 1, Bondo
7	Apolo Washington Juma	P.O. Box 493, Bondo	31	Henry Chacha	P.O. Box 14, Bondo
8	Silvanus Oghinga	P. O. Box 470, Bondo	32	Mathew Odongo Jagogo	P.O. Box 370, Bondo
9	Johannes O. Angela	P.O.Box 240, Bondo	33	Awiti Masiga	P.O. Box 158, Bondo
10	Cllr. Maurice Ambayo Cholda	P.O. Box 212, Bondo	34	Odwor Ouma	P.O.Box 190, Bondo
11	David Otieno Ilumu	P.O. Box 236, Bondo	35	Thomas o. Onyango	P.O.Box 236, Bondo
12	Jared Owaga Waganda	P.O. Box 137, Bondo	36	Absolom Okode Opondo	P.O. Box 183, Bondo
13	Richard Nyauchi Odera	P.O. Box 201, Bondongo	37	Cllr. Alogo Raila	P.O. Box 400, Bondo
14	Zedekia Onyango okoth	P.O. Box 22, Bondo	38	Jackonia Okong'o	P.O. Box 225, Bondo
15	Rael Matete	P.O.Box 3, Bondo	39	Barrack Onyango	P.O. Box 17227, Nairobi
16	Alice Awuor Ogola	P.O. Box 5, Ndori	40	Ben E. Otieno	P.O. Box 260, Bondo
17	Okeyo Isiah Macoulo	P.O. Box 284, Bondo	41	Odera Ojoo	P.O. Box 284, Bondo
18	Omolo M. Kajack	P.O.Box 23, Ndori	42	Otieno G. Vincent	P.O. Box 45, Bondo
19	William mwai Okewa	P.O.Box 83, Bondo	43	Otiende h. Agot	P.O. Box 296, Bondo
20	Rasuw Odera	P.O. Box 5, Ndori	44	Priscah A. Opattah	P.O. Box 24, Bondo
21	Handa John Okoth	P.O. Box 599, Bondo	45	maurice A. Ogutu	P.O. Box 2, Bondo
22	Austine Otieno	P.O. Box 33, Bondo	46	Emily Choda	P.O.Box 212, Bondo
23	Joseph Omondi	P.O. Box 33, Bondo	47	Julia Orwa	P.O. Box 419, Bondo
24	Selline A. Odera	P.O. Box 2, Bondo	48	Caroline Ndai	P.O. Box 128, Bondo
49	Rosi Agule	P.O. Box 17, Usigu	73	Jared O Owango	P.O. Box 456, Bondo
50	Hezbon N. Aolo	P.O. Box 183, Bondo	74	Lucas M. Oloo	P.O. Box 577, Bondo
51	Millicent Miyai	P.O.Box 23, Nyabenge	75	Margaret A. Ochungu	P.O. Box 43, Nyamonye
52	Floreene Yongo	P.O.Box 23, Nyabenge	76	Otieno W. Anyango	P.O. Box 344, Bondo

53	Humphrey Opondo	P.O. Box 350, Bondo	77	Wilson Arika	P.O. Box 404, Bondo
54	Otieno Asiro	P.O. Box 180, Bondo	78	Otieno Michael Ongallo	P.O. Box 76, Bondo
55	Martin Adenyo	P.O. Box 23, Ndori	79	Jared Otiu Ongong'a	P.O. Box 240, Bondo
56	Jesca Ogolla	P.O. Ndori	80	Augustine Ong'ondo	P.O. Box 477, Bondo
57	George Awuor	P.O. Box 180, Bondo	81	Domnick Owenga	P.O. Box 205, Bondo
58	Moses Orwa	P.O. Box 143, Bondo	82	John Odhiambo	P.O. Box 102, Nango
59	Cllr Daniel Okulo	P.O. Box 14, Bondo	83	Jared Achieng' Apiyo	P.O. Box 58, Bondo
60	Owiti A. Jared	P.O. Box 281, Bondo	84	Amwor Raphael	P.O. Box 114, Bondo
61	Erick Ochieng'	P.O. Box 114, Bondo	85	Magdaline Aremo	P.O. Box Bondo
62	Samuel Owino	P.O. Box 475, Bondo	86	Patricia Awuor	P.O. Box 183, Ndori
63	Migata Onyango	P.O. Box , 104, Bondo	87	Wilson Nyayieka	P.O. Box 25, Bondo
64	Sophia Onyango	P.O. Box 5, Bondo	88	Joshua Oginga Awino	P.O. Box 386, Bondo
65	George Ogutu	P.O. Box 208, Bondo	89	alex Ojwang' Odolo	P.O. Box 205, Bondo
66	George Onyango	P.O. Box 132, Bondo	90	Mary Winga Adori	P.O. Box 142, Bondo
67	Vitalis Awalla Ndege	P.O. Box 248, Bondo	91	Cllr. George Odera	P.O. Box 41, Wagusu
68	Abeta John	P.O. Box 122, Bondo	92	Shadrack Osewe	P.O. Box 159, Bondo
69	Opiyo Ayieko G. M.	P.O. Box 70, Bondo	93	Agness Adhiambo	P.O. Box 340, Bondo
70	Rosemary Ojura	P.O. Box 23, Ndori	94	James A. Okumu	P.O. Box 41, Bondo
71	Osiemo E. W.	P.O. Box 120, Bondo	95	Ambrose Bonyo	P.O. Box 41, Bondo
72	J. Otieno Ogango	P.O. Box 45, Bondo	96	George A. Dundo	P.O. Box 299, Bondo
97	Fredrick Opiyo	P.O. Box 3, Bondo	121	Charles Muchero	P.O. Box 424, Bondo
98	Pastor Ndiege	P.O. Box 25, Bondo	122	Kiyuni Makhokha	P.O. Box 424, Bondo
99	De'souza Owuor	P.O. Box 184, Bondo	123	Hezbon Onimbo Okoro	P.O. Box 424, Bondo
100	Willis Okoth	P.O. Box 315, Bondo	124	Jacktone Agallo	P.O. Box 214, Bondo
101	Maurice Aringo	P.O. Box 145, Bondo	125	Martin Wangila	P.O. Box 424, Bondo
102	Peter Okungu	P.O. Box 69, Bondo	126	Lucas Nyadoyo	P.O. Box 96, Bondo
103	M. A. Omogho Obunga	P.O. Box 218, Bondo	127	Jack Odongo	P.O. Box 148, Bondo
104	John Omondi Arogo	P.O.Box 205, Bondo	128	Jarha Barissa	P.O. Box 424, Bondo
105	Michael O. Waranga	P.O. Box 183, Bodo	129	Soita Mutungu	P.O. Box 424, Bondo
106	Charles Osadho	P.O. Box 143, Bondo	130	Tsumam Francis	P.O. Box 424, Bondo

107	Ben Orege	P.O. Box 143, Bondo	131	Michael Kyalo	P.O. Box 424, Bondo
108	Hassan Ochieng	P.O. Box 364, Bondo	132	Peter Ouma Anyango	P.O. Box 540, Bondo
109	Rachell Ogolla	P.O. Box 200, Bondo	133	Jared Abiri	P.O. Box 340, Bondo
110	Joseph Odunga	P.O. Box 51, Bondo	134	Onyango Auko	P.O. Box 165, Bondo
111	George O. Omroga	P.O. Box 122, Bondo	135	Austine Pepe	P.O. Box 387, Bondo
112	Samuel Nyakeroma	P.O. Box 424, Bondo	136	Lucas Ooko	P.O. Box 361, Bondo
113	Peter Okungu	P.O. Box 424, Bondo	137	Kola Oludhe	P.O. Box 296, Bondo
114	Samuel Nyakiemo	P.O. Box 424, Bondo	138	Christine Atieno O.	P.O. Box 218, Bondo
115	Odhiambo J. Brian	P.O. Box 424, Bondo	139	Felix Mwangila	P.O. Box 424, Bondo
116	George Omolo	P.O. Box 424, Bondo	140	Peter Obiero Onyango	P.O. Box 132, Bondo
117	Olang' J. Omollo	P.O. Box 424, Bondo	141	Peter Ogutu	P.O. Box 264, Bondo
118	Otieno Anyona	P.O. Box 424, Bondo	142	Peter Otieno	P.O. Box 264, Bondo
119	Juma Joel Ojwang'	P.O. Box 424, Bondo	143	Joshwa nkomo Kiruy	P.O. Box 424, Bondo
120	Otieno Michael	P.O. Box 424, Bondo	144	Thomas O. Mokaya	P.O. Box 424, Bondo
145	Lazarus Kowino	P.O. Box 424, Bondo	169	Julia Otieno	P.O. Box 424, Bondo
146	Otiato Otieno Stephen	P.O. Box 424, Bondo	170	Stanley Mutai Benard	P.O.Box 424, Bondo
147	Julias Ouma	P.O. Box 424, Bondo	171	Stanley Kering	P.O. Box 424, Bondo
148	Ochieng Muga	P.O. Box 424, Bondo	172	Chirchir Sego	P.O.Box 424, Bondo
149	Okoro Awimbo Hezbon	P.O. Box 424, Bondo	173	Bonface Abonyo	P.O. Box 44, Bondo
150	Odero John	P.O. Box 122, Bondo	174	William Okumu	P.O. Box 228, Bondo
151	Alphonse Achwora	P.O. Box 424, Bondo	175	Paul Omuko	P.O. Box 122, Bondo
152	Otieno Olang'o	P.O. Box 361, Bondo	176	Rosemary Danga	P.O. Box 228, Bondo
153	Wilson Ongoro	P.O. Box 180, Bondo	177	Joseph Ouko Ouko	P.O. Box 220, Bondo
154	Anthony S. Raila	P.O. Box 429, Bondo	178	Ochieng Ameme	P.O. Box 246, Bondo
155	Joram O. Amisi	P.O. Box 43, Nyilima	179	Isaiah Obondo	P.O. Box 344, Bondo
156	Cllr. Albert M. Onyango	P.O. Box 23, Ndori	180	John Muga	P.O. Box 250, Bondo
157	Otienoh Moses	P.O. Box 176, Bondo	181	Jane Okumu	P.O. Box 379, Bondo
158	Michael Owino	P.O. Box 208, Bondo	182	Damaris Ajong	P.O. Box 81, Nango
159	J. O. Ojoo	P.O. Box 284, Bondo	183	Samuel Ochieng'	P.O. Box 27, Bondo

160	oswando Hilda	P.O. Box 214, Bondo	184	Benter Ogunga	P.O. Box 228, Bondo
161	Mildred Atieno	P.O. Box 23, Ndori	185	Jacinter Anyango	P.O. Box 152, Bondo
162	Jael Odundo	P.O. Box 23, Ndori	186	Salim Ouma	P.O. Bondo
163	Richard Odongo	P.O. Box 370, Bondo	187	Okoth Ondolo	P.O. Box 424, Bondo
164	Aenos Nyalwal	P.O. Box 309, Bondo	188	Odongo Jashon	P.O.Box 222, Kombewa
165	Silvanus Omware	P.O. Box 137, Bondo	189	Reuben Aketch	P.O. Box 196, Bondo
166	Ismail Otieno Odera	P.O. Box 180, Bondo	190	Moses Odinga	P.O. Box 80, Bondo
167	Obiero	P.O. Box 120, Bondo	191	Augustine Ouma	P.O. Box 31, Bondo
168	Momanyi Abuga	P.O. Box 123, Bondo	192	Pamela Akinyi	P.O. Box 31, Bondo
193	Aluoch Boniface	P.O.Box 180, Bondo	217	Abiud Otieno	P.O. Box 309, Bondo
194	Bibian Nthiga	P.O. Box 424, Bondo	218	Jane Ogada	P.O. Box 424, Bondo
195	Nasimiyu Susan	P.O. Box 424, Bondo	219	Daniel K. Sitonik	P.O. Box 424, Bondo
196	Kemeli Milka	P.O. Box 424, Bondo	220	Tirop Peter	P.O. Box 424, Bondo
197	Maia Thomas	P.O. Box 424, Bondo	221	Pamela Ondong	P.O. Box 47, Bondo
198	Eric Handa	P.O. Box 424, Bondo	222	Esther Ang'iro	P.O. Box 424, Bondo
199	Cheserk Carolin	P.O. Box 424, Bondo	223	David O. Sewe	P.O. Box 281, Bondo
200	Catherine Chebor	P.O. Box 424, Bondo	224	Lilian Ambala	P.O.Box 424, Bondo
201	Grace Kango'oro	P.O. Box 424, Bondo	225	Samson L. Odongo	P.O. Box 281, Bondo
202	Shem Mwaya	P.O. Box 424, Bondo	226	Mercy Otieno	P.O. Box 57, Bondo
203	Jane Ochola	P.O. Box 54, Bondo	227	Micah Kulei	P.O. Box 18, Bondo
204	Vitalis Abong'o	P.O. Box 424, Bondo	228	George N. Ajwang'	P.O. Box 464, Bondo
205	Vincent Omoro	P.O. Box 424, Bondo	229	Ted Owuor	P.O. Box 464, Bondo
206	Moses Otieno	P.O. Box 130, Bondo	230	Kwadhe M.	P.O. Box 464, Bondo
207	Chepchok David	P.O. Box 424, Bondo	231	Jacob Omondi	P.O. Box 98, Bondo
208	Edeard Akun Ngaoo	P.O. Box 373, Bondo	232	Miriam Oginga	P.O.Box 304, Bondo
209	Tabitha Agutu	P.O. Box 252, Bondo	233	Koech Geoffrey	P.O. Box 424, Bondo
210	Jerusa Nyambo	P.O. Box 252, Bondo	234	Tarus Kipkingat	P.O. Box 424, Bondo
211	Mildred Anyango	P.O. Box 139, Bondo	235	Ngiendo Georgine	P.O.Box 424, Bondo
212	Benjamin O. Danga	P.O. Box 424, Bondo	236	Onyamo James	P.O.Box 424, Bondo
213	Dalms O. Owano	P.O. Box 96, Bondo	237	Bishop Francis okoth	P.O. Box 41, Bondo
214	Albert Okiri	P.O. Box 74, Bondo	238	William Ochieng'	P.O. Box 96, Bondo
215	Edward Okwe	P.O. Box 157, Bondo	239	Leunida Akelo	P.O. Box 47, Bondo
216	George Oryema	P.O. Box 3, Bondo	240	Benedict Makodongo	P.O. Box 424, Bondo

241	Joyce Mugunde	P.O. Box 424, Bondo	265	Naftali Okwany	P.O. Box 369, Bondo
242	Ambutsi Wycliff	P.O. Box 424, Bondo	266	Mary Ramogi	P.O. Box 70, Bondo
243	Njenga Violet	P.O. Box 424, Bondo	267	Jared Adede	P.O. Box 383, Bondo
244	Tabitha Okiya	P.O. Box 424, Bondo	268	Ken Awimbo	P.O. Box 264, Bondo
245	Ben Yegon	P.O. Box 424, Bondo	269	Bonifas Ongieyo	P.O. Box 30, Ragegni
246	Okelloh Judith	P.O. Box 14, Bondo	270	Boniface Okeyo	P.O. Box 30, Ragegni
247	Jackson Ochieng'	P.O. Box 424, Bondo	271	John Mito Oloo	P.O. Box 22, Nango
248	Bererlyne Awuor	P.O. Box 424, Bondo	272	Zephaniah N. Wauda	P.O. Box 340, Bondo
249	Gilbert Ndolo Owuor	P.O. Box 464, Bondo	273	Thomas Raymond	P.O. Box 183, Bondo
250	Opiyo Japheth	P.O. Box 464, Bondo	274	Oreta Odhiambo	P.O. Box 424, Bondo
251	Omindo C. Fredrick	P.O. Box 464, Bondo	275	Wellington Otonde	P.O. Box 315, Bondo
252	Mwalo Ogembo	P.O. Box 180, Bondo	276	Kumo-Oriwa Joshua	P.O. Box 76, Bondo
253	George Okoth	P.O. Box 424, Bondo	277	Elizabeth Auma	P.O. Box 120, Bondo
254	Obondi Thomas	P.O. Box 424, Bondo	278	Wilfred Otieno	P.O. Box 177, Bondo
255	Momanyi Morara	P.O. Box 424, Bondo	279	Ascar Otieno	P.O. Box 128, Bondo
256	Mankome Hezron	P.O. Box 424, Bondo	280	Jarha Said Barissa	P.O. Box 424, Bondo
257	Erick Sungatu	P.O. Box 424, Bondo	281	Walter Obiero Obado	P.O. Box 260, Bondo
258	Andrew Koros	P.O. Box 424, Bondo	282	Andedikus Omenya	P.O. Box 205, Bondo
259	Michael Ager Okaka	P.O. Box 93, Bondo	283	Ochieng' Misda	P.O. Box 120, Bondo
260	Leonard Owiti	P.O. Box 226, Boro	284	Marget A. Otieno	P.O. Box 175, Bondo
261	Richard Owino	P.O. Box 273, Bondo	285	Monica Otieno	P.O.Box 373, Bondo
262	George Yugi	P.O.Box 231, Bondo	286	Chacha James	P.O. Box 373, Bondo
263	Raila Oburu Ngire	P.O. Box 592, Bondo	287	Tom M. Ogollah	P.O. Box 551, Bondo
264	Esther o. Odero	P.O. Box 10, Bondo	288	Dalmus okum	P.O. Box 373, Bondo
289	Margaret Orege	P.O. Box 143, Bondo	313	Sospeter Otieno	P.O.Box 385, Bondo
290	Louisa A. Owiti	P.O. Box 375, Bondo	314	Willis Omondi	P.O. Box 277, Bondo
291	Michael Ong'aro	P.O.Box 205, Bondo	315	Mathew Yala	P.O. Box 81, Nango
292	Romanus Otago	P.O. Box 335, Bondo	316	Richard Owino	P.O. Box 273, Bondo
293	Ogira J. Migaya	P.O. Box 3, Bondo	317	Anyona O. Antony	P.O. Box 569, Bondo
294	Washington O. Wachianga	P.O. Box 561, Bondo	318	Carren Anyango	P.O. Box 424, Bondo

295	Leonard Kizito odemba	P.O.Box 208, Bondo	319	Dinah Kanda	P.O. Box 424, Bondo
296	P.E.O. Araka	P.O. Box 184, Bondo	320	Paul Ongoro	P.O.Box 22, Bondo
297	G. O. Odongo	P.O. Box 114, Bondo	321	Ochieng' Kaluka	P.O.Box 284, Bondo
298	Dan Odindo Okelo	P.O.Box 42, Bondo	322	Jared Ayong Ben	P.O. Box 246, Bondo
299	Margaret Wandolo	P.O.Box 117, Bondo	323	Kowenje T. O.	P.O. Box 51, Bondo
300	Oganda James	P.O.Box 157, Bondo	324	F. N. Otindo	P.O.Box 96, Nango
301	Joyce Odundo	P.O. Box 64, Bondo	325	James Buoro	P.O. Box 144, Nykima
302	Danita Ng'ong'a	P.O. Box 309, Bondo	326	George Oriwo	P.O.Box 319, Bondo
303	Arianda Clayds	P.O. Box 383, Bondo	327	Pope James	P.O. Box 25, Bondo
304	Betty Oginga	P.O. Box 1, Bondo	328	Billy Frank	P.O. Box 232, Bondo
305	Bishop Francis Okoth	P.O.Box 41, Bondo	329	John Odhiambo	P.O. Box 208, Bondo
306	George B. Owuor	P.O. Box 319, Bondo	330	Jacob Odhiambo	P.O. Box 9, Usigu
307	Caleb Odhiambo	P.O. Box 76, Bondo	331	Mary Ouma	P.O. Box 62, Bondo
308	Antone Anyona Okumu	P.O. Box 569, Bondo	332	Silas owala	P.O. Box 424, Bondo
309	Shadrack Opondo	P.O. Box 183, Bondo	333	Silvanus J. Nyamwanda	P.O. Box 236, Bondo
310	Sospetr Otieno	P.O. Box 385, Bondo	334	Benard Onyango	P.O. Box 387, Bondo
311	Elijah Jura Ajwang'	P.O. Box 51, Bondo	335	F. N. Otindo	P.O. Box 96, Bondo
312	Shadrack O. Opondo	P.O.Box 183, Bondo	336	Joseph Ogola Ojodhi	P.O. Box 169, Bondo
337	Apollo Odindo Okumu	P.O.Box 225, Bondo			

USIGU

No	Name	Address:	No	Name:	Address:
1	Joseph Hoyo	P.O.Box 135, Usenge	25	Margaret A. Ochinga	P.O. Box 43, Nyamonye
2	Cllr. John D. O. Onyango	P.O.Box 336, Bondo	26	Beatrice A. Obado	P.O. Box 30, Nyamonye
3	Louisa A. Owiti	P.O.Box 375, Bondo	27	Mildred A. Ololo	P.O. Box 29, Usenge
4	Dorcas A. Oyowo	P.O.Box 41, Usigu	28	Jane Oduor	P.O.Box 15, Usigu
5	Janet Mary Oluoch	P.O. Box Nyamonye	29	Margaret Oduor	P.O. Box 64, Usenge
6	Emmal Odundo	P.O. Box 76, Usenge	30	Marcela Okwach Omenya	P.O. Box 33, Nyamonye
7	Anne Nyang'or	P.O. Box 43, Nyamonye	31	Dorsilla Adhiambo Okoth	P.O. Box 3, Usenge
8	Mary A. Wanzela	P.O. Box 340, Usenge	32	Dorine Ogunyo	P.O. Box 28, Usigu
9	Phoebe Nyanja	P.O. Box 49, Usigu	33	Monica Bwoga	P.O. Box 80, Nyamonye
10	Josephine Auma	P.O. Pala School	34	Cosmas Jarona	P.O. Box 36, Usenge
11	Florence Owino Winja	P.O. Box 198, Usenge	35	Adodi Achola	P.O. Box 82, Usenge
12	Clementine Otieno	P.O.Box 80, usenge	36	Aloo Jackson Okello	P.O. Box 76, Nyamonye
13	Jenipher A.Oketch	P.O. Box 198, Usenge	37	Patrick H. Hadure	P.O. Box 28, Usenge
14	Lucia Okumu	P.O.Box 76, Nyamonye	38	Justus Odimbo	P.O. Box 28, Usenge
15	Phoebe Oremo Chila	P.O. Box 28, Usenge	39	James Obala Obongo	P.O. Box 15, Usenge
16	Risper Ayalo	P.O. Box 415, usenge	40	Moses Atito ogeda	P.O.Box 15, Usigu

17	Rev. Charles Otieno kangoye	P.O. Box 76, Usenge	41	Thomas Achando	P.O. Box 41, Usigu
18	Nicholas Otieno	P.O. Box 113, Usigu	42	Samoson Japien Ogwen O.	P.O. Box 76, Usenge
19	Apollo Ochieng'	P.O. Box 190, Bondo	43	George Nyamai	P.O. Box 69, Nyamonye
20	Solomon Opisi Oyaro	P.O. Box 17, Usigu	44	Michael Atieno Majanja	P.O. Box 84, Usenge
21	Eunice Oyugi	P.O. Box 47, Usenge	45	James A. Okello Minayalo	P.O. Box 63, Nyamonye
22	Emily Choda	P.O. Box 212, Bondo	46	Fredrick Okeyo Omenda	P.O. Box 41, Usigu
23	Caroline A. Ndai	P.O. Box 128, Bondo	47	Augustine Riwa	P.O. Box 9, Usigu
24	Grace Andiki	P.O. Box 169, Nyamonye	48	Charles O. Adero	P.O. Box 43, Usigu
49	John Ongere	P.O.Box 84, Usenge	73	Josiah O. Ogosiah	P.O. Box 17, Usigu
50	Joseph R. Nengo	P.O. Box 14, Nyamonye	74	nashon Hayanga	P.O. Box 339, Usenge
51	Rose Angule	P.O. Box 17, Usigu	75	Mifuaya Opuk	P.O. Box 80, Nyamore
52	Dedan Omoni Sewe	P.O. Box 114, usenge	76	Anjilina Owiti	P.O. Box 62, Bondo
53	Master N. A. Rafael Onyango	P.O. Box 33, Usigu	77	Salmon Ondiek	P.O. Box 14, Nyamonye
54	Edward Owedi	P.O. Usigu	78	John Ojoo	P.O. Box 14, Nyamonye
55	Thomas Ajwala	P.O. Box 6, Nyamonye	79	Joseph Walo Agano Mohammed A. O.	P.O. Box Nyangera
56	W. A. Oyowo	P.O. Box 393, Usigu	80	Juma	P.O. Box 384, Bondo
57	Ongech Ogola	P.O. Box 84, Nyamonye	81	Lucas Ragen Ambogo	P.O. Box 114, Usenge+F119
58	Wandeo Josia	P.O. Box 7, Usigu	82	Samuel O. Obara	P.O. Box 5, Siaya
59	Salmon Ondiek	P.O.Box 14, Nyamonye	83	Simon Ooko	P.O. Box 9, Nyangera
60	Abigaël Oloo	P.O.Box 14, Nyamonye	84	Naftali Okola	P.O. Box 2, Usigu
61	James Odipo Ombera	P.O. Box 14, Nyamonye	85	Joseph Odongo Owuor	P.O. Box Usigu
62	Wilson Okan Obudho	P.O. Box 64, Nyamonye	86	Nelson Sipem	P.O. Box 9, Usigu
63	James Ng'ayo Opondo H.	P.O. Box 29, Nyamonye	87	Paul Oudia Obudho	P.O. Box 82, Nyamonye
64	George OkeLLO Ogoseah	P.O. Box 17, Usigu	88	Dida Elisha Okila	P.O. Box 54, Usenge
65	Kepher Atieno Oloo	P.O. Box 28, Usenge	89	John O. Nyakwaka	P.O. Box 5, Usenge
66	Jackson W. Ondiji	P.O. Box 28, Usenge	90	roseline A. Itindi	P.O.Box 90, usenge
67	Dalmas O. Ongech	P.O. Box 63, Nyamonye	91	Francis Asewe Odero	P.O. Box 55, Usigu
68	Prisca Achola	P.O. Box Mageta	92	Oloo Wilberforce	P.O. Box 61, Nyamonye
69	Rosa Anyango	P.O. Mageta	93	Peter Ajigo ogando	P.O. Box 6, Usigu
70	Paul A. R. Odera	P.O. Box 3, Usenge	94	Tobias Ohira	P.O. Box 64, Usenge
71	Eliakum Osweta	P.O.Box 65, Usenge	95	George O. Odero	P.O. Box 5, Nyamonye
72	Henry Oyugi	P.O. Box 82, Usenge	96	Hesbon O. Aduda	P.O. Box 17, Usigu
97	Noah O. Ogot	P.O. Box 17, Usigu	121	Rev. Johannes O. Angela	P.O. Box 240, Bondo
98	Martin F.	P.O.Box 135,Usenge	122	Jemorris Ogwalo	P.O. Box 28, Usenge
99	George W. Malowa	P.O.Box 22, Usenge	123	Janet Mganda	P.O. Box 8, Nyamonye
100	Festus Mujay	P.O. Box 46, Usenge	124	Mwano Hamisi	P.O. Box 13, Nyamonye
101	Abeck Langi	P.O. Box 68, Usenge	125	Margret Omodho	P.O. Box 13, Nyamonye
102	Awino Joyce	P.O. Box 68, Usenge	126	Roselida Awuor	P.O.Box 80, Nyamonye
103	Josphine Thatcher	P.O. Box 68, Usenge	127	Pascalial Oketch	P.O.Box 80, Nyamonye
104	Goretty Atieno	P.O. Box 68, Usenge	128	Felista Olum	P.O. Box 5, Usigu

105	Josephine Odhoro	P.O. Box 68, Usenge	129	Rose Betty Ong'idi	P.O. Box 76, Usenge
106	Pamela Ogolla	P.O. Box 68, Usenge	130	John Ogola Weda	P.O. Box 45, Usigu
107	Lilian Oyugi	P.O. Box 68, Usenge	131	Dan Opiyo Winga	P.O. Box 198, Usenge
108	Jael Onyiso	P.O. Box 68, Usenge	132	Paul Okello Wade	P.O. Box 43, Odhuro
109	Tabith Aketch	P.O. Box 68, Usenge	133	Zachary Baraza	P.O. Box 248, Usenge
110	Patricia Achieng'	P.O. Box 68, Usenge	134	Rev. Nehemiah P. Onyango	P.O. Box 41, Usenge
111	Owinyo Agutu Chalkende	P.O. Box 43, Nyamonye	135	Mary Auma Ogaye	P.O. Box 213, Usenge
112	Charles Juma	P.O. Box Usenge	136	Grace Owuonda	P.O. Box 105, Usenge
113	Jared Onanda Oguto	P.O. Box 37, Usenge	137	Monica Ombos	P.O. Box 30, Usenge
114	Francis Abiero	P.O. Box 256, Usenge	138	Ambrose Owiti	P.O. Box 9, Nyamonye
115	Joseph Umayya	P.O. Box 17, Usigu	139	Samwel Mango	P.O. Box 341, Nyamonye
116	Olulo Caleb Oyeko	P.O. Box 28, Usigu	140	Richard Agwanda	P.O. Box 535, Bondo
117	Morice odhiambo Were	P.O. Box 17, Usigu	141	Amos Otieno Omino	P.O. Box 273, Usenge
118	Jairus Ouma Ochieng'	P.O. Box 9, Usigu	142	Isaah Ogutu Okuthe	P.O.Box 43, Nyamonye
119	John Odhiambo ochieng'	P.O. Box 9, Usigu	143	Otieno Orwenyo	P.O. Box Usigu
120	Vevean O. Olando	P.O.Box 36, Usengo	144	Paul Sewe	P.O. Box 47, Usenge
145	George Aremo	P.O. Box 30, Usenge	169	Magdaline Owade	P.O. Box 8, Usigu
146	Jackson Odiyo	P.O. Box 47, Usenge	170	David Ochieng	P.O. Box 47, Usenge
147	William Osonya uyoga	P.O. Box 30, Usenge	171	Pastor Opiyo matewa	P.O. Box 18, Usenge
148	Violet Ogoda	P.O.Box 17, Usigu	172	Vicklice Opil Rabut	P.O. Box 14, Nyamonye
149	Charles Migaya	P.O. Box 32, Nyamonye	173	Rev. David ochieng'	P.O. Box 316, Usenge
150	Mohamed A. O. Juma	P.O. Box 384, Bondo	174	Charles Akech	P.O. Box Nyamonye
151	Jeremiah Nyamweya Achola	P.O. Box 28, Usenge	175	Justus O. Asimgo	P.O. Box 18, Usigu
152	Edward O. Aremo	P.O. Box 30, Usenge	176	Sylvanus O. Juma	P.O. Box 30, Nyamonye
153	Agnes Akoko	P.O. Box 71, Usenge	177	Jane Ochieng'	P.O. Box 8, Nyamonye
154	George B. Owaadeh	P.O. Box 64, Usenge	178	Daniel Tiang'	P.O. Box 64, Usenge
155	Omondi Ayasi	P.O. Box 64, Usenge	179	Wilson Wanjare	P.O. Box 113, Usenge
156	Samson F. Oyuda	P.O. Box 15, Nyamonye	180	Tobias Ouma okelo	P.O. Box 2, Nyamonye
157	Isaya Ogutu	P.O. Box 76, Usenge	181	Rosemary Nyakolo	P.O. Box 68, Usenge
158	Naphtaly J. Hawa	P.O. Box 30, Nyamonye	182	Millicent Atieno	P.O. Box 68, Usenge
159	Teresa ochieng'	P.O. Box 9, Usigu	183	Everlyne Okumu	P.O. Box 68, Usenge
160	Kesia Anyango	P.O. Box 9, Usigu	184	Carolyn Atieno	P.O. Box 68, Usenge
161	Solmon Ondiek	P.O. Box 14, Nyamonye	185	William Osumba	P.O. Box 68, Usenge
162	Dishon Oloo Mahondo	P.O. Box 30, Usenge	186	Carolyn Atieno	P.O. Box 68, Usenge
163	Joseph O. Ongeus	P.O. Box 63, Usenge	187	Onyango John Akumu	P.O. Box 51, Nyamonye
164	Absalom Osweta	P.O.Box 9, Usigu	188	Alice A. Juma	P.O. Box 72, Nyamonye
165	George M. Owino	P.O. Box 17, Usigu	189	Jue Oloch	P.O. Box 72, Nyamonye
166	William S. Ogera	P.O. Box 10, Usigu	190	Villet Ogode	P.O. Box 17, Usigu
167	Walter Ndaga	P.O. Box 10, Usigu	191	Jackson Ochieng	P.O. Box 135, Usenge
168	Jaenipher Oyoyo	P.O. Box 71, Usenge	192	Janet Apudo	P.O. Box 9, Usigu
193	Elisha m. Omondi Okuku	P.O. Box 135, Usenge	217	William A. Dimbe	P.O.Box 47, Usenge
194	Esther Otieno	P.O. Box 8, Usigu	218	Agnes Agano	None
195	Diana Nyamwanda	P.O. Box 61, Nyamonye	219	John Odhiambo	P.O. Box 14, Nyamonye
196	Merceline Nyalwal	P.O. Box 64, Usenge	220	John Kondong'	P.O. Box 61, Nyamonye
197	Roselyn Nyakombo	P.O. Box 64, Usenge	221	Geodffrey Aiex	P.O. Box 14, Nyamonye

198	Felisita Oluma	P.O. Box 5, Usigu	222	Christopher Omore	Nyamonye
199	Mary Hellen Hayongo	P.O. Box 71, Usenge	223	Joseph Odera	Nyamonye
200	Abigael Oloo	P.O. Box 14, Nyomo	224	Charles Opolo	Nyamonye
201	Samuel Ojwang'	P.O.Box 9, Usigu	225	Adede Michael	Nyamonye
202	John Othieno Rading'	P.O. Box 14, Nyamonye	226	Joh Okumu	P.O.Box 30, Nyamonye
203	Benson Oloo	P.O. Box 2, Nyamonye	227	Abisalom Owi	P.O. Box 14, Nyamonye
204	George Odera	P.O. Box 5, Nyamonye	228	Alice Odongo	P.O. Box 16, usigu
205	Ogwang' O. Maurice	P.O. 82, Usenge	229	Gordon Omolo	P.O. Box 44, Usenge
206	Consolate Onyango	P.O. Usigu	230	Gilbert Hayongo	P.O. Box 71, Usenge
				Ouma Mango	
207	Caleb Achando Aduda	P.O. Box Usigu	231	Alphonce	P.O. Box 14, Nyamonye
208	Richard Otieno	P.O. Box 7, Nyamonye	232	Joseph Otieno	P.O. Box 14, Nyamonye
209	Raphael Ndayi	P.O. Box 13, Nyamonye	233	Kennedy Owino	P.O. Box 14, Nyamonye
210	Owuor Morell	P.O. Box 28, Usenge	234	Adede Michael	P.O. Box 14, Nyamonye
211	James Munda	P.O. Box 65, Usenge	235	Kevines Otieno	P.O. Box 14, Nyamonye
212	C. M.Orlando	P.O. Box 164, Usenge	236	Robin Odongo	P.O.Box 14, Nyamonye
213	Jared O. Ogombe	P.O.Box 30, Nyamonye	237	Jackson Omina	P.O. Box 14, Nyamonye
214	Dalmas Ogola	P.O. Box 84, Nyamonye	238	Fredrick owuor	P.O. Box 14, Nyamonye
215	Consoleter Ogoda	P.O. Box 47, Usenge	239	Felgona Odundo	P.O.Box 72, Usenge
216	Elijah Oriengo Hayanga	P.O. Box 64, Usenge	240	Filgona Oyona	P.O. Box 30, Nyamonye
241	Doris Nyangome	P.O.Box 30, Nyamonye	247	Salome A. Magowi	P.O.Box 17, Usigu
242	Anastasia Awuor O.	P.O.Box 61, Nyamonye	248	Joseph Owiti Otieno	P.O.Box 9, Usigu
				George Otieno	
243	Jackson Owuod	P.O.Box 7, Nyamonye	249	Onyando	P.O. Box 41, Usigu
244	Gilbert Okumu	P.O.Box 63, Nyamonye	250	James Ochieng Aram	P.O. Box Mageta
				Michael Atieno	
245	Henry Odera Singa	P.O. Box 37, Usenge	251	Majanja	P.O. Box 84, Usenge
246	George W. Oluma	P.O. Box 26, Usenge			

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1. DISTRICT PROFILE

Rarieda is constituency in Bondo District. Bondo District is one of 12 districts of Nyanza Province of Kenya. The district was created from Siaya District.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	113,583	125,197	238,780
Total District Population Aged 18 years & Below	67,886	65,781	133,667
Total District Population Aged Above 18 years	45,697	59,416	105,113
Population Density (persons/Km ²)	242		

1.2. Socio-Economic Profile

Bondo District:

- Is one of the least populated districts in the province, being ranked 10th most populated district in the province;
- Has one of the highest primary school enrolment rates in the province, at 79.7%, being ranked 3rd in the province and 19th nationally;
- Has one of the least secondary school enrolment rates in the province, at 17.0%, being ranked 8th in the province and 41 nationally; and
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhoea diseases, skin diseases and infections, and urinary tract infections;
- Locals main economic activities are fishing, and peasant farming;
- Main problems are: locals not being able to market their produce, the water hyacinth that has affected the fishing industry, and poor roads.

Bondo district has 2 constituencies: Bondo and Rarieda Constituencies. The district's 2 MPs, each cover on average an area of 494 Km² to reach 119,390 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Bondo and Rarieda parliamentary seats with 88.41% and 82.20% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1. Socio-Economic Profile

The economic mainstay of the locals is fishing, and the production of the following cash crops: cotton, groundnuts, cassava, and coffee.

2.2. Electioneering and Political Information

This is a stronghold for the opposition. In the 1992 and 1997 general elections FORD-K and NDP won the parliamentary seat with 94.19% and 82.20% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			30,997
CANDIDATE	PARTY	VOTES	% VALID VOTES
Ramogi A. Oneko	FORD-K	22,601	94.19
Henry Ouma Okendo	KANU	1,394	5.81
Total Valid Votes		23,995	100.00
Rejected Votes		-	
Total Votes Cast		23,995	
% Turnout		62.24	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			33,553
CANDIDATE	PARTY	VOTES	% VALID VOTES
George Odeny Ngure	NDP	19,953	82.20
Henry Ouma Okendo	KANU	2,793	11.51
Ramogi Achieng Oneko	FORD-K	614	2.53
Eliazaro Agoya Ochieng	SAFINA	584	2.41
Oiro Obwa	SPK	172	0.71
Florence A. Awuoro	SDP	124	0.51
Bethwel A. Omondi Okal	LPK	34	0.14
Total Valid Votes		24,274	100.00
Rejected Votes		266	
Total Votes Cast		24,540	
% Turnout		73.14	
% Rejected/Cast		1.08	

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. **Constituency Constitutional Forums (CCFs)**

3.1.1. **Philosophy**

The Constituency 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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 4th February 2002 and 15th April 2002

4.1. **Phases and areas covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered:**

- Constitution making process
- Constitution of Kenya
- Structure and systems of government
- Governance emerging constitutional issues

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 14th and 17th June 2002
- a) Total Number of Days: 2

1. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 1. Asembo Bay Hall
 2. Gagra Primary School

1. **Panels**

- a) Commissioners
 1. Com. H.W. O. Okoth Ogendero
 2. Com. Kavetsa Adagala
- a) Secretariat
 1. Secretariat Staff in attendance:
 2. Walter Owuor - Programme Officer
 3. Joseph Makokha - Asst. Programme Officer
 4. Patricia Mwangi - Verbatim Recorder

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		129
Sex	Male	110
	Female	19
	Not Stated	0
Presenter Type	Individual	105
	Institutions	24
	Not Stated	0
Educational Background	Primary Level	27
	Secondary/High School Level	90
	College	0
	University	11
	None	0
	Not Stated	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	65
	Written	52
	Oral + Memoranda	0
	Oral + Written	12
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Rarieda 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

- The constitution should have a preamble (9).
- The preamble should highlight the citizens ownership and the spirit to create a limited nation in which all people are guaranteed protection for their fundamental rights and freedom to pursue their ability to the fullest
- The constitution should provide that the national vision of the country should be highlighted
- The preamble should empower the people
- That preamble should highlight the ownership of the constitution by the people of Kenya
- The common experience to be related is gender equality, sensitivity, equal opportunities
- The preamble should reflect the Kenyans sincerity and self determination
- The constitution should have a preamble encompassing principle unity, human rights, and a national commitment and shall contain policies and proposals that would guide the Parliament when making laws.
- The constitution should have a preamble that shall be gender sensitive.

5.3.2. DIRECTIVE PRINCIPLES OF STATE POLICY

- The constitution should provide that all citizens' rights shall be guaranteed.
- The constitution should have a statement capturing the national philosophy (3)
- The constitution should have statement like " we the people of Kenya united agree to form the review for the purpose of bringing all people under one flag
- The constitution should provide that democratic principles should be included (6)
- The constitution should provide for the separation of powers between the executive, judiciary and legislature
- The constitution should provide that there should be provision for the implementation of the rule of law
- The constitution should provide that the national philosophy and guiding principles should borrow wearing from own national anthem
- The constitution should provide that the preamble shall capture national spirit, aspirations and objectives.

5.3.3. CONSTITUTIONAL SUPREMACY

- The constitution should emphasize that parliament shall have the power to amend the constitution after a 75% vote.
- The constitution should provide that parliament should amend the constitution by 67% of the votes of all MPs
- The constitution should provide that there should be a 8-0% majority votes for any constitutional amendments
- The constitution should provide parliament should have the power to amend the constitution
- The constitution should provide that no part of the constitution should be beyond the amending power of parliament
- The constitution should have two part one which can be amended by parliament
- The constitution should provide that the public should be involved in the amending of the constitution through the referendum (8)
- The constitution should provide that the ECK should conduct the referendum

- The constitution should provide that the referendum should be conducted by the independent civil organization
- The constitution should provide that the referendum should be conducted by the law society of Kenya
- The constitution should provide a constitutional amendment shall be done by parliament and that it shall be on a 65% vote.(4)
- The constitution should provide that the constitution shall be drafted in a simple language in all tribes and its supremacy be recognized.
- The constitution should be provided in two parts, one which shall be amendable by Parliament and the other by a referendum.

5.3.4. **CITIZENSHIP**

- The constitution should confer to all persons born of Kenyan parent's automatic citizenship.
- The constitution should provide that all people registered by the church, medical official should be accorded automatic citizenship
- The constitution should provide that citizenship can be acquired by request and contract
- The constitution should provide that Kenyan citizenship can be acquired by naturalization and registration
- The constitution should provide that citizenship can be acquired by adoption
- The constitution should provide that spouses of Kenya citizens, regardless of gender should be automatic citizenship (7)
- The constitution should provide that a child born of one Kenyan parent should be entitled to automatic citizenship (5)
- The constitution should provide that the right and obligation should not depend on the manner of acquiring citizenship
- The constitution should provide that the rights and obligation of the citizenship should not depend on the manner of getting the citizenship (2)
- The constitution should provide that the national ID should be proof of citizenship (2)
- The constitution should provide that Kenyan should prove identity by use of birth certificate, national ID and voters registration card
- The constitution should provide that children who attain the age of 10 years should be issued with national identity card
- The constitution should provide for dual citizenship (2).
- The constitution should not provide for dual citizenship.(5)

5.3.5. **DEFENCE AND NATIONAL SECURITY**

- The constitution should provide that public members shall determine when a state of emergency is to be declared.
- The constitution should establish a disciplined force (3)
- The constitution should provide that the chief of general staff and other commissioners of the disciplined force and senior military officers should be appointed
- The constitution should provide that there should be establishment of a body charged with the responsibility of discipline in the police force and listen to the public complaint about the police
- The constitution should provide that the judiciary system should deal with cases of indiscipline in the military

- The constitution should provide for a code of conduct for discipline of the armed forces
- The constitution should provide that the president should be the commander in chief of the armed forces (8)
- The executive should consult the parliament before declaring war
- The executive should have the exclusive power to declare war(3)
- Parliament should have the authority to declare war
- The constitution should permit the use of extra ordinary power of emergency during national disaster
- The parliament should be consulted by the ministry for defense to validate invoking of emergency power
- The president should have the authority to invoke the extraordinary power during emergency in consultation with the cabinet and parliament
- The parliament shall with 2/3 majority votes invoke emergency powers in case of national disaster(3)
- Parliament should determine the issues of the military that directly affects the public
- The constitution should provide that the security in border and entry points shall be improved.
- The constitution should provide that the police shall wear identification badges at a conspicuous part of their body.
- The constitution should provide that the president shall not be the Commander in Chief.(5)

5.3.6. **POLITICAL PARTIES**

- The constitution should provide that there should be a maximum of 6 political parties.
- The political parties should participate in development (4)
- The political parties should provide for civic education and develop income generating
- The constitution should regulate the conduct of political parties to keep them on track(7)
- The constitution should provide that the political parties should be involved in development mobilization controlled by the Government, and be 8.
- The maximum number of political parties should be 4(2)
- The number of political parties should be 2
- The number of political parties should be 3
- Kenya should be a multi party state
- The political parties should be financed by way of membership accruing from the members
- The constitution should provide that parties should be financed themselves
- The constitution should provide that party leaders should raise funds from donors well wisher fund drives
- The constitution should provide that political parties should generate their own funded for campaign
- The political parties should be financed by public funds (4)
- The political parties should not be finance from the public funds (2)
- The constitution should provide that for any political party to be financed it should be transparent and accountable
- The state and political parties should cooperate on issues of development, welfare of citizens
- The state and political parties should cooperate to ensure peace and economic stability

- The president should not belong to any party
- The state and political party should relate cordially as parties in good governance
- The constitution should provide for a party less state
- No limit should be put on the number of political parties provided each has a minimum membership of 50,000 members and a national outlook
- We should have one political party
- The constitution should provide for 3 or 4 political parties.
- The constitution should provide for public funding of political parties by the Government and their activities be regulated.
- The constitution should provide for a maximum of two political parties.
- The constitution should provide for a maximum of three political parties.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide for a parliamentary system of government with a Prime Minister as the head of government.
- The constitution should provide for a parliamentary system of government.(14)
- The constitution should retain the presidential system of government(7)
- The constitution should provide for the post of a prime minister
- The prime minister should be the head of the government (5)
- The prime minister should appoint the cabinet
- The constitution should provide for a ceremonial president (5)
- The president should be the head of the state (4)
- The constitution should adopt a hybrid system of government (3)
- The constitution should not provide for a Majimbo system of government with 9 states and head of state be a President and the PM heads the Government.
- The constitution should provide for a Military system of Government.
- The constitution should provide for a unitary system of government.(4)
- The constitution should provide for a presidential system of Government and the presidential powers shall be reduced.
- The constitution should provide that there shall be a central government system.
- The constitution should provide for a Multi-Party system of government.
- The constitution should provide for a federal system of government.(17)
- The constitution should provide that an elected Prime Minister shall control cabinet.
- The constitution should provide for the vice president to be the runner up in the general elections
- The constitution should devolve power to the lower level of government
- The public through the law society of Kenya should have the power to introduce a motion and impeach the president
- Modalities should be established to facilitate the devolution of power especially executive powers which are concentrated in the president
- The district regions should be given more powers
- The VP should be nominated by the president
- The VP should be nominated by the party with the highest number of seat in parliament
- The AG should be appointed by the president
- The VP should be elected by the people countrywide (4)
- The VP should be elected as a running mate of the president
- The VP should be presidential nominee

- The VP should be appointed by parliament
- The AG should be appointed by parliament.(4)
- the prime minister should appoint the AG
- The issuing of nolle prosequi by the attorney general should be streamlined to avoid abuse

5.3.8. **THE LEGISLATURE**

- The constitution should give parliament power to impeach the president.
- The constitution should give Parliament power to vet all appointments.
- The constitution should give that an MP should attend parliament at full time.
- The parliament should vet the appointment of university chancellors
- The parliament should vet the appointment of cabinet ministers
- The constitution should provide that all public appointment should be vetted by parliament the parliament should vet all presidential appointment
- Parliament should vet all senior government position
- The parliament should approve all appointment by the prime minister and the president
- The constitution should expand the power of parliament (3)
- The parliament should remain the supreme authority of in its land
- Parliament function should be expanded to include impeachment powers
- The executive powers should be vested on parliament
- The parliamentary committee should have “teeth”, they should be able to prosecute those they find suspect
- The parliament should have the power to control its own procedures through a standing order(7)
- The parliament should have unlimited powers to control its own procedure through a standing order
- The constitution should provide that being an Mp should be a full time occupation (5)
- The constitution should provide that the age limit fro parliamentary candidates should be 30-75 and fro presidency should be 40 years
- The president should be below 75 years old
- The minimum age limit fro the presidential candidate should be 45 years
- The age limit for contesting fro presidency should be 45-65 years
- The constitution should set up the maximum age requirement fro parliamentary aspirants
- The presidential candidate should not be above 75 years old, the MP should not be above 75 years old
- The age requirement or a parliamentary candidate is necessary, he/she should be above 18 years
- The members of parliament should hold a diploma or a degree
- The parliamentarians should have at least O level of education, clean track record and declare their source of wealth
- The constitution should provide that no language test should be required for parliamentary seats
- The constitution should provide that language and aptitude test should be done on MPs
- The constitution should provide that a parliamentary candidate should have a posses at least form four level of education (4)
- The constitution should provide that parliamentary candidate should be holders of university degree
- The constitution should provide that discipline, good conduct should guide

parliamentarians (4)

- The constitution should provide that members of parliament should have 2 four year term at the maximum
- The constitution should introduced ethical and moral qualification for parliamentarians
- The tenure of MPs should be 5 years
- Members of parliament should have a tenure of two five year term
- The constitution should provide that Parliament shall vet all actions by the executive.
- The constitution should provide that MPs shall establish offices in their constituencies.
- The constitution should provide for the life of Parliament to be 4 years.
- The constitution should provide that there shall be a 12 constituency member committee nominated by the MP responsible for formulating policies and making decisions affecting the constituents and forwarding them to the MP for implementation.
- The constitution should provide that parliament shall be responsible for its timetable.
- The constitution should provide that Parliament shall control the Electoral Commission.
- The constitution should provide that MPs shall be 65 years old.
- The constitution should provide for appointment of AG, controller and Auditor General shall be done by Parliament.
- The constitution should provide for the MPs qualifications as 30-75 years, KCSE holders and pass in English and Kiswahili.
- The constitution should provide for Women participation in Parliament.
- The constitution should provide that MPs shall reside in their constituencies and a committee to vet their actions.
- The constitution should provide that MPs shall serve for 2 terms of 5 years be pensioned only after serving for 2 terms.
- The constitution should give voters the right to recall non-performing and those involved in misconduct.(15)
- The Mps should act on the basis of conscience and conviction or instruction from their constituents
- The electorate should give the aspiring MP instructions (4)
- There should be established a committee which shall lay down the responsibility of member of parliament
- The salaries and benefits of MP should be determined by the parliamentary service commission
- The salaries and benefit of an Mp should be determined by an independent body (5)
- The constitution should provide for a pension scheme for Mps
- The salaries and benefits of an Mp should be paid according to profession
- The constitution should dictate the salaries of the MPs
- The ruling government should determine the salary of MPs

- The constitution should provide that an MP must be a holder of university degree.
- The constitution should provide for parliament to be autonomous.
- The constitution should provide for a coalition Government.
- The constitution should provide for a government of National Unity.
- The constitution should provide that all presidential appointments be vetted by parliament.
- The constitution should retain the concept of nominated MP(5)
- The constitution should provide that there should be no nominated MP in Kenya (3)
- The constitution should provide that seats should be reserved for women equally in the

province

- The constitution should provide that 33% of parliamentary seat be reserved for women
- The members of parliament should adhere to the provision of the party constitution or manifesto
- The constitution should retain multiparty in legislature and not executive
- The constitution should permit a coalition form of government (7)
- The constitution should change to multiparty system in legislature and the executive to accommodate different views in the implementation of laws
- There should be only one chamber in parliament (3)
- The constitution should introduce 2 chambers of parliament (3)
- The parliament should have the power to impeach a president (3)
- The president should not have the power to dissolve parliament (3)
- The president should have the power to dissolve parliament after five years (2)
- The constitution should provide that MP should have constituency offices (6)
- The constitution should provide that ministers shall be appointed by Parliament and that they shall be professionals in their fields.

5.3.9. THE EXECUTIVE

- The constitution should provide for a ceremonial president.
- The constitution should provide for a Prime Minister and Governors governing 4 regions.
- The presidential qualification should be of clean record, a diploma holder and developmental conscience
- A presidential aspirant must be from a stable family
- Chief and assistant chiefs should be appointed and given the chiefs act
- The president aspirant should not be a leader of the political party
- The minimum education qualification for a president should be a diploma certificate from a recognized university
- The presidential candidate should be able to create an atmosphere of love peace and unity among the people
- The president shall be elected indirectly by the party with a majority in parliament
- The presidency should rotate according to the provinces
- The presidential candidate should be required to declare their wealth
- A presidential candidate should be a Kenyan citizen
- The constitution should provide for appointment of chiefs by an established professional board.
- The constitution should provide that president age shall 40-75 years, his functions defined, be God fearing, be a Diploma holder, and serve for 3 terms of 5 years.
- The constitution should provide that DC's shall not chair District Development Committees.
- The constitution should provide for women inclusion in election of chiefs and chiefs to be 45 years and above.
- The constitution should provide that the ministries shall be reduced to 10.
- The constitution should provide for a maximum of 2 terms of 5 years for the president.(9)
- The constitution should provide for chiefs to be elected for 5 years.
- The constitution should provide that the president should not be above the law.
- The constitution should provide for an election of Provincial Administrators, chiefs and their assistants.

- The constitution should provide for presidential qualification to be 50%.
- The constitution should limit the powers of the president. (22)
- The constitution should provide for the removal of the president for misconduct (7)
- The president should relate to the parliament independently and attend session as an ex official
- The constitution should reduce the presidents interference in the proceeding of the parliament
- A president should appear in parliament twice a year to answer question particularly of government policy
- The president should not be an MP(7)
- The president should not be above the law
- The constitution should provide for the impeachment of the president.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.(4)
- The functions of the president should be defined in the constitution (5)
- The provincial administration should be appointed along party lines
- The chiefs should be elected by the people and district development officer should be resident of those particular area
- Women should not be appointed as chiefs
- The chiefs Act should be strengthened
- The provincial administration power should be reduced
- Chiefs and their assistants should be elected directly b by the people (4)
- The chiefs and assistant chiefs should be elected by the queuing system the constitution should create a ministry to look into the welfare of the disabled and carter for their special needs
- The constitution should provide that there should be a ministry to regulate religious affairs
- The constitution should provide that the number of ministries should be reduced (2)
- The constitution should provide that there should be 18 cabinet positions
- The chiefs and assistant chiefs should be elected and they should be transferred (3)
- The provincial administration should be done away with(4)
- The chiefs an assistance should serve the people for five years
- The chiefs and assistant should not have arresting powers
- The disabled should have one of their own in the district development committees
- The presidential tenure should be fixed to three terms of five years each (2)
- The constitution should provide that the president shall not be an M.P and not hold any party post.
- The constitution should provide for the creation of Fishing Ministry.
- The constitution should provide that the chiefs and their assistants be transferable.
- The constitution should provide for gender sensitivity in the Provincial Administration.
- The constitution should provide that if the president is a man then the vice president shall be a woman and the vice president be with a portfolio.
- The constitution should provide for the creation of Ministry of Justice that shall appoint Judges and that the Auditor General be empowered to prosecute.

5.3.10. **THE JUDICIARY**

- The constitution should provide for rule of law for all including the President.
- The structure of the judiciary system should have branches at divisional level

- The structure of the judicial system should be decentralized
- The judiciary system should be restructured
- There should be established a specialized court to adjudicate upon rape cases
- There should be established a supreme court (4)
- There should be established a constitutional court(2)
- The chief justice should be appointed by the government
- The constitution should provide that judicial officer should be appointed by the president, magistrate should be appointed by a judiciary service commission, the vocational court should be filled by the DC
- The parliament and law school should appoint the judicial officers
- The power to appoint all judicial officers including chief justice and the attorney general be vested with the judiciary
- The judicial officers should have security of tenure
- The state judicial power should be vested exclusively in court
- The judicial service commission should look into terms of service and remuneration of public servants in the judiciary
- The constitution should ensure all Kenyans have access to court (7)
- The government should provide free legal aid for the poor
- The constitution should ensure Kenyans the right to legal aid(30)
- The community court should be established
- The constitution should make provision for judicial review of laws that are made in parliament
- The council of elders should handle land disputes, and customary affairs(11)
- The clan elders should be given allowance
- All Kenyans should be entitled to fair trial and legal representation
- The constitution should provide for the independence of the judiciary.
- The constitution should provide for scrapping of bails and bonds.
- The constitution should provide for creation of mobile magistrates court.
- The constitution should provide for creation of juvenile rehabilitation department.
- The constitution should provide for creation of local courts on marriage, divorce and inheritance.
- The constitution should provide that there shall be a kevo (supreme person equivalent to a chief kadhi) and assisted by 12 other kevos.

5.3.11. LOCAL GOVERNMENT

- The constitution should provide for councilors to be recalled in case of misconduct.
- The constitution should provide that mayors and council chairmen should be elected directly by the people (7)
- The council should not work under the central government
- The councilors should have a minimum of O level education (14)
- The language test for the civic candidate should be administered more stringently
- Councilors should not be above 75 years old
- The people should have a right to recall their councilors (5)
- The councilors salaries should be drawn from the consolidated funds
- Councilors should not remunerate themselves, the government should determine their salaries
- There should be no nomination of councilors (2)

- The local authority by laws should be approved by the judiciary service commission and parliament to ensure conformity to the constitution
- The by laws an power of the local council should be improved to provide ample time for councilors to participate in community affairs effectively
- The by laws of the council should be changed to deny them the freedom of destroying kiosk and open air market
- The council chairmen should be empowered to oversee council finances for the development processed and ensure discipline in the tender boards
- The constitution should provide for councilors to be at least STD 8 leavers.
- The constitution should provide for councilors to be at least form 4 leavers and be paid from the consolidated funds.
- The constitution should provide for mayors to be elected by the people.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should specify the date of election (6)
- Th constitution should provide that voting by secret ballot
- The simple majority rule should be upheld
- The presidential candidate should gather at least 51% of the total votes
- The presidential candidate should attain a minimum of 50% of the total votes to be declared a winner (4)
- The constitution should provide that candidates who fail nomination in one party should be allowed to seek nomination from another party
- The constitution should provide that candidates who fail nomination in one party should not be allowed to seek nomination from another party
- The president should be elected directly (5)
- The parliament should appoint the electoral commission
- An MP or councilors who defect should refund to the commission a quarter fro the cost incurred
- The constitution should retain the 25% representation in five provinces for presidential election
- The disabled should have a representation in parliament (3)
- The constitution should provide fro reservation of seats for women
- The constitution should provide that Rarieda constituency shall be Madiany constituency
- The electoral areas should b reviewed with an emphasis on population (6)
- The civic, parliamentary and presidential election should be held simultaneously
- The queuing system should be used in parliamentary election
- The registration of voters should start at 15 years
- The electoral process should be simplified such that contestant are not required to retire from their jobs(2)
- The constitution should limit the election expenditure by each candidate
- The constitution should simplify voters registration
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections (4).
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. (3)
- The constitution should provide that elections shall be held after every 4 years.
- The constitution should provide for participation of independent candidates in elections.

5.3.13. BASIC RIGHTS

- The constitution should guarantee the protection of the human rights for all Kenyans and should be recognized especially by the Police.
- The constitution should protect the bill of rights and make it explicit in UN and OAU charters
- The bill of right should be entrenched in the constitution
- The constitution should not allow detention without trial in Kenya
- The constitution should entrench the freedom of worship (7)
- The constitution should provide for freedom of association, political, social and economic should be protected and entrenched in the constitution
- The constitution should provide for equal right should be guaranteed for all people
-
- The constitution should regulate the registration of many denomination
- The constitution should guarantee the freedom of worship for all Kenyans and this should be regulated.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should protect the right to life.
- The constitution should abolish death penalty (8)
- The constitution should not abolish death penalty
- The constitution should ensure development of a welfare state in which people have access to food, shelter, water, employment and security
- The constitution should protect the fundamental rights of all Kenyans regardless of gender, color creed and political affiliation
- The unemployed person should be paid an amount of money which should at least cater fro their needs
- The constitution should guarantee continuity of civic education.
- The constitution should provide for the right to obtain information in the custody of the state.
- The government should provide security evenly in all districts
- The constitution should provide that all police officers should produce arrest warrant in the occasion of arresting someone
- The constitution should guarantee free healthcare fro all Kenyans (20)
- The constitution should offer free medical care to children up to standard six
- Te constitution should guarantee clean water to all Kenyan (5)
- The government should give free special education to the disabled up to secondary school
- There should be free education fro all Kenyans (7)
- The constitution should provide that poor housing an building that are unfit fro habitation should be condemned by the public works official
- The constitution should provide that all Kenyan should have a right to adequate food
- The disabled should get considered for employment
- The constitution should provide for the employment of foreigners
- The constitution should guarantee all Kenyans a right to employment civil servants should be paid twice a month
- Job opportunities should be given to qualified persons
- The constitution should provide that retirement age should be fixed to 50 years

- The constitution should provide that the graduate should be guaranteed employment
- The constitution should provide that retirement should be 60 years and retirees should not hold other public post
- There should be a pre- primary education without levies in all public schools
- The government should provide free and compulsory education in primary and secondary schools
- The government should provide free education and equip schools
- The constitution should provide free education up to university level
- The constitution should provide free education for the disabled up to university level
- The government should ensure all person regardless of gender are employed
- The constitution should provide that 10% of the civil servant are disabled
- Women should be accorded adequate maternity leave with full employment benefit
- The disabled should get free medical allowance
- The national social security funds should assist Kenyans in educating the orphans and some marginalized student who cannot afford school fees
- The constitution should provide that NSSF benefit should be disclosed immediately on retirement
- The pension benefits should be increased just as a the civil servant salaries are increased
- There should be a laws to safeguard the old people who are left helpless
- There should be yearly increment of pension
- A pensioner benefit should be paid promptly on retirement time
- All widows and widowers to pensioners should continue receive the pension till death
- Social security should be given to victims of accident who becomes disabled
- The law should provide for the payment of all terminal benefit public servants before their service are terminated
- Constitution should provide for a social schemes fr the disabled particularly women
- All employed person should undertake to provide social security to their parent and the constitution should ensure this
- The chief should entitled to pension from the government
- A special scheme should be established at the national social security fund in order to assist widows and orphans of the employees
- There should be free primary education
- The government should ensure and compulsory primary education for all Kenya
- The constitution should make provision for free and compulsory primary school education (18)
- The orphans should have free education
- Civic education should be continuous process
- The constitution should be written in simple language (4)
- Civic education should be provided to Kenyan
- The constitution should provide that Kenya should have access to information in the hands of the state or any other agency of the state
- The s disabled should be union sable and protected from exploitation
- All workers should belong to a trade union so that their grievances can be handled adequately (3)
- The constitution should guarantee legal aid as a constitutional right.
- The constitution should provide for the enhancement of the citizens security.
- The constitution should provide for abolishing of death penalty.
- The constitution should guarantee freedom of religion.

- The constitution should provide for a one person-one job policy.(5)
- The constitution should provide that pensions shall be expeditiously transmitted to employee's next of kin and that retirement age shall be 60 years.
- The constitution should provide for trade union activities.

5.3.14. THE RIGHTS OF VULNERABLE GROUPS

- The constitution should provide for funds to assist the orphans.
- The constitution should provide that women right are not fully guaranteed because there is still discrimination for the girl child, non representation in parliament and denial of property right
- The constitution should entrench women rights
- The constitution should guarantee women rights
- The government should provided that disabled with auto chair
- The constitution should provide transport facilities fro all the disabled people
- The constitution should protect the disabled from police harassment, torture and detention
- The constitution should ensure that people who have disabled children are not hidden away
- The disabled should be treated in favorable manner that suits their condition
- The disabled should be given machines and other facilities required fro self sustenance in the information sector
- The disabled should be represented in parliament
- The constitution should provide the welfare of orphan
- The orphan should have access to free education
- Children who attain 18 years of age should be entitled to voting right
- Children right should be observed and their views taken in any issue concerning them
- Children right should be protected especially street children
- Children should have a right to inherit their parents property
- The juveniles should be corrected and not punished
- Children should be protected from child labor
- The constitution should provide for the welfare of the freedom fighters
- The elderly should be taken are of by the constitution
- The constitution should protect widows and orphan from discrimination
- The constitution should provide for affirmative action for girls and youth
- The constitution should not make provision for affirmative action in favor of women
- There should be provision for affirmative action fro women
- The constitution should give provision for affirmative action for the physically impaired persons
- The constitution should ensure provision for affirmative action for women and children (2)
- All suspects should be protected from any form of police harassment
- There should be establishment of more prisons
- The constitution should provide equal rights for children.
- The constitution should provide for unmarried girls to inherit parental property.
- The constitution should provide for married girls to inherit parental property.
- The constitution should provide for the rights of children.
- The constitution should provide for the government to set up a scheme for the disabled.
- The constitution should guarantee that 1/3 of all MPs shall be women.
- The constitution should provide that orphans and street children shall be taken care of.
- The constitution should provide for the recognition of freedom fighters.
- The constitution should not provide for affirmative action and that women should be appointed and elected on merit.
- The constitution should provide for recognition of the youth in parliament.

- The constitution should provide for the care and protection of the elderly and the poor.
- The constitution should provide for the creation of homes for orphans in every district.
- The constitution should provide for special consideration for the disabled in training institutions, buildings, parliament and a welfare scheme for them.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should guarantee the right of any Kenyan to own land in any part of the country.
- The local communities should have ultimate land ownership (2)
- The individual should not be allowed to own any land
- The individual should have the ultimate land ownership (4)
- The parliament should be involved in the distribution and allocation of the public land
- The government should have the power to compulsory acquire private land that is under utilizes (2)
- The government should make full payment of full compensation for the setting apart land for government purpose
- The government or any authority should not control the use of the private land
- The constitution should provide that land issues and disputes should be handled by the community (3)
- The constitution should provide for the inheritance of property to the deceased extended family
- The constitution should provide for proper land policies in Kenya
- The land registration should be revised after two years
- The land consolidation should be intensified as opposed to fragmentation
- All children should have equal rights to inheritance of parents land
- The laws of inheritance and succession should be addressed such that owners of private land can bequeath it to his beneficiaries
- The constitution should provide for the simplification of land transfers and levies be scrapped.
- The constitution should provide that the Government shall provide land for the landless.
- The constitution should provide that the Government shall be the sole land owner and no individual land ownership.
- There should be a ceiling to land owned by an individual at 40 acres
- The constitution should provide that non citizen should not own land (2)
- Land transfer issues should be streamlined by the government
- The process of land registration should be simplified and the cost of registration should be free (5)
- The land should be guaranteed to female children only if there is an agreement between the child and the father
- Women should be entitled to land ownership
- The constitution should provide that men and women should have access to land (4)
- The constitution should provide for land demarcation and that land boundaries be respected.
- The constitution should abolish the pre independence land treaties
- The constitution should retain the pre independence land treaties
- Kenyan should have a right to own land anywhere (5)
- The trust land Act should be retained (3)

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide that busaa clubs shall be retained.
- The constitution should provide for respect of customs.
- Cultural and ethnic diversity should be protected and promoted (1
- The state should ensure unity in diversity by dealing with ethnicity, tribalism and related vices
- The constitution should provide that territorial boundaries should be defined
- The constitution should provide for the protection from discriminatory aspect of culture (10)
- The constitution should provide for kiswahili as national language
- The constitution should provide for the five national language
- The constitution should establish common national language for national unity
- The constitution should recognize and promote indigenous language of the Kenyan people
- The constitution should provide for scrutiny of religious activities.
- The constitution should guarantee intact cultural values.
- The constitution should address the issue of culture discrimination.
- The constitution should provide that Kiswahili shall be a common language.
- The constitution should provide for the punishment of FGM.
- The constitution should provide that wife inheritance shall be outlawed.
- The constitution should provide that bride price shall be returned in case of separation and divorce.
- The constitution should provide that bride price shall be compulsory.
- The constitution should provide that village elders be salaried employees.
- The constitution should guarantee that wife inheritance shall be voluntary.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources.
- The constitution should provide that all government services and facilities are accessible to all Kenyans without discrimination.
- The constitution should encourage education by employing all.
- The constitution should provide for government funding for the unemployed.
- The parliament should retain the power to authorize the raising and appropriation of public finances (3)
- The parliament should ensure equitable distribution of national resources
- The national resources should be equally distributed of national resources (5)
- The government should apportion benefit from resources between central government and communities where such resource come found(5)
- The auditor and controller general should be appointed by the parliament
- The government should established the office of an independent controller and auditor general
- a parliamentary select committee should propose the controller and auditor general
- The government should have a commission to oversee government expenditure
- The parliament should created district, divisional and locational development committees to monitor the usage of the development programmes funds
- The pensioners should not hold any other public office

- The constitution should provide that Kenyan working in public service should be well paid
- The constitution should provide that church worker should be well remunerated
- Appointment to senior government position should be strictly on merit
- The commission should be retained independent to avoid influence from any parties
- The constitution should provide that there should be code of ethics for holder of public services
- The constitution should provide that public officer should be required to declare their wealth
- Parliament should appoint member of the public service commission (3)
- The constitution should provide that public servant should declare
- The management of the central bank and other financial bank should be entrusted in the hands of qualified and competent person who shall be seconded by the finance minister and approved by parliament
- The constitution should provide for MPs to declare their wealth.
- The constitution should provide that ministerial posts shall be accorded to professionals.

5.3.18. ENVIRONMENTAL AND NATURAL RESOURCES

- The constitution should provide that local people shall be allowed to exploit local natural resources for their benefit and compensation of accidents caused by wild animals.
- The government should put in place policies to ensure conservation of soil and protection of the environment
- The constitution should provide that natural resources should belong to the communities where they are found
- The constitution should provide that the lake region should be allowed to manage lake resources
- There should be community participation in environmental protection and tree planting
- The community should be involved in the protection of the environment
- The city council should assist the community to clean the environment, maintain and protect it
- The constitution should provide for the exploitation of the resources in the lake region

5.3.19. PARTICIPATORY GOVERNANCE

- *The constitution should provide that Religious bodies shall be involved in matters of governance.*
- The civil societies should be empowered to participate fully in governance
- The government should tax regulation in the conduct of the civil society organization to maximum participation in development
- The government should allow the religious institution to develop their own institution and to self govern them and to communicate freely with international support institutions
- The constitution should give women power to participate in district development activities
- The constitution should put in place mechanism to ensure maximum participation of governance by the persons with disability (2)
- The government should recognize and enhance the role of the youth in the governance (3)

5.3.20. INTERNATIONAL RELATIONS

- The constitution should provide that all international boundaries shall be guarded.

- The constitution should provide that foreign policies should be a function of the parliament but the executive should have a hand in passing them
- The constitution should provide that treaties must first be reviewed as they are domesticated into our laws

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for a permanent constitution commission,
- The constitution should provide for creation of gender body to assess gender equality.
- The constitution should establish an ombudsman office (5)
- The gender commission should be implemented
- The constitution should establish an anti corruption commission (6)
- The constitution should provide that the public shall elect ombudsmen.
- The constitution should provide for the MPs salaries to be determined by independent commission.
- The constitution should establish a land commission
- The constitution should establish a fisheries commission
- There should be a juvenile commission established
- There should be an education commission established
- A committee should
- be established in the constitution to deal orphans issues
- There should be a commission to oversee the management and the use of national resources
- The juvenile commission should be charged with the maintainaing discipline in the juvenile system as well as appoint judicial officers
- The constitution should establish the ministry of constitutional affairs
- The constitution should provide for a permanent constitutional court.
- The constitution should provide for Supreme Court.
- The constitution should provide that there shall be a permanent commission of religious persons to deal with land issues.
- The constitution should provide for the existence of ombudsman's' office in every division.
- The constitution should provide for reinstatement of KACA.

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide for the AG to have power during transition period.
- The constitution should provide that the speaker shall have power during transition.
- The constitution should provide that the chief justice should hold the executive powers during election
- The vice president should be in charge of executive power of executive power during presidential election (3)
- The presidential election should be declared by the chairman of the electoral commissions
- The constitution should provide that the incoming president should assume office within 24 hours
- The incoming president should assume office as soon as the election results are declared
- The chief justice should swear in the in the oncoming president
- The constitution should provide that the instrument of power should be transferred as soon as the incoming president has been sworn in

- The constitution should provide that all instrument of power should be handed over to the president at the swearing ceremony
- The constitution should make provision for a former president in term of security, welfare
- The constitution should make provision for a former president and his/her immediate defendant on welfare of security
- The constitution should make provision for a former president in tern of security (3)
- The constitution should make provision fro a former president in terms of welfare (5)
- The constitution should provide that a former president should not be immune from prosecution (3)
- The attorney general should hold the executive power during presidential election

5.3.23. **WOMEN'S RIGHTS**

- The constitution should provide for the rights of women.
- The constitution should provide for free participation of women in politics.
- The constitution should provide for protection of women from all forms of violence.
- The constitution should guarantee widows and women property inheritance and qualify for pensions.
- The constitution should provide that women in small-scale businesses shall not be taxed.

5.3.24. **LEGAL SYSTEM**

- The constitution should provide for stiff penalties in rape cases.
- The constitution should provide for the retention of customary law.
- The constitution should provide for strict punishments for murderers.
- The constitution should provide for legalization of chang'aa.

5.3.25. **WOMENS RIGHTS**

- The constitution should provide that constitution should facilitate the education of women
- The constitution should facilitate the education of women
- The constitution should provide that unmarried girls should have a right to inherit on succession of a part of the family property
- The constitution should provide that wife should have a right to inheritance and succession (5)
- The constitution should provide that once a girl is married she should not remarry
- The constitution should provide that customary marriage should be abolished
- The constitution should provide that polygamy should be abolished
- The constitution should harmonies marriage laws so that customary practices such as paying bride price
- The constitution should provide that disabled should not pay bride price when they want to marry
- The constitution should provide that marriage laws should be streamlined to protect against abuse of the divorce process b the spouses
- The constitution should provide that fathers should be responsible for maintaining children they have fathered out of wedlock (5)
- The constitution should protect women from domestic violence
- The constitution should provide that women should have the right to own family property (2)
- The constitution should provide that young ladies should b denied inheritance of husbands property to avoid selling it and getting remarried

5.3.26. **INTERNATIONAL POLICY**

- The constitution should provide that the state shall enter international trade agreement with the aim of harnessing economic development and mutual co- existence
- The constitution should provide that the state should endorse all UNO charter on human rights and environment supervision
- The constitution should provide that the state shall enter into treaty with international trading agreement with the aim of gaining market attracting investment and foreign exchange

5.3.27. **REGIONAL POLICY**

- The constitution should provide that the state shall promote cultural interaction with the aim of acquiring the best of such culture
- The constitution should provide that the state should participate in international trade with main objective of winning balance of payment

5.3.28. NATIONAL ECONOMIC POLICY

- The constitution should provide that the wholesalers should not double up as retailers
- The constitution should provide that there should be property established mechanisms to ensure that the price of commodities are controlled
- The constitution should provide that the state should create favorable environment for thriving of financial institutions and individual entrepreneurship
- The constitution should provide that the government should exercise control on consumer goods
- The constitution should provide that the state should protect indigenous industries by imposing reasonable tariff and eradicating, dumping of cheap foreign goods which are locally produced
- The constitution should provide that parliament should enact laws to administer the privatization of the parastatals and public assets
- The constitution should provide that the government should resume protectionism policy and price control to protect own domestic produce and market
- The constitution should provide that the government exert control on the price of consumer goods to protect against unscrupulous trader
- The constitution should provide for electricity for all Kenyans
- The constitution should provide that a body should be appointed within location to carry out a survey on potential areas of land for development projects like irrigation
- The constitution should provide that the government should Assist poor Kenyans and assist in poverty reduction
- The constitution should provide that there should be economic empowerment of the rural people
- The constitution should provide that to alleviate poverty in the lake region the government should be given incentives to rejuvenated the irrigation scheme's and give farm inputs to the farmers
- The constitution should provide that there should be an allowance for poor people
- The constitution should provide that the government should provide economic, physical and social infrastructure for all Kenyan
- The constitution should provide that the government should be provide roads, dams and boreholes in the rural areas
- The constitution should provide that Kenya's should be encouraged to invest locally
- The constitution should provide that government should central housing structure for the disabled
- The constitution should provide for the upgrading of infrastructure in Kenya
- The constitution should undertake the rural electrification and better transport to the nyanza fishing zone to improve generation (2)

5.3.29. NATIONAL OTHER POLICY

- The constitution should provide that insurance should be accessible to all business people
- The constitution should provide that all disabled should be guaranteed life insurance cover
- The constitution should address the spread of HIV/ Aids
- The constitution should provide that all cases of people dying of Aids should be made public
- The constitution should provide the government should provide cheap drugs for AIDS victims

- The constitution should provide that the government should disarm warring communities and deploy forces in the Turkana borders
- The constitution should provide that the government should assume the Kenyan security internally and externally
- The constitution should protect suspects from police torture and harassment
- The constitution should provide that the police officer should not carry out a search in individual premise without a warrant
- The constitution should provide that ex service men should be given active jobs to reduce insecurity
- The constitution should provide that incase a person dies in road accident the police should take care of the dead bodies from the scene of accident and should return the body back to the place of burial not dumping the bodies I mortuaries
- The constitution should provide policemen in plain clothes should not carry guns
- The constitution should provide the right to public security should be guaranteed in respect to the police
- The constitution should provide that bribery and corruption should cost someone their job
- The constitution should protect all Kenyans against thieves of harambee money or cost sharing initiative
- The constitution should provide that there should be put in place measure to eradicate corruption
- The constitution should provide that any person who defrauds the state, embezzle public funds or evade tax shall be prosecuted and forced to repay the amount loosed from the public
- The constitution should provide that corruption should be outlawed
- The constitution should provide that corrupt people should be charged in a court of law
- The constitution should address corruption in the judiciary
- The constitution should provide that population issue on the disabled to be carried out

5.3.30. **SECTORAL POLICY**

- The constitution should provide that persons around the lake region should use the lake water to irrigate
- The constitution should provide for the welfare of farmer
- The constitution should provide form cooperative for farmers
- The constitution should put in place well coordinated irrigation projects
- The constitution should provide that cotton farmers should be assured of adequate pay fro there produce
- The constitution should provide that government should give incentives in establishment of irrigation schemes to spur agricultural production
- The constitution should provide that farmers and fishermen should be allowed to market their products and the market forces determine and burden and supply and profits
- The constitution should provide that the government should protect irrigation around lake Victoria
- The constitution should establish strong cotton boards to develop the cotton industry in the country (2)
- The constitution should provide for civic education in schools.
- The constitution should provide that small-scale traders shall not be taxed.
- The constitution should provide that the constitution shall be taught in schools and it

shall be freely available.

- The constitution should provide for prompt compensation of accident victims.
- The constitution should provide that income from fish resources shall be used to develop the area.
- The constitution should provide for setting up of price control mechanisms.
- The constitution should provide for overhaul of the education system.
- The constitution should provide for mainstreaming of agricultural sector, promotion of local industries, development of irrigation projects.
- The constitution should provide for review of water boundaries around Lake Victoria and improvement of all actuaries and river entry points.
- The constitution should provide that civil servants shall be paid Kshs 20,000.
- The constitution should provide for the creation of a fisheries factory around the lake.
- The constitution should provide that every rural place shall have access to pipe water, electricity and information technology facilities.
- The constitution should provide for scrapping of Harambees and cost sharing.
- The constitution should provide that fishing processing industries should be established in Nyanza province (20)
- The constitution should provide that the government should rejuvenate all factories and industries that have stalled and industries, I should establish at least three per district
- The constitution should provide that the government should set up small scale industries for fish hides and skins
- The constitution should provide that industries should be decentralized
- The constitution should put up more ginneries and give farmers incentives in cotton growing belts
- The constitution should provide that teachers should be allowed to discipline children through canning
- The constitution should provide that the cut off point for university intake should be reduced
- The constitution should abolish the 8-4-4 system of education and replace it with 7-4-2-3 system
- The constitution should provide that the marginalized students should be assisted in paying fees by the state
- The constitution should provide that there should be a technical education for Kenyan students
- The constitution should provide that all teachers should be paid by the government
- The constitution should provide that watchmen in public schools should be employed by the government
- The constitution should provide that the government should ensure that the constitution should be incorporated in the formal educational programmer
- The constitution should provide that military science should b taught in schools
- The constitution should provide that nursery schools should be abolished
- The constitution should provide that all training should require a mean grade of D+ in secondary schools
- The constitution should provide that there should be tuition for young and teachers the curriculum is taught
- The constitution should provide that primary school teachers minimum pay should be 20,000 per month
- The constitutions should provide that all bursaries should be given such that the needy

are able to access it

- The constitution should provide that an education policy should be formulated to ensure that public schools are operated transparently and accountably by the school head
- The constitution should provide for the promotion of teachers annually the constitution should provide all disabled should be given vocational training to equip them with sustenance and improve their income
- The constitution should provide that there should be establishment of learning institution to cater for the disabled
- The constitution should provide that education cost should be reduced
- The constitution should provide that all nursery schools in Kenya should have a uniform curriculum
- The constitution should provide that the SDA should be allowed to administer private schools and conduct educational, cultural, charitable or other good activities
- The constitution should provide that the government should provide the educational facilities like lab equipment request and kits as incentives to science subject student
- The constitution should provide that the government should give the disabled allowance
- The constitution should provide that tax laws should be harmonized
- The constitution should ensure the government put in place a stringy and accountable policy
- The constitution should provide that all taxation and levies drawn from a particular district should not be remitted to the central government but should be held in a fund for the local development with grant from the government
- The constitution should provide that the government should provide for zero taxes on all monies received on behalf of the disabled from foreign donors
- The constitution should provide per capita income to all registered Kenyans
- The constitution should provide that women credit loans schemes should be given allowance of at least 5,000 shs per month
- The constitution should remove fish guards from patrolling
- The constitution should provide for use tax fishing to improve the industry
- The constitution should provide that drug companies should ensure that they produce genuine drugs that are beneficial to the sick
- The constitution should provide that widows should be allowed to decide whether to remarry
- The constitution should set policies pursued by a commission to fight epidemics diseases like leprosy, AIDS TB typhoid cholera
- The constitution should provide that the government should provide drugs to government hospitals
- The constitution should provide for liberalization of air waves to ensure easy access to radio and television service by northern Kenya communities
- The constitution should provide that for additional use of code language
- The constitution should provide for access to information technology for all Kenyans
- The constitution should provide that government should offer vocation training for the youth
- The government should give incentive to the disabled co-operative to enhance the projects
- The constitution should provide that small scale businessmen operating a turn over of less than 10,000 should be exempted from paying tax
- The constitution should make provision for the micro finance to eradicate poverty
- The constitution should provide that all small scale trader and artisan should be exempted from any form of taxation

- The constitution should provide that fishing co-operatives societies an self help project be recognized to promote the fishermen (2)
- The constitution should provide that the disabled should get free transport all over the country
- The constitution should provide that the government should tarmac the lowdar kitale highway
- The construction of roads administration should b left out to vocational road braid who recommends to the district road board or ministry of public works for approval
- The constitution should provide that public transport be given free for the disabled
- The constitution should provide that the government should regulate the matatu industry and protect from fare hiking during public holidays and school opening times
- The constitution should provide that a law should be put in place to forbid ordinary passenger in public service vehicles
- The constitution should provide that the poor roads should be made usable and public transport between Nairobi and kisumu should not pick people along the road to avoid over speeding and overloading
- The constitution should provide that the government should put in place proper infrastructure
- The constitution should provide that use of fishing equipment made in Kenya should be allowed and government restrictions removed
- The constitution should provide that fish mongers should be taxed 25% revenue to help improve the lakeshore roads and security
- The constitution should provide that fishing on the river mouth should be allowed
- The constitution should provide that transport boat and fishing boats should be insured together with the fisherman
- The constitution should provide fisheries should be managed by the community under the supervision of the provincial administration
- The constitution provide that prompt compensation for lives lost in the man and wildlife competition or destruction of crop b ensured (4)
- The constitution should provide that fishing industry should be provide d in the lake region (2)

5.3.31. **REGIONAL PLANNING**

- The constitution should ensure that the border of Uganda and Kenya are drawn to avoid conflict
- The constitution should provide that the East African Community should be harmonize the fishing period such that all fish should be sold and profit shares between the countries
- The constitution should review district boundaries every two years to avoid conflict
- The constitution should provide that Saturday should maintained as a Sabbath for the SDA and no national activity like exam games, harambees, election, should take place
- The constitution should provide that communities should device strategies for dealing with the street children menace in the area

5.3.32. **CUSTOMARY LAWS**

- The constitution should provide that there should be custody law advisors from each community to submit their customary laws for codification to advise the court on

interpretation of the same laws

5.3.33. **STATUTORY LAWS**

- The constitution should provide that violent criminal and robbers should be sentenced to death and if not they should be left to the public to deal with to serve as an example to the rest
- The constitution should provide that local liquor should be legalized
- The constitution should provide that the donde bill should become law for the interest of the poor people(9)
- The constitution should provide that there should be a check on religious rights such that only genuine churches should be registered
- The constitution should provide that the law of bankruptcy should be reexamined to protect victimization of those not deemed politically correct
- Te constitution should provide that primitive punishment should be melted on any one found to have abused the disabled sexually
- The constitution should provide that rapist should be severely punished, at least 14 years in prison
- The constitutional civil and animal laws should protect the church and the follower against unlawful action
- The constitution should provide that a law should be very tough on parents who marry their school girls who are underage
- The constitution should provide that police should not man handle suspects

5.3.34. **COMMON GOOD**

- The constitution should provide that all freedom fighter should be honored and compensate for the part they played during struggle for independence
- The constitution should protect Kenyan from inhalant and psychotropic

5.3.35. **GENDER EQUITY**

- The constitution should provide that there should be no gender equity, women should be long where God intended for them
- The constitution should provide that gender equity should be based towards men because women because women are becoming stubborn
- The constitution should provide that there should be no discrimination in government offices
- The constitution should provide that gender equity should be observed in the employment and education sectors
- The constitution should provide that formulation and interpretation of laws should not use the adjective that are sexually discriminative
- The constitution should provide that gender equity sensitivity should be upheld I in educational land ownership and property ownership
- The constitution should provide that all Kenyans irrespective of gender should be able to access property

5.3.36. **ECONOMIS /SOCIAL JUSTICE**

- The constitution should provide that the government should ensure that stolen property is refunded to the owners
- The constitution should provide that the government should compensate families whose relatives were killed during the bandit attacks
- The constitution should provide that the government to give sustenance allowance to all unemployed
- The constitution should protect Kenyans from unscrupulous lawyers

5.3.37. **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide that a trial in the high court, resident magistrate court and court of appeal shall carried out by jury, three from the magistrate
- The constitution should provide means of ensuring adherence to practice our laws
- The constitution should provide that no one irrespective of his status in society should b above the law

5.3.38. **NATIONAL INTERGRITY/ IDENTITY**

- The constitution should provide that women should not wear trousers
- The constitution should clearly establish the boundaries territorial with neighbors
- The constitution should provide that government should confirm the territorial boundaries and redefine them to reduce tension especially in the water lake Victoria, the East African community should protect the boundaries and ensure the are respected
- The constitution should provide that boundaries in Kenya should be constitutionalised
- The constitution should provide that tribalism should be eliminated

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

- | | |
|--------------------------|------------|
| 1. Hon. Odeny Nguni | MP |
| 2. Walter Korege | DC |
| 3. Joshua Ougo Ochieng | Chairman |
| 4. Ven. Samuel Nyamboya | V/Chairman |
| 5. Cllr. James Omburo | |
| 6. Fr. John Oginga Alaro | |
| 7. Grace Ajwang Owuor | |
| 8. Esther Nashilu Omollo | |
| 9. Rose A. Atieno | |
| 10. John Odundo Ajugu | |

Appendix 2: Civic education providers (CEPs)

1. Maendeleo ya Wanawake
2. Okella youth group
3. Bondo district disabled group
4. Ramba archdeaconry education department
5. YMCA Rarieda
6. YWCA Rarieda
7. Asembo kidingo women group
8. Maika child and family development project
9. Kenya national chamber of commerce
10. Machiany community development programme
11. Korwa women group

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

1	0001OBRNY	Akach Edwine	CBO	Written	Abila Ndori Cultural Centre
2	0023OBRNY	Alex Alyce Oguda	CBO	Memorandum	Anguso Community
3	0013OBRNY	Irene Atieno Yumba	CBO	Written	Okela Youth Group
4	0002OBRNY	Joseph Odhiambo Awiti	CBO	Memorandum	Maika Children
5	0019OBRNY	Ogonya Jared Ngoda	CBO	Written	South Uyoma
6	0004OBRNY	Peter Ogwel	CBO	Memorandum	Raliew School.
7	0003OBRNY	Petronala A Onyango	CBO	Memorandum	MYWO-Rarieda Division
8	0066IBRNY	Adams Peter Ogara	Individual	Oral - Public he	
9	0010IBRNY	Aeneas Ogaja Opanga	Individual	Written	
10	0058IBRNY	Alosa Kirom Yongo Hayo	Individual	Oral - Public he	
11	0016IBRNY	Barack Mbuor	Individual	Written	
12	0004IBRNY	Ben Oswere	Individual	Written	
13	0049IBRNY	Bernard Akungu	Individual	Oral - Public he	
14	0047IBRNY	Bernard Odhiambo Omwata	Individual	Oral - Public he	
15	0001IBRNY	Boniface Oiro Jeje	Individual	Written	
16	0076IBRNY	Charles Agola	Individual	Oral - Public he	
17	0015IBRNY	Charles Amolo Mito	Individual	Written	
18	0055IBRNY	Chrispin Obindo Odek	Individual	Oral - Public he	
19	0034IBRNY	Cllr. James Ombuoro Oke	Individual	Memorandum	
20	0105IBRNY	Cosmas O. Kwama	Individual	Oral - Public he	
21	0075IBRNY	David Ongalo Dik	Individual	Oral - Public he	
22	0085IBRNY	Dorice Midega	Individual	Oral - Public he	
23	0003IBRNY	Dr.Apollo Odhiambo Main	Individual	Memorandum	
24	0052IBRNY	Edward Odero	Individual	Oral - Public he	
25	0035IBRNY	Edwin Omolo	Individual	Written	
26	0088IBRNY	Eliasa Odinga Palar	Individual	Oral - Public he	
27	0051IBRNY	Enock Oteku Nyandeje	Individual	Oral - Public he	
28	0030IBRNY	Enos Arara	Individual	Written	
29	0073IBRNY	Ernest N. Ambitho	Individual	Oral - Public he	
30	0068IBRNY	Esther Nasilu Omolo	Individual	Oral - Public he	
31	0070IBRNY	Eunice Ongiti Agwang'	Individual	Oral - Public he	
32	0018IBRNY	Faniel Nyawanda	Individual	Written	
33	0024IBRNY	Fred Okoth Odingo	Individual	Written	
34	0044IBRNY	Fred Onyango	Individual	Oral - Public he	
35	0090IBRNY	G.A. Ndong	Individual	Oral - Public he	
36	0072IBRNY	George Oguta	Individual	Oral - Public he	
37	0054IBRNY	George Okuogo	Individual	Oral - Public he	
38	0026IBRNY	George Owaja Awuor	Individual	Written	
39	0056IBRNY	George William Juma	Individual	Oral - Public he	
40	0033IBRNY	Gordon Onyango	Individual	Memorandum	
41	0104IBRNY	Henry Omondi Ogeta	Individual	Oral - Public he	
42	0063IBRNY	Hesbon Juma Aluoch	Individual	Oral - Public he	
43	0098IBRNY	Hesbon O. Okumu	Individual	Oral - Public he	
44	0094IBRNY	Jacob O. Ojwang'	Individual	Oral - Public he	
45	0091IBRNY	Jactone O. Rabala	Individual	Oral - Public he	
46	0038IBRNY	James O. Midega	Individual	Written	
47	0043IBRNY	James Owiti	Individual	Oral - Public he	
48	0021IBRNY	Japheth Manyala	Individual	Memorandum	

49	0080IBRNY	Jared Adhungo A.	Individual	Oral - Public he	
50	0092IBRNY	Jared Aooko	Individual	Oral - Public he	
51	0103IBRNY	Jared Odhako Kere	Individual	Oral - Public he	
52	0089IBRNY	Jared Omamo	Individual	Oral - Public he	
53	0067IBRNY	Jared Omondi	Individual	Oral - Public he	
54	0041IBRNY	Jared Owalo Odondo	Individual	Oral - Public he	
55	0065IBRNY	Jeckonia Omuony	Individual	Oral - Public he	
56	0086IBRNY	John Amolo Samba	Individual	Oral - Public he	
57	0093IBRNY	John A. Nyamgor	Individual	Oral - Public he	
58	0011IBRNY	John Charles Wanga	Individual	Written	
59	0100IBRNY	John Ogola Osore	Individual	Oral - Public he	
60	0012IBRNY	John Ogone	Individual	Written	
61	0048IBRNY	John Okello Yongo	Individual	Oral - Public he	
62	0017IBRNY	John Otieno	Individual	Memorandum	
63	0013IBRNY	Joran Otieno Hamisi	Individual	Written	
64	0025IBRNY	Joseph Sombe	Individual	Written	
65	0028IBRNY	Joseph Yongo Bunde	Individual	Written	
66	0032IBRNY	Julia Omondi	Individual	Written	
67	0031IBRNY	Leonard Ngomo	Individual	Written	
68	0101IBRNY	Martin Omboto Oliech	Individual	Oral - Public he	
69	0060IBRNY	Mary Misula	Individual	Oral - Public he	
70	0095IBRNY	Michael Owade	Individual	Oral - Public he	
71	0081IBRNY	Michael Owuondo	Individual	Oral - Public he	
72	0009IBRNY	Mildred Akoth	Individual	Written	
73	0061IBRNY	Mildred Akoth Onduru	Individual	Oral - Public he	
74	0078IBRNY	Monicah Awino	Individual	Oral - Public he	
75	0029IBRNY	Moses Otieno Odhiambo	Individual	Written	
76	0027IBRNY	Musa Gowi Otieno	Individual	Written	
77	0014IBRNY	Nerea Oyola Omuony	Individual	Written	
78	0083IBRNY	Obedo Owendo	Individual	Oral - Public he	
79	0039IBRNY	Ogetta Bernard	Individual	Written	
80	0077IBRNY	Okach Oringo	Individual	Oral - Public he	
81	0084IBRNY	Olang' Nyasaka	Individual	Oral - Public he	
82	0005IBRNY	Omogo B Oyugi	Individual	Written	
83	0053IBRNY	Omondo Juma	Individual	Oral - Public he	
84	0097IBRNY	Oscar Oliver Awolia	Individual	Oral - Public he	
85	0074IBRNY	Osmond N.Ngore	Individual	Oral - Public he	
86	0040IBRNY	Owuor James Aduda	Individual	Written	
87	0042IBRNY	Oyieng Abeta	Individual	Oral - Public he	
88	0002IBRNY	Pamela Anyango	Individual	Written	
89	0046IBRNY	Pascal Opiyo Aketch	Individual	Oral - Public he	
90	0102IBRNY	Patrick Otieno	Individual	Oral - Public he	
91	0037IBRNY	Peter Okuku	Individual	Written	
92	0045IBRNY	Peter Wanga	Individual	Oral - Public he	
93	0087IBRNY	Pius Paul Mirasi Owade	Individual	Oral - Public he	
94	0071IBRNY	Ramogi Achieng' Oneko	Individual	Oral - Public he	
95	0057IBRNY	Richard Onditi Sudhe	Individual	Oral - Public he	
96	0096IBRNY	Robert Otieno Osore	Individual	Oral - Public he	
97	0006IBRNY	Salome Wanga	Individual	Written	
98	0023IBRNY	Samson Omolo Wasonga	Individual	Written	
99	0062IBRNY	Samuel George Odhiambo	Individual	Oral - Public he	
100	0050IBRNY	Shadrack Otieno	Individual	Oral - Public he	
101	0059IBRNY	Silvesta Abaja Gumba	Individual	Oral - Public he	

102	0064IBRNY	Simiri Okelo Owino	Individual	Oral - Public he	
103	0008IBRNY	Tabitha Opere	Individual	Written	
104	0082IBRNY	Thomas Ogonda	Individual	Oral - Public he	
105	0019IBRNY	Tobias Oyugi Okelo	Individual	Written	
106	0079IBRNY	Tobias Wasonga	Individual	Oral - Public he	
107	0022IBRNY	Ven. Samuel Nyamboya	Individual	Memorandum	
108	0020IBRNY	Willis Ogola Okendo	Individual	Memorandum	
109	0007IBRNY	Wilson Okwiri Odundo	Individual	Written	
110	0069IBRNY	Zacharia Okoth	Individual	Oral - Public he	
111	0099IBRNY	Zebastian Owenje Aenda	Individual	Oral - Public he	
112	0016OBRNY	Hellen Oluoch	NGO	Written	MYWO-Madiany Division.
113	0017OBRNY	Calvin Ochieng	Other Institutions	Memorandum	Law Club Makasembo School
114	0018OBRNY	Emmanuel Odhiambo	Other Institutions	Memorandum	Chianda High School
115	0024OBRNY	Frankline O Oriwo	Other Institutions	Written	Chianda High School
116	0022OBRNY	Grace Ajwang' Owuor	Other Institutions	Memorandum	Soundram WOWESOK
117	0036IBRNY	Hellen Masango	Other Institutions	Written	
118	0021OBRNY	Hezron Aidi	Other Institutions	Written	Gagra Secondary School
119	0008OBRNY	Pinochio Audi	Other Institutions	Written	Rarieda Head Teachers Associ
120	0009OBRNY	Tom Opiyo Odek	Other Institutions	Memorandum	Raliew Secondary School
121	0007OBRNY	Victor Onyango	Other Institutions	Written	Nyagoko Secondary School
122	0012OBRNY	John Otieno	Pressure Groups	Written	Bondo Location Disabled Grou
123	0011OBRNY	John Otieno Oyomba	Pressure Groups	Written	Bondo District Disabled Grou
124	0015OBRNY	Judith Otieno Arudo	Pressure Groups	Written	West Uyoma Widows Madiany
125	0014OBRNY	Evans Ng'wono	Religious Organisation	Written	St. Lukes Lweya Parish (ACK)
126	0010OBRNY	Joran Otieno Hamisi	Religious Organisation	Memorandum	Ramba Archdeaconry
127	0005OBRNY	Paul Arogo Otieno	Religious Organisation	Written	Kandaria Parish
128	0006OBRNY	Tabitha Opere	Religious Organisation	Memorandum	S.D.A Central Nyanza
129	0020OBRNY	Willam Obura Winga	Religious Organisation	Written	Rachar Christian Community

Appendix 4: Persons Attending Constituency Hearings

GAGRA PRIMARY SCHOOL

No	Name	Address:	No	Name:	Address:
1	George Oguttah	P.O. Box 11, Ndigwa	114	Ogonya Ngode	P.O. Box 20, Ndigwa
2	John Ouma	P.O. Box 11, Ndigwa	115	William Obura Winga	P.O. Box 68, madiany
3	Enrensty Ambitho	P.O. Box 34, Ndigwa	116	Charles Agola	P.O. Box Ragengni
4	Fanuel Nyawanda	P.O.BOX 59, Misori	117	Harrison Omolo	P.O. Box Owimbi C. C.
5	Apollo Washington Juma	P.O.Box 493, Bondo	118	Ishmael Openji	P.O. Box 12, Anyangi
6	Tobias Okello	P.O. Box 110, Bondo	119	Meshack Kodande	P.O. Box 75, Rariada
7	Cosmas O. Kwama	P.O. Box 96, Madiany	120	Jorim Midega	P.O. Box 36, Ndigwa
8	Osmound Nyakwaka	P.O. Box 96, Madiany	121	Okatch Oringo	P.O. Box 92, Misori
9	Evans Nguono	P.O. Box 98, Ndigwa	122	Charles Otieno	P.O. Box 96, Madiany
10	Odongo Onyango	P.O. Box 84, Rariada	123	Omolo Samson	P.O. Box 67, Meru
11	David Ongalo dick	P.O. Box 44, Misori	124	Joseph Sombe Obar	P.O. Box 38, Madiany
12	Rose Otieno	P.O. Box 115, Madiany	125	Peter Omenda	P.O. Box 57, Misora
13	Judith Otieno	P.O. Box 59, Misori	126	John Onyango	P.O. Box 50, Ndigwa
14	Jared Odhako	P.O. Box 96, Madiany	127	Peter Okiri	P.O. Box ARAM
15	Hellen Oluoch	P.O. Box 92, Bondo	128	George Owala Awuor	P.O. Box 33, Ndigwa
16	Charles Ochieng' Owiti	P.O. Box 3, Rariada	129	Joseph Yongo	P.O. Box 60, Misori
17	George A. Ochola	P.O. Box 33, Madiany	130	Monica Awino Olali	P.O. Box 42, Madiany
18	Marcell O. Onjara	P.O. Box 96, Madiany	131	Tobias Wasonga	P.O. Box 33, Madiany
19	Bjorn O. Kowditi	P.O. Box 48, Rariada	132	Lucas Ogolla	P.O. Box 9, Madiany
20	Willis O. Okendo	P.O. Box 93, Rariada	133	Grace Owuor	P.O. Box 33, Ndori
21	Aplollo A. Okendo	P.O. Box 84, Rariada	134	Ajwang' Walter	P.O. Box 42, Madiany
22	Harry Ochieng'	P.O. Box 155, Rariada	135	Adhuongo Alindi Jares	P.O. Box 6, Ragengni
23	Japheth Manyala	P.O. Box 75, Kunya	136	Stephen Ouma	P.O. Box 67, Madiany
24	Charles Ogone	P.O. Box 20, Ndigwa	137	Jectone Okune	P.O. Box 57, Madiany
25	James Oluoch	P.O. Box 6, Anyangi	138	Millicent Odundo	P.O. Box Rariada
26	James Otuol	P.O. Box 18, Ragpugni	139	Syprose L. Okumu	P.O. Box 28, Ndigwa
27	Alice Achieng'	P.O. Box Manyanda	140	Peter Odhiambo	P.O. Box 30, Ndigwa
28	Michael Owuondo	P.O. Box Aram	141	doris Midega	P.O.Box 81, Madiany
29	Irene A. Gumba	P.O. Box 627, Rariada	142	Patrick Owino	P.O. Box 42, Madiany
30	Fred Chuchu	P.O. Box 8178, Madiany	143	Okello George	P.O. Box 72, Madiany
31	Moses Odhiambo	P.O. Box 142, Madiany	144	Jonah Amollo Samba	P.O. Box 23, Ragegni
32	Calvin Ochieng'	P.O. Box 110, Madiany	145	Onyuka James	P.O. Box 23, Ragegni
33	David Owuor	P.O. Box 110, Madiany	146	Oruko Alfred	P.O.Box 531, Bondo
34	Lucas Dola	P.O. Box 110, Madiany	147	Pitalis Okone	P.O. Box 110, bondo
35	Erick Odoyo	P.O. Box 110, Madiany	148	John Obondo	P.O. Box 19, Madiany
36	Enos Araga	P.O. Box 24, Madiany	149	Enoka Ongili	P.O. Box 3, Misori
37	Leonard Ngomo Nandi	P.O. Box 77, Madiany	150	Pius Mirasi Owade	P.O.Box 34, Ragegni
38	Thomas Ogonda	P.O. Box 110, Bondo	151	Jacob Dede Ochieng'	P.O. Box 76, Ragengni
39	Thomas Misunga	P.O. Box 33, Madiany	152	Henry Ouko Otieno	P.O.Box 56, Ragengni

40	Obed Wendo	P.O. Box 30, Madiany	153	Gordon Onyango	P.O.Box 56, Ragengni
41	Caleb Oketch	P.O. Box 57, Misori	154	Teresia Owuoche	P.O. Box 3, Rangengni
42	Olang' Nyasaka	P.O.Box 402, Madiany	155	Jared Omamo	P.O. Box 76, Ragengni
43	Isaac Onoka	P.O. Box 96, Madiany	156	George Odie	P.O. Box 56, Madinay
44	Julia Omondi	P.O. Box 9, Madiany	157	Paul Agolla	P.O.Box 56, Madiany
45	Penina Agutu	P.O. Box 54, Ragegni	158	James Juma	P.O. Box 33, Madiany
46	Cllr. Ousa	P.O.Box 13, Ndigwa	159	Johnstone Juma	P.O. Box 28, Ragegni
47	Ondago Otieno Geoffrey	P.O. Madiany	160	George Amimo	P.O. Box 72, Madiany
48	William Ochino	P.O. Box 13, Rariada	161	Apollo Omil	P.O. Box Tanga School
49	G. A. Ndong'	P.O. Box Aram	162	Millicent Were	P.O. Box 68, Madiany
50	Pius Njiri Obonyo	P.O. Box Aram	163	Joseph Nyaoro	P.O. Box 11, Ndigwa
51	Thomas Onyango	P.O. Box Aram	164	Albert Jaju	P.O. Box 11, Ndigwa
52	Jackton O. Rabala	P.O. Box 110, Bondo	165	Margaret Obara	P.O. Box 33, Madany
53	Edwin Omolo	P.O.Box 31, Madiany	166	BensonOchola Otieno	P.O. Box Manyanda
54	Joshua Orwa	P.O. Box Aram	167	Arch. Bishop Nyamboya	P.O. Box 13, Ragengni
55	Musa Adero	P.O. Box Aram	168	Turphosa Ochwore	P.O. Box 13, Ragengni
56	Margaret A. Akoko	P.O. Box 443, Bondo	169	Helida Olan'go	P.O. Box 13, Ragengni
57	Margaret Ojwang	P.O. Box 443, Bondo	170	Mary Awuor	P.O. Box Aram
58	Charles Odhiambo	P.O. Box Manyanda	171	Peter Omollo	P.O.Box 36, Ramoya
59	Sabina A. Oyier	P.O.Box 4, Madiany	172	Wilberforce O. Ochar	P.O. Box 94, Ragengni
60	Anton Ogweny	P.O. Madiany	173	Otieno Steven	P.O. Box 980, Kisumu
61	Richard Ongalo	P.O. Box 20, Ragegni	174	Joram Otieno Amisi	P.O. Box 43, Nyilima
62	Mary Makaila	P.O. Box Ragegni	175	M.O. Goro	P.O. Box Aram
63	Jared O. Auko	P.O. Box 66, Madiany	176	Phoebe Akoth	P.O. Box 22, Ndigwa
64	Aloice A. Oguda	P.O. Box 19, Madiany	177	Hellen Masanga	P.O. Box 31, Ragegni
65	John Anyumba	P.O. Box 59, Madiany	178	Eliazar Odinga	P.O. Box 34, Ragegni
66	Jared Okumu Aketch	P.O. Box 96, Madiany	179	Jempher Omollo	P.O. Box 68, Madiany
67	Mirasi N. H. Yuko	P.O. Box 61, Misori	180	Philip Oloo	P.O. Box 36, Ndigwa
68	Ismail Denge	P.O. Box 54, Ragegni	181	Peter Odundo	P.O. Box 18, Ndigwa
69	Crolyne Akeyo	P.O. Box 54, Ragegni	182	Jack Odede	P.O. ARAM
70	Shadrack O. Kokuku	P.O. Box 67, Madiany	183	Samson Mbuya	P.O. Box Aram
71	Joseph Moro	P.O.PALA, SCHOOL	184	Joshwa Otiende	P.O. Box 110, Bondo
72	Sarah Ochola	P.O. Box 98, Bondo	185	Peter Okuku	P.O. Box 142, Madiany
73	Michael Ange	P.O. Box 54, Ragegni	186	Henry Omondi Ogeta	P.O. Box 33, Madiany
74	Morice O. Olambo	P.O. Box Aram	187	Owade Michael	P.O. Box 96, Madiany
75	Dominic Odhiambo	P.O.Box Misori	188	Martin Ogango	P.O. Box 13, Ndigwa
76	Conslata Abonyo	P.O. Box Misori	189	Frankline O. Oriwo	P.O. Box 14, Ragengni
77	James Midega	P.O.Box Misori	190	Robert O. Osore	P.O. Box 84, Nyilima
78	Robert Onginjo	P.O. Box 42, Madiany	191	Hazael Ottende	P.O. Box 14, Ragengni
79	Owuor James	P.O. Box 18, Ragegni	192	Oscar O. Auori A.	P.O. Box Manywanda
80	Jacob Omondi	P.O. Box 110, Bondo	193	Hezbon Onyango okumu	P.O. Box 37, Ndigwa
81	Charles Ndire	P.O. Box 72, Madiany	194	Judith A. Oloo	P.O. Box Aram
82	Rosalia A. Orenge'	P.O. Box 18, Ragegni	195	John Apamo	P.O. Box 2, Madiany
83	Caleb Onyango	P.O. Box Manyuanda	196	Gabiel O. Mbeche	P.O. Box ARAM

84	Emma Ochiel	P.O. Box Manyuanda	197	Ojowi Orwa	P.O. ARAM
85	Arnoda Otieno	P.O. Gagra	198	Lord Opondo Ayungo	P.O. Box 96, Madiany
86	Wilkista Ondollo	P.O. Box Gagra	199	anna A. Ogweny	P.O. Box 75, Ragengni
87	Wilfrodo Were	P.O. Box 32, Ndigna	200	George Oluoch	P.O. GAGRA
88	Margret Odundo	P.O.Box 69, Ndigwa	201	Barack Ojungo	P.O. Box 106, Madiany
89	Gomao G. Mbuge	P.O. Box Manywanda	202	John Odhiambo Osaso	P.O. Box Aram
90	Peter Oduol Wago	P.O. Box 50, Ndigwa	203	Helina Ndire	P.O. Box Aram
91	Stephen O. Opiyo	P.O. Box 135, Madiany	204	Reginold Adundo	P.O. Box 435, Bondo
92	Margaret Odundo	P.O. Box Gagra	205	Jane Adongo	P.O. Box 38, Nyilima
93	Eunice Achieng	P.O. Box Gagra	206	Rispa Agumba	P.O. ARAM
94	Mathuda Ndonga	P.O.Box Gagra	207	Jeremia Akara	P.O. Box 66, Madiany
95	Caren Jma	P.O. Box Gagra	208	George Aluoch	P.O. Box 84, Madiany
96	Perez Achieng'	P.O. Box Gagra	209	Sabastian Owenje	P.O. Box 96, Madiany
97	Lucas Jura Anyango	P.O. ARAM	210	Job Omondi	P.O. Box 72, Madiany
98	Florence Ochieng'	P.O. Box 44, Ragengni	211	Remjus Owiti	P.O. Box 72, Madiany
99	Ruth Odhiambo	P.O. Box 44, Ragengni	212	Tobias Opondo	P.O. Box 96, Madiany
100	John Odero Atieno	P.O. ARAM	213	Marikus Aluoch	P.O. ARAM
101	Nyangor Owino	P.O. NDIGNA	214	Benta Okello	P.O. ARAM
102	Sudhe Were Osore	P.O. ARAM	215	Martin Omboto	P.O. Box 7, Ragengni
103	Jorim Odeny	P.O MADIANY	216	Rose Aoko	P.O. ARAM
104	Peter Atim	P.O. Box 757, Madiany	217	Patrick O. Otumba	P.O. ARAM
105	Oruko Alfred	P.O. Box 531, Bondo	218	Jared Odhako	P.O. Box 96, Madiany
106	charles Haya	P.O. Box Madiany	219	Joseph Adero	P.O. Box 98, Ndigwa
107	Washintone Nyambuoro	P.O. Aram	220	Ajuma Okuku	P.O. Box 68, Madiany
108	Richard A. Ogumbe	P.O. RACHAR	221	Anne Onimbo	P.O. Box 77, Madiany
109	Odinga Thomas	P.O. Box 142, Madiany	222	Florence Okwiri	P.O. Box 77, Madiany
110	John Paul Odeny	P.O.Manyanda	223	Coleta Oulo	P.O. Box 98, Ragengni
111	Omenda Joshua	P.O. Box 57, Misori	224	Pastor John Ogola Osore	P.O. Box Okola
112	Consolata Okwiri	P.O. Box 77, Madiany	225	Joseph Nyayal	P.O. Okola
113	Alice Onyimbibi	P.O. Box 77, Madiany	226	Dorise Asembo	P.O. Madiany
			227	Samwel Milwa	P.O. ARAM

ASEMBO BAY:

No.	Name:	Address:	No	Name:	Address:
1	Leonard Jangara	P.O. Box 83 Ndori	32	Joseph Okumu	P.O. Box 117 Nyilima
2	Edwin L. Akach	P.O. Box 104 Ndori	33	Alphonce Were	P.O. Box 22 Nyilima
3	henry Odundo	P.O. Box 65 Nyilima	34	Absalom Apiyo	P.O. Box 120 Nyilima
4	jared Owalo odundo	P.O. Box 81 Nyilima	35	John Ojeya	P.O. Box 22 Asembo Bay
5	boniface oiro jeje	P.O. Asembo Bay	36	Esther Naashilu Omollo	P.O. Box 87 Nyilima
6	Ven. Samuel; Nyamboya	ACK Church	37	Grace Ajwang' Owuor	P.O. Box 33 Ndori
7	Mohammed A. O. Juma	P.O. Box 384 Bondo	38	Boaz Aloo Kolum	P.O. Box Asembo Bay
8	Joseph Odunga	P.O. Box 61 Bondo	39	Jane A. Jaramba	P.O. Box 87 Nyilima
9	Rachell Ogolla	P.O. Box 200 Bondo	40	John Odundo Ajugu	P.O. Box 69 Naigwa
10	Ombewa Genga	P.O. Box 22 Nyilima	41	Paskal Opiyo Akech	P.O. Box 41 Nyilima
11	Joseph Odhiambo Awiti	P.O. Box 246 Bondo	42	Benard Okungu	P.O. Box Asembo Bay
12	Petronila A. Onyando	P.O. Box 81 Nyilima	43	Benedict Kwaka	P.O. Box Asembo Bay
13	Peter Ogwez	P.O. Box 22 Nyilima	44	Alex Opiyo Aboge	P.O. Box Asembo Bay
14	Peter Odongo	P.O. Box 153 Nyilima	45	Alice Atieno Ochieng	P.O. Box 131 Nyilima

15	Oyieng' Abeja	P.O. Box Asembo Bay	46	Hellen Atieno Owuor	P.O. Box Koracha
16	Vincent A. Okanda	P.O. Box Koracha	47	Nicholas Opiyo	P.O. Box Homa Bay
17	Joseph Nyanduga	P.O. Box 38 Nyilima	48	Maurice Opiyo	P.O. Box Homa Bay
18	James Owiti	P.O. Box 41 Nyilima	49	Ben Omwata	P.O. Box 44 Nyilima
19	Fred Onyango	P.O. Box Asembo Bay	50	John Okelo Yongo	P.O. Box 117 Nyilima
20	Portas Adongo	P.O. Box Asembo Bay	51	Francis Otugha	P.O. Box 25 Nyilima
21	Alfred Ayoo	P.O. Box 48 Nyilima	52	Salome Wanga	P.O. Box 23 Nyilima
22	Ben Oswere	P.O. Box 21 Nyilima	53	Wilson Okwiri Obundo	P.O. Box 81 Nyilima
23	Boaz Oyugi	P.O. Box 48 Nyilima	54	Penina Achieng Okeyo	P.O. Box 2 Nyilima
24	Peter Wanga	P.O. Box 45 Nyilima	55	Shadrack Otieno	P.O. Box 4 Nyilima
25	Potas Arwa	P.O. Box 22 Asembo Bay	56	Tabitha Opere	P.O. Box 48 Nyilima
26	Anyona Odiema	P.O. Box 55 Nyilima	57	Enoc Oteku Nyandeje	P.O. Box 22 Asembo Bay
27	Jotham Otieno	P.O. Box 117 Nyilima	58	Vitalis Adika	P.O. Box 51 Nyilima
28	Paul Arogo	P.O. Box 117 Nyilima	59	Aggrey Oluoch	P.O. Box 41 Nyilima
29	Samuel Agwanda	P.O. Box Koracha	60	Charles Otieno Sudhe	P.O. Box 68 Nyilima
30	Rose Otieno	P.O. Box 115 Madiany	61	Luke Owala	P.O. Box 25 Nyilima
31	Batholomew Ajwoga	P.O. Box 117 Nyilima	62	Isaack Odhiambo	P.O. Box 6 Nyilima
63	Laban Ogeya	P.O. Box 66 Nyilima	96	Marsela Atieno	P.O. Box 44 Nyilima
64	Camilus Okungu	P.O. Box Asembo Bay	97	Barrack Oluoch	P.O. Box 22 Nyilima
65	Aloice Onyango	P.O. Box 41 Nyilima	98	Alex Odoyo	P.O. Box 48 Nyilima
66	Maurice Ojimbi	P.O. Box Asembo Bay	99	Eunice A Otieno	P.O. Box 37 Nyilima
67	Edward Odero	P.O. Box 25 Nyilimo	100	Eunice Obieno	P.O. Box 22 Nyilima
68	Dolrose Okumu	P.O. Box 23 Nyilima	101	Richard O Sudhe	P.O. Box 90 Nyilima
69	Aeneas Ogaja Opanga	P.O. Box 56 Nyilima	102	Sudi Ayomo	P.O. Box 22 Nyilima
70	Robert Arek Ochol	P.O. Box 100 Nyilima	103	Anne Opiyo	P.O. Box 56 Nyilima
71	Maurice Okota	P.O. Box 38 Nyilima	104	Benson Aboma	Nyilima
72	Pinochio Audi	P.O. Box 15 Nyilima	105	Jenipher Osumba	P.O. Box 33 Anyuongi
73	John Ogone A. Wasinda	P.O. Box Aram	106	Dickson Osumba	Private Bag
74	Omeno B.M. Omondi	P.O. Box Asembo Bay	107	David K. Sireta	P.O. Box 38 Nyilima
75	Omondi E Juma	P.O. Box Asembo Bay	108	William Odongo	P.O. Box 25 Nyilima
76	Jared Onyango	P.O. Box Asembo Bay	109	Silvester B. Gumba	P.O. Box Asembo Bay
77	Rev. George Okuogo	P.O. Box 117 Nyilima	110	Agom Judith	P.O. Box 22 Nyilima
78	Steven Ogweno	P.O. Box Asembo Bay	111	Joash Kudha	P.O. Box Asembo Bay
79	Daniel Odhiambo	P.O. Box Asembo Bay	112	Eliud Odida Ogony	-
80	J.C. Wanga	P.O. Box Asembo Bay	113	Father	-
81	Joel Obaba Odindo	P.O. Box 100 Ndori	114	Rose Agumba Ogalo	P.O. Box 38 Nyilima
82	Daniel Oduor	P.O. Box 91 Nyilima	115	Siprose Obumba	P.O. Box 38 Nyilima
83	Aloice Owidhi	P.O. Box Asembo Bay	116	Peter Omollo	P.O. Box 51 Nyilima
84	Lewkadia Auma	P.O. Box Wera	117	Mark Otieno	P.O. Box 8 Akala
85	Odeik Tom	P.O. Box 66 Nyilima	118	H.C. Okoth Oyayo	P.O. Box 117 Nyilima
86	Chrisphine Obinda	P.O. Box 66 Nyilima	119	Sadok Okuku	P.O. Box 61 Nyilima
87	George William Rimba	P.O. Box Asembo Bay	120	Apollo Maima	P.O. Box 43 Nyilima
88	Mary A. Haya	P.O. Box 164 Ndori	121	Victor Onyango O	Private Bag Bondo
89	Johanes Ochieng	P.O. Box Asembo Bay	122	Tobias Odhiambo	Private Bag Bondo
90	Celestine A. Onyango	P.O. Box 79 Nyilima	123	Peter Ohingo	Private Bag Bondo
91	Apollo Odhiambo Maima	P.O. Box 79094 Nairobi	124	Asessa Dancan	Private Bag Bondo
92	Matrona Omondi	P.O. Box 164 Ndori	125	Elonah Atieno	Private Bag Bondo
93	Alosa Kirom Yongo	Asembo Bay	126	Eliazaro Odhiga	Private Bag Bondo
94	George Owiti	P.O. Box 37 Nyilima	127	Maureen Susan Atieno	Private Bag Bondo
95	Monica A. Otieno	P.O. Box 44 Nyilima	128	Wilson Okanja Owali	Private Bag Bondo
129	Openji Micheal	Private Bag Bondo	162	Eliakim Tuda Dodo	P.O. Box 8 Nyilima
130	David Ongolo O	Private Bag Bondo	163	John Olali	-
131	Dula Steve	Private Bag Bondo	164	Ogare Okeyo	P.O. Box 153 Nyilima
132	Daaavid Omondi	Private Bag Bondo	165	Christabel Achieng	Asembo
133	John Odhiambo	Private Bag Bondo	166	Richard Ayaga	P.O. Box Asembo Bay
134	Esther Tumbo	P.O. Box 170 Ndori	167	Lilian Ochieng	P.O. Box 11 Nyilima

135	Anjeline Okoth	P.O. Box 170 Ndori	168	Jared Omondi	P.O. Box 41 Nyilima
136	Richard Ongao Jalango	P.O. Box 22 Asembo Bay	169	Maurice Otom	P.O. Box 72 Nyilima
137	Joseph Agolla	P.O. Box Asembo Bay	170	Dalmas Ouma	P.O. Box 1 Nyilima
138	Hellen Okinyi Obiero	P.O. Box 155 Ndori	171	Mildred A. Onduru	P.O. Box 29 Ndori
139	Jane Anyona	P.O. Box 155 Ndori	172	Charles Amollo Mito	P.O. Box 85 Nyilima
140	Jorum Otieno Amisi	P.O. Box 43 Nyilima	173	Samuel J. Odhiambo	P.O. Box 123498 Nyilima
141	Oketch Okumu	P.O. Box 26 Bondo	174	John O Aluoch	P.O. Box 36 Nyilima
142	Sarah Omach	P.O. Box 62 Ndori	175	Joel A. Angira	P.O. Box 203 Bondo
143	Nehemia Nyandawa	P.O. Box 48 Nyilima	176	Maurice Okongo	P.O. Box 41437
144	Jackonia Okode Tongo	P.O. Box 37 Nyilima	177	Charles Okal	P.O. Box 1818 Kisumu
145	Nerea Omwonyo	P.O. Box 11 Nyilima	178	Hesbon Juma Oluoch	P.O. Box 85 Nyilima
146	Damian Ayanga	P.O. Asembo Bay	179	Obadia Abonyo	P.O. Box 41 Nyilima
147	Edward Amboga	P.O. Asembo Bay	180	Jael Akelo	P.O. Box 22 Nyilima
148	Silvanus Owera	P.O. Asembo Bay	181	Joaness Manyala	P.O. Box 22 Nyilima
149	Tabitha Awino	P.O. Asembo Bay	182	Lawi Nyamwanga	P.O. Box Asembo Bay
150	Mary Atieno Misula	P.O. 41 Nyilima	183	Charles Obwa Obongo	P.O. Box Asembo Bay
151	Eunice Onditi	P.O. 41 Nyilima	184	Zakaria Okoth	P.O. Box 136 Bondo
152	John Otieno	P.O. Box Asembo Bay	185	Deacons O Otunge	P.O. Box 45 Nyilima
153	Apollo Abidha	-	186	Fr. Norbert Owino	P.O. Box 18 Nyilima
154	Godfrey Ojal	P.O. Box 20 Ndori	187	Seminarian Dan Akello	P.O. Box 18 Nyilima
155	John Ogundo	P.O. Box 37 Nyilima	188	Simbiri Okello	P.O. Box 66 Nyilima
156	John O Owino	P.O. Box 37 Nyilima	189	Baraka Kwayo Mbuor	P.O. Box 338 Bondo
157	Charles Omollo	P.O. Box Asembo Bay	190	Alex Olali	P.O. Box 22 Nyilima
158	Jeconia Omuony	P.O. Box 11 Nyilima			
159	John Omuony	P.O. Box Nyilima			
160	Vincent Ogwemo	P.O. Box Asembo Bay			
161	Regao Ojal	P.O. Box 20 Ndori			

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1. DISTRICT CONTEXT

Nyando constituency is in Nyando District. Nyando District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

	Male	Female	Total

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1. DISTRICT PROFILE

Muhoroni is a constituency in Nyando District. Nyando District is one of 12 districts of the Nyanza Province of Kenya.

1.1 Demographic Characteristics

District Population by Sex	Male	Female	Total
	146,635	153,295	299,930
Total District Population Aged 18 years & Below	83,608	80,903	164,511
Total District Population Aged Above 18 years	63,027	72,392	135,419
Population Density (persons/Km ²)	257		

1.2 Socio-Economic Profile

Nyando District:

- Is one of the least densely populated districts in the province, being ranked 8th of the 12 districts;
- Has the highest primary school enrolment rate in the province and nationally at 144%;
- Has a secondary school enrolment rate of 21.6% being ranked 5th in the province and 26th nationally;
- Economic mainstay are growing of rice and oilseed, and fishing; and
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Skin Diseases and Infections, Diarrhoea diseases, and Urinary Tract Infections.

Nyando district has 3 constituencies: Nyando, Muhoroni, and Nyakach Constituencies. The district's 3 MPs, each cover on average an area of 389 Km² to reach 99,977 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Nyando, Muhoroni, and Nyakach constituencies with 82.56%, 83.93%, and 86.59% valid votes respectively.

2. CONSTITUENCY PROFILE

2.1 Demographic Characteristics

Constituency Population by Sex	Total	Area Km ²	Density (persons/Km ²)
	113,425	412.00	275.3

2.2 Socio-Economic Profile

The economic mainstay of the locals is sugarcane production.

2.3 Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, FORD-K and NDP won the parliamentary seat with 96.35% and 83.93% valid votes respectively. In 2002, the National Rainbow Coalition won the seat.

2.4 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			43,985
CANDIDATE	PARTY	VOTES	% VALID VOTES
Aloo Ogeka	FORD-K	29,241	96.35
John Bonyo	KANU	895	2.95
Albert Ochieng	DP	21	0.70
Total Valid Votes		30,348	100.00
Rejected Votes		-	
Total Votes Cast		30,348	
% Turnout		82.84	
% Rejected/Cast		0.00	

2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			44,056
CANDIDATE	PARTY	VOTES	% VALID VOTES
William O. Omamo	NDP	25,510	83.93
Samuel O. Okello	KANU	3,474	11.43
Mathew C.O. Midika	PICK	1,063	3.50
Ogeka Justus Aloo	FORD-K	349	1.15
<i>Total Valid Votes</i>		30,396	100.00
Rejected Votes		415	
Total Votes Cast		30,811	
% Turnout		69.94	
% Rejected/Cast		1.35	

2.6 Main Problems

The main problem is centered on sugarcane: its harvesting, delivery problems, and poor prices paid to the farmers.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 rigors 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 15th March 2002 and 26th May 2002

4.1. **Phases and issues covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Minority rights and rights of vulnerable groups
- Constitution: models, types and meaning

- Roles and functions of national constitution
- Rights and freedoms of the individual
- National resource allocation
- Public finance
- Gender
- Social justice
- Ethical and moral values

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1 **LOGICAL DETAILS**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 20th and 21st June 2002
- a) Total Number of Days: 2

2. **Venue**

- a) Number of Venues: 2
- b) Venue(s):
 - 1. Chemelil Sports Pavillion
 - 2. Miwani Full Gospel Church - Masogo

3. **Panels**

- a. Commissioners
 - 1. Com. Nancy Baraza
 - 2. Com. Mosonik Arap Korir
 - 3. Com. Hassan Ahmed
- b. Secretariat
 - 1. Solomon Anampio – Programme Officer
 - 2. Lucille Ouma – Ass. Programme Officer
 - 3. Marion Nekesa – Verbatim Recorder
 - 4. Lucy Atieno – Sign Language

5.2 Attendance Details

Category	Details	Number
Number of People Who Presented		124
Sex	Male	96
	Female	28
	Not Stated	0
Presenter Type	Individual	100
	Institutions	24
	Not Stated	0
Educational Background	Primary Level	28
	Secondary/High School Level	75
	College	1
	University	12
	None	7
	Not Stated	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	18
	Oral	92
	Written	0
	Oral + Memoranda	0
	Oral + Written	14
	Not Stated	0

5.3 Concerns and Recommendations

The following are the recommendations made by the presenters in Muhoroni 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**

- The constitution should have a preamble (8).
- The constitution should have a preamble stating that there shall be an agreement between the people and the State.
- The constitution should have a preamble that shall state the nations' vision (2).
- The constitution should have a preamble that shall state the nations' vision geared towards humanity, honesty, good morals and unity.
- Our constitution should incorporate common experiences of Kenyans.
- Our rich African culture and our common struggle for independence should be the common experience of Kenyans.

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The national philosophy of peace, love and unity should be incorporated in the constitution.
- The constitution should contain a statement showing the aspirations, history and nature of the people of Kenya.
- The constitution should expressly provide as a directive principle of state policy that justice shall always be our shield and defender.
- Democratic principles should be enshrined in the constitution.
- Kenya should always stay as a democratic state.
- Positive values of our culture should be incorporated in the constitution (2).
- All principles of state policy should be incorporated in the constitution.

5.3.3 **CONSTITUTIONAL SUPREMACY**

- The constitution shall be amended by a 70% majority (2).
- The constitution shall be amended by a 65% majority.
- The constitution shall NOT be amended by a 65% majority.
- Parliaments power to amend the constitution shall be limited.
- All parts should be beyond the amending power of parliament.
- Constitutional clauses on human rights, clauses of Kenya being a multi-party state and clauses on land ownership and our education system shall be beyond the amending power of parliament.
- Constitutional amendments should be done through a public referendum (8).
- The constitution should emphasize that the constitution shall be reviewed before elections.
- The constitution shall be amended after a certain period of time.

5.3.4 **CITIZENSHIP**

- Anybody born in Kenya by Kenyan parents should be regarded as an automatic citizen (6).
- Kenyan citizenship can be acquired through registration, naturalization, and application.
- Foreign spouses of Kenyan citizens should be given automatic citizenship (3)
- Foreign spouses of Kenyan citizens should be given citizenship through application.
- A child born to a Kenyan parent should be given automatic citizenship (4).
- Rights and obligations of a citizen should be stipulated in the constitution.

- Every Kenyan of 18 years should have a right to join any political party.
- Obligations of a citizen should include paying taxes and should be law abiding.
- Citizens should have a right to own property at any part of the country and freely enjoy the rights in the Bill of Rights (20).
- Whenever a citizen is arrested, kidnapped, imprisoned or killed in a foreign country, the government must ensure his/her safety.
- The rule of law should apply equally to all citizens.
- The constitution should provide for dual citizenship.
- The constitution should NOT provide for dual citizenship (4).
- The constitution should provide that the birth certificates should be issued immediately after birth or in school.
- The constitution should provide that all Kenyans should be issued with passports at the age of 18 years.
- The constitution should provide that the office of chiefs and their assistants should issue national identification cards.
- The constitution should provide that passports shall be issued free of charge.
- The disabled should be given a separate ID for purposes of identification.
- The constitution should provide that ID's, birth certificates, a Kenyan passport shall be used as evidence of citizenship.
- The constitution should provide that passports issuing shall be simplified.

5.3.5 DEFENSE AND NATIONAL SECURITY

- Our disciplined forces should be established in the constitution (4).
- We should have only one police under an inspector general.
- The government should eliminate corruption in the police force.
- The police should assist accident victims by transporting them.
- Members of our disciplined forces should be disciplined by a court martial (3).
- The police should wear their identification.
- The constitution should provide for the President to be Commander in Chief of the Armed Forces (7).
- The constitution should provide that the president should not be the Commander in Chief (4)
- Parliament should have exclusive power to declare war through a parliamentary vote (2).
- The executive should have exclusive power to declare war but after consultations with either the cabinet or parliament depending on the urgency.
- The constitution should through a parliamentary veto permit the use of emergency powers in abnormal situation (2).
- The president after consulting parliament should have the authority to invoke emergency powers.
- The head of government should have the power to invoke emergency powers.
- The cabinet should have the power to invoke emergency powers.
- Parliament should approve the effecting of emergency powers.
- Parliament should have a role in effecting emergency powers.

5.3.6 POLITICAL PARTIES

- The constitution should provide that political parties should be providing civic education.
- The constitution should provide that political parties should only be limited only to political mobilization.
- The constitution should provide that political parties should initiate and play a lead role in development projects and activities.
- The constitution should provide that political parties should also concern themselves with the economic well being of the people and their welfare.
- The constitution should regulate the formation, management and conduct of political parties (5).
- The government should stop de-registration of political parties.
- The government should de-register parties without registration.
- No political party should be registered if it is based on religious ideologies.
- The number of political parties should NOT be limited.
- The number of political parties should be limited.
- The constitution should provide for 3 political parties (3).
- The constitution should provide for 2 political parties.
- The constitution should provide for a maximum of two political parties.
- The constitution should provide for a maximum of 4 political parties (2).
- The constitution should provide for between 4 or 8 political parties.
- The constitution should provide for 3 or 4 political parties.
- The constitution should provide for a maximum of 3 self- funded political parties.
- Political parties should receive donations from Kenyans.
- Political parties should have their own funding.
- Political parties should be at liberty to raise money by charging membership fees from their followers.
- Political parties should also be allowed to receive donations from Kenyans and other well-wishers.
- Political parties should be financed by the state.
- The constitution should provide for funding of political parties by the government.
- Political parties should be financed from public coffers (5).
- Political parties should be financed by budgetary allocations with the ruling party having 70% of its budget financed by the budget and the opposition party having 30% of its finances met from the treasury.
- For political parties to be financed they should be producing their financial statements every year for auditing by an independent auditing firm and for public scrutiny.
- For political parties to be financed they should have their accounts scrutinized by the controller and auditor general who shall give a clean report of his findings.
- Funding for parties should be proportional to the number of MP's a party has.
- The new constitution should make provisions for formulating the criteria and modalities of financing parliamentary political parties.
- Aspiring presidential candidates should be given equal coverage by state owned media.
- The president should be above party politics (3).
- Political parties should put national interest above party interest.
- The state and political parties should work as partners.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- The constitution should provide for a presidential system of government (3).

- The constitution should NOT provide for a presidential system of government (2).
- The constitution should provide for a parliamentary system of government (5)
- The constitution should provide for a Prime Minister (5).
- The prime minister should be the head of state but with ceremonial powers.
- There should be a prime minister who should be the head of government (12).
- The constitution should provide for an executive prime minister who shall appoint the president (3).
- Appointment and dismissal of the prime minister shall be determined by the parliamentarians.
- The prime minister should be aged between 40 and 60 years and should have security of tenure of two five-year terms.
- The constitution should not provide for a Prime Minister.
- The constitution should provide that an elected prime minister should control the cabinet.
- The constitution should provide for election of prime minister by public.
- The constitution should provide that there should be a ceremonial president and an executive president.
- The constitution should provide that there should be a ceremonial president (7).
- The president should be the head of state (6).
- We should adopt a hybrid system of government.
- The constitution should provide for a unitary system of government (3).
- The constitution should provide for a unitary system of government with the inclusion of more decentralized.
- We should adopt a federal system of government (16).
- We should NOT adopt a federal system of government (4).
- The constitution should not provide for a Majimbo system of government.
- The constitution should provide for the formation of regional assemblies that shall be headed by an elected Governor who shall replace the DC.
- Local authorities should be entrenched in the constitution and empowered to perform more functions.
- Development should be generated from the locational level.
- The constitution should provide for the attachment of committees to any local development programmes.
- Development should be district focused.
- The constitution should provide for direct election of the Vice-President.
- The VP should be elected by a special representation of the people.
- We should have one vice president.
- The constitution should provide that the Attorney General should be an MP.
- The constitution should provide that the Attorney General should be appointed by parliament.
- The constitution should provide that the Attorney General should have security of tenure.
- The constitution should provide that the Attorney General should remain as the legal advisor to the government.
- The constitution should provide that the Attorney General should be a civil servant.

5.3.8 THE LEGISLATURE

- The constitution should give Parliament power to vet all appointments including that of the Electoral Commission.

- The constitution should provide that all-presidential appointments be vetted by parliament (3).
- The constitution should give Parliament power to vet all appointments of ex-officio members of parliament, sergeant arms, speaker of the national assembly, senior public servants, prime minister, federal governors, judges, permanent secretaries, parastatal heads and the chief justice.
- Functions should be expanded (2).
- Parliament should appoint the cabinet.
- All parastatal heads should be appointed by parliament.
- Parliament should appoint the members of the anti-corruption commission, the public service commission, the judicial service commission, members of the land board and the inspector general of police.
- The constitution should provide that the Armed forces should be represented in parliament.
- Parliament should have unlimited control over its own procedures through standing orders (3).
- The constituency parliamentary supremacy.
- The constitution should provide that MPs should attend parliament on a full time basis except on public holidays.
- The constitution should provide that parliamentary membership should be a part- time job (2).
- The constitution should provide that parliamentary membership should be a full- time job (3).
- The constitution should provide that minimum voting age to be 40 years.
- The constitution should provide that minimum voting age to be 18 years (3).
- The constitution should provide that minimum voting age to be 15 years.
- The constitution should provide that minimum voting age to be 16 years.
- The constitution should provide that minimum voting age to be 17 years.
- The constitution should provide for elective posts age limit to be 60 years.
- The constitution should provide that president age should be 45 years.
- The constitution should provide that president age should be 40 years.
- The constitution should provide that president age should be 21 years.
- The constitution should provide that president age should be 35 years.
- The constitution should provide that president age should be between 40 and 65 years.
- The constitution should provide that president age should be between 35 and 70 years.
- The constitution should provide that president age should be between 35 and 80 years.
- The constitution should provide that president age should be between 35 and 75 years.
- The constitution should provide that the president and prime minister should be aged between 35-60 years.
- The constitution should provide that MPs should be below 70 years.
- The constitution should provide that MPs should be 25 years.
- The constitution should provide that MPs should be 18 years (2).
- The constitution should provide that MPs should be 21 years (2).
- The constitution should provide that MPs should be between 40 and 65 years.
- The constitution should provide that MPs should be between 23 and 75 years.
- The constitution should provide that language tests for the MPs should be scrapped.
- The constitution should provide that an MP must be a holder of university degree (3).
- The constitution should provide that language tests for the MPs is NOT sufficient and they

should include an aptitude test.

- The constitution should provide that an MP must be a holder of an O level graduate (3).
- The constitution should provide for educational qualifications of MP's.
- The constitution should provide that language tests for the MPs should be retained.
- Moral and ethical qualifications should be introduced for our MP's (5).
- Aspiring MP's should have their past records made public.
- We should get certified reference reports from recognized persons who should be held responsible for any misleading information.
- Aspiring MP's should hold any other public officials.
- The constitution should give voters the right to recall non-performing MPs and those involved in misconduct (6).
- MP's should act on the basis of conscience and convictions of their constituents (3).
- MP's should have security of tenure.
- MP's should be in charge of all projects in their areas.
- The constitution should provide that an independent commission should determine MPs salaries.
- The constitution should provide that parliamentary service commission should determine MPs salaries (3).
- The constitution should provide that parliament should determine their salary (3).
- The constitution should provide that an independent body should determine MPs salaries.
- The constitution should provide that the public should determine MPs salaries.
- The constitution should not provide for nomination of MPs (2).
- The constitution should provide that there should be five nominated disabled persons in parliament.
- The constitution should provide that two women should be nominated MPs from each province.
- The constitution should abolish nomination of MPs.
- The constitution should guarantee that $\frac{1}{4}$ of all nominated MPs shall be women.
- The constitution should provide for nomination of MPs (5).
- Seats for nominated MP's should be reserved for special interest groups such as the disabled, trade unions clergy and professionals among others (5).
- Nominated MP's should NOT be unsuccessful contestants in elections (3).
- Nominated MP's should be upright people with relevant expertise.
- The constitution should guarantee that $\frac{3}{4}$ of all nominated MPs shall be women.
- No special measures should be put in place to increase participation of women.
- Seats should be reserved for women in parliament (6).
- A code of conduct should be introduced to govern the conduct of our MP's.
- The constitution should provide that MPs shall not run private businesses and shall have constituency offices.
- The constitution should provide for a coalition government (6).
- We should have multi party representation at both levels of government (2).
- We should have single party representation at the executive and multi party representation in the legislature.
- The constitution should provide that there should be a bicameral parliament (2).
- The constitution should provide that there should be a one parliament (2).
- The constitution should give parliament power to impeach the president (4).
- The constitution should provide for the impeachment of the president.
- The president should have the power to veto legislation passed in parliament if that

legislation threatens state security (2).

- The president should NOT have the power to veto legislation passed in parliament.
- The legislature should have the power to veto the president's during wartime or if the people have lost faith in the executive.
- The president should dissolve parliament after consultation with the parliamentary service commission.
- Parliament should only be dissolve when its time has expired and not by the president at his own whim.
- The president should only dissolve parliament if the MP's should are engaged in fighting in parliament.
- We should not stagger parliamentary elections.
- MP's should have a working committee or office at the constituency.

5.3.9 THE EXECUTIVE.

- The constitution should provide for a president who is a professional and married (2).
- The constitution should provide a minimum qualification of a university degree for a presidential candidate (9).
- The president should be a Kenyan citizen, a registered voter, a university graduate, should be married and morally upright.
- The constitution should provide a minimum qualification of an O-level for a presidential candidate (2).
- The constitution should provide for a president who is has no criminal or corruption record.
- The constitution should provide for a president who is morally and ethically fit.
- The constitution should provide for a president who is a good listener, understanding and a good orator.
- The constitution should provide for a maximum of 2 terms of 6 years for the president (2).
- The constitution should provide for a maximum of 2 terms of 5 years for the president (11).
- The constitution should provide for a maximum of 1 term of 6 years for the president.
- The constitution should provide for a maximum of 5 years for the president (2).
- Functions of the president should be defined in the constitution (2).
- The president should be the custodian of the diverse customs of the people of Kenya.
- The president should protect the constitution; he/she should ensure the country is always at peace.
- The president should appoint all top civil servants.
- The constitution should limit the powers of the president (15).
- The constitution should provide that the president should not be above the law (9).
- The constitution should provide that the president should not be the chancellor of public universities (2).
- The constitution should provide that the president should be subject to the law.
- The president should NOT appoint all top civil servants.
- The president should be removed from office in case of misconduct (7).
- The president should participate in all debates of national interest.
- The president should relate with parliament like partners.
- The president should be answerable to parliament.
- The constitution should provide that the president should not be an MP (5).
- The constitution should provide that the president should be an MP (3).

- The constitution should provide for scrapping of the Provincial administration.
- The constitution should provide for retention of the Provincial administration.
- The constitution should provide for an election of provincial administrators, chiefs and their assistants (18)
- The constitution should provide that the chiefs and their assistants be transferable.
- Chiefs should be O-level graduates (2).
- The post of DO should be abolished.
- The DO's post, chiefs should have good education credentials.
- The constitution should provide for chiefs and assistant chiefs empowerment.
- Our provinces should be reduced to five.
- The PC should be appointed by parliament and have security of tenure.
- Chiefs should be at least 50 years old.
- Chiefs should be at least 40 years old (2).
- Chiefs should be at least 25 years old.
- Persons with disabilities should be elected as chiefs.
- The office of assistant chief should be abolished.
- The constitution should provide for gender sensitivity in the Provincial Administration.
- The constitution should provide for chiefs and assistant chiefs.
- The constitution should provide that there should be no women chiefs.
- The constitution should provide that there should be a code of conduct for provincial administration personnel.
- The constitution should provide for chiefs to be elected for 5 years.
- The constitution should provide that village elders should be uniformed and salaried.
- The constitution should provide for scrapping of the office of chief and assistant chief.
- The constitution should provide that the Provincial Administration shall be fair and non corrupt.
- The constitution should provide that chiefs and their assistants should be answerable to the public.
- There should be 15 ministries in the government.

5.3.10 THE JUDICIARY

- The constitution should provide for the independence of the judiciary (7).
- The constitution should provide for the creation of family courts.
- The present structure of the judiciary is NOT adequate; we should add to it an East African Court of Appeal.
- Domestic courts should be introduced to provide security to women affected by domestic violence.
- The judiciary should be overhauled to return credibility and public confidence to this otherwise disgraced institution.
- The constitution should provide for the creation of a customary law courts.
- The filing system in the judiciary should be revised to avoid cases of missing files.
- Civil jails should be separate from those of criminal offences.
- The police should not be prosecuting agents at the same time.
- The constitution should provide for a supreme court (6).
- The constitution should provide for a permanent constitutional court (4).
- The constitution should NOT provide for a permanent constitutional court.
- Judicial officers should be appointed by an independent judicial service commission (6).

- The judicial officers should be law graduates and they should also have a diploma in law from Kenya School of Law.
- The judicial officers should have undergone training and should have a minimum of 20 years experience.
- Judicial officers should be permanent and pensionable but they should not stay in office or station for over five years.
- Judges should have security of tenure (2).
- Judges should retire at the age of 70 years.
- The judicial officers should set up a committee of judges to investigate and punish errant members of the judiciary.
- The judicial officers should establish a code of conduct and mechanism to discipline judicial officers.
- Kadhis should have similar qualifications to other magistrates (2).
- Kadhis should be appointed by the judicial service commission (2).
- The Kadhis court should be restricted to handle matters related to Islamic law.
- Judicial powers should be vested exclusively in courts (2).
- Judicial powers should NOT be vested exclusively in courts.
- Courts should be available at the grassroot level like the locational level.
- The constitution should provide for availability of courts at divisional headquarters (2).
- Kenyans should have a constitutional right to legal aid (7).
- The constitution should provide for a levy- free access to judicial service.
- There should be provision for judicial review of laws made by the legislature (3).
- We should have a council of elders to handle local disputes (3).

5.3.11 LOCAL GOVERNMENT.

- The constitution should provide that all-elective positions in the local government, including the position of the mayor and the chair of the County Council, should be filled by direct popular elections (17).
- The constitution should provide that mayors and chairmen of the county council should be appointed by councilors.
- The constitution should provide for mayors to be elected for a term of 5 years (4).
- The constitution should provide that mayors should serve a maximum of 4 years.
- The constitution should provide for mayors to be elected for a term of 2 years.
- The constitution should provide for an autonomous Local Government (7).
- Local authority should be under the federal government and not the central government.
- Local authority should be under the central government.
- The constitution should provide for councilors to be at least STD 8 leavers.
- The constitution should provide for councilors to be at least form 4 leavers (10).
- Minimum education qualifications for councilors are NOT needed.
- Minimum education qualifications for councilors should be introduced.
- Language tests for councilors are not necessary (3).
- Language tests for councilors are sufficient and they should be able to speak English and Swahili (3).
- There should be moral and ethical qualifications for local authority seats (4)
- Minimum age for aspiring councilors should be 21 years.
- Minimum age for aspiring councilors should be 25 years.
- Minimum age for aspiring councilors should be 45 years.

- Minimum age for aspiring councilors should be between 40 and 65 years.
- Councilors should be residents of that area (2).
- The constitution should provide for councilors to be recalled in case of misconduct (4).
- Individual federal states should determine the remuneration of councilors.
- The central government should determine the remuneration of councilors (3).
- Councilors should be paid by the central government (2).
- A local authority commission should determine the remuneration of councilors.
- Councilors should be paid from the treasury.
- The constitution should provide for retention of nomination of councilors ().
- The constitution should abolish nomination of councilors (4).
- Seats for nominated councilors should be reserved for women.
- Seats for nominated councilors should be reserved for special interest groups (3).
- Nominated councilors should not be unsuccessful contestants in elections.
- 75% of the seats for nominated councilors should be reserved for women.
- There should be rules to govern the conduct of councilors in a multi-party era.
- The executive should have power to abolish local councils (4).
- The executive should NOT have power to abolish local councils (2).
- Councilors should not tax small businesses.

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- We should retain the representative electoral system (3).
- Presidential elections should be done by secret ballot.
- Simple majority rule should be retained as a basis of winning an election (4).
- The electoral process should not be designed to facilitate an increase in the participation of women.
- A winning president should garner 60% of votes cast.
- A winning president should garner 51% of votes cast.
- A winning president should garner 50% of votes cast.
- The constitution should provide that those who having failed to be nominated as candidates in one political party, defect to other political parties should not be allowed as electoral candidates.
- The constitution should provide that councilors who have defected from one party to another should not be eligible for nomination.
- Defectors should immediately cease to be MP's and a by election to be held after three months.
- Defectors should be prohibited from contesting during elections.
- MP's, councilors who are dissatisfied with their parties should resign and seek fresh mandate from the people.
- Where parties dissolve themselves, MP's from such parties should be free to join a party of their choice.
- The 25% rule in five provinces in presidential elections should be retained (3).
- The 25% rule in five provinces in presidential elections should be abolished (2).
- The 25% rule in five provinces in presidential elections should be replaced with 45%.
- We should have special seats in parliament reserved for special interest groups such as the disabled, the youth and the workers.
- We should reserve seats for special interest groups (10).
- The current geographical constituency system should not be retained.

- The current geographical constituency system should be retained with proportional representation of population of 60,000 people per constituency.
- The constitution should provide for the increase of the number of constituencies.
- The constitution should review the constituency and ward boundaries.
- The constitution should redraw the constituency and ward boundaries.
- The constitution should provide that the constituency and ward boundaries should be determined by the population of that area (3).
- The current geographical constituency system should be retained with proportional representation of population of 60,000 people per constituency and a maximum of 80,000 people while a ward should have between 15,000 and 20,000 people.
- Muhoroni constituency should be split into two.
- The constitution should provide that Presidential and Parliamentary elections should be held on separate dates (10).
- The constitution should provide that Presidential and Parliamentary elections should be held simultaneously.
- The constitution should provide that voter registration be done all year round preceding the election year (2).
- The constitution should provide that civil servants should not be required to resign from their jobs before contesting in elections.
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- A valid Kenyan passport, driving license and a birth certificate should be used for voting.
- Polling stations should be disable friendly (2).
- The ECK should provide branch ballot papers
- There should be no limit to election expenditure if such is financed privately by aspiring candidates.
- Election expenditure should be equal for all candidates.
- The constitution should specify the date of election (7).
- The president should be elected directly by the people (6).
- The 2002 elections should be held under the current constitution (5).
- Candidates seeking elective posts should be free to conduct their elections.
- Electoral commissioners should be university graduates.
- Electoral commissioners should be learned men and women of unquestionable integrity and experience in conducting elections.
- Jobs for ECK should be publicly advertised by the judicial service commission.
- ECK commissioners should be appointed by a parliamentary select committee.
- ECK commissioners should be appointed by parliament.
- Electoral commissioners should sere for two five-year terms.
- ECK should be independent and neutral (4).
- The electoral commissioners should have security of tenure of five years.
- Half the ECK should retire after every general election.
- Electoral commissioners should be removed from office for misconduct, through death, by resignation and if they declare bankrupt.
- The treasury should fund the ECK (2).
- The CBK should fund the ECK.
- We should have 22 electoral commissioners.
- We should have 24 electoral commissioners, 3 from each province.
- The constitution should provide that votes should be counted at the polling station (3).

- The electoral commission should have the power to prosecute.

5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- Basic human rights should be incorporated into the constitution as fundamental rights.
- Our constitutional provisions for fundamental rights are not adequate.
- The constitution should incorporate social, economic and cultural rights (3).
- The Kenyan Bill of Rights should incorporate all fundamental human rights.
- The constitution should guarantee freedom of movement.
- The constitution should guarantee the freedom of worship to all Kenyans.
- The constitution should guarantee every Kenyan, equal and non-discriminative
- The constitution should provide for freedom of worship, religion, speech, political opinion, assembly, association, expression, movement and a right to scientific knowledge.
- The constitution should protect Kenyans from unnecessary arrests without a warrant of arrest.
- The constitution should protect the right to life.
- The constitution should provide for abolition of death penalty (2).
- The constitution should substitute death penalty with life imprisonment.
- Death penalty should be applied to only those who have committed murder.
- The constitution should protect security, healthcare, water, education, shelter, food and employment (5).
- The state should have the responsibility of ensuring that citizens enjoy their basic rights.
- The parliament and local authorities should have the responsibility of ensuring that citizens enjoy their basic rights.
- The government should have the responsibility of ensuring that citizens enjoy their basic rights.
- The constitution should provide that the government should provide security to its people.
- The constitution should provide that the Police should provide security to the public.
- The constitution should provide for the existence of vigilantes for purposes of crime protection.
- The constitution should provide for thorough security checks by the Government.
- All citizens should be guaranteed security (2).
- All citizens should be provided with free healthcare (17).
- All Kenyans should have access to clean water.
- All Kenyans should have access to free housing and piped water (2).
- All Kenyans should be guarantee free education (8).
- Boys and girls should have equal rights in employment (3).
- Kenyans should have a right to shelter
- The constitution should provide for the employment of all university graduates (2)
- The constitution should provide that a person should have a maximum of two jobs.
- The constitution should provide that the government should pay religious leaders.
- The constitution should abolish retrenchment of civil servants (2).
- The constitution should provide for a one person-one job policy (6).
- Men and women should receive equal salaries.
- Maternity leave should be five months and it should be given to both the husband and wife.
- All employees of the public sector should retire at the age of 50 years (3).

- The constitution should provide for the employment for all (5).
- Retirees should not be re-appointed for new positions.
- Kenyans should benefit from the contributions of NSSF.
- Social welfare should be entrenched in the constitution
- A social welfare insurance scheme should be established to cater for the needs of orphans.
- Payment of pensions should be decentralized to divisional level.
- We need social welfare fund to cater for the needs of the old citizens.
- Pension should be increased after a specific period of time.
- The constitution should provide allowances to Kenyans.
- The constitution should provide for free and compulsory formal education up to university level.
- The constitution should provide for free and compulsory formal education up to primary level (11).
- The constitution should provide for free and compulsory formal education up to secondary level (5).
- The constitution should provide for free and compulsory formal education (3).
- Kenyans should have access to information in the hands of the state (3).
- Kenyans should NOT have access to information in the hands of the state.
- The constitution should provide that it should be copied in all languages (3).
- The constitution should provide that it should be in simple and clear language (2).
- The constitution should provide for civic education in schools.
- The constitution should provide that the constitution shall be taught in schools and it shall be freely available.
- The constitution should provide for civic education to be a continuous process and should not be pegged of the constitutional review process.
- The constitution should guarantee the rights of workers to form and join trade unions (5).
- The constitution should deal with financing and or ensuring or providing of the basic needs by the government where the citizens cannot afford.

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- The constitution should provide that there should be no offensive dressing by women.
- Women rights should be fully guaranteed in the constitution (3).
- Special interests of the disabled should be guaranteed in the constitution (3).
- We should establish rehabilitation centers for the disabled.
- The constitution should be provided with free education in special schools (3).
- The government should provide for the welfare of the disabled.
- The constitution should be provided with education, employment and public utilities that shall keep them as per their case.
- The disabled should be well represented in parliament.
- Projects for the disabled should be managed by the disabled.
- The constitution should give equal opportunities to all.
- The constitution should guarantee that disabled persons should be given loans annually.
- The constitution should guarantee that buildings should be structured in such a way that the disabled can gain access to them easily (3).
- The constitution should guarantee nomination of disabled to parliament.

- The constitution should guarantee entitlement to job of all disabled persons.
- The constitution should provide for the disabled rights and employment without discrimination.
- The constitution should provide equal rights for children (4).
- The constitution should provide for a right to inherit property for both sons and daughters.
- The constitution should provide that there should be no child labor.
- The constitution should protect the education of the Girl child.
- The constitution should abolish corporal punishment.
- The constitution should guarantee that there should be no employment of girls as housemaids.
- The constitution should provide for polygamous men to recognize all children.
- The constitution should give children opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity.
- The government should provide for the welfare of the children.
- The constitution should provide for funds to assist the orphans.
- The constitution should provide a home for the orphans (2).
- The constitution should take care of the orphans (8).
- The constitution should provide that the government should provide for the old who must be 65 years and above.
- Vulnerable groups should include the street families, the aged, terminally ill, marginalized groups, mentally sick and widows.
- The constitution should make a provision for affirmative action in favor of the disabled, women and the minority groups.
- Police harassment and torture of suspects should be stopped.
- Rights of prisoners should be incorporated in the constitution.
- A person should be given time to raise their fine before imprisonment.
- Prisoners should be given bonus payment on release.
- After computing the prison terms, ex-convicts should not receive perennial extra judicial punishment.
- The constitution should provide for participation of exiles and prisoners in the elections

5.3.15 LAND AND PROPERTY RIGHTS

- The state should have the ultimate ownership of land (3).
- The individual should have the ultimate ownership of land (4).
- The local community should have the ultimate ownership of land.
- The state, local authorities or individuals should have the ultimate ownership of land.
- The state, individuals and NOT local authorities should have the ultimate ownership of land.
- The constitution should provide that the Government should not have power to acquire private land.
- The constitution should provide that the Government should have power to acquire private land (6).
- The state and local authorities should have the power to control private use of land (3).
- Private land should be privatized only in public interest.
- The government should have the power to protect land from bad usage by private owners of such land
- The constitution should provide for taxing of any idle land.

- The constitution should provide for productive use of all land.
- The constitution should provide that a council of elders should arbitrate land disputes.
- All title deeds issued to illegally acquired land should be nullified.
- Issues of inheritance and land transfer should be done with regard to gender.
- Demarcation of land boundaries should be clear and satisfactory reflective maps be kept in both regional and national office.
- Family land should be transferred with the consent of the family (2).
- Land disputes should be handled by village elders (2).
- Issues of succession should be dealt with traditionally.
- Parents should be compelled to write a will to reduce any land dispute.
- Land transfer and inheritance should be done.
- Inheritance and succession should include other dependants.
- The land lease system should be revived.
- There should be a ceiling on land to be owned by an individual (5).
- No Kenyan should be allowed to own land more than 10 hectares (4).
- No Kenyan should be allowed to own land more than 50 hectares.
- No Kenyan should be allowed to own land more than 100 hectares.
- No Kenyan should be allowed to own land more than 1,000 hectares.
- No Kenyan should be allowed to own land more than 5,000 hectares.
- The constitution should restrict foreigners from owning land in Kenya (2)
- The constitution should provide that the land board shall be situated in the divisional headquarters.
- The constitution should provide for the simplification of land transfers (2).
- The constitution should provide for the scrapping of levies charged on land transfer transactions.
- Land boards shall effect land transfers.
- Assistant chiefs should be allowed to administer transfer of land.
- The constitution should provide for the simplification of land transfers by allowing each province to effect land transfers and handle other land related matters within their provinces.
- All landowners should be provided with title deed.
- Land transfers should be conducted at the district level.
- Land transfers should be conducted freely (3).
- The constitution should provide equal access to land for both men and women (6).
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership (2).
- The constitution should provide that land title deeds should bear the names of both spouses.
- Women should not own land.
- Pre-independence land treaties and arrangements should be abolished (2).
- The constitution should guarantee the right of any Kenyan to own land in any part of the country (6).
- The constitution should provide that the government should provide land for the landless (13).
- The constitution should provide that the government ensures that every individual owns at least 5 hectares of land.
- The constitution should guarantee that there should be no landlessness.

5.3.16 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND

COMMUNAL RIGHTS

- The constitution should provide for abolition of European culture.
- Our cultural and ethnic diversity contributes to a national culture (4).
- Positive aspects of culture should be protected by our constitution (4).
- The constitution should protect ethnic and cultural diversity (4).
- The Luo culture of removing of removing six lower teeth should be respected by the constitution.
- Wife inheritance should NOT be abolished but there should be checks to protect each from HIV/AIDS.
- The constitution should capture circumcision for boys as a rite of passage.
- African socialism, African respect for elder and women, African value for hard work should be captured in the constitution.
- Payment of dowry should be done away with.
- Widows should be protected from harassment by in-laws.
- The institution of Luo paramount leaders should be enshrined in the constitution.
- The constitution should guarantee that ethnic customary laws should not be abolished.
- The constitution should provide for circumcision of male Luos.
- The constitution should provide for respect of customs.
- The constitution should provide that spiritual leaders should be elected.
- The constitution should provide that marriage should be respected and formalized.
- The constitution should provide that payment of dowry should be optional.
- The constitution should outlaw wife inheritance (7).
- The constitution should provide for government funding for social and religious groups
- The constitution should abolish feasting in funerals.
- The constitution should guarantee that wife inheritance should be voluntary.
- The constitution should ensure harmony of the constitution.
- Tribal radio stations should be abolished and tribalism discouraged in a bid to promote national unity.
- Kenyans should be sensitized co-exist peacefully together irrespective of their tribal inclinations as this will ensure unity in diversity.
- The concept of unity in diversity should be provided by all state legislation and policies to ensure tribalism does not root us out.
- The constitution should provide that ethnicity should be discouraged.
- FGM should be outlawed.
- The constitution should provide protection against discriminatory aspects of culture (2).
- The constitution should provide for two national languages, namely; English and Kiswahili (5).
- The constitution should provide for one national languages, namely; Kiswahili (2).
- The constitution should encourage ethnic languages.
- The constituting should recognize and promote indigenous languages (5).

5.3.17 **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- Power to raise revenue, its management and distribution as well as management of human resources should be left to individual federal states.

- Power to raise revenue, its management and distribution as well as management of human resources should be left to the executive and legislature.
- Parliament should retain the power to authorize raising and appropriation of public funds (2).
- Apart from taxation, the government raise revenue through effective management of natural resources
- The government should take offshore investments.
- The state should build industries with partners who have farms from where farmers would purchase improved goods, engage in trade with partners and accept donations from well wishes.
- The constitution should provide for fair distribution of all resources.
- The constitution should provide for equitable distribution of national resources (7).
- Distribution of national resources should depend on the economic viability of an area. People living in arid and semiarid areas should be given a large share of our national resources.
- The government should apportion benefits from resources in a given area between the central government and the community where such resources are found.
- 75% of the resources from a particular area should be remitted to the central government.
- The office of the controller and auditor general should be entrenched in the constitution and should be given prosecution powers.
- The auditor general should be independent and given security of tenure (3).
- The PSC should appoint the controller and auditor general.
- The parliament should appoint the controller and auditor general (2).
- The prime minister should appoint the controller and auditor general.
- Parliament should authorize and manage public finances.
- All external borrowings by our government should be sanctioned by parliament.
- Public finances should be used only with the approval of parliament.
- To attract competent Kenyans into the service we should hire technocrats into our ministries.
- Civil servants should be well paid (2).
- Appointments and promotions in the entire civil service should be based on merit
- Civil servants in the provincial administration should have attained a certain level education.
- The management and discipline roles in of the PSC should be strengthened.
- The PSC should be non-elective officers of local authorities.
- The PSC should given security of tenure.
- PSC members should be appointed by the president on recommendation of parliament.
- PSC members should be appointed by the parliament.
- We should have a code of ethics for holders of public office (3).
- MP's should not have private businesses.
- Civil servants should work anywhere in the republic and any civil servants showing ethnic favoritism should be fixed.
- The PSC members should be morally upright people and competent professionals.
- All holders of public office should declare their assets (5).
- All those seeking elective posts should declare their assets.

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- The constitution should guarantee that the government policy on afforestation and reforestation should be implemented.
- The constitution should provide for exploitation of minerals by government.
- The constitution should put in place mechanisms to protect our environment from degradation and pollution.
- Cutting of trees should be outlawed and all roads improved.
- Ploughing along the riverbanks should be outlawed and government should put in place mechanisms to control floods.
- The executive and the judiciary should have the power to enforce laws on protection of the environment.
- The government should have the power to enforce laws on protection of the environment.
- The public should have the power to enforce laws on protection of the environment.
- The central government and local authorities should have the power to enforce laws on protection of the environment.
- Natural resource should be owned by the state.
- Natural resource should be owned by the local people.
- Local communities should participate in the management and protection of the environment through observing relevant legislation and engaging in sustainable environmental protection activities e.g. prevention of soil erosion.
- Water bodies, forests, minerals, wildlife, fish etc. should be protected in the constitution (2).
- The government should manage and protect the natural resources (2).
- The local people should manage and protect the natural resources.
- The state should manage and protect the natural resources.
- The parliament should manage and protect the natural resources.
- Management and protection of the natural resources should be by a process of sustainable development of relevant policies.
- The constitution should enact an act of waste management to prevent our environment from pollution.

5.3.19 PARTICIPATORY GOVERNANCE

- NGO's and other organized groups should have a role in governance (3).
- The constitution should regulate the conduct of civil society organizations.
- The government should stop deregistration of NGO's.
- All civil societies should be registered under the societies act.
- The constitution should control the infiltration of bad habits and cultures through the media to our society.
- The constitution should ensure accountability by NGO's.
- The media should operate freely.
- The constitution should institutionalize the role of our civil society organizations by recognizing their role and putting a framework for their establishment.
- The constitution should provide a mechanism through which women can participate in governance (2).
- Women should not be left out in decision making at any level of government.
- The constitution should provide for free participation of women in politics.
- The constitution should guarantee that women should form 1/3 of the executive.
- The constitution should assist the local women groups.

- The constitution should provide a mechanism through which people with disabilities can participate in governance (2).
- The constitution should provide a mechanism through which the youth can participate in governance (2).
- There should be a nominated MP for the youth.
- The constitution should provide a mechanism through which the elderly can participate in governance (2).

5.3.20 INTERNATIONAL RELATIONS

- The conduct of foreign affairs should be exclusive responsibility of the state.
- Our constitution should specify how the foreign affairs should be conducted.
- The conduct of foreign affairs should be exclusive responsibility of the executive.
- The conduct of foreign affairs should be based on a national policy and the executive in conducting foreign affairs should work within that policy.
- Parliament should enact legislations that are in conformity with international standards but it should not compromise on national interest and values.
- Parliament should review the policy to match the international order of time.
- The executive should implement the foreign policy approved by parliament.
- International treaties and conventions and regional and bilateral treaties should have an automatic effect in domestic law (3).
- Laws and regulations made by regional organizations in which Kenya is a signatory to should NOT have an automatic effect in the domestic law.
- Laws and regulations made by regional organizations in which Kenya is a signatory to should be discussed by parliament before adoption into the domestic law.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- We need constitutional commissions, institutions and offices (3).
- There should be a special commission to employ senior government officials.
- The constitution should provide that the public should elect an ombudsman (5).
- The constitution should provide for the existence of ombudsman's' office in every division.
- We need a human rights commission (2).
- We need a gender commission.
- We need an anti corruption commission (6).
- We need a lands commission (3).
- We need an equal opportunity commission to address the affirmative action of people who have been wronged by circumstances of history and its environment in attaining levels of development seen in other parts of Kenya.
- We need a truth and reconciliation commission to promote national reconciliation for healing harmonies existence political hatred brought about by a decondent political dictatorship (2).
- We need a police service commission.
- We need a constitutional review commission.
- We need a judicial service commission.
- We need an electoral commission.

- The constitution should provide that a salary commission should be established to determine public servants salaries.
- We need constitutional, water, religious, traffic, charity and an industrial commission.
- The anticorruption commission should have the power and authority to prosecute all corruption cases (2).
- The constitution should empower anti-corruption unit to effectively undertake its task.
- All constitutionally established commissions should have the power to investigate through enquiries and their and their functions and recommendations should be adopted.
- We need a ministry of justice and constitutional affairs (3).

5.3.22 SUCCESSION AND TRANSFER OF POWER

- The constitution should provide that during the transition period, the sitting prime minister shall exercise presidential powers.
- The constitution should provide that during the transition period, the ECK chairman shall exercise presidential powers.
- The constitution should provide that during the transition period, the speaker of the national assembly shall exercise presidential powers (2).
- The constitution should provide that during the transition period, the secretary of the cabinet shall exercise presidential powers.
- The constitution should provide that during the transition period, the ceremonial president shall exercise presidential powers.
- The constitution should provide that during the transition period, the CJ or AG shall exercise presidential powers.
- The constitution should provide that during the transition period, strategic posts should be created and the holders of such offices shall exercise presidential powers.
- The ECK should announce the results of presidential elections before the speaker in parliament (2).
- The senior most judge of the Supreme Court should declare the results of the presidential candidates.
- The presidential election announcement should be made in the presence of the chief justice, Attorney General, the ECK chairman, the inspector general of police and the chief.
- The incoming president should assume office 3 months after presidential elections have been conducted (2)
- The incoming president should assume office seven days after presidential elections have been conducted
- The incoming president should assume office 30 days after presidential elections have been conducted.
- The incoming president should assume office after presidential elections have been announced.
- The president elect should be sworn in after one week of elections.
- The CJ should swear in the incoming president in a public gathering (2).
- The judiciary should swear in the incoming president in a public gathering.
- The AG should swear in the incoming president in a public gathering.
- The CJ should swear in the incoming president in Uhuru gardens in the presence of religious leaders, 5 judicial officers, dignitaries and the general public.
- Instruments of power should be transferred to an incoming president one month after elections (2).

- Instruments of power should be transferred to an incoming president immediately he is sworn in.
- There should be an official handing over ceremony of the instruments of power.
- The incumbent president should carry on state house business as a ceremonial president and preside over ceremonies directed by the incoming president for a additional six months during which the handing over is done.
- The constitution should make a provision for a former president in terms of security (4).
- The constitution should make a provision for a former president in terms of welfare (4).
- The constitution should make a provision for a former president in terms of immunity from the legal process (3).
- The constitution should make a provision for a former president in terms of NOT being immune from the legal process.

5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide that married women should own property (3).
- Women should have access to land and property.
- The constitution should provide for unmarried girls to inherit parental property (2).
- The constitution should guarantee that women should be allowed to inherit land in their maiden homes.
- The constitution should give unmarried girls the right to inherit parental land.
- Women regardless of their marital status should be entitled to inherit their family property.
- Women should be allowed to inherit the property of their deceased husbands (4).
- Women should be married when they attain the age of 18 years.
- All marriage conducted under the law should be validated.
- The constitution should harmonize marriage laws (3).
- Men should play their roles as heads of the home and the argument of being equal should not arise.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- Parents and especially fathers should take reasonable care of their daughters.
- Fathers should be forced to take responsibility for their children.
- The constitution should provide for married girls to inherit parental property.
- The constitution should guarantee widows and women property inheritance.
- The constitution should provide for fathers' responsibility in cases of separation and divorce.
- The constitution should provide for protection of women from all forms of violence.
- Women should not have the power to prosecute their husbands for domestic violence for it causes tension in their home.

5.3.24 **INTERNATIONAL POLICY**

Foreign Direct Investment

- The constitution should ensure a good environment for investment.

5.3.25 **REGIONAL POLICY**

Regional Bio-diversity Programmes

- All government owned industries and companies should be privatized.

Capital Flows

- The government should control capital flight.

5.3.26 **NATIONAL ECONOMIC POLICY**

Domestic Trade Issues

- Importation of locally produced agricultural products should be done if and only if these commodities have been exhausted in Kenya.
- The constitution should control food prices locally (3).
- The constitution should provide for government role in price control to protect local produce
- The constitution should ban importation of goods, which can be manufactured locally.
- The constitution should provide price control of basic goods.
- The constitution should provide for setting of the prices of all commodities in the annual budget.
- The constitution should ban importation of cheap and below standard goods.

Economic Liberalization

- There should be a provision in the constitution for the control, supply and pricing of basic food materials and shelter, as was the case before.
- The government should not own any shares in private companies. It should only regulate the business world through sound policies and creation and sustainance of an enabling environment.
- There should be a total ban on products manufactured locally.

Industrialization

- The constitution should establish processing factories along Lake Victoria.
- The constitution should protect local industries (2).
- The constitution should revive all collapsed factories and industries to increase the job market.

Poverty Reduction

- Poverty reduction strategies should be implemented.

Physical Economic & Social Infrastructure

- The constitution should provide that all government services and facilities should be accessible to all Kenyans without discrimination.
- The constitution should guarantee that fire brigades should be provided in sugar plantations.
-

5.3.27 **NATIONAL OTHER POLICY**

HIV Aids

- A HIV Aids test should be made mandatory for parties involved in wife inheritance.
- The new constitution should not make it a responsibility of our government to provide for the welfare of Aids orphans.
- HIV Aids victims should be announced in public to eliminate more injections.
- Government should vaccinate Aids patients.
- The constitution should endeavor to reduce the Aids (4).

Public Safety & Security

- Police harassment should be stopped.
- Police training should go over a period of four years (5).
- The citizens should be authorized to bear arms for self-defense.
- The government should employ home guards in every ten or twenty villages everywhere in Kenya for security purposes.
- Criminals or suspects shouldn't be tortured before they are proven guilty.
- The police officers tenure should be reviewed every five years.
- The constitution should provide that the Police force should be streamlined to stop Police harassments.
-

Corruption

- Corruption should be stopped in the public and in other offices (3).
- All those who are responsible for the collapse of public owned companies should be brought to book.
- Corrupt public officers should be arrested, tried and convicted (2).
- The constitution should put a mechanism to curb corruption (4).

Population Issues

- Condoms should be abolished because they encourage prostitution.
- The constitution should regulate the number of children that the family should have.

5.3.28 **SECTORAL POLICY**

Agriculture

- The constitution should recognize centrality and vitality of agricultural sector in our economy.
- The sugar Act 2001 should be implemented.
- A law should be established to protect and encourage all farmers to increase on agricultural production.
- Agro based industries in Nyanza should not be nationalized.
- Farmers of crops like cotton, rice, sugar cane and animal products should be protected against greedy importers.
- Sugarcane farmers should not be taxed.
- The constitution should address the issue of sugar cane farmers to payment on time.
- The constitution should address many problems facing farmers with respect to market for their products.
- The constitution should establish an agricultural policy that guarantees adequate food.

- The constitution should address the issue of sugar cane payments and transportation.
- Proper agricultural policies should be established because Kenya relies heavily on agriculture.
- The constitution should address the issue of farmers.
- The constitution should establish good agricultural policies.
- The constitution should provide loans for farmers.
- The constitution should provide for agricultural officers in every location.
- The constitution should provide that the government should provide free farm implements to farmers.
- The constitution should provide for irrigation of marginal areas.
- The constitution should provide that cotton; sugar and rice industries shall be revived.
- The constitution should provide for formulation of policies that encourage food production.

Manufacturing

- Mwani sugar factory should be revived.
- More industries should be established to enable Kenya to compete in the world market.

Education

- The disabled should be given priority in admission in colleges and other training institutions.
- The constitution should look into the welfare of the nursery school teachers.
- The 8-4-4 system of education should be replaced.
- Teachers should be empowered to punish pupils in schools.
- There is need to encourage the culture of reading to promote high rate of literacy.
- University students should be provided with adequate loan to finance their education (2).
- The government should provide needy students with bursaries.
- Bursary funds contributions should be controlled by the chiefs as was in the case before.
- There should be corporal punishment in school to direct students even using the cane.
- Traditional laws and values should be taught in lower level schools to help the children understand their origin.
- 8-4-4 system should be abolished and 7-6-3 system reinstated.
- The constitution should adopt the Koech report for education.
- There should be adequate teachers in schools.
- School inspection should be regular with impromptu visits.
- The constitution should provide that nursery schools shall be under Education, Culture and Social services ministry
- The constitution should provide that any reform in the education sector should be referred to professionals before implementation.
- The constitution should provide for revival of Advanced level system of education.
- The constitution should provide that teachers shall be transferable and that they shall not teach in their areas of origin.

Public Finance (fiscal policy)

- Businesses of people who are disabled should not be taxed (2).
- The taxation system should be revised to avoid double taxation.
- Land tax should be imposed on anyone who owns land.
- The constitution should reduce taxes on basic needs like food and clothing.

- The constitution should remove licenses for businesses.
- The government should set aside a budget for mosques and taxes.
- The government should set aside a budget for the disabled.
- The constitution should provide that the President's official international trips should not be more than 3 a month.

Monetary Policy

- The constitution should create a clause to stop Kenyans from banking their money in overseas bank accounts and should be compelled to bring it back (2).
- The constitution should establish and protect the banking system by incorporating Donde's Bill.
- Loans should be acquired by using a collateral. Family homes should not be given as collateral for loans.
- The Kenyan resources should be printed in Kenyan currency.
- The constitution should provide for interest free loans for small business people.

Health

- Our hospitals should be equipped with drugs and other relevant facilities.
- There should be cost sharing in the provision of health services.
- Widows and orphans should not be charged any fees in public hospitals.
- The constitution should provide all Kenyans with health insurance.
- Public hospital doctors should not work in private hospitals.

Tourism

- The government should promote tourism.

Small Enterprise Development

- The informal sector should be encouraged to advance through the provision of financial incentives such as soft loans with low interest.
- The disabled should be given soft loans to enable them start small-scale businesses (2).
- The constitution should promote small-scale businesses.
- The constitution should put in place mechanisms to assist the Jua Kali artisans to improve their businesses.
- A special bank should be introduced to provide soft loans to widows to enable them start small income generating projects.
- The constitution should provide that foreigners should not involve in small-scale businesses in Kenya.
- The constitution should provide that small-scale traders should not be taxed.
- The constitution should exempt small business men/ women from the requirement of a trade license.

Transport & Communication

- The constitution should ensure that roads are maintained (2).
- There should be accessible roads in Miwani division.

Fishing

- The constitution should guarantee that fishing, as a source of income shall not be taxed.

Parks & Wildlife Services

- National parks should be privatized (2).

5.3.29 **LEGAL SYSTEMS**

Customary Law

- Our customary laws should be incorporated into the constitution.
- The constitution should provide for the retention of customary law.

Statutory Laws

- Detention without trial should be outlawed.
- The trespass law should be outlawed.
- Leaders who promote tribalism should be punishable by law.
- The Chief's Act should be divided.
- A law should be put in place to compel fathers and husbands to distribute their wealth to their spouses when still alive.
- There should be stiffer penalties for rapists and defilers.
- Leadership and homosexuality should be totally outlawed.
- There should be a law to prosecute parents who ignore or do not take their children to school (3).
- Strict rules should be applied in the drinking age.
- The constitution should legislate local brew.
- The constitution should outlaw illicit drinks like *chang'aa*.
- The constitution should provide that the Police should produce an arrest warrant before arrests are made.
- The constitution should provide for stiff punishment for murderers.
- The constitution should outlaw drinking of illicit brew.
- The constitution should provide for legalization of *chang'aa*.
- The constitution should provide that there should be curfew between 7p.m to 7a.m to curb immorality in bars and hotels.

Bills

- The president should give assent to all bills passed by parliament before they become a law.

5.3.30 **COMMON GOOD**

- Children should care for their parents at old age.
- Men and wives should respect each other.

5.3.31 **GENDER EQUITY**

- The question of equality is unthinkable people should leave how God created the world.
- The constitution should provide for gender equality.
- Men and women should have equal rights (2).

5.3.32 **ECONOMIC/SOCIAL JUSTICE**

- The constitution should guarantee social economic justice.
- The constitution should put in place mechanisms to curb economic sabotage, economic fraud and other economic crimes.
- We need transitional justice so that all crimes against humanity perpetrated on living and Kenyans by the past and present regimes are alone for and restoration is done.

5.3.33 **TRANSPARENCY/ACCOUNTABILITY**

- Political parties should make public their financial systems.
- A law on professional accountability should be established to check on professional negligence and any professional ethics. For further transparency all professionals should be registered under one body.
- There should be transparency and accountability (2).

5.3.34 **NATURAL JUSTICE/RULE OF LAW**

- There should be the rule of law.

5.3.35 **NATIONAL INTEGRITY/IDENTITY**

- We need a national dress whose design has the colors of the flag.
- We need a national, decent dress (2).

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon Dr William Odongo Omamo MP
2. Enos Okolo DC
3. Ven. Rev. Joshua Owiti Ouma Chairman
4. Cllr Samuel Kabere
5. Francis Ayoo Kosomba
6. William Gombe
7. Tabitha Auma Oloo
8. Mrs. Wilkister Ongondo
9. Diana Opondo
10. Eric Athembo

Appendix 2: Civic education providers (CEPs)

1. Catholic justice and peace commission
2. Osogo women group
3. Masogo sports
4. Amani women group
5. Nyoro women group
6. Miwani pans
7. Kabar west farmers youth group
8. St Luke's Makindu Anglican church
9. Pamoja women group
10. Ujenzi women group
11. Home based care

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

1	0015oNMNY	Alois Owino A	CBO	Written	Ng'ula Community
2	0017oNMNY	George Wanje	CBO	Written	Youth to Youth AIDS Forum
3	0005NMNMY	Joyce Maina	CBO	Written	Women caucus of Muhoroni
4	00030NMNY	Judith Odira	CBO	Written	Maendeleo ya Wanawake Miwani
5	0016oNMNY	Linet C Atieno	CBO	Memorandum	Women Group
6	0014oNMNY	Rosemary Akoth	CBO	Memorandum	CMA Clear Project
7	0010oNMNY	Tom Abonyo Onyango	CBO	Oral - Public he	Olusawe Group Koru Loc
8	0006oNMNY	Walter Onyango	CBO	Written	Phisically handicaped
9	0019INMNY	Aaron R Tuikono	Individual	Oral - Public he	
10	0055INMNY	Abiro Joseph	Individual	Oral - Public he	
11	0096INMNY	Adede M Isaac	Individual	Oral - Public he	
12	0068INMNY	Alfred Abon'go	Individual	Oral - Public he	
13	0007INMNY	Alfred K Kiprono	Individual	Written	
14	0063INMNY	Alice Ogutu	Individual	Oral - Public he	
15	0016INMNY	Anonymous	Individual	Written	
16	0091INMNY	Ayub Omollo	Individual	Oral - Public he	
17	0097INMNY	Barrack Omballa	Individual	Oral - Public he	
18	0094INMNY	Bishop James Mbara	Individual	Oral - Public he	
19	0090INMNY	Carilus O Okaka	Individual	Oral - Public he	
20	0057INMNY	Charles Ooro	Individual	Oral - Public he	
21	0058INMNY	Chrispine Goga	Individual	Oral - Public he	
22	0012INMNY	Cleophas Juma Gwaye	Individual	Written	
23	0028INMNY	Daniel Okore Ondola	Individual	Oral - Public he	
24	0082INMNY	David Ademba	Individual	Oral - Public he	
25	0066INMNY	Diana Opondo	Individual	Oral - Public he	
26	0024INMNY	Dickson Akodhe Muga	Individual	Oral - Public he	
27	0029INMNY	Dina Boyi	Individual	Oral - Public he	
28	0078INMNY	Dorothy A Muga	Individual	Oral - Public he	
29	0080INMNY	Elida Owiti	Individual	Oral - Public he	
30	0045INMNY	Elijah Nyambane	Individual	Oral - Public he	
31	0060INMNY	Elijah Ondiek	Individual	Oral - Public he	
32	0009INMNY	Elisha A Atuko	Individual	Written	
33	0033INMNY	Esther Asingo	Individual	Oral - Public he	
34	0089INMNY	Flora K Oywaya	Individual	Oral - Public he	
35	0013INMNY	Francis Ayoo Kasombo	Individual	Memorandum	
36	0088INMNY	Francis Odumbo	Individual	Oral - Public he	
37	0027INMNY	Fredrick Otieno	Individual	Oral - Public he	
38	0054INMNY	George Okoth	Individual	Oral - Public he	
39	0030INMNY	Hellen Bolo	Individual	Oral - Public he	
40	0062INMNY	Henry Odhiambo	Individual	Oral - Public he	
41	0043INMNY	Hesbon O Odhiambo	Individual	Oral - Public he	
42	0020INMNY	Hon Dr. William Omamo	Individual	Oral - Public he	
43	0007oNMNY	Isaac Kagia Obede	Individual	Written	Individual
44	0059INMNY	Isaac Muhale	Individual	Oral - Public he	
45	0056INMNY	Jack Chogo	Individual	Oral - Public he	
46	0072INMNY	James Onyach	Individual	Oral - Public he	
47	0049INMNY	Jane Ambiyi	Individual	Oral - Public he	Riziki Women Group
48	0032INMNY	Jared Odera	Individual	Oral - Public he	
49	0044INMNY	Jenipher Ojiaye	Individual	Oral - Public he	Omuonyolo Women Group
50	0015INMNY	Jerry J Onyango	Individual	Written	
51	0017INMNY	Joash Odoyo	Individual	Oral - Public he	

52	0095INMNY	John Arum	Individual	Oral - Public he	
53	0021INMNY	John Kipnyango	Individual	Oral - Public he	
54	0101INMNY	John O Rakawe	Individual	Oral - Public he	
55	0035INMNY	John Obiero	Individual	Oral - Public he	
56	0075INMNY	John tanui	Individual	Oral - Public he	
57	0018INMNY	Joseph Njiri Ogutu	Individual	Oral - Public he	
58	0099INMNY	Joseph Wando	Individual	Oral - Public he	
59	0074INMNY	Joshua Nyatong	Individual	Oral - Public he	
60	0050INMNY	Julius A Omenya	Individual	Oral - Public he	
61	0087INMNY	Juma Joshua	Individual	Oral - Public he	
62	0006INMNY	Kabilla Maina	Individual	Written	
63	0022INMNY	Kenneth Otiende	Individual	Oral - Public he	
64	0077INMNY	Kepha Ogolla	Individual	Oral - Public he	
65	0104INMNY	Leo Awuor	Individual	Oral - Public he	
66	0092INMNY	Ludigo Odero	Individual	Oral - Public he	
67	0081INMNY	Maritta Anyango	Individual	Oral - Public he	MYWO
68	0039INMNY	Martha Anyango	Individual	Oral - Public he	
69	0093INMNY	Martin Onyango	Individual	Oral - Public he	
70	0031INMNY	Mary Onyando	Individual	Oral - Public he	Maendeleo ya Wanawake
71	0100INMNY	Michael Miruk	Individual	Oral - Public he	
72	0061INMNY	Michael Nyambala	Individual	Oral - Public he	
73	0004INMNY	Michael Ondiek Oyieko	Individual	Memorandum	
74	0003INMNY	Nandi Kitoto	Individual	Written	
75	0067INMNY	Nelson Fuanga	Individual	Oral - Public he	
76	0052INMNY	Ondijo Kera	Individual	Oral - Public he	
77	0098INMNY	Ongage Christopher	Individual	Oral - Public he	
78	0051INMNY	Onyango Kakedi	Individual	Oral - Public he	
79	0036INMNY	Osiro Aringo	Individual	Oral - Public he	
80	0005INMNY	Otieno Aluoka	Individual	Written	
81	0040INMNY	Owuor Inda Oloo	Individual	Oral - Public he	
82	0064INMNY	Paul Ogutu	Individual	Oral - Public he	
83	0069INMNY	Paul Omow	Individual	Oral - Public he	
84	0085INMNY	Penina O Rambala	Individual	Oral - Public he	
85	0070INMNY	Peter Gordon Ondiek	Individual	Oral - Public he	
86	0001INMNY	Peter O Pande	Individual	Written	
87	0079INMNY	Peter Ogallo Kitoto	Individual	Oral - Public he	
88	0048INMNY	Philemon Odhiambo	Individual	Oral - Public he	
89	0086INMNY	Pius Omollo	Individual	Oral - Public he	
90	0076INMNY	Pricilla Nyamola	Individual	Oral - Public he	
91	0026INMNY	Remjius Juma	Individual	Oral - Public he	
92	0103INMNY	Rev Joseph Ogongo	Individual	Oral - Public he	
93	0011INMNY	Rev. Elijah Owaga O	Individual	Written	
94	0041INMNY	Richard Hilary	Individual	Oral - Public he	
95	0038INMNY	Robert Nasongo	Individual	Oral - Phone	
96	0083INMNY	Rosaline Ochola	Individual	Oral - Public he	
97	0008INMNY	Samson Kisege Owaga	Individual	Written	
98	0010INMNY	Samuel Anyango Ngar	Individual	Written	
99	0002INMNY	Samuel Kapere Oyoo	Individual	Written	
100	0023INMNY	Silvester Chemonjo	Individual	Oral - Public he	
101	0084INMNY	Susan A Onyango	Individual	Oral - Public he	
102	0025INMNY	Thomas Omolo	Individual	Oral - Public he	
103	0046INMNY	Thomas Ouma	Individual	Oral - Public he	
104	0037INMNY	Tom Abonyo O	Individual	Oral - Public he	Olu Sawe Group
105	0102INMNY	Tom O Owiti	Individual	Oral - Public he	
106	0034INMNY	Tom Okaka	Individual	Oral - Public he	
107	0073INMNY	Vitalis Okuta	Individual	Oral - Public he	

108	0053INMNY	Walter Odindo	Individual	Oral - Public he	
109	0065INMNY	William Gombe	Individual	Oral - Public he	
110	0071INMNY	William Ogada	Individual	Oral - Public he	
111	0001ONMNY	Karen Anyango	NGO	Written	Widows and orphans welfare s
112	0013oNMNY	Jason M Maseno	Other Institutions	Memorandum	Chiefs and Assis. Chiefs of
113	0002ONMNY	Steve Lande Okello	Other Institutions	Written	Group
114	0011oNMNY	Syprose A Onyango	Other Institutions	Memorandum	Nursery school teachers
115	0008oMNMY	Charles Atiang Atiang	Politcal Party	Written	Ford people Muhoroni Branch
116	0009oNMNY	Lameck Ominde Othayo	Pressure Groups	Written	KNUT Muhoroni Sub Bracnh
117	0004oNmNY	Benedetta Awala	Private Sector Organisa	Written	Group
118	0012oNMNY	Michael Owino	Religious Organisation	Memorandum	koru catholic church
119	0047INMNY	Wilkister Ong'ondo		Oral - Public he	

Appendix 4: Persons Attending Constituency Hearings

MIWANI MASOGO AND CHEMELIL

No.	Name	Address	No.	Name	Address
1	The Ven Joshua O. Ouma	P.O. Box 248, Muhoroni	24	Rose Akinyi	P.O. Box 171, Ahero
2	F.B.A. Kosambo	P.O. Box 298, Ahero	25	Alfred Abongo	P.O. Box 7, Miwani
3	Erick Odago	P.O. Box 95, Ahero	26	Paul Omollo	P.O. Box 35, Miwani
4	William Gombe	P.O. Box 142, Muhoroni	27	Caroline Olilo	P.O. Box 171, Ahero
5	Diana Opondo	P.O. Box 8, Songhor	28	Peter G. Ogada	P.O. Box 73, Sawgayo
6	Tabitha Rawo	P.O. Box 85, Miwani	29	William Ogada	P.O. Box 258, Ahero
7	Samson Kisege Owaga	P.O. Box 85, Miwani	30	Gerald Ayiemba	P.O. Box 85, Miwani
8	Jashon M. Masero	P.O. Box 54, Miwani	31	James Onyach	P.O. Box 42, Miwani
9	John A. Ikoo	P.O. Box 35, Miwani	32	Magdalena Masero	P.O. Box 30, Yawo
10	Elijah Ondiek	P.O. Box 258, Ahero	33	Evans Akira	P.O. Box 7, Miwani
11	Rosemary Akoth Ogada	P.O. Box 258, Ahero	34	Joakim Obera	P.O. Box 16, Miwani
12	Elsah Anyango	P.O. Box 84, Ahero	35	Vitalis Okuta	P.O. Box 306, Miwani
13	Maurice Onyango	P.O. Box 54, Miwani	36	Sebegwa Odhiambo	P.O. Box 35, Miwani
14	Samwel Anyango Ngar	P.O. Box 42, Miwani	37	Paul Ogutu	P.O. Box 35, Miwani
15	Michail Nyateng	P.O. Box 53, Miwani	38	Elijah Onyuro	P.O. Box 85, Miwani
16	Henry Odhiambo	P.O. Box 18, Miwani	39	George Oling	P.O. Box 85, Miwani
17	Alice Ogutu	P.O. Box 85, Miwani	40	Joshua Nyootelro	P.O. Box 73, Miwani
18	Penina Ocharo	P.O. Box 306, Ahero	41	William Odongo	P.O. Box 7, Miwani
19	Dan Othim	P.O. Box 35, Miwani	42	Maurice Osumba	P.O. Box 18, Miwani
20	Kennedy Ojope	P.O. Box 35, Miwani	43	Charlis Odera	P.O. Box 12, Awasi
21	Owino Asudi	P.O. Box 12, Miwani	44	Lewpodus Ongany	P.O. Box 35, Miwani
22	Michael Adede	P.O. Box 35, Miwani	45	Caroline Atieno	P.O. Box 8, Miwani
23	Nelson Fuanga	P.O., Box 16, Miwani	46	Emire Ngeso	P.O. Box 45, Ahero
47	Philip Isacka	P.O. Box 126, Ahero	70	David Odawo	P.O. Box 90, Miwani
48	Joash Agak	P.O. Box 73, Sangayo	71	Ayub Onyango	P.O. Box 85, Miwani
49	Helida Owiti	P.O. Box 16, Nyakoki	72	Sabianus Otieno	P.O. Box 35, Miwani
50	Judith Odira	P.O. Box 16, Miwani	73	Martha Anyango	P.O. Box 84, Miwani
51	Lucas Amollo	P.O. Box 85, Miwani	74	Rusalina Ochola	P.O. Box 84, Miwani
52	Prisila Lusi	P.O. Ahero	75	Dorothy Muga	P.O. Box 27, Miwani
53	James Ariko	P.O. Box 74, Miwani	76	Peter Mika	P.O. Box 27, Miwani
54	Titus Aguko	P.O. Box 54, Miwani	77	Susan Anyango	P.O. Box 47, Miwani
55	Michael Owame	P.O. Box 16, Awasi	78	Penina Rambara	P.O. Box 7, Miwani
56	Kefa Ogola	P.O. Box 330, Ahero	79	William Ombila	P.O. Box 16, Miwani
57	Julius Opiyo	P.O. Box 35, Miwani	80	Peter Otieno	P.O. Box 97, Miwani
58	Michael Ayieta	P.O. Box 35, Miwani	81	Patrick Juma	P.O. Box 97, Miwani
59	Cleophas Juma	P.O. Box 16, Ahero	82	Pius Amollo	P.O. Miwani
60	Phamuel Apose	P.O.Box 16, Ahero	83	Joshua Juma	P.O. Box 97, Miwani
61	Pamela Ogwaro	P.O. Box 71, Ahero	84	Inema Okun	P.O. Box 35, Miwani

62	Timothy Juma	P.O. Kibigori	85	Silphanus Ominde	P.O. Box 35, Miwani
63	Jamary Auma	P.O. Box 35, Miwani	86	Pius Matta	P.O. Box 99, Miwani
64	Anderikus Miruka	P.O. Box 35, Miwani	87	Joseph Ombwayo	P.O. Miwani
65	Paul Odera	P.O. Box 35, Miwani	88	Francis Otumbo	P.O. Box 97, Miwani
66	Peter Kitoto	P.O. Box 85, Miwani	89	Michael Awino	P.O. Box 309, Ahero
67	Peter Oganyo	P.O. Box 35, Miwani	90	Pius Omollo	P.O. Box 85, Miwani
68	Alan Otieno	P.O. Box 35, Miwani	91	Peter Ochieng	P.O. Box 97, Miwani
69	Francis Osambo	P.O. Ahero	92	Flora Oywaya	P.O. Box 35, Miwani
93	Erasto Ombara	P.O. Miwani	116	Silpa Kitoto	P.O. Box 85, Miwani
94	Christopher Okoth	P.O. Box 35, Miwani	117	Charles Odago	P.O. Box 187, Ahero
95	Thadayo Okech	P.O. Box 35, Miwani	118	Bishop James Mbara	P.O. Box 71, Miwani
96	Carilus Okaka	P.O. Box 90, Miwani	119	Risper Odhone	P.O. Box 105, Ahero
97	Ayub Omollo	P.O. Box 100, Miwani	120	Jack Ochiengo	P.O. Box 79, Miwani
98	Ongele Hellen	P.O. Box 97, Miwani	121	Jane Nyanjong	P.O. Box 16, Awasi
99	Ongenge Christopher	P.O. Box 241, Ahero	122	Konel Omondo	P.O. Box 35, Miwani
100	George Wanje	P.O. Box 261, Ahero	123	John Arum	P.O. Box 35, Miwani
101	Joseph Omeno	P.O. Box 1, Miwani	124	Adede M. Isaac	P.O. Box 232, Ahero
102	Ludigo Odero	P.O. Box 49, Miwani	125	John K. Tonui	P.O. Box 137, Ahero
103	Konsolata Owiti	P.O. Box 6, Miwani	126	Lewnard Juma	P.O. Box 75, Miwani
104	Peres Ouko	P.O. Box 85, Miwani	127	Barrack Ombara	P.O. Box 160, Miwani
105	Dorine Achieng	P.O. Box 85, Miwani	128	Samuel Atito	P.O. Box 35, Miwani
106	Kowel Okech	P.O. Box 16, Miwani	129	Johnes Lido	P.O. Box 16, Miwani
107	Martin Aguko	P.O. Box 92, Miwani	130	Peter Owino	P.O. Box 92, Miwani
108	George Okoth	P.O. Box 35, Miwani	131	Julious Nymbia	P.O. Kibigori
109	Francis Odhiambo	P.O. Box 35, Miwani	132	James Sombe	P.O. Box 16, Miwani
110	Francis Amumi	P.O. Box 35, Miwani	133	Peter Ongoro	P.O. Box 35, Miwani
111	Jeremiah Juma	P.O. Box 53, Miwani	134	Joseph Nundu	P.O. Box 4, Miwani
112	William Owuor	P.O. Box 16, Miwani	135	Gideon Okayo	P.O. Box 18, Miwani
113	Rose Okwaro	P.O. Box 35, Miwani	136	Edwins Oyoo	P.O. Box 35, Miwani
114	William Obila	P.O. Box 16, Miwani	137	Samuel Ochieng	P.O. Box 35, Miwani
115	Margaret Akinyi	P.O. Box 85, Miwani	138	Joice Ongudi	P.O. Chemilil
139	Martin Olum	P.O. Box 1994, Kisumu	162	Isaac Kagiya	P.O. Box 486, Muhoroni
140	Joseph Owando	P.O. Box 35, Miwani	163	Joseph Njiri Ogut	P.O.Box 177, Muhoroni
141	Nichlas Obunde	P.O. Box 194, Kisumu	164	Hon. Odongo Omamo MP	P.O. Box 50, Songhor
142	Permianus Del	P.O. Box 35, Miwani	165	John Kanyango	P.O. Box 177, Miwani
143	Enos Okalo	P.O. Box 109, Miwani	166	Apolo Odongo	P.O. Box 177, Miwani
144	Michael Miruka	P.O. Box 35, Miwani	167	Aloyce Onger	P.O. Box 177, Miwani
145	Leo Ogutu	P.O. Box 35, Miwani	168	Ezekiel Omollo	P.O. Box 177, Miwani
146	Mark Okado	P.O. Box 35, Miwani	169	Nick Omondi	P.O. Box 50, Songhor
147	Joseph Okiri	P.O. Box 16, Miwani	170	A.R. Thikong	N/A
148	John Obonyo	P.O. Box 84, Miwani	171	John Omiya	P.O. Box 65, Muhoroni

149	Alphayo Odenyo	P.O. Kibigori	172	Hillary Ouma	P.O. Box 177, Miwani
150	Tom Omondi	P.O. Box 16, Miwani	173	William Opiyo	P.O. Box 177, Miwani
151	George Ochieng	P.O. Box 35, Miwani	174	Joice Maina	P.O. Box 177, Miwani
152	Michael Ombija	P.O. Box 77, Miwani	175	Silas Otieno Odhiambo	P.O. Box 86, Omboga
153	Fleria Ogonda	P.O. Box 35, Miwani	176	Steve Ombija	P.O. Box 177, Miwani
154	Mathayo Oyoo	P.O. Box 35, Miwani	177	Keneth Ouma	P.O. Box 7, Awasi
155	Joseph Ogongo	P.O. Box 30, Miwani	178	Benedette Alwala	P.O. Box 531, Miwani
156	Leo Awuor	P.O. Box 78, Miwani	179	H. Ogada	P.O. Box 177, Miwani
157	E. Okolo	P.O. Miwani	180	J.J. Kemei	P.O. Box 177, Miwani
158	Peter Opande	P.O. Box 177, Muhoroni	181	Samuel Ojiayo	P.O. Box 116, Muhoroni
159	Joash Odoyo	P.O. Box 1649, Kisumu	182	J. Ayoo	P.O. Box 177, Miwani
160	Jerry Onyango	P.O. Box 234, Koru	183	N. Lochoi	P.O. Box 177, Miwani
161	Sam Kapere	P.O. Box 486, Muhoroni	184	Walter Onyango	P.O. Box 177, Miwani
185	A.R. Tuikong	P.O. Box 1649, Kisumu	208	John Obiero	P.O. Box 258, Muhoroni
186	Beda O. Otieno	P.O. Box 78, Muhoroni	209	Osiro Aringo	P.O. Box 79, Muhoroni
187	Thomas Omollo	P.O. Box 187, Muhoroni	210	Tom Abonyo Onyango	P.O. Box 177, Koru
188	Remjus Juma Magambo	P.O. Chemelil	211	Robert Nasongo	P.O. Box 177, Muhoroni
189	Nandi Kitoto	P.O. Chemelil	212	Maritha Anyango	P.O. Box 84, Miwani
190	Fredrick Otieno	P.O. Box 88, Koru	213	Ida Owuor Oloo	P.O. Box 177, Muhoroni
191	Dixon Akodhe Muga	N/A	214	Jashon Owino Atito	P.O. Box 13, Awasi
192	Daniel Okore	P.O. Box 79, Muhoroni	215	Michael Ondiek Oyieke	P.O. Box 849, Kisumu
193	Dinah Bohi	P.O. Box 336, Muhoroni	216	Nicodemas Owuor	P.O. Box 177, Muhoroni
194	Charles Atiang'	P.O. Box 128, Muhoroni	217	Richard Owiti	P.O. Box 173, Songhor
195	Sylvesta Chemenjo	P.O. Box 177, Muhoroni	218	Hesbon Ogada Odhiambo	P.O. Box 444, Muhoroni
196	William Monene	P.O. Box 177, Muhoroni	219	Jenipher Ojiayo	P.O. Box 116, Muhoroni
197	Hellen Bolo	P.O. Box 67, Koru	220	Elijah Nyambane	P.O. Box 177, Muhoroni
198	Mary Onyando	P.O. Box 177, Miwani	221	Thomas Ouma	P.O. Box 144, Songhor
199	George Okeyo	P.O. Box 177, Muhoroni	222	Tom Aiko	P.O. Box 2, Awasi
200	Jared Odero	P.O. Box 23, Songhor	223	Luke Ombok	P.O. Box 52, Songhor
201	Caren Onyango	P.O. Box 266, Muhoroni	224	Otieno Aluoka	P.O. Box 218, Muhoroni
202	Tonny W. Okaka	P.O. Box 486, Muhoroni	225	Wilikista Ong'ondo	P.O. Box 57, Koru

203	Zacharia Obel	P.O. Box 177, Muhoroni	226	Philemon Odhiambo	P.O. Box 177, Muhoroni
204	Lamek Ominde	P.O. Box 245, Muhoroni	227	Syprose Onyango	P.O. Box 147, Muhoroni
205	John Kadieto	P.O. Box 79, Muhoroni	228	Samson Omedo	P.O. Box 79, Muhoroni
206	Martin Dinda	P.O. Box 94, Koru	229	Jane Apiyo	P.O. Box 177, Muhoroni
207	Esther Asingo Nyamita	P.O. Kibigori	230	Michael Owino	P.O. Box 17, Awasi
231	Julias Ayuko Menya	P.O. Box 11, Awasi	243	John Okeyo Oker	P.O. Box 179, Muhoroni
232	Onyango Kakedi	P.O. Box 177, Muhoroni	244	Christine Ngonga	P.O. Box 177, Muhoroni
233	Ondijo Kira	P.O. Box 177, Muhoroni	245	Isaac Munal	P.O. Box 177, Muhoroni
234	Gordon Owuor	P.O. Box 177, Muhoroni	246	John Miama	P.O. Box 35 Miwani
235	Kennedy Gweidna	P.O. Box 177, Muhoroni	247	Joshua O. Ouma	P.O. Box 248, Muhoroni
236	Rustus Mayeku	P.O. Box 177, Muhoroni	248	F.B.A. Kosambo	P.O. Box 298 Ahero
237	Jack Omondi	P.O. Box 177, Muhoroni	249	Eric Odago	P.O. Box 95 Ahero
238	Walter Odindo	P.O. Box 9, Songhor	250	William Gombe	P.O. Box 142, Muhoroni
239	George Okoth	P.O. Box 124, Muhoroni	251	Diana Opondo	P.O. Box 8 Songhor
240	Joseph Abiero	P.O. Box 177, Muhoroni	252	Tabitha Rawo	P.O. Box 85 Miwani
241	Jack Chogo	P.O. Box 177, Muhoroni			
242	Charles Ooro	P.O. Box 177, Muhoroni			

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1. DISTRICT CONTEXT

Nyakach constituency is in Nyando district. Nyando District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	146,635	153,295	299,930
Total District Population Aged 18 years & Below	83,608	80,903	164,511
Total District Population Aged Above 18 years	63,027	72,392	135,419
Population Density (persons/Km²)	257		

1.2. Socio-Economic Profile

Nyando District:

- Is one of the least densely populated districts in the province, being ranked 8th of the 12 districts;
- Has the highest primary school enrolment rate in the province and nationally at 4%;
- Has a secondary school enrolment rate of 21.6% being ranked 5th in the province and 26th nationally;
- Economic mainstay are growing of rice and oilseed, and fishing; and
- Experiences the following main diseases: Malaria, Respiratory Tract Infections, Skin Diseases and Infections, Diarrhoea diseases, and Urinary Tract Infections.

Nyando district has 3 constituencies: Nyando, Muhoroni, and Nyakach Constituencies. The district's 3 MPs each cover, on average, an area of 389 Km² to reach 99,977 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Nyando, Muhoroni, and Nyakach constituencies with 82.56%, 83.93%, and 86.59% of valid votes respectively.

2. CONSTITUENCY PROFILE

Nyakach constituency Consists mainly of; West Nyakach, South W. Nyakach, S. Nyakach and Sigoti locations of Upper Nyakach division; Central Nyakach, Pap Onditi, E. Nyakach, N. E. Nyakach, North Nyakach (Ragul) and Asao locations of lower Divisions of Nyando District.

2.1. Socio-Economic Profile

Nyakach like Nyando benefits from its proximity to Kisumu District. Its economic activities are rice, oilseed farming and some fishing.

2.2. Electioneering and Political Information

Addressing development issues alone does not determine the outcome of the contests. Far more decisive is the party affiliation, particularly the NDP. In 2002, the National Rainbow Coalition won the seat.

2.3. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			33,960
CANDIDATE	PARTY	VOTES	% VALID VOTES
Dennis Akumu	FORD-K	26,514	97.63
Ojwang' K'Ombundo	KANU	644	2.37
Edward Agan	DP	-	0.00
Total Valid Votes		<i>27,158</i>	<i>100.00</i>
Rejected Votes		-	
Total Votes Cast		27,158	
% Turnout		79.97	
% Rejected/Cast		0.00	

2.4. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			36,606
CANDIDATE	PARTY	VOTES	% VALID VOTES
Peter Odoyo	NDP	23,113	86.59
Phares O. K'Ouko	KANU	3,350	13.41
Total Valid Votes		<i>26,693</i>	<i>100.00</i>
Rejected Votes		708	
Total Votes Cast		27,401	
% Turnout		75.54	
% Rejected/Cast		2.58	

2.5. Main Problems

Like the rest of Nyanza, Nyakach is also characterized by poverty, lack of education and health facilities, and poor communication network as the key development issues. Floods have also plagued Nyando. In 1992, Nyakach was one of the areas that were hit by the infamous land clashes pitting the Luos and the Kalenjin tribesmen. Ethnic tension still remains and is characterized by mistrust.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 constitution was carried out between 21st February 2002 and 26th May 2002

4.1. **Phases and areas covered in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered:**

- Constitution: models, types and meaning
- Roles and functions of national constitution
- Reasons for constitutional review
- Guiding principles of the review
- Sovereignty of the people
- Organs and levels of government
- National resources
- Children’s rights and disabilities rights

5. **CONSTITUENCY PUBLIC HEARINGS**

5.1. **Logistical Details**

1. **Date and Number of Days for Public Hearings**

- a) Date(s): 20th and 21st June 2002
- a) Total Number of Days: 2

1. **Venue**

- a) Number of Venues: 2
- a) Venue(s):
 1. Pap Onditi Hall
 2. Nyakach Girls High School

1. **Panels**

- a) Commissioners
 1. Com. Bishop Bernard Njoroge Kariuki
 2. Com. Abubakar Zein Abubakar
- a) Secretariat:
 1. Evelyn Oballa - Programme Officer
 2. Yvonne Masinde - Asst. Programme Officer
 3. Vivian Muli - Verbatim Recorder

5.2. **Attendance Details**

Category	Details	Number
Number of People Who Presented		154

Category	Details	Number
Sex	Male	119
	Female	35
	Not Stated	0
Presenter Type	Individual	107
	Institutions	47
	Not Stated	0
Educational Background	Primary Level	36
	Secondary/High School Level	101
	College	0
	University	17
	None	0
	Not Stated	0
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	33
	Written	33
	Oral + Memoranda	0
	Oral + Written	88
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Nyakach 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

- The constitution should have a preamble. (17)
- The preamble should specify Kenya's boundaries with neighboring states.

- The preamble of the constitution should affirm the cultural diversity of the people of Kenya. (2)
- The preamble should visualize on the interest of the people.
- The preamble should reflect the will of the people.
- The preamble should spell out the ideology behind the constitution, emphasize on human rights and describe the principles of a federal government.
- The preamble should spell out the people's rights, the national symbols and the national language.
- The preamble should reflect on the need for freedom and equality.
- The preamble should state the policies of the constitution.
- The preamble should state that Kenya is a God fearing country.
- The preamble should state our values, principles, philosophy, culture and aspiration of the people.
- The preamble should reflect national unity.

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should have statements capturing national philosophy and guiding principles. (3)
- The constitution should include our national philosophy of peace, love and unity.
- The constitution should have the democratic principles of socialism, nationalism and brotherliness.
- The constitution should have democratic principles. (3)
- The constitution should have a democratic principle whereby the people of Kenya should be governed according to their rights.
- The constitution should have the democratic principles such as the right to liberty and human dignity, good governance, truth and justice.
- The constitution should reflect the values of honesty, transparency and accountability.
- The constitution should reflect the cultural values of all Kenyans. (2)
- The constitution should enforce these principles in law. (4)

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that a constitutional amendment should only be through a public referendum. (15)
- The constitution should provide that the referendums should be conducted by the Electoral commission. (4)
- The constitution should provide that a constitutional review commission should conduct the referendums. (2)
- The constitution should provide that religious bodies should conduct the referendums.
- The constitution should provide that the members of parliament should not have the power to amend the constitution. (2)
- The constitution should provide that parliament's power to amend the constitution should be limited. (5)
- The constitution should provide that parliament's power to amend the constitution should not be limited. (2)
- The constitution should provide that the members of parliament should have the power to amend the constitution, only by 80% of the total votes.

- The constitution should provide that the members of parliament should have the power to amend the constitution, only by 65% of the total votes. (4)
- The constitution should abolish the 65% procedure of amending constitution.
- The constitution should provide that 75% of parliament should be able to amend the constitution. (3)
- The constitution should provide that 70% of parliament should be able to amend the constitution.
- The constitution should provide that 80% of parliament should be able to amend the constitution.
- The constitution should provide that there should be a constitutional review after every 10years.
- The constitution should provide that a National Body for monitoring the constitution should do the amendment.
- The constitution should provide that fundamental parts of the constitution should not be amended by parliament.
- The constitution should not provide for any parts to be beyond amending powers of parliament. (2)
- The constitution should provide that no amendments should be done to the constitution for the next 50 years.

5.3.4. **CITIZENSHIP**

- The constitution should provide for dual citizenship. (4)
- The constitution should not provide for dual citizenship. (7)
- The constitution should confer automatic citizenship to all persons born in Kenya. (6)
- The constitution should provide that any child whose both parents are Kenyan should be regarded as automatic citizens. (8)
- The constitution should provide that a child born by one Kenyan parent irrespective of gender should be entitled to automatic citizenship. (6)
- The constitution should provide for acquisition of citizenship through naturalization. (4)
- The constitution should provide for acquisition of citizenship through registration. (2)
- The constitution should provide for acquisition of citizenship through naturalization and registration. (2)
- The constitution should provide for the registration of citizens to be done during birth or by the assistant chief.
- The constitution should provide that spouses of Kenyans, irrespective of gender should be regarded as automatic citizens. (13)
- The constitution should provide that spouses of Kenyan men should be regarded as automatic citizen but those of Kenyan women should register as citizens.
- The constitution should provide that Kenyan women married to foreigners should not guarantee citizenship to their husbands.
- The constitution should provide that citizens should have a right to own land, move freely and they should be obligated to participate in developmental activities.
- The constitution should provide that citizens should abide by the constitution, conserve and preserve our national heritage.
- The constitution should provide that citizens should have the right to participate in economic, social and political decisions.
- The constitution should provide that all Kenyans should have the same rights and

obligation regardless of how the citizenship is acquired. (2)

- The constitution should provide that the rights and obligations of a citizen should depend on how the citizenship is acquired.
- The constitution should provide that citizens should carry their ID cards, birth certificates and passports as a proof of citizenship. (8)
- The constitution should provide that citizens should carry their passports as a proof of citizenship. (3)
- The constitution should provide that national ID cards should be issued free of charge.
- The constitution should provide that the government should check the influx of refugee in the country.

5.3.5. **DEFENSE AND NATIONAL SECURITY**

- The constitution should establish disciplined forces, military and paramilitary, prisons, police and so on. (6)
- The constitution should provide that defense minister and the court martial should discipline the armed forces. (2)
- The constitution should provide that the armed forces should be under parliament.
- The constitution should prohibit the police from being prosecutors.
- The constitution should provide that the P3 forms should be in the authority of doctors and not the police.
- The constitution should provide that the head of armed forces should be an army officer.
- The constitution should provide for beefing up of the security forces in the country.
- The constitution should provide that the armed forces should be under the cabinet.
- The constitution should provide that the president should be the commander in chief of the armed forces. (3)
- The constitution should provide that the president should not be the commander in chief of the armed forces. (5)
- The constitution should provide that the executive should have the power to declare war.
- The constitution should provide that the executive should not have the power to declare war. (2)
- The constitution should provide that the president should have the power to declare war.
- The constitution should provide that the president should not have the power to declare war.
- The constitution should provide that the parliament should have the power to declare war.
- The constitution should permit the use of extraordinary powers in emergency. (4)
- The constitution should provide that the executive should invoke the emergency powers. (3)
- The constitution should provide that the parliament should approve the cabinet's decision on emergency. (4)

5.3.6. **POLITICAL PARTIES**

- The constitution should provide for political parties should assist in the economic empowerment of the people by providing employment opportunities for the unemployed.
- The constitution should provide that political parties should participate in nation building. (2)
- The constitution should provide that political parties should safeguard fundamental basic

human rights, provides checks and balances to the government and root out ethnicity and tribalism.

- The constitution should provide broad guidelines for the regulation, formation and conducts of political parties. (9)
- The constitution should limit the number of political parties in the country to 2. (2)
- The constitution should limit the number of political parties in the country to 4.
- The constitution should limit the number of political parties in the country to 10.
- The constitution should limit the number of political parties in the country to 5. (3)
- The constitution should not limit the number of political parties.
- The constitution should limit the number of political parties in the country to 3. (9)
- The constitution should not limit the number of political parties.
- The constitution should provide that the political parties should be the source of government policies.
- The constitution should obligate the government to fund the political parties subject to reasonable restrictions like a membership of not less than 3 million.
- The constitution should allow funding of a political party by the government subject to condition that it has at least 15 sitting members of parliament.
- The constitution should provide that political parties should be financed by the state. (13)
- The constitution should provide that political parties should generate funds from membership registration and well-wishers. (2)
- The constitution should provide that political parties should be funded from public funds. (4)
- The constitution should provide that only political parties with national outlook should be financed by the state.
- The constitution should provide that only political parties with at least 15 MPs should be financed.
- The constitution should provide that the state should create enabling environment for political parties to conduct their affairs peacefully.
- The constitution should provide that the state and political parties should have respect for each other. (2)
- The constitution should provide that the state and political parties should work towards the goal of improving life for all citizens. (2)

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should retain presidential system of governance. (2)
- The constitution should adopt a parliamentary system of governance. (16)
- The constitution should introduce the post of the prime minister appointed by the president. (2)
- The constitution should provide that the prime minister should be appointed from the majority party in parliament. (5)
- The constitution should provide for a prime minister with executive powers. (4)
- The constitution should provide for a prime minister who should have the powers to hire and fire cabinet ministers. (3)
- The constitution should provide for a prime minister with should be the head of government. (4)
- The constitution should provide for a titular or ceremonial president who will be the head of the state. (11)

- The constitution should provide for an executive president. (2)
- The constitution should adopt a federal system of government. (34)
- The constitution should not adopt a federal system of government.
- The constitution should adopt a majimbo system of government.
- The constitution should adopt hybrid system of government. (2)
- The constitution should provide for a federal system of government with National, Regional and District assembly and representatives from constituencies, districts and locations respectively.
- The constitution should empower the president to be both the head of state as well as the head of government.
- The constitution should provide for a system where the executive power is shared between the president and the Prime Minister
- The constitution should retain a unitary system of government. (4)
- The constitution should not retain a unitary system of government.
- The constitution should provide for sharing of the legislative authority between the central and the regional government.
- The constitution should retain the three arms of the government but should be headed by the governor.
- The constitution should provide for the formation of a senate.
- The constitution should provide for two vice-presidents who should be ministers in charge of the foreign affairs and financial ministries.
- The constitution should provide that if the president is a man the vice president should be a woman.
- The constitution should provide that the VP should automatically assume power when the president assumes office.
- The constitution should provide that the VP should serve for only 10 years.
- The constitution should provide that the VP should be elected directly by the people. (4)
- The constitution should provide that the VP should be the running mate of the president during presidential elections.
- The constitution should provide for the devolution of the presidential powers to lower levels of administration.
- The constitution should provide for the devolution of powers to the local leaders in district and divisional levels. (5)
- The constitution should provide that the president should appoint the VP.
- The constitution should provide that the Attorney General should continue to be the registrar of political parties.
- The constitution should provide that the Attorney General should be appointed by parliament.
- The constitution should provide that the president should appoint the Attorney General.

5.3.8. **THE LEGISLATURE**

- The constitution should provide that all senior and executive appointments should be vetted by parliament. (12)
- The constitution should provide that the appointments of chairmen of parastatals and commissions, amassadors, permanent secretaries, cabinet ministers, AG, PCs and judicial officers should be vetted by parliament. (7)
- The constitution should expand the functions of parliament. (2)

- The constitution should not expand the functions of parliament.
- The constitution should expand the functions of parliament and give parliament some executive powers. (2)
- The constitution should give the speaker of the national assembly the power to expel MPs who misconduct in parliament.
- The constitution should give voters the right to recall non-performing MPs. (25)
- The constitution should fix the term of the parliamentarians as Two-5 years terms at maximum. (3)
- The constitution should provide for the MPs to have offices in their constituencies. (5)
- The new constitution should advocate for the reduction of the salary of the parliamentarians. (4)
- The constitution should provide that an independent commission should determine the salaries and benefits of MPs. (6)
- The constitution should provide that a parliamentary service commission should determine the salaries and benefits of MPs. (2)
- The constitution should provide that public service commission should determine the salaries and benefits of MPs.
- The constitution should abolish the concept of nominated MPs. (7)
- The constitution should give Parliament power to control its own calendar. (6)
- The constitution should provide that being an MP should be a full time job. (10)
- The constitution should provide that being an MP should be a part time job. (5)
- The constitution should provide for a bicameral parliamentary system with lower and upper houses. (7)
- The constitution should retain the one chamber parliament.
- The constitution should retain the concepts of nominated MPs. (14)
- The constitution should empower the members of parliament to determine their own salaries.
- The constitution should provide for a single house of parliament.
- The constitution should provide that qualifications of the MPs be secondary school education. (7)
- The language test required for MPs is not sufficient. (7)
- The language test required for MPs is sufficient. (3)
- The constitution should empower the parliamentary service commission to regulate the parliament's business by drafting its timetable.
- The constitution should provide that parliament should be supreme in law making.
- The constitution should provide for a government of national unity/ a coalition government. (12)
- The constitution should reserve 40% of parliament's seats to women.
- The constitution should provide for the representation of the youth in parliament through nomination.
- The constitution should provide for nomination of MPs from the marginalized groups.
- The constitution should prescribe the minimum qualification of a MP to be at least a degree. (6)
- The constitution should fix the salary of an MP to Ksh 100,000 subject to the approval by the wananchi.
- The constitution should provide that the MPs should have no criminal record whatsoever; they should be healthy and capable of delivering the goods.
- The constitution should provide that there should be at least one-woman cabinet minister

from each province.

- The constitution should provide that the president must be above 35 years. (6)
- The constitution should provide that the president must be between 35-70 years of age.
- The constitution should provide that the president must be between 45-65 years of age.
- The constitution should provide that the president must be between 30-60 years of age.
- The constitution should provide that a presidential candidates should be 40 years and above.
- The constitution should introduce moral and ethical qualifications for MPs. (11)
- The constitution should provide that women who divorced their husbands should not be allowed to contest as an MP.
- The constitution should provide that a presidential candidates should be 50 years and above. (2)
- The constitution should provide that a presidential candidates should be 45 years and above.
- The constitution should provide that parliamentary candidates should be 21 years and above. (3)
- The constitution should provide that parliamentary candidates should be 40 years and above.
- The constitution should provide that parliamentary candidates should be 30 years and above. (2)
- The constitution should provide that parliamentary candidates should be between 40 -60 years.
- The constitution should provide that the voting age should remain to be 18 years. (2)
- The constitution should provide that the voting age should be changed to 13 years.
- The constitution should provide that the voting age should be changed to 15 years.
- The constitution should provide that the voting age should be changed to 16 years.
- The constitution should provide that the voting age and contesting age should not change.
- The constitution should provide for 5% reservation of the parliamentary seats to women and disabled.
- The constitution should provide that MPs should act on basis of instructions from their constituents. (12)
- The constitution should provide that MPs should act on basis of instructions from the party that sponsored them. (3)
- The constitution should reserve seats for women in parliament. (6)
- The constitution should not reserve seats for women in parliament. (6)
- The constitution should reserve 33% parliamentary seats for women. (3)
- The constitution should reserve 5% parliamentary seats for women.
- The constitution should reserve 50% parliamentary seats for women.
- The constitution should reserve 1/4 parliamentary seat for women.
- The constitution should provide that MPs should be suspended for 3 months without pay in case of misconduct.
- The constitution should provide that MPs who fails to attend 3 consecutive parliamentary sittings should forfeit their seats.
- The constitution should provide that MPs should be suspended for one month without pay in case of misconduct.
- The constitution should provide that there should be a code of conduct to govern MPs.
- The constitution should continue with multiparty in the legislature only. (2)
- The constitution should provide for multiparty representations at both the executive and

legislature. (2)

- The constitution should provide that parliament should have the powers to impeach the president if his actions are unconstitutionally. (3)
- The parliament's power to remove the executive through a vote of no confidence is adequate. (3)
- The constitution should provide that the president should have the power to veto legislature passed by parliament. (3)
- The constitution should provide that the president should not have the power to veto legislature passed by parliament.
- The constitution should provide that parliament should have power to override the president's veto. (3)
- The constitution should provide that the president should not have the power to dissolve parliament. (9)
- The constitution should provide that the president could only dissolve parliament during emergencies such as war and disaster.

5.3.9. **THE EXECUTIVE**

- The constitution should provide that the people should elect the chief and the assistant chiefs. (35)
- The constitution should limit presidential powers. (17)
- The constitution should provide that the president should be subjected to the law of the land and shall not be above the law. (24)
- The constitution should provide that the president should be liable to prosecution like any other Kenyan.
- The constitution should provide that the president should not be a Member of Parliament. (7)
- The constitution should provide that the president is an MP. (5)
- The constitution should provide that the president should be amenable to impeachment. (11)
- The constitution should deprive the president of the power to constitute committee and commissions.
- The constitution should scrap the post of District Officer.
- The constitution should provide that the relationship between the president and parliament should be that of check and balance.
- The constitution should provide that the president and parliament should, have a mutual respect for each other.
- The constitution should provide that the chiefs and assistant chiefs should be transferable. (2)
- The constitution should provide a minimum qualification of a university degree for a presidential candidate. (12)
- The constitution should [provide that a presidential candidate should at least O' level education. (8)
- The constitution should provide that a presidential candidate should be married. (5)
- The constitution should provide that a presidential candidate should be a Kenyan citizen by birth and a registered voter. (2)
- The constitution should provide for a code of conduct for all presidential candidates
- The constitution should provide that the maximum tenure of service of a president should

be 5years. (3)

- The constitution should provide that the maximum tenure of service of a president should be two terms of 3 years each.
- The constitution should not fix presidential tenure.
- The constitution should provide that the maximum tenure of service of a president should be 6 years.
- The constitution should provide that the maximum tenure of service of a president should be two terms of 5years each.
- The constitution should provide for the educational qualification of the president.
- The constitution should provide that the ministers should be appointed from the civil society by the Prime Minister
- The constitution should reduce the powers of the DC and introduce the district finance officer to handle money at district level.
- The constitution should provide that the president retains the power of appointing Provincial administrators.
- The constitution should define the functions of the president. (6)
- The constitution should abolish the chief act.
- The constitution should reinstate the chief's act and provide that provincial administrators should be elected. (2)
- The constitution should retain the provincial administration. (9)
- The constitution should abolish the provincial administration. (5)
- The constitution should fix the number of ministries to be 17 with a maximum of two assistant ministers in every ministry.
- The constitution should fix the number of ministries to be 16.
- The constitution should fix the number of ministries to be 15.
- The constitution should provide for the ministry of religious affairs. (2)

5.3.10. **THE JUDICIARY**

- The current judicial structure is not adequate, more paralegal networks should be established at divisional level in Kenya to create legal awareness to citizens.
- The constitution should establish electoral courts.
- The constitution should provide for establishment of courts in each division. (4)
- The constitution should provide for a free legal aid to all citizens. (4)
- The constitution should make a provision for judicial review of laws made by the legislature. (3)
- The constitution should provide for a simplification in the court processes and procedures.
- The constitution should deprive the police the power of prosecution.
- The constitution should provide for the appointment of judges by the president.
- The constitution should provide for the appointment of judicial officers by the judicial service commission. (9)
- The constitution should provide for the appointment of judges and the magistrates reflecting gender equality.
- The constitution should provide that the chief justice and judges should be elected by parliament. (3)
- The constitution should provide for strict time limits within which a case should be disposed off.
- The constitution should provide for appointment of judges and magistrates by the Law

Society of Kenya.

- The constitution should provide for appointment of judges and magistrates by the president.
- The constitution should provide for the independence of the judiciary. (9)
- The constitution should establish a supreme court. (5)
- The constitution should establish a constitutional court. (4)
- The constitution should provide that judicial officers should be graduates. (5)
- The constitution should provide that chief justice and court of appeal judges should enjoy security of tenure. (3)
- The constitution should provide that judicial officers should serve for 20 years.
- The constitution should provide that judges should be disciplined by law society of Kenya and parliament.
- The constitution should restrict the chief kadhi only to judicial work.
- The constitution should provide that kadhi's should be graduates of law just like magistrates. (3)
- The constitution should provide that kadhi's courts should have appellate jurisdiction. (3)
- The constitution should not vest judicial powers on courts only but also in the law society of Kenya and parliament. (2)
- The constitution should vest judicial powers exclusively in courts. (2)
- The constitution should provide that the chief kadhi is appointed by the judicial service commission and approved by parliament.
- The constitution should provide that kadhi's courts should handle all Islamic matters.
- The constitution should give council of elders jurisdiction to adjudicate over petty case. (2)

5.3.11. **LOCAL GOVERNMENT**

- The constitution should provide that the mayor and the chair of the County Council should be elected directly by the people. (29)
- The constitution should provide that mayors and council chairpersons should serve for a 5-year term. (13)
- The constitution should provide that mayors and council chairpersons should serve for a 4-year term.
- The constitution should provide that mayors and council chairpersons should serve for a 3-year term.
- The two years term for mayors and council chairmen is adequate. (2)
- The constitution should provide that the electorates should have the right to recall non-performing MP councilors. (17)
- The constitution should retain the concept of nomination of the councilors. (7)
- The constitution should abolish the concept of nomination of the councilors. (6)
- The constitution should provide that women only should be given nominated councilor seats.
- The constitution should provide for the autonomously and independence of councils. (14)
- The constitution should provide that councils should continue working under the central government.
- The constitution should provide that councilors should have a minimum of secondary education. (28)
- The constitution should provide that councilors should have a minimum of primary

education. (4)

- The constitution should provide that civic candidates should be fluent in both English and Kiswahili. (3)
- The constitution should abolish the language test required for persons vying for local authority seat. (5)
- The constitution should introduce moral and ethical qualifications for councilors. (13)
- The constitution should provide that councilors should be paid from the consolidated fund. (2)
- The constitution should provide that councilors remuneration should be determined by the central government. (3)
- The constitution should provide that the local authority should determine remuneration of councilors. (2)
- The constitution should provide for a code of conduct to govern councilors.

5.3.12. **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should retain the representative electoral system. (5)
- The constitution should adopt queuing method of election.
- The constitution should provide for the election of independent candidates. (3)
- The constitution should provide for victorious presidential candidates' running mates to automatically become the vice president.
- The constitution should provide for separate presidential, parliamentary and civic election. (10)
- The constitution should provide that presidential, parliamentary and civic election should be held at the same time. (2)
- The constitution should provide for 21% requirement from each province for a successful presidential candidate.
- The constitution should provide for creation of constituencies based on the size of the population. (11)
- The constitution should provide that the successful presidential candidate should garner at least 50% of the total votes cast. (2)
- The constitution should provide that a presidential candidate should garner 55% of total votes to be declared a winner.
- The constitution should provide that a presidential candidate should garner 65% of total votes to be declared a winner.
- The constitution should limit election expenditure on election campaigns. (4)
- The constitution should provide for the finality of independent election observers' reports or decision.
- The constitution should provide that votes be counted at the polling station. (8)
- The constitution should provide that if an MP defects to another party there should be a by-election. (8)
- The constitution should retain the 25% representation in 5 provinces for presidential candidates to be declared a winner. (3)
- The constitution should abolish the 25% representation in 5 provinces for presidential candidates to be declared a winner.
- The constitution should retain the 25% representation in all provinces for presidential candidates to be declared a winner.
- The constitution should provide that 15% representation in 5 provinces for presidential

candidates to be declared a winner.

- The constitution should provide that 55% representation in 5 provinces for presidential candidates to be declared a winner.
- The constitution should provide that 40% representation in 5 provinces for presidential candidates to be declared a winner.
- The constitution should provide that candidates who fail to be nominated in one party should not be allowed to seek nomination in another party. (4)
- The constitution should provide that candidates who fail to be nominated in one party should be allowed to seek nomination in another party.
- The constitution should reduce the voting age from 18 to 15 years of age.
- The constitution should reduce the voting age from 18 to 13 years of age.
- The constitution should provide for the simple majority rule as the basis of declaring the victorious candidate. (7)
- The constitution should specify the dates of elections. (17)
- The constitution should provide for gender friendly campaign rules during the elections, to allow women contestants to contest campaign freely.
- The constitution should provide for a continuous voter registration process. (2)
- The constitution should not provide for a by-election on defection of an MP.
- The constitution should provide that the presidency should be rotational on provincial basis.
- The constitution should reserve 33% of local authority seats for women as means of increasing their participation. (3)
- The constitution should reserve seats for specific interest groups like the youths, disabled, the women, minority group and churches. (12)
- The constitution should retain geographical constituencies.
- The constitution should provide that presidential elections should be conducted directly. (11)
- The constitution should provide that an electoral college should conduct presidential elections.
- The 2002 elections should be held under the new constitution. (4)
- The constitution should provide that electoral commissioners should be at least graduates.
- The constitution should provide that electoral commissioners should be competent administrators.
- The constitution should provide that electoral commissioners should be judges or advocates of high court. (2)
- The constitution should provide that electoral commissioners should be appointed by political parties and approved by parliament.
- The constitution should provide that electoral commissioners should be appointed by the president and approved by parliament.
- The constitution should provide that the public should appoint electoral commissioners.
- The constitution should provide that electoral commissioners should be appointed by parliament. (2)
- The constitution should provide that the president should appoint electoral commissioners.
- The constitution should provide that electoral commissioners should enjoy a security of tenure.
- The constitution should provide that electoral commissioners should serve for 10 years. (2)
- The constitution should provide that electoral commissioners should retire after elections.

- The constitution should provide that electoral commissioners should be removed from office due to misconduct. (2)
- The constitution should provide that the electoral commission should be funded from the consolidated fund.
- The constitution should provide that there are at least two commissioners from each province. (2)
- The constitution should provide for 24 electoral commissioners. (2)
- The constitution should provide that there are 9 electoral commissioners including the chairperson.

5.3.13. **BASIC RIGHTS**

- The constitution should provide for the review of pensions from time to time. (5)
- The constitutional provisions for fundamental rights are not adequate. (5)
- The constitution should guarantee the protection of the human rights to all Kenyans.
- The constitution should protect security, healthcare, water, education, shelter, food and employment as basic rights for all Kenyans. (10)
- The constitution should provide that the government should have the responsibility of ensuring that all Kenyans enjoy basic rights. (5)
- The constitution should provide that the president should have the responsibility of ensuring that all Kenyans enjoy basic rights.
- The constitution should provide for free education all its citizens. (8)
- The constitution should provide for free primary education. (5)
- The constitution should provide for free education till secondary level. (21)
- The constitution should provide for free and compulsory formal education up to university level. (14)
- The constitution should guarantee all qualified persons employments. (9)
- The constitution should provide all unemployed persons should have a right to social security, a minimum amount of 10,000 for unskilled and a minimum 15,000 shillings for skilled unemployed. (4)
- The constitution should implement one-man one job policy. (10)
- The constitution should guarantee every Kenyan, basic needs and address the issues of human dignity, social and economic justice and human rights.
- The constitution should regulate the freedom of worship. (7)
- The constitution should guarantee for all Kenyans the right to clean environment.
- The constitution should protect Kenyans in matters of employment and discrimination.
- The constitution should address catastrophes like floods.
- The constitution should guarantee security to all its citizens. (3)
- The constitution should provide for free medical services. (19)
- The constitution should provide for the freedom of expression and association. (6)
- The constitution should safeguard the freedom to choose a marriage partner and ban forced marriages.
- The constitution should address the issue of religious diversity and modes of worship.
- The constitution should abolish death penalty and substitute it with life imprisonment. (12)
- The constitution should guarantee shelter to all its citizens. (2)
- The constitution should guarantee clean water to all its citizens. (3)
- The constitution should guarantee employment opportunities to all its citizens. (7)

- The constitution should provide that persons who retired from the public service should not be appointed in the public service.
- The constitution should be written and translated in all local languages. (5)
- The constitution should provide that the government teaches civic education to all its citizens. (2)
- The constitution should provide the right to have access to information in the hands of the state to all Kenyans. (5)
- The constitution should guarantee all workers a right to trade union representation. (11)
- The constitution should fix the maximum period of refugee status and control the influx of refugees.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should guarantee the interest of women. (9)
- The constitution should fully take care of the people with disability. (19)
- The constitution should provide that people with disability should not be imprisoned and should be given a monthly assistance depending on their needs.
- The constitution should provide that the government should provide the people with disabilities with wheelchairs, crutches, and hearing aids. (3)
- The constitution should provide for women to be appointed in the judiciary and provincial administration.
- The constitution should provide for affirmative action in favour of the disabled.
- The constitution should provide for affirmative action in favour of the women. (8)
- The constitution should provide for all public facilities to be structurally sensitive to the needs of the disabled.
- The constitution should provide affirmative action in favour of the deaf *inter alia* sufficient language teaching devices, information on how to protect themselves against HIV-AIDS.
- The constitution should provide for the special protection of the disabled while in prison.
- The constitution should provide for affirmative action in favor of the disabled in that, they should be exempted from paying tax and there should be reservation of seats for them in parliament and public offices for the disabled be put in place.
- The constitution should provide for homes for the aged and special care for them. (9)
- The constitution should take care of orphans and widows. (8)
- The constitution should rehabilitate street children. (3)
- The constitution should provide measures for the protection of children and women's rights.
- The constitution should provide guidelines as to whether contracting dangerous diseases like HIV/AIDS should be a ground for divorce.
- The constitution should provide for 50% reservation for women in all public opportunities.
- The constitution should clarify the legal position of prostitution in the light of rights of the victims and right to livelihood.
- The constitution should provide for loan facilities for the vulnerable groups like the disabled to curb the social stigma.
- The constitution should provide for humane and dignified treatment of police suspects.
- The constitution should address the rights of the vulnerable groups.
- The constitution should safeguard the rights of prisoners. (5)
- The constitution should provide that the girl-child should have equal rights to education as boys. (7)

- The constitution should provide that the girl-child should have equal rights to inheritance as boys. (7)
- The constitution should protect children's rights. (13)
- The constitution should protect children from child labour. (5)

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should provide that the local community should have the ultimate land ownership. (2)
- The constitution should provide that individual should have the ultimate land ownership. (6)
- The constitution should provide that the state should have the ultimate land ownership. (4)
- The constitution should provide for the rights of married and unmarried women in matters of inheriting land.
- The constitution should give prime importance to the elders in solving land disputes.
- The constitution should provide for free transfer of land on inheritance.
- The constitution should provide for equal distribution of land.
- The constitution should provide that wife, husband and sons should be eligible to inherit land.
- The constitution should provide that all children should be eligible to inherit their parents land.
- The constitution should provide for communal ownership of land.
- The constitution should bar the government from exercising escheat to land.
- The constitution should bar non-citizens from freely owning land in Kenya.
- The constitution should provide for a simplified land succession law.
- The constitution should provide for a ceiling of land in terms of acreage. (4)
- The constitution should provide that no citizen should own more than 4 acres of land.
- The constitution should provide that no citizen should own more than 500 acres of land.
- The constitution should provide that no citizen should own more than 10 acres of land.
- The constitution should provide that no citizen should own more than 100 acres of land. (3)
- The constitution should provide that no citizen should own more than 50 acres of land. (2)
- The constitution should provide for a simplified procedure for obtaining title deeds and registration of land. (15)
- The constitution should provide for cheaper land title deeds. (4)
- The constitution should bar the state from owning trust lands.
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership. (12)
- The constitution should provide for legal presumption of joint ownership of land by husband and wife.
- The constitution should provide that land transfer should not be done without the consent of the children and the wife. (3)
- The constitution should provide for the representation of women in land boards.
- The constitution should provide that the government should have the power to compulsorily acquire private land but should compensate the owners. (5)
- The constitution should provide that the government should not have the power to compulsorily acquire private land. (3)

- The constitution should provide that the government should repossess or taxed. (3)
- The constitution should provide that the state or the local authority should control use of land by private individuals. (7)
- The constitution should restrict the ownership of land by non-citizen. (5)
- The constitution should guarantee equal access to land for both men and women. (11)
- The constitution should abolish pre-independence land treaties and agreements. (4)
- The constitution should retain pre-independence land treaties and agreements.
- The constitution should permit Kenyans to own land anywhere in the country. (8)
- The constitution should guarantee all Kenyans access to land. (15)
- The constitution should provide that trust land should be clearly demarcated.

5.3.16. **CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should promote and protect cultural practices. (4)
- The constitution should promote integration through inter-tribal marriages.
- The constitution should capture cultural and ethnic values derived from our common experience.
- The constitution should provide for cultural law protecting the women's right of inheritance.
- The constitution should recognize the cultural diversity of Kenyans.
- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice.
- The constitution should abolish wife inheritance. (12)
- The constitution should abolish female genital mutilation. (2)
- The constitution should abolish forced marriages. (2)
- The constitution should protect women from discriminatory aspect of culture. (4)
- The constitution should provide for two national languages i.e. English and Kiswahili. (3)
- The constitution should recognize sign language as a national language.
- The constitution should promote and recognize indigenous languages. (4)

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution of national resources. (9)
- The constitution should provide that parliament should raise and distribute financial resources and manage human resources. (2)
- The constitution should provide for a regional body to oversee the raising of finances, management and distribution of finance and human resources.
- The constitution should provide that the local communities should benefit from natural resources found near them. (12)
- The constitution should provide that 80% of the benefits from the natural resources are given to the local communities.
- The constitution should provide that parliament retains the power to authorize raising and appropriating of public finances. (3)
- The constitution should provide that all government services, facilities and opportunities be accessible to all Kenyans without discrimination.

- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
- The constitution should provide for a minimum and maximum salary for government jobs.
- The constitution should provide that the national budget proposal be in ordinary languages.
- The constitution should provide for the increment of the civil servants salary.
- The constitution should provide that appointment to public services to be solely done by the Public service Commission.
- The constitution should provide that the appointment of member of PSC should be done by parliament. (3)
- The constitution should provide that the Controller and Auditor General should have the power to prosecute persons who misappropriate public funds. (3)
- The constitution should provide that the Controller and Auditor General should be appointed by the public service commission.
- The constitution should provide that the Controller and Auditor General should be appointed by parliament.
- The constitution should provide that the Controller and Auditor General should be appointed by parliament and approved by the president.
- The constitution should censure the recommendations of the Auditor General.
- The constitution should provide that appointment of ministers should be professionals who have relevant qualifications. (4)
- The constitution should provide that in order to attract competent Kenyans to the public service, they should be given good salary.
- The constitution should provide that public office holders should have a code of ethics. (3)
- The constitution should provide that public office holders should declare their wealth. (8)

5.3.18. **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should protect the environment. (4)
- The constitution should protect rivers, lakes, hills, wildlife, mountains, minerals and forest. (9)
- The constitution should empower the local community to solely manage land and fish industry.
- The constitution should provide that the local community should manage and protect the environment. (6)
- The constitution should protect the interests of the community from where the natural resources are obtained by developing that area first.
- The constitution should provide for measures to control flooding and indemnifying the victims of such catastrophes.
- The constitution should provide for proper management of the lake Victoria water to enhance irrigation.
- The constitution should provide for a review of the Lake Victoria water treaty.
- The constitution should adopt elaborate measures to protect the environment.
- The constitution should provide for benefiting people of the areas where the minerals are extracted.
- The constitution should provide for establishing a committee for managing the natural resources.
- There should be afforestation programmes to guarantee the existence of forests in water

catchments area.

- The government should put in place mechanisms to ensure water resources are utilized.
- The constitution should provide that all citizens should have the power to enforce environmental laws. (2)
- The constitution should provide that the local authority and councils of elders should have the power to enforce environmental laws.
- The constitution should provide for the harmonization of international protection laws with local laws.
- The constitution should provide that the local communities should own natural resources. (4)
- The constitution should provide that the state should own natural resources.
- The constitution should provide that the provincial administration should be responsible for the management and protection of natural resources.
- The constitution should provide that the management of natural resources should be a joint venture between the central government, private developer and the local community.
- The constitution should provide that NGOs and councils of elders should protect and manage the natural resources.
- The constitution should provide that the government manages and protects natural resources. (2)
- The constitution should provide that the local people manages and protects natural resources. (3)
- The constitution should provide that the natural resources should be managed and protected by the various ministries under which they fall. (2)
- The constitution should enact laws to curb environmental degradation through factory pollution and dumping of waste in rivers. (3)

5.3.19. **PARTICIPATORY GOVERNANCE**

- The constitution should obligate the government to provide civic education in schools including the constitution so as to promote participatory governance
- The constitution should provide for regulation of the NGOs in their work, requiring them to promote governance.
- The constitution should provide that NGOs and other organized groups should have a role in governance. (2)
- The wishes of the civil society organization should of incorporated in governance after censuring.
- The constitution should give liberty to civil society to exercise checks and balances in order to ensure maximum participation by majority of Kenyans to good governance.
- The constitution should provide that the government should control the conduct of NGOs.
- The constitution should put in place measures to increase women participation in governance. (18)
- The constitution should reserve ministerial seat for the people with disabilities to increase their participation in governance.
- The constitution should provide that the people with disabilities should of given opportunities to make decisions and participate in governance. (2)
- The constitution should provide that the youth should of given opportunities to make decisions and participate in governance. (4)
- The constitution should provide that all citizens should participate in governance.

5.3.20. **INTERNATIONAL RELATIONS**

- The constitution should provide that foreign affairs should be the responsibility of the 3 arms of government and not the executive alone.
- The constitution should provide that the federal government should have the power to conduct foreign policy.
- The constitution should clarify the extent of the state sovereignty in the light of the territorial boundaries.
- The constitution should provide that parliament should have the power to deliberate on international treaties and agreements before they are domesticated.

5.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should establish a national election monitoring unit commission.
- The constitution should provide for the civil service commission and others in vital areas.
- The constitution should provide for the creation of the office of Ombudsman. (4)
- The constitution should establish the Human Rights Commission. (2)
- The constitution should establish the Gender Commission. (3)
- The constitution should establish the Anti-Corruption Commission. (2)
- The constitution should establish the Land Commission. (2)
- The constitution should provide that constitutional commissions be set up by parliament or with the approval of parliament.
- The constitution should authorize the setting up of an independent body to determine the remuneration of the MPs.
- The constitution should provide that the appointment of the civil servants should be by parliamentary committees and commissions.
- The constitution should provide for a permanent constitutional court, Supreme Court and election petition court.
- The constitution should establish a Judicial Service Commission. (5)
- The constitution should establish a Public Service Commission. (2)
- The constitution should establish a minister of justice or constitutional affairs distinct from the AG's office. (4)

5.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that the speaker of the national assembly should be in charge of executive powers during presidential. (2)
- The constitution should provide that the chief justice should be in charge of executive powers during presidential. (2)
- The constitution should provide that the Attorney General should be in charge of executive powers during presidential.
- The constitution should provide that the outgoing president should be in charge of executive powers during presidential.
- The constitution should provide a good package for the retiring president provided they have won the majority public acclaim.
- The constitution should provide that retiring/outgoing presidents should hand over the instruments of power to the Chief Justice in the interim period before the next president is sworn in.

- The constitution should provide that election results are declared through the mass media. (2)
- The constitution should provide that the chairperson of the electoral commission should declare presidential election results.
- The constitution should provide that the incoming president should assume office one month after elections.
- The constitution should provide that the incoming president should assume office immediately after elections.
- The constitution should provide that the incoming president should assume office one week after elections.
- The constitution should provide that the chief justice should swear in the incoming president.
- The constitution should make a provision for a former president in terms of security. (6)
- The constitution should make a provision for a former president in terms of welfare. (4)
- The constitution should provide for immunity of a former president from legal process. (4)
- The constitution should not provide for immunity of a former president from legal process

5.3.23. **WOMEN'S RIGHTS**

- The constitution should guarantee women rights under the bills of rights. (4)
- The constitution should provide the rights of women to own properties. (5)
- The constitution should provide that women should acquire documents such as passports and identity cards without undue reference to their husbands.
- The constitution should provide for severe punishment of domestic violence offenders against women. (6)
- The constitution should provide for women to inherit matrimonial properties when their husbands die. (7)
- The constitution should provide for women to inherit parental properties. (8)
- The constitution should allow polygamy in case where a woman is barren.
- The constitution should provide that all marriages should be registered and issued with a certificate. (2)
- The constitution should provide that marriages and divorce should be done at the will of all parties involved.
- The constitution should guarantee equal distribution of property to all wives in a polygamy family.
- The constitution should provide that fathers should ensure of women child support and maintenance. (2)
- The constitution should provide that men should take care of children born out of wedlock. (2)
- The constitution should implement the affiliation bill of 1976 so that fathers should ensure support of their children.

5.3.24. **REGIONAL POLICY**

- The constitution should provide that trade in the COMESA area should be free.
- The constitution put in place mechanisms to ensure that Kenyans share of Lake Victoria is increased to make it equal to what Uganda and Tanzania.

5.3.25. NATIONAL ECONOMIC

- The constitution should provide that the government should control the prices of all commodities in the market. (5)
- The constitution should provide that industries should be established where the raw materials are.
- The constitution should provide that a fish processing should be established next to water bodies. (2)
- The constitution should put in place mechanisms to reduce poverty. (3)
- The constitution should provide for the maintenance of road infrastructure by the government.
- The constitution should provide for rural electrification.

5.3.26. NATIONAL OTHER POLICY

- The constitution should provide that all couple undergoes HIV blood test before marriage. (3)
- The constitution should provide for free HIV/AIDS treatment. (2)
- The constitution should legalize prostitution to reduce the HIV spread.
- The constitution should provide that in order to curb the spread of HIV/AIDS employees should stay with the families.
- The constitution should provide that doctors and not the police should issue P3 forms; police should not act as prosecutors.
- The constitution should protect the public from police harassment. (4)
- The constitution should put in place measures to curb corruption. (19)

5.3.27. SECTORAL POLICY

- The constitution should provide that the national currency/legal tender has a permanent face.
- The constitution should provide that the Kenyan currency should not have the portrait of the president.
- The constitution should provide for severe punishment of corrupt public servants.
- The constitution should provide for the control of consumer commodity prices. (3)
- The constitution should provide for lifting the law on licensing media- stations.
- The constitution should provide for the reintroduction of the old-education system in lieu of the current one.
- The constitution should provide for the reviewing of the NSSF regulations and convert it into a pension scheme.
- The constitution should provide for loan facilities and agricultural extension to small-scale farmers.
- The constitution should make the TSC an autonomous body.
- The constitution should protect the interests of the Jua-kali sector.
- The constitution should provide for government protection of the local market against the infiltration of fake and contraband products.
- The constitution should provide that farmer's co-operation should be established in every province.
- The constitution should provide that the farmers should elect all board members of agricultural sectors. (2)

- The constitution should ban the importation of locally manufactured goods.
- The constitution should provide that the government should provide the needy students with bursaries. (5)
- The constitution should provide that the government should pay nursery school teachers.
- The constitution should abolish 8-4-4 system of education. (3)
- The constitution should –provide that schools parent committee should be in charge of bursary to identify the needy students, B.O.G should be elected by the parents.
- The constitution should provide that importation of the public service vehicles should be tax-free.
- The constitution should provide that small business should not be taxed. (7)
- The constitution should provide that the minister of finance should have the power to supervise the operations of the central bank.
- The constitution should provide that all Kenya money banked abroad should be recalled into local banks. (2)
- The constitution should provide that government doctors should not operate private dispensaries. (2)
- The constitution should provide that health centers should be constructed in all locations. (3)
- The constitution should provide that the media should be impartial and not biased in coverage. (2)
- The constitution should provide that women should be financed by the government to open small-scale business. (2)
- The government should protect hawkers and allocate them particular places. (2)
- The government should improve quarry mining to improve people’s livelihood.

5.3.28. **STATUTORY LAW**

- The constitution should make cattle rustlings a capital offence.
- The constitution should provide for an enactment making adultery a serious offence.
- The constitution should enact laws to deal with parents who marry off their underage daughters.
- The constitution should provide that persons who defile children and rapists should be sentenced to life imprisonment. (6)
- The constitution should provide that whoever impregnates. (2)
- The constitution should legalize traditional brews. (2)
- The constitution should outlaw traditional brews. (4)
- The constitution should enact laws against drug abuse.
- The constitution should repeal vagrant Act.
- The constitution should reinstate the chief act. (2)
- The constitution should provide that theft carries a mandatory death sentence.

5.3.29. **BILLS**

- The constitution should rectify disability bill
- The constitution should pass the Donde bill and make it operational to control interest rates. (2)
- The constitution should reinstate the affiliation bill of 1967.

5.3.30. **COMMON GOOD**

- The constitution should encourage the writing of wills.

5.3.31. **GENDER EQUITY**

- The constitution should make provision of gender equity in all sectors. (11)

5.3.32. **TRANSPARENCY/ACCOUNTABILITY**

- The constitution should provide that all leaders should be accountable and transparent.
- The constitution should provide that the government should account for all revenue collected.

5.3.33. **NATURAL JUSTICE /RULE OF LAW**

- The constitution should provide that all should uphold the rule of law. (2)

5.3.34. **NATIONAL INTEGRITY/IDENTITY**

- The constitution should provide for a national dressing. (2)
- The constitution should provide that Kenyan women should dress decently. (4)
- The constitution should clearly define the national boundary of the country. (2)
- The constitution should emphasis on our national symbols such as the national anthem.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Hon. Peter Odoyo MP
2. Enos Okolo DC
3. Cleophas Nyangiro Chairman
4. Cllr. Michael Odongo Wandiaga
5. Mrs. Winnie Okoth
6. Mrs. Mary Denga
7. Mrs. Christine Akeyo
8. Kepher Ondidi Owuor
9. William Nyaburi
10. John Juma Obungu
11. Arikpo Abende
12. Rashid Miruka

Appendix 2: Civic education providers (CEPs)

1. Upper nyakach women's group
2. Musanda Christian church
3. Kadianga east women group
4. Maendeleo ya wanawake organization
5. Ugundha women group
6. Songo youth group
7. Gem rae teachers
8. Masogo women group
9. Nyakach elders
10. Clear project
11. Katombo teachers development group

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

1	0003ONHNY	Angelina A.Olando	CBO	Written	Soya Women Group
2	0081inhny	anonyous	CBO	Written	
3	0029ONHNY	Chrisantus O.Owino	CBO	Written	Upper Nyakach Disabled Group
4	0004ONHNY	David O. Orimba	CBO	Written	Persons with Disabilities Lo
5	0014ONHNY	Dominic O.Awino	CBO	Written	Jimo East Community
6	0009ONHNY	Edward Aloo	CBO	Written	Achuma Community
7	0007ONHNY	Edward Osir	CBO	Written	Nyakach Youth
8	0018ONHNY	Habil Okello	CBO	Written	Masogo Women Group
9	0026ONHNY	James M. Oigo	CBO	Written	Nyakach Elders Development
10	0039ONHNY	John O. Nyamita	CBO	Written	Katombo Teachers Group
11	0002ONHNY	John R Gome	CBO	Written	Nyakach Elders Group
12	0033ONHNY	John T. Dianga	CBO	Written	NCDEN Association
13	0025ONHNY	Joseph O. Onyango	CBO	Written	Ramogi Elders
14	0015ONHNY	Koggai Rocket	CBO	Written	Karabuor Youth
15	0036ONHNY	Maritinus Ogodo	CBO	Written	Women Group
16	0016ONHNY	Nelson O. Opiyo	CBO	Written	Ramogi Sub Location
17	0001ONHNY	Ondiek A Aloys	CBO	Written	KADA
18	0012ONHNY	Solomon O Angado	CBO	Written	NE Nyakach Locotion
19	0024ONHNY	Thomas O.Nyaori	CBO	Written	Nyakach Paralegal Network
20	0011ONHNY	Washington Oguma	CBO	Written	Lida
21	0021ONHNY	Winnie Okoth	CBO	Written	Nyakach Women Voice
22	0097INHNY	Amos Ochuka	Individual	Oral - Public he	
23	0068INHNY	Andrew O.Nalo	Individual	Written	
24	0031INHNY	Angelina A. Olando	Individual	Written	
25	0021INHNY	Augustine O.Oina	Individual	Written	
26	0096INHNY	Austin Kisero	Individual	Oral - Public he	
27	0062INHNY	Barack O.Amadi	Individual	Written	
28	0083INHNY	Bemjus Bodo	Individual	Oral - Public he	
29	0082INHNY	Benard Obiero	Individual	Oral - Public he	
30	0076INHNY	Benson O.Ogotu	Individual	Written	
31	0059INHNY	Bernard Omondi	Individual	Written	
32	0011INHNY	Blastus A. Alai	Individual	Written	
33	0060INHNY	Caren O. Owiti	Individual	Written	
34	0057INHNY	Caroline A.Onyango	Individual	Written	
35	0063INHNY	Celestine Owiti	Individual	Written	
36	0037INHNY	Christine Akeyo	Individual	Written	
37	0024INHNY	Cleophas Nyangirra	Individual	Written	
38	0098INHNY	Daniel Owuor	Individual	Oral - Public he	
39	0043INNNY	David Mukonyo	Individual	Memorandum	
40	0014INHNY	David Sawo	Individual	Written	
41	0087INHNY	Domitila Oyoo	Individual	Oral - Public he	
42	0094INHNY	Edward P.Opiyo	Individual	Oral - Public he	
43	0013INHNY	Elly Kitoto	Individual	Written	
44	0102INHNY	Emily O.Nyanyuma	Individual	Oral - Public he	
45	0056INHNY	Enosh Ochele Dacho	Individual	Written	
46	0023INHNY	Erastus W. Julu	Individual	Written	
47	0012INHNY	Evans Andiwo	Individual	Written	
48	0039INHNY	Ezekiel Oketch	Individual	Written	
49	0025INHNY	Fanuel J. Ajwang	Individual	Written	
50	0046INHNY	Feleria Achola	Individual	Written	
51	0005INHNY	Festus Ateto	Individual	Written	
52	0048INHNY	Francis O.Ogogo	Individual	Written	

53	0100INHNY	Francis Onyango	Individual	Oral - Public he	
54	0104INHNY	Fred S.Obamba	Individual	Oral - Public he	
55	0008INHNY	Fredrick Obaje	Individual	Written	
56	0070INHNY	George Nathan	Individual	Written	
57	0016INHNY	George Ouma	Individual	Written	
58	0001INHNY	Gervas O Jagero	Individual	Written	
59	0032INHNY	Gilbert O.Onyango	Individual	Written	
60	0033INHNY	Gilbert Ochele	Individual	Written	
61	0078INHNY	Gordon Odhiambo	Individual	Written	
62	0065INHNY	Gordon Oyoo	Individual	Written	
63	0092INHNY	Hon.Peter Odoyo	Individual	Oral - Public he	
64	0081UNHNY	Isaiah Dete	Individual	Oral - Public he	
65	0079INHNY	Jackson Okute	Individual	Written	
66	0049INHNY	James D.Oloo	Individual	Written	
67	0055INHNY	Jane A.Okoth	Individual	Written	
68	0110INHNY	Jared O.Wuor	Individual	Oral - Public he	
69	0073INHNY	Jeconia Adongo	Individual	Written	
70	0099INHNY	John A.Wadawi	Individual	Oral - Public he	
71	0022INHNY	John G.Sirare	Individual	Written	
72	0028INHNY	John O.Owuor	Individual	Written	
73	0109INHNY	Jonathan P.Ogire	Individual	Oral - Public he	
74	0029INHNY	Joseph K.Ongere	Individual	Written	
75	0089INHNY	Joseph O.Muga	Individual	Oral - Public he	
76	0061INHNY	Joseph O.Osoro	Individual	Written	
77	0043INHNY	Joseph Odalo	Individual	Written	
78	0052INHNY	Josephat A.Ondeng	Individual	Written	
79	0069INHNY	Josephine Kavetsa	Individual	Written	
80	0009INHNY	Joshua O. Ogolla	Individual	Written	
81	0018INHNY	Joyce A. Mudho	Individual	Written	
82	0095INHNY	Julia Mbuya	Individual	Oral - Public he	
83	0017INHNY	K`ombudo Ojwang	Individual	Written	
84	0003INHNY	Kepher O. Owuor	Individual	Written	
85	0106INHNY	Lawrence Amwata	Individual	Oral - Public he	
86	0051INHNY	Lawrence O.Abuor	Individual	Written	
87	0088INHNY	Lucas O. Omwandho	Individual	Oral - Public he	
88	0064INHNY	Lucy Otieno	Individual	Written	
89	0091INHNY	Malaki Maina	Individual	Oral - Public he	
90	0035INHNY	Margaret Opiyo	Individual	Written	
91	0067INHNY	Marico O.Okoth	Individual	Written	
92	0010INHNY	Mark Onditi	Individual	Written	
93	0004INHNY	Mary A. Ndenga	Individual	Written	
94	0038INHNY	Mary Denga	Individual	Written	
95	0036INHNY	Mary Obuya	Individual	Written	
96	0027INHNY	Mathew Otieno	Individual	Written	
97	0054INHNY	Maurice M.Kibeu	Individual	Written	
98	0072INHNY	Meshack Opole	Individual	Written	
99	0020INHNY	Meshack Orieny	Individual	Written	
100	0066INHNY	Nelson Odhiambo	Individual	Written	
101	0019INHNY	Noah O. Obala	Individual	Written	
102	0103IKNNY	Nyangaresi Semba	Individual	Oral - Public he	
103	0103INHNY	Obungu J.Juma	Individual	Oral - Public he	
104	0041INHNY	Olak Diego	Individual	Written	
105	0042INHNY	Otieno Kasongo	Individual	Written	
106	0101INHNY	Ouma Mwalo	Individual	Oral - Public he	
107	0090INHNY	Owilli Adina	Individual	Oral - Public he	
108	0077INHNY	Oyugi Otanga	Individual	Written	

109	0053INHNY	Pamela Okumu	Individual	Written	
110	0002INHNY	Pastor Julius Orire	Individual	Written	
111	0093INHNY	Paul Abuto	Individual	Oral - Public he	
112	0045INHNY	Pelagio Imbo	Individual	Written	
113	0047INHNY	Peres Oguk	Individual	Written	
114	0086INHNY	Raphael Manga	Individual	Oral - Public he	
115	0105INHNY	Riunge Ogola	Individual	Oral - Public he	
116	0026INHNY	Samuel Aduda	Individual	Written	
117	0040INHNY	Samuel N.Atieno	Individual	Written	
118	0074INHNY	Sebastian Aetoni	Individual	Written	
119	0080INHNY	Sopeter Abila	Individual	Written	
120	0108INHNY	Susan Atinda	Individual	Oral - Public he	
121	0058INHNY	Tabitha Asoro	Individual	Written	
122	0006INHNY	Thadeus O. Ongoro	Individual	Written	
123	0107INHNY	Tom Seda	Individual	Oral - Public he	
124	0044INHNY	Vincent Ondiek	Individual	Written	
125	0030INHNY	Vitalis Ojore	Individual	Written	
126	0075INHNY	Vitalis Oyoo	Individual	Written	
127	0071INHNY	Walter Ouko	Individual	Written	
128	0015INHNY	Washington Oguma	Individual	Written	
129	0085INHNY	Were Olonde	Individual	Oral - Public he	
130	0034INHNY	William A.Opiyo	Individual	Written	
131	0007INHNY	William Bodo	Individual	Written	
132	0050INHNY	Zacharia O.Otar	Individual	Written	
133	0084INHNY	Zakayo J.Olwal	Individual	Oral - Public he	
134	0022ONHNY	Charles Ochuka	NGO	Written	CLEAR
135	0008ONHNY	Doreen Ochong	NGO	Written	Maendeleo Ya Wanawake Organi
136	0006ONHNY	Elizabeth M.Otana	NGO	Written	Maendeleo Ya Wanawake Organi
137	0035ONHNY	Lillian Aetoni	NGO	Written	Maendeleo Ya Wanawake Organi
138	0027ONHNY	Margaret Opande	NGO	Written	Maendeleo Ya Wanawake Organi
139	0010ONHNY	RosibellaAyuko	NGO	Written	Maendeleo Ya Wanawake Organi
140	0032ONHNY	Boaz V. Onyango	Other Institutions	Written	Kenya National Union ofTeach
141	0005ONHNY	Celestine Juma	Other Institutions	Written	Rae Girls Secondary School
142	0030ONHNY	Cleophas Nyangiro	Other Institutions	Written	Nyakach Constituency
143	0023ONHNY	George Owino	Other Institutions	Written	Kamgan Teachers
144	0019ONHNY	Kenneth O.Odhiambo	Other Institutions	Written	Nyakach Girls Secondary
145	0037ONHNY	Maureena Owili	Other Institutions	Written	Nyakach Girls High School
146	0038ONHNY	Thomas O. Abudho	Other Institutions	Written	Kenya National Union Of Teac
147	0031ONHNY	Tom R.Okumu	Other Institutions	Written	Kenya National Union of Teac
148	0028ONHNY	Eunice Odhiambo	Politcal Party	Written	New Kanu Women
149	0013ONHNY	Jane Omolo	Politcal Party	Written	New KANU
150	0020ONHNY	Damien Oyaya	Religious Organisation	Written	Legio Maria
151	0034ONHNY	Mudkayo Ochieng	Religious Organisation	Written	Musanda CCK
152	0017ONHNY	Rev. Shadrack Amoke	Religious Organisation	Written	AIC Nyakach

Appendix 4: Persons Attending Constituency Hearings

S.N.	Name	Organization/Address	S.N.	Name	Organization/Address
1	Ondiek Aloys	KADA-Box 522 Kisumu	75	Mary Obuya	Box 17 Oboch
2	John R Gome	Nyakach Elders Dev Group-Box 928 Kisumu	76	Christine Akeyo	Box 17 Oboch
3	Angelian Olando	Soya Women Group-Box69 Sondu	77	Mary Denga	Box 37 Pap Onditi
4	David O Orimba	Persons with Disabilities Lower Nyakach-Box 339 Sondu	78	Ezekiel Oketch	Box 29 Oboch
5	Celestine Juma	Rae Girls Seconadry School-Box 23 Ahero	79	Samuel N Atieno	Box 29 Oboch
6	Elizabeth Otana	MYWO-Box 75 Ahero	80	Olak Diego	Box 7 Nyabondo
7	Edward Osir	Nyakach Youth-Box 170 Pap Onditi	81	Otieno Kasongo	Box 89 Oboch
8	Doreen Ochong	MYWO-Box 23 Ahero	82	Joseph Odalo	Box 32 Oboch
9	Edward Aloo	Achuma Community-Box 1403 Kisumu	83	Vincent Ondiek	Box 85 Oboch
10	Rosibella Ayuko	MYWO-Box 47 Pap Ondito	84	Pelagio Imbo	Box 42 Oboch
11	Washington Oguma	Lida-Box 27 Katito	85	Feleria Achola	Box 40 Sondu
12	Solomon O Angado	N E Nyakach Location-Box 39 Pap Onditi	86	Peres Oguu	Box 250 Sondu
13	Jane Omolo	New KANU-Box 211 Sondu	87	Francis O Ogogo	Box 36 Nyabondo
14	Dominic O Awino	Jimo East Community-Box 68 Sondu	88	James D Oloo	Box 17 Oboch
15	Koggai Rocket	Karabuor Youth-Box 119 Pap Onditi	89	Zacharia O Otaro	Box 66 Oboch
16	Nelson O Opiyo	Ramogi Sub Location-Box 30 Sigoti	90	lawrence O Abuor	Box 32 Oboch
17	Rev. Shadrack Amoke	AIC Nyakach-Box 59 Oboch	91	Josephat A Ondeng	Box 32 Oboch
18	Habil Okello	Masogo Women Group-Box 2 Oboch	92	Pamela Okumu	Box 17 Sondu
19	Kenneth O Odhiambo	Nyakach Girls Sec-Box 2 Sondu	93	Maurice M Kibeu	Box 29 Oboch
20	Damien Oyaya	Legio Maria-Box 68 Oboch	94	Jane A Okoth	Box 17 Oboch
21	Winnie Okoth	Nyakach Women Voice-Box 25 Sigoti	95	Emosh Ochele Dacho	Box 92 Oboch
22	Charles Ochuka	CLEAR-Box 40 Sigoti	96	Caroline A Onyango	Box 256 Sondu
23	Goerge Owino	Kamgan Teachers dev. Group-Box 6 Nyabondo	97	Tabitha Asoro	Box 89 Oboch
24	Thomas O Nyaori	Nyakach Paralegal Network-Box 19 Nyabondo	98	Bernard Omondi	Box 316 sondu
25	Joseph o Onyango	Ramogi Elders-Box 1 Sioti	99	Caren O Owiti	Box 8 Nyabondo
26	James M Oigo	Nyakach Elders Dev Group-Box 7 Sigoti	100	Joseph O Osoro	Box 86 Oboch
27	Margaret Opnade	MYWO-Box 88 Sondu	101	Barak O Amadi	Box 51 Sondu
28	Eunice Odhiambo	New KANU Women-Box 25 Sigoti	102	Celestine Owiti	Box 29 Oboch
29	Chrisantus O Owino	Upper Nyakach Disabled Group-Box 75 Sondu	103	Lucy Otieno	Box 127 Sondu
30	Cleophas nyangiro	Nyakach Constituency-Box 27 Kiahto	104	Gordon Oyoo	Box 25 Sigoti
31	Tom R Okumu	KNUT-Box 66 Oboch	105	Nelson Odhiambo	Box 25 Sigoti
32	Boaz V Onyango	KNUT-Box 316 Sondu	106	Marico O Okoth	Box Oboch
33	John T Dianga	NCDEN Association-Box 254 Sondu	107	Andrew O Malo	Box 92 Oboch
34	Mudkayo Ochieng	Musanda CCK -Box 16 Sondu	108	Josephine Kavetsa	Box 74 Oboch
35	Lillian Aetoni	MYWO-Box 51 Sondu	109	Goerge Nathan	Box 341 Sondu

36	Maritinus Ogodo	Women Group-Box 16 Sondu	110	Walter Ouko	Box 13 Pap Onditi
37	Maureen A Owili	Nyakach Girls High School-Box 2 Sondu	111	Meshack Opole	Box 88 Soandu
38	Thomas O A Budho	KNUT-Box 235 Sondu	112	Jeconia Adongo	Box 53 Oboch
39	John O Nyamita	Katombo Teachers Group-Box 43 Sigoti	113	Sebastian Aetoni	Box 51 Sondu
40	Gervas O Jagero	Box 71 Pap Onditi	114	Vitalis Oyoo	Box 25 Sigoti
41	Pr. Julius Orire	Box 9 Katito	115	Benson O Ogutu	Box 217 Sondu
42	Kepher O Owuor	Box 32 Pap Onditi	116	Oyugi Otanga	Box 75 Pap Onditi
43	Mary A Ndenga	Box 37 Pap Onditi	117	Gordon Odhiambo	Box 25 Sigoti
44	Festus Ateto	Box 121 Pap Onditi	118	Jackson Okute	Box 25 Sigoti
45	Thadeus O Ongoro	Box 18 Katito	119	Sospeter Abila	Box 72 Sigoti
46	William Bodo	Box 125 Pap Onditi	120	Isaiah Dete	Box 39 Pap Onditi
47	Fredrick Obaje	Box 74 Pap Onditi	121	Bernard Obiero	Box 115 Papa Onditi
48	Joshua O Ogolla	Box 50 Katito	122	Bernjuss Bodo	Box 46 Pap Onditi
49	Mark Onditi	Box 37 Pap Onditi	123	Zakayo J Olwal	Box 39 Pap Onditi
50	Blatus A Alai	Box 118 Pap Onditi	124	Were Olonde	Box 111 Pap Onditi
51	Evans Andiwo	Box 38 Pap Onditi	125	Raphael Manga	Box 125 Pap Onditi
52	Elly Kitito	Box 38 Pap Onditi	126	Domtila Oydo	Box 121 Pap Onditi
53	David Sawo	Box 50 Pap Onditi	127	Lucas O Omwandho	Box 37 Sondu
54	Washington Ogumo	Box 27 Katito	128	Joseph O Muga	Box 33 Sondu
55	George Ouma	Box 27 Katito	129	Owilli Adina	Box 74 Pap Onditi
56	K'ombudo Ojwang	Box 920 Kisumu	130	Malaki Maina	Box 110 Pap Onditi
57	Joyce A Mudho	Box 25 Katito	131	Hon. Peter Odoyo	Box 57312 Nbi
58	Noah O Obala	Box 211 Sondu	132	Paul Abuto	Box 43 Katito
59	Meshack Orieny	Box 17Katito	133	Edward P Opiyo	Box 40 Kogola Primary
60	Augustine O Oina	Box 55 Pap Onditi	134	Julia Mbuya	Box 113 Pap Onditi
61	John O Sirare	Box 121 Pap Onditi	135	Austin Kisero	Box 51 Pap Onditi
62	Erastus W Julu	Box 222 Sondu	136	Amos Chuka	Box 13 Sondu
63	Cleophas Nyangira	Box 4297 Kisumu	137	Daniel Owuor	Box 61 Oboch
64	Fanuel J Ajwang	Box 38 Sondu	138	John A Wadawi	Box 329 Sondu
65	Samuel Aduda	Box 17 Oboch	139	Francis Onyango	Box 29 Nyabondo
66	Mathew Otieno	Box 38 Sondu	140	Ouma Mwalo	Box 93 oboch
67	John O Owuor	Box 140 Nyabondo	141	Emily O Nyanyuma	Box 75 Sondu
68	Joseph k Ongere	Box 55 Pap Onditi	142	Obungu J Juma	Box 190 Sondu
69	Vitalis Ojore	Box 4 Nyabondo	143	Fred S Obamba	Box 31 Sigoti
70	Angelina A Olando	Box 69 Sondu	144	Riunge Ogola	Box 61 Bodi
71	Gilbert O Onyango	Box 29 Oboch	145	Lawrence Amwata	Box 23 Sigoti
72	Gilbert Ochele	Box 29 sondu	146	Tom Seda	Box 15 Sondu
73	William A Opiyo	Box 89 Oboch	147	Susa Atinda	Box 27 Katito
74	Margaret Opiyo	Box 2 Oboch	148	Jonathan P Ogire	Box 38 Oboch
			149	Jared O Wauor	Box 43 Sondu

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1. DISTRICT PROFILE

South Mugirango is a constituency in Gucha District. Gucha District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	221,249	239,690	460,939
Total District Population Aged 18 years & Below	135,035	133,569	268,604
Total District Population Aged Above 18 years	86,214	106,121	192,335

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1. **DISTRICT PROFILE**

Bamachoge Constituency is a constituency in Gucha District. Gucha District is one of 12 districts of the Nyanza Province of Kenya.

1.1. **Demographic Characteristics**

District Population by Sex	Male	Female	Total
	221,249	239,690	460,939
Total District Population Aged 18 years & Below	135,035	133,569	268,604
Total District Population Aged Above 18 years	86,214	106,121	192,335
Population Density (persons/Km²)	698		

1.2. **Socio-Economic Profile**

Gucha District:

- Is one of the highest densely populated districts of Nyanza Province, being ranked 2nd most densely populated district in the province;
- Has the least primary school enrolment rates in the province, at 58.6%, being ranked last in the province and 49 nationally;
- Has one of the highest secondary school enrolment rates in the province at 30.1%, being ranked 3rd in the province and 15th nationally; and
- Experiences the following main diseases: Malaria, upper respiratory tract infections, skin diseases and infections, diarrhoea diseases, and urinary tract infections.

Gucha district has 3 constituencies: South Mugirango, Bamachoge and Bobasi Constituencies. The district's 2 MPs, each cover on average an area of 331 Km² to reach 225,470 constituents. Based on the 1997 general election results, the district is represented by two political parties: the ruling party, KANU, and an opposition party, FORD-K. During the elections, FORD-K won the South Mugirango Constituency parliamentary seat with 61.92% valid votes, while KANU won the Bamachoge and Bobasi Constituency parliamentary seats with 49.75% and 59.38% valid votes respectively.

2. **CONSTITUENCY PROFILE**

Bamachoge Constituency is comprised of Majoge Chache, Sengera, Majoge Borabu, Majoge Masaba and Magenche locations of Gucha District.

2.1. **Demographic Characteristics**

Constituency Population by Sex	Total	Area Km²	Density (persons/Km²)
	171,468	221.30	774.8

2.2. Socio-Economic Profile

The locals are basically agriculturalists, growing mainly food crops with a bias on maize. In addition to food crops, the locals keep livestock too.

2.3. Electioneering and Political Information

In the 1992 and 1997 general elections, FORD-K and KANU won the parliamentary seats with 54.60% and 49.75% valid votes respectively. The voters in this constituency have a fiercely independent bent, whose emphasis is on local issues. Apart from a high level of anti-establishment sentiments, voters are also influenced by the personal appeal of the individual candidates. In 2002, FORD People won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			36,567
CANDIDATE	PARTY	VOTES	% VALID VOTES
Ferdinand Obure	FORD-K	11,850	54.60
Zephaniah Anyieni	KANU	7,558	34.82
Fred Nyamwamu	DP	1,908	8.79
Elijah Migiro	FORD-A	389	1.79
Total Valid Votes		21,705	100.00
Total Votes Cast		21,705	
% Turnout		80.67	

2.5. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			47,751
CANDIDATE	PARTY	VOTES	% VALID VOTES
Zaphaniah M. Nyangwara	KANU	13,337	49.75
Ferdinand O. Obure	FORD-K	8,450	31.52
Zedekiah M. Magara	DP	4,150	15.48
Josiah N. Gori	KSC	299	1.12
David M. Rakamba	SDP	167	0.62
Ogembo Masese	KNC	149	0.56
Justin O. Nyaberi	UPPK	128	0.48

Ibrahim M. A. Sieket	NDP	126	0.47
Total Valid Votes		26,806	100.00
Rejected Votes		304	
Total Votes Cast		27,110	
% Turnout		100.76	
% Rejected/Cast		1.12	

2.6. Main Problems

- Poor infrastructure: lacking of piped water, electricity, and tarmacked roads; and
- In the 1992 general elections, the area was hit by tribal clashes. This resulted in loss of human life, and livestock. The tribal clashes resurged in the 1997 general elections; the Kisii were pitted against the Maasai on the Gucha/Trans Mara border; and
- Poor infrastructure development particularly bad roads, lack of hospitals, and other social services.

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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, councillors, 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 forum from the facilitation of civic education to also include facilitation and the collection 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 centres; 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 centre/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;
- Liase with other documentation centres 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 constitution was carried out between 7th January 2002 and 18th June 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered:**

- Guiding principles of the review
- Constitution: models, types and meaning
- Separation of powers
- Roles and functions of a national constitution
- Constitutional amendments since independence
- Peoples participation in the review process
- Presidency and the executive
- Electoral systems and processes
- Structures and systems of government
- Emerging constitutional issues

5. CONSTITUENCY PUBLIC HEARINGS

5.1. Logistical Details

1. Date and Number of Days for Public Hearings

- a) Date(s): 1) 12th and 13th June 2002
 a) Total Number of Days: 2

1. Venue

- a) Number of Venues: 2
 a) Venue(s): 1. Omobera Primary School
 2. Kenyena Stadium

1. Panels:

- a) Commissioners

Com. Abida Ali-Aroni

Com. Pastor Zablon Ayonga

Com. Domiziano Ratanya

- a) Secretariat

Hellen Makore - Programme Officer

Grace Kamau - Asst. Programme Officer

Hellen Konyora - Verbatim Recorder

Rose N Okemwa - District Co-ordinator

5.2. Attendance Details

Category	Details	Number
Number of People Who Presented		102
Sex	Male	88
	Female	14
	Not Stated	0
Presenter Type	Individual	84
	Institutions	18
	Not Stated	0
Educational Background	Primary Level	10
	Secondary/High School Level	67
	College	5
	University	18
	None	2
	Not Stated	0

Category	Details	Number
Form of Presentation	Memoranda	13
	Oral	55
	Written	7
	Oral + Memoranda	3
	Oral + Written	24

5.3. **Concerns and Recommendations**

The following are the recommendations made by the presenters in Bomachoge 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**

- The constitution should have a preamble. (7)
- The constitution should have a preamble stating “We the people of Kenya...” (2)
- The preamble in the constitution should envision peace and justice.
 - The preamble should be simple and clear.
 - The preamble should express the Sovereignty of all Kenyans.
 - The preamble should state that Kenya should always be a democratic state.
- The preamble should stress the importance of respecting the constitution.
- The preamble should state that Kenya has good relations with other countries.
- The preamble should state that Kenyans have a common goal, which is, economic prosperity through elimination of corruption.
- The preamble should state that the constitution belongs to Kenyans and not the leaders.
- The preamble should state the supremacy and aspirations of the Kenyan people.
- The preamble should state that Kenya was under oppressive colonial rule, had nationalists who fought for independence and is made up of many tribes. (3)

5.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should lay a foundation for a democratic and open society, which is based on the will of the people, and the law equally protects every citizen.
- Democratic principles in the constitution should state that Kenya is a government of the people, by the people and governed by the people.
- The constitution should state that Kenya is a sovereign nation founded on democratic

values and fundamental rights. (3)

- The constitution should be based on the principles of the separation of power between the three organs. (2)
- The constitution should provide for a democratic society where everybody is protected by the law.
- The constitution should provide for the strict observation of the doctrine of separation of power by the government of the day.

5.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should abolish the 65% majority rule for amendment.
- The constitution should provide that parliament should amend the constitution by 75% majority rule.
- The constitution should retain the 65% majority vote in amending the constitution.
- The constitution should emphasize that parliament shall not have the power to amend the constitution.
- The constitution should provide that only parliament has authority to review the constitution and not the individual.
- The constitution should provide that constitutional amendments should be done by parliament by 80% majority vote.
- The constitution should never be amended by parliament otherwise 95% of the parliamentarians should approve it.
- The constitution should provide that the decision to amend a constitution should be by a 75% majority in parliament.
- The constitution should limit parliaments power to amend the constitution. (4)
- The constitution should not limit parliaments power to amend the constitution. (2)
- The constitution should provide that parliaments power to amend the constitution be limited to areas other than structure of government and power of the president.
 - The constitution should provide that a constitutional amendment should only be through a public referendum. (4)
- The constitution should provide that the constitution should be amended only when it is very necessary.
- The public referendum for amending the constitution should be conducted by the CKRC. (2)
- The public referendum for amending the constitution should be conducted by the Electoral Commission.

5.3.4. **CITIZENSHIP**

- The constitution should regard all persons born in Kenya as automatic citizens. (3)
- All Kenyans of African origin should be regarded as Kenyan citizens.
- Kenyan citizenship should be acquired through naturalization and registration. (3)
- Kenyan citizenship can also be acquired through marriage.
- Spouses of Kenyan citizens irrespective of gender should be entitled to citizenship. (2)
- The constitution shall provide that women should be able to give citizenship to their

husbands and children.

- The constitution should confer to all persons born of Kenyan parents automatic citizenship (2)
- The constitution should provide citizenship to any child born of Kenyan parent.
- The constitution should provide that every Kenyan citizen has a right to participate in public affairs, obliged to protect the country in times of war and contribute to the country's development.
- The constitution should provide every citizen should have a right to live anywhere.
- The constitution should provide every citizen should have a right to own property anywhere.
- The constitution should provide every citizen should have a right to choose a leader of his or her choice.
 - The constitution should provide for dual citizenship. (3)
- The constitution should not provide for dual citizenship.
 - The constitution should provide that proof of citizenship should be by way of National identification cards. (3)
- The constitution should provide that proof of citizenship should be by way of birth certificates. (2)
- The constitution should provide that proof of citizenship should be by way of passports.
- The constitution should provide that proof of citizenship should be by way of National identification cards, birth certificates and passports.
- The constitution should abolish the use of ethnic/tribal references in government records especially during registration of persons.
- We should have only one document as proof of citizenship.

5.3.5. **DEFENCE AND NATIONAL SECURITY**

- The constitution should provide that the chief of general staff should be elected by parliament to head the armed forces; he should be empowered to declare war.
- The disciplined forces should be established in the constitution. (2)
- Parliament should provide for disciplinary mechanisms to discipline disciplined forces.
- The police should be retrained after 5 years to ensure disciplined forces.
- The president should be the commander in chief of the armed forces. (5)
- The president should not be the commander in chief of the armed forces.
- The executive should not have exclusive powers to declare war.
- The constitution should empower parliament to declare war and a state of emergency.
- The power to declare war should be vested in parliament. (3)
- The constitution should permit the use of extra ordinary powers in cases of emergencies.
- The constitution should empower parliament to invoke emergency powers. (2)
- The constitution should provide that the chief of general staff and defence minister should head the armed forces and not the president.

5.3.6. **POLITICAL PARTIES**

- Political parties should conduct civic education and advocate for the plight of marginalized groups.
- Political parties should be engaged in development activities. (2)

- The constitution should regulate the formation, conduct and management of political parties. (3)
- The constitution should limit the number of political parties. (2)
- The constitution should limit the number of political parties in the country to 3. (4)
- The constitution should limit the number of political parties in the country to 8. (2)
- The constitution should limit the number of political parties in the country to 5.
- The constitution should limit the number of political parties in the country to 2.
- The constitution should limit the number of political parties in the country to 10.
- The constitution should limit the number of political parties in the country to 4.
- Political parties should be funded from public funds. (6)
- The constitution should provide for public funding of political parties as long as such parties have representation in parliament and have a demonstrable substantial following.
- The constitution should provide for funding of political parties from the consolidated fund.
- The constitution should provide that political parties are not private and their numbers should be limited.
- Chairmen of political parties should not use state resources to further their political interests.
- Political parties should have access to state owned media.
- Political parties should work with the government to ensure peace, love and prosperity.

5.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT**

- The constitution should provide for a parliamentary system of government with a prime minister as the head of government.
- The constitution should retain a presidential system of government. (2)
- The constitution should adopt a parliamentary system of government. (8)
- The constitution should provide that the prime minister should be the head of government. (6)
- The prime minister should appoint the cabinet. (2)
- The president should be the head of state. (3)
- The constitution should provide for a ceremonial president who should not belong to any political party and should be elected by popular vote.
- The president should sign bills passed by parliament and check the activities of the prime minister.
- There should be a ceremonial head of state. (2)
- The prime minister should share executive powers with the president.
- The constitution should provide for a unitary system of government with a senate and a house of representatives.
- The constitution should provide for a unitary system of government with a ceremonial President and an executive Prime Minister.
- The constitution should not provide for majimbo.
- The constitution should provide for a unitary system of government. (5)
- The constitution should not adopt a federal system of government. The constitution should provide that the Vice President be directly elected by popular vote. (4)
- The constitution should provide that the vice president shall be elected by the people and should not be changed frequently.
- The vice president should be the president's running mate.
- The Attorney General should be appointed according to his educational qualification and

work experience.

- The office of AG should be separated from that of director of public prosecutions.
- The Attorney General should be appointed by parliament and should be independent.

5.3.8. **THE LEGISLATURE**

- The constitution should empower parliament to vet all public appointments including the appointment of ECK members.
- The constitution should empower parliament to vet all presidential appointments. (3)
- The constitution should empower parliament to vet the appointment of permanent secretaries.
- The constitution should provide that parliament should regulate the management of political parties.
- The constitution should provide that parliament should approve the funding of political parties.
- The constitution should empower parliament to vet the appointment of managing directors, chief justice and attorney general.
- The constitution should empower parliament to vet the appointment of ministers, constitutional officers and judicial officers.
- The constitution should give Parliament power to vet all constitutional appointments.
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.
- The constitution should expand the functions of parliament to include making laws, debate on policy issues and check on other arms of government.
- The constitution should expand the functions of parliament to include appointment of ministers.
- The constitution should empower parliament to appoint constitutional review commissioners and ensure that all provinces are equally represented.
- The constitution should expand the functions of parliament to include creation and dissolution of ministries.
- The constitution should expand the functions of parliament to include appointment of civil servants.
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.
- Parliament should have unlimited powers to control its procedures through standing orders. (2)
- The constitution should make legislation a full time occupation. (2)
- The constitution should make legislation a part-time time occupation. (2)
- The constitution should provide that presidential candidates should be between 35 and 60 years.
- The constitution should provide that presidential candidates should be at least 35 years.
- The constitution should provide that parliamentary candidates should be at least 18 years.
- The constitution should provide that presidential candidates should be at least 45 years.
- The constitution should provide that presidential candidates should be between 45 and 75 years.
- The constitution should provide that parliamentary candidates should be between 35 and 60 years.
- The constitution should provide that parliamentary candidates should be at least 25 years.

- The constitution should provide that the president must be 45 years of age and above.
- The constitution should provide that the president should be more than 50 years.
- The constitution should provide that a presidential candidate should be beyond 65 years of age.
- The constitution should provide that a parliamentary candidate should be competent in English and Kiswahili besides having a form four certificate.
- The constitution should provide that parliamentary candidates should be university graduates. (3)
- The constitution should provide that parliamentary candidates should be of sound mind, have no criminal record and be of good character. (2)
- The constitution should provide for a code of conduct for MPs.
- The constitution should give voters the right to recall non-performing MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should provide that non-performing MPs could be recalled if they fail in their duties before the five-year term is over so long as there is 50% support from the constituency.
- The constitution should not provide for recalling of non-performing MPs until their term is over.
- The constitution should provide for a bicameral parliamentary system with an upper house of elected MPs and a lower house composed of representatives of special interest groups and regions.
- The constitution should empower the electorate to recall non-performing MPs. (4)
- Members of parliament should act on conviction or instructions from their constituents. (2)
- The MPs salaries and benefits should be determined by parliament.
- There should be a parliamentary committee to determine MPs salaries and benefits. (4)
- The constitution should provide for nomination of MPs on a proportional basis.
- The constitution should reserve nomination of MPs for special interest groups. (3)
- The constitution should abolish the concept of nominated MPs. (2)
- The constitution should provide for measures to increase women participation in parliament. (2)
- The constitution should provide that ½ of seats in parliament should be women.
- The constitution should provide for the formation of a coalition government. (8)
- The constitution should provide for a coalition system of government.
- The constitution should provide for a government of national unity
- The constitution should provide for a two-chamber parliament. The Upper House should comprise five members from each, of the country's eight provinces and should be charged with the duty of supervising the president.
- The constitution should provide for a two-chamber parliament. The upper house should have a veto power over the lower house.
- The constitution should empower parliament to remove the executive through a vote of no confidence (4)
- The constitution should give Parliament power to impeach the president.
- The constitution should provide that the president should not dissolve parliament.
- The constitution should provide that the president should dissolve parliament
- The constitution should provide for the staggering of parliament so that there is no time when there are no sitting MPs.
- The constitution should not stagger elections.

- The constitution should give Parliament power to control its own calendar.
- The constitution should provide that MPs should be pensionable.
- The constitution should provide that MPs have public offices in their constituencies.

5.3.9. **THE EXECUTIVE**

- The constitution should provide that presidential candidates should be a degree holder. (6)
- The constitution should provide that presidential candidates should be of sound mind.
- The constitution should provide that presidential candidates should be economically sound.
- The constitution should provide that presidential candidates should be unifying factor.
- The constitution should provide that presidential candidates should be form four graduates. (2)
- The constitution should provide that presidential candidates be morally upright. (4)
- The presidential tenure should be restricted to two five-year terms (13)
- The constitution should provide that the president should not be above the law. (16)
- The constitution should provide for the removal of the president from office for misconduct. (8)
- The executive should be clearly delinked from parliamentary processes. (3)
- The constitution should provide that the president should not be a member of parliament. (8)
- The constitution should provide that the Chief and the Assistant Chief be elected by popular vote by members of the respective administrative location.
- The constitution should provide that provincial administration officers be elected by popular vote
- The constitution should provide a code of conduct for the President and the Prime Minister.
- The constitution should provide that the president should be subject to the law.
- The constitution should limit the powers of the president.
- The constitution should provide that the president should not have the power to dissolve parliament.
- The constitution should provide that the president should have power to dissolve parliament.
- The constitution should provide for the impeachment of the president.
- The constitution should provide that the president should serve a maximum two five-year terms.
- The constitution should provide that the president should rule for a maximum of 5 years only.
- The constitution should provide that a president should rule for 4-5 years only.
- The constitution should provide a minimum qualification of a university degree for a presidential candidate.
- The constitution should provide that the president should also be an elected M.P.
- The constitution should provide that the president should not be an elected MP.
- The constitution should provide that the president must be a Kenyan by birth.
- The constitution should provide that the president should exercise the prerogative of declaring a state of emergency.
- The constitution should make provisions for the overhaul of the provincial administration to ensure its efficiency.

- The constitution should abolish the provincial administration structure of government.
- The constitution should provide for the election by popular vote of provincial administration officials. (14)
- The constitution should provide for the scrapping of the provincial administration. (6)
- The constitution should retain the provincial administration.
- The constitution should provide that the provincial administration be abolished and its role should be taken over by the local government.
- The constitution should provide for the continuous transfer of provincial officers. (3)
- The constitution should limit the number of ministries to 17.
- The constitution should limit the number of ministries to 18.
- The constitution should limit the number of ministries.
- The constitution should reduce the size of the cabinet.

5.3.10. **THE JUDICIARY**

- The constitution should provide for the independence of the judiciary. (7)
- The constitution should restructure the judiciary to include the children's court, the magistrate's court and the anti-corruption court. (4)
- The constitution should provide for a Supreme Court. (4)
- The constitution should establish a Constitutional Court. (2)
- The constitution should provide that the prime minister should appoint judicial officers.
- The constitution should provide that parliament should appoint judicial officers.
- The constitution should provide that the judicial service commission should appoint judicial officers.
- The constitution should provide that the chief justice should appoint judicial officers.
- The constitution should provide that Members of Parliament should approve appointment of judges.
- The constitution should provide that judges be appointed by a commission composed of senior and more experienced judges.
- The constitution should provide that judicial officers be graduates in law. (2)
- The constitution should provide that judicial officers should retire at 75 years. (2)
- The constitution should provide for security of tenure for judicial officers.
- A special commission should be formed to discipline judicial officers.
- Chief Kadhis should have similar qualifications as magistrates.
- Kadhis should be nominated by the Muslim community and approved by parliament.
- The Kadhis court should also be handling matters of children and women.
- The constitution should provide the Kadhis court with appellate jurisdiction.
- The constitution should provide that the judicial powers of the state should be vested exclusively in courts.
- The constitution should provide for the establishment of judicial courts in all districts.
- The constitution should provide for Mobile courts.
- The constitution should stipulate that application and filing fees should as much as possible be pegged at a rate affordable to the common person
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide for legal aid for those who cannot afford. (4)
- The constitution should provide for review of laws made by legislature.
- Village elders should handle matters related to land and they should be remunerated. (4)

5.3.11. LOCAL GOVERNMENT

- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the County Council, be filled by direct popular elections. (11)
- The constitution should provide that mayors and chairmen be elected directly by the people and they should serve for a term of 5 years only.
- The constitution should provide that Mayors and Chair of County Council serve a maximum two five-year terms. (4)
- The constitution should provide that Mayors and Chair of County Council serve a maximum of a single one-year term.
- The constitution should provide for the autonomy of local authorities from the central government. (3)
- The constitution should empower the central government to monitor activities of the local authorities.
- The constitution should provide that councillors should have O level education. (8)
- The constitution should provide that mayors and council chairmen should be university graduates.
- The constitution should subject councillors to language tests.
- The constitution should provide that councillors should be competent in English and Kiswahili.
- There should be moral and ethical qualifications for councillors.
- The constitution should provide that councillors should be morally upright and with no criminal record.
- The constitution should provide that the electorate should have the power to recall non-performing MPs. (6)
- The constitution should provide for a special commission to determine the remuneration of councillors.
- The constitution should provide that the central government should determine remuneration of councillors.
- The constitution should provide that parliament should determine remuneration of councillors.
- The constitution should abolish nomination of councillors.
- The constitution should empower the president or the minister of local authorities to dissolve councils.
- The constitution should provide for the funding of Local authorities by the central government.
- The constitution should limit the power of the Ministry of local government to dissolve local councils.
 - The constitution should give mayors and councillors limited executive power.
 - The constitution should provide that all local authority by-laws be adopted by way of a referendum

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should retain the representative system of elections. (5)
- The constitution should retain the simple majority rule as the basis of winning an election. (2)

- The constitution should design the electoral process in such a way that it increases women participation in parliament.
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast.
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast. (9)
- Candidates who fail to seek nomination in one party should not be allowed to seek nomination from another party. (5)
- The constitution should state that if a party crosses the floor then the members should seek fresh mandate from the electorate.
- The constitution should not abolish the rule that requires that the winner in a presidential election get a mandatory 25% of votes cast in at least five provinces. (3)
- The constitution should abolish the current 25% rule in presidential elections.
- The constitution should not abolish the rule that requires that the winner in a presidential election get 52% of votes cast in at least five provinces. (3)
- The constitution should provide that in a presidential election, the winning candidate must get 50% of the total votes cast. In the event that this is not achieved in the first contest, a run-off of the first two candidates with highest number of votes shall be immediately held.
- The constitution should reserve parliamentary seats for the disabled.
- The constitution should reserve parliamentary seats for the small ethnic tribes.
- The constitution should provide that nomination of MPs and Councillors be done in proportion to the number of seats the political parties hold in parliament
- The constitution should reserve parliamentary seats for the special interest groups such as religious groups and NGOs.
- The constitution should abolish the current geographical constituency boundaries.
 - The constitution should provide for clear rules for the creation of parliamentary constituencies.
 - The constitution should provide that a parliamentary constituency must have a minimum of 30,000 people.
- The constitution should provide that constituencies must be created by parliamentary approval. Those constituencies, which might have been created through other processes, must be abolished.
 - The constitution should provide for constituency boundary reviews after every election.
 - The constitution should provide for separate dates for presidential, parliamentary, and civic elections.
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. In all cases, presidential elections should be held first.
- The constitution should provide that presidential elections be held separately from parliamentary and civic elections. (7)
- The constitution should provide for continuous voter registration. (2)
- The constitution should provide for computerised voter counting.
- Foreigners and prisoners should be allowed to vote.
- The constitution should provide for transparent ballot boxes. (3)
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- The constitution should provide that voting be done by Mulolongo system.

- The constitution should provide that voting be done by secret ballot.
- The constitution should provide for the limiting of election expenditure by parties and candidates. (3)
- The constitution should clearly stipulate the election date of general elections. (5)
- The constitution should provide that there should be a fixed election date, which should not be controlled by the president.
 - The constitution should provide that the election date for the next general election be announced when parliament reconvenes for its last sitting before the term is over.
 - The constitution should give political parties power to decide the date of a general election. The date of a subsequent general election should be arrived at by consensus by all political parties upon the immediate finalization of a general election.
- The constitution should provide that elections be held after every five years.
- Presidential elections should be conducted by an electoral college to enable women participate fully.
- The constitution should provide for direct election of the president.
 - The constitution should provide that votes be counted at the polling station.
 - The constitution should provide that a parliamentary candidate be a Kenyan by birth.
 - The constitution should provide that a constitutional review process be finalized before the subsequent general elections.
- Electoral commissioners should have degrees in law.
- The constitution should provide that parliament should appoint electoral commissioners. (5)
- The constitution should provide that electoral commissioners be elected by the people.
- The constitution should provide that electoral commissioners should have five-year contracts, which are renewable.
- The constitution should provide that the electoral commissioners should enjoy security of tenure.
- The constitution should provide that electoral commissioners should retire 6 months after elections.
- The electoral commissioners should be removed from office by parliament.
- The constitution should provide that the electoral commission should be funded from the consolidated fund.
- The constitution should provide that the government should fund the electoral commission.
- The constitution should provide for 22 electoral commissioners.
 - The constitution should provide for the autonomy of the Electoral Commission.
 - The constitution should provide clear criteria for the appointment of commissioners to the Electoral Commission.
 - The constitution should provide that a percentage of Electoral Commissioners be chosen from the religious community.
 - The constitution should provide that a percentage of the members of the Electoral Commission be drawn from specific professions and gender.
 - The constitution should provide that Commissioners appointed to the Electoral Commission be nominated by, and be representative of all political parties.
 - The constitution should provide that election of commissioners to the Electoral Commission be subject to vetting and approval by parliament.
- The constitution should provide for the independence of the electoral commission.
 - The constitution should make provision for equal access to the state media for

campaign purposes, by all registered political parties.

- The constitution should provide the electorate with a right to petition any election at all levels.

5.3.13. BASIC RIGHTS

- The provisions of fundamental rights in the constitution are inadequate.
- The constitution should guarantee the protection of the human rights of all Kenyans.
 - The constitution should protect all Kenyans against domestic violence.
 - The constitution should guarantee the freedom of worship to all Kenyans.
 - The constitution should provide freedom and protection of all religious groups.
 - The constitution should provide that there should be no special day of worship.
 - The constitution should provide for the freedom of expression and association.
 - The constitution should provide for the freedom of movement.
 - The constitution should provide for the protection of all Kenyans from torture and intimidation.
 - The constitution should guarantee the security of all Kenyans.
 - The constitution should provide for free and compulsory formal education up to university level.
 - The constitution should provide for free basic health care for all in both rural and urban areas
 - The constitution should guarantee every Kenyan, basic food, clothing and shelter.
- The constitution should abolish the death sentence. (11)
- The constitution should ensure that all Kenyans are catered for in terms of water, shelter, food and health care. (3)
- The government should ensure that all Kenyans enjoy their basic rights.
- The constitution should provide that the government should provide security to all Kenyans.
- The constitution should provide education as a basic right. (6)
- The constitution should provide for employment as a basic right. (4)
- The constitution should provide that emergency relief food be distributed by a parliamentary committee.
- The constitution should provide free medical services as a basic right. (6)
- The constitution should provide food as a basic right. (3)
- The constitution should provide for a one person-one job policy. (7)
- The constitution should provide for the employment of all university graduates.
- The constitution should provide shelter as a basic right.
- The constitution should provide that disabled children should get free education.
- The constitution should provide for free and compulsory education up to secondary level.
- The constitution should provide for free primary education. (3)
- The constitution should be written in a language that is understood by all Kenyans. (2)
 - The constitution should guarantee all Kenyans the right to information.
 - The constitution should guarantee the protection of Workers from intimidation from employers.
- The constitution should provide workers with a right to trade union representation (3)
 - The constitution should provide workers with the right to industrial action.
 - The constitution should provide workers with the right to a fair hearing in courts.
 - The constitution should be comprehensive and brief.

- Civic education should be entrenched in the constitution and should be a continuous process.

5.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should protect the interests of women and girls.
- The constitution should guarantee and protect the rights of people with disabilities. (4)
- The constitution should protect the disabled from sexual harassment and discrimination.
- The constitution should provide for employment opportunities for the disabled.
- The constitution should provide for education for the disabled.
- The constitution should make provision for sign language services for the deaf in all public places including parliament.
- The constitution should provide affirmative action in favour of the disabled in all public facilities.
- 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 provide for special identification cards for the deaf.
- The constitution should provide for affirmative action in favour of the needy, aged, HIV positive and mentally sick persons.
- The constitution should protect Child rights especially the right not to be forced into an early marriage.
- The constitution should provide for a Children's cabinet, which should be composed of representatives of children from all parts of the country.
- The constitution should protect the education of the Girl child.
- The constitution shall provide for the recognition and respect of those who fought for independence.
- The constitution should provide for rehabilitation of street children. (3)
- Children should have a right to education in the constitution.
- The constitution should grant children a right to inheritance. (3)
- The constitution should provide for the protection of children from all forms of harassment.
- The constitution should regard the mentally handicapped as vulnerable.
- The constitution should regard the aged as vulnerable.
- The constitution should regard the poor as vulnerable
- The constitution should regard the widows as vulnerable
- The constitution should provide for affirmative action in favour of women and other vulnerable groups. (3)
- The constitution should protect the right of prisoners.

5.3.15. **LAND AND PROPERTY RIGHTS**

- The constitution should provide that the government should have ultimate ownership of land. (3)
- The constitution should provide that the government should not have the power to compulsorily acquire land for any purposes.
- The constitution should provide that the government should acquire land compulsorily for private purposes but provide for compensation. (4)
- The constitution should give the government the right to acquire public land for national

or regional use

- The constitution should give the government the right to acquire all fallow land for development purposes
- The constitution should address the issue of land transfer and inheritance. (3)
- The constitution should provide that the government should issue title deeds.
- The constitution should provide that no citizen should own more than 35 acres of land.
- 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.
- The constitution should guarantee that no Kenyan should be landless.
- The constitution should abolish buying and selling of land.
- The constitution should provide that all public land should be leased for a maximum of 15 years
- The constitution should provide that all public land should be leased for a maximum of 1000 years
- The constitution should put a ceiling on the fees charged for sub-division and registration of boundaries.
- The constitution should provide restrictions on ownership of land by non-citizens.
- The constitution should provide that men and women should have equal access to land. (5)
- The constitution should guarantee the right of any Kenyan to own land in any part of the country. (5)
- The constitution should guarantee the right of any Kenyan to access in any part of the country. (5)
- The constitution should provide that trust lands should be under county councils.
- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should provide for free government surveyors.
- The constitution should give either partner in a marriage the right to inherit property belonging to their spouse.
- The constitution should give unmarried girls the right to inherit parental land.
- The constitution should allocate land next to Mt. Kenya to the current inhabitants
- The constitution should provide equal access to land for both men and women.
- The constitution should provide for a proper drafting of title deeds to reflect matrimonial/spousal joint ownership

5.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should respect and protect Kenyan cultures. (2)
- The constitution should protect and promote cultural and ethnic diversity.
- The constitution should provide for the freedom of ethnic practices as long as they are not repugnant to morality and natural justice. (2)
- The constitution should not out-law female genital mutilation but it should be optional.
- The constitution should allow the Kisii to circumcise their children as per their traditions.
- The constitution should ensure eradication of tribalism, nepotism and other forms of discrimination.
- The constitution should abolish the practice of Female Genital Mutilation.

5.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should give Parliament sole power of management of public funds. (3)
- The constitution should give Parliament sole power of approval of public expenditure as well as the salaries of MPs. (2)
- The constitution should provide that grants and donor funds are a way of raising public finances.
- The constitution should provide for equitable distribution of national resources. (5)
- The constitution should ensure that each district gets an equal share of national resources.
- The constitution should ensure that 75% of resources should be retained in their places of origin while 25% goes to the central government. (3)
- The constitution should provide for the independence of the controller and auditor general.
- The constitution should ensure that the controller and auditor general has powers to prosecute those found guilty of mismanagement funds. (2)
- The constitution should provide for security of tenure for the controller and auditor general.
- The controller and auditor general should be appointed by parliament.
- The constitution should charge parliament with the responsibility of rising and expenditure of the consolidated fund.
- The constitution should ensure that public servants are properly paid.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide that cabinet ministers should be professionals in their fields.
- All public servants should have security of tenure.
- Public servants found guilty of mismanagement of funds should be dismissed. (4)
- The Prime Minister should appoint the head of the Public Service Commission.
- There should be a code of ethics for holders of public office. (2)
- The constitution should prohibit holders of public offices from engaging in business.
- The constitution should provide that all holders of public offices should declare their wealth. (6)
 - The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
 - The constitution should provide that all appointments to civil service must be based on merit.
 - The constitution should provide for a salary ceiling of Kshs.90, 000 for all civil servants.
 - The constitution should provide for a minimum salary for government jobs.
- The constitution should provide that all presidential candidates declare the source of their wealth.
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should provide that all elective public positions have a retirement provision of a maximum 45 years.

5.3.18 **ENVIRONMENTAL AND NATURAL RESOURCES**

- The principle of healthy environment should be addressed in the constitution. (2)
- The judiciary should enforce laws on the environment.

- The constitution should provide that natural resources should be owned by the state. (2)
- The constitution should entrust natural resources to the local community.
- The constitution should protect water resources.
- The constitution should protect animal resources.
- The constitution should protect mineral resources.
- The constitution should provide that local authorities should manage natural resources.
- The government should be responsible in policy formulation in relation to management of natural resources.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should provide that citizens be protected from wild animals.
- The constitution should provide for the protection of forests.

5.3.19 **PARTICIPATORY GOVERNANCE**

- The constitution should provide for the participation of religious organizations in governance. (2)
- The constitution should provide for the independence of the media.
- The constitution should ensure that 50% of leadership positions are reserved for women.
- The constitution should ensure that 25% of leadership positions are reserved for women.
- The constitution should provide for elders to advise on issues of governance.
- The constitution should allow constituents from various constituencies in the republic of Kenya to establish a consultative council that will air their grievances.
- The constitution should provide for a fund to assist support the marginalized groups who seek for elective positions.
- The constitution should provide that the common man be consulted before the preparation and reading of the budget.

5.3.20 **INTERNATIONAL RELATIONS**

- The constitution should provide that the conduct of foreign affairs be the responsibility of the executive.
- The constitution should provide that the conduct of foreign affairs remain the responsibility of the executive and parliament.
- The constitution should provide that all the conduct of foreign affairs be vetted by parliament.
- The constitution should provide that international treaties and conventions should have no effect on the domestic law.

5.3.21 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should establish the office of an ombudsman to address issues of Kenyans. (5)
- The constitution should establish a Human Rights Commission. (2)
- The constitution should establish a gender commission. (3)
- The constitution should establish an Anti-corruption commission. (2)

- The constitution should establish a lands commission. (3)
- The constitution should provide that constitutional commissions be set up by parliament or with the approval parliament.
 - The constitution should provide for a commission to oversee the education sector, which should be de-linked from the executive and should be answerable to the National Assembly.
- The constitution should provide for a commission to address all the basic needs of the people.
- The constitution should provide for a joint staff commission to advise the president on military issues.
- The constitution should provide for an independent commission to decide on the salaries of MPs.
- The constitution should provide for a permanent constitutional court.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary.
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.
- The constitution should provide for a commission to oversee the management of natural resources.
- The constitution should establish a commission for the disabled.
- The constitution should establish a Ministry of Justice or constitutional affairs.

5.3.22 **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that during the transition period presidential powers rest with the Attorney General.
- The constitution should provide that the Chief Justice should be in-charge of executive powers during presidential elections. (2)
- The constitution should provide that the Speaker of the national assembly should be in-charge of executive powers during presidential elections. (2)
- The constitution should provide that results of the elections be declared by the chairman of the electoral commission.
- The constitution should provide that the in-coming president should assume office one month after the elections.
- The constitution should provide that the in-coming president should assume office immediately after the election results.
- The constitution should provide that the chief justice should swear in the incoming president.
- The constitution should provide that retiring/outgoing presidents should hand over the instruments of power to the Chief Justice in the interim period before the next president is sworn in.
- The constitution should provide that the outgoing president should hand over the national flag to the incoming president.
- The constitution should entrench a clear-cut process of transition to avoid speculation anxiety and misuse of power by the incumbent.
 - The constitution should provide for a 30-day period between elections and the swearing in of the new president.
- The constitution should provide that the outgoing president should be prosecuted for

crimes committed.

- The constitution should provide that besides elections the president should relinquish his/her office after attaining the age of 75 years.
- The constitution should provide that if the president is indisposed the vice president should be in charge of executive powers.

5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide for protection of unmarried women against all forms of gender abuse.
- The constitution should guarantee women the right to own property.
- The constitution should provide that women have a right to inheritance and succession. (2)
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide that married men should have wills written for their properties.
- The constitution should provide that the marriage age be 18 years.
- The constitution should allow 'come we stay marriages'.
- The constitution should provide that a man who impregnates a girl should be compelled to marry the girl.
- The constitution should provide that people who impregnate girls should take care of those children up to the age of 15 years.
- The constitution should provide that if a teenage boy impregnates a girl, the latter should take care of the child because both the boy and the girl are minors.
- The constitution should provide that illegitimate children should be taken care of by their fathers.
- The constitution should constitutionalize domestic violence. (3)

5.3.24 **INTERNATIONAL POLICY**

- The constitution should provide that foreign projects should benefit the purpose they were earmarked.

5.3.25 **REGIONAL POLICY**

- The constitution should provide that principles of cooperation should not interfere with internal affairs of other states.

5.3.26 **DOMESTIC TRADE ISSUES.**

- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should abolish the role of middlemen and brokers in marketing transactions.

5.3.27 **ECONOMIC LIBERALIZATION**

- The constitution should provide for government role in price control to protect local produce. (3)
- The constitution should provide for government protection of the local market against

the infiltration of fake and contraband products.

5.3.28 **PHYSICAL, ECONOMIC AND SOCIAL INFRASTRUCTURE**

- The constitution should provide that all government services and facilities be accessible to all Kenyans without discrimination.

5.3.29 **INSURANCE**

- The constitution should guarantee automatic insurance of all passengers in public service vehicles.

5.3.30 **HIV/AIDS**

- The constitution should provide that doctors should declare the H.I.V. status of people. (2)
- The constitution should provide that HIV/AIDS be isolated to avoid further spread of the disease.
- The constitution should provide that screening facilities for HIV be installed in all government health facilities.
- The constitution should provide that in relevance to the control of HIV, rapists should be given capital punishment.

5.3.31 **PUBLIC SAFETY**

- The constitution should provide that in case of tribal clashes administration police and G.S.U personnel should be deployed there.
- The constitution should provide that all Kenyan borders should be well guarded, and all disputing tribes should be disarmed or all should be armed.
- The constitution should provide that the police should provide security to all people.
- The constitution should state that home guards (Maasai's who guard the border) should be removed from the border.
- The constitution should abolish arbitrary arrests.
- The constitution should specify the time of day when the police should ask for identification.
- The constitution should restrict policemen from opening fire or live bullets when quelling disturbances or unrest.
- The constitution should provide that the government provides security to all citizens from robbers and external aggression.
- The constitution should provide that police powers to arrest suspects should be limited. (2)
- The constitution should protect citizens from arbitrary searches in their premises.
- The constitution should restrict policemen from torturing suspects. (2)
- The constitution should provide that illegally possessed firearms should be returned to the government.
- The constitution should protect citizens from harassment from the police. (4)
- The constitution should provide that policemen should be armed with guns only when there is a war.

5.3.32 **CORRUPTION**

- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled. (3)
- The constitution should establish mechanisms to eradicate corruption. (3)

5.3.33 **POPULATION ISSUES**

- The constitution should provide that couples only be allowed to have three children.

5.3.34 **AGRICULTURE AND LIVESTOCK**

- The constitution should provide farmers with the freedom to market coffee through their own channels.
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should provide for prompt payment of farmers for their agricultural produce.
- The constitution should provide for the full liberalization of the agricultural sector.
- The constitution should provide that agricultural extension officers be deployed to train farmers.
- The constitution should provide that tea farmers form trade unions to represent and address their problems.
- The constitution should ensure that semi arid areas are irrigated for food production.
- The constitution should protect farmers from exploitation.
- The constitution should ensure that roads leading to and from farms are regularly maintained.
- The constitution should provide that farm inputs are tax free.
- The constitution should provide that parastatals i.e. Kenya Meat Commission should be revived.
- The constitution should facilitate loans for farmers.
- The constitution should ensure that physical infrastructure be improved to facilitate the growth of the agricultural sector.
- The constitution should provide that surplus maize from Kisii land should reach those areas with deficit.
- The constitution should provide that the government put in place policies to help farmers.
- The constitution should provide that farmers be able to sell their produce without going through middlemen.

5.3.35 **EDUCATION**

- The constitution should provide for more teachers.
- The constitution should provide that admissions to government schools be strictly based on merit.
 - The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
 - The constitution should give supervisory power to Parents Teachers Association over Board of Governors in the running of primary and secondary schools.
- The constitution should provide for government financing of the teaching and development

of sign language in all schools and institutions.

- The constitution should provide that public schools be sponsored by District Education Boards.
- The constitution should abolish the quota system of education.
- The constitution should provide that the university senate appoint chancellors of public universities.
- The constitution should be taught in schools. (2)
- The constitution should provide that the TSC and not the board of governors should employ teachers.
- The constitution should provide that the district education boards should sponsor primary and secondary schools.
- The constitution should provide that the 8-4-4 education system be replaced with the 7-4-2-3 system. (3)
- The constitution should provide that the government pays teachers adequately.
- The constitution should provide that nursery school teachers be employed by the TSC.
- The constitution should ensure that loans are provided to all those pursuing secondary school.
- The constitution should provide for the improvement of examination process.

5.3.36 **PUBLIC FINANCE (FISCAL POLICY)**

- The constitution should provide for a special budget to cater for national disasters.
- The constitution should not tax locally produced goods.
- The constitution should provide that shops and Kiosks be taxed.
- The constitution should provide that the Ministry of Finance should be given powers to draw up the budget without pressure from the office of the president.
- The constitution should provide that presidents who want to celebrate public holidays should meet the costs.
- The constitution should provide for the reduction of the president's budget.
- The constitution should provide that taxes be reduced. (2)
- The constitution should provide that imported goods be taxed heavily.

5.3.37 **HEALTH**

- The constitution should provide that public doctors be banned from private practice. (2)

5.3.38 **INFORMATION COMMUNICATION TECHNOLOGY**

- The constitution should provide for the reduction of telephone rates.
- The constitution should guarantee the freedom of the press and media. (2)
- The constitution should provide that KBS be non-partisan. (2)

5.3.39 **SMALL ENTERPRISE DEVELOPMENT**

- The constitution should promote and assist the 'jua kali sector.

5.3.40 **NATIONAL PROGRAMME/PLANNING**

- The constitution should ensure that boundaries of the country be well defined.

5.3.41 **STATUTORY LAW**

- The constitution should provide that rapists be sentenced to death.
- The constitution should provide that persons convicted of rape should either be sentenced to death or life imprisonment.
- The constitution should outlaw smoking in public places.
- The constitution should provide that those convicted of murder should not be given probation nor released on bond at any stage.
- The constitution should provide for the independence of private prosecutors.

5.3.42 **GENDER EQUITY**

- The constitution should promote gender equity. (3)
- The constitution should provide equal opportunities for both men and women.
- The constitution should ensure that the gender system be precised in the government and other sectors.

5.3.43 **TRANSPARENCY/ACCOUNTABILITY**

- The constitution should provide that funds be used for the intended purpose.
- The constitution should ensure that the principle of transparency and accountability should prevail in all government sectors.

5.3.44 **NATURAL JUSTICE/RULE OF LAW**

- The constitution should provide that the national currency/legal tender has a permanent face.
- The constitution should encourage the rule of law. (2)
- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should guarantee every Kenyan, equal and non-discriminative treatment by the law irrespective of gender, ethnic or racial background.

5.3.45 **NATIONAL INTEGRITY /IDENTITY**

- The constitution should retain Labour Day and Madaraka day.
- The constitution should provide that female citizens should cease from wearing indecent clothing.

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Zephaniah Nyangwara MP
2. Rose Okemwa DC
3. James Obara Kakamba
4. Koina Onyancha
5. John Mamboleo Osando
6. Stephen Ogao
7. Felista Ochako Metobo
8. Orwaru Atati
9. Jane Bongoye
10. Zacharia Ndege
11. Zepharia Nyangweka

Appendix 2: Civic education providers (CEPs)

1. Navijaza self help group
2. Pasavio drama group
3. Nyansakia illiteracy women's group
4. Gucha wakulima horticulture and traders
5. Upendo widows women's group
6. Abroami consultants
7. Risibe II

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

1	0009OGBN Y	Alice Nyatwanga	CBO	Written	Nyagacha Women Group
2	0011OGBN Y	Andrew Osiemo	CBO	Written	Mokomoni Women Group
3	0001OGBN Y	Isaac Omweri	CBO	Memorandum	Nyamasege Self Help Group
4	0002OGBN Y	James Onchera	CBO	Written	Boseta Youth Group
5	0010OGBN Y	Luka Makambi Onchagwa	CBO	Written	St.John Vinc. Self Help Grou
6	0006OGBN Y	Oliver Ongeta	CBO	Memorandum	Taracha Moja Women Group
7	0003OGBN Y	Onyango Ombogi	CBO	Memorandum	Federation of Women Group
8	0007OGBN Y	Peter Obiero	CBO	Written	Osweta Sports Association
9	0008OGBN Y	Zachary O Makori	CBO	Written	Omobera Women Group
10	0030IGBNY	Abel M. Tinega	Individual	Memorandum	
11	0026IGBNY	Alex M. Obegi	Individual	Written	
12	0065IGBNY	Alice Mekenye	Individual	Oral - Public he	
13	0003IGBNY	Anonymous	Individual	Memorandum	
14	0056IGBNY	Augustus Birundu	Individual	Oral - Public he	
15	0054IGBNY	Barnabas Sereti	Individual	Oral - Public he	
16	0021IGBNY	Charles O. Owako	Individual	Written	
17	0037IGBNY	Charles Oino	Individual	Oral - Public he	
18	0001IGBNY	Christopher Aloys Oigo	Individual	Memorandum	
19	0004IGBNY	Christopher Nyakundi	Individual	Written	
20	0043IGBNY	Collins Omwoyo	Individual	Oral - Public he	
21	0058IGBNY	Daniel Anyiewda	Individual	Oral - Public he	
22	0033IGBNY	Donald Ocharo	Individual	Written	
23	0010IGBNY	Douglas Ogechi	Individual	Written	
24	0009IGBNY	Edgar Masese	Individual	Written	
25	0072IGBNY	Elijah M. Omanga	Individual	Oral - Public he	
26	0051IGBNY	Elijah Nyaudnu Onsare	Individual	Oral - Public he	
27	0045IGBNY	Eric Atuta	Individual	Oral - Public he	

28	0061	IGBNY	Evans Nyamache	Individual	Oral - Public he	
29	0019	IGBNY	Evans Nyambaso Zedekiah	Individual	Written	
30	0070	IGBNY	Evans Oruta	Individual	Oral - Public he	
31	0047	IGBNY	Francis Onywoki	Individual	Oral - Public he	
32	0025	IGBNY	Fred Nyabwari	Individual	Written	
33	0048	IGBNY	George Masese	Individual	Oral - Public he	
34	0082	IGBNY	Harrison Mekenye	Individual	Oral - Public he	
35	0023	IGBNY	Henry Nyabaga Omwenga	Individual	Written	
36	0029	IGBNY	Henry Orina	Individual	Written	
37	0024	IGBNY	Henry Osiemo	Individual	Written	
38	0040	IGBNY	Hon. Z. Anyieni	Individual	Oral - Public he	
39	0079	IGBNY	Hon. Zephania Anyieni	Individual	Oral - Public he	
40	0083	IGBNY	Ibrahim O. Ontiri	Individual	Oral - Public he	
41	0057	IGBNY	Isaac Obondi	Individual	Oral - Public he	
42	0013	IGBNY	Jacob N. Nyagwang	Individual	Written	
43	0064	IGBNY	Jacob Nyaundi	Individual	Oral - Public he	
44	0075	IGBNY	James Begi	Individual	Oral - Public he	
45	0002	IGBNY	James Moturi	Individual	Written	
46	0063	IGBNY	James Onsarigo	Individual	Oral - Public he	
47	0049	IGBNY	Jane Bongoye	Individual	Oral - Public he	
48	0015	IGBNY	Jared O. Makambi	Individual	Written	
49	0077	IGBNY	Jared Onduso	Individual	Oral - Public he	
50	0074	IGBNY	Jason O Aika	Individual	Oral - Public he	
51	0005	IGBNY	Joel Ouko Ong'ang'a	Individual	Written	
52	0018	IGBNY	John Nyambane	Individual	Written	
53	0044	IGBNY	John Nyaosi	Individual	Oral - Public he	
54	0032	IGBNY	Jomo Osoti	Individual	Written	
55	0046	IGBNY	Joseph Maina	Individual	Oral - Public he	
56	0052	IGBNY	Joseph Ombongi	Individual	Oral - Public he	
57	0020	IGBNY	Joseph Rogena	Individual	Written	

58	0036	IGBNY	Josiah Mochama	Individual	Oral - Public he	
59	0031	IGBNY	Kennedy A. Anyieni	Individual	Written	
60	0062	IGBNY	Kennedy Michoti	Individual	Oral - Public he	
61	0053	IGBNY	Lameck Ogembo	Individual	Oral - Public he	
62	0071	IGBNY	Lucas O. Oichoe	Individual	Oral - Public he	
63	0073	IGBNY	Luka M. Onchagwa	Individual	Oral - Public he	
64	0016	IGBNY	Luka Osiemo	Individual	Memorandum	
65	0068	IGBNY	Lynnet Mageto	Individual	Oral - Public he	
66	0006	IGBNY	Michael O. Oboiko	Individual	Written	
67	0008	IGBNY	Moffat Obare	Individual	Written	
68	0066	IGBNY	Mongoni Abuga	Individual	Oral - Public he	
69	0080	IGBNY	Moses B. Ongechi	Individual	Oral - Public he	
70	0067	IGBNY	Mrs. Elizabeth Morema	Individual	Oral - Public he	
71	0078	IGBNY	Nathan Okero	Individual	Oral - Public he	
72	0017	IGBNY	Nelson Mokuu	Individual	Written	
73	0060	IGBNY	Nemwel Ogwora	Individual	Oral - Public he	
74	0081	IGBNY	Obed Omweri	Individual	Oral - Public he	
75	0027	IGBNY	Omollo Ochieng	Individual	Written	
76	0011	IGBNY	Patrick Ongoto	Individual	Memorandum	
77	0084	IGBNY	Paul Mainga	Individual	Oral - Public he	
78	0014	IGBNY	Peter Begi Nyamora	Individual	Written	
79	0028	IGBNY	Phelista Metobo	Individual	Written	
80	0054	IBTRV	Richard Maritim	Individual	Written	
81	0041	IGBNY	Robert Isoe	Individual	Oral - Public he	
82	0076	IGBNY	Samson Onchera	Individual	Oral - Public he	
83	0059	IGBNY	Samuel Nyaundi	Individual	Oral - Public he	
84	0007	IGBNY	Samuel O. Onchonga	Individual	Written	
85	0034	IGBNY	Samwel Ongori Migiro	Individual	Written	
86	0012	IGBNY	Simon Ocheho	Individual	Written	
87	0038	IGBNY	Solomon Obara	Individual	Oral - Public he	

88	0039	IGBNY	Steven Ndege	Individual	Oral - Public he	
89	0035	IGBNY	Thomas M. Mogere	Individual	Memorandum	
90	0022	IGBNY	Thomas Nyangau	Individual	Written	
91	0069	IGBNY	Thomson S. Mekubo	Individual	Oral - Public he	
92	0050	IGBNY	Walter Nyamayio	Individual	Oral - Public he	
93	0042	IGBNY	Winifred Orenge	Individual	Oral - Public he	
94	0055	IGBNY	Zachary O. Makori	Individual	Oral - Public he	
95	0012	OGBN Y	Jane Bongoye	NGO	Written	Catholic Diocese of Kisii
96	0005	OGBN Y	Josephine Nyarera	NGO	Memorandum	Waelekeze Women
97	0004	OGBN Y	Stephen Ogao	Religious Organisation	Memorandum	S. D. A. Church

Appendix 4: Persons Attending Constituency Hearings

TENDERE HIGH SCHOOL

No	Name:	Address:	No	Name:	Address:
1	Christopher A. Oigo	P.O. Box 82, Ogembo	25	Michel Onyinkwa	P.O. Box 15, Ogembo
2	James Moturi	P.O. Box 335, Ogembo	26	Jeremiah Kegera	P.O. Box 171, Ogemba
3	Isaac N. A. Omweri	P.O. Box 2009, Kissi	27	Geoffrey Aoum	P.O. Box 44, Ogemba
4	Josiah Mochama	P.O. Box 90, Ogembo	28	Augustine Nyangate	P.O. Box 1495, Kisii
5	Charles Oino	P.O.Box 21, Tabaka	29	Cosmus Nyambane	P.O. Box 90, Ogembo
6	Evans Nyamaso Zebekiah	P.O. Box 381, Kisii	30	Joel Onyango	P.O. Box 267, Ogembo
7	Solomon Obara Mases	P.O. Box 15, Kenanye	31	Ontita J. Angwenyi	P.O. Box 35, Ogembo
8	Stephen N. Kegera	P.O. Box 171, Kisii	32	Samuel O. Onchong'a	P.O. Box 56, Nyangusu
9	Robert Isoe Nyambwari	P.O. 29, Ogembo	33	Timothy Naresa	P.O. Box 35, Ogembo
10	Christopher Onyinkwa	P.O. Box 4, Ogembo	34	Moffat Obare	P.O. Box 63, Nyamarambe
11	Samwel Ongori Migiro	P.O. Box 141, Ogembo	35	James Michoti	P.O. Box 227, Kisii
12	Mishael O. Nyaberi	P.O. Box 547, Kisii	36	Eucabeth Tangeya	P.O. Box 80, Ogembo
13	Onyankha E. ombongi	P.O. Box 202, Ogembo	37	Samwel Momanyi	P.O. Box 1495, Kisii
14	Thomas Ondara	P.O. Box 62, Ogembo	38	Paminus Ondanit	P.O. Box 1039, Kisii
15	Samwel Magara	P.O. Box 387, Ogembo	39	Zedekiah Orwiru Atati	P.O. Box 71, Kisii
16	Zephaniah M. Anyieni	P.O. Box 116, Kisii	40	Abednego Samwel	P.O. Box 113, Kisii
17	Stephen Ogao Ngoge	P.O. Box 74, Ogembe	41	Benson O. Nyaruri	P.O. Box 1808, Kisii
18	Nyangawi Omweno	P.O. Box 3, Ogembo	42	Hellen N. Omwancha	P.O. Box 75, Etago
19	Nyamwega O. Wilfred	P.O. Box 44, Ogembo	43	Rachel Nyambeni	P.O. Box 35, Kisii
20	Robina Osiero	P.O. Box 101, Ogembo	44	Job M. Bosire	P.O. Box 376, Kisii
21	Peter O. Mande	P.O. Box 39, Kisii	45	Eric O. Atuta	P.O. Box 145, Ogembo
22	Joel O. Ong'ang'a	P.O. Box 1860, Kisii	46	Wilkistar Kwamboka	P.O. Box 101, Ogembo
23	Peter Nyanducha	P.O. Box 1, Nyamaembo	47	Margret Gesore	P.O. Box 101, Ogembo
24	Michael Onyinkwa	P.O. Box 15, Ogembo	48	Yunia Kemuma	P.O. Box 101, Ogembo
49	Francis Makori	P.O. Box 112, Ogembo	73	Elijah Nyaumtu	P.O. Box 195, Ogembo
50	Joseph Maina	P.O. Box 35, Kisii	74	Moses N. Isonge	P.O. Box 145, Magena
51	Francis Onyima	P.O. Box 89, Kisii	75	Patrick Ongoto	P.O. Box 14, Ogembo
52	T. m. Mogere	P.O. Box 148, Ogembo	76	Walter N. Omayio	P.O. Box Ogembo
53	Edgar Ombongi	P.O. Box 220, Ogembo	77	Joseph O. Omabia	P.O. Box 547, Ogembo
54	Jane M. Bongoye	P.O. Box 1383, Kisii	78	Peterson N. Orina	P.O. Box 1437, Kisii

55	David B. Onsonyo	P.O. Box 107, Ogembo	79	Peter M. Groaka	P.O. Box 690, Kisii
56	Lew Davis o. Oendo	P.O. Box 341, Ogembo	80	Caleb Onyangoto	P.O. Box 150, ogembo
57	peris Kemuma Otieno	P.O. Box 90, Kisii	81	Jacob N Nyagwanga	P.O.Box Ogembo
58	Olpher Ongela	P.O. Box 36, Kisii	82	Biherts Mayaka	P.O.Box 64, Ogembo
59	Rebecca Ogembo	P.O. Box 36, Kisii	83	Nelson O. Maiko	P.O. Box 2, Ogembo
60	Rose Ogachi	P.O. Box 36, Kisii	84	Benson N. Ondabu	P.O. Box 192, Ogembo
61	Simon Ochego	P.O. Box 2426, Kisii	85	Gideon Nyachoka	P.O. Box 240, Ogembo
62	Alice Mogsi	P.O. Box 71, Kisii	86	Samwel Nyabaro	P.O. Box 606, Ogembo
63	Esther Nyangechi	P.O. Box 71, Kisii	87	James Ochera	P.O. Box 36, Ogembo
64	Abel M. Tingega	P.O. Box 1121, Kisii	88	James Ongefu	P.O. Box 36, Ogembo
65	Ongiro Nyameyio	P.O. Box 3567, Kisii	89	Hellen Otwori	P.O. Box 71, Ogembo
66	Nahson Nyambane	P.O. Box 1672, Kisii	90	George m.Gutwa	P.O. Box 144, Nairobi
67	Orengé Winfridah	P.O. Box 113, Ogembo	91	George Masese	P.O. Box 75560, Nairobi
68	Josephine Nyarera	P.O. Box 2035, Kisii	92	David Ogega Mochengo	P.O. Box 113, Ogembo
69	Collins omwoyo	P.O. Box 35, Ogembo	93	James N. Mangera	P.O. Box 113, Ogembo
70	Samwel Otieno Nyayiemi	P.O. Box 2731, Kisii	94	John Ondigi	P.O. Box 29, Ogembo
71	Jane M. Matiabe	P.O. Box 248, Ogembo	95	Yuvendis Ontweka	P.O. Box 29, Ogembo
72	Ebisiba Osiemo	P.O. Box 101, Ogembo	96	Ombonbu Joseph	P.O. Box 294, Ogembo
97	Evans Nyambaso	P.O. Box 381, Kisii	103	Ben Ayora Timega	P.O. Box 63, Ogembo
98	Rodah Kamenda	P.O. Box 64, Ogembe	104	Peter Nyang'ate Obiero	P.O. Box 107, Ogembo
99	Wilkister Onyinkwa	P.O. Box 64, Ogembo	105	Lameck Ogembo	P.O. Box 62, Ogembo
100	Micah Nyanducha Obuya	P.O. Box 179, Kisii	106	Mary Osiemo	P.O. Box 65, Ogembo
101	John Chogoo Auya	P.O. Box 891, Kisii	107	Dauglas Ratori	P.O. Box 547, Ogembo
102	Mecha Thomas	P.O. Box 53, Ogembo			

MABERA PRIMARY SCHOOL – KENYENYA

No	Name	Address:	No	Name:	Address:
1	P. Bogi Nyamora	P.O. Box 22, Kisii	25	Kenya Mbeche	P.O. Box 58, Kiru
2	Barnabas Sereti	P.O. Box 96, Kenya	26	Cllr. Joel Sumbe	P.O. Box 62, Kiru
3	Jared Makambi	P.O.Box 335, Kissi	27	Francis Onditi	P.O. Box 71, Kisii
4	Nyangereri Omweno	P.O.Box 3, Ogembo	28	Samuel Nyaundi	P.O. Box 36, Kenyeya
5	Zedekiah Opiwaru Athi	P.O. Box 71, Kisii	29	Igwor Nemuel	P.O. Box 46, Kenyeya
6	Zachary o. Makoni	P.O. Box 36, Kisii	30	Charles Bisinga	P.O. Box 1032, Kisii
7	Peter O. Onyambui	P.O. Box 36, Kisii	31	Nyamache Evans	P.O. Box 69, Kenyeya

8	Riogi Nyasa	P.O. Box 36, Kisii	32	Henry Mbeche	P.O. Box 552, Kisii
9	Magara Samwel	P.O. Box 381, Kisii	33	Nyangau Mbeche	P.O. Box 552, Kisii
10	Somon O. Mases	P.O. Box 15, Kenyeya	34	Keneedy M.Michlti	P.O. Box 14, Kenyeya
11	Lucas Osiemo	P.O. Box 41, Kenyeya	35	James N. Onsarigo	P.O. Box 65, Kenyeya
12	Augustus Birundu	P.O. Box 41, Kenyeya	36	Paul O. Mogaka	P.O. Box 96, Kenyeya
13	Issac Obondi	P.O. Box 88, Kenyeya	37	Jacob M. Nyaudi	P.O. Box 63, Kenyeya
14	Sereti Jacob	P.O. Box 58, Kenyeya	38	Jaramiau Magara	P.O. Box 96, Kenyeya
15	Otara Omunya	P.O. Box 58, Kenyeya	39	Zablon Keraro	P.O. Box 69, Kenyeya
16	Momanyi James	P.O. Box 58, Kenyeya	40	Martin Mwambi	P.O. Box 36, Kenyeya
17	Auta Justus	P.O. Box 11, Nyamache	41	Asiago Miencha	P.O. Box 7, Kenyeya
18	Ayienda M.D.	P.O. Box 41, Kenyeya	42	Paul M. Nyakwara	P.O. Box 36, Kenyeya
19	Nahashon Nymbane	P.O. Box 307, Kenyeya	43	Albert Baruku	P.O. Box 7, Kenyeya
20	Joel Onyango	P.O. Box 267, Oyumbi	44	Mokua Mbiko	P.O. 31, Kenyeya
21	Andrew Muna	P.O. Box 69, Kenyeya	45	Neilter Kenya M.O. Mokua	P.O. Box 3242, Kisii
22	Sawel Ongori Migiro	P.O. Box 13, Ogembo	46	John Nyambane	P.O. Box 96, Kisii
23	David Omuya Maiko	P.O. Box 7, Kenyeya	47	Justus Makori	P.O. Box 36, Kisii
24	Ibrahim Nyabutto Miena	P.O. Box 7, Kenyeya	48	Thomas O. Nyambane	P.O. Box 36, Kisii
49	Paul Asigo	P.O. Box Kenyeya	73	Ronald Omoga	P.O. Box 5, Kenyeya
50	Thomson Siriba Mekubo	P.O. Box 58, Kenyeya	74	Nathan Okero	P.O. Box 49, Kenyeya
51	Elisah Mabeya	P.O. Box 172, Kisii	75	Osiemo Henry	P.O. Box 41, Kenyeya
52	George Nyatang	P.O. Box 346, Kisii	76	Charles J. Nyabayo	P.O. Box 99, Kenyeya
53	Jane Bongoye	P.O. Box 1383, Kisii	77	Shem Ondurso	P.O. Box 27, Kenyeya
54	Joel O Machaa	P.O. Box 22, Kisii	78	Daniel Mong'eri	P.O. Mogonga
55	Onduso Morabai	P.O. Box 58, Kisii	79	Alice Mekenye	P.O. Box 71, Kisii
56	Evans O. Oruta	P.O. Box 3242, Kisii	80	Mong'oni Abuga	P.O. Box MOGONGA
57	Gideon Momanyi	P.O. Box 14, Kenyeya	81	Simon Makambi	P.O. Box 59, Kenyeya
58	J.S. Onsarigo	P.O. Box 58, Kenyeya	82	Samson Ondera	P.O. Box 46, Kisii
59	L. O. Okhue	P.O. Box 740, Kenyeya	83	Phelister Metoba	P.O. Box 3526, Kisii

60	Charles Konga	P.O. Box 52, Kenyeny	84	Obed Omwari Naminra	P.O. Box 115, Ogembo
61	Eliseh omoya Nyamweya	P.O. Box 7, Kenyeny	85	Andrew Orina	P.O. Box 25, Kisii
62	Isaih Bwrumbi	P.O. Etono	86	Bob Nraosi	P.O. Box 2510, Kisii
63	Jason Omlin Mio	P.O. Box 2, Riokindo	87	Moses Biketi Ogechi	P.O. Box 9, Riokindo
64	Stephen Kima	P.O. Box 9, Kenyeny	88	Morema Elizabeth	P.O. Box 36, Omobera
65	Jelus O Migiro	P.O. Box 1672, Kissi	89	Linnet Magero	P.O. Box 4091, Kisii
66	Andrew Osiemo	P.O. Box 1342, Kisii	90	Jacob Omari	P.O. Box 7, Kisii
67	Thomas Nyag'au	P.O. Mugonga	91	Donald Ocharo	P.O. Box 23, Kenyeny
68	James Begi	P.O. Box 96, Kisii	92	David Nyandewa	P.O. Box Kenyanye
69	Henry Nyabaga	P.O. Box 69, Kisii	93	Joshua Nyangori	P.O. Box 14, Kenyanye
70	Paul R. Maaga	P.O. Box 46, Kisii	94	William O. Begi	P.O.Box 7, Kenyanye
71	Jared Ongwae	P.O. Box 46, Kisii	95	Joseph Rogena	P.O. Box 36, Kenyanye
72	Omambia Obara	P.O. Box 5, Kenyeny	96	Alice Nyatuwanga	P.O. Box 74, Kenyanye
97	Joel Ondaso Asiago	P.O.Box 58 Kenyanye	117	Luka Makambi	P.O. Box 3121, Kisii
98	Alex Obegi	P.O.Box 14140, Kenyanye	118	charles O. Gwako	P.O.Box 3121, Kisii
99	Zephaniah M. Anieni	P.O. Box 116, Kisii	119	Abel M. Tineg	P.O. Box 2493, Kisii
100	Yobesh Nyamao	P.O. Box 41, Kenyanye	120	Sam Keganda	P.O. Box 36, Kenyanye
110	Ibrahim O. Ontiri	P.O.Box 58, Kenyeny	121	Benard Anyieni	P.O. Box 35, Kisii
111	Sylvester O. Othongo	P.O. Box 58, Kenyanye	122	Joseph S. Mbelene	P.O. Box 9, Kisii
112	Elijah P. Nyabneke	P.O. Box 18, Kenyanye	123	Jomo Osoti	P.O. Box 7, Kenyanye
113	John Mecheo	P.O. Box 2122, Kisii	124	Donald Ocharo	P.O. Box 23, Kenyanye
114	Paul Manga	P.O. Box 53, Kenyanye	125	Jared O. Onduso	P.O. Box 68, Kenyanye
115	Harrison Mekenge	P.O.Box 81, Kisii	126	Kefa Kerima	P.O.Box Moganga
116	Omollo Ochieng'	P.O.Box 8268, Nairobi	127	Zablon M.	N/A

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1. DISTRICT PROFILE

Bobasi is a constituency in Gucha District. Gucha District is one of 12 districts of the Nyanza Province of Kenya.

1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	221,249	239,690	460,939
Total District Population Aged 18 years & Below	135,035	133,569	268,604
Total District Population Aged Above 18 years	86,214	106,121	192,335
Population Density (persons/Km ²)	698		

1.2. Socio-Economic Profile

Gucha District:

- Is one of the highest densely populated districts of Nyanza Province, being ranked 2nd most densely populated district in the province;
- Has the least primary school enrolment rates in the province, at 58.6%, being ranked last in the province and 49 nationally;
- Has one of the highest secondary school enrolment rates in the province at 30.1%, being ranked 3rd in the province and 15th nationally; and
- Experiences the following main diseases: Malaria, upper respiratory tract infections, skin diseases and infections, diarrhoea diseases, and urinary tract infections.

Gucha district has 3 constituencies: South Mugirango, Bamachoge and Bobasi Constituencies. The district's 2 MPs, each cover on average an area of 331 Km² to reach 225,470 constituents. Based on the 1997 general election results, the district is represented by two political parties: the ruling party, KANU, and an opposition party, FORD-K. During the elections, FORD-K won the South Mugirango Constituency parliamentary seat with 61.92% valid votes, while KANU won the Bamachoge and Bobasi Constituency parliamentary seats with 49.75% and 59.38% valid votes respectively.

2. CONSTITUENCY PROFILE

Babasi Constituency is comprised of 8 locations and 2 divisions of Gucha District.

2.1. Demographic Characteristics

Constituency Population by Sex	Total	Area Km²	Density (persons/Km²)
	162,759	239.30	680.1

2.2. Socio-Economic Profile

The economic mainstay of the locals is the production of bananas and tea.

2.3. Electioneering and Political Information

The opposition and KANU have hotly contested for this seat. However, KANU won both the 1992 and 1997 general elections with 53.21% and 59.38% valid votes respectively. In 2002, FORD People won the seat.

2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			41,869
CANDIDATE	PARTY	VOTES	% VALID VOTES
Stephen Manoti	KANU	11,267	53.21
Daniel Matoke	DP	7,537	35.60
Raphael Raini	FORD-K	1,905	9.00
Moracha Nyareru	FORD-A	464	2.19
<i>Total Valid Votes</i>		<i>21,173</i>	<i>100.00</i>
Rejected Votes		-	
Total Votes Cast		21,173	
% Turnout		50.57	
% Rejected/Cast		0.00	

2.5. 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			46,297
CANDIDATE	PARTY	VOTES	% VALID VOTES
Christopher M. Obure	KANU	18,336	59.38
Stephen K. Manoti	SAFINA	10,603	34.34
Abraham Walingo	DP	791	2.56
Henry N. Nyanchoka	SDP	391	1.27
Daniel N.O. Oenga	KSC	304	0.98
David M. Nyareru	FORD-K	258	0.84
Joseph R. Maua	FORD-P	150	0.49
David L.O Ratemo	LPK	46	0.15
<i>Total Valid Votes</i>		<i>30,879</i>	<i>100.00</i>

Rejected Votes	578
Total Votes Cast	31,457
% Turnout	68.46
% Rejected/Cast	1.84

2.6. Main Problems

One of the main problems experienced by the locals is intra-ethnic tension (clanism).

3. CONSTITUTION MAKING/REVIEW PROCESS

3.1. Constituency Constitutional Forums (CCFs)

3.1.1. Philosophy

The Constituency 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 an ‘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 forum from the facilitation of civic education to also include facilitation and the collection 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 9th January 2002 and 2nd May 2002

4.1. **Phases in civic education**

Stage 1 is the only phase that has been covered. This is the stage preceding collection of views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

4.2. **Issues and areas covered**

- Introduction to the constitution
- Reasons for reviewing the constitution
- Peoples participation in the constitutional review
- Organs and levels of government
- Roles and functions of a national constitution
- Rights and freedom of individuals
- Basic rights

5. **CONSTITUENCY PUBLIC HEARINGS.**

5.1. **Logistical details**

5.1.1. **Date and Number of Days for Public Hearings**

- a) Date(s): 20th and 21st June 2002
- a) Total Number of Days: 2

5.1.2. **Venue**

- a) Number of Venues: 2
- b) Venue(s)
 - 1) Nyamache social Hall
 - 2) Sameta Secondary school hall

5.1.3. **Panels**

- a. Commissioners

- 1.Com. Prof. Ahamed I Salim
- 2.Com. Dr. Githu Muigai
- 3.Com. Salome Muigai

- b. Secretariat

- 1.Irungu Ndirangu - Program Officer
- 2.Janet Maina - Assistant Program Officer
- 3.Gladys Osimbo - Verbatim Recorder

5.2. **Attendance Details**

Category	Details	Number
Number of People Who Presented		92

Category	Details	Number
Sex	Male	81
	Female	7
	Not Stated	4
Presenter Type	Individual	56
	Institutions	33
	Not Stated	3
Educational Background	Primary Level	9
	Secondary/High School Level	45
	College	22
	University	11
	None	0
	Not Stated	5
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
Form of Presentation	Memoranda	0
	Oral	55
	Written	3
	Oral + Memoranda	0
	Oral + Written	34
	Not Stated	0

5.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Bobasi 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

- The constitution should have a preamble (13).
- The preamble should focus on Kenyan people and those who fought for independence.

- The national vision of the people of Kenya should be the recognition of supreme powers over their country.
- Elimination of tribalism, racism, and new forms of colonialism, protection of natural resources, and environment should be the national vision set out in the preamble.
- The constitution should reflect our traditions and cultures.
- The national vision set in the preamble should be justice, freedom, transparency, peace, love, unity and equality.
- The common experience of Kenyans in the struggle for independence should be reflected in the preamble.
- Cultural practices, traditional values, historical background, language, dress, religion and rites should be reflected in the preamble.
- The common experience of Kenyans to be reflected in the preamble include slavery and slave trade, neo-colonialism, tribalism, racism, imperialism, struggle for independence, equal and fair economic, social, and political play.
- The preamble should state that God comes first.
- The preamble should state the Sovereignty of Kenyan citizens.
- The preamble should express the political, religious and socio-economic values of Kenya.
- The preamble should express “Harambee” as the national slogan.
- The preamble should read in part “Kenyans are equal with fundamental and inalienable rights”
- The preamble should state for whom the constitution is made.

5.3.2. DIRECTIVE PRINCIPLES OF STATE POLICY.

- There is need for statements capturing national philosophy and guiding principles (3)
- The rule of law and accountability should be the democratic principles captured in the constitution.
- Kenya should remain a multi party state.
- All public offices should be held in trust for the people of Kenya.
- The principle of separation and balance of powers should be captured in the constitution.
- The democratic principles to be captured in the constitution should be justice and equality.
- All the basic freedoms spelt in the UN charter should be enforceable by law.
- The constitution should provide that the law should apply in a non-discriminatory manner to all Kenyans.
- The constitution should state that Kenya is a sovereign country with respect of the rule of law and democratic principles.
- The constitution should provide for separation of powers between the executive, the legislature and the judiciary.
- The constitution should provide that the laws shall not be passed unless the government can implement them.

5.3.3. CONSTITUTIONAL SUPREMACY.

- The 65% majority required to amend the constitution should be replaced with 75% majority rule.
- The 65% majority required to amend the constitution should be replaced with 80% majority rule.

- The 65% majority required to amend the constitution should be replaced a constitutional commission.
- Parliament should be the supreme in law making.
- Parliament should not be allowed to make any amendment to the constitution.
- Parliament powers to amend the constitution should be limited (4).
- Sections of the constitution affecting the common interest of the nation should be beyond the amending powers of the parliament.
- There should be public referendums to amend the constitution (9).
- The constitution review commission should conduct referendums.
- The electoral commission of Kenya should conduct public referendums.
- A commission appointed by parliament should conduct public referendums.
- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should emphasize that parliament shall only amend the constitution subject to a national referendum.

5.3.4. CITIZENSHIP.

- Any person born in Kenya should be given automatic citizenship (2).
- People born of Kenyan parents or those born before independence or descents should be regarded as automatic citizen.
- Original Kenya people and their offspring should be automatic citizens.
- Kenyan citizenship can be acquired through registration, naturalization and legislation.
- Foreigners who have stayed in Kenya for more than ten years should get temporary citizenship.
- Foreigners of good repute living in Kenya for at least 10 years and has given outstanding service to humanity is willing to become a Kenyan citizen should be accorded citizenship.
- Foreign intellectuals, scientists and artists who are willing to stay in Kenya should be given citizenship.
- Spouses of Kenya citizens regardless of gender should be given automatic citizenship (4).
- A child born of Kenya parents regardless of gender should be entitled to automatic citizenship (2).
- A Kenyan citizen should have right to liberty, freedom of conscience, expression, assembly, and association.
- A citizen should have freedom of worship, expression as basic education, and all freedoms spelt out in Geneva conventions of human rights under UN.
- Citizens should observe and obey the rule of law, protect the environment and participate in political process.
- The constitution should provide that all citizens are equally entitled to rights, benefits and privileges of citizenship regardless of gender.
- Rights and obligations of a citizen should not depend on the manner in which citizenship is acquired (2).
- Rights and obligations of a citizen should depend on the manner in which citizenship is acquired.
- The constitution should allow for dual citizenship (2).
- The constitution should not provide for dual citizenship (2).
- Kenyans should carry identity cards as evidence of citizenship.
- Kenyans should carry passport, ID cards and land title deeds as a proof of citizenship.
- Kenyans under and above 18 years and foreigners should carry birth certificates, national

identity cards and passports as a proof of citizenship and national identity cards for foreigners who have acquired citizenship and certificate of naturalization.

- The constitution should provide that if one parent is a Kenyan, the child shall be allowed to choose his/her citizenship.
- The constitution should provide that proof of citizenship shall be by way of national identification cards, land title deeds, birth certificates and passports.
- The constitution should confer automatic temporary citizenship to all persons (foreigners) who have stayed in Kenya at least 10 years.
- The constitution should provide that whoever wants to live in Kenya should be granted citizenship but should renounce any other citizenship they hold.
- The constitution should provide that foreigners shall not be issued with citizenship but shall be eligible for permanent residency if married to a Kenyan.
- The constitution should guarantee every Kenyan the right to vote.

5.3.5. DEFENCE AND NATIONAL SECURITY.

- The military, paramilitary, police, prisons forces should be established by the constitution (3)
- The constitution should provide for the establishment of a commission comprising of professional groups like judges to discipline armed forces.
- Disputes within the forces should be resolved through the court of law and those guilty of crimes should serve jail terms of not less than 10 years.
- The president should not be the commander in chief of the armed forces (4).
- The constitution should provide that the president shall be the Commander in Chief of the Armed forces (10).
- The chief of the general staff should be the commander in chief of the armed forces.
- The executive should not have the exclusive powers to declare war (3).
- The executive in consultation with parliament should have powers to declare war.
- The constitution should permit the use of extra ordinary powers in emergency situations such as war, insurrection, and breakdown of public order.
- The constitution should permit the use of extra ordinary powers in emergency with approval of 51% of the MPs.
- Parliament should have the authority to invoke emergency powers (3).
- The executive should have the authority to invoke emergency powers but this authority should be revocable any time by the parliament.
- Parliament should be in charge of invoking emergency powers through the head of state.
- The armed forces should be involved in carrying out humanitarian and rescue operations and pursuing invaders to foreign countries.
- The constitution should provide for noting of incoming and out going flights to protect our air space.
- The constitution should provide that police officers hurt or killed by thugs shall be compensated by the state.
- The constitution should provide that the armed forces shall be deployed in community activities development like building of roads in peace time.
- The constitution should provide that police shall only arrest when armed with warrant of arrest.
- The constitution should provide for a terror police unit to protect Kenya from terrorist

activities.

- The constitution should regulate handling of firearms.
- The constitution should provide that MPs shall have the powers to declare war if 60% of them vote for such.

5.3.6. POLITICAL PARTIES.

- Political parties should play only political mobilization.
- Political parties should take part in eradication poverty, illiteracy, and improvement of health facilities.
- Political parties should advise the government on matters pertaining to foreign policy, education, agriculture economic development and social cohesion and civic education.
- The constitution should regulate the formation and the management and conduct of political parties (3).
- The constitution should limit political parties to three (6).
- There should be only one political party.
- The number of political parties should be limited to 7.
- The constitution should not limit political party.
- Political parties should be ten in number.
- The constitution should limit political parties to five.
- Political parties should be funded by the government.
- Political parties should not be financed from public funds.
- Political parties should get campaign funds from the government.
- The relationship between the state and political parties should be cordial
- Political parties should place checks and balances on the ruling party.
- KBC should give equal coverage to all political parties.
- The constitution should limit the number of political parties in the country to between 2 and 3.
- The constitution should provide that all political parties shall have equal access to state mass media.
- The constitution should provide for only 4 political parties.
- The constitution should provide a political party shall only be registered upon a production of at least 10,000 signatures of those willing to join the party.
- The constitution should provide broad guidelines for the formation, management and conduct of political parties.

5.3.7. STRUCTURES AND SYSTEMS OF GOVERNMENT.

- The constitution should provide for presidential system of government (3).
- Parliamentary system of government should be put in place (6).
- The prime minister should have executive powers
- The prime minister should be the head of civil servants and be answerable to parliament.
- The prime minister should be the head of government and will be the chief executive.
- The president should have ceremonial powers and perform state functions.
- The president should be the head of state and be ceremonial.
- A hybrid system of government should be adopted (4).
- Retain unitary system of government (4).

- The constitution should provide for unitary form of government in consideration to the size of ethnic diversity, history, and economic power of our country.
- There should be federal system of government (3).
- The constitution should not provide for federal system of government (5).
- District local authorities and provinces should be made autonomous.
- The vice president should be elected by the people.
- The leader of the opposition should be the vice-president.
- The vice president should be the presidents' running mate.
- The vice-president should be chosen by MPs.
- The attorney general should be in the judiciary not the executive.
- The AG should have security of tenure.
- The constitution should provide for a Majimbo system of government.
- The constitution should not provide for a Majimbo system of government.
- The constitution should provide for a unitary government formed by all political parties.
- The constitution should provide that the vice-president shall be a graduate and elected by the people.

5.3.8. THE LEGISLATURE

- Appointment of civil servants should be vetted by parliament.
- The parliament should approve executive public appointments.
- Appointment of judicial officers should be approved by parliament.
- Appointments of ministers should be approved by parliament.
- The appointment of chief justice and high court judges should be vetted by parliament.
- Appointment of ministers, assistant ministers, and judicial officers should be vetted by parliament with majority votes.
- Parliament should vet the appointment of chief justice, judges of appeal, puisine judges and judges.
- Appointments of chief of general staff, permanent secretaries, ambassadors, high commissioners, AG, should be vetted by parliament (2).
- Appointments of chief of general staff, permanent secretaries, DC, PC, should be vetted by parliament.
- Parliament should vet the appointment of auditor and controller general.
- Parliament should have powers to appoint ambassadors, ministers, and AG (2).
- Parliament should appoint ministers on the basis of qualifications.
- Parliament should have powers to form commissions, discuss matters of national importance powers to summon and censure constitutional offices create and dissolve ministries, summon and censure ministers (2).
- Parliament should have the powers to monitor the affairs of various arms of the government.
- Parliament should appoint permanent secretaries, chancellors, AG, PC, and chief justice.
- Parliament should determine its own calendar (9).
- Being a member of parliament should be a full time occupation (5).
- Being a member of parliament should be a part time occupation.
- The president should be between 35-70 of age.
- The president should not be above 40 years (2).
- The president should be between 40-80 of age.
- The president should be between 40-70 of age.
- All president candidates should attain the age 33 years.
- Voting age should be 18 years.
- The age requirement for presidential hopefuls should be between 35-75 years (3).
- The president should be between 50-70 years of age.
- The president should be between 55-80 years.
- Age requirement for contesting parliamentary seat should be 18 years and above.
- MPs should be degree holders (3).
- The language tests required for parliamentary seat are sufficient (3).
- MPs should have O level certificate.
- Introduce ethical and moral qualifications for parliamentary candidates.
- People should have right to recall their MPs (8).
- Non-performing MPs should be recalled by the constituents through an opinion poll.
- People should have right to recall their MP by collecting signatures of 51% of registered voters in the constituency.
- MPs should act on the basis of conscience and convictions or instructions from the electorates.
- An independent body should determine the salaries and benefits of MPs (4).

- A special body should be formed to determine the salaries of MPs.
- A salary review commission should determine the salaries and benefits of MPs.
- A commission comprising of the chairman of PSC, permanent secretary to the civil servants should determine the salaries and benefits of MPs.
- The concept of nominated MPs should be abolished (6).
- Retain the concept of nominated MPs.
- Political parties should do nominations of MPs to parliament.
- Nominated MPs should be reduce by Half.
- 10% of nominated MPs should represent special interest groups like women, COTU, KAM, KNCC, disables and religious groups.
- 2/3 of nominated MPs should be women.
- The educational requirement for contesting parliamentary seat should be a diploma for women to increase their participation.
- 25% of parliamentary seat should be reserved for women.
- There should be code of ethics for women.
- The constitution should provide for coalition government (13).
- The constitution should provide that where there is no clear majority coalition government be put in place otherwise the dominant party forms the government.
- The current multi party system in the legislature and one party in the executive should continue.
- The constitution should provide for multi-party system in both the legislature and executive (2).
- There should be only one chamber house.
- The constitution should provide for two chamber of parliament.
- The parliament's power to remove the executive through a vote of no confidence is adequate (7).
- The president should not have powers to veto legislation passed by parliament.
- Legislature should have powers to override the presidents' veto.
- President should have powers to dissolve parliament (3).
- The president should not have powers to dissolve parliament (5).
- The constitution should not stagger parliamentary elections.
- MPs should have offices at the constituency (2).
- The constitution should provide that the powers of the president to appoint constitutional officers be subject to vetting by parliament.
- The constitution should provide that parliament should appoint ministers, assistant ministers and key government and institutional officers.
- The constitution should provide that the tenure of MPs should be limited to 2 terms of five years each.
- The constitution should provide for impeachment of the president by parliament.
- MPs by way of petition, referendum or collection of a required number of signatures from the MPs constituency.
- The constitution should provide that MPs should have public offices in their constituencies.
- The constitution should provide that parliament should only be regulated by its standing orders.
- The constitution should provide that 10% of MPs should be women.
- The constitution should provide that life of parliament shall be exactly 5 years and shall only be extended incase of war.

- The constitution should provide that parliamentary quorum should be 22 members.
- The constitution should provide that parliament should have the power to dissolve local authorities.
- The constitution should provide that the cabinet should be answerable to parliament.
- The constitution should provide that voting age should be reduced to 15 years.

5.3.9. THE EXECUTIVE.

- Presidential candidates should be university graduates (5).
- Presidential hopeful should be visionary and with integrity, knowledgeable and committed to constitutionalism with unquestionable leadership quality.
- Presidential aspirant should be indigenous Kenyan, mature, and married.
- The president should be God fearing, university graduate, of sound mind and man of wisdom.
- A president should be a person of high moral integrity and proven track record.
- A presidential candidate should be someone with no criminal record.
- Presidential candidates should be transparent, popular, wealthy, able to communicate in English and Swahili, and free from corruption (3).
- Presidential candidates should be Kenyans by birth economically stable, person of impeachable character.
- Presidential candidates should have a minimum of diploma education (2).
- Presidential tenure should be 2 terms of 5 years each (12).
- Presidential tenure should be fixed at 2 terms (4).
- Presidential tenure should be fixed at one term.
- The functions and powers of the president should be defined in the constitution.
- President should open all parliamentary sessions, shows, and international meetings.
- The president should have the prerogative of mercy.
- Presidential should exercise executive authority, be commander in chief of the armed forces.
- The president should appoint ministers and assistant ministers, he can adjourn, prorogue or summon parliament.
- The president should assent bills into laws and should coordinate the activities of the state to ensure that all the arms of the government are functioning, and should recommend corrupt leaders to the parliament for disciplinary action.
- The president should not be the chancellor of public universities.
- The president should not have powers to dismiss civil servants.
- The president should not appoint the AG, magistrates, and all senior civil servants.
- Presidential powers should be reduced (7).
- The president should not have powers to appoint judges, ambassadors, AG, and ministers.
- The president should not conduct graduation ceremonies and should not have the powers to appoint vice-chancellors, DC, PCs.
- The president should not have powers to dismiss top government officers.
- The president should be removed form office for misconduct)5).
- The president should be impeachable (4).
- The president should be removed form office for misconduct through a vote of no confidence (3).
- The president and parliament should exist as two integral parts and work in harmony.

- The president should not be MP (6).
- The president should be MP (2).
- Chiefs should be elected by people.
- Clan elders should be included in provincial administration.
- Provincial administration should be scrapped (5).
- Chief and assistant chief should be directly elected by the people (4).
- The president should not be above the law (6)
- The post of PC should be eliminated replaced with DC.
- Provincial administration should be retained (2).
- Ministries should not exceed 20.
- There should be definite ministries headed by ministers.
- The constitution should provide for a maximum number of 16 ministries with one minister and assistant minister.
- The constitution should provide that the president shall serve a maximum 1 term of five years.
- The constitution should provide that powers of the president shall be trimmed especially those of appointing people to public office.
- The constitution should provide for the abolition of provincial commissioners and district commissioners.
- The constitution should provide that the president shall be aged between 35-75 years, be well educated (graduate), a person of integrity, shall be married and shall declare his wealth.
- The constitution should provide that the president shall be aged between 55-80 years.
- The constitution should provide that the president shall be an elected MP.
- The constitution should provide that the ministers shall be at most 20 with each having one assistant minister.
- The constitution should provide that the president shall be a person of good health.
- The constitution should provide that ministries shall be at most 17.
- The constitution should provide the president shall be an indigenous Kenyan of at least 18 years of age.
- The constitution should provide that the chiefs and their assistants shall have at least form four education.
- The constitution should provide that the president shall be between 35-65 years old.
- The constitution should provide that the president shall be between 40-80 years old.
- The constitution should provide for the election by popular vote of provincial administration officials.
- The constitution should provide that the provincial administration officials shall never engage in politics.
- The constitution should provide that presidential candidates must name their running mates before the elections.
- The constitution should provide that village elders shall be recognized, given uniforms and treated as civil servants with payment.

5.3.10. THE JUDICIARY.

- The judiciary should be independent (5).
- The present structure of the judiciary is not adequate.

- African customary courts should be established.
- The constitution should establish supreme court (4).
- Constitutional court should be established (2).
- Judicial officers should be appointed by members of parliament.
- Parliamentary select committee should appoint the chief justice.
- Judicial service commission should appoint judicial officers (4).
- The president should appoint judicial officers.
- The president should appoint judicial officers through a professional commission.
- An independent committee should appoint judicial service commission.
- The minimum qualification for judicial officers should be a university degree.
- Judicial officers should have security of tenure (3).
- The tenure of judicial officers should be pegged at 65.
- Judicial officers should have security of tenure if appointed by the president.
- Advocates should be put off from law courts to eradicated corruption in the judiciary.
- There should be code of conduct for judicial officers.
- Chief kadhi should have qualification similar to other magistrates.
- Chief kadhi should be restricted to judicial work.
- Kadhi court should handle other matters of criminal nature.
- The kadhi should be nominated by the Muslim community.
- Muslim supreme council should appoint the kadhi and approved by the judicial service commission and public service commission.
- The kadhi court should have appellate jurisdiction.
- The constitution should ensure all people have access to courts by reducing court charges.
- Courts should be established in the divisions and court charges reduced so as everyone can access courts.
- The constitution should ensure that all people have access to courts by providing judges, magistrates in every district.
- Judicial powers of the state should be vested exclusively in courts.
- There should be constitutional right to legal aid for the poor (2).
- Advocates should be done away with and everybody should defend himself.
- There should be a provision for judicial review of laws made by parliament.
- Clan elders should be paid salaries and uniform (2).
- Village elders should be given salaries and identification cards.
- The constitution should provide that advocates shall be done away with and everyone shall represent himself or herself in court.
- The constitution should provide that the Kadhi shall be a very learned person in Islamic and secular law.
- The constitution should provide for an appointment of a special committee to appoint judges.
- The constitution should provide that persons charged with corruption shall be jailed and be forced to refund the embezzled money to the state.
- The constitution should provide that judges shall be appointed by the president.
- The constitution should provide that judges shall enjoy security of tenure.
- The constitution should provide that no criminal suspect shall be granted bail/bond.
- The constitution should provide for judges and magistrates at every district headquarters.
- The constitution should provide that trespass law shall be scrapped.
- The constitution should provide that suspects shall be charged in court within 24 hours of arrest.

- The constitution should provide that men who rape their daughters shall be castrated.
- The constitution should provide for a permanent constitutional court.
- The constitution should provide that Chief Justice shall be over 50 years, a judge of the High Court and a holder of a degree in law.

5.3.11. LOCAL GOVERNMENT.

- Mayors and council chairmen should be elected by the people (11).
- Mayors and council chairmen should be directly elected by the people through secret ballot (2).
- Council chairmen and mayors should serve for five years in office (3).
- Mayors and council chairmen should serve 4 years in office.
- The current 2-year term for council chairmen and mayors is adequate.
- The central government should appoint council staff.
- Councils should continue working under central government.
- Power sharing between councilors and chief officers should be tabled in parliament.
- Councilors should have O level certificate holders (11).
- The minimum educational qualification for councilors should be O level with proven management skills and track record.
- The minimum educational qualification for municipal and town councils should be degree and form four respectively.
- The minimum educational qualification for councilors should be O level with c+.
- Councilors should be fluent in English and Kiswahili.
- Language test required for vying local authority seat is sufficient.
- There should be moral and ethical qualifications for civic candidates (3).
- People should have right to recall their councilors (2).
- Voters should not have right to recall their councilors (2).
- People should have right to recall their councilors by obtaining 51% signatures of the registered voters.
- A salary committee should determine the remunerations of councilors (2).
- The local government service commission should determine the remunerations of councilors (2).
- The central government should determine the salaries of councilors.
- The concept of nominated councilors should be abolished (9).
- Nominated councilors should represent disables.
- Retain nominated councilors (2).
- Nominated councilors should be 20% of elected councilors in municipalities or councils.
- There should be a code of conduct.
- The president or the minister for local government should have powers to dissolve local authorities (2).
- The president or the minister for local government should not have powers to dissolve local authorities (2).
- Local brewers should be issued with licenses by local authority.
- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chair of the County Council, should be filled by direct popular elections.
- The constitution should provide that there shall be a defined criteria for up-grading local authorities.

- The constitution should provide that councilors shall have at least form 4 level of education.
- The constitution should provide that local authorities shall have the power to hire and fire employees.

5.3.12. THE ELECTORAL SYSTEM AND PROCESS

- The constitution should provide for a representative electoral system (4).
- Simple majority rule should be used when there is no clear winner.
- 75%simple majority rule as a basis of winning an election.
- The constitution should provide that simple majority rule be the basis of winning elections for women.
- The electoral process should be designed to increase women participation by limiting the election expenses to a particular maximum.
- There should be no minimum number of votes in elections for a candidate to be declared a winner.
- Presidential candidate must attain a minimum of 51%of total votes to be declared a winner (9).
- Presidential aspirants should garner 50% of votes cast to be declared a winner (6).
- Presidential candidate must attain a minimum of 52%of total votes to be declared a winner.
- The constitution should allow candidates who fail to seek nomination in one party to switch to another party for nomination (2).
- The constitution should bar defectors from seeking elections for 5 years.
- Defectors should resign and seek re-elections.
- The constitution should provide for a compulsory leave for five years for those who defect from one party to another before being accommodated in another party.
- The constitution should retain the 25% representation in 5 provinces for presidential elections (8).
- No seats should be reserved for specific interest groups.
- The constitution should retain the current geographical constituency system (2).
- Parliamentary and local authority seats should be reserved for disables, women, trade union representatives, industry, and farmer’s representatives.
- The current demarcations of wards and constituencies are satisfactory.
- Constituencies should have equal numbers of people.
- Constituencies should be reduced to 90.
- Population should be put into account when dealing with the demarcation of constituencies and wards (2).
- Civic, parliamentary and presidential elections should be held simultaneously (3).
- Civic, parliamentary and presidential elections should be held at different dates (4).
- All ballot boxes should be transparent (4).
- Election process should be simplified by counting votes at polling stations.
- Voter’s registration should be a continuous process (3).
- The constitution should simplify the election process by scrapping the linkage of voter’s registration to possession of national ID cards.
- There should be no limit to election expenditure by each candidate (2).
- Election dates should be specified in the constitution (5).
- Presidential elections should be conducted directly by the people (7).

- Presidential elections should be conducted by Electoral College.
- Presidential elections should be conducted indirectly by the parliament.
- The 2002 elections should be conducted under the new constitution.
- New president should not be sworn in until election petitions are heard and determined.
- Candidates should not pay more than kshs.1000 for deposit to ECK.
- All political leaders should be free to conduct their campaigns with police interferences.
- Electoral commissioners should be persons of high esteem they should be impartial and independent.
- Electoral commissioners should be persons of high moral integrity.
- Chairman of electoral commission should be appointed by parliament and not the president.
- Public service commission should appoint ECK officer and approved by parliament.
- The constitution should provide for the appointment of two commissioners.
- An independent body should appoint electoral commissioners (2).
- Electoral commissioners should be appointed by a gender sensitive board.
- Parliament should appoint electoral commissioners through a confirmatory process.
- Electoral commissioners should serve for one term.
- Electoral commissioners should serve for a maximum of ten years (2).
- Electoral commissioners term should be limited to a number of 2-5 years term to prevent the perpetuation of tenure of secretarial commissioners.
- Electoral commissioners should retire 2 years after general elections.
- ECK should be funded by the government.
- ECK should be funded from consolidated funds.
- Electoral commissioners should be removed from office through retirement or due to incompetence and corruption.
- Electoral commissioners should be as many as the administrative districts.
- Ballot boxes should be counted at polling stations (6).
- Counting of votes should be done at polling stations and the results announced immediately to prevent manipulation and loss of votes.
- The electoral commission should be independent.
- Electoral commission should work independently without any interference from any arm of the government including the executive.
- There should be United Nation body to monitor elections and provide more security.
- The constitution should provide that every division should constitute a constituency.
- The constitution should provide that civic, parliamentary and presidential elections should be held separately.
- The constitution should provide for retention of the 1st – past-the post electoral rule.
- The constitution should provide that all persons who fail to get nominated by their parties should not cross over to other parties.
- The constitution should provide that members of parliament who defect after elections should not be allowed to contest again in the ensuing by-election.

5.3.13. BASIC RIGHTS

- Constitutional provisions for fundamental rights are not adequate (2).
- The constitution should provide for freedom of association.
- The constitution should provide for freedom of association and assembly.
- Freedom of worship, equality, association and assembly should be provided for in the

constitution.

- The constitution should provide for freedom of worship (3).
- Freedom of worship and association should be enshrined in the constitution.
- Constitution should provide for the right to personal liberty freedom from slavery and forced labor, expression, movement, against arbitrary search or discrimination on grounds of race.
- Rights of equality of all citizens irrespective of gender should be enshrined in the constitution
- The rights and freedom of all citizens especially women should be included in the constitution.
- The constitution should protect women, girls from election violence rape including rape in marriage.
- The constitution should guarantee and protect right to private and family life (3).
- Right to own property, personal liberty, and protection against arbitrary arrest should be included in the constitution.
- Death penalty should be abolished replaced with life imprisonment (5).
- The constitution should guarantee right to life (5).
- Constitution should protect security, health care, education, food employment, shelter, as basic rights (3).
- The state should have the responsibility of ensuring that all Kenyans enjoy their basic rights (3).
- The constitution should provide equal employment opportunities for all Kenyans (3).
- The government should provide security for all.
- The constitution should provide that no individual should be arrested without a warrant of arrest.
- All people and parties should be given security.
- The government should provide free healthcare (7).
- The constitution should provide for free emergency treatment in all health cares whether public or private.
- Education should be free to all Kenyans (9).
- The government should provide housing schemes at all levels.
- The constitution should emphasis on the policy of one-man one job (8).
- Educated youth should be employed.
- Retired persons should not be appointed to any government work.
- Unemployed persons should be given monthly stipend as pension.
- Suitable employed should be set for women and disables.
- Social security should be paid on retirement.
- Pensions should be paid to all retirees.
- The government should establish a place where old people can be catered for and their basic needs are met.
- The constitution should provide for free and compulsory up to secondary education (4).
- The constitution should provide for free and compulsory primary education (5).
- The constitution should provide for free and compulsory up to university (3).
- There should be free education.
- Education should be free at the primary level (3).
- Parliamentary proceeding should be given live coverage.
- The constitution should be written in simple language.
- Kenyans should have right to access information in the hands of the state (3).

- The constitution should be written in English, Kiswahili, and local languages.
- The constitution should be written in different languages for many people to understand.
- The constitution should guarantee all workers right to trade union representation (3).
- The constitution should provide for free and compulsory formal education.
- The constitution should provide that the unemployed youth be entitled to subsistence allowance.
- The constitution should guarantee every Kenyan the right to work, and with adequate minimum wage.
- The constitution should provide for access for clean water for all Kenyans.
- The constitution should provide that the security of person and property of the common man should be guaranteed.
- The constitution should provide for the protection of all Kenyans from gender-based discrimination at all times.
- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should provide workers with the right to industrial action.
- The constitution should provide for a continuous civic education via the school curriculum and the mass media so that the people can know their rights.
- The constitution should provide that the constitution shall be translated into local languages and copies made available to the citizenry.

5.3.14. THE RIGHTS OF VULNERABLE GROUPS

- The interest of women should be addressed in the constitution.
- The constitution should create an enabling environment where the wishes of women can develop, thrive and become a reality.
- Women right should be guaranteed under bill of right and Kenyan woman should suffer no form of discrimination or oppression that reduces her dignity or self esteem.
- The government should cater for disables.
- The interest of disables should be taken care of (3).
- There should be legal policy framework for setting up a national disability council.
- Person with disability should have access to buildings roads, and other social amenities.
- The constitution should provide for election of persons with disability to parliament through a quota system.
- The government should establish a center for orphans where their education and basic needs are catered for.
- The government should protect orphans.
- The constitution should protect the rights of children by making child abuse a capital offence.
- The constitution should ensure protection of children through provision of free and quality education.
- The constitution should protect the rights of children by prosecuting guardians and parents who don't provide education opportunity for to their children.
- The constitution should protect the rights of children by adopting UN charter for children right.
- The aged should not be discriminated against.
- The constitution should consider the youth as vulnerable group.
- Orphans should be considered as vulnerable.

- The elderly should be considered as vulnerable.
- The constitution should consider the aged and the poor as vulnerable.
- The old, small tribes, pastrolist and small religious groups should be considered as vulnerable.
- The constitution should make an affirmative action for women and other vulnerable groups without security.
- The constitution should compel public institutions to accommodate women in position of responsibility.
- The constitution should provide for affirmative action in favor of women in employment.
- Prisoners should have right to vote.
- No person should be tortured or detained before trail.
- The conditions in the prisons should be improved and good beddings, good meals provided.
- Prisoners should have right to visitors.
- The constitution should provide that The National Fund for the disabled shall be made a revolving fund and shall act as bank for disabled people.
- The constitution should provide that the disabled shall not queue in banks, hospitals etc for services.
- The constitution should provide that the disabled shall be provided with structures or equipment that they need for their care.
- The constitution should provide that there should be tax exemption/relief for the disabled.
- The constitution should provide that aged should be taken of by the state.
- The constitution should provide for establishment of a special department for children to cater orphans and street children.
- The constitution should provide for buildings that are structurally sensitive to the needs of the disabled.

5.3.15. LAND AND PROPERTY RIGHTS

- Individuals should have ultimate ownership of land (2).
- The stat should have ultimate ownership of land (3).
- The government should reposes and redistribute to those who don't have.
- The government should have the powers to compulsorily acquire private land but the owners should be compensated (4).
- The government should have the powers to compulsorily acquire private land for public use but the owners should be given just and fair compensation paid by competent tribunal or court of law.
- The constitution should provide that idle land be taxed.
- The state, local government should have powers to control the use of land by the owner or occupier (2).
- The constitution should provide for inheritance of land by both sexes.
- Nobody should own more than 20 acres of land (3).
- An individual should not own more than 10 acres (2).
- There should be a ceiling on land owned by an individual.
- An individual should not own more than 50 acres.
- There should be restriction on land ownership by non-citizens (3).
- Title deeds should be issued freely.
- Land transfer system should be simplified (3).

- Land transfer system should be simplified by employing enough surveyors, giving elders more authority and abolishing land fee.
- Land boards should be fair in determining land cases.
- Demarcation fees should be scrapped and land title deeds issued freely.
- Family property should be jointly owned by the husband and wife.
- Men and women should have equal access to land and title deeds should bear the name of both spouses (2).
- Men and women should have equal access to land (5).
- The constitution should provide for abolishing of ethnic land boundaries.
- Pre-independence land treaties should be abolished.
- Kenyans should own land anywhere in the country (4).
- The constitution should guarantee access to land for every Kenyan (2).
- The constitution should not guarantee access to land for every Kenyan.
- Family land should be shared between the two spouses.
- The constitution should provide that national parks should be used to settle the landless.
- The constitution should provide that land title deed issuance shall be free and shall bear the two names of the spouse.
- The constitution should provide that all those who have more than 50 acres of land should be taxed.
- The constitution should provide that the land boards should be scrapped.
- The constitution should provide that squatters shall be given title to land they have lived on for more than 10 years.
- The constitution should provide that land already in possession of foreigners should be acquired compulsorily subject to compensation.
- The constitution should provide that the elders who sit on land tribunals must have legal knowledge or else chiefs shall adjudicate over land disputes.
- The constitution should provide that every region should have a committee of elders to resolve land disputes.
- The constitution should provide that all land matters including issuance of title deeds should be dealt with at the district level.
- The constitution should provide that the no title deed should be issued to a disputed land.

5.3.16. CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- Kenya's ethnic and cultural diversity contribute to a national culture.
- The constitution should promote and protect the cultural and ethnic diversity of Kenyans (5).
- The constitution should not promote and protect the cultural and ethnic diversity of Kenyans.
- Traditions should be respected and people from the same clan should not intermarry.
- The constitution should protect and promote the interest of the Gusii people.
- The constitution should protect and promote the right to belong to any racial, social, cultural, ethnic group.
- The constitution should protect people from discriminatory aspect of culture.
- The constitution should provide for two national languages (2).
- The constitution should provide for Kiswahili as national language.
- The constitution should recognize and protect indigenous languages (3).
- The constitution should provide for the freedom of ethnic practices as long as they are not

repugnant to morality and natural justice.

- The constitution should provide that wife inheritance should be banned.
- The constitution should provide that cultures and customs should be respected.
- The constitution should provide that customary marriages should be recognized and treated equally to statutory marriages.
- The constitution should provide that Female Genital Mutilation should be allowed in Gusii Land.
- The constitution should not abolish the practice of Female Genital Mutilation.

5.3.17. MANAGEMENT AND USE OF NATIONAL RESOURCES

- The executive should not retain the powers to raise and distribute financial and human resources.
- Parliament should retain the power to authorize the raising and appropriation of public finances (4).
- Public officers should declare their wealth.
- There should be equal distribution of national resources (3).
- Every district should use 75% of resources and wealth generated within the district and 25% should be channeled to the central government (2).
- The government should be required to apportion benefits from resources between the central government and the communities where such resources are found.
- The auditor general should have security of tenure (2).
- The controller and auditor general should have powers to prosecute.
- The controller and auditor general reports should be acted upon immediately the parliament approves them.
- The controller general should be appointed by PSC in conjuncture with parliament.
- The president should appoint the controller and auditor general.
- Public finances should be used for intended purposes.
- Appointment of civil servants should be on merit (3).
- Salaries of civil servants should be reviewed to attract people to working the public service (2).
- The constitution should ensure proper supervision and coordination of public servants.
- Salaries of civil servants should be reviewed after 2 years.
- The president should appoint members of the public service commission.
- Member of PSC should be appointed by the president and approved by the parliament.
- Any person involved in corruption should not hold public office (3).
- There should be a code of conduct for civil servants (2).
- Public officers should declare their wealth.
- The constitution should provide that national schools shall be equitably distributed in all provinces and the quota system shall be abolished.
- The constitution should provide that government official found guilty of corruption should be dismissed from their jobs and charged in court.
- The constitution should provide that government records and officers should be decentralized and based at regional level.
- The constitution should provide that each regions resource should be used to develop that region.
- The constitution should provide that public officers convicted of corruption be also made to

repay the full amount of monies embezzled.

- The constitution should provide for a one person-one job policy.
- The constitution should provide that all aspiring MPs should declare their wealth.
- The constitution should give Parliament powers to authorize for public expenditure and also to set up Anti-corruption Authority.
- The constitution should provide that ministers should be professionals in the areas they are appointed to serve in.

5.3.18. ENVIRONMENTAL AND NATURAL RESOURCES

- The principle of healthy environment should be embodied in the constitution.
- Protection of natural resources, controlling and regulating environmental degradation, afforestation, should be included in the constitution.
- Parliament should have the powers to enforce laws on environmental protection (2).
- The ministry of environment, natural resources and local authorities should have the powers to enforce environmental protection laws.
- The citizens should own natural resources.
- The government should own natural resources.
- The state should own natural resources (2).
- Local communities should comply with laws and policies set by the government concerning preservation and conservation of environment and natural resources.
- Natural resources should be protected by the constitution (3).
- The following resources should be protected by the constitution: water, mineral and marine resources, forest, wildlife, tourist resorts and attraction and soils.
- Local authorities should be mandated to manage resources within their areas of jurisdiction.
- The ministry of natural resources, the government and the local communities should be responsible for the management and protection of natural resources.
- The constitution should spell out policies on how best natural resources can be protected.
- The constitution should provide that rural people should be educated on environmental protection.
- The constitution should provide that minerals should be exploited without adverse environmental damage.

5.3.19. PARTICIPATORY GOVERNANCE

- Non-governmental organizations and other organized groups should carry out civic education.
- The constitution should ban pornographic publications.
- The constitution should provide that electoral commissioners should be appointed by civil society in conjunction with parliament.
- The constitution should provide that affirmative action should be introduced in favor of vulnerable groups to increase their participation in governance.

5.3.20. INTERNATIONAL RELATIONS

- International treaties and conventions and regional and bilateral treaties should have an automatic effect in the domestic law.

- The constitution should provide that foreigners should be scrutinized before entering the country.

5.3.21. CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- The constitution should provide for the creation of ministry of gender and women affairs with specific department dealing with disables and girls.
- The constitution should provide for the creation of ombudsman's office (3).
- The constitution should provide for creation of ombudsman office to check on mal-administration.
- The constitution should provide for creation of ombudsman office to check on corruption.
- Establish human rights commission.
- Minister of justice or constitutional affairs should be created and be distinct from the AG's office.
- The constitution should establish gender commission.
- Gender commission should be established as a constitutional office with at least 50% women representation.
- Children right service commission should be created.
- The constitution should provide for creation of parliamentary service commission (2).
- The constitution should provide for creation of natural resources commission (2).
- The constitution should provide for creation of the following commissions: national food, local authority service and a national commission.
- The national commission should be responsible for the management of national resources.
- Parliamentary service commission should run parliamentary services like announcing parliamentary schedules and employing and firing parliamentary staff.
- The constitution should provide for the creation of a special body (ombudsman) to check misuse of state power.
- The constitution should provide that the Judicial Service Commission should be in-charge of hiring and firing judges and other judicial officers.
- The constitution should provide that an independent commission/committee should determine the salaries of MPs.
- The constitution should provide that constitutional offices should enjoy security of tenure.
- The constitution should provide for establishment of National Advisory Council composed of professionals to advice the government and carry out research to benefit Kenyans.
- The constitution should provide for a standing salary review commission, represented at all levels of government, with a mandate to review the salary of all public servants.

5.3.22. SUCCESSION AND TRANSFER OF POWER.

- The speaker of the national assembly or parliament assisted by the chief justice should be in charge of executive powers during presidential elections.
- The speaker of the national assembly should be in charge of executive powers during presidential elections (7).
- A transition executive council consisting of seven persons 3 of which are women nominated by the outgoing president and confirmed by 2/3 of the national assembly prior to the dissolution should be in charge of executive powers.
- Presidential election results should be declared to the chief justice and the speaker of the national assembly in the presence of the armed forces commanders and commissioners of

police and head of civil servants.

- Incoming president should be sworn in by the chief justice assisted by the speaker of the national assembly.
- The incoming president should be sworn in after a period of 2 months.
- Bishops and Islamic leaders should swear in incoming president.
- Incoming president should swear the oath of allegiance before the chief justice in parliament and not in state house.
- Outgoing president should handover power to incoming president during swearing in ceremony.
- The constitution should make provisions for former president in terms of security (2).
- The constitution should make provisions for former president in terms of welfare (2).
- The constitution should make provisions for former president in terms of immunity from legal process.
- The president should leave office if involved in scandals.
- The constitution should provide that a retiring/outgoing president should hand over the instruments of power to the Speaker in the interim period before the next president is sworn in.
- The constitution should provide that in case of incapacitation of the incumbent president, he/she should hand over the instruments of power to the Speaker in the interim period before the next president is sworn in.
- The constitution should provide that swearing in of the president should be done in a church and not in state house.
- The constitution should provide that swearing in of the president should be done in parliament not in state house.
- The constitution should provide that Muslim leaders and bishops be included in swearing in of the president with Attorney General as the master of ceremony.
- The constitution should provide for health care and immunity for retiring president.

5.3.23.WOMENS' RIGHTS

- Women should have right to property ownership and inheritance (2).
- Women should have right to inheritance and succession from their parents (4)
- The constitution should not provide for divorce.
- Women should have right to inheritance and inheritance by establishing a bill of right or an equality clause recognizing women's equal right to inheritance and succession.
- Come we stay marriage should be legalized.
- Prohibition of domestic violence should be constitutionalized (2).
- The constitution should provide that men who impregnate schoolgirls should be charged in court.
- The constitution should provide that all wives and children in a polygamous setting should inherit property equally.
- The constitution should provide that women should not inherit father's property.
- The constitution should guarantee land/property inheritance rights to unmarried woman.
- The constitution should provide that there should be equal division of property in case of divorce/inheritance.

5.3.24.NATIONAL ECONOMIC POLICY

- The government should only allow for importation of goods that not available in Kenya.
- Poverty reduction programs should be put in place.
- Industrial and factory areas should have a good infrastructure.
- The constitution should provide for better roads in the rural areas.
- The government should provide for health and sanitary facilities in schools.

5.3.25. NATIONAL OTHER POLICY

- HIV patients should be taken care of.
- The constitution should provide for promotion of home-based care for AIDS patients.
- Before marriage is solemnized couple should go for HIV test.
- Those who intentionally infect others with HIV/AIDS should be charged with murder.
- The constitution should allow doctors to openly declare the HIV status of patients.
- The government should take care of HIV/ASIDS patients.
- All vehicles should have first aid kit.
- The government should create employment opportunities for all school leavers to curb insecurity caused by them to the public.
- The constitution should provide that police officers involved in corruption should be prosecuted and sacked.
- Corrupt MPs should resign.
- Any person found guilty of corruption be sacked and if possible all his documents stamped so that he does not get employed elsewhere.
- The constitution should provide for the establishment of ant-corruption unit to prosecute all corruption offences (2).

5.3.26. SECTORAL POLICY

- Farmers should be protected and their produce be given first priority.
- Farmers should be allowed to have trade unions (2).
- The constitution should not provide for agricultural extension officers.
- The government should subsidies farmers produce and ensure higher and increased production.
- Farm inputs should be tax free.
- Nursery school teachers should be paid by the government.
- Teachers should not be allowed to run their own private schools.
- The old system (7-4-2-3) of education should be reintroduced.
- The minister for education should be somebody conversant with education system.
- Sponsors should be given full management of schools.
- The government should provide bursaries and loans to poor students.
- Teachers should not work near their home areas.
- The constitution should provide for establishment of Employment Board in each region to oversee creation of jobs.
- The constitution should provide that the powers to appoint registrars, vice-chancellors and chair of university departments should be exercised by the university senate.
- Corporal punishment should be administered in schools.
- Teacher's service commission should have chairman, vice-chairman and 8 other members one from each province.
- TSC commissioners should enjoy security of tenure.

- Admission to schools should be based on performance.
- Drug abolished should be abolished in schools.
- 8-4-4 system of education should be abolished (3).
- The government should provide textbooks, exercise books and other equipments to schools.
- The constitution should be an examinable subject at all levels.
- The constitution should provide for the interdiction of teachers who have carnal knowledge of their students.
- The constitution should be taught as a subject at all levels.
- The rate of taxation should be reduced.
- Kenyan currency should natural features like mount Kenya (3).
- There should be no portrait of the president on the currency.
- No medicate officers should operate private clinics.
- Local herbs should be recommended for use.
- Public health officers should not be allowed to operate private clinics.
- Medical officers guilty of any problem should be punished by taking away his license.
- The government should ensure the availability of drugs in hospitals.
- Airwaves should be liberalized (2).
- All political parties should have fair access to mass media.
- The constitution should provide that all parts of the country should have access to TV channels like KTN, Nation TV.
- Drivers should obey traffic rules to reduce accidents.
- The constitution should provide that the current system of education be abolished.
- The constitution should provide that there should be a health center in every village/location.
- The constitution should provide that the government should be responsible for building of schools.
- The constitution should provide that the teachers shall be equitably distributed all over the country and housing facilities provided for them.
- The constitution should provide for repatriation of all monies banked abroad by corrupt government officials.
- The constitution should provide for government role in market search for local products and price control to protect local producers

5.3.27. STATUTORY LAW.

- Abortion should be legalized.
- Traditional liquors should be outlawed.
- Traditional liquors should be legalized.
- The constitution should provide that witchcraft should be a punishable offence.
- The constitution should provide that chang'aa brewers should be jailed for at least 7 days.
- The constitution should provide that offences like being drunk and disorderly should be abolished.
- The constitution should provide that abortion be illegal.
- The constitution should provide that rape should be punished by life imprisonment.
- The constitution should provide for stiffer penalties to drug sellers and users.

- The constitution should provide that drinking time should be limited to 3 bottles of beer per person only.

5.3.28 GENDER EQUITY.

- Gender equity should be ensured in all appointments.
- There should be gender equity in all levels.
- Discrimination on sex should be expressly prohibited.

5.3.29. ECONOMIC AND SOCIAL JUSTICE.

- Retired government officers should not be appointed to any portfolio rather unemployed Kenyans should be given a chance.

5.3.30. TRANSPARENCY/ACCOUNTABILITY.

- Accountability should be observed in the public service, judiciary, legislature and all branches of the government.

5.3.31. NATURAL JUSTICE/RULE OF LAW

- The constitution should provide that police confinement should not exceed 24 hours and police statements should not be used as evidence in courts.
- The constitution should allow private prosecution.

5.3.32. NATIONAL INTEGRITY/IDENTITY

- Public holidays should be created by parliament.
- Kenyan currency should not have the portrait of the president.
- The constitution should state that the Kenya currency should have pictures of local crops and not the presidents' portrait

APPENDICES:

Appendix 1: Members of the Constituency Constitutional Committee

1. Christopher M. Obure MP
2. Rose Okemwa DC
3. Stephen Mananda Obwoye
4. Father Vincent Simba
5. Selina Oyweri
6. Pastor James Omwenga
7. Joseph A. Otungu
8. Philip Marube
9. Cllr. Nyasaka
10. Mrs. Jane Yophes

Appendix 2: Civic education providers (CEPs)

1. Constituency constitutional committee
2. Alkoami consultants
3. Kiungeti self help women group
4. Asali youth group
5. Bobasi employed graduates group
6. Matongo youth group
7. Maranatha mission of Kenya

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

1	0005OGSN Y	Anna Bochere	CBO	Written	Nyoera Women Group
2	0007OGSN Y	Jane Kegochi	CBO	Written	Bobasi Constituency Women
3	0006OGSN Y	Joash Machuka	CBO	Written	Unemployed Youth of Bobasi
4	0001OGSN Y	John M. Bisera	CBO	Oral - Public he	Gionsaria Adult Welfare
5	0008OGSN Y	Justus Morara	CBO	Oral - Public he	Igoma Women Group
6	0010OGSN Y	Micah Nyanducha Obuya	CBO	Written	Bobasi Constituency Retired
7	0015OGSN Y	Onyancha E Obongi	CBO	Written	Federation of Women Groups
8	0014OGSN Y	Peter Obwogi	CBO	Written	Itibo Business Group
9	0004OGSN Y	Thomas N. Ongera	CBO	Oral - Public he	Catholic Dioceses of Kisii
10	0016IGSNY	Aloys Obure	Individual	Written	
11	0076IGSNY	Amos Mathenge	Individual	Oral - Public he	
12	0047IGSNY	Anderson Ombaya	Individual	Oral - Public he	
13	0048IGSNY	Anna Bochere	Individual	Oral - Public he	
14	0061IGSNY	Ayuka Masese	Individual	Oral - Public he	
15	0054IGSNY	Bornibas Tonongo	Individual	Oral - Public he	
16	0040IGSNY	Charles Ongaki	Individual	Oral - Public he	
17	0001IGSNY	Charlse Bisinga	Individual	Written	
18	0044IGSNY	Cllr. Elijah Nyasaka	Individual	Oral - Public he	
19	0014IGSNY	Cllr. Richard Machanger	Individual	Written	
20	0073IGSNY	Daniel Nyabuto	Individual	Oral - Public he	
21	0030IGSNY	David Onkundi	Individual	Oral - Public he	
22	0022IGSNY	Elizabeth Tengea	Individual	Written	
23	0074IGSNY	Elkana Obure	Individual	Oral - Public he	
24	0045IGSNY	Enock N Ogachi	Individual	Oral - Public he	
25	0036IGSNY	Evans O Nyabuto	Individual	Oral - Public he	
26	0017IGSNY	Fetelis Nyamwaru	Individual	Written	

27	0051	IGSNY	Gabriel Obongo	Individual	Oral - Public he	
28	0065	IGSNY	Geoffrey Mairura	Individual	Oral - Public he	
29	0059	IGSNY	Henry Mirera	Individual	Oral - Public he	
30	0062	IGSNY	Humprey Njoga	Individual	Oral - Public he	
31	0025	IGSNY	Isaya Obwori	Individual	Written	
32	0041	IGSNY	Jacob Motari	Individual	Oral - Public he	
33	0052	IGSNY	James Ngere Oichoe	Individual	Oral - Public he	
34	0034	IGSNY	Jeremia O. Nyangau	Individual	Oral - Public he	
35	0027	IGSNY	Jeremiah Kegera	Individual	Written	
36	0010	IGSNY	Joash Mandere	Individual	Written	
37	0024	IGSNY	John Chogoo Auya	Individual	Written	
38	0078	IGSNY	John Maobe	Individual	Oral - Public he	
39	0032	IGSNY	John Obuogi	Individual	Oral - Public he	
40	0063	IGSNY	Johnson Matara	Individual	Oral - Public he	
41	0013	IGSNY	Joseph O Ombati	Individual	Written	
42	0060	IGSNY	Joshua K Oganda	Individual	Oral - Public he	
43	0012	IGSNY	Joshua K Oganda	Individual	Written	
44	0067	IGSNY	Josphat Ongao	Individual	Oral - Public he	
45	0035	IGSNY	Justus T Obara	Individual	Oral - Public he	
46	0031	IGSNY	Karani Oichoe	Individual	Oral - Public he	
47	0049	IGSNY	Kennedy Ayora	Individual	Oral - Public he	
48	0069	IGSNY	Kennedy Z Kerabu	Individual	Oral - Public he	
49	0007	IGSNY	Lydia Kiboma	Individual	Written	
50	0056	IGSNY	Lydia Kiboma	Individual	Oral - Public he	
51	0021	IGSNY	Margaret Atima	Individual	Written	
52	0033	IGSNY	Metusera M Ratemo	Individual	Oral - Public he	
53	0058	IGSNY	Michael Torori	Individual	Oral - Public he	
54	0009	IGSNY	Michael Torori	Individual	Written	
55	0011	IGSNY	Moses Nyangena	Individual	Written	
56	0028	igsny	Mr John Mavita Bosire	Individual	Oral - Public he	

57	0046	IGSNY	Naftali N Nyangena	Individual	Oral - Public he	
58	0050	IGSNY	Naftali O Anunda	Individual	Oral - Public he	
59	0005	IGSNY	Naftali Ombati Anunda	Individual	Written	
60	0020	IGSNY	Nahashon Nyambane	Individual	Written	
61	0043	IGSNY	Onsarigo Mwita	Individual	Oral - Public he	
62	0066	IGSNY	Otiso Kepher	Individual	Oral - Public he	
63	0071	IGSNY	Paul Wako	Individual	Oral - Public he	
64	0002	IGSNY	Peter A. Ragira	Individual	Written	
65	0072	IGSNY	Peter Obwogi	Individual	Oral - Public he	
66	0053	IGSNY	Philip Ocharo	Individual	Oral - Public he	
67	0006	IGSNY	Philip Ogaro Ocharo	Individual	Written	
68	0015	IGSNY	Pius Onyango	Individual	Written	
69	0029	igsny	Rev Wilson Marupe	Individual	Oral - Public he	
70	0018	IGSNY	Richard O. Makori	Individual	Written	
71	0055	IGSNY	Robert Nyatete	Individual	Oral - Public he	
72	0068	IGSNY	Robert Siangu	Individual	Oral - Public he	
73	0064	IGSNY	Ronald Auta Murua	Individual	Oral - Public he	
74	0057	IGSNY	Samuel Asiago	Individual	Oral - Public he	
75	0008	IGSNY	Samuel Asiago	Individual	Written	
76	0075	IGSNY	Samuel Onsongo	Individual	Oral - Public he	
77	0070	IGSNY	Thomas Kengerere	Individual	Oral - Public he	
78	0042	IGSNY	Thomas N Ongera	Individual	Oral - Public he	
79	0037	IGSNY	Thomas Obonyo	Individual	Oral - Public he	
80	0077	IGSNY	Vincent Onsare	Individual	Oral - Public he	
81	0023	IGSNY	Vincent Onsare	Individual	Written	
82	0038	IGSNY	Wilfred Nyamari	Individual	Oral - Public he	
83	0039	IGSNY	Yophes Kegochi	Individual	Oral - Public he	
84	0011	OGSN Y	Anna K. Nyaaga	NGO	Written	Maendeleo ya Wanawake Organi

85	0009OGSN Y	Justus Nyabuto Auta	Other Institutions	Written	Igoma Secondary School
86	0012OGSN Y	Otiso Kepher	Other Institutions	Oral - Public he	Club Rogono Secondary School
87	0003OGSN Y	Peter Meroka	Religious Organisation	Oral - Public he	SDA Church
88	0013OGSN Y	Samuel Orina	Religious Organisation	Oral - Public he	SDA South Kenya Confrence
89	0002OGSN Y	Wilfred Marube	Religious Organisation	Oral - Public he	Maranata Mission

Appendix 4: Persons Attending Constituency Hearings

No	Name	Address:	No	Name:	Address:
1	Jeremiah kegera	P.O.Box 171, Ogembo	25	Pastor p. M. Ombuyi	P.O. Box 1550, Kisii
2	Pius Onyango	P.O. Box 3, Ogembo	26	Pastor Wilfred Marube	P.O. Box 81, Nyamache
3	Samwel Orina	P.O. Box 257, Kisii	27	Nyabuto E. Makori	P.O.Box 253, Ogembo
4	Rebecca Omanga	P.O. Box 500, Kisii	28	Richard Ogembo Makori	P.O. Box 3, Ogembo
5	Paul Gwako	P.O. Box 466, Kisii	29	Onyancha E. Ombongi	P.O. Box 606, Kisii
6	Charles Oino	P.O. Box 21, Tabaka	30	Ellkana Ondari	P.O. Box 694, Kisii
7	Walter Mosuti Omwenga	P.O. Box 222, Ogembo	31	Samwel Onsongo	P.O. Box 145, Kisii
8	Alois Obure	P.O. Box 115, Kisii	32	Mayieka Junior	P.O. Box 500, Kisii
9	Ambrose Maiteka	P.O. Box 3334, Kisii	33	Simion Asiago	P.O. Box 94, Nyamagwa
10	Joseph Onsare	P.O. Box 149, Kisii	34	Nahashon Nyandoro	P.O. Box 381, Kisii
11	Nicholas Abea	P.O. Box 149, Kisii	35	peter Nyabuto	P.O. Box 500, Kisii
12	Zachariah Omare	P.O. Box 500, Ogembo	36	Micah N. Obuya CRTD	P.O. Box 179, Kisii
13	Samwel Onsongo	P.O. Box 149, Ogembo	37	Peter A. Ragira	P.O. MOGONGA
14	Makumba Ogachi	P.O. Box 500, Ogembo	38	Peter Nyanducha	P.O. NYAMARAMBE
15	David Ombui	P.O. Box 500, Ogembo	39	Amos Mathenge	P.O. Box 500, Kisii
16	Fidelis Nyamwaro	P.O. Box 115, Kisii	40	Abel Moreri	None
17	Daniel Nyabuto	P.O. Box 500, Kisii	41	Vincent Osugo	None
18	Charles O. Bisinga	P.O. Box 1032, Kisii	42	John M. Biera	P.O. Box 180, Nyamahce
19	Fredrick Maburi	P.O. Box 500, Kisii	43	Rev. Wilfred Marube	P.O. Box 81, Nyamache
20	Isiah Ondera Mesese	P.O. Box 500, Kisii	44	David Onkwani	P.O. Box 5, Nyamache
21	Rev. Marco Makori	P.O. Box 1628, Kisii	45	Henry Karani Oichoe	P.O. Box 65, Nyamache
22	Peter Obwogi Nyamwega	P.O. Box 290, Kisii	46	John Obwogi	P.O. Box 95, Nyamache
23	James Ratemo	P.O. Box 94, Kisii	47	Charles Bisinga	P.O. Box 1032, Kisii
24	Kerementia Obara	P.O. Box 94, Kisii	48	Methuseila Wayaka	P.O. Box 61, Nyamache
49	Jeremiah Obwoge	P.O.Box 37, Nyamache	73	Justus Morara	P.O. Box 96, Nyamache
50	Justus Obara	P.O. Box 58, nYamache	74	Joash Nyabuto	P.O. Box 2178, Nyamache
51	Evans Ondiba Osoro	P.O. Box 147, Nyamache	75	Gekara Aggrey	P.O. Box 96, Nyamache
52	Thomas Obonyo	P.O. Box 1, Nyamache	76	Loyce Bonarerei	P.O. Box 100, Nyamache
53	Nyamweya N. Wilfred	P.O. Box 144, Nyamache	77	Salome Omwanng	P.O. Box 100, Nyamache
54	Peter Meroka	P.O. Box 139, Nyamache	78	Okongo William	P.O. Box 100, Nyamache

55	Charles Ongthi	P.O. Box 2451, Nyamache	79	Rebecca Otachi	P.O. Box 100, Nyamache
56	Jacob Motaari	P.O. Box 2268, Nyamache	80	James Okari	P.O. Box 1, Nyamache
57	Thomas Nyamori	P.O. Box 94, Nyamagwa	81	George Duke Onchiri	P.O. Box 77, Nyamache
58	Bertrophers Machka	P.O. Box 37, Nyamache	82	Richard Mochoge	P.O. Box 192, Nyamache
59	Onsarigo Moita	P.O. Box 77, Nyamache	83	Charles Obita	P.O. Box 94, Kisii
60	Cllr. Elijah Nyasaka	P.O. Box 40, Nyamache	84	Thomas Ondieki	P.O. Box 94, Kisii
61	Enock Ogachi	P.O. Box 16, Nyamache	85	Auta Justus	P.O. Box 11, Nyamahce
62	Oyaro Mogaka	P.O. Box 208, Nyamache	86	Alexander Masase	P.O. Box 2268, Ritumbe
63	Naftal Ondieri Nyangea	P.O. Box 48, Nyamahce	87	Kennedy R. Ayora	P.O. Box 158, Nyamache
64	Naftal O. Nyakundi	P.O. Box 96, Nyamache	88	G.K. Chelagat	P.O. Box 100, Nyamache
65	Peter A. Ragira	P.O. Mogonga	89	Bosibri Dambeka	P.O. Box 144, Nyamahce
66	Wilfred O. Metoso	P.O. Mogonga	90	Robert Arori	P.O. Box 3080, Kisii
67	Anderson Ombaye	P.O. Box 597, Kisii	91	Peter Nyanga	P.O. Box 3080, Kisii
68	Yophes Kegochi	P.O. Box 37, Nyamache	92	Naptal Ombati Anunda	P.O. Box 15, Nyamache
69	Geoffrey Simba	p.o. Box 26, Nyamache	93	John B. Okido	P.O. Box 26, Omobondu
70	Annah B. Ongera	P.O. Box 35, Nyamache	94	Micah n. Obuya	P.O. Box 179, Kisii
71	Joash Machuka	P.O. Box 90, Nyamache	95	Philip Makini Juma	P.O. Box 174, Kisii
72	Jane Yophes Kegochi	P.O. Box 37, Nyamache	96	Philip Marube	P.O. Box 979, Kisii
97	Zablo Gikenyi	P.O. Box 96, Nyamache	122	Moses Nyangena	P.O. Box 26, Nyamache
98	Gabriel Obonyo	P.O. Box 86, Nyamache	123	Thomas Mose	P.O. Box 3, Nyamache
99	James Ngere	P.O. Box 25, Nyamache	124	Meshack Mogiri	P.O. Mogonga
100	Robinson Abuki	P.O. Box 1853, Kisii	125	Raban N. Ouchangu	P.O. Box 44, Nyamahce
101	Philip O. Ocharo	P.O. Box 101, Nyamahce	126	Henry O. Mirera	P.O. Box 197, Nyamache
102	Bonface M. Tonogo	P.O. Box 74, Nyamache	127	Kenyanza O. Joshua	P.O. Box 197, Nyamache
103	Stanley O. Oichore	P.O. Nyamache	128	Tom Ndubi	P.O. Box 194, Kisii
104	Robert Nyamari Nyaede	P.O. Box 144, Nyamache	129	Humphrey Njoga	P.O. Box 3, Kisii
105	Wolter Momanyi	P.O. Box 144, Nyamache	130	Cllr. Mochangerah Makori	P.O. Box 40, Nyamache
106	Martin Obure Obong'o	P.O. Box 87, Nyakona	131	Johnson M. Kebwaro	P.O. Box 35, Nyamache
107	Samson Ngandika	P.O. Box 87, Nyakona	132	Donald Nyabuto	P.O. Box 158, Nyamache

108	Kiboma Lydiah	P.O. Box 144, Nyamache	133	Geoffrey Mairura	P.O. Box 192, Nyamache
109	Samwel Asiago	P.O. Box 26, Nyangusa	134	Damaris Ayaga	P.O. Box 197, Nyamache
110	Maiko Torori	P.O. Box 77, Nyamahce	135	Bundi Samson	P.O. Box 197, Nyamache
111	Charles M. Ochoro	P.O. Box 93, Nyamache	136	Otiso Kepha	P.O. Box 197, Nyamache
112	Evans Simba Areba	P.O. Box 93, Bigogo	137	Fred Omwange	P.O. Box 197, Nyamache
113	Annah K. Nyaanga	P.O. Box 75, Ogembo	138	Lilian Bosire	P.O. Box 197, Nyamache
114	Julius Momanyi	P.O. Box 60, Nyamachi	139	Robert Siang	P.O. Box 113, Nyamache
115	Onchoke Okari	P.O. Box Nyamache	140	Josephat Ongao	P.O. Box 144, Nyamache
116	Stephen Obonyo	P.O. Box 100, Nyamache	141	Kenedy Zachary Kerabu	P.O. Box 1, Nyamache
117	Charles Mose	P.O. Box 100, Nyamache	142	Thomas Kengele	P.O. Box 3119, Kisii
118	Lazaros Moracha	.O. Box 1, Nyamache	143	Anyuka K. Woses	P.O. Box 677 Nyamache
119	Simion Onyiego	P.O. Box 6356, Kisumu	144	Ronald O Atuta	P.O. Box 37 Nyamache
120	Haron Aunga	P.O. Box 95, Nyamahce			
121	Joash Mandere	P.O. Box 3380, Kisii			